

**Pittsfield Planning Board  
Town Hall, 85 Main Street  
Pittsfield, NH 03263  
Minutes of Public Meeting**

**DATE:** Thursday, January 18, 2018

**AGENDA ITEM 1:** Call to Order

Chair Clayton Wood called the meeting to order at 7:03 P.M.

**AGENDA ITEM 2:** Roll Call

Planning board members present:

Clayton Wood (chair),

Daren Nielsen (vice-chair),

Jim Pritchard (secretary),

Carole Richardson (selectmen's ex officio member), and

Adam Gauthier (alternate)

Planning board members absent:

Paul Nickerson,

James Hetu (alternate), and

Jim Adams (alternate for the selectmen's ex officio member)

Pittsfield town officials appearing before the planning board: None.

Members of the public appearing before the planning board: Carl Wallman and Paul Zuzgo.

“Members of the public appearing before the planning board” includes only members of the public who spoke to the board. It does not include members of the public who were present but who did not speak to the board.

**AGENDA ITEM 3:** Public Input

Adam Gauthier sat in place of Paul Nickerson.

No public input.

**AGENDA ITEM 5:** Public hearing on the merits of Christopher Carson’s application to approve a three-lot subdivision at 121 Barnstead Road, tax map R-15, lot 6, in the Light Industrial/Commercial zoning district

Clayton Wood explained that the board had erred in not holding a public hearing on the Carson application on December 21, 2017, and that the board had to correct this error.

Jim Pritchard said that state law (RSA 676:4, I, (e)) does not permit the board to reach any decision on an application for subdivision approval without first holding a public hearing. Jim Pritchard moved to rescind the board’s vote to give conditional approval to the Carson application on December 21, 2017.

Clayton Wood seconded the motion.

Discussion:

Clayton Wood said that the 30-day appeal period gave the board the opportunity to correct the error of not holding a public hearing. (74 Cox Street v. Nashua, 156 N.H. 228, 931 A.2d 1194 (2007).)

Vote to rescind the board’s vote to give conditional approval to the Carson application on December 21, 2017: carried 5 - 0 - 0. Voting “yes”: Jim Pritchard, Daren Nielsen, Clayton Wood, Adam Gauthier, and Carole Richardson. Voting “no”: none. Abstaining: none.

Clayton Wood opened the public hearing on the Carson application to public input.

Paul Zuzgo said that he had copies of the most recent plan.

There was no other public input.

Clayton Wood closed the public hearing to public input.

Clayton Wood said that Jim Pritchard had used the time between the meetings on December 21, 2017, and tonight to solve some of the problems

remaining in the Carson application on December 21, 2017. Clayton Wood said that solving some of these problems helped the applicant because solving the problems explicitly would leave no doubt that the board had addressed the application's conformance to the corresponding regulations.

Jim Pritchard reviewed the Carson application's new waiver requests:

Carson waiver request 1:

Waiver of the requirement that permanent boundary markers at the northeast corner of proposed lot 3 (proposed tax map R-15, lot 6-3) on NH Route 28 (Suncook Valley Road) must be granite. (Subdivision regulations, article 9, section 2, Survey Monument Types, (a) (page 70).)

Reason for the waiver:

A durable boundary marker, that is, an iron rod, already exists at this corner, and marking this particular boundary point with a granite boundary marker instead of the existing iron rod boundary marker would be very difficult and expensive because my surveyor has told me that he is unable to replace the existing iron rod boundary marker and because finding another surveyor, one who would be able to replace the existing iron rod boundary marker with a granite boundary marker, would a great financial hardship this far into the planning board's subdivision review process.

Jim Pritchard moved to grant Carson waiver request 1.

Clayton Wood seconded the motion.

Discussion:

Clayton Wood said that the board's position on this matter on December 21, 2017, had been ambiguous.

Vote to grant Carson waiver request 1: carried 5 - 0 - 0. Voting "yes": Jim Pritchard, Daren Nielsen, Clayton Wood, Adam Gauthier, and Carole Richardson. Voting "no": none. Abstaining: none.

