



TOWN OF WARNER

P.O. Box 265, 5 East Main Street
Warner, New Hampshire 03278-0059
Land Use Office: (603)456-2298 ex. 7
Email: landuse@warnernh.gov

MEETING AGENDA Zoning Board of Adjustment Wednesday June 10, 2026 Town Hall Lower Meeting Room 7:00 PM

Join Zoom Meeting: <https://us02web.zoom.us/j/84102051310> Meeting ID: 841 0205 1310 Passcode: 1234

1. OPEN MEETING and ROLL CALL

2. NEW BUSINESS:

A. Application for a Variance

Case: 2026-1 *Hial*

Applicant: ~~Hail~~ & Laura Colburn

Owner: ~~Hail~~ & Laura Colburn

Address: 94 Howe Lane

Parcel: Map:13, Lot:39-1

District: OC-1

Description: Application to construct a garage 21-feet from the south setback where 50-feet is required. **Article VIII - C.1. b.**

3. REVIEW MINUTES – April 8, 2026

4. COMMUNICATIONS

5. ADJOURN

Note: Zoning Board meetings will end no later than 10:00 P.M unless extended. Items remaining on the agenda will be heard at the next scheduled monthly meeting.

All interested parties are invited to attend. Written correspondence must be received by noon on the day of the meeting.

B. Marty Agenda

Posted: 06/01/26

Town Hall 2X's

PO

Website



Hial Colburn <htcolburn@gmail.com>

Re: Building Permit for 94 Howe Ln

1 message

Elizabeth Labbe - Assessing <assessing@warnernh.gov>

Mon, May 18, 2026 at 2:50 PM

To: Hial Colburn <htcolburn@gmail.com>, Judy Newman-Rogers - Select Board Admin <selectboard@warnernh.gov>

Hello,

You care correct; we cannot issue a building permit giving permission to build within the setbacks in your zoning district. The ZBA will need to address the issue.

I've included the point person for the Land Use boards in this email - Judy Newman-Rogers email: selectboard@warnernh.gov. Also attached is a variance application for the ZBA.

Please let me know if I can help with anything.
Thank you.

Elizabeth Labbe, she/her
Assessing Clerk
603-456-2298 Ext. 3
Assessing@WarnerNH.gov

Please note that all communication to and from this e-mail address is subject to NH RSA 91-A which affords the public access to this information, with the exception of limited, sensitive information.

From: Hial Colburn <htcolburn@gmail.com>
Sent: Friday, May 15, 2026 7:46 AM
To: Elizabeth Labbe - Assessing <assessing@warnernh.gov>
Subject: Building Permit for 94 Howe Ln

This email originated from outside of the organization. Do not click links or open attachments unless you are 100% sure that it is safe.

Good morning,

I was speaking with you yesterday afternoon about the abutters to my property.

I'm wanting to have a detached garage built on the property, and I'll obviously need a building permit to do so. However, due to several factors, to accomplish this, I'll be well within the 50' setback from the property line.

I'm assuming this would mean my building permit application would be rejected until I obtain a variance from the Zoning Board, correct?

Please advise.

Hial Colburn
94 Howe Ln
(603) 456-2738



From Assessing
to Colburn
Re: Apply for Variance
Bldg Permit Denied

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Warner, New Hampshire 03278-0059
Land Use Office: (603)456-2298 ex. 7
landuse@warnernh.gov

General Instructions for an Appeal to the Zoning Board of Adjustment

All applications are subject to RSA 91-A, which affords the public access to government records

Getting Started

Before filling out the application, be certain you know which application you should file. If the application is incomplete, it will be returned causing a delay in the processing of the application and hearing before the Zoning Board of Adjustment (ZBA).

When you're ready to get started, make sure you read everything included with the application, follow all the steps listed and work with the Land Use office to make sure everything is complete before you submit your application.

The burden of preparing and submitting a complete ZBA application is with the applicant.

Types of Appeals

1. Variance

- a. A variance is an authorization, which may be granted under special circumstances, to allow your property relief from requirements specified in the Zoning Ordinance. For a variance to be legally granted, you must show that your proposed use meets the five criteria listed in the Ordinance.
- b. If you have a referral from the Select Board, Planning Board or Building Department, a copy must be included with your application.

2. Special Exception

- a. The Zoning Ordinance provides that uses, buildings or activities in a particular zone will be permitted by Special Exception if specified criteria are met. The necessary criteria for a Special Exception are given in the Ordinance. Your appeal for a Special Exception will be granted if you can show that the criteria stated in the application are met.

3. Appeal of Administrative Decision (RSA 677)

- a. Decisions made by administrative officers involving what the ordinance says and means are appealable by anyone with standing (RSA 677:2). This includes decisions by the Select Board the Planning Board, the ZBA or any other "administrative officer" regarding the terms of the ordinance. This does not mean, however, that decisions to enforce (or not enforce) the ordinance are also appealable to the ZBA. These decisions are discretionary and are not reviewable under RSA 676:5, II (b) or any other statute.
- b. The appeal must be made normally within 30 days of the decision. The appeal will be granted if you can show that the decision was made in error.
- c. A copy of the decision being appealed must be attached to the application.
- d. The ZBA will not reopen a case based on the same set of facts unless it is convinced that the original decision was unlawful or unreasonable.

4. Equitable Waiver of Dimensional Requirements

- a. If you have found that your structure does not conform to the dimensional requirements for the zoning district in which it is located as a result of an error by your builder, yourself or a public official, you may be eligible for an Equitable Waiver. This does not mean that your structure is then legally non-conforming, but rather recognizes the error and prevents any enforcement action against that error in the future. All subsequent construction at the site must then comply with all dimensional requirements.

Application Instructions

1. Read, complete and sign the proper application for the type of appeal required. If the application is incomplete it will be returned, which will cause a delay in the processing of the application and the hearing before the Zoning Board of Adjustment (ZBA).
2. The ZBA strongly recommends that prior to filing an application, the applicants become familiar with the applicable Warner Zoning Ordinance.
3. If a variance is requested, it may be based on a referral from the Select Board, the Planning Board or a denial of a building permit.
4. Please include the following along with your application:
 - a. A list of all abutters within 200 feet of the boundaries of the property on the supplied form. Accuracy of the list is the applicant's responsibility.
 - b. A copy of any order, referral, notice of violation or other communications that pertain to the property.
 - c. A copy of the property deed.
 - d. Authorization from Owner(s) which must be signed by all property owners and designate if someone will speak on behalf of the property owner(s).
 - e. Plot Plans shall:
 - 1) Clearly indicate where the site is located (locus map) and what is proposed *drawn to scale*.
 - 2) Show the boundary lines with footage on all sides and setback lines for the lot.
 - 3) Name the road the lot fronts on.
 - 4) Show all existing structures on the lot, clearly indicating their dimensions, distance from other structures and distance from adjacent property lines drawn to scale and measured from roof overhang.
 - 5) For a proposed structure, include all of the above and a floor plan with dimensions, (length, width, and height) and yard setback distances measured from roof overhang.
5. A check for the correct amount made out to the **Town of Warner** must be provided at the time of filing.

| Application Fee | | Notification Fee | |
|-----------------|----------|------------------------|-----------|
| Residential | \$50.00 | Per Abutter _____ x | \$15.00 |
| Commercial | \$100.00 | Newspaper Notification | *\$125.00 |

*Standard Posting: Intertown Record = \$125.00 Upon request of applicant a Special Posting in the Concord Monitor = \$300.00

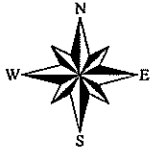
6. A completed application must be received at least 21 days prior to the next ZBA meeting. Public notice of the hearing will be posted and printed in a newspaper, and notice shall be given to the applicant, all abutters, and to parties the ZBA may deem to have interest, at least five days prior to the date of the hearing. The applicant and all other parties are expected to appear at the hearing in person, or by agent, to state reasons why the appeal should or should not be granted.

