

**APPLICATION FOR A SPECIAL EXCEPTION TO THE TEMPLE ZONING BOARD OF ADJUSTMENT**  
**Stepping Stones Farm & Event Center, LLC**  
**19 Putnam Road, Temple, NH, 03084**  
**Applicant: Isabella Martin**

Please reference the *Letter from Jason Bielagus, Esq.* which clearly states that a Special Exception is not required for operation of the proposed use as it meets the qualifications for agricultural use and the hosting of events is permitted under the agritourism provisions under the State of New Hampshire Chapter 21 Statutory Construction Section 21:34-a. Although the proposed use does not require a Special Exception, we are committed to meeting the below standards and town ordinances.

We request the Zoning Board review this application and grant a Special Exception to allow us to operate this business in compliance with the requirements of the Temple Zoning Ordinance(s).

**Special Exception Standards:**

- 1) The proposed use shall be set back at least five hundred feet from any existing dwelling of another owner; provided, however, that, at the discretion of the Board of Adjustment, this distance may be reduced in any amount to a minimum of two hundred feet, but only if written permission is obtained from the abutting owners affected.**

All existing dwellings on Lot 14 and 15 are sufficiently distant from the Mac Martin dwelling. The Russell and Martin properties adjacent to the farm do not have any existing dwellings. We have requested written approval from Ezell and he has responded that he is in agreement in principle and that he will wait to offer formal approval until this matter comes before the ZBA.

- 2) The proposed use shall have off street parking which will be ample to serve the proposed use; provided, however, that any such off-street parking shall, at a minimum, be set back at least fifty-five (55) feet from all lot lines.**

We have plentiful off-street parking that is at least 55 feet from all lot lines. Total vehicle parking is 103 spots, exceeding the required 75 vehicle capacity for events under 99 people. Total number of Handicapped Vehicle parking spots is 3 Handicapped Assessable Vehicles and 2 Handicapped Assessable Vans, exceeding the required 4 spaces for events under 99 people.

Please see specific designated areas on the Site Plan titled *Stepping Stones Farm and Event Center Site Plan 2021*.

- 3) The proposed use shall not adversely affect the value of adjacent property. An adverse effect on adjacent property is one which would be obnoxious or injurious or limit the use of neighborhood property by causing such problems as excessive noise, odor, smoke, refuse matter, vibration, traffic, dust, fumes, light, glare, drainage, or other conditions that are associated with the intended use but are not typical of permitted uses within the area.**

As the letters from Andrew Peterson and Sally Mann state, there will be no adverse effect on the value of adjacent properties. Furthermore, there would be no excessive noise, odor, smoke, refuse matter, vibration, traffic, dust, fumes, light, glare, drainage, or other conditions. There have been several recent sales in this area of Temple which include the sale at 179 Stonegate Farm Road for \$750,000 on May 3rd, 2021. Signage and advertisements of the proposed use were visible and available to this buyer and they clearly understood that an event center would be very close to their newly purchased home. This, along with the data from Andy Peterson, is clear proof that the operation of this business will not adversely affect property values. Note the Peterson letter lists all home sales in Temple over the past 12 months and data demonstrates that the operation of this business has not had an adverse effect on adverse property. We will also note that the applicant has also just listed her home, which is in close proximity to the proposed

use location. In less than a week the home was under contract to sell at \$25,000 above its appraised value. The home sold before being listed to the public.

Please reference two Letters from Andy Peterson of Sotheby's Real Estate dated May 5<sup>th</sup> and May 29<sup>th</sup> and the letter from Sally Mann dated April 15<sup>th</sup> in addition to the Allrose Farm Home Value Comps.

To address the matter of excessive noise, please review the Sound Study by Eric Reuter and Resume. We have followed his advice and installed the recommended sound measurement equipment inside of the barn which displays a stop light feature that indicates warning lights when the interior sound levels exceed the 80dB maximum which will comply with the Temple Noise Ordinance in Section 31. The installed equipment has been calibrated by Mr. Reuter and he is available to answer questions from the Board as appropriate. The installed equipment includes the industry recommended iTestMicrophone2 from Studio Six and the AudioTools app from Studio Six Digital which provides the stoplight warning system. The stoplight feature is clearly displayed on an Apple iPad that is permanently installed.

To address other items in Standard 3, the letter from the Southwest Regional Planning Commission specifically addresses the points related to excessive traffic, noise and light which they found to be appropriate under the proposed use.

Please reference the Scope of Business at Stepping Stones Farm and Event Center and the Quiet Enjoyment Policy for additional information on policies to be enforced under the proposed use.

- 4) The proposed site shall be in an appropriate location for the use. Among the factors the Board of Adjustment will consider are: lot size, topography, soils, water resources, road access and locations of driveways, condition of existing structures and other relevant characteristics such as whether the proposed use is compatible with the surrounding land uses.**

Lot 14 on 19 Putnam Road has a total of 3.54 acres and Lot 15 on 11 Pony Farm Lane has 23.5 acres. Together these lots have ample space to accommodate an event center serving up to 99 people. The locations of the existing buildings are appropriately situated to prevent interference with soils and appropriate drainage was added in 2015. Public access is from two driveways which have been there for decades. One large well installed in 1977 supplies ample drinking water for both guests and animals. It is important to note that no new buildings will be built and that existing structures are suitable for proposed use and have been used for similar size and type of events in the past without issue.

Please reference the comments from the Southwest Regional Planning Commission on the drift aquifer and appropriate use. Their finding states that the proposed use will have a reduced impact on the aquifer than the previously permitted use.

