

## **PUBLIC HEARING #1**

**Application #401-22: Eversource Energy -  
Wetlands Protection Conditional Use Permit for  
a total of 12,066 sq ft of wetland impact and  
17,135 sq ft of wetland buffer impact for  
replacement of two utility poles along the Q171  
Transmission Line and (after the fact) truck  
access along the D121 Transmission Line.  
Easements on Block 2, Lots 124, 125-AD, 200-C,  
located at 135 Bow Bog Rd, vacant lot off Bow  
Bog Rd, & 1420 Route 3-A. For Final Approval.**



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MANAGEMENT

5 Commerce Park North  
Suite 201  
Bedford, NH 03110  
T: 603.623.3600  
F: 603.624.9463  
www.gza.com



December 9, 2021  
File No. 04.0190999.78

Town of Bow  
Planning Board  
Attn: Don Berube Jr., Chair  
10 Grandview Road  
Bow, New Hampshire 03304

Re: Conditional Use Permit Application  
Eversource Energy  
D121 Transmission Line Structure 19 access and Q171 Transmission Line  
Structure Replacement Project  
Bow, New Hampshire

Dear Chair Berube:

This letter transmits two Conditional Use Applications on behalf of Public Service Company of New Hampshire doing business as Eversource Energy (Eversource), for the Q171 Transmission Line Maintenance Project (see attached **Figure 1, Locus Plan and Figure 2, Access and Permitting Plans**). Specifically, GZA GeoEnvironmental, Inc. (GZA) is submitting:

- An After-the-Fact Conditional Use Permit Application for already completed maintenance work on the D121 Transmission Line for required impacts within the Wetlands Conservation District; and
- A Conditional Use Permit Application for proposed upcoming utility pole replacements on the Q171 Transmission Line

Work included in the above applications are located within the same existing right-of-way (ROW), although on two separate utility lines, within the Town of Bow. Refer to Figure 1 – Locus Plan for the project location within the Town of Bow and Figure 2 – Access and Permitting Plans, for details on each work location. This letter is subject to the attached **Limitations**.

Eversource is requesting an After-the-Fact Conditional Use Permit for maintenance work completed in November 2021 at D121 Structure 19 off of NH Route 3A. The maintenance work required a temporary wetland crossing through Wetland BW-11.5 for bucket truck access to D121 Structure 19 to support wire pulling activities. GZA met with the Town of Bow Conservation Commission at their October 18, 2021 meeting to discuss the required access to D121 Structure 19. Due to the tight schedule to complete wire pulling in early November 2021, the Town of Bow authorized Eversource to complete the maintenance work at D121 Structure 19 and to submit an After-the-Fact Conditional Use Permit. Additionally, the maintenance

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work was approved on October 18, 2021 through the New Hampshire Department of Environmental Services (NHDES) as a Statutory Permit by Notification (SPN).

The proposed upcoming utility work addressed with the Conditional Use Permit includes the replacement of two existing utility structures along the Q171 Transmission Line, identified as Structures 14 and 28. Temporary wetland impacts are required in two wetlands, identified as Wetland BW-22 and Wetland BW-24, in order to access Structure 28. The pole replacement will be permitted through the New Hampshire Department of Environmental Services (NHDES) as a SPN. In addition, GZA will coordinate with the Town of Bow Conservation Commission Chair and Planning Board Vice Chair Ms. Sandra Crystall prior to the start of work.

The Q171 Transmission Line is located within an existing utility right-of-way (ROW) that includes the A253, C196, and D121 Transmission Lines which run parallel to each other. In total, the Q171 Transmission Line is approximately 10.8 miles in length and extends from the Merrimack Substation in Bow to the Gregg Substation in Goffstown, New Hampshire. The D121 Transmission Line runs parallel with Q171 Transmission Line from Merrimack Substation heading in a southwesterly direction for approximately 1.3 miles before splitting after I93 and traveling in the southerly direction within its own ROW.

Normandeau Associates, Inc. delineated wetlands in 2016 in accordance with 1987 Corps of Engineers Wetlands Delineation Manual<sup>1</sup> and using the Routine Determination Method in conjunction with the Regional Supplement<sup>2</sup> to the Corps of Engineers Wetland Delineation Manual. GZA confirmed wetland boundaries in November 2021 for wetlands adjacent to the proposed work areas. As required by Article 10 of the zoning ordinance, GZA completed a wetland function-value assessment for Wetland BW-9, BW-11.5, BW-22, and BW-24 using the Highway Methodology Workbook Supplement<sup>3</sup>.

GZA and Eversource worked closely to review the structure location and construction access during the design of the project to minimize impacts in the Wetlands Conservation District. Temporary access was sited in previously utilized wetland crossings to limit temporary disturbance. The proposed project required approximately 12,066 sq. ft. of temporary wetland impact to three palustrine emergent and scrub-shrub wetlands (PEM/PSS1E) and approximately 17,135 sq. ft. of wetland buffer impact located within the existing maintained utility ROW for construction access. This includes the after-the-fact permitting which included 538 sq. ft. of temporary wetland impact to one palustrine emergent and scrub-shrub wetland identified as Wetland BW-11.5 and approximately 5,519 sq. ft. of wetland buffer impact located within the existing maintained utility ROW for construction access for D121 Structure 19.

Wetland ID	After-the-Fact Temporary Wetland Impact (sq. ft.)	After-the-Fact Buffer Impact (sq. ft.)	Proposed Temporary Wetland impact (sq. ft.)	Proposed Buffer Impact (sq. ft.)
BW-11.5	538	5,519	0	0
BW-22	0	0	5,737	11,616
BW-24	0		5,791	
<b>Total</b>	<b>538</b>	<b>5,519</b>	<b>11,528</b>	<b>11,616</b>

<sup>1</sup> U.S. Army Corps of Engineers, Environmental Laboratory. 1987. *Corps of Engineers Wetlands Delineation Manual*, Technical Report Y-87-1, U.S. Army Engineer Waterways Experiment Station, Vicksburg, Mississippi.

<sup>2</sup> U.S. Army Corps of Engineers, 2012. *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region* (Version 2.0), ed. J.S. Wakeley, R.W. Lichvar, C.V. Noble and J.F. Berkowitz. ERDC/EL TR-12-1. Vicksburg, Mississippi; U.S. Army Engineer Research and Development Center.

<sup>3</sup> U.S. Army Corps of Engineers. 1999. *Wetlands Functions and Values: A Descriptive Approach*. USACO New England Division, BAEEP-360-1-30a.



In accordance with Article 10.01 Section F-2 of the Bow Zoning Ordinance, a Conditional Use Permit may be issued by the Planning Board for the construction, repair and/or maintenance of streets, roads and other access ways and utility right of way easement, including powerlines and pipelines provided that all of the following conditions are met:

- A. ***The proposed activity or use is consistent with the purposes of the WC District.*** The project includes required maintenance of the Q171 Transmission Line for the replacement of Structure 14 and 28, which are all located within an existing and maintained ROW. The utility structure replacement is required to ensure the Q171 Transmission Line continues to function safely and reliably. The utility structures will be replaced in the existing alignment and there will be no expansion of the existing ROW or installation of new utility lines. The direct wetland impact will be temporary for construction access. Temporary timber mats will be placed over the wetland to prevent rutting and compaction in the wetland. Therefore, it is not anticipated that the proposed work will cause significant effects to the wetland system. As a result, the project is consistent with the purposes of the Wetland Conservation District.

The after-the-fact permitting for the D121 Transmission Line included access for bucket truck access to D121 Structure 19 which is located within an existing and maintained ROW. The utility maintenance work was required to safely perform wire pulling activities. The direct wetland impact was temporary for construction access. Temporary timber mats were placed over the wetland to prevent rutting and compaction in the wetland.

- B. ***The proposed activity minimizes the degradation to, or loss of wetlands and wetland buffers, and minimizes any adverse impact to the functions and values of wetlands and wetland buffers as determined by a wetlands evaluation in accordance with an established methodology such as The Highway Methodology Workbook Supplement (1999) of the US Army Corps of Engineers.***

The impact to the wetland systems was minimized by using existing access routes to the greatest extent. The project minimized adverse impact to the wetland by utilizing timber matting within the wetland in order to prevent and minimize rutting and compaction in the wetland. Erosion controls were installed to further minimize and prevent impacts to the surrounding wetland.

A Wetland Function and Value Assessment was conducted by GZA on November 19, 2021, using *The Highway Methodology Workbook Supplement (1999)* produced by the US Army Corps of Engineers. The majority of the wetlands are classified as palustrine scrub-shrub and emergent wetland systems. Dominant plants in the shrub layer include meadowsweet (*Spiraea alba*), steeplebush (*Spiraea tomentosa*), common winterberry (*Ilex verticillata*), highbush blueberry (*Vaccinium corymbosum*), sheep laurel (*Kalmia angustifolia*), maleberry (*Lyonia ligustrina*), red maple (*Acer rubrum*), and gray birch (*Betula populifolia*). Plant species in the herbaceous layer include wool grass (*Scirpus cyperinus*), reed canary grass (*Phalaris arundinacea*), cinnamon fern (*Osmundastrum cinnamomeum*), goldenrod (*Solidago* spp.), and sphagnum moss (*Sphagnum* spp.). Based on the assessment, the principal functions of the majority of wetlands include groundwater recharge/discharge, floodflow alteration, sediment/toxicant retention, nutrient removal, and wildlife habitat (see Wetland Function and Value Assessment Form). The Natural Heritage Bureau determined that, although there was a NHB record present in the vicinity, they did not expect that it would be impacted by the proposed utility structure maintenance area. It is not anticipated that the proposed project will have long term impacts to the functions and values of these wetlands.

- C. ***The proposed activity minimizes the environmental impact to abutting or downstream property and/or hydrologically connected water and/or wetland resources.*** The proposed work along the Q171 and completed work on the D121 was located within existing and maintained ROWs. As previously mentioned,



impacts to wetlands were minimized by utilizing existing and previously used access routes to the greatest extent. Prior to the start of work, erosion controls are installed to prevent sedimentation into wetlands. In addition, timber matting is used to cross wetlands to minimize and prevent rutting and compaction in wetland resources. Upon completion of work, timber mats are removed and temporarily impacted wetlands are mulched for stabilization and restoration. The maintenance work does not propose new impervious surfaces within the Wetlands Conservation District.

