

1. Planning Board Regular Meeting Agenda
See attached document for the agenda

Documents:

[12162010 PB AGENDA.PDF](#)

2. Planning Board Regular Meeting Packet
see attached

Documents:

[ELECTRONIC RECORDS.PDF](#)

**AGENDA
DECEMBER 16, 2010**

The Town of Bow Planning Board will meet on Thursday, **December 16, 2010** at 7:00 p.m. in the Town Municipal Building, 10 Grandview Road, Bow, New Hampshire. The purpose of the meeting is to hold public hearings and discuss proposed zoning amendments.

Applications and public hearings that have not been considered by the Board by 9:45 PM will be continued to a time and a place to be announced. The order of business is subject to change without notice.

7:00 ROLL CALL

I UNAPPROVED MINUTES: November 18, 2010

II RECEIPT OF APPLICATIONS

III PUBLIC HEARINGS **[All persons giving testimony shall furnish their name and address]**

1. Consideration of eight posted amendments to the Zoning Ordinance (see December 2, 2010 Notice of Public Hearing)

IV ADDITIONAL AMENDMENTS TO THE ZONING ORDINANCE

1. Receive Petitioned Amendments to the Zoning Ordinance (none received by the 12-8-10 deadline)

V ADDITIONAL PROCEDURES, FORM, AND SUBSTANCE OF PROPOSED AMENDMENTS TO ZONING ORDINANCE

1. Determine which proposed amendments will be posted for further public hearing
2. Set time, date, and place for additional public hearing, if necessary (January 13 or 27, 2011)
3. Determine substance and final form for amendments and vote to place on March 8, 2011 Town Meeting Warrant for adoption

VI CONCEPTUAL CONSULTATION

1. Request by Arthur Baronousky, Mountain

Woodlands, LLC, to discuss engineering requirements, design issues, and impact fees for a 2500 SF expansion of the multi-tenant 6000 SF building on Lot 185-B, Block 2 located at 617 NH Route 3-A [see Site Plan 202-01 approved April 5 and modified May 3, 2001 (MCRD 15605 on 9-26-01)]. See prior consultation on August 19, 2010.

VII OLD BUSINESS

1. Subcommittee Reports
2. Road construction, inspection, latent defects, & bond reduction requests:
3. Development Transfer Credit / Transfer of Development Rights (DTC/TDR) project

VIII NEW BUSINESS

1. ZBA referrals:
2. Site Walks on built and/or proposed projects:
3. Schedule public hearings for tree removal on Putney Road (Scenic Road per RSA 231:157 & 158)
4. Capital Regional Development Council site plan review costs comparison table

IX CORRESPONDENCE AND OTHER BUSINESS:

- * 12-8-10 Londonderry PB PH for Beal Revocable Trust / Omnipoint Communications PWSF 146' tower on Map 12, Lot 34 located at 28 Kelley Road
- * 12-14-10 NH-ITE Chapter annual meeting at Common Man in Concord
- * 12-8-10 APA Webinar - Staying Out of Court (forwarded email on 12-3-10 to PB & ZBA - Bill Klubben attended)

Respectfully submitted,
Arthur J Cunningham, Chair

Right

to

Know

Law



RSA
Chapter 91-A

**ELECTRONIC
COMMUNICATION**

(RSA 91-A:1 through 91-A:6)

Effective July 1, 2008

PUBLIC MEETINGS

- **E-mail as a Meeting?** No. Legal meetings may never be conducted by e-mail or any other format which does not allow the public to hear, read or discern the discussion contemporaneously at the meeting location.
- **Telephone Participation:** Boards may allow one or more members to participate in a meeting by telephone or other electronic means, if:
 - (1) physical attendance is not reasonably practical (note in minutes);
 - (2) all members can simultaneously hear and speak with each other;
 - (3) except in an emergency, a quorum is still physically present in the location where the public was told the meeting would occur; and
 - (4) all parts of the meeting are audible or otherwise discernable to the public in that location.
- **What Is a Meeting?** When a majority of a public body convenes to discuss or act on any matter within its jurisdiction, it is a meeting whether the members “convene” in person, by telephone or electronic communication, or in any other way in which all members may communicate with each other contemporaneously (but as noted above, meetings may not be held by e-mail or online chat because the public cannot hear, read or discern the discussion contemporaneously at the meeting location).
- **Deliberation:** Public bodies may only deliberate in properly held meetings, and may not use communication outside a meeting (such as sequential e-mails or phone calls) to circumvent the spirit or the purpose of the law.
- **Posting Meeting Notice on the Internet:** Notice of meetings must be posted in at least two public places, one of which may be the public body’s Web site.

GOVERNMENTAL RECORDS

- **Defined:** Any information created, accepted or obtained by a quorum of a public body, or by a public agency (for example, the clerk’s office, police department or other municipal office), in any physical format, received in or out of a meeting, in furtherance of its official function.
- **Availability:** Just like paper records, electronic governmental records must be made available to the public upon request unless an exemption applies.
- **Retention:** Electronic governmental records must remain accessible to the public for the same length of time as their paper counterparts. Check RSA 33-A:3-a for a list of retention periods for certain categories of municipal records. If a record must be kept for more than 10 years, it must also be transferred to paper or microfilm.
- **When Is an Electronic Record No Longer Subject to Disclosure Under the Right to Know Law?** When it has been “initially and legally deleted” so that it is no longer readily accessible to the public body. Simply deleting it is not enough; the “Deleted Items” or “Recycle Bin” folder must also be emptied. A record is “legally” deleted if the retention period has ended and there are no outstanding or disputed requests for that item.

Important note: This is a very simplified overview of the Right to Know Law. It is not intended to be legal advice and is provided for convenience only. **Please refer to RSA Chapter 91-A or legal counsel for further information.**

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