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J. RODERICK FALBY, JR.

November 11, 2020

Town of Temple  
Zoning Board of Adjustment  
423 Route 45, P O Box 191  
Temple, NH 03084

Re: Application of Ben's Pure Maple Products, LLC for Special Exception to allow a 16,080 sq. ft. building, etc. on Tax Map 2, Lot 17, NH Route 101 and Webster Highway

Dear Members of the Board:

I am addressing the Board on behalf of Robert Treadwell, Debbie Diffley, Seth Poirier, Deb Balise, Keith Charlton, Kristin Charlton and Tom Hawkins, all residents of Old Revolutionary Road, and the issue as to whether the application of Ben's Pure Maple Products, LLC meets the requirements of the Temple Zoning Ordinance for a Special Exception. My clients I assert have the requisite standing as a party especially affected by this application. Webster Highway provides the principle means of access to and from the residences, all located a short distance from the intersection of Webster Highway and Old Revolutionary Road.

I have identified the following deficiencies in the application for a Special Exception:

1. Temple Zoning Ordinance under Section 13A requires that the use be setback 500 feet from any existing dwelling. The use of the property includes the parking and loading dock areas. The Plans submitted to the Board do not establish that the parking and the loading dock areas are more than 500 feet from an existing dwelling. Further, for those property owners who have waived the 500 feet requirement, the plans do not address and demonstrate that the parking and loading dock areas are more than 200 feet from existing dwellings.
2. The application fails to contain waivers from abutting property owners allowing the use to occur within 200 feet. This requirement cannot be waived by the Zoning Board of Adjustment. The identity of the property owner makes no difference with respect to the requirements of the zoning ordinance. The 500-foot location requirement must be observed without regard to the property owner. It is axiomatic that the Board of Adjustment cannot waive a requirement of the zoning ordinance. The only route is an application for a variance and a demonstration by the applicant that each and every one of the conditions for granting

the variance is met. Town of Rye v. McMahon 117 NH 857 (1977), Loughlin, Land Use Planning and Zoning pg. 304, Section 24.08. In addition to the bank owned property at the intersection of Route 45 and Route 101, there are no waivers from the owners of 409 NH Route 101 and 1 NH Route 45.

3. The application states it is for a manufacturing facility with 26 employees and 3,532 sq. ft. of combination retail and deli. This exceeds the permissible square footage of retail space under the zoning ordinance. Further, the floor plans submitted show the use is different from those of the application. The floor plans should conform to the Special Exception application and conform to the requirements of the zoning ordinance. The Board should further observe the business plans of Ben's Pure Maple Products, LLC which discloses an entirely different range of uses from the application.
4. There is no ample parking shown. If in fact there are 26 employees, then as there is no public transportation available to the proposed use, 26 employee parking spaces are required. The proposed use of 3,532 sq. ft. retail space requires at a minimum seventeen (17) parking spaces at the ratio of 200 sq. ft. per parking space. This is an accepted standard from the International Zoning Code. The site plan submitted shows only 23 parking spaces, including two (2) designated for handicap access which effectively means there is only 21 parking spaces for the employees and customers to the retail operation. The analysis of parking requirements shows that a minimum of 45 parking spaces are required. Further parking makes no provision for any vehicles operated by the business.
5. The proposed use adversely effects the value of adjacent properties due to the traffic impact. The site plan submitted contains no discussion of the width of Webster Highway. The traveled width is 21.5 feet. The site plan does not disclose any template for access and egress by a tractor trailer meeting the American Association of State Highway and Transportation Officials Policy on Geometric Designs of Highways and Streets. The limitation of driveways to 32 feet combined with the width of the pavement of the traveled way of 21.5 feet establishes that there is not a safe access and egress for tractor trailer traffic to this proposed use. Templates attached to this letter are from the State of New Hampshire policy on driveways. Turning Template I for WB-50 Design Vehicle shows an outside radius of 46.2 feet and a minimum for the inside right wheel of 19.8 feet, both turn starting well inside the property line. Turning Template II shows a minimum turning radius of 42 feet for a single unit truck or bus. Both radii exceed the traveled portion of Webster Highway.
6. The traffic study submitted by the applicant does not consider traffic generation for alternate uses of the site. For instance, the traffic analysis merely discusses the "maple syrup" related operation. It does not discuss a retail use that is 12 months a year, 5 to 7 days a week. The assumption of 150 to 200 customers per day implies a lower traffic impact for a year round use. The State of Florida for a similar size operation says 64 trips per day per 1,000 sq. ft., which is 192 trips per day. This calculation ignores the statements in the business plan of Ben's Pure Maple Products, LLC to offer take out, such as coffee and pastries. The traffic study does not indicate that the myriad of uses discussed in the business plan of Ben's Pure

Maple Products, LLC was considered in the analysis. Further, the Board should consider not only this application which is at best indefinite as to its intended use of the location, but also any future use to which this property could be placed if and when Ben's Pure Maple Products, LLC no longer occupies and uses the site.

7. The appearance of the proposed use adversely impacts adjacent property and the rural character of Temple. The dimensions of the proposed use are approximately 45 feet elevation from existing ground and a visual mass length confronting Route 101 of approximately 180 feet, a vertical mass of 8,100 sq. ft. The building as proposed in no way conforms to the rural and agricultural character of Temple and the area immediately surrounding the intersection of Route 101, Webster Highway, and Route 45. Between the Milford/Wilton town line and the traffic light in Peterborough, there are only three (3) comparable structures. The first is Monadnock Water, which is set back more than this proposed use. The second is RE Granite, which is set back more than 500 feet from Route 101 and has retained existing vegetation screening so that its intrusion onto the visual landscape along Route 101 is de minimis. The third is the Shopping Plaza in Peterborough, which is obviously in a compact portion of Peterborough and differs wholly in character from the proposed use's location. The proposal of Ben's Pure Maple Products, LLC has all the elements of the structures occurring along Route 101A between the Milford/Amherst town line and the intersection of Amherst Street and the Everett Turnpike. Footprint of the proposed structure greatly exceeds all abutting properties. Additionally, the Zoning Ordinance defines the height of a structure to be measured from the median ground elevation around the building to the ridge of the roof or the center line on a sloped roof. The elevation of the building exceeds the 40-foot limitation of the Zoning Ordinance as the building will be placed upon fill to a depth of approximately 6 to 7 feet.
8. With respect to hazardous waste, at different times a statement has been made that a delicatessen operation will occur on the property or otherwise the processing of animal products as opposed to maple syrup. No information is provided as to how waste from that operation would be taken care of. Further, the application does not contain a discharge permit for the water produced by the reverse osmosis process in the production of maple syrup. In that respect, meeting the conditions of adequate facilities for the use has not been satisfied.
9. In the paragraphs above, traffic has been discussed with respect to the site requirements for tractor trailer units and the traveled width of Webster Highway. The Board should also focus on the fact that the intersection of Route 45 and the intersection of Webster Highway are skewed in that the center lines for Webster Highway and Route 45 are not aligned. Confirmation in writing should be received from the District Engineer for the State of New Hampshire that this proposed use with access so close to Route 101, indeed its principal access, does not raise issues as to the present configuration of the intersections of Webster Highway, Route 45, and Route 101. Beyond the statement of the applicant that no DOT driveway permit is required, the Board has no evidence that the District Engineer would not be concerned about the present configuration of the intersection of Route 45, Route 101 and Webster Highway and the traffic to be expected from this proposed use.

10. Insufficient buffering is shown on the proposed site plan. With a building that is 45 feet above existing ground level and approximately 180 feet long facing Route 101, the spacing of sugar maple trees as shown on the plan does not constitute any type of buffering or screening.
11. An additional requirement for a Special Exception is that there can be no outdoor storage of materials or equipment. This applicant has demonstrated an inability to observe existing zoning and land use regulations. The Board should not accept the blandishments of the applicant, based upon his prior behaviors, that he will comply with any part of the Special Exception which requires no outdoor storage of materials or equipment. The Board should note the application contains no storage areas by which the outside storage of Ben's Pure Maple Products, LLC will be consolidated to this site and then not stored outside. The applicant has recently constructed a large wood paneled gate where the applicant stores equipment and material out of doors, contrary to the provision of the Zoning Ordinance. This activity demonstrates the applicant continues to ignore the provision of the Zoning Ordinance.
12. The Zoning Board is respectfully reminded that the reduction of the minimum setback to 200 feet is only at the Board's discretion. Given the magnitude of this proposed use on this site and its location, the Board is respectfully requested not to grant the Special Exception. This application does not constitute an appropriate exercise of the Board's discretion. In exercising the discretion, the Board should observe the requirements of Section 13A and 13B of the Temple Zoning Ordinance. First, the square footage of retail space is exceeded. Secondly, the mass of the structure and the traffic concerns are not a reasonable basis upon which the Board can exercise its discretion in granting a waiver of the 500-foot setback.
13. The existing septic system is not adequate and the representations to the Board that the existing septic system meets requirements for the proposed use are false. Moreover, the floor plans show different uses than the septic system as originally approved. The applicant received approval from the State of New Hampshire based upon a plan submitted by Monadnock Septic Design, LLC, plan dated July 30, 2015. The operational approval granted to the applicant on December 16, 2015 states that the approval conditions were for a 2-bedroom apartment, a gift shop, and a packaging facility with 10 employees. The notes to Monadnock Septic Design plan state that it is for a dry good store of 900 sq. ft., a packing facility with 10 employees, and a 2-bedroom apartment. Table 1008-1 of the New Hampshire Code of Administrative Rules, Env-Wq 1000, requires a septic system for the applicant's proposal of 260 gallons per day for the employees, 300 gallons per day loading for a 2-bedroom apartment, and 150 gallons per day for the retail store, plus 10 gallons per day for employees. From the application, it is not unreasonable to assume that there will be at least 2 employees in the retail store, which means the loading for the retail store is 170 gallons per day. The total loading for the proposed use based on the table is 730 gallons per day. The existing septic system is approved for 545 gallons per day. No provision in the plan is shown for disposal of the water from the reverse osmosis process and no permit from the State of New Hampshire for that disposal has been received.

