

Town of Bedford Planning Board Minutes January 8, 2024

A meeting of the Bedford Planning Board was held on Monday, January 8, 2024, at the Bedford Meeting Room, 10 Meeting House Road, Bedford, NH. Present were Charlie Fairman (Chair), Hal Newberry (Vice Chair), Matt Sullivan (Member), Steve Clough (Member), Phil Greazzo (Town Council), Priscilla Malcolm (Member), John Nelson (Alternate), Becky Hebert (Planning Director). Absent: Matt Nichols (Secretary), Logan Johnson (Alternate), Chris Swiniarski (Alternate), Michael Strand (Town Council Alternate).

I. Call to Order and Roll Call

Chair Charlie Fairman called the meeting to order at 7:00 p.m., introduced Board members and appointed Mr. John Nelson to vote in place of Mr. Matt Nichols. Ms. Hebert reviewed the agenda and stated one application has been postponed off the agenda at the request of the applicant:

PUBLIC NOTICE – Item postponed

1. **Animal Rescue League (Owner & Applicant)** – Request for approval of a Conditional Use Permit to allow animal sculptures to be placed along the Route 101 frontage near the existing commercial sign, at 545 Route 101, Lot 30-15-29, Zoned R&A. *(This application is postponed to the February 12, 2024 meeting, per the request of the applicant.)*

Ms. Hebert stated the new application to be heard tonight, including the time extension request of Millennium Running, has been reviewed by staff. The abutters have been notified and it's our determination that the application is complete. It is also the opinion of staff that the application does not pose a regional impact. Staff would recommend the Board accept the application and the agenda as complete.

MOTION by Ms. Malcolm to accept the agenda as read. Vice Chair Newberry duly seconded the motion. Vote taken – all in favor. Unanimous. Motion carries.

II. Old Business & Continued Hearings: None

III. New Business:

1. **Millennium Running (Applicant) & 209 Route 101 Realty, LLC (Owner)** – Request for approval of a time-extension for a previously approved Site Plan application for the construction of a 4,000 SF vehicle storage garage, overflow parking and future pad site, located at 209 Route 101 and 137 Bedford Center Road, Lot 20-39 & 20-41.

Mr. John Mortimer of 70 Brick Mill Road presented the application: Thank you very much, Mr. Chairman, Board. I appreciate the opportunity to ask for an extension on this project that was previously approved and thank you to the staff for working on that with us.

Ms. Hebert said the Millennium running application was originally approved on September 12th, 2022, and there's a copy on the screen of the Site Plan that was approved. It was for a 4,000 square foot one-story garage to store the Millennium Running vehicles and overflow parking. And then immediately adjacent to that there's a proposed commercial pad site with a shared driveway with the proposed overflow parking and garage for Millennium Running. The site plan was approved by the Board and also signed by the Board. The Town's regulations require that a building permit be applied for within one year of Planning Board signature. This Site Plan was signed on December 12th, 2022, so Millennium Running is here tonight to ask for an extension for that time in which they're required to pull the building permit and John can go into kind of details on where he's at with the project and why there's been a delay.

Mr. Mortimer said certainly. Thank you for the overview of that. We had all intents and purposes this time last year to have a building already done. We had some delays with environmental concerns after the paving of Bedford Center Road was done and DES got involved and there was some paperwork that needed to be filled out through the State from the previous owners many, many decades ago, or I guess 40-50 years ago. So we've been in the process of exploring that and what needs to happen to make this come to fruition. It's taking more time than we expected.

Chair Fairman asked are there any changes to the original plan at all? Mr. Mortimer replied no. Chair Fairman said you're still going ahead with the same plan. Mr. Mortimer said we're hoping to, yeah.

Chair Fairman asked are there any questions from the Board? [There were none]. Chair Fairman asked are there any questions on this application from the public?

PUBLIC TESTIMONY

Mr. David Clark of 62 Bedford Center Road: Hi, I'm David Clark, 62 Bedford Center Road. And I like what you're doing down there. My only question is in recent months, parking has been an issue. And I know you have a Pilates studio there, too. Mr. Mortimer said it's a yoga studio a tenant of ours, yes. Mr. Clark said oh they are, OK. My only concern is that sometimes there are cars parked all the way down to the bridge going over the creek. And will this plan help to take care of some of that parking issue? Mr. Mortimer replied that's exactly the reason for this plan. Mr. Clark said, is it? OK. Mr. Mortimer explained the additional parking you see in that lot is accessory to use for our existing building. Mr. Clark asked is that across the street? Mr. Mortimer replied it's directly behind us. Mr. Clark said OK. Well that's the only question I had. Mr. Mortimer said it actually was the previous—the Culligan Building that was connecting those lots. Your concern is my concern. Mr. Clark replied OK. That's all. Thank you.

