

**Temple Planning Board**  
**Approved Minutes, Tuesday January 3rd, 2023**  
**7:00 pm, Temple Town Hall**

**Present:** Christine Robidoux, Chair; Bruce Kullgren, Jr., Vice Chair; Murray Collette, Secretary; Keith Charlton; Alan Fox; George Willard, ex officio, Select Board; Russ Huntley, Alternate; Rev. Olivia Holmes, Clerk

**Absent:** Brian Kullgren

The meeting was called to order at 7:01pm.

**Approval of Draft Minutes of December 20<sup>th</sup> 2022 Meeting**

Bruce moved approval of the minutes as amended. George seconded the motion which carried by unanimous roll call vote.

**Public Hearing:** Christine introduced the background for the issues included in the following public hearing continuation; noting that the only specific issue which needs to be reviewed before consideration for approval is the minor subdivision of Lot 24 into 2 lots (Parcel D).

**7:10 PM Continuation of Public hearing on:**

- Lot line adjustment between lot 25-1 & 24 (Parcel A) (Wills/Rowe/Thompson)
- Lot line adjustment between lots 25-1 & Lot 25 (Parcel B) (Wills)
- Lot line adjustment between lot 25 & 24 (Parcel C) (Wills/Rowe/Thompson)
- Lot line adjustment between lot 24 & 54 (Rowe/Thompson/Judkins)
- Minor Subdivision of Lot 24 into 2 lots (Parcel D) (Rowe/Thompson)

Craig Francisco of Bedford Design Consultants noted the corrections to the labeling of the wells on Lots 25 & 25-1. The well on Lot 25-1 is inactive and shares the well located on Lot 25. The new monuments for the lots have also been set, as required. The applicant has received approval from the state for the subdivision for Lot 24-1. Christine requested a copy of the approval.

At 7:12 Christine officially appointed Russ Huntley as a voting member of the Board.

Christine asked for questions from the public: none were offered at this time.

Christine asked for questions from Board members. Russ asked a question regarding the setbacks for the test pits on lot 24-1: specifically whether they are 75 feet from wetlands. Craig responded in the affirmative.

Map 5A Lot 24: Russ asked whether the area near Hudson Rd. is possibly the area for building, and questioned whether a driveway easement would be required for access from Hudson Road. Nick Rowe answered that the driveway would be expected to come through the wetlands off of

Hill Road, and he knows he would need a state permit for that. Nick said Temple Road Agent, Kent Perry, had advised him on the process and what may be required.

Bruce asked whether Pete Caswell had signed off on the test pits, and he said he understands this requirement has been met. Christine has received verbal approval from Pete Caswell and has requested written confirmation.

Christine noted that the presence of the wetlands will be included in the Notice of Decision.

Christine closed the hearing continuation at 7:19pm.

Murray moved approval of the subdivision as submitted with the following conditions:

1. Activities located in wetlands, such as excavation, fill, dredge, removal, and/or construction of structures in or on any bank, flat, marsh, or swamp in or adjacent to wetlands and waterbodies, will require a permit or authorization from the NH DES Wetlands Bureau, unless otherwise specified per NH RSA 481-A.
2. Written approval of Temple Subdivision Regulation Section 4.07 – Soils Data by the Temple Health Officer.
3. All necessary state, federal and local approvals shall be obtained prior to the approval becoming final.

The motion was seconded by Bruce, and carried by unanimous roll call vote.

Checks for the Registry and the mylars were presented. A review of the checks needed included one for \$25 for the LCHIP, and 1 for \$98 (\$24 x 4 plus \$2). Both checks are to be made out to the Hillsborough Registry of Deeds.

Christine will provide the Notice of Decision & Findings of Fact documents, and will alert Nick Rowe when everything has been signed and delivered to the Registry of Deeds.

After completion of items under Other Business and New Business below, Christine invited public comment.

**Public Comment:** Kathy Boot asked the town's position on short-term rentals. Christine responded that the town is waiting for guidance from the state. Christine also noted that the legal review of Temple's existing ordinance indicates short-term rentals are not currently allowed.

### **7:30 PM Hearing on Proposed Revisions to the Accessory Dwelling Unit Zoning Ordinance**

Handouts provided at the meeting included the current Temple Zoning Ordinance relative to ADUs, the State RSA relative to ADUs, a document from NH Housing explaining the ADU law, the Vision Statement of the Temple Master Plan, and the proposed changes to the current Zoning Ordinance. Handouts are available by request through the Select Board Assistant along with copies of the minutes.

