



**BOARD OF SELECTMEN**  
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**BOARD MEETING MINUTES**  
**March 24, 2022**  
**8:30 A.M.**

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

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

Mr. Doerpholz called the meeting to order at 8:30 a.m.

**PRIMARY:**

**\*\*\* APPROVE MANIFESTS**

Mr. Craig made a motion to approve the manifests. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

**\*\*\* APPROVE MINUTES**

**- March 16, 2022 – Public and Non-Public**

Mr. Nolan shared that the Vice Chairman of the Board of Selectmen wasn't included. It was noted that the Board of Selectmen hasn't had a Vice Chairman for a number of years.

Mr. Craig reviewed changes that he would like made to the minutes.

Mr. Craig made a motion to approve the public minutes as amended and the non-public as written of March 16, 2022. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

**\*\*\* REVIEW SIGNATURE FOLDER – The Selectmen reviewed and signed.**

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

**- Map 33, Lot 24**

**- Map 14, Lot 20 – Demolition Only**

**Map 33, Lot 24** – Mr. Nolan made a motion to approve the Construction Permit for Map 33, Lot 24 with the condition that there is an external solar disconnect. Mr. Craig seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0  
The Selectmen agreed that an Occupancy Permit wasn't needed.

Moving forward, the Selectmen asked that a copy of a Construction Permit Application for the installation of solar panels (ground or roof mounted) to be given to the Fire Department, so they are aware.

**Map 14, Lot 20** – Mr. Craig made a motion to approve the Demolition Permit for Map 14, Lot 20 with the condition of a safe disconnect of available utilities and proper disposal of materials. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

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

Conservation Commission – Mr. Craig shared that there were two appointments.

Sheena Royce, Recreation Director discussed trail maintenance and potential future partnerships. A trail maintenance work day will be held on Saturday, April 30, 2022 on the Katie Metzger Forest trail from 9:00 a.m. – 3:00 p.m. The "Take a Hike" challenge has been planned for this coming fall. Last year, 75 people participated in 9 hikes in Fitzwilliam via the program. In 2021, 75 kids participated in the summer day camp - "Project Beyond the Bell".

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Sebastian and Rebecca Barthelmess – Construction within the WPOD at 37 Old Turnpike Road (Map 26, Lot 6) in the Rural District. Although Mr. Barthelmess came prepared to discuss a wider range of his involvement with Land Use Boards, he was restricted to discuss WPOD information and concerns relative to building in the same footprint as the original building, circumventing all Town applications and permits. Mr. Barthelmess shared that no tree removal was done, the new structure's roof sloped away from the shoreline, no modification to the shoreline was done, there is no septic, no running water and the outhouse is not used. Mr. Craig shared that if Mr. Barthelmess had come before the Commission before building a 10'X12' gazebo, the Commission would have asked him to build it in a different location.

The Commission's conditions to the Planning Board will be: no opportunity to expand building structures moving forward, recommend the gazebo be moved further from the shore, if not, re-orientation of the roof to shed water away from the shore, and no additional impervious surfaces be added.

Mr. Craig shared that Rick Van de Poll has retired and is unavailable to conduct the NRI. Paul Kotila will contact Jeff Littleton, a person of ability and interest, to see if he is interested in the project and will determine if there are others who should bid on the project.

ARM Funding/Potential Mitigation Projects – After extensive discussion it was motioned and approved that the Stone Pond Dam removal project, one of the Commission's projects proposed for 2022 – 2023, be considered the priority project of the Conservation Commission for 2022 – 2023 and all other projects will be put on the back burner for another year. There will be a loss of wetlands and what will remain will be a different eco-system as it was perhaps 200ish years ago, but different from today. It was asked if abutters to the pond were sent invitations to the information sessions: If not, should they be advised of the project? Mr. Kotila will draft a letter in support of the project ostensibly to be added to letters by the Planning Board and the Board of Selectmen in support of the program to meet the ARM application deadline of May 31, 2022.

Planning Board – Mr. Craig shared that Ms. Nolan mentioned that a second site walk would be done on the Hunt driveway proposal. Mr. Nolan stated that he would like to be involved.

Mr. Doerpholz asked if the Conservation Commission would forward their findings to the ZBA regarding the gazebo. Mr. Kotila would be asked to contact Ms. Nolan.