- D. ***The proposed activity or use cannot practicably be located otherwise on the site to eliminate or reduce the impact to the Wetland or Surface Water and/or its buffer area, provided however, this condition shall not apply to impoundments for the purpose of creating a water body for wildlife, on-site detention of stormwater runoff, or for recreational uses.*** Maintenance work for the Q171 and D121 occur within an existing and maintained utility ROW and will include the replacement of two utility structures in uplands located outside of the Wetlands Conservation District along the Q171 Transmission Line and for access to a utility pole on the D121 Transmission Line. In order to gain access to the work location timber matting is used where the wetland is crossed within existing access routes to limit and prevent rutting and maintain a buffer between tracked vehicles and wetland vegetation. Therefore, the maintenance activities cannot be practicably located elsewhere and will minimize new impacts in the Wetlands Conservation District. Upon completion of work, temporarily impacted wetlandswill be restored with seeding and mulching as necessary.
- E. ***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.*** As part of the project, a Statutory Permit by Notification was filed with NHDES and approved prior to the start of work on the D121. Eversource will submit a new Statutory Permit by Notification with NHDES for work on the Q171 Transmission Line. It is anticipated that the project will be classified as a minimum impact project through the Army Corps of Engineers New Hampshire General Permit.
- F. ***Where applicable, proof of compliance with all other state and/or federal regulations has been received.*** Additional state and/or federal permits were not required for this project. The SPN file number for maintenance on the D121 Transmission Line is 2020-03192.

In addition, in accordance with Article 12.05, the Planning Board shall issue a conditional use permit if it finds the following;

- A. ***The use is specifically authorized by Article 5, Section 5.11 Table of Use Regulations as a conditional use.*** The “Construction, repair, and/or maintenance of streets, roads, and other access ways and utility right of way easement, including power lines and pipelines” is listed under Article 10.01, Section E as a use requiring a Conditional Use Permit in the Wetlands Conservation District.
- B. ***If completed as proposed by the applicant, the development in its proposed location will comply with all requirements of this Article, and the specific conditions or standards established in this ordinance for the particular use.*** The project complies with the requirements of this Article, and complies with the specific conditions/standards established under Article 10 pertaining to the Wetlands Conservation Overlay District.
- C. ***The use will not materially endanger the public health or safety.*** The structure replacement and maintenance work is necessary to ensure the continued safety and reliability of Eversource’s electrical infrastructure. Therefore, the utility structure replacement will be beneficial to public health and 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.** The upcoming maintenance work will require the replacement of two existing utility structures within an existing and maintained transmission line right-of-way. The project will not include the addition of new utility lines or expand the width of the right-of-way. The project consists of maintenance of an existing use and will be compatible with the existing neighborhood and with adjoining or abutting uses in the area.
- E. **The use will not have substantial adverse impact on highway or pedestrian safety.** The proposed project will replace two existing utility structures within a rural and general industrial zoned portion of the Town of Bow. Access will be located off South Bow Road and Route 3A which was previously used for other maintenance projects within the ROW. There was no substantial adverse impact on highway or pedestrian safety as a result of the project.
- F. **The use will not have a substantial adverse impact on the natural resources of the town.** As previously mentioned, the wetland impact through Wetland BW-22 and Wetland BW-24 will be temporary in order to access the utility structure. No permanent wetland impacts resulted from the project. Timber matting will be used within Wetland BW-22 and Wetland BW-24 to minimize and prevent rutting and compaction. Upon completion of work, timber matting will be removed and the temporarily impacted wetland area restored using seed and mulch. Timber matting was utilized within BW-11.5 for access to an existing utility pole and was stabilized upon completion of work.
- 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.** The project does not involve the construction of a new facility and does not necessitate excessive public expenditure.

Please feel free to contact us with any questions.

Very truly yours,

GZA GEOENVIRONMENTAL, INC.

Lindsey White, CPSS  
Project Manager

Deborah M. Zarta Gier, CNRP  
Consultant/Reviewer

Tracy Tarr, CWS, CWB, CESSWI  
Associate Principal

LEW/TLT/DMZ

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 10.01 E 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](mailto: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.   X   One (1) copy of the completed application form
2.   X   One (1) paper copy of a sketch plan of the proposal, with wetlands delineated by certified soils scientist or wetlands scientist. (If not concurrently submitted with a Site Plan Review or Subdivision Application.)
3.   X   One (1) copy of any construction plans
4.   X   One PDF file of the plan set (via e-mail)
5.   X   A narrative which addresses the criteria of Articles 10.01F and 12.05 of the Zoning Ordinance (attached)
6.   X   Complete and accurate abutters list (including any PE/LLS/CSS/CWS whose seal appears on the plan)
7.   X   The appropriate filing fee (Additional fees may apply if submitted with Site Plan Review or Subdivision application)
  - \$ 400 Application Fee (\$400)
  - \$ 440 Plus per Abutter (\$20)
  - \$ 453.30 Plus \$50 per 1,000 SF of Wetland Impact greater than 3,000 SF (buffers not included)
  - \$ 1,293.30 Total (Not including any other applications)



TOWN OF BOW PLANNING BOARD  
WETLAND PROTECTION CONDITIONAL USE PERMIT APPLICATION

10 Grandview Road  
Bow, NH 03304  
[mtaylor@bownh.gov](mailto:mtaylor@bownh.gov)

(603) 223-3970

Property Owner(s): Eversource Energy (Attn: Jeremy Fennell)  
Eversource Energy Right-of-Way Easement  
Address: 13 Legends Drive  
Hooksett, NH 03106  
Daytime Telephone # ( 603 ) 988 - 6635  
Applicant: GZA GeoEnvironmental, Inc. (Attn. Lindsey White)  
( PE, LLS, CWS )  
Address: 5 Commerce Park North, Suite 201  
Bedford, NH 03110

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

Daytime Telephone # ( 603 ) 232 - 8753

E-mail address for contact person:  
lindsey.white@gza.com


1. Block # \_\_\_\_\_ Lot(s) See Attached
2. Street Address for parcel: Eversource Energy Right-of-Way
3. Property located in the Rural & General Industrial Zoning District.
4. Land is in open space (current use): X YES \_\_\_\_\_ NO
5. Date of most recent timbering operation: N/A
6. Wetlands impact: 12,066 SF; Wetlands Buffer impact: 17,135 SF
7. Purpose for which the Conditional Use Permit is sought:

Eversource is proposing to replace two (2) existing utility structures along the Q171 Transmission Line, which must be replaced in order to maintain the safety and reliability of the electrical infrastructure.

In addition an after-the-fact permit for maintenance work is included in this application for D121 Structure 19.

Bucket truck access to Structure 19 was required for wire pulling activities. Access required temporary wetland and wetland buffer impacts.

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

12/9/2021  
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 at least thirty (30) days prior to the public hearing on the application. In acting on the application, the Board shall consider any report received from the Commission.

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 and wetland buffers, and minimizes any adverse impact to the functions and values of wetlands and wetland buffers as determined by a wetlands 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 wetland resources;

d. The proposed activity or use cannot practicably be located otherwise on the site to eliminate or reduce the impact to the Wetland or Surface Water and/or its buffer area, provided however, this condition shall not apply to impoundments for the purpose of creating a water body for wildlife, on-site detention of stormwater runoff, or for recreational uses;

e. 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

f. Where applicable, proof of compliance with all other state and/or federal regulations has been received.

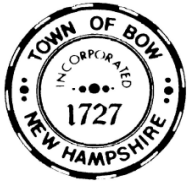
3. The Planning Board, in acting on an application for a conditional use permit in the WC District, may attach conditions to its approval including but not limited to requirements for more extensive buffers, additional plantings in areas to be revegetated, performance guarantees, and a reduction in proposed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

**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.



# TOWN OF BOW

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

## Bow Conservation Commission October 18, 2021 Minutes

**Approved as amended on November 1, 2021.**

The regular meeting of the Bow Conservation Commission was held on Thursday, October 18, 2021 at 7:00 PM in Room C of the Municipal Office building at 10 Grandview Road. Chair Sandy Crystall called the meeting to order at 7:02 PM.

Members present: Sandy Crystall, Bob Ball, and Dik Dagavarian. Alexander Grene was also present as a potential Commission member.

### Items for Consideration/Discussion

#### **Eversource D121 Transmission Line Bow Work - Access to Structure 19**

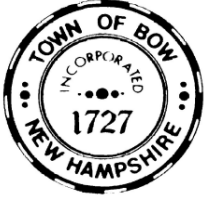
Lindsey White from GZA and Ashley Ruprecht from Eversource were there to present the plan and answer questions. Ms. White handed out a copy of the plan and went over the details, which would be an after the fact permit as the work needs to be done sooner than the paperwork could be submitted due to the urgency of the matter. She said that this project is only for access to structure 19 and will involve getting the bucket truck to the structure. Timber matting will be used for a small wetland crossing. Access road is existing and would not be altered in any way. Ms. White answered questions about the snowmobile trail and said that NHDES permit has been submitted already. The work is scheduled to begin on November 8<sup>th</sup> due to the outage scheduling. Then they will come to the town with a CUP wetland application, once it has been prepared.

**Mr. Ball made a motion to approve the Eversource Access to Structure 19 project as presented. Mr. Dagavarian duly seconded and motion passed unanimously.**

#### **Bow Elementary School Access Road Wetlands application**

Ms. Crystall began with explaining the role of Conservation Commissions in New Hampshire when it comes to NHDES wetlands applications, and said that Bow Elementary School filed a NHDES wetlands permit to build a secondary egress. She said that due to lack of time, the Commission can file a request to intervene to put a hold on the permit review until the Commission is able to provide comments. Ms. Crystall noted that the Commission recently had a sitewalk at the property and there was an abutter present who expressed some concerns with the need for a secondary egress. Ms. Crystall then went over the details of the submitted plan. Members reviewed the plans and raised the following concerns:

- Wetlands were not prominently marked, therefore it was difficult to discern what the least impact would be;
- The project was submitted as minimum impact expedited, although exceeds this category;
- BCC would like to have another chance to review this proposal if any revisions are submitted;
- One of the wetland crossings is of a stream, which was not noted in the application;
- The opening for the road will widen the ‘open to sunshine’ areas more than it is represented in the permit as the road is proposed to be 18 feet wide for the pavement, whereas the existing trail is much narrower;



# TOWN OF BOW

## Conservation Commission

10 Grandview Road, Bow, New Hampshire 03304

Phone (603) 223-3970 Fax (603) 225-2982

Website: [www.bownh.gov](http://www.bownh.gov) Email: [conservation@bownh.gov](mailto:conservation@bownh.gov)

### Bow Conservation Commission

January 10, 2022

### Draft Minutes

The regular meeting of the Bow Conservation Commission was held on Thursday, January 10, 2022, at 7:00 PM in Room C of the Municipal Office building at 10 Grandview Road. Chair Sandy Crystall called the meeting to order at 7:31 PM.

Members present: Sandy Crystall, Dik Dagavarian, Alexander Grene. Bob Ball and Tina Blanks were participating remotely. Everyone but Ms. Blanks voted.

#### Items for Consideration/Discussion

##### BCC annual report for town report

Ms. Crystall displayed the draft report and small changes were made. Mr. Grene made a motion to approve the report as amended, Mr. Dagavarian duly seconded and motion passed unanimously.

##### **Eversource wetland CUP for D121 (after the fact) and Q171 (proposed)**

Lindsey White from GZA Environmental Consultants and Jeremy Fennell from Eversource presented the plans via Zoom. Ms. White showed the after the fact impacts for line D121 and proposed work to be done on line Q171. Then Ms. White and Mr. Fennell answered questions about the proposed access road and whether it would remain after the work is done; existence of any trails where the access is proposed; possibility of restricting access to others after the work is done; performing the works during frozen conditions and using timber matting; type of equipment being used; etc.

