

ORFORD PLANNING BOARD

2529 Governor Meldrim Thomson Scenic Highway
Orford, NH 03777

Minutes for December 21, 2020 (Meeting by ZOOM web service)

Due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this Board was authorized to meet electronically. The public has access to contemporaneously listen and participate in this meeting through the video conferencing as arranged by the Upper Valley Lake Sunapee Regional Planning Commission which monitored this meeting. Recording of this meeting was announced by the Commission.

Meeting was brought to order at 6:06, late, due to the Chair's technical difficulties with computer equipment.

Attending for the Board: Terry Martin, *Chair*, Fred Kidder, *Select Board Ex-Officio*, Ann Green, Harry Osmer, Terry Straight, Faith Knapp, Roberta Gray Hill, and *Recording Secretary Polly Gray*

Attending members of the Public: Nate Tullar and Sara Davie

The Minutes for October 12 were read and approved on motion by Ann Green and seconded by Terry Straight. Roll Call indicated all in favor.

Roberta joined 5 minutes into meeting following approval of the minutes.

Old Business:

1. Chair indicated that the meeting of November 9th was canceled due to the lack of meaningful business. No land use applications were pending. An entry into these minutes was requested.

Motion for an entry indicating the November 9, 2020 meeting was canceled under COVID rules was made by Faith Knapp and seconded by Ann Green. Questions discussed. Insufficient Agenda. Adhered to Governor's rules. All in favor by roll call vote.

2. Appointment or Approval of Alternates to the Board. Matter was tabled by the chair without objection. No candidates for "Alternate" were proffered.

6:09 Opened New Business

Chair Reviewed Application.

Noted resolution from Tullando East, LLC empowering Nathan C. Tullar, as a member, to act on their behalf for the instant application.

There was a complete list of 12 abutters

Deed was reviewed. It contained two parcels of land containing 13 and 37 acres, and was in the name of the applicant, Tullando East, L.L.C.

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The Chair read a review of the application starting on Page 3. (The Checklist)

Fred Kidder, as an abutter, recused himself, but will sit in the public session in support of the application.

Chair noted a check for \$421.00 in hand was more than sufficient to cover the calculated fees, which dependent on approval ranged from \$371 or \$321.

Abutters 12. Certified mailing was done by Chair. Receipts are in file. Reply cards coming into Town Hall address.

Sufficient application packages. All agreed.

No waivers requested.

Survey Map: Scale Approved.

Easement: River Road is shown as a division of the property.

Check list page 3 and 4 continued:

Existing monuments shown.

Chair asked if setback for roads need to be shown as measured.

Fred Kidder indicated that the survey scale allows for measurement.

No one had issue on road set back.

Driveway access shown.

State stamp for sewage disposal system was requested by the Chair. (sic) Nate Tullar indicated that he held the state letter and would forward same. State accepted the septic testing. Letter was forwarded during meeting and is included in the file.

Flood Plain shown. 250' setbacks from shoreline were all defined.

Topographic: 200' per inch. Assumed acceptable.

Contour intervals 10' intervals. No one indicated issues. Faith Knapp indicated contour portrayal was very good.

No wetlands indicated.

Page 5 of Check List:

Soils map. Soils listed.

One type of agricultural soils. Board indicated no issues.

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Perk test location was shown.

Ann Green asked: What about smaller lot? No perk test on smaller lot. Chair agreed to bring that up in public hearing as an issue.

Motion was made by Faith Knapp that Application was complete and ready for hearing. Seconded by Terry Straight. With roll call vote indicating Fred Kidder abstained, all in favor.

Prior to opening the Public Hearing, Ann Green said that she saw this as two lots, without lot numbers. She asked if each lot created needed a lot number of its own?

The Chair asked UVLSRPC representative Vickie Davis for guidance. Chair looked at this as a single lot and asked the Board to do so as well. The applicant was carving out a 2.3-acre property bisected by River Road, but to be deeded as a whole.