Ms. Judith MacLellan of 41 North Amherst Road: Good evening. My name is Judith MacLellan. I live at 41 North Amherst Road. I am not an abutter, but I am an abutter of an abutter, and she told me about this meeting tonight. I have several concerns. I'd like to ask Millennium

Running when they bought that land across the street on the other side that you're looking to develop into a parking lot. Mr. Mortimer replied yes, it has a purchase and sale from about a year ago just been renewed but the purchase and sale and closing is contingent on all the permitting which that includes now. Ms. MacLellan continued and the thing Mr. Clark mentioned, besides the parking along the side of the road, I find it very unsightly. Right now the entire lot, do you know the word wapper-jawed? There are wapper-jawed cars parked everywhere. I just find it very unsightly, and I would like to feel that our neighborhood is as pleasant to look at and live in as possible. Is there anything you can do before you do all this work to get the whole area to look a lot nicer? Mr. Mortimer replied that's a good question. We've made some adjustments to the lot with parking spaces recently, temporarily, to get people to park in spaces rather than just haphazard. Although it's a little bit harder with snow on the ground, there are small incremental things we can do on the lot before full ownership of it, of course. Ms. MacLellan asked did you pave along the side of the road there? Mr. Mortimer replied no. That was part of the resurfacing of Bedford Center Road that was done by the State. Ms. Hebert clarified the Town. Mr. Mortimer repeated the Town and the Public Works Department. Ms. MacLellan continued though I'm not your neighbor or abutter, my real concern is for maintaining the pleasant appearance of our area. OK, I have shopped at your shop and so I'm happy to have that business here in Town, but I'd like the whole area to look a lot better. Thank you very much. Mr. Mortimer replied thank you. Your concern is our concern as well. That's why we want to do this project.

Chair Fairman asked are there any other comments from the public? [There were none] OK, seeing none, I'll come back to the Board. Are there any questions?

Vice Chair Newberry asked do you have an ETA to start on the project? Mr. Mortimer replied last I've heard from DES is hopefully to resolve the Phase Two by the end of March, weather pending. And then that would then trigger all of the renewals that we have to do for getting the builder engaged and permitted. They've been on sort of a permanent hold at this point, but I would expect that if all goes to fruition by the fall, we're wrapped up and I don't want to have to take snow off a truck anymore. That is not very fun. Vice Chair Newberry said I asked the question just to give the neighborhood a sense of what your plan is. Thank you. Mr. Mortimer replied perfect.

Ms. Hebert said the Town's Code Enforcement Officer has been in communication with John and Millennium Running about the parking and the solution is this improvement and the improvements on the Site Plan to build the garage and the overflow parking. I think approving the extension will help bring the project to fruition, which will address many of the concerns about parking and the overflow parking. Chair Fairman said we would have also at the time we approved it, looked at a landscaping plan and approved that as part of the Site Plan, approved the landscaping around that site.

MOTION: Ms. Malcolm moves the Planning Board grant a one-year time extension to the final Site Plan approval for a 4,000 square-foot vehicle storage garage for Millennium Running trucks and trailers and associated parking at 137 Bedford Center Road, Lots 20-41 and 20-39, zoned R&A, HD and CO, in accordance with the Site Plan prepared by Bedford Design Consultants last revised September 19, 2022

and signed by the Planning Board on December 12, 2022. All the conditions of the September 12 Site Plan approval shall remain in effect.

Mr. Sullivan duly seconded the motion. Vote taken – all in favor. Unanimous. Motion carried.

Chair Fairman said OK Sir, you have another year. Mr. Mortimer said thank you very much. I appreciate it.

IV. Concept Proposals and Other Business:

1. The Planning Board will conduct the first public hearing on proposed zoning amendments submitted by the Planning Board and by citizens' petition.

Ms. Hebert said tonight is the Planning Board's first public hearing on the proposed zoning amendments. The Board won't make any final decisions or recommendations regarding the amendments at tonight's meeting. The Board will be holding two public hearings, one tonight and the second on January 22nd. At the end of the second public hearing, the Board will need to vote to move the list of proposed amendments by the Board to the Town ballot. Tonight we have two amendments that are proposed by the Planning Board. The Board will also need to vote to support or to not support the proposed citizens' petition, and we have one amendment proposed by citizens' petition.

I'll review the two amendments proposed by the Board and then maybe you can open the hearing on those and then do the same with the amendment proposed by citizens' petition. Does that sound good? Chair Fairman replied OK, that's a good plan.

Amendment #1, Modification to the Conditional Use Permit criteria for Detached Accessory Apartments:

Ms. Hebert said Amendment #1 is a modification to the criteria for the Conditional Use Permits that are required for detached accessory apartments. There are several criteria. When the Board reviews a Conditional Use Permit for a detached accessory apartment, the applicant needs to demonstrate that they meet certain criteria. One of the items requires review of the minimum lot size and demonstration of compliance with the minimum lot size. The detached accessory apartments are only permitted in the R&A district and the minimum lot size in the R&A or Residential Agricultural Zone starts at 1 ½ acres and increases a little bit from the 1 ½ acres when we're reviewing a subdivision based on soils. The way the zoning is written, the landowners are technically required to do that soils-based zoning analysis when they demonstrate their compliance with the minimum lot size. The proposed zoning amendment would simplify that criteria to set a minimum lot size for parcels to be 1 ½ acres and it would remove the burden of having to redo or try to recreate a soils-based lot sizing analysis. That's typically done when a lot is created by subdivision and needs assistance from civil engineers and soil scientists. So, the proposed amendment would modify the criteria to simply read that the lot must have a minimum lot size of 1 ½ acres.

