



## TOWN OF BOW Planning Board

10 Grandview Road, Bow, New Hampshire 03304  
Phone (603) 223-3970 | Fax (603) 225-2982 | Website [www.bownh.gov](http://www.bownh.gov)

### APPROVED MINUTES July 21, 2022

The Town of Bow Planning Board met on Thursday, July 21, 2022 at 7:00 PM In Room C of the Municipal Office Building. In Chair Berube's absence, Vice Chair Sandy Crystall opened the meeting with a roll call of the Board,

#### 7:00 ROLL CALL

Members present were: Vice Chair Sandy Crystall; Secretary Adam Sandahl; Selectman Mike Wayne; Jonathan Pietrangelo; Mike Lawton, Kip McDaniel. Also present were Matt Monahan of CNHRPC filling in for the vacant Community Development Director; Bryan Westover, Community Development Assistant Planner; and Wendy Gilman filling in for the vacant Recording Secretary position. Chair Donald Berube, Jr., David Glasier, and Garth Orsmond were excused. Alternates Pietrangelo, Lawton and McDaniel voted in the absence of regular members.

#### I. MINOR MODIFICATION/CONCEPTUAL CONSULTATION- None

#### II. PUBLIC HEARINGS

1. Application #202-22: 60 Ryan Road LLC. Site Plan Review for proposed 41,000 square foot (SF) laydown yard and future 10,800 SF industrial building. Block 2, 159-F8 located at 64 Ryan Road. (Continued from the June 16, 2022 meeting.)

The item was read into the record. Matt Peterson from Keach-Nordstrom Associates spoke to the application. He reviewed the progress made in addressing the Board's concerns from the last meeting. The report from Dubois & King on the drainage has been received. They will address those comments. White Water has been contacted about tying into their line. Any other conditions will be addressed. Selectman Wayne asked if they would be driving forklifts across Evolution Drive. A note will be put on the plans to allow only rubber tires (not tracks) on the forklifts and the applicant will check with the Police Department regarding the crossing. Vice Chair Crystall opened the public hearing and called for comment. Sensing none, she closed the public hearing at 7:15 PM.

The Board discussed the request for a Waiver from Section 5.02 Subsection Y – Aesthetic Design Standards Site Plan Regulations. *Adam Sandahl moved to approve the Waiver and Kip McDonald seconded. The Vice Chair asked for further questions, sensing none she called for a vote. Waiver approved by unanimous vote of the Board.*

*Adam Sandahl further moved to approve Application #202-22 with the following conditions:*

1. *Address any comments made by Dubois & King on the drainage;*
2. *A note be put on the plans that crossing of Evolution Drive may only occur if the forklifts have rubber tires, pending approval of the crossing from the police department and the Bow Public Works Department;*
3. *A building permit must be obtained within 5 years of this approval;*
4. *Receipt of state septic approval;*
5. *Update the planting list to remove the Japanese Lilac and Shademaster Honeylocust with noninvasive species, closer to native plant species;*
6. *Add a description of the proposed use of the site, including the building and specifically, the Zoning Ordinance Use Category (letter and number from Table 5.11);*
7. *Address concerns of the department heads; and*
8. *Address any missing checklist items identified by the Board from the June 1, 2022 Checklist Review Memorandum.*

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*The motion was seconded by Mr. McDaniel. Sensing no further discussion, the Vice Chair called for a vote. Conditional Approval of Application #202-22 carries by unanimous vote of the Board.*

- 2. Application #405-22:** Amber Bow Associates, LLC. Conditional Use Permit for a Reasonable Exception for a 288 SF sign in a non-residential district. Block 5, Lot 42 located at 75 Dow Road. **(Continued from the June 16, 2022 meeting.)**

The Vice Chair read the item into the record. Tim Bernier of T.F. Bernier Inc. addressed the application. The applicant proposes to update an existing sign on the site, 12 feet high by 24 ft. wide, which was previously approved as a temporary sign in May 2016.

*Mr. McDaniel moved to accept jurisdiction of Application #405-22. Mr. Sandahl seconded the motion. There being no further discussion, the Vice Chair called for a vote. Motion to accept jurisdiction approved by unanimous vote of the Board.*

Vice Chair opened the public hearing at 7:37 PM and asked for public comment. Sensing none, she closed the public hearing at 7:38 PM.