Public Hearing Process

8. The applicant, or the applicant's agent, shall present the application at the hearing. If an attorney represents the applicant and desires to present a written brief, the brief may be delivered with the application.
9. At the beginning of the public hearing the ZBA will decide if the application is complete.
10. After the public hearing, the ZBA will reach a decision. The decision could be postponed to a date specified to allow for additional information or to consult with Town Counsel. After the ZBA reaches a decision, a formal Notice of Decision will be mailed to the applicant and property owner(s), placed in the ZBA files and distributed as specified in the Rules of Procedure.
11. The applicant, Select Board, any party to the action or proceedings, or any person directly affected thereby may appeal for a rehearing. This 30-day time period shall be counted in calendar days beginning with the date following the date upon which the board voted to approve or disapprove the application. (RSA 677:2)

12. **Abutter(s) List instructions:**

- a. Please list the name and addresses of all owners of the property that abut the subject property, defined as follows:
 - 1) Any person whose property is located in New Hampshire and;
 - i. adjoins or is directly across a street or stream from or;
 - ii. has a boundary which is within 200 feet of any boundary of the land under consideration by the ZBA or;
 - iii. has frontage on a pond on which the land under consideration by the ZBA also has frontage.
 - 2) In case of an abutting property being under a condominium or other collective form of ownership, the term "abutter" means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. (also see RSA 672:3)
- b. In addition to abutters, please include the names and addresses of the applicant, owner(s) of the subject property and as applicable, the owner's agent engineer, land surveyor, architect, soil scientist, wetland scientist, and holders of conservation, preservation, or agricultural preservation restrictions.
- c. If the property abuts a street, the Select Board shall receive a notice as an abutter. If the property abuts a State Highway, the State Department of Transportation as well as the Select Board shall be noticed as abutters. If the property is within ¼ mile of the Warner River, the Warner River Local Advisory Committee shall be noticed as an abutter. If a referral was received from the Planning Board, they shall be noticed as an abutter.
- d. The abutter list must be obtained from the Town of Warner's Assessors records and submitted with the application.



94 Howe Lane , Warner, NH

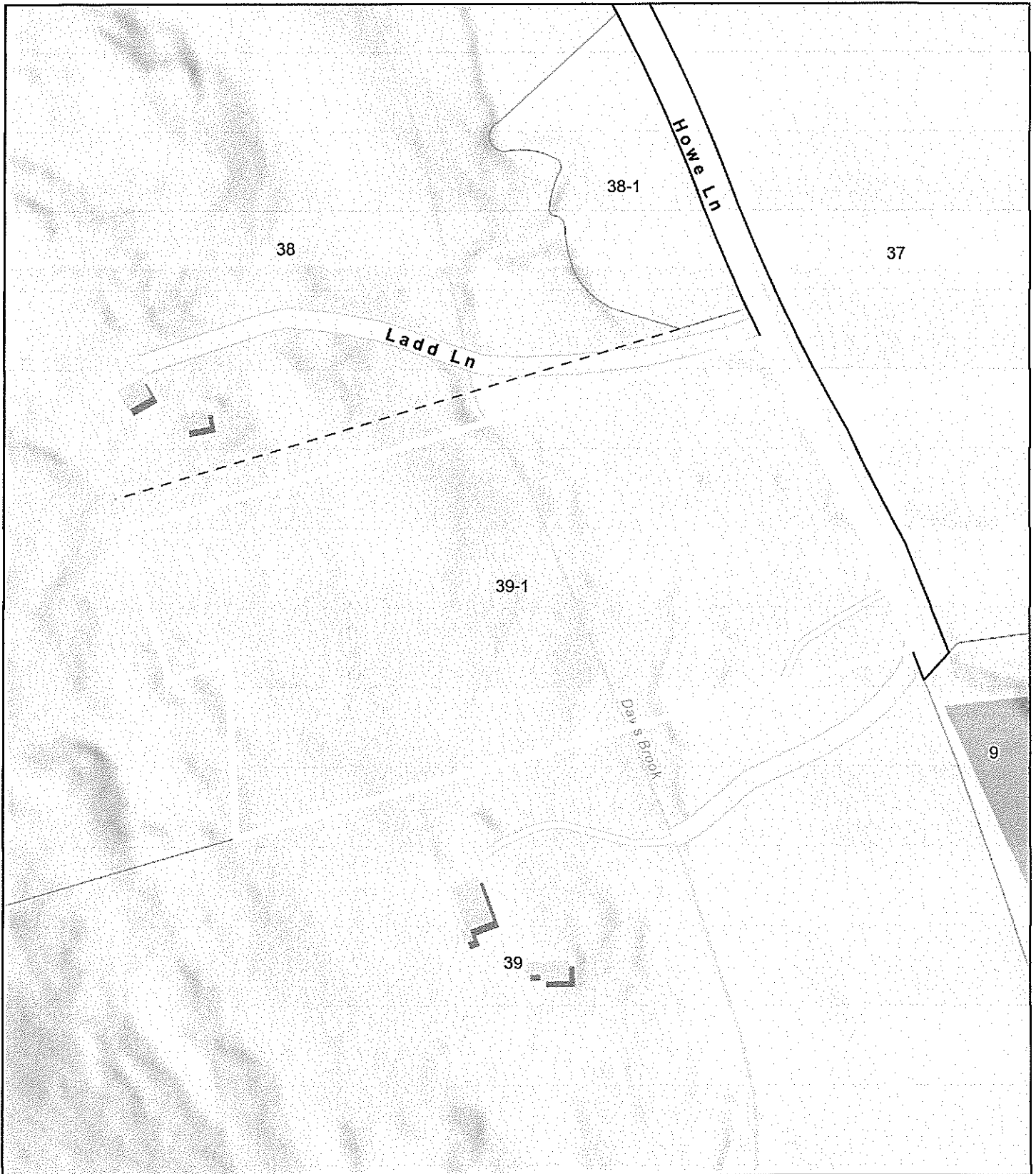
Map/Lot: 13-39-1

1 inch = 218 Feet



www.cai-tech.com

May 18, 2026



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

HIAL T COLBURN
LAURA D COLBURN
94 HOWE LN
WARNER, NH 03278-4211

3184
30-7426/3140

5/19/2026
Date

RECEIVED

MAY 19 2026

Pay to the Order of Town of Warner \$ 125.00
One Hundred Twenty Five and $\frac{xx}{100}$ Dollars

Initial: JPC

USAA FEDERAL SAVINGS BANK
10750 McDERMOTT FWY
SAN ANTONIO, TEXAS 78288-0544
(210) 456-8000 1-800-832-3724

For Variance fees

[Signature]

⑆ 314074269⑆
TRANSIT ROUTING NUMBER

\$ 50.00 Ap Fee
\$ 75.00 Abbutters (5 @ \$15)
Newspaper
Publication
?