Carson waiver request 2:

Waiver of the requirement that the shared driveway into proposed lots 1 and 2 (proposed tax map R-15, lots 6-1 and 6-2) must satisfy the road construction standards for new streets. (Subdivision regulations, article 12, Standards for Street Design and Construction (page 77).)

Reason for the waiver:

The Pittsfield Fire Department has approved the condition of the shared driveway for emergency response access, so the shared driveway satisfies the subdivision regulations, article 8, section 3, Emergency Access, (b) (page 62). Because the shared driveway is a private road giving access to proposed lots 1 and 2, emergency access, which fire department has approved, is the only public interest that the road's condition must satisfy.

Jim Pritchard moved to grant Carson waiver request 2.

Clayton Wood seconded the motion.

Discussion: No discussion.

Vote to grant Carson waiver request 2: carried 5 - 0 - 0. Voting "yes": Jim Pritchard, Daren Nielsen, Clayton Wood, Adam Gauthier, and Carole Richardson. Voting "no": none. Abstaining: none.

The board reviewed Jim Pritchard's review of the Carson plat revised to December 21, 2017, and how the Carson plat revised to January 12, 2018, satisfied or did not satisfy the points that the Pritchard review stated.

Pritchard review point 1: The final plat shall include either a driveway permit for the shared driveway on NH Route 107 (also known as Barnstead Road) or a written statement from the New Hampshire Department of Transportation saying that the department does not require such a permit.

Board review of Pritchard review point 1:

Paul Zuzgo said that the driveway permit applications were finished except that they needed the owners' signatures.

Pritchard review point 2: The final plat shall include either a driveway permit for the shared driveway on NH Route 28 or a written statement from

the New Hampshire Department of Transportation saying that the department does not require such a permit.

Board review of Pritchard review point 2:

Paul Zuzgo said that the driveway permit applications were finished except that they needed the owners' signatures.

Pritchard review point 3: The final plat shall state the base flood elevation as 482.2 feet relative to the North American Vertical Datum of 1988.

Board review of Pritchard review point 3:

Jim Pritchard and Paul Zuzgo discussed that the base flood elevation varied and that they had discussed this matter with Jennifer Gilbert, Floodplain Management Program Coordinator, New Hampshire Office of Strategic Initiatives - Division of Planning (formerly Office of Energy and Planning). Paul Zuzgo said that he would develop a statement for plan note 8 on sheet 1 to state the base flood elevation and its variation. The board agreed that the statement that Paul Zuzgo would develop would be a condition of the plat's final approval.

The statement that Paul Zuzgo submitted to Jim Pritchard on January 24, 2018, was as follows:

**THE PARCEL FALLS ON FEMA MAP NUMBER 33013C0379E AND MAP NUMBER 33013C0383E, EFFECTIVE DATE APRIL 19, 2010. BASE FLOOD ELEVATION BETWEEN CROSS SECTION BY AND BZ IS 482.2. BASE FLOOD ELEVATION BETWEEN CROSS SECTION BZ AND CA VARIES PER FEMA FLOOD PROFILES MAP 82P**

Pritchard review point 4: The final plat shall state the proposed use of lot 2 as follows: "The current use on proposed lot 2 is residential, but this residential use is nonconforming to the Pittsfield Zoning Ordinance, and, as such, the residential use may continue only as permitted by the Pittsfield Zoning Ordinance and the state law of nonconforming uses. If the residential use is discontinued to the extent of abandonment, then the residential use shall not be resumed."

Board review of Pritchard review point 4:

Plan note 11 on sheet 1 has this statement.

Pritchard review point 5: The final plat shall have a note saying as follows: “The shared driveway easement on NH Route 107 (Barnstead Road) shall be stated in the deed when proposed lots 1 and 2 are separated in ownership.”

Board review of Pritchard review point 5:

Plan note 9 on sheet 1 has this statement, and plan note 3 on sheet 2 has a similar statement.

