

TOWN OF FITZWILLIAM

PLANNING BOARD

Minutes - DRAFT

August 1, 2023

Planning Board Present: Suzanne Gray, Chair; Tom Rothermel, Vice Chair; Ed Goodell; Richard Mays; Kevin Woolley; Robin Peard Blais, Alternate; and Martin Nolan, Selectmen's Representative.

Planning Board Absent: Barbara Young, Secretary.

Staff Present: Lori Nolan, Land Use Coordinator.

Guests Present: Josh Joslyn; Tom Lally; Russell Huntley; Ron Pastor; Angela Pastor; and Linda Anderson.

Working Session Master Plan – Review of Introduction, Vision, History, Future Land Use, Population and Housing chapters

The Planning Board reviewed the future land use chapter of the Master Plan. The group agreed to meet on August 15 at 6:00pm to continue their work.

Chair Suzanne Gray called the public meeting to order at 7:03pm and held roll call.

With one member absent, alternate Robin Peard Blais was seated as a voting member.

Public Hearing

Case #23-08: Cynthia Seiler and Diana Brown – Minor Subdivision (2-lots) at 83 Gap Mountain Road. [Map 15, Lot 37 – Rural District/Light Industrial Districts]

Gray welcomed Russell Huntley, agent from Huntley Surveying representing the property owners, to the meeting. The LUC confirmed that the public and abutters were properly notified.

Huntley presented to the Planning Board stating that this is a two-lot subdivision. The lot is currently 25.5 acres and would be split down the middle. The residential dwelling will remain on Gap Mountain Road, while the new 10 acre lot will be in the light industrial zoning district and on frontage NH Route 12 North. All wetlands have been delineated on the plans with buffers included. The new boundaries will follow the stone wall and then run parallel to NH Route 12.

Ron Pastor, abutter, asked if there will be any other boundary line changes besides the subdivision and what the purpose for the subdivision is. Huntley replied that the property lines on the main lot remain the same. The internal lines will make two lots. One lot will be rural, while the second lot would be light industrial. Gray explained that the industrial lot has interest from a commercial business looking to move to this location.

The Planning Board had no further questions and moved to deliberations.

Findings of Fact:

1. Proposal is for a two-lot subdivision on a 25.5 acre lot at 83 Gap Mountain Road
2. The subdivision will create one lot with 15 acres and 1,039 feet of frontage, and another lot with 10.695 acres and 1,318 feet of frontage.
3. The new lot (Map 15, Lot 37-1) will be zoned Light Industrial with frontage on NH Route 12 North.
4. The existing lot (Map 15, Lot 37) will remain zoned Rural with frontage on Gap Mountain Road.

Gray motioned to approve the minor subdivision (two-lots) for Cynthia Seiler and Diana Brown at 83 Gap Mountain Road, (Map 15, Lot 37), subject to no conditions. Richard Mays seconded. Motion passed unanimously.

Yes: 7 [Gray; Rothermel; Goodell; Mays; Woolley; M. Nolan; Peard Blais]; No: 0; Abstained: 0

Public Hearing, continued

Case #23-06: Thomas Lally – Conditional Use Permit – to permit construction of a 30x50 foot addition to an existing house within the WPOD at 77 Scott Pond Road. [Map 16, Lot 3 – Rural District]

Gray summarized the case to date.

Josh Joslyn, agent from GRAZ Engineering, presented to the Planning Board stating that they are seeking a conditional use permit for an addition to an existing dwelling. The addition would be 84.4 feet to the surface of Scott Pond and 67.5 feet to the marshy wetland. Due to the topography, any run-off from the addition will flow away from Scott Pond and travel approximately 130 feet before entering Scott Brook. They have obtained a State approved septic design and have received a Town variance and State shoreland permit. During construction, silt fences and waddles will be installed around the construction area. They also plan a stone trench around the house with perforated pipes to help with any run-off. Joslyn calculated that 1% of the property or 3,368 square feet will be altered, as the property is 89 acres.

Gray wanted to be careful of construction within a sensitive area. During the site walk, she observed that the ground was soggy, along with knowledge of heavier storms, which gave her concerns with the addition being so close to Scott Pond, a prime wetland. Tom Lally stated that any water run-off would shed towards the field, then into the brook. Nothing will shed into the pond due to the natural contour of the land. Kevin Woolley agreed with Lally and stated that the property is unique in that all the water sheds away from the pond. Most waterfront properties slope towards the water. M. Nolan added that a French drain will also help keep the structure area dry.

