

**APPROVED**  
**Town of Fitzwilliam**  
**Planning Board Meeting**  
**January 19, 2016**

**Members Present:** Terry Silverman, Robin Blais, Mac Landy, Tom Parker, Suzanne Gray, Paul Haynes and Susan Silverman, acting Selectman's Representative.

**Others Present:** Robert Ford, Dana Pinney, Eversource Team

**Call to Order:** 7:00 PM

**7:00 PM Public Hearing continued.** Proposed ordinance to regulate commercial and industrial noise. The purpose of this ordinance is to preserve quality of life, peace and tranquility, and protect the natural environment. Residents shall be protected from exposure to excessive noises emitted from commercial and industrial development by regulating noise levels and sound quality. The ordinance establishes the acoustic baseline and background sound levels for project design purposes, and limits the maximum noise level emissions for commercial and industrial developments.

Silverman read the public notice. He reported that consultant David Coate has completed baseline ambient noise measurements at Mac Landy's home on NH Route 119 in the Village Center Business District. The budget for this project will not allow for additional measurements. Mr. Coate will consult with the New Ipswich planners prior to completing any other changes to the noise ordinance. Silverman moved, Blais seconded and the Board voted to continue the public hearing on this proposed ordinance to the next meeting on February 2, 2016 at 7:00 PM.

**7:15 PM Preliminary consultations:**

Lauren Belanger to discuss opening a hair and cosmetology salon in her home located at 51 Route 12N, Residential District. Ms. Bellanger said she did not bring any plans with her, in hopes that the Board could tell her what was needed. She plans to open this business in her home, which her partner described as an enclosed porch that is 24 feet by 10 feet. Blais said she would like to think of this as a home business, which will need a site plan review. She noted that there is plenty of parking space on the property. Gray noted that the Board will review lighting, management of chemicals used in the business, access and egress, signage, etc., adding that Ms. Bellanger should contact the Board of Cosmetology regarding their requirements. The Board suggested she should create a whole layout of the property and business area so the Board can do the site plan review. Ms. Bellanger will contact the Land Use Department regarding a site plan review.

Roger Fischer to discuss possibility of using old post office building as an antique shop and living quarters. Mr. Fischer did not attend the consultation.

Gary Heald to discuss a subdivision of land that will create one building lot, Map 7, Lot 28-2, Dunton Road. Mr. Heald said the proposed building lot will be three acres with 300 feet of frontage in the southeast corner of the property. The remaining property is about 22 acres with 600 feet of frontage. He asked the best way to proceed. Silverman said the Board would review the conditions placed on the Brackett subdivision in June 2012, and decide if similar conditions are appropriate for the proposed subdivision.

Mr. Heald described Dunton Road as being much improved, even since the improvements done when the Brackett subdivision was approved. He added that he plans to build a residence for his father now. The property is across the road from the Brackett property and near the Sable and Cates properties. Regarding road liability, Mr. Heald will work with the Selectmen.

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**Minutes.** The Board reviewed the minutes of the January 5, 2016 meeting. With correction of a typo, changing “that” to “than”, Blais moved, Landy seconded and the Board approved the minutes as corrected.

**Pipeline Update.** Silverman said the coalition met regarding mitigation of wetlands impacts today. He is skeptical about the effectiveness of mitigation, since property will still be disturbed and mitigation/replication of wetlands in other locations is rarely successful. Gray agreed that wetlands cannot be recreated because the diversity of natural wetlands cannot be replicated. Silverman agreed, adding that vernal pools will be impacted as well as wetlands.

He noted that there was a hearing on utility related legislation in Concord today. Dana Pinney attended and said there were a lot of people there and there was a good exchange between the presenters and the committee members. A second meeting will be scheduled in February in a larger room.

Selectman Silverman noted that there will be a presentation on the Prime Wetlands Study on Monday, January 25<sup>th</sup> at 6 PM in the lower meeting hall. She added that this study focused on Scott Pond and Sip Pond and Kemp Brook. The Sip Pond wetlands are unique peat wetlands.

**7:45 PM Public Hearing (continued). Eversource (PSNH)** application for a conditional use permit for proposed wetland impacts within the Wetlands Protection Overlay District, Fitzwilliam ordinance Section 127-16.1, D.4., to co-locate the new Q166 transmission line with an existing line and install poles in a utility corridor; and associated application for a site plan review of this corridor and existing substation, including a sound study report and landscaping plan.

Silverman read the notice and clarified that tonight the Board would review the updated Eversource proposed landscaping plan. Mathew Robinson of Land Works presented the plan, which he said had both design aspects and a proposed maintenance schedule.

The plan is to have plantings on both sides of the right of way along old Route 12, which once curved to the east of existing Route 12 N and was abandoned when Route 12 was straightened. He said there is higher ground on each side of the old roadway which can get plantings out of the water to a certain extent. Then, as the plantings grow together and fill in a screening hedge will be created.