Pritchard review point 6: The final plat shall show the boundary marker on NH Route 28 at the northeast corner of proposed lot 3 as granite according to the Pittsfield Subdivision Regulations, article 9, section 2, (a), or else Paul Zuzgo must make a written request for a waiver of the Pittsfield Subdivision Regulations, article 9, section 2, (a), requiring a granite boundary marker on NH Route 28 at the northeast corner of proposed lot 3. Please note that (1) the subdivision regulations meet the dictionary definition of “law”--I looked it up--and (2) Matt Monahan knows of several other towns that require replacement of substandard boundary markers, but he does not know of anyone getting in trouble for such replacement.

Board review of Pritchard review point 6:

Carson trustee Kathy Beltrami requested a waiver of this boundary marker requirement in Carson waiver request 1, and the board granted the waiver earlier in tonight’s meeting.

Pritchard review point 7: The final plat shall state plan note 4 as follows: “Bearings are true bearings relative to New Hampshire state plane coordinates NAD 83” unless the system by which the survey is tied to the New Hampshire state plane coordinates is not NAD 83, in which case “NAD 83” shall be replaced with the system by which the survey is tied.

Board review of Pritchard review point 7:

Plan note 4 on sheet 1 has this statement.

Pritchard review point 8: Paul Zuzgo will make a written request for a waiver of the requirement for street numbers and tax map and lot numbers. I suggest that the reason to be given is that the fire department and the board of selectmen are responsible for developing these numbers and that these town agencies do not seem to have formulas for developing them.

Board review of Pritchard review point 8:

The selectmen's office and the fire department have developed tax map and lot numbers and street addresses as follows:

Tax map and lot identification:

Proposed lot 1: tax map R15, lot 6-1

Proposed lot 2: tax map R15, lot 6-2

Proposed lot 3: tax map R15, lot 6-3

Addressing (per fire department input):

Proposed lot 1: 121-B Barnstead Road

Proposed lot 2: 121-A Barnstead Road

Addressing of proposed lot 3 based on the position of the curb cut as shown on the plat: 1119 Suncook Valley Road

The plat shows each lot with its tax map and lot number, and plan note 12 on sheet 1 states the street addresses.

Pritchard review point 9: The final plat shall include an enlarged, detail drawing of the shared driveway. This enlarged, detail drawing of the shared driveway will be recorded as part of the final plat and thus must satisfy the registry of deeds's recording standards. The purposes of recording this detail drawing are (1) to give the people buying lots 1 and 2 a legible drawing of the shared driveway, which the overall drawing does not have, and (2) to satisfy at least some of the spirit of the subdivision regulations, article 4, section 1, (d), (19), (A), requiring the plat to include "A full legal description of all restrictions and easements, such as deed restrictions, drainage easements, rights-of-way, and dedications to public use."

Board review of Pritchard review point 9:

The Carson application now includes a second sheet with the enlarged, detail drawing of the shared driveway.

Pritchard review point 10: Paul Zuzgo will make a written request for a waiver of the road-construction standards of the Pittsfield Subdivision Regulations, article 12, Standards for Street Design and Construction, for the shared driveway. I suggest that the reason to be given should be that the fire department has approved the condition of the shared driveway as it is.

Board review of Pritchard review point 10:

Carson trustee Kathy Beltrami requested a waiver of this road-construction requirement in Carson waiver request 2, and the board granted the waiver earlier in tonight's meeting.

Jim Pritchard moved to approve the Carson application upon the following three conditions:

1. The final plat shall include either a driveway permit for the shared driveway on NH Route 107 (also known as Barnstead Road) or a written statement from the New Hampshire Department of Transportation saying that the department does not require such a permit.
2. The final plat shall include either a driveway permit for the shared driveway on NH Route 28 (also known as Suncook Valley Road) or a written statement from the New Hampshire Department of Transportation saying that the department does not require such a permit.
3. Plan note 8 on sheet 1 of the final plat shall state the base flood elevation and its variation as follows:

THE PARCEL FALLS ON FEMA MAP NUMBER 33013C0379E AND MAP NUMBER 33013C0383E, EFFECTIVE DATE APRIL 19, 2010. BASE FLOOD ELEVATION BETWEEN CROSS SECTION BY AND BZ IS 482.2. BASE FLOOD ELEVATION BETWEEN CROSS SECTION BZ AND CA VARIES PER FEMA FLOOD PROFILES MAP 82P

Clayton Wood seconded the motion.



