



**TOWN OF PITTSFIELD  
PLANNING BOARD  
TOWN HALL, 85 MAIN STREET  
PITTSFIELD, NH 03263**

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**MEETING MINUTES OF Thursday April 8, 2021**

**ITEM 1. - CALL TO ORDER**

Call to order at 7:00 p.m. by Adam Gauthier, Chair of the Planning Board.

**ITEM 2. – ROLL CALL**

Adam Gauthier – Chair

Matt St. George – Vice Chair

Carole Richardson – Selectman Rep.

Ray Ramsey

Randy Severance

**MEMBERS ABSENT**

Carl Anderson – Selectman Rep.

Jim Adams – Selectman Alt Rep.

**OTHERS PRESENT**

Bonnie Theriault – Administrative Assistant

**ITEM 3. –PUBLIC INPUT**

None.

**ITEM 4. – APPROVAL OF MINUTES OF THE MARCH 25, 2021 MEETING**

Ray Ramsey: I make a motion to approve the March 25, 2021 meeting minutes.

Matt St. George: Second.

Discussion: Request to change wording of “final application” to “final plan” on p. 4; par. 9. of draft minutes.

Motion carried 4-0-0. Adam Gauthier – yes, Matt St. George– yes, Ray Ramsey – yes, Randy Severance – yes. Carole Richardson abstained.

**ITEM 5. – REQUEST FROM K & M DEVELOPERS, LLC TO MOVE FORWARD WITH COMPLETING THEIR REQUIREMENTS OF THE BAILEY PARK SUBDIVISION – BAILEY DRIVE – SO THEY CAN BUILD ON THEIR 10 LOTS**

Bonnie Theriault said the owner of K & M Development LLC, Manny Sousa, Sr. reached out to Cara Marston to check on the status of 10 lots he owns in the Bailey Drive Subdivision because he would like to start the building permit process and build out the subdivision while the market is good. From a previous discussion back in 2012 with then Building Inspector Jesse Pacheco, it was understood that there was open space land that needed to be taken care of holding up the process. Manny Sousa Sr. wanted to know where to begin to get start things back in motion.

Bonnie Theriault caught the newer Board members up on the Bailey Drive issue. Bailey Park is a cluster

subdivision which has to meet less criteria than the standard subdivision, meaning there are smaller lots and there is some give and take in the process. Usually, the developer will deed some land to the Town for open space but it appears that the subdivision was going through the process and the developers didn't finish their end of the deal by putting in pins or deeding the land over to the Town. At that time, the Planning Board wrote a letter to the building inspector asking that no one be issued a permit until the builders uphold their end of the agreement. Two different builders were told what they needed to do but never fixed the situation.

When the plan was recorded, a notation said that the building footprint can't be over 1,008 feet so any lot that builds can only build to the 1,008 feet. A homeowner recently looked into applying for an ADU but it turns out the property had exactly 1,008 feet already. There is another property in the subdivision that is 1,500 square feet and another that is 8-900 square feet. This started an inquiry into what was going on and researching for more information.

Bonnie Theriault said the information they could find was sent to the town attorney to find out if the Board had authority to put a note on the plan to begin with but they requested more information in order to give a recommendation. In a previous Planning Board meeting there was a discussion about sending more information in to the attorney to try to investigate further but it would cost more tax payer money to do so. K & M Development LLC were deeded a large portion of the property and would like to know what they need to do to continue the subdivision development. Due to the previous Planning Board moratorium, the issue was now being raised before the current Planning Board to figure out how to proceed.

Adam Gauthier read a note from the 2012 Building Inspector Jesse Pacheco to the then Planning Board as follows;

A reason for request to withhold building permits is that Bailey Park has never satisfied one of its condition's precedent of the subdivision approval. Bailey Park is a cluster development and this unsatisfied condition requires the following; owner ship and maintenance are required common open space areas in a cluster development must be determined and legally established prior to Planning Board approval of the proposed subdivision to ensure permanent protection of the open space from development. (Subdivision Regulations Section 5-k;4)

Adam Gauthier also read a memo from Matt Monahan of CNHRPC dated November 8, 2012 as follows;

Observations based upon a review of the material received by Central NH Regional Planning Commission for Bailey Park Subdivision: It is apparent that the Bailey Park cluster subdivision was approved, signed by the Planning Board chair, and the plans were recorded but the associated Home Owners Association documents, Articles of Agreement, and Declaration of Convenience with the open space restrictions were not executed and recorded with the Merrimack County Registry of Deeds. Both of which will be hereafter referred to as required documents.

