



TOWN OF BOW

Planning Board

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DRAFT MINUTES

June 18, 2020

The Town of Bow Planning Board met on Thursday, June 18, 2020 at 7:00 PM via Zoom Meeting. Chair Berube began the meeting with the reading of the meeting checklist and roll call introduction of the Board.

7:00 ROLL CALL

Other members present were Sandra Crystall, Vice Chair, Tony Reynolds, Secretary, Bill Oldenburg, Adam Sandahl, Willis Sloat, David Glasier (alt), Garth Orsmond (alt), and Selectboard representative Mike Wayne. Also present was Matt Taylor, Community Development Director, Bryan Westover, and Alvina Snegach, recording secretary. Kristen Hayden (alt) was excused.

Mr. Berube directed everyone's attention to item II.3 on the Agenda.

PUBLIC HEARINGS

Application #403-20w: Eversource Energy – Easement on Block 2, Lots 51, 53-E, 53-E23, 70, & 200, located at 85 & 45 Allen Rd, lot off Allen Rd, 11 Bow Bog Rd, & 431 River Rd. Wetlands Protection Conditional Use Permit for 125 sq sf permanent and 46,030 sq ft temporary wetland impact to remove 2 utility structures and replace 8 utility structures along the A253 Transmission Line. For Final Approval.

Mr. Berube read the item into the record. Lindsey White from GZA Environmental Consultants and Jeni Menendez from Eversource introduced themselves and presented the application details. Ms. White described the extent of the project, which involves the replacement of eight existing utility structures, and removal of two existing utility structures along the A253 Transmission Line; the areas where work will be done; type of wetlands and their function value assessments; ways to minimize impacts to wetlands and buffers; best management practices to be used for wildlife preservation; work area restoration; and monitoring the work. Ms. White also noted that they are working with the Board of Selectmen to request access through the Town owned private road which could eliminate creating new access through the powerline easement and some wetland/buffer impacts. Ms. White and Ms. Menendez answered questions about span between poles being extended where the poles are being removed; the use of the Town owned road and that Eversource is trying to address Department of Public Works concerns with such use; and the chosen timeframe for the project.

Mr. Berube opened the public hearing at 7:15 PM and having nobody there to address the Board, closed it at 7:15 PM.

Ms. Crystall made a motion to approve the Application #403-20W for a Conditional Use Permit and that the Planning Board also supports the proposition to use the Town owned road for access to several structures and would recommend such use to the Bow Board of Selectmen. Mr. Sandahl duly seconded and motion passed by a 6:0 roll call vote: Ms. Crystall – yes; Mr. Reynolds – yes; Mr. Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Wayne – yes.

42 **Application #202-20: Rhonda Realty, LLC - Block 2, Lot 190-E located at 5 Tallwood Dr. Site Plan**
43 **Review for additional 4,500 square foot warehouse and 1,050 square foot mini-storage unit (7 units).**
44 **Continued from May 21, 2020 Public Hearing. For Final Approval.**

45 Mr. Berube read the item into the record. Arthur Siciliano and Dave Psalidas introduced themselves and
46 Mr. Siciliano spoke about the abutter's (Keith Cappellini) concerns that were submitted since the last
47 hearing and that Mr. Costello (project PE) has already addressed those with the abutter. The Board
48 reviewed the letter with the concerns and the follow up email. Mr. Siciliano also explained that the intent
49 is to direct the runoff to the infiltration pond to the west side of the property, and added that the owner
50 would like to request that a detention pond, required by the original site plan, is not put in, as there have
51 been no issues at the site since it had been developed. He answered questions about the current water
52 runoff and the purpose of the new detention pond that is proposed to take care of the new buildings'
53 runoff. A short discussion ensued about the detention pond on the original site plan from 1994 and
54 whether it was indeed necessary. Consensus was to the contrary.

