

TEMPLE PLANNING BOARD
Temple, New Hampshire 03084

Minutes of meeting no. 77-07 held at the Temple Public School on Monday, February 21, 1977.

Members present: George Heck Absent: William Wildes
Warren Quinn Richard Odell
Carl Hedman Kenneth Saunders (resigned)
Howard Bradler

Meeting called to order at 7:42 PM by Vice Chairman George Heck.

1. Mitrovich minor subdivision on Fish Road. Mr. Mitrovich wishes to give five of his eight acres to his son. He has stated that it is not being subdivided for building. Therefore the Planning Board will require neither a test pit nor a percolation test. Furthermore, since this is a minor subdivision and not for building, contour lines and set back lines will not be required. Mr. Mitrovich should now go ahead and have two mylars and four prints prepared.

2. For the next meeting of this board on Monday, March 21, 1977, at 7:30 PM, in the Temple Public School, each member is requested to prepare a statement that could be put into a rubber stamp that would mark each lot on the subdivision plans that is not contemplated as a building lot.

3. Mr. Gene Robinson came in to discuss how to handle the subdivision of approximately five acres for the use of the Sign of the Dove Retreat Center Corporation out of his 27.1 acres (formerly the buildings and a portion of the land of the Charles Melendy farm, later Haney and then Martin). The reason for the subdivision has to do with financing the Retreat Center building and preserving the non-taxable (U.S. income tax), and non-profit status of the Retreat Center. The building and land occupied by the Retreat Center would remain owned by Mr. Robinson and would remain on the Town's tax roll.

In later discussion this Board noted that the locations of the boundaries of the subdivided portion should be such that all set back requirements for the building, parking areas and leach fields are complied with.

George Heck will ask the Board of Adjustment if it wants to review this proposed subdivision in that this is a change from the circumstances under which the variance was granted for the Retreat Center building. He will ask Mr. Robinson to attend the next meeting of the Board of Adjustment with him.

4. Mr. & Mrs. Turini brought in the required mylars and prints of the final plan of the land south of Hudson Road that they wish to buy from Mrs. Sarah Wilson. Since the Town has accepted Hudson Road (letter of 12-18-76 from the Board of Selectmen to Dorothea and Douglas Guy, and letter of 12-23-76 from the Planning Board to the Board of Selectmen) the Town has, in effect, divided this land from the remainder of Mrs. Wilson's land. Therefore this plan does not have to be processed as a subdivision and no fee for processing it will be collected by this Board. The Board did approve the plan so that it could be filed at the Registry of Deeds.

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4. (cont.) For that portion of Hudson Road that abutts this lot, Mr. Guy obtained a right-of-way from Mrs. Wilson that he in turn gave to the Town.
5. The Board approved the plan of the land of Louise A. and Rose V. L. Melfi south of Mansfield Road. This plan, submitted by Mr. Harry Stratton in behalf of the owners, does not involve any subdivision. It is only for filing at the Registry of Deeds.
6. C. Hedman reported on the 2-9-77 meeting of the Southwestern New Hampshire Regional Planning Commission (SWNHRPC). Of particular interest was information on two bills being proposed to the Legislature by the Environmental Coalition: one on Critical Resource Areas; the other on Developments of Regional Impact.
7. C. Hedman reported on the 2-15-77 meeting of the Monadnock Region Association at which Mr. Paul H. Guilderson, State Industrial Director, Office of Industrial Development, Concord, was the guest speaker. Subject: "What the State of New Hampshire is Doing to Bring Good Industry to New Hampshire and What N. H. Towns Can Do to Participate."
8. Meeting adjourned at 10:50 PM.

Carl I. Hedman

Carl I. Hedman

Secretary

TEMPLE PLANNING BOARD
Temple, New Hampshire, 03084

Minutes of meeting no. 77-09, held at the Temple Public School on Monday, March 21, 1977.

Members present:
George Heck
Bruce Kullgren
Richard Odell
Warren Quinn
Alden Smith
Carl Hedman
Norman Bartlett

Members absent:
none

Meeting called to order at 7:40 pm by Chairman George Heck.

1. The minutes of meeting no. 77-08, March 17, 1977 were distributed to all members of the board, and accepted as submitted.
2. Martin Connolly came to the board with a proposal for a commercial enterprise- to operate a private trout fishing pond supported by dues paying members. He stated that he had applied to the New Hampshire Fish and Game Dept. for a permit, but wanted to know if he needed the approval of the Planning Board. Chairman Heck stated that this board had no jurisdiction over this matter and suggested he contact the Board of Adjustment for review. Bruce Kullgren then stated that the Board of Adjustment could only review the proposal if it was referred by the Board of Selectmen. A discussion followed as to the proper procedure for Mr. Connolly to follow, and it was finally agreed to refer the proposal to the Board of Selectmen.
3. Martin Connolly also raised questions about building another house on his property on Webster Highway. Because of very small frontage on the road, he would intend to service this proposed house with his existing driveway. He was told by a prior Planning Board that he could build in this manner and was asking the board for confirmation. He was told that by creating another home site, he was subdividing, and must come under the subdivision statutes. However, he could use frontage of 300' on his existing driveway to comply with frontage requirements, if it served nothing else, and if the lot could be laid out to fit the size requirement. Mr. Connolly was given an Application for Subdivision and other pertinent forms. The board also waived the requirement of using a registered surveyor to lay out this minor subdivision.
4. Mr. Connolly next asked questions pertaining to another possible subdivision. If he should purchase the existing Melendy lot, that abutts his property, and wanted to divide it into two lots, would that be considered a Major or Minor Subdivision?