14. Attached to this filing are pictures of the area to show its present condition and the stark change with a building approximately 45 feet higher than existing ground conditions and 180 feet width confronting Route 101.
15. I respectfully request the Board to have the design with respect to access and egress for vehicles reviewed by a consulting engineer for the Board and that the plan submitted by the applicant show where the 200-foot setback falls in relation to the parking and loading dock areas in relation to existing dwellings.

I am adding to this letter the following information:

1. International Zoning Code Table 801.2.1 showing suggested off street parking based on types of use.
2. Title and notes for the Monadnock Septic Design submitted to the State of New Hampshire.
3. Printout from New Hampshire Department of Environmental Services showing approval issued in 2015 showing both the approval conditions and the flow.
4. New Hampshire Code of Administrative Rules, Table 1008-1 setting forth design criteria based upon use for loading in a septic system.
5. Selected materials from the Department of Transportation Office of the Commission Declaratory Ruling #2000-1 relative to turning templates and driveway design.
6. Photographs of the area in question from Route 45 and Route 101 and photo shop with building.
7. Screen shot from Google maps of intersection of Route 101, Route 45, and Webster Highway.
8. DES Registration for non-domestic waste water disposal at 83 Webster Highway, Temple, NH.
9. Ben's 2021 product List for Retail Space.
10. Site Plan showing 200' setback.
11. Site Plan showing 500' setback.
12. Ben's Pure Maple Products, LLC Project Overlaid on Google Earth September 9, 2020.
13. Schematics showing relative size to residential structures.

Temple ZBA  
November 11, 2020  
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For the reasons stated above in this letter, the application as submitted to the Zoning Board of Adjustment should be denied. <sup>1</sup>

Very truly yours,

Fernald, Taft, Falby & Little  
Professional Association

By:



Silas Little

*Direct Line: 603-924-3364 Ext. 14*

sl/djh  
enc.

cc: Thomas Hanna, Esq. (w/enc.)  
Mr. Robert Treadwell (w/enc.)  
Ms. Debbie Diffley (w/enc.)  
Mr. Seth Poirier (w/enc.)  
Ms. Deb Balise (w/enc.)  
Mr. Keith Charlton (w/enc.)  
Ms. Kristin Charlton (w/enc.)  
Mr. Tom Hawkins (w/enc.)

H:\Real Estate\Hawkins, Tom\Temple.ZBA.ltr.10.19.20.wpd

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1

There is some reference in the applicant's presentation that the applicant's use constitutes an agricultural use. Were the applicant to process solely maple syrup from the applicant's adjacent property, the use might qualify as an agricultural use. However, the applicant is processing maple syrup he purchases and is processing sap from property that he does not own and is brought to this site. As such, the applicant's production facility in spirit the same as a hog slaughtering facility where the animal being processed is admittedly an agricultural animal, but the animal is not raised at the slaughterhouse.

Search within this title

**TABLE 801.2.1  
 OFF-STREET PARKING SCHEDULE**

USE	NUMBER OF PARKING SPACES REQUIRED
Assembly	1 per 300 gross square feet
Dwelling unit	2 per dwelling unit
Health club	1 per 100 gross square feet
Hotel/motel	1 per sleeping unit plus 1 per 500 square feet of common area
Industry	1 per 500 square feet
Medical office	1 per 200 gross square feet
Office	1 per 300 gross square feet
Restaurant	1 per 100 gross square feet
Retail	1 per 200 gross square feet
School	1 per 3.5 seats in assembly rooms plus 1 per faculty member
Warehouse	1 per 500 gross square feet

For SI: 1 square foot = 0.0929 m<sup>2</sup>

Search within this title

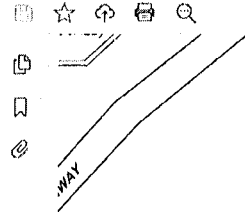
Health club	1 per 100 gross square feet
Hotel/motel	1 per sleeping unit plus 1 per 500 square feet of common area
Industry	1 per 500 square feet
Medical office	1 per 200 gross square feet
Office	1 per 300 gross square feet
Restaurant	1 per 100 gross square feet
Retail	1 per 200 gross square feet
School	1 per 3.5 seats in assembly rooms plus 1 per faculty member
Warehouse	1 per 500 gross square feet

For SI: 1 square foot = 0.0929 m<sup>2</sup>

**801.2.2 Combination of uses.**

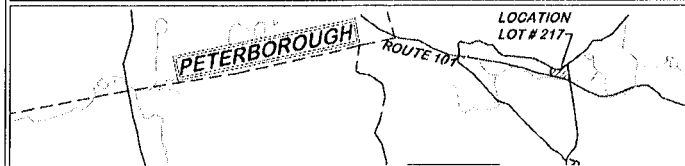
Where there is a combination of uses on a lot, the required number of parking spaces shall be the sum of that found for each use.

**801.2.3 Location of lot**

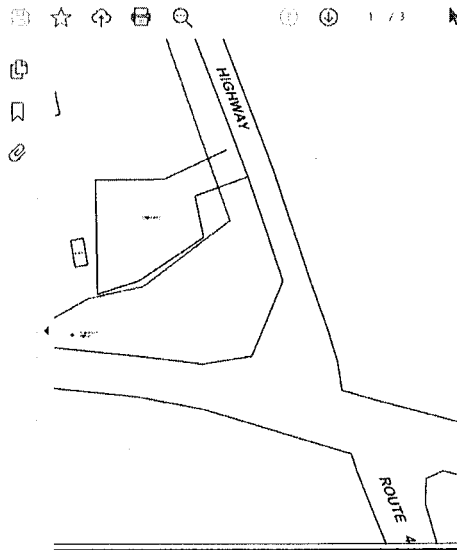


2. INSTALLER ADVISED TO CONTACT DIG SAFE 1-888-344-7233 PRIOR TO CONSTRUCTION.
3. VERIFY PROPERTY LINES AND TOWN/STATE SETBACKS PER REGULATIONS PRIOR TO CONSTRUCTION.
4. VERIFY DISTANCE TO ADJACENT WELLS PER LOCAL ORDINANCE.
5. THERE IS NO KNOWN BURIAL SITE OR CEMETARY WITHIN 100 FT OF THE ISDS.
6. THERE ARE NO KNOWN WETLAND IMPACTS FOR THIS PROJECT.
7. NO SURFACE WATER WITHIN 75 FT. OF SEPTIC FIELD.
8. DISTANCE TO HYDRIC SOIL 75'
9. WELL IS AT LEAST 125 FT. FROM SEPTIC LEACH FIELD, 125 FT. FROM SEPTIC TANK. (SEE WELL EASEMENT).
10. SLEEVE SEPTIC AND WATER LINES UNDER DRIVEWAYS (IF APPLICABLE).
11. FOUNDATION DRAINS TO BE LOCATED AT LEAST 15' FROM BED, 5' FROM SEPTIC TANK.
12. REMOVE TOP SOIL PRIOR TO INSTALLING SEPTIC FIELD. SCARIFY SOIL PRIOR TO FILL PLACEMENT.
13. SEPTIC TANK, D-BOX AND ALL PIPE CONNECTIONS MUST BE SEALED AND WATERTIGHT.
14. ENVIRO SEPTIC LINES TO BE LAID LEVEL.
15. GRADE FOR SEPTIC 0%, DROP BETWEEN LINES -0'.
16. MANIFOLD ENVIRO SEPTIC LINE AT FAR END AND VENT.
17. LINE SPACING 2' CENTER TO CENTER.
18. DIFFERENTIAL VENTING REQUIRED (10' DIFFERENTIAL MIN.)
19. PUMP CHAMBER TO BE VENTED.
20. REPLACE IN PLACE IF FAILURE OCCURS, COMPLY WITH REGULATIONS AT TIME OF FAILURE.
21. NO LIABILITY IS TAKEN FOR THIS PLAN WITH RESPECT TO THE INSTALLATION.
22. THIS PLAN DOES NOT REPRESENT A PROPERTY BOUNDARY SURVEY.
23. ANY DISCREPANCY BETWEEN THE PLAN AND FIELD CONDITIONS SHOULD BE REPORTED TO THE DESIGNER PRIOR TO CONSTRUCTION.
24. THIS PLAN IS FOR A DRY GOODS STORE 500 SQ. FT. AND PACKAGING FACILITY WITH 10 EMPLOYEES AND 2 BEDROOM APARTMENT.

