

MEETING MINUTES OF Thursday March 11, 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 Jim Adams - Ex officio Alternate Ray Ramsey

Randy Severance – Alternate; called to the table to take Clayton Wood's place. Randy Severance will be sworn in on Monday March 22, 2021 as a full member of the Planning Board.

MEMBERS ABSENT

Clayton Wood
Carl Anderson – Ex officio Alternate

OTHERS PRESENT

Bonnie Theriault - Administrative Assistant

ITEM 3. –PUBLIC INPUT

None.

ITEM 4. - APPROVAL OF MINUTES OF THE FEBRUARY 11, 2021 MEETING

Ray Ramsey: I make a motion to approve the February 11, 2021 meeting minutes as amended.

Matt St. George: Second.

Discussion: Corrections to clerical errors were requested.

Motion carried 3-0-2. Adam Gauthier – yes, Matt St. George– yes, Ray Ramsey – yes. Jim Adams and

Randy Severance abstain.

ITEM 5. – INFORMAL DISCUSSION WITH MICHAEL FAIRBROTHER – R17-2 REGARDING OVER THE MOON FARMSTEAD – AGRICULTURAL USE

Adam Gauthier called Michael Fairbrother to address the Board and let him know that this was a nonbinding informal discussion.

Michael Fairbrother introduced himself and said that his family recently purchased what used to be Early Bird Farm to use for their personal business; Over the Moon Farmstead. When he first stepped foot on the property on October 4th, it was the prettiest spot he had seen in his entire life with the breathtaking sunrise and sunset. After five days, he called the Town Administrator Cara Marston to ask

for a meeting with the fire and building inspectors to make sure his dream for the property fell in line with the Town's goals. He stated that he would have reached out to the Planning Board sooner, but wasn't sure of the process.

Michael Fairbrother said that over the past 12 years the family has been in a small home-grown honey mead production business. The honey mead production facility is currently located in Londonderry, NH, which started in his 12 x 14 room garage. Michael Fairbrother said that he and his wife are international renowned experts in mead making, micro brewing, and cider making. This past year, the National Honey Board deemed their Kurt's Apple Pie as the 15th most influential honey beverage of the past 200 years. The business currently has customers from all over the world, Sweden and Alaska to name a few, that come to NH with their first stop being to come and visit Over the Moon Meadery. Michael Fairbrother said there is a reason they have become the best Meadery in the world and it's because they put quality first, treat their neighbors like gold, and build on experience.

Some of the future goals for their business would include guest rooms for friends that visit the Meadery and possibly a wedding venue. Michael Fairbrother said that they don't have the resources for that currently, so their main focus has been on renovating and preserving the 268 year home as best they can; which they have already reached out to civil engineers and architects in order to do that. By statute NH Liquor Commission allows a remote tasting room, so Over the Moon Meadery would like to establish a retail tasting room on the main floor of the house (15 people minimum) for the winery and brewery. A parking lot will also be added for both the apple orchard and the business. No production would take place at this facility, so there won't be any harsh chemicals involved.

Michael Fairbrother said that his wife is actively taking bee keeping classes and plans to have hives on the property. The Meadery currently uses 20,000-40,000 gallons of organic certified honey which is hard to find. Honey is basically concentrated nectar from flowers so if flowers are sprayed with pesticides the quality of the ingredients is unacceptable. They currently get the honey from Hawaii because it has no pesticides, but hope to supply their own organic honey in the future. Over the Moon Meadery is a member of the NH Winery Association, which is part of NH Department of Agriculture and audits every year. To be certified organic mead, the process is checked and regulated every step of the process. They are also audited by the Liquor Commission and Federal Government.

Michael Fairbrother said that he grew up in NH and has spent his entire life in the state and would love to see Pittsfield as a destination brewery and winery location similar to Flag Hill Distillery and Winery in Lee, NH. His wife, Berniece, is from South Africa so she brings a completely different perspective of what it is like to be in our great country and achieve what you want and they would like to work with Pittsfield to build their dream and make it happen. The vision they have for the business will not only bring jobs (higher than minimum wage and includes medical/dental) to Pittsfield, but will put Pittsfield on the map of becoming known as the mead capital of the world.