### \*\*\* FOLLOW-UP ON VACANT SEATS - School Budget Committee

Mr. Doerpholz asked if we had heard from anyone. Ms. Favreau had sent an e-mail to Phyllis Peterson, Win Wright and Kristen Noonan but hasn't heard back. Mr. Doerpholz shared that he had sent an e-mail to Dan Sutton. Ms. Favreau had also sent Lori Nolan, Land Use Coordinator an e-mail asking about vacancies.

Marcia Camden agreed to serve as Trustee of the Trust Funds and Christopher Mattson-Whipple agreed to serve as Commissioner of Plant Memorial Park.

### \*\*\* DISCUSS MASTER PLAN FORUM

Mr. Doerpholz noted that at the forum, the Selectmen would be asking for volunteers to volunteer for various town projects. Ms. Favreau shared that she had gotten information on volunteering from the Town of Hollis and she thought it would be a good document to give to all boards. Mr. Doerpholz shared that this would be very informative. Mr. Doerpholz stated that understanding 91-A is very important. Mr. Nolan shared that if people are going to volunteer, they need to do it properly. Mr. Doerpholz noted that there are regulations that need to be learned.

Mr. Craig shared that Carole Beckwith had given him a Welcome to Town document. Mr. Nolan shared that welcoming people takes a special person. Most people look forward to being accepted. Ms. Beckwith is looking for people to assist with this. A packet has been created and is located in Ms. Nolan's office. Mr. Craig shared that he would hate to lose the opportunity to welcome people to town.

Ms. Beckwith is also looking for volunteers for the Common Committee.

Mr. Craig asked Mr. Nolan how the Fire Department looks for volunteers. Mr. Nolan noted that medical calls are off the chart and it takes more and more paperwork than the actual physical work of the patient. It needed to be done and the more people you have the more it could be spread out. This should come from Fire Chief Adam Dubriske and/or the Fire Wards but Mr. Nolan thought they would welcome assistance in looking for volunteers.

Mr. Doerpholz asked how we were going to ask for volunteers in general and how would we go about this on Saturday. Mr. Nolan mentioned to contact Charley Kenison, Fire Ward to ask about when the Fire Department needed volunteers.

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Mr. Nolan thought that most members of the Fire Department could answer those questions. Mr. Craig thought about having handouts and clipboards for people to sign up to volunteer. Mr. Nolan thought that it would be helpful if a few people that can talk specifically to someone about what is involved in volunteering for a specific department/committee, etc. was there. Mr. Doerpholz asked for the form to be changed to better fit the town.

Mr. Doerpholz shared that the Master Plan Committee would be meeting tonight for the last run through. The Board of Selectmen would take turns at the volunteer table. Mr. Craig asked if we had scripts of all of the committees/boards. It was noted that Ms. Nolan had created a document that could be used for this purpose.

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### APPOINTMENT TO OFFICE

- Plante Memorial Park Commissioner
- Conservation Commission
- Trustee of Trust Funds

Mr. Doerpholz shared that Marcia Camden was willing to serve as a Trustee of the Trust Funds.

Mr. Craig made a motion to approve Marcia Camden as a Trustee of the Trust Funds. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Mr. Doerpholz shared that Christopher Mattson-Whipple was willing to serve as Commissioner of Plante Memorial Park.

Mr. Craig made a motion to approve Christopher Mattson-Whipple as Commissioner of Plante Memorial Park. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Mr. Doerpholz shared that Kevin Woolley was willing to continue to serve on the Conservation Commission.

Mr. Craig made a motion to reappoint Kevin Woolley to the Conservation Commission. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Mr. Doerpholz shared that Hiel Lindquist was willing to continue to serve on the Conservation Commission.

Mr. Craig made a motion to reappoint Hiel Lindquist to the Conservation Commission. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Ms. Favreau has asked Sheena Royce, Recreation Director to let her know about vacancies on the Recreation Commission.

Mr. Nolan mentioned the Newsletter has the incorrect meeting dates for Planning Board and the Board of Selectmen. Ms. Favreau would follow-up and ask that people go to the Town's website for a current schedule.