SCALE: 1" = 80'



NOTE



<b>DESIGNERS STAMP</b>		<b>TOWN STAMP (IF REQUIRED)</b>	
		<b>MONADNOCK SEPTIC DESIGN LLC</b> P.O. BOX 536, FITZWILLIAM N.H. 03447 CARI & SCOTT HAGSTROM 603-585-2272	
NAME: BEN FISK		STREET: 83 WEBSTER HIGHWAY	
TOWN: TEMPLE		STATE: N.H.	ZIP: 03084
TEL: 603-562-6595		DATE: 7-30-2015	
PREV. APP. NO:		APP. NO:	



[DES Home](#)

[Data Provider Activities](#)

[Data Provider Login](#)

Thursday, Oct. 15, 2020

### Water - Subsurface Onestop - Application Detail

[Return to Query](#)   [Return to Results](#)

Work Number: 201502993  
 Status: OPERATIONAL APPROVAL  
 Application Type: CONSTRUCTION  
 Approval Number: ECA2015082415  
 BEN FISK  
 Owner Name:

Site Street Address: WEBSTER HIGHWAY / OLD REVOLUTIONARY ROAD  
 TEMPLE  
 HILLSBOROUGH

County: HILLSBOROUGH  
 Book / Page: 8599 / 1753  
 Map / Lot: 2A / 2-14;2-17

Designer: SCOTT E HAGSTROM  
 PO BOX 536  
 FITZWILLIAM, NH 03447  
 PHONE: 603-585-2272

Installer: MICHAEL D DAVIDSON  
 68 RUSSELL HILL RD  
 WILTON, NH 03086  
 PHONE: 603-801-7581

Approval Date: 8/24/2015  
 Operation Date: 12/16/2015

Do Not Backfill Date:  
 Bedrooms:

Flow: 545

Approval Conditions: THIS APPROVAL IS VALID FOR 4 YEARS FROM DATE OF APPROVAL, PER ENV-WQ 1003.02.  
 APPROVAL FOR A TWO BEDROOM APARTMENT, A GIFT SHOP AND A PACKAGING FACILITY WITH 10 EMPLOYEES.

*NOTE*

Operational Conditions

DES Reviewer: DARREN KING

Application Documents:

	Title	Date	Document Type	Size
Select	201502993_APPACC_01.PDF	24-AUG-15	APPLICATION ACCEPTANCE LETTER	0
Select	201502993_CONCA_01.PDF	24-AUG-15	ISDS CONSTRUCTION APPROVAL	0
Select	201502993_PLAN-A_01.PDF	24-AUG-15	PLAN - APPROVED	3
Select	201502993_PLAN_01.PDF	21-AUG-15	PLAN	3.33
Select	201502993_OWNCER_01.PDF	21-AUG-15	OWNER CERTIFICATION LETTER	0.45
Select	201502993_LOCALA_01.PDF	21-AUG-15	LOCAL APPROVAL	0.47
Select	201502993_CONOA_01.PDF	16-DEC-15	ISDS OPERATIONAL APPROVAL	0

Total Documents Returned: 7

You will need a PDF reader in order to view any documents. You can download a free reader from [Adobe](#).

NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Table 1008-1: Unit Design Flow Figures

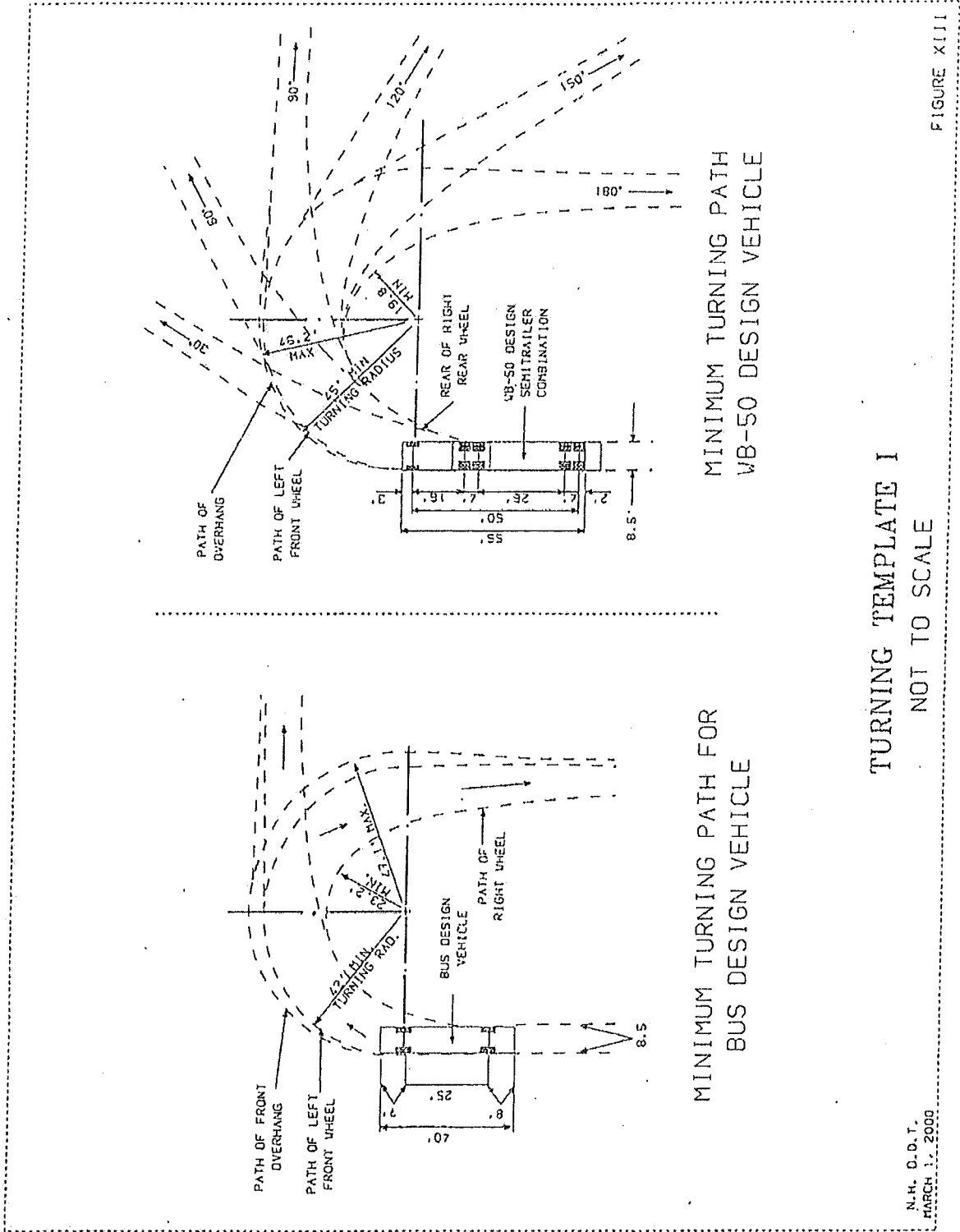
Use	Unit Design Flow
AIRPORTS	5 GPD/Transient plus 10 GPD/Employee
APARTMENTS	See Dwellings
BARS, LOUNGES	See Food Service
BED & BREAKFAST	60 GPD/Guest, based on the greater of 2 guests per room or the actual number of guests the room is designed to accommodate, plus 10 GPD/Employee
BUNKHOUSE	60 GPD/Person
<b>CAMPS:</b>	
Campground with Central Comfort Station	45 GPD/site, plus 20 GPD/Site for the dump station
Recreational Campgrounds with 3-way hookups	60 GPD/Site
Construction Camps	50 GPD/Person
Day Camps (not including meals)	15 GPD/Person
Dining Facility	3 GPD/Person/meal
Residential Youth Recreation Camps	25 GPD/Person plus 3 GPD/Person/meal
CATERERS – Function Rooms	12 GPD/patron
<b>CHURCHES:</b>	
Sanctuary Seating	3 GPD/Seat
Church Suppers	12 GPD/Seat
<b>COUNTRY CLUBS – PRIVATE</b>	
Dining Room	10 GPD/Seat
Snack Bar	10 GPD/Seat
Locker & Showers	20 GPD/Locker
DAY CARE CENTERS	10 GPD/Person
DENTISTS	10 GPD/Chair plus 35 GPD/Staff Member
DOCTOR'S OFFICES	250 GPD/Doctor
DOG KENNELS	50 GPD/Kennel, with one dog per kennel
<b>DWELLINGS:</b>	
Apartment - Studio or One-Bedroom	225 GPD
Apartment - 2 or More Bedrooms	150 GPD/Bedroom
Residence - Single-Family	300 GPD plus 150 GPD for each bedroom over 2
Residence - Duplex	300 GPD plus 150 GPD for each bedroom over 2 for each unit
Rooming House – With Meals	60 GPD/Person
Rooming House – Without Meals	40 GPD/Person
Senior Housing	See Senior Housing
<b>FACTORIES (Exclusive of Industrial Waste):</b>	
Without Cafeteria or Showers	10 GPD/Person
With Cafeteria, No Showers	15 GPD/Person
With Cafeteria and Showers	20 GPD/Person
Warehouses	10 GPD/Person
FIRE STATIONS – Without full-time employees; without floor drains or food preparation	5 GPD/Person
<b>FOOD SERVICE:</b>	
Cafeteria or table service, plus toilet and kitchen waste	40 GPD/Seat plus 20 GPD/Employee
Cafeteria or table service, paper service, plus toilet and kitchen waste	20 GPD/Seat plus 20 GPD/Employee
Ice cream dipper	100 GPD/dipper plus 20 GPD/Employee
Kitchen Waste only	3 GPD/Meal served plus 20 GPD/Employee
Bars and lounges	20 GPD/Seat plus 20 GPD/Employee
Function Rooms	12 GPD/Seat plus 20 GPD/Employee

