

**Temple Planning Board**  
**Approved Minutes, Tuesday November 15<sup>th</sup>, 2022**  
**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; Olivia Holmes, Clerk

Absent: Brian Kullgren

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

**Approval of Draft Minutes of November 1<sup>st</sup> 2022 Meeting**

Bruce moved approval of the minutes as written. George seconded the motion, which carried with Murray, Christine, and Alan abstaining.

**7:10 PM Public hearing on proposed amendments to the Excavation Regulations**

Christine read the text of the Hearing Notice which was posted on the home page of the town website and in two physical locations in Temple (store and municipal office).

Christine reviewed sections that have been added and the reasons for their addition. Bruce moved removal of the last sentence in Section 4-I and 4-II, referring to the requirement of a permit for incidental excavations resulting in the removal of 500 cubic yards or more. Keith seconded the motion which carried by unanimous roll call vote. All references to the 500-cubic yard regulation had already been removed for the posted version, since Christine believed the board had voted to remove it at their last meeting.

Section 4-IV cites the RSA that applies to the excavation of dimension stone from a granite quarry (RSA 12-E).

Section 4-VII removes the language involving excavations of more than one acre beyond the existing excavation, as it no longer applies.

Section 5-III: added a sentence to account for any extreme weather conditions that will further damage the road if used by heavy machinery like excavation vehicles.

Section 6-I, removes language relating to the hours during which excavations may take place. The Planning Board land use attorney recommended removal since that language is no longer legal.

Section 13-II removes language referring to charges for legal fees if violations occur. The state does not allow this anymore.

Section 13-IV removes language referring to charges filed against a violator. The state does not allow this anymore.

Section 15 was added to require the Planning Board to hold a hearing if they wish to make any changes to these regulations in the future. Changes must be approved by a majority vote of the Planning Board, and go into effect when filed with the Temple Town Clerk.

The TPB reviewed the draft of the Excavation Application, which is part of the regulations. The application is all new.

The Conservation Commission reviewed the regulations and the application and wanted it to be clear that they receive a copy of the application but have no permit authority. The Conservation Commission does have the authority to make comments and request revisions to an application, and the Planning Board should make every effort to work with them during the review process.

The application lists the fee as \$50 instead of as a maximum of \$50. The regulation says a maximum of \$50. Ken Caisse explained that a change in the cost could occur based on the number of inspections that are required. Murray quoted the text from the regulations in Section 11 regarding other expenses that could be incurred.

Bruce moved approval of the recommended changes to the Excavation Regulations as written. George seconded the motion, which was approved by unanimous roll call vote. Christine will send the approved regulations and application to the Town Clerk and have them posted on the town website.

The hearing was closed at 7:26pm.

## **Regular Business**

**Invitation for Comments from the Audience:** None were received at this time.

## **Old Business**

1. Preliminary Review of Subdivision applications/Lot Line Adjustments for Rowe Subdivision located on Hill Rd & Hudson Rd (Lots 5A-24, 5A-25, 5A-25-1, 5A-54)

The application includes 4 lot line adjustments and one minor subdivision.

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

Craig Francisco of Bedford Design Consultants introduced the plan on behalf of the Rowe/Thompson family who were also in attendance. He explained the existing lot lines and the adjustments they are anticipating. He explained that there is a parcel in the middle of the property that is not owned by Nick Rowe, which is approximately 1 acre. Nick said he believes Vivian Wills thinks she owns this parcel. Bruce asked whether Nick believes he bought 17.2 acres. Craig Francisco showed the Board members documentation that says Nick does own 17.2 acres. Bruce speculated that the 17.2 acres is correct and does not include the small parcel under question. George asked whether Nick plans to build on that parcel, and he said no. Nick suggested the town try to collect

taxes on it and if they do not succeed over several years, put it up for a tax sale. George pointed out that one of Alvin Holt's children lives in Temple and another lives in Sharon, and their family were past owners of that parcel before it was last subdivided. More research is needed on this parcel.

Mr. Francisco explained the acreage of the proposed lots. Lot 24-1 is where Nick expects to live, and he will have a driveway permit for that lot. He explained a lot exchange with an abutter in order to gain the 20 feet of frontage he needed.