*Mr. Dagavarian made a motion to support the approval of the Conditional Use Permit for the two lines.*

*Mr. Grene duly seconded and motion passed unanimously.*

##### **NRI - status/remaining items**

Ms. Crystall said that the GIS data and Story Map was transferred to the Regional Planning Commission for hosting. The link to the Story Map is as follows: <https://arcg.is/1yfPWX>. She said that there is no report as of yet and she had emailed the consultant.

##### **1. Turee Pond- grant agreement for milfoil**

Members reviewed the grant agreements and Ms. Crystall noted that this year the match for both herbicide application and divers would be 50%. The total amount due from the Commission for both would be \$12,225.00. *Mr. Grene made a motion to approve the grant agreement as presented.*

Mr. Ball asked if the Commission would have a choice between DASH work or divers. Ms. Crystall responded that she was not sure but could look into it. *Mr. Ball seconded the motion and it passed with a unanimous vote in favor.* Ms. Crystall said that she will contact the contractors.

##### **BCC webpage**

Members agreed to schedule a work session to discuss the proposed changes to the Commission webpage. The session will take place on January 24, 2022 at 7:00 PM in Room C of the municipal building.

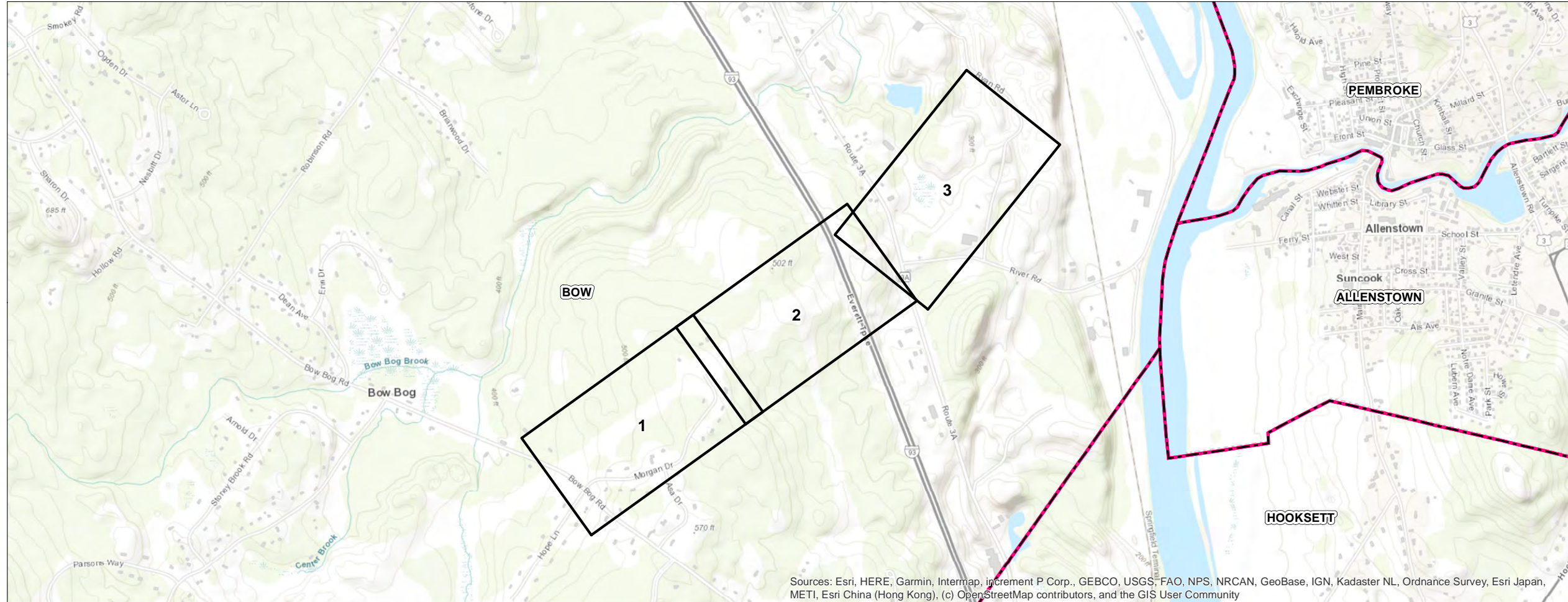
##### **Info**



# Q171 and D121 Transmission Line Maintenance Project

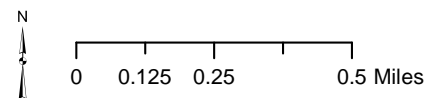
BOW, NEW HAMPSHIRE  
Environmental Resources Map

FINAL Map Set  
Date: December 07, 2021



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

PREPARED FOR:  
**EVERSOURCE**  
ENERGY  
13 Legends Drive  
Hooksett, NH 03106



INDEX OF FIGURES  
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Notesheet 2

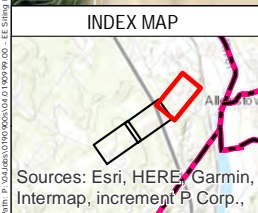
NO.	DATE	REVISIONS

PREPARED BY:  
**GZA** GeoEnvironmental, Inc.  
Engineers and Scientists  
www.gza.com



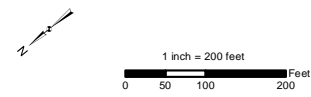


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



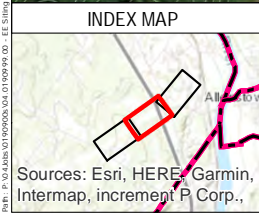
- EXISTING STRUCTURE
- EXISTING STRUCTURE TO BE REPLACED
- - - TRANSMISSION LINE
- - - APPROXIMATE ROW
- - - PROPOSED ACCESS
- ▭ WORK PAD
- ▨ TEMP WETLAND BUFFER IMPACT
- ▨ TEMP WETLAND IMPACT
- ▬ DELINEATED INTERMITTENT STREAM
- ▬ NHD FLOWLINES
- ▬ EROSION CONTROL
- ▬ WETLANDS
- ▬ EXTENT OF WETLAND DELINEATION
- ▨ 75-FT WETLAND BUFFER
- ▨ POTENTIAL VERNAL POOL
- ▨ ARCHEOLOGY SENSITIVITY AREAS
- ▨ STONE WALL
- ▨ TOWN BOUNDARY
- ▬ NHDOT ROADS
- ▬ ABUTTER PARCEL
- ▨ EVERSOURCE OWNED PARCEL
- ▨ 2-FT ELEVATION CONTOURS
- ▨ AFTER THE FACT WETLAND BUFFER IMPACT
- ▨ AFTER THE FACT TEMPORARY WETLAND IMPACT

*This mapping product has been created to comply with submittal requirements to obtain certain regulatory approvals and, as such, there is no reliance on the information contained herein for any other purpose.*



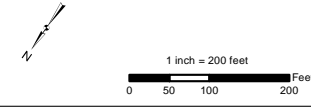
		<b>EVERSOURCE ENERGY</b>	
		<b>Q171 Transmission Line Structure Replacement</b>	
		Bow, NH	MAP SHEET
		Date: December, 2021	1 OF 3
NO.	DATE	REVISIONS	





- EXISTING STRUCTURE
- EXISTING STRUCTURE TO BE REPLACED
- - - TRANSMISSION LINE
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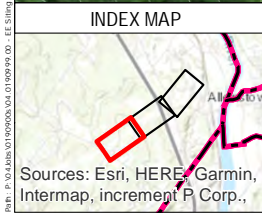


NO.	DATE	REVISIONS

<b>EVERSOURCE ENERGY</b>	
<b>Q171 Transmission Line Structure Replacement</b>	
Bow, NH	MAP SHEET
Date: December, 2021	2 OF 3

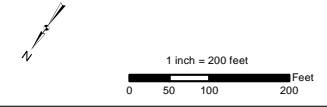
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 Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,





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<b>EVERSOURCE ENERGY</b>	
<b>Q171 Transmission Line Structure Replacement</b>	
Bow, NH	MAP SHEET
Date: December, 2021	3 OF 3
NO.	DATE
REVISIONS	



**PUBLIC HEARING #2**

**To consider placing the following amendments to the Zoning Ordinance on the Town Warrant:**

- A. To delete Section 5.11.H.6b requirements for a Conditional Use Permit for Minor/Pre-Development Excavation of Earth materials and amend Section 14.05.B to allow the Planning Board set the expiration date for approvals for excavation.**
  
- B. To delete Sections 5.11.A2 (Duplex or Two Family) and 5.11.A3 (Multi-Family) uses and renumber consecutive sections accordingly. Also, to delete Section 7.05.B for Duplex and multifamily dwellings in the “RU” and “R” districts in its entirety.**
  
- C. Several housekeeping amendments: to delete all references to the Bow Business (BD) District in Sections 4.01(A), 5.11, 6.07, and 8.08, as the BD District no longer exists; to delete Section 7.02(B)(7), as it is a duplicate of Section 7.02(B)(5), and to correct the name of the reference to the Town of Bow Building Code in Section 14.02(A).**
  
- D. To amend Section 10.03(G)(7) reduce the number of plan copies, from three to one, to be submitted for an Aquifer Protection Conditional Use Permit application.**
  
- E. To add Section 8.11 to allow changeable copy signs, in accordance with US Supreme Court decision.**

**NOTICE OF PUBLIC HEARING**

**Planning Board**

**Town of Bow**

You are hereby notified that a Public Hearing will be held at 7:00 PM on Thursday, January 6, 2022 at the Bow Municipal Building, Meeting Room C, 10 Grandview Road.

The meeting will be streamed live via Youtube here: (for viewing purpose only) <https://youtu.be/0NhaXTcjsWQ>

To consider placing the following amendments to the Zoning Ordinance on the Town Warrant:

- A. To delete Section 5.11.H.6b requirements for a Conditional Use Permit for Minor/Pre-Development Excavation of Earth materials and amend Section 14.05.B to allow the Planning Board set the expiration date for approvals for excavation.
- B. To delete Sections 5.11.A2 (Duplex or Two Family) and 5.11.A3 (Multi-Family) uses and renumber consecutive sections accordingly. Also, to delete Section 7.05.B for Duplex and multifamily dwellings in the "RU" and "R" districts in its entirety.
- C. Several housekeeping amendments: to delete all references to the Bow Business (BD) District in Sections 4.01(A), 5.11, 6.07, and 8.08, as the BD District no longer exists; to delete Section 7.02(B)(7), as it is a duplicate of Section 7.02(B)(5), and to correct the name of the reference to the Town of Bow Building Code in Section 14.02(A).
- D. To amend Section 10.03(G)(7) reduce the number of plan copies, from three to one, to be submitted for an Aquifer Protection Conditional Use Permit application.
- E. To add Section 8.11 to allow changeable copy signs, in accordance with US Supreme Court decision.

