

Orford Planning Board

June 19, 2017

Board Minutes

Approved July 17, 2017

Present

- *Committee Members:* Jim McGoff (Chair), Kelley Monahan (Vice Chair), Dave Smith (Select Board representative), Paul Carreiro, P. Chase Kling, Deb McGoff, Tom Thomson, Mark Burger (alternate)
- *Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC):* Amber Boland, Steve Schneider
- *Committee Members not present:* Sam Hanford (alternate), John Adams (alternate)
- *Public:* Wendy Adams, Mathew Gray, Nicole Gray, Jane Hanford, Bill Riehl, Tim Rockwood (surveyor), Roy Sanbourn (surveyor), Thomas Smith (surveyor), Tom Steketee, Jaden Thomson, Stacey Thomson, Stacie Marshall (recording secretary)

7:00 PM: Jim called the meeting to order, and appointed Kelley to conduct the meeting.

1. Planning assistance contract

- UVLSRPC Circuit Rider, local professionals
- What do we need, roles and responsibilities
- Determine timeline for decision

Steve gave an overview of the new contract, highlighting the change from six to three minimum retainage hours, and specifying that the lower required hours are conditional on UVLSRPC continuing to support the Planning Board at its monthly meetings. He indicated that the minimum retainage agreement is intended to avoid fluctuations in the Board's budget, as well as to help forecast UVLSRPC's activity levels and revenue over the course of the year. When Kelley asked about the timeline for the Board's decision to renew, Steve indicated flexibility, highlighting that the contract hadn't been signed until September last year. Kelley reminded the group that when the current contract expires at the end of June, the Board will technically be unrepresented. Jim brought up the \$12 per hour increase in UVLSRPC's rate, citing a concern with the Board's budget (Mark confirmed that the Board has budgeted \$5,400 for planning assistance). Steve clarified that the increase was necessary after discovering that the previous \$48/hour rate was not covering costs. He described their due diligence in setting the new rate, indicating that UVLSRPC is still on the low side when compared to its competitors. Chase raised his concerns with turnover at both the director and circuit rider levels over the past few years, describing the negative impact on both the organization's relationship with the Board and the Board's ability to conduct business. Steve, while unable to promise unequivocally, indicated that he did not expect the same frequency of personnel changes in the future, and cited his dedication to his new role.

The Board decided to continue discussions around the UVLSRPC contract and possible alternatives at the next meeting. Amber and Steve were invited to stay to consult on the evening's remaining business.

2. Stacey Thomson's gravel pit yearly site report

- Select Board tax documents on use
- State inspection documents, pictures
- Determine timeline to complete written report

Tom T. recused himself; Mark was seated in his place.

The group debriefed about their assignments from the site visit:

- Board members verified they had read the excavation regulations.
- Kelley confirmed that DES had not performed a site visit in the past year.
- Paul had attempted to determine if prior inspections had included photos, but multiple calls were not returned.
- Chase had been unable to find a reclamation plan for the site; Stacey identified the plan on the site map, confirming that the somewhat-vague plan had been approved by the Planning Board in the past. Chase confirmed that reclaiming a site of this size is a simple matter.

Kelley was tasked with writing a draft report for circulation to the Board prior to next month's meeting. The report will document the findings of the site visit including the missing boundary pin and the presence of offsite materials (asphalt and concrete), and will specify remediation actions.

Tom T. was reseated.

3. Application Lot Line Adjustment, Linda Paradee

- Map 8-93, Lot 64 and Map 8-93, Lot 66, Rte. 10
- Review application submission for acceptance
- If complete, move into work session, public hearing, deliberation

The Committee had a short discussion about whether a public hearing was required for a lot line adjustment application. A future point of clarification to the subdivision regulations was identified. The Board's Checklist for Meetings to Review a Subdivision Application for Completeness requires a public hearing, but section 3.01 of the Town of Orford Subdivision Regulations (Lot Line Adjustments and Boundary Agreements) states that no public hearing is required. Confusion stemmed from the fact that lot line adjustment regulations are included within Orford's subdivision regulations, but are not subdivisions. Since the current meeting had been noticed to the public, the group decided to proceed.

