

Town of Bow
Planning Board
10 Grandview Road, Bow, New Hampshire 03304

Approved Minutes
August 18, 2022

The Town of Bow Planning Board met on Thursday, August 18, 2022 at 7:03 PM In Room C of the Municipal Office Building. Chair Berube opened the meeting with a roll call of the Board.

7:00 ROLL CALL

Members present were: Chair Don Berube, Jr.; Secretary Adam Sandahl; Selectman Mike Wayne; David Glasier, Garth Orsmond and Jonathan Pietrangelo. Also present were Matt Monahan of CNHRPC filling in for the vacant Community Development Director; Ginger Iverson, Administrative Assistant; and Wendy Gilman filling in for the Recording Secretary. Vice Chair Sandy Crystall, Kip McDaniel and Mike Lawton were excused.

Chair Berube noted there would not be any video tonight and also congratulated Jonathan Pietrangelo on becoming a full member of the Planning Board instead of an alternate member.

I. MINOR MODIFICATION/CONCEPTUAL CONSULTATION- None

II. PUBLIC HEARINGS

1. Application #203-22: Amber Bow Associates, LLC and Sarah Santy Estate. Three phase plan to add six warehouses: one 40,466 sq. ft., one 24,373 sq. ft., and four 35,467 sq. ft. buildings. Block 5 Lot 42 located at 75 Dow Road and Lots 47 & 48 located off Baker Road. **(Continued from July 21, 2022 meeting.)**

The Chair read the item into the record. Tim Bernier of T.F. Bernier, Inc. addressed the review comments received at the July 21, 2022 Planning Board meeting. Peter Levine, Principal of Amber Bow Associates, was available to answer questions from the Board. They have received comments from the Town engineer's review of the drainage plan and will adjust their design accordingly. The applicant/developer has met with the Fire Department, and they would like to have their consultant do an independent review of the fire suppression system. There was some discussion on the size of the cisterns needed. One cistern and one dry hydrant is proposed for Phase I.

Intersection of Route 3A and Dow Road already has some issues that need to be addressed. The applicant met with the New Hampshire Department of Transportation (NHDOT) on that intersection. The NHDOT have no current plans to address the intersection. Dow Road is a Town road so any improvements the developer may make to the intersection would be for the Town. The Town would have to apply for a Road Permit to the NHDOT to make improvements to right-of-way (ROW) on Dow Road. They met with the Town Manager to discuss options. The Town is interested in making improvements to the intersection.

Dow Road and Route 3A right-of-ways (ROW) are too narrow to put in a turning lane so any improvements to be made would include obtaining additional rights-of-ways (ROW). The impact the project will have on the intersection at full build out will be 13% more traffic. Traditionally you would take 13% of the cost of the improvements and put it in a fund. Based on conversations with NHDOT, they have no plans to do anything with that intersection, so the money would just stay in a fund. The developer already has issues with his workers safely getting in and out so is motivated to make the intersection safer. Mr. Bernier stated there is a large lilac bush growing into the ROW and affecting the line of site, that should be addressed immediately in Phase I. They would work with the Town and the landowner on this in Phase I of their plan. Phase II improvements to the intersection would include widening the road to make three 12 ft. lanes with the middle lane to make dedicated

53 left-hand turn lane. This would need the additional ROWs. The applicant is asking for approval of Phase I
54 conditioned upon making the improvements. There was ongoing discussion about ROWs, TIF District, and “No
55 Through Trucking” signage,
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57 Chair Berube opened the Public Hearing. Tom O’Donovan, Chair of the Drinking Water Protection Committee,
58 asked about changes in drainage and salt contamination because the project is near the groundwater protection
59 area. Mr. Bernier stated that being in the groundwater protection area, NH Department of Environmental Services
60 (NHDES) imposes stricter rules on drainage, so they had to meet those for the project. He represented that all
61 drainage will be contained on the site up to a 50-year storm event and that the retention pond could easily be
62 tested for salt. Tom O’Donovan told the Board about the Green Snow Pro Program which teaches parking lot
63 owners how to reduce the amount of salt in parking lots. He also asked the Planning Board to make it a condition
64 from “can” clean out the drainage forebays to “will” clean out. Mr. Levine was agreeable to the condition.
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66 Jonathan Pietrangelo was concerned that by approving Phase I the Board is effectively approving the whole
67 project without abutter input. Mr. Bernier stated they are more than willing to include abutters in any decision on
68 improving the intersection and prefer to meet with them personally to discuss and work through any ROW
69 decisions. Chair Berube closed the Public Hearing.
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71 *Adam Sandahl moved, and Jonathan Pietrangelo seconded to grant approval of Phase I with the following*
72 *conditions:*

