



**BOARD OF SELECTMEN**  
P.O. BOX 725  
FITZWILLIAM, NH 03447  
(603) 585-7723 Fax: (603) 585-7744  
Email: fitzwilliamnh@fitzwilliam-nh.gov

**BOARD MEETING MINUTES**  
**April 16, 2018**  
**7:00 p.m.**

**Selectmen Present:** Nancy Carney, Daniel Baker, Charles Kenison

Ms. Carney called the meeting to order at 7 p.m.

**PRIMARY:**

**\*\*\* APPROVE MINUTES**  
- April 9, 2018

Mr. Baker made a motion to approve the minutes. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes. Approved – 3-0

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

Mr. Baker made a motion to approve the manifests. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes. Approved – 3-0

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

**7:15 MEET WITH BRIAN DAMON**  
**Re: Timber Access – Right of Way**

Brian Damon came in to meet with the Selectmen to have another discussion of accessing his property for logging purposes. Mr. Damon asked why the Town won't help him retain his regular access, which he has used for 95 years and has used twice since Ms. Hill has been on the property. Mr. Damon shared that when Jason and Donna Hill bought the property they knew he had property and allowed him to use an old road to the property.

Mr. Damon discussed the field he built on the Hill's property and his concern that the barn the Hill's had built was in the way. Mr. Hill told Mr. Damon not to worry that as long as they were there, he could use the road down in back and also not to worry about using a landing on their property, just when finished, to clean up the lot of debris. Mr. Damon shared his involvement with the field and that Mr. Hill used his machine to clear a little of the land each year. Mr. Damon would add more fertilizer each year. It was expanded to make soil for Mr. Hill's beef cows. Mr. Damon stated that Mr. Hill allowed him to plant corn and use the field for 10 or more years. Mr. Damon drew up a contract and had it notarized. It was signed by Mr. Hill and Mr. Damon. When Mr. Damon arrived at Ms. Hill's property to plant corn, Ms. Hill had told him to get out. When Mr. Damon mentioned the contract to Ms. Hill she said she didn't sign it. Ms. Hill doesn't want anyone on her property. Mr. Damon shared that it has been 3 years and he has never gone back or called Ms. Hill.

Mr. Damon stated that all he wanted was a fair chance to get to his timber and he isn't after her land or what was owed him for lumber on the barn. Mr. Damon shared that he doesn't want to make any trouble and asked the Selectmen to look at the Rte 12 access. Mr. Damon also shared they have been nurturing the timber for 95 years and it was a mix of everything. Mr. Baker mentioned the timber would be removed for solar. Mr. Damon stated that Ms. Hill's land was part of the solar farm. Mr. Damon had asked the surveyor if he was surveying the 50 acre piece of land. Mr. Damon was told by the surveyor he was and Mr. Damon noted it went all the way to Crane Road. The surveyor showed Mr. Damon a map that goes all the way to Crane Road and highlighted was a portion of Ms. Hill's property. Mr. Baker asked if Ms. Hill didn't want solar and was that the basis for her not wanting to give access to Mr. Damon. Mr. Damon discussed the conversation he had with the solar company. Mr. Damon had asked if the solar company had any interest in Ms. Hill's property and he was told that they needed to make sure Mr. Damon was on board before they concerned themselves with Ms. Hill's property. Mr. Damon stated that part of Ms. Hill's property was surveyed and he showed the Selectmen where the surveyors were working.

Mr. Damon mentioned that some of the Hill's fencing was on his property – using the trees as fence posts and when Mr. Damon mentioned this to Mr. Hill, he acknowledged the fence was on Mr. Damon's property.

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Mr. Baker stated that all that has taken place is all normal with accessing a lot. Mr. Baker asked Mr. Damon where he comes in now. Mr. Damon showed the Selectmen where he currently accesses his property and where he would access off of Crane Road. Mr. Damon shared that last year Harry Damon offered to access further away from Ms. Hill's barn. Mr. Baker shared what happened at Mr. Damon's last meeting with the Selectmen. The Selectmen contacted an attorney through NHMA who stated the Selectmen might not want to get involved, if contested. Mr. Baker also shared that an attorney through NHMA was contacted again, who stated if either parties contest the Selectmen's decision – it goes to Superior Court. There was no other appeal process with the Town. Mr. Baker stated if the Selectmen approved their access, the Selectmen would need to talk with Ms. Hill, and if she contests it, the Town may or may not be named in the suit. Mr. Baker shared the Selectmen were trying to protect the taxpayers and that was why the Selectmen made their decision not to get involved.

Mr. Baker asked the Selectmen to hear Mr. Damon's side and they haven't heard from Ms. Hill. The Selectmen discussed the hardship for Mr. Damon. Mr. Kenison asked about accessing his property from the Ball (Longever) property. Mr. Damon and the Selectmen discussed how he would access through the Ball property, the conditions and other access points. Mr. Kenison asked about the minutes where Ms. Silverman stated it wasn't illegal to go through wetlands.

