

NOTICE OF DECISION

ZONING BOARD OF ADJUSTMENT TOWN OF TEMPLE, NEW HAMPSHIRE

At our public hearing on November 20, 2016, the Board approved a Special Exception to establish a monastic residential community and a place of communal Buddhist religious practice for monks, novices and visiting laypeople (hereafter "monastery") on the four lots owned by Bruce and Barbara Kantner located on Derbyshire Lane, Converse Road, North Road and Jessen Lane including Map 9A, Lots 2, 4 and 5 and Map 1A, Lot 3. The proposed monastery is known as a "forest monastery" and is a branch within the Thai Forest Tradition community of Ajahn Chah and Ajahn Sumedho. The approved uses of the property as a monastery shall specifically include the following:

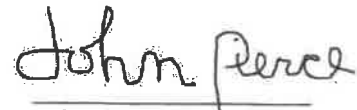
1. Kutis (huts), up to 24, scattered through the woods for monks to practice in solitude within the forest environment, as described in the written application.
2. Kutis for elderly monks, up to three, which residences will have more amenities than the regular Kutis, including electricity, running water and vehicle access.
3. Dhamma Hall, a meditation and services facility similar in nature to a church sanctuary.
4. Sala, a communal dining facility with kitchen and reception area and possible administrative offices, meeting rooms, and a library, any of which may be in a different building.
5. Stupa, a devotional monument (not a building).
6. Separate residences (viharas) for monks and novices, used for washing, bathing, sewing, working and meeting together.
7. Separate residences for laymen and laywomen, who come to the monastery on a short-term basis to practice and learn from the monks, and for longer-term volunteer or employee caretakers.
8. Accessory buildings for workshop, storage of equipment, such as tractors and mowing equipment.

The Board understands that many of the above-referenced activities will occur in existing buildings for a considerable period of time.

The Board finds that the applicant has satisfied all of the standards and conditions set forth at Section 13A, 13B and Section VI, 6.

The Board's approval is subject to the following conditions:

1. No structures other than Kutis and meditation platforms shall be located in the Mountain District.
2. That the monastery obtains Planning Board site plan approval to the extent required by the Temple Site Plan Review Regulations.
3. That the monastery obtains approvals from the NH Department of Environmental Services that may be required for water supply and septic.
4. Subject to such other State and Local approvals as may be required for establishment or operation of the monastery.



John Pierce
Chairman Board of
Adjustment

November 24, 2014
Date

Note: The selectmen, any party to the action or any persons directly affected by this decision has a right to appeal it. See NH RSA, Chapter 677, available at the Temple Municipal Building. This notice has been placed on file and made available for public inspection in the records of the ZBA on November 24, 2014.

THOMAS R. HANNA
ATTORNEY
41 SCHOOL STREET
KEENE, NEW HAMPSHIRE 03431

Thomas R. Hanna
F. Barrett Faulkner

Tel (603) 352-9030
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November 5, 2014

HAND-DELIVERED

Mr. John Pierce, Chairman
Temple Zoning Board of Adjustment
Town of Temple
423 N.H. Route 45
Temple, NH 03084

Re: Application for Special Exception
Jeta Grove Foundation, Inc.
Tax Maps – 9A Lot 2, 9A Lot 4, 9A Lot 5 and 1A Lot 3

Dear Mr. Pierce:

Enclosed are the following:

- 1) An original and five copies of a Zoning Board of Adjustment application, including responses to the Special Exception questions and narrative description of the proposal.
- 2) Photographs of the Kantner property proposed for the forest monastery
Photographs of examples of a Dhamma Hall and kutis (huts)
- 3) Abutters' List, with two sets of mailing labels.
- 4) Check in the amount \$147.00 (\$75.00 for the special exception application and \$72.00 for mailing costs to abutters).

Please let me know if I have omitted anything or if you have questions.

Sincerely,



Thomas R. Hanna

TRH/kmh
Enclosures

cc: Jeta Grove Foundation, Inc.
Bruce and Barbara Kantner

Town of Temple, NH
Application to the Zoning Board of Adjustment
General Information

Your Property Information

Describe the lot involved in the application (the lot that you want to build a building on, subdivide, conduct a business or other activity on, etc.). If more than one lot is involved, then describe them all in this space if it is convenient, or attach additional copies of this page.

