

Town of Orford Planning Board

Meeting Minutes – February 11th, 2025, Meeting

Board members & staff present: Mark Adamczyk-Chair; Paul Goundrey-Vice Chair; Martha Rose-Secretary; Caleb Day-Member; Ruth Hook-member; Tom Thomson-member; Ann Green-alternate; Chase Kling-Selectboard Member; Renee Theall, UVLSRPC;

Board members absent: none

Public attending in-person: Nick Castel, 48 LR Property LLC; Jake Burgess, Pioneer Land Surveying, LLC

Public attending virtually: David Brent, Jane

Mark Adamczyk called the meeting to order at 5:30PM. We have a quorum. All members of the board are present.

Item 1: Nick Castel, 48 LR Property, LLC. 485 Rt 10, Orford, NH. Tax Map 8-108R-58, Application: Mark A. asked if everyone had a copy of the application packet. Chase K. went through the new information added after the last meeting; A letter dated 2.5.2025 from the Orford Village Water District with approval to add 3 lots (5 bedroom for each lot) located at 485 Route 10, Orford, NH. An updated abutters list, NH DOT Driveway Permit. Septic system test pit reports for the 3 new lots and waiver requests and reasoning.

Mark A. asked about the ROW that is on the south adjoining property. Jake B. said that the ROW is 70 feet from the property line and does not touch 48LR Property, Map 8-108R Lot 58.

Paul G. referenced the updated Feb 2025 survey map with notations of the driveways and the test pits.

Renee T. made note of the first waiver of application, the scale of the survey maps is 1"= 40' rather than the regulation requirement of 1"=100'. Jake B. said that he went with 1"=40' to make it easier to see the details.

Paul G. asked for clarification from Jake B. that there will be 3 driveways and two of them are shared. Jake B. confirmed there are three access points and two are shared.

Tom T. has concerns about the flood plain. Martha R. presented a copy of the FEMA map from the website that shows contour 408 is in the same position as the survey map. Tom T. showed USDA mapping he pulled from the USDA flood zone website and contour 408 goes across Route 10 to the fire station. These two reports have quite a variance.

Ruth H. made the comment that the board needs to have a complete application packet with all the information at least a week before the application hearing. The board did not receive the completed packet of information until today, February 11th, 2025, and there was not enough time for all board members to review the information. Renee T. had thought that she included this on the 1.29.2025 email. The board will work with Renee T. through the Chair, Mark A., to make sure that all the information is sent to the board members in a timely manner. Tom T. raised the question of whether we should even go forward with the review of the application since not all board members had a chance to thoroughly review the application. Renee T. went through the list of items needed for a complete application and the only item still pending is the DES permit. All other required documents that the applicant is not requesting a waiver on are complete and attached.

Chase K. made a motion to accept the application from 48 LR Property, LLC. Tax map 8-108R lot 58, for subdivision of 4.64 acres located at 485 Rt. 10, Orford, NH to create 4 lots. #1 lot is 1.00 acre, #2 lot is 1.00 acre, #3 lot is 1.00 and #4 is 1.64 acres with existing office building as complete with the exception of the pending DES permit. Caleb D. seconded the motion, 5 board members approved, 2 abstained. Mark A. the motion will pass.

Approved

Jake B. stood to present the survey map and the lot positions, the driveways and the test pit locations. They are proposing 3 1.00 acre lots and a 1.64 acres lot with existing building. They have been granted DOT driveway permits with three access points. Two of these will be shared driveways. Lots #1 and #2 will share access. Lot #3 and Lot #4 will share access and Lot #4 also has a separate entrance. All lots have been granted the water approval from the Orford Village District. The existing building already has service and the three 1.00 acre lots are approved for up to 5 BR for each lot.

Jake B. said that there was a question as to a ROW on the Light property and that this ROW is 70' from lot #1, the southern boundary. He added that he did not add it to the map because it does not touch or impact their property. Tom T. asked him to point out where that ROW is on the map.

