



TOWN OF BOW

Planning Board

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Approved as amended on October 15, 2020

MINUTES October 1, 2020

The Town of Bow Planning Board met on Thursday, October 1, 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, Garth Orsmond (alt), and Selectboard representative Mike Wayne. Also present were Matt Taylor, Community Development Director, Bryan Westover, Assistant Planner, and Alvina Snegach, recording secretary. David Glasier was excused.

Mr. Berube noted that Jonathan Pietrangelo was also participating and that he is a potential future Board member. Chair Berube then directed everyone's attention to item I.I on the Agenda.

MINOR MODIFICATION/CONCEPTUAL CONSULTATION

Minor Modification of Rykel Co, Inc. (now Cenfer, LLC) Site Plan #201-12 approval of May 17, 2012 to modify site, landscaping, and grading plans. Property located at 671 Route 3-A; Block 2, Lot 163.

Mr. Berube read the item into the record. Ryan Audley introduced himself as the owner and went over the details of the modification request. The changes would be to the relocation of the handicap ramps on two existing buildings, and associated handicap parking spots; installation of bituminous curbing instead of granite; and changes to the landscaping plan to plant drought tolerant varieties. After a short discussion *Mr. Oldenburg made a motion to approve the minor modification request for site plan #201-12. Ms. Crystall duly seconded and a roll call vote was taken: Ms. Crystall – yes; Mr. Reynolds – yes; Mr. Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Wayne – yes. Motion passed with a 6:0 vote.*

Conceptual Consultation regarding a proposed non-residential subdivision with a cul-de-sac radius being smaller than required. HLF South LLC - Block 2, Lot 164-C located at 29 Dunklee Rd.

Mr. Berube read the item into the record. Chris Nadeau from Nobis Associates introduced himself as the engineer for the project and noted that Grappone representatives Larry Haynes and Jeremy Seeley were also present. Mr. Nadeau went over the subdivision details, which would create three new lots, one of which would be the newly developed overflow parking lot for Grappone. Mr. Nadeau said that there are a couple of ways to subdivide the remaining two lots, which will include requesting the Town to accept Evolution Drive. Then HLF would build a cul-de-sac at the end of it to provide sufficient frontage for all three lots. The issues that may arise are either smaller than required road circle radius or less than two acres for the smallest of the lots. It was also noted that, according to Bow Zoning Ordinance, the Planning Board may waive minimum frontage and acreage requirements for a planned business subdivision.

Discussion ensued about truck traffic, impervious surface for smaller and larger circles, drainage and stormwater management, snow storage, and Police, Fire, and Public Works Department's comments and preferences.

Request from Stan & Pete, Inc. for an additional 180-day extension of the October 3, 2019 approval of RRG Holding, LLC Site Plan #204-19, Block 2, Lot 159-J located at 9 Thibeault Dr.

Request from Stan & Pete, Inc. for a 90-day extension of the June 18, 2020 approval of RRG Holding, LLC Site Plan #201-20, Block 2, Lot 159-I located at 364 River Rd.

Mr. Berube read both items into the record. Bruce Scamman from Emanuel Engineering introduced himself as the representative for Stan&Pete Inc. and explained why his client was seeking the extensions for the two previously approved site plans for two lots owned by RRG Holding, LLC, that have been sold to his client since then. He provided the details of why each site plan has not been finalized and asked how the Board would like to handle the change of ownership. Board discussed the timelines for each of the approvals and noted that the current owner was the one with the most objections to the approval, which resulted in a court case being filed against the Town. Mr. Scamman explained that the sale eliminated the need for any court action, which subsequently has been dropped; therefore, his client is trying to make sure that he is within the timeframe to finish the site plan approval process so that he could start construction in accordance with what has been approved. There were also concerns with a court ruling that was issued against the Town on behalf of Stan&Pete, Inc. regarding interpretation of the Town gravel pit regulations and it was noted that the Bow Board of Selectmen may need to review this extension request in relation to this ruling. Mr. Scamman reiterated that the court case for lot 159-J has been resolved without any rulings, although he was not quite sure if the court action triggered a stay on the site plan approval timeline. Mr. Sloat made a motion to grant the 90-day extension with the exclusion that nothing is to be filed within the first 30 days to provide the Board of Selectmen time to review and adjust this; and everybody who has objections to this extension should bring those back to the Planning Board first meeting in November, and if there are no objections filed by that first meeting, Stan and Pete, Inc. should have the remainder of the 90-days extension to file any mylars or proceed. Mr. Oldenburg duly seconded the motion, and a roll call vote was taken: *Ms. Crystall – yes; Mr. Reynolds – yes; Mr. Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Wayne – yes; Mr. Berube – yes. Motion passed with a 7:0 vote* Mr. Scamman also asked if there was an expiration date for approved site plans in Bow, and the response was that there is no expiration date for approved site plans. He then provided a brief update on the Bow Recycling Center progress with moving out of the damaged building and thanked the Board members for their support.

