

From: **Arlene Laurenitis** <aajjmac@tds.net>
Date: Friday, July 9, 2021
Subject: Noncompliance with Special Exception Building Setback Lines
To: boardassistant@templenh.org
Cc: John Kieley <johnkieley574@gmail.com>

Dear Chairperson Kieley and Members of the Temple ZBA,

The existing building locations on Temple Tax Map 9B, Lot 15, included in the application for a Special Exception submitted by Stepping Stones Farm and Event Center, LLC, rule out the Temple ZBA's ability to grant this Application for a Special Exception.

This Application for a Special Exception submitted by Stepping Stones Farm and Event Center, LLC, a NH Limited Liability Company, encompasses Temple Tax Map Lot 9B-15, owned by the Isabella McDaniel Revocable Trust, Isabella Martin, Trustee (McDaniel Rev Tr), and Lot 9B-14, owned by The Isabella Hagner Revocable Trust, Isabella H. Martin, Trustee (Hagner Rev Tr). These are three separate legal entities.

To receive the grant of a special exception to conduct a business activity in the Rural Residential and Agricultural District, an Applicant "... must comply with Article IV, Section 13." (Temple NH-Zoning Ordinance, amended through 3/9/2021, Article IV, Section 11D)(Zoning Ordinance). Section 13B (1) of the Zoning Ordinance requires that "[a]ll buildings be set back at least one hundred feet from all lot lines;".

Attached is a plan identified as "1977 Site Plan", prepared by Aries Engineering of Concord, NH, which overlays the prior owners' recorded 1977 Plan onto current NH GIS data for the site located at Webster Highway and Putnam Road (identified as Highway on the 1977 Plan). This attached plan demonstrates that minor discrepancies exist between the recorded 1977 Plan and the current GIS data for the site. In addition, this attached plan describes the 100 foot building setback line required by Article IV, Section 13B (1) of the Zoning Ordinance as a black line 100 feet from all existing property lines. This "black setback line", as shown on the plan, demonstrates that the Barn, Farmhouse and Bungalow, shown on the GIS layer, are each located within 100 feet of the lot lines for Temple Tax Map Lot 9B-15.

Where this Special Exception Application includes the Barn, the Farmhouse and the Bungalow and each are located within 100 feet of the lot lines of Temple Tax Map Lot 9B-15, this Application does not comply with the provisions of Article IV, Section 13B (1) of the Zoning Ordinance as required by Article IV, Section 11D, i.e. "...must ..." as stated in this Section of the Zoning Ordinance means must.

Accordingly, this Application for a Special Exception must be denied.

Respectfully submitted,

Arlene Laurenitis,
Alec MacMartin

Abutters
46 Collins Road
Wilton, NH

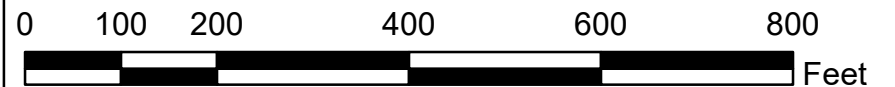


NOTES:

1. Plan prepared from: "Plan of Subdivision Property of V. Gene and Isabella M. Robinson: Temple New Hampshire" dated May 6, 1977 and prepared by William C. MacAdam and Associates; Geographic Information System (GIS) data and basemaps provided by the New Hampshire Geographically Referenced Analysis and Information Transfer System (NH GRANIT) maintained by the University of New Hampshire and the NH Office of Strategic Initiatives; a 2015 aerial orthophotograph obtained from NH GRANIT.
2. Site boundary and building locations are based on an overlay of the site features on GIS data. Therefore, all site features are approximately located.
3. This plan is not to be used for survey, building or boundary purposes.

LEGEND

- Public Water Supply Well
- Site Property Boundaries
- 100-Foot Setback



Aries Project # 2021-044A
File # 2021-044A(1)77Plan07.21.mxd



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TECHNICAL ASSISTANCE SERVICES
STEPPING STONES FARM & EVENT CENTER
TEMPLE, NEW HAMPSHIRE

1977 SITE PLAN

JULY 2021

FIGURE 1