

Property Owner Name:

Allan Pickman and Robin Downes

NOTICE OF TEMPLE PLANNING BOARD APPROVAL

On **December 5, 2023**, after duly-noticed public hearing(s), the Planning Board voted to **APPROVE** the Plan for a **Minor Subdivision** submitted to the Board **November 20, 2023** for property located at:

Address: Colburn Road

Temple NH 03084

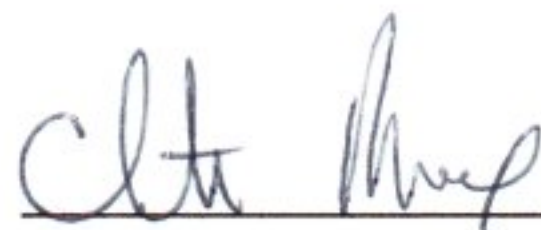
Tax Map: **2B**

Lot Number: **37**

Zoning District: **Rural Residential & Agricultural**

Any conditions to which the plan is subject are listed below:

1. Applicant understands that activities located in wetlands, such as excavation, fill, dredge, removal, and/or construction of structures in or on any bank, flat, marsh, or swamp in or adjacent to wetlands and waterbodies, will require a permit or authorization from the NHDES Wetlands Bureau, unless otherwise specified per NH RSA 482-A.
2. Approval of Subdivision of Land from NH DES is required for all lots under 5 acres. Subdivision is not final until notice of approval has been provided to the Temple Planning Board. (Received 12/6/2023)
3. Mylars must be submitted with the addition of a space for the signature of the Temple Health Officer and the "Temple Subdivision Regulations" statement as specified in Section 4.09 of the Temple Subdivision Regulations.
4. Locations of all monuments to be set prior to the issuance of any Certificate of Occupancy.



Christine Robidoux, Planning Board Chair, Print Name

12/7/2023 Date Signed

**FINDINGS OF FACT
PLANNING BOARD
TEMPLE, NEW HAMPSHIRE**

**Regarding an application by
Allan Pickman and Robin Downes
Tax Map 2B Lot 37 (9.054 acres)
Peterborough Road, Temple NH**

FINDINGS OF FACT

Owner Name & Address:

Allan Pickman and Robin Downes
86 Colburn Road
Temple NH 03084

Other Parties to the application:

Meridian Land Services
PO Box 118
Milford, NH 03031

Zoning District

Rural Residential & Agricultural

Description of the existing use(s) of the property:

Lot 37 currently includes a single family 1.75 story home built in 1812, with 2 barns and 2 sheds.

Description of the proposed use(s) of the property, and the nature of the application:

The Minor Subdivision application proposed creating 1 new lot with 3.627 acres to be sold as a single family house lot with approximately 301 feet of road frontage. The remaining 5.427 acres would remain with the existing structures.

Comprehensive list of materials submitted by the applicant and/or designee as part of the application:

- Preliminary plans, application, and waiver requests submitted Nov 20, 2023.
- Preliminary plans reviewed during conceptual consultation on Nov 21, 2023.
- Checks were received to cover the application fee, applicant and abutter notice fees and Registry of Deeds fees on Dec 5, 2023.
- Final Plans received on Dec 4, 2023.
- Public Hearing held on Dec 5, 2023. Application and plans were reviewed by the Planning Board.

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Date(s) of which the Planning Board met to consider the application:

- Informal discussion at the Planning Board meeting on November 7, 2023.
- Preliminary Application reviewed at Nov 21, 2023 Planning Board meeting.
- Final Plan reviewed at Dec 5, 2023 Planning Board meeting.

Date(s) on which the Board conducted a public hearing on the application:

- Hearing conducted on Dec 5, 2023 after proper notices sent to applicants and abutters and public posting, per RSA 676:4, I (d) for previous version of the application.

Brief description of the substantive materials and testimony received at the public hearing:

A revised copy of the Plans were submitted, including items the board had requested at the previous meeting. There were three abutters present at the hearing. One abutter shared the concern that he was sad to see development, and would have liked to have seen the property preserved in its natural state. He acknowledged that the applicant had followed the procedures and were good neighbors.

CONCLUSIONS OF LAW

The Planning Board has jurisdiction over the subdivision application per NH RSA 674, the Temple Zoning Ordinance (Revised March 2019), and the Temple Subdivision Regulations (Revised February 15, 2017).