Vickie Davis, of the UVLSRPC pointed out that there was a connector line is on the map, and property spanning two sides of a road were not unusual in this vicinity.

Tullando East LLC owns the overall property as a single deed, which merges for ownership two lots. Set up as two lots for tax book purposes only.

Ann Green observed that she felt like we were merging two separate lots.

Chair indicated that if two lots were to be created. One lot would have very limited value as it would be too small for practical use. Two segments together, carves out a 2.3. acre parcel rather than 2.0 acres and .3 acres, and hence better taxable value.

Chair indicated he favored approval as a single lot.

Ann asked Nathan Tullar: "Do you get a separate tax bill for each lot? Nathan, Yes.

Vickie, different tax numbers on the parcels, but still the same lot.

Assignment of numbers may be at issue per Vickie.

Faith Knapp: This is already considered as one lot. Why complicate this further?

Ann: "Exists as two lots. Deed references two lots. Lot 11 and 12 one deed."

Chair: We are cutting out the hole in a donut.

Fred Kidder 6 tax map people may assign another number once is spans a road, assigned another tax lot number, because it spans a road.

Fred. The piece on the west side would be 12 and 12a for tax map purposes. Deed will show as one lot.

Ann Green asked: "Do we need a declaration for unbuildable lot?"

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Discussion followed. It was determined that both sheets indicated (for the future) that the new lot 8-110-12a was "Easterly and Westerly of River Road are [sic] to be considered as one lot and deeded as one and cannot be separated without Town Planning Board and NHDES approvals."

Ann Green: "Do we need to make a motion that this is an unbuildable lot."

Fred Kidder: "No, we need a motion that the application complete."

Chair Declared Application complete, hearing no objection, Opened the Public Hearing

HEARING:

Public Comment was invited.

Sara Davie indicated she was an abutter with no comment.

Members of the Board:

Motion to close hearing was made by Ann Green, seconded by Faith Knapp. All approved by roll call with exception of Fred Kidder who abstained as noted above.

Hearing Closed. Ms. Davie asked to be excused and left the meeting.

Chair asked about unbuildable lot declaration and discussion followed. Vickie Davis suggested we don't assign lot numbers, but that we could make that condition of approval.

We spotted the notation on plan that small parcel is unbuildable.

Nate Tullar indicated that they were "OK with declaring small parcel unbuildable."

Hearing no further discussion, and upon receipt of State Letter.

Motion to accept the subdivision, with the parameter of unbuildable lot, was made by Faith Knapp subject to lot numbers to be applied. Seconded by Roberta Gray.

Roll call vote: Ann Green "Yes", Terry Straight "Yes" Faith Knapp "Yes", Fred Kidder abstained, Harry Osmer "Yes", Roberta Gray, "Yes", and the Chair, Terry Martin voted "Yes",

Terry Straight volunteered to confirm signature of Chair on mylar.

Ann Green suggested that we just created two lots and a merger application was necessary.

Vickie Davis reminded us that we just approved one lot, which would be contained on one deed.

Chair reminded the Board that indicated that the plan restrictions printed on the plan limits building by declaration on the map.

Ann Green relented.

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Faith confirmed, one parcel.

Other business: \$383. Bill from Upper Valley Lake Sunapee was confirmed for payment. A motion to pay this bill was made by Harry Osmer, Roberta Gray 2nd. All in favor

Chair noted that Vickie Davis was welcomed addition.

Ann asking again. One lot is unbuildable. Note is clear.

Amend withdraw of "Unbuildable Lot"

Motion by Harry Osmer that we retract need to mark mylar with "unbuildable lot". Seconded by Terry Straight, all in favor by roll call vote. Lot is numbered so no open conditions exist.

Chair announced next month, David L. Thomson's application.

Meeting Adjourned 7:10.

Respectfully submitted,

Terry W. Martin, Chair

