



# TOWN OF BOW

## Planning Board

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Approved as presented on November 19, 2020

### MINUTES

November 5, 2020

The Town of Bow Planning Board met on Thursday, November 5, 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 Tony Reynolds, Secretary, Bill Oldenburg Adam Sandahl, Willis Sloat, Garth Orsmond (alt), David Glasier (alt), Jonathan Pietrangelo (alt), and Selectboard representative Mike Wayne. Also present were Matt Taylor, Community Development Director, and Alvina Snegach, recording secretary. Sandra Crystall, Vice Chair, was excused.

Mr. Berube noted that Ms. Crystall was excused and appointed Jonathan Pietrangelo, who was recently sworn in to vote for her. Chair Berube then directed everyone's attention to item I.I on the Agenda.

#### PUBLIC HEARINGS

**1. Application #205-20: New Siteworks, LLC – Block 2, Lot 108-B located at 1168 Route 3-A. Site Plan Review for proposed 6,000 square foot office and tradesman building. For Expedited Review.**

**2. Application #407-20: New Siteworks, LLC – Block 2, Lot 108-B located at 1168 Route 3-A. Conditional Use Permit for storage of fuel containers in excess of 100 gallons within the Aquifer Protection District. For Final Approval.**

Mr. Berube read both items into the record and noted that they are associated with one another. Nick Golon from T.F. Moran introduced himself as the engineer for the project and noted that David Burl from Accurate Tree Service, LLC was also present. He then presented the details of the proposed site plan. Mr. Golon noted that there was a site walk at the property and described the existing site features, grades, and abutters. He then went over the proposed improvements, grading, driveway slope, location of the proposed building, parking, snow storage areas, stormwater management, drainage, utilities, landscaping plan, lighting plan, location of dumpsters, location of two fuel tanks for which a conditional use permit is filed, etc. Mr. Golon said that an Alteration of Terrain and septic design approval would be required from NHDES. Then Mr. Golon and Mr. Burl answered questions about the driveway, types of equipment stored on site, landscaping and snow storage, possibility of creating a sound barrier for the residential abutter, operation times, driveway application from NHDOT, drainage features along Route 3A and at the bottom of the driveway, location of berm on the plan, grading setbacks, existing runoff on site and improvements as per the stormwater management report for both the commercial and the residential abutters, secondary containment for the fuel (diesel) tanks, required certifications for the fuel tank storage, lack of waivers, building materials, etc.

*Mr. Sloat made a motion to accept jurisdiction for the Board to begin review of application #205-20 and #407-20. Mr. Oldenburg duly seconded and a roll call vote was taken: Mr. Reynolds – yes; Mr. Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Pietrangelo – yes; Mr. Wayne – yes. Motion passed with a 6:0 vote.*

Mr. Berube opened the public hearing at 7:46 PM.

Stephen Rawding and Martine Laureyans, 1194 Route 3-A addressed Mr. Golon with questions about steep slopes and potential runoff towards their property. They also spoke about extensive tree cutting that took place on the lot, and the developer refusing to put a fence to screen the business from their property. They noted that they have been long term Bow residents, and this would be a disruption to them as it is too close to their backyard and the noise, lighting will interfere with their privacy. They noted the noise from Route 3A being worse with all the trees cut. They also had some concerns with the building and paved areas being above their house location and with snow removal potentially creating runoff problems.

Mr. Golon addressed the abutters' concerns and noted that the business owner is willing to plant a row of trees at the edge to create a screen if the Board finds it necessary. He also noted that fencing would not work at the top or bottom of the slope and explained that runoff will be significantly reduced.

Discussion ensued about the fence and the line of site from the bottom of the hill where the abutters' two-story house is located and the top of the hill where the warehouse will be built. Mr. Golon said that the expectation is that the warehouse would not be seen from the house, and that the planted trees could be staggered.

Another discussion ensued about the lighting of the lot and whether it is possible to have motion lighting. Mr. Burl noted that he feels that motion lights would not be possible due to safety considerations. Mr. Golon said that the lighting plan meets the Town regulations and that all light fixtures are downcast with foot candles not crossing the property lines.

Having nobody else there to address the Board, Chair Berube closed the public hearing at 8:14 PM.

*Mr. Sloat amended his earlier motion to state that the application #205-20 and #407-20 is accepted for expedited review. Mr. Oldenburg duly seconded and a roll call vote was taken: Mr. Reynolds – yes; Mr. Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Pietrangelo – yes; Mr. Wayne – yes. Motion passed with a 6:0 vote.*

Members discussed whether the application would qualify as the development of regional impact.

