

**Town of Orford Planning Board
Meeting Minutes – August 9, 2022**

Board Members & Staff Present: Terry Straight, Chair; Harry Osmer, Vice-Chair; Faith Knapp, Member (phoned in); Kenny King, Member; Jenn Carter, Select Board Representative (phoned in); Vickie Davis, UVLSRPC

Board Members Absent: John Q. Adams, Select Board Representative Alternate; Nicholas Kellogg, Alternate

Public Attending: Paul Griffin, Mark Miller (phone), Charlotte Furstenberg, Emily Bryant

Item 1: Review of Meeting Minutes: Terry called the meeting to order at 5:30 PM and determined that a quorum was physically present. The Board reviewed the minutes of the July 12, 2022 meeting. Harry made a motion to approve the minutes. Kenny seconded the motion, and unanimous agreement followed.

Item 2: Alternate Appointment: Harry asked Paul Griffin if he might be interested in being appointed as a Planning Board Alternate. Paul indicated he was interested. Harry made a motion to appoint Paul Griffin as Alternate. Kenny King seconded the motion, and unanimous agreement followed. Paul was asked to join the Board at the table.

Item 3: Mountain View Hideaway Street Approval Discussion: Mark Miller sent an email requesting a waiver from the requirement in Sections 12.01 and 12.02 to bring his driveway over a right of way up to engineering standards required for a “street” to allow for emergency vehicles. He stated he had signed an agreement with the Town on May 14, 2021 waiving Town responsibility to enter his property in case of an emergency such as a fire. He also pointed out that 600’ of the Town Class VI road leading to his driveway is not maintained to such a standard. There was much discussion about confusion around this unusual case passed from the Select Board to the Planning Board. Harry stated he did not think the Board had any right to keep the applicant from building a home on his own land, but they also want to respect the right of way restrictions over the land providing access to the applicant’s land. The Planning Board discussed the difficulty of approving this application although it seems justifiable, it is not clearly addressed in the Subdivision Regulations. The Board and Mark Miller agreed to extend the decision another 30 days to allow time to assess options. The Planning Board asked Vickie to contact Town Counsel for advice on how to proceed and inquire if that procedure would require a new public hearing. The Board agreed that it seemed unfair to require a driveway, now a “street” to achieve standards not met by the Class VI road leading to it and since Mark Miller had signed the statement waiving the right to emergency response. Mark agreed that the Board extend decision another 30 days. Kenny made a motion to extend the deadline by 30 days to allow more time for review. It was noted that voting day was in the meeting room on September 13. They determined with Mark’s approval to move the next meeting date to September 20. Harry seconded the motion, and unanimous agreement followed. The Board asked Vickie to reach out to Town Counsel to discuss possible options of how to proceed with this case including review of the right of way as a Country Lane as in Section 12.05. Charlotte Furstenberg suggested the Board should review the Adele Fulton legal opinion of this property. She will send a copy if she has it. Otherwise, Vickie can request it from Town Counsel. Jenn will obtain past Select Board meeting minutes to explain the process of early discussions and how the Planning Board became involved. This will be a refresher for all, but especially important for

new members of the Board. There was also discussion of when a building permit is required. Jenn will inquire at the Select Board meeting.

Item 4: Subdivision Regulations and Rules of Procedure Amendments: As it was getting late, the Board tabled review of the regulations and Rules and Land Use Application fees. However, Vickie will provide a listing of current fees for posting on the website. The Board did review subdivision applications and discussed the need to reduce the number of paper copies of plans required on the minor subdivision application and to require an electronic copy of the application on all applications to allow distribution by email and allow the Town to build an electronic file of applications. Harry made a motion to reduce the number to four applications and require one electronic application when there are new maps as part of the application process. (Not typically relevant for mergers.) Kenny seconded the motion, and unanimous agreement followed.

Item 5: Master Plan Discussion: The Board briefly discussed the need to update the Master Plan as Emily Bryant had attended for this purpose. It was explained that the Board is just beginning conversations to update the plan to support the Town regulations, current and future.

Other Business: The Board reviewed the UVLSRPC invoice for \$843.75. Harry made a motion to approve the invoice, Kenny seconded the motion, and unanimous agreement followed.

The Stacey Thomson gravel pit was discussed briefly as the Board has not seen a new permit for the site. Harry and Terry had visited the site and determined no gravel work has been done on the site, but it is being used to store brush and logs. As Fire Chief, Terry is concerned that the brush pile could be a fire hazard. They both thought the pit did not look well maintained.

The Board discussed the need to appoint town representation on the Upper Valley Lake Sunapee Regional Planning Commission. They could not think of any nominees as it has been difficult to find volunteers. Vickie suggested that perhaps a notice on the list serve might help. Jenn said she would ask Esther.

Harry Burgess had left application copies for a minor subdivision for Thomson. These were distributed for review, and Vickie will notice this hearing for September.

The Board determined to move the October meeting to October 25 when Vickie will be back from vacation. She will let Esther know the new meeting dates for September and October and they will be posted.

The Board discussed the current budget. Terry noted that the Board still had 30% of the budget remaining despite the higher than usual legal costs for Town Counsel.

Jenn made a motion to adjourn the meeting at 7:10 PM. The motion was seconded by Harry, and unanimous agreement followed.

Respectfully Submitted,
Vickie Davis, UVLSRPC

Tentative Meeting Agenda for September 20, 2022, 5:30 PM, Town Offices

- Mountain View Hideaway Street Approval Discussion
- Minor Subdivision Application from Pioneer Surveying for Thomson
- Review of Subdivision Regulations/Rules of Procedure
- Master Plan discussion
- Stacy Thomson gravel pit application review
- Application fees