Thomas Smith, surveyor and agent for Linda Paradee, distributed updated maps to the Committee. The updated map corrected a typographical error, added setbacks to the river, and included a revision date. He explained that the application seeks to take .59 acres from Wendy Adams's parcel and add it to Linda Paradee's parcel, leaving the lot sizes at approximately 6 acres and 7.5 acres, respectively.

The Board reviewed all materials, and **Chase moved to accept the application as complete. Jim seconded. The Board voted to accept the application as complete (7:53 PM).**

After determining that there was no further discussion from the Board or any discussion from the public, **Chase moved to approve the application as submitted. Jim seconded. The motion passed (7:56 PM).**

4. Application Lot Line Adjustment, David and Kara Perry

- Map 8-108, Lot 16 and Map 8-108, Lot 16T, Sawyer Brook Rd.
- Review application submission for acceptance
- If complete, move into work session, public hearing, deliberation

Amber confirmed that she had reviewed the application, and that it seemed complete. Roy Sanbourn, surveyor and agent for the Perrys, distributed updated materials to the Board, and explained the applicants' intention to create a six acre parcel around their home, leaving a 50-acre parcel. Roy also described three requested waivers:

- Section 5.02: Plans for the adjustment were submitted before corner pins were set (though the pins have since been set, and match the submitted plans)
- Section 5.03 D: Since no physical changes to the property are planned that would impact abutters, the surveyors chose not to trespass onto adjoining properties to locate neighboring existing buildings.
- Section 8.02 B: Though regulations require new lots to have 50 feet of road frontage, lot 16 had 47.2 feet at the time of initial subdivision. The waiver is requested since conditions since the subdivision approval have not changed, and the two lots combined have 100 feet of road frontage.

Tom T. expressed concern that lot 16, with less than 50 feet of road frontage, could cause an issue for owners when trying to sell. The Board wasn't concerned given the initial subdivision approval, however.

Chase moved to accept the application as complete; Deb seconded. The motion passed (8:05 PM).

After some conversation about whether waivers could be approved as a group or must be considered separately, **Tom T. moved to accept the waiver on section 5.02; Deb seconded. The motion passed (8:10 PM).**

Chase moved to accept the waiver on section 5.03 D; Jim seconded. The motion passed (8:11 PM).

Roy specified that section 8.02 B did not require a waiver, but was intended as supporting information for the Board.

Deb moved to accept the application; Dave seconded. The motion passed (8:11 PM).

Given that the Board was ahead of schedule, **Chase moved to consider an application for a voluntary merger of lots that had been submitted for consideration by Bradley and Elizabeth McCormack. Deb seconded. After confirming that the application did not require a public hearing, the motion was approved (8:15 PM).**

5. Application Voluntary Merger of Lots, Bradley and Elizabeth McCormack

- Map 8-31, Lot 4B and Map 8-29, Lot 4E, 1862 Gov. Meldrim Thomson Scenic Highway
- Review application submission for acceptance
- If complete, move into work session, deliberation

Tom T. voiced concern about considering an application that had not been included on the meeting agenda. The Board decided to continue since the application was from a single property owner, and was administrative in nature.

After considering application materials, **Deb moved to accept the application as complete; Dave seconded. The motion passed (8:21).**

Paul noted that the applicants had not followed the specific submission instructions on the application, but this was deemed unrelated to the application's approval. Kelley also reiterated the Board's general opinion that applicants should be encouraged to approach the Board for an informal discussion before submitting applications.

After determining there was no further discussion, **Paul moved to approve the application; Deb seconded. The motion passed (8:24 PM).**

The Board, still ahead of schedule, decided to tackle administrative agenda items.

6. Review and approve draft minutes from May 15, 2017

Deb moved and Jim seconded that the minutes of the May 15, 2017 meeting be approved.

Aside from noting satisfaction with the new Action Pending and Business Concluded sections at the end of the minutes, no changes were requested.

The motion to approve the minutes passed (8:27 PM).