Amendment #2 – Updates to the Floodplain Development Ordinance:

The second proposed amendment includes a series of updates to the Floodplain Development Ordinance. The Office of Planning and Development reached out to the Town and audited the Town's Floodplain Development Ordinance as part of a county-wide effort to update the FEMA Flood Maps. We have been advised to make certain improvements to the Flood Development Ordinance to remain in compliance with the National Flood Insurance Program. I'm not going to go through all of the amendments because they're technical in nature. But the amendments primarily update purpose statements, definitions, terminology to be more modern and up to today's standards, and the amendment also includes some requirements for the construction of driveways in floodplains. Setting a minimum elevation so that a driveway doesn't become inundated with water during a flooding event.

The amendment also allows for the construction of a small accessory structure, 500 square feet or less, to be built within the floodplain. I'm happy to answer questions about the zoning amendments, but those are the two amendments that are proposed by the Board. We'll pull up the legal notice too.

Chair Fairman said before I open the public hearing, are there any questions from the Board? Vice Chair Newberry said I have a question for staff. If anyone has questions on Amendment # 2, where can they look at the details? Ms. Hebert replied sure, the full text of the amendment is posted online attached to the legal notice for the Planning Board's Public hearings for the proposed zoning amendments. They can also get a copy from the Town Clerk or from the Planning Office during business hours.

Chair Fairman said as the Board recalls thinking about our workshop, we went through that amendment in quite a bit of detail. Ms. Hebert replied we did. We've talked about it a couple of times. I'm happy to go through it, and I'm happy to answer any questions, but it really is like an updating of the terminology and the text and the verbiage around... Chair Fairman said, as I recall in our review, there was nothing there of a very deep significance. It was as you've described it, and I see no reason to go into all the details. It is posted and can be seen if anybody wants it. So does anyone on the Board have any comments or questions?

Mr. Greazzo said I have a question in regard to lot size. Is that something that we're able to adjust? Ms. Hebert asked the lot size? We are not able to make changes to the lot size. You could choose not to forward the amendment, but I think that would be a substantial change to change the minimum lot size for detached accessory apartments. What are you thinking? Mr. Greazzo replied well, the housing study—we're short on a lot of housing. I think if we lowered this to one acre, it gives us more opportunity for people to create these and that might alleviate some. That's my only concern with keeping it as 1 ½. Ms. Hebert said if the Board wants to move forward with an amendment to lower the lot size, I can review that change with the Town Attorney and see if we can bring it forward on the 22nd. Chair Fairman said but I guess that would require changing the lot size not just for this, but for all buildings in the R&A zone, right? Ms. Hebert replied no, not necessarily. Chair Fairman asked in the R&A zone, which this applies to, are there many homes that are on one acre? Ms. Hebert replied most lots are on acre and a half or greater. Chair Fairman said most of everything's on an acre and a half. So reducing it to an acre doesn't have much effect

because that whole zone is a 1 ½ acre zone. Mr. Greazzo asked are there any that are less than an acre and a half? Ms. Hebert replied there are some, sure.

Vice Chair Newberry said Mr. Chairman, I have a question for staff. If someone wanted an ADU, did not meet the 1.5 acre, they would go to the ZBA for relief? Ms. Hebert replied that's right. Vice Chair Newberry said thank you. Ms. Hebert said it's also something the Board could consider and monitor throughout the year and consider tweaking again next year.

Chair Fairman asked are there any other comments or questions? This is the one-acre idea. Seeing none, we'll go ahead and open up the public hearing on Amendments # 1 and #2 as proposed by the Planning Board to be on this next ballot. Comments? Questions? Seeing none, I'll go ahead and close the public hearing. Thank you.

Before we get into the citizens' petition which modifies the Historic District, Ms. Hebert, would you go into the purpose of why we have the Historic District for us?

Becky Hebert addresses the Board: Amendment #3 is a Citizens' Petition to Modify the Boundary of the Historic District to remove approximately 20 properties along the westerly boundary of the District between Route 101 and the properties just to the north of the intersection of Church Street and Wallace Road. You can see on this map it would be all the properties highlighted in yellow and the petition would relocate the westerly district boundary to be the center line of Wallace Road kind of between the Route 101 Plaza and the last residential property at the intersection of Church and Wallace Roads. It affects approximately 20 properties. I'll just continue a little bit with an overview of the properties with residential structures in this area. All but four were built after 1955, but the four properties that are located within this area do have some historical significance. The property at 266 Wallace Road is a heavily altered mid-19th century farmhouse that underwent conversion to a Dutch colonial revival around 1913. Sixty North Amherst Road is an example of Colonial Revival Domestic Architecture and a four square structure, circa 1910. But the property is not visible from the right of way. Sixty-four North Amherst Road is known as the John Riddle House, and it's a federal style farmhouse, cape style home. It's well preserved and features a detached barn, circa 1780. The Riddle Sawmill and Riddle Brook are also part of the property. The property at 316 Wallace Road is known as the William Riddle House or the Van Loan House, and it's also very well preserved. An example of late 18th century, 19th century architecture, circa 1780.

