

FINAL

Bridgewater Zoning Board
November 20, 2023 Minutes

Board members present: Chair- Steve Williams, Edwin Boyce, Ronald Linde, Wayne Thompson

Public present: James Gickas (building inspector), Melissa Mullen (owner), Matt Barnard (representative for BA Barnard Ent.), Paul Fleming (builder, Paul V. Fleming & Sons), David Bulk (Bayview), George Cornachini (neighbor), Terry Murphy (selectmen)

Steve called the meeting to order at 7:00 PM and the members of the board introduced themselves. The board met to discuss a setback variance request by Mullen Bridgewater Property Trust located at 31 Pollard Path, Bridgewater, NH. Steve verified that abutter notice receipts had been received.

Matt distributed both the existing plans and proposed plans to the members of the board for review. He explained that they are requesting for the two existing nonconforming cabins (one of them 1.1 feet from the existing boundary line, the other 5.2 feet from the existing boundary line, and within 25.9 feet from the public reference line of Newfound Lake) be demolished and replaced with one house that will be 7.5 feet off the existing boundary line, 29.2 feet off the public reference line of Newfound Lake, and by mobbing it over will be within 35 feet of existing Pollard Path right of way at 25.9 feet.

Steve questioned if the existing cabins are grandfathered in the lake shore area. Matt confirmed from 1948 and stated the goal is to make them as conforming as possible as it is a small property. He went on to say by moving it, it will be only 20 feet from the drip edge to the boundary line. He stated that there were many factors that encumbered their plans; it is basically a subdivision into four lots and 3 out of the 4 lots use the same well, and that they didn't want to change the existing waterline because two abutters also use it. Matt explained that the existing leach field predates any state regulations and that they have a state approved design ready to go that can't meet state setbacks for the well or lake. As a solution, a special clean solution leech field will be installed where everything gets treated inside the septic tank and nothing will infringe on the well or the lake itself because it's already been treated to create a better environmental outcome. He went on to say due to the aforementioned and needing a new place to put the leech field, they did not have many other options for placement of the new house. He acknowledged that the new plan does bring the building closer to the right of way (29.5 feet instead of the required 35 feet), but that two years ago the Bridgewater Zoning Board allowed the Mullen's to go within 15 feet of the right of way on their other property. Steve confirmed. Matt pointed out that the new house would still be the furthest house from the existing right of way, and that the existing right of way serves more as a driveway as it is a dead end and goes out to Melissa's driveway and to the abutter's driveway.

Melissa stated that she has spent a couple of years working with her neighbors to brainstorm how to move forward while still preserving the well and water lines. She shared that the other lots on Pollard Path are single family homes and that her existing lot is the only one with two cabins. Matt confirmed and added that she has put a lot of time and resources into this plan to ensure the lake is protected and the neighbors are happy.

Ken asked the abutters if they had any objections. George said no and that they all play well in the sandbox. He stated it will be a good opportunity for them and the neighbors as well. Matt added that the attorney made four diagonal lots instead of adjacent ones, and that Melissa's two lots don't even touch each other which adds to the difficulty of the situation. Matt referenced the attorney's letter and stated they are making it more conforming rather than having two older buildings, just having one newer building that fits in with the neighborhood. Matt mentioned some hazardous trees that will be removed and replanted as per the shoreline permit and what the state dictated. Melissa confirmed the trees had since been removed.

Steve stated that as far as the variance goes, because they are grandfathered in and are making it better, he does not see an issue with any aspect of the request. He stated the important permits are in place as far as shoreland protection and they are making it a better situation. Discussion was held between Matt and Steve about potential hardships if this project is not able to happen.

Steve asked if there were any questions from the board. All members stated none and that they were comfortable to vote. Steve addressed that the application requests three variances but clarified that it is only one- sideline setbacks. He reminded the board that they had previously granted a 15-foot variance on the upper property. He stated that the setback off the right of way is almost a moot point because it has nowhere to go.

Steve polled the board and all members voted to approve the variance. The motion passed and the variance was granted.

Steve mentioned if a cottage is a teardown that they will need a permit. Paul stated that it was already submitted.

Melissa shared that she tried to give away the cabin to Habitat for Humanity and other organizations, but they didn't want it because it's hard to move and she has since posted it for sale on Facebook.

The public left the meeting at 7:15 PM. Edwin made a motion to accept the August minutes as written, and Steve seconded. All were in favor and the minutes were accepted.

Steve adjourned the meeting at 7:18 PM.