

Town of Temple, NH

ZONING BOARD OF ADJUSTMENT

August 31, 2021 Public Hearing- Special Exception (Con't)

**APPLICANT- Stepping Stone Farm and Event Center LLC**

**ZBA Members Present: Emily Sliviak, Deb Harling, Allen Pickman, James Stein, Bill Ezell**

**Others Present- 20+ Interested people.**

**ELECTION OF OFFICERS: Deb Harling called the hearing to order at 5:49 P.M.**

*Harling made a motion to nominate Bill Ezell as chair, second by Sliviak. Ezell made a motion to elect Harling as vice chair, seconded by Pickman. Harling made the motion to elect Sliviak as the clerk; all were in favor.*

*Harling made the motion to approve the August 5, 2021 minutes; Pickman and Sliviak were in favor, Ezell and Stein abstained.*

*Ezell recused himself from being a voting member in the Stepping Stones Event Center hearing.*

Harling called the continuation for Boo Martin (Stepping Stones Event Center) to order at 6:00 p.m. Harling stated that the ZBA was able to verify that a signed application was received on April 12, 2021. Harling asked for the recently done survey to verify measurements with setbacks and lot lines. Pickman then referenced the Sanford Engineering Survey with the approximate measurements from Martin's buildings to the lot lines and abutters. Pickman expressed his concern that the bungalow and other buildings did not meet the zoning requirements for setbacks.

MacMartin stated that there would be a 4th non conforming use of the property under the commercial application. Pickman stated that the ZBA has not accepted the application as complete.

Harling requested that the Scope of Use and Business Plan be complete and updated before the next hearing so the ZBA can properly determine if it is an appropriate use. Martin reviewed and will submit the final Scope of Use and Business plan by the next hearing since minor changes have been made since April.

Caitlin began his presentation of the site plan which included a fire emergency exit plan with 3 driveways. (recommended by the fire dept.) Caitlin addressed some concerns from abutters regarding the sound study that was conducted. Caitlin confirmed that sound predictions/tests were conducted inside and outside (edge of the property lines). Caitlin confirmed that each sound meter is calibrated at every event (before and after) and while testing inside all doors and windows were closed. The test was conducted in the open space of the

barn only (not in the enclosed rooms within the barn). Caitlin then discussed the concern for traffic and how the traffic will be reduced significantly with the new proposed use. Also, all newly installed lights are dark sky compliant. Ezell recommended the board check the height requirements of the light poles to ensure dark sky compliance is met.

Martin addressed some noise concerns and described the updated changes in their quiet enjoyment policy for venue guests. There will be a \$1000.00 security deposit for noise, if the policy is not followed then the deposit will be made payable to the Temple Fire and Police departments.

Harling asked that everything be put into the scope of use and updated if needed, in order to come to a decision. Harling requested the survey be submitted with specific measurements from Martin's to Ezell's property to determine if it is over or under the 500 foot requirement. Harling stated that if the distance is under 500 feet then Ezell will have to sign a waiver in order to proceed. Ezell stated that he would like to see the distances from a licensed surveyor and not arial images from google earth.

Harling requested specific measurements to determine the distances between the off street parking and lot lines. Harling mentioned that Martin currently has 2 separate lots on the application and that Martin hopes to merge both lots, which must be done by the planning board. Harling stated that distances will still be needed for the bungalow and homestead in regards to the 100 foot setback requirement. Boo stated that the homestead is not set back 100 feet and 2 lawyers have stated that because it started in 1754 it is a non conforming pre-existing use.

Pickman replied that the homestead is a grandfathered residence but according to Article 4: 13 that a variance is required due to becoming a commercial enterprise.

Harling stated that "access shall be provided by not more than 2 driveways", and there are 3 driveways. Caitlin replied that the fire department wanted as many accesses in order to provide adequate fire safety. Pickman said a variance can be granted for an additional driveway but first it must be verified with the fire chief.

Harling asked about the scope of business and vacation rentals. Harling stated her opinion is that vacation rentals do not fit into the definition of an event center. Russell expressed his concern that multiple businesses are taking place under the scope of one application.

Paul Clabria spoke on his recently coordinated events at Stepping Stones and spoke on the continued monitoring of sound decibels inside and the perimeter outside. He stated that all testing was successful and fell far below the required standard.

Michael Tierney who is representing an abutter stated that the ZBA should request that Martin pull her application until it can be resubmitted with information that would complete Temple's zoning requirements or that the ZBA should deny the application altogether because it does not meet or include all necessary information to date. Harling replied that the board will contact their attorney on how to proceed.

Harling requested that the business plan and scope of business be updated to include more detailed information with the proposed uses.

Russell requested that documents online become more organized going forward or files that aren't necessary be archived somewhere else. Members of the board agreed that due to the amount of information, they would work on a resolution before the next meeting.

Harling requested that Martin file an application for a variance on the homestead before the next hearing. Harling stated that any paperwork for a variance would be needed ahead of time in order to give a proper notice to abutters and the public.

***Harling made the motion to continue the public hearing on September 30, 2021 at 6 p.m, second by Stein.***

***Motion to adjourn the meeting by Harling, second by Sliviak at 7:48 p.m.***

***Minutes by Sliviak***