

TOWN OF TEMPLE, NEW HAMPSHIRE
PLANNING BOARD
July 20, 2016
MINUTES OF PUBLIC MEETING

Board members present: Camilla Lockwood, George Willard, Brian Kullgren, Tedd Petro, Ted Sartell, and Allan Pickman

Call to order by Petro at 7:05 p.m. Chairman Pickman arrived and the meeting was turned over to him.

Appointment: Mike Darnell came before the board to address perceived discrepancies affecting the back boundary of his property on Kullgren Road. Before he proceeded, Darnell complained about previous meeting minutes that he felt were not accurate. After brief discussion it was determined that the minutes he reviewed were not the correct date, and the information he was seeking was properly referenced in earlier minutes. Darnell showed photos of two sets of boundary markers on his land, which were approximately 17" apart. He explained he was familiar with the previous boundaries of his land, and the newly placed markers were from a recent subdivision survey on an abutting lot, and indicated a different boundary which resulted in his lot shrinking by 420 square feet. Board members looked at a small copy of the subdivision plat done in 1979 when Darnell's lot was created as part of an approved subdivision. They also reviewed a copy of the plat for Vince Mamone's recently approved subdivision. Discussion followed about differences in precision with newer survey techniques, placement of drill holes and markers, deed references, possible marker significance, use of temporary pins, and asking the surveyor for clarification of the discrepancy. Several board members related stories of past experiences with lot line discrepancies. *Petro made a motion to have Pickman arrange to meet with Sandford Surveying to obtain information regarding the new survey markers, second by Kullgren, with a vote of five in favor and Pickman opposed.*

Update on New Ipswich subdivision/Moran Road impact: Pickman said the Temple Board of Selectmen had recently voted to reject a request by USA Properties to upgrade Moran Road to benefit a proposed subdivision in New Ipswich., and had sent a letter indicating their decision to the Board of Selectmen in New Ipswich. Pickman advised he attended a New Ipswich BOS meeting where the letter was read, and said there are multiple issues with that subdivision that that need to be addressed by the developer, with an expected return to the table in about three months.

Gravel disturbance on Ben Fisk property: Pickman advised he had received several phone calls that Ben Fisk was excavating gravel from an old "borrow" pit on his property. Pickman said he wrote a letter to Fisk and delivered it to Fisk's farm stand, where he spoke with an employee who assured him there was not an ongoing commercial operation. Sartell said he had viable information that the gravel had been sold. He also complimented Pickman on the non-confrontational tone of the letter. Lockwood suggested the gravel pit area should be restored, and also indicated the land was in Current Use and located over an aquifer. Pickman said Fisk had not responded to the letter, and that Fisk may not have been aware of the RSA's relative to gravel pits. There was general discussion of the history of other older gravel pits in town, all of which are now closed, and some of which existed before regulations were put into place. Lockwood advised the board has power to regulate gravel excavation under RSA 155-E and said it would be a bad precedent not to approach Fisk on this issue. Kullgren related that he once bought sand from Hagen Wegmueller's pit to stockpile on his own land, which was under Current Use. He said he ended up getting a bill from the town for \$1,800 to remove ¼ acre from Current Use for the sand pile. Kullgren suggested perhaps the assessor and state law could handle this issue with Fisk. At this point Sartell suggested someone should actually speak to Fisk. Lockwood read from the RSA's regarding reclamation of pits, saying the materials were not used for

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agricultural purposes. This was followed by discussion about differences between commercial and agricultural uses. Kullgren suggested this was a minor infraction and the board should just keep watch on things. *Lockwood made a motion that the Planning Board make a directive to Ben Fisk that he restore and reclaim the area damaged by removal of materials. There was no second and the motion did not pass, with no further action taken.*

Driveway Regulations: Sartell suggested the board continue making edits to the document as they have been doing. *Sartell then proposed the board consider hybrid language, composed of two parts: 1) the regulations be mandatory for the first 30 feet of the driveway, and beyond that just guidelines, and 2) the driveway permit application be changed to have the applicant sign that they have read and understand the guidelines, and if the guidelines are not followed then the applicant assumes any risk. Sartell confirmed these changes were being stated as a motion, which was then seconded by Kullgren.* Brief discussion followed. Lockwood suggested a representative of the fire department come in and speak to the board. Pickman mentioned there is a difference between a) someone building their own house, and b) a developer building a spec house, agreeing to those terms. Sartell stated there was an element of education, and also making people take responsibility. *Pickman asked for a vote on the motion, which indicated Willard, Sartell, and Kullgren were in favor, with Petro, Pickman, and Lockwood opposed. No further action taken.*

Approval of minutes: Motion by Sartell to approve the minutes of 6/15/16 as written, second by Lockwood, and so voted.

Other business: Petro asked if there had been an official complaint made regarding Ben Fisk, and said he is of the belief there should be a formal complaint process, not just a phone call or comment. Discussion followed about the best way to handle complaints. Petro commented that Mike Darnell had followed an open process by contacting the board and coming in to discuss his concerns in person. Pickman noted his contact with Fisk via written letter did not take any enforcement action, but informed the owner about relevant laws and also established a procedure for further communication.

Move to adjourn by Petro, second by Lockwood, and so voted at 8:25 p.m.

Minutes submitted by Betsy Perry

~ Next regular meeting to be held on August 17th, 2016 at 7:00 p.m. ~