The plan takes 4 lots and makes 5. Lots 24 and 24-1 will be buildable lots. The rest of the lot adjustments, Nick explained, are just about cleaning things up for the neighbors. Nick explained the relationships of the various owners, including his sister and his niece. Christine explained that the Board needs the signatures of both property owners in the case of a lot line adjustment with an abutter on each application. She will contact him outside of the meeting to go over the applications.

Bruce explained the criteria of the Board. Russ spoke about the possible need for a wetlands permit for the new driveway. Christine said she had spoken with Vivian Wills earlier in the day. The Board agreed it would wait to file with the Registry of Deeds until Vivian is ready to move forward. Nick Rowe is aware of the possible delay.

Bruce moved to schedule a hearing for December 6<sup>th</sup> for 4 lot line adjustments and one minor subdivision for the lots as proposed. George seconded the motion which passed by unanimous roll call vote.

Christine observed that electronic versions of the documents presented have been received and will be posted on the town website under Planning Board Case Files.

2. Preliminary Review of Minor Subdivision application for D. Guy located on Peterborough Road (Lot 2B-71). Bruce received a text from Doug indicating Doug believes the Planning Board has all the information it needs.

Bruce explained that the plan was reviewed at the last meeting and the Board did not find anything wrong with it, although they had not yet received abutter labels or fees. (Bruce was looking at copies George had brought to the meeting, but they were different from the ones reviewed at the last meeting).

Bruce will call Doug Guy. The Board reviewed the fees and other requirements that would need to accompany the application for approval. Russ offered to assist if needed.

Bruce made a motion to schedule a hearing for Douglas R. Guy, Jr., on December 6<sup>th</sup>, for a minor subdivision on Old Peterborough Road. George seconded the motion which was approved by unanimous roll call vote.

3. Update on Temple Forest Monastery Site Plan Review & Religious Exemption  
Christine sent the waiver with text from the minutes of the Planning Board meeting at which the waiver was granted. Christine reported she had sent the Notice of Waiver and

an Affidavit of Religious Use of Land or Structures to Ajahn Jayanto (he is to sign and return the latter to the town office).

4. Master Plan Natural Resources Inventory – Conservation Commission  
See below under Budget (#7)
5. Tax Map Updates – Keith has received a quote of \$1700, which includes the updates anticipated over the next 2 months. He pointed out that the Board can always delay future changes to accommodate the budget if needed, as has been done in the past.
6. Planning Board Budget 2023 (Attached)

Christine passed out a copy of the proposed budget for 2023. She reviewed the proposed budgets for the Natural Resources Inventory.

Murray had contacted Sean Radcliffe on the ConCom with the Planning Board's questions about Phase II of the NRI and clarification on the 2023 budget amount. Phase I of the NRI (\$4000 in 2022 + \$1000 in 2023) includes GIS mapping of Temple's natural resources and topography. Phase II (\$3200-\$5970) will include field study on site and a public presentation of the team's findings. The cost range of Phase II depends on the number of days in the field. At a minimum the team suggests 4, and at a maximum they anticipate no more than 9 days in the field. Christine attended the last ConCom meeting to get their recommendation. The Conservation Commission voted to recommend 9 days of field study, and they can adjust down if the full 9 days are not needed.

After discussion, the Planning Board agreed that 9 days at \$5970 would be better, especially since this data will inform the other Master Plan section updates planned for 2023 (paid for with a grant), and the NRI has not been updated since 2003 and a lot has changed. Russ emphasized the potential efficiencies of getting phase II completed in one year rather than two. Bruce pointed out that the townspeople keep emphasizing the need to keep the master plan fresh, to keep updating it, and keeping Temple "green" is consistently a top priority for residents.

Alan moved funding 9 days of phase II of the NRI of the master plan in 2023 at \$5970. Russ seconded the motion which passed by unanimous roll call vote.

The Professional Services total of \$8670 includes 9 days for Phase II of the NRI.

Christine reviewed the reasons why the recording wage will be reduced next year. The total includes 12 hours/month plus 20 additional hours for the filing project for a total of 164 hours in 2023.