This subdivision application meets the criteria outlined in the Temple Zoning Ordinance for the Rural Residential and Agricultural District:

Lot Area and Dimensions: The area of each lot is at least three acres and is capable of containing a square two hundred fifty feet by two hundred fifty feet and the minimum road frontage for each lot is at least three hundred feet on a class V or better road.

The subdivision application meets the criteria outlined in the Temple Subdivision Regulations:
Section IV Plan Requirements

4.01 Compliance with Regulation

Applicant is former member and chair of the Temple Planning Board. Surveyor has presented application in Temple in the recent past. Any updates to our regulations were reviewed with the applicant during

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conceptual consultation. Applicant signed the application indicating they had read the zoning regulations.

4.02 Character of Land for Subdivision

The Planning Board judges the new lot to be of such character that it can support development without danger to public health or safety or to the environment, with consideration given to the wetlands on the property.

4.03 Reserved Strips

Not applicable.

4.04 Lot Layout

The lot meets the dimensional requirements for the Rural Residential District and meets the minimum road frontage required for that district. Side lot lines are not at right angles to the road, however this is because the existing lot was not created at a right angle. A 250' square does fit in the proposed lot, but the lot narrows to a point at the rear.

4.05 Preservation of Existing Features

There is an existing curb cut, however a section of stone wall may need to be removed for new driveway access to the buildable area.

4.06 Survey Phase

1. Site survey map shows boundary of subdivision area, topography, streams, existing features and foliage lines, existing roads, structures and adjacent development.
2. Site location map shows proposed subdivision in relation to major roads.
3. Soils data shows results and locations of percolation tests and test pits undertaken with Section 4.07 of these regulations.
4. *N/A*: Preliminary map showing the proposed drainage fields and proposed wells within 1000' radius of the proposed drainage field.

4.07 Soils Data

Soil tests were performed and a report was provided to the Planning Board and included on the plans. The Temple Health Officer approved the soils data and test pits.

4.08 Preliminary Layout

Each plan included names, boundaries, abutters, locations of existing buildings, existing driveways, streets and lot lines, preliminary locations of proposed driveways, locations of building setbacks, watercourses, and wetlands. Lots are determined to be suitable for residential development, with consideration given to the wetlands and streams on the property.

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4.09 Final Plat

Mylars will be submitted with requested additions (see Conditions of Approval). Plans will not be filed with HCRD until mylars are received. Fees were received for Hillsborough County Registry of Deeds.

Final plans are of acceptable size and contain space for all applicable statements and stamps relative to compliance with state and local regulations.

Final plans include all data required in the preliminary layout, with the exception of the "Temple Subdivision Regulations statement" and a section for the Temple Health Officer's signature (see Conditions of Approval). Plans will not be submitted to HCRD until these have been added.

Locations of all monuments to be set after Certificate of Occupancy issued by Select Board.

4.10 Minor Subdivision

Plans meet the requirements to qualify as a minor subdivision.

4.11 Legal Data Required

Not applicable

4.12 Performance Bond

Not applicable

4.13 Open Space

Not applicable

4.14 Trees and Plantings

Not applicable

4.15 Development of Open Space

Not applicable

4.16 Street Design

Not applicable

4.17 Street Improvement

Not applicable

4.18 Pedestrian Walks

Not applicable

4.19 Utilities, Drainage

Not Applicable

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DECISIONS

Application Acceptance Date

December 5, 2023

Decisions Voted on by the Planning Board

Motion to schedule the hearing for December 5, 2023 made and approved at November 21, 2023 Planning Board meeting.

Motions to waive items requested by the applicant's representative made and approved at December 5, 2023 Planning Board meeting prior to the hearing.

Preliminary Plan Approval Date

Waived

Final Plan Approval Date

December 5, 2023

Conditions of Final Approval

- Applicant understands that activities located in wetlands, such as excavation, fill, dredge, removal, and/or construction of structures in or on any bank, flat, marsh, or swamp in or adjacent to wetlands and waterbodies, will require a permit or authorization from the NHDES Wetlands Bureau, unless otherwise specified per NH RSA 482-A.
- Approval of Subdivision of Land from NH DES is required for all lots under 5 acres. Subdivision is not final until notice of approval has been provided to the Temple Planning Board. *Received 12/6/2023*
- Mylars must be submitted with the addition of a space for the signature of the Temple Health Officer and the "Temple Subdivision Regulations" statement, as specified in Section 4.09 of the Temple Subdivision Regulations.
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Expiration Date (if conditions are not satisfied)

Not applicable