

FINAL

Bridgewater Planning Board
January 20, 2026 Work Session Minutes

Board members present: Chair- Patrick Roach, Ken Weidman, Steve Hering, Joe Wilkas, Paul Wilson, Ex-officio- Terry Murphy

Public present: Jeremy Avery

Patrick called the meeting to order at 7:11 PM. The first item on the agenda was a proposed boundary line adjustment for the Averys located at tax map and lots 0107-0014-0000 and 0107-0014-2000. Patrick explained the proposal was to take 1.36 acres owned by Deborah Avery and annex it to land owned by Jeremy Avery. Patrick and Ken verified the abutter notifications and the completion of the checklist. Paul made a motion to accept the application as complete, Joe seconded and all board members voted in favor. Patrick stated he had a statement signed by Deborah Avery (Jeremy's mother and owner of the other lot) allowing Jeremy to represent her to the planning board.

Patrick distributed paper copies of the plans to the board members for review. Ken noted that Calley Road is a Class VI road, not maintained by the town, and comes out on Dick Brown Road. Patrick asked if the right-of-way (ROW) was going to be extinguished, and Terry answered that it would be a problem. He clarified that at his own suggestion for the original subdivision of this property, a ROW was originally added so the land could be subdivided even though it fronted on a Class VI road, because the zoning ordinance prohibits subdivision on a Class VI road unless it's upgraded to Class V. Removing that ROW now would effectively undo the workaround and change what the land is allowed to do, thus creating a situation not allowed according to the zoning ordinance. He recommended if that is the case, Jeremy will need to approach the Bridgewater Zoning Board of Adjustment for approval to extinguish the ROW by proving a hardship. Patrick asked why the ROW was going to be removed, and Jeremy answered that his mother is aging, and when the time comes to sell her property, the ROW hurts the marketing of the property. Terry and Jeremy disagreed about whether the ROW would affect the value of the property, and Jeremy thanked the board for accommodating the original subdivision. He went on to say that at the original subdivision request, he was told he could petition in the future to get the ROW removed. Jeremy stated that his brother would probably buy the land and it may not be an issue anyway. He continued that the ROW is deeded and that his lawyer told him it can get removed from the deed without the town having a say, but doing so would create a nonconforming lot, which would in turn affect resale value. Terry reiterated that the zoning things were a condition of the original subdivision, without which would not have happened. He suggested possible remedies of upgrading the road to a Class V, moving the ROW to along the property line, or adding to the deed restrictions how it could be used in the future. He added that the planning board does not have jurisdiction in this situation, and that Jeremy would need to work with the zoning board about extinguishing the ROW. Jeremy stated that the rules clearly say that you

can't subdivide off a Class VI road, but he did, and asked if the board was setting a precedence. Terry answered no and that the planning board cannot violate the zoning rules by removing the ROW, and that he would need to work with the zoning board because a line boundary adjustment is considered a subdivision for the planning board. Steve asked if there were existing structures at the time of the original subdivision, and Terry answered yes, there was one on Deborah's lot, and to accommodate both lots needing access to a town road, the ROW was created. Steve stated that the ROW looks like a straight shot from Dick Brown Road to the back lot and asked if they can move it west along the property line instead. Terry stated as long as the ROW doesn't get extinguished, they can put it anywhere they want. Jeremy stated he thought there was a reason they didn't put the ROW there to begin with, but he couldn't remember the reason. Jeremy stated that Terry told him he could come back in the future to remove the ROW, and Terry replied that they did the original subdivision in good faith, and repeated that the planning board does not have jurisdiction in this situation, and that Jeremy would need to work with the zoning board about extinguishing the ROW. Patrick stated that there are lots of ROW all over properties in NH and asked if it affects property value that much. Jeremy explained that the value of his mother's house is in a beautiful field that overlooks his house, and that someone could potentially put a driveway right through it. He added that it was his opinion that it would affect value of the property. Ken summarized that Jeremy had two options; leaving the ROW existing and the planning board potentially passing the proposal for the line boundary adjustment or including extinguishing the ROW in the proposal and the planning board would reject the proposal and direct him to the zoning board.

Jeremy asked if he could remove the ROW extinguishment request that is currently on the mylar and only have the board vote on the boundary line adjustment, and Patrick answered yes. Terry stated that the "to be extinguished" is the kicker here. Jeremy stated he will pursue this further through other avenues. Terry stated that the mylar will need to be changed. Steve asked if the board could conditionally approve it with the updated mylar. Jeremy requested a vote on record that the planning board denied the request for the extinguishment of the ROW. Steve stated the board cannot deny it in a vote and then conditionally approve it, but that conditionally approving the removal of "extinguishing the ROW" is essentially denying it. Joe asked if the numerous abutters would agree to this, and Pat answered that no abutters showed up to object to it. Ken made a motion to conditionally approve the plan subject to a revised mylar removing the wording "to be extinguished" relative to the 50 foot right of way, Paul seconded, and all board members voted in favor. The motion passed. Jeremy asked what his next steps were, and Terry stated he needs to get the mylar revised and bring it back to the board for signatures at an upcoming meeting. Jeremy stated he would do it this way and then approach his lawyer for his next steps. Jeremy left at 7:50 pm.

Patrick directed the board to the next item on the agenda: noise ordinance review. Brief discussion was held regarding the drafted time frame of the ordinance (seasonal versus year round), decibel limits, preference to adjusting the existing ordinance as opposed to creating a new one, legal input as wording is finalized, potential for zone specific criteria, and acknowledging that this issue would not make it to this town meeting, thus giving

ample time to continue working on it. Patrick said he would work on it for the March meeting.

Patrick directed the board to review the minutes from December 16, 2025. Paul requested the draft minutes be corrected in the first paragraph to say “Joe” instead of “Paul” when referencing the online chart. Ken made a motion to accept the December minutes as amended (name change), Paul seconded, and all other members voted in favor. The minutes were accepted as amended.

Patrick stated he would like to take over for Ken in the Lakes Region Planning Commission.

Ken notified the board that legislature has made changes for regulations that affect planning boards and distributed copies to everyone. Paul asked if they were enacted and signed by the governor and Ken answered yes, that numerous planning boards are advertising to accept various regulations to include accessory dwelling units (ADUs). He continued that Bridgewater does not currently have regulations regarding ADUs, but that the state does. Terry added that it will change the character of the town if everyone operates rental properties and that open enrollment (for school education) is a buzzword. He stated that Bridgewater needs to set up policies and address septic changes involving ADUs. Ken distributed the state regulations and requested that the board members review all of them before the next meeting. Patrick asked if there were ADUs in zoning currently, and Terry answered no, but two-family houses are allowed and have accommodated families in the past. He added that tiny homes must be treated like mobile homes, the town attorney should be involved, and that ADUs are a good idea if they come in properly. Steve asked if the town could make people remove ADUs, and Terry responded no, but when garages with upstairs are created, plans now say not to be used for habitable use unless the septic is changed or updated. Terry cautioned that more growth will not lower cost. The board thanked Ken for printing the information.

Ken made a motion to adjourn and the meeting, Patrick seconded, and the meeting was adjourned at 8:18 pm.