

**Town of Fitzwilliam
Historic District Commission
Meeting Minutes
July 11, 2019**

Members Present: John Fitzwilliam, Chairman; Bill Davis and Marcia Camden, Members: and Robyn Bates, Board of Selectmen, Representative.

Members Absent: Claire Borowski.

Others Present: Emily Proctor, Applicant; Gage Broxton, Applicant; Mary Kisinger, speaking for Joe Piccolo; and Laurie Hayward, Land Use Administrative Assistant (LUA).

Call to Order: The Chairman opened meeting at 4:01.

4:00 PM. HDC Permit for: Emily Proctor – regarding installing an entry door at 14 Robbins Road, which is in the Historic District, Tax Map 33, Lot 12. Commission Members reviewed the application and the photos of the current door and the proposed replacement door. Members asked how old the house is. Fitzwilliam stated that the house was built in 1961. There was a brief discussion about what style the door is and whether it is appropriate to the 1960's. There was agreement that the door is most like an arts and crafts style door. Both Fitzwilliam and Davis expressed some reservation about an arts and crafts style door, a style which was prevalent in the early 1900's, on a 1960's house. Proctor said that this is a style that they really like. It was pointed out that the house does not directly face the street and so this entry door is not highly visible. It was agreed that it would be an improvement on the current door which is in poor shape. Fitzwilliam called for a motion. **Davis made a motion to accept the proposed replacement door; Fitzwilliam seconded and it was voted unanimously to issue the Historic District Permit.**

4:15 PM. HDC Permit for: Gage Broxton – regarding installing a concrete patio at 194 NH Rte. 119 West, which is in the Historic District, Tax Map 11, Lot 26. Davis asked about the location. Broxton explained that it is on the corner of Rhododendron, across from the bicycle shop. Davis asked if the plan is to simply have a concrete slab or would he put rock or something else on top of the concrete. Broxton explained that he will have crushed rock beneath and concrete poured above. Camden asked about decorative concrete. Broxton said there was no plan for that. Bates asked about the intent of use and whether they would have patio furniture on it. Broxton said that they have lawn chairs and a grill. Fitzwilliam pointed out that the location is well off the road and will not be easily visible from the road. Broxton stated the location planned for the concrete slab is the only level spot in the yard. Davis asked how

thick the pad will be, Gage replied that it will be 6 to 8 inches thick. Bates asked if Broxton plans to put a building on the pad at some time in the future. Broxton says that the only time he might consider that is if something happened to their current garage. The LUA asked Broxton about his statement to her that he might want to use it when changing the oil in his car. Broxton agreed that is something that he might do as that would be a hard level surface. **Fitzwilliam made a motion to accept the patio as presented. Camden seconded the motion and it was voted unanimously to approve the Permit.**

Bill Davis left at 4:21 PM.

The Land Use Administrator explained that Mary Kisinger has a question to ask the Board and she stepped away to invite Mary to the meeting.

New Business: Roof-top Solar Installation. Mary Kisinger spoke to the Commission regarding a rooftop solar installation in the Historic District on the dwelling owned by Joe Piccolo. Kisinger said that Piccolo was unavailable for this meeting and had not submitted an application. She went on to explain that she is not the owner, but she is here in his place. She told Members that Piccolo is working with a solar contractor and they plan to install solar panels. Piccolo understood that the solar installer was supposed to get all permits and the installer did apply for a Construction Permit; but did not realize he needed a Historic District Permit as well. Kisinger told Commission Members that the solar panels will be mounted on the roof at the rear of the house, on the surface that faces south which is away from Rte. 119 and won't be visible from the road. There is a need for quick approval because the installation is planned for July 22nd. Camden asked how much electricity the solar panels will provide. Kisinger replied that it will not be all of the energy used; but, it will be close to all.

Kisinger told Members that they are having Granite State Solar do the installation. They got multiple quotes and the one that Solarize Monadnock recommends was significantly more expensive. Kisinger explained that they told Solarize Monadnock how much more expensive their recommendation is.

Bates asked the LUA whether installing a solar system is a right in New Hampshire. The LUA said that she is not aware that is the case; but, she will check that out. Fitzwilliam suggested that because there is no application, the Commission cannot make a decision. However, perhaps they can render an opinion. The LUA stated that she just attempted to find any statement in state statutes that would lead her to believe that there is one that says "solar is a right".

The LUA suggested one approach could be to more fully check state statutes to determine whether the state statutes make solar on the rooftop "a right". The Commission could say that, if the state makes roof-top solar "a right", then there is no need to apply to the Historic District Commission. Because there has never been an application, she does not see how the Commission can approve conditionally. The LUA suggested that Piccolo complete an

application and plan to be at the August meeting. If it turns out the Historic District Commission does not need to approve a Permit, then the LUA will send the Construction Permit to the Town Manager. But, if the state does not override the local, then Fitzwilliam Zoning states that any change to the exterior must be approved and specifies that, in the Historic District, the Historic District Commission must approve the solar installation. Fitzwilliam asked the LUA why they couldn't approve it at this meeting. The LUA explained that there was no application; therefore there was nothing on the agenda. In her opinion they cannot take up what has neither application nor notice on the agenda. The best they can do is approve, if the state statute overrides the Fitzwilliam Ordinances. Bill Davis suggested that they should have a meeting regardless. After some discussion, it was agreed that the LUA will check with the New Hampshire Municipal Association Legal Services to find the answer to the question. Assuming that the answer is that there needs to be an approval from the Historic District Commission, then there will be a Special Meeting of the Commission to be held on Thursday, July 18th. The Commission Members asked Mary to pass on to Piccolo that he should complete an application on the assumption he may need to do so and plan to appear on July 18th.

Update: Beth Vanney's initiative regarding invasive plants. The LUA told Commission Members that she checked the Land Use Budget and there was money to cover printing flyers alerting homeowners of the problems associated with oriental bittersweet. The LUA is currently working on completing a database with tax map and lot numbers, connected to names and addresses of owners of properties that lie in the Historic District. That database will be used to create a "mail merge" to print labels for the flyers. The LUA has discovered that it is not easy to identify all households in the Historic District. She used an old hand drawn map and it does not reflect recent changes. The LUA gave the example of a Filipi subdivision on upper Troy Road, explaining that the lots in the subdivision do not appear on the older map; but do appear on current tax maps. That makes for some confusion regarding which lots are in the Historic District, especially if the lot is at the outer edges of the District.

There being no further business, **Davis moved; Fitzwilliam seconded the meeting be adjourned and it was voted unanimously that the meeting adjourn** at 5:05.

Respectfully submitted,

Laurie Hayward
Land Use Administrative Assistant