

FINAL

Bridgewater Planning Board  
September 17, 2024 Minutes

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

Public present: James Gickas (building inspector), Steven Woods (abutter), Cynthia Crane Fisher (abutter), William Fisher (abutter), Kevin French (surveyor, French Land Services), Don Latulippe (owner, West St. Development), Holly K. Hall (owner, Newfound Grocery/FLP), Craig A. Hall (owner, Newfound Grocery/FLP), Alan Barnard (Barnard Survey Associates Inc)

Patrick called the meeting to order at 7:00 PM and the members of the board introduced themselves. Patrick announced that the first order of business on the agenda was a continuation of West Street Development, LLC's proposed subdivision of a 14.6 acre lot map/parcel 0208-0006 from the August meeting due to party disagreements involving the right of way.

Kevin, on behalf of West St. Development and its owner Don Latulippe, distributed plans amongst the board. He explained the original proposal was to go around the utility pole, but during a site visit in partnership with Steven (the property owner of the right of way), it was mutually decided to put the driveway before the utility pole and cut the bank down to make the side slope better and improve visibility on Lyons Road. He stated that extra material will be left on site and the proposed driveway will have 11% slope. He stated that a note was added to the plans that states Lyons Road/Lane will remain gravel at the discretion of owner of that lot.

Paul asked about the issue of improvement of the right of way. Kevin answered the gravel, and a note that had not yet been added to the plans but will be, that will include that once the driveway is constructed, the owners of lot 1 will be responsible for 33% of the plowing, repairs, cost, and maintenance of the road in addition to the Youngs and the Woods.

Jeff asked if there was any question of emergency vehicle access after the driveway to lot 1 was constructed, to which Kevin answered no, the radius met requirements. Ken asked who the owner of lot 1 was and Kevin answered that currently it is West St. Development as part of the subdivision, but the future owner is yet to be determined. Paul asked if the owner of lot 1 would be permitted to pave. Kevin responded no, not without the agreement of the Woods (or future owner of that lot owning the right of way).

Kevin oriented the board to the new proposed plans. He proceeded to thank Mr. Woods for working with them. Ken asked if there would be a recorded agreement regarding the owners of lot 1 being responsible for 33% of the plowing, repairs, cost, and maintenance

of the road. Kevin stated that it would be annotated on the deed of the purchaser and that he would also be making a note of that on the plans. Patrick asked if there was a concern with the runoff. Kevin stated there would be a ditch created. Paul asked about a culvert and Kevin stated there is not one existing, but they will work with the state for one if need be. Patrick asked the board for questions and there were none. Patrick asked the public if there were any questions and Shawn stated he was happy with all that was discussed. Cynthia stated that River Road's traffic would not increase much for the addition of two lots. Paul asked how a seeking owner would access the property to view it. Kevin responded that there is currently room to park but that Don plans on constructing the driveway.

Patrick made a motion to accept the revised application, Jeff seconded, and all board members voted in favor. The modification was approved. Kevin stated he will bring mylars to sign with the updated note for lot 1 being responsible for 33% of the plowing, repairs, cost, and maintenance of the road along with the Youngs and Woods (or future owners).

Kevin and Don left the meeting at 7:13 PM.

Patrick moved to the second item on the agenda which was Steven D. Baker Rev. Trust's proposed two lot subdivision on River Rd., tax map 204, lot 11. Alan apologized on behalf of Steven Baker who was unable to attend the meeting. He gave the application to Patrick who proceeded to verify all abutter notifications with Ken and distributed site plans to the board. Patrick asked if the check had been received and Alan answered that it had not, but he had it with him and would pay tonight. Ken made a motion to accept the application as complete, Paul seconded, and all board members were in favor.

Alan distributed topography plans that included frontage, setbacks, and explained that there are 2.04 acres from the road to the top of the steep bank. He stated that the flood plain lines had been added to the plans at the request of Terry. He directed the board to look at note #7 that allows the snowmobile club NH corridor 24 to maintain the trail even if the property is sold, preserving trail set all middle measurements, perimeter was there. Discussion was held regarding disapproval of ATV riders on the snowmobile trail. He explained that a 75 foot well radius can fit on the lot and that it is not required to have one now, but can if necessary, in the future. He shared the results of the test pits with the result of coarse sand.

Terry asked if they were aware that disturbing that area could cause serious erosion due to the steepness. Alan responded that the 250 feet of shoreline is at the bottom of the bank if anything migrated, it would go there. Patrick added if the wooded area there is not clear cut, the woods and ground seem stable. Terry inquired what might happen if the trees and woods were cut down in the future to improve the view. Cynthia stated that loggers don't want to go anywhere near it due to the proximity to the water.