\$ 125.00 Yes - Publication

Must be Paid
Before or at
hearing.

Applicant Name: Colburn, Hial and Laura

Parcel: Map: 13 Lot: 39-1

RECEIVED

MAY 1 2026

Initial: [Signature]

Application Checklist

Applications must be received 21 days prior to the next regular ZBA meeting

| Have you included | | Item | Land Use Office | |
|-------------------|----|---|-----------------|----|
| Yes | No | | Yes | No |
| | | Application fees paid <u>5/19/2026: \$125⁰⁰ AP - \$50⁰⁰</u> | | |

? Publish?
Abutter - 5 @ \$15 = 75⁰⁰

| Include 1 original and 8 copies of the following | | | | |
|---|--|--|--|--|
| <input checked="" type="checkbox"/> | | Completed application for the type of appeal requested | | |
| <input checked="" type="checkbox"/> | | Owner Authorization Form, signed by all owners | | |
| <input checked="" type="checkbox"/> | | If the application is based on a referral from the Select Board, the Planning Board, or a denial of a building permit from the Building Department it must be include with the application | | |
| <input checked="" type="checkbox"/> | | Other communication received from the Select Board, Planning Board, Building Department, or State agencies that pertains to the property (if applicable) | | |
| <input checked="" type="checkbox"/> | | Current copy of the deed to verify owner(s) and easements | | |
| <input checked="" type="checkbox"/> | | List of all abutters within 200 feet of the boundaries, or with shared water frontage | | |
| <input checked="" type="checkbox"/> | | Plot plan as described below | | |
| Plot plan shall include the following <u>drawn to scale</u> | | | | |
| <input checked="" type="checkbox"/> | | Indicate where the site is located in Warner (locus map) | | |
| <input checked="" type="checkbox"/> | | Property boundary line measurements including setbacks on all sides and name of the frontage road. | | |
| <input checked="" type="checkbox"/> | | Include all existing structures, clearly indicate their dimensions, distance from other sturctures and from adjacent property lines measured from the roof overhang | | |
| <input checked="" type="checkbox"/> | | For a proposed structure, include all of the above plus a floor plan with dimensions (length, width, height) | | |



TOWN OF WARNER

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 Land Use Office: (603)456-2298 ex. 7
 landuse@warnernh.gov

Application for Variance

The applicant hereby requests a Variance to the terms of:
 Article: VIII _____ Section: C1b _____ of the Warner Zoning Ordinance

| | | |
|---|--------------------------|---------------------------|
| Applicant/Contact Person: | | |
| Name of Applicant: Hial & Laura Colburn | | Date: 16 May 2026 |
| Mailing Address: 94 Howe Lane | | |
| Town: Warner | State: NH | Zip: 03278 |
| Telephone:(603) 456-2738 | Alternate:(512) 656-4465 | Email:htcolburn@gmail.com |
| Owner of Property: | | |
| Name of Owner: Same as above | | Date:3 May 2026 |
| Mailing Address: | | |
| Town: | State: | Zip: |
| Telephone: | Alternate: | Email: |
| Location of Property: | | |
| Map#:13 | Lot#: 39-1 | Zoning District: OC-1 |
| Address: 94 Howe Ln, Warner, NH 03278 | | |
| Describe the request: | | |
| We are requesting a variance to the referenced Zoning Ordinance so that we may have a detached garage built on the property. We have 12.3 acres, but very little of the land is suitable for building due to ground slope, significant amounts of mature trees, and 2 brooks that traverse the property. The foundation footprint of the proposed building would put it inside the 50-foot setback of the zoning ordinance. | | |
| | | |
| | | |

Application for Variance

State in writing how the following conditions pertain to the property and be prepared to present the application at a public hearing. The burden of proof is on the applicant to show that all conditions have been met.

Warner Zoning Ordinance Article XVII and RSA 674:33

1. Granting the variance will not be contrary to the public interest because the proposed location would keep it away from the flowing waterways and not require the removal of any mature trees. The proposed location is the only location on the property without significant slope or trees, is not in wetland, and does not obstruct views or natural drainage.

2. Granting the variance will not be contrary to the spirit of the ordinance because it will provide a proper location for storing large outdoor equipment out of public view (tractor, UTV, etc.) The building will feature styling that conform to a rural barn structure styling and will closely resemble the styling of the existing house.

3. By granting the variance substantial justice is done because it allows the owner the ability to utilize their property and build on it while keeping with the spirit of the ordinance. There is no loss to the public nor is there any loss to the abutters.

4. By granting the variance the value of surrounding properties are not diminished because the structure will not be visible from any of the abutting residences and will not diminish the property values of any abutters. The structure will be at least 50 feet away from any public roadway.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.

a. For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

- i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and
- ii. The proposed use is a reasonable one.

OR

b. If the criteria in subparagraph (a) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

A literal enforcement of the ordinance in this case would be an unnecessary hardship because the owner should be allowed to utilize their property to its full extent as long as the public is not harmed in any way. In this case, the

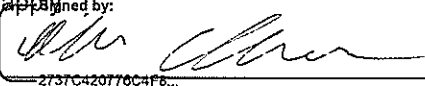
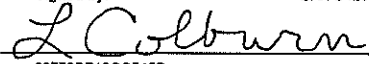
owner is limited to where they may construct due to ground slope, trees, and waterways. The proposed structure

is reasonable and in keeping with the style of existing homes and structures in the area.

ALL APPLICABLE PAGES MUST BE COMPLETED TO BE ACCEPTED

Authorization from Owner(s):

1. I (We) hereby designate Hial Colburn to serve as my (our) agent and to appear and present said application before the Warner Zoning Board of Adjustment [ZBA].
2. By submitting this application, I (We) hereby authorize and understand that agents of the Town may visit the site without further notice. I (We) further understand the ZBA may at some point during the review process schedule a public site visit, which will be duly posted.
3. I (We) understand that the ZBA will review the application/plan and/or may send the application/plan out for review. The applicant shall pay for such a review.
4. To the best of my (our) knowledge, the information provided herein is accurate and is in accordance with the Town of Warner Zoning Ordinance and other land use regulations of the Town and other applicable state and federal regulations which may apply.

Signed by:  Date: 5/17/2026
 Signature of Owner(s):  Date: 5/17/2026
Signed by: 2737C420776C4F8... 60773BF10CC546D...

