

Orford Planning Board

May 15, 2018

Board Minutes

Present

- *Committee Members:* Paul Carreiro (Chair), Jim McGoff, Dave Smith (Select Board ex officio), Paul Carreiro, Terry Martin, Deb McGoff, Harry Osmer, Tom Thomson, Ruth Hook (alternate), Mark Burger (alternate).
- *Public:* Harry Burgess, Applicant's Representative; Bruce Schwaegler, Emily Bryant, Orford Resident and Conservation Commission member.
- *Other:* Liz Kelly, Planning Assistant (Resilience Planning & Design).

7:00 PM: Paul Carreiro called the meeting to order.

1. [Review of April 17, 2018 Planning Board Meeting Minutes](#)

Paul moved to accept the April 17, 2018 minutes as submitted; Dave Smith seconded. Paul opened the topic for discussion.

A few small edits were suggested clarifying comments and motions made at the April meeting. Paul noted that the Planning Board did not form a quorum during the site inspection of Stacey Thomson's gravel pit, as there were only three board members present.

Paul moved to accept the April 17, 2018 minutes as amended; Deb McGoff seconded. The motion passed with all in favor.

Dave announced that Jim McGoff has been elected as a Town Selectboard member and will be sworn in at midnight on May 16th, 2018. Dave plans to step down from the Planning Board as it's ex-officio and Jim will remain on the Planning Board as it's ex-officio.

2. [Public Hearing: Application- Minor Subdivision, Scott Woodward, Map 8-89, Lot 15D, Lower Stonehouse Mtn. Rd.](#)

• [Review Application Submission for Acceptance](#)

Paul announced the Minor Subdivision application and explained the process of the public hearing to the applicant and the public. He stated that the board would first review the application for completeness and then vote on whether to approve the application as complete. Paul noted that Liz completed a full application review and worked with Harry Burgess, representative of Scott Woodward, to ensure the application was complete. He asked Liz whether she had any comments on the checklist items. Liz said that all items were accounted for and had no additional comments. The board reviewed copies of the application during this time.

Paul moved to accept the Application for a Minor Subdivision for Scott Woodward, Map 8-89 Lot 15D, Lower Stonehouse Mtn Rd. as complete; Tom seconded. The motion passed with all in favor.

• [Public Hearing and Deliberation](#)

Paul opened the public hearing session and explained the procedures that would be followed. Harry Burgess gave a brief description of the project. The Woodwards own a 5.2-acre lot on Lower

Stonehouse Mtn. Road and are looking to complete a Minor Subdivision to create a new lot for their daughter. Major existing features on the lot include a house, state approved septic system, a well, and a driveway. They want to create a 2-acre parcel for their daughter. The frontage will be split equally between two lots. Because the proposed plan created two lots that were less than 5 acres, the applicant had to receive a state "Approval for Subdivision". He provided the board with a copy of the approval that he recently received. Harry Osmer asked about access to the site. Harry Burgess noted that the current plan shows a shared driveway, but Scott Woodward recently applied for a driveway permit from the Selectboard for the second lot to have its own driveway. He will be working with the Road Agent to ensure all driveway standards are met.

Emily Bryant, abutter to Scott Woodward, provided a few comments on the driveway noting that the land was steep and asked the reason for a second driveway. Harry Burgess responded that if they were to have a shared driveway, the country lane standard in the Subdivision Regulations would be triggered and they would have to meet existing road standards. Bruce Schwaegler said he doesn't believe the country lane standard is triggered because of the amount of frontage. He noted that a shared driveway can access two lots but that, according to the Subdivision Regulations, a shared driveway agreement is needed. Paul agreed that the shared driveway would not trigger the Country Lane provision and noted that there is some discrepancy in the language around this on the application and in the regulations. Bruce noted that there is already a precedent in town for shared driveways as well.