7. Possible illegal curb cut

Tom S. approached the town about a potential illegal curb cut on a town road. Jim had visited the property, but was unable to determine if the driveway was legal or not. Tom S. reminded the Board that any property owners creating a new curb cut on a town road must to submit an application to the Planning Board. The Board is to notify the Road Agent, who then visits the site and communicates his approval to the Board. Several members shared that the curb cut was pre-existing; the property owners were simply making improvements to the parking area. The Board acknowledged its responsibility to identify violations, and the Select Board's responsibility for enforcement. The group discussed the slippery slope of trying to identify violations in grandfathered curb cuts given the town's age and history. Despite Tom S.'s observation that he had been unable to find any official record of a driveway in the location in question, the Board decided that no curb cut application was necessary.

8. Application Boundary Line Agreement, Mathew and Nicole Gray

- Map 8, Lot 91-30A, Rt. 25A and Map 8, Lot 91-32, Creamery Rd.
- Review application submission for acceptance
- If complete, move into work session, public hearing, deliberation

Amber noted that she had reviewed the application, and all abutters had been notified. Tim Rockwood, surveyor and agent for the Grays, distributed updated materials, noting that the corners had been set after the application had been submitted, and that a few numbers had changed when they hit ledge. He outlined the intention of the application, summarizing that Jennifer Ballosh is selling 20 acres to the Grays. One waiver was requested as part of the application: surveys were done in 1998, so the applicants wish to waive the need to have new surveys done.

Chase moved to accept the application as complete; Deb seconded. The motion passed (8:51 PM).

Chase moved to accept the waiver and not require updated surveys; Tom T. seconded. The motion passed (8:52 PM).

After determining that there was no more discussion from the Board or the public, **Chase moved to approve the lot line adjustment; Paul seconded. The motion passed (8:52).**

9. Mail, invoices and budget status

Mark distributed the Board's operating budget through May. He noted that the balance is larger than last year at this point due to relatively smaller volume of activity.

Dave presented the May UVLSRPC invoice. **After reviewing, Chase moved to approve the invoice for payment; Dave seconded. The motion passed (8:58 PM).**

Kelley updated the group about an email from the New Hampshire Office of Energy and Planning with a request to complete an online survey outlining updates to regulations. The Board decided not to respond to the survey request since the town's regulations are all available online.

Mark reminded the group about the master plan. The group will discuss next steps in the next meeting.

The Board spoke briefly about ways to adjust future agendas for applications requiring public hearings that would allow the meeting to proceed in order, even when ahead of schedule. The general consensus was that the Board would rather continue to indicate estimated times for application presentations to allow members of the public to attend portions of the meeting as desired. Paul asked that the minutes reflect that Jim had compiled and ordered the agenda, he had simply typed it up.

Chase moved to adjourn, and Paul seconded. Motion passed (9:08 PM).

Note: All votes were unanimous unless noted otherwise.

Action Pending

Date of decision	Property	Details
12/19/2016	Gerald D. and Jeannine A. Groff 135 Mud Turtle Pond Road (Tax map lot 8-0089-044)	Subdivision approved conditional on: <ul style="list-style-type: none">• Curb cut permit• Country lane covenant and construction• Presentation of perimeter survey

Business Concluded

Date	Action
5/15/2017	Annual site visit to Stacey Thomson's gravel pit
6/19/2017	Lot Line Adjustment Application approved (Linda Paradee, Map 8-93, Lot 64 and Map 8-93, Lot 66, Rt. 10)
6/19/2017	Lot Line Adjustment Application approved (David and Kara Perry, Map 8-108, Lot 16 and Map 8-108, Lot 16T, Sawyer Brook Rd.)
6/19/2017	Voluntary Merger of Lots approved (Bradley and Elizabeth McCormack, Map 8-31 Lot 4B and Map 8-29, Lot 4E, Gov. Meldrim Thomson Scenic Highway)
6/19/2017	Boundary Line Agreement Application approved (Mathew and Nicole Gray, Map 8, Lot 91-30A, Rt. 25A and Map 8, Lot 91-32, Creamery Rd.)