

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

MEETING MINUTES OF Thursday January 14, 2021

ITEM 1. - CALL TO ORDER

Call to order at 7:02 p.m. by Adam Gauthier, Chair of the Planning Board.

ITEM 2. – ROLL CALL

Adam Gauthier – Chair

Matt St. George – Vice Chair

Clayton Wood

Carl Anderson – Ex officio Alternate

Ray Ramsey

MEMBERS ABSENT

Randy Severance – Alternate

Jim Adams - Ex officio Alternate

OTHERS PRESENT

Bonnie Theriault – Administrative Assistant

ITEM 3. –PUBLIC INPUT

None.

ITEM 4. – APPROVAL OF MINUTES OF THE DECEMBER 10, 2020 and DECEMBER 17, 2020 MEETINGS

Ray Ramsey: I make a motion to approve the December 10, 2020 meeting minutes.

Carl Anderson: Second.

Discussion: None.

Motion carried 5-0-0. Adam Gauthier – yes, Matt St. George– yes, Ray Ramsey – yes, Clayton Wood – yes, Carl Anderson – yes.

Adam Gauthier: I make a motion to approve the December 17, 2020 meeting minutes.

Clayton Wood: Second.

Discussion: None.

Motion carried 3-0-2. Adam Gauthier – yes, Carl Anderson – yes, Clayton Wood – yes. Ray Ramsey and Matt St. George abstain.

ITEM 5. – PUBLIC HEARING TO REVIEW AND DISCUSS THE 2021 PROPOSED ZONING ORDINANCE AMENDMENTS AND CITIZEN PETITION AMENDMENTS

Adam Gauthier opened the meeting stating that each amendment will be reviewed individually. Public input will be opened for each amendment allowing each public member five (5) minutes to comment before the Board closes public input and takes a vote to recommend or to not recommend each

amendment.

Adam Gauthier read the proposed amendment as follows:

2021 PROPOSED Zoning Amendment 1:

Are you in favor of the adoption of Amendment No. 1 as proposed by the planning board for the town zoning ordinance as follows:

ADD to Article 3, Zoning Districts, 3. Use Regulations, (6) Table of Uses and Districts -

MANUFACTURED HOUSING: Urban & Commercial (N), Suburban, Rural & Lt. Industrial/Commercial (Y)

The purpose of Amendment No. 1 is to prohibit placing manufactured housing (mobile homes) in the concentrated downtown area.

Adam Gauthier then opened the meeting for Public input.

Jim Pritchard said that he had a couple of questions; from his understanding, there was a Notice error for the December 17, 2020 Public Hearing and would appreciate if the Planning Board explain for the record what the Notice of error was. Jim Prichard also had a question about the amendment itself given the fact that a single-family dwelling of the exact same size as the manufactured housing would be permitted on a lot in the Urban or Commercial district if it meets setbacks, why does the amendment prohibit mobile homes if manufactured housing is permitted.

Adam Gauthier said there was an error in the Notice time frame and the Planning Board didn't meet the number of days needed to be noticed.

Carl Anderson said there are a lot of narrow lots in the Urban and Commercial districts and a mobile home is typically 14 feet wide and 70 feet long. If a lot is 30 feet wide, there is no choice other than to back a mobile home straight into the lot where one is left looking at the end of a mobile home. Many people in town feel that mobile homes shouldn't be approved for the downtown area and most of the complaints originate from the condition of the downtown area calling for improvement and upgrades. Preventing mobile homes in the Urban or Commercial districts will help with the improvements in Town.

Jim Pritchard asked for clarification on the warrant being strictly for aesthetic reasons.

Carl said that yes, it is for aesthetic reasons in the downtown area.

Joseph McCoy stated that he is against prohibiting mobile homes in the down town area just because it doesn't look good.

Adam Gauthier closed Public input.

Carl Anderson: I make a motion to recommend Zoning Amendment #1.