Discussion: No further discussion.

Vote to approve the Carson application upon the following three conditions:

1. The final plat shall include either a driveway permit for the shared driveway on NH Route 107 (also known as Barnstead Road) or a written statement from the New Hampshire Department of Transportation saying that the department does not require such a permit.
2. The final plat shall include either a driveway permit for the shared driveway on NH Route 28 (also known as Suncook Valley Road) or a written statement from the New Hampshire Department of Transportation saying that the department does not require such a permit.
3. Plan note 8 on sheet 1 of the final plat shall state the base flood elevation and its variation as follows :

THE PARCEL FALLS ON FEMA MAP NUMBER 33013C0379E AND MAP NUMBER 33013C0383E, EFFECTIVE DATE APRIL 19, 2010. BASE FLOOD ELEVATION BETWEEN CROSS SECTION BY AND BZ IS 482.2. BASE FLOOD ELEVATION BETWEEN CROSS SECTION BZ AND CA VARIES PER FEMA FLOOD PROFILES MAP 82P

carried 5 - 0 - 0. Voting “yes”: Jim Pritchard, Daren Nielsen, Clayton Wood, Adam Gauthier, and Carole Richardson. Voting “no”: none. Abstaining: Jim Pritchard.

Clayton Wood said that the board’s decision had a 30-day appeal period. (RSA 677:15, RSA 676:5, and the Pittsfield Zoning Board of Adjustment’s rules of procedure, rule XI, 2.)

The board’s notice of decision giving conditional approval to the Carson application for subdivision approval is attached at the end of this minutes document. (See RSA 676:3, II.)

**AGENDA ITEM 6:** Public hearing on the merits of Carl Wallman’s application to approve a lot line adjustment of three lots at unnumbered Clough Road, at 304 Clough Road, and at 320 Clough Road, tax map R-10, lots 8-4, 8-11, and 8-8, in the Rural zoning district

Jim Pritchard moved to rescind the board's vote to give the Wallman application final approval on December 21, 2017.

Clayton Wood seconded the motion.

Discussion:

Clayton Wood explained that the board had erred in not holding a public hearing on the Wallman application on December 21, 2017, and that the board had to correct this error. Clayton Wood said that state law (RSA 676:4, I, (e)) does not permit the board to reach any decision on an application for subdivision approval without first holding a public hearing. Clayton Wood said that the 30-day appeal period gave the board the opportunity to correct the error of not holding a public hearing and to consider requests for two new waivers. (*74 Cox Street v. Nashua*, 156 N.H. 228, 931 A.2d 1194 (2007).)

Vote to rescind the board's vote to give the Wallman application final approval on December 21, 2017: carried 5 - 0 - 0. Voting "yes": Jim Pritchard, Daren Nielsen, Clayton Wood, Adam Gauthier, and Carole Richardson. Voting "no": none. Abstaining: none.

Clayton Wood opened the public hearing on the Wallman application to public input.

There was no public input.

Clayton Wood closed the public hearing to public input.

Jim Pritchard reviewed the Wallman application's new waiver requests:

Wallman waiver request 7:

Waiver of the requirement to show the whole septic systems on lots 8-8 and 8-11. (Subdivision regulations, article 4, section 1, (d), (18), (T) (page 27).)

Reason for the waiver:

On each of the two lots 8-8 and 8-11, the location of the house and the approximate location of the leach field are shown, and the septic tank is between the house and the leach field, which is true of most septic systems. The information provided is enough to show that the septic system does not extend beyond the property lines or into setback yards. In addition, this lot line adjustment is not creating any new lots or development potential; in fact, it is reducing development potential by putting a conservation restriction on much of the land under consideration.

