

Orford Planning Board

August 21, 2017

Board Minutes

Approved September 18, 2017

Present

- *Committee Members:* Jim McGoff (Chair), Kelley Monahan (Vice Chair), Dave Smith (Select Board ex officio), Paul Carreiro, Chase Kling, Deb McGoff, Tom Thomson, Mark Burger (alternate)
- *Committee Members not present:* John Adams (Select Board ex officio alternate), Sam Hanford (alternate)
- *Resilience Planning & Design LLC:* Liz Kelly
- *Public:* Stacie Marshall (recording secretary)

7:00 PM: Jim called the meeting to order.

1. Review of July 17, 2017 Planning Board Meeting Minutes

Kelley asked that the minutes be amended to clarify Tom's agreement to assist Jim in writing a letter to Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC) to thank them for their service to the Planning Board. The Board discussed the content of the communication, and agreed that Tom and Jim should compose and send the simple letter of thanks.

Chase asked that the minutes be amended to shift Bradley and Elizabeth McCormack's Voluntary Merger of Lots application approved in the June 16, 2017 meeting from Business Concluded to Action Pending. Given incorrect identifying information on maps submitted as part of the application, the merger was not accepted by the Grafton County Registry of Deeds. Additional action will need to be taken by the applicants.

Jim moved to accept the July 17, 2017 minutes as amended; Paul seconded. The motion passed unanimously with Chase abstaining.

2. Planning Assistance Position Discussion and Responsibilities

Kelley provided Liz with a copy of the signed Resilience Planning & Design LLC contract, and retained a signed copy for the Planning Board's files. Liz had a number of questions for the group, most relating to process:

- At Liz's observation that the mailing address for UVLSRPC was still embedded in application documentation, the Board agreed that updates were necessary. Kelley will connect with Monique (the webmaster supporting the Town of Orford website) to get the forms updated, and to get Word versions of the updated applications for Liz's files. Kelley will also share the general process for requesting website updates with Liz.
- Liz wondered how she could access the town's tax maps and the Planning Board's related files. The group decided to ask Bill McKee, Orford tax mapper, to attend a future meeting to give an overview of the documents stored in the Board's closet, and any organizational system used. Jim agreed to reach out to Bill with an invitation to attend the Board's September meeting. Dave offered to show Liz the files stored in the Select Board's office, and confirmed that the documents can be accessed in person at any time that the Town Administrator is present. Chase

shared that duplicate copies of maps are stored in the Town's vault, and at the Registry of Deeds. Tom wondered if the town could purchase, relatively cheaply, a full set of maps from CAI Technologies in Littleton, indicating that the maps had been updated as recently as 2014.

- Liz wondered about the submission instructions for the Board's different applications, asking especially about the number of required copies of application materials. The instructions often stipulate that multiple copies of application packets be submitted, but the number of copies is inconsistent across applications. Paul observed that there are a number of ways in which applications for Board decisions are inconsistent - not only across the applications themselves, but also when considering RSAs and the Board's standard operating procedures. The group discussed making hard copies of applications available in the Town Offices, along with a copy of the regulations. The Board also reiterated the value of encouraging applicants to have a preliminary informal discussion before officially submitting an application. Chase cited section 4.05 of the town's Subdivision Regulations, sharing more information about informal preliminary consultation procedures, and what actions the Board can and cannot take during these informal discussions.
- Liz asked about the responsibility for notifying abutters; she agreed to handle future abutter notifications. She will follow up with Sheri to ask about town letterhead.
- Liz confirmed that she will collect fees along with application materials. The Board discussed how to handle cases where an applicant drops application materials off to Sheri, and decided to have Liz provide Sheri with envelopes addressed to Liz at Resilience, which can be provided to applicants.

Given the possible inconsistencies highlighted when talking through Liz's questions, the Board asked Liz to undertake a general review of regulations and application forms with an eye toward identifying discrepancies, referencing RSAs when questions arise. Kelley asked that Board members also undertake this exercise.

3. Old Business

Paul moved to add a third topic to the Old Business portion of the agenda to discuss Chase's earlier update regarding the McCormack voluntary merger of lots and developing a plan to fix the issue. Kelley seconded; the motion passed unanimously.

- [Stacey Thomson's gravel pit DRAFT site report](#)

Tom recused himself from the discussion; Mark was seated in his place.

Chase reiterated the points in Kelley's draft report, fundamentally agreeing with everything presented. He offered his commentary that the report should be filed, Stacey should be notified and asked to stop any dumping of materials not originating from the site. Chase reminded the group that Stacey will have to apply for an excavation permit in the next calendar year or the site will be considered abandoned, and the reclamation process must commence. Kelley agreed to amend the report with tonight's conclusions and include a copy of the excavation regulations when sending the report to Stacey.

Chase moved to accept the inspection of excavation report from the Board's May visit as amended; Deb seconded. Paul mentioned having additional possible amendments, but the vote had been called. **The vote passed with Chase, Dave, Jim, Deb, Paul and Kelley voting in favor, and Mark voting against.**

When asked, Paul explained his amendments. He suggested that a reference to the “Board” in the report be clarified to reference the “Select Board.” He also mentioned that despite the fact that the visit in May 2016 did not result in a formal report, a verbal report was given in a Planning Board meeting, and the positive vote was documented in meeting minutes. And last, he suggested that the report reference that photos were taken at the May site visit, and will be included with the report.

