



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

April 5, 2023

6:00 P.M.

Selectmen Present: Brian Doerpholz, Martin Nolan, Nancy Carney

Guests: Dana Pinney

AGENDA:

A. Call to Order

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

B. Public Comment

Dana Pinney noted that a comment at the end, if something comes up during the meeting, he would like to be able to codify the information, at the end of the meeting.

Mr. Nolan thought that was a good point.

C. Appointments

• 6:30 – Barbara Young – Farmer’s Market

Mr. Nolan felt it was interesting that many of the Town’s employees and residents associated with the operation are involved in the Farmer’s Market.

Barbara Young, Deb Edwards and Kathy Stark met with the Selectmen to discuss the Farmer’s Market. Ms. Young shared that the cornhole tournament is a missed opportunity for them if held on the same day as the Farmers Market. Ms. Young shared that on May 20th, the groups interacting are the Library, Recreation Department, Garden Club, and the Historic Society because their intention is to open the Blake House as often as they can. The work on the Master Plan was to create a collaborative feel, when groups call and say they are doing events on the same day, they are happy. They have 17 farm vendors and 3-4 coming from Richmond. There are 3 other people that were part of the Farmer’s Market last year and they are trying to decide to continue. Ms. Young shared that a new vendor is from Rindge. Ms. Young has sent e-mails to 36 vendors and has heard back from 17. Deb Edwards expected there to be others. Ms. Young shared that the Committee’s minutes and agenda are in google docs.

Mr. Doerpholz shared that Kathy Stark is concerned that it is a private organization and not a Town organization. Mr. Doerpholz shared that an Agricultural Commission was created years ago and was approved, but there are currently no members. The Commission worked with the Planning Board to protect farming and livestock. At that time, a Farmer’s Market couldn’t get started. Ms. Young made a recommendation at the March meeting if the name could be changed to Farmer’s Market Committee or Commission. She shared her understanding of an agricultural committee. Mr. Doerpholz shared that agriculture can take many different forms. Ms. Young shared that the Farmers Market allows more things than agricultural and she doesn’t want to limit that. Ms. Carney asked if the name could be changed without going to Town meeting. Ms. Young felt that an Agriculture Commission is much broader than the Farmer’s Market and that what they are doing wouldn’t support a farm. Mr. Doerpholz reviewed RSA 21:34 (a). Ms. Young understood and shared that it was a great way to start. Mr. Doerpholz shared that there is a lot of diversity out there and mentioned contacting the County Extension. Ms. Young shared that they are going to stay away from that as they already have a full plate. Mr. Doerpholz mentioned that they could also have a subcommittee. Ms. Young would send Ms. Favreau their last meeting minutes and asked Ms. Favreau to forward the RSA to them.

Discussion was held on the number of members and alternates allowed when the Agricultural Commission was created. Ms. Favreau confirmed that the Commission membership is 5 regular members and 2 alternates – appointed by the Board of Selectmen. Members need to be a resident of Fitzwilliam. Ms. Young shared that they have a great support group and

BOARD MEETING MINUTES - April 5, 2023

she felt it was a good community program in town. Mr. Doerpholz agreed. Mr. Doerpholz mentioned the location of the sign that they hope to install.

Ms. Young shared that she talked with Ms. Favreau about a community calendar to post on the Town's website because she and Ann Goettle are working on this together to add events – a live updated monthly calendar. They hope to have ready to go by May 1st. Ms. Edwards shared the newsletter is great but mentioned that people look for information on-line. They would direct people to the Town's website. Ms. Young shared what happens with the newsletter, it is delivered by a certain date but those events during the first few days of the month are often overlooked.

Mr. Doerpholz shared that because it is a Town Commission, it can have a budget and recommendations to the Budget Committee for certain items that are needed. Ms. Edwards asked if the set budget would take the place of donations. Ms. Favreau shared they could still have donations that would go into their account. Ms. Young asked for the specifics on what is needed. Mr. Doerpholz asked for a list of people that the Selectmen could appoint as members. They need meeting minutes, and notice of meetings, which they already do. Ms. Young, Ms. Stark and Ms. Edwards agreed to be appointed to 3-year terms.

Mr. Doerpholz made a motion to appoint Kathy Stark, Barbara Young, and Deb Edwards to the Agricultural Commission for 3-year terms. Ms. Carney seconded. Mr. Doerpholz – Yes, Mr. Craig – Yes, Mr. Nolan - Yes. Approved – 3-0

Ms. Stark asked if the Selectmen would allow a notice on the Fitzwilliam community page, with comments turned off, to promote the events with a link to the Town's website. The Selectmen agreed.

