

Town of Orford Planning Board Meeting Minutes – December 15, 2014

Board Members & Staff Present: Ann Green, Chair; Andy Schwaegler, Vice-Chair, Lawrence Hibbard, Member; Jim McGoff, Member; Harry Osmer, Member; Chase Kling, Member; Tom Steketee, Selectboard Representative Member; and Victoria Davis, Planning Assistant

Board Members Absent: Edward (Skip) Gould, Alternate; Rob O'Donnell, Alternate; Sam Hanford, Alternate

Item 1: Review of Meeting Minutes: Ann Green called the meeting to order at 7:00 pm. The minutes of the November 17, 2014 meeting were reviewed. Tom made a motion to approve the minutes. Harry seconded the motion, and unanimous agreement followed. Much later in the meeting, Chase noted that Item 5 should have said “former Wilson property” rather than “Wilson property.” No motion was made. Sam Hanford stopped by to see if he was needed, and went home as he had just had a surgical procedure.

Item 2: Bruce & Sarah Schwaegler Informal Meeting for Lot Line Adjustment (Tax Map 7-34-3; 7-32-21, 28, 29): Andy Schwaegler recused himself from discussion and moved to the public seating. Bruce presented new sketches of his proposed lot line adjustment of four lots off Indian Pond Road. Each of the four lots in the new configuration is conforming with adequate road frontage, driveway access, and substantial lot size of 44 - 821 acres. When asked about percolation tests, Bruce responded that he believed a couple had been done in the past, but he did not believe they were required for such large lots. It was pointed out that section 5.05 of the Regulations exempts lot line adjustments from the perc test requirement.

There was discussion about the walking trail on Old Grimes Hill Road. Currently the trail begins at Indian Pond Road and follows the Old Grimes Hill Road which is also a driveway for a building. Bruce will make sure details of this trail easement are included in the application and noted on the final plan. He will also show the flood zone and the State Shoreland District around Indian Pond. He will also include in his application packet the restrictive covenant and shared expense agreement for the Planning Board approved Bear Tree Road from an earlier subdivision and to be the access to the largest lot.

There was discussion if existing lot 7-32-27C should just be merged to lot 7-34-3 prior to the lot line adjustment, but a voice vote concluded that one lot line adjustment application could address all proposed lot line changes. Ann requested that previous perc tests be shown on the plan. Bruce noted that he will be asking for a waiver for the map scale due to the size of the properties. Ann recommended that due to the many details of the proposal that the date of the public hearing be separate from the date of the application review. Bruce agreed. Ann also pointed out that the plan will need a note that it does not create new lots as spelled out on the lot line adjustment application. Bruce anticipates application submittal at the end of January.

Item 2: Floodplain Ordinance Amendments Discussion: Ann prefaced the discussion by pointing out that the Planning Board is responsible for amendments to the ordinance by State law. Vickie stated that the Orford Selectboard had contracted with the regional planning commission to assist in amending the ordinance to make the review process more clear. She said she had not been able to meet with the Selectboard due to their heavy schedule, but the Planning Board needed to be apprised of the potential amendments. The Selectboard hopes to have the amendments on the 2015 warrant, so time is of the essence to hold public hearings in January.

Vickie provided the existing floodplain ordinance with proposed amendments in colored text. Jennifer Gilbert at the NH Office of Energy and Planning had reviewed the changes. The Board went through the ordinance page by page. Since this was the first time the Board had viewed the proposed changes, they will need more time for review. All changes were simply to clarify the role of the Selectboard or their designee in enforcing

the ordinance or to clarify the requirements. Vickie will send the State calendar for completing ordinance changes to the Board.

There was discussion about how the Wilder Dam might impact the flood area. It was also noted that Peter Dooley of the ZBA should be copied on any proposed amendments so the ZBA members can comment on proposed changes.

Item 4: Rules of Procedure Amendment: At the previous meeting, Jim had suggested that the “Conduct of Meetings” section, item “c.” be amended to change the hour that no new cases should be addressed by the Board from 10 PM to 9 PM. Harry made a motion to make this change. Jim seconded the motion, and unanimous agreement followed. Ann made a motion to accept the Rules as amended. Jim seconded the motion, and unanimous agreement followed. Chase suggested another change to the “Conduct of Meetings” section, item “d.” He felt this section would hamper one’s ability to make a statement that they could justifiably take the Planning Board to court for an error they were making. Andy suggested that the purpose of the item is to provide a cooling down period when people became overly emotional or intimidating and not to hamper the process. There was unanimous approval of the Rules of Procedure with the amendment to item “c.”

Item 5: Exemption for Accessory Dwelling Unit Discussion: Ann handed out the “Exemption for Accessory House” for Board review. She stated that it should be amended to match the regulations and she would work with Vickie to develop a proposal. Larry pointed out that people are building second houses on a lot without permission anyway. Ann responded that the Board will have to deal with this by informing them that they need Planning Board review. It was discussed that the purpose of this section is so people with a second house on a lot do not assume they can subdivide off the second house unless they meet the normal requirements provided in the Subdivision Regulations. Ann asked that members familiarize themselves with this section of the regulations for discussion at the January meeting.

The meeting adjourned at 9:00 pm.

Submitted by,
Victoria Davis, Planner
Upper Valley Lake Sunapee Regional Planning Commission

Tentative Meeting Agenda for January 19, 2015

- Accessory dwelling unit discussion
- Floodplain Ordinance