

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

**DATE:** Thursday, October 6, 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) arrived at 8:14 PM,

Pat Heffernan,

Gerard LeDuc (selectmen's ex officio member) arrived at 7:35 PM,

Paul Nickerson (alternate), and

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

Planning board members absent:

Roland Carter (alternate)

Members of the public appearing before the planning board: James Donini and Bill Miskoe.

“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

Paul Nickerson sat in place of Jim Pritchard.

Carole Richardson sat in place of Gerard LeDuc.

No public input.

**AGENDA ITEM ADDED:** Agenda Review

Clayton Wood said that Bill Miskoe would have a conceptual consultation as an addition to tonight's agenda.

Clayton Wood deferred agenda item 4, the minutes approval, until after agenda item 5, the Donini application.

**AGENDA ITEM 5:** Application by James E. Donini Jr., 43 Locke Road, Pittsfield NH 03263 for a Lot Line Adjustment to increase the area of the land at 43 Locke Road, tax map R-53, lot 15-2, from 4.81 acres to 20.80 acres, and to decrease the area of the land at 186 Webster Mills Road, tax map R-53, lot 16-2, from 18.62 acres to 2.63 acres, both in the Rural zoning district.

1. Application review based on merit

Continuance granted at the September 1, 2016 meeting by a vote of 5-0-0.

Clayton Wood read from David Vincent's letter responding to the board's review on September 1, 2016:

Re: James E. Donini, Jr. - Lot Line Adjustment, Locke Road & Webster Mills Road

Dear Mr. Chairman,

Attached are a revised lot line adjustment plan and revised waiver request addressing the comments of the planning board review of the above referenced application. The following plan revisions have been made based upon the comments;

- 1) The original lay-out references for Webster Mills Road and Locke Road have been added to the plan as Note 11.
- 2) Stone walls located across Webster Mills Road and Locke Road have been added to the plan. There is insufficient stone walls to determine the edge of the northerly side of Webster Mills Road in front of existing dwelling located on Lot 16-2. Therefore we adjusted the lot line between the existing monuments to maintain a 25' width from the center line of

the existing traveled way. The lot areas have been revised accordingly. The width between the stone walls at the northeasterly portion of the subject properties along Webster Mills Road is between 50' to 53' wide and no adjustments were required.

- 3) A waiver is attached regarding the right of width for Locke Road as was discussed and recommended by the board.
- 4) Proposed granite bounds are depicted on the plan for the un-monumented lot corners along Webster Mills Road.
- 5) The southwesterly proposed lot line for Lot 16-2 has been revised to meet the side yard setback for the existing septic system, lot areas have been revised accordingly.
- 6) Copies of the septic system approvals for the subject properties are attached.

I believe we have addressed all the comments of the board's review of the application and we look forward to obtaining conditional approval from board, pending setting of the proposed monuments, at the October 6, 2016 public hearing. If you have any questions or concerns please do not hesitate to contact me.

Sincerely,

David W. Vincent  
NH Licensed Land Surveyor No. 821  
NH Subsurface Septic Designer No. 1413

\*\*\*\*\*End of David Vincent's letter responding to the board's review on September 1, 2016.

Pat Heffernan moved to approve the waiver of the requirement to dedicate land to widen the Locke Road right-of-way width to 25 feet from the center line of the highway.

Daren Nielsen seconded the motion.

Discussion: No further discussion.

Vote to approve the waiver of the requirement to dedicate land to widen the Locke Road right-of-way width to 25 feet from the center line of the highway: carried 5 - 0 - 0. Voting “yes”: Daren Nielsen, Clayton Wood, Pat Heffernan, Paul Nickerson, and Carole Richardson. Voting “no”: none. Abstaining: none.

The board discussed the survey of the boundary and width of Webster Mills Road.

The board noted that the boundary between the two lots had been relocated so as to put the septic system on tax map R-53, lot 16-2, outside the side-setback yard.

The board noted that the permanent boundary marker types had been revised to conform to the subdivision regulations.

Clayton Wood suggested that setting the permanent boundary markers should be made a condition precedent to final approval.

