

TOWN OF TEMPLE, NEW HAMPSHIRE
PLANNING BOARD
November 4, 2015
MINUTES OF PUBLIC MEETING

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

Call to order by Pickman at 7:02 p.m.

Approval of minutes: Motion by Petro to approve the minutes of 10/21/15 as written, second by Kullgren, and so voted.

Appointment re: changes to regulation of signs: Gail Cromwell, speaking as a citizen and not as a Selectman, spoke of instances of past complaints about sign violations in town, and explained perceived problems with the town's current regulation of signs. A written list of issues was provided that could be addressed by considering changes to zoning, including: update the definition of signs; create a process to request the use of special (small neon) signs and/or "Open" flags for businesses; allow the use of directional signs for businesses not on a major road (any signs located on state highway right-of-ways must follow state laws); and consider a permit process and/or fee to erect a sign. This was followed by discussion of why these changes were being proposed, how they would be enforced and under whose authority, what constitutes a temporary sign, what might trigger involvement with the Zoning Board of Adjustment (ZBA) or legal process, and timeline requirements to take action on any amendments to zoning. Cromwell asked the Planning Board to consider making changes this year, and Pickman agreed the board would study the issue and related public hearing deadlines.

Continuation of Public Hearing for "Large Scale Heavy Construction General Conditions": At 7:30 p.m. Pickman re-opened the public hearing that had been continued from the Planning Board meeting of 10/21/15. Copies of the latest revised document were available and updates were discussed. Topics included determination of decibel level and qualifiers for accurate measurement of sound, plus development of a Noise Ordinance as an amendment to zoning. There was discussion about whether noise measurements should be taken at the facility/building that produces the noise or at the property line of the site, as well as how to clarify and delineate technical measurement aspects.

The board was given copies of a draft Noise Ordinance provided by Lockwood, who indicated the document was a product of ongoing development by the town of New Ipswich. She suggested it might be utilized as a first draft for a Noise Ordinance, and could provide expanded technical explanation of terms and measurements. She also noted a public hearing date would have to be set right away to meet certain deadlines as an amendment to the town's Zoning Ordinance. After further discussion it was agreed to continue on with the immediate changes to Site Plan Review Regulations, and then proceed with creating a separate Noise Ordinance to provide further clarification of noise/sound topics mentioned within the Site Plan Review Regulations.

Pickman then offered modified language to Site Plan Review Regulations, Section 11B, paragraph 17, as follows: "Sound pressure levels produced by the facility operations shall not exceed 33 dBA (Leq 10 minute) anywhere at any time measured at the facility property line. All exhausts shall be equipped with sound suppression equipment to meet this condition". Pickman then moved to amend Section 11B, paragraph 17 of Site Plan Review Regulations with the new language (as quoted above), seconded by Petro, and voted unanimously in favor.

Road Agent Tim Fiske related he had concerns about a couple of issues with the new language, including blasting and references to using a Town Engineer, and brief conversation ensued. Petro then moved to accept the revised Site Plan Review Regulations as amended, seconded by Sartell, and voted unanimously in favor.

Noise Ordinance: The board discussed creating a Noise Ordinance that would become an amendment to zoning, and as such be presented at a public hearing and then go to the voters for approval. Lockwood mentioned the board had approached this issue before and there were concerns about the actual testing of noise levels and enforcement of noise complaints. Sartell stated it is a complex issue that the board needs to get right. After further discussion, Sartell

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suggested polling board members informally in regard to their desire to investigate this further. All members were in agreement to move forward. At 8:40 p.m. John Kieley arrived from a meeting in New Ipswich and was able to provide information about how their work on a Noise Ordinance was proceeding. Pickman stated the board would need to have a draft document to schedule a hearing now, then could hold a second hearing and take a hard look at the New Ipswich version. He said he would be willing to work on creating/merging a draft for Temple. Petro moved to set a hearing date for the Temple Noise Ordinance draft document #1, but there was no second and no further action was taken. Pickman then suggested the board vote at their next meeting on 11/18/15 to post a first hearing date. Sartell offered to work up a draft of a Commercial and Industrial Noise Ordinance to be available by 11/19/15. Some concern was expressed about meeting hearing date timelines, and Kieley said New Ipswich had already examined these. Pickman added that once the document was on the table the development and presentation process would be in effect until put before the voters. If accepted, this document would then become Article IV, Section 13-C of the Zoning Regulations.

Move to adjourn by Petro, second by Pickman, and so voted at 9:02 p.m.

Minutes submitted by Betsy Perry

~ Next regular meeting to be held on Wednesday, November 18th, 2015 at 7:00 p.m. ~