Emily Bryant asked if the Woodwards would consider keeping the shared driveway, knowing that it would not be treated as a Country Lane. Harry Burgess said that the Woodwards still would like a separate driveway access to their daughter's lot for privacy purpose. Bruce mentioned that if the Planning Board were to approve the application as it was submitted, a shared driveway agreement would have to also be submitted. Then, when the owner put in a second driveway, the agreement would go null.

Further discussion occurred regarding drainage and the proposed well/septic system. Harry Burgess described the drainage patterns on the site, saying that some water flows northwest onto Map 8-89 Lot 16 B, Stacey Thomson's property and that some drains onto Map 8-89 Lot 7 Bryant Trust property away from the roadway. Emily Bryant asked if there would be an easement for the existing well to which Harry Burgess replied it wasn't necessary because of its proximity to the wetlands. The system is sited out of the wetland setback line.

As the discussion wrapped up, Paul filled out a Review for Application Completeness form.

Paul moved to close the public hearing session and to enter the deliberation phase. Jim seconded; Harry abstained. The motion passed with all in favor.

Paul confirmed that no waivers have been requested by the applicant. He said that he would consider approving the application with the condition that the Selectboard approve the driveway permit and the approved separate driveway is added to the plan. Emily Bryant asked if there were driveway standards the applicant would have to meet. Paul responded that there are and that the Road Agent would ensure the driveway conform to town regulations.

Paul moved to approve the Application for a Minor Subdivision for Scott Woodward at Map 8-89, Lot 15D, Lower Stonehouse Mtn. Road with the condition that the Road Agent and Selectboard approve a driveway permit and a new map is submitted reflecting the location of the second driveway. Harry Osmer seconded. The motion passed with all in favor.

He mentioned to the Planning Board that the Town Office now has mailing tubes and postage for mailing plats to the Registry of Deeds for recording. He will ask a volunteer to mail the mylar to the Registry of Deeds once the final plan is submitted.

3. Informal Discussion: Lots and Boundaries, Bruce Schwaegler

Bruce provided the board with copies of a rough map for discussion purposes. He would like to apply for a Lot Line Adjustment. He owns Map/Lot 7-32-28, Map/Lot 7-32-29, and has recently acquired Map/Lot 8-29-4F. He would like to transfer some of the steeper land from 7-32-28 and 7-32-29 to 8-29-4F, which is currently managed for forest and timber. Bruce noted that the proposed lot line is a previously approved boundary line from 1978 so this adjustment would be going back to what the lot line historically was.

Under the Lot Line Adjustment regulation, the Planning Board is required to agree that no new non-conforming lots are subsequently created by the proposed Lot Line Adjustment. He noted that road frontage would not change for any lot and that that he believed the proposed Lot Line Adjustment conforms to Orford's Subdivision Regulations. No additional parcels are created and there are no additional owners. Bruce said that if the Planning Board approves the Lot Line Adjustment, it will give formal permission to the Schwaeglers to complete the land conveyance.

Tom Thomson referred to the map and asked what the hash marks are near the road frontage of Route 25A. Bruce said that this owned by Randy and Prudence Schwartz. The original subdivision was approved with a right-of-way easement. He said that a new access is planned for this site and that this right-of-way will be deeded back to the Schwartz's. Terry Martin asked about the configuration of the new lot line. Bruce said that the line is following a barbed wire line on 7-32-28 and is following the natural topographical features on 7-32-29.

Bruce mentioned that he had met with Liz and they have agreed on an application submission deadline and said that he will be requesting a waiver from the Planning Board for a reduced scale plan.

4. Deliberation and vote on adoption of amendments to OPB Rules of Procedures

Paul moved to approve the Orford Planning Board Rules and Procedures amendment discussed at the March Planning Board meeting; Tom seconded. The motion passed with all in favor. See approved amendment below:

Minutes of Meetings: p. 4, para. 6, section c. Strike all, and replace with:

- *Understanding minutes are not taken in transcript form where every word is captured, individuals may inform the recording secretary when a statement is made, that it is "for the record."*
- *If missed, specific statements and opinions expressed during the meeting regarding the subject matter under discussion or other actions that transpire, shall be recorded in the amended*

minutes per the request of individuals or others in attendance at the meeting in question.

