

Orford Planning Board

October 16, 2017

Board Minutes

Approved November 20, 2017

Present

- *Committee Members:* Jim McGoff (Chair), Kelley Monahan (Vice Chair), Dave Smith (Select Board ex officio), Paul Carreiro, Chase Kling, Deb McGoff, Tom Thomson, Mark Burger (alternate), Sam Hanford (alternate)
- *Committee Members not present:* John Adams (Select Board ex officio alternate)
- *Public:* Bill McKee, Stacie Marshall (recording secretary)

7:00 PM: Jim called the meeting to order.

1. Review of September 18, 2017 Planning Board Meeting Minutes

Chase moved to accept the August 21, 2017 minutes as submitted; Kelley seconded. Jim opened the topic for discussion.

Paul asked for verification that the changes he had requested to the minutes were made; Stacie confirmed that they had been. Chase noted that the minutes had not been posted at Town Hall since Sheri claimed not to have received them. Stacie indicated that she would ask Sheri for confirmation of receipt in the future.

After confirming no additional discussion, Jim called the vote and **the motion passed unanimously.**

2. Bill McKee – Planning Board Files

Bill described the process he and Harry Osmer used four or five years ago when organizing the Planning Board files. Documents relating to Planning Board decisions were organized in files by lot number, with duplicate copies of files removed and destroyed. Bill and Harry also complied with RSA 33 relating to the disposition of municipal records to determine which records should be stored permanently, which should be retained for a designated number of years, and which should be destroyed upon receipt of a superseding copy. Bill urged those tackling the closet to familiarize themselves with the disposition rules. Bill indicated a willingness to return to help put in order the files that have accumulated since the closet had last been organized.

3. Old Business

- [Review corrected plan – McCormack Voluntary Merger Application](#)

Kelley updated the Board about speaking with Dave Collier, Liaison from the NH Register of Deeds Association on the NH Land Surveyors Association. Mr. Collier had seen the scrivener's error in the past, and informed Kelley that a new plat with the reason for the correction (noting the scrivener's error) was necessary. The group discussed the process whereby a new tax map number is generated for the merged lots (each of which was identified individually until the merger): once the new deed is recorded in the Register of Deeds office, it returns to the town and the new tax map number is assigned. The group reviewed the updated plat and affidavit documenting the reason for the correction.

Kelley moved to accept the corrective plan that remedies the scrivener's error on the original Schwarz subdivision. The original subdivision request was approved on its merits in the Board's January 16, 2017 meeting; the corrected plat identifies the lot in question as tax number 8-29. Chase seconded. The motion passed unanimously.

- [Upper Valley Lake Sunapee Regional Planning Commission \(UVLSRPC\) invoice](#)

Jim recounted the discussion he had with Steve Schneider at UVLSRPC after receipt of their last invoice. During that discussion, Steve verbally agreed to reduce Amber's billed hours from 16 to 10, reducing the overall invoice by approximately \$200. When an updated invoice was not received, Jim left a message reminding Steve to send the updated bill. Mark then recounted his discussion with Steve at a finance meeting. Steve indicated to Mark that the reduction was part of UVLSRPC's continuing relationship with the Planning Board, but that an adjusted invoice would not be provided in light of the Board's decision to discontinue its association with UVLSRPC. Chase felt that the verbal agreement was deniable, and that documentation of the agreement should have been sent, given that the business related to the town. Jim felt that Steve's word should have sufficed. Paul outlined his dissatisfaction with his experience working with Amber. He cited a lack of follow-through, mistakes in the agenda and other data submitted to the Board, and billed time for drives to Orford to pick up documents after email correspondence confirmed that the documents were not ready to collect. Kelley also shared that UVLSRPC had not paid the Valley News for a hearing notice. The Board discussed possible next steps, and Chase reiterated the need for documentation defending the Board's actions, no matter how it decides to proceed.

Dave moved that a formal communication be sent to UVLSRPC offering to pay a reduced amount, and listing the specific reasons for the reduction. Deb seconded.

