

**Town of Orford**  
**New Hampshire**

**DRAFT**  
**2018 Master Plan**

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## INTRODUCTION

New Hampshire RSA 674 authorizes the Planning Board to develop a vision and land use strategy, in the form of a Master Plan, to guide municipal planning in the community and to preserve the character and quality of life in town. The Plan is a tool intended to be used by the Planning Board to help determine whether development proposals that come before it are consistent with the views of Orford townspeople.

As part of the master planning process, the Orford Planning Board developed a Community Survey which was distributed to all property owners in town. This survey asked townspeople questions that gauged public opinion about land use and development issues in the community and asked what kind of community they wanted Orford to be in the future. The input provided through these surveys create a foundation for a land use strategy and played an integral part in the development of this plan. The survey and survey results are included in this plan as an Appendix.

## VISION ELEMENT

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According to the law, the vision element “shall contain a set of statements which articulate the desires of the citizens affected by the master plan, not only for their locality, but for the region and the whole state. It shall contain a set of guiding principles and priorities to implement that vision.”

### Vision Statements

Referencing the 2018 Community Survey, the following five statements were identified by Orford residents as issues interconnected to development affecting them: property taxes related to educational spending (74% of respondents), rural community character (72% of respondents), property taxes related to town spending (70% of respondents), high speed internet (70%), and natural resource protection (68% of respondents). Each of these statements is listed below, with two corresponding quotes selected directly from the citizen's remarks:

#### **1. Property Taxes Related to Educational Spending**

- “Property taxes are too high. Let's do what we can for the property owners. School taxes are way too high for what we get from education.”
- “Our taxes are way too high- all developments need to tighten the belt especially the school.”

#### **2. Rural Community Character**

- “Slow development and preservation of rural character and open space is of utmost importance.”
- “Orford is a beautiful bedroom community with a lot of open space/public access to wild forest. This accessibility to such open and public lands is Orford's best treasure it offers. The last thing I want to see is endless/mindless urban sprawl.”

#### **3. Property Taxes Related to Town Spending**

- “Any improvements that would keep property values high and bring down the tax base would be appreciated.”
- “Need to control spending and hold tax increases down.”

#### 4. High Speed Internet

- “No high speed internet on Route 10.”
- “Current internet options are poor - DSL is awful.”

#### 5. Natural Resource Protection

- “Our two greatest assets are our people and our natural environment.”
- “Conservation of natural resources is important.”

The set of five statements above, prioritized by the citizens, articulate their vision or picture of Orford now and in the future. In summary, their desire is to maintain and create an environment preserving the rural characteristics of Town while cultivating high speed internet access, protecting natural resources, and remaining mindful of spending associated with both the education and town budgets. Moreover, as an unambiguous and historical benchmark of our Town’s continuity, there are no major deviations from selections our had citizens identified in Master Plan surveys from both 1999 and 1987.

Also, in observing the RSA, our community’s aspirations are mutually highlighted locally in the Town of Lyme - Master Plan 2014; regionally in the Upper Valley Lake Sunapee Regional Planning Commission - Regional Plan 2015; as far away as the Town of Allenstown - Master Plan 2016; and in the State of New Hampshire - State Development Plan 2000.

#### **Guiding Principles for the Vision**

By defining what is significant to them, what they value, to implement their vision these guiding principles direct the “what, why, and how” for action as follows:

Guiding Principles
• The regulation and ordinance documentation have the prominent role in how the Planning Board functions and makes decisions.
• The system of regulations and ordinances array definable goals for progress and quality performance.
• Throughout the decision-making process the Board examines data, with input from professional planning administrators, surveyors, State and Federal agencies, and other stakeholders.
• The outcome of Planning Board operations and decisions are quality records for the subdivision of land in the Town on par with the vision articulated by the community.

**What:** The Planning Board and community have adopted and amend Subdivision Regulations as indicated below (Subdivision Regulations, Part I, Section 1., 1.01 Purpose).

**Why:** The purpose of these Regulations is to foster the development of an economically and environmentally sound and stable community, and to safeguard and protect the people of the Town of Orford, the taxpayers and the public from the consequences of improper subdivision, haphazard growth and development, by:

- How:**
- A. protecting and preserving the rural character of the Town, its interests, values and concerns, through harmonious development of the Town;
  - B. preventing such scattered or premature subdivisions as would involve danger or injury to health, safety or prosperity by reason of the lack of water supply, drainage, transportation, schools, fire protection, safe and maintained roads or other public services, or necessitate the excessive expenditure of public funds for the supply of such services;
  - C. promoting the amenities of the Town through provisions for parks, playgrounds and other recreational areas, and through the preservation of the environment and its natural beauty, by protecting wetlands, lakes, streams and rivers, and other natural and historic resources and features;
  - D. providing that land submitted to the Planning Board for subdivision shall be of such character that it can be used for building purposes without danger to health;
  - E. assuring the adequate provision of safe and convenient traffic access and circulation, through the proper design, construction, arrangement and coordination of streets and ways within a subdivision, and in relation to existing or planned streets;
  - F. providing uniform standards and procedures for observance by both the subdivider and the Planning Board, thus, encouraging the equitable handling of all subdivision plans.

Present-day regulations and ordinances already influence land use and development patterns desired by the townspeople. To raise their visibility for the public, the Board has included selections below, either full text or excerpts, organized under each of those five statements previously identified by Orford residents as issues interconnected to development affecting them.

- 6. Property Taxes Related to Educational Spending.** Regulations include a provision that can be useful in protecting citizens from development projects that increase property taxes. The Planning Board can require examination of proposals for their level of regional impact, which includes their bearing on costs for shared municipal facilities such as our school district.