5. Deliberation of Master Plan Survey Results and Master Plan Project

Stacie Marshall sent out an updated Master Plan survey report prepared by Liz that includes all surveys received by the submission deadline. Paul asked if there were any general comments on the results.

Harry Osmer found the results were diverse but that the Planning Board has little control over some of the issues brought up by community members. Tom noted that a lot of people would like to see a wider variety of business in town and that most people want to see commercial, professional, and retail businesses in town. Paul found that the major issues the survey reflects (supporting business, natural resource protection, taxes, and protecting rural character) are consistent with survey results from other communities he's reviewed and seems to be of concern statewide. He noticed that many people want to support agriculture and that most disliked industrial activity in town.

They group discussed how they would proceed in identifying next steps of the Master Planning process. Paul asked the group to review the current Master Plan and to come prepared to discuss the scope for the Master Plan update at the June meeting. Emily Bryant asked if input from other committees and boards would be taken into consideration. Paul responded that this would be discussed at the June meeting. Terry asked if there would be an opportunity for the public to comment on the plan. Paul said that once draft chapters are written, a required public hearing will be scheduled to receive feedback.

The group discussed how the survey would inform the Master Plan. Paul mentioned that the central themes of the survey results will be incorporated into the Plan. He noted that the survey results are consistent with previous surveys disseminated by the Planning Board. Mark observed that since the town has no interest in zoning, the survey doesn't hold much weight.

There was some discussion on zoning amongst the board members. Jim commented that zoning creates more problems than it solves. Terry asked how the town would control growth or enforce the Master Plan without zoning. Jim said developers are not bringing big business to this area, so zoning is not as much of an issue in this town. Jim responded that zoning is cumbersome and expensive for small businesses. Paul mentioned that Lyme is looking to loosen their zoning restrictions to promote business development. Mark noted that zoning is meant to protect citizens. Bruce noted that in the original 1988 Master Plan, the board implemented other land use strategies to achieve their goals, such as higher frontage requirements to keep additional business setback from the road out of eyesight. Tom made note of the comment on page 21 of the survey report and said that it is important to provide opportunity for young families to live in Orford.

The group agreed to review the current Master Plan and come prepared to discuss a scope of work for the Master Plan update at the June meeting.

6. Old Business

- Stacey Thomson's Gravel Pit Site Review – Team Account

Tom recused himself.

Jim, Dave, and Harry recently conducted a site visit to Stacey's gravel pit. They saw little evidence of excavating happening on site. Paul received a Notice of Intent to excavate from Stacey Thomson in the mail. Dave said that this was mailed after the site inspection. Paul asked if there is record of Stacey's Excavation Permit and how long they are typically valid for. Jim said that he remembers Stacey receiving one and thought it had a 25-year timeframe. Jim couldn't find a copy of the permit in the file. Terry noted that the Planning Board has oversight over some of the activities happening on the site such as solid waste management and materials like concrete and asphalt being trucked on site.

Paul said the Board needs to determine if there is an existing excavation permit and whether it's valid/current and what's listed on it. Jim volunteered to contact Stacey about the permit. The groups decided to discuss this further at the June meeting.

- [Orford Academy Building](#)

There were no updates on the Orford Academy Building.

7. New Business

Dave reiterated that he would be stepping off the Planning Board as the Selectboard ex-officio and Jim will step into this role. Ruth agreed to become a full member of the Planning Board for the rest of Jim's term. **Paul moved to appoint Ruth Hook as a full Planning Board member to take effect once Jim is officially sworn in on May 16th; Harry seconded. The motion passed unanimously.**

8. Other Business

- [Invoices, mail, and budget status](#)

Paul asked the board to consider coming in early before the Planning Board meeting to review mail and invoices. This would leave more time during the meeting for people to ask questions or receive clarification. Paul reported that he is still catching up with Mark on budget and invoices and that they will sit down to discuss these items soon. Mark will send the updated budget to Planning Board members in advance of meetings in the future. Terry asked how often the board receives the budget. Mark said that they can access the budget from Sherri anytime.