Board members welcomed Over the Moon Meadery to Pittsfield and said they would love to work with the family to make sure the process is easily attainable and done right. Adam Gauthier said the property is agricultural but they might still need to come to the Planning and Zoning Boards due to expansion of the business. In the long run, this wouldn't be a hinderance and would actually make the process easier when coming back to expand the business even more. Adam Gauthier stated according to RSA 674;32-b, it would be considered expansion use on the property as read below;

II. Any new establishment, re-establishment after abandonment, or significant expansion of a farm stand, retail operation, or other use of activity involving on-site transactions with the public, including agritourism as defined in RSA 21:34-a, may be made subject to applicable special exception, building permit, site plan review, or other local land use board approval in accordance with the previsions of RSA 674:32-c, II and III, and may be regulated to prevent traffic and parking from adversely impacting adjacent property, streets and sidewalks, or public safety. No municipality shall adopt an ordinance, bylaw, definition, or policy regarding agritourism activities that conflicts with the definition of agritourism in RSA 21:34-a.

Bonnie Theriault stated that there is a Certification of Zoning Compliance form from the Zoning Administrator so wine tasting would be in compliance and allowed in the agricultural zone. Michael Fairbrother said before he went to the bank and purchased the property, he made sure the property was in compliance for what he wanted to do. There was discussion about beginning the application process with an expansion now to save time and resources vs. needing to come back at a later time with possible road blocks and a longer process. Michael Fairbrother thanked the Board for working with him and figuring out how to make his dreams possible. Board members thanked Michael Fairbrother for choosing Pittsfield to expand Over the Moon Meadery.

ITEM 6. – INFORMAL DISCUSSION WITH PAUL AND SHEA RIPPLINGER – R39-29-2 REGARDING PROPOSED POWER SPORTS BUSINESS

Adam invited Paul & Shea Ripplinger to address the Board stating that this was a nonbinding informal discussion.

Paul Ripplinger introduced himself and said that he and his wife Shea Ripplinger own R1 Power Sports located about ½ mile south of Dunkin Donuts in the old Parker Restaurant plaza located along Rt. 28. R1 Power Sports is an ATV, Go Cart, Snowmobile, Scooter, Motorcycle dealership that buys, sells, and trades new or used powersports including self-service for the all-terrain vehicles.

Paul Ripplinger said that they have outgrown their current place and are looking to expand with the possibility of building their own facility. On July 2, 2020 they had come in to the Planning Board with an informal discussion about building on the property located across from Dunkin Donuts, but since then another property became available on the same side as Dunkin Donuts which is directly adjacent to the previously proposed property.

Paul Ripplinger said that they now have a contract with the property next to Dunkin Donuts so they wanted to come in and see what they would need to do to proceed with their plans of moving the business from Chichester to Pittsfield. The plan involves a simple steel building with a service bay, showroom, and paved parking lot.

Adam Gauthier brought up the three access points off of Kaime Road, the solar farm, and Parker's Construction and stated that the right of way easement would need to be on the deed when purchased to make the process easier.

Paul Ripplinger said the property is zoned Light Industrial so it meets the criteria, but there was no water or sewer so he understood that it will need to be included in the site plan and asked for help and guidance.

Bonnie Theriault pointed out that another thing to consider in regulations for site plan is making sure all

the parts are seen together including the Zoning Ordinance. For instance, in order to get a street number, the driveway permit would need to be done along with E-911 so there might be different regulations with property that has more than one driveway entrance. Bonnie Theriault said she would look into the specific regulations and get the information to Paul Ripplinger.

Matt St. George said that it's possible when the property was subdivided the information was already included in the plan showing the driveway and emergency regulations, so it might be something to look at to save time.