***Subdivision Regulations - Section 4.03 Additional Notice Requirements For Developments Of***

***Regional Impact:*** Upon receipt of an application for subdivision, the Planning Board shall review it and determine whether or not the development, if approved, could reasonably be construed as having the potential for impact beyond the boundaries of Orford. This regional impact could result from a number of factors, such as, but not limited to, the following:

- A. relative size or number of lots or units compared with existing stock;*
- B. transportation networks;*
- C. proximity to the borders of a neighboring community;*
- D. anticipated emissions such as light, noise, smoke, odors or particles;*
- E. proximity to aquifers or surface waters which transcend municipal boundaries; and*
- F. shared facilities such as schools and solid waste disposal facilities.*

*Doubt concerning regional impact shall be resolved in a determination that the development has a potential regional impact. Upon determination that a proposed development has a potential regional impact, the Planning Board shall afford the Regional Planning Commission and the affected municipalities the status of abutters for the limited purpose of providing notice and giving testimony. Within 72 hours of not more than 5 business days (RSA 36:57) after reaching a decision that a development has regional impact, the Planning Board shall, by certified mail, furnish the Regional Planning Commission and the affected municipalities with copies of the minutes of the meeting at which the decision was made. At least fourteen (14) days prior to the public hearing, the Planning Board shall notify, by certified mail, all affected municipalities and the Regional Planning Commission of the date, time and place of the hearing and the right to testify concerning the development.”*

7. **Rural Community Character.** Sheltering natural resources, open space, and quality of the land as we simultaneously promote the ease of small-scale development is fundamental to maintaining rural community character. These samples indicate various opportunities for reaching that goal.

***Curb-Cut Regulations - Section V. Standards:*** 8. “Drainage. The curb cut shall not interfere with the street’s drainage or maintenance. Where necessary, culverts, waterboards, ditches, and other drainage structures shall be installed to insure adequate drainage of the street and to prevent excessive drainage from the curb cut into the street. Culverts shall be at least 15 inches in diameter and larger if necessary. A minimum of 15 inches of fill shall be placed over culverts. Stone headers are required at both ends of the culvert.”

***Excavation Regulations - Section VIII. Operational Standards:*** A. Processing of Earth Material:

- 1) Processing machinery shall be erected or maintained on the lot as approved within the operational plan and such machinery shall be removed from the lot upon expiration of the permit or as otherwise provided in the permit.
- 2) No earth material shall be stock piled or located outside permitted area without prior approval by the Planning Board.
- 3) No blasting shall occur without receiving prior approval during the permitting process.
- 4) Crushing may not be introduced without either prior approval from the Planning Board during the permitting process or by submitting a request to the Planning Board who will then hold a public hearing and then rule.
- 5) The Planning Board will determine the acceptable hours of operation with consideration taken on resident’s needs and the needs of the owner of the excavation.

***Wireless Service Facilities Ordinance - 6. Performance And Design Standards: 6.3 Camouflage.*** Ground-mounted PWSFs shall be camouflaged to the satisfaction of the Planning Board using such methods as compatible building materials and colors, screening, landscaping, placement in the midst of trees and the use of camouflage technology. PWSFs located in open spaces shall be camouflaged, using such methods as color, material finish, landscaping, concealment in “stealth” structures and placement on site to exploit concealment by adjacent objects. PWSFs mounted on existing structures shall be so configured as to preserve the character and integrity of those structures. If an antenna is installed on a structure other than a tower, the antenna and supporting equipment shall be visually obtrusive.

8. **Property Taxes Related to Town Spending.** Floodplain development policies aim to protect individual property values and assets. However, more stringent standards for areas prone to flooding and requirements in subdivision developments to meet fire protection, sewage disposal, and stormwater management topics may also reduce the potential burden on taxpayers from damages to town infrastructure expanded to accommodate those projects.

***Floodplain Ordinance - Purpose:*** The Town’s floodplain ordinance applies to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its “Flood Insurance Study for the County of Grafton, NH”. This Ordinance establishes a permit system and review procedure for development activities in the designated flood hazard areas of the Town.

***Item VIII Water Course And Floodway Impact - 3.*** The Board of Selectmen or their designee shall obtain, review, and reasonably utilize any floodway data available from Federal, State, or other sources as criteria for requiring that all development located in Zone A meet the following floodway requirement: “No encroachments, including fill, new construction, substantial improvements, and other development are allowed within the floodway that would result in any increase in flood levels within the community during the base flood discharge.”

***Subdivision Regulations - Section 10.0 Flood Hazard Area:*** C. The Planning Board shall require the applicant to submit sufficient evidence (construction drawings, grading and land treatment plans) so as to allow a determination that: 1. all such proposals are consistent with the need to minimize flood damage within the flood prone area; 2. all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and 3. adequate drainage must be provided to reduce exposure to flood hazard;

**Subdivision Regulations - Section 11.01 Fire Protection Requirement:** *The purpose of this standard is to specify minimum requirements for water supply for fire fighting that will provide a reasonable degree of protection to life and property in the area. The Board shall solicit and consider the views of the Fire Department relative to fire prevention and protection and emergency access. The following standards shall be observed for all major subdivisions:*

*A. there shall be a minimum quantity of usable water available year-round in a quantity dependent upon the number of lots and potential number of buildings;*

*B. water supply shall be located to be available at all seasons of the year and at no distance from any building to be protected greater than the current capacity of the Orford Fire Department's equipment;*

*C. when questions develop not covered by this standard, the Orford Volunteer Fire Department Chief will refer to the National Fire Protection Association Standard 1142, or the most recent Town-approved Standard to resolve any issue,*

*D. The Orford Fire Department shall be provided with an access easement to the fire protection structure for training, maintenance, and emergency. There must be room to allow emergency equipment to pull off of any public way so as not to impede traffic flow. If an access road is necessary, it shall comply with the criteria of a "Country Lane," allow for a sufficient turnaround, and have no grades steeper than 8%.*

