

TOWN OF BETHLEHEM  
Planning Board Meeting  
January 22, 2025  
Minutes

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Present: Sean Gawlik, Sally Fitzgerald, Veronica Morris, and James Gleason  
Absent: Linda Moore, Alecia Loveless, Kevin Roy, and Jerry Blanchard

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Sean Gawlik opened the continued public hearing at 6:00 pm and appointed James Gleason as a full voting member for tonight's meeting.

The board first discussed Proposed Amendment No. 2, which would propose changes to the Town's current Sign Ordinance to help reduce light pollution.

At the previous public hearing it was suggested that a change in ownership be added to the list of circumstances that would trigger a property to come into compliance. After reaching out to the Planning Board's attorney it was discovered that it is not allowed; nonconforming uses run with the land, not the owner.

Veronica Morris motioned to withdraw the changes regarding ownership that were made to Amendment No. 2 **and** Amendment No. 3 at the December 8<sup>th</sup> meeting. Sean Gawlik seconded. The Motion passed 4-0.

Cheryl Jensen presented the language the Conservation Commission would like to use on the ballot for the Warrant Article for Amendments No. 2 and No. 3.

Patrick Doughty of 295 Agassiz St raised his concerns about the lighting ordinance and suggested that people looking for dark sky could go outside of heavily populated sections of town to find it. Feels the ordinance is too restrictive for property owners.

Casey MacDonald of 71 Fairview Ave disagrees and appreciates the guidance the new ordinance offers to protect the dark sky in Bethlehem.

Conservation Commission member Rachelle Lyons states there are many layers to this ordinance and it is more than protecting dark sky.

**Draft Amendment No. 1, Warrant Article 2**

*Are you in favor of the adoption of Amendment 2 to the Bethlehem Zoning Ordinance as proposed by the Planning Board to help reduce light pollution and preserve our rural night skies as follows: Under the Amendment Article VI. Signs, no new internally lit signs will be permitted because the light cannot be shielded and directed away from public streets and adjoining structures such as homes. Signs may be externally lit only, aimed downward, and dimmed by at least 50 percent, motion-activated, or turned off outside of business operating hours. Existing signs are exempt until they are modified.*

**Draft Amendment No. 2, Warrant Article 3**

*Are you in favor of the adoption of Amendment 3 to the Bethlehem Zoning Ordinance as proposed by the Planning Board to reserve our rural night skies as follows: repeal and replace Article VIII, Lighting, to require all new and modified outdoor lighting to be shielded, directed, downward and designed to prevent spill over onto neighboring properties or public areas; to require lighting hues to avoid certain blue hues; and to require commercial and*

*industrial lighting to be reduced outside of business hours, avoid excessive illumination, and prevent glare. Temporary, emergency, and seasonal lighting are exempt, as well as existing fixtures, until they are modified. This proposed ordinance established clear guidelines for outdoor lighting to reduce glare, to limit light from trespassing onto neighborhood properties, and to improve the functionality of outdoor lighting.*

Sean Gawlik motioned to accept the language presented by the Conservation Commission for both Draft Amendment No. 1 **and** No. 2. Veronica Morris seconded. The Motion passed 4-0.

The Planning Board moved on to draft amendment no. 3, which addresses septic requirements for short term rentals.

#### **Draft Amendment No. 3, Warrant Article 4**

Are you in favor of amending Article XVII. Short-Term Rental, paragraph 3 (septic systems) to revise unclear language, add a new means of demonstrating that a system is currently functioning, and remove the requirement that a system constructed prior to NHDES permitting have a formal evaluation annually and a replacement design continuously approved by NHDES.

The requirement would change from:

“The septic system is properly functioning, with a NHDES permit on file for the number of bedrooms. For systems without a NHDES permit on file, an evaluation by a NH Certified Septic System Evaluator will be required, along with a current NHDES-approved design to be constructed in the event of system failure.”

To: “The septic system is properly sized and functioning as demonstrated by one or more of the following: (a) NHDES septic permit from the time of construction that documents the system size and number of bedrooms; (b) an evaluation by a NH Certified Septic System Evaluator; (c) a statement by a septic servicer within the past 12 months with number of gallons pumped and that the system did not appear to be in failure at the time it was serviced.”

The short-term rental committed explained that the current ordinance requires NHDES inspections, which is too costly to the property owner. It is also explained that you can’t hold a short term rental property to anything more stringent than you can a residential property. This new language also allows oversight of the number of bedrooms as it relates to the size of the septic tank.

Pat Doughty of 295 Agassiz St doesn’t understand what this ordinance is doing.

Veronica Morris explains that owners of older houses can’t find the original approval from NHDES. This change allows them to come into compliance without the original NHDES permit. She adds that by making it bed number specific there is a mechanism in place for systems not to be overloaded.

Veronica Morris motioned to approve draft amendment no. 3, warrant article no. 4 as written. Sean Gawlik seconded. The motioned passes 4-0.

Due to a lack of a quorum the minutes from 1/8/2025 are put on hold until the next meeting on 2/12/25.

Sally Fitzgerald motioned to adjourn the meeting. Veronica Morris seconded. Motion passed 4-0.

Respectfully submitted by,

Dawn Ferringo, Planning and Zoning Clerk