The Town Pound and remnants of the Riddle Sawmill on Riddle Brook are also visible from the intersection of Wallace Road and North Amherst Road. So that's an overview of kind of the geography of the area. The Historic District, its location is set by the zoning ordinance, and it's referenced in the Zoning Ordinance. So, the process to amend the boundary has always been a zoning amendment, but the Historic District purposes are largely enforced, discussed and managed by the Historic District Commission. The Historic District Commission has not yet met in January, so they have not had an opportunity to review the citizens' petition but will be discussing it at their meeting tomorrow night. So, you'll have their comments at your meeting on January 22nd.

The purposes of the Historic District are to safeguard the heritage of the Town of Bedford by providing for protection of the structures and areas representing significant elements of its cultural,

social, commercial, political and architectural history. The other purpose is to enhance the visual character of the municipality by encouraging and regulating the compatibility of new construction within the Historic District to reflect or respect the historical traditions or historical buildings within the district. And the Historic District Commission does this by reviewing modifications and improvements to residential properties or commercial properties within the Historic District.

Another purpose is to foster public appreciation of and civic pride in the beauty of the Town of Bedford and the accomplishments of its past. To strengthen the economy of the Town of Bedford by protecting and enhancing the attractiveness of the community to residents, tourists and visitors. To conserve property values within the town of Bedford and to promote the private and public use of structures and areas within the Historic District of the Town of Bedford for the education, pleasure, prosperity and general welfare of the community. It is also worth just showing you the boundary of the Historic District. The Historic District is in the historic center of Bedford. It generally, along the southerly boundary, follows properties along Route 101, extending from the intersection of Route 101 and Nashua Road to include some properties off of Pinewood Terrace and along Meetinghouse Road, to the intersection of Meetinghouse Road and Route 101 and Liberty Hill. And following Liberty Hill Road properties to the intersection with Route 101, going across 101 to include the properties on Bedford Center Road, just to the west of the Bedford Village Inn. It includes the properties along Chandler, Ministerial Road down to Burleigh Terrace to the intersection of Church Road, Ministerial Road and Bell Hill Road, which is where the Bedford Presbyterian Church is located, and the town cemetery. And then following Church Road to the intersection with Wallace Road. And then the properties to the west of Wallace Road back down to the intersection with Route 101. So this proposed petition would remove the properties, if you see my cursor in this location here, just to the west of Wallace Road.

I believe the petitioner is here tonight and can also give you an overview of their intent and the zoning petition. Chair Fairman said thank you, Becky. I will add one thing to Becky's comments: The Historic District Commission has worked with developers who are building a new home in the district. I know when I was on it, we had two new homes built in the area that they wanted to take out of the district. The developer was very good at working with us, and I think as a result, we have two homes that were built that fit in the Historic District quite well.

Ms. Hebert said Charlie, I can also add that the Historic District Commission reviews tree removal, significant landscaping improvements, and alterations to the physical appearance of properties within the zone.

Chair Fairman said before I open up the public hearing, does anyone on the Board have any questions or comments?

Mr. Sullivan said I have two questions, Mr. Chairman. Becky, I may have missed it, but the Historic District was founded in 1974? That's what my research showed. Ms. Hebert affirmed. Mr. Sullivan continued perfect. And then in the staff report, there was a comment that there were only, I think, four properties that were built before 1955. Was there any reason for that cut-off in the report? Ms. Hebert replied no, it was just part of the petition language in the petition. And it is kind of notable that section of Bedford developed in the 50s, like Briar Road and some of those other neighborhoods. So you've got kind of a mix, some historic homes, but the majority of the

homes were built after 1950. Mr. Sullivan said OK. Thank you. [There were no further questions from Board members]. Chair Fairman opened the public hearing.

PUBLIC HEARING

Mr. Matt McLaughlin of 12 Briar Road, Bedford: Thank you, Mr. Chair, I'm Matt McLaughlin, 12 Briar Road. I was the petitioner on this. I'm going to read some prepared remarks just so I don't forget anything. Some of it has already been gone over.

In doing my research on the Historic District, I reviewed the Town of Bedford Annual Reports from the 1970s through the 2020s. I did learn that it was in 1970 that the Commission was formed or approved, and then it was actually approved by the voters in March of 1974. In the Town Report for 1974, the description of the Historic District was described as, and I quote, it encompasses an area generally known as Bedford Center and the adjacent environs. The following was written about the Historic District in the annual reports throughout the 20 teens. They talked about the Historic District incorporates some of the earliest European settlements in Bedford and they referenced the New York Tribune article from 1850 that notes its main aspects have scarcely altered in 30 years, and the dwellings scattered within sight of the Presbyterian Church. That's kind of the key word that they harp on every year in their annual report. In the Town Reports for 1978, '82, '83 and '85, they all use the same boundary for the boundary of the Historic District. Now I won't read the whole thing, but the western boundary in those years was Wallace Road. In the Annual Report dated December 31, 1988, they have a different description describing the boundary of the Historic District and they moved the western boundary to the power lines that run parallel to Wallace Road just to the west. So somewhere in that three-year intervening period of time, they moved the boundary to the west. They moved the western boundary from Wallace Road to the power lines. I never did find any record of a vote happening between '85 and '88, but that's not the reason I'm petitioning for a change. I'm just throwing it out there as I didn't see anything in the Town Reports. I don't feel that the inclusion of any of these properties west of Wallace Road, none of which are within sight of the Presbyterian Church, add to the educational, cultural, economic, or general welfare of the Town of Bedford.