The text of the proposed amendments is available for review on the Town website

<https://www.bownh.gov/355/Proposed-Zoning-Ordinance-Amendments> and at the Bow Community Development Office.

You may attend this meeting for the purpose of presenting your comments on any action the Planning Board may take concerning these proposed amendments.

If you have any questions or need special assistance to attend the meeting, please contact Matt Taylor, Community Development Director at (603) 223-3971.

Respectfully,

Town of Bow

Community Development Department

Posted on December 21, 2021

**Section 5.11 Excavation of Earth Materials**

PRINCIPAL USES	DISTRICTS RU R R-1 C I-1 I-2 CV BD								Supplementary Regulations Reference
H. INDUSTRIAL									
<del>6b. Minor / Pre-development Excavation of Earth Materials</del>	€	€	€	€	€	€	€	€	<del>Section 7.14</del>

**Section 14.05(B) Special Exceptions, Variances, and Conditional Use Permits**

With the exception of approvals for excavation (for which the Planning Board may specify a date upon which the expiration expires, pursuant to Section 7.14 and RSA 155-E:8), ~~which are granted for a duration of three (3) to five (5) years pursuant to Article 7, Section 7.14 Excavation of Earth Materials~~, Conditional Use Permits issued by the Planning Board or Special Exceptions and Variances issued by the Zoning Board of Adjustment shall automatically expire two (2) years after the date of approval if at that time: 1. The conditions of approval have not been met; or 2. Any related state or local permit or approval is outstanding; or 3. The action authorized by the land use board(s) has not commenced.

**5.11 Table of Use Regulations**

PRINCIPAL USES	DISTRICTS								Supplementary Regulations Reference
	RU	R	R-1	C	I-1	I-2	CV	BD	
A. RESIDENTIAL									
1. Single Family	P	P	P	-	-	-	-	-	
<del>2. Duplex or Two Family</del>	<del>P</del>	<del>P</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>Section 7.05</del>
<del>3. Multi Family</del>	<del>S</del>	<del>S</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>Section 7.05</del>
4.2 Housing for the Elderly	P	P	P	-	-	-	P	-	Section 7.05
<del>5.3</del> Manufactured Housing Park	C	-	-	-	-	-	-	-	Section 7.03
<del>6.4</del> Manufactured Housing Subdivision	P	-	-	-	-	-	-	-	Section 7.03
<del>7.5</del> Boarding or Rooming House	S	S	S	-	-	-	-	-	
8.6 Open Space Residential Development	P	P	P	-	-	-	-	-	Section 7.02

**~~7.05 Elderly, Duplex, and Multi-Family Dwellings~~**

**7.05.A Housing for the Elderly**

**~~7.05.B Duplex and multifamily dwellings in the "RU" and "R" Districts~~**

~~1. The building height shall not exceed two (2) stories and~~

~~2. The minimum required acreage shall be two (2) acres of buildable land for the first dwelling unit, plus one half (1/2) acre of buildable land for each additional dwelling unit. Minimum lot size shall be calculated based on the total number of units allowed for the entire site, not calculated for individual buildings. Multiple duplexes and/or multi-family structures are permitted on a single parcel. Not more than five (5) multi-family dwelling units are permitted in a structure. A Reasonable Exception for multi-family structures containing more than five (5) units may be approved by Conditional Use Permit.~~

~~In addition to the criteria in Article 12.05, the applicant for a CUP for a Reasonable Exception must demonstrate that the structures proposed [with more than five (5) units] have advantages over structures with fewer units in terms of impacts to natural resources, public safety, and / or municipal finances, and that the larger units are appropriately screened from abutting parcels and public streets.~~

~~7.05. C. Special Provisions Applicable to Housing for the Elderly and multifamily dwellings in all Districts~~

~~4.5~~ Standby emergency electricity generators shall be provided for all developments of Housing for the Elderly and specified multifamily dwellings. These provisions shall apply to all new developments and to renovations equal to or greater than 50% of structure value, that add elevator or chair lift, or that provide for health and life sustaining appliances. Generators shall provide electricity throughout periods of power outages and shall have sufficient fuel available for two days of continuous operation. The generators shall provide sufficient supply of electricity to operate emergency lighting, water supply system, elevators, (wheel) chair lifts, and heating systems throughout the development, and operate appliances needed to sustain life and health in individual dwelling units. The electrical system shall be constructed to deliver the required electricity throughout the development. The owner or home owners' association shall submit provisions for maintenance of generation systems, including provisions for refueling during extended power outages.

The requirement for standby emergency electricity generators shall only apply to multifamily dwellings that exceed two floors above grade or that contain more than twelve (12) dwelling units in a single structure.

~~2.6~~ The Planning Board shall adopt provisions in the Site Plan Review Regulations to implement the requirements for standby generators and shall be authorized to approve the design, installation, and provisions for maintenance of generation systems. The Board shall be authorized to grant Waivers from the herein requirements through the Site Plan Review Application process.

4.01(A)

~~8. Business Development (BD) District [ARTICLE 16 – PUBLISHED SEPARATELY] – The purpose of the Business Development District Ordinance is to attract environmentally acceptable commercial, industrial, recreational, and institutional uses to the District; to encourage diversity in the community tax base through appropriate flexibility in land use and land use development; to optimize financial return on public infrastructure investments and expenditures, including municipal sewer, municipal water supply, and public highways; to minimize adverse traffic impacts on Route 3-A, future interstate highway interchanges, and surrounding local streets and roadways; and to preserve valuable historical, cultural, and natural features within the District and to minimize adverse environmental impacts to water and air, while reducing light and noise pollution, flooding, clear cutting of vegetation, and the blocking of scenic views.~~

98. Bow Mills Mixed Use (BMMU) District [ARTICLE 17 – PUBLISHED SEPARATELY] The purpose of the Bow Mills Mixed Use District is a) to expand the Town’s tax base and allow high value development in close proximity to Interstates 89 and 93, b) to permit the development of a walkable community with a mix of compatible commercial and residential uses to help meet the demands of the current and future market, c) to allow flexibility in development, and d) to minimize the traffic impact of any proposed development on local roads by orienting access toward the highway and transit.

109. South Bow Mixed Use (SBMU) District [ARTICLE 18 – PUBLISHED SEPARATELY] The purpose of the South Bow Mixed Use District is a) to expand the Town’s tax base and allow high value development in the southern part of town close to Route 3-A and Interstate 93, b) to permit the development of a walkable community with a mix of compatible residential, commercial, and industrial uses to help meet the demands of the current and future market, c) to allow flexibility in development, and d) to promote cooperation between the Towns of Bow and Hooksett and encourage the sharing of municipal resources when feasible.



PRINCIPAL USES	DISTRICTS									Supplementary Regulations Reference
	RU	R	R-1	C	I-1	I-2	CV	BD		

A. RESIDENTIAL										
1. Single Family	P	P	P	-	-	-	-	-	-	
2. Duplex or Two-Family	P	P	-	-	-	-	-	-	-	Section 7.05
3. Multi-Family	S	S	-	-	-	-	-	-	-	Section 7.05
4. Housing for the Elderly	P	P	P	-	-	-	P	-	-	Section 7.05
5. Manufactured Housing Park	C	-	-	-	-	-	-	-	-	Section 7.03
6. Manufactured Housing Subdivision	P	-	-	-	-	-	-	-	-	Section 7.03
7. Boarding or Rooming House	S	S	S	-	-	-	-	-	-	
8. Open Space Residential Development	P	P	P	-	-	-	-	-	-	Section 7.02

B. PUBLIC AND INSTITUTIONAL										
1. Churches	S	S	S	S	S	S	S	S	S	
2. Public or Private Schools	S	S	S	S	S	S	S	S	P	
3. Hospitals	-	-	-	P	P	P	-	P		
4. Residential Care Facility	S	S	S	P	P	P	P	P	P	RSA 151:2 I(e)
5. Child Day Care Center	-	-	-	S	S	S	P	P		Section 7.08
6. Adult Day Care Facility	-	-	-	S	S	S	-	P		RSA 151:2 I (f)
7. Libraries and Museums	-	-	-	S	P	P	P	P		
8. Social, Fraternal Clubs and Lodges	-	-	-	P	P	P	S	P		
9. Municipal & Public Works Facilities	S	S	S	P	P	P	P	P		
10. Cemeteries	S	S	S	S	S	S	S	S		
11. Essential Public Utilities and Appurtenances	S	S	S	P	P	P	P	P		Section 7.12
12. Home Based Day Care (see RSA 672:1V-a)	P	P	P	S	S	S	S	S		

PRINCIPAL USES	DISTRICTS								Supplementary Regulations Reference
	RU	R	R-1	C	I-1	I-2	CV	BD	

C. RECREATION AND ENTERTAINMENT									
1. Publicly Owned Recreation Facility	P	P	P	P	P	P	P	P	
2. Commercial Outdoor Recreational Facility	S	S	S	P	P	P	-	P	
3. Indoor Commercial Recreational Facility	-	-	-	P	P	P	C	P	
4. Movie Theater or Concert Hall	-	-	-	P	P	P	S	P	
5. Campgrounds or Youth Camps	S	-	-	-	-	-	-	-	Section 7.21
6. Golf Courses	S	S	S	S	S	S	-	S	

D. OFFICES									
1. General Professional, Business, Financial, or Government Offices	-	-	-	P	P	P	P	P	
2. Medical, Dental or Health Care Offices	-	-	-	P	P	P	P	P	
3. Banks	-	-	-	P	P	P	P	P	

Legend of Districts

RU = Rural  
R = Residential  
R-1 = Residential One Family  
C = Commercial  
CV = Civic  
I-1 = Limited Industrial  
I-2 = General Industrial  
~~BD = Business Development~~  
BMMU = Bow Mills Mixed Use  
(Uses listed separately in Article 17)  
SBMU = South Bow Mixed Use  
(Uses listed separately in Article 18)

Legend of Uses

dash = Not permitted  
C = Conditional Use Permit required  
P = Permitted Use  
S = Special Exception required

PRINCIPAL USES	DISTRICTS								Supplementary Regulations Reference
	RU	R	R-1	C	I-1	I-2	CV	BD	

E. COMMERCIAL									
1. Retail Sales and Rental of Goods and Merchandise									
a. Less than 6000 SF of floor area	-	-	-	P	P	P	P	P	
b. No floor area limit	-	-	-	P	P	P	S	P	
2. Personal and Business Services	-	-	-	P	P	P	P	P	
3. Hotels, Motels, and Inns	-	-	-	P	P	P	S	P	
4. Animal Hospital	-	-	-	P	P	P	-	P	Section 7.09
5. Commercial Kennels	-	-	-	S	S	S	P	\$	Section 7.09
6. Mortuary or Funeral Homes	-	-	-	S	-	S	-	\$	
7. Auction and Auction Houses	-	-	-	P	P	P	S	P	
8. Mini-Storage	-	-	-	S	P	P	-	P	

