



**BOARD OF SELECTMEN**  
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**BOARD MEETING MINUTES**  
**January 20, 2022**  
**9:00 A.M.**

Join Zoom Meeting

<https://us06web.zoom.us/j/83735922976?pwd=WUt0ZTVuWkhuaGtoNm55Ris0ZmlDdz09>

Meeting ID: 837 3592 2976

Passcode: 217659

+16468769923,,94817780575#,,,,,0#,,329004# US (New York)

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Dial by your location

+1 646 876 9923 US (New York)

If you are unable to access the meeting by ZOOM please call 603-585-7723

**Selectmen Present:** Brian Doerpholz, John E.F. Craig

**Selectmen Remote:** Robyn Bates

**Guests:** in person – Dana Pinney via Zoom – Robert Ford, Jean Ford & Kimberly Heald

Mr.Doerpholz called the meeting to order at 9 a.m.

**PRIMARY:**

**PUBLIC COMMENT :** Ms. Bates stated that we received an email from Jason Reimers to meet with the Board and the Planning Board. She feels that we need to put a note out to him and that we have scrutinized our budget this year and have not budgeted anything for this project and we want to make sure that they are looking for additional monies through grants. Mr. Doerpholz stated that we should also invite DPW Director Glenn Smith to the meeting. Mr. Doerpholz stated that we need to make sure that we are not going to be held to their timeframe. Ms, Bates stated that at our meeting with FEMA they indicated that we may be able to fund some of the culvert project under this.

**9:00 MEET WITH JEFF MCIVER – CONSOLIDATED COMMUNICATIONS:** Mr. McIver and Mr. Cannon zoomed in to the meeting. Mr. Doerpholz stated that we have a few questions. We received an invoice for 25% remaining balance. The original agreement was that we would make 50% at start and 50% at finish. Mr. McIver apologized and stated that it was their mistake. Balance of 50% will be payable at the conclusion of the work. Mr. Doerpholz stated that we have been made aware there are two streets that may have a problem with service Hemlock Drive and Pine Road. Mr. McIver stated that this was brought to their attention and they have been working on this problem. They had to get engineering to take care of that and will be taken care of today. Mr. Doerpholz stated we had discussed a few months ago that we were going with a BAN and CCI agreed to pay the interest on that. We have received an invoice for that. How do you want us to send to you?. Mr. McIver stated to email it to him. Ms. Bates stated that our bond will be issued on February 10. It was discussed that some people are having issues signing up. Mr. Cannon stated that they do use third parties for address list and that may be why there are a few addresses that don't show up. Mr. McIver will give us a phone number that someone can call in if they are having a problem with signing up. Mr. Doerpholz questioned if their website could be updated with this number. Dana Pinney stated that he had an issue with his install and he reached out to them and they were extremely responsive. Some people are having issues with VOIP. Kim Heald stated that a lot of the people want their phone to work like their old phone. She has walked a few people through the configuration. Ms. Bates asked if Kim could write steps down and we could put something in the newsletter. Kim Heald thanked Consolidated for all of their work. Mr. McIver stated that they welcome any feedback, good or bad. Dana Pinney questioned if they would be going door to door canvassing for sales. Mr. Cannon stated he has not talked to the team with regard to this. Mr. McIver stated that a lot of focus is to take care of anyone preregistered. Mr. Doerpholz stated that town meeting is schedule March 8<sup>th</sup> and forum on March 26<sup>th</sup> for the Masterplan forum. Ms. Bates seconded Kim Heald's comments and welcomed them to town and our partnership.

**\*\*\* APPROVE MANIFESTS:** Mr. Craig made a motion to approve the manifest, the motion was seconded by Mr. Doerpholz, the motion passed 2-0 Ms. Bates abstained.

\*\*\* **APPROVE MINUTES**  
- January 12, 2022 - Public and Non-Public: deferred

\*\*\* **REVIEW SIGNATURE FOLDER:** Reviewed

\*\*\* **UPDATE ON BOARD MEETINGS**

**Library:** held an emergency meeting to accept resignation of Library Trustee.

**Master Plan:** discussed forum, preliminary have eight breakout sessions. Planning Board assigned three and the others to other boards. Forum is scheduled for March 26 at Emerson school. There will be a morning and afternoon session. There will be a break for lunch. As of yesterday, Lori had recorded 81 surveys and still had 9 to record. Mr. Craig questions how do we reach out to people to attend forum. Mr. Craig suggested making phone calls encouraging people to attend.