Jim Pritchard moved to grant Wallman waiver request 7.

Clayton Wood seconded the motion.

Discussion: No discussion.

Vote to grant Wallman waiver request 7: carried 5 - 0 - 0. Voting "yes": Jim Pritchard, Daren Nielsen, Clayton Wood, Adam Gauthier, and Carole Richardson. Voting "no": none. Abstaining: none.

Carl Wallman said that he had imposed the conservation restriction on the land last December.

Wallman waiver request 8:

Waiver of the requirement to set boundary markers on the shared driveway to Graylag. (Subdivision regulations, article 9, section 1, Survey Monument Locations (page 69).)

Reason for the waiver:

The shared driveway to Graylag is cut into ledge and is therefore, by itself, a more durable and permanent boundary marker than the granite posts that the subdivision regulations, article 9, section 2, Survey Monument Types, (a), ordinarily requires in the boundary of streets. The driveway to Graylag differs from the driveway situation that Matt Monahan described, the driveway into lot 8-11, which was built in the wrong place, partly on lot 8-8. The driveway into lot 8-11 was built after the Graylag subdivision was approved, and the driveway into lot 8-11 was built in the wrong place because no boundary marker was set where the interior lot line of lot 8-11 and lot 8-8 meets Clough Road. The current lot line adjustment is not asking

to waive the requirement to set boundary markers where an interior lot line meets a street.

Jim Pritchard moved to grant Wallman waiver request 8.

Clayton Wood seconded the motion.

Discussion: No discussion.

Vote to grant Wallman waiver request 8: carried 5 - 0 - 0. Voting “yes”: Jim Pritchard, Daren Nielsen, Clayton Wood, Adam Gauthier, and Carole Richardson. Voting “no”: none. Abstaining: none.

Jim Pritchard moved to give final approval to the Wallman application.

Clayton Wood seconded the motion.

Discussion: No discussion.

Vote to give final approval to the Wallman application: carried 5 - 0 - 0. Voting “yes”: Jim Pritchard, Daren Nielsen, Clayton Wood, Adam Gauthier, and Carole Richardson. Voting “no”: none. Abstaining: none.

The board’s notice of decision giving final approval to Carl Wallman’s application for lot line adjustment approval is attached at the end of this minutes document. (See RSA 676:3, II.)

**AGENDA ITEM 4:** Approval of the minutes of the December 21, 2017, meeting

Jim Pritchard moved to approve the minutes of December 21, 2017, as written in draft.

Clayton Wood seconded the motion.

No board member stated any problems in the draft minutes.

Vote to approve the minutes of December 21, 2017, as written in draft: carried 5 - 0 - 0. Voting “yes”: Jim Pritchard, Daren Nielsen, Clayton

Wood, Adam Gauthier, and Carole Richardson. Voting “no”: none.  
Abstaining: none.

**AGENDA ITEM 7: Selectman’s Report**

Carole Richardson had no selectman’s report.

**AGENDA ITEM 8: Members’ Concerns**

Clayton Wood suggested that the board consider moving its regular meetings from the first Thursday night of the month to the first Monday night of the month. Clayton Wood said that meeting on Monday would give the board more time to put advertisements in the Suncook Valley Sun because the Suncook Valley Sun has a deadline of Friday at 12:00 PM to buy advertisements. Clayton Wood said that he was suggesting that the board begin this new schedule at the beginning of the board’s new term, in April.

Jim Pritchard said that the snow storm that had forced the postponement of the board’s hearings on zoning amendments on January 4, 2018, had given him the opportunity to proofread amendment 4 more carefully and to correct some typographical, clerical, or style problems. Jim Pritchard said that the new amendment 4 (dated December 31, 2017) had had been posted under the notice of hearing on January 22, 2018, and thus that the new amendment 4 met the 11 days public notice requirement of RSA 675:7, I.