**Subdivision Regulations - Section 11.03 Storm Water Drainage System:** *An adequate surface storm water drainage system for the entire subdivision area shall be provided by the applicant. Adequate draining shall be provided so as to reduce exposure to flood hazards and protect the quality of surface and ground water resources. The applicant shall provide a suitably designed on-site stormwater management system wherever possible. Otherwise, storm drainage shall be carried to existing watercourses or shall connect to existing storm drains. If the storm water drainage system alters the water flow over any adjacent property, the applicant shall hold the Town harmless from any claims for damage resulting there from. For the purpose of preparing drainage plans, refer to Section 5.07.*

**Design Standards:** *All storm water management and erosion and sediment control measures in the plan shall meet or exceed the Best Management Practices set forth in the most current version of the NH Department of Environmental Services publication, "New Hampshire Stormwater Manual." A copy of this document is available for viewing at the Orford Town Offices and online at the NH DES web site.*

9. **High Speed Internet.** Future policies may choose to examine how an affordable, broadband ecosystem offering value-added products impacts Orford. Provisions may include creating and maintaining a map of broadband access to identify unique economic development needs within a Regional Broadband Plan.

**Subdivision Regulations - currently none:** *Recommend staying abreast of resources available at the Broadband Center for Excellence at UNH available at <https://www.unh.edu/broadband/>*

10. **Natural Resource Protection.** Protecting the Town's natural resources relies upon applicants laying out how features of the landscape are to be preserved, and if needed, utilizing legal restrictions to preserve open space and rectifying damages to natural resources from development.

**Subdivision Regulations - Section 7.05 Preservation Of Existing Features:** *Prominent natural features within a subdivision, such as trees, scenic points, brooks, streams, rock outcroppings, water bodies, stone walls, as well as boundary markers and historic landmarks, shall be preserved and protected to the maximum extent possible by the applicant. The applicant shall demonstrate, to the satisfaction of the Board, the manner by which the applicant intends to protect existing features.*

**Subdivision Regulations - Section 9 Reservation Of Open Space Land:** *When deemed desirable in the judgment of the Board, land for open space and recreation areas within a subdivision will be reserved.*

*A. All areas to be reserved for open space or recreation shall be of reasonable size, slope, and character for neighborhood playground or other recreational uses.*

*B. There shall be legal restrictions running with the land to preserve open space or common-use land for purposes of recreation, agriculture, forestry, conservation or parks.*

C. Restrictions shall provide for the management and maintenance of the open space and common-use land, including the manner and source of providing funds. These restrictions may be contained in any suitable legal instrument, as approved by the Selectmen.

D. The Planning Board shall obtain from the Selectmen a written statement that the restrictions proposed by the applicant are in conformity with these requirements, prior to approval of the Final Plat.

E. Upon written request of the entity holding title to open space and common-use land, such restrictions as have been provided may be modified by the Planning Board subsequent to the approval of the Final Plat. The Planning Board shall hold a hearing for this purpose in the same manner and with the same notice as for a hearing on the Final Plat. Such modification shall be subject to terms and conditions deemed by the Board as necessary to carry out the purposes and intent of open space and common-use land.

**Subdivision Regulations - 13.10 Damage To Adjacent Public And Private Property, Drainage Facilities, Waterways, Streams, And Brooks:** *If, at any time before all public improvements are finally approved by the Town and before the security is totally released, should any condition within the approved subdivision cause damage to adjacent public or private property, drainage facilities and waterways, streams and brooks, including but not limited to soil erosion and damage to standing vegetation, the Selectmen shall notify the applicant, in writing, of such damage and the applicant shall correct all damage at the applicant's own expense. If the applicant does not substantially correct all damage within a reasonable period of time as set forth in the notice by the Town, the Town shall take all action necessary to protect and preserve its rights and interests, including injunctive relief.*

## **LAND USE ELEMENT**

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The land use element “shall translate the vision statement into physical terms”. This portion of the Master Plan includes a study of population, economic activity, and natural, historic and cultural resources. It shows existing conditions and the proposed future land use in the town.

### **Existing Conditions**

This first section of the Land Use Element supports the previous Vision Element by presenting background information and data regarding the conditions currently in the community.

- 11. Study of the Population.** Population trends are important to consider when evaluating future land use and development patterns. A study of the town’s population will alert the town to the possible future demands on schools, housing, community facilities, and other forms of land use. Typically, population growth is attributed to two factors: natural increase (the excess of births over deaths), and migration (movement of people in or out of town).

**Historic Population Trends in Orford.** Orford’s first colonial settlers arrived in 1765. During the 65 years that followed, all except the most rugged hills were settled for farming. Roads were constructed throughout the valleys in town. An important turnpike was linked to an early bridge across the Connecticut River and provided access for urban markets to the southeast. This transportation route stimulated commerce in Orford. By 1830, Orford hit its peak population of 1,829 residents. During this time, Orford was a thriving town with viable farms, numerous water-powered mills, and village centers with shops and roadside inns. Orford residents began moving west to larger cities during the 1840s. This loss of population happened largely because of the industrial revolution and the impacts of the Civil War. Farms were abandoned beginning with those that were the most remote and marginal in terms of soils and elevation. Other farms were consolidated to increase productivity. During the last decades of the 19th century and the early decades of the 20th century, efforts were made by the state to promote new agricultural techniques and encourage tourism. Several Orford families took in guests from the city. A local Grange organization was established to support farm



families. Children's summer camps began to be set up on the town's scenic mountain ponds. Nevertheless, Orford's year-round population continued its steady decline. In 1890 it was 916; in 1930 it reached its low point of 636 inhabitants.

