



TOWN OF BOW

Zoning Board of Adjustment

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Approved as edited 04/19/2022

MINUTES

March 15, 2022

The Town of Bow Zoning Board of Adjustment met on Tuesday, March 15, 2022, at 7:30 PM in Room C of the Municipal office building. Chair Harry Hadaway called the meeting to order with a roll call introduction of the Board.

Members present were Harry Hadaway, Chair, Stephen Buckley Michael O'Neil and alternates Joseph Conti and June Branscom. Also present was Matthew Taylor, Community Development Director. Alvina Snegach recorded the minutes. Donald Burns, Secretary was excused, and Michael O'Neil and Robert Ives, Vice Chair were absent.

Mr. Hadaway noted that everyone present was voting, thus appointing alternates Conti and Branscom to vote for Mr. Ives and Mr. O'Neil.

Mr. Hadaway directed the attention of the Board to Agenda item I.1.

PUBLIC HEARINGS

Case #101-22V Owner/Applicant: Kasen Kenney. Variance to Article 5.11 of the Bow Zoning Ordinance to permit building multifamily housing (14 affordable town homes) in the I-2 (General Industrial) District and Aquifer Protection (AP) Overlay District. Zoning Ordinance Articles: 5.11 – Table of Uses, 13.02.B – Authorization of Variances. Property located at 1280 Route 3-A, Block 2, Lot 99. (continued from February 17, 2022)

Mr. Hadaway read the item into the record. Mr. Taylor said that the staff tried to contact Mr. Kenney to find out his intentions, and it was unsuccessful. He added that Mr. Kenney had verbally indicated before that he would like to withdraw the application, but never submitted anything official.

Mr. Conti made a motion to take the matter off the table. Mr. Buckley duly seconded and motion passed with a unanimous vote in favor.

Members discussed possible action on the application and checked the Rules of Procedure on whether it should be denied without prejudice or simply considered withdrawn, so as to leave the applicant an avenue to re-apply should he change his mind.

Mr. Buckley made a motion that the Zoning Board of Adjustment deems Application 101-22V as withdrawn. Mr. Conti duly seconded and motion carried with everyone voting in the affirmative.

Case #102-22S Owner/Applicant: BIP, LLC/North Atlantic Cycles LLC, Special Exception to allow motor vehicle sales in I-2 (General Industrial) Zone. Zoning Ordinance Articles: 5.11.G.1 – Table of Uses, 13.02.C – Authorization of Special Exceptions. Property located at 359 River Road, Units 25, 26 & 4, Block 2, Lot 204.

Mr. Hadaway read the item into the record and noted that a site walk has been held at the property prior to the meeting and the Fire Chief was in attendance along with the ZBA members. He also noted that there were comments received from the Fire Chief about his concerns with potential storage of flammable and combustible substances on the property.

Dan Dolben, the owner of North Atlantic Cycles and Rick Geddes, the property owner, was there to present the case and he explained that he would like to apply for NH dealer license to be able to sell more than five vehicles out of that location. He said that the Fire Chief was at the site walk and that Mr. Dolben showed him the flammables cabinet that is going to be used for storing flammable liquids. Mr. Dolben
Not official until approved and signed.

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added that all gasoline and oil that would be drained from the cycles indoors and will be disposed offsite. The bikes will be stored inside the bay.

Mr. Buckley asked if the applicant would be willing to allow life safety inspection.

Rick Geddes, 96 Walnut Hill Road, Goffstown said that the Fire Chief did not indicate that a life safety inspection would be needed, and that the applicant will purchase another flammables cabinet should there be a need for additional storage, and that the Fire Chief was agreeable to it.

Mr. Conti noted that there are only four voting members present and that the applicant can request that the hearing be postponed until there is a full Board present. Mr. Dolben said that he is OK with a four member Board.

Mr. Hadaway opened the public hearing at 7:39 PM and there was nobody there to address the Board. He closed it at 7:39 PM.

Then members voted on each Special Exception criterion and the vote was 3:0 in favor for each one.

Mr. Buckley made a motion to approve Application 102-22S requested by North Atlantic Cycles to permit the use of premises at 359 River Road, Units 25, 26, and 4, for the use of retail sales of motor vehicles, as permitted through a special exception under Bow Zoning Ordinance Article 5.11.G.1, Table of Uses.

Mr. Conti duly seconded and motion passed with all voting in favor.

REVIEW OF MINUTES: 02/15/2022

February 15, 2022 draft minutes were reviewed, and no changes were made. *Mr. Conti made a motion to approve the minutes as presented. Mr. Buckley duly seconded and motion passed with unanimous vote in favor.*

After a motion to adjourn by Mr. Buckley, duly seconded by Mr. Conti, which was passed unanimously, the meeting adjourned at 7:44 PM.

Respectfully submitted,

Harry Hadaway,

Chair