Patrick asked why the lot is drawn in a sharp angle from road. Alan answered those are the original lot lines from New Chester before Bridgewater was the town in 1788. He went on to say they were creating lots near the river that were 650 feet wide and consisted of fertile lots for farming started with one baring parallel to the river, but further up the river the angle happens. Ken asked if all the lots on River Road are like this and Alan stated yes, the original lot lines are. Alan stated that when a house is put there, the lot will look like the existing houses in the area. Alan summarized the references on the map and added that Steve Baker already has driveway permits with good visibility of over 400 feet in each direction. Discussion was held regarding and reminiscing about passing lanes in rural areas.

Patrick asked the board if there were any questions and there were none. Patrick opened the meeting to the public for questions. Cynthia stated that after reviewing the plans, she did not. Steve introduced himself as the new trail master of the snowmobile club and stated that the club is happy with it.

Paul made a motion to approve the application, Jeff seconded, and all board members were in favor. The motion passed and the members signed the mylar in blue ink. Ken looked up the fee due, and Alan gave a check for \$80 to the Town of Bridgewater along with three paper copies of the plans.

Patrick moved the board to the next order of business, which was an informational session with Holly and Craig Hall, the owners of the Newfound Country Store. Alan distributed the plans from last year instead of updated ones as this was just an informational session; there may be some grading updates. He stated there are 57 parking spaces on the plan and that it had been over a year since the Hall's last meeting with the planning board. He stated that they have since added signs, curb stops, flow of traffic improvements, and added parking to the plans. He stated that the lot line adjustment had been eliminated and the property is back to 2 lots as it was and everything that the board had requested be added, had been added.

Paul asked if there was a deeded right of way. Alan answered yes that it is mentioned and referred to in note #3 that addresses the right of way for ingress, egress. Jeff, new to the board, asked for a summary of what the site plan was for. Alan stated that the site plan is up in the air, but they have all the required permits to run as is. He went on to say that the town requested additional things be added to the plan. He stated that he wanted to discuss any issues that have not been addressed now so that they can be prepared for the actual meeting next month.

Terry asked about the trailer with the shed on it and Craig told him he can move it, and it is going. Holly stated that all the heavy equipment had been moved off site. Terry asked about the screening plant for loam. Craig stated it will be graded off.

Ken mentioned that they were supposed to come some time ago but did not follow up presumably due to Kevin Leonard's letter. Holly explained that the reason for the withdrawal from the last application was that they felt very bullied and threatened from

certain individuals not presently in the room. She stated that she believes everything is now resolved, requirements have been met, and that she did not receive or review any letters from Kevin Leonard, the town engineer. Alan added that they have since gotten a liquor license, the first building permit, the second building permit, and were at the point where they felt they had met the requirements for operational approvals. Alan stated that the selectmen had mentioned paving, but they don't want to do that because big trucks, fuel tanks, and school busses would rip it up and they would have increased impervious area. Alan confirmed with Terry that the selectmen wanted to see the plans with the information that both parties had agreed to. Terry agreed and referred to minor requests like signage for the truck entrance and which side to enter with bigger signs. Holly replied that they had professional signs made and she asked various truckers for their opinions. Most of them said they do their best to stay safe when entering and exiting depending on who is in the way (boats, trailers, etc.), and then take the path of least resistance. Terry clarified he meant a larger sign to direct more trucks to go around the building instead of doing 180 degree turns in the front of the building. Jeff added that if you force the trucks to go in one direction then you are creating mayhem because the other vehicles will not be doing the same. Holly responded that there was concern about the back half not being accessible during construction, but that they had shut it down for safety reasons. She went on to say that 80% of the traffic flows in the correct direction. She stated that she has fought with customers and lost business by enforcing the traffic to go the correct direction. Patrick asked what the preferred direction of traffic was. Holly explained to come in, go around the back, and to the fuel pump. She shared that she was a school bus driver for 12 years and drivers are taught to never put the bus in reverse, and therefore she enforces them to go around the building the proper way.

Terry stated that the biggest impact for the site plan is that their heavy equipment was moved to a new site in New Hampton and without that equipment, there's a lot more open area associated with the country store and not mixing heavy equipment into the traffic; more accessibility and wiggle room was created. Holly showed the members of the board access roads on the site plan that were also added for larger vehicles that could not make the corner, Dick Hallberg being one of them. Reminiscing commenced about Dick Hallberg. Alan asked Jim if he saw any issues and he answered no.

Steve asked what the hashed rectangle on the plans represented. Holly answered it was a no parking striped zone.

Terry stated that cars with trailers can now park along the tree line with plenty of room and that there is less traffic without the construction equipment. He added that he would prefer larger signage unless the board is okay with it as it is, but overall, it is a much-improved situation. He continued that there are now only minor issues outback with the screening plant and the animal removal. Holly stated that she does not want the animals to be contingent on the approval, and that they added the swale for runoff. Craig stated he added stone as well and that the animal waste will not make it to the lake. Steve asked if the question was moving the animals or removing the animals entirely. Holly answered it was initially requested by the select board and that's where the bullying and threatening happened. Terry stated that the only concern with the animals is runoff, and Alan added

that the straw bedding will also absorb a portion of the waste. Jeff asked where he was going to bring his Christmas tree after the holiday if the animals were removed. Holly answered that her animals keep a lot of discarded trees and pumpkins out of the transfer station by eating them.