By the late 1930's, some Orford roads had been abandoned. Residents who lived on remote farms experienced isolation, inadequate markets, and as living standards began to improve in the region after the Depression, a difficult time participating in those improved standards. Since the 1950's the development of major highways and the ease of automobile travel have had a profound influence on the Upper Valley and Orford. People in Boston and New York found the Upper Valley to be both desirable and accessible for vacations and second homes. They helped create a tourist and recreation industry and stimulated the real estate market. They also brought an expectation about what country and small-town living "should be".

During the 1970's, our nation has experienced an out migration from cities to the rural areas thereby reversing a 100-year trend. The ability to live where you want and to take your work with you, due to computers and electronic information processing, is one key factor in this national trend. In recent decades though, many of New Hampshire's rural communities have seen an out-migration of young, working professionals and is currently seeing an aging demographic increase in the state. This impacts the state's economy and increases the demand on social services.

**Current Population Trends.** The table shows population growth trends in Orford compared to surrounding towns.

Community	1970	1980	1990	2000	2010	2016
<b>Orford</b>	<b>793</b>	<b>928</b>	<b>1,009</b>	<b>1,091</b>	<b>1,237</b>	<b>1,269</b>
Warren	539	650	821	876	904	912
Wentworth	376	527	631	797	911	921
Rumney	870	1,212	1,447	1,479	1,480	1,519
Plymouth	4,225	5,094	5,815	5,886	6,990	6,659
Lyme	1,112	1,289	1,533	1,681	1,716	1,704
Hanover	8,494	9,119	9,186	10,855	11,260	11,416

Table 1: Population Trends in Orford and Neighboring Towns 1970-2016  
Sources: US Census Bureau & Orford Town Reports

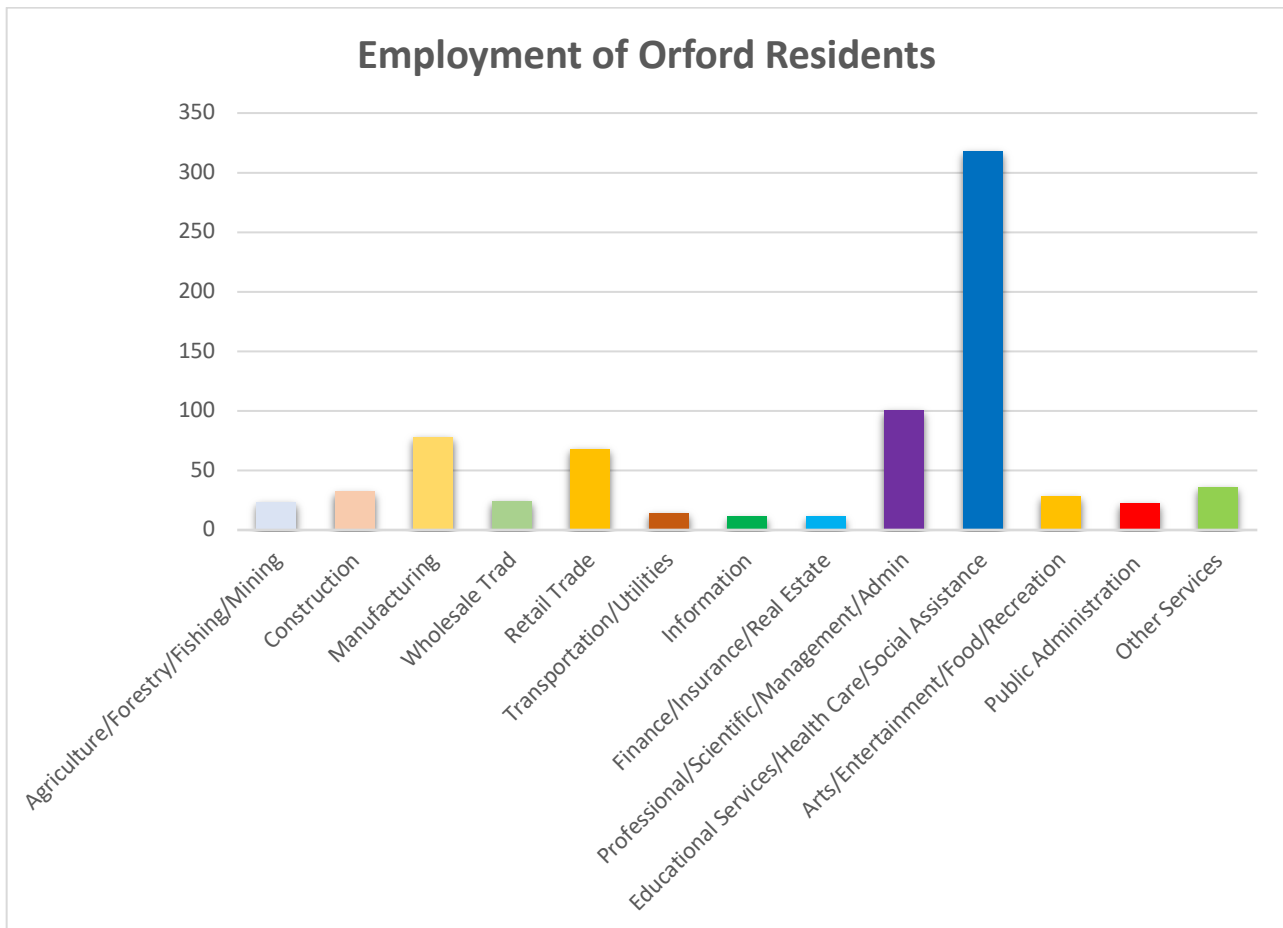
As shown above, many of the smaller communities in this area of the state have seen modest population growth since 2000. This is due to several challenges: fewer job opportunities, lack of cellular service and broadband infrastructure, few public transportation options, and decreased social services. Age is another important feature of a community's population. The median age in Orford is 42.8 years old, which almost matches the state's median age of 42.4. According to the US Census, the town has a healthy balance of different age groups. The working age population, defined as between 20-64 years old, is 76%.