Please reference the aforementioned Scope of Business for Stepping Stones to detail proposed use and policies at each building.

Please reference the Letter from William Fosher NH Association of Conservation Districts for additional data on the wetland and drift aquifer. He is the Lead Conservation Planner for the State of New Hampshire.

- 5) No hazardous waste shall be permanently stored on or disposed of on the property.**

We will not store or dispose of any hazardous waste as the proposed use has no exposure to this type of waste.

- 6) Traffic generated by the proposed use shall not present a safety hazard to the community for either vehicles or pedestrians, nor shall it cause excessive wear and tear to town roads.**

As stated previously, traffic generated by the proposed use will be less impactful to community safety than the previous operation of the horse farm that operated on this property for 40 years. The number of guests and visitors is

significantly less and will be concentrated in short arrival and departure windows, not ongoing flows of traffic as we saw with previous use. Please consider the below facts:

- Events hosted at Stepping Stones Farm will primarily take place in the late spring, summer and fall when road conditions are clear. During mud season and winter, when town roads are particularly vulnerable to wear and tear, the traffic will be minimal due to the cold weather which makes our event space undesirable. Guests will primarily be in private vehicles, not large trucks and trailers.
- Kent Perry, Road Agent for Temple, NH, has been consulted. He stated unequivocally that Webster Highway is designed for heavy traffic. It is his professional opinion that the traffic generated by Stepping Stones will not adversely affect Webster Highway. He will attend the Site Visit and answer any questions which may arise.
- All events that serve alcoholic beverages will require, in writing, the hire and use of a licensed and insured bartender who will monitor alcohol consumption of all guests. Any guests that are unable to drive will be required to stay on-site or arrange for alternate transportation. Guests are not able to serve outside alcohol during events.

According to Temple Master Plan (2019), Webster Highway averaged the following daily vehicle traffic: 300 in 2013 and 280 in 2016. This is a Class V road, not a small, residential road. The traffic counts include up to 2,100 cars/week. Proposed use would bring a maximum of 100 cars/week to the property which does not indicate a significant increase based on average traffic volumes. The Future Land Use Plan advises the following: Applications for building permits on Class VI roads is a good case in point, where even low density minor development can create problems for the town if the road network is not able to accommodate traffic.

Please reference the findings from the Southwest Regional Planning Commission which found that based on their study of traffic data and patterns it is unlikely that traffic associated with the site would cause serious capacity or congregation issues to the highways leading to the facility.

Please reference the Temple Police Department Crash Data to reinforce the findings of the SWRPC.

Please reference the Directions to Stepping Stones document which is shared with all visiting parties to encourage in and outbound travel from Route 101 directly onto Webster Highway. Both roadways are suitable for this type and volume of traffic.

Based on these factors, we do not feel that the proposed use poses any undue threat or safety hazard to the community nor does it cause excessive wear and tear.

**7) Appropriate buffering landscaping shall be provided within the setback areas, of a type and amount deemed appropriate by the Planning Board during Site Plan Review.**

We will comply with any recommendations that the Planning Board deems appropriate. Ample, well established tree barriers exist between our property and the Ezell, Russell and Mac Martin properties.

**8) The Board of Adjustment shall, when appropriate, request a recommendation from the Planning Board, the Conservation Commission, Road Agent and/or the Health Officer concerning the proposed use.**

The Planning Board conducted an abbreviated Site Visit on Saturday, January 9th of 2021 with a positive outcome and informal approval. The Health Officer, Peter Caswell, has signed off with his approval. John Kieley expressed that there was not a need to go to the Conservation Commission. An on-site inspection with William Wildes as the Town Building Inspector has taken place and his recommendations have been implemented. As noted, Temple Road Agent Kent Perry was also consulted.

Please reference the Letter from Fire Chief George Clark stating that the Barn, Lodge and Homestead meet NFPA 101 2015 code requirements.

- 1) **All buildings shall be set back at least one hundred feet from all lot lines**  
All of the existing buildings aside from the Homestead are set back more than 100 feet from the lot lines. The Homestead farm house and the location of the house are considered to be a pre-existing and non-conforming use and can continue under Article 7 of the Zoning Ordinance.
- 2) **Access shall be provided by not more than two driveways, not more than thirty-two (32) feet wide; TOWN OF TEMPLE, NH - ZONING ORDINANCE (As amended through March 9, 2021)**  
Access shall be provided by two driveways. Please reference the *Stepping Stones Farm and Event Center Site Plan 2021* on which all driveways on the property are clearly marked. Under the proposed use, only the two southernmost driveways will be used for access. There are additional fire lines available in case of emergency which are clearly marked as well.
- 3) **The total footprint of all buildings and structures shall occupy no more than one-eighth (1/8) of the lot or parcel of land.**  
Total building percentage is less than 3%.  
  
Buildings Grand Total: 34,862.60' square feet  
Property Grand Total: 1,177,862.40 square feet  
Building % of total acreage: 2.959%
- 4) **Proposed use shall be located on a town or state maintained road or street.**  
Proposed use is on a Class V road suitable for location.
- 5) **All food shall be served and consumed within the building(s), except that a seasonal outdoor dining area and or take out services may be approved during Site Plan review.**  
All food will be consumed inside of existing structures as required by event policy guidelines. Seasonal outdoor dining may take place and will be submitted for approval during Site Plan review.
- 6) **No drive through services shall be provided.**  
No drive through services are relevant for proposed use.
- 7) **New facilities shall be located on a lot at least 5 acres in size.**  
No new facilities are to be constructed.
- 8) **Any retail store shall not exceed 3000 square feet of floor space.**  
There will be no retail operation under the proposed use.