The Budget Advisory Committee recommends keeping the Planning Board legal fees separate under the Legal Fees account (4153 on the Budget Worksheet). They will review 2022 expenses and come up with a figure for 2023. The Planning Board budget account (4191), does not currently track Planning-Board-specific legal expenses.

Murray moved approval of the budget as presented. Keith seconded the motion which passed by unanimous roll call vote.

## 7. Driveway Regulations

Murray expects to have a plan for the Board to review before the next meeting. He will send a copy to the Planning Board Clerk for distribution.

## 8. Short Term Rentals: Christine reported there is no new information she's aware of, and we are still waiting for the outcome of the Conway case. This is per legal advice.

## 9. SWRPC Regulatory Review/InvestNH Grant Application

- a. Master Plan updates
- b. Site Plan Regulations & Subdivision Regulations
- c. Zoning Ordinance Review
  - i. ADU's
  - ii. Form Based Code
  - iii. Neighborhood Overlay Districts
  - iv. Home Based Businesses
  - v. Change of Use

The steering committee of the HOP grant (Housing Opportunity) wants to fund Temple for Phases I and II, which are the Master Plan update and the Regulatory Review. They have asked for additional information on what outcomes will move Temple toward its housing goals. They have also requested we add an implementation chapter in the Master Plan. Christine felt the Board could conduct surveys within the community which will help to articulate the hoped-for outcomes, which will be part of Phase I. Alan pointed out the economic situation has changed over the past 5 years.

Christine reminded Bruce that Carol Ogilvie had sent feedback about the double acreage (3 to 6) requirement for detached ADUs as far as water and septic are concerned. Her advice, sent to Christine in an email, possibly in July, was that double acreage is not necessary for water and septic. Carol has offered to come to speak to the Planning Board about it. Bruce will work on language to present to the Board for a potential zoning change with two public hearings before the next Town Meeting.

The InvestNH HOP Grant total was \$78,744, which included Phase III. But the steering committee wanted to see how Phases I and II go before awarding Phase III funding. Murray suggested making sure townsfolk know how much of the total cost is covered by grant money. It is all covered by a grant. Christine will revise the application and bring it to the next Planning Board meeting.

## Community Advisory Committee Updates - Christine/Keith

- a. Plan NH Charrette Recommendations
- b. Housing Forum

Keith wondered how the housing forums and the Charrette forums will be coordinated or combined in some way. It may be the Charrette results could feed into the housing

forums. Keith thought the relationship should be made clear for the townspeople. Further conversations on this topic will occur once we have received the written Charrette report.

- c. Other 2022-2023 Initiatives
  - a. National Flood Insurance Program (NFIP)

### **Ongoing Action Items**

1. Reformatting Zoning Ordinance for easier updating, online more user friendly  
Bruce and Murray have committed to reviewing the document.
2. Town Office Filing Project - Keith/Olivia: the project is moving forward.
3. Create Zoning Ordinance Historical Index - Christine
4. Planning Board webpage review - The Temple Forest Monastery file was moved to the Planning Board Case Files on the Planning Board page.

### **Other Business**

1. Upcoming Webinars/Conferences.  
The NHMA conference is tomorrow and Thursday.
2. It was noted that four people attended this meeting on Zoom.

### **Public Comment**

John Kieley expressed gratitude for the opportunity to attend at home by Zoom. He pointed out that the microphones need to be closer to people so they can be heard. The people presenting didn't use the microphone, and John said, "it's a waste of time when you can't hear." He said that the document the man [the presenter] had on an easel could not be seen by Zoom attendees. John felt it would have been helpful if the documents to be presented could be submitted in advance so they could be projected on the large screen so all could see what is being presented.

Christine asked Bruce to get electronic copies of Doug Guy's plans.

Bruce moved adjournment of the meeting. Keith seconded the motion which was unanimously approved by roll call vote.

The meeting was adjourned at 8:58pm.

**Next meeting: Tuesday, December 6<sup>th</sup> at 7:00pm, Temple Town Hall**

Respectfully submitted by Rev. Olivia Holmes, Clerk