So the question becomes, why do we want out? In my research, I only found 18 parcels, but apparently there's 20 that are west of Wallace Road that are in the Historic District. And like we said, only four of them were built prior to 1955. So most of us who live in this portion of the Historic District do not live in historic homes. For us to do anything at our homes which requires us to get a building permit, means we have to jump through the hoop of appearing before the Historic District Commission, paying the application fee for the privilege of appearing before their Commission, paying for the certified letters to all our abutters. So, it becomes a bit of an administrative fee that other homeowners in the Town of Bedford don't have. It's also a burden, adding time for our process of getting a building permit because we do have to wait and go through those hoops. I don't feel that these homes affect the historic character of the Town of Bedford, the homes that are west of Wallace Road. And like we said, some of them—the homes on Briar Road and there's 56, 60 and 62 North Amherst Road that can't even be seen from any throughfare.

Of the 18 parcels, I've spoken with 13 of the homeowners. Eleven of them wanted to get out of the Historic District. Four were not home when I knocked on their doors. Two were neutral, and

one wanted to stay in. So in conclusion, I don't think any of the 18 homeowners are going to run out and paint their houses pink. I don't think they're going to put an orange roof on their house. They might install new vinyl windows or vinyl siding, but if they did, I don't think it would be a detriment to the educational, cultural, economic or general welfare of the Town of Bedford. So I respectfully ask that the Board recommend a yes vote for the citizens of the Town of Bedford. Thank you.

Mr. Richard Moore of 27 Bedford Center Road, Bedford: Richard Moore, 27 Bedford Center Road. When I saw the petition, I was caught by the fact that it said that there were only four structures that were older than 1955. I think that's kind of misleading in a way, picking 1955. I looked it up. I used the Town's GIS web viewer to look at the parcels. It listed two of those four as being built in 1890, so that's 135/134 years ago, which is quite a bit older than from 1955. The other two were from the 1700s—one just before the Revolution and one just after we signed the Declaration of Independence, according to the information on the website and also it's consistent with what I looked up on the Town history and also the 1853 map which is from a county map and as well as the 1903 Town history.

I think there is history to be gained and education worthwhile. There's a brook going through that area. It's called Riddle Brook. Of course the early settlers were attracted to brooks because they built mills on the brooks. And there are several mills along Riddle Brook, one of which is in that area, and two of them were built by people that had those two houses built along Riddle Brook. They're Riddles, and hence the name. I think that's kind of educational and that it's also interesting looking at the style of the houses. The one just before the Revolution is more modest, and the one that's got the Van Loan Preserve behind it is much bigger. That's typical of what's being built right after we declared our independence and that's largely associated with the fact that the timbers were made available to us to build these bigger houses. Prior to that, they were reserved for the King's masts—these tall white pines that Bedford was known for. So I think they are of historic importance—not only the four houses, but the two and the mill site that's in the area, too. If you are driving up Wallace Road, you can see the mills as you approach the intersection with North Amherst. You can see mills on both sides of the road. The one on the west appears, from the maps, to be associated with, and it's actually labeled Riddle with one of the two mill Riddle houses. So I would encourage you not to support the proposed zoning. Thank you.

Mr. James Dumont of 316 Wallace Road, Bedford: Hi, James Dumont, 316 Wallace Road. William Riddle house, AKA the Van Loan house. That is the one from the 1780s. My wife and I just purchased back on May 31st we closed, so we've had the home for what is that about 6-7 months now. We are loving the neighborhood. We will say that the Historic District, of course, there are some benefits and detriments to being a member of it. We are going to have to go through additional hoops when we want to put up solar or if we want to put in and replace the old failing pool shack and put in something nicer. But it also insulates us from potentially wary development, in theory. So that's where it was quite nice to buy in there because we had this certainty or assuredness that there is going to be some level of consistency in the character and flavor of the community. So that is nice. I don't necessarily oppose the removal. It's not going to really change our lives much, but I do think it's cool living in a house from the 1780s to be able to say I live in the Historic District in an historic home. It's really a selling point for me. I didn't get lakefront. So instead I got Historic District front. I traded that with my wife. But I'm wondering if there's a