Signature of Applicant(s) if different from Owner: _____ Date: _____
 _____ Date: _____

Printed name of person(s) who signed above:
Hial Colburn
Laura Colburn

| | | | |
|---|------------------|----------------|--------|
| For Zoning Board of Adjustment Use Only | | | |
| Assigned Case #: | | | |
| Date Received at Land Use Office: | | | |
| Received by: | | | |
| Fee Amount: | Cash: | Check #: | Other: |
| Abutter List Received: Yes: | | No: | |
| Date of Review: | Date of Hearing: | Date Approved: | |

Return to:
Hial T. Colburn and Laura D. Colburn
94 Howe Lane
Warner, NH 03278

T.S. \$6,300.00

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That John Scott Fernald and Diane E. Fernald, Husband and Wife, of 18 Great Pointe, Plymouth, MA 02360, for consideration paid grant(s) to Hial T. Colburn and Laura D. Colburn, Husband and Wife, of 1500 County Road 233, Florence, TX 76527, as joint tenants with rights of survivorship, with WARRANTY COVENANTS:

A certain tract of land in the Town of Warner, County of Merrimack and State of New Hampshire, situated on the westerly side of the highway leading from Newmarket and now known as Howe Lane, so-called, to the Charles M. Colby farm, bounded and described as follows:

Beginning at the end of a stone wall at the northeasterly corner of these granted premises, which is at the intersection of Howe Lane with the road now called Ladd Lane, leading to land now or formerly of Barnard Hoyt, so-called, now owned by successors to the estate of the late Mabel B. Sewell; thence running in a westerly direction about one hundred (100) feet by the stone wall on the southerly side of Ladd Lane to the first brook (called Davis Brook); thence continuing in a westerly direction a distance of about nine hundred Sixty-seven (967) feet by a line of a stone wall on the southerly side of Ladd Lane, next to land of the successors to the estate of the late Mabel B. Sewell, to a corner in the stone wall (in that distance of 967 feet the boundary crosses over a second brook with a stone bridge, both brooks later converge into one brook now known as Davis Brook); thence turning and running in a southerly direction a distance of about two hundred (200) feet by line of a stone wall next to land of the successors to the estate of the late Mabel B. Sewell, formerly known as the Alonzo Bean lot, to a corner in the stone wall; thence turning and running in an easterly direction a distance of about ninety-four (94) feet by line of a stone wall next to said Sewell estate land, to a corner in the stone wall; thence running in a southerly direction a distance of about three hundred twenty-six (326) feet by line of a stone wall and next to said Sewell estate land, to a corner in the stone wall and next to land of the successors of Margaret Scott West; thence turning and running in an easterly direction a distance of about one thousand forty-two (1,042) feet by line of a stone wall next to land of the successors to Margaret Scott West to Howe Lane; thence turning and running in a northerly direction a distance of about five hundred fifty (550) feet by the westerly side of said Howe Lane to the point of beginning.

This conveyance is subject to the following restrictions which shall run with the land: "This parcel shall not subsequently be sub-divided and only one residential structure is allowed on this land, together with supporting buildings such as a garage, barn, woodshed, etc."

Excepting and reserving to Miriam F. Wiggin, of 98 Howe Lane, in the Town of Warner, County of Merrimack and State of New Hampshire, as Trustee of the Miriam F. Wiggin Family Trust of 2001, its successors, heirs and assigns, the right in perpetuity to the following Vista Easement described as follows:

A one hundred (100) foot wide strip of land running southerly and northerly across the twelve (12) acre parcel herein conveyed that begins at a point about four hundred fifty five (455) feet westerly from the northeast corner of the twelve (12) acre parcel and extends westerly along the stone wall on the southerly side of Ladd Lane one hundred (100) feet to a point and then will turn and run southerly parallel to Howe Lane to the southern boundary of said twelve (12) acre parcel, and then turn and run easterly along the southerly boundary of said twelve (12) acre parcel one hundred (100) feet to a point, and then turn and run northerly on a line parallel to Howe Lane to the place of beginning of this Vista Easement on the southerly side of Ladd Lane.

This Vista Easement hereby allows the Miriam F. Wiggin Family Trust of 2001 and its Trustee or successor trustees, together with its authorized agents and/or employees, and its successors and assigns, to enter onto the Vista Easement described above at reasonable times to cut and trim trees and brush for the sole purpose of preserving a view of Mt. Kearsage from the present home place of Miriam F. Wiggin, presently owned by the Miriam F. Wiggin Family Trust of 2001, and situated southerly of the twelve (12) acre parcel conveyed above. The Miriam F. Wiggin Family Trust of 2001, its Trustee or successor trustees, agents or employees, and its successors and assigns agree to remove from the twelve (12) acre parcel, all trees and brush that are cut to preserve said view, to carry on all such activity in a reasonable manner at their own risk and shall indemnify and hold John Scott Fernald and Diane E. Fernald, their heirs and assigns, harmless from any damages or injuries because of said cutting and trimming.

The Miriam F. Wiggin Family Trust of 2001, its Trustee and successor trustees and its agents and employees and its successors and assigns agree that before conducting any cutting and trimming on said portion of the twelve (12) acre tract subject to the Vista Easement to protect the View of Mt. Kearsage, they will contact John Scott Fernald and Diane E. Fernald, their heirs and assigns, in writing, setting forth the exact details of the intended cutting and trimming to improve the view to Mt. Kearsage.

Meaning and intending to describe and convey the same premises conveyed to 1. Record Title Owner(s): John Scott Fernald and Diane E. Fernald (50% interest)

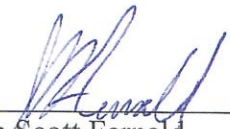
Source of Title: by virtue of a Fiduciary Deed from Miriam F. Wiggin as Trustee of the Miriam F. Wiggin Revocable Family Trust of 2001, dated 12/27/2010 and recorded in the Merrimack County Registry of Deeds in Book 3234, Page 0959.

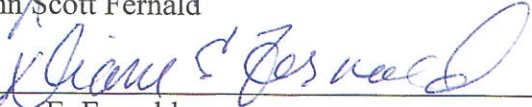
2. Record Title Owner(s): John Scott Fernald and Diane E. Fernald (remaining interest)

Source of Title: by virtue of a Fiduciary Deed from Miriam F. Wiggin as Trustee of the Miriam F. Wiggin Revocable Family Trust of 2001, dated 1/24/2011 and recorded in the Merrimack County Registry of Deeds in Book 3240, Page 1872.

We, the grantor(s) hereby release all rights of homestead in the above described premises.

Executed this 22nd day of February 2019.



John Scott Fernald


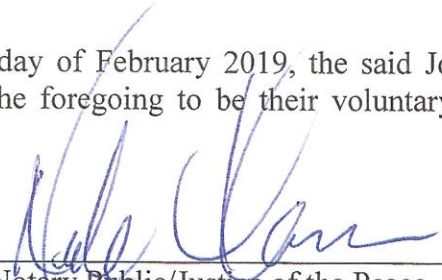
Diane E. Fernald

State of New Hampshire
County of Merrimack

February 22, 2019

Then personally appeared before me on this 22nd day of February 2019, the said John Scott Fernald and Diane E. Fernald and acknowledged the foregoing to be their voluntary act and deed.





