

Temple Planning Board
Approved Minutes, Tuesday June 21th, 2022
7:00 pm, Temple Town Hall
20220621 TPB Minutes-OH

Present: Christine Robidoux, Chair; Bruce Kullgren, Vice Chair; Murray Collette, Secretary; Alan Fox; George Willard, ex officio Select Board; Russ Huntley (voting member); Olivia Holmes, Clerk

Absent: Brian Kullgren, Keith Charlton

The meeting was called to order at 7:00pm.

Christine Robidoux appointed Russ Huntley as a full member of the Board for this meeting.

Approval of Draft Minutes of Meeting

1. June 7th Meeting
2. Bruce moved approval of the draft minutes of the June 7th meeting as amended. Murray seconded the motion which passed with Alan abstaining and all others voting yea by roll call vote.

7:10 PM – Public Hearing: Lot Line Adjustment – Armstrong/Guy
Tax Map 5B, Lots 83, 84, & 84-1

Christine began the hearing by reading a description of the Lots involved.

This public hearing is being held for the purpose of acting upon an application for a Lot Line Adjustment for Lots 83 (4.7 acres) owned by Nancy & Cordes Armstrong and Lots 84 (13.9 acres) & 84-1 (16.2 acres) owned by Shelley Guy which can be found on Tax Map 5B. The lots are located on Moran Road and Cutter Road in the Rural Residential and Agricultural District.

The original Subdivision for these lots was approved in July of 1979, File #12993 (Edgar Leighton, Jr.).

The Armstrongs had hoped to build a Detached Accessory Dwelling Unit (ADU), however Lot 83 is under the required 6 acres per our Detached ADU Zoning regulations. The lot line adjustment is being proposed so that the Armstrongs can acquire the additional acreage needed should they choose to build a Detached ADU at some point in the future.

Sam Ingram of Meridian Land Services did the surveying and completed the application on behalf of Nancy & Cordes Armstrong and Shelley Guy.

Sam Ingram of Meridian Land Services passed out 3-sheet plan sets, which include some minor adjustments from the original plans submitted.

Christine reviewed the history of the process followed by the Armstrong/Guy owners and the Planning Board to get to this hearing (See attached). She reported that three abutters did not pick up their notices of the hearing. However, legal counsel affirmed that if the town has proof of mailing, this is not a problem. Shelley Guy affirmed that she had received her notice. Christine reviewed the application and affirmed the appropriate checks had been received by the office.

Bruce moved accepting the application as complete pending the delivery of the mylars. The motion was seconded by George and passed by roll call vote with Alan abstaining and all others voting yea.

Mr. Ingram explained that he had added the frontage as requested by the Board; and has shown where markers will be placed once the application is approved. Parcel A acreage on the plan is not up to date. It is slightly larger than indicated. Mr. Ingram will provide mylars as soon as tomorrow, or possibly Thursday. He will also provide electronic copies.

Two abutters, Michael Barrett and Patricia Chase, were present and were invited to review the plans. Both expressed their approval of the plan. Patricia understood the adjustment would not affect her property. Lisa Sumner, a third abutter, had called Christine before the meeting, and Lisa had no objection to the lot line adjustment.

Bruce moved to approve the plan pending receipt of the mylars. George seconded the motion which passed by unanimous roll call vote. Mr. Ingram will email Christine tomorrow with a specific time on Thursday to meet at the Town Office with the mylars. Murray will take the mylars to the Registry of Deeds.

Note to Keith Charlton: This change needs to be added to the Board's list of tax map updates.

The hearing was closed at 7:35 PM.

Invitation for Comments from the Audience

Old Business (As Time Allows)

Minor Subdivision – Lot Line Adjustment – Armstrong/Guy
Tax Map 5B, Lots 83, 84, & 84-1

Christine began the hearing by reading a description of the Lots involved.

This public hearing is being held for the purpose of acting upon an application for a Lot Line Adjustment for Lot 83 (4.7 acres) owned by Nancy & Cordes Armstrong and Lots 84 (13.9 acres) and 84-1 (16.2 acres) owned by Shelley Guy which can be found on Tax Map 5B. The lots are located on Moran Road and Cutter Road in the Rural Residential and Agricultural District.

1. Master Plan Natural Resources Inventory – ConCom

Christine reported having a question about the \$5,000 cost estimate from Moosewood Ecological, LLC, for phase I. She was unsure of the timeframe of Phase I for budgeting purposes (to be complete in 2022, for example, or to continue into 2023). Phase 2 was quoted as \$3,000 to \$6,000. The clerk will send copies of the proposals to The Select Board Assistant. SWRCP cannot update their proposal for at least another month. Christine will invite Sean Radcliffe of the ConCom to the next TPB meeting.