Matt St. George suggested meeting with the current Building Inspector/Zoning Administrator to see what might be missing or if all the conditions have been since met. Matt St. George also suggested getting a copy of the deeds to make sure they are conveyed the same way, to see if any restrictions are noted on the deed, and if the conditions are listed out on it. There was also comment about making sure the conservation land was transferred over.

After further discussion, Board members were in agreement to reach out to the Building Inspector and the Conservation Commission for more direction. Bonnie Theriault said she would try to contact past Planning Board members to see if there was any additional information that could be pieced together for the next Planning Board meeting, as well as reaching out to AMHA to see what they might have.

Adam Gauthier requested to get permission from the Select Board to access Merrimack Registry of Deeds to try to help with some of the research. Bonnie Theriault said that she would work on updating the access for Board members.

**ITEM 6. – DISCUSS AND ACCEPT THE MEETING DATE LISTING FOR MAY 2021 – MARCH 2022**

Matt St. George: I make a motion to accept the Planning Board meeting date listing for May 2021-March 2022.

Ray Ramsey: Second.

Discussion: None.

Motion carried 5-0-0. Adam Gauthier – yes, Matt St. George – yes, Ray Ramsey– yes, Randy Severance – yes, Carole Richardson - yes.

**ITEM 7. – DISCUSS THE PROPOSAL FROM CENTRAL NH REGIONAL PLANNING COMMISSION TO WORK WITH THE PLANNING AND ZONING BOARDS TO UPDATE REGULATIONS AND APPLICATIONS**

Bonnie Theriault said that she received a response back from Central New Hampshire Regional Planning Committee with quotes for a couple of options the Planning Board had discussed in the previous meeting. The response letter from CNHRPC is transcribed below;

April 2, 2021

Subject: Request for proposal to assist the Pittsfield Planning and Zoning Boards with update of regulations and applications

Dear Bonnie:

Thank you for the opportunity to prepare a proposal to assist in the update of the Town's subdivision site plan review regulations and applications. As requested, we have provided cost estimates for the two approaches as outlined in your email dated 3/22.

*Approach 1 – Having CNHRPC do the majority of the work to get our regulations and applications updated.*

CNHRPC staff will provide planning assistance to the Planning Board to update the Pittsfield Subdivision Regulations (2016) and Site Plan Review Regulations (2016). The process could either update the two documents, or develop a Land Use Regulation Handbook that combines the two documents.

Specific tasks to be undertaken by CNHRPC staff would include as assessment of the existing regulations, assistance in the development of the updated draft regulations or proposed Land Use Regulation Handbook developed over the course of several meetings, and the update of all applications in coordination with the Planning Board, ZBA, and staff. CNHRPC staff would also aid in the process to consider the combined document for approval.

CNHRPC staff would prepare working materials and the final document and attend/facilitate meetings as

necessary during the process. We estimate the cost of this effort to be \$4,950, based upon an estimate of 90 hours of staff time.

*Approach 2 – Having the Planning Board and ZBA members do much of the work with guidance from CNHRPC, to be sure that the documentation created is appropriate and meets the needs of the Town of Pittsfield.*

CNHRPC staff would undertake an assessment of the existing regulations, identify examples of other regulations throughout New Hampshire and application examples, provide guidance as requested, and assist in the development of updated application forms. CNHRPC staff would attend meetings as necessary. We estimate the cost of this effort to be \$2,475 based upon an estimate of 45 hours of staff time.

I would be happy to discuss this further at any time, or meet with the Planning Board or ZBA if they would like. Please call with any questions at xxx-xxxx.

Sincerely,  
Michael Tardiff  
Executive Director

Board members discussed the two options and were in agreement that the process would need to be done sooner rather than later in order to lessen the confusion in the application process for both the applicants and Board members. It was pointed out that recent meetings have been 2x a month and have each lasted longer than average so adding the extra work load for the Boards to do the research on their own would be a challenge.