Notary Public/Justice of the Peace
Commission expiration: 8/2/22



200 feet Abutters List Report

Warner, NH
May 14, 2026

Subject Property:

Parcel Number: 13-39-1
CAMA Number: 13-39-1
Property Address: 94 HOWE LANE

Mailing Address: COLBURN, HIAL T & LAURA D
94 HOWE LANE
WARNER, NH 03278

Abutters:

Parcel Number: 13-37
CAMA Number: 13-37
Property Address: 89 HOWE LANE

Mailing Address: LADD, PETER TTEE PETER LADD TRUST
LADD, NANCY TTEE - NANCY LADD 483
NEWMARKET ROAD
WARNER, NH 03278

Parcel Number: 13-37
CAMA Number: 13-37
Property Address: 89 HOWE LANE

Mailing Address: LADD, PETER
89 HOWE LANE
WARNER, NH 03278

Parcel Number: 13-37
CAMA Number: 13-37
Property Address: 89 HOWE LANE

Mailing Address: LADD, PETER TTEE PETER LADD TRUST
LADD, NANCY TTEE - NANCY LADD 483
NEWMARKET ROAD
WARNER, NH 03278

Parcel Number: 13-37
CAMA Number: 13-37
Property Address: 89 HOWE LANE

Mailing Address: LADD, PETER
89 HOWE LANE
WARNER, NH 03278

Parcel Number: 13-38
CAMA Number: 13-38
Property Address: 29 LADD LANE

Mailing Address: TWIN BROOKS PROPERTIES LLC
61 SEABURY ROAD
YORK, ME 03909

Parcel Number: 13-38-1
CAMA Number: 13-38-1
Property Address: HOWE LANE

Mailing Address: LADD, PETER TTEE PETER LADD TRUST
LADD, NANCY TTEE - NANCY LADD 483
NEWMARKET ROAD
WARNER, NH 03278

Parcel Number: 13-39
CAMA Number: 13-39
Property Address: 98 HOWE LANE

Mailing Address: THE FARM LLC
2406 KEN OAK ROAD
BALTIMORE, MD 21209

Parcel Number: 9-9
CAMA Number: 9-9
Property Address: MINK HILL LANE

Mailing Address: WARNER, TOWN OF
PO BOX 265
WARNER, NH 03278

* Wiggins Trust Added (easement on property.)



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

Town of Warner Zoning Board of Adjustment Abutter(s) List

Please list all abutters within 200 feet of the boundaries of the property. Applicant must reference and follow stipulations on Page 3 of the Application Instructions. In addition to abutters, please include the names and addresses of the applicant, owner(s) of the subject property, and, as applicable, the owners' agent, engineer, land surveyor, architect, soil scientist, wetland scientist, and holders of conservation, preservation, or agricultural preservation restrictions.

| | | |
|---|------------------|---|
| Map: <u>13</u> | Lot: <u>37</u> | Name: <u>Peter Ladd</u> |
| Address: <u>99 Howe Lane</u> | | |
| Map: <u>13</u> | Lot: <u>38</u> | Name: <u>Twin Brooks Properties LLC</u> |
| Address: <u>29 Ladd Lane</u> | | |
| Map: <u>13</u> | Lot: <u>38-1</u> | Name: <u>Peter Ladd Trust</u> |
| Address: <u>Howe Lane</u> | | |
| Map: <u>13</u> | Lot: <u>39</u> | Name: <u>The Farm LLC</u> |
| Address: <u>98 Howe Lane</u> | | |
| Map: <u>9</u> | Lot: <u>9</u> | Name: <u>Town of Warner</u> |
| Address: <u>Mink Hill Lane</u> | | |
| Map: <u> </u> | Lot: <u> </u> | Name: <u>Miriam Wiggin Trustee, Miriam Wiggin</u> |
| Address: <u>98 Howe Lane Family Trust of 2001</u> | | |
| Map: <u> </u> | Lot: <u> </u> | Name: <u>Warner NH 03278 (easement)</u> |
| Address: <u> </u> | | |
| Map: <u> </u> | Lot: <u> </u> | Name: <u> </u> |
| Address: <u> </u> | | |
| Map: <u> </u> | Lot: <u> </u> | Name: <u> </u> |
| Address: <u> </u> | | |
| Map: <u> </u> | Lot: <u> </u> | Name: <u> </u> |
| Address: <u> </u> | | |

ON DELIVERY

Agent Addressed

C. Date of Delivery 06/05/20

Item 1? Yes No

Address below:

CERTIFIED MAIL® RECEIPT
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Warner NH 03278

Certified Mail Fee \$5.30

Extra Services & Fees (check box, add fee as appropriate)

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|--|----|
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| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ |

Postage \$0.78

Total Postage and Fees \$10.48

Postmark Here: JUN - 1 2020

Sent To: Miriam Wiggins Trustee Miriam Wiggins Family Trust of 2001
98 Howe Lane
Warner NH 03278

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

SEND

Complete Print your so that we Attach or of 1. Article

2. Article

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| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ |
| <input type="checkbox"/> Adult Signature Required | \$ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ |

Postage \$

Total Postage and Fees \$

Postmark Here: JUN - 1 2020

Sent To: THE FARM WARNER NH 03278
2406 KEN OAK ROAD
BALTIMORE MD 21209

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

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Extra Services & Fees (check box, add fee as appropriate)

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|--|----|
| <input type="checkbox"/> Return Receipt (hardcopy) | \$ |
| <input type="checkbox"/> Return Receipt (electronic) | \$ |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ |
| <input type="checkbox"/> Adult Signature Required | \$ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ |

Postage \$

Total Postage and Fees \$

Postmark Here: JUN - 1 2020

Sent To: TWIN BROOKS PROPERTIES LLC
61 SEABURY ROAD
YORK ME 03909

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

ON DELIVERY

Agent Addressed

C. Date of Delivery 6/4/20

Item 1? Yes No

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Extra Services & Fees (check box, add fee as appropriate)

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|--|----|
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| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ |
| <input type="checkbox"/> Adult Signature Required | \$ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ |

Postage \$

Total F \$

Sent T \$

Street PETER LADD, TTEE PETER AND ROBERT NANCY LADD TTEE NANCY LADD

City S 483 NEWMARKET ROAD

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

SENDER: C

Complete Print your so that we Attach this or on the 1. Article

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| <input type="checkbox"/> Return Receipt (electronic) | \$ |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ |
| <input type="checkbox"/> Adult Signature Required | \$ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ |

Postage \$

Total Postage and Fees \$

Postmark Here: JUN - 1 2020

Sent To: PETER LADD
89 HOWE LANE
WARNER NH 03278

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

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| <input type="checkbox"/> Return Receipt (electronic) | \$ |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ |
| <input type="checkbox"/> Adult Signature Required | \$ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ |

Postage \$

Total Postage and Fees \$

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Sent To: PETER LADD
89 HOWE LANE
WARNER NH 03278

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

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Agent Addressed

C. Date of Delivery 6/4/20

Item 1? Yes No

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| <input type="checkbox"/> Adult Signature Required | \$ |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ |

Postage \$

Total F \$

Sent T \$

Street PETER LADD, TTEE PETER AND ROBERT NANCY LADD TTEE NANCY LADD

City S 483 NEWMARKET ROAD

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

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2. Article Num 7021

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Postage \$

Total Postage and Fees \$

Postmark Here: JUN - 1 2020

Sent To: PETER LADD
89 HOWE LANE
WARNER NH 03278

PS Form 3800, April 2015 PSN 7530-02-000-9053 See Reverse for Instructions

| OWNER INFORMATION | | SALES HISTORY | | | PICTURE |
|-------------------|------|---------------|------|---------|---|
| Date | Book | Page | Type | Price | Grantor |
| 02/25/2019 | 3623 | 344 | Q 1 | 420,000 | FERNALD, JOHN SCOTT & FERNALD, JOHN SCOTT & WIGGINS FAMILY TRUST, |
| 02/04/2011 | 3240 | 1872 | Q 1 | | |
| 12/29/2010 | 3234 | 959 | Q 1 | | |

| LISTING HISTORY | | NOTES |
|-----------------|------|--|
| 09/17/24 | RWVM | GREEN: 2014-ADD FIN OVER GAR. BSMT FIN; ENERGY STAR HOME, COND=V.GD; 9/24; NOH; EXT V.GD; PU SHED W/ATT PORCH; CORR DEK; PU SEVERAL LOW Q LNTOS USED FOR WD STO; DNPU NV PLASTIC GRNHSE. |
| 04/01/20 | DM | |
| 11/19/14 | TNRL | |

| EXTRA FEATURES VALUATION | | | | | | | |
|--------------------------|-------|----------------|----------|--------|------|--------------|-------------------|
| Feature Type | Units | Length x Width | Size Adj | Rate | Cond | Market Value | Notes |
| SHED-EQUIPMENT | 72 | 6 x 12 | 282 | 11.00 | 60 | 1,340 | |
| SHED-WOOD | 192 | 16 x 12 | 143 | 17.00 | 60 | 2,801 | |
| PORCH | 72 | 12 x 6 | 282 | 15.00 | 60 | 1,827 | ATT 16X12 |
| LEAN-TO | 144 | 18 x 8 | 171 | 4.00 | 40 | 394 | |
| LEAN-TO | 60 | 20 x 3 | 327 | 4.00 | 15 | 118 | |
| LEAN-TO | 30 | 10 x 3 | 400 | 4.00 | 15 | 72 | |
| LEAN-TO | 40 | 8 x 5 | 400 | 4.00 | 15 | 96 | |
| SOLAR ELECTRIC PANEL | 28 | | 100 | 400.00 | 100 | 11,200 | ROOF MNT/EST 2022 |
| | | | | | | 17,800 | |

| LAND VALUATION | | | | | | LAST REVALUATION: 2025 | | | | | | | | |
|----------------|-----------|-----------|----|-----|------|------------------------|------|---------------|------|------------|-----|---|-----------|-------|
| Land Type | Units | Base Rate | NC | Adj | Site | Road | DWay | Topography | Cond | Ad Valorem | SPI | R | Tax Value | Notes |
| IF RES | 1.000 ac | 157,000 | D | 90 | 100 | 95 | 95 | 95 -- MILD | 100 | 121,100 | 0 | N | 121,100 | |
| UNMNGD HARDWD | 11.230 ac | x 2,500 | X | 95 | | | | 90 -- ROLLING | 100 | 24,000 | 90 | Y | 909 | |
| | 12.230 ac | | | | | | | | | 145,100 | | | 122,009 | |

| MUNICIPAL SOFTWARE BY AVITAR | | | |
|------------------------------|--------------------------|-----------|------------|
| WARNER ASSESSING OFFICE | | | |
| Year | Building | Features | Land |
| 2024 | \$ 328,390 | \$ 0 | \$ 81,150 |
| | Parcel Total: \$ 409,540 | | |
| 2025 | \$ 507,600 | \$ 17,800 | \$ 122,038 |
| | Parcel Total: \$ 647,438 | | |
| 2026 | \$ 507,600 | \$ 17,800 | \$ 122,009 |
| | Parcel Total: \$ 647,409 | | |

| Zone: OC - OPEN CONSER | | | | | | | | | | | |
|------------------------|--|-----------------------|--|---------------|--|-----------------------|--|-------------------|--|--|--|
| Minimum Acreage: 5.00 | | Minimum Frontage: 300 | | Site: AVERAGE | | Driveway: GRAVEL/DIRT | | Road: GRAVEL/DIRT | | | |



