

Amendment No. 3 (August 28, 2016) to the Town of Pittsfield Zoning Ordinance:

Amend zoning ordinance **article 2, Interpretation Rules and Definitions**, STREET, as follows: Reorder the currently listed New Hampshire Supreme Court cases and add Gossler v. Miller, as shown but without the underlining:

STREET: "STREET" means either

(a) a highway as defined in RSA 229:1 or

(b) a road dedicated to the public use but not accepted by the city or town in which the road is located.

(See *Holbrook v. Dow*, 116 N.H. 701, 366 A.2d 476 (1976) ("We are of the opinion that in their usual meaning the words 'the Northerly sideline of said Route 107' refer to the northerly sideline of the highway layout or right of way and not to the edge of the pavement."); *Gossler v. Miller*, 107 N.H. 303, 221 A.2d 249 (1966) ("A sidewalk is a component part of the highway..."); *Hersh v. Plonski*, 156 N.H. 511, 938 A.2d 98 (2007) ("If the intent to dedicate 'is to be gathered from writings, they must clearly manifest the intent to dedicate.'"); *Polizzo v. Hampton*, 126 N.H. 398, 494 A.2d 254 (1985) ("An offer of dedication of a street may be made in several ways, among them by the filing of a subdivision plan with a planning board."); *State v. Atherton*, 16 N.H. 203 (1844).)