Adam Gauthier said the Town has setback regulations, but the State also has required setbacks.

Paul Ripplinger said that he will have to reapply for all licenses with the State, so the State will be contacting the Town to make sure he has met with the Board for approval. When previously going through this process, Chichester was sent a letter and the Planning Board signed off on it and sent it back to the State. Paul Ripplinger said that they were due to close on the property in May and are currently waiting for the land to thaw so it can be leveled. When everything is done by the State, they hope to build and move in by the end of the year.

Board members thanked Paul Ripplinger for coming in and asked if he had any other questions. Paul Ripplinger said he was excited to live in Pittsfield and appreciates the help to move his business to the Town as well.

ITEM 7.- INFORMAL DISCUSSION WITH PAUL METCALF – R48-2 REGARDING 566 DOWBORO ROAD – GRANDFATHERING THE EXISTING GRAVEL PIT 155-E

Adam invited Paul Metcalf to address the Board stating that this was a nonbinding informal discussion.

Paul Metcalf introduced himself and gave a short history of the gravel pit. Paul Metcalf said that his parents moved up here from Massachusetts in 1959. Paul Metcalf said his father sold gravel out of the pit, which wasn't a big operation at the time. In 1990 Paul Metcalf acquired the farm and they were approached by a contractor in 1999 to run it. The family got the permits through the Town and worked the pit until 2010 when the contractor retired to Florida.

Someone in Chichester then took over the operations, but in 2014 there were questions about permits and the family felt that they had been selling gravel long enough to be grandfathered in. There were a lot of hoops to jump through in order to get to that point, so no material was hauled out between the years 2015-2017. There was an issue where stockpiles of material were made, but they couldn't pull material out of the pit until an there was an intent to excavate for tax purposes. Paul Metcalf said that he met with the Town in the fall of 2017 to work out a deal with condition of intent in order to excavate to complete the reclamation and sell off the surplus material that had piled up.

Paul Metcalf said they are currently operating on that permit now, but the permit expires in 2023. Paul Metcalf said that he was here in 2015 to meet with the Planning Board for discussion but wanted to come in again to request grandfathering status. Paul Metcalf said that he has various letters and information for reference proving the gravel pit was in operation before the laws changed. Paul Metcalf also stated the tax accessor for the State has been to the property since the 70s and thought the property was already grandfathered in.

Bonnie Theriault said everything completely changed when the law changed and everyone had to go

back to Planning and Zoning to make sure things fell under the new regulations. Bonnie Theriault requested for Paul Metcalf to send the history information to the Town so that they could go through and cross reference the information. Board members agreed to look over the information and schedule a quick formal meeting for discussion and/or a vote to move forward.

ITEM 8. – INFORMAL DISCUSSION WITH ROBERT JOHNSON – R36-8 REGARDING 55 RING ROAD SUBDIVISION

Adam invited Robert Johnson to address the Board stating that this was a nonbinding informal discussion.

Robert Johnson introduced himself and stated back in 2007 they had looked at subdividing a 2-acre lot for a home, but the banking crisis hit. Due to the market, there wasn't a whole lot of interest in the property. At that time a reapplication was filled out the abutters were notified, but due to the market being tight they never went through with any of the plans. There were letters requesting waivers for a couple of items on the plat and the property was surveyed in 1986 and again in 2008. Robert Johnson said that he is here today to see what he needs to do to proceed with the plans.

Board members had concerns about whether the original surveyor is still licensed for the stamp that would be needed or if Mr. Johnson would need to get another survey to meet the criteria. Robert Johnson agreed to share the information he has up to this point with the Board so they could look it over and have a clearer perspective on the best way to move forward. Adam Gauthier stated that the Board would reach out to Robert Johnson after they look over all of the information.