Matt St. George: Second.

Discussion: None.

Motion carried 5-0-0. Adam Gauthier – yes, Matt St. George – yes, Carl Anderson – yes, Clayton Wood – yes, Ray Ramsey – yes.

2021 PROPOSED Zoning Amendment 2:

Are you in favor of the adoption of Amendment No. 2 as proposed by the planning board for the town zoning ordinance as follows:

Amend "Accessory dwelling unit" as defined in RSA 674:71, means 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.

"Detached dwelling unit" in RSA 674:73, units shall comply with the requirements of, and any municipal ordinances or regulations adopted pursuant to, RSA 674:72, IV through IX.

3. Requirement/Limitations

- a. Building Permit is required.
- b. Only one (1) accessory dwelling unit shall be allowed per principal single family dwelling unit and/or lot.
- c. The accessory dwelling units shall be no greater than 1,000 sq. ft.
- d. Detached Accessory Dwelling Units are allowed. These detached ADU's maybe combined with or part of garages or storage areas.
- e. If an Accessory Dwelling Unit is Attached, an interior door shall be provided between the principal dwelling and the ADU, but it is not required to remain unlocked.
- f. Maximum number of bedrooms allowed in the ADU is two (2).
- g. Water supply and sewage disposal must comply with all town and state regulations.
- h. Adequate off-street parking must be provided.
- i. OWNER OCCUPIED: Owner of the property must occupy either principal dwelling or ADU.

The purpose of Amendment No. 2 is to provide expanded housing opportunities and flexibility in household arrangements, accessory dwelling units/detached accessory units shall be permitted within or attached to an existing single-family home or as a separate housing unit on the single-family home's lot.

Adam Gauthier opened for Public input and read a letter sent in by Dan Schroth, who is against the proposed amendment as follows;

To the good citizens of Pittsfield,

Many thanks and my deepest respect for teachers, medical staff, Town Hall, Selectmen and anyone else who has done more than their share during this pandemic. Everything and nothing seems to be upside down. In other words, some people aren't affected while other people are. I know a lot of us are trying to help people as we can, as we have been helped in our lifetime. My worry is the new zoning proposal amendment #2 (amend accessory dwelling unit) will make it difficult to help homeless folks. I'm pretty sure in the New Hampshire Bill of Rights it says that we must surrender some of our natural rights for the benefit of society, but without an equivalent the surrender is void. What is the equivalent? Some people try to save money, some people try to save dogs, some people try to save souls, some people try to save people. Which are you? It was recently estimated 12 million people will be evicted when the eviction moratorium ends. That's like 3,000 Pittsfields. And you are going to do what?

Dan the Stoneman

Jim Prichard asked for more clarification about the previously discussed notice error wanting to know if individuals in the Commercial district were given notice.

Adam Gauthier said that the Commercial district hadn't been noticed at that time.

Jim Prichard noted that the error wasn't just because the notice was late, but also because of a substantive error in individuals not being noticed in the Commercial district.

Adam Gauthier said that was correct.

Jim Pritchard said thank you and stated that he is against the amendment, frankly because he doesn't understand what it is.

Adam Gauthier explained the amendment would allow ADUs to be expanded from 750 sq. feet to 1,000 sq. feet and allow attached or detached ADUs by right.

Clayton Wood pointed out that ADUs by right means that a citizen won't have to go to the Zoning Board for approval and will just need a building permit for an ADU.

Joseph McCoy said that he has three campers on his property that are hooked up and fully equipped, so he wanted to know if the proposed amendment would affect how many campers would be allowed on personal property.

Adam Gauthier said that it wouldn't affect the number of campers allowed.

Joseph McCoy stated he was against the amendment.

Adam Gauthier asked if there were any other comments or concerns before closing Public input.

Carl Anderson: I make a motion to recommend Zoning Amendment #2.

Matt St. George: Second.

Discussion: None.