Table 2: Age of Population in 2016  
Source: US Census Bureau

Age Group	% of Population
5-19 years old	24%
20-34 years old	14.1%
35-49 years old	20.8%
50-64 years old	21.2%
65+ years old	15.5%

**12. Economic Activity.** Economic activity is important to communities for a number of reasons: the contribution to the tax base, the ability to offer employment to residents of the region, and the improvement to overall quality of life.

Below is a graph depicting types of economic activity employing Orford residents. The highest number (318) work in the educational, health care, and social service sectors. Another 100 individuals provide professional, scientific, or management services which the US Census Bureau characterize as jobs in law, architecture, engineering, computer services, bookkeeping, consulting, and research. Manufacturing and retail trade engage nearly 78 residents (manufacturing) and 68 residents (retail trade). Businesses in town include a general store, legal offices, accountants, insurance companies, furniture making and boat building, general woodworking, carpenters, painters, lawn care, auto repair and dealership. A variety of home-based enterprises conduct commerce primarily online.



Graph 1: Employment of Orford Residents  
Source: US Census Bureau, 2016

Commercial farms and forests are important industries to the community as both contribute economically as well as helping the town achieve its goal of rural New Hampshire character. These “working landscapes” refer to forests and farms providing commodities and products, supporting resident’s livelihoods, and maintaining open space. Commercial farms are defined by the USDA as an operation grossing \$1,000 or more in farm sales per year. In 2010, there were 19 commercial farms of varied sizes producing products such as maple syrup, Christmas trees, corn, vegetables, milk, meat, and

eggs in Orford. According to the Grafton County Soil Survey 1,523 acres of land (5% of the town's area) is categorized as nationally ranked prime farmland.

The forested landscape also plays a significant role in defining the rural nature of the town and contributing to the local economy. Although most of Orford's land had been cleared for farming by 1830, as farms were abandoned, the land began to revert to forests which now dominate the landscape today. By the late 1800's, these new forests became an economic resource, and a logging industry developed. Orford's forest resources provide timber products, while also supporting public outdoor recreation and environmental conservation. A firm indication of this commitment is reflected in one of the highest percentages, per capita in NH, of participation in The American Tree Farm System. The coast-to-coast program inspires private forest owners to actively manage land in an ecological manner for multiple values that include improved wildlife habitat and water quality.

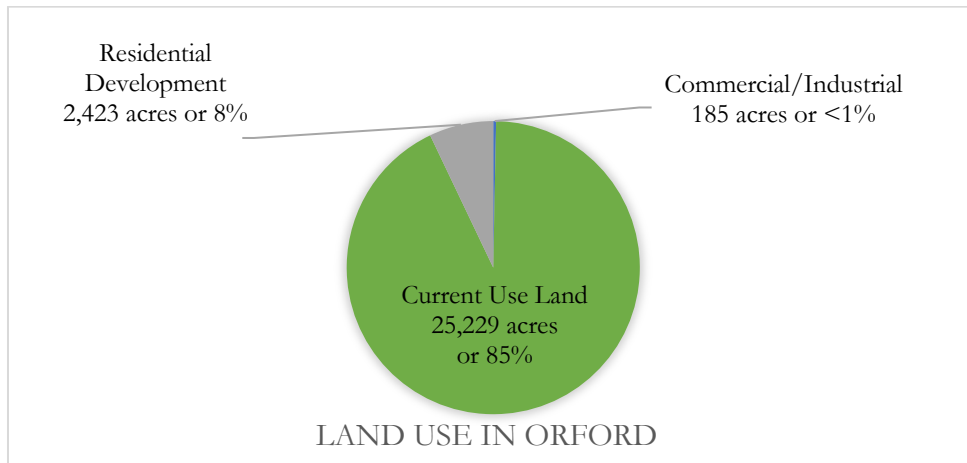
The next table reflects Orford's median household income compared to the State of New Hampshire and Grafton County. Orford's median household income is higher than both.

Area	Median Household Income
Orford	\$76,094
Grafton County	\$58,107
State of NH	\$68,485

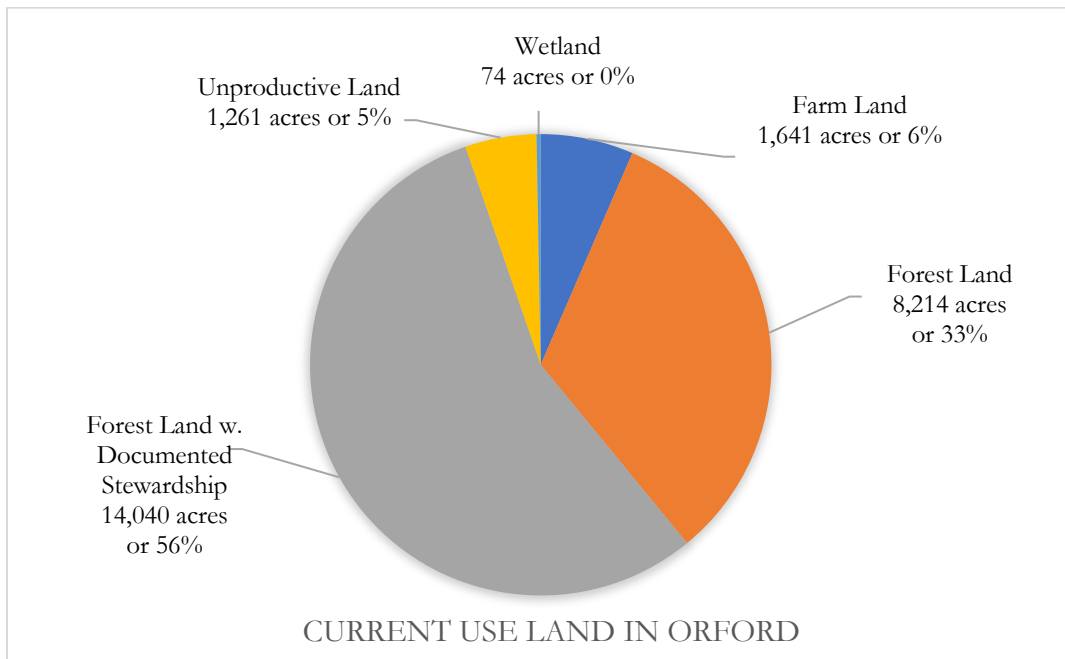
Table 3: Median Household Income, 2016  
Source: US Census Bureau