ITEM 9. – CONTINUATION OF PUBLIC HEARING – R49-17 REGARDING DAVID PELLETIER CONSTRUCTION CO., INC., 20 PRESCOTT ROAD SUBDIVISION APPLICATION

Adam invited David Pelletier up to address the Board.

Adam asked David Pelletier if he received all the information and paperwork to move forward. David Pelletier stated that he had and has also included some items that were potentially missing and previously requested at the last meeting.

Matt St. George: I make a motion to accept the waiver for David Pelletier subdivision to not require a town representative for test pit logs.

Randy Severance: Second.

Discussion: None.

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

Matt St. George: I make a motion that there doesn't appear to be any regional impact.

Ray Ramsey: Second.

Discussion: None.

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

Adam Gauthier asked if the driveway and subdivision permits were completed.

David Pelletier said there was one issue with one of the driveway permits on Dowboro Road because it was overused, but he believes the others were already inspected.

Adam Gauthier said that it would need to be a condition until the permits are completed. The Board then took a vote on whether the application was complete.

Matt St. George: I motion that the application for David Pelletier Construction Co, Inc. is complete. Ray Ramsey: Second.

Discussion: None.

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

Adam Gauthier opened to Public Input on the merits of the application at 7:31 p.m. There was no public input so the Board moved on to the conditions of the application.

As previously stated, the driveway permit would need to be addressed. Adam Gauthier asked if the fire chief had inspected the property. Bonnie Theriault stated that all the department heads had already signed off and they didn't have any other concerns about the fire hydrant.

Adam Gauthier noted that the conditions and waiver would need to be on the final plan as well. The three driveway easement permits will need to be listed on the final plan as conditions, the owner signatures as a condition, and the waiver for a witness of a Town official for the test pits will also need to be listed on the final plan.

Adam Gauthier asked if the Board had any other questions or concerns. There were none. Adam Gauthier requested a motion to move forward.

Matt St. George: I motion that the application is complete for the three-lot subdivision on Dowboro Road, Map R49-17 with conditions of the three driveway permits completed, an owner signature block added, and a waiver granted for the test pits.

Ray Ramsey: Second.

Discussion: None.

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

Matt St. George: I motion that when the plans come in with the completed conditions that the Planning Board Chair Adam Gauthier can sign it before the next Planning Board meeting.

Ray Ramsey: Second.

Discussion: None.

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

Adam Gauthier let David Pelletier know that there is a 30-day appeal process and the Board thanked him for coming in.

ITEM 10. – CONTINUATION OF PUBLIC HEARING – R54-11 REGARDING PETER TELOIAN 52 WEBSTER MILLS ROAD SUBDIVISION APPLICATION

Adam invited Rick Turner to address the Board.

Rick Turner introduced himself and said the biggest issue he has had so far was with the waiver requests; one of them was a survey of the property which has since been ¹written up, the NH grid coordinates and another waiver that was filled out by the Town for pit bottom inspection.

Since the meeting was a continuation from a previous meeting, Adam Gauthier read the Town notice as follows;

PUBLIC NOTICE

Notice is hereby given in accordance with RSA 676:4 & 675:7 that an application for Subdivision from Rick Turner located at 52 Webster Mills Road, Tax Map R54, Lot 7, located in the Rural Zoning District, will be submitted to the Pittsfield Planning Board on Thursday, February 11, 2021, at 7:00 PM at the Pittsfield Town Hall 85 Main Street, Pittsfield NH, during a regular meeting of the Board. Upon a finding by the Board that the application meets the submission requirements of the Town of Pittsfield subdivision regulations, the Board will vote to accept the application as complete, and a Public Hearing on the merits of the proposal will follow immediately. Should a decision not be reached at the Public Hearing, this application will stay on the Planning Board agenda until such time as it is either approved or disapproved. Application materials are available for review at Pittsfield Town Hall, 85 Main Street during normal business hours.