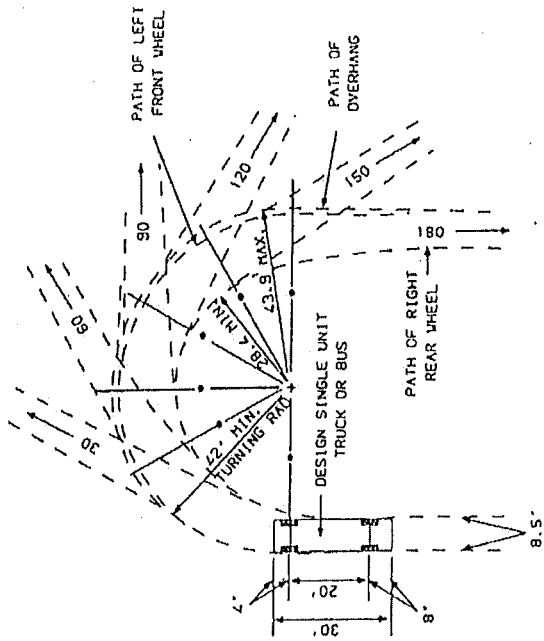
NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

Use	Unit Design Flow
GYMS	10 GPD/participant plus 3 GPD/Spectator seat
HAIRDRESSERS	150 GPD/Chair plus 20 GPD/Employee
HOSPITALS	200 GPD/Bed plus 20 GPD/Employee
HOTELS AND MOTELS	200 GPD/Room plus 10 GPD/Employee
INSTITUTIONS OTHER THAN HOSPITALS	See Residential Institutions
LAUNDROMATS, COIN-OPERATED	500 GPD/Machine
LOUNGES	See Food Service, Bars/Lounges
MANUFACTURED HOUSING PARKS	150 GPD/Bedroom/Site with 300 GPD/Site minimum
MOTELS, see HOTELS	
NURSING HOMES	125 GPD/Bed plus 20 GPD/Employee
OFFICE BUILDINGS:	
Without Cafeteria	10 GPD/Employee
With Cafeteria	15GPD/ Employee
Unspecified Office Space	5 GPD/100 ft <sup>2</sup>
PICNIC PARKS	See Recreational Facilities
RECREATIONAL FACILITIES	
Toilet Waste Only	5 GPD/person
With Showers and Toilets	10 GPD/person
RESIDENTIAL INSTITUTIONS OTHER THAN HOSPITALS AND NURSING HOMES	135 GPD/Bed plus 20 GPD/Employee
RESTAURANTS	See Food Service
SCHOOLS:	
Boarding	100 GPD/resident student or employee plus Day School loading for non-resident students and employees
Day, Without Gym, Cafeteria, or Showers	10 GPD/student or employee
Day, Without Gyms or Showers, with Cafeteria	15 GPD/student or employee
Day, With Gyms, Showers, and Cafeteria	25 GPD/student plus 15 GPD/employee
SENIOR HOUSING	125 GPD/2 BR unit, maximum 2 person occupancy
SERVICE STATIONS	75 GPD/Island plus 10 GPD/Employee
SKATING RINKS	See Gyms
SKI AREAS	See Recreational Facilities
STORES:	
Dry Goods	5 GPD/100 ft <sup>2</sup> plus 10 GPD/employee
Supermarkets with Meat Dept. without Garbage Grinder	7.5 GPD/100 ft <sup>2</sup>
Supermarkets with Meat Dept. with Garbage Grinder	11 GPD/100 ft <sup>2</sup>
SWIMMING POOLS, Public	See Recreational Facilities
TENNIS COURTS	See Recreational Facilities
THEATERS	3 GPD/Auditorium Seat/Show
TOWN HALLS	5 GPD/Seat for total seating capacity
TOWN OFFICES	10 GPD/Office employee plus 5 GPD /Transient
TRAVEL TRAILER PARKS	See Camps
WAREHOUSES	See Factories

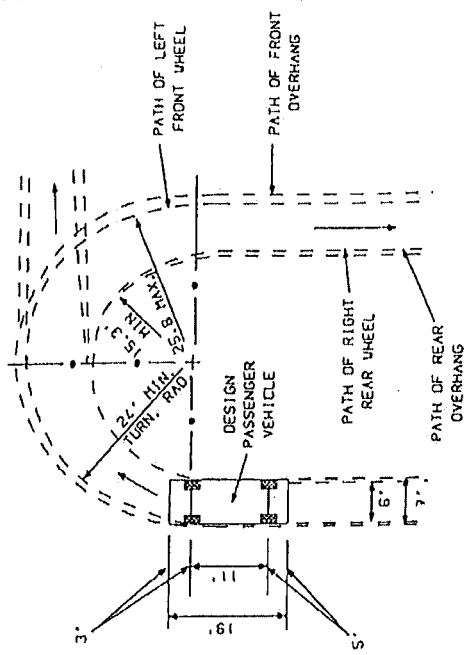
(f) For any combination of uses, such as a day camp that serves meals, a recreational facility that has a cafeteria, a ski area that has a day care, or a single-family residence that also has a studio or 1-bedroom apartment, the loading shall be the combined total of the loading for the separate uses.

(g) If a property contains more than one dwelling structure and multiple dwelling structures will be connected to a shared ISDS, the unit design flow for any structure that is a studio or one-bedroom dwelling unit shall be 225 GPD so long as the minimum design flow of the shared ISDS is 300 GPD or greater.





MINIMUM TURNING PATH FOR  
SU DESIGN VEHICLE



MINIMUM TURNING PATH FOR  
P DESIGN VEHICLE

TURNING TEMPLATE II

NOT TO SCALE

N.H. D.O.T.  
MARCH 1, 2000

FIGURE XIV

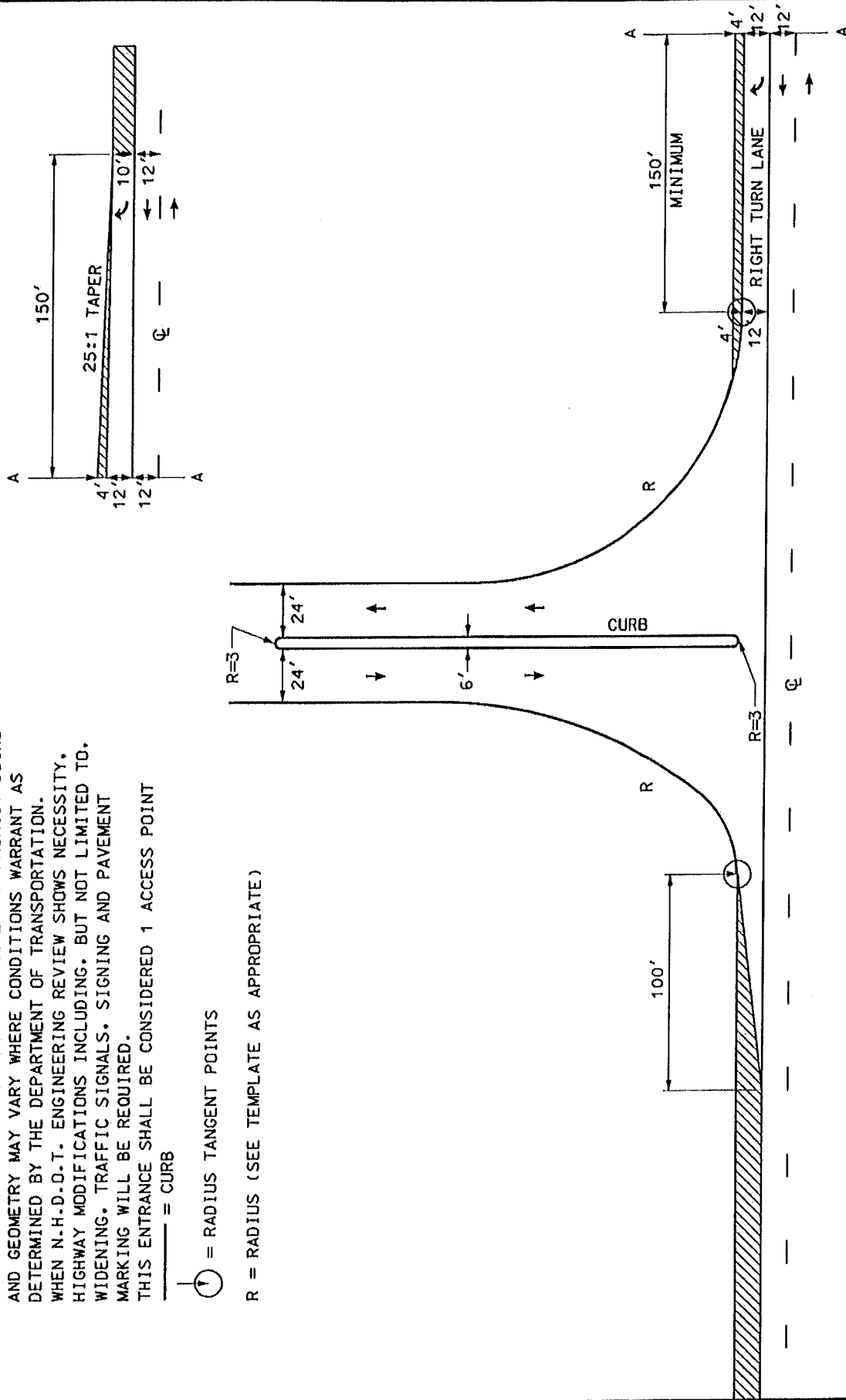
NOTE: TRAFFIC SIGNAL REQUIREMENTS, PAVEMENT MARKINGS, SIGNS AND GEOMETRY MAY VARY WHERE CONDITIONS WARRANT AS DETERMINED BY THE DEPARTMENT OF TRANSPORTATION. WHEN N.H.D.O.T. ENGINEERING REVIEW SHOWS NECESSITY, HIGHWAY MODIFICATIONS INCLUDING, BUT NOT LIMITED TO, WIDENING, TRAFFIC SIGNALS, SIGNING AND PAVEMENT MARKING WILL BE REQUIRED.