Orford is geographically located in close proximity to both Interstate 91 and Interstate 93. Route 10 and Route 25A run through the town which is within a 30-40 minute drive to Plymouth and Lebanon. Citizens commute to these locations for work and shopping, while many work in the nearby area and town. Orford and Fairlee, Vermont, created the Rivendell Interstate School District. In addition to other Vermont towns, they jointly operate Morey Elementary School (K-5) and Rivendell Academy educating grades 6-12. The school district also employs a number of Orford residents.

- 13. Natural Resources.** Orford is over 29,800 acres of agricultural land and forest situated in the Connecticut River Valley, bordering the western portion of New Hampshire. This landscape of open space, ponds, streams, low-density residential, commercial, and industrial development, falls within 48 square miles and contains 1.3 square miles of inland water. Three types of land use by acreage are presented in this chart.



According to the Natural Resource Inventory, 75% of Orford's land area or 22,249 acres was enrolled in 2009 for the current use assessment program as either managed or unmanaged forestland. The NH Department of Revenue 2017 Administration report identified an increase to a total of 23,229 acres. Current use as a taxing strategy aims to ease the financial burden posed by property taxes by increasing opportunities for landowners to leave open space undeveloped. Acreage placed in the program is not taxed at real estate market value but instead on income-producing capability. The town would collect substantial financial penalties incurred by the owner when that land is removed from the program.



83% of the town is within the Connecticut River watershed where Jacobs Brook drains, while Upper and Lower Baker Pond zones drain to the Pemigewasset River to the east. Three major water bodies in town are Indian Pond, and Upper and Lower Baker Ponds. Floodplains encompass 2,141 acres along the Connecticut River, Indian Pond, and Upper and Lower Baker Ponds. According to the Natural Resource Inventory, there are 691 acres of wetlands occurring along the north and south branches of Jacobs Brook, Mud Turtle Pond stream corridor, upper reaches of Archertown Brook, Indian Pond, and Upper Baker and Lower Baker Ponds. The largest wetlands are those along the Connecticut River near the mouth of both Jacobs Brook and Reeds Marsh.

Residents enjoy access to abundant natural resources including hiking, snowmobiling, skiing, and horseback riding trails, boating, swimming, hunting and fishing. In town, the Appalachian Trail traverses Mount Cube's summit, there are also the Indian Pond Heritage trail, Stonehouse Mountain Trail and local class VI roads providing multiple venues for recreational activities. A Cross-Rivendell Trail over 36-miles long connects four towns of the Rivendell Interstate School District in Vermont and New Hampshire. This trail starts at Flagpole Hill in Vershire, VT and ends at Mount Cube. Boat launches on the Connecticut River, Reeds Marsh Wildlife Management Area, Indian Pond, and Upper and Lower Baker Ponds each provide public access to local water resources. Maintained beaches can be enjoyed at Indian Pond and Upper Baker Pond.

**14. Historic & Cultural Resources.** Visible throughout various parts of town today, due to extensive preservation efforts, are fine residences constructed in the period from 1775-1840. Notable among them is a group of seven Federal-style homes on a "Ridge" located off Main Street. These all have

significant stature in the history of architecture. In recent years, a collaborative effort between the NH Preservation Alliance, an ad-hoc committee in town, and Selectboard, developed a preservation easement that was applied to an historic Ridge house. The Orford Historic District located in Orford Village extends half-a-mile on both sides of Main Street, including the Common. This is on the National Register of Historic Places. Along Route 25A, an important village center once existed in Orfordville that included the Dame Hill neighborhood and Town Hall. Numerous barns have been protected utilizing the NH Preservation Alliance's Old Barn Restoration program, which provides tax incentives to save these structures.

Significant cultural and historic resources in town include the 1937 steel through-arch Samuel Morey Memorial Bridge crossing the Connecticut River into Vermont; Governor Meldrim Thomson Scenic Highway (Route 25A); Historical Society building (once our Town Hall); Mount Cube Masonic Lodge #42; Orford Academy building and Route 10 sidewalk; Billy Brown's Mountain View Farm and Mason Pond in Quinttown, and conservation land for bird watching on the Connecticut River/Route 10. Town facilities include a town hall, highway department building, athletic fields, common and bandstand, boat launches, playground and picnic areas, three public cemeteries, transfer station, two libraries and fire department. More about these can be found in the 2014 Long-Range Community Facilities Plan.

### **Proposed Future Land Use**

The second section of the Land Use Element again draws on the outcomes from the community survey. The Town's focus for future land use is broken down into four physical manifestations of development: rate, impact, type, and business. The top three selected responses for each of these from the survey are listed with a corresponding quote from the public. Immediately following, selections from present day development and land use regulations/ordinances are united with those four physical manifestations of development. These are examples of how our regulations/ordinances now function. The Planning Board recommends they continue to serve as the system managing the location, extent, and intensity of proposed future land use to successfully achieve the vision the survey's responses indicate.