55 Mr. Berube opened the public hearing at 7:27 PM.

56 Mr. Berube noted that there was a concern about runoff from the snow storage and that all the water
57 should be remaining on the lot. Mr. Siciliano noted that the site is graded for all the water to remain on the
58 lot and the snow storage would not overlap with the infiltration pond. He added that the engineer will
59 adjust the plan to make sure that snow storage does not overlap with any swales either. Mr. Siciliano also
60 assured the Board that other abutter concerns (like silt fence and chain link fence) will be addressed
61 directly with the abutter.

62 Having nobody else willing to address the Board Mr. Berube closed the public hearing at 7:34 PM.

63 *Mr. Oldenburg made a motion to approve the Site Plan application # 202-20. Mr. Sloat duly seconded and*
64 *motion carried by a 6:0 roll call vote in the affirmative: Ms. Crystall – yes; Mr. Reynolds – yes; Mr.*
65 *Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Wayne – yes.*

66 **Application #201-20: RRG Holdings, LLC – Block 2, Lot 159-I located at 364 River Rd. Site Plan**
67 **Review for 11,250 square foot warehouse/office building. Continued from May 21, 2020 Public**
68 **Hearing. For Final Approval.**

69 Mr. Berube read the item into the record. Rick Geddes from RRG Holdings, LLC introduced himself and
70 went over the details of the proposal and the displayed grading plan and the following features on it:
71 driveway, paved areas, building design, stormwater management, absence of a culvert under the driveway,
72 septic system, landscaping, and etc. Mr. Geddes also addressed some concerns from the last meeting with
73 standing water on the lot and a large pile of loam, which will be taken care of once the lot is graded
74 correctly and developed. He also noted that he was hoping that the abutting owner Stan & Pete, Inc. will
75 complete their site development in accordance with their site plan and build the required detention ponds
76 on their site. Then Mr. Geddes answered questions regarding the Town Engineer comments. Mr. Geddes
77 noted that he had applied to the State for the Alteration of Terrain permit, and that the plans prepared for
78 this permit, have not been seen by the Town Engineer yet. These plans should alleviate most of the
79 concerns. Therefore, Mr. Geddes requested that the Board conditionally approve the application, pending
80 the Town Engineer review of the AOT plans. Mr. Geddes also answered questions about storing snow
81 above the sediment pond, which may become an issue if the ground is frozen, and how the lot will be
82 graded so that all the water will drain towards the detention pond in the back of the property.

83 Discussion ensued about regrading next to and within the right of way in the back of the property. Mr.
84 Geddes explained that the right of way will remain in the 50 foot area and that the grading will be brought
85 back to the original site plan, which is also shown on the Zero Waste site plan.

86 Mr. Berube opened the public hearing at 7:51 PM. The following individuals addressed the Board:

- 87 - Chip Sullivan, Attorney representing Stan & Pete, Inc. Mr. Sullivan said that his client stands by
88 the letter about the lack of a culvert for the proposed driveway and how it may lead to water back
89

90 up issues and flooding; and the need for the Board to protect his client's property rights by keeping
91 the grading within the right of way so, that it will not restrict the passage for the heavy equipment
92 that is currently using it. He said that it is a commercial driveway for his client. Mr. Sullivan added
93 that the original grading was not done as it would have destroyed the right of way by making it too
94 steep;

95 - Bruce Scamman with Emanuel Engineering spoke about the grading next and within the right of
96 way that would leave no flat area for the heavy trucks to pass safely. He then spoke about the need
97 for his client to review the new plans submitted for the AOT as they have just received them;

98 - Rick Geddes responded that according to the Zero Waste site plan the driveway through the right
99 of way is not a permitted driveway and that the existing grades shown on his plan correspond to
100 that same Zero Waste site plan. He also said that for the time being he will keep the driveway there
101 and passable;

102 - Bruce Scamman disagreed with Mr. Geddes and stated that this is not the grading that was used on
103 the Zero Waste plan and that he was the one who drafted it;

104 Mr. Berube noted that the new grading within the 50 foot strip would still allow for equipment to pass and
105 that there should be a way to resolve the issue in a good neighborly fashion.

