

FERNALD, TAFT, FALBY & LITTLE
PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
14 GROVE STREET, P. O. BOX 270
PETERBOROUGH, NEW HAMPSHIRE 03458-0270

Tel: 603-924-3361

FAX: 603-924-4277

www.ftfl-law.com

SILAS LITTLE
MARK D. FERNALD

RICHARD R. FERNALD
(1929-2020)
RETIRED
ROBERT TAFT
J. RODERICK FALBY, JR.

March 16, 2021

Via email

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

RE: Ben's Pure Maple Products, LLC

Dear Members of the Board:

I apologize for this 2nd letter on the issue of the independent consultants retained by the Board. I supplement that letter.

In the review of Mr. Pernaw's report, I think the application and the accompanying plans need to be reviewed in the light of the traffic generation from that type of development. As I emphasized before, unless the Board chose to limit this approval to a maple syrup production facility, the traffic implications for this combination of warehouse and retail space needs to be assayed. I hope that the bulleted item in the VHB review, "Review projected trip-generation data and compare with Institute of Transportation Engineers (ITE) methodologies" would include a comparison to trip generation data resulting at similar retail locations in the area that would be selling and serving similar products, like coffee, assorted pastries and assorted beverages to the commuting public during peak commuting hours every day. Such data would indicate that the trip generation data on which the Pernaw Studies rely is significantly under counted and lasts for a year-round duration, not just the "syrup" season.


With respect to the examination of the impact of this proposal on property values in the immediate area, given the fact that Mr. Fisk or relations own abutting property, the impact should be assessed on properties not owned by Mr. Fisk, particularly given the sprawling nature of Mr. Fisk's operation and his failure to contain his operation in compliance with the existing zoning. The principal access to properties on Old Revolutionary Road or further down on Webster Highway will be past the "Fisk sprawl" and the impact of that as the gateway to residences on north side of Temple should be considered.

Temple ZBA
March 16, 2021
Page 2

Very truly yours,

Fernald, Taft, Falby & Little
Professional Association

By:


Silas Little

Direct Line: 603-924-3364 Ext. 14

sl/djh

cc: Thomas Hanna, Esq.