THIS ENTRANCE SHALL BE CONSIDERED 1 ACCESS POINT

— = CURB

⊙ = RADIUS TANGENT POINTS

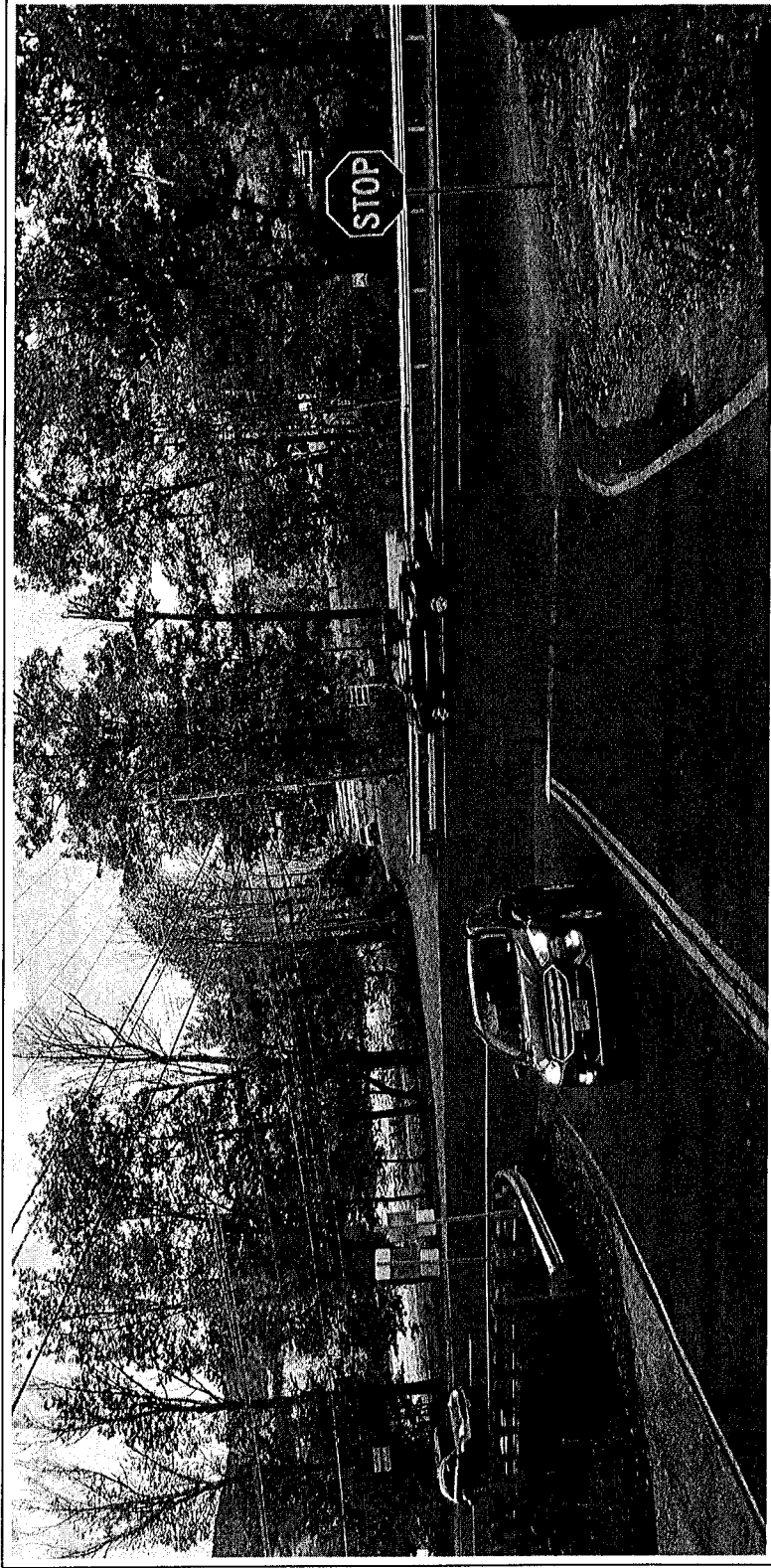
R = RADIUS (SEE TEMPLATE AS APPROPRIATE)