F. RESTAURANTS									
1. Within a fully enclosed structure	-	-	-	P	P	P	P	P	
2. With service outside	-	-	-	P	S	P	S	P	

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PRINCIPAL USES	DISTRICTS								Supplementary Regulations Reference
	RU	R	R-1	C	I-1	I-2	CV	BD	

G. AUTOMOTIVE & TRANSPORTATION									
1. Motor Vehicle Sales and Rental	-	-	-	P	S	S	-	S	
2. Sales and Installation of Vehicle Parts and Accessories	-	-	-	P	S	P	-	P	
3. Motor Vehicle Repairs and Maintenance	-	-	-	P	S	P	-	P	
4. Gasoline Sales	-	-	-	P	S	S	-	S	
5. Car Wash and Truck Wash	-	-	-	P	S	S	S	S	
6. Motor or Rail Freight Terminal	-	-	-	S	S	P	-	P	
7. Bus or Train Station	-	-	-	P	S	P	-	P	
8. Sales or Rental of Recreational Vehicles, Camping Trailers, or Boats, including Servicing & Repair	-	-	-	P	S	S	-	S	
9. Marina (including the servicing and repair of boats)	-	-	-	P	S	P	-	P	
10. Heliport and Airstrip	-	-	-	S	S	S	S	S	Section 7.19

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PRINCIPAL USES	DISTRICTS								Supplementary Regulations Reference
	RU	R	R-1	C	I-1	I-2	CV	ED	

H. INDUSTRIAL									
1. Manufacturing, Processing, Repairing, and Assembling Goods and Merchandise	-	-	-	S	P	P	-	P	Section 7.12
2. Warehousing and Storage of Non-Flammable, Non-Explosive Goods	-	-	-	S	P	P	-	P	Section 7.12
3. Bulk Storage of Fuels, Chemicals, or Flammable Materials	-	-	-	-	S	S	-	S	Section 7.12
4a. Sales of Construction Equipment and/or Materials with Outdoor Display or Storage	-	-	-	S	-	P	-	P	
4b. Sales of Construction Equipment and/or Materials up to 15,000 SF with no Outdoor Display or Storage	-	-	-	P	P	P	-	P	
5. Materials Recycling Center	-	-	-	-	S	S	-	S	
6a. Removal and Excavation of Earth Materials	S	-	-	-	S	S	-	S	Section 7.14
6b. Minor / Pre-development Excavation of Earth Materials	C	C	C	C	C	C	C	C	Section 7.14
7. Processing of Earth Materials	-	-	-	-	S	S	-	S	
8. Planing Mill or Sawmill	S	-	-	-	-	S	-	S	Section 7.13
9a. Contractor's Yard	-	-	-	-	-	P	-	S	
9b. Tradesman's Shop	-	-	-	P	P	P	-	P	
10. Laboratory or Research Facility	-	-	-	P	P	P	-	P	
11. Junk Yard	-	-	-	-	-	S	-	S	Section 7.17
12. Commercial Electricity Generation	-	-	-	S	S	P	S	P	

PRINCIPAL USES	DISTRICTS								Supplementary Regulations Reference
	RU	R	R-1	C	I-1	I-2	CV	BD	

I. AGRICULTURAL										
1. Farming and Agricultural Operations										
a. Agricultural	P	S	S	S	S	S	S	S	\$	
b. Horticultural	P	S	S	S	S	S	S	S	\$	
c. Livestock	P	P	P	-	-	-	-	-	-	Section 7.18
2. Silvicultural Operations	P	P	P	P	P	P	P	P	P	
3. Stables and Equestrian Facilities	C	S	S	-	-	-	-	-	-	Section 7.18
4. Commercial Greenhouses including Wholesale and Retail Sales	S	S	S	P	P	P	-	P		

J. MISCELLANEOUS										
1. Condominium Conversion	S	S	S	S	S	S	S	S	\$	
2. Radio or Television Tower or Antenna or Personal Wireless Service Facility	C	C	C	C	C	C	C	C	C	Section 7.10
3. Sexually Oriented Businesses	-	-	-	-	-	C	-	-	-	Section 7.11

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ACCESSORY USES	DISTRICTS								Supplementary Regulations Reference
	RUR	R-1	C	I-1	I-2	CV	BD		

A. RESIDENTIAL										
1. Home Occupation	P	P	P	P	P	P	P	P	P	Section 7.06
2. Cottage Industry	S	S	S	S	S	S	S	S	S	Section 7.07
3. Storage of Equipment / Surplus Associated with an Off-Premise Occupation	S	S	S	S	S	S	-	S		
4. Accessory Structures and Facilities including but not limited to Tool Sheds, Greenhouses, Swimming Pools, and Tennis Courts	P	P	P	P	P	P	P	P	P	Section 7.15
5. Grazing, Care, Raising, and/or Keeping of Livestock for Personal Use	P	P	P	S	S	S	S	S	S	Section 7.18
6. Accessory Dwelling Unit	P	P	P	P	P	P	P	P	P	Section 7.04
7. Home Based Day Care (RSA 672:1 V-a)	P	P	P	P	P	P	P	P	P	Section 7.08
8. Storage and Use of a Registered Boat, Recreational Vehicle, Camping Trailer, or Motor Vehicle	P	P	P	P	P	P	P	P	P	Section 7.17

B. NON-RESIDENTIAL										
1. Drive In or Drive Through	-	-	-	S	S	S	S	S	S	
2. Dwelling Unit for Resident Caretaker or Security Personnel	-	-	-	S	S	S	S	S	S	Section 7.26
3. Farm or Roadside Stand	P	P	P	P	P	P	-	P	P	Section 7.15



ACCESSORY USES	DISTRICTS RU R R-1 C I-1 I-2 CV BD	Supplementary Regulations Reference
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C. RESIDENTIAL AND NON-RESIDENTIAL									
1. Signs	P	P	P	P	P	P	P	P	Article 8
2. Child Day Care Center	S	S	S	P	P	P	P	P	Section 7.08
3. Small Wind Energy Systems	P	P	P	P	P	P	P	P	Section 7.25
4. Small Electricity Generation	P	P	P	P	P	P	P	P	

Legend of Districts

RU = Rural  
R = Residential  
R-1 = Residential One Family  
C = Commercial  
CV = Civic  
I-1 = Limited Industrial  
I-2 = General Industrial  
~~BD = Business Development~~  
BMMU = Bow Mills Mixed Use  
(Uses listed separately in Article 17)  
SBMU = South Bow Mixed Use  
(Uses listed separately in Article 18)

Legend of Uses

dash = Not permitted  
C = Conditional Use Permit required  
P = Permitted Use  
S = Special Exception required

**6.07 Table of Dimensional Regulations**

In the Base Districts, as established in Article 4, ESTABLISHMENT OF ZONING DISTRICTS AND ZONING MAPS, of this Ordinance, no structure, or impervious surface shall be constructed except in conformance with the standards set forth in the following Table of Dimensional Regulations (Section 6.07), subject to all other provisions and standards of this Ordinance, and other local, state, and federal laws, rules, and regulations. Lots in planned business subdivisions approved after March 15, 2000 may be permitted by the Planning Board, in non-residential zone districts, which do not meet the minimum size or frontage requirements. On such lots, the Planning Board may approve yard requirements which are less than the minimum shown in the Table of Dimensional Regulations. See Section 7.23

TABLE OF DIMENSIONAL REGULATIONS								
Base District	Minimum Lot Size	Minimum Lot Frontage	Minimum Yard Requirements			Maximum Lot Coverage	Maximum Height	Maximum Stories
			Front	Rear	Side			
	Acres	Feet	Feet	Feet	Feet	Percent	Feet	Number
RU	2	200	35	20	20	30	35	2 ½
R	2	200	35	20	20	30	35	2 ½
R-1	2	200	35	20	20	30	35	2 ½
C	2	200	35	20	20	80	35	2 ½
I-1	5	300	50	30	30	80	40	3
I-2	2	200	50	30	30	80	40**	3
CV	1	200	35	20	20	60	40	3
<b>BD</b>	<del>See Figure 15-1 of the Business Development District Ordinance [published separately] for dimensional regulations</del>							
BMMU	See Article 17 [published separately] for Bow Mills Mixed Use District dimensional regulations							
SBMU	See Article 18 [published separately] for South Bow Mixed Use District dimensional regulations							

\* Off-street parking and loading spaces shall not be located within the minimum setback areas in the R, R-1 and RU districts. In the C, I-1, I-2, and CIVIC districts, off-street parking and loading spaces may be located within the setback areas provided the minimum distance between the parking surface area and the property line is no less than ten (10) feet. Driveways and similar access ways may be located within the side or rear setback area in any zone provided the minimum distance between the driveway or access way and the property line is no less than fifteen (15) feet.

\*\* In the I-2 zone, structures up to 100' in height may be permitted by Special Exception.

**7.02(B) Open Space Residential Development**

5. Lots in an Open Space Residential Development shall not have individual access onto an existing town road and the minimum road frontage requirement for each lot shall be provided on a new public or private road.

6. Any provision within this article may be waived by the Planning Board for good cause, so long as the plan meets the intent and purpose of this ordinance.

~~7. Lots in an Open Space Residential Development shall not have individual access onto an existing town road and the minimum road frontage requirement for each lot shall be provided on a new public or private road.~~

#### 14.02 Permits Required

A. New buildings and structures It shall be unlawful for any person to erect, construct, reconstruct, renovate, add to, or alter a structure or non-exempt sign without applying for and receiving from the Building Inspector a building permit in compliance with the Town of Bow, ~~NH~~ Building ~~and Permit Ordinance~~ Code.

10.03(G)(7) The expansion of any other non-conforming use.

For Aquifer Protection CUP applications that involve development subject to Site Plan Review approval, the application shall be subject to Section 12.02 A of this Ordinance. For all other Aquifer Protection CUP applications, the activity or development subject to CUP approval shall be accurately sketched on a copy of the recorded site plan or plan of similar reliability. ~~Three~~ **One** full scale ~~copies~~ **copy** and one copy reduced to 11" X 17" paper, and one copy in electronic format shall be submitted. For Aquifer Protection CUP applications for which a recorded site plan is not available, ~~three copies~~ **one copy** of a legible, accurate sketch of the activity or development subject to CUP approval and existing improvements shall be submitted. At least one copy shall be reduced to 11" X 17" paper.

#### 8.11 No Discrimination Against Non-Commercial Signs or Speech

The owner of any sign which is otherwise allowed under this article may substitute non-commercial copy in lieu of other commercial or non-commercial copy. This substitution of copy may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over non-commercial speech or favoring of any particular non-commercial message over any other non-commercial message. This provision prevails over any more specific provisions to the contrary. This provision does not create the right to increase the total amount of signage on a parcel or allow the substitution of an off-site commercial message in place of an on-site commercial message.