*Mr. McDaniel moved to approve Application #405-22 with the following conditions:*

- 1. The Board finds that the application meets the standards for granting a Conditional Use Permit under Section 12.05 of the Town of Bow Zoning Ordinance;*
- 2. The sign shall be in place for no more than one year from the date of the issuance of the sign permit;*
- 3. The sign is subject to administrative review.*

*The motion was seconded by Mr. Sandahl and carried by unanimous vote of the Board.*

- 3. Application #203-22:** Amber Bow Associates, LLC and Sarah Santy Estate. Three phase plan is to add six warehouses: one 40,466 SF, one 24,373 SF and four 35,467 SF buildings. Block 5, Lot 42 located at 75 Dow Road and Lots 47 & 48 located off Baker Road. **(Continued from June 16, 2022 meeting.)**

The Vice Chair read the item into the record. Tim Bernier of T.F. Bernier Inc. addressed the application with specific references to plan changes that address Staff comments. The application is a phased project to construct six commercial rental spaces and merge three lots. Waivers are being requested for section 5.02R Requiring an evacuation plan and Section 5.02S Requiring a secondary access. A Traffic Study has been done which included both the Dow Road intersection and the intersection at 3A. Steven Pernaw reviewed the results of that study. There was considerable discussion regarding various options to address traffic at the site. Peter Levine, Principal of Amber Bow Associates, was available to answer questions from the Board. The Vice Chair opened the Public Hearing at 8:44 PM. There were no questions or comments from the public. The Public Hearing was closed at 8:45 PM.

There was continued discussion about the possibility of approving Phase I since it would not need any traffic adjustments. The remaining phase(s) will need NH Department of Transportation (DOT) input. Amber Bow Associates would also like to get Phase I approved first so they can start work. There was more discussion on what systems (i.e. water, fire suppression) were included in each of the phases and spelling out the threshold(s) for each.

*Mr. McDaniel moved to require the applicant to obtain a review and feed back from the Town engineer and preliminary comments from the DOT regarding Phase I, to present at the August Planning Board meeting. The motion was seconded by Mr. Sandahl and carried by unanimous vote of the Board.*

*Mr. Sandahl moved to continue Application #203-22 until the August Planning Board meeting. Motion was seconded by Mr. McDaniel and carried by unanimous vote of the Board.*

- 4. Application #406-22: Eversource Energy.** Wetlands Protection Conditional Use Permit for a total of 8,182 SF of wetland impact and 31,211 SF of wetland buffer impact for replacement of utility poles along the H137 Transmission Line. Easements on Block 2, Lot 200; Block 5, Lots 3, 7, 20, 9-N, 9-P, &

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9-U located at 431 River Road, 4 Garvin Falls Road, 887 Route 3-A, 14 Ferry Road, 7 & 9 Lincoln Dr., and vacant lot off Lincoln Dr. (respectively). **For Final Approval.**

The Vice Chair read the item into the record. Jess Hunt, Stantec Consulting Services, Inc. spoke to the application. Representatives from Eversource were also present. The H137 Transmission line project Conditional Use Permit (CUP) was approved by the Town of Bow Planning Board on April 24, 2022. They are requesting a Wetlands Protection CUP for 139,006 SF of wetland impact and 213,129 SF of wetland buffer impact. *Mr. McDaniel moved to accept jurisdiction of Application #406-22. The motion was seconded by Mr. Sandahl and carried by unanimous vote of the Board.*

The Vice Chair opened the Public Hearing for questions or comments at 9:10 PM. Sensing none, the Public Hearing was closed at 9:12 PM. *Jonathan Pietrangelo moved to approve Application #406-22 with the following conditions:*

- 1. A NHDES Alteration of Terrain permit for grading uplands along the corridors is obtained;*
- 2. A Statutory Permit by Notification for temporary wetland impacts is obtained; and*
- 3. A Shoreland Permit is also obtained.*

*The motion was seconded by Mr. McDaniel and carried by unanimous vote of the Committee.*

- 5. Application #407-22:** Eversource Energy. Wetlands Protection Conditional Use Permit for a total of 139,006 SF of wetland impact and 213,129 SF of wetland buffer impact for replacement of utility poles along the C196 and Q171 Transmission Lines. Easements on Block 2, Lots 52, 53-F, 53-E7, 53-E8, 53-E2, 53-E28, 8-F, 9, 53-E, 53-E23, 53-E10, 70, 125, 141-A, 200-B and 200-A located at 53 and 57 Woodhill Hooksett Road, two lots off Colby Lane, 3 and 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 Drive; a lot off Old Johnson Road; 67 Ryan Road and 476 River Road (respectively). **For Final Approval. To be continued to the August 18, 2022 meeting.**

