

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

DATE: Thursday, July 21, 2016

AGENDA ITEM 1: Call to Order

Chair Clayton Wood called the meeting to order at 7:02 P.M.

AGENDA ITEM 2: Roll Call

Planning board members present:

Clayton Wood (chair),

Daren Nielsen (vice-chair),

Jim Pritchard (secretary),

Pat Heffernan,

Gerard LeDuc (selectmen's ex officio member), and

Roland Carter (alternate)

Planning board members absent:

Carole Richardson (alternate for the selectmen's ex officio member) and

Paul Nickerson (alternate)

Members of the public appearing before the planning board: None.

“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

No public input.

AGENDA ITEM 4: Approval of the Minutes of the June 2, 2016, June 13, 2016, June 16, 2016 and July 7, 2016 Meetings

Jim Pritchard moved to approve the minutes of June 2, 2016, as written in draft.

Clayton Wood seconded the motion.

Discussion:

Jim Pritchard said that he had listened to the audio recording to try to find a statement that Paul Nickerson had said that Gerard LeDuc had said but that was missing from the minutes. (See planning board minutes of June 16, 2016, agenda item 4, page 2.) Jim Pritchard said that Paul Nickerson had not known exactly what Gerard LeDuc had said or when Gerard LeDuc had said it. Jim Pritchard said that he had not found that Gerard LeDuc had said anything near the statement that Paul Nickerson had given as a landmark statement. (The landmark statement was “Paul Nickerson said that the three-year hold time is after three years of tax lien so that the three-year hold time is actually six years of tax arrearage.”)

Clayton Wood said that he had listened to the audio recording and had not found anything either.

Jim Pritchard said that he had listened to Paul Nickerson’s statement very carefully and that he wanted to add to what the draft minutes recorded Paul Nickerson as having said:

Immediately after the sentence (agenda item 5, page 7)

“Paul Nickerson said that the three-year hold time is after three years of tax lien so that the three-year hold time is actually six years of tax arrearage.”

add

“Paul Nickerson said that a person who had not paid his taxes in three years would not pay them in six years and that a tax-deeded building would deteriorate before the town could sell it.”

Jim Pritchard asked Gerard LeDuc whether he wanted to comment on the statement that Paul Nickerson had said was missing from the minutes.

Gerard LeDuc said, “I’m not voting for the minutes anyway, so.”

Clayton Wood asked, “Why, why is that? You weren’t here?”

Gerard LeDuc said, “I was here. I’m just not voting for them.”

Clayton Wood asked, “Is there a reason?”

Gerard LeDuc said, “I have no comment.”

Vote to approve the minutes of June 2, 2016, with the change that Jim Pritchard requested: carried 4 - 1 - 0. (Voting “yes”: Jim Pritchard, Daren Nielsen, Pat Heffernan, and Clayton Wood. Voting “no”: Gerard LeDuc. Abstaining: none.)

Clayton Wood moved to approve the minutes of June 13, 2016, as written in draft.

Jim Pritchard seconded the motion.

Discussion:

No board member stated any problems in the draft minutes.

Vote to approve the minutes of June 13, 2016, as written in draft: carried 2 - 0 - 3. (Voting “yes”: Jim Pritchard and Clayton Wood. Voting “no”: none. Abstaining: Daren Nielsen, Pat Heffernan, and Gerard LeDuc.)

Clayton Wood moved to approve the minutes of June 16, 2016, as written in draft.

Jim Pritchard seconded the motion.

Discussion:

Jim Pritchard asked for the following changes:

Agenda item 4, page 2: Change “Pritchards” to “Pritchard”

Agenda item 5, page 11: Change “the difference between a letter of credit and a letter of credit to buy something” to “the difference between a letter of credit as performance security and a letter of credit to buy something”

Agenda item 5, page 11: Change “bonding companies are like insurance policies” to “bonding companies are like insurance companies”

Agenda item 6, Page 16: Change “the sudden rise is access restriction” to “the sudden rise in access restriction”

Agenda item 6, Page 16: Change “the new security door to office of the selectmen” to “the new security door to the office of the selectmen”

Vote to approve the minutes of June 16, 2016, with the changes that Jim Pritchard requested: carried 4 - 0 - 1. (Voting “yes”: Jim Pritchard, Daren Nielsen, Pat Heffernan, and Clayton Wood. Voting “no”: none. Abstaining: Gerard LeDuc.)

Clayton Wood moved to approve the minutes of July 7, 2016, as written in draft.

Jim Pritchard seconded the motion.

Discussion:

No board member stated any problems in the draft minutes.

Vote to approve the minutes of July 7, 2016, as written in draft: carried 5 - 0 - 0. (Voting “yes”: Jim Pritchard, Daren Nielsen, Pat Heffernan, Clayton Wood, and Gerard LeDuc. Voting “no”: none. Abstaining: none.)

AGENDA ITEM ADDED: Discussion of a tour of the town-owned properties at 33 Main Street and 37 Main Street

Clayton Wood said that the board of selectmen wanted the planning board to review and comment (under RSA 41:14-a, I) on proposed sales of the town-owned properties at 33 Main Street and 37 Main Street. Clayton Wood said that the board of selectmen has its own hearing under RSA 41:14-a, I, scheduled for August 2 and that the board of selectmen needs the planning board’s review and comment before August 2. Clayton Wood noted that the

planning board's next meeting would be the planning board's regular meeting on August 4 under ordinary circumstances. Clayton Wood wanted the planning board to meet before August 2, on either Monday (July 25) or Tuesday (July 26) of next week.

The board agreed.