Jim thought the Board should accept the amount he and Steve had verbally agreed upon during their phone call. Tom agreed. Kelley offered to email Steve with the amount the Board is willing to remit, and include specific examples justifying the lower amount.

The motion passed, with Deb, Tom, Kelley, Mark, Dave and Jim in favor, and Chase and Paul opposed.

Kelley moved to approve the invoice subject to Steve's agreement to reduce the bill by the agreed-upon amount (from approximately \$898 to approximately \$630, not including the Valley News portion). Dave seconded.

The motion passed, with Deb, Tom, Kelley, Mark, Dave and Jim in favor, and Chase and Paul opposed.

- [Other invoices](#)

Dave shared that the cost overrun on the master plan funds would require an invoice to encumber beyond 2017. Chase noted that a contract would be required for work carrying into 2018. Without the formal document, the money will revert to the town's general fund.

Dave and the recording secretary confirmed that an updated invoice for the two 2016 meetings had been submitted; Stacie promised to submit an invoice for all 2017 meetings before the end of the year.

Kelley moved to pay the outstanding Valley News invoice if it isn't included in the amount owed to UVLSRPC; Chase seconded. The motion passed unanimously.

- [Academy building update](#)

Paul had spoken with the group in Concord that will be reviewing the application for the academy building. The group's next steps were to assign a project management team to study the application and feasibility of the proposal, and to do a site visit. They confirmed that the individuals promoting the application could invite those they wish to the site visit; they allowed that this could result in a skewed sense of community support during the visit. Kelley shared that she had learned from Sheri about the site visit just before it occurred; it took place without town-wide notification on Sep. 21. Tom noted that he was able to attend after hearing about the visit from Kelley. He found several things interesting about the visit, including a statement from one of the Concord representatives making it clear that they plan to purchase the property next door and expand. Tom noted that the group toured the whole building, but did not visit the basement of the structure. Tom also learned that they'd entered into an agreement relating to septic and water with AHEAD and the School Board, though no warrant articles related to the decision were presented in the last annual meeting. Kelley related her communication with Dr. Elaine Arbour, who confirmed that the decision-making body is a volunteer board, and that minutes are not taken at their meetings. Kelley was concerned that a board of volunteers took action on a 99-year commitment. Kelley has not yet received a response from Dr. Arbour on a request for a list of donors.

Chase raised a point of order, noting that the Academy building discussion had not been included on the night's agenda. Other members of the group thought the update was important to the Board, and decided to add a standing sub-item under Old Business for future meetings to discuss any updates on the issue.

After a time check, **Paul moved to discuss the Board's budget as the next item of business, tabling the master plan discussion. Dave seconded; the motion passed unanimously.**

4. [Discuss Planning Board budget](#)

Mark distributed documents with the Board's operating budget for 2017. He walked through what has been spent to date, and what will be owed before the end of the year. Chase thought that Liz should be invited to attend the Board's November and December meetings, given the importance of signing a contract with Resilience for the coming year. Jim noted that Liz will be on vacation for the November meeting, but that Steve Whitman had offered to attend in her stead, charging the Board only what they'd pay for Liz's presence. Paul noted that Steve should only be invited to attend if the Board has agenda items for which his presence is needed; other members of the group agreed. Chase asked that a contract with Resilience for master plan work be ready for the Board's November meeting so it can be signed in December, allowing the encumbrance of funds. Mark agreed to work with Liz and share the contract with the Board in the November meeting. Paul also reminded the Board that it should also take steps toward signing an annual contract with Resilience for 2018, since the current contract expires at the end of December. Kelley thought that Steve should be asked to attend the November meeting, because Liz had received a call from a member of the public with questions about a merged parcel of property. Tom confirmed that he had also spoken to Richard Scalesse. Kelley thought Mr. Scalesse should attend a meeting on an informal basis, and will ask Liz to point him to the website for more information.