Pat Heffernan moved to approve the Donini lot line adjustment on the condition precedent that permanent boundary markers shall be set.

Daren Nielsen seconded the motion.

Vote to approve the Donini lot line adjustment on the condition precedent that permanent boundary markers shall be set: carried 5 - 0 - 0. Voting “yes”: Daren Nielsen, Clayton Wood, Pat Heffernan, Paul Nickerson, and Carole Richardson. Voting “no”: none. Abstaining: none.

The board’s notice of decision conditionally approving James E. Donini Jr.’s application for lot line adjustment is appended at the end of this minutes document. (See RSA 676:3, II.)

**AGENDA ITEM ADDED:** Conceptual Consultation with Bill Miskoe

Bill Miskoe discussed his plans for redeveloping 33 Main Street (tax map U-3, lot 45) and 37 Main Street (tax map U-3, lot 44).

Bill Miskoe said that he had a purchase and sale agreement to buy 33 Main Street (tax map U-3, lot 45) and 37 Main Street (tax map U-3, lot 44).

Bill Miskoe said that 37 Main Street (tax map U-3, lot 44), which abuts the Josiah Carpenter Library (tax map U-3, lot 43), has a house and barn and that 33 Main Street (tax map U-3, lot 45) has a two- or three-story building.

Bill Miskoe said that he would demolish the building on 33 Main Street (tax map U-3, lot 45) and that he would do some demolition on 37 Main Street (tax map U-3, lot 44). Bill Miskoe said that he would demolish the ell extension of the house on 37 Main Street (tax map U-3, lot 44).

Bill Miskoe said that he would relocate the boundary between 33 Main Street (tax map U-3, lot 45) and 37 Main Street (tax map U-3, lot 44). The new 33 Main Street (tax map U-3, lot 45) will contain the house now on 37 Main Street (tax map U-3, lot 44) and will have adequate area for parking spaces and other things because the lot will be a conforming lot with .28 acres and 135 feet of frontage. Bill Miskoe said that the barn on 37 Main Street would remain on 37 Main Street because the Josiah Carpenter Library, which will receive 37 Main Street ultimately, wants to have the barn. 37 Main Street will have .43 acres and will be annexed to the library lot to give the library area to expand.

Bill Miskoe said that he would seek a lot line adjustment as he had just described it. Bill Miskoe said that he wanted the new 33 Main Street (tax map U-3, lot 45) to be a conforming lot because getting financing for a conforming lot is easier than getting financing for a nonconforming lot. Bill Miskoe said that making 33 Main Street (tax map U-3, lot 45) conforming would necessarily make 37 Main Street (tax map U-3, lot 44) nonconforming. Bill Miskoe said that the nonconformance would disappear when the library lot (tax map U-3, lot 43) and 37 Main Street (tax map U-3, lot 44) merged. Bill Miskoe asked whether the board would approve the lot line adjustment on the condition that 37 Main Street (tax map U-3, lot 44) would be merged with the library lot (tax map U-3, lot 43).

Clayton Wood said that the board could approve the lot line adjustment on the condition that 37 Main Street (tax map U-3, lot 44) would be merged with the library lot (tax map U-3, lot 43), because the library is a governmental land use and thus is not subject to local land use regulations. (RSA 674:54, II. But see RSA 674:54, II-a: "Any use, construction, or

development of land occurring on governmentally owned or occupied land, but which is not a governmental use as defined in paragraph I, shall be fully subject to local land use regulations.”)

Bill Miskoe said that the town still owned 33 Main Street and 37 Main Street and that the town could do the lot line adjustment under the governmental land use statute (RSA 674:54, II). Bill Miskoe said that the town probably would be the applicant.

Bill Miskoe asked whether the board could consider his application for lot line adjustment at the board’s regular meeting on November 3, 2016. Bill Miskoe asked when did he have to file his application in order for it to be considered on November 3, 2016.

Clayton Wood said 7 days. (Comment of recording secretary Jim Pritchard: The state legislature changed the in-advance filing period of RSA 676:4, I, (b), from 15 days to 21 days effective July 18, 2016.)