Gray asked if the soil has been tested and commented that wetlands are typically flagged. Joslyn explained the natural contours, topography, and elevations of the property. He explained how he conducts hydric soil identifications. Joslyn stated that the wetlands have been flagged by Septic Pro.

Ed Goodell commented that all the disturbance is on one side of the pond, on a small part of the overall property. Rothermel asked to see the percentage of the disturbed area in the non-conservation portion. Joslyn stated it will be 16% of the 5 acres, but the ordinances require the entire property to be used in the calculation. M. Nolan felt that the land on the west side of the brook is irrelevant to this project and should not be considered as part of the unaltered land area.

Gray was not ready to make a decision as she wanted to carefully review the Conservation Commission's comments and think through the new information received. Peard Blais asked that Susan Silverman be present at the next meeting as she was involved with the prime wetland project.

Rothermel asked how much the septic will be raised. Joslyn indicated it would be about 1.5 to 2 feet above existing grade. Lally added that it will still be down grade from the house. The septic system will be a Presby system.

M. Nolan asked if there are any concerns with beaver blockage at the causeway. Lally indicated that someone does monitor and clean the culverts at the causeway.

Gray asked if there was consideration of a different location for the addition. Joslyn stated the proposal location is in the least invasive area.

Gray motioned to continue the public hearing for Case #23-06 Thomas Lally – Conditional Use Permit – to permit construction of a 30x50 foot addition to an existing house within the WPOD at 77 Scott Pond Road, [Map 16, Lot 3 – Rural District] to August 15 at 7:15pm. Goodell seconded. Motion passed unanimously.

Yes: 7 [Gray; Rothermel; Goodell; Mays; Woolley; M. Nolan; Peard Blais]; No: 0; Abstained: 0

Preliminary Consultation

Mark and Linda Anderson – Conditional Use Permit – to allow construction of a shed within the WPOD at 354 NH Route 119 East. [Map 12, Lot 34-2-2 – Rural District]

Gray welcomed Linda Anderson to the meeting. Anderson explained that they would like to build a shed on an existing driveway. The location will be 15 feet from a small brook. The driveway is on the high ground and drops down considerably to wet land.

Gray advised Anderson to work with the LUC to apply for a variance and conditional use permit.

NEW BUSINESS

Membership: Josh Joslyn expressed interest in being an alternate. He has purchased a home and is a resident of Fitzwilliam. He feels that he can provide the Planning Board with expertise in surveying and engineering.

Gray motioned to appoint Josh Joslyn as an alternate to the Planning Board. M. Nolan seconded. Motion passed unanimously.

Yes: 7 [Gray; Rothermel; Goodell; Mays; Woolley; M. Nolan; Peard Blais]; No: 0; Abstained: 0

REVIEW OF MINUTES

Rothermel motioned to approve the site walk minutes of July 31, 2023 as written. M. Nolan seconded. Motion passed unanimously.

Yes: 7 [Gray; Rothermel; Goodell; Mays; Woolley; M. Nolan; Peard Blais]; No: 0; Abstained: 0

Gray motioned to approve the minutes of July 18, 2023 as written. Rothermel seconded. Motion passed unanimously.

Yes: 7 [Gray; Rothermel; Goodell; Mays; Woolley; M. Nolan; Peard Blais]; No: 0; Abstained: 0

OLD BUSINESS

Enforcement: The Planning Board requested a letter be sent to the BoS requesting action for Map 42, Lot 2-76.

Covey House: The Planning Board requested a letter be sent to Clare Rose Howard stating that she has 30 days to schedule an appointment for a site plan review. She had a preliminary consultation in February 2023, which required a site plan review for her business expansion.

Tax Maps: The Planning Board requested a letter be sent to the BoS asking what the process is to update the tax maps and how the Planning Board uses the tax maps within their work.

With no further business to discuss, **Gray motioned to adjourn the meeting. Rothermel seconded. Motion passed unanimously.**

Yes: 7 [Gray; Rothermel; Goodell; Mays; Woolley; M. Nolan; Peard Blais]; No: 0; Abstained: 0

The meeting was adjourned at 8:50 pm.

Respectfully Submitted,
Lori Nolan
Land Use Coordinator

Minutes approved as amended on August 15, 2023.