



BOARD OF SELECTMEN
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BOARD MEETING MINUTES
August 18, 2020
9:00 A.M.

Selectmen Present: Daniel Baker, Robyn Bates, Charles Kenison

Guests: (via conference call) Stephanie Scherr, Sheena Royce, Dana Pinney, Robert Ford, Jean Ford

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

PRIMARY:

- 9:00 SITE WALKS**
- Richard Dwinell - Map 21, Lot 6
 - Upper Gap Mountain Road

The meeting reconvened at the Town Hall at 10:20 a.m.

Richard Dwinell - Map 21, Lot 6 – The Selectmen completed a site walk on the property of Mr. Dwinell. Mr. Baker shared any action by the Town could infer an obligation, so the Selectmen would like to confer with the Town’s attorney. If this isn’t the case, then the Selectmen would check with the highway department to see if we are doing the correct thing.

Upper Gap Mountain Road – The Selectmen completed a site walk of Upper Gap Mountain Road. The Town is trying to position the turnaround adjacent to the Pinney driveway. Rocks would be removed, the area leveled and maintaining the bank to hold the gravel. The second component – reconvene a public hearing on the classification of the road to end the class 5 maintained portion of the road at the driveway. Ms. Bates shared that the Ford’s had stated a rock could be moved to maintain the radius. Before any work was begun, a drawing would be done and approved by the Select Board.

10:00 MEETING

PUBLIC COMMENT – Mr. Baker shared the best estimate of the Steeple schedule. At 8 a.m. the roof would be disassembled. Most of the prep work has been done and the lifting of pieces would start by 9 – 9:30 a.m. It is expected to go through 2 days of crane work. Mr. Baker wasn’t sure about how long between lifting each piece. Some upper pieces have been pre-fitted back in the shop. Reframing the bell frame and resetting the clock. Once above the bell tower the process should go pretty quickly.

Ms. Bates mentioned the pending elections and wanted the Selectmen to check with the Town Clerk to understand the guidelines being put in place. Ms. Favreau would schedule Heidi Wood, Town Clerk to meet with the Selectmen as well as Fire Chief Dubriske and Carol Ann Rocheleau, Health Officer.

***** APPROVE MANIFESTS**

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

***** APPROVE MINUTES**

- August 4, 2020
- August 10, 2020

Ms. Bates made a motion to approve the August 4th minutes. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Ms. Bates made a motion to approve the August 10th minutes. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

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

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*** REVIEW CERTIFICATE OF OCCUPANCY

- Map 7, Lot 7-45
- Map 11, Lot 17-4

Map 7, Lot 7-45 – Ms. Bates made a motion to approve the Certificate of Occupancy for Map 7, Lot 7-45. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Map 11, Lot 17-4 – Ms. Bates made a motion to approve the Certificate of Occupancy for Map 11, Lot 17-4. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

*** REVIEW CONSTRUCTION PERMIT APPLICATIONS

- Map 26, Lot 11
- Map 4, Lot 63

Map 26, Lot 11 – Ms. Bates made a motion to approve the Construction Permit for Map 26, Lot 11. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0
The Selectmen agreed that an Occupancy Permit was needed.

Map 4, Lot 63 – The Selectmen determined that the Construction Permit Application needed to go to Planning Board for Site Plan Review.

10:15 MEET WITH BOB THOMPSON Re: Construction and septic plan

Bob Thompson, owner and John Buschbaum, septic plan designer met with the Selectmen to discuss Mr. Thompson's construction plans for his property – Map 35, Lot 24. Mr. Thompson wanted to put in a septic system. Mr. Buschbaum had shared with Mr. Thompson that he needed a construction permit application for a deck. Mr. Thompson noted that there are wetlands on his property and he had met with Ms. Favreau to see a wetlands map. Ms. Favreau shared with Mr. Thompson a flood plan map of his area. Ms. Favreau shared with him that there are prime wetlands and Mr. Thompson reviewed the documents. He didn't understand why he was in violation since the prime wetlands were approved in 2019. Ms. Favreau shared that he was assessed on the deck. She became aware of the violation when she received a septic system approval. Ms. Favreau had noted that Pine Road isn't a town maintained road. Mr. Thompson wanted to build a home in approximately 2 years. Ms. Favreau shared that she didn't sign the septic plan because of the existing violations. She didn't think the septic system was 100 feet from Scott Pond.