Bill Miskoe and Clayton Wood discussed considerations of Bill Miskoe being the owner and applicant or the town being the owner and applicant. Bill Miskoe said that the town would probably be the applicant and that he, Bill Miskoe, would probably be the town’s agent.

Bill Miskoe said that a lot line adjustment is not a subdivision, and Bill Miskoe asked whether subdivision approval was really needed when the proposal is not a subdivision.

Clayton Wood said that a lot line adjustment is a subdivision because a lot line adjustment is a resubdivision.

Bill Miskoe said that he did not want to file a subdivision application.

Daren Nielsen said that Bill Miskoe’s proposal to redevelop 33 Main Street and 37 Main Street looked good.

#### **AGENDA ITEM 6: Subdivision Regulations Update**

Clayton Wood said that he wanted to schedule a hearing on November 3, 2016, on the draft subdivision regulations dated October 3, 2016. Clayton Wood said that Jim Pritchard had finished proofreading the document.

Clayton Wood said that Jim Pritchard had asked for information from Pat Heffernan and from fire chief Peter Pszonowsky on article 8, section 4, Fire Protection.

Pat Heffernan said that Chief Pszonowsky wanted to check on the size of the cisterns.

Clayton Wood said that he would seek feedback from other town boards and town departments.

Daren Nielsen asked whether Jim Pritchard had any specific matters of concern.

Clayton Wood said that Jim Pritchard had said that he, Jim Pritchard, had wanted some time away from the document before proofreading it again. Clayton Wood said that he, Clayton Wood, had proofread the document too. Clayton Wood said that he had spoken to Jim Pritchard about sending the document to a public hearing on November 3 and that Jim Pritchard had agreed that the document should go to a public hearing on November 3.

Clayton Wood said that the draft subdivision regulations had a lot of material but that they had nothing really new relative to the current (2010) subdivision regulations and that the draft subdivision regulations were actually less strict. Clayton Wood gave as an example the loosening of requirements to show lines of topography, which the draft subdivision regulations explicitly limit to construction areas.

Clayton Wood referred to lot line adjustments and explained that lot line adjustment are subdivisions. The board discussed that recognizing lot line adjustments subdivisions avoided zoning violations.

Carole Richardson asked about the public hearing process.

Clayton Wood explained that the board would listen to public input and then would decide whether to adopt the subdivision regulations. Clayton Wood said that the board is not bound by the deadlines that apply to zoning amendments. (Compare RSA 675:6, for adoption of subdivision regulations, with RSA 675:3, V, and RSA 675:4, III, for hearings on zoning amendments.)

Carole Richardson asked for clarification that the planning board adopts the subdivision regulations and that the town meeting does not vote on them.

Clayton Wood said yes.

Daren Nielsen asked whether the board could adopt the subdivision regulations after one hearing.

Clayton Wood said yes.

Gerard LeDuc said that the purpose of the public hearing is to give the public a chance to comment on the proposal and to give the planning board a chance to consider the public's comments in whether to adopt or change the proposed regulations.

The board discussed the means of publicizing the subdivision regulations proposal.

Clayton Wood moved to schedule a hearing on November 3, 2016, on the draft subdivision regulations dated October 3, 2016.

Carole Richardson seconded the motion.

Discussion:

The board agreed that it would publicize both the subdivision regulations proposal and the annotated draft subdivision regulations with comments.

Clayton Wood said that he would send copies of the proposal to the department heads and that he would ask the department heads to comment.

Vote to schedule a hearing on November 3, 2016, on the draft subdivision regulations dated October 3, 2016: carried 5 - 0 - 0. Voting "yes": Daren Nielsen, Clayton Wood, Pat Heffernan, Paul Nickerson, and Carole Richardson. Voting "no": none. Abstaining: none.