Motion carried 5-0-0. Adam Gauthier – yes, Matt St. George – yes, Carl Anderson – yes, Clayton Wood – yes, Ray Ramsey – yes.

2021 PROPOSED Zoning Amendment 3:

Are you in favor of adoption of Amendment No. 3 as proposed by petition of the voters of this town for the town zoning ordinance as follows:

Restore the court-case citations that the 2020 annual town meeting removed via 2020 warrant article 2 at the request of the board of selectmen? (By petition)

Adam Gauthier stated that there was a notice error for the number of days allowed and notice to zoning districts before opening for Public input.

Jim Pritchard said that a notice to the Commercial districts wasn't needed for this proposed amendment

and the need for the current hearing was an example of why the amendment is needed. Jim Pritchard said that it wasn't a clerical mistake when the Board didn't read the notice requirements before holding a hearing on December 17, 2020. In certain cases, a notice is given and other times it isn't needed and it is obvious to him the Board didn't read the statute. Jim Pritchard said the proposed amendment would help give measures to the public allowing a little more access to State law to make sure these types of errors don't end up hurting anybody.

Jim Pritchard stated that he felt a cavalier attitude towards obeying the law can hurt people so they need tools to make sure their rights aren't violated. Jim Pritchard noted that with certain statutes, notably the grandfather statute, it doesn't specify what is grandfathered in or what isn't. A person would have to look at how the Supreme Court decided specific cases and those cases are most accessible if they are put right in the Zoning ordinance where they are most relevant to the particular regulation. Jim Pritchard ended by saying he is the lead petitioner and supports the proposed amendment because it is necessary for people to protect themselves and know their rights.

Joseph McCoy stated that he supports the proposed amendment.

Adam Gauthier closed the Public input before calling for a vote.

Carl Anderson: I make a motion to not recommend Zoning Amendment #3.

Matt St. George: Second.

Discussion: Clayton Wood said that he agrees with Jim Pritchard on the vagueness of certain laws. The grandfather law doesn't technically exist, but bits and pieces of it need to be addressed all the time. Clayton Wood said that since he's been on the Board, the grandfather law has been one of toughest issues the Board faces and having more information available for Board members is just as critical as having the information in the applicant's hands. Clayton Wood said that some of the decisions the Board makes are tough and sometimes very complicated and he was part of the Board that added the comments to the Zoning ordinance because he felt it was needed.

A motion to not recommend with a second was confirmed before the Board members took a vote.

Motion carried 4-1-0. Adam Gauthier – yes, Matt St. George – yes, Carl Anderson – yes, Clayton Wood – no, Ray Ramsey – yes.

2021 PROPOSED Zoning Amendment 4:

Are you in favor of adoption of Amendment No. 4 as proposed by petition of the voters of this town for the town zoning ordinance as follows:

Permit two storage containers per lot throughout the town and to exempt storage containers throughout the town from the current requirements that all storage containers in any zoning district must be on a lot only temporarily and must have a permit from the zoning ordinance administrator? The proposed amendment makes these changes by (1) deleting article 14, section 3, paragraphs (c), (e), and (f), as shown below; (2) by deleting from article 14, section 3, paragraph (d), the words shown below in strikethrough; and (3) relettering old paragraph (d) as new paragraph (c) as shown below with underlining and strikethrough. The paragraphs below use underlining and strikethrough only to show what is added or deleted; the underlining and strikethrough are no included in the text of the revised paragraphs.