The Selectmen reviewed the location of the trailer, deck and the proposed septic system. Mr. Buschbaum stated the septic system would be for the proposed house and it was more than 100 feet. Mr. Baker shared that access from Pine Road would need to go before ZBA. Mr. Thompson shared that Pine Road was his property. Mr. Baker asked if he was the only house on the road. Mr. Thompson stated that there are other houses. Mr. Thompson asked how long the variance would be valid. Ms. Favreau stated the variance would be valid for a year. Mr. Buschbaum stated he had to increase the septic system because of having to pump sewage. The septic is within the WPOD. Ms. Favreau stated that Mr. Thompson would need to go before Conservation Commission and ZBA. Ms. Favreau wasn't sure what the State would require. Mr. Buschbaum stated that all of the State's requirements are met and stated the problem was the prime wetlands designation. Mr. Buschbaum stated that he had contacted the State regarding the Town's application. He was told that the application had been received but hasn't been granted. There were notifications of abutters that needed to be done by the State and a public hearing held. Mr. Buschbaum reviewed the prime wetlands designation - RSA 482-A:15. Mr. Buschbaum stated that he could make the septic system work by moving it but the designation of the prime wetlands hasn't been done. Mr. Buschbaum shared that he is a wetlands scientist and he looked at Mr. Thompson's soil. Mr. Baker asked if the septic met the Town's wetland's ordinance. Mr. Buschbaum stated that it does. Mr. Kenison stated that they are called wetlands of significant value. Mr. Kenison stated it still needed a conditional use waiver by definition of the Town's Ordinance 127-16.1. Mr. Baker stated the Town has a remedy - to go before the Planning Board or move the septic system. Mr. Buschbaum stated that he would move it but he stated the Town can't define the wetlands as prime. Mr. Buschbaum questioned Scott Pond being voted in as a wetland of significant value. Ms. Bates stated it was because of the water shed that it feeds. Mr. Buschbaum stated to be clear he would move the pump site, as they have been held up for a month. Ms. Bates stated this would be the easiest course of action. Mr. Baker stated that if they wanted clarity, the Town's building inspector could be sent down. Mr. Buschbaum noted that he measured the location of the pump (design was to scale). The injector pump would be moved out to be a 100 feet (the minimum amount). Ms. Favreau shared that the trailer and existing deck was in violation of the 75' wetlands setback. Mr. Baker shared that if Mr. Thompson needed to get that legal he needed to go before the ZBA. Mr. Kenison asked how many years it has been there. Mr. Thompson shared that it has been 5 years. Mr. Thompson asked what he needed to do to make it possible for him to install a septic system and build a house. Mr. Thompson stated the trailer has been there since the 1980s. Mr. Thompson stated that he put a deck on the trailer. Ms. Favreau stated that the trailer can't be permanent and can't be hooked up to water, sewer or electricity. The property currently has an outhouse. Ms. Bates stated there are 2 separate issues. Once State approval has been obtained, Mr. Thompson needed to go to ZBA for the deck, asking for a

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special exception. Ms. Bates explained the ZBA process. Mr. Buschbaum mentioned needing a wetlands crossing (for the septic), and asked if our inspector had the qualifications to make that determination. Mr. Buschbaum gave Ms. Favreau the wetlands information. Ms. Favreau stated the first step was to submit the Construction Permit Application and have the Land Use Coordinator research.

10:45 MEET WITH RECREATION DIRECTOR SHEENA ROYCE

Sheena Royce gave a recap of the summer recreation program. There were 17 children, they were healthy, happy and the parents were satisfied. It was a success. The Recreation Commission appreciated the Selectmen's support. Mr. Baker asked about soccer. Ms. Royce discussed a few things that the Selectmen had approved. Guidelines have been developed as to what the soccer program would look like. A survey was sent out. Ms. Royce reviewed the guidelines, which would limit the program to Fitzwilliam residents only. The survey revealed that there would be low participation. The Recreation Commission would like to make the program Saturday mornings at \$20 per child, once a week from September 19th – October 17th. The stipend for the soccer coordinator would be \$500. This would break even with the soccer stipend if there are 25 children. Ms. Royce shared that the recreation field would need to be mowed and she mentioned that the field hasn't been maintained. Ms. Favreau shared that the pole barn and tennis courts are to be mowed once a month and the recreation field is once a week. Ms. Royce wanted to make sure it would be done every week. Ms. Royce mentioned that a summer recreation staff member was approached about how often the field needed mowing. Mr. Baker stated it doesn't get mowed more than once a week and we would contact the mower and put in the request.

Ms. Royce asked about mowing the ski hill. The Selectmen agreed. It has been included in the recreation budget. Ms. Royce mentioned the Take-A-Hike Challenge and shared that in the first week there were 35 participants registered - 10 seniors, 11 youths and 14 teens. Ms. Royce shared that movie night has been cancelled and mentioned that they are planning a fall cleanup.