Ms. Carney shared that one of the issues the Selectmen had was that the solar company hasn't come in to meet with them. They met with the Planning Board a few weeks ago and it was a different plan. Mr. Damon shared that Mr. Desmond had given permission to use his land. Ms. Carney shared that in all fairness the Selectmen needed to talk with Ms. Hill. Mr. Kenison asked if there was anything in the corn field. Mr. Damon stated nothing was in there but weeds that had grown in and there wasn't a hay crop. Mr. Damon explained how he took care of the corn field once it was cropped. Mr. Damon shared the amount of damage he would do to the land would be minimal and he would level off any indentations that he made, once done. He mentioned that he has land levelers that were left on Ms. Hill's property that he hasn't been able to remove.

The Selectmen agreed they needed to meet with Ms. Hill first and then get her permission to view the access. Ms. Carney asked Mr. Damon to bring in a copy of the agreement. Mr. Damon noted his timeframe, if he could get access, most of their lot was stable enough to work on and use for staging. Mr. Damon stated he had 30 days once the solar company was ready to begin. The Selectmen discussed doing a site walk through Desmond's property possibly Tuesday, April 24th.

The Selectmen thanked Mr. Damon for meeting with them.

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#### **CONSTRUCTION PERMIT**

##### **Map 4, Lot 19 – Extension**

##### **Map 6, Lot 40-12 – Demolition and Construction**

**Map 4, Lot 19 - Extension Request** – Mr. Baker made a motion to approve the Permit for Map 4, Lot 19. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes. Approved – 3-0

**Map 6, Lot 40-12** – Mr. Baker made a motion to approve the Demolition and Construction Permit for Map 6, Lot 40-12. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes. Approved – 3-0  
The Selectmen agreed that an Occupancy Permit was needed.

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#### **REVIEW CONSTRUCTION PERMIT**

##### **Re: additional solar information added**

Ms. Carney reviewed the additional language added by the Planning Board. The Selectmen approved.

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#### **VENDOR PERMIT**

##### **Re: Kevin Rule – Kayak and Canoe Rentals**

Mr. Baker made a motion to approve the vendor permit for Kevin Rule – Kayak & Canoe Rentals. The permit was valid until November 1, 2018. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes. Approved – 3-0

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#### **REVIEW LETTER FROM PHYLLIS PETERSON**

##### **Re: committee interest**

Ms. Carney reviewed Phyllis Peterson's letter. Ms. Peterson was interested in serving on a committee and asked the Selectmen to keep her in mind. Ms. Carney mentioned serving as an alternate on the Conservation Commission or Planning Board. The Selectmen agreed to have Ms. Favreau send Ms. Peterson a letter and let her know which boards/committees have openings.

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**\*\*\* MEMORIAL DAY**  
**Re: Searching for guest speaker and MC**

Ms. Carney shared that she talked with Joshua Governor at the VFW. Mr. Governor would follow-up with Ms. Carney. The Selectmen agreed to ask Tom Parker if he was interested in being as guest speaker or MC. Ms. Carney mentioned asking Richmond Nunn.

**\*\*\* TIMBER TAX ASSESSMENT**  
**Re: Map 12, Lots 34-1, 34-2, 34-3**

Ms. Carney shared that Randy Burt wanted the Selectmen to see his Timber Tax Assessment worksheet, which he didn't think he included in his packet. Mr. Burt thought that the assessment was \$1,000 too much based on the timber rating. Mr. Burt would meet with Ms. Favreau later this week to discuss.

**\*\*\* NEXTERA MEETING - UPPER HALL**  
**Re: Asking for exemption to serve food and drinks**

Mr. Baker made a motion to approve the exemption, once the completed rental application was received and a \$100 fee would be charged if the space wasn't cleaned up. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes. Approved – 3-0

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

At 8:41p.m. Mr. Kenison made a motion to go into non-public session under RSA 91-A:3 II(e). Mr. Baker seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes.  
At 9:33 p.m. Mr. Baker 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. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Carney - Yes, Mr. Kenison - Yes.

**OTHER BUSINESS:**

**OFFICER DAN MOORE'S GRADUATION IS FRIDAY, APRIL 20<sup>TH</sup> AT 2 P.M.**

Vietnam War Memorial - Ms. Carney shared that she had talked with someone at the Recruitment Board in Keene. She was directed to check with someone in Concord. Ms. Carney also shared that she doesn't know anyone from the National Guard.

Ms. Carney shared that she was contacted by a group that does transitioning from school to vocational. A student is brought in for a total of 40 hours – a couple hours per week. The transition is to see if he wants to do fire or EMS. A staff member would be there with the student. Ms. Carney asked if the Selectmen had an issue. The student is a Junior or Senior in high school. Mr. Baker asked about the Town's liability. The Selectmen agreed that they didn't have a problem with it and it was a good idea. Ms. Carney would bring this up to the FireWards. Ms. Carney would meet with the staff member and get additional information.

Mr. Baker gave a ZBA update. A 20X30 shed had been put in within the setback and the property owner was looking for a variance. The ZBA did a site walk and found another location on the property so they denied the variance. The property owner was given 90 days to move the shed to the new location.

Mr. Kenison made a motion to adjourn the meeting at 9:34 p.m. Mr. Baker seconded and the motion passed. 3-0

Submitted by:

Sheryl White  
Secretary to the Board of Selectmen

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Nancy Carney, Chairman

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Daniel Baker

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Charles Kenison  
Board of Selectmen