106 - Chip Sullivan noted that it is the responsibility of the property owner to keep the grading within
107 the right of way passable for the large equipment;

108 - Mr. Geddes assured everyone that the regraded right of way will be less steep than it is now and
109 will remain passable.

110 Discussion ensued about the origins of the right of way and which plan and which deed described it best
111 and how it was initially put in through the middle of the lot as access to the old sawmill. Several plans and
112 deeds were mentioned, however, Mr. Geddes confirmed that there was only one recorded deed. Mr.

113 Berube closed the public hearing at 8:05 PM and Mr. Scamman raised his hand to address the Board. Mr.

114 Berube reopened the public hearing at 8:05 PM. Mr. Scamman noted that there is a recorded plan from
115 1985 which shows the road to the sawmill. Another discussion ensued about grading within the right of
116 way that would allow for passage of heavy equipment and about the possibility of shifting the driveway
117 from its current location towards the future graded area that is flatter.

118 Having nobody else there to address the Board, Chair Berube closed the public hearing at 8:12 PM.

119 Members discussed potential conditions of approval given the abutter concerns with keeping the right of
120 way reasonably passable, water drainage to the detention pond, AOT permitting, and etc.

121 *Mr. Oldenburg made a motion to approve the Application # 201-20 with the following conditions:*

122 *1) That the relocated driveway used by Zero Waste be shown on the plan and that the contours for the*
123 *driveway are adjusted to make the gravel driveway reasonably passable;*

124 *2) Prior to the issuance of a building permit, approval of an Alteration of Terrain*

125 *(AOT) permit from the New Hampshire Department of Environmental Services shall be provided to the*
126 *Community Development Department; and*

127 *3) Comments from the letter (326454P) from Dubois & King dated June 17, 2020 be addressed.*

128 *Ms. Crystall duly seconded and motion passed 6:0 by a roll call vote - Ms. Crystall – yes; Mr. Reynolds –*
129 *yes; Mr. Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Wayne – yes.*

130 **MINOR MODIFICATION / CONCEPTUAL CONSULTATION**

131 **Minor Modification of previously approved Site Plan Review Application #201-07: Stan and Pete,**
132 **Inc. (dba Bow Recycling Center/Zero Waste) - Block 2, Lot 160-A located at 330 River Rd. To**
133 **construct an additional 10,000 square foot recycling/transfer building.**

134 Mr. Berube read the item into the record. Laura Hartz and Jonathan Eck from Orr and Reno were there to
135 present the modification request and answer questions. Ms. Hartz also noted that Bruce Scamman was also
136 present to help her with the presentation. Then Ms. Hartz went over the details of recent events that

137 occurred on her client's property, the main one being the fire in the 12,000 sq ft trash sorting facility
138 which prompted this request as a way for them to keep continuity of operations, given that the company
139 provides an essential service to the public. The proposal is to use the existing 6,400 sq ft to move the
140 operation from the burnt building (the original modification request to the latest version of the site plan
141 from 2015 has been to construct a new 10,000 sq ft building, which was replaced with the new proposal).
142 The use will continue until there is either a reconstruction completed or the burnt building is repaired and
143 is structurally sound. Ms. Hartz went over the damage to the existing 12,000 sq ft building and what has
144 been done since the fire to ensure that operations continue in the safest possible manner. The above
145 included all the temporary repairs already performed on the building – refastened metal side panels;
146 replaced metal panels and damaged girts; and began an inquiry into installing a wind monitoring system
147 with alerts. Her clients are working with Dubois & King as well, to have them do a site/building
148 assessment to alleviate any concerns that the Town may have. Initial structural assessment was done by
149 Emanuel Engineering and determined that the building was conditionally safe. Ms. Hartz also spoke about
150 proactive measures taken by her client in order to alleviate concerns that the Town and abutters have with
151 the site. Among these were:

- 152 - Working with NHDES regarding the site plan compliance;
- 153 - Survey and removal of any non-essential vehicles on site with a goal of only two to remain (so far
154 removed 22 vehicles);
- 155 - Remove any heavy equipment beyond the backup pieces (this will take longer);
- 156 - Survey to remove unregistered trailers (so far one has been removed);
- 157 - Match the outside recyclables and tires storage on site with what is allowed and remove the excess
158 (to be complete);
- 159 - Review the amount of refuse containers stored on site and remove the excess by contracting with a
160 third party to store off site;
- 161 - Review the number of allowed above ground storage tanks on site;
- 162 - Plan to move the small mobile office to one of the designated storage areas approved by the plan;
- 163 - Recruiting a pest control service (currently scheduled to come out on July 2, but hoping to have
164 another one out sooner);

165 Ms. Hartz also went over the following list of remedial actions that already had been submitted to
166 NHDES:

- 167 - Installation of heavy greenhouse plastic in the burned building in place of the windows;
- 168 - Installation of gates to keep the property secure;
- 169 - Purchasing of an automated weather station to install on top of the building;
- 170 - Developing the site safety protocol;
- 171 - Making sure overhead doors are operational to limit unauthorized access;
- 172 - Looking to extend the concrete blocks on the tipping floor and fill them with sand in order to
173 extend the sorting floor surface;
- 174 - Ordered the tarps to cover all the roll off containers with refuse and tires;

175 Ms. Hartz then reiterated that the goal is to rebuild the burnt building in the same footprint, but make it 10
176 feet taller and with a flatter roof slopes. The minor modification is to allow operations from the existing
177 maintenance building which is 6,400 sq ft. The building is part of the original site plan, with all the later
178 modifications, and has many features that make it feasible for temporary use. It has concrete flooring and
179 spill containment measures and will be used for trash sorting in the winter if the current building is not
180 suitable. Ms. Hartz went over the three elements required for a modification to be considered minor and
181 provided a description of the maintenance building and its features that make it suitable for such use.
182 She continued to say that Stan & Pete, Inc. are unsure how long it may take to rebuild the main building,
183 so an addition of 6,000 sf ft to the maintenance building may be contemplated (which was already
184

185 proposed for a site plan modification in 2015), depending on what happens with the reconstruction of the
186 main building.

187 Ms. Hartz also answered questions about the timeframe of the maintenance building use. She said that the
188 proposed use is a backup plan in case the existing building is found to be unsafe to be used in the winter.
189 She spoke about the existing building structural analysis and steel core samples that are being tested and
190 that it will be clear when it is done on what the fate of that building is.

191 Bruce Scamman from Emanuel Engineering went over the plans of the proposed modification. He also
192 said that the initial structural assessment showed that the building is operational except for extreme
193 conditions (winds over 40 MPH or snow on the roof). He then explained how the operations would be run
194 out of the new location and said that they will contact NHDES if the Board grants permission for the use.
195 Mr. Scamman also spoke about no changes in drainage, impervious surfaces, or any other site features
196 from the original site plan. He showed the elevations for the maintenance building and identified some
197 areas on the site that do not match the original site plan (various storage on site) and showed the changes
198 that were made to the site plan in 2015 with the reordering of the phases. He noted the new septic next to
199 the maintenance building and said that it has been built to accommodate the future addition to that
200 building. Then Mr. Scamman talked about the plans to rebuild the main 12,000 sf ft building to be 55 feet
201 at the peak with a flatter roof pitch to prevent snow slides, thus making the eaves a bit taller than what
202 they are right now. Mr. Scamman added that the building plans are still being worked on.

203 Ms. Hartz then answered a question about the site being out of compliance and said that they have not yet
204 received a full list of things out of compliance from either the Town or NHDES; however, they are
205 working on internal review as well. She spoke about the displayed aerial image provided by the Town
206 which showed all the areas on the site that were out of compliance and said that the list she had provided
207 earlier was generated based on this image and their engineer identifying what needs to be done. She also
208 noted that her client would like to be proactive in addressing many issues on site.

