



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

MEETING MINUTES OF Thursday March 28, 2019

CALL TO ORDER

Call to order at 7:03 P.M. by Scot Palmer

MEMBERS PRESENT

Scot Palmer
George Bachelder
Larry Konopka
Pat Heffernan
Scott Aubertin

AGENDA REVIEW

None.

PUBLIC HEARING

Scot Palmer read the following Public Hearing Notice.

The Pittsfield Zoning Board of Adjustment will hold a public hearing pursuant to RSA 674:33, I, (a), (2), and RSA 674:33, I, (b), and RSA 676:7 on an application for a variance from Pittsfield Zoning Ordinance, article 3, section 3, (b), (3) and (6), prohibiting multi-family dwellings in the Commercial zoning district . The time and place of the hearing which was scheduled and advertised as Thursday March 14, 2019 was RESCHEDULED to Thursday, March 28, 2019, 7:00 PM, at the Pittsfield Town Hall, 85 Street, Pittsfield, NH 03263. The applicant's name and address is Bear Investments II, 320 Brook Road, Sanbornton, NH 03269. The owner's name and address is Bear Investments II, 320 Brook Road, Sanbornton, NH 03269. The proposal as stated in the application is to "add 3 or 4 residential units to the downstairs (first floor)." The location of the project is 8 Depot Street, tax map U-03, lot 112, in the Commercial zoning district. The application for a variance is on file for public inspection at the town hall, 85 Main Street, Pittsfield, NH 03263.

Scot Palmer opened the Public Hearing.

Bob Schiferle inquired if the reason for this hearing today is because the property is nonconforming and that it is nonconforming because there are 3 units upstairs and if it had 2 units it would be conforming.

Larry Konopka called a POINT OF ORDER, because it is not yet open to the public for comment. Scot apologized for the misunderstanding.

Scot Palmer proposed postponement of this public hearing until April 11, 2019 at 6:00 p.m. so the board with 3 new members can get organized and review the application for this public hearing.

Pat Heffernan seconded.

Discussion: None.

Motion carries 5-0

Scot Palmer closed the public hearing.

Carole Dodge wanted confirmation the public hearing was tabled until April 11, 2019 at 6:00 p.m. at the town hall. Larry Konopka confirmed.

Steve Adams inquired about the Teen Challenge Public Hearing, and Larry stated that they will be discussing that next.

There was some discussion pertaining the new members having time to review the material for the public hearings.

Pat: I make a motion to postpone agenda items 2,3,4, and 5 until April 11, 2019 at 6:00 p.m. at the town hall.

Larry: Second.

Discussion: None.

Motion carries 5-0

Scot Palmer announced organizing the board.

Scott Aubertin: I make a motion to appoint Larry Konopka as Chairman of the Zoning Board of Adjustment.

George: Second.

Discussion: None.

Motion carries 5-0

Larry: I make a motion to appoint Pat Heffernan as Vice Chairman of the Zoning Board of Adjustment.

Scot Palmer: Second.

Discussion: None.

Motion carries 5-0

Pat Heffernan stated he feels that the board should look for secretarial work because Cyndi is not able to do it. He stated that for the time being someone at the town hall will do it until they can find someone.

Larry: I make a motion to ask the selectboard to hire Ammy Ramsey as administrative secretary.

Pat: Second.

Discussion: Pat also feels that we should make sure this is something that Ammy is interested in doing. Larry inquired with Jim Allard about that, and Jim stated that he believes she is but details should be worked out with everyone involved. Ammy is doing the minutes for the next few meetings.

(no official vote was done)

The board discussed meeting times and it was decided to meet the 2nd and 4th Thursdays at 6:00 p.m.

Scot Palmer stated that there is NHMS Training is on June 1st and the location. If anyone is interested, they can go to Cara to sign up for that training. Larry also mentioned other trainings that is available and some copies of the paper was made to hand out.

Larry inquired about the Rules of Procedure that were amended in March in 2018. Larry would like the board to review the amended version and consider changing them again concerning the secretary position. Pat will get some copies to everyone so it can be discussed on the 11th. Scot Palmer mentioned appointing alternates. Larry stated that there is 1 – 3-year term, 2- 2-year terms, 2 – 1-year term positions open. Larry stated that this board recommends the candidate and the Selectboard appoints them. Larry stated they have a couple applicants.

Larry Konopka: I recommend approving Mitch Emerson's application for Zoning Board Alternate and send the recommendation to the Selectboard.

Pat: Second.

Discussion: None.

Motion carries 5-0

Pat: I recommend approving Scott Jackson's application for Zoning Board Alternate and send the recommendation to the Selectboard.

Larry: Second.

Discussion: None.

