

**TOWN OF ORFORD
ORFORD PLANNING BOARD
Zoom Meeting September 14, 2020
*Approved as Amended***

Present: Members Terry Martin (Chair), Harry Osmer, Terry Straight, Roberta Gray, Fred Kidder (Select Board Ex-Officio), and Ann Green; Vickie Davis (UVLSRPC); public attendees Kelly Barber, Attorney Kevin Carr (Baker and Haynes), and Jean Bates

Members absent: Faith Knapp

Minutes:

Chair Terry M. formally convened the meeting. Minutes of August 10, 2020 meeting were reviewed and following a motion made by Ann and seconded by Fred were unanimously approved by a roll call of attending members.

As the agenda stated and at Fred's request, Old Business was deferred until 6:10pm. Under New Business, Chair Martin reviewed the Minor Subdivision packet of Lot 8-108-12A, submitted by JW Barber Investment Properties Inc. Packet included seven waiver requests (waivers #3,4, and 5 have been met since initially requested), a survey map, signed authorization for Kelly Barber to represent JW Barber Investment Properties Inc, a Transfer of Authority signed by Ms. Barber authorizing Attorney Carr to represent her in these proceedings. and a signed statement by abutter Randell Tullar representing Tullando Farm (lot 8-108-12) giving consent to this subdivision. The survey was reviewed. The surveyor stamp that is a requirement was not on the map. Initially the septic and well were not noted on the survey but these were subsequently added to both the paper survey and mylar.

Chair Martin's presentation was interrupted by a telephone call from an abutter Jean Bates who was not successful in joining the Zoom meeting. Jean accepted Ann G's offer to come to her home to view meeting. Upon her arrival, Chair Martin resumed the meeting. Chair Martin listed four waivers to be considered by the Board. Motion made to accept packet as complete with the condition that the mylar will include the stamp of Pioneer Surveying. Motion made by Roberta and seconded by Ann. In a roll call 5 members approved the motion and Fred abstained. Chair Martin reviewed receipts of certified mailings to all abutters and requested copies from Attorney Carr.

Chair Martin opened the public hearing. Abutter Jean Bates asked if there were additional plans for the lot beyond what currently exists. Will there be additional driveways or housing? Chair Martin and Attorney Carr stated there are no plans for further development at this time. To further clarify, Chair Martin and Attorney Carr provided a historical background and of the need to go through these proceedings.

Hearing no further public comments, Chair Martin closed the public hearing.

Board consideration of Waiver requests:

1. Waiver of a full survey of Tullando Farm 55-acre lot 8-108-12. Motion made by Fred and seconded by Roberta. Roll call taken and all members approved. As requested by Chair Martin, Attorney Carr will send Rendell Tullar's original letter agreeing to this subdivision to Town of Orford Adm Assistant Esther Marsh for the Planning Board file.

2. Waiver of survey map with topography scale not smaller than 100' per inch. Motion made by Ann, seconded by Roberta. Roll call taken. Motion passed by five yeas and one nay (Fred).

3. Waiver of topographical map with scale not smaller than 100' per inch. Motion made by Ann, Roberta seconded and roll call taken. Motion passed by 5 yeas and one nay (Fred).

4. Waiver of soils map with scale not smaller than 100' per inch. Motion made by Ann and seconded by Harry. Roll call taken- 5 yeas and one nay (Fred). Motion passed.

Motion made by Ann to approve this subdivision contingent upon the surveyor's stamp to be entered on the mylar. Seconded by Harry. Roll call taken; five yeas and one nay (Fred); motion passed.

Chair Martin asked for one copy of full-scale paper survey map and one mylar and indicated that in addition to Orford Planning Board approval, he will enter the waivers on to the mylar. Chair Martin will deliver mylar to Grafton Co. Register of Deeds. Members thanked Chair Martin for all the attention, time, and follow-up he gave to this very complex subdivision request.

Harry advised that Polly Gray expressed an interest in the recording secretary position at \$75 per meeting. Harry agreed to get in touch with her and ask her to contact Chair Martin. Chair Martin received an interest from Tara Banford in serving as consultant to the Planning Board. He advised that we have no need at this time.

Appointment of a Vice Chair or Co-Chair was tabled for next month. There were no suggestions for Alternate Board members.

Review to recertify Stacey Thomson's Quarry pit. Ann explained that according to town records, there was no record of material taken out since 2016. Chair Martin reported that there was activity since 2016. Chair Terry read a letter received from Stacey stating he has filed an "Intent to Excavate" 2020-2021 and that he would like to keep the pit open. Ann encouraged Board members to review the Regulations particularly as they apply to the excavation activity. Fred also encouraged reading of the Regulations found in the Orford Planning Board Manual, particularly the regulation #2 of Section 8 which states ".....a permit is automatically withdrawn if no substantial work is done in three years from the date of the issuance of the permit. Fred concluded that Stacey has complied with this requirement and "did his work" within the three years from permit issuance. Ann stated that her interpretation of this regulation is different than Fred's but will defer to the Board's interpretation. Fred made the motion that we send him a letter that this is acceptable piece of property and we will inspect once yearly and notify him of deficiencies or accreditations on a yearly basis. Motion seconded. Roll call, 5 yeas and one abstained (Ann), Motion approved. Chair Martin will write letter to Stacey.

Chair Martin reviewed following invoices for approval of payment. Invoice \$895 for legal services. Motion made by Terry to approve, seconded by Fred. Motion passed unanimously by roll call.

Bills UVLSRPC \$270 and \$150, Fred made motion to approve and seconded by Roberta. Roll call taken; Motion passed unanimously.

In reply to Ann's request for clarification, Chair Martin will continue to post meeting minutes and agenda and follow-up with Adm Assistant, Esther Marsh with need to post both documents on the Listserv.

Chair Martin prepares the meeting agenda.

The Town Attorney, Christine Fillmore assisted the Planning Board to proceed with a plan to property owner Kelly Barber's request to address the need for a survey of her lot to be recorded at the Grafton County Register of Deeds. This was necessary in order for the prospective buyer of this lot to receive a Title of Insurance. The legal fees were in excess of \$1800 which could be charged against the applicant, Ms. Barber. Since there are sufficient funds in the OPB budget. a motion was made by Ann and seconded by Chair Martin not to pass

costs on to Ms. Barber. Roll call taken; four approved and two disapproved (Fred and Terry S); motion passed.

Fred moved to close meeting; Harry seconded. Chair Terry thanked Vickie for assisting tonight. Vickie noted that meeting was recorded; public was made aware.

**Prepared by,
Ann Green (member)**