



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

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**MEETING MINUTES OF Thursday August 12, 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

Ray Ramsey

Carl Anderson – Selectman Rep.

Ed Trzcinski - Alternate

**MEMBERS ABSENT**

Randy Severance

Jim Adams – Selectman Alt Rep.

**OTHERS PRESENT**

Bonnie Theriault – Administrative Assistant

**ITEM 3. –PUBLIC INPUT**

None.

**ITEM 4. – APPROVAL OF MINUTES OF THE JULY 8, 2021 MEETING AND JULY 22, 2021 WORK SESSION**

Ray Ramsey: I make a motion to approve the July 8, 2021 meeting minutes.

Matt St. George: Second.

Discussion: None.

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

July 22, 2021 Work Session minutes tabled until the next meeting.

**ITEM 5. – VOTE TO AMEND RULES OF PROCEDURE RELATIVE TO CHANGES IN REFERENCING  
ADMINISTRATIVE ASSISTANCE AND PAGE NUMBERS**

Adam Gauthier went over the following amendments to the Planning Board Rules of Procedure transcribed below;

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**IV. Administrative Assistance**

~~The planning board may retain or appoint an administrative assistant to administer the board's routine~~

business in the town hall. ~~"Routine business" shall include but not be limited to:~~

1. The planning board may appoint a land use assistant to administer the board's routine business at the town hall. The land use assistant may be town hall staff assigned to such assistance by the Board of Selectmen in their job description, but assists under the direction and supervision of the planning board for the land use assistance.

~~1. (a) receiving applications and fees to approve subdivisions of land, mergers of lots, lot line adjustments, site plans, and earth excavations; requests to amend the zoning ordinance; applications for driveway permits; requests for rehearing's; and other filings; and composing and posting routine notices for regular meetings and special meetings, such as notices for hearings under RSA 676:4, notices for hearings under RSA chapter 675, and notices of decision. The administrative assistant will be a town employee that the board of selectmen provides, but the administrative assistant shall act under the direction or supervision of the planning board or the planning board chair.~~

~~2.~~ 2. The planning board may retain or appoint a minute taker or recording secretary who shall prepare the board's minutes.

~~3.~~ 3. The code enforcement/compliance officer and the town administrator may provide other administrative assistance as the planning board needs.

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#### **VIII. Disqualification of Board Members**

1. If any planning board member disqualifies himself from sitting in a particular case, then he shall notify the chair, the vice-chair, the board's administrative land use assistant, or the town administrator as soon as possible so that the chair may ask an alternate to sit in the disqualified board member's place.

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#### **XVI. Issuance of Decision**

2. The chair with the assistance of the administrative land use assistant shall write, sign, and date the notice of decision.

6. The chair, the vice-chair, or the administrative land use assistant shall record the plat at the registry of deeds within 10 calendar days of the final approval. (See RSA 674:39, I.) The applicant shall pay all recording fees.

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#### **XX. Certification**

The Pittsfield Planning Board adopted these rules of procedure on ~~December 10, 2020~~ August 12, 2021

~~Clayton Wood~~ Ray Ramsey, member

~~Ray Ramsey~~ Ed Trzcinski, alternate member

Matt St. George: I make a motion to accept the changes in the Town of Pittsfield Planning Board Rules of Procedure as stated by the Chair.

Ray Ramsey: Second.

Discussion: None.

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

**ITEM 6. – WETLANDS SHORELAND APPLICATION R7-6 FOR GEORGE AND DIANE BACHELDER LOCATED AT 661 TILTON HILL ROAD FOR REVIEW**

Adam Gauthier stated the Planning Board received an application that was filed to dig an irrigation pond for a farm at 661 Tilton Hill Road for review.

**ADDED ITEM – Diane Rider 175 Range Road**

Adam then recused himself due to being on another Board with the applicant and turned the meeting over to Matt St. George.

Bonnie Theriault explained that during the last meeting, a question was asked about doing a subdivision on Range Road, which is a class VI road. The current lot consists of 37 acres with a home on it and the applicant would like to subdivide the 37 acres into two additional lots.

Since the last Board meeting, Bonnie Theriault said she had researched for more information on the possibility of further subdividing the lot and a file was pulled indicating a decision was made back in 1989 to create a class VI road minimum specifications list. Bonnie stated that she had gone through the last 8 years for projects done on a class VI road and could not find anything that had been updated since then that would show a standard for the Planning Board to go by.

Diane Rider was invited to address the Board to explain the circumstances surrounding a letter of good faith that was given 20 years ago when the property was purchased. Diane Rider stated that 20 years ago, this coming Spring, she had come before the Board and received a letter of faith that was given to her at that time in order to purchase the property to build. Diane stated that they wanted to purchase the property in order to build and were told what was expected of them to bring the road up to a standard in order to build in the future. Diane stated that a deed was filed for a class VI road and since then, the road has been used over the years by tractor trailers, tankers, dump trucks, Eastern Propane, and the ambulance has also used the road over the years.

Bonnie Theriault stated a conversation was had back and forth about an agreement for a building permit. The Town Administrator at the time, Fred Welch, had talked about a contingency for a waiver and that once everything was reviewed, they would go back and issue a formal agreement. There was also information from the Planning Board chair at the time indicating the proposed house would have a driveway over 1,600 feet from the end of a class VI road and it was determined at the time the road was in reasonably good condition and would support emergency vehicles. The Planning Board members, police and fire personnel were also familiar with the road.

