

**TOWN OF BOW
PLANNING BOARD**

**CONDITIONAL USE PERMIT APPLICATION
WETLAND PROTECTION ORDINANCE
Article 10.01 of the Town of Bow Zoning Ordinance**

To the Applicant:

This constitutes the application form for a Conditional Use Permit for purposes identified in Article 10.01E of the Zoning Ordinance.

Once completed, the application, together with the required fee, must be filed with the Planning Board's Agent no later than 3:00 PM on the fourth Thursday prior to the Planning Board's next regularly scheduled meeting to be included on their next agenda.

The Planning Board shall refer the application to the Bow Conservation Commission (BCC) for review and comment prior to the public hearing on the application. Please contact the BCC Chair (conservation@bownh.gov) to schedule an appointment to discuss the proposal.

A final application which is not complete may be rejected by the Planning Board at a regular meeting. To be complete an application must include:

1. ____ One (1) copy of the completed application form
2. ____ One (1) paper copy of a sketch plan of the proposal, with wetlands delineated by a Certified Wetlands Scientist.
3. ____ One (1) copy of any construction plans
4. ____ One PDF file of the plan set (via e-mail)
5. ____ A narrative which addresses the criteria of Articles 10.01F and 12.05 of the Zoning Ordinance (attached)
6. ____ A NH Natural Heritage Bureau database check report per Article 12.04H of the Zoning Ordinance
7. ____ Complete and accurate abutters list (including any PE/LLS/CWS whose seal appears on the plan)
8. ____ The appropriate filing fee (Additional fees may apply if submitted with Site Plan Review or Subdivision application)
\$ ____ Application Fee (\$400)
\$ ____ Plus per Abutter (\$20)
\$ ____ Plus \$50 per 1,000 SF of Wetland Impact greater than 3,000 SF (buffers not included)
\$ ____ Total (Not including any other applications)

TOWN OF BOW PLANNING BOARD
WETLAND PROTECTION CONDITIONAL USE PERMIT APPLICATION

10 Grandview Road
Bow, NH 03304
bwestover@bownh.gov

(603) 223-3970

Property _____
Owner(s): _____

Address: _____

Daytime Telephone # (____) ____ - _____

Applicant: _____
(PE, LLS, CWS)
Address: _____

Daytime Telephone # (____) ____ - _____

FOR OFFICE USE ONLY	
Application #	_____
Date Received:	___/___/___
Fee Paid \$	_____
Check #	_____
Received By:	_____

E-mail address for contact person: _____

1. Block # ____ Lot(s) _____

2. Street Address for parcel: _____

3. Property located in the _____ Zoning District.

4. Land is in open space (current use): ____ YES ____ NO

5. Date of most recent timbering operation: _____

6. Wetlands impact: _____ SF; Wetlands Buffer impact: _____ SF

7. Purpose for which the Conditional Use Permit is sought:

The applicant agrees that he/she is familiar with the current Zoning Ordinance of the Town of Bow and in submitting this application has complied with the requirements of the Ordinance.

Property Owner(s) or Applicant's
Signature with Certification

Date

Article 10.01 of the Zoning Ordinance of the Town of Bow

F. Standards for Granting of a Conditional Use Permit in the WC District

1. An application for a conditional use permit in the WC District shall be filed with the Planning Board pursuant to Section 12.02, Application and Review Procedure, of this Ordinance. The Planning Board shall refer the application to the Conservation Commission for review and comment prior to the public hearing on the application. In acting on the application, the Board shall consider any report received from the Commission and information obtained during a site walk.

2. In addition to the requirements of Article 12, Conditional Use Permits, of this Ordinance, the applicant shall provide adequate documentation in order for the Planning Board to make a finding that the proposed use or activity meets the following conditions:

- a. The proposed activity or use is consistent with the purposes of the WC District;
- b. The proposed activity minimizes the degradation to, or loss of Wetlands Resources and Wetlands Buffers, and minimizes any adverse impact to the functions and values of Wetlands Resources and Wetlands Buffers as determined by a Wetlands Resources evaluation in accordance with an established methodology such as *The Highway Methodology Workbook Supplement* (1999) of the US Army Corps of Engineers;
- c. The proposed activity minimizes the environmental impact to abutting or downstream property and/or hydrologically connected water and/or Wetlands Resources;
- d. The proposed activity or use cannot practicably be located otherwise on the site to eliminate or reduce the impact to the Wetlands Resources;
- e. The proposed activity or use cannot practicably be located otherwise on the site to eliminate or reduce the impact to the Wetland Buffer;
- f. Federal and/or state permit(s) have been received for the proposed activity in accordance with N.H. Administrative Rules Env-Wt 100-900, the Federal Section 404 Permit; and
- g. Where applicable, applicant has provided proof of compliance with all other state and/or federal regulations to the Planning Board.

3. The Planning Board, in acting on an application for a conditional use permit in the WC District, may attach conditions to its approval including but not limited to requirements for more extensive buffers, additional plantings in areas to be revegetated, performance guarantees, and a reduction in proposed impervious surfaces.

For uses or activities that involve construction within 25 feet of a Prime Wetland Buffer, or where a Wetlands Buffer is present, in advance of any site disturbance:

- a) Erosion control measures that are appropriate to the site and seasonal conditions shall be installed to protect the Wetlands Resources and Wetlands Buffer;
- b) Barriers to restrict access to sensitive resources during construction (such as orange construction fencing) shall be installed as required by the Planning Board.

All construction, forestry and agricultural activities within one hundred feet (100') of any Wetlands Resource shall be undertaken with special care to avoid erosion and siltation into the Wetlands Resource. When deemed appropriate to protect water quality or a sensitive resource, documentation of Best Management Practices in place may be required by the Planning Board or the Conservation Commission.

Article 12.05 of the Zoning Ordinance of the Town of Bow

12.05 Hearing and Decision

Following a public hearing on the proposed use, the Planning Board shall issue a conditional use permit, if it finds, based on the information and testimony submitted with respect to the application, that:

- A. The use is specifically authorized by Article 5, Section 5.11 Table of Use Regulations as a conditional use;
- B. If completed as proposed by the applicant, the development in its proposed location will comply with all requirements of this Article, and with the specific conditions or standards established in this ordinance for the particular use;
- C. The use will not materially endanger the public health or safety;
- D. The use will be compatible with the neighborhood and with adjoining or abutting uses in the area in which it is to be located;
- E. The use will not have a substantial adverse impact on highway or pedestrian safety;
- F. The use will not have a substantial adverse impact on the natural resources of the town; and
- G. The use will be adequately serviced by necessary public utilities and community facilities and services of a sufficient capacity to ensure the proper operation of the proposed use, and will not necessitate excessive public expenditures to provide sufficient additional capacity or services.