• **7:00 – Henry Patnode – Scrap Metal Dealer License**

Before Henry Patnode arrived for his appointment with the Selectmen, Mr. Doerpholz shared that Mr. Patnode doesn't store the scrap metal, he picks it up and delivers it. Ms. Favreau shared that he is basically a dealer and some of the customer's that he deals with are asking for a license. Mr. Doerpholz mentioned that if the Selectmen wanted to adopt this, we may need to update the "sample" application. Ms. Carney shared that she hasn't seen anything stored on his property, she shared that it is on his truck. Ms. Favreau shared that we make it a condition of approval that he can't store on site.

Ms. Carney shared that the property next door has a lot more items in the yard. She mentioned this should come up in the meeting with Mr. Patnode. Ms. Carney shared that he collects things.

Mr. Patnode shared that he had a license request. Ms. Favreau shared that she has given the Selectmen some background information. Mr. Patnode noted that he has a small office space. Mr. Patnode shared how he got into the scrap metal business. Some State's help with the documentation and Mr. Patnode shared that in the near future titles and VIN numbers on these materials would be needed. Mr. Patnode shared it differs from State to State. He gave the Selectmen a copy of his license and a list of people that he deals with. Six years ago, Massachusetts started recording his metals license. Mr. Patnode shared that he doesn't do business at his home and will not change how he does business. Mr. Doerpholz shared that the Town at present doesn't have a form to adopt. We have a form from another town that Ms. Favreau would adapt it for the Town of Fitzwilliam. Ms. Carney shared that we would modify the form and the Selectmen would adopt it and Mr. Patnode could fill it out. Ms. Favreau would draft the form for the Selectmen to review at their next meeting. Mr. Patnode shared that the regulations have changed because of the theft of precious metal.

C. **Consent Agenda**

- **Payroll and Vendor Manifests**
- **Minutes of March 14, 2023 – Public and Non-Public**
- **Minutes of March 16, 2023 – Non-Public**
- **Minutes of March 22, 2023 – Non-Public**
- **Construction Permit Application – Map 8, Lot 50**
- **Construction Permit Application – Map 20, Lot 7**

Mr. Doerpholz made a motion to approve the Consent Agenda. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

• **Construction Permit Application – Map 12, Lot 39-1**

Mr. Nolan mentioned that a yurt needed an occupancy inspection. Ms. White explained the reason for the yurt and noted that it wouldn't have electricity or heat. Ms. Carney didn't agree that an occupancy permit was needed.

Mr. Nolan made a motion to approve Map 12, Lot 39-1, with an Occupancy Permit. Mr. Doerpholz seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Opposed. Approved – 2-1

BOARD MEETING MINUTES - April 5, 2023

- **Construction Permit Application – Map 15, Lot 6-12 (cell)**

Mr. Doerpholz made a motion to approve. Mr. Nolan seconded. Mr. Doerpholz – Yes, Mr. Nolan – Yes, Ms. Carney - Yes. Approved – 3-0

D. Continued Business

E. New Business

- **Review Legal Invoice**

The Selectmen reviewed and approved.

- **Discuss attorney conflict of interest**

Mr. Doerpholz shared that Attorney Renelle L'Huillier is representing Roy Serpa (Spears Realty LLC) for a variance for construction within the required 50 foot front setback for Map 34, Lots 28 and 29. Mr. Doerpholz noted that Spears Realty has withdrawn their application, which Attorney L'Huillier probably doesn't know. Mr. Doerpholz didn't see that there was a conflict and explained that if not withdrawn, the ZBA would have cancelled because it was continually on the ZBA agenda and the applicant didn't show up. Ms. Favreau shared that she didn't know if we could just cancel.

Ms. Favreau would send Attorney L'Huillier an e-mail stating it was okay.

- **Deed list notice**

Ms. Favreau shared the Selectmen and Marion Wheeler, Tax Collector need to review the list and determine how to move forward. Ms. Favreau will follow-up with Ms. Wheeler and schedule a time for her to meet with the Selectmen.

F. Public Hearing – none

G. Other Business

- **Emergency Plan – Magnolia Holdings**

Mr. Doerpholz shared that Magnolia Holdings has submitted their Emergency Plan as required by the ZBA. Everything has been acknowledged.

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

I. Adjournment

Ms. Carney made a motion to adjourn the meeting at 7:24 p.m. Mr. Doerpholz seconded and the motion passed. 3-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Brian Doerpholz, Chairman

Martin Nolan

Nancy Carney
Board of Selectmen