

TOWN OF FITZWILLIAM

PLANNING BOARD

Minutes

August 15, 2023

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

Planning Board Absent: Richard Mays.

Staff Present: Lori Nolan, Land Use Coordinator; and Carol Ann Rocheleau, Health Officer.

Guests Present: David Boatwright; Tom Lally; and Susan Silverman (remote).

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

The Planning Board reviewed the Future Land Use chapter of the Master Plan. The group agreed to meet on September 5 at 6:00pm to review the Population and Housing chapter.

Chair Suzanne Gray called the public meeting to order at 7:00pm and held roll call.

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

Preliminary Consultation

David and Leena Boatwright – Conditional Use Permit – to permit expansion of a single-family dwelling within 100 feet of a prime wetland at 231 Sunset Road. [Map 37, Lot 4 – Rural District]

Gray welcomed David Boatwright to the meeting. Boatwright explained that they received approvals to expand their house in three phases in 2013. Due to financial reasons, only Phase 1 was completed. He is here to obtain the required permits again for Phase 2 and 3. The plan is more or less the same from 2013 with a few dimensional changes. The new design allows for a first floor room bedroom and a radon water treatment equipment room. Gray advised Boatwright to work with the LUC to apply for a variance through the ZBA and a Conditional Use Permit through the Planning Board.

Carol Ann Rocheleau, Health Officer, made mentioned that septic systems can no longer use drywells. If Boatwright moves forward with the expansion, he will need a modern septic system. Boatwright disagreed stating he has a modern system, designed by Carl Hagstrom, and installed in 2006.

Public Hearing, continued

Case #23-06: Thomas Lally – Conditional Use Permit – to permit construction of a 30x50 foot addition to an existing house within 100 feet of a prime wetland at 77 Scott Pond Road. [Map 16, Lot 3 – Rural District]

Gray welcomed Tom Lally, property owner, and Josh Joslyn, agent representing Lally, to the meeting and summarized the case to date. Lally has obtained a variance through the ZBA and a shoreland permit through NHDES. The Planning Board has received comments from the Conservation Commission and have conducted a site walk.

Joslyn explained that they are proposing an addition to the existing dwelling within the WPOD. The addition would be 84.4 feet to the surface water of Scott Pond, separated by a berm, and 67.5 feet to the marshy wetland. The disturbed area will be 0.2% of the entire property and less than 5,000 square feet. There will be French drains installed around the entire dwelling. They have an approved septic design through Septic Pro. The remediation of the dam is being done by NH Dams LLC. Though the design on the auxiliary spillway has not yet been finalized, Lally estimated it will be 50 feet wide. The slope is estimated to be 3:1 with field/meadow on either side. Gray asked what the size of the driveway culvert would be. Lally was unsure but guess it would be 10-12 feet wide. However, engineering will determine the size.

Gray discussed the criteria for building within the WPOD. This property abuts a prime wetland and is in a floodplain. Gray explained that Scott Pond is rated as the third most important wetland in town. Peard Blais had concerns as more and more construction is taking place within prime wetland setbacks. She suggested making

the project smaller. Susan Silverman commented that there are 5,000 wetlands in Fitzwilliam that are 1 acre in size or larger. The 100 foot setback allows for 100% of the runoff to be filtered. The edge of Scott Pond by the dam is mowed grass and there is no filtration with grass. She suggested adding natural vegetation along the shoreline, like blueberry bushes.

Lally commented that all runoff from the structures travels 130 feet before re-entering into the brook. Joslyn added that the berm was installed when the dam was built. Lally spoke with Monadnock Conservancy. They would like more bio-diversity added to the property, like planting hardwood trees. Kevin Woolley felt this property is very unique in that water sheds away from the pond. Most waterfront properties shed to the water.

The group reviewed the proposed plan.

Barbara Young had concerns about the intensity of the use. The addition is 2.5 times the size of the existing structure. She did not feel this is a low intensity use (see Chapter 127-16.1:A:3). Lally stated that the addition will have a maximum footprint of 30x50 feet, which will include a 12x30 feet covered porch. The existing structure will have one bedroom and the addition will have three bedrooms. The driveway will end sooner than it does now to accommodate the septic system. He hasn't done architectural plans yet. Peard Blais would like the driveway to remain pervious. Rothermel felt it was hard to review this project without the spillway plan and house design. Goodell agreed stating there are too many unknowns – spillway materials, culvert size under driveway, etc.

Young asked if the well radius will be affected by the spillway or with the land disruption with the spillway. Joslyn stated it is a deep bedrock well and won't be affected. Silverman commented that Scott Brook is also a prime wetland. The brook is not a connected wetland due to the size of the culvert under Route 119. Silverman felt there are lots of uncertainty with plan due to all the moving parts.

Young asked if there was consideration to building a second floor. Lally stated that existing structure is not structurally strong enough for a second floor. He would like to build the addition before the dam is approved as that process could take two years.

The Board requested plans for the addition. Architectural plans are not required, just basic floor plans.

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 September 19 at 7:00pm. Young seconded. Motion passed unanimously.

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

Gray made mention of RSA 482, which states that municipalities are to be notified when there is dam work being done.

REVIEW OF MINUTES

After a brief discussion and two minor edits, **Rothermel motioned to approve the minutes of August 1, 2023 as amended. Goodell seconded. Motion passed.**

Yes: 6 [Gray; Rothermel; Goodell; Woolley; M. Nolan; Peard Blais]; No: 0; Abstained: 1 [Young]

OLD BUSINESS

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: M. Nolan explained that the tax maps are in process of being updated.

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

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

The meeting was adjourned at 8:30 pm.

Respectfully Submitted,
Lori Nolan
Land Use Coordinator

Minutes approved as amended on September 5, 2023.