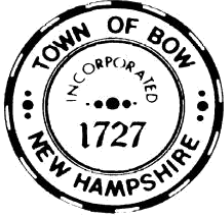


1. 7:30 P.M. Zoning Board Of Adjustment Packet For The 06/21/2022 Meeting

Documents:

[0621 2022 PACKET.PDF](#)



Town of Bow

Zoning Board of Adjustment

10 Grandview Road, Bow, New Hampshire 03304

Phone (603) 223-3970 | Fax (603) 225-2982 | Website www.bownh.gov

AGENDA June 21, 2022

The Town of Bow Zoning Board of Adjustment will meet on Tuesday, June 21, 2022 at 7:30 PM in Room C of the Town Municipal Building, 10 Grandview Rd, Bow, NH.

YouTube live feed (for viewing purposes only): <https://youtu.be/klc991YEfCg>

7:30 PM ROLL CALL

I. PUBLIC HEARINGS

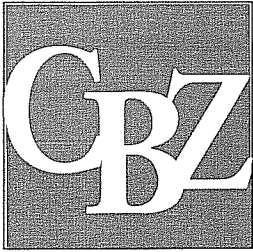
1. Case #104-22V. Donna L. & Peter D. Holden. Variance to Article 5.11 of the Bow Zoning Ordinance to construct a storage building and an addition to other existing building as accessory uses without a permitted principal use in the Rural District. Block 4, Lot 122-A, located at 78 Brown Hill Rd. REQUEST TO WITHDRAW.

II. NEW BUSINESS

1. Election of Officers

III. REVIEW OF MINUTES: 5/17/2022

Respectfully submitted,
Harry Hadaway, Chair



**Cronin
Bisson &
Zalinsky P.C.**
Attorneys at Law

722 Chestnut Street | Manchester, NH 03104
p. 603.624.4333 | f. 603.623.5626
www.cbzlaw.com

John G. Cronin
Admitted in NH and MA

RECEIVED

JUN 8 2022

**BOW COMMUNITY
DEVELOPMENT**

VIA US MAIL

June 7, 2022

Harry Hadaway, Chairman
Community Development Department
Zoning Board of Adjustment
10 Grandview Road
Bow, NH 03304

Re: Peter and Donna Holden
Variance Application- 78 Brown Hill Road

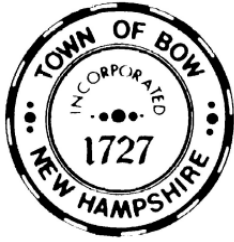
Dear Chairman Hadaway,

Please accept this letter as a formal request to withdraw the pending ZBA application for the above referenced address. If you have any questions, please don't hesitate to contact me.

Sincerely,
CRONIN BISSON & ZALINSKY, P.C.

By: John G. Cronin (JGC)
John G. Cronin

JGC:krr
Enclosure



TOWN OF BOW

Zoning Board of Adjustment

10 Grandview Road, Bow, New Hampshire 03304
Phone (603) 223-3970 | Fax (603) 225-2982 | Website www.bownh.gov

DRAFT MINUTES

May 17, 2022

1
2
3
4 The Town of Bow Zoning Board of Adjustment met on Tuesday, May 17, 2022, at 7:30 PM in Room C of
5 the Municipal office building. Chair Harry Hadaway called the meeting to order with a roll call introduction
6 of the Board.

7
8 Members present were Harry Hadaway, Chair, Robert Ives, Vice Chair, Donald Burns, Secretary (via Zoom),
9 Stephen Buckley, Michael O’Neil, alternate Joseph Conti and alternate June Branscom. Barbara Hayes
10 recorded the minutes.

11 Mr. Hadaway noted that all voting members were present, and no alternate votes were needed.
12 Mr. Burns stated that it was not reasonably practical for him to attend in person due to medical reasons and
13 to be allowed to participate remotely in accordance with RSA 91-A:2, III. *Mr. Buckley made a motion to find*
14 *that Mr. Burns’ in person attendance is not reasonably practical Mr. O’Neil duly seconded and motion*
15 *passed with a unanimous roll call vote in favor.*

16
17 Mr. Hadaway directed the attention of the Board to Agenda item I.1.