209 Mr. Taylor also spoke about the aerial image and noted that all the areas highlighted with the marker show
210 allowed areas for storage and it is clear that there is a lot of material stored outside of those areas.

211 Ms. Hartz replied that they are willing to provide some type of a formal response to the issues that have
212 already been cleared up or are in the works.

213 Ms. Hartz and Mr. Scamman then answered questions about the following:

- 214 - whether a time limit would be acceptable for the minor modification (two years for example);
- 215 - the maintenance building features that make it suitable for the operation;
- 216 - the moving of operation would still require NHDES approval and possibly a permit modification;

217 Bow Fire Chief Harrington noted that the cause of the fire was still under investigation.

218 Mr. Taylor spoke about the Operating Plan for the business and that NHDES compliance is voluntary, that
219 is why it was suggested to tie the plan to the Board's decision, thus giving the Town more oversight. Chief
220 Harrington added that the checks for compliance under the NHDES permit are extremely rare. He spoke
221 about the complaints his Department had received about the rats and the odors and that he had submitted a
222 letter to NHDES about those, but he was not sure what the follow up on their part would be. Chief
223 Harrington added that he does support the proposition to tie the Operating Plan for the business to the
224 Planning Board's site plan action. He did confirm that he would be going out to the site with the pest
225 control company next week.

226 Mr. Taylor also spoke about complaints received about site plan violations on both the main Bow
227 Recycling site and the lots nearby owned by Stan & Pete, Inc. and its subsidiaries. He then showed an
228 aerial of the lots that have been complained about and the nature of complaints being related to what
229 seems to be the expansion of the use by Bow Recycling Center.

230 Ms. Hartz went over the issue with 345 River Road (which Ms. Hartz clarified was used to store
231 dumpsters belonging to Pinard Waste, not Stan & Pete, Inc.), which was before the ZBA due to dumpster
232

233 storage being considered a junkyard and that it seemed that the ZBA had decided that it was only the case
234 if there was anything stored in those dumpsters. She concluded that they are working on resolving the
235 issues identified for each one of those lots. Mr. Taylor clarified that the site was found to be used as a
236 junkyard intermittently and would require a site plan and possibly a solid waste permit from NHDES.
237 Ms. Hartz then spoke about the timeframe for replacing the main building and that it would depend on the
238 production and delivery so it may take quite some time before it is erected and is operational, that is why
239 the timeframe of two years was very agreeable to them. Mr. Scamman went into further detail of building
240 construction timeframe and NHDES permitting timelines. He also described how materials are managed
241 inside the building and addressed some concerns with the structural integrity of the maintenance building
242 being able to handle a similar operation as in the larger building. Mr. Scamman also explained that
243 equipment maintenance will have to move to 10 Dunklee Road (rental units) for the time being (if the
244 smaller building is in fact used). Mr. Scamman added that Stan and Pete, Inc. will purchase more trailers
245 to load the trash into so that there will be no change in the amount of material handled.
246 Ms. Hartz reiterated their desire to have the Town approval in hand when they go to NHDES to request
247 approval from the state.
248 Mr. Scamman also answered questions about operations continuity depending on which scenario is chosen
249 and how long things may take. Ms. Hartz added that there are several timelines they have to juggle and
250 that is why they are trying to be proactive in asking the Town approval. Mr. Scamman said that the
251 business continuity for his client is very important for the trash cycle in New Hampshire and in the region.
252 Discussion ensued about the timelines, a need for a site visit, logistics of approval and whether compliance
253 issues should be tied to the approval of the modification, and a need to receive a list of compliance issues
254 and how they will be addressed.
255 Mr. Berube noted that although this was not a public hearing there were some people present who would
256 like to weigh in on the matter.
257 Bow Fire Chief Harrington asked Mr. Scamman to clarify whether the excavator that is inside the building
258 is sitting on top of a big pile of trash, as it would contribute to the rat problem. Mr. Scamman and Ms.
259 Hartz confirmed that it will be addressed. Another concern Mr. Harrington had was with the need to install
260 sprinklers in the maintenance building should the use change, as such change would require sprinklers and
261 any waivers to that requirement will have to be through the NH Fire Marshall. And third, he spoke about
262 the need to make sure that drainage for the maintenance building is adequate. He said that if there were a
263 similar fire in the new location, the water would carry the trash towards Dunklee Road. Mr. Scamman said
264 that any new buildings will have sprinklers in them and they would look into a temporary solution should
265 the maintenance building be used. He also said that if there are sprinklers installed, the fire should not
266 become as extensive as the one that just happened, and also that there is an infiltration swale next to the
267 maintenance building that would prevent the water running towards the road, since the use does not
268 change where the water flows. Mr. Harrington said that he was looking for assurances and also asked if
269 Stan & Pete, Inc. would be agreeable to install a sprinkler system in the existing building should it be
270 deemed acceptable to be used in the future and they decide against constructing a new one. Mr. Scamman
271 said they are willing to work with the Town on the permitting process, and if the building is to remain for
272 good it will be sprinkled.
273 Mr. Glasier asked about NHDES process and what they will be asking for. Ms. Hartz noted that the
274 attorneys who are familiar with NHDES requirements are not present at this meeting, however, she agreed
275 to report back to the Board on what information NHDES will need from the applicant regarding change of
276 use and state permit modification.
277 Discussion ensued about the approval needing to wait until next month as there is a slew of issues that
278 need to be addressed before the Board can start contemplating approval.
279 Mr. Berube noted that there were members of the public present who would like to address the Board.