Mr. Doerpholz noted that the correct dates are on the Town's website. Mr. Craig would like to add that the Selectmen's Office could be contacted for the schedule.

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### REQUEST FOR SITE WALK FROM RICHARD DWINELL REGARDING CONDITION OF GARAGE

Ms. Favreau shared that Richard Dwinell came into the office and asked the Board of Selectmen to do a site walk. She shared that he is claiming that water runoff from the road has rotted his garage. Ms. Favreau handed the Selectmen a letter that was sent to Mr. Dwinell by the previous Board of Selectmen. She noted that previous Boards have done site walks. Mr. Dwinell does this when there is a new Board. Ms. Favreau shared that the road was redone years ago and it was repaved 2-3 years ago. Ms. Favreau mentioned that the road has always been paved. Mr. Nolan shared that paving doesn't change water runoff significantly and culverts should handle normal water flow. Mr. Nolan shared that based on his knowledge, he doesn't believe the road would have a significant impact. Ms. Favreau shared that Mr. Dwinell's property sits lower than the road. Mr. Nolan shared that it always has sat lower than the road. Mr. Craig asked procedurally, when a resident asks for a site walk. Mr. Doerpholz asked that Mr. Dwinell be notified in writing that the Board of Selectmen have done numerous site walks and ask Mr. Dwinell for an analysis from an expert that the road has caused the damage.

Discussion was held on knowing when the property was purchased that the property sat lower than the road, complaint has been since the road was re-paved and a crown was added because it was worn down, what moves has Mr. Dwinell made to fix his own property, and that DPW Director Glenn Smith did a site walk and shared that the major runoff has been from the metal roof on the house.

The Selectmen agreed to send a letter noting that review of records from previous Boards indicates that they have done site walks and if no substantial work has been done on his property and the road, the Board of Selectmen would remain with the previous Board's findings.

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### \*\*\* REVIEW LEGAL INVOICE

Mr. Doerpholz reviewed the legal invoice from DrummondWoodsum in the amount of \$2,137.09 for the legal consultation of the Onges Zoning Appeal. Mr. Doerpholz gave an overview of the case to update Mr. Nolan.

Mr. Craig made a motion to approve the legal invoice. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Dana Pinney mentioned that the Board approves the manifests and asked what it was about legal invoices that is different. Mr. Doerpholz shared that on the Selectmen's budget there is a legal line item. Mr. Doerpholz gave an overview of a departmental budget but noted that legal is a separate line item that the Selectmen approve.

Ms. Favreau shared that Consolidated has asked for their final payment and she would be writing the check next week. Mr. Doerpholz asked if they have completed installation for everyone that was interested. Mr. Pinney shared that he hasn't heard that anyone that wanted Broadband hasn't gotten it.

### \*\*\* VETERANS CREDIT APPLICATION

Mr. Doerpholz reviewed the Veterans Credit Application for Map 28, Lot 27.

Mr. Craig made a motion to accept the application for Map 28, Lot 27. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

### \*\*\* REVIEW LETTER FROM MARION WHEELER, TAX COLLECTOR Re: Tax Deeding properties

Mr. Doerpholz reviewed the memo from Marion Wheeler, Tax Collector regarding properties subject to deeding. She has indicated that some would come forward with payment. Ms. Favreau wrote letters for the Selectmen to sign notifying the property owners that the Selectmen would be meeting with the Tax Collector to review tax deeding of properties.