73 *1. Continue to work with the Fire Department and Road Agent to resolve any outstanding issues from the*
74 *Technical Review Committee meeting.*

75 *2. Comply with Town Engineer comments and recommendations pertaining to stormwater management and*
76 *traffic studies.*

77 *3. Execute lot merger forms.*

78 *4. No through trucking on Dow Road to Knox Road.*

79 *5. Right turn only for truck traffic exiting the site.*

80 *6. Clean drainage forebays per NHDES Best Management Practices as described in the Alternation of Terrain*
81 *Maintenance Manual.*

82 *7. Update planting schedule to indicate all landscaping will be native plants.*

83 *8. Comply with phase 1 and Phase 2 conditions as described on page 2 of the memorandum dated August 15,*
84 *2022, as written by Timothy F. Bernier of T.F. Bernier, INC. (TF Bernier file number 559-01).*

85 *They further moved and seconded to grant waivers of Section 5.02R for an evacuation plan and Section 5.02S*
86 *requiring a secondary access.*

87 *Sensing no further discussion, the Chair called for a vote. Motion with waivers carries by unanimous vote of the*
88 *Board. 6-0-0.*

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90 **2. Application #407-22: Eversource Energy: Wetlands Protection Conditional Use Permit for a total of 139,006**
91 **sq. ft. of wetland impact and 213,129 sq. ft. Of wetland buffer impact for replacement of utility poles along**
92 **the C196 & Q171 Transmission Lines. Easements on Block 2, Lots 52, 53-F, 53-E7, 53-E8. 53-E2, 53E28, 8-**

F, 9, 53-E, 53-E23, 53-E10, 70, 125, 141-A, 200-B and 200-A; located at 53 & 57 Woodhill Hooksett Road, two lots off Colby Lane, 3 & 4 Colby lane, 38-42 South Bow Road and a lot off South Bow Road; 45 Allen Road and a lot off Allen Road; 2 Abbey Road, 122 Bow Bog Road, 24 Morgan Dr., a lot off Old Johnson Road, 67 Ryan Road, and 476 River Road (respectively.) **For Final Approval (continued from July 21, 2022 meeting.) Taken out of order as item #1.**

Chair Berube read the application into the record. Members from Eversource and GZA were present to review the application. Responses to the Conditions upon which the Planning Board may grant a Conditional Use Permit were reviewed by the applicant. Many of the proposed impacts to wetlands will be temporary because of access and work pad placement and minimized by using existing access routes when possible. The proposed project minimizes adverse impact of the wetland by utilizing timber matting in wetland areas to prevent and minimize rutting and compaction in the wetland. Access has been sited to utilize existing access roads where practicable. Erosion controls will also be installed. They will file a Statutory Permit by Notification with the New Hampshire Department of Environmental Services (NHDES) and where applicable a NHDES Alteration of Terrain Permit application will be submitted for proposed grading in uplands as part of this project.

Chair Berube opened the Public Hearing. There was a question from the public about archeological impacts. An archeologist will be on site to detect any archeological sensitive areas. Selectman Wayne asked what would happen if any artifacts were found. They would be returned to the property owner or donated if they did not want them. Sensing no further comment, the Public Hearing was closed.

Jonathan Pietrangelo moved to approve Application #407-22 Wetlands Protection Conditional Use Permit. Selectman Wayne seconded. Motion carried by a unanimous vote of the Board. 6-0-0.

3. Application #506-22. Reagan Trust. Major Residential Subdivision creating 11 lots. Block 2, Lots 40 & 41 located at 11 – 15 South Bow Dunbarton Road and 33 Quimby Road (continued from July 21, 2022 meeting.)

Chair Berube read the application into the record. Jacques Belanger was available to answer questions from the Board. There is an existing house and barn on the property which is slated for demolition. There are also 4 wells on the property, three dug wells and one drilled well. The wells are to be filled in. There is a cemetery on the property, Lot 41, which is to be protected. The Applicant will make sure there is verbiage in the deeds and on the plans for a 100 ft. buffer around the cemetery and that it is not to be disturbed. Access to the cemetery must be maintained. Any affected lots will have wording in the deeds to that effect. Two waivers are being requested: Sections 3.06 and 3.03C. Planner Monahan stated that waivers for Sections 3.03A; 3.03B; 6.03 U and W would also be needed. The Applicant has agreed not to disturb and potential historically significant stone monuments unless they are blocking construction.