Tax Map and Lot Number Map 9A, Lots 2, 4, 5 Lot Size 242 acres, approximately
~~Map 1A, Lot 3~~
Street Address Frontage on Converse Road, North Road, Jessen Lane and Derbyshire Lane (the latter of which is private)
Zoning District (check one):

- Village and Historic Preservation Rural Residential and Agricultural Mountain
(most of property)

Property Owner(s)

If the application involves multiple lots with different owners, attach additional copies of this page.

Name(s) Bruce J. Kantner and Barbara Kantner, trustees of their respective trusts
Mailing address 32 Derbyshire Lane
Mailing address _____
Town, State, ZIP Temple, NH 03084
Email bruce@tellink.net; barbara@tellink.net
Phone(s) 603-654-2523

This application must be signed by the owners of all lots involved in the application.

I / We approve the submission of this application. If an applicant or representative is named on the next page, the person named there has my permission to represent me before the Temple Zoning Board.

Signature Barbara Kantner, trustee Date 11-5-14

Signature Barbara Kantner, on behalf of Bruce Kantner Date 11-5-14

Signature _____ Date _____

clerk use only

Date and time received: _____

Received by: _____ Amount paid: _____

Case #: _____ Abutter list and labels included

Town of Temple, NH Application to the Zoning Board of Adjustment General Information

Applicant(s)

The applicant is the person who actually wants to build the building, conduct the business, etc. This is usually the same as the property owner, but might be a tenant, someone who plans to purchase the property, and so forth. If the applicant is the same as the owner, just check "Same as owner" and leave the rest of this section blank.

Same as owner

Name(s) Jeta Grove Foundation, Inc.

Mailing address 28 Jessen Lane

Mailing address _____

Town, State, ZIP Temple, NH 03084

Email jayanto@jetagrove.us

Phone(s) 603-654-2292

Signature of applicant(s)

I/We certify that to the best of my knowledge and belief, all information provided in this application is accurate.

Signature  Date 11/5/14

Signature _____ Date _____

Your Representative

Fill out this section if the application is being submitted by a realtor, surveyor, engineer, attorney, etc., on behalf of the ~~actual owner~~ or applicant.

Name Thomas R. Hanna, Esq.

Mailing address 41 School Street

Mailing address _____

Town, State, ZIP Keene, NH 03431

Email thanna@hannalandlaw.com

Phone(s) 603-352-9030

I/We authorize the above-named representative to submit this application and to speak before the Zoning Board on my behalf.

Signature of Applicant Owner (Please check one.)

Signature  Date 11/5/14

Signature _____ Date _____

Primary Contact (check one): Applicant Representative

(continued on the next page)

Town of Temple, NH
Application to the Zoning Board of Adjustment
General Information

This is an application for (you may select more than one):

- Variance -- See Page V-1
- Special Exception -- See Page SE-1
- Appeal of Administrative Decision -- See Page AA-1
- Equitable Waiver of Dimensional Requirements -- See Page EW-1

Your Proposed Use

Explain what you want to do with the property. (Do you want to build a building, subdivide a lot, have a business, ...).

Explain why you need the Zoning Board to let you do it. (The building will be too close to the lot line; the Planning Board wouldn't approve your subdivision; you need a Special Exception to operate a business; ...).

Be specific. Identify the section or sections of the Zoning Ordinance that apply. If lot sizes or configurations or building placements are relevant, provide a scale drawing or plan showing all relevant information, such as lot lines, setbacks, present and proposed structures on your lot and neighboring lots, etc.

Description of proposed use and need for ZBA approval (use this page; attach additional pages as necessary):

See attached sheets.

APPLICATION

The Property:

The property is owned by, and is the long-time home of, Bruce and Barbara Kantner. It consists of six (6) dwellings, including three houses, a duplex with two apartments, and a year-round cottage.