280 - Bruce Marshall, the attorney for RRG Holdings, LLC, abutter to Stan & Pete, Inc. said that he was
281 not sure how this modification could be qualified as minor, as there is going to be a two to three
282 year change to the operational structure on the site. He noted that original site plan was approved
283 when the applicant already had NHDES permit in hand, which required site plan approval. He also
284 questioned the adequacy of the proposed building, that is twice smaller, to handle the full capacity
285 of the operation. Mr. Marshall asked whether the current stage of site development matches the
286 phasing plan and how, as it seems that they are in violation of their site plan. Therefore, he added,
287 amendments to it should be put on hold until they are in full compliance. Mr. Marshall inquired
288 about the change in work hours due to cutting the sorting area in half, or any increase in truck
289 flow, which would be impacting the abutters, thus not making this a minor modification. Mr.
290 Marshall spoke about other site features that have not been installed according to his research, and
291 suggested that the Planning Board find out what NHDES would need to see from the applicant
292 before approving anything. He reiterated that this was not a minor modification with all the
293 proposed changes.

294 Mr. Taylor spoke about the site compliance and phasing being muddled at this point due to the slew of
295 issues related to non-compliance and earlier modifications. He added that there are a lot of abutter
296 concerns, which the Planning Board would consider as well.

297 - Mr. Marshall also asked if the maintenance building had received a certificate of occupancy.
298 Mr. Taylor said that it was operating under a temporary certificate which may have been expired by now,
299 and clarified that the phasing has been reordered as they have begun Phase II activities without having
300 completed Phase I.

301 - Ms. Hartz said that her client acknowledges that there are a lot of abutter concerns and complaints
302 and is ready to address them (some have been already) and is also being proactive in working with
303 the Town and NHDES. She also noted that NHDES process involves a public hearing so that
304 abutters would be able to express their concerns. She added that the goal is to make sure that the
305 site plan and what is on the ground are matching and they are working towards that goal. The
306 modification in 2015 allowed the applicant to reorder the phasing so that is not out of line in any
307 way.

308 - Mr. Scamman then addressed some concerns with drainage for both buildings and third party
309 review. He said that truck traffic would not be increasing; instead, covered trailers will be used to
310 store the trash before it is hauled to the landfill. Mr. Scamman also spoke about the phasing plan
311 and said that they are not asking for any changes to the site plan, but the change of use.

312 - Mr. Harrington asked the Board to invite someone from NHDES to the next meeting as he is aware
313 that sometimes NHDES does not have any public input in the emergency permitting process.

