

APPROVED AS WRITTEN
Town of Fitzwilliam
Planning Board Meeting
Tuesday, October 17, 2017

Member's Present: Suzanne Gray; Terry Silverman; Matt Buonomano; Nancy Carney, Selectman's Representative; Paul Haynes; Ross Tourigny

Other's Present: Paul Grasewicz,

CTO: Terry Silverman called the meeting to order at 7:01 pm.

Continued Hearing for Casey and Francis Gibson Application for a Boundary Line Adjustment between Tax Map 8, Lot 30-1, and Tax Map 8, Lot 31. 7:00 pm. Terry began by inviting Paul Grasewicz up to the Board to discuss the application. Grasewicz described the original subdivision from back in 2008, which created Lot 30-1 and is owned by Casey Gibson. The second lot, Lot 31, is now also owned by Casey Gibson and so he would like to take the lot with his house and shrink the lot size down to 5.64 acres, with the remaining land merged with the other lot, Lot 31. Lot 31 would become a 77 acre piece of land.

Gray asked if the property had road access and Grasewicz responded that there is road access to the property with a house on it. Grasewicz explained that the existing lot with no frontage would continue to have no frontage. Gray asked what the current use of the lot was and Grasewicz explained that there is nothing back there besides nice stonewalls. Silverman asked for the frontage on the lot with road access and Grasewicz responded it was 273 feet on Fullam Hill Road.

Silverman moved to approve the lot line adjustment of Map 8, Lot 31 and Lot 30-1, with the condition of knowing that this is an enlargement of the previously landlocked lot which is to remain unbuildable, as it was before. Gray seconded and the Board approved unanimously.

Minutes. 7:27 pm. On Line 78 and 79, talking about the solar ordinance, Gray explained that the sentence structure is off and Silverman suggested the sentence be cleaned up.

Gray pointed out a typo in Line 80, that an extra "a" can be deleted.

Buonomano noted on Line 20 that there was a small typo and on Line 29, it should say "dollar amount **for** fees." He then pointed out Line 45 to Line 51, that his discussion was somewhat misconstrued and that what he was trying to say was that a person should calculate the dollar amount based on the square footage, and even if the dollar amount is less than minimum the of \$500 then they would still pay the minimum fee of \$500, not less. Buonomano then pointed out Line 147, when Blais talks about wetland parcels, that it should specifically say **Prime** wetlands.

Gray made a motion to accept the minutes of 10/3 as amended, Haynes seconded, and the Board agreed unanimously.

Shoreland Protection Overlay District Ordinance. 7:42 pm. Silverman began by discussing the confusion about using a stricter setback than 50 feet for the Shoreland Ordinance. Buonomano discussed the wetlands and prime wetlands setbacks and wondered if those could be applied to this ordinance. After further discussion, it was decided the LUA would ask NHMA for more information and will check if the wetland lake setback can be carried over.

Buonomano and Silverman discussed Ogilvie's suggestion of not using a map to show the overlay. Gray explained how only an engineer could really delineate the wetlands on the property, and that a map can be too vague. Haynes and Carney noted that delineation of wetlands on a property is required for the Construction Permit. Carney added that many wetlands or small bodies of water in Town can appear only seasonally and the Board concluded that having a map may help applicants understand if they may be living in a wetland area.

Going back to the LUA reaching out to NHMA for information on the setback, Silverman asked if the Prime Wetlands Overlay District setbacks can trump the setback requirement for the state's Shoreland Overlay District Ordinance; if adhering to the state's 50 ft setback for the Shoreland Ordinance would negate the current Wetlands District setback requirements, and if so, should the Board go ahead with the Shoreland Ordinance.

Buonomano suggested taking key pieces from the ordinance and using them elsewhere such as the section on erosion and siltation control measures. Gray and Buonomano discussed making sure the Shoreland Ordinance does not overlap or negate other Ordinance's regulations and setback requirements. Silverman added that he would like to know if the Shoreland Protection Overlay District or the Prime Wetlands Overlay District gives better protection to natural resources.

Solar Ordinance 8:33 pm. Silverman pointed out that the section on signage in the Solar Ordinance should match the Town's Signage Ordinance. Silverman and Carney discussed including provisions to require signage or labeling for shutting off the Solar Energy System.

The Board discussed the by-right uses of solar and Buonomano suggested that ground-mounted, to some extent, should be by-right. Silverman further explained that by having an ordinance in place, it allowed applicants as well as abutters and the Town to be protected from any externalities it may cause.

Code Update. 8:45 pm. The Board discussed the need for landscape standards and Silverman noted it was specifically for major site plan review. Tourigny discussed having only a list that noted the invasive species and permitted species. Silverman suggested to the Board that the updates for the chapters be cut down to provide only what is needed in terms of the invasive species language.

Silverman made a motion to adjourn, Haynes seconded, and the meeting adjourned at 9:06 pm.