**Historic Commission:** Mr. Craig reported that the Historic District Commission met 1-13-22 and reported the following:

- Daniel Fourgere, contractor, regarding new construction at Route 119 West (Map 34, Lot 2.2 in the Residential District came before the Commission for a second time to share a new diagram of the home with adjustments based on recommendations of the first meeting. The diagram shared a different window design, and addition of a garage. He also shared samples of vinyl siding closely resembling wood products. Commission members congratulated Fourgere on the updated designs and discussed the vinyl siding display. It was decided that before a decision could be made relative to allowing vinyl siding that a special meeting would be held at 4:00 on January 27th to finalize at least that portion of the Historic Commission Guidelines related to permitted use of vinyl siding. In this way Fourgere will have a decision during the February meeting.

- Representatives of the Fitzwilliam Historic Society came before the Commission for a consultation for construction of a storage shed at 66 Route 119 West (map 32, Lot 10 in the Residential District. Their plan calls for a 10'X20' small barn structure on the Richmond Road side of the Historic Society building. Construction of the building might be accomplished by Monadnock School system students. Through discussion the Commission shared approval for board and Batten siding, and preferences shared about shingle choices. Commission member Marsha Camden offered to donate her barn to the Society as an alternative to new construction. Dan Sutton will assess the building to determine if the opportunity will meet the need. All thanks Marsha for the opportunity. Suzanne Gray, representing the Master Plan Steering Committee gave an update on the upcoming Community Forum. She encouraged all to submit a questionnaire. She asked for representatives of the Commission to facilitate breakout groups during the Forum. She indicated that due to the pandemic the March 19 Forum might need to be postponed to April. LUC Lori Nolan reported on progress in finding a tax incentive/credit program currently in place in similar communities. She shared that the following NH preservation change occurred in October of 2021. Her contacts have not heard of any town adopting the program to date. It is too late for the Town of Fitzwilliam to explore and adopt the below, but I would like to have the Selectmen's approval to further explore the below with Lori Nolan and report back on what appears to be a doable concept for consideration in 2023.

79-E:4-b Residential Property Revitalization Zones [Not Adopted by the Town of Fitzwilliam]

I. A city or town may adopt the provisions of this section by vote of its legislative body, according to the procedures described in RSA 79-E:3, to establish tax relief for the owners of a one or 2-family home or an attached multi-family home with not more than 4 units and which is at least 40 years old, who significantly improves the quality, condition, and/or use of an existing residential structure in a designated residential property revitalization zone.

II. The governing body of a municipality shall designate the area of a residential property revitalization zone in which the tax relief for qualifying structures shall apply. Municipalities may further establish criteria for the public benefits, goals, and measures that will determine the eligibility of qualifying structures for tax relief located within a designated residential property revitalization zone.

III. Municipalities may grant tax relief to the qualifying structure and property as described in RSA 79-E:4 for the period of tax relief under RSA 79-E:5, provided that no property may be granted tax relief under this chapter more than once in a 20 year period.

**Planning Board:** Mr. Craig reported on the Planning Board meeting of 1-18-22

Josh Joslyn of Grazawitz representing John Hunt came before the Board for a Conditional Use Permit (WPOD) regarding a driveway affecting wetlands at Fullam Hill Road (map 4, Lot 57 in the Rural District. The Hunts were on Zoom during the meeting and several abutters were in attendance. The Planning Board previously conducted a site walk, and it was suggested that the Conservation Commission conduct a site walk as well.

One abutter shared concerns about how the construction of a drive would affect water on their property. There was discussion around wetland replication and how it would work. It was suggested that a second opinion of a Hydrologist be sought.

It was motioned and approved that LUC, Lori Nolan research if the existing 12' common driveway onto the property in question will need to meet current standards for a driveway of 16' in width (code of the Town of Fitzwilliam subdivision of land of chapter 221/241 amended 1-18-05) or if it will be grandfathered. The Board feels that if the existing drive does need to conform to existing code the project will take on a new dimension in that there is significant wetland on each side of the existing drive approaching the proposed driveway extension.

**\*\*\* REVIEW CONSTRUCTION PERMIT APPLICATIONS**

- **Map 38, Lot 7:** Mr. Craig made a motion to approve, the motion was seconded by Mr. Doerpholz, the motion passed 2-0, Ms. Bates abstained. Occupancy permit required.
- **Map 15, Lot 20:** Mr. Craig made a motion to approve, the motion was seconded by Mr. Doerpholz, the motion passed 2-0, Ms. Bates abstained.

