



TOWN OF BOW Planning Board

10 Grandview Road, Bow, New Hampshire 03304

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Approved as presented on April 16, 2020 via Zoom meeting.

MINUTES February 3, 2020

The Town of Bow Planning Board met on Thursday, February 3, 2020 at 7:00 PM in the Town Municipal Building, 10 Grandview Road, Bow, New Hampshire. Chair Berube began the meeting with the introduction of the Board.

7:00 ROLL CALL

Other members present were Sandra Crystall, Vice Chair, Tony Reynolds, Secretary, Adam Sandahl, Willis Sloat, and Selectboard representative Mike Wayne. Also present was Matt Taylor, Community Development Director and Alvina Snegach, recording secretary. Bill Oldenburg, David Glasier, and Krysten Hayden were excused. Mr. Berube directed everyone's attention to the Old Business item on the Agenda.

Request for (first extension) of October 3, 2019 approval of Site Plan #204-19: RRG Holdings, LLC, Block 2, Lot 159-J, located at 9 Thibeault Drive.

Mr. Berube read the item into the record. Mr. Taylor said the letter with the request was in the packet and explained that the project is being held up to an abutter court action. *Mr. Sloat made a motion to grant a 90 day extension for site plan #204-19. Ms. Crystall duly seconded and motion passed unanimously.*

PUBLIC HEARING

Consideration of the proposed amendments to the Zoning Ordinance (see January 21, 2020 Notice of Public Hearing).

Mr. Berube read the item into the record. Mr. Taylor noted that all the previously approved changes have gone through the Town Counsel review and there were some comments received that may need to be discussed in a non-public setting. *Mr. Sloat made a motion to go into the non-public session to discuss legal advice provided by legal counsel (RSA 91:A3, II (l)). Ms. Crystall duly seconded and a roll call vote was taken:*

Mr. Berube – yes; Ms. Crystall – yes; Mr. Reynolds – yes; Mr. Sloat – yes; Mr. Sandahl – yes, Mr. Wayne – yes.

The Board entered the non-public session at 7:04 PM.

Members discussed the Town Counsel opinion and advice regarding the recently approved Open Space Zoning Changes. No motion was made to seal the minutes of the non-public session.

Ms. Crystall made a motion to return to public session, which was duly seconded by Mr. Sloat and unanimously approved. Public session reconvened at 7:28 PM.

Discussion ensued about the articles that needed further changes or removal. Ms. Crystall was taking notes on all the agreed upon changes. Mr. Berube opened the public hearing at 7:36 PM.

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- Linda Millman, 80 Robinson Road, spoke about some additional changes that she had submitted to the Community Development Department earlier that day which were not changing any context but were only to clean up.

Board discussed whether it was reasonable to discuss any additional changes at this stage or leave the clean up for next year.

General consensus was that Ms. Millman's changes will only be accepted for capitalizations and grammatical errors, whereas word changes would not be accepted. Mr. Sloat highlighted a copy with Mr. Millman's changes that would be used as a final version, where all the highlights are not to be accepted.

Mr. Sloat made a motion to approve the changes taken by Ms. Crystall and suggested by the Town Counsel. Ms. Crystall duly seconded and motion passed unanimously.

Mr. Sloat made a motion to approve the changes brought up by Linda Millman, only the ones that have not been highlighted. Ms. Crystall duly seconded and motion passed unanimously.

Mr. Sloat made a motion to place all the approved Zoning Changes as an article on the Town Warrant.

Mr. Sandahl duly seconded and motion passed unanimously.

UNAPPROVED MINUTES

01/09/2020 draft minutes were reviewed and no changes were made. *Mr. Wayne made a motion to approve the January 9, 2020 minutes as presented. Ms. Crystall duly seconded and motion passed unanimously.*

ADJOURNMENT: *Ms. Crystall made a motion to adjourn, and Mr. Wayne duly seconded. Motion passed unanimously. Meeting adjourned at 8:04 PM.*

Ms. Millman offered information to the members about some New Hampshire legislation that will have an effect on Planning Board operations. She also distributed some handouts.

Respectfully submitted,

Sandra Crystall,
Vice Chair

Town of Bow
Planning Board
NON-PUBLIC SESSION MINUTES

Date: _____ 02/03/2020 _____

Members Present:

Bill Oldenburg	<u>_N_</u>	Don Berube, Jr.	<u>_Y_</u>	Kristen Hayden	<u>_N_</u>
Sandra Crystall	<u>_Y_</u>	Adam Sandahl	<u>_Y_</u>	Garth Orsmond	<u>_N_</u>
Tony Reynolds	<u>_Y_</u>	Willis Sloat	<u>_Y_</u>	Mike Wayne (BOS)	<u>_Y_</u>
David Glasier	<u>_N_</u>			Harry Judd (BOS)	<u>_N_</u>

Motion to enter Nonpublic Session made by Mr. Sloat **seconded by** Ms. Crystall

Specific Statutory Reason cited as foundation for the nonpublic session:

 RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

 RSA 91-A:3, II(b) *The hiring of any person as a public employee.*

 RSA 91-A:3, II(c) *Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

 RSA 91-A:3, II(d) *Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.*

 RSA 91-A:3, II(e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against this board or any subdivision thereof, or by or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled*

 RSA 91-A:3, II(i) *Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.*

 X **RSA 91-A:3, II (l)** *Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.*

Roll Call vote to enter nonpublic session:

Don Berube, Jr. - Yes
Sandra Crystall - Yes
Tony Reynolds - Yes
Adam Sandahl - Yes
Willis Sloat - Yes
Mike Wayne - Yes

X **Remove public meeting tape (if applicable).**

Entered nonpublic session at 7:04 p.m.

Other persons present during nonpublic session: Matthew Taylor, Community Development Director and Alvina Snegach, Recording Secretary.

Description of matters discussed and final decisions made. Note: Any votes taken must be recorded "in such a manner that the vote of each member is ascertained and recorded":

Members discussed the Town Counsel review of the zoning changes that have been previously approved by the Board.

Note: Under RSA 91-A:3, III. Minutes of proceedings in nonpublic sessions shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, taken in public session, it is determined that divulgence of the information likely would affect adversely the reputation of any person other than a member of this board, or render the proposed action of the board ineffective, or pertain to terrorism. In the event of such circumstances, information may be withheld until, in the opinion of a majority of members, the aforesaid circumstances no longer apply.

Motion to leave nonpublic session and return to public session by Ms. Crystall, seconded by Mr. Sloat
Motion **PASSED unanimously.**

NA **Non-public meeting tape removed**, public meeting tape replaced (if applicable).

Public session reconvened at 7:28 p.m.

Motion made to seal these minutes?

If so, motion made by NA, seconded by NA, because it is determined that divulgence of this information likely would...

 Affect adversely the reputation of any person other than a member of this board

 Render a proposed action ineffective

 Pertains to preparation or carrying out of actions regarding terrorism

Motion to seal minutes: Motion: PASSED / DID NOT PASS (circle one)

These minutes recorded by: Alvina Snegach