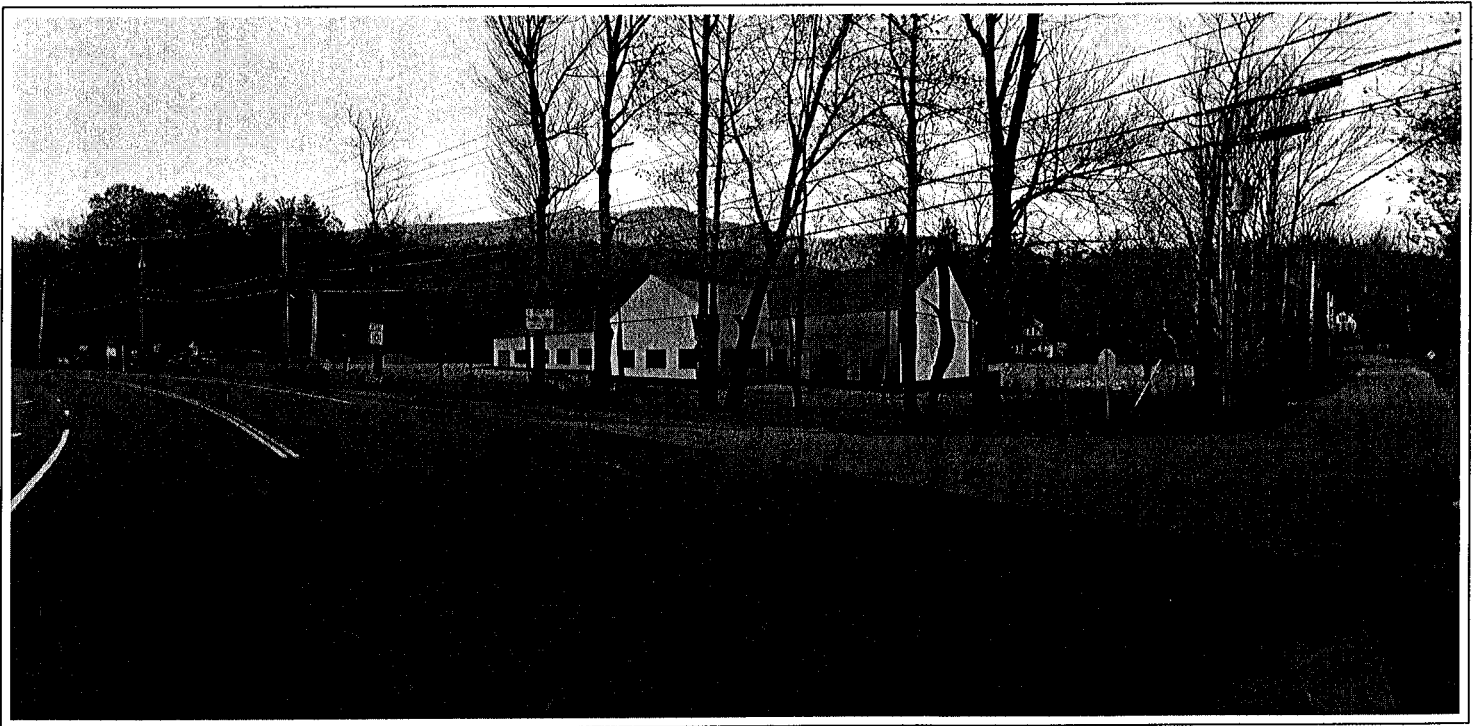
DATE  
11/27/2006

DGN  
Figure VII

ALTERNATE MAJOR ENTRANCE -- RURAL/URBAN



NH Route 45 | NH Route 101 | Webster Highway Intersection

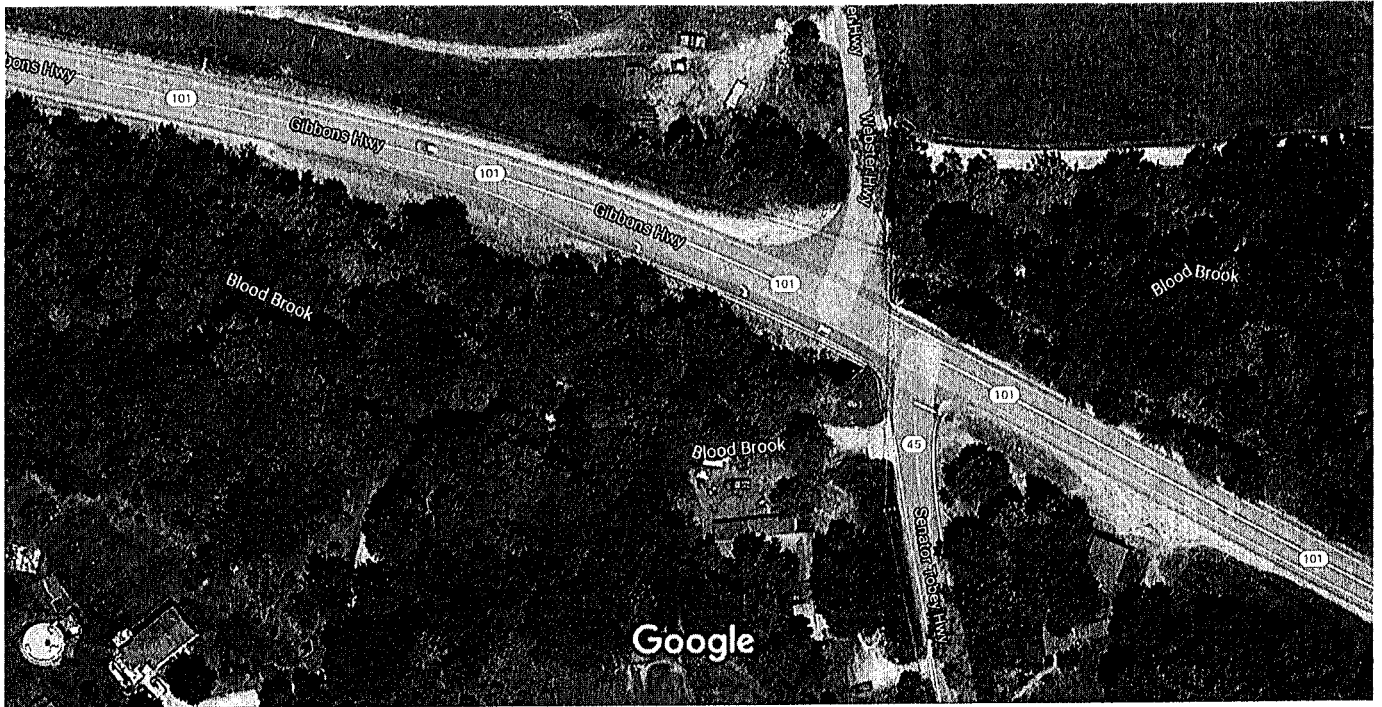


Ben's Pure Maple Products, LLC in the Whiting Field

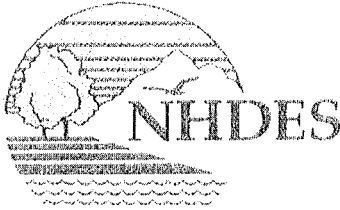




# Google Maps

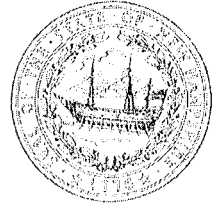


Imagery ©2020 Maxar Technologies, Map data ©2020 50 ft



The State of New Hampshire  
**Department of Environmental Services**

Thomas S. Burack, Commissioner



August 19, 2016

MR. BEN FISK  
BEN'S PURE MAPLE PRODUCTS, LLC  
83 WEBSTER HIGHWAY  
TEMPLE, NH 03084

**REGISTRATION (5A20)**

**SUBJECT: TEMPLE** – Ben's Pure Maple Products, LLC, 83 Webster Highway,  
Nondomestic Wastewater Discharge  
(Site# 201608031 / RSN# 37114 / Activity# 236815)

Dear Mr. Fisk:

The Department of Environmental Services' (Department) has received the registration form and supporting information for the discharge of nondomestic wastewater generated at the subject facility in response to the Department's August 1, 2016. The submission fulfills the regulatory requirements of Env-Wq 402, "*Groundwater Discharge Permit and Registration Rules.*"

The following conditions apply to a facility that discharges nondomestic wastewater to the ground and/or groundwater:

1. This registration is for discharge of nondomestic wastewater generated from equipment rinsing and floor washing activities within the identified structure.
2. No additional graywater or black water discharges are permitted without Department approval.
3. The registrant shall forward Safety Data Sheets for any cleaning and/or disinfecting products used that will discharge to the environment.
4. The facility owner shall be responsible for ensuring that all employees are aware of appropriate discharges and refrain from inappropriate discharges. Disposal of thinners, solvents, pharmaceuticals, or dumping of bulk or expired products to the infiltration structure is prohibited.
5. All wastewater discharges shall infiltrate to the ground on site.
6. Any discharge of nondomestic wastewater or comingled storm water and wastewater to surface water, wetland, or storm water drainage way is prohibited.

This registration is acknowledgement that nondomestic wastewater is discharging to an on-site infiltration structure and given the submitted information to date, no chemicals or products used are identified as a regulated contaminant(s).

It should be noted that the placement of the infiltration structure is directly below the building's dripline. Flooding of the infiltration ditch by storm water causing runoff to a surface water, wetland, or storm water drainage way is a violation. Efforts should be made to minimize the impact of storm water on the nondomestic wastewater infiltration structure.

If you have any questions or comments concerning this registration please contact me at 271-2858 or by e-mail at [mitchell.locker@des.nh.gov](mailto:mitchell.locker@des.nh.gov).

Sincerely,



Mitchell D. Locker, P.G.  
Drinking Water & Groundwater Bureau  
Groundwater Recharge Program  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Phone 603.271.2858

MDL/ml S:\WD-DWGB\...\UIC\2016mdl\registration\201608031 5A20 ndw  
e-copy: Stephen Roy, DWGB  
File  
copy Peter Caswell, Temple Health Officer  
Temple Board of Selectmen



In 2021 Ben's Sugar Shack would like a bigger facility in order to meet all demands for maple syrup production. Attached to the facility will be a retail store to offer maple products and other grocery essentials. Below you will find a list of items that will be offered to our customers. Each category is broken down with how many square feet the displays/shelves will have. Total of 3000 SQ FT.

These are estimated sizes and have not been finalized yet.

#### 1000 SQ FT Maple Display

- Pure Maple products, maple confectionaries, maple baked goods

#### 200 SQ FT Deli and Prepared Foods

- Ready to eat products such as sandwiches, soups, salads, entrees

#### 240 SQ FT Produce Section

- Including in season and local vegetables and fruits

#### 108 SQ FT Bakery Displays

- Including 3 displays to merchandize local bakeries (e.g) Orchard Hill bakery/Kernal Bakery breads, home-made scones, pastries, Danish breads, muffins, etc.

#### 90 SQ FT Meet/Seafood

- Including a butcher counter with custom cut meats and a small seafood display on ice. (e.g) Burger, steaks, roasts from local farms. Seafood (e.g) from S&S seafoods- Salmon, Haddock, Shrimp, Scallops, Lobsters in Season, Mussels In Season, Tuna and Swordfish.

#### 400 SQ FT Grocery Essentials

- Including 3 aisles with wooden displays.  
Small section of cleaning products including paper towels, toilet paper, soaps, tin foils, etc.  
Remainder of dry goods, including cereals, pasta, canned items, chips, crackers, beverages, candy, specialty items, etc. Most items will be locally made or from small businesses.

#### 54 SQ FT Freezer Section

- Including prepared foods made from scratch out of the dell, (e.g lasagna, casseroles, soups, etc)

Frozen meat, local ice cream, vegetables, breads, pizzas, etc.

150 SQ FT Refrigeration

- Including milk, juice, eggs, dairy items, cheese, beverages, ready to eat foods, etc.

Remaining SQ FT (approx. 758) will consist of seating for customers, 2 register counters, cart storage, walk ways, other small/seasonal displays.

We are striving for locally made products and specialty items. We do not want to carry the same brands as a major retailer or grocery store. We want our market to stand out with unique items that will keep customers coming back and supporting local.