simpler solution to preserve the historic homes, which it seems from what I saw on the screen, was they're all on North Amherst Road or north of that, it appeared. So, what if we drew the boundary south? It's already kind of, what, gerrymandered, I guess, is the term almost. But we could make a little jigsaw puzzle to carve out so that the development really looks like it's a subdivision in Briar Road, which I've never been down personally. But those are newer homes. Maybe it does make sense to remove them, excise them, from the Historic District alone, while preserving those folks that are closer to the Historic District and the center. I mean, it does make sense. We're looking at the historical nature of the Town, Riddle Brook. I'm in a Riddle house. Maybe that does belong to be in the Historic District but then again, I don't know. I assume this was an agrarian economy back in the 1800s and 1700s, so there might not have been as many trees. And it sounds like hey, actually, the English demanded we cut down the trees. So it might have been that back then our house could have viewed the belfry of the church. I can definitely hear the bells tolling every hour, which I found really cool. I didn't expect that until we came in for our tour. I heard that and that was another selling point. But ultimately, I'm kind of neutral on it. There are benefits and detriments, but I really do think that having some of the oldest homes in the district remaining within the district and trying to preserve that would be respectful both to the historic nature of those homes and to their current owners. But there are other ways to really slice this and get everybody the benefit they want out of it, I think. Thank you.

Mr. David Clark of 62 Bedford Center Road, Bedford: Hi. David Clark, 62 Bedford Center Road. I'm three houses away from the church and I can't see it from my home. So, I think that's not really relevant. We bought our home over 40 years ago in the center. It's right over there, and we bought it in the Historic District. That's one of the reasons we bought it because it was in the Historic District. We knew what the parameters were in living in the Historic District, and we agreed to those, and we've lived by those. Why would anybody not want to be in the Historic District? I mean, to me, it is an insurance policy that if people do something to their property, they're going to do it right. My house is not hugely historic. It was built in 1940. But someday that house is going to be, well it's 83 years old now. It's going to be over 100 years old in 17 years. It's going to be a historic building at that point in time. So those houses were built in 1955, they were built before I was born. So they're 68 years old. Not too long from now, they're going to be historic properties as well. I really have a problem with this petition because of the properties west of Wallace Road that are truly historic. The John Riddle House at 64 North Amherst Road was owned by my best friend in the world, Al Peterson, who died four years ago. I spent a lot of time there. And that barn is hugely cool. It is an old barn. It's all peg and timber and it's to be protected. The house itself is this little, small house and under it all, there's a tunnel. And I think it was part of the Underground Railroad. The Van Loan House, the other Riddle House, the Riddles owned this whole property. I mean it was them and the Woodburys. That is a hugely, hugely historic home that needs to be protected. I think you've had some issues with some neighbors of late that had to go in front of the Historic Commission Board, of which I'm a member of. I'm glad this body exists because James has had a really hard time with some neighbors that are above him, that have been doing some elegant cutting, not per plan. So I really, really think that west of Wallace Road, that's baloney. Those two houses and the pound and the mills, that's all-historic Bedford.

I called one of the people that signed the petition yesterday. I know him. I've known him for a long time and Mr. McLaughlin went and knocked on his door and he signed the petition. I called him. I said, why did you sign it? He goes well, I don't know. I know the McLaughlin's and so forth and

so on. And I talked to him about it. And I said, do you know what this means? And I had a conversation with him. It was very nice, very congenial. And he said, oh, I wish I hadn't signed the petition. And Mr. McLaughlin came before the Historic Board to get approval for building a carport. This was several months ago. I think it was September or something, and I don't know if that's the reason he's here and putting this petition together. I think we're very fair as a Commission and ultimately, we granted him permission to build the carport. I don't think it was that contentious a request, and he got his way. In talking to this person who signed the petition, he had mentioned that it was a real pain in the neck to have to go before the Bedford Historic Commission to get approval for doing that project. So there's also another person who is in your neighborhood that is being considered for some things that they did on their property that were not approved and they're on the petition as well. I don't think that those two people that signed the petition that currently have business with the Bedford Historic District Commission should be allowed to be represented on that petition. So there's a whole lot of stuff going on here that I really ask the Planning Board to consider deeply. Thank you.

Mr. Pat MacMonagle of 320 Wallace Road, Bedford: Good evening. My name is Pat MacMonagle. My wife Gerri and I live at 320 Wallace Road. It's a 2019 house and we knew when we moved in, we're coming from outside the area, that the house was constructed in accordance with Historic District regulations. It's a beautiful colonial sitting up on a hill. And we thought that was pretty cool because we liked the architectural design. Having lived in the Historic District in Connecticut and having been the chair and officers of the historic districts, we understand how they work. We also understand that for historic homes, historic districts can add value, with the guidance for those living in historic homes. At the same time, we found over the years that sometimes for homes that are in historic districts, if they were constructed well into the 1960s and 70s, they're not historic. They don't have themes and connections and the commonality with the past that actually when people come in to buy, it can be a detraction. It's anecdotal, but at the same time it can be attraction, but it's a consideration to think. So when we think about this district, look, I think it's very nice. We moved here. We've invested in the place. But when we look at these eighteen homes as we understand, roughly 18 homes, there are four homes here. Yes, they do have historic significance. Carving out all 18 because it's an easy divide, does not abandon the other four. The other four can still avail themselves of all the resources that the New Hampshire Preservation Heritage can offer, the national agencies and organizations can offer, and all the guidelines that are offered here. So these properties can be maintained to the level of excellence that each of their owners would like them to avail them. Nothing is going to stop them. But for the other 14 properties that are there, they also want to be able to invest in their properties. But at the same time they don't link. There's no commonality in terms of the type of facades or the streetscape. The commonality there—there isn't that linkage with a rich past that seems apparent. So to keep swept in all the properties just for the sake of a few, to me, doesn't make a lot of sense. And like I say, everyone wants to invest in their properties. We certainly do. We all want to be good neighbors and we love Bedford, but the logic of the way the boundaries are just doesn't make sense to us, so thank you.