Adam Gauthier said he heard back from Merrimack County about the survey questions addressed at the last meeting. Adam Gauthier read part of his letter to the county as follows;

The property is 104 acres on the backside and abuts local town lines. The Taloian's are looking to subdivide five acres on the street side. There is a question about whether he will need to have 104 acres surveyed or can he just survey the 5 acres that he would like to subdivide. Any insight would be helpful.

Adam Gauthier said their response was as follows;

Hi Adam,

You will have to ask a surveyor and maybe the town can help you. All subdivisions must be approved by the Town Planning Board.

Adam Gauthier said that he emailed back requesting the following;

This response does help to a point. I know the Town has its own requirements for approval but I also know Merrimack County Registry of Deeds has requirements as well. I believe that I found that those were the RSAs from the website. The local subdivision regulations pertaining to a boundary survey state a boundary survey of land under consideration showing all existing or proposed lots. The question is if they only survey the 5 acres proposed out of the 104 acres. Will this be acceptable to Merrimack County?

Adam Gauthier read the response back as follows;

The registry will take a plan with only the 5 acres divided out as long as it is signed by the Planning Board and the land surveyor also has his or her seal and signature on it.

Adam Gauthier said this means a waiver will not be needed because it states in the Town subdivision regulations "all existing or proposed". Adam Gauthier said that they will still approve the waiver just to keep the paper trail clear. Adam Gauthier said that he has not heard back yet about the NH grid coordinates.

David Pelletier said that he will most likely have to run the coordinates from RT28 to the site or give some scale coordinates for whatever the Board is looking for.

Matt St. George: I make a motion to accept the waiver to not survey the back land of the property and only survey the 5 acres subdivided out of the property.

Randy Severance: Second.

Discussion: None.

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

Ray Ramsey: I make a motion to grant the waiver to not tie in the NH grid coordinates.

Matt St. George: Second.

Discussion: Matt St. George wanted to know if it isn't tied into the NH grid coordinates if the other application was tied in and what the common practice is. Matt St. George addressed the surveyor and asked if he could explain it to the Board. The surveyor said that it is a NH based coordinate system that runs through the entire state and is used by private surveyors to determine distances from one plan to another. It helps surveyors to have additional information for abutting properties but isn't anything the Planning Board would necessarily need.

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

Matt St. George pointed out that Merrimack Registry of Deeds will need the town of Epsom to sign off on the plans and there will need to be a signature block on the plans for that as well. Matt St. George asked if Pittsfield Planning had heard back from Epsom Planning yet.

Adam Gauthier stated that a response did come in and that the Epsom Planning Board didn't see any issues, they would just need a signature block to sign off on the plan. Once the signature block is on the plan, the Pittsfield Planning Board will sign off and then take it to the Epsom Planning Board for them to sign off as well. Adam Gauthier noted that when it comes to the conditions, he suggests putting on there that there is no land in Epsom.

Matt St. George said that the existing well is already listed on the plan as well so David Pelletier didn't have to worry about completing the criteria for that.

Adam Gauthier asked if the town road classification widths such as travel way widths and right of way widths for the driveway were added.

Matt St. George said to make sure the classification of the travel way width and the right of way width is

on the plan and follows RSA 478; 1-a to make sure the right of way driveway and easement is designated and maintained the way it needs to be in the future.

Adam Gauthier said the minimum requirement for a driveway in Pittsfield is 12 feet wide but he would recommend adding 25 feet just to allow more clearance for larger vehicles. According to Pittsfield regulations the width of the driveway shall have a minimum width of 12 feet, the driveway shall be flared at its junction with the street to provide the turning radius of emergency vehicles, the driveway shall have a maximum width of 50 feet at its junction.

Rick Turner said the previous driveway was done in 1985 but he would add the 25 ft width requirements on the plan and make sure the right of way driveway width and easement width is also on the plan.

Matt St. George suggested a list of conditions so that Rick Turner would know what else would need to be added with the application before the next meeting. Matt St. George said that the completed checklist would have been part of the original application but has not been submitted or completed as of yet, which the Board will need as part of the application process.