It was felt that the lot was bounded on the north side by conservation land and it was unlikely there would be much development on the road. Mr. and Mrs. Rider were working with Joe Carson and said they had a plan in place for upgrading the road which included adding gravel to widen the road in places where it was narrow, remove some rather large rocks, and to place a culvert in a place where it was needed. The applicants were asked to get George Bachelder out to look at the site for the proposed culvert for any recommendations he felt were necessary to make sure there were no negative impacts on abutters and the applicants were made aware of any drawbacks of living on a class VI road and that a class VI road waiver would be signed. A plan showing the improvements would then be brought to the Board of Selectmen to request a building permit from them.

The Selectmen then asked for guidance from the Town attorney and the response was if the road is a class VI

highway, the Board of Selectmen cannot legally issue the building permit without first seeking the nonbinding recommendation of the Planning Board. For the building permit proposed, the erection of a building on a road that is described as RSA 674:41A the building permit is to be processed and a decision made upon the issuance of the normal course. The Selectmen would need to deny or decide for the application of the building permit and the decision whether to grant or deny an application for a building permit should not be made based on any building on all class VI roads and instead should be made with an eye for the condition of safety.

A private road is considered different from a class VI road and the permit application, if denied, the landowner would have the right to invoke the ZBA. A letter stated that the Select Board conditionally approved the application for a building permit and the Board also conditionally approved an agreement and release for consideration for class VI highway. Once the property was purchased, the applicants must supply a copy of the book and page for the registry of deeds and the agreement and release for a class VI highway to be reported to the Merrimack County Registry of Deeds. The building permit would be issued as soon as the town is in possession of the recorded agreement.

Diane Rider stated that she has come before the Board to see about subdividing some of the 37 acres into two 12 acre lots for her sons, which will be built on with plenty of frontage to subdivide, and that she wants to make sure of any foreseeable issues before trying to subdivide and being denied a permit to build once the land was subdivided. The road is currently bound by stone walls on either side with drainage ditches and has the original culvert that was added, another culvert that was upgraded, and plans for an additional culvert to be added.

Matt St. George noted that the Board would need to look into whether the property could be subdivided first before they could look into the building permits for the parcel lots. Matt apologized stating the Board members would need time to look over the regulations due to road requirements for a class VI road to be sure a decision falls within the State regulations, including a 20-foot clearance needed.

Carl Anderson added that the State also has certain road requirements for subdividing lots on roads that are not Town maintained and where more roads are created by subdividing. The Planning Board decisions are based not only on State regulations but also on what roads are acceptable for the Town and have to be careful when deciding on accepting additional roads because it extends tax payer money to maintain the new roads and would need to go to Town ballot for acceptance.

Ed Trzcinski asked how far it was to the furthest proposed subdivided lot from the class VI road because he had some concerns about emergency safety access and maintenance of the road.

Diane Rider stated the current driveway is within 1,600 feet from the class VI road and would be the closest road to the class VI road in the proposed subdivisions. There is approximately 100 feet from the center of the driveway to the stone wall. Diane also invited Board members to come and look at the current road.

Matt St. George stated that when the current 37-acre lot was purchased, the road was already included in the lot purchase and lot of record. So, in turn the Board would need to push forward with research to be sure further subdividing the 37-acre lot into approximately three 12 acre lots would fall within the State and Town regulations. Matt also suggested asking the fire and police departments to see if they had any concerns about the class VI road in the meantime.

Board members thanked Diane Rider for coming in and would let her know more once they have time to look

over the State and Town subdivision regulations for the proposed application. Matt St. George turned the meeting back over to the Chair Adam Gauthier.

**ADDED ITEM – Tom with Rymes Propane & Oil**

Board members welcomed Tom from Rymes Propane & Oil to the meeting.

Bonnie Theriault stated she had contacted the engineering company with a general discussion about the conditional approval for the site plan. There were a couple of issues that had to do with not having the property fully surveyed which was a requirement and also a time frame of when the work would need to be completed.

Adam Gauthier let Tom know the Board would record the Notice of Decision so that Rymes Propane & Oil could move forward on the sale. The company coming in would need to do substantial improvements on the projects in order to meet the conditions within the time frame which would be by January 3, 2021. Adam stated if the 30,000 tanks aren't in the ground before January 3<sup>rd</sup>, that Rymes could come back to the Board to file for an extension.

Board members thanked Tom for coming in and Bonnie Theriault let him know she would send an email out requesting the updated information needed to move forward.

**ADDED ITEM - K&M Development Draft Agreement**

Board members discussed the open space draft agreement reached with the K&M development for Bailey Park and agreed to send it to the Board of Selectmen for approval to send to Counsel.

Carl: I motion to send the K&M development open space draft agreement to Selectmen for approval to send to Counsel.

Adam: Second.

Discussion: None.

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

**ITEM 7.- SELECTMEN'S REPORT**

None.

**ITEM 8. – MEMBERS' CONCERNS**

None.

**ITEM 9. – ADJOURNMENT**

Matt St. George: I make a motion to adjourn at 7:50 p.m.

Ray Ramsey: Second.

Discussion: None.

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

Approved:



Adam Gauthier, Chairman

10/14/2021  
Date