**15. Rate of Development.** Cumulatively, respondents perceive little to no development happening in town. 86% of people answered this question, 38% saying the rate of development in town is not an issue, while 28% indicated no development is occurring in the community. 20% held that the rate of development is too slow.

- “Glacial pace of development...more development and varied tax base will ease resident property taxes for town and education. Natural resource protection should be balanced with appropriate development.”

The illustrations below are opportunities to evaluate and appropriately integrate new development construction with the existing local network or infrastructure. At the same time, providing a streamlined process in our regulatory environment that is equitable and efficient for all applicants.

***Subdivision Regulations - Section 2.02 Approval Required By Planning Board:*** *All subdivision, lot line adjustments, voluntary merger of lots and boundary line agreements as defined in these Regulations, in the Town of Orford require approval by the Planning Board in accordance with the Regulations.*

*A. Examples of What Needs Approval:*

- 1. The division of a lot, tract, or parcel of land into two or more lots, which are to be conveyed as separate lots to be owned individually.*
- 2. The division of a lot, tract, or parcel of land into two or more sites for rent, lease, condominium conveyance, or building development.*
- 3. The construction or placement of any additional separate dwelling units on a single lot.*

4. The development of condominium units whether they are in an existing or new structure.
5. Lot line adjustments, boundary line agreements, and voluntary merger of lots.

**Subdivision Regulations - Section 2.04 Prohibition Of Construction Prior To Approval:** No person required to obtain subdivision approval from the Planning Board shall commence the construction of roads or other improvements within the lot, tract, or parcel proposed to be subdivided by clearing the land of natural vegetation, placing any artificial fill thereon, or otherwise altering the land, unless the subdivision plan has been submitted and approved in accordance with the requirements of the Subdivision Regulations. This shall not be construed to prevent the taking of test borings, the digging of test pits, or any other testing and inspection necessary to comply with local or State requirements for review and approval.

**Subdivision Regulations - Appendix, Public Road System:** (Paraphrased by OPB Chairman) The Planning Board uses the NH Department of Transportation's functional classification for road systems. This listing provides definable standards of responsibility when the Board considers the utilization a proposed development would have on the capacity of a particular section of road infrastructure. In addition, the Planning Board can evaluate if our road system is hindering development overall, by enterprise, or location. A partial text from the document follows:

Class I, Primary State Highways, consist of all existing or proposed highways on the primary state highway system, excepting all portions of such highways within the compact sections of towns and cities of 7,500 inhabitants and over. The state assumes full control and pays costs of construction, maintenance and reconstruction of its sections; the portions in compact areas are controlled by the towns and cities under Class IV highways.

Class IV, Town and City Streets, consist of all highways within the compact sections of towns and cities of 7,500 inhabitants and over. Extensions of Class I and Class II highways through these areas are included in this classification.

Class V, Rural Highways, consist of all other traveled highways which the town or city has the duty to maintain regularly.

Class VI, Unmaintained Highways, consist of all other existing public ways including highways discontinued as open highways, highways closed subject to gates and bars, and highways not maintained in suitable condition for travel for five years or more.

16. **Impact of Development.** Top responses regarding what factors should be considered in evaluating impact of development in Orford comprise: enterprises contributing to the tax base (90%), tax increases for town and school services (56%), and discouraging taxpayer subsidized housing (38%).

- “Would like to see a mix of development that adds to tax base (both educational and town) and creates opportunities and conveniences for citizens.”

The use of regulations and ordinances such as these can assist and not be detrimental to efforts attracting businesses and a worker population, while directing growth along the lines of our existing town infrastructure that is fiscally responsible.

**Subdivision Regulations - 7.04 Prohibition Of Premature Or Scattered Subdivision:** Scattered or premature subdivision of land as would involve danger or injury to health, safety, or prosperity by reason of inadequate water supply, drainage, transportation, school, fire protection, roads, or other public services, or would necessitate an excessive expenditure of public funds for the supply of such services, shall not be approved by the Board.

**Subdivision Regulations - 5.10 Additional Information May Be Required:** In the case of either a minor or a major subdivision, the Board may require such additional information to be provided, at the applicant's expense, as it deems necessary, to evaluate the proposed subdivision in relation to the purposes and scope of these Regulations. Such additional information may include, but not be limited to, a study of the availability and impact on community services, facilities, wildlife habitat and natural resources.

**Subdivision Regulations - 3.04 Voluntary Merger Of Lots:** Any owner of two or more contiguous pre-existing approved or subdivided lots or parcels, who wishes to merge them for municipal regulation and taxation purposes may do so by applying to the Planning Board. Except where such merger would create a violation of then current ordinances

or regulations, all such requests shall be approved, and no public hearing or notice shall be required. No new survey plat need be recorded, a notice of merger containing a description of the two lots merged into one lot including tax map and lot number and signed by the Planning Board shall be filed in the Grafton County Registry of Deeds under the name of the owner or owners as grantors and a copy shall be attached to the Town's tax assessing card. Any subdivision of the merged lot shall require subdivision approval.

**Subdivision Regulations - 3.05 Exemption For Accessory Dwelling Unit:** This section is provided to allow accessory dwelling units without a subdivision as defined in "Town of Orford - Subdivision Regulations - January 20, 2014 NH RSA 672:14." The construction or addition of one accessory dwelling unit on the same lot as a primary house or manufactured housing unit may be approved by the Planning Board. Such approval shall not constitute an approved subdivision for any purpose including, but not limited to, taxation. The landowner shall comply with all applicable rules and regulations of the New Hampshire Department of Environmental Services relating to water supply and subsurface disposal systems.

**17. Type of Development.** The community would prefer to see retail, commercial, and professional expansion (all 52%), closely followed by residential development (48%).

- "Attract business and residential to widen the tax base; but the issue is scale - anything big would wreck the place."