**AGENDA ITEM 7:** Proposed Amendments to the Zoning Ordinances Update

Amendment No. 1, on accessory apartments:

Clayton Wood discussed an article from the New Hampshire Municipal Association: *The New Law on Accessory Dwelling Units*. This article has a model zoning regulation for accessory dwelling units as follows:

***PROPOSED ZONING AMENDMENT LANGUAGE***

**Article \_\_ . Accessory Dwelling Units**

**Section 1. Definitions:** As used in this article, the following term shall have the meaning indicated:

***Accessory Dwelling Unit.*** An “accessory dwelling unit” ( or “ADU”) is a residential living unit that is within or attached to a single-family dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.

**Section 2. Provisions.**

An attached accessory dwelling unit shall be permitted in all zoning districts that permit single family dwellings, subject to the following:

- A. Only one (1) ADU shall be permitted for each single-family dwelling.
- B. The ADU must provide independent living facilities for one or more persons containing the four elements of sleeping, eating, cooking, and sanitation.
- C. The ADU shall have an independent means of ingress and egress, or shall have ingress and egress through a common space such as a shared hallway to an exterior door.
- D. The ADU shall be attached to the principal dwelling unit. In order to be considered an attached ADU there must be a common wall between the principal dwelling unit and the ADU. Detached accessory dwelling units are prohibited.
- E. Either the ADU or the principal dwelling unit shall be the principal residence and legal domicile of the owner of the property.
- F. The ADU shall not exceed 750 square feet in habitable floor area.
- G. An ADU shall be provided a minimum of two (2) off-street parking spaces.

- H. An ADU shall make provision for adequate water supply and sewage disposal service in compliance with RSA 485-A:38 and regulations adopted by the New Hampshire Department of Environmental Services.

**Section 3. Minimum Lot Dimension Requirements:** An attached ADU shall not be required to meet additional lot area requirements other than already provided for the principal dwelling unit. An ADU shall comply with all lot setback requirements.

\*\*\*\*\*End of the model zoning regulation for accessory dwelling units

The board reviewed the proposed amendment no. 1's new permitting conditions for accessory apartments. The new conditions are proposed to be inserted in subparagraph (c) of the definition of "accessory apartment," with the condition numbering as shown:

- (2) The ACCESSORY APARTMENT shall have an interior door between the PRINCIPAL DWELLING UNIT and the ACCESSORY APARTMENT, but this door is not required to remain unlocked. (RSA 674:72, III.)
- (3) The ACCESSORY APARTMENT shall have a floor area that is less than or equal to 75 percent of the floor area of the PRINCIPAL DWELLING UNIT unless 75 percent of the floor area of the PRINCIPAL DWELLING UNIT is less than 750 square feet. If 75 percent of the floor area of the PRINCIPAL DWELLING UNIT is less than 750 square feet, then the ACCESSORY APARTMENT shall have a floor area that is less than or equal to 750 square feet. (See RSA 674:72, VII.) In this condition, "floor area" of a DWELLING UNIT means the sum of the areas of all floors of the DWELLING UNIT, as measured from the exterior faces of the walls or from the center line of a wall separating the two DWELLING UNITS.
- (4) The ACCESSORY APARTMENT shall be in a DWELLING that the owner of the DWELLING occupies. The owner may occupy either the PRINCIPAL DWELLING UNIT or the ACCESSORY DWELLING UNIT. (See RSA 674:72, VI.)

Clayton Wood noted that the article from the New Hampshire Municipal Association does not say that municipalities cannot prohibit renting.

Pat Heffernan suggested reordering the permitting conditions so that the no-rental condition, which is proposed to be condition (5), should be moved to condition (1). (Comment of recording secretary Jim Pritchard: The current permitting condition (1), requiring a common wall or common roof, is proposed to remain as condition (1), and the current permitting condition (2), for no rentals, which is last, is proposed to remain last, as condition (5).)

Clayton Wood suggested hearing public input on whether to reorder the conditions.

Amendment No. 2, on the definition of “open space”:

Amendment no. 2 is to amend article 2, definition of “open space,” to include the phrase “other than fences more than 50 years old and permanent boundary markers” as follows:

**OPEN SPACE:** “OPEN SPACE” means land where no STRUCTURES other than fences more than 50 years old and permanent boundary markers are on or in the land.