PUBLIC HEARINGS

18
19 **Case #104-22V. Donna L. & Peter D. Holden. Variance to Article 5.11 of the Bow Zoning Ordinance to**
20 **construct a storage building and an addition to other existing building as accessory uses without a**
21 **permitted principal use in the Rural District. Block 4, Lot 122-A, located at 78 Brown Hill Rd.**

22
23
24 Mr. Hadaway read the item into the record and noted that there was a site walk at the property prior to
25 tonight’s meeting and all present attended.

26 Mr. Hadaway asked if there were someone to speak to this case.

27 Attorney John Cronin, representative of the applicant Peter Holden, who was also present, introduced
28 himself. Atty Cronin addressed the Board stating that he had attended the site walk. There were some
29 concerns regarding Dunbarton and notice. He stated that it’s believed that all appropriate abutters were
30 noticed. Probably not an issue of regional but do not want to run the risk of going through the process and
31 have it become an issue. May make the variance easier to grant if we were willing to agree to a condition
32 that would prohibit the sale of either lot without a primary structure being built on the subject lot. It had
33 been discussed whether it was appropriate or not and Atty Cronin said he agreed with Mr. Buckley that a
34 variance is perpetual and runs with the land. Atty Cronin stated that he had cases where there has been
35 consensual agreement that the property owner agrees to a condition that would term it out. He also stated
36 that’s never been resisted before but understands there may be a legitimate concern. He had a discussion with
37 Mr. Holden after the site walk and suggested they revisit and see if there’s some supporting authority or
38 some alternative to propose a condition, to avoid a situation where people have concerns about it long-term.
39 Atty Cronin suggested this case be tabled to a future date (next meeting) and to notify Dunbarton whether
40 necessary or not. This will give us time to come up with a condition that is suitable to the Board which may
41 remove some concerns of long-term use of the lot without a primary structure.

42 Mr. Hadaway asked if there were questions for the applicant. There were no direct questions asked.

43 Mr. Buckley stated the request to table to a later date is appropriate because an abutter (Mr. Sheppard) who
44 was unable to attend tonight made notice of request that the matter be continued to a date when he could be
45 present. Hopefully that will be consistent with the date scheduled. It's a reasonable request to continue this
46 to the next Board meeting assuming that's suitable for all concerned.

47 *Mr. Buckley made a motion to continue to the next Board meeting, June 22, 2022, at the request of the*
48 *applicant and stated by Atty Cronin.*

49 There was further discussion as to whether it was necessary to send notice to Dunbarton. RSA 674-53 was
50 cited. Interpretation of the RSA was noticing Dunbarton was probably not an issue but sending a notice to
51 Dunbarton eliminates all doubt someone could argue regional impact.

52 Mr. Conti stated importance of having on the record there will be no new abutter notices or site walk because
53 the case has been tabled to a later date.

54 Mr. Buckley discussed RSA 676-7 stating no notice is required of a continued public hearing if you open the
55 public hearing, but the hearing hasn't been opened. Not sure we can skip abutter notifications, that's an
56 expense to the applicant, but as a courtesy to Mr. Sheppard, we would at a minimum send him a notice that
57 the matter has been continued. Mr. Buckley deferred to Atty Cronin. Atty Cronin stated he will discuss this
58 with Mr. Holden.

59 *Mr. O'Neil duly seconded and motion passed with a unanimous roll call vote in favor.*

60

61 **REVIEW OF MINUTES: 04/19/2022**

62 April 19, 2022 draft minutes were reviewed, and small changes were made. *Mr. Buckley made a motion to*
63 *approve the minutes as edited. Mr. O'Neil duly seconded and motion passed with a unanimous roll call vote*
64 *in favor.*

65

66 Mr. Hadaway requested Barbara Hayes to look into election of offices after Town meeting for the next Board
67 meeting.

68

69 Ms. Branscom asked to discuss the use of the lot pertaining to Case #104-22 and zoning laws. Mr. Buckley
70 suggested waiting for the next meeting when the applicant is present to discuss.

71

72 Motion to adjourn by Mr. Ives. Duly seconded by Mr. Burns which passed unanimously, the meeting
73 adjourned at 7:51pm.

74

75 Respectfully submitted,

76

77

78 Don Burns,

79 Secretary