Parameters of the planning process encourage linking the contribution of business and residential development initiatives while carefully monitoring their influence on public services. These are four examples of how the Board can liaise with applicants.

**Subdivision Regulations - 7.06 Off-Site Improvements:** If, upon the finding of fact, the Board determines that the proposed subdivision will adversely affect existing public facilities, such as streets, causing them to be inadequate to meet the additional needs created by the subdivision, then the applicant shall pay for such upgrading of the public facilities to an extent necessary to protect the public interest. If other properties benefit from the upgrading of such off-site public improvements, the Board shall determine the portion of the cost to be paid by the applicant, taking into consideration the following elements: A. the character of the area; B. the extent to which the proposed subdivision will adversely affect existing public facilities; C. the extent that other public and private property will be benefited by the upgrading; and D. any other factors that the Board deems appropriate to establish a rational connection between the needs created by the subdivision and the amount to be paid by the applicant.

**Subdivision Regulations - 12.06 Connection With Existing Subdivisions:** When improvements are to be installed between the proposed street pattern and any connection street in an existing subdivision, they shall be indicated on the Final Plat.

**Subdivision Regulations - 12.07 Harmony With Topography And Natural Features:** New roads shall be laid out to blend with existing contours and other natural features. In the building of the road, the edges of the cleared roadway shall be left in a condition which is scenic, and which emphasizes any special trees, stonemalls, or other natural features.

**Subdivision Regulations - 12.15 Street Lighting:** The Board, after documented consultation with the Town's consulting engineer, may require the installation of street lighting for public safety.

**18. Businesses in Town.** A large percentage of survey respondents support positive economic growth in town. Particularly, 57% of respondents indicated they would dislike a situation where business growth declined, though 13% indicated they would rather no new businesses entered town. Types of businesses the community accentuated include restaurants (89%), agriculture/agritourism (87%), and professional services such as law or accountant offices (86%). Selections revealed respondents also favor home-based and general retail commerce.

- “Encourage small businesses- try to keep our money as local as possible.”

Offering a low-cost business environment for startups while also protecting the interests of our citizens requires a regulatory structure fair to both. Being a rural community wishing to expand our economic base through cottage industries, the Board has the following policy latitude.

**Subdivision Regulations - 4.04 Application Fees, Administrative Expenses, And Other Costs Incurred By The Town And The Board:** *The applicant shall pay the application fees according to the Schedule of Fees adopted by the Planning Board. In addition, the Board may require the applicant to pay additional reasonable fees to cover its administrative expenses and costs of special investigative studies, review of documents, and other matters which may be required by particular application (RSA 676:4 I (g)). Such additional fees may also include an appropriate allocation of legal fees incurred by the Board.*

**Subdivision Regulations - 5.05 Soils Map And Report:** *The soils map and report shall be required only for minor and major subdivisions and shall include the following:*

*A. location of all percolation test sites and soil test pits or borings. At least one percolation test site, soil test pit, or boring per lot or site.*

*B. soil mapping units and boundaries based on the most recent Natural Resources Conservation Service mapping available;*

*C. legend identifying soil mapping unit symbols and soil type names; and*

*D. the soils map shall be accompanied by a report of the results of all soil tests including dates, locations by reference to the map, percolation rates, and soil profile with depth to ledge, clay, hardpan, and existing and seasonal high water table. The soils report shall also include an analysis by a NH licensed soils scientist or engineer regarding the suitability of the soils for the proposed development.*

**Subdivision Regulations - 5.13 Waiver Requests:** *Upon the written request by the applicant, the Board may grant a waiver or relaxation of the provisions of the Regulations as it deems appropriate per NH RSA 674:36 II (n), by majority vote of the Board. Reasons for the waiver shall be recorded in the meeting minutes. The requirements of these regulations may only be modified or waived by the Board when:*

*1.) Strict conformity would pose an unnecessary hardship to the applicant and a waiver would not be contrary to the spirit and intent of the regulations; or*

*2.) Specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.*

**Subdivision Regulations - 6.05 Failure Of The Board To Approve Or Disapprove The Application Within The Specified Time Limit:** *The applicant, upon the failure of the Board to approve, conditionally approve or disapprove of the application within the time specified in section 6.01, may obtain from the Selectmen an order directing the Board to act within thirty (30) days. If the Board does not act on the application within that 30 day time period, then within forty (40) days of the issuance of the order, the Selectmen shall certify on the applicant's application that the plat is approved pursuant to RSA 676:4.I(c)(1), unless within those 40 days the Selectmen have identified, in writing, some specific Subdivision Regulation or other ordinance provision with which the application does not comply. Such a certification shall constitute final approval for all purposes, including filing, recording and court review.*

*Failure of the Selectmen to issue an order to the Planning Board, or to certify approval of the plat upon the Planning Board's failure to comply with the order, shall constitute grounds for the superior court, upon petition of the applicant, to issue an order approving the application if the court determines that the proposal complies with existing regulations. If the court determines that the failure of the Selectmen to act was not justified, the court may order the municipality to pay the applicant's reasonable costs, including attorney's fees, incurred in securing such order.*



## CLOSING

A quote from the NH Department of Agriculture, Markets & Food Division provides a segue to concluding our newly adopted Town Master Plan; “New Hampshire’s rural heritage steeped in history and tradition, forms the foundation of our state’s charter. Hard working innovative Yankees laid that foundation. Experience the history and meet many of today’s rural entrepreneurs.” Conscientious to this sentiment, a long-term strategy of partnership will strike the right balance by applying reasonable regulations and ordinances, that on the one hand are not onerous and deter business and residential development, while on the other, do not fail to hold accountable projects securing the townspeople’s vision. Promoting our viable and healthy community to attract and retain enterprises and individuals is a hallmark of our tradition.