~~(c) No more than one STORAGE CONTAINER shall be on the LOT if the LOT is in the Urban District, the Suburban District, or the Rural District.~~

~~(d)~~ (c) No more than two STORAGE CONTAINERS shall be on the LOT if the LOT is in the Commercial

~~District or the Light Industrial/Commercial District.~~

~~(e) The sum of the time during which one or more STORAGE CONTAINERS are on any one LOT during any 15 month period shall be no more than 12 months.~~

~~(f) The owner of the LOT where the STORAGE CONTAINER will be put shall tell the zoning ordinance administrator the date when the STORAGE CONTAINER is proposed to be put on the LOT. The zoning ordinance administrator shall issue a permit for the STORAGE CONTAINER, and the permit shall state the date when the STORAGE CONTAINER is proposed to be put on the LOT. (By petition)~~

Adam Gauthier stated that there was a notice error for the number of days allowed and notice to zoning districts before opening for Public input.

Jim Pritchard said that he is the lead petitioner and had submitted a similar petition last year with the Board members generally in favor of the idea but the problem with the petition was that the regulations weren't the same across all five districts. Jim Pritchard said that he has made changes in accordance with what was requested last year and the regulations are now the same across all five districts so he is hoping the Board will keep their word and be in favor of it now.

Jim Pritchard said that it a good way to make the Zoning ordinance work better for people. Written Town documents show that there are a lot of storage containers "all over the place" and the town enforcement is ad hoc cavalier. The Board doesn't seem to be particularly scrupulous in what the notice statute says and the code enforcement doesn't seem to be particularly scrupulous in what the Zoning ordinance says, so by getting rid of these requirements for written permits and temporary use it will make enforcement simpler and more uniform. Jim Pritchard stated that he doesn't own a storage container or plan on having one, but a need is clear from looking at Town documents of these storage containers the proposed amendment would be a good thing for the Town and he is in favor of it.

Joe McCoy said that he is in favor of the amendment because there are many storage trailers around Town with aggressive code enforcement on certain properties with trailers, but not enforced on others. Joseph McCoy said last year when the proposal was brought before the Board, a request to include all five districts was needed so now all five districts will allow citizen storage containers and if not, then the Town should be cleaned up.

Adam Gauthier closed Public input and called for a vote.

Carl Anderson: I make a motion to not recommend Zoning Amendment #4.

Matt St. George: Second.

Discussion: Clayton Wood said that at the last meeting the Board did say they would consider the proposal if it included all five districts so now that the petition has been brought forward with the changes, the Board owed an explanation if they now decided against the proposed amendment.

Ray Ramsey stated that he wasn't on the Board at that time.

Carl Anderson said that he never voiced an opinion either way in last year's petition.

Matt St. George said he remembers saying he would most likely support the proposed amendment if it were fair all around, but the proposal before the Board now is clearly different.

Adam Gauthier said his issue was whether the amendment on the 2021 ballot would affect the number of units allowed in the proposed districts. If it was clear in the warrant article that 1-2 units would be allowed in the districts than he would have been all set, but the new proposed amendment is different from last year's petition.

A motion to not recommend with a second was confirmed before the Board members took a vote. Motion carried 4-1-0. Adam Gauthier – yes, Matt St. George – yes, Carl Anderson – yes, Clayton Wood – no, Ray Ramsey – yes.

ITEM 6. – MEET WITH MASTER PLAN COMMITTEE CHAIR RALPH ODELL TO DISCUSS AND ACCEPT FINAL CHAPTERS OF THE MASTER PLAN

Adam Gauthier invited Chairman Ralph Odell of the Master Plan Committee to address the Board. Mr. Odell introduced himself and explained that the last time he was here for a presentation, six chapters of the plan had been approved and are now all set to go. Ralph Odell stated that he was here to present the Board with the final three chapters plus implementation that the Master Plan Committee has been working on.

During the 40 minutes presentation, Ralph Odell covered many topics for development in Pittsfield that the Committee had been working on while keeping in mind the Town wide survey responses that were received. The collected Town survey responses involved three basic areas citizens wanted to preserve; having a small village, the historical aspect of our town, and the natural country landscape.

