



TOWN OF BOW

Planning Board

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Approved as amended on November 5, 2020

MINUTES

October 15, 2020

The Town of Bow Planning Board met on Thursday, October 15, 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, Adam Sandahl, Willis Sloat, Garth Orsmond (alt), David Glasier (alt), Jonathan Pietrangelo (appointed new alternate member) and Selectboard representative Mike Wayne. Also present were Matt Taylor, Community Development Director, and Alvina Snegach, recording secretary. Bill Oldenburg was excused, and Tony Reynolds was absent.

Mr. Berube noted Jonathan Pietrangelo was recently appointed to the Planning Board and congratulated him. Mr. Pietrangelo has not been sworn in and will not be able to vote tonight. Mr. Berube also noted that Bill Oldenburg and Tony Reynolds were not present and appointed alternates Glasier and Orsmond to vote for them. Chair Berube then directed everyone's attention to item I.I on the Agenda.

PUBLIC HEARINGS

Application #204-20: Beau River Associates, LLC – Block 2, Lot 204-A-1 located at 345 River Rd. Site Plan Review for an existing contractor's yard. For Receipt of Application.

Mr. Berube read the item into the record. Laura Hartz from Orr & Reno introduced herself as the attorney for Beau River Associates and noted that Bruce Scamman from Emanuel Engineering was also present to answer questions. She then presented a brief overview of the events that led to her client having to file for an as built site plan. She said that the use has been established over 20 years ago and just recently became a subject of a complaint due to a neighborly dispute, which has been resolved since then. Ms. Hartz also told about her client's appeal to the Bow Zoning Board of Adjustment (ZBA) regarding the determination that this site was used as a junkyard. Then Mr. Scamman presented the details of the site plan for storing empty dumpsters and roll-off containers on a gravel area with a paved driveway leading to it. Mr. Scamman said that no current or further development is proposed and listed the waivers that are being requested along with providing the rationale for such requests. Ms. Hartz and Mr. Scamman answered questions about cleanliness of the stored containers; junkyard violation determination; ZBA review; etc.

Discussion ensued about the requested waivers and whether they meet the spirit and intent of the regulations. Members also questioned the wetland/pond depicted on the property and there was a discussion as to its origins, whereas the applicant was claiming that this is a man-made agricultural pond, which does not have wetland buffers. The Board members wanted to know more about this waterbody (including having a site visit) and whether the fact that not delineating wetlands would not prevent any further encroachment. Also discussed was the driveway being too close to the property line; the junkyard

citation and subsequent ZBA review; and the need to be careful with waiving certain requirements simply based on the fact that this site plan is as-built and the use has been established already.

Ms. Hartz and Mr. Scamman continued to answer questions about the existing use and how, according to the owner of the dumpsters, it was verbally allowed by then Bow Building Inspector, who did not require a site plan; current grading and drainage, which will remain the same; origins of the wetland/pond on the property and whether it serves as a detention pond; and the possibility of delineating only the gravel area to avoid further impacts to the wetland buffer around the pond.

Members discussed the current state of the wetland/pond and gravel being already in the buffer; whether the pond was ever designed as a detention area; stormwater runoff features on abutting properties and across the railroad; and possible environmental concerns. Discussion continued about the historical existence of the pond as seen on the aerial imagery, stormwater management features on abutting lots, the need for wetland delineation to be done, and the need to have a site visit before considering any waivers and their rationale presented by the applicant.

Ms. Hartz noted that the waiver requests have been submitted with the application and are available in writing. She went over the requests one more time.

Mr. Sloat made a motion to accept application #204-20 as complete and begin review. Mr. Orsmond duly seconded and a roll call vote was taken: Ms. Crystall – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Glasier – yes; Mr. Orsmond – yes; Mr. Wayne – yes; and Mr. Berube – yes. Motion passed with a 7:0 vote.

Mr. Berube opened the public hearing at 8:11 PM.

Mr. Glasier asked for clarification on the written submittal of waivers. Ms. Hartz and Mr. Scamman clarified that one was done on October 2, and the other on October 12, 2020. It was noted that October 2nd submission was not in the packet, which will be updated after the meeting.

Mr. Orsmond also noted that the cost of hardship needs to be emphasized and, if it is excessive, it should also be part of the Board's calculations.

Members agreed to have the sitewalk prior to discussing and considering any waivers.

Ms. Crystall made a motion to continue the public hearing regarding the application #204-20 to the Planning Board regular meeting on November 19, 2020, which will take place at 7:00 PM via Zoom. Mr. Sloat duly seconded and a roll call vote was taken: Ms. Crystall – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Glasier – yes; Mr. Orsmond – yes; Mr. Wayne – yes; and Mr. Berube – yes. Motion passed with a 7:0 vote.

Mr. Glasier made a motion to schedule a site visit to 345 River Road on Saturday, November 14, 2020 at 12:30 PM. Ms. Crystall duly seconded and a roll call vote was taken: Ms. Crystall – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Glasier – yes; Mr. Orsmond – yes; Mr. Wayne – yes; and Mr. Berube – yes. Motion passed with a 7:0 vote.

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. Mr. Taylor noted that the developer of 87 White Rock Hill Road had previously asked to reduce the drainage bond by 50 percent and the members requested feedback from

the Department of Public Works (DPW). The DPW Director's email stating no objections was displayed and members briefly discussed the reduction request.

Mr. Sloat made a motion to reduce the bond for 87 White Rock Hill Road development by 50 percent.

Mr. Sandahl duly seconded and a roll call vote was taken: Ms. Crystall – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Glasier – yes; Mr. Orsmond – yes; Mr. Wayne – yes; and Mr. Berube – yes. Motion passed with a 7:0 vote.

CORRESPONDENCE AND OTHER BUSINESS

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

There were no proposals this time.

Schedule Site Visit for #205-20, Site Plan Review for proposed 6,000 square foot office & tradesman building, and associated Aquifer Protection CUP #407-20, public hearing 11/5/20.

Mr. Berube read the item into the record. Members discussed the dates. *Ms. Crystall made a motion to schedule a site visit for application #205-20 on Saturday, October 24, 2020 at 12:30 PM. Ms. Crystall duly seconded and a roll call vote was taken: Ms. Crystall – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Glasier – yes; Mr. Orsmond – yes; Mr. Wayne – yes; and Mr. Berube – yes. Motion passed with a 7:0 vote.*

UNAPPROVED MINUTES

The 10/01/2020 draft minutes were reviewed, and changes were made. Mr. Sandahl made a motion to approve the 10/01/2020 minutes as amended. Mr. Wayne duly seconded and a roll call vote was taken: *Ms. Crystall – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Glasier – yes; Mr. Orsmond – yes; Mr. Wayne – yes; and Mr. Berube – yes. Motion passed with a 7:0 vote*

ADJOURNMENT: *Ms. Crystall made a motion to adjourn. Meeting adjourned at 8:36 PM.*

Respectfully submitted,

Sandra Crystall,
Vice Chair