Motion carries 5-0

There was some discussion pertaining to Dan Schroth's application, but no motion was made.

Pat: I make a motion to recommend approving James Hetu's application for Zoning Board Alternate and send the recommendation to the Selectboard. Pat feels that he has been on the board for more than 3 years and is knowledgeable and would be a good resource.

Motion dies for lack of second.

Scot announced approving January 2, 2019 and February 14, 2019 minutes, Larry stated he feels that they can not approve these minutes because there are 3 new members that where not a part of these meetings. Larry suggested tabling them until they can consult the local government center on what to do with them.

Scot announced that they are going to go back to the Rules and Procedure because they all have copies now. There was some discussion pertaining to what Larry wanted everyone to look at, and it was pertaining to the secretarial duties that had changed. Larry also stated that there was case law included in the changes made in March of 2018. Larry suggested repealing the recent changes and go back to the Rules and Procedures from before the amendment, and once they find a person for that position they can review and change things if needed. Pat stated if they hire a person then this will all go away because these are for a volunteer person. Pat recommended leaving this until they find out from the person who has been volunteering to see if he will continue or not. Larry stated that they already discussed going to the

Selectboard to request hiring someone for that position. Pat stated that he has not heard from the volunteer personally but feels that it is not necessary to change these at this time and can wait until they figure things out. Larry feels that keeping it this way is concerning with it including case law, Pat agrees about the case law. There was some discussion with the entire board concerning changing it back now.

Larry: I make a motion to amend the Rules and Procedures back to the September 8, 2016 version.

George: Second.

Discussion: None.

Motion carries 4-1 Pat opposes.

Larry inquired with the board about anyone knowing Mike Cabral because he is also requesting to be an alternate for the Zoning Board of Adjustment. Mike gave some information about himself. Some questions were asked from the board to Mike.

George: I recommend approving Mike Cabral's application for Zoning Board Alternate and send the recommendation to the Selectboard.

Larry: Second.

Discussion: None.

Motion carries 4-1 Pat abstains.

Scot Palmer inquired about the Zoning Administrators report, Larry explained that this is something that he put on the agenda because it would be informative to hear from the administrator for updates or issues. Larry also informed the board that Carl is out of town. Jim Adams stated that Carl requested he come to the meeting and inform this board that he does not have anything at this time.

Scot Palmer asked if there were any member concerns, and there was none.

Scot Palmer open the floor for public input.

Adam Gauthier stated that the current Zoning Ordinance specifies a certain dictionary for definitions and purposes and he would strongly encourage the board to purchase one of these to have in office for residents to have access to. Larry inquired about what type of dictionary he was referring to and Adam gave him that information. Pat stated it is also available on phones as an app. and it is very useful.

Bob Schiferle asked the board to give a high-level reasoning for tabling the agenda items this evening. Larry stated that there are 3 new members and they have just received the information and to make an informed decision they should review the information first.

Dan Schroth inquired about a notice for the tabled items. And also stated that he feels they are making a mistake not recommending James Hetu as an alternate.

Hank Fitzgerald stated that "James Hetu." And a POINT OF ORDER was called.

Larry Konopka read a general statement to the public that said, public input should be addressed to the chair of the board, in a courteous and respectful manner.

James Hetu asked why he was not appointed. Scot Palmer stated he does not have an answer for that.

Paul Nickerson believes that the board can vote not to have a volunteer continue to serve. There was some discussion amongst the board concerning the volunteer position and moving forward with amending the Rules and Procedures this evening. Matt St. George commented about removing the volunteer of the position so it is not misunderstood by trying to hire someone and having both positions being considered at the same time. Jim Adams stated the Selectboard is reviewing the reorganization and support needed for the Planning Board, Zoning Board, and the new Housing Standard's needs. Jim informed the board that they are not ready now to move forward, but will be reviewing the needs of all boards and coming to a solution that will work for the town as a whole soon. Jim also stated that they will get support from the Selectboard until a they all can come up with a solution.

Carole Dodge stated that the board has rescinded the March 2018 Rules of Procedure amendment so by removing the volunteer secretary and by going back to the September 2016 Rules of Procedure. But in her opinion doing a motion would make the intentions clear.

Scot Palmer closed public input.

Scot Palmer stated he just received an email from Jim Pritchard stating that he apologizes but the voters have spoken. Scot Palmer stated he will not get into the details of the email but Jim Pritchard does not want anything to do with the Zoning Board.

Larry: I make a motion to eliminate the Volunteer Zoning Secretary position.

Scott Aubertin: Second.

Discussion: None.

Motion carries 4-1 Pat abstains.

Larry: I make a motion to adjourn.

Scott Aubertin: Second.

Discussion: None.

Motion carries 5-0

Approved:



Lawrence J. Konopka

Chair