Christine shared that she had received some questions and comments over the past week and wished to address a few of those briefly before opening the floor for public comment. In addition, it is likely that there will be a second hearing, so if anyone in the room or online thinks of a question after tonight's hearing, they will have another opportunity to ask questions and comment. *See attached ADU Hearing Introduction document.*

The floor was opened to public comment. There were 18 people in attendance in person, and some additional attendees online.

Areas of concern brought up for consideration, including for both Attached and Detached ADUs:

- Requiring a maximum square footage
- People who have large houses could have large ADUs
- Concerns about increasing our population density in town
- Owner occupancy will be difficult to manage/enforce
- Requiring aesthetic compatibility for ADUs
- Requiring a special exception
- Special consideration for non-conforming lots
- Different requirements in the Mountain District
- Protecting open space/location of the ADU on a property
- Outside investors
- Allowing manufactured housing for an ADU (Tiny Houses)
- Short-term Rentals
- Clarification on ADUs as additions "or within" the existing footprint.

There were also public comments in favor of the proposed changes:

- This has been a multi-year discussion, the changes make sense.
- The changes support current homeowners who want to offer an option to family members.

General comments were made about allowing more public input into the crafting of the changes of the ordinance. Some in attendance felt the process had been rushed.

All Planning Board members indicated they had taken detailed notes and would need some time to process and further research the input received.

A more detailed discussion of the specific public comments will occur at the next Planning Board meeting during the ADU work session.

*\*Note: A recording of the full hearing is available online at [TempleNH.org](http://TempleNH.org) under Meeting Recordings.*

The hearing was closed at 8:38pm, although public comment was allowed during the Board discussion that followed to allow members to respond to residents' concerns and ask follow-up questions as needed.

Board members thanked audience members for their participation.

Bruce moved that the Board continue the hearing until the next meeting. Keith seconded the motion, which carried by unanimous roll call vote.

**Public Comment:** John Kieley suggested a hearing might achieve better attendance than a working session, but felt the Board doesn't yet have a new document to present to a hearing audience. He suggested it might be better to have a meeting or a special meeting of the Board to review the comments received so far, and to create a new document for public comment.

After further discussion, Murray moved to rescind the vote to continue the hearing to the next meeting, and to make the next meeting a working session to discuss the public comment received tonight. Russ seconded the motion. The motion carried by roll call vote with Bruce abstaining.

**Regular Business** (All this business was conducted between 7:19 and 7:30pm)

### **Old Business**

1. Update on Doug Guy Minor Subdivision (Map 2B Lot 71)  
The paperwork was filed with the Registry of Deeds. However, Murray was told that the LCHIP fee was not required. This is unusual. Christine will follow-up with HCRD to confirm.
2. NFIP – Preliminary FEMA Flood Maps Review  
The preliminary maps are available for viewing through a link on the town website. Comments or questions can be sent to [TemplePlanning@TempleNH.org](mailto:TemplePlanning@TempleNH.org). Crafting a Floodplain Ordinance will be on the agenda in 2023 and presented to voters in 2024.
3. Driveway Regulations: nothing new
4. Tax Map Updates – Keith: nothing new
5. Master Plan Natural Resources Inventory – ConCom: received DRAFT maps from Moosewood and will review them on 1/11 at 6pm, their next meeting at Town Hall.
6. SWRPC Regulatory Review/InvestNH Grant Application
  - a. Master Plan updates
  - b. Regulatory ReviewThe Board is waiting for letter of commitment from SWRPC. Christine expects to receive it before the next Planning Board meeting.

### **New Business**

1. Planning Board Annual Report  
Murray has a comment that he will send to Christine.

2. **Planning Board Clerk Responsibilities 2023**  
Christine explained that Olivia has retired effective the end of January. The Board will put together a job description to post in order to find a replacement. Christine asked Keith to help with the filing aspect of the job description since he has already been involved.
  
3. **Upcoming Webinars/Conferences**  
Christine brought the Board up to date on what is coming up.  
**January 19<sup>th</sup>, 2023: 2023 Planning and Zoning Legislation Primer**  
[www.nh.gov/osi/planning/planning-training.htm](http://www.nh.gov/osi/planning/planning-training.htm)

**Next meeting: Tuesday, January 17<sup>th</sup> at 7:00pm, Temple Town Hall**

Bruce moved adjournment of the meeting. Keith seconded the motion, which carried by unanimous roll call vote.

The Chair adjourned the meeting at 9:22pm.

Respectfully submitted by Rev. Olivia Holmes, Clerk