2. ADU Discussion – Bruce/Brian

Bruce agrees with Brian that the Board should review changing the required acreage to 3 acres from the current 6. Bruce is ok with a requirement for occupation of the premises by the owner, but pointed out that the old elementary school building, the Birchwood, Inn and Bob Treadwell's property all have 3 occupants and they are not occupied by the owners. Cam Lockwood observed that past decisions do not necessarily make precedence for law. Murray pointed out the complexity of defining an ADU, for example, if a household door accessing the garage from the main house is on the opposite side of the garage from the steps leading to an over-garage apartment. Another example would be a shared breezeway between the main house and the ADU. The town has the authority to interpret these sorts of situations.

Christine read an update to the town ordinance regarding ADUs that she had drafted, in which she suggested a number of items to consider (See attached).

For detached ADUs, Christine would be comfortable with the 3-acre requirement, but suggested requiring a conditional use specification for detached ADUs (but not attached ADUs). Cam Lockwood suggested sticking with 6 acres to accommodate the requirement for septic system alteration or repair resulting from the additional bedrooms unplanned in the original design. The Select Board reviews building permits for detached ADUs. Connie Kieley expressed concern that 3 acres is insufficient for two dwelling units, two septic systems, or two wells. The question was asked whether the Board should consider changing from 6 acres to 5 acres.

Christine said the town ordinance can specify the location of a detached ADU (at the side or rear of the building, for example); and can require compatibility with adjacent properties. Detached ADUs are not allowed in PRDs (planned residential development).

Bruce observed that it is the Planning Board's job to keep the Select Board up to date with the building codes.

3. Home-Based Business

Christine will send out a document including Temple's ordinance and those of neighboring towns for review at our next meeting. In home day care is understood as distinct from a day care facility. A lot of issues can be determined by ZBA special exception.

4. Driveway Regulations:

Christine reported Lisa Murray of SWRCP has begun reviewing our regulations.

5. Community Advisory Committee Updates (Christine/Keith)

Bruce will work with Jessica Hipp on planning the September 29th forum

- a. Housing Forum the 29th of September
- b. Plan NH Charrette: Public Information Session October 6th
Charrette scheduled for October 14-15th.
The select board has signed a Memorandum of Understanding for the Charrette.

6. SWRPC Regulatory Review/MTAG Application: Not discussed.

- a. Site Plan Regulations & Subdivision Regulations
- b. Zoning Ordinance (2022)
- c. Earth Excavations
- d. Change of Use

7. Other 2022-2023 Initiatives

- a. Master Plan update schedule: Not discussed
- b. National Flood Insurance Program (NFIP): Bill McDonnell contacted CDM Smith regarding the FEMA Draft FIRM Database relative to the NFIP program after the town received a letter on June 1st. Christine received clarification from the state NFIP Administrator that there are actually 3 maps created in the process of developing the final map showing areas at risk of flood. First is the Work Map, then the Preliminary Map and then the Final Maps. Bill McDonnell received the 2019 Work Map which was sent to Temple in 2019, but it is not intended for use by the public. SWRPC offered to use the data to create a usable map for us, with a disclaimer, for a few hundred dollars.

Old Action Items: Not discussed

1. Reformatting Zoning Ordinance for easier updating, online more user friendly
2. Town Office Filing Project (Keith/Olivia)
3. Tax Map Updates (Keith)
4. Create Zoning Ordinance Historical Index (Christine)
5. Planning Board webpage review

Other Business

Christine reported on an upcoming Planning Board Basics webinar offered by NHMA on June 29th from 11:30 to 1 PM and on an SWRCP meeting held last week.

The NHHFA June 2022 Housing Market Report is now available on the NHHFA website under Publications and Reports.

Bruce moved meeting adjournment. The motion was seconded by George and passed by unanimous roll call vote.

The Chair adjourned the meeting at 8:43pm.

Next meeting: Tuesday, July 19, 7:00pm, Temple Town Hall

Respectfully submitted by Rev. Olivia Holmes, Clerk

Attachments: Armstrong-Guy process steps taken leading to hearing
Christine's suggested considerations to the ADU ordinance
Temple Home Business I and II Zoning Ordinance
Christine's research on nearby towns' home-based business ordinance
Lyndeborough Home Occupation Zoning Ordinance