Patrick asked the board if there were any questions. Ken cited Kevin Leonard's letter from last year regarding handicap parking. Holly responded that there is a total of 1.5 and that the state requires one. She added that two other parking spaces can be used for handicapped parking as well, but they aren't designated. Alan stated they will update the site plan to include handicapped parking before the public hearing next month. Holly stated she would take care of the notices, and Alan confirmed with Patrick that they would need to complete a new application. Patrick asked the board if there were any more questions and there were none. Holly thanked the board and the public left at 8 pm.

Patrick directed discussion to the next item on the agenda- old business. Ken brought up Kevin Leonard's letter with Terry stated that Newfound Country Store had a lot going on a year ago when working with the board to include mixed land use on one lot property with commercial equipment, land boundary adjustments, etc. Ken referenced Kevin Leonard's letter for 1 ADA space with designated loading area, citing specific distance requirements. Patrick stated the parking space was in the new plans, and Jeff added it was just paint; it didn't have the footage. Patrick concluded they will discuss that at the next meeting with their application.

Discussion moved to RV usage. Terry stated that storage or occasional use of RVs is okay, but if it is being used as an Airbnb that's different. He asked how it would impact the town and answered that it's up to the board. Patrick added a safety aspect as a town and the possibility that the fire department wouldn't know if an RV was occupied. Terry asked if RVs used for that purpose should require additional residence business licensing- how and what if can't move them? He stated there are nettlesome issues. Patrick shared an idea of possibly requiring the registration of RVs to bring in some revenue. Terry responded that they are also starting to see garages turn into additional dwellings. He stated that over the last four or five years, new garages are being stamped not inhabitable and now there is a lot more interest in rental properties. Patrick inquired if additional dwelling units were not allowed on River Road. Terry answered no and Steve stated the Lake District does- duplexes are allowed but separate dwelling units are not allowed. Terry agreed and added it was based on structures, but it is not well defined. Ken asked if the state passed additional dwelling laws. Terry answered they would have to be connected and septic system upgrades, etc. would need to occur; you can't just build another dwelling on the same lot. Patrick stated that the board needs to work on the zoning for it, and Terry stated that people figured out how to skirt the rules, and lawyers interpret things differently. He suggested maybe putting a lien on the properties who are not compliant, but some people don't care. He continues that a daily fine is another option to persuade people. He stated that he will talk to the lawyer before the October meeting. Patrick asked the time frame for when this needs to be addressed and Terry answered as soon as possible, over the winter.

Jeff asked if the road agent oversees issuing driveways on non-state roads. Terry answered yes and that if there is a private bridge or a driveway that would be dangerous to emergency vehicles due to steepness or otherwise, Lakes Region Mutual Fire Aid will warn responding units. Patrick noted the zoning ordinance as RVs or garages needs to be addressed at the October meeting.

Patrick directed the board to review the minutes from August 20, 2024. Patrick made a motion to accept as written, Jeff seconded, Steve abstained, and all remaining were in favor. The minutes were accepted as written.

Ken brought up the Northwood engineering report for Newfound Country Store. Steve stated that there are a few items that need to be addressed. Ken stated they are not compliant inside of the building on the second floor of the addition. Terry cited #11 and #12 that need to be addressed and mentioned the porter potty outside. Ken added that there is no water in the addition; there is only 1 bathroom inside the alley between the old and new buildings. Terry stated that if there is no water in the addition, then it is probably compliant. Jeff confirmed with Terry that it's a good number for septic and water. Terry agreed and recognized they had done a lot to improve what they originally had. He suggested that a single purpose/single use note should be added to the plan. Steve asked if it needed to be paved. Terry answered if it was a new building, yes, but it can be waived. He stated that it doesn't get muddy and can be used year-round. Steve shared that he didn't think the direction signs were noticeable enough and the other members of the board agreed. Jeff stated that he sees both sides and assessing the traffic situation before deciding which direction to pull in the driveway is understandable. Patrick stated that the board will make recommendations for bigger signs at the October meeting.

Ken stated that his biggest concern is the ADA parking spaces. He cited that Alan and Holly report 1 space is required from the state, but Kevin Leonard says 3 is "our recommendation."

Terry brought up a conjecture regarding the snowmobile shop that Dave Dyer owns and possibly wants to tear down to build a new showroom. The board speculated on the aesthetics and ramifications that could create regarding fire safety in storage buildings that house gasoline and fiberglass.

Steve inquired about creating/updating the noise ordinance. Patrick stated he liked the Town of Barrington's and Paul stated he liked the Town of Alton's. Steve followed up by asking if they were too subjective and Patrick answered it would give the police something to respond to. Jeff suggested tabling that for the October meeting. Paul made a motion to adjourn, Steve seconded, and the meeting was adjourned at 8:40 PM.