Rick Turner said that he would make sure the Board has a copy.

Adam Gauthier said the Planning Board would need to continue the meeting until the completed list is submitted with the application and to compare the previous memo with the current information to make sure everything is submitted and complete. Bonnie Theriault said that she should have more information by then for the NH grid coordinates.

Adam Gauthier said that the Board doesn't usually hold two meeting within the month, but they would like to schedule one with Rick Turner in a couple of weeks to move the process along as quickly as possible since it has been a long frustrating process so far.

Matt St. George: I make a motion to waive the topography.

Randy Severance: Second.

Discussion: None.

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

Matt St. George: I make a motion to grant the waiver to not have a representative of the Town to inspect the bed bottom of septic design and to witness perp test of septic.

Randy Severance: Second.

Discussion: None.

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

Matt St. George: I make a motion to continue the meeting for March 25, 2021 at 7:00 p.m.

Ray Ramsey: Second.

Discussion: None.

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

The Board thanked Rick Turner for coming in and let him know that they will send any pertinent information that comes in before the next meeting.

ITEM 11. - SELECTMEN'S REPORT

Jim Adams gave an update for the March 9, 2021 Annual Town Election stating the Planning Board warrant articles passed but the citizen petitions were turned down by voters. The Town warrant article for the dump truck capital reserve failed by one vote, 344 YES / 345 NO, so the Select Board has requested a recount due to a number of write in ballots. The recount will take place sometime next week.

Adam Gauthier brought up a concern about the Zoning Ordinance stating test pits are required to be witnessed by a Town official but there was some confusion on whether this was a job for the Code Enforcement Officer. Jim Adams said the Code Enforcement Officer took on a combination of different jobs rolled into one so he could see how there might be some confusion. Jim Adams said that he would look into it further and get back to the Planning Board.

Jim Adams left the meeting at 10:12 p.m.

ITEM 12. - MEMBERS' CONCERNS

Board members discussed what the Planning Board will be working on for the coming year. Bonnie Theriault said she was able to speak with CNHRPC about updating subdivision and site plan over the next year. CNHRPC agreed the regulations were difficult to navigate and there were places with conflicting information. Central NH Regional Planning has agreed to meet with the Town boards to work on the regulations in order to make it an easier process for applicants who come in. The towns of Boscawen and Allenstown were suggested as examples to use for subdivision and site plan regulations because they have checklists that make it an easier for the citizen applicants to follow. Bonnie Theriault said she can get price quotes from CNHRPC to either work directly with the Boards or a price quote for taking what the Boards come up with in a draft form to CNHRPC afterwards to make sure everything is legal and flows the way it should. CNHRPC is currently booked out helping other towns with updates so she will have to see what is available.

Bonnie Theriault added some of the other items the Boards will be working on in the next year include ZBA road frontage, wet land & shore land protection, dry land regulations, and some concerns about driveway regulations that the Superintendent of Public Works Noel Gourley would like to be involved in. Bonnie Theriault said that the Board will need to set precedent to come up with a standard for what its willing to waive or not waive so that by having it defined, if a waiver is denied for some reason there will be a standard there to go by. Bonnie Theriault added that if any of the Board members could think of anything else to work on to send it to her in an email and she would make sure it's added to the agenda.

Adam Gauthier suggested the Board planning to meet at least 2x a month in order to schedule work sessions for the coming year and for training purposes.

Matt St. George: I motion to allow Bonnie Theriault to request two price quotes from Central NH Regional Planning to either; work with the Planning and Zoning Boards update site/subdivision plans OR to look over the Planning and Zoning Boards updating the site/subdivision plans.

Ray Ramsey: Second.

Discussion: None.

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

ITEM 13. – ADJOURNMENT

Matt St. George: I make a motion to adjourn at 10:37 p.m.

Ray Ramsey: Second. Discussion: None.

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

– yes.

Approved

Adam Gauthier, Chairman

April 8, 2021