Jake B. then addressed the flood plain position. He used a Benchmark that is located over in the town of Fairlee that is the state line marker and measured using a RTK GPS unit. He is fully confident that the location of the flood plain on the survey map is correct. He added that he has found in the past that the FEMA and USDA flood plain maps often contradict each other almost consistently. Jake B. pointed out that the proposed building areas are all above the flood plain contour 408.

Tom T. asked if the "boxes" shown on each lot are where buildings will be? Jake B. responded that for the State of NH, they had to show at least 4000 square feet of space for the septic, well (they will not be using wells) and a building.

Ruth H. asked if they would be sharing septic leach fields. Jake B. said no, each would have their own and they all have adequate space above the flood plain to do that. Caleb D. asked about retiring the old leach field. Jake B. said they do not actually know the location of the old leach field because it was done so many years ago and it was not actually approved, but he did point out where the tank is. Because of this as part of the condition of approval they would be putting a new system in for the existing office building.

Martha R. asked if the scratched out and written-in address on the Pioneer Land Surveying, LLC Test pit reports has been corrected on the original? Jake B. said it has been corrected on the originals, and he would get us the corrected copy.

Martha R. asked if the town road agent still needs to approve the curb cuts after the DOT approval. Jake B. said not for the state highway.

Mark A. then asked Jake B. to speak to the reasoning behind the requested waivers.

Waiver #1: Utilities and Fire Protection Plan, Stormwater and Sediment Control Plan, and Road Plan. Jake B. reasoning, because they are not proposing anything new, and these are already in place. They are not proposing a new road or new utilities. The fire department is right across the street and the sediment control plan generally comes with a new road and drainage from that point.

Waiver #2: Plan to be at a scale of 1"=100' or greater. Plan is at scale 1"=40' for detail purposes, a larger scale would be hard to read and unclear.

Waiver #3: Engineered Soil Survey of Lots under 2 acres. Each lot has been tested by a NHDES septic designer and found to be acceptable for sewage disposal without impact to the flood plain. Soils were mapped using USDA Soils Information. Tom T. asked if we had a copy of the soil maps. Jake B. said he did not provide those. He did point out where it's marked on the survey. Chase K. added that the town also has that information.

Tom T. also asked Jake B. to clarify the description of the amount of water that the permit allows for; 3 buildings with up to 5 bedrooms per building.

Tom T. also brought a map of flood zone showing the flood plain going all the way over the road to the fire station. This map is dated 2/2008. He feels it's the planning boards job to make sure that if someone purchases one of these lots that they are not in the flood plain. Chase K. asked what the source of the map and Tom T. said it's FEMA flood insurance rate maps. The other map that Martha R. pulled from the FEMA website she remembered to be from 2015 and is a contour map. Jake B. said that his research is more in line with the contour map and felt that through his survey they are more accurate than the FEMA maps because of the equipment they use. He also added that in 2008 they would have used aerial photography and very rarely does this line up with the current measurement equipment. Chase K. added that the

Approved

last time the US geological survey was here was in 1982 and did not do much benchmarking in our area and much of the data was derived in the 1930's before the flood control dam was built at McIndoe Falls, NH. Chase K. also explained the process and the forms for anyone that wanted to build in the flood plain in Orford. Paul G. asked for clarification on the contour 408 line. Jake B. said that this is consistent through NH, but the line does change depending on the town.

6:08PM the public meeting is now open. There are three people attending virtually and the board is approving them to be able to speak if they choose. Mark A. asked them if they wanted to question or comment on this application. There are no comments from the public attending in-person or virtually.

Renee T. asked if there were any more questions from the board to the applicant. Tom T. asked about the shared driveway and if the deed would reflect that there is a shared driveway. Jake B. said yes, this would have to be in the deed.

The public meeting is closed at 6:10PM.

6:12PM the Planning Board goes into deliberation.