Clayton Wood said that the economic development committee had published a letter in the *Suncook Valley Sun* (July 20, 2016, edition) giving the economic development committee's proposal for these two town-owned properties. Clayton Wood said that he had distributed additional materials to planning board members.

Daren Nielsen and Clayton Wood discussed the starting time of the tour of 33 Main Street and 37 Main Street. Clayton Wood said that the board had taken an early tour of 81 Main Street, 114 Main Street, and 31 Berry Avenue (on June 13, 2016) so that the board could have selectman Carl Anderson attend. Clayton Wood said that there would be no need to have an early tour for 33 Main Street and 37 Main Street.

The board had general discussion of options for 33 Main Street and 37 Main Street.

AGENDA ITEM 5: Review and Recommendation for the Board of Selectmen's Three Proposed Sales of Town-Owned Properties at 81 Main Street (tax map U-3, lot 32), 114 Main Street (tax map U-2, lot 15), and 31 Berry Avenue (tax map U-1, lot 73). Continued from July 7, 2016 meeting.

The board reviewed the draft recommendation statement, dated July 20, 2016, that Jim Pritchard and Daren Nielsen had developed from the minutes of the planning board meeting of July 7, 2016. The draft recommendation statement is attached at the end of this minutes document.

The board noted that paragraph 2, last sentence, of the recommendation statement

“For 81 Main Street, the report should be for work to rehabilitate the house as either a single-family dwelling or as a small business.”

has an error in allowing for a single-family dwelling. The board agreed that 81 Main Street is in the Commercial zoning district, that the zoning ordinance does not permit single-family dwellings in the Commercial District, that the previous owner had stopped renovation work on the house at 81 Main Street more than one year ago, and that any nonconforming use of the house had been abandoned because of the cessation of work more than one year ago. (Pittsfield Zoning Ordinance, article 3, section 3, (b), (3) and (6), single-family dwelling, and article 4, section 3, Nonconforming Uses.) The board agreed to revise paragraph 2, last sentence, to say,

“For 81 Main Street, the report should be for work to rehabilitate the house as a small business according to the uses that the zoning ordinance permits in the Commercial District.”

Jim Pritchard said that the change to paragraph 2 required a change to paragraph 4, which should be changed from

“Impose deed restrictions on the properties prohibiting the houses’ use as two-family or multi-family dwellings.”

to

“Impose deed restrictions on the properties at 114 Main Street and 31 Berry Avenue prohibiting these houses’ use as two-family or multi-family dwellings.”

The board discussed whether to recommend a deed restriction requiring preservation of the exterior appearance of the building at 81 Main Street as a historic structure. (Comment of recording secretary Jim Pritchard: 81 Main Street was a stagecoach depot in 1865. See planning board minutes of June 13, 2016, agenda item 3, page 2.) The board concluded that the town’s marketing position was not strong enough to impose such a covenant.

Clayton Wood said that he hoped that the town could find enough people who were qualified and who would volunteer their time to generate the three rehabilitation-requirements reports free of charge for the town.

Pat Heffernan moved to approve the draft recommendation with the changes to paragraphs 2 and 4.

Clayton Wood seconded the motion.

Discussion:

Jim Pritchard read the changes to paragraphs 2 and 4.

Vote to approve the draft recommendation with the changes to paragraphs 2 and 4: carried 5 - 0 - 0. (Voting “yes”: Jim Pritchard, Daren Nielsen, Pat Heffernan, Clayton Wood, and Gerard LeDuc. Voting “no”: none. Abstaining: none.)

The approved recommendation statement is attached at the end of this minutes document.

AGENDA ITEM ADDED: Discussion of a tour of the town-owned properties at 33 Main Street and 37 Main Street (continued from earlier in the meeting)

The board agreed to meet on Tuesday, July 26, 2016, at 7:00 PM, at the town hall. The board will then go tour the properties at 33 Main Street and 37 Main Street. The board will then return to the town hall to discuss the tour and to develop a recommendation for the board of selectmen.

Clayton Wood distributed the economic development committee’s recommendation for these two properties. The economic development committee’s recommendation will be attached to the planning board minutes of July 26, 2016.

Roland Carter asked whether the library would have to satisfy the minimum setback requirements of the zoning ordinance if the library were to acquire and use the property at 37 Main Street.

Jim Pritchard said that the library would be exempt as a governmental land use. (RSA 674:54.)

AGENDA ITEM 6: Members Concerns

No board member stated any concern.

AGENDA ITEM 7: Public Input

No public input.

AGENDA ITEM 8: Adjournment

Pat Heffernan moved to adjourn the meeting.

Clayton Wood seconded the motion.

Vote to adjourn the planning board meeting of July 21, 2016: carried 5 - 0 - 0. Voting “yes”: Jim Pritchard, Daren Nielsen, Pat Heffernan, Clayton Wood, and Gerard LeDuc. Voting “no”: none. Abstaining: none. The planning board meeting of July 21, 2016, is adjourned at 8:30 P.M.

Minutes approved: August 4, 2016

Clayton Wood, Chairman

Date

I transcribed these minutes (not verbatim) on July 23, 2016, from notes that I made during the planning board meeting on July 21, 2016, and from the digital audio recording that Chairman Clayton Wood made during the meeting and uploaded to the Internet.

Jim Pritchard, planning board recorder and secretary

Attachments:

1. The planning board’s draft recommendation, dated July 20, 2016, on the board of selectmen’s proposed sales of the three town-owned properties at 81 Main Street, 114 Main Street, and 31 Berry Avenue.
2. The planning board’s approved recommendation, of July 21, 2016, on the board of selectmen’s proposed sales of the three town-owned properties at 81 Main Street, 114 Main Street, and 31 Berry Avenue.