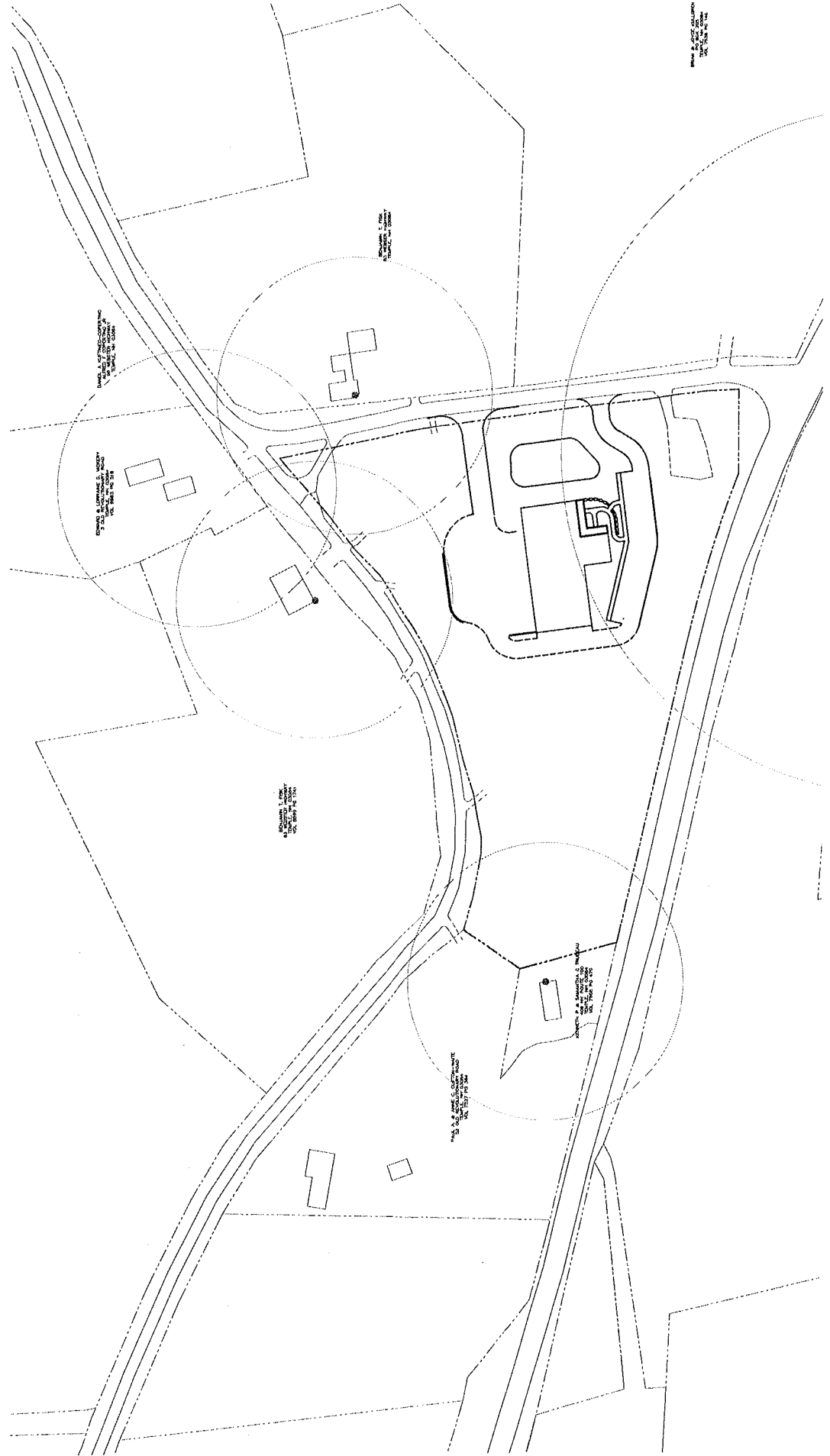
# BEN'S SUGAR SHACK

JUNE, 2020

## BEN'S MAPLE PRODUCTS LLC

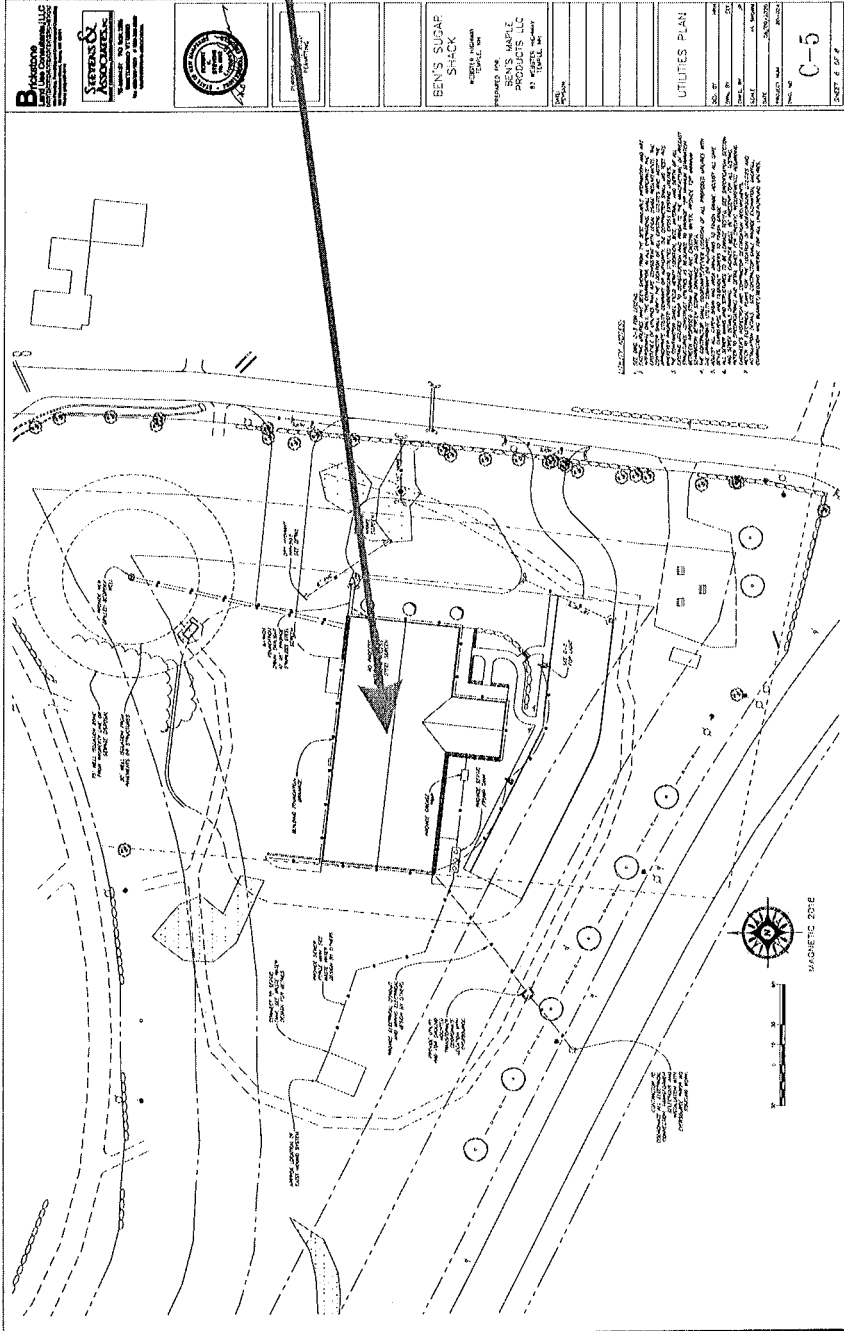
83 WEBSTER HIGHWAY, TEMPLE NH 03084

(603)-924-3111





# BEN'S PRODUCE CURRENT STORAGE FACILITY AND IMPROVEMENTS



**B** Henderson  
LAND MANAGEMENT, LLC  
10000 W. 10th Street, Suite 100  
Denver, CO 80202  
Tel: 303.733.1100  
Fax: 303.733.1101  
www.hendersonland.com

**S** Stevens &  
Associates  
10000 W. 10th Street, Suite 100  
Denver, CO 80202  
Tel: 303.733.1100  
Fax: 303.733.1101  
www.stevensandassociates.com

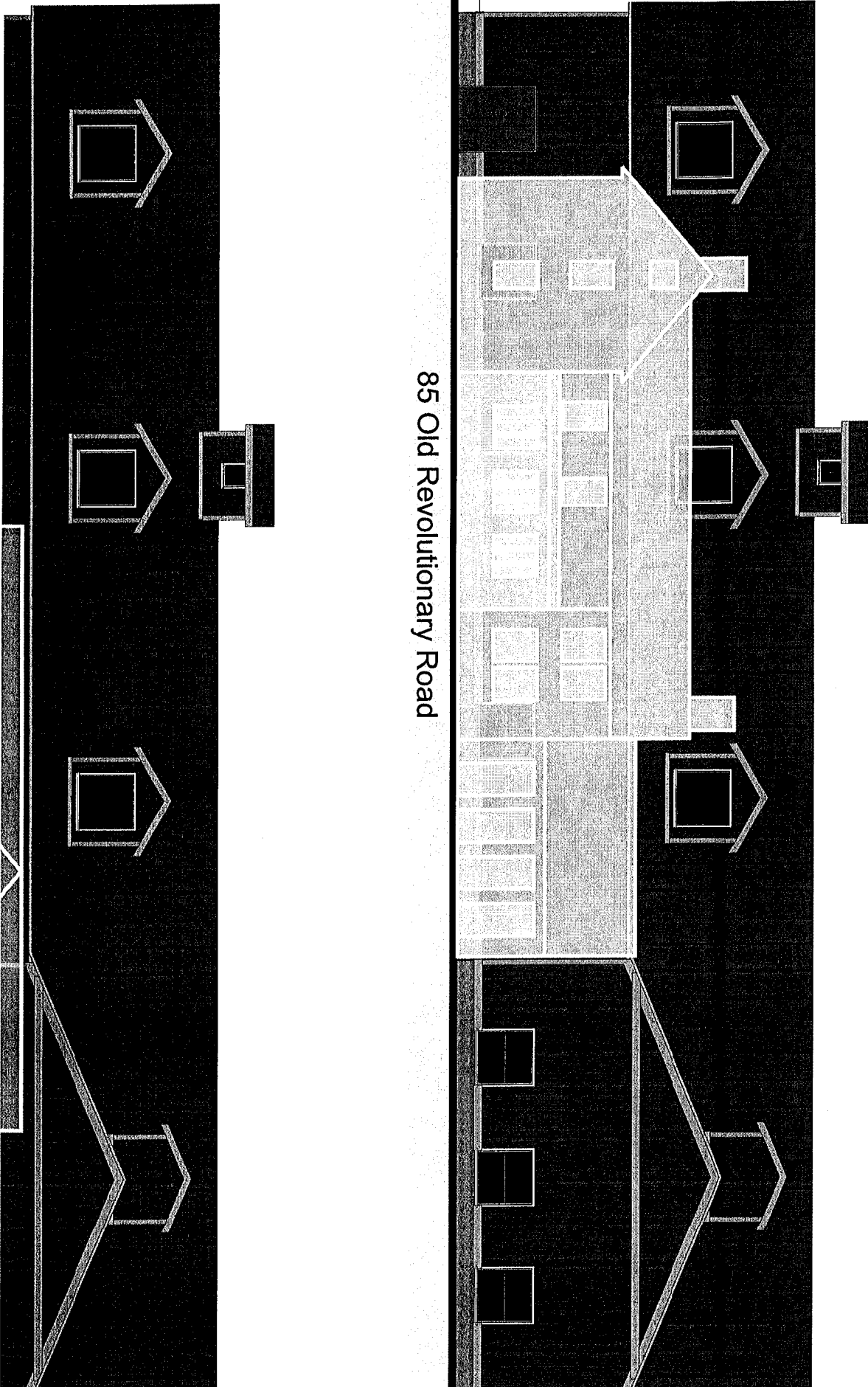
**SEAL**  
REGISTERED PROFESSIONAL ENGINEER  
NO. 10000  
STATE OF COLORADO  
EXPIRES 12/31/2018