Ralph Odell said that he is willing to put all of the Master Plan documents together in book form in order to allow more access to the general public, but due to budget limitations the committee will only be able to print a few of the books out. The full Master Plan presentation will be available at the Town Hall, Planning Board and the library so that the public will be able to take a more thorough look at the 10-year development and implementation plan for Pittsfield.

A brief outline of topics the Master Plan Committee has worked on over the last few years can be found below;

Housing:

1. Improve the tax base by encouraging the upgrade of all existing residential structures, including single and multi-family occupancy.
2. Encourage a stable community by providing a balance of housing options that meet the needs of a diverse population (singles, families and elderly).
3. Identify and protect residential structures with cultural, architectural and historic value.

Transportation:

1. Establish and maintain a transportation system that meets all needs and all local, state and federal standards and specifications.

Community Services and Facilities:

1. Provide services and facilities to meet the present and future needs of the community.

Education:

1. Provide a quality educational program that challenges every student to achieve at his/her

highest level through a cooperative effort involving students, educators, parents and the community.

Recreation:

1. Promote such recreational services as are practical and attainable to meet the needs of the town's residents and visitors.

Natural/Historic Resources:

1. Support the management and protection of our community's water resources, wetlands and recharge systems.
2. Encourage conservation and protection of natural and historic resources to maintain and enhance the character and beauty of the town.

Land Use:

1. Preserve and enhance the town center as a focal point of the community while maintaining the town's rural character by preserving farms, forests, natural and cultural features and vistas.
2. Maintain a moderate growth rate through the orderly development of a balanced land use pattern.

Economic Development:

1. Improve the economic base of Pittsfield by attracting a broad variety of business and industry.
2. Enhance the town's position as a focal point in the Suncook Valley through moderate growth.
3. Increase property valuations in both the business and residential sectors.
4. Preserve the assets of Pittsfield's small-town character through prudent development and sensitivity to environmental features.
5. Provide higher paying employment opportunities within the town.
6. Improve the population's qualifications for higher paying jobs

Clayton Wood said that the Master Plan document is the most underused document in the Town. It is a wonderful resource for many of the committees around Town to discuss and implement. Clayton Wood said that he is impressed with the level of discussion and research that went into the plan.

Carl Anderson said most people would think of a Master Plan as a thick complicated book, but the way the plan is laid out by the Master Plan Committee it is a manageable document that is easy to understand. Carl Anderson said the Master Plan gets right to the point and its brief enough for someone to pick up and digest in about 30 minutes.

The Board members thanked Ralph Odell and the committee members for all of the hard work they put into the plan. All of the Board members agreed that the committees around Town should take the time to read the plan and start implementing some of the ideas to bring improvements to Pittsfield.

Board members also discussed term limits for Master Plan Committee members since there has been tremendous changes over the last couple of years due to COVID-19. Term limits would allow members to reaffirm their commitment or allow them to step down if needed.

ITEM 7. - SELECTMEN'S REPORT

None at this time.

ITEM 8. - MEMBERS' CONCERNS

Clayton Wood expressed concerns over the Planning Board changing the Thursday dates for meetings with the Zoning Board. Clayton Wood said that a NH Regional Planning Commission meeting had been scheduled at the same time as tonight's meeting and he feels that it is a mistake to miss the Regional Planning meetings since they are only offered quarterly. Clayton said the Planning Board has a lot of responsibility and going to the NH Regional Planning meeting is a great resource for members to attend and gain access to information for the Town so he would like the Board to reconsider the changed dates.

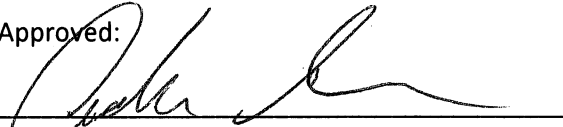
ITEM 9. - ADJOURNMENT

Clayton Wood: I make a motion to adjourn at 8:29 p.m.

Carl Anderson: Second.

Discussion: None.

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

Approved: 
Adam Gauthier, Chairman

March 11, 2021
Date