Waiver #1: Utilities and Fire Protection Plan, Stormwater and Sediment Control Plan, and Road Plan. The reasoning, because they are not proposing anything new, and these are already in place. They are not proposing a new road or new utilities. The fire department is right across the street. Martha R. pointed out that the DOT driveway permit requires a short drop down from the road to prevent storm drainage on Route 10. Each driveway access point provides for a drainage swale. Paul G. motion to accept the waiver as requested by the applicant. Chase K. seconded. Waiver granted.

Waiver #2: Plan to be at a scale of 1"=100' or greater. The reasoning is that the plan is at scale 1"=40' for detail purposes, a larger scale would be hard to read and unclear. No questions or discussion. Chase K. motion to accept the waiver as requested by the applicant. Martha R. seconded. Waiver granted.

Waiver #3: Engineered Soil Survey of Lots under 2 acres. The reasoning is that each lot has been tested by a NHDES septic designer Pioneer Land Surveying, LLC Jake Burgess No. 1876 and found to be acceptable for sewage disposal without impact to the flood plain. Soils were mapped using USDA Soils. No questions or discussion. Chase K. motion to accept the waiver as requested by the applicant. Paul G. seconded. Waiver granted.

Chase K. moved to approve the Major Sub-Division from 48LR Property LLC, 8-108R, Lot 58, 485 Route 10, Orford, NH, 4.6 acres to be sub-divided into 3 1.0 lots and one 1.6-acre lot with existing building and conditional to DES approval. Martha R. seconded. All in favor. Motion approved.

The notice of the decision is due by Tuesday, February 18th written and signed by Mark A. chair and sent to Jake Burgess to be signed. The notice of the decision will then be posted to the town office. Chase K. said that when the conditions are met, then the mylar can be produced and signed for the final plat. The Planning Board will make sure the driveways and DOT permit numbers are clearly noted on the mylar before signing.

Item 2: Review minutes from the previous meeting, January 14th, 2025: No corrections or updates. Chase K. made a motion to approve, Martha R. seconded. All in favor.

Other Business:

-Mark A. let us know that an application for a lot line merger was received from Bill and Lisa Riehl. Renee T. asked if there was a mortgage on the properties and there is not. The board will review at the March 25th, 2025, meeting.

-Paul G. spoke on the research he did on our Planning Board Fee structure and how we compare it with other towns near Orford. He gave each of us a copy of the research. An explanation and discussion ensued. Ann G. asked if we are going to make changes to the fee structure, do we have to have a public hearing? Yes. Ann G. also suggested that before we prepare for a public hearing on fee structure that we look at any regulations we'd like to change too. The Planning Board members will review and be prepared to give input at the next meeting. Thank you, Paul G., for the research.

Approved

-Chase K. said that regarding the expiring Orford Planning Board positions, Caleb D. signed up for a 3-year term. Mark A. said he would like to continue on the board but missed the deadline to be on the ballot. He would like to be a "write-in" candidate.

-Chase K. gave us an update that Mark Miller has a building permit and been recorded in the Grafton County registry of Deeds.

-Chase K. would also like the planning board to add to the agenda considerations for telecommunications cell towers. Martha R. shared that T-Mobile and Starlink have entered into an agreement to provide limited cell service to areas without cell phone coverage. The beta testing will begin in July 2025. Renee T. asked us what we want to accomplish and shared that another town she works with also has strict regulations for cell phone towers and she witnessed that when a company wants to put in a cell phone tower the town has little to say about it. It was suggested that if she could give us the name of that company that we would ask them to come to a planning board meeting to talk to us.

-Ruth H. requests that information sent to Renee T., the town office or any other board member regarding applications be promptly sent to the board members so there is time to review before the hearing.

-Respectfully submitted, Martha Rose, Orford Planning Board Secretary

Tentative Meeting Agenda for March 25th, 2025, at 5:30 PM Town Offices'

-Review the minutes of the February 11th, 2025, meeting

-Review the application for lot line merger from Bill and Lisa Riehl

-Review the fee structure and board suggestions, set a date for a public hearing

-Discuss the telecommunications regulation

Chase K. made a motion to adjourn the meeting at 7:09 PM. The motion was seconded by Mark A. and unanimous agreement followed.