The board discussed that amendment no. 2 was basically cleanup, to permit old fences and permanent boundary markers on or in land designated as open space.

Amendment No. 3, on the definition of “street”:

Amendment no. 3 is to amend article 2, definition of “street” as follows: (1) reorder the currently listed New Hampshire Supreme Court cases and (2) add the following citation of Gossler v. Miller: Gossler v. Miller, 107 N.H. 303, 221 A.2d 249 (1966) (“A sidewalk is a component part of the highway...”)

The board discussed that the purpose of amendment no. 3 is to make clear that a sidewalk is part of the adjacent highway. Board members noted that recent applications to the zoning board of adjustment indicated that some property owners did not know that the sidewalk is part of the adjacent highway.

Amendment No. 4, on nonconforming uses:

Amendment no. 4's main purpose is to close the current loophole in the current zoning requirement that contiguous nonconforming lots under common ownership must be merged in order to be buildable.

Clayton Wood said that the current zoning regulation on nonconforming lots is that noncontiguous nonconforming lots are buildable without a variance but that contiguous conforming lots under common ownership must be merged to be buildable.

Pat Heffernan asked whether two contiguous nonconforming lots under common ownership must be merged in order to be buildable.

Clayton Wood said yes. Clayton Wood referred to proposed article 4, section 5, (a), specifying a condition for buildability:

“The subject LOT is not CONTIGUOUS to any other LOT under common ownership.”

Clayton Wood said that he wanted to schedule public hearings on the four zoning amendments.

Gerard LeDuc said that the no-rental condition for accessory apartments should be ordered as condition (1).

Clayton Wood repeated his suggestion to wait for public input.

The board discussed accessory apartments.

Daren Nielsen asked about the deadline for the board to hold its hearings on zoning amendments.

Clayton Wood said that the deadline was approximately at the end of January. (Comment of recording secretary Jim Pritchard: The deadline is five weeks before the town meeting. (RSA 675:3, V, and RSA 675:4, III.))

Daren Nielsen moved to hold public hearings on November 3, 2016, on the four draft zoning amendments dated August 28, 2016.

Paul Nickerson seconded the motion.

Discussion: No further discussion.

Vote to hold public hearings on November 3, 2016, on the four draft zoning amendments dated August 28, 2016: carried 5 - 0 - 0. Voting “yes”: Daren Nielsen, Clayton Wood, Pat Heffernan, Paul Nickerson, and Carole Richardson. Voting “no”: none. Abstaining: none.

**AGENDA ITEM 8: Members Concerns**

Members concern 1: Clayton Wood’s concern with lot line adjustments.

Clayton Wood discussed an article from the New Hampshire Municipal Association: *Adjusting Your View of Lot Line Adjustments*. The only statute that explicitly mentions lot line adjustments is RSA 676:4, I, (e), (1). Lot line adjustments are subdivisions because they are resubdivisions. Clayton Wood cited the Donini lot line adjustment—which completely changed the relative sizes of the lots, the lots’ impact on the adjacent highways, and the lots’ relation to the structures on the lots—as an example of why lot line adjustments should receive the same scrutiny as other subdivisions.

Jim Pritchard arrived at 8:14 PM and replaced Paul Nickerson on the board.

Clayton Wood read from *Adjusting Your View of Lot Line Adjustments*, which said that the lot line does not actually move the lot line until there is a conveyance of land from one owner to another. Clayton Wood suggested that the Donini notice of decision should have some comment to the effect that the lot line adjustment does not, by itself, move the lot line.

Daren Nielsen asked for clarification that the planning board can disapprove a lot line adjustment that would create a nonconforming lot.

Jim Pritchard said that the planning board would have to disapprove a lot line adjustment that would create a nonconforming lot, because nonconforming lots do not conform to the zoning ordinance. Jim Pritchard said that the planning board cannot approve a nonconforming lot created by subdivision.

Clayton Wood and Jim Pritchard discussed that an important purpose of subdivision control is to ensure good boundary marking for the benefit of future owners.

Members concern 2: Jim Pritchard's concern with the zoning amendments.

