

1 **Town of Fitzwilliam**
2 **Zoning Board of Adjustment**
3 **Work Session Minutes**
4 **September 5, 2019**
5

6 **Members Present:** Gretchen Wittenborg, Chairman; Bob Handy and Chad Beede, Members; Susan
7 Massin, Alternate, and Selectmen's Representative Mr. Kenison.

8 **Members Absent:** Dan Sutton, Alternate.

9 **Call to Order:** The Chair called the meeting to order at 7:00 PM.

10 Wittenborg noted that Mr. Sutton will be at the next meeting for a new case.

11 Election of officers: Vice Chairman: Wittenborg noted that Dan Sutton is willing to serve as Vice
12 Chairman. Bob Handy nominated Wittenborg as Chairman, seconded by Beede, and the Board voted
13 unanimously for Wittenborg to serve as Chairman. Wittenborg nominated Dan Sutton as Vice
14 Chairman, seconded by Beede, and the Board voted unanimously for Sutton to serve as Vice
15 Chairman.

16 After reviewing other towns' zoning ordinances, including Frankestown, Mt. Vernon, and Warner the
17 Board discussed how to proceed with review of Fitzwilliam's zoning ordinances. Beede asked if the
18 ZBA is advocating for changing/clarifying the zoning ordinances, so the town is not ripe for potential
19 lawsuits. The Board noted definitions are inadequate in many instances. Wittenborg suggested
20 basing definitions based on state RSAs.

21 Issues include clarification of seasonal use vs year around use of dwellings; hammerhead lots, and
22 conditional use waivers. She questioned whether a conflict of interest exists as the ordinance allows
23 the Planning Board to issue waivers. She suggested checking state statutes as a basis for ordinance
24 clarification. She pointed to Frankestown ordinances, p. 10 regarding their use of "protect and
25 preserve" language. Wittenborg suggested reviewing accessory use restrictions in the Table of
26 Accessory Uses.

27 The Board agreed that clarity of language is critical when making zoning decisions. She noted that
28 applications must be signed by all parties to an application. The Board would like to have tax maps of
29 the property attached to applications.

30 Wittenborg suggested adopting the state/federal language regarding any future cell tower ordinance.

31 Wittenborg suggested reviewing the Wetlands Protection Overlay District and Ordinance.

32 Each member will review the current Fitzwilliam zoning ordinances noting any problematic issues.

33 The meeting was adjourned at 8:40 PM.
34

35 **Approved December 10, 2019**
36