Mark walked the group through his draft of the 2018 budget, noting that the numbers were similar to 2017 with the exception of the addition of funds for the records organization task (\$1,000) and the continuing master plan update (\$985). Paul questioned whether the master plan funds should be presented as part of the budget or as a warrant article, similar to how the 2017 master plan

funds were secured. Chase thought it should be included in the budget, allowing the Budget Committee or Select Board to pull the item out as a warrant article if desired. When Paul noted that the public should have the right to vote on the funds, Kelley noted that the Board has an obligation to complete the master plan update.

Chase moved to accept the 2018 Planning Board budget proposal in the amount of \$9,485 as submitted. Kelley seconded.

Paul reiterated his opinion that the master plan funds should be presented as a warrant article. Dave agreed, but thought that including the funds in the budget was a safer approach, given his uncertainty into how the other two Select Board members would vote.

Jim called the vote. **The motion failed, with Chase, Dave and Kelley voting in favor, and Jim, Paul, Tom and Deb voting against.**

Paul moved to approve a budget for \$8,500, the total presented (\$9,485) less the \$985 for the master plan update. Kelley seconded. The motion passed with Dave, Kelley, Jim, Paul, Tom and Deb voting in favor, and Chase voting against.

Dave promised to convey the group's votes and thoughts on the budget in the Select Board's working meeting on Wednesday. Paul informed the group that the Select Board is assigning a Select Board representative to each group in town. He asked that Dave also convey to the Select Board that the Planning Board is still in discussion about the amount needed for the master plan update for the warrant article. He suggested that it be an agenda item in the Planning Board's November meeting. Chase reminded the Planning Board that if the Select Board declines to add a warrant article, it can petition to have it added, but must use care with the article's wording.

5. Discuss November Agenda

Mark promised to have draft documents for master plan activity and an annual contract from Resilience for discussion, and will send the documents to the Board prior to the November meeting for review. The group noted that while Liz did provide a culled list of questions from other towns' master plan update surveys, they would have liked to have seen the full survey documents. They suggested that Steve could bring these surveys to the next meeting. Sam also noted that Steve could be a good resource in the discussion around the amount of funding the Board should request in its warrant article.

Dave asked if any action needed to be taken on purchasing a set of maps of the town for the Board's use. The group's consensus was to forego purchasing the maps, given that they would be difficult to read at the 11x17 size offered.

Paul gave a quick update on Transportation Advisory Committee activity. After UVLSRPC failed to post an agenda or notify Paul, he missed the most recent meeting. They also failed to notify him of a 10-Year Highway Plan meeting that was taking place. He left them a voice mail, but has not received a response.

Kelley updated the group about preliminary action on bridge work on Route 25A.

Mark updated the group that he and Ted Cooley are new Commissioners to the Regional Planning Commission.

Jim moved to adjourn, and Dave seconded. Motion passed unanimously (9:08 PM).

Action Pending

Date of decision	Property	Details
12/19/2016	Gerald D. and Jeannine A. Groff 135 Mud Turtle Pond Road (Tax map lot 8-0089-044)	Subdivision approved conditional on: <ul style="list-style-type: none">• Curb cut permit• Country lane covenant and construction• Presentation of perimeter survey

Business Concluded

Date	Action
5/15/2017	Annual site visit to Stacey Thomson's gravel pit
6/19/2017	Lot Line Adjustment Application approved (Linda Paradee, Map 8-93, Lot 64 and Map 8-93, Lot 66, Rt. 10)
6/19/2017	Lot Line Adjustment Application approved (David and Kara Perry, Map 8-108, Lot 16 and Map 8-108, Lot 16T, Sawyer Brook Rd.)
6/19/2017	Boundary Line Agreement Application approved (Mathew and Nicole Gray, Map 8, Lot 91-30A, Rt. 25A and Map 8, Lot 91-32, Creamery Rd.)
10/16/2017	Voluntary merger of lots approved with the corrective plan that remedies the scrivener error on the original Schwarz subdivision; application originally approved on 6/19/2017 prior to the discovery that maps submitted as part of the application were misidentified (Bradley and Elizabeth McCormack, Tax Map 8-30 Lot 4B and Map 8-29, Lot 4E)