Jim commented that he thought Kelley should get reimbursed for the money she personally spent on Planning Board items last year. At the last meeting, Kelley noted that the money spent was approximately \$150.00. Paul said that, if the board agrees, someone can contact Kelley about putting together a formal invoice to be given to the Selectboard. Tom volunteered.

To give more time for review, Resilience Planning & Design agreed to send invoices 7-10 days before the meeting.

Paul moved to approve Stacie's last invoice; Seconded by Terry. The motion passed unanimously. Tom noted his thanks to Stacie for all the work she's done for the board. Paul moved to approve Invoice #1251 for Master Planning services to Resilience Planning & Design; Seconded by Dave. The motion passed unanimously. Paul moved to approve Invoice #1252 Planning Assistance services to Resilience Planning & Design; Deb seconded. The motion passed unanimously.

- [Updates from Chair, Board members, and Planning Assistant](#)

Paul announced that Stacie resigned as Recording Secretary since the last meeting. Paul has been advertising this open position around town and hasn't heard from anyone yet. Paul noted that since Liz won't be able to attend the June meeting, a board member will have to volunteer to take minutes. Paul asked for a couple volunteers to contact Sherri and schedule a time to move two filing cabinets upstairs for Planning Board use. Harry offered to be the point person to contact Sherri.

Liz provided a series of updates including:

- Agendas: Liz will send out agenda 10-12 days in advance due to the public hearing notice requirements. Mark agreed to still be the point person for hanging the agenda at the post office but will call another member if he is unable to.
- There are two potential applicants on the horizon. Hal Leigh is interested in submitting a minor subdivision application for either June or July. Tom Patton would like to come in to talk to the Planning Board about his solar project in June or July.
- Liz received a phone call from CT River Conservancy regarding recreation in Orford. She will discuss this with Paul after the meeting.
- She is ordering the last two copies requested of the state's Land Use Planning Regulations book this week.
- The Planning Board's Rules of Procedure document is now available online.
- Liz submitted a website change request to move the curb cut information to the Selectboard webpage.
- Liz has set up a Google Voice account with a new phone number. She will test this and then send it to board members and post on town website.
- Liz passed out copies of a proposed subdivision regulations amendment. The proposed amendment is to edit the application filing submission timeframe from 18 days before a Planning Board meeting to 21 days. This will conform to state statute.

- [Public Comment](#)

There were no public comments.

- [June Agenda and review of action items](#)

The June agenda will consist of:

- Discussion about the scope of the Master Plan Update
- Potential Lot Line Adjustment for Bruce Schwaegler
- Potential Minor Subdivision for Hal Leigh
- Stacey Thomson's Excavation Permit
- Discussion about Proposed Subdivision Regulations Amendment

The group expressed their thanks and gratitude for all that Stacie did for the board during her time as Recording Secretary for the Orford Planning Board.

Action Pending

Date of decision	Property	Details
12/19/2016	Gerald D. and Jeannine A. Groff	Subdivision approved conditional on:

	135 Mud Turtle Pond Road (Tax map lot 8-0089-044)	<ul style="list-style-type: none"> • Curb cut permit • Country lane covenant and construction Presentation of perimeter survey
5/15/18	Scott and Theresa Woodward 80 Lower Stonehouse Mtn. Rd. Tax Map/Lot 8-89-15D	Minor Subdivision approved conditional on: <ul style="list-style-type: none"> • Driveway Permit approval by Road Agent and Selectboard • Driveway location added to plat

2018 Business Concluded

Date	Action