*Mr. Sloat made a motion that the project does not qualify as the development of regional impact. Mr. Oldenburg duly seconded and a roll call vote was taken: Mr. Reynolds – yes; Mr. Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Pietrangelo – yes; Mr. Wayne – yes; Mr. Berube – yes. Motion passed with a 7:0 vote.*

Mr. Taylor noted that there were two conditions of approval suggested in the staff report.

*Mr. Oldenburg made a motion to approve the Conditional Use Permit #407-20. Mr. Reynolds duly seconded and a roll call vote was taken: Mr. Reynolds – yes; Mr. Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Pietrangelo – yes; Mr. Wayne – yes; Mr. Berube – yes. Motion passed with a 7:0 vote.*

*Mr. Oldenburg made a motion to approve the application #205-20 with the following conditions:*

- 1. Prior to the issuance of a building permit, the applicant shall provide proof of NHDES septic approval.*
- 2. Prior to the issuance of a building permit, the applicant shall provide proof of NHDES AOT permit approval.*
- 3. Prior to the issuance of a building permit, the applicant shall provide proof of NHDOT driveway permit approval.*

*Mr. Sandahl duly seconded and a roll call vote was taken: Mr. Reynolds – yes; Mr. Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Pietrangelo – yes; Mr. Wayne – yes; Mr. Berube – yes. Motion passed with a 7:0 vote.*

## **OLD BUSINESS**

**Review of comments received, if any, regarding conditions of extension of approvals granted on October 1, 2020 for RRG Holding, LLC Site Plan #204-19, Block 2, Lot 159-J located at 9 Thibeault Dr. and RRG Holding, LLC Site Plan #201-20, Block 2, Lot 159-I located at 364 River Rd.**

Mr. Berube read the item into the record. Mr. Taylor reminded the members that the extension was granted conditionally pending any comments or complaints to be submitted by this meeting, of which the Board received none. He also spoke about the court action related to the current owner of the lot and Mr. Wayne's

concerns, which at this time have been alleviated. Mr. Taylor concluded that there have been no comments received by today's date, thus there is no need for the Board to act at this time.

**Request for a 90-day extension (first request) of the May 21, 2020 approval of Minor residential subdivision Application #501-20: Jonathan & Judith Richardson and Ryan & Stephanie Richardson - Block 4, Lot 12, located at 502 Clinton St.**

Mr. Berube read the item into the record. Mr. Taylor displayed the email with the request. *Mr. Oldenburg made a motion to grant the 90-day extension to the approval of Application #501-20. Mr. Sloat duly seconded and a roll call vote was taken: Mr. Reynolds – yes; Mr. Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Pietrangelo – yes; Mr. Wayne – yes; 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.**

Mr. Berube read the item into the record. Mr. Taylor presented the first proposed amendment, which is adopting the state excavation statute 155:E by reference, which will replace the current ZO Article 7.14. Another change would be the Planning Board becoming the regulator for all excavation related matters, with the regulations changing for the use to be allowed by Conditional Use Permit, as opposed to it being allowed by Special Exception, currently regulated by the Zoning Board of Adjustment.

After a short discussion *Mr. Oldenburg made a motion to schedule the public hearing for the excavation related changes to be discussed on December 3, 2020 at 7:00 PM. Motion was duly seconded by Mr.*

*Pietrangelo, and a roll call vote was taken: Mr. Reynolds – yes; Mr. Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Pietrangelo – yes; Mr. Wayne – yes; Mr. Berube – yes. Motion passed with a 7:0 vote.*

Mr. Taylor spoke of another proposed change, which is rezoning the Business Development district to General Industrial. Members briefly discussed the extent of changes (uses and regulations), and *Mr. Oldenburg made a motion to schedule the public hearing for the excavation related changes to be discussed on December 3, 2020 at 7:00 PM. Motion was duly seconded by Mr. Pietrangelo, and a roll call vote was taken: Mr. Reynolds – yes; Mr. Oldenburg – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Pietrangelo – yes; Mr. Wayne – yes; Mr. Berube – yes. Motion passed with a 7:0 vote.*

**UNAPPROVED MINUTES**

*The 10/15/2020 draft minutes were reviewed, and changes were made. Mr. Reynolds made a motion to approve the 10/15/2020 minutes as amended. Mr. Pietrangelo duly seconded and a roll call vote was taken: Mr. Reynolds – yes; Mr. Sandahl – yes; Mr. Sloat – yes; Mr. Pietrangelo – yes; Mr. Wayne – yes; Mr. Berube – yes; Mr. Oldenburg – abstained due to not being present at that meeting. Motion passed with a 6:0:1 vote.*

**ADJOURNMENT:** *Mr. Oldenburg made a motion to adjourn. Mr. Glasier duly seconded. Motion passed unanimously. Meeting adjourned at 8:48 PM.*

Respectfully submitted,

Tony Reynolds,

Secretary.