January 6, 2022

To the Bow NH Planning Board,

I oppose the proposed amendment to the Bow Zoning Ordinance Sections 14.05 (B) and 5.11.H.6b. The proposed change to 14.05 (B) would allow the Planning Board, with no set parameters, to specify the duration of an earth excavation permit. Currently, excavation permits are limited to three-to-five years. Under the proposed amendment, there would be no limits; the Planning Board could authorize a permit for any number of years.

I understand this proposed amendment is the last component of some sweeping changes made in March 2021 when voters passed your recommendation to adopt NH RSA 155-E to replace Bow's regulations of earth excavations. The changes also made your Board the regulator of earth excavations.

I didn't realize until recently the extent to which these changes ease the process of obtaining an earth excavation permit in Bow. The amendment to the Table of Use Regulations, Section 5.11.H.6b, underscores this: minor/pre-development excavations of earth materials no longer need their own category in the permitting process. There will be no distinction between regulating a minor excavation with a relatively short duration and an excavation of many thousands of cubic yards that your Board could, if your proposed amendment is passed, conceivably authorize for many years under a single permit.

My opposition to these changes centers on any commercial excavation of earth materials in Bow's rural and residential zones, particularly on Town-owned property, and especially in the Nottingcook Forest. I lived in Bow in the late 1990s when the former owner of that property ran a commercial excavation of gravel behind the homes on Abbey and Allen Roads. At the operation's height, there were more than 20 trucks coming and going, all day, every weekday, on roads in a neighborhood zoned as rural.

I was part of the large group of residents that opposed the renewal of the permit for that excavation when it came before the Zoning Board in 1997. The Board got an earful about the problems the excavation caused that included dust and noise, damage to the roads, environmental concerns, and great public safety hazards that resulted from the parade of huge and heavy gravel trucks on our rural roads. There were also concerns about the Town's poor enforcement of the conditions by which the permit had originally been granted.

The ZBA eventually granted the renewed permit but with new restrictions, to which the gravel pit's owner objected. He was threatening legal action when it all became moot by the 1998 Town Meeting vote for the Town to purchase the property. One selling point for this investment was bringing to a welcomed and permanent end the commercial excavation of earth materials in that Rural Zone.



Over the next year the terms of a conservation easement were worked out. About 90 acres with access to Allen Rd were carved away from the conservation easement to give Bow some future options, such as one day tapping into the large aquifer there as a public water supply. The sand and gravel from this land were for the Town's own needs—this was documented in the minutes of the 1998 Town Meeting and elsewhere. At the time any notion of reopening the land to a commercial excavation operation would have been considered ludicrous given the public outcry the prior excavating had caused. Yet between the recent loosening of the Town's excavation regulations and the increasing value of high-quality sand, here we are with Selectman Marshall and the Bow Times suggesting a few months ago that Bow do exactly that. A commercial earth excavation in the Forest would conflict with the terms under which the voters made their decisions to purchase this property and then place most of it in conservation.

The purchase of the Nottingcook Forest seemed to kick off a conservation trend that I've considered the legacy of my generation of Bow residents. Bow's voters' support of conserving open space continues. For evidence, look no further than Bow's Master Plan, which is the product of your Board's own hard work. It documents our residents' pride and pleasure in the Town's rural nature and prioritizes our interest in maintaining that. Also among the top priorities outlined in the Plan is preserving Bow's natural resources.

I implore you to reverse the direction where Bow's adoption of RSA 155-E is leading us. That statute gives towns plenty of leeway to alter its fit for their own needs and interests. Please begin to take back control of Bow's natural resources by

- 1) making the duration of a permit to excavate earth materials, especially in a rural or residential zone, no longer than one year, and**
- 2) continuing to distinguish in your permitting criteria the big differences between a minor earth excavation and an excavation of earth materials from thousands of cubic yards that would take many years to accomplish.**

From there, just as you are proposing this year with multi-family homes, please also consider amending our Zoning Ordinance to delete the option of earth material excavations in Bow's rural and residential zones.

Thank you.

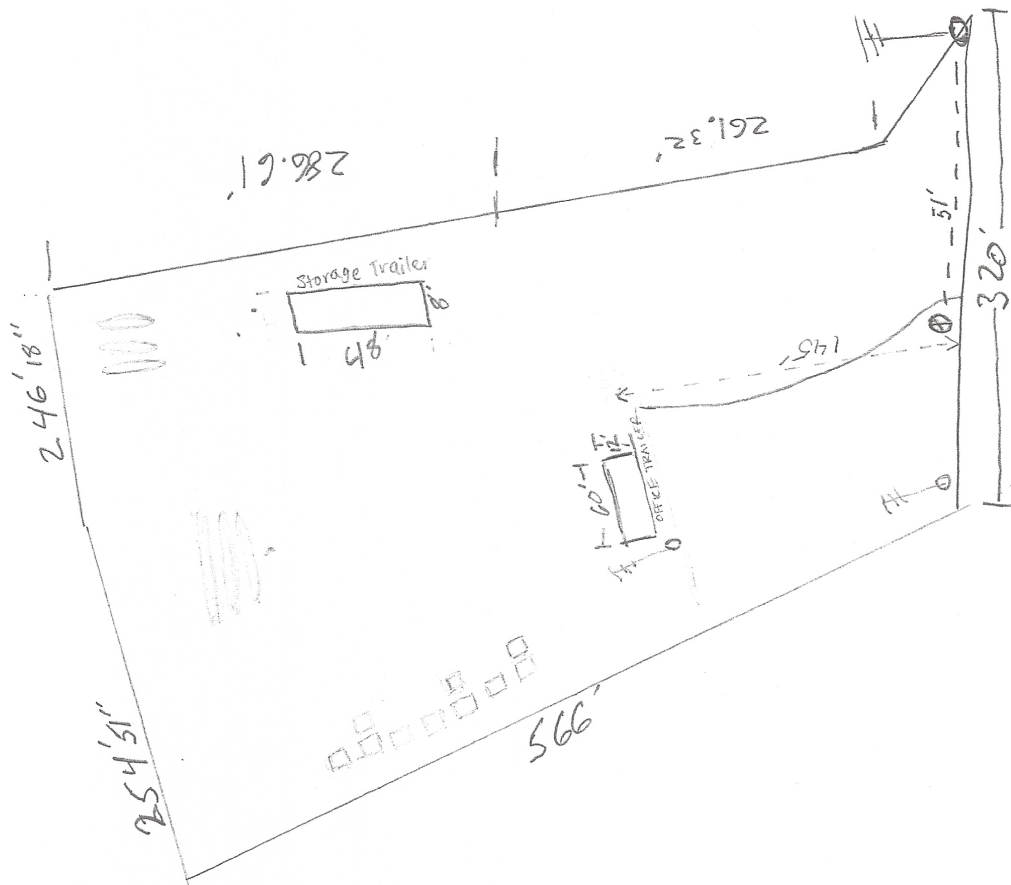
Sincerely,

*Susan Marcotte-Jenkins*

11 Hope Lane  
Bow, NH 03304

## **OLD BUSINESS**

- 1. Revisit October 4, 2018 Site Plan modification that allowed temporarily outdoor storage in order to relocate the driveway. Owner: Gould Properties, LLC. Property located at 390 River Road, Block 2, Lot 158.**



- ⊖ ⊖ = poles and raftering
- = truck
- ⊗ = fire hydrant
- T = telephone pole



November 17, 2021

Wayne Gould  
Owner  
Gould Properties, LLC  
10 Robinson Rd,  
Bow, NH 03304

RE: Harlan Laydown Yard-River Rd, Bow

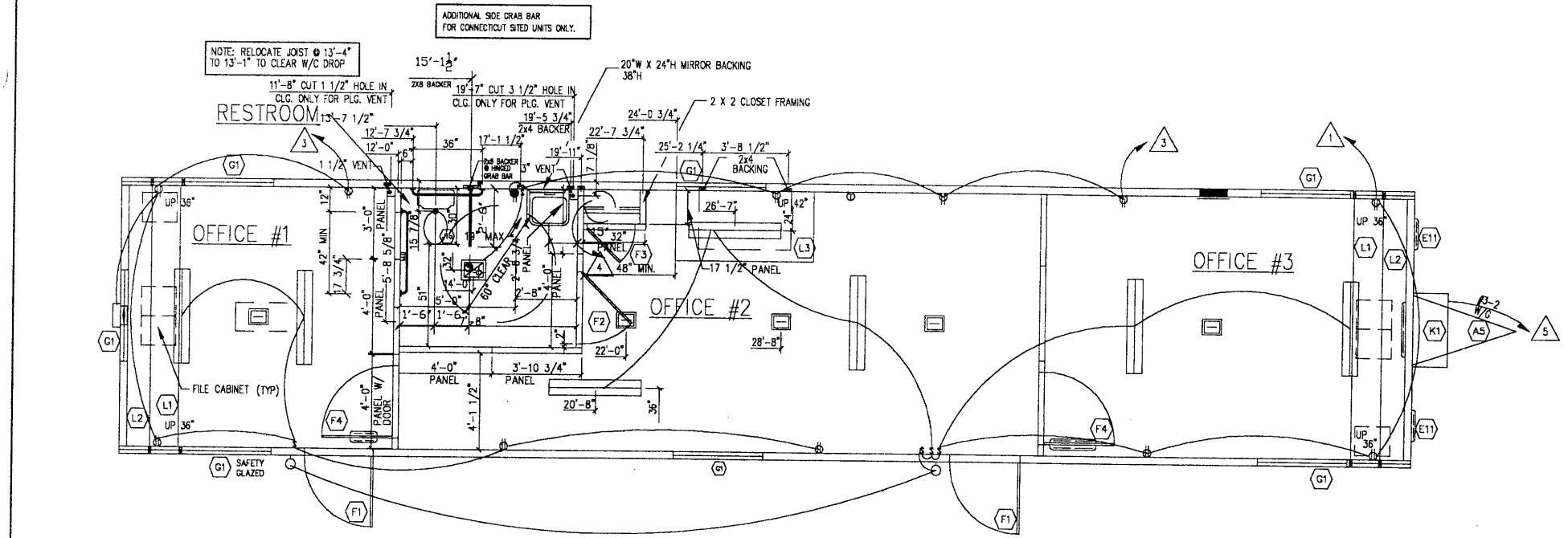
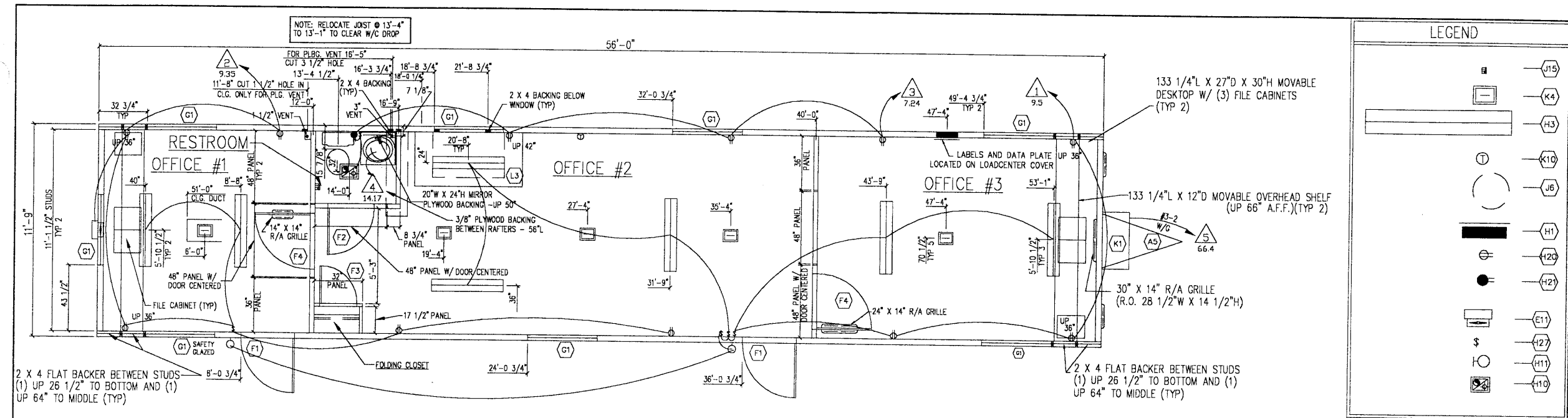
Dear Wayne,

