



# TOWN OF BOW

## Zoning Board of Adjustment

10 Grandview Road, Bow, New Hampshire 03304

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Approved as presented on April 20, 2021

### MINUTES

January 19, 2021

The Town of Bow Zoning Board of Adjustment met on Tuesday, January 19, 2021 at 7:30 PM via Zoom. Chair Harry Hadaway called the meeting to order with a roll call introduction of the Board.

Members present were Harry Hadaway, Chair, Robert Ives, Vice Chair, Donald Burns, Secretary, Tony Reynolds, Stephen Buckley, and Alternate Michael O'Neil. Matt Taylor, Community Development Director, and Alvina Snegach, recording secretary.

Mr. Hadaway read the virtual meeting checklist into the record and directed the attention of the Board to Agenda item I.1

### PUBLIC HEARING

**Application #101-21 for a Variance to build a detached 800 sqf Accessory Dwelling Unit where attached is required. Daniel and Hannah Livingstone, property located at 196 Woodhill Hooksett Rd, Block 2, Lot 42-A in the Rural (RU) District. Zoning Ordinance Articles: 7.04 – Accessory Dwelling Units; 13.02.B – Authorization of Variances.**

Mr. Hadaway read the item into the record. Daniel Livingstone, the owner of the property and applicant introduced himself, noted that there was a site visit at the property earlier, and briefly went over the details of the variance request. He said he is requesting to build a detached garage with an 800 sqft accessory dwelling unit (ADU) over it for his elderly mother and sister. He then went over the criteria listed in the variance application one by one.

Mr. Hadaway opened the public hearing at 7:44 PM and having nobody there to address the Board, closed it at 7:44 PM.

Members discussed the way the Ordinance is not quite explicit in prohibiting the detached ADU's, although historically it has always been interpreted as not allowed. Then comments from the Town officials were discussed, and Mr. Livingstone confirmed that he will extend the driveway to the newly built garage.

*Following the discussion members took a roll call vote on each of the Variance criteria:*

*Each criterion had received an identical vote as follows: Mr. Ives – met; Mr. Burns – met; Mr. Reynolds – met; Mr. Buckley – met.*

*Mr. Buckley made a motion to grant the variance as requested in the application #101-21 to allow a detached 800 sqft accessory dwelling unit.*

Discussion ensued about the need to add conditions for a turnaround as mentioned in the Fire Chief's comments or a new septic system. Consensus was that it was quite clear from the site visit to the property that the extended driveway will meet Fire Department access regulations and that the septic approval will be taken care at the building permit state.

Approved ZBA Minutes for 01/19/2021 Meeting

*Roll call vote took place: Mr. Ives – yes; Mr. Burns – yes; Mr. Reynolds – yes; Mr. Buckley – yes.  
Motion carried with a 4:0 vote in favor.*

**OLD BUSINESS**

**MOTION FOR REHEARING (set forth in paragraphs A, B, C and D) ON THE APPEAL OF ADMINISTRATIVE DECISION Case #101-20 stayed from October 20, 2020 hearing) contingent on the Planning Board review of the Site Plan application.**

Mr. Taylor displayed the letter to Beau River Associates regarding the violation notice being withdrawn due to the Planning Board approval action on the site plan for the property. Laura Hartz from Orr & Reno was also present to confirm that her client has submitted a site plan application to the Bow Planning Board which was unanimously approved in November 2020. She said that her client would like to withdraw the motion for rehearing on the grounds that it is moot at this time as the notice of violation had been rescinded. Consensus was that there is no further action required from the Board.

**NEW BUSINESS**

**2021 ZBA Meeting Schedule adoption**

*2021 ZBA meeting schedule was displayed. Mr. Ives made a motion to approve it as presented. Mr. Burns duly seconded and motion passed 5:0 by a roll call vote: Mr. Ives – yes; Mr. Burns – yes; Mr. Reynolds – yes; Mr. Buckley – yes; Mr. O’Neil – yes.*

**REVIEW OF MINUTES: 11/17/2020**

November 17, 2020 draft minutes were reviewed, and small changes were made. *Mr. Burns made a motion to approve the minutes as presented. Mr. Buckley duly seconded and motion passed 4:0 by a roll call vote: Mr. Ives – yes; Mr. Burns – yes; Mr. Reynolds – yes; Mr. Buckley – yes.*

*Mr. Burns made a motion to approve the minutes as presented. Mr. Buckley duly seconded and motion passed with all voting in favor.*

Meeting adjourned at 8:06 PM.

Respectfully submitted,

Don Burns, Secretary