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July 13, 2021

Via email

Christopher B. Drescher, Esq.
Cronin, Bisson & Zalinsky, PC
722 Chestnut Street
Manchester, NH 03104

RE: Your letters of July 6th and July 9th

Dear Chris:

The reason I had asked for copies of the pertinent sections of the NFPA is that I wanted to read the sections that were being relied upon. When I did not receive copies, I spoke with the Fire Chief here in Peterborough and was able to review NFPA 1, 2015 Edition. Under New Hampshire Revised Statutes Annotated Chapter 153, that is the Fire Code in New Hampshire. When I reviewed the NFPA 1, 2015 Edition, there was no paragraph 13.1.7.1 and there was no Table 7.3.1.2 in the copy provided to me by Chief Walker of the Peterborough Fire Department.

I hope you can clear my confusion up.

When I asked Chief Walker about the definitions for the terms used in the NFPA 1, Chief Walker informed me that reference to the Building Code was needed to obtain the definitions. When I reviewed NFPA 1, 2015 Edition, I found no definitions for a dance hall, a discotheque, or a night club. Similarly there was no definition for "place of assembly," and there was no definition for "event center." If one views the function of what is proposed by Stepping Stones, then the function of Stepping Stones is similar to a combination of a dance hall and a night club. In fact, not infrequently, dance halls and night clubs are rented for wedding receptions and make space for them. The Torrey Pines Golf Center in Frankestown recently constructed a special event addition which is sprinklered.

I would appreciate your revisiting these matters with Chief Clark and the pertinent code and providing to me an explanation as to your reference to NFPA 101 where the New Hampshire Fire Code is in fact NFPA 1, 2015. I would also appreciate receiving the definition section from the Building Code that Chief Clark is relying upon in making the distinction between what is required for a sprinkler system.

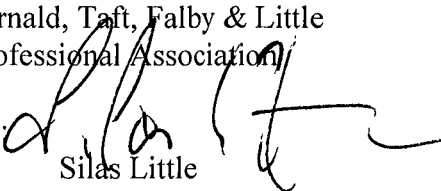
Christopher B. Drescher, Esq.
July 13, 2021
Page 2

I appreciate that Chief Clark might have been sensitive to my remark and it is unfortunate that you communicated that to him. However, you need to accept responsibility for the fact that the Town of Temple has not to date been very rigorous in enforcing either the Zoning Ordinance, the Site Plan Review Regulations, the Building Code, and the NFPA 1 in permitting Stepping Stones to continue to operate in the fashion it has. To my perspective, the Town of Temple is being prodded into playing catch-up by the questions that have been raised by abutters and other interested people.

I note you did not address the recent statement made publicly by Ms. Martin that the "homestead" has a 14-bed occupancy which, under the explanation provided by the New Hampshire State Fire Marshall, requires a sprinkler system.

Very truly yours,
Fernald, Taft, Falby & Little
Professional Association

By:


Silas Little

Direct Line: 603-924-3364 Ext. 14

sl/djh

cc: Temple Zoning Board of Adjustment (via email)