

**DRAFT**  
**Town of Fitzwilliam**  
**Planning Board Meeting**  
**June 2, 2015**

**Members Present:** Terry Silverman, Robin Blais, Suzanne Gray, Mac Landy, Tom Parker, Carlotta Pini and Nancy Carney, Selectman's representative.

**Others present:** Dana Pinney, Mr. & Mrs. Bessette, Tanton Mattson

**Call to Order:** 7:05 PM

**7:00 PM Preliminary consultation.** Clare Rose-Howard to discuss operating a guest house and gift shop on property located 314 Richmond Road, Map10, Lot 79-3, Rural District.

Ms. Rose-Howard described her plans for using an outbuilding on the property as a guest house and advertise it on Airbnb. The structure had been used in the past as a gift shop and as an in-law suite. There is a bathroom in the structure, but no kitchen. It is approximately 20X14. This winter pipes froze and they have been repairing the damage in preparation for guests. They plan to put a toaster oven in the guest house and a grill outside for guests. They do not plan to open their home for breakfast for guests.

Ms. Rose-Howard runs the Covey House in the Fitzwilliam Furniture building on Route 119 in Town, but thinks she may move the shop from that location to a front room in her home. The overhead cost is high and if she moves the shop, it will no longer be a group shop, but she will sell her own things. She wants to install French doors and a deck on the oldest part of the house to give access to the shop.

Blais asked if she was before the Board to discuss the shop this evening. Ms. Rose-Howard wants to be prepared with this option should she decide to move the shop. Pini confirmed the primary use of the home would remain as a residence.

The Board discussed the relevant ordinances for a guest house/B&B and the consensus was that it is an allowed use in the rural district. Carney noted that all the Fire Department would require is a smoke and CO2 detector in the guest house.

The Board agreed that if/when she plans to move the shop to her home, the Board would like to talk with her again about parking, lighting and hours of operation.

Mrs. Bessette told the Board that when they originally approved the bathroom installation the structure was only to be used as an in-law apartment, never rented. Mr. Bessette said the Board didn't want it to be income generating or rented. He added that they have misgivings about having international visitors, strangers, in the neighborhood. The Board asked staff to research the minutes of that ZBA case, and how another property on the road was permitted as a B&B.

**7:15 PM Preliminary consultation.** Paul Grasewicz to discuss removal of an existing seasonal structure located on Laurel Lake shoreline, located at 99 Howeville Road, Map 20, Lot 15. John LeClair, a contractor, accompanied Grasewicz. Grasewicz said the Selectmen suggested meeting with the Planning Board to review the proposed project. The owners plan to remove/take down their seasonal home from its location on the shoreline of Laurel Lake and to

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build a new year-round home and garage farther back from protected shoreline. Since the new structure will have a third bedroom the leach field will be expanded. Since the existing structure is in wetlands the demolition may be done by hand and a state wetlands permit may be needed.

Grasewicz reviewed the WPOD ordinance with the Board to clarify the process necessary to build a new structure. Blais and Pini suggested meeting with the Conservation Commission prior to any other action, per the ordinance 127-16.1, D.2.

The Board did not think the project would be exempt from the WPOD ordinance; the Board could either send the owner to the ZBA for a special exception or the Board could issue a conditional use permit.

Silverman noted the new structures would create impermeable surfaces. Grasewicz agreed, adding that it would be below the state thresholds. Silverman said the property is 4.2 acres. Grasewicz said the owner wants to continue to be able to see the Lake.

**7:30 PM Preliminary consultation.** Paul Grasewicz to discuss modification of subdivision plan for Mulcahey Land and Timber, LLC, involving Map 11, Lots 5-3 and 5-4 to restore original boundary lines.

Parker recused himself from the discussion because he is an abutting land owner and one of the parties to the proposed parcel exchange. Grasewicz proposes to return the subdivision boundary lines to those originally drawn for the subdivision, rather than those drawn on the approved subdivision, because the parties no longer wanted to complete the parcel exchange.

The Board will hold a public hearing on the subdivision modification on June 16, 2015 to make the modification official, and the new plan will be recorded to replace the first recorded plan.

**Eversource issues.** Mr. Pinney addressed the Board regarding the ongoing humming noise coming from an Eversource transformer and described his frustration that this issue has not yet been resolved and that personnel assigned to deal with it keeps changing as do the proposed options for fixing it. He wondered how the decibel level of 20 decibels was determined. Mr. Pinney feels it is a completely arbitrary level that is not based on anything. He said Ms. Kavarnos (Eversource) said that 20 decibels was “no more than a whisper.” Landy thought ‘inaudible’ was the description of an acceptable noise level. Silverman said there is no record of the Town agreeing to that decibel level. Mr. Pinney read from the sound study that was presented to the Selectmen and no decibel level was chosen as the target number. He asked for advice on how to proceed with Eversource, since they have contacted him to set up sound monitoring equipment on his property for use during the next scheduled outage. He believes that Eversource does not want to spend the money necessary to fix the problem. He said Eversource has a long history of not doing what they said they would do. Pini noted that the sound issue is related to the last site plan review not the upcoming one. Silverman said Eversource opened it up for the Board’s review during this SPR.

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Pini wondered if the Board needed to get legal advice. She asked what is the Select Board's responsibility and the Planning Board's authority. Parker thought the Board should go to the Selectmen to handle any anticipated legal action on the part of the Town. Pini suggested Mr. Pinney compile all his information and research, citing sources.

Mr. Pinney also told the Board he had walked the area in which landscaping is planned to screen the poles and wires from view for Route 12 travelers. He said the area is under water and he thought Eversource would have to either drain the area or fill it. He added that "if trees could grow out there they would be growing out there."

Blais suggested the Board conduct a site walk of the proposed planting area before the next meeting. It was scheduled for 4PM on Thursday, June 4<sup>th</sup>.

The Eversource Site Plan Review application booklet was distributed to all Board members.

**Minutes.** The Board reviewed the May 5, 2015 meeting minutes. Pini moved, Gray seconded and the Board approved the minutes as written.

**Election of Officers, appointment of alternates.** Pini suggested an ad in the newsletter inviting interested parties to attend Planning Board meetings and perhaps serve as alternates. Paul Grasewicz, long time Planning Board member and alternate, told the Board he will not serve as alternate again, having served in one capacity or another since about 1989.

Blais nominated Silverman as Chairman and Pini and Vice Chairman, and offered to continue serving as Secretary. She stated that she agreed with Tom Parker that the Board is nearly halfway through the year and that with the Eversource case still pending, consistency of leadership was important. She added that Silverman's knowledge and background regarding the PSNH and Eversource cases was important to the Board's deliberations.

There was some discussion about the issue of recusal, with Silverman agreeing that he was willing to recuse himself if/when necessary. He further said that he would no longer be a part of the Concerned Citizens group since there now are a lot of people aware of the issues and speaking out.

Landy seconded the Blais nominations and the Board voted to approve Silverman as Chairman, Pini as Vice Chairman and Blais as Secretary. Parker abstained. Carny was out on a Fire/Rescue call. These terms end on April 1, 2016, per the Board's rules of procedure.

The meeting was adjourned at 9:30 PM.