94 Howe Lane , Warner, NH

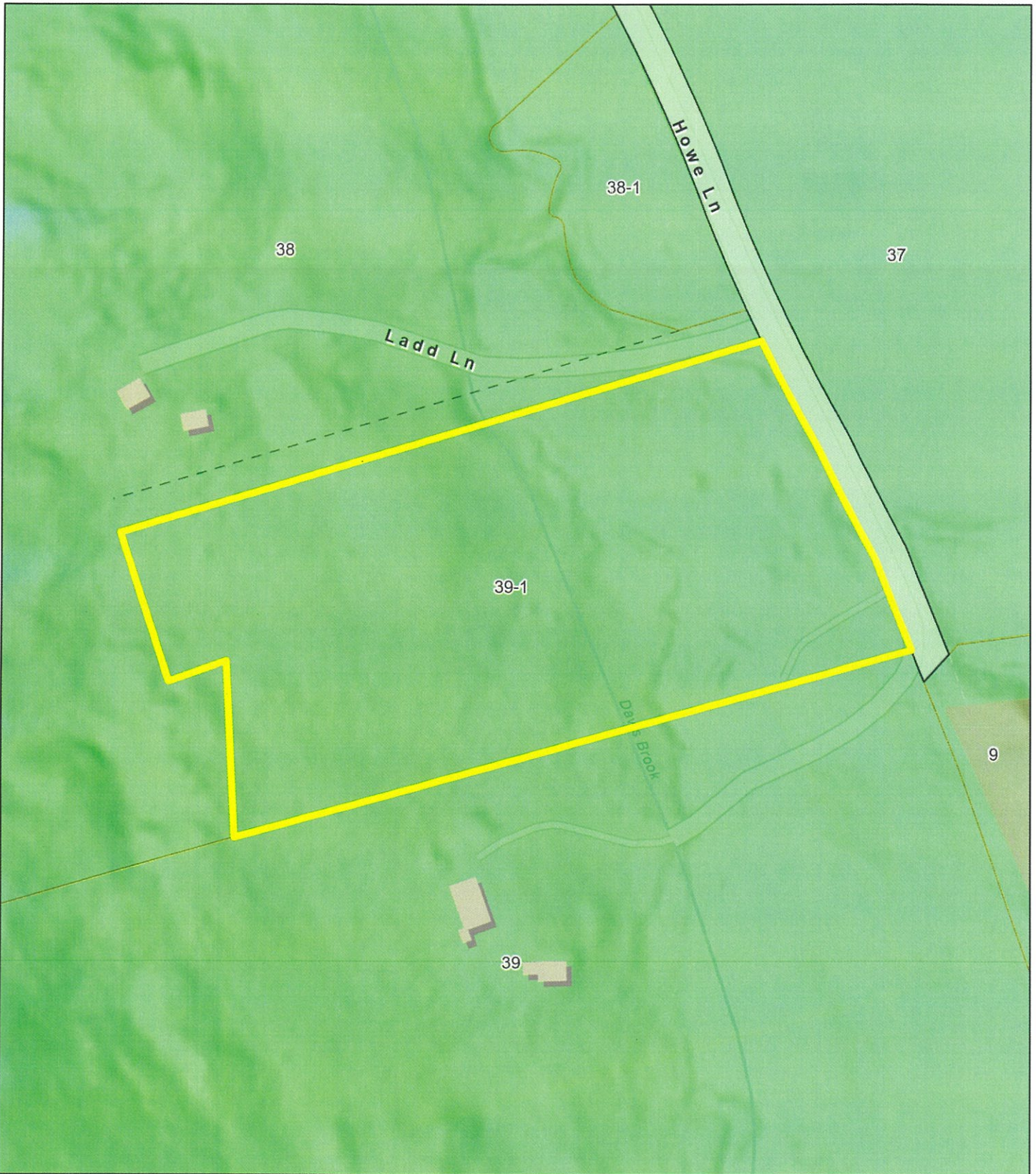
Map/Lot: 13-39-1

1 inch = 218 Feet



www.cai-tech.com

May 18, 2026



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

94 Howe Ln

Map 13 - Lot 39-1

Legend
Feature 1





Davis Brook

94

84'

51'

84'

51'

51'

36'

34'

34'

36'

21'

147'

Howe Ln

Howe Ln

Howe Ln

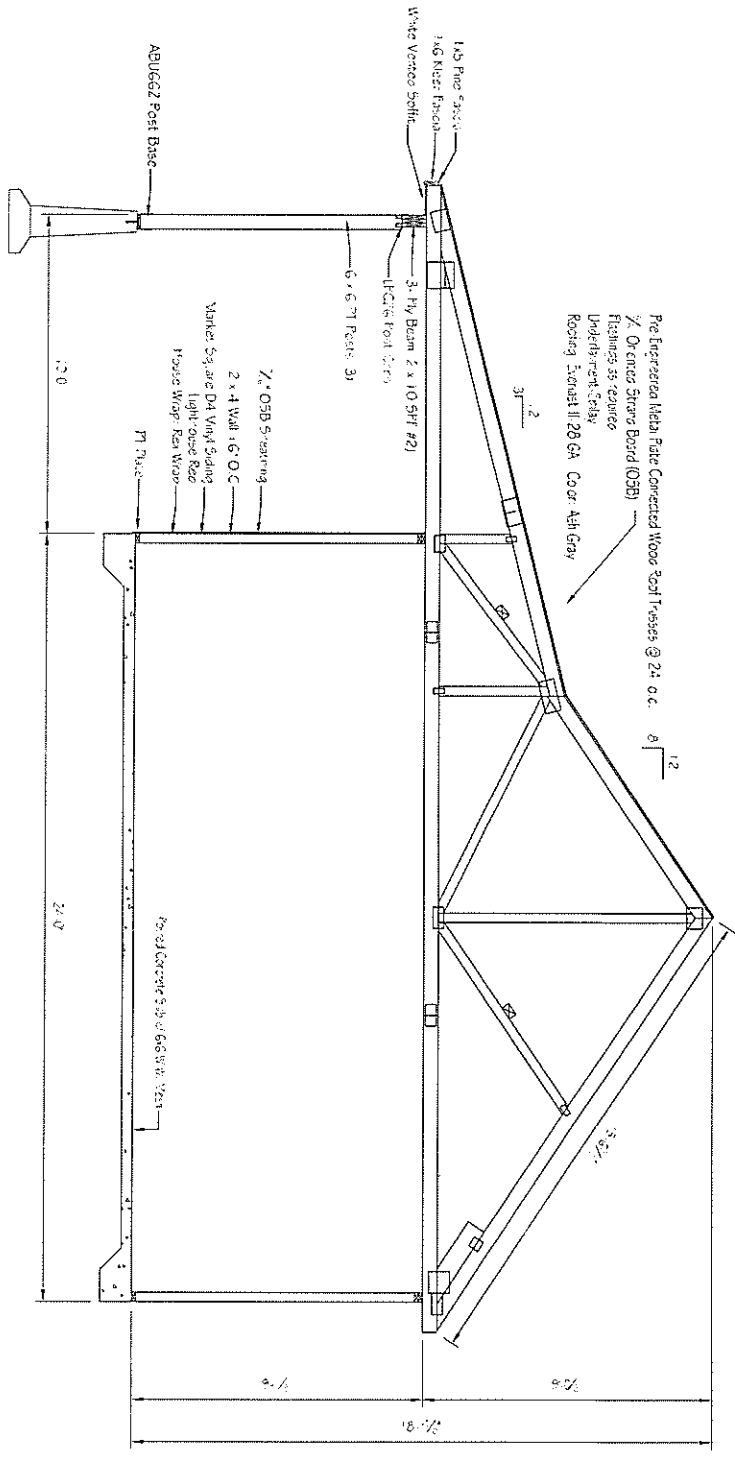
Howe Ln

Google Earth

Images © 2026 Airbus

100 ft





1
Slab Plan

S2
Sheet No.

Hial Colburn
Warner, NH

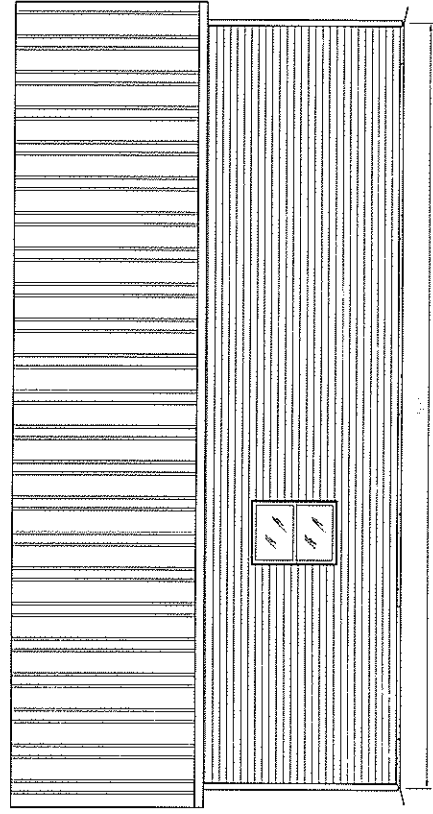
Date: 4/20/26
Drawn by: AL
Revised:

Section View

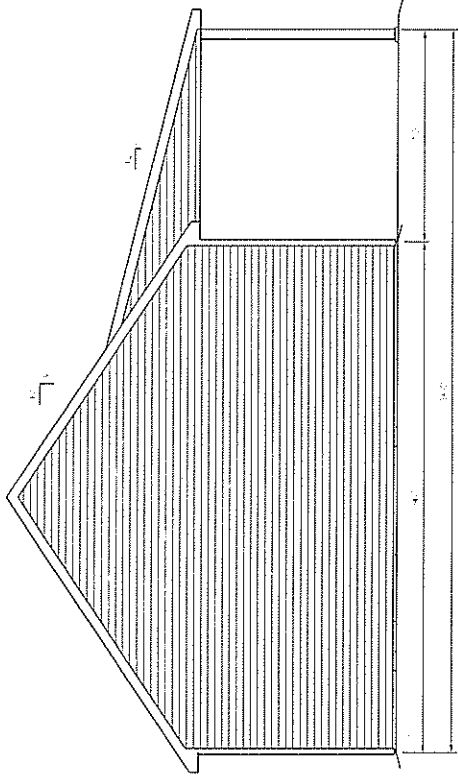
Prefabricated Custom
Homes & Garages

LaValley
BUILDING SUPPLY
www.lavalleys.com

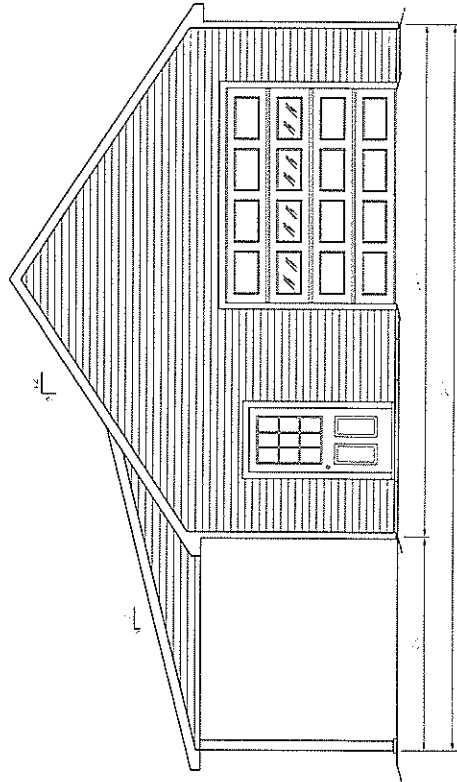
351 Sunnyside Street
PO Box 267
Newport, NH 03773
603-863-1050
603-863-3964 Fax
1 800 1 AVAIL EYS



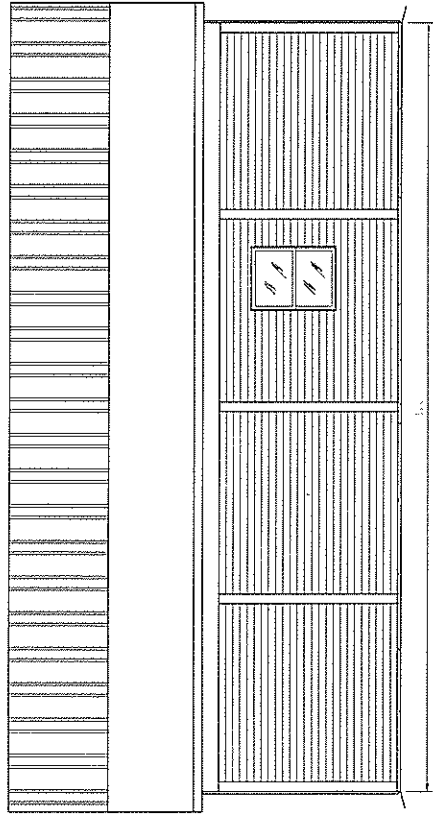
2 Right Elevation View



4 Back Elevation View



1 Front Elevation View



3 Left Elevation View

NOTICE OF PUBLIC HEARING

TOWN OF WARNER ZONING BOARD OF ADJUSTMENT

June 10, 2026 – 7 PM
Town Hall 5 East Main Street- Lower Meeting Room

A. Application for a Variance

Case: 2026-1

Applicant: Hail & Laura Colburn

Owner: Hail & Laura Colburn

Address: 94 Howe Lane

Parcel: Map:13, Lot:39-1 **District:** OC-1

Description: Application to construct a garage 21-feet from the south setback where 50-feet is required. **Article VIII - C.1. b.**

Case details are available at: <https://warnernh.gov/landusecases/>

Correspondences will be made part of the record if received by **noon** on the day of the hearing. E-mail: landuse@warnernh.gov

Join via Zoom: <https://us02web.zoom.us/j/84102051310> ID:84102051310 Password:1234

Posted:06/01/26

- Version BM

- Town Hall, up + driveway levels
- P.O.
- web sight -



TOWN OF WARNER

P.O. Box 265, 5 East Main St.
Warner, New Hampshire 03278-0059
(603)456-2298 ex. 7
landuse@warnernh.gov

*cert receipt -
M/6/2/26.
Version-BM
*corrected
sp of "Hial"*

ABUTTER'S NOTICE OF PUBLIC HEARING Zoning Board of Adjustment Meeting June 10, 2026 - 7pm Town Hall Lower Meeting Room

Zoom address: <https://us02web.zoom.us/j/84102051310> - **Meeting ID:** 841 0205 1310 - **Passcode:** 1234

The ZBA will hold a Public Hearing on the request outlined below in accordance with NH RSA 675:7. Notification of this hearing is being made to abutters as defined in the application. The hearing will give you the opportunity to look at the proposal, ask questions, and comment on the merits of the application. The application materials will be available the Thursday before the meeting, online at <https://warnernh.gov/landusecases>.

Written comments will be made a part of the record of the meeting and must be received by 12:00 pm. *noon* on the day of the meeting. Send letters to landuse@warnernh.gov

A. Application for a Variance

Case: 2026-1

Applicant: Hial & Laura Colburn

Owner: Hial & Laura Colburn

Address: 94 Howe Lane

Parcel: Map:13, Lot:39-1

District: OC-1

Description: Application to construct a garage 21-feet from the south setback where 50-feet is required. **Article VIII - C.1. b.**

Note: Zoning Board of Adjustment meetings will end no later than 10:00 PM. Items remaining on the agenda will be heard at the next scheduled monthly meeting.

TOWN OF WARNER

Notice of Public Hearing

ZONING BOARD OF ADJUSTMENT

Warner Town Hall, 5 E Main St, Warner, NH 03278

Lower Meeting Room and via Zoom

Wednesday, June 10, 2026, 7 PM

Zoom: <https://us02web.zoom.us/j/84102051310>

Meeting ID: 84102051310 Password: 1234

The Town of Warner Zoning Board of Adjustment will hold a public hearing on Wednesday, June 10, 2026, at 7 p.m. for review of the variance application submitted by owners, Hial and Laura Colburn, requesting a variance to the setback requirements in the Warner Zoning Ordinance, Article VIII, Open Conservation District (OC-1) C1b which states: No building shall be located nearer than fifty (50) feet from an abutter's property line and fifty (50) feet from the edge of any public right of way, for 94 Howe Lane, Map 13, Lot 39-T, to build a detached garage.

Application viewable online at warnernh.gov, Warner Land Use Office Town Hall, 5 E Main St. and at the hearing

Written comments will be made part of the record of the meeting and must be received by 12 PM noon, Wednesday, June 10, 2026, mailed, emailed or delivered to: Town of Warner, PO Box 265, 5 E Main St., Warner, NH 03278; landuse@warnernh.gov