Heck- a Minor Subdivision.

Connolly- If that is the case, is there anything to stop me from building further up the road? (the road between his land and Register's)

Odell- Who owns the road?

Connolly- I have no idea. I have called it Avery Road, if it is, it was closed by the town. If it isn't Avery Road, it may be an open town road.

Hedman- Regardless, it is a Class Six Road, and the town has no responsibility for maintenance. However, if you dedicate half of the additional width required to bring it up to a 50' roadway, then no restriction can be placed on your lot due to width. How much land is available for building, can it be a legal lot?

Connolly- Yes.

Quinn- Is there any mention in the deeds about access, or right of way?

Connolly- No. All deeds say to wall, none say to the center of the road. Does this stop me from building further up the road?

Hedman- Probably. This question of this being a road, or a driveway serving more than one lot brings up a brand new problem.

Heck- Further building would not be allowed until the road was brought up to Class Five Specs and accepted by the town.

Hedman- We (the Panning Board) will have to work on this question before we can answer.

Connolly- If I cut off the area behind the pond, (his first request) am I going to have problems the next time I want to subdivide?

Hedman- I'd rather see you plan all your subdivision at once.
Heck-

Connolly- How long would it take to pass on the first Minor Subdivision?

Heck- About one month including abutter's notices and hearings.

5. Arthur Beland came in to discuss the sale of approximately five acres of land that is unuseable because of its slope and its proximity to a stream, to his neighbor Shirely Wolkins. He explained that it is unbuildable, and wanted to know if it would be described as a Minor Subdivision. He was told that it would be considered a Minor Subdivision. Mr. Beland was given an application form and other information, and told that he needed a drawing of his property showing the parcel he wished to sell, existing roads, buildings, and streams, and the names and addresses of abutters. The plan was also to

include the statement quoted in section 4.09, page 7, Town of Temple Subdivision Regulations, and the statement within the lot; "Subdivision not approved for building, further study by Planning Board required before lot is approved for construction". Mr. Beland agreed to have his surveyor comply with these requests, and will notify George Heck when he has the names of the abutters in order to schedule a hearing.

6. Gene Robinson came to the meeting to follow up on the request he presented at the meeting on Feb. 21, 1977. He reported that he had not received any word from the Board of Selectmen regarding this change from previous circumstances. He has taken the suggestions of the board pertaining to changing his lot lines to accommodate existing septic fields and set back requirements. Bruce Kullgren asked if his revised line changes complied with amendments to the Temple Zoning Ordinance adopted by the town as a result of the election since his last appearance before the board. Mr. Robinson said he was not sure but would check. The suggestion was made that if he could not comply with the revised set-back requirements with a straight line, perhaps he could jog the line between the existing buildings. Mr. Robinson was then told to report back to the board when he had fulfilled the requirements of a minor subdivision, plans, abutters list, etc, and the request would be acted upon. George Heck also requested that he inform the Planning Board as to the decisions of the Boards of Selectmen and Adjustment.
7. Chairmen Heck also reported that under R.S.A. 31:63A all amendments to the Temple Zoning Ordinance have past by simple majority.
8. George Heck also reported that under R.S.A. 36:46 III that the Planning Board has the duty to nominate two representatives to the S.W.N.H.R.P.C. and the Board of Selectmen have the duty to make these appointments.
9. The Metrovich Subdivision was discussed, and it was agreed to set a date for an abutters hearing coincidental with the same concerning the Beland Subdivision, providing that an application was received.
10. A general discussion followed regarding the sale of land between neighbors, unbuildable lots, and redivision of property as several minor subdivisions over a period of years. George Heck stated that since we have adopted a subdivision law in Temple, then every sale of property must be reviewed. With regard to the question about multiple minor subdivisions, it was felt that we cannot change the way these are handled without changing the definition of Minor Subdivision in our regulations.
11. The board voted to hold a "planning" meeting on March 28, 1977.
12. Meeting adjourned at 10:30 pm.


Norman F. Bartlett- Secretary

TEMPLE PLANNING BOARD
Temple, New Hampshire 03084

Minutes of meeting no. 77 - 15 held on Monday, May 16, 1977 at the