Harlan Electric plans to temporarily store the following laydown items at 390 River Rd, Bow, NH:

- Company Equipment
- Employee Vehicles
- Tooling
- Utility Line Hardware
- Gravel
- Concrete Blocks
- Steel Utility Poles
- Storage Containers

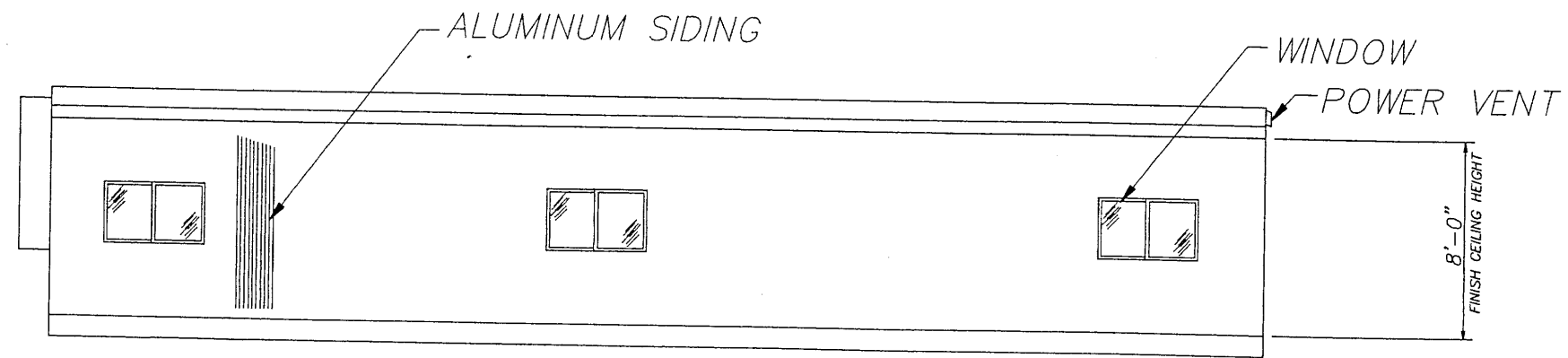
Please let us know if any additional information is required.

Sincerely,  
**Chris Winkley**  
Project Manager I  
Harlan Electric Company, Inc.  
6 Industrial Way  
Windham, NH 03087  
603.824.6262 x7205 (main)  
207.577.0064 (cell)  
[cwinkley@myrgroup.com](mailto:cwinkley@myrgroup.com)

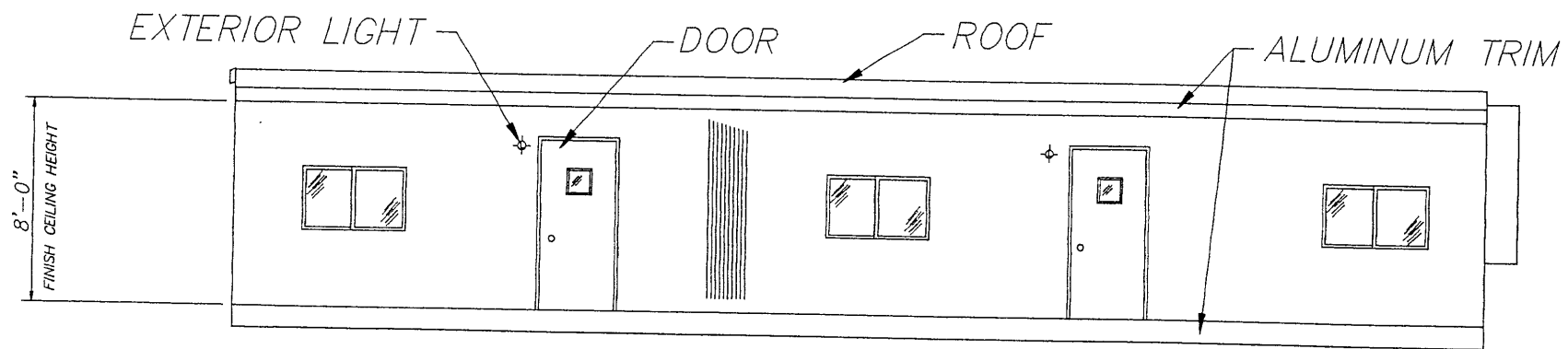


APPROVED:  
 APR 2 1997  
 PFS CORP.  
**RELEASED FOR PRODUCTION**  
 FLOOR PLAN  
 ELECTRIC PLAN  
 SHEET A-1

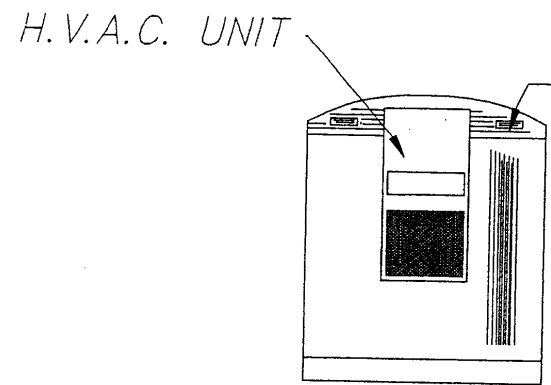
NO.	REVISION	DATE	<small>THIS DRAWING AND ALL INFORMATION CONTAINED HEREON IS THE PROPERTY OF WHITLEY MFG. CO., INC. AND IS NOT TO BE REPRODUCED WITHOUT THE EXPRESS PERMISSION OF WHITLEY MFG. CO., INC.</small> <small>WHITLEY MFG. CO., INC. ASSUMES NO RESPONSIBILITY FOR UNAUTHORIZED USE OF THIS DRAWING.</small>	SCALE: 3/16" = 1'		<b>MODEL #288: CT, IL, KY, MD, MI, MO, NJ, OH, PA, RI, VA</b> STOCK CONSTRUCTION FIELD OFFICE 60' X 12' (56' BOX) SALES REP. SERIAL NO.	DATE: 02/27/97
				DRAWN BY: mjm			CHECKED BY: SJH



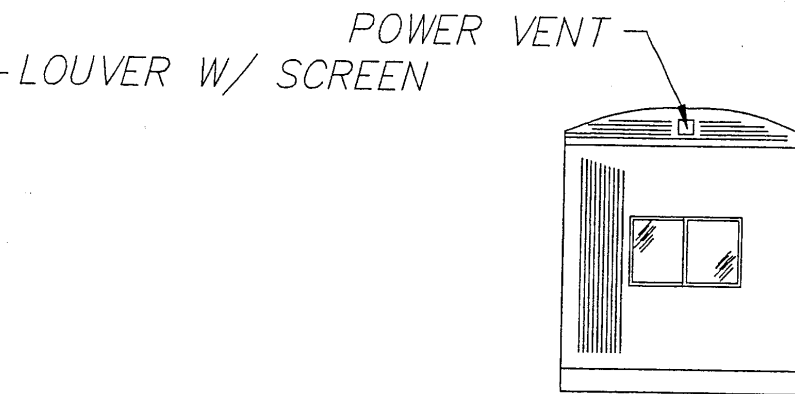
ROADSIDE ELEVATION



CURBSIDE ELEVATION



HITCH END ELEVATION



REAR END ELEVATION

NOTE: THESE ELEVATIONS ARE REPRESENTATIONS ONLY. BUILDING APPEARANCE MAY VARY SLIGHTLY.

APPROVED  
 APR 1 1997  
 W. J. CORP.

3-30-95  
 THIS DRAWING AND ALL INFORMATION CONTAINED HEREIN IS THE PROPERTY OF WHITLEY MFG. CO. AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. WITHOUT THE WRITTEN PERMISSION OF WHITLEY MFG. CO. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