The trees proposed include red (swamp) maples, because they are tolerant of moist soils and are already on the site; larch because it is a native species and because of the way it works with water; swamp oak because it loves water and is OK with wet feet. Red Maple and Swamp Oak will provide a higher canopy and larch will provide a shape and layering effect, adding height and depth.

Selectman Silverman asked about the height of the proposed trees at planting. Robinson said they will be in the range of 14-16 feet tall with a circumference of 3-4.5 (caliper). He added they will get the best stock they can, but it will be hard to do the plantings given the soil and water issues on the site, balancing these issues with the needs of particular tree species.

Asked about the time frame to have mature trees, Mr. Robinson said the canopy would be 50 – 60 feet in 25

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years. After 10 years the canopy will be about 36 feet, given these are fairly fast growing trees that won't be stunted by the water.

He said there is gravelly soil on the north end of the roadbed, which will accommodate Juniper and White Pine. White Spruce will provide extra coverage and it likes water.

He looked at the feasibility of the project being successful and decided to raise the soil level about 2 inches on the edges of the right of way. Asked about soil pH, Robinson added that he is designing for water not soil, but will test it prior to plantings.

Landy said larch/tamarack does not like wet feet, even though it seeks water. Mr. Robinson said he would research that issue, since his assumption was wet feet would be OK since it seeks water. He may move them farther north on the roadbed to get them out of the wettest section. Landy asked about cypress and Robinson said he had been considering them for the south end of the roadbed. Blais asked about Black Spruce and he said he would research that also.

Regarding maintenance, Robinson said between 0-3 years Eversource will replace any dead/dying or less than 70% healthy trees, adding that the industry standard is 1 year, which is generally enough for the roots to become established. He said Eversource expanded the limit to include three growing seasons.

Robinson said that after three years, they will evaluate the functioning of the hedge row and then at 5, 7 and 9 years they will look at the overall functioning of the hedgerow and fill in as necessary. Landy asked if that meant they would ignore the plantings after 10 years. Robinson said that after 10 years they will check to see if the design is working and may plant self-propagating species like dogwood.

Mr. Pinney questioned the depth of the water and mud at the site, asking how the fill will be placed – on top of the muck. Mr. Robinson said the fill will be placed on the existing road bed. Mr. Pinney pointed out that the water connects to a system across Route 12 and the level fluctuates due to the existing plantings and presence of a dam. He wondered if the state would be involved because these are wetlands, and if filling was possible.

Tracy Tarr said the planting plan will be adjusted if these are determined to be wetlands; they might not fill but can plant in wetlands. Blais asked if local soils will be used. Robinson said they will use a local company and discuss this with them.

Tarr and Robinson agreed that the purpose of the maintenance plan is to evaluate how the plantings are functioning.

Robinson moved to plantings that will stabilize the slope leading to the substation, and screen the view at the same time. Several varieties of vegetation are established on the slope already and many "plugs" have been planted to fill in. The plantings are higher than ground cover.

Landy asked about wetlands around the base of the substation. Robinson and Tarr will evaluate that, with Robinson adding that he only saw dry arid soil.

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Silverman asked how many trees will be planted and if the wetlands at the south end of the old Route 12 roadbed have been mapped. Tarr said they haven't been mapped, but will be. She added that the plan will be adjusted according to what is actually on the ground.

Silverman asked why the maintenance plan doesn't go out 15 years, and wondered if Eversource would accept this timeline. He added that it was promised initially but never got done. He feels that Eversource is responsible for view mitigation from Route 12 in perpetuity. He added it is realistic to protect the viewshed and mitigate the changes made over the years since the substation was constructed at a higher elevation than expected by the Board.

Ms. Kavarnos said the substation is one or two feet lower than the approved site plan. Silverman agreed, but added that it is not lower than the original plan. It is different than the Board was led to believe. In-fill raised the substation, which has contributed to the noise issue plaguing the residents now, and Eversource is responsible for screening the substation from the viewshed.

Attorney Allwarden asked if the Eversource group could take a minute to meet and discuss options. They exited the meeting room and met in the hallway for about 5 minutes.

On their return Ms. Kavarnos described the three different planting areas, saying the Eversource owns the substation property and the low growth area and will maintain the plantings in perpetuity on those sites; she added that they cannot maintain plantings on easements or property belonging to another owner.

Landy expressed his concern that the plantings will be too low to screen the substation from view. Blais said that when white pines that were supposed to stay on the property were removed the substation could be seen. Robinson said with power lines above the site, the height of trees is limited. Jim Jiottis, transmission specialist, noted that trees have to be at least 20 feet lower than the wires of a 115 KW transmission line, and 25 – 26 feet lower than a 345 KW line. This limit is federally regulated.

Silverman moved, Gray seconded and the Board voted to continue the hearing to the February 16, 2016 meeting to allow time for David Coate, RF consultant, to complete his review and evaluation of the Eversource sound study report. Silverman said this meeting will be to listen to the Coate report and to discuss maintenance of plantings in perpetuity.

The meeting was adjourned at 8:45 PM.