*Mr. Pietrangelo moved to continue Application #407-22 to the August 18, 2022 Planning Board Meeting. Motion was seconded by Mr. Sandahl and carried by unanimous vote of the Board.*

- 6. Application #506-22:** Reagan Trust. Major Residential Subdivision creating 11 lots. Block 2, Lots 40 and 41 located at 11-15 South Bow Dunbarton Road and 33 Quimby Road. **For Receipt of Application.**

The Vice Chair read the item into the record. Peter Weeks, representing J.E. Belanger Land Surveying, PLLC, spoke to the application. The proposal is to combine two undeveloped lots into and subdivide into 11 new residential lots. Mr. Belanger reviewed responses to the town and local review comments. In addition to the previously requested waivers to the subdivision regulations, Section 3.06 – Open Space-Residential Development and Section 3.03-C Parks and Recreation, the developer is also requesting additional waivers: Section 3.03A Soils Erosion and Sediment Control Plan; Section 3.03B Drainage and Grading Plan; Section 6.03U Construction Sequencing Plan; and Section 6.03W Operational Brief.

*Mr. McDaniel moved to accept jurisdiction of the application and Mr. Sandahl seconded. The motion was carried by unanimous vote of the Board. The Vice Chair opened the Public Hearing at 9:23 PM for public input. Sensing none, she closed the Public Hearing at 9:24 PM.*

There was some discussion on the whether the proposal had a regional impact. *Mr. McDaniel made a motion to find the proposal has no regional impact. Mr. Lawton seconded. Motion carried by unanimous vote of the Board.*

The Board set a site walk for August 13, 2022 at 1:00 PM. The Heritage Commission reviewed the subdivision plan and had concern about the possible destruction or disruption of many of the “ancient” stone monuments throughout the site. They appear to be unique historic structures and should be studied further to discover their historic significance. The area near the cemetery was specifically mentioned.

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*Mr. Pietrangelo moved to continue Application #506-22 to the August 18, 2022 meeting. Motion was seconded by Mr. Sandahl. Motion carried by unanimous vote of the Board.*

7. **Application #204-22:** Credit Warehouse Realty, LLC. Site Plan Review for proposed 27,235 SF warehouse addition. Block 2, Lot 164 located at 1403 Route 3A. **For Expedited Review.**

The Vice Chair read the item into the record. Matthew Routhier, Project Manager from TFMorin, Inc. spoke to the application. He brought the Board up to date on their progress responding to Staff comments and concerns. One additional waiver is being requested in addition to those previously granted for the initial project. The applicant is seeking re-approval of those 19 waivers and the one additional. *Mr. McDaniel motioned to accept jurisdiction of Application #204-22. The motion was seconded by Mr. Lawton and carried by unanimous vote of the Board.*

The Vice Chair opened the Public Hearing for public comments and concerns at 9:47 PM. Sensing none, she closed the Public Hearing at 9:48 PM. After some further discussion to verify all comments or concerns from Town Officials were being addressed, *Mr. Pietrangelo moved to approve the waivers requested in Application #204-22 as listed on page 2 of the Staff Report dated July 14, 2022, as well as an additional waiver for Section 8.02CC Operational Brief. The motion was seconded by Mr. McDaniel and carried by unanimous vote of the Board.*

*Mr. Pietrangelo moved to approve Application #202-22 with the following conditions:*

- 1. Address any outstanding checklist items that are missing;*
- 2. Obtain a third-party review of the fire suppression system;*
- 3. Receipt of NHDOT driveway permit; and*
- 4. Receipt of NHDES Alteration of Terrain Permit.*

*Mr. McDaniel seconded the motion. Motion carried by unanimous vote of the Board.*

### **III. OLD BUSINESS – None.**

### **IV. NEW BUSINESS**

1. Closed drainage road design option (Subdivision Regs) and duplexes (Zoning Ordinance). Topics for discussion.

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

### **VI. REVIEW OF MINUTES: June 16, 2022**

*Selectman Wayne moved to table the minutes to the August meeting. Mr. Sandahl seconded the motion. Motion carried by unanimous vote of the Board.*

### **VII. ADJOURN**

*Mr. Sandahl moved to adjourn the meeting at 9:50 PM. Mr. McDaniel seconded the motion. Motion carried by unanimous vote of the Board.*

Respectfully submitted,

Adam Sandahl, Secretary