



**BOARD OF SELECTMEN**  
P.O. BOX 725  
13 Templeton Turnpike  
FITZWILLIAM, NH 03447  
(603) 585-7723 Fax: (603) 585-7744

**Fitzwilliam Town Hall**  
**13 Templeton Turnpike, Fitzwilliam, NH 03447**

**BOARD MEETING MINUTES**  
**February 15, 2023**  
**6:00 P.M.**

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

**Guests:** Dana Pinney, Suzanne Gray

**AGENDA:**

**A. Call to Order**

Mr. Doerpholz called the meeting to order at 6 p.m.

**B. Appointments**

**C. Consent Agenda**

- **Payroll and Vendor Manifests**
- **Minutes of February 1, 2023 – Public and Non-Public**
- **Minutes of February 9, 2023 – Public and Non-Public**
- **Construction Permit Application - Map 29, Lot 24**
- **Construction Permit Application - Map 28, Lot 14**
- **Construction Permit Application - Map 6, Lot 3**

Mr. Doerpholz made a motion to approve the Consent Agenda with the exception of the non-public minutes of February 9, 2023. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Mr. Doerpholz made a motion to approve the non-public minutes of February 9, 2023. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Abstain. Approved – 2-0

**D. Continued Business**

• **Discuss ARPA Projects**

Mr. Craig updated the ARPA projects list and has created priorities. The Selectmen reviewed and discussed. Items shaded in green on the Municipal list are currently on the ARPA list. After discussion, Mr. Craig would update the priority order and once it has been established, Justin Killeen would be asked to get pricing. Mr. Craig asked if we should review the project lists with costs with the Budget Committee. Mr. Doerpholz shared that we normally meet with the Budget Committee to go over expenditures versus budget. Mr. Doerpholz agreed that once urgent projects are completed, to review funding before moving forward

• **Newsletter Articles**

The Selectmen reviewed and approved.

• **Enforcement of violations**

Mr. Craig shared the interaction between the Selectmen and the Planning Board. Mr. Craig read his notes going into the Planning Board meeting and he noted their perspective was a bit different. He shared that he has reviewed the Planning Board minutes and it appears that Turnkey is amenable to making adjustments. Mr. Craig shared there is an immediate need to identify what Turnkey needs to work on and to determine protocol between the Board of Selectmen and the Planning Board, on who does what. Mr. Nolan shared that the code enforcement part is the responsibility of the Selectmen. It is irrelevant where the information comes from. Mr. Craig shared that moving forward, the Selectmen get involved in code

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enforcement. Mr. Nolan shared that code enforcement is from the Selectmen. Mr. Craig asked to discuss if the Planning Board recognizes a violation and the Selectmen aren't aware of the violation, how does that come to the Selectmen. Is it the Selectmen's representative or from the Land Use office? Mr. Doerpholz shared that it would be up to the Planning Board on how they want to communicate with the Selectmen. It isn't up to the Selectmen to tell them how to communicate. Mr. Craig shared that at the last meeting he attended, Suzanne Gray shared that all we would need to do was to review the minutes and the code violations would be listed. Mr. Doerpholz shared that minutes are a generalization and he would like specific details in order to proceed with looking into a violation. Mr. Craig shared that we need to get something to Turnkey before it heats up. Mr. Doerpholz shared that we deal with violations not an anticipation of a violation. Mr. Craig reviewed the Planning Board's minutes of their meeting with Turnkey. Discussion was held on the Selectmen's handling a violation, the Planning Board meeting with an applicant, and the need to meet with the applicant again. Mr. Nolan shared that he would meet with Mr. Rossi of Turnkey.

Ms. Gray shared that there hasn't been anything done and no Construction Permit Application has been received. Ms. Gray has asked Lori Nolan, Land Use Coordinator to send a letter to Turnkey and to find out about the status of the alteration of terrain permit. Mr. Nolan shared what he would discuss with Mr. Rossi. Mr. Nolan would follow up with the Selectmen and Ms. Nolan. Ms. Gray asked that Mr. Nolan not make an assumption of what the issue is. She shared that it isn't just the backup alarms, it is also the equipment noise. Mr. Doerpholz suggested that Mr. Nolan stick to the list of issues to discuss with Mr. Rossi.

Mr. Craig asked how the Planning Board would communicate with the Board of Selectmen. Mr. Doerpholz shared that it would be up to the Planning Board to give specifics to the Board of Selectmen.

Ms. Favreau shared the status of several complaints that came from a Planning Board member. Ms. Favreau noted in one case what the property owner had done didn't require a Construction Permit Application. The second complaint was also about vehicles, which the owner is working on getting rid of by the end of the month. Ms. Favreau asked that the property owner call her when they have been removed.

Mr. Doerpholz asked Ms. Gray take it up with the Planning Board on how they want to communicate violations to the Board of Selectmen.

Mr. Craig asked if it would be good for us to have some kind of timeline that would list what our next steps would be. He liked the list of cases that Ms. Favreau had put together. Ms. Favreau shared that with some of our cases we are at the mercy of the Court. Ms. Favreau stated that the Selectmen's office can only be spread so thin. Mr. Doerpholz suggested the Selectmen mark their calendars for follow-up.

### E. New Business

The Selectmen's meeting on Tuesday, March 14<sup>th</sup> would begin at 2:00 p.m.

### F. Public Hearing – none

### G. Other Business

### H. Non-Public - If Necessary Non-public Session 91-A:3 II a, b, c, d, e, I

- **Non-Public – Legal RSA 91-A:3 II(e)**

At 7:19 p.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(e). Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 7:35 p.m. Mr. Doerpholz made a motion to leave non-public session. Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 7:35 p.m. Mr. Doerpholz made a motion to seal the non-public minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Mr. Nolan seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

- **Non-Public – Legal RSA 91-A:3 II(I)**

At 7:35 p.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(I). Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 7:38 p.m. Mr. Doerpholz made a motion to leave non-public session. Mr. Nolan seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

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Mr. Doerpholz shared with Mr. Nolan the program that the Police Department has rolled out. Mr. Doerpholz had also asked that the program be expanded to include other disabilities of both adults and children.

**I. Adjournment**

Mr. Doerpholz made a motion to adjourn the meeting at 8:17 p.m. Mr. Craig seconded and the motion passed. 3-0

Submitted by:

Sheryl White  
Secretary to the Board of Selectmen

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Brian Doerpholz, Chairman

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John E.F. Craig

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Martin Nolan  
Board of Selectmen