

TOWN OF FITZWILLIAM

PLANNING BOARD

Minutes

November 21, 2023

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

Planning Board Absent: Martin Nolan, Selectmen's Representative; and Robin Peard Blais, Alternate.

Staff Present: Lori Nolan, Land Use Coordinator.

Guests Present: Carol Ogilvie; Mike Piquette; Dana Pinney; Don Gilbert; Kathy Stark; Chelley Tighe; and Dave Tighe.

Working Session – ordinance review

The Planning Board met with Carol Ogilvie and reviewed the draft ordinances.

Accessory Dwelling Units (127-9:B)

- Gross Floor Area to be the square footage of the interior walls.
- Allow pre-site built homes; mobile and manufactured homes are not allowed.
- ADUs cannot be used for short-term rentals.

Non-Conforming Structures (127-36:B)

- Update to make the language and intent clear.

Short-Term Rentals (new)

- General discussion and drafting of ordinance, which would be allowed through a Conditional Use Permit.
- Ogilvie to provide updated draft.

At this time, Ogilvie leaves and the other guests arrive.

Public Meeting

Chair Suzanne Gray called the public meeting to order at 6:30 pm and held roll call.

Barbara Young asked for an update about Fitzwilliam LLC (Turnkey Lumber).

Gray and Josh Joslyn recused themselves and sat in the audience. Tom Rothermel chaired the meeting.

The Planning Board reviewed the letter received from the BoS, dated November 20, 2023. Young and Rothermel disagreed with the BoS conclusions. It is not reasonable nor proper to list all ordinances that are required to be followed on the Notice of Decision. Most, if not all, complaints are about issues in areas that are outside of the approved Site Plan Review. The Planning Board requested a letter be sent to the BoS in response. The Planning Board also requested a letter be sent to Turnkey Lumber calling them back for a Site Plan Review and listing exactly what the issues are, concerns from the complaints received, and observations from the site walk.

Mike Piquette did not feel that Turnkey is acting in good faith. He commented that he has not received a response from the BoS in regards to his written complaint.

Gray commented that Turnkey was not referred to the ZBA because the approved Site Plan was contained within permitted areas, all activity would take place inside the building, except when loading trucks, and there would be no exterior changes to the property. Turnkey expanded without permission so the Planning Board could not have referred this to the ZBA. Gray detailed RSA 676:4a, but the Planning Board questioned who would enforce.

Young commented that Turnkey is not willing to follow rules as they are working outside of the footprint of the approved Site Plan Review and the Light Industrial zoning district, and built an accessory building without permits. Dana Pinney commented that the Selectmen's Representative told his colleagues he was unable to attend this

meeting, but no other Selectmen chose to attend. He felt that the BoS encouraged Turnkey to get the illegal structure permitted after-the-fact.

Dave Tighe asked if Turnkey complied with all conditions of their Site Plan Review. The LUC confirmed that all conditions were completed and adhered to.

Gray commented that they are operating a lumberyard, which is not allowed in the Light Industrial zoning district. The Planning Board reviewed the definition of a lumberyard. They agreed that this is not a lumberyard as the materials are not for sale to the general public and are used for manufacturing.

Chelley Tighe asked that the debris pile be addressed. Pinney stated that, according to NHDES, if debris is created on-site, it is not an issue. The LUC confirmed that information.

Gray rejoined the meeting as chair.

REVIEW OF MINUTES

Young motioned to approve the minutes of November 7, 2023 as written. Richard Mays seconded. Motion passed unanimously.

Yes: 6 [Gray; Rothermel; Young; Goodell; Mays; Woolley]; No: 0; Abstained: 0

NEW BUSINESS

46 Rantilla Lane: The property owners, Rolf and Barbara Briggs, has invited the Planning Board and Conservation Commission to tour their property to view the stormwater management plan they installed. The LUC will arrange a date.

NHMA Annual Conference: Rothermel attended and will send the Planning Board the presentations he attended.

Pinney thanked the Planning Board for allowing open dialogue in their meetings.

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

Yes: 6 [Gray; Rothermel; Young; Goodell; Woolley; Mays]; No: 0; Abstained: 0

The meeting was adjourned at 7:49 pm.

Respectfully Submitted,
Lori Nolan
Land Use Coordinator

Minutes approved as written on December 5, 2023.