### 10:00 MEET WITH DPW DIRECTOR GLENN SMITH

Mr. Smith shared that in November of 2021 the Selectmen approved a purchase to All State Asphalt, and he just came across the invoice that didn't get paid in the amount of \$4,210. Mr. Smith would like the amount to be taken from the Road Expendable Trust Fund. He shared that he has a lot less problematic areas. He has been purchasing stone and gravel. Mr. Smith shared that he needs a little more gravel and would like to take \$8,000 from the Road Expendable Trust Fund and that would be it. Mr. Doerpholz shared the concern is the road work that they wanted to do. He asked what the outlook is with prices increasing. Mr. Smith has been in contact with Larry Crowder and they had no idea how much the prices would increase. They feel pretty confident that they would be okay and would be under the bid. Mr. Doerpholz shared the balance in the Road Expendable Trust Fund is \$30,058.53, Ms. Favreau confirmed. Ms. Smith shared that he would be back to discuss culvert work to be done, once he confirms what needed to be done. Mr. Doerpholz shared that the balance in the Culvert Expendable Trust Fund is \$40,534.24. Mr. Nolan asked about the work on Templeton Turnpike regarding the Stone Pond Dam project. Mr. Smith shared that isn't in his plan and he wouldn't want to spend all of the funds in the Culvert Expendable Trust. He thought it would be best to have a Warrant Article for the voters to vote on. Mr. Doerpholz shared that it is all dependent on how much money we need to come up with for the project. Mr. Nolan didn't feel that we had the obligation to fund all of the project. Mr. Smith shared that if we don't do the work now, in combination with them, then the Town would have to pay for an engineer. Mr. Smith shared that the culverts are the Town's problem and this is the time to act so that the Town doesn't incur all of the costs. Mr. Doerpholz agreed but by them removing the dam now, we have to act. Discussion was held on fill needed on the ball field, utilizing the fill from the dam, determining where it could be used, and hauling of the fill.

Mr. Pinney mentioned the culvert being on the red list and at any point the State could come in and condemn the bridge, shutting down the road. Mr. Smith discussed using a precast culvert and it being bigger than the current culvert would help deter beavers from building their dams.

Mr. Pinney mentioned that three years ago he asked the voters to reclass a portion of Gap Mountain Road and it was approved. This past year it was changed and approved from 1,000 to 750 feet. Jean Ford asked that the question be repeated as they were unable to hear. Mr. Pinney repeated his question and asked that the sign be moved. Mr. Smith would have the DPW move the sign.

### \*\*\* NON-PUBLIC SESSION - RSA 91-A:3 II(a) – Personnel

At 10:09 a.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(a). Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

## BOARD MEETING MINUTES - March 24, 2022

At 11:27 a.m. Mr. Doerpholz made a motion to leave non-public session and seal the minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 11:27 a.m. Mr. Doerpholz made a motion to go into non-public session under RSA 91-A:3 II(a). Mr. Craig seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 12:18 p.m. BD made a motion to leave non-public session and seal the minutes as disclosure would adversely affect the reputation of the person other than a member of the board. JC seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

### \*\*\* NON-PUBLIC SESSION - RSA 91-A:3 II(a) – Personnel

At 12:18 p.m. Mr. Craig made a motion to go into non-public session under RSA 91-A:3 II(a). Mr. Doerpholz seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

At 12:30 p.m. Mr. Craig made a motion to leave non-public session and seal the minutes as disclosure would adversely affect the reputation of the person other than a member of the board. Mr. Doerpholz seconded and the motion passed 3-0. Roll Call vote: Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes.

### INFORMATION

Mr. Craig asked if we should add to the agenda for discussion, the letter from Attorney Joseph Hoppock on the land purchase. Ms. Favreau shared that we are waiting for the current owner to drop off the deed. Mr. Craig asked who should handle that. Ms. Favreau shared that the Conservation Commission is in charge of this but she would contact Mr. Kotila. Ms. Favreau has sent a copy of Attorney Hoppock's letter to Mr. Kotila.

Mr. Doerpholz asked if Justin Killeen has been to Mr. Ford's property. Mr. Ford shared that Mr. Killeen was there yesterday. Ms. Favreau shared that she hasn't received an e-mail from Mr. Killeen yet.

Mr. Craig shared that Nate Johnson reviewed the underside of the roof and he confirmed that the beams were in good shape and could hold the extra weight. Mr. Craig has made contact with the contractors for the roof and he would keep the Selectmen informed. Mr. Craig asked for approval from the Selectmen to meet with Charley Kenison to gather information on the water situation at the Public Safety building and to also get other bids. Mr. Nolan wanted to hold off on the water issue until the Town Hall roof project – repair or replace - has been resolved. After which, Mr. Nolan wanted to look at the whole picture.

Mr. Nolan thought that Mr. Craig should be the consistency for all of the projects. Mr. Craig with keep the Selectmen informed.

### ON-GOING BUSINESS:

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

- Unregistered vehicles
- Debris and junk in yards

Mr. Doerpholz made a motion to adjourn the meeting at 12:35 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