Bonnie Theriault said that in a conference she had attended it was said that all applications and regulations should be at an 8<sup>th</sup> grade level making the process easily understood and simple to fill out. If the process is anything above that then it isn't working for the Town. Bonnie Theriault said she has been working with the regulations and applications for over a year now and it is still very hard for herself and the common citizen to understand due to the way things are set up now. There are many different places an applicant has to reference back and forth along the way which makes the process very difficult to follow.

Randy Severance pointed out that he had recently downloaded and printed out 17 documents when it should be as simple as two documents to start the application process and thought that it would be a great investment for the Town. It was also pointed out that Pittsfield's application and regulations were one of the most confusing to follow in NH. Ray Ramsey said the training for Board members in the process would also be beneficial since there were a few new members who could use the experience. Board members agreed to go with the first option of receiving help from CNHRPC since they are the professionals and already have experience with Pittsfield's application and regulations. The Board members took a vote and asked Carole Richardson to bring the topic to the next Select Board meeting for discussion.

Randy Severance: I motion that we request from the Select Board in the amount of \$4,950 for the Central NH Regional Planning Commission to assist with our regulations and applications.

Ray Ramsey: Second.

Discussion: None.

Motion carried 5-0-0. Adam Gauthier – yes, Matt St. George – yes, Ray Ramsey– yes, Randy Severance – yes, Carole Richardson - yes.

#### **ITEM 8. - PLANNING BOARD ALTERNATE APPLICATION**

Adam Gauthier introduced applicant Edward Trzcinski saying that he has background experience in construction as a product manager, master electrician, fire fighter, EMT, and has a hoisting license for up to 60-ton crane. Edward Trzcinski said that he is recently retired and looking for a way to give back to the community and so he applied as a Planning Board alternate. The Board members welcomed Edward Trzcinski as a new member of the Board.

Matt St. George: I motion to accept Edward Trzcinski's application to be an alternate on the Planning Board.

Ray Ramsey: Second.

Discussion: None.

Motion carried 5-0-0. Adam Gauthier – yes, Matt St. George – yes, Ray Ramsey– yes, Randy Severance – yes, Carole Richardson - yes.

Adam Gauthier called for a 5-minute break at 8:05 p.m.

The Board was readjourned at 8:15 p.m.

Board members signed the letter of appointment and let Edward Trzcinski know that he can be sworn in sometime on Monday.

#### **ITEM 9. – SELECTMEN'S REPORT**

Carole Richardson said the Select Board has scheduled a work meeting sometime next week to take a look at the elderly exemption and how it compares to the towns around Pittsfield. The plan is to have the topic included in a warrant article for next year allowing the public to decide on whether to raise the elderly exemption or not.

Carole Richardson said another large project that will soon be taking place is adding to the 10-year sidewalk plan. The budget this year allows for more sidewalk work to continue and the plan is to add to Catamount (will get a curb) and the cross walk past the fire station towards the town pool. The sidewalk there is currently broken up and adding/repairing the walkway would allow safe access for children who might be walking to the Town pool or any citizens walking towards town from the other direction.

#### **ITEM 10. – MEMBERS' CONCERNS**

Randy Severance asked about any upcoming training courses Board members could sign up for.

Bonnie Theriault said due to COVID-19 and budget concerns, Board members have been signing up for online courses through the State. Bonnie said she is currently waiting on responses from a few ZBA members to be added to the training course list. With the current proposal on the table to work with CNHRPC, the cost of personal training for Board members would most likely need to come at a later time.

#### **ITEM 11. – BEGIN WORK SESSION – REVIEW OF PLANNING BOARD REGULATIONS**

Adam Gauthier announced that as of March 9, 2021 Cara Marston has added the new Zoning

amendments to the Zoning Ordinance. A copy of the updated Zoning Ordinance was given to the Planning Board members and the website will be updated soon. Board members thanked Cara Marston for the updates and copies.

Due to the proposal on the table with CNHRPC, Board members decided to wait on scheduling any future work sessions until they have further information.

**ITEM 12. - ADJOURNMENT**

Ray Ramsey: I make a motion to adjourn at 8:32 p.m.

Matt St. George: Second.

Discussion: None.

Motion carried 5-0-0. Adam Gauthier – yes, Matt St. George – yes, Ray Ramsey– yes, Randy Severance – yes, Carole Richardson – yes.

Approved:

  
Adam Gauthier, Chairman

May 13, 2021  
Date