Kelley moved to accept Paul’s amendments to the report; Deb seconded. Dave, Jim, Deb, Paul and Kelley voted in favor, Chase voted against, and Mark abstained. The motion passed.

Tom was reseated.

- [Final invoice from UVLSRPC](#)

Jim recounted his phone call with Steve from UVLSRPC. He reported that they had agreed to lower the bill by a few hundred dollars, and had been asked to send a revised invoice. The revised invoice has not yet been received. Mark has had contact with Steve given his position as Orford’s Commissioner to UVLSRPC, and offered to follow up about the revised invoice.

- [Brad and Elizabeth McCormack voluntary merger of lots application](#)

Kelley described the snowball effect of the misidentification, beginning with the Schwarz subdivision (conditionally approved by the Board on January 16, 2017). The group agreed that the McCormacks will need to ask Harry Burgess, their surveyor, to produce a corrected tax map. The corrected map must then be submitted to the Planning Board. Liz agreed to formally notify the McCormacks about the issue and outline next steps. She will also do research to counsel the Planning Board on how to proceed once the corrected documents are submitted.

4. [Master Plan – Action Plan](#)

- [Discussion to establish goals and objective](#)
- [Review of required steps and establish dates for public meetings](#)
- [Assign responsibilities](#)

Mark reminded the group of the \$1,500 in the budget to support the process of updating the town’s master plan. Chase referred to several sources including the State of NH Planning Board Handbook and NH RSA 674:2 to reiterate that a town’s master plan is only a guide to help direct future growth, and is not a legal document. Kelley raised the idea of launching a simple survey to take the temperature of the town as it stands today. She suggested that public hearings could be scheduled to address issues raised in survey results. In reviewing RSA 674:2, Paul highlighted the sections that can be included, but noted that the only sections that are required are Vision and Land Use. He highlighted the Office of Energy and Planning’s suggestion that a good rule of thumb when considering whether to revise a master plan is to consider whether the conditions in town have changed sufficiently to warrant a re-examination of policies and recommendations. He stated that considering that the master plan was thrown under the bus by certain people who used it to get what they wanted, he was on the fence about how the Board should pursue re-examining the master plan. Tom reminded the group about Orford’s Long Range Community Facilities Plan, which was completed in 2015. He suggested that given costs related to the recent flooding, spending money updating the master plan might not be in the town’s best interest. Kelly agreed, and stated that in addition to the Long Range Community Facilities Plan, the recently-updated Natural Resource Inventory could also be a source from which to draw information for any master plan revisions. She suggested that an update focus mainly on vision – on what the current population wants for the

town's future. Paul cautioned the group about putting too much stock in questionnaire responses, since survey questions can skew results. The group asked Liz to consider the problem and suggest a way to direct the \$1,500.

5. Update Action Pending and Business Concluded schedules

Discussed as part of the Old Business agenda item.

6. Mail and Correspondence

The group reviewed an invoice from the recording secretary. **Kelley moved to approve the invoice for payment; Deb seconded. The motion passed unanimously.**

Kelly shared a letter related to the governor's advisory commission on transportation with Paul.

7. New Business and Public Comments

Chase offered a few updates related to prior Planning Board decisions:

- Based on what can be seen from the road, it appears that the Groffs have not made any progress. Their subdivision approval was granted conditional on a curb cut permit, country lane covenant and construction, and presentation of the perimeter survey.
- Kevin Follensbee has put in a culvert and construction road. Log trucks and tracked vehicles are still accessing the property.
- The possible illegal curb cut reported by Tom Steketee in the June meeting seems to be a non-issue.
- Bruce Schwaegler has upgraded an existing driveway on Indian Pond Road.

Dave shared that the Chair of the Select Board questioned the fact that he did not recuse himself from the July discussion related to the Orford Academy Building. Dave invited the Planning Board members to speak up if they feel he should recuse himself from future topics of discussion. But he shared that when he's at Planning Board meetings, he feels like part of the Planning Board. Chase agreed, citing his past experience, and stating that it can be challenging to act as a representative to both Boards when there is dissent. The Planning Board members shared that they did not feel that Dave overstepped by participating in the discussion and votes, and spoke about extending an invitation to John Adams to discuss his concerns.

8. Develop Next Month's Agenda and Review Member Responsibilities for Next Month's Meeting

The group discussed September agenda items, including a discussion with Bill McKee, feedback from Liz on applications and regulations, the amended UVLSRPC invoice, an update on the pending correction of the McCormack tax maps, and a budget update. Mark will compile and distribute a draft agenda, to be finalized closer to the September meeting (to capture any submitted applications from the public). Paul reminded the group that the Board's budget should be an agenda item in the October meeting.

Chase moved to adjourn, and Deb seconded. Motion passed unanimously (8:58 PM).

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
6/19/2017	Bradley and Elizabeth McCormack Gov. Meldrim Thomson Scenic Highway (Tax Map 8-31 Lot 4B and map 8- 29, Lot 4E)	Voluntary merger of lots <ul style="list-style-type: none">• Application approved on 6/19/2017 prior to the discovery that maps submitted as part of the application were misidentified

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	Boundary Line Agreement Application approved (Mathew and Nicole Gray, Map 8, Lot 91-30A, Rt. 25A and Map 8, Lot 91-32, Creamery Rd.)