Clayton Wood said that the notice of public hearing’s statement of the purpose of amendment 4 was very good and that he would present it to the board of selectmen:

“The purposes of amendment no. 4 are (1) to increase the use-it-or-lose-it time of abandonment of nonconforming uses from the current one year to two years to agree with the state law of abandonment of variances and special exceptions, (2) to provide guidelines for allowed expansion or change of nonconforming uses, (3) to provide guidelines for unlawful expansion or change of nonconforming uses, and (4) to add a process to correct unlawful expansion or change of nonconforming uses.”

Clayton Wood and Jim Pritchard discussed that the state law seeks to reduce and eliminate nonconforming uses. (New London Land Use Association v.

New London Zoning Board of Adjustment, 130 N.H. 510, 543 A.2d 1385 (1988) (“The ‘ultimate purpose of zoning regulations [contemplates that nonconforming uses] should be reduced to conformity as completely and rapidly as possible. . . .’”); McKenzie v. Eaton Zoning Board of Adjustment, 154 N.H. 773, 917 A.2d 193 (2007) (“It is well established both in this state and in others that a legitimate purpose of zoning is the reduction and elimination of nonconforming uses.”.) Jim Pritchard said that he had considered trying to propose a historic homes zoning district to protect the historic mansions in the downtown from being nonconforming uses. These mansions are currently nonconforming uses because they are in the Commercial zoning district, where single-family dwellings, two-family dwellings, and multi-family dwellings are prohibited.

**AGENDA ITEM 9:** Public Input

No public input.

**AGENDA ITEM 10:** Adjournment

Clayton Wood moved to adjourn the meeting.

Jim Pritchard seconded the motion.

Vote to adjourn the planning board meeting of January 18, 2018: carried 5 - 0 - 0. Voting “yes”: Jim Pritchard, Daren Nielsen, Clayton Wood, Adam Gauthier, and Carole Richardson. Voting “no”: none. Abstaining: none. The planning board meeting of January 18, 2018, is adjourned at 7:46 P.M.

Minutes approved: February 1, 2018

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Clayton Wood, chairman

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Date

I transcribed these minutes (not verbatim) on January 20, 2018, from the digital audio recording that Chairman Clayton Wood made during the meeting on January 18, 2018, and uploaded to the Internet.

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Jim Pritchard, planning board recorder and secretary

Attachments:

1. Notice of decision giving conditional approval to the Carson application for subdivision approval.
2. Notice of decision giving final approval to Carl Wallman's application for lot line adjustment approval.

## Notice of Decision

On January 18, 2018, pursuant to the Pittsfield Subdivision Regulations, the Pittsfield Planning Board gave conditional approval to a three-lot subdivision at 121 Barnstead Road (NH Route 107), tax map R-15, lot 6, in the Light Industrial/Commercial zoning district.

The applicant's name and address is Christopher J. Carson, trustee of Patricia R. Carson Heirs, 19 Winant Road, Pittsfield, NH 03263.

The conditions upon which the board will give final approval are as follows:

1. The final plat shall include either a driveway permit for the shared driveway on NH Route 107 (also known as Barnstead Road) or a written statement from the New Hampshire Department of Transportation saying that the department does not require such a permit.
2. The final plat shall include either a driveway permit for the shared driveway on NH Route 28 (also known as Suncook Valley Road) or a written statement from the New Hampshire Department of Transportation saying that the department does not require such a permit.
3. Plan note 8 on sheet 1 of the final plat shall state the base flood elevation and its variation as follows:

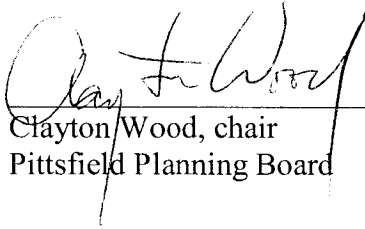
THE PARCEL FALLS ON FEMA MAP NUMBER 33013C0379E AND MAP NUMBER 33013C0383E, EFFECTIVE DATE APRIL 19, 2010. BASE FLOOD ELEVATION BETWEEN CROSS SECTION BY AND BZ IS 482.2. BASE FLOOD ELEVATION BETWEEN CROSS SECTION BZ AND CA VARIES PER FEMA FLOOD PROFILES MAP 82P

The vote to give the subdivision conditional approval was yes: 5, no: 0, and abstaining: 0. Planning board members voting to give the subdivision conditional approval were Clayton Wood, Daren Nielsen, Jim Pritchard, Adam Gauthier, and Carole Richardson.

