

## 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.

Please reference **Document 1** for the property map, **Document 2** for the Subdivisions maps, and **Document 3** for more Abutters information and measurements.

- 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.

- 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.**

The proposed use will not adversely affect the value of adjacent property with odor, smoke, refuse matter, vibration, dust, fumes, or drainage from the operation of business. We understand that even the small events that we've proposed will generate noise, light and traffic, however do not feel they will adversely affect adjacent property values, especially compared to the previously accepted use.

Please see further explanation below:

### **EXCESSIVE NOISE** (pursuant to Temple Town Commercial Noise Ordinance Section 31):

We will carefully conform to the Temple Noise Ordinance detailed in Section 31 and require that all parties agree, in writing and subject to penalty and/or eviction, to the following conditions:

- Please reference the sound report done by Eric Reuter to confirm that we can comply with the Temple Noise Ordinance.
- Amplified music in the Barn must be limited to 80db as measured from the southern interior wall. This will be monitored during all events using the iTestMicrophone2 from Studio Six. This device will be permanently installed inside the Barn and hard wired to a visual display unit which will indicate sound levels to DJs or bands inside of the Barn. We will then use the AudioTools app from Studio Six and their Traffic Light module to display green, yellow and red indicators based on the sound level being measured by the microphone. This is a concrete way to ensure we keep the interior levels below 80db which will allow us to comply with Section 31.
- We will require guests to agree, in writing, that all events must comply with our robust sound control policy. See attached.
- No amplified music outdoors at any time.

**LIGHT** (pursuant to Temple Town Dark Sky Protection Ordinance Section 30):

- We have installed the required Dark Sky compliant lights around all locations. Please see Site Plan for additional detail on placement of lighting.

**TRAFFIC:**

- The proposed use includes accommodations for small events of less than 100 guests, most of which will be daytime use for corporate events, retreats, healing workshops, family reunions, artist retreats, educational and therapeutic organizations, etc., which will be very similar to the previously approved use of the property. We also plan to host a number of small scale weddings during warm weather months for a select group of qualified and vetted guests whom we feel embody the values of our community and family farm. Based on the data available to us from inquiries we've gotten to date, we anticipate the average size of our weddings to be 50-75 guests, many of which will travel as families or small groups and be staying on-site throughout the weekend. We also strongly encourage that any wedding guests who will not stay on-site arrange for alternate group transportation. This limits the number of vehicles leaving events late at night.
- For additional information, please reference the traffic report done by the SWRPC.

We estimate that we will have about 20 weddings a year, thus approximately 20 nights of the 365 days in a year will see slightly increased traffic on the road to visit the farm which is significantly less than the previous use. These will be small, concentrated arrival and departure windows of groups around start and end times of events rather than the constant traffic that existed as result of previous use. The rural and quiet nature of the Town's roads and surrounding community will be better preserved. The small numbers of vehicles that will leave after an event will not adversely impact neighboring property values and will result in significantly less traffic than previous use.

**PROPERTY VALUE:**

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 not typical of permitted uses within the area that would be obnoxious, injurious, or limit the use of neighborhood property. 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 3<sup>rd</sup>, 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.

- Stepping Stones Farm will be run as an event center and a working farm. This requires scrupulous care of the grounds to attract business. We believe our grounds upkeep will be significantly better than the previous business and appearances will be much improved.
- Additionally, Stepping Stones will only have up to 10 horses on the property year-round. This is a significant reduction compared to the previous renters who kept anywhere from approximately 60 to 70 horses on the property for the summer months and 45 horses for the rest of the year.
- In reviewing property values of abutting lots that neighbor similar businesses in the area, Allrose Farm in Greenfield for example, an abutting home at 10 Early American Drive in Greenfield actually increased in value by an estimated \$78,000 since 2016. This venue has been operating since at least 2017 during which period these housing prices have increased. Several additional examples can be found in **Document 9**.
- A letter from realtor Sally Mann forthcoming.

Our new business will increase the curb appeal of the neighborhood. We remain committed to being good town citizens and will diligently work with our neighbors, in good faith, to ensure a healthy and safe community at the farm as we have done for fifty years.

- 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 see **Document 6** for drainage and road access map, **Document 7** for additional driveway information and **Document 8** for footprint and measurements.

From Town Master Plan: While it is not intended to encourage large commercial enterprises in Temple, the designation of a location on Route 101 or other area in town for these types of uses should not be ignored, in order to provide a moderate amount of facilities and services geared to the traveling public.

An area within easy access of a major transportation route could provide the opportunity for modest industrial development in keeping with the rural character of the town.

The Temple Town Plan specifically addresses the need for commercial enterprise in Temple. The proposed use is within easy access (less than 2 miles) from Route 101 and does keep with the rural character of the town.

Please reference the comments from the SWRPC on the drift aquifer and appropriate use.

Please reference the Scope of Business for Stepping Stones found on ZBA website to detail proposed use and policies at each building.

**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:

- During the summer camp years, each session had 36 children, thus 36 cars, coming and going on Saturdays and Sundays. Additionally, there were twenty staff members and counselors in training who each had a car. Also, the fifteen year-round staff also had cars. Finally, the riding lesson program for both Horse Power and Touchstone often had up to 75 students a week with five instructors and as many as 35 volunteers, in addition to daily farm staff. This totaled many hundreds of cars coming and going per week, often during long stretches of time and consistent traffic flows. In addition, Touchstone Farm also frequently hosted horse shows for outside competitors attracting as many as fifty large horse trailers, vans and accompanying vehicles.
- 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 Master Plan, 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.

They specifically recommend not granting special exceptions for Class VI roads which would indicate permissible light commercial use on roads categorized as Class V or greater. Webster Highway is a Class V road. Please note there is no record of serious or fatal accidents according to the Town Crash History map.

Additionally, the SWRPC 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.

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. Randall Martin's property does not have buffering landscape and he has no objections to proposed plan. Please see **Document 3** for reference.

**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 are being implemented (details to be provided upon request). As noted, Temple Road Agent Kent Perry was also consulted.

Fire Chief George Clark has performed two site visits. We have sought the advice of Triangle Fire Consultant, Alison Brackett, a professional Fire Safety Inspector. We are already beginning to implement her recommendations. She will provide a written summary of her findings.

Please also see the submitted History and Timeline of the farm for reference (**Document 10**) as well as a closing statement from Isabella Martin (**Document 11**).

**13B)**

**1) All buildings shall be set back at least one hundred feet from all lot lines**

All of our 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 Site Plan for more information.

- 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.

- 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.**

Lot 14: 3.54 acres

Lot 15: 23.5 acres

Total Acres: 27.04 acres

- 8) **Any retail store shall not exceed 3000 square feet of floor space. No retail store.**

There shall be no outdoor display of goods, and no outdoor storage of materials or equipment unless screened from roads and surrounding properties by natural or structural means to such an extent and in such manner as may be specifically required and approved by the Planning Board during Site Plan Review. No goods are to be sold in a retail setting, indoor or otherwise.