Ms. Susan Tufts-Moore of 27 Bedford Center Road, Bedford: Hi. Susan Tufts-Moore, 27 Bedford Center Road. We live in the Historic District, and I love living in the Historic District. I feel that it is a real honor and I think that it would be a grave mistake to have this whole area removed from the Historic District because of the two houses from 1890 and also the 1770 and

1780, plus the Town Pound and the mill sites. I really feel that adds a lot to the Town and I think that it adds considerably to Bedford Center sense of place. In fact, as stated in Bedford's 2021 Master Plan update, it refers to the historic center and I quote has a strong sense of place and is a source of community pride. And also from that same place on page 49, the Town Center is further protected by the Historic Overlay District. So I think that it's really a huge asset to the Town and I would hate to see that removed. For one thing, I may be wrong, but I believe that individual properties can petition in some form to be removed from the Historic District. I don't think you have to throw the baby out with the wash water. I think it would be a grave mistake to take all of that out of the Historic District, and I so often think of the late Maurice Goulet, a longtime state representative and a tremendous citizen who donated so much of his time and energy to Bedford and to the State, including as chairman of the Historic District Commission. He loved our Historic District, and he did much to raise awareness of it. And I also would like to take this as a slight teaching moment, because I understand that when Matt McLaughlin approached at least one person I know, he referred to the Historical Society. And this is a real problem. The Bedford Historical Society, for people in the audience who don't know, was formed as a private nonprofit organization formed in 1967. And of course, the Historic District and the Historic District Commission—the Commission is a Town Board, totally diverse from the nonprofit Bedford Historical Society. And I'm just amazed at how many people have lived in Town or been associated with the Town for their whole lives and they don't seem to know the difference between the Bedford Historical Society and the Historic District Commission. I know everybody on the Board knows the difference, but I just wanted to point that out. I think it would be with the four houses, the Town Pound and those wonderful millstones from the mill sites. I think it would be a terrible mistake to take those out of the Historic District. So I hope the Planning Board ultimately will vote not to recommend passage of this petition, which I think is poorly thought out. Thank you very much.

Ms. Beverly Thomas of 51 Ministerial Road, Bedford: Beverly Thomas, 51 Ministerial Road. I am just outside the district. I'm not included in it, and I wish I were included in it. We live in a late 1870s ish house we bought 34 years ago. Had it not been for us, it probably would have been torn down. It was in that bad a condition and it would have been a great sight for a big mcmansion because it's three and a bit acres. Luckily, we bought it, and we saved it and I'm very happy we did, but I wish we had the protection that it were in the district like this. So this is very concerning to me, this petition. Bedford has very limited number of historic resources, and we continue to lose them. We're losing one down on South River Road. So this protection of the resources is really needed. Yes, there are some wonderful historic houses there. There are also, in the preservation world we use the—I work for the statewide preservation organization. That's not why I'm here. I'm here as a resident of Bedford. But we use a cutoff as of 50 years. So there are a lot of houses that are 50 years or older in this section. It's important not to forget them, because yes, there are some really old ones, but then there's some other ones that are sort of midcentury modern that we also have to consider. Keeping this part of the district is really important to save the oldies, which are very significant, and we do not have that many especially 18th century houses in Town. It would be awful to get them out of this district, lose their protection and who knows what could happen to them. Plus the barns that someone had mentioned previously.

I also want to mention quickly that when communities are establishing new Historic Districts, it is always encouraged and a common practice to include both sides of a road in the district to protect

the houses—not just one side. So you look across the street at development or other stuff. They always include or try to always include both sides of the road. So for all those reasons, I strongly encourage the Planning Board to not support this citizens' petition. Thank you.

Mr. James Dumont: If I may add one more thing. There is one protection that the Historic District does provide and that is the Historic Zoning Ordinance does have some embedded protections should something go awry during the construction or design process. I'm actually looking to leverage that right now in my issue that was alluded to. I don't want to raise that to the Board right now. So there is a benefit in some regards, although others said that there were other societies or entities outside of the city or the Town to go to for the actual permitting and design and construction issues that may arise. There is a protection through 275-53. Thank you.

[There was no further public testimony]. Chair Fairman closed the public hearing and said we will have a second public hearing at the next meeting of the Planning Board. Are there any comments or questions from the Board? I have one. You cited cost and you apparently just went through it. Can you give us an idea of what that was? Mr. MacLaughlin replied it's not overly significant, but the application fee, I believe, is \$50. Does that sound right? And then I think the certified letters were up in the \$70 range. Chair Fairman said so \$100 - \$120? Mr. MacLaughlin replied yes. Chair Fairman said alright. Thank you, Sir.