**\*\*\* REVIEW CERTIFICATE OF OCCUPANCY**

- **Map 35, Lot 18:** Mr. Craig made a motion to approve, the motion was seconded by Mr. Doerpholz, the motion passed 2-0 Ms. Bates abstained.
- **Map 34, Lot 19:** Mr. Craig made a motion to approve, the motion was seconded by Mr. Doerpholz, the motion passed 2-0 Ms. Bates abstained.
- **Map 10, Lot 83-4:** Mr. Craig made a motion to approve, the motion was seconded by Mr. Doerpholz, the motion passed 2-0 Ms. Bates abstained.

**\*\*\* REVIEW EMAIL FROM DAN SUTTON REGARDING LEGAL REPRESENTATION:** Mr. Doerpholz stated that we have an email from Dan Sutton with regard to the Onge case. They appealed to the Housing Board. He is asking if we want to send legal council to this meeting. Ms. Bates asked if we could ask for the approximate cost from Christine Fillmore. Mr. Doerpholz stated that his feeling is that this case is going to be reversed. If he had a good feeling about this, he would say that we fight. The whole reason this board was created is to take a look at cases such as this. Mr. Craig questioned if we are obligated to support the ZBA decision until it is determined by a legal body. Ms. Favreau suggested that we ask Ms. Nolan do as much of the work on this as possible and have the attorney do the minimum to represent us. Ask attorney what they anticipate for the fees and give a not to exceed amount of \$3,000. Ms. Bates made a motion to have Christine Fillmore represent the town, not exceed 3000, Mr. Craig seconded all in favor.

**\*\*\* REVIEW RENTAL OF TOWN PROPERTY APPLICATION**

- Elliot Institute – Concerts on the Common:** Mr. Craig made a motion to approve, the motion was seconded by Ms. Bates, the motion passed 3-0.
- Fitzwilliam Farmer’s Market:** Mr. Craig made a motion to approve the motion seconded by Ms. Bates the motion passed 3-0.
- **Fitzwilliam Garden Club:** Mr. Craig made a motion to approve, the motion was seconded by Ms. Bates, the motion passed 3-0. Ms. Bates would like a copy of these sent to DPW director to make sure they are aware, Mr. Craig stated also the common committee.

**\*\*\* REVIEW LETTER OF COMPLAINT OF CONDITIONAL USE PERMIT:** The board asked Lori Nolan to come in to discuss this matter. Mr. Doerpholz stated that we have the decision of the Zoning Board and planning Board. Lori Nolan stated in the Planning Board they talked about the beach and the sand. It is her understanding that this was addressed and approved by DES and Shoreland. The Planning Board did not put any conditions on their approval. At the time of their approval Rockwood Pond was not a Prime Wetland. Lori Nolan stated that the boards did not discuss the paving of the roads. Ms. Bates feels that we should have Glenn Smith look at this and the Planning Board and Conservation. She also feels that DES should be notified of the driveway. Mr. Doerpholz stated that he feels that this is hard pack that was put down. Ms. Nolan stated they do have an extensive storm water plan. Mr. Doerpholz stated they may be looking to improve the conditions. Mr. Doerpholz stated we need to see what was permitted by DES and have Mr. Smith look at the road. Mr. Craig questioned if the Briggs have been notified of this letter. Mr. Doerpholz would like DES information and then have Mr. Smith review and report back to the board. Ms. Bates asked if we want Conservation and Planning Board input. Mr. Doerpholz stated we can have Justin Killeen look at and make sure they adhered to decisions. Mr. Craig questioned if the paving over right of way, is that a civil matter or a town issue. Mr. Craig the parking area referred to may be in our purview. Lori Nolan stated driveways are exempt from WPOD, she will discuss these issues with Planning Board and Conservation

**INFORMATION**

**ON-GOING BUSINESS:**

**\*\*\* TOWN-WIDE ISSUES TO BE ADDRESSED AND THEIR ENFORCEMENT**

- **Unregistered vehicles**
- **Debris and junk in yards**

**Posted:  
Fitzwilliam Town Hall  
Fitzwilliam Post Office  
Fitzwilliam-nh.gov**

Ms. Bates made a motion to adjourn the meeting at 11:10 a.m. Mr. Doerpholz seconded and the motion passed. 3-0

Submitted by:

Debbie Favreau  
Town Administrator

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Robyn Bates, Chairman

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Brian Doerpholz

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John E.F. Craig  
Board of Selectmen