314 - Ms. Hartz confirmed that her client is willing to call NHDES and invite them to come out to the
315 Planning Board meeting.

316 - Rick Geddes, RRG Holdings, LLC, abutter to Stan & Pete, Inc, asked Chief Harrington to specify
317 how many tons of trash he estimated to be on site based on the results of extinguishing the fire on
318 site and the fact that the facility is approved for only 600 tons.

319 - Mr. Scamman said that their calculations, which were based on the amount hauled from the site
320 was 443 tons of trash.

321 - Mr. Harrington said that there was about 711 tons estimated to have been on site, based on his
322 calculations using the height of the pile (volume) and NHDES formula.

323 - Mr. Geddes continued to say that there are already multiple complaints he receives from his
324 tenants in the area about odors, and storing trash in trailers outside will not make the situation
325 better. He urged the Board to consider how an operation can be moved from a 12,000 sq ft building
326 to a building half the size without adverse effects. Mr. Geddes spoke about the rat problem, and

327 that a rat even ran up a fireman's pant leg while the fire was put out. He added that the Board
328 would need to visit the property before any decisions were made and determine where the
329 applicant is regarding site plan compliance.

330 - Ms. Hartz reiterated the modification request and that her client is very willing to work with the
331 Town on addressing the issues and coming up with a resolution acceptable to all.

332 Discussion ensued about how to proceed and that there are a lot of issues that need to be addressed, that
333 there should be input from the abutters, and whether the modification request indeed qualifies as a minor.
334 Consensus was that there would be no action taken today and that a site walk is necessary for the Board to
335 see the site in its current state. Mr. Scamman asked if there was an emergency, would the Board be
336 agreeable to hold an emergency hearing and there were no objections to that. Also discussed were
337 alternative ways to handle trash in the absence of a maintenance building and the fact that the operation of
338 this facility is essential in the larger trash/recycling cycle in the state. It was also noted that the emergency
339 of the situation does not necessarily make the modification minor and eliminates all the public notice and
340 abutter notification requirement.

341 Then Mr. Scamman answered questions about how he arrived at the number 443 tons of trash that was on
342 site before the fire. Mr. Harrington said he will email his letter with the estimate to the members after the
343 meeting. Members then discussed further course of action, given everything discussed earlier. General
344 consensus was that there is a need to hold a site visit and a compliance hearing in addition to reviewing the
345 modification request at the next meeting. Members also asked Chief Harrington to provide them with a
346 copy of the Operating Plan for Bow Recycling Center before they review anything further. They asked
347 Mr. Scamman to explain how the operation will take place in the smaller building, what will happen to the
348 offices that are there, and how the storage of trash in trailers will be organized. Members discussed
349 possible elements of a motion, dates for the site walk and notification of abutters.

350

351 *Mr. Sloat made a motion that the Board would vote on the following:*

- 352 - *to continue the review of the modification to its July 16, 2020 meeting and to hold a site plan*
- 353 *compliance hearing regarding site plan #201-07 for code violations and new complaints at the*
- 354 *same time;*
- 355 - *all abutter and Town Official feedback/comments should be submitted before July 9, 2020 to*
- 356 *give the applicant time to respond before the meeting;*
- 357 - *to send notification to abutters via First Class mail notifying them of the meeting day of July*
- 358 *16th and response date of July 9th for comments and feedback; and*
- 359 - *to conduct a public sitewalk on July 7, 2020 at 5:30 PM, of which to notify the abutters.*

360 *Ms. Crystall duly seconded and the motion passed 6:0 by a roll call vote roll call vote - Ms. Crystall – yes;*

361 *Mr. Reynolds – yes; Mr. Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Wayne – yes.*

362

363 **ADJOURNMENT:** *Ms. Crystall made a motion to adjourn, and Mr. Sloat duly seconded. Motion passed*
364 *unanimously. Meeting adjourned at 11:20 PM.*

365

366 Respectfully submitted,

367

368 Sandra Crystall,

369 Vice Chair