Chair Berube opened the Public Hearing and asked for public comment. Tom O'Donovan, Chair of the Drinking Water Protection Committee, discussed WE 604.05 which gave specific instructions on how to correctly shut down/fill in a well. He asked the Board to make it a condition of approval that the Applicant adhere to it. Sensing no further comment, the Chair closed the Public Hearing. Chair Berube called for a motion.

David Glasier moved, and Adam Sandahl seconded, to approve Application #506-22 with the following conditions:

- 1. Address all Town Department Heads' comments.*
- 2. If the proposal is reviewed by the Town's Engineer, the applicant should comply with any recommendations made by the Town's Engineer.*

- 141 3. *Address any outstanding checklist items that are missing.*
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- 143 4. *Water line from well to be shown on the septic design.*
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- 145 5. *Lots should be numbered: numeric – alpha; e.g. 40 then 40-A etc.*
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- 147 6. *Owner’s address block: address should be 4 Wilson Meadow Road (per deeds).*
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- 149 7. *Easements for shared driveways should be recorded prior to the issuance of building permits.*
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- 151 8. *Comply with WE 604.05 Sealing of Wells.*
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- 153 9. *Put a note on the plans that there are potential historically significant stone monuments on the sites.*
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- 155 10. *A note on the plans that the cemetery is not to be disturbed and access to it must be maintained.*
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157 *Chair Berube called for a vote. Motion carried by unanimous vote of the Board. 6-0-0.*

158 *Adam Sandahl moved and Garth Orsmond seconded, to approve the following waivers: Sections 3.06; 3.03C;*
159 *3.03A; 3.03B; 6.03 U & W. Motion carried by unanimous vote of the Board.*

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- 161 4. Application #408-22: Nancy Stern-Paulenka and Steven Paulenka. Wetlands Protection Conditional Use
162 Permit for approximately 1,000 sq. ft. Of wetland buffer impact for driveway to a single-family home. Block
163 2, Lot 10-F located at 119 Woodhill Road. For Final Approval.
- 164

165 The proposed project involves permitting the location of an existing wood road, through the wetland buffer, to
166 access a building envelope for a single-family home. Eric Mitchell and Steven Paulenka were available to answer
167 questions from the Board. Applicant responses to the Conditional Use Permit criteria were considered by the
168 Board. In doing so they referred to the project narrative as prepared by Eric C. Mitchell & Associates. The
169 driveway is existing, and the wetlands are buffered. No wetland impact is proposed. There is no impact to
170 downstream property. To relocate the driveway would have some physical impact on the area while leaving it
171 would not. No request for waivers were made and department heads had no comments. The Chair opened the
172 Public Hearing; any public comments were heard, and the Public Hearing closed. Chair Berube called for a
173 motion.

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175 *Garth Orsmond moved, and David Glasier seconded, to approve Application #408-22 for a Conditional Use*
176 *Permit with the following condition: that the applicant obtain an approved driveway permit from the Town of*
177 *Bow prior to the issuance of a building permit for the home. The Chair called for any further discussion. Sensing*
178 *none, he called for a vote. Motion carried by unanimous vote of the Board. 6-0-0.*

180 **III. OLD BUSINESS – None.**

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182 **IV. NEW BUSINESS**

- 183 1. Election of Officers – Tabled until the next meeting.
- 184 2. Appointment to the CIP Committee
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186 *It was moved and seconded to appoint Jonathan Pietrangelo to the CIP Committee. Motion carried by*
187 *unanimous vote of the Board.*

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189 **V. CORRESPONDENCE AND OTHER BUSINESS – None.**

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VI. REVIEW OF MINUTES: June 16, 2022 and July 21, 2022

It was moved and seconded to approve the June 16, 2022 meeting minutes and submitted. No action was taken on the July 21, 2022 meeting minutes.

VII. ADJOURN

It was moved and seconded to adjourn the August 18, 2020 Planning Board meeting at 10:20 PM. Motion carried by unanimous vote of the Board.

Respectfully submitted,
Wendy Gilman, Recording Secretary