Mr. Greazzo asked how long did the process take you? Mr. MacLaughlin replied I had to go to three Boards. I had to go to the ZBA, the Conservation Commission and the Historic District Commission. The whole process was probably two months.

Mr. Clough said my original hometown is Marblehead, Mass, and very historic. They tend to put historic heritage signs on houses that are not in the district but are very...is there a way around this that people can't, we can just... do you know what I mean? Selectively put something on these houses and make them protective like this gentleman mentioned back here. There may be other processes in which you can preserve a house or give it special attention and not unduly burden the people who have the regular plain vanilla houses that aren't historic. I'm just throwing that out there.

Ms. Hebert replied I think the Town Historic District Commission, or the Historical Society could look into offering placards for people with historic homes. They may already do that. I'm not sure, but it wouldn't offer any regulatory authority to oversee changes to the house that might detract from its historical qualities or integrity.

Mr. Clough asked is that because of the nature of the law? Ms. Hebert replied the plaque itself wouldn't offer any protection. Mr. Clough continued well, the way the Historic District—the original regulation, the way it was drafted in the 70s, I'm wondering if the law itself can be... Do you know what I mean, amended so there's a workaround somehow? Ms. Hebert replied oh, I see what you're saying. To include those homes, got it. Mr. Clough replied yes, or other homes that if this were to come up at a different location. I'm just trying to be fair to everyone here. Ms. Hebert replied we can look into that and see if there are alternatives. It's not something that could be added to the petition that's being reviewed tonight. Mr. Clough said right, I understand that.

Chair Fairman said we have to remember that part of being in the Historic District protects the historic homes from people doing outrageous things to the homes around them. So if you just for instance broke this in and said OK, the four lots in here that have historic homes on it should only be in the district, all the others shouldn't be. You use that protection of the Historic District Commission reviewing changes to other homes to make sure they are not a detriment to the historic homes. And I think that's an important part of keeping the district intact and not trying to break it up into small parcels. The protection is not what the people that own the historic home might do. It's what people around them might do that's detrimental to the historic sense of the home. When I was on the Commission, we tried very hard to make sure that these new construction homes would not be—the architecture would not be detrimental to the historic sites. I think that's an important part.

Mr. Greazzo said I have a couple of questions, Mr. Chairman. Becky, one of the comments was that individual properties might be able to petition to be removed. Is that correct? Ms. Hebert replied I would need to research that. I'm not familiar with that law, if you can petition to have a property removed. The way our district works, it's defined by that dashed line and inclusive of all the properties within the district. Mr. Greazzo asked can you zoom out of this map? I had one other question. So, all of this in white, that's the Residential Agriculture area? Ms. Hebert replied yes. Mr. Greazzo continued that goes to my earlier question about reducing it to an acre. Those look a lot lower than an acre and a half—many. I'll actually stop by tomorrow to see what number I can find out what's which or which. That's a significant number of properties that look a lot less than an acre and a half, to be off topic, but I'll reel it in. Thank you, Mr. Chairman.

Chair Fairman said one of the confusing things when you look at this is that you have a lot of cluster developments and cluster developments are in fact not one- and one-half acres. They're a lot less. So as you're looking at going back and looking at it, that can be confusing. Mr. Greazzo replied it just caught my eye when she pulled it up. The RA happened to be all white, that's a lot of properties that are under an acre and a half. But that's off topic, so I apologize, Mr. Chairman. I just had to ask it while it was fresh.

Mr. Sullivan said I have a question for Becky. The area of the Commercial District that was removed from the Historic District... when did that take place? That was within the past 20 years? Ms. Hebert replied 2012. Mr. Sullivan replied perfect. Thanks.

Mr. Nelson said Mr. Chairman, just a quick note. I'd like to thank those in the audience that came and provided their feedback. I think it's very helpful to hear that information from both sides as we work to form a decision that the Board will make. So thank you, again, for your time and feedback. Chairman Fairman said thank you, John. I agree. Thank you all. And as I say, we'll have the second public hearing with the next Planning Board meeting on January 22nd at 7:00 here at BCTV. Alright, I've already closed the public hearing and we'll move to the next item on the agenda.

V. Approval of Minutes of Previous Meetings: December 18, 2023 meeting.

MOTION by Vice Chair Newberry to accept the minutes as written for December 18, 2023 meeting. Ms. Malcolm duly seconded the motion.

Mr. Sullivan said I have one correction on page seven. It refers to me as Miss Sullivan.

AMENDED MOTION by Vice Chair Newberry to accept the minutes as corrected for December 18, 2023 meeting. Ms. Malcolm duly seconded the motion. Vote taken – all in favor. Motion carried.

VI. Communications to the Board None.

VII. Reports of Committees None.

VIII. Adjournment

MOTION by Vice Chair Newberry to adjourn at 8:08 p.m. Ms. Malcolm duly seconded the motion. Vote taken – all in favor. Motion carried.

Chair Fairman said thank you all.

The next meeting of the Planning Board is scheduled for January 22, 2024.

Respectfully submitted by
Sue Forcier