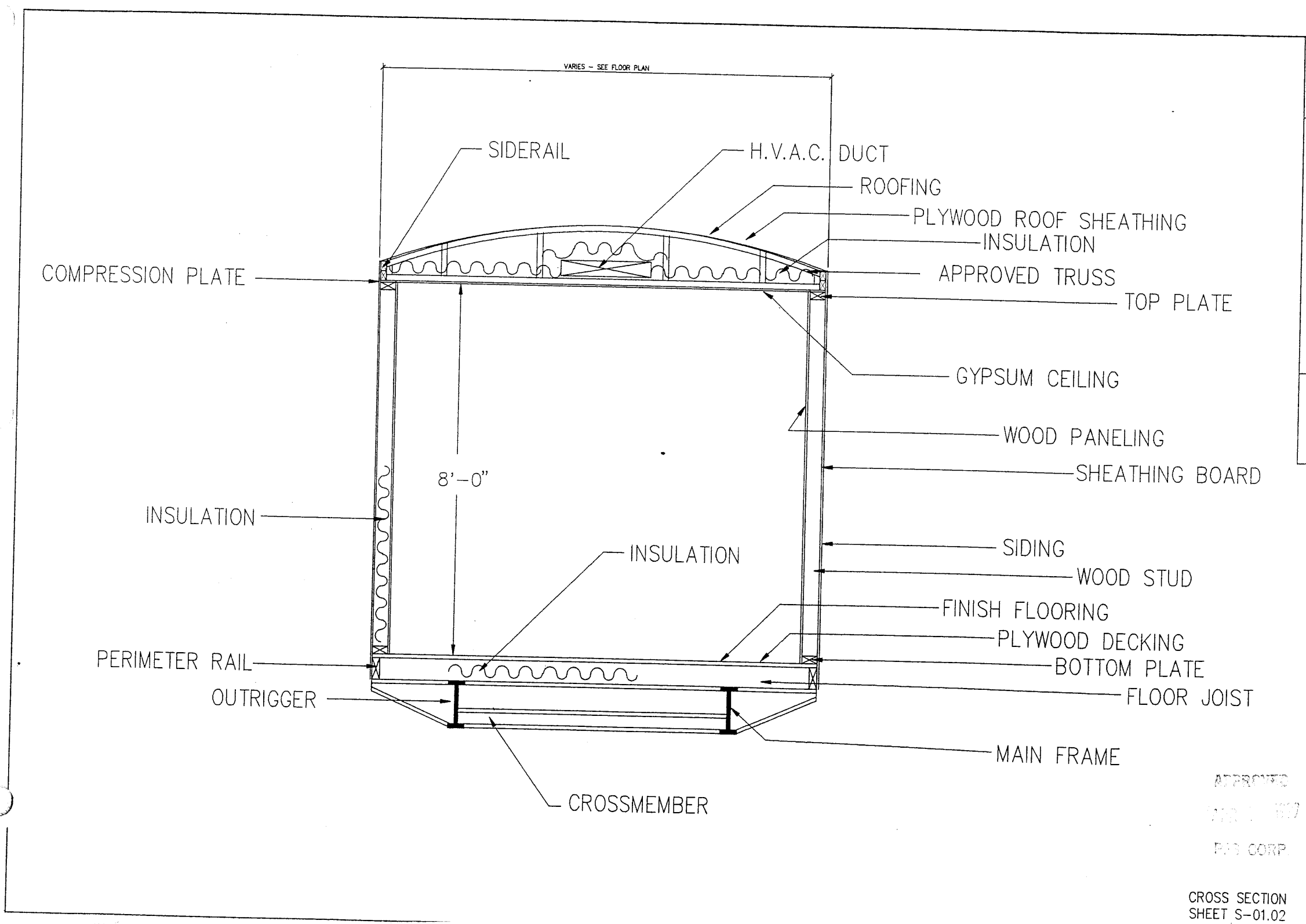
REVISION: 1  
 DATE: 3-17-95  
 SCALE: 1/8"=1'-0"  
 DRAWN BY: SUH  
 CHECKED BY: PG

**Whitley Manufacturing Co., Inc.**  
 201 WEST FIRST STREET  
 GARDEN GROVE, CA 92647  
 PHONE: (714) 723-5151  
 FAX: (714) 723-6948

10'W & 12'W UNITS  
 STOCK CONSTRUCTION FIELD OFFICE  
 ELEVATIONS  
 SALES REP.

DATE: 3-17-95  
 REVISION: 1  
 DRAWING NO. A0302

ELEVATIONS  
 SHEET A-03.02

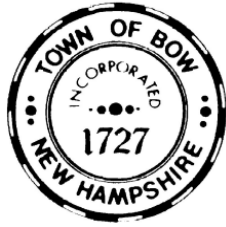


APPROVED  
 [Signature]  
 P.S. CORP.  
 CROSS SECTION  
 SHEET S-01.02

4-11-96 SUJ	3-30-95	NO DRAWING AND ALL RIGHTS RESERVED. THIS DRAWING IS THE PROPERTY OF WHITLEY MFG. CO. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF WHITLEY MFG. CO.
CHANGED CROSSMEMBER TO BASEMENT FRAME REVISED FORMAT & RE-ISSUED	SCALE: 1/2"	DRAWN BY: SUJ
		CHECKED BY: PG
 201 WEST FIRST STREET SOUTH WHITLEY, IN 46787 TEL: (317) 72-8831 FAX: (317) 72-8848		
10'W AND 12'W CROSS SECTION		SALES REP.
E: 3-17-95	VISION: 2	SERIAL NO. S0102

# **DRAFT 12/16/2021 MEETING MINUTES**





# 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)

### DRAFT MINUTES December 16, 2021

The Town of Bow Planning Board met on Thursday, December 16, 2021, at 7:00 PM in Room C of the Municipal Office Building. Chair Don Berube began the meeting at 7:00 PM with the roll call of the Board.

#### 7:00 ROLL CALL

Other members present were Sandy Crystall, Vice Chair, Adam Sandahl, Secretary, Bill Oldenburg, Garth Orsmond, David Glasier (alt), Jonathan Pietrangelo (alt), Michael Lawton (alt), Kip McDaniel (alt), and Selectboard representative Mike Wayne. Also present were Matt Taylor, Community Development Director and Alvina Snegach, recording secretary. Willis Sloat was excused.

Chair Berube noted that Willis Sloat was excused and appointed Alternate Glasier to vote in his place. He then directed everyone’s attention to item I on the Agenda.

#### MINOR MODIFICATION / CONCEPTUAL CONSULTATION

##### **Revisit October 4, 2018 Site Plan modification that allowed temporarily outdoor storage in order to relocate the driveway. Owner: Gould Properties, LLC. Property located at 390 River Road, Block 2, Lot 158.**

Mr. Berube read the item into the record. Wayne Gould, the property owner introduced himself and went over the proposed modification request as he has changed tenants since outdoor storage has been approved. He noted that the new tenant will still store poles for the utility company, so there will be no change there. He added that the current driveway is through the abutter’s property who may eventually ask them to stop using it, that is why he would like to build a new driveway in the approved location, which has a fire hydrant blocking it now. Mr. Taylor spoke about the 2018 Planning Board approval given to Mr. Gould to allow temporary outdoor storage under certain conditions, which were not met. Mr. Gould then showed the aerial plan and showed the locations of the current driveway and the proposed one, which would be too close to the fire hydrant, the guardrail, and property lines. He said that the Department of Public works gave him a temporary driveway permit pending the outcome of the Planning Board discussion. Board discussed the location of the driveways, previous approval and conditions, use of the property and the driveway, possibility of moving either the guardrail or the hydrant, and the need to have a site plan for any further approvals. Consensus was that Mr. Gould should submit a plan with enough detail so that the Board could treat it as a site plan for one of the future meetings. Mr. Gould asked if he could have his new tenant pull an electrical permit for temporary service to a temporary office building on wheels in the meantime, and the Board responded that it would need to see a plan first before making any decisions. It was also noted that Mr. Gould could ask his new tenant to provide some type of narrative about what would be stored on site and for which purposes.

##### **Minor modification to Site Plan # 7-80 to change the use from office to sales and to alter the building façade. Owner: One Garvin Falls Rd Realty, LLC. Property located at 1 Garvins Falls Road. Block 5, Lot 1-A.**

Mr. Berube read the item into the record. Mike Brissette, introduced himself as the property owner and went over the details of the proposal. He showed two photos of the front of the building on River Road, which now has a tenant who would like to change the façade a little by adding bigger windows and a glass door and change the use from office to sales. Mr. Brissette answered questions about the tenant, parking, proposed façade

46 improvements, etc. After a short discussion, *Mr. Oldenburg made a motion to approve the modification request*  
47 *for Site Plan #7-80. Mr. Sandahl duly seconded and motion passed unanimously.*  
48

49 **NEW BUSINESS**

50 **Request for additional extension of application #206-20: William J Capozzi Family Trust, Site Plan**  
51 **Review approved January 7, 2021. Block 2, Lot 196, located at 237 River Rd.**

52 Mr. Berube read the item into the record. Mr. Taylor displayed the extension request. *Ms. Crystall made a*  
53 *motion to approve the extension of application #206-20 for another six months. Mr. Glasier duly seconded and*  
54 *motion passed unanimously.*  
55

56 **CORRESPONDENCE AND OTHER BUSINESS**

57  
58 **Receipt of proposed zoning amendments from other Town boards and the public.**

59 Mr. Berube read the item into the record. Mr. Taylor said that he had prepared a list of housekeeping amendments  
60 along with some new changes. He went through each one as follows:

- 61 - Removing Business Development District references as the district has been rezoned last year - Sections  
62 4.01(A), 5.11, 6.07, and 8.08;
- 63 - Removing a duplicate section in the Open Space- section 7.05(B)(7);
- 64 - Changing the number of copies for an aquifer projection district – Section 10.03(G)(7);
- 65 - Correct the name of the reference to the Town of Bow Building Code – Section 14.02(A);
- 66 - To allow signs in residential districts of a certain size and introducing time limits – Section 8.07.4
- 67 - To add language to the sign ordinance to allow changeable copy signs in accordance with US Supreme  
68 Court decision – Section 8.11

69 He said that the provisions that are not housekeeping will need to be reviewed by the Town Counsel prior to the  
70 public hearing.

71 Discussion ensued about the proposed sign language and how it would apply to the existing signs like those on  
72 Grandview Road or Clinton Street. Permitting and enforcement were also discussed, as well as the use of vehicles  
73 or flags and banners as signage.

74 Derek LaCourciere, from 21 Grandview Road, asked the Chair if he could address the Board. Mr. Berube agreed  
75 and Mr. LaCourciere spoke about his sign and that he was disappointed with the mistreatment he had received  
76 from the Planning and Select Boards. He spoke about a letter he received prohibiting him from using the pole  
77 for sign posting, even though he was able to find around 40 such poles in Town that were used for posting signs.  
78 Mr. LaCourciere said that this whole thing started with someone disliking the content of his signs, even though  
79 he has had a lot of people come up to his door saying they liked his messages.

80 Mr. Taylor said that he believed that the Planning Board has never discussed his sign, and it was only through  
81 emails that he and Mr. Taylor communicated by.

82 Discussion continued on whether the Board would want to get into regulating free speech and how it may become  
83 a slippery slope. Mr. Taylor also added that as it stands, the Bow sign code is currently unconstitutional, therefore  
84 the proposed language for changeable copy should address that.

85 Members also discussed the small print on signs and how it could be a hazard to those driving by trying to read  
86 it. Another discussion was on the use of fowl language such as was used on the flags that were displayed on  
87 Clinton Street, which even made the Concord Monitor at some point.

88 Discussion continued about some signs being a hazard, similar to bright and flashing ones, that are not allowed  
89 in Town for that particular reason. It was noted that commercial and political speech are regulated differently.  
90 Mr. Taylor added that as of right now, the residential areas only allow home occupation signs of a certain size,  
91 and with the proposed change, there would be an opportunity for people to change copy.

92 General consensus was that the provision regulating the size and time limits for signs should not be put up to the  
93 public hearing and that the Town Counsel should review the additional language on the changeable copy signs.

94 *Mr. Glasier made a motion to schedule a public hearing for all the changes presented today, except for Section*  
95 *8.07.4. Mr. Sandahl duly seconded and motion passed unanimously.*  
96

97 **UNAPPROVED MINUTES: November 18, 2021**

98

99 November 18, 2021, draft Planning Board minutes were reviewed, and no changes were made. *Mr. Glasier made*  
100 *a motion to approve the minutes as presented. Mr. Sandahl duly seconded and motion passed unanimously.*

101

102 **ADJOURNMENT:** *Mr. Glasier made a motion to adjourn.* Meeting adjourned at 8:10 PM.

103

104 Respectfully submitted,

105

106

107 Adam Sandahl,

108

109 Secretary

DRAFT