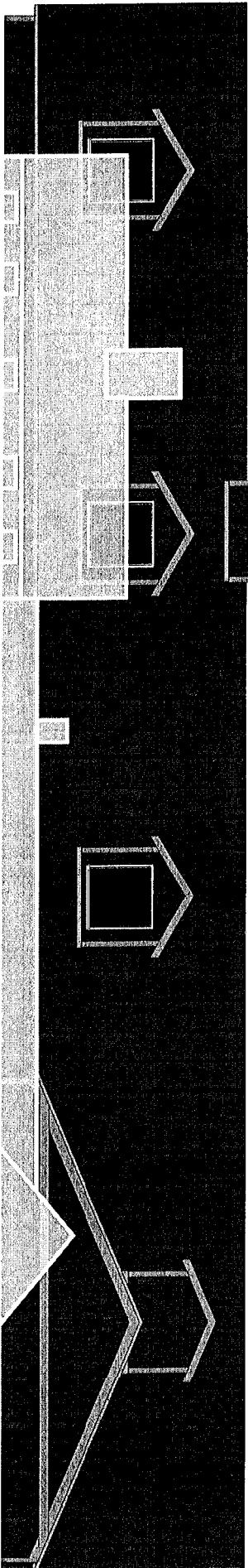
**BEN'S SUDAP SHACK**  
PROJECT NO. 10000  
BEN'S MAPLE PRODUCTS, LLC  
10000 W. 10th Street, Suite 100  
Denver, CO 80202  
Tel: 303.733.1100  
Fax: 303.733.1101  
www.bensmaple.com

**UTILITIES PLAN**  
DATE: 10/10/18  
SCALE: 1" = 40'  
PROJECT NO.: 10000  
SHEET NO.: C-5  
OF 5  
DATE: 10/10/18

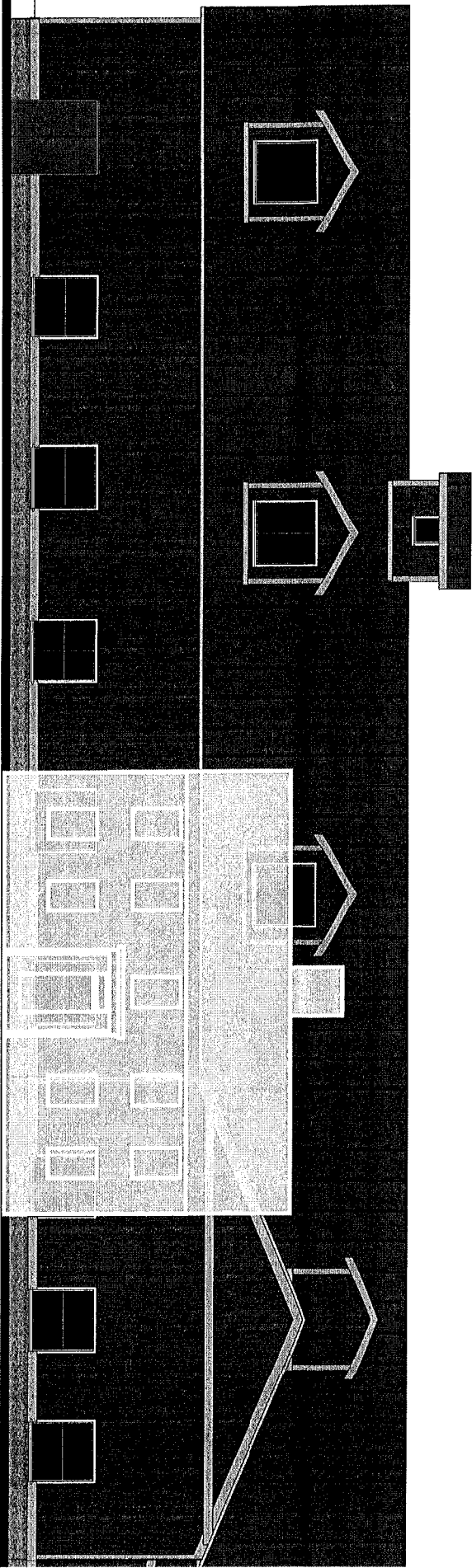
NHDOT HIGHWAY BARN

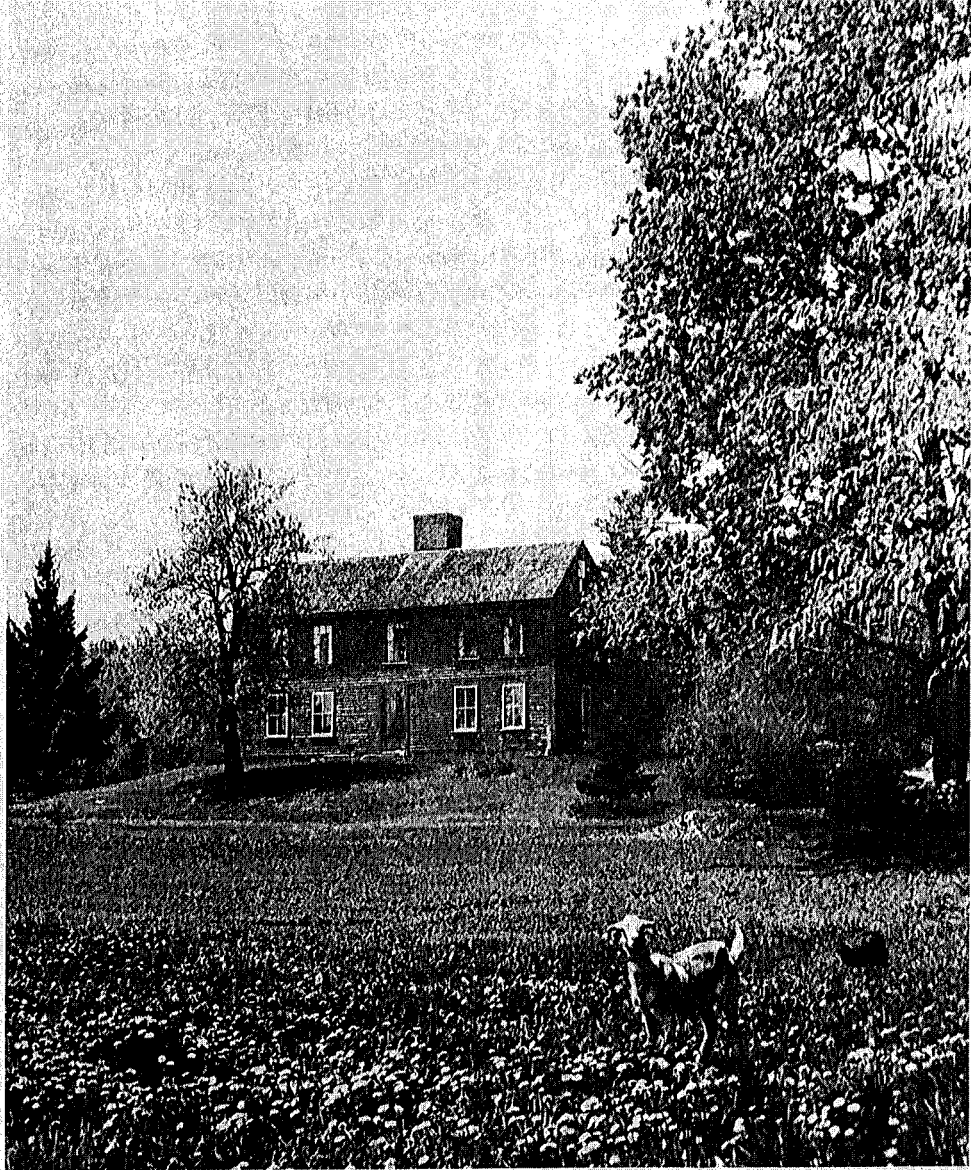
85 Old Revolutionary Road





Old Heald-Edward-Kullgren-Fox Homestead which stood in this Whiting Field until 2012.





Heald-Edwards-Kullgren-fox house. Photo by W.N. Banks