The property's four parcels, with approximate acreage, follows: 2 acres (Map 9A, Lot 2 – Cliff House), 40 acres (Map 9A, Lot 4 – Jessen House), 75 acres (Map 9A, Lot 5 – Derbyshire house and remaining buildings), and 125 acres (Map 1A, Lot 3 – woodland).

The land is located in the northeast part of Temple and extends to the Lyndeborough town line.

Proposed Use:

Jeta Grove Foundation proposes a monastic residential community and a place for communal practice for monks, novices and visiting laypeople. The residents of the monastic community will eventually consist of between five and twenty-five monks and novices and several resident lay volunteers. In addition, there will be separate accommodations for male and female short-term guests.

Jeta Grove's primary intent is to provide a place where monks of this forest monastery tradition can live and practice, and postulants can train and be ordained. Forest monasteries integrate the religious practice of Buddhism into all areas of living, using "living in nature" as a primary means to facilitate the Buddhist religious path. The word "practice" is often used in place of "worship" or "prayer." The land and facilities will provide an environment for a Theravada Buddhist "forest monastery," which will be a branch within the Thai Forest Tradition community of Ajahn Chah and Ajahn Sumedho.

The unique aspect of a forest monastery is the inclusion of individual huts (called kutis) for monks, with a few for guests, to practice in solitude within a forest environment. The monastery proposes to scatter approximately two dozen huts within the 200-plus acres of woods. Each hut will be 200 square feet or less, and will also have a chemical toilet, compost toilet, or outhouse, which will most likely be accessed from the outside. The huts will be insulated and will be heated with propane or wood. There will be no electricity (except possibly a small solar panel) and no running water. Adjacent to each hut will be a short walkway, made of wood or other material. Closer to the main buildings, likely near Jessen Lane, will be up to three additional, larger huts with more amenities, including electricity and running water, for elderly monks. Except for these huts for the elderly monks, the woodland huts will not have driveway vehicle access.

The monastery will also include communal facilities. Some of the uses described will eventually be contained in new buildings. Site plan approval from the Planning Board will be required for any new construction of these facilities. However, Jeta Grove seeks a Special Exception for the *uses* as follows:

- 1) Dhamma Hall. A group meditation/services facility where the monks and laypeople practice or “worship.” It is known as the Dhamma Hall, which is akin to a church sanctuary. Initially the Kantner farm house at Derbyshire will serve as the Dhamma Hall.
- 2) Sala. A communal dining facility with kitchen and reception area and possibly administrative offices and meeting rooms. Initially the Kantner farm house at Derbyshire will be used for many of these purposes.
- 3) Administrative office(s) and library.
- 4) Private residence for the monks. Initially Jessen House will be used.
- 5) Separate residence for novices, who are postulants training to become ordained monks. They will be housed at Cliff House, at least initially.
- 6) Separate short-term residences for laymen and laywomen who come to the monastery to practice. Initially, the so-called duplex off Derbyshire Lane will serve this function.
- 7) Cottage – This is an existing dwelling, which will likely be used for a long-term volunteer caretaker, a visiting senior monk or kuti (hut) for elderly.
- 8) Barn – this existing space will be used for storage of tractors, mowing equipment, etc. and may eventually be the location of the Sala Hall.
- 9) Former printing press building – will be used as work shop.

Most of the above-referenced communal facilities will be located on the grounds of what is known as Derbyshire – the location of the Kantners’ existing farm house, barn and Duplex, meeting house, and cottage.

The beauty of the Kantner properties is that the existing buildings can be used immediately while funds are raised for certain new buildings. Several huts, however, will be built immediately.

Why We Need Special Exception from Zoning Board:

Jeta Grove proposes a non-commercial (institutional) facility or enterprise, namely a monastic community as described herein.

Section 13 (Article IV) of the zoning ordinance states that “non-commercial enterprises” or “facilities,” “not specifically authorized under other sections of this ordinance, may be permitted by special exception if approved by the Board of Adjustment. . .”.

Jeta Grove is prepared to demonstrate that it satisfies the standards for a special exception set forth at Section 13A that it is able to meet the conditions set forth at Section 13B and that it qualifies for a special exception under Article VI, Section 6, entitled “Special Exception.”