The planning board may reconsider this decision, upon the board's own motion or at the request of any aggrieved person, within 30 days after the date when the board voted the decision (January 18, 2018). (74 Cox Street v. Nashua, 156 N.H. 228, 931 A.2d 1194 (2007).) Any persons aggrieved by the decision may appeal its zoning matters to the board of adjustment and its planning matters to the superior court. (RSA 677:15; RSA 676:5, III; and Hoffman v. Gilford, 147 N.H. 85, 786 A.2d 93, (2001).) Except as provided in RSA 677:15, I-a, (b), an appellant appealing zoning matters must appeal to the board of adjustment within 30 days after the date when the planning board voted the decision (January 18, 2018). (RSA 677:15, I and I-a; RSA 676:5, I; and Pittsfield Zoning Board of Adjustment Rules of Procedure, rules XI, 1 and 2.) An appellant appealing



planning matters must appeal to the superior court within 30 days after the date when the planning board voted the decision (January 18, 2018) unless the appellant is also appealing zoning matters. If the appellant is also appealing zoning matters, then the appellant must appeal the planning matters to the superior court after but not more than 30 days after the date when the board of adjustment resolves the zoning matters and denies a motion for rehearing under RSA 677:3. (RSA 677:15, I-a, (a).)



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Clayton Wood, chair  
Pittsfield Planning Board

January 24, 2018

Town of Pittsfield  
85 Main Street  
Pittsfield, NH 03263

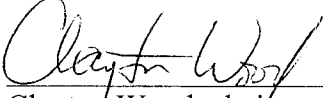
### Notice of Decision

On January 18, 2018, pursuant to the Pittsfield Subdivision Regulations, the Pittsfield Planning Board gave final approval to a lot line adjustment at unnumbered Clough Road, tax map R-10, lot 8-4; at 304 Clough Road, tax map R-10, lot 8-11; and at 320 Clough Road, tax map R-10, lot 8-8, all in the Rural zoning district.

The applicant's name and address is Carl Wallman, trustee of the Carl Wallman Revocable Trust, 320 Clough Road, Pittsfield, NH 03263.

The vote to give the lot line adjustment final approval was yes: 5, no: 0, and abstaining: 0. Planning board members voting to give the lot line adjustment final approval were Clayton Wood, Daren Nielsen, Jim Pritchard, Adam Gauthier, and Carole Richardson.

The planning board may reconsider this decision, upon the board's own motion or at the request of any aggrieved person, within 30 days after the date when the board voted the decision (January 18, 2018). (*74 Cox Street v. Nashua*, 156 N.H. 228, 931 A.2d 1194 (2007).) Any persons aggrieved by the decision may appeal its zoning matters to the board of adjustment and its planning matters to the superior court. (RSA 677:15; RSA 676:5, III; and *Hoffman v. Gilford*, 147 N.H. 85, 786 A.2d 93, (2001).) Except as provided in RSA 677:15, I-a, (b), an appellant appealing zoning matters must appeal to the board of adjustment within 30 days after the date when the planning board voted the decision (January 18, 2018). (RSA 677:15, I and I-a; RSA 676:5, I; and Pittsfield Zoning Board of Adjustment Rules of Procedure, rules XI, 1 and 2.) An appellant appealing planning matters must appeal to the superior court within 30 days after the date when the planning board voted the decision (January 18, 2018) unless the appellant is also appealing zoning matters. If the appellant is also appealing zoning matters, then the appellant must appeal the planning matters to the superior court after but not more than 30 days after the date when the board of adjustment resolves the zoning matters and denies a motion for rehearing under RSA 677:3. (RSA 677:15, I-a, (a).)

  
Clayton Wood, chair  
Pittsfield Planning Board

January 24, 2018

Plan number