PUBLIC HEARING

Application #503-20: 164C Dunklee, LLC – Block 5, Lot 18 located at 161 River Rd. 2 lot non-residential Minor Subdivision. For Expedited Review.

Mr. Berube read the item into the record. Jacques Belanger from J.E. Belanger Surveying introduced himself and presented the details of the subdivision application for a two-lot commercial subdivision with one lot containing the existing building and the other being undeveloped. He noted the latest revisions to the plans and said that the State Subdivision approval is only needed for the existing lot. Discussion ensued about the issue with the site distance for the potential driveway and how it was addressed. *Mr. Sloat made a motion that the Board accepts jurisdiction and finds that the application is complete to begin expedited review. Mr. Reynolds duly seconded and a roll call vote was taken: Ms. Crystall – yes; Mr. Reynolds – yes; Mr. Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Wayne – yes; Mr. Berube – yes. Motion passed 7:0.*

Mr. Berube opened the public hearing at 8:10 PM. Nobody addressed the Board. Mr. Berube closed the public hearing at 8:11 PM. Members discussed the checklist review and if there were any waivers

requested or needed. There were none. *Mr. Oldenburg made a motion to approve the Application #503-20 with the following condition: (1) Proof of State subdivision approval shall be provided to the Community Development Department prior to recording the plan. Ms. Crystall duly seconded and a roll call vote was taken: Ms. Crystall – yes; Mr. Reynolds – yes; Mr. Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Wayne – yes; Mr. Berube – yes. Motion passed 7:0.*

NEW BUSINESS

Reduction of financial guarantee for driveway and drainage construction. Application #506-19, Andrew Knight and Christopher Knight, Block 3, Lot 119 located at 87 White Rock Hill Rd.

Mr. Berube read the item into the record. There was no one there to speak to the issue, and Mr. Taylor explained the request to the members, which was summarized in the email from Mr. Knight and his contractor, who corroborated that 60 percent of the work has been done. Members discussed whether the Town Engineer or Department of Public Works were able to see the work and whether it was satisfactory to them. Mr. Taylor responded that they have not seen the work. General consensus was to have the Department of Public Works check out the site and provide feedback to the Board before the bond reduction could be discussed further. *Mr. Sloat made a motion that the issue be continued to the Board's October 15, 2020 meeting. Ms. Crystall duly seconded and a roll call vote was taken: Ms. Crystall – yes; Mr. Reynolds – yes; Mr. Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Wayne – yes; Mr. Berube – yes. Motion passed 7:0.*

CORRESPONDENCE AND OTHER BUSINESS

Receipt of proposed zoning amendments from other Town boards and the public.

Mr. Taylor provided a brief list of potential changes that the Board could discuss:

- Rezoning Business Development District to Light Industrial;
- Smaller lot sizes for commercial/industrial uses is water/sewer is available;
- Changing the excavation/gravel pit part of the ordinance to exactly match the State statute and making the Planning Board the regulator, rather than the Zoning Board.

Ms. Crystall also brought up the need to make the definition of abutter uniform, as it is currently different between zoning and site plan regulations, for example.

Ms. Crystall also indicated that the Conservation Commission is reviewing the ordinance and may suggest some proposed changes.

UNAPPROVED MINUTES

The 08/20/2020 and 09/17/2020 draft minutes were reviewed. Mr. Oldenburg made a motion to approve the 08/20/2020 minutes as presented and 09/17/2020 minutes as edited. Mr. Sloat duly seconded and a roll call vote was taken: *Ms. Crystall – yes; Mr. Reynolds – yes; Mr. Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Wayne – yes; Mr. Berube – yes. Motion passed 7:0.*

ADJOURNMENT: *Ms. Crystall made a motion to adjourn. Meeting adjourned at 9:00 PM.*

Respectfully submitted,

Tony Reynolds,

Vice Chair