

TOWN OF FITZWILLIAM

PLANNING BOARD

Minutes

September 5, 2023

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

Planning Board Absent: Robin Peard Blais, Alternate.

Staff Present: Lori Nolan, Land Use Coordinator.

Guests Present: Clare Rose Howard

Working Session Master Plan – Review of Population/Housing chapter

The Planning Board agreed to send the Conservation and Natural Resource chapter to the Conservation Commission for their review and comment.

The Planning Board reviewed the Population and Housing chapter of the Master Plan. They requested adding in senior services and educating the senior populations of available resources/opportunities.

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

Preliminary Consultation

Allan and Clare Rose Howard – business expansion – at 52 NH Route 119 West. [Map 32, Lot 38 – Village Center Business District].

Gray welcomed Clare Howard to the meeting. Howard explained that she has changed her business model but has not expanded. She has approximately 2-5 customers per week by appointment only. Each appointment involves prayer of some sort and lasts approximately 3-4 hours. There are no hands-on services (like massages) going on. The most hands-on is equipment that looks like a hair dryer. Howard was unsure what the business may look like in six months as her faith is directing what business occurs. She questioned the need for a Site Plan Review as this is more of a shift in how she takes in money. Gray explained that her previous Site Plan Review was for retail and café/restaurant. This (personal services) is a different use than that. If 51% of the entire lot, including the structures, are used for religious purposes then RSA 674:76 is relevant. However, 51% of the entire lot is not dedicated to religious uses.

Howard showed the Planning Board the current floor plan. They have removed the deli cases and café area. The kitchen is still used for catering. Her appointments are one on one and the door is locked during appointments. She prefers to draw in people for healing and then they stay at the rental unit upstairs. Howard felt that in six months, she would have a teaching or house church with healing rooms on Thursday evenings.

[Martin Nolan arrives to the meeting]

Goodell asked if a maximum occupancy capacity has been established by either fire or health officials. Rothermel commented that the building should be compliant with fire extinguishers, exit signs, etc. Howard thought this was done as they were only allowed 10 customers in the café at one time due to the septic. She asked if she could open a faith-based healing center. Goodell had concerns about the maximum capacity at one time. M. Nolan commented that the fire chief can determine these items.

Young felt this business could be for-profit education with personal services. She explained that a business and/or property can have more than one use. Howard asked if she could do bible study in her home. Young stated yes. Howard anticipated that the healing nights would be the busiest. If she is limited to 10 people at one time, she would explore doing the event on the street or in another building. Gray explained that the Planning Board cannot answer theoretical questions.

Rothermel explained that everyone must go through the process regardless of what the use is. He explained to Howard that a change in use has occurred and a Site Plan Review is required. Goodell added that Howard must

figure out what and how her business will work, including the faith-based portion. Howard commented that she may consider faith study at her home with personal services occurring at Covey House.

Gray advised Howard to work with the LUC on applying for a Site Plan Review.

REVIEW OF MINUTES

After a brief discussion and four minor edits, **Young motioned to approve the minutes of August 15, 2023 as amended. Goodell seconded. Motion passed unanimously.**

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

OLD BUSINESS

Court Cases: The LUC updated the Planning Board of the two cases that are on appeal. The Fitzwilliam Inn case is awaiting decision from the Superior Court judge. The Peter Greenan case is pending before the Housing Appeals Board. The hearing is on September 19.

Housing Work Group: Gray explained that this group was formed by the Planning Board and they continue to work with the housing navigator consultant. The overall goal is to obtain a land use consultant for technical assistance on ordinances.

Enforcement: Turnkey is operating much longer hours than what was discussed in their Site Plan Review. They have completed the survey of the property but have hired another civil engineer to do the Alteration of Terrain permit. An adjacent lot is logging but is using Turnkey's property as the log landing. The Planning Board requested that the LUC send Turnkey a letter requesting they come back for Site Plan Review.

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

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

The meeting was adjourned at 8:17 pm.

Respectfully Submitted,
Lori Nolan
Land Use Coordinator

Minutes approved as amended on September 19, 2023.