Jim Pritchard briefly reviewed zoning amendments nos. 1 through 4 with emphasis on zoning amendment no. 4 and the following two conditions for a nonconforming lot to be buildable:

- (a) The subject LOT is not CONTIGUOUS to any other LOT under common ownership. (See *Vachon v. Concord*, 112 N.H. 107, 289 A.2d 646 (1972).)
- (b) The subject LOT has not been CONTIGUOUS to any other LOT under common ownership since the date when the subject LOT was first a NONCONFORMING LOT or since the effective date of adoption of this condition (March 14, 2017), whichever date is later.

Jim Pritchard said that the intent of these two conditions is that contiguous nonconforming lots under common ownership cannot be separated in ownership and remain buildable. Jim Pritchard asked board members to scrutinize the wording of condition (b) to ensure that this condition fulfils its intent.

Jim Pritchard and Clayton Wood discussed that state law grandfathers nonconforming uses (RSA 674:19) but that state law does not grandfather nonconforming lots (*Cosseboom v. Epsom*, 146 N.H. 311, 771 A.2d 565 (2001)).

Paul Nickerson asked how the lot merger would affect a vacant nonconforming lot abutting an improved lot.

Jim Pritchard said that the vacant nonconforming lot would have to be merged with the improved lot in order for the vacant nonconforming lot to be buildable. Jim Pritchard said that the buildings to be built on the vacant nonconforming lot would have to be accessory buildings if the building on the improved lot were a principal building.

**AGENDA ITEM 4:** Approval of the Minutes of the September 1, 2016 Meeting

Clayton Wood moved to approve the minutes of September 1, 2016, as written in draft.

Pat Heffernan seconded the motion.

Discussion:

No board member stated any problems in the draft minutes.

Vote to approve the minutes of September 1, 2016, as written in draft: carried 5 - 0 - 0. Voting “yes”: Jim Pritchard, Daren Nielsen, Pat Heffernan, Clayton Wood, and Carole Richardson. Voting “no”: none. Abstaining: none.

**AGENDA ITEM 9: Public Input**

No public input.

**AGENDA ITEM 10: Adjournment**

Clayton Wood moved to adjourn the meeting.

Pat Heffernan seconded the motion.

Vote to adjourn the planning board meeting of October 6, 2016: carried 5 - 0 - 0. Voting “yes”: Jim Pritchard, Daren Nielsen, Pat Heffernan, Clayton Wood, and Carole Richardson. Voting “no”: none. Abstaining: none. The planning board meeting of October 6, 2016, is adjourned at 8:34 P.M.

Minutes approved: November 3, 2016

Clayton Wood, Chairman	Date

I transcribed these minutes (not verbatim) on October 8, 2016, from the digital audio recording that Chairman Clayton Wood made during the meeting and uploaded to the Internet.

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Jim Pritchard, planning board recorder and secretary

Attachment: Notice of decision conditionally approving James E. Donini Jr.'s application for lot line adjustment

## Notice of Decision

On October 6, 2016, pursuant to the Pittsfield Subdivision Regulations, the Pittsfield Planning Board conditionally approved a lot line adjustment at 43 Locke Road, tax map R-53, lot 15-2, and at 186 Webster Mills Road, tax map R-53, lot 16-2, in the Rural zoning district on the condition precedent that permanent boundary markers shall be set.

The applicant's name and address is James E. Donini Jr., 43 Locke Road, Pittsfield, NH 03263.

The vote to approve the lot line adjustment conditionally was yes: 5, no: 0, and abstaining: 0. Planning board members voting to approve the lot line adjustment conditionally were Clayton Wood, Daren Nielsen, Pat Heffernan, Paul Nickerson, and Carole Richardson.

The planning board cautions the applicant that the board's approval of the lot line adjustment does not, by itself, relocate the lot line. The actual relocation of the lot line requires a conveyance of the land that the lot line adjustment shows as being transferred from one lot to another.

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 (October 6, 2016). (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 (October 6, 2016). (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 (October 6, 2016) 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

October 13, 2016