*** REVIEW RAFFLE PERMIT APPLICATION - Fitzwilliam Police Association

Mr. Kenison made a motion to approve the Raffle Permit Application for the Fitzwilliam Police Association. Ms. Bates seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

*** REVIEW VENDOR PERMIT APPLICATION - The Selectmen tabled until additional information is obtained. - Elizabeth Lorenz – Edward Jones

*** DISCUSSION ON PROCESS FOR REVIEW OF BROADBAND BIDS

Ms. Favreau shared that 3 bids have come in. Ms. Bates would like the Task Force to do a summary and their recommendations for the Selectmen to review. Mr. Baker shared that in the past we have discussed that the Task Force would provide summaries to the Selectmen, as well as recommendations (pros and cons) to present to the Selectmen. Mr. Pinney stated they have received information from other towns and the Task Force is happy to enter the information into a matrix. The Task Force may need to bring in company representation to do a presentation to the Selectmen. Discussion was held on the timing. Mr. Pinney shared that the Task Force could have the information to the Selectmen in two weeks.

Mr. Pinney asked to speak with Attorney Renelle L'Huillier now that proposals have been received. The Task Force felt it would be useful.

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

*** REVIEW INVOICE – STEEPLE

Mr. Baker shared that as long as paying the vendors directly, it saves money not having Jay Southgate run through his books. Mr. Baker shared that the trucking invoice was for \$12,500 for two trips.

Ms. Bates made a motion to approve the transportation costs and additional cost for police. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

Mr. Baker made a motion to approve the invoice in the amount of \$425 for the septic inspection at Meadowood. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

*** REVIEW E-MAIL FROM HEALTH OFFICER

The Selectmen reviewed the complaint on the Berg property. Ms. Favreau shared her concerns about sending a cease and desist letter without a site visit by Town officials. It was noted that DES is aware of the issue. Ms. Favreau suggested that a

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letter be sent to the property owner making them aware of a complaint and noting that a re-inspection was needed by the Town's Code Enforcement Officer. The Selectmen agreed.

*** DISCUSS LETTER FROM MONADNOCK CHILD ADVOCACY

The Selectmen reviewed the letter from Monadnock Child Advocacy requesting an increase as Fitzwilliam's cases have increased. It was noted that the request was for an additional \$50 from what was appropriated for 2020.

Ms. Bates made a motion to approve the \$50 increase to Monadnock Child Advocacy. Mr. Kenison seconded. Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes. Approved – 3-0

*** DISCUSSION REGARDING TOWN HALL COVID-19 SAFETY PRACTICES

The Selectmen reviewed the practices that were in place at the Town Hall. The Selectmen also reviewed the State mandates. Mr. Baker suggested getting an update of safety practices from Fire Chief Dubriske and Carol Ann Rocheleau, Health Officer.

*** NON-PUBLIC SESSION - RSA 91-A:3 II(a) – Evaluation – Tabled until the end of the meeting

*** NON-PUBLIC SESSION - RSA 91-A:3 II(e) - Legal

At 11:11a.m. Ms. Bates made a motion to go into non-public session under RSA 91-A:3 II(e). Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 12:00 p.m. Ms. Bates 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. Bates - Yes, Mr. Kenison - Yes.

*** NON-PUBLIC SESSION - RSA 91-A:3 II(a) – Evaluation

At 1:00 p.m. Mr. Baker made a motion to go into non-public session under RSA 91-A:3 II(a). Mr. Kenison seconded and the motion passed 3-0. Roll Call vote: Mr. Baker – Yes, Ms. Bates - Yes, Mr. Kenison - Yes.

At 1:50 p.m. Ms. Bates 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. Bates - Yes, Mr. Kenison - Yes.

INFORMATION

*** **TOWN MEETING VOTE - VFW PROPERTY** – Ms. Favreau shared that she found a Warrant Article that was voted on that stated should the VFW want to sell the property, it would revert back to the Town of Fitzwilliam.

ON-GOING BUSINESS:

*** **STEEPLE PROJECT**

*** **AMBULANCE SERVICE**

*** **SOLAR**

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

- **Unregistered vehicles**

- **Debris and junk in yards**

Meeting Schedule: After discussion, the Selectmen agreed to meet on Wednesday, August 26th at 7 p.m.

Mr. Baker made a motion to adjourn the meeting at 1:52 p.m. Ms. Bates seconded and the motion passed. 3-0

Submitted by:

Sheryl White
Secretary to the Board of Selectmen

Daniel Baker, Chairman

Robyn Bates

Charles Kenison
Board of Selectmen