

Temple Planning Board
Approved Minutes, Tuesday October 18th, 2022
7:00 pm, Temple Town Hall

Present: Christine Robidoux, Chair; Bruce Kullgren, Vice Chair; Keith Charlton; Alan Fox; Olivia Holmes, Clerk

Absent: Murray Collette, Secretary; Brian Kullgren; George Willard, ex officio, Select Board; Russ Huntley, Alternate

The meeting was called to order at 7:00pm

Approval of Draft Minutes of October 4th, 2022 Meeting

Bruce moved approval of the draft minutes as amended. Keith seconded the motion which carried with Alan abstaining.

Invitation for Comments from the Audience

Cam Lockwood recommended having hearing notices printed in the newspaper even though not required. Bruce and Christine both noted that that has been the TPB practice, except for the last hearing, the case for which was already well known as it had remained on the agenda.

Connie Kieley said she has a written document about the utility building of the Temple Forest Monastery, adding that John Kieley would summarize her document. In speaking, John noted the Monastery personnel have been very open about their plans over time, and he feels they have the same religious standing in the town as the Congregational Church. John was concerned about the possibility of the town spending money on legal services to investigate the use of the utility building. He pointed out that the church has a bus building behind the parsonage; and asked why the town would treat the utility building of the Monastery any differently.

John said that all 3 members of the Select Board have said that the agreement they signed on advice of the land attorney the Planning Board is consulting with in this case was a mistake. He went on to say that even the judge in the case to which he referred expressed concern about the legal advice the town was given by that attorney.

The Public Hearing was opened at 7:11pm

Revised Subdivision application – Lots 5B-84 & 5B-84-1 (S. Guy, Moran and Cutter Rds.)

Christine introduced the background to this Hearing.

Christine invited a motion to accept the application as complete. Motion made by Bruce Kullgren, seconded by Keith. All in favor. She detailed the dates in the stages of review of this application. September 6th was the date of the hearing for previous application.

Sam Ingram of Meridian Land Services, representing Shelley Guy, explained that the subdivision plan is being resubmitted tonight with a minor modification to one of the lots.

The change was made specifically to keep the existing well on proposed lot 5B-84-5. A note on the plans indicates a new well will be installed on lot 5B-84.

Bruce made a motion to close the Hearing. Keith seconded the motion, which carried by unanimous roll call vote. The Hearing was closed at 7:15pm.

Board Discussion:

Christine reported that she has the checks required, the approval of the Health Officer, and the state approval for the 3 lots under 5 acres. The boundary stakes have not been placed yet; and will be placed before the issuance of the certificate of occupancy. She reported that Pete Caswell, Temple's Health Officer, pointed out to Christine that there are two wells on lot 5B-84-1. The one located in wetlands is no longer used.

Christine reviewed the application and noted conditions being required by reviewing the Findings of Fact document.

Bruce moved approval of the proposed subdivision as written, with conditions as noted on the plan. The plan calls for 6 lots on Moran and Cutter Roads, on what are now 2 lots, located on Moran and Cutter Roads for lots 5B-84 & 5B-84-1. Keith seconded the motion which carried by unanimous roll call vote.

Old Business (As Time Allows)

1. Update on Temple Forest Monastery Site Plan Review & Religious Exemption

Ajahn Jayanto explained that the proposed utility building will serve several uses, and is devoted to the religious purposes of the monastery. He explained the monastery is a 24/7 religion; and the monks are the primary inhabitants. Others practice when they come to visit. The ethos of the monastery's faith tradition is that whatever you're doing, you're practicing Buddhism. He explained that the utility building will replace a number of buildings inherited with the property. It will include a workshop, a storage space for items used in faith celebrations and worship, and utility space as well. A lot of people come to practice the giving principle by coming as volunteers to help with the work the property requires.

Christine reviewed the zoning requirements the monastery would still have to meet. Keith observed that the town land use lawyer's opinion doesn't apply because the entire use of the building is to support the religious purposes of the monastery. Alan asked the number of kilowatts the monastery will use. Ajahn Jayanto explained that the proposed plan, which may take 50 years to complete, is for 50.

Connie Kieley asked whether any teaching is done at the monastery. Ajahn Jayanto responded that there are many types of teaching that go on, including non-verbal, publications, talks, worship, daily practice, etc.

Keith moved the waiver of any extra site plan review other than that required for the town and state current requirements per RSA 674:76, NH HB 1021 for the entire property, which includes Lot 1A-3 on Jessen Lane; 9A-2, 3, 4 on Converse Rd, and 9A-5 on Derbyshire Lane. Bruce seconded the motion, which carried by unanimous roll call vote.

2. Planning Board Budget 2023

Keith needs details back from Carole regarding tax map work that needs to be done in the coming year to be sure our estimates are accurate. Christine reviewed the current proposed budget.

Public Comments:

Gail Cromwell pointed out that there is not a line item for legal expenses, and she hopes this excellent Board can keep legal expenses down. Christine explained there used to be a legal expense line, but the budget was not often used. Christine will speak about this with Paul Clifton-Waite before the Budget Advisory Committee meeting.

3. Short-Term Rentals

The ZBA attorney has advised waiting to act on this issue until the Conway decision is made. Alan reminded the Board of his hope the town can evade corporate purchases; and his belief that owner-occupancy is important. Long term rentals without owner occupancy are legal in Temple. The Board agreed to keep talking, trying to find some way to make short-term rentals legal.

4. Excavation Regulations

Mike Madden, a member of the Conservation Commission has said the regulations as written are fine with them. He asked whether the Board, on the application, page 4, could just clarify the ConCom signature is just an acknowledgement of receipt of the application for the ConCom. A general comment was to add the address to the tax map and lot number. It was pointed out that an unused lot will not have an address until Kent views it and Carole sends it to 911.

The version of the Excavation Regulations the Board has is dated October, 2004. Laura Spector-Morgan, the town land use lawyer, commented in writing to Christine that the purpose should be separated out from the authority, to separate it from the RSA. Spector-Morgan also suggested taking out the permit needed for incidental excavation resulting in more than 500 cubic yards (Section 3, I and II). Christine will contact NHMA for advice

Legal review on Section 3, IV regarding granite quarries cites RSA 12-E as applying to granite quarries for the production of dimension stone.

The Board voted to schedule a hearing on November 15th, 2022 for the Excavation Regulation revisions.

5. Driveway Regulations: Tabled until the next meeting.
6. SWRPC Regulatory Review/InvestNH Grant Application
 - a. Site Plan Regulations & Subdivision Regulations
 - b. Zoning Ordinance (2022)
 - i. ADU Revisions
 - ii. Form Based Code
 - iii. Neighborhood Overlay Districts
 - iv. Home Based Businesses
 - v. Change of Use

Christine sent a copy of the draft to Bruce to review. Bruce complimented Christine on a job well done and had no changes.

Public Comments:

Connie Kieley asked whether the town would have an opportunity to review the application before it is submitted. Christine explained the process. The document will be available through the Select Board Assistant.

After some discussion, Keith moved submission of the application for the Invest NH Housing Opportunity grant. The motion was seconded by Bruce and unanimously approved by roll call vote.

7. Master Plan Natural Resources Inventory – ConCom: no update at this time.
8. Community Advisory Committee Updates - Christine/Keith
 - a. Plan NH Charrette
 - b. Housing Forum

No update by Bruce at this time. The Charrette presentation and power point slides just got posted on the town website. Keith noted the worksheets from the 3 town meetings Charrette have not yet been posted the website.

Bruce is concerned about how a housing forum could be held before Town Meeting in March, given the warrant article timetable. Bruce will talk about this with Jessica before next Thursday's CAC meeting.

9. Other 2022-2023 Initiatives
 - a. Master Plan update schedule
 - b. National Flood Insurance Program (NFIP)

Old Action Items

1. Reformatting Zoning Ordinance for easier updating, online more user friendly

Keith has not received responses yet.

2. Town Office Filing Project - Keith/Olivia

Olivia reported on progress made and asked for Board permission to cull all but two copies (one paper, one Mylar) of all plans in the Town Office. Christine will check best practice with NHMA and put an update on the agenda for the next meeting.

3. Tax Map Updates – Keith will work with Carole, as previously discussed.

4. Create Zoning Ordinance Historical Index – Christine

5. Planning Board webpage review

Other Business

1. Upcoming Webinars/Conferences

Bruce moved and Alan seconded adjourning the meeting. The motion carried by unanimous roll call vote.

The meeting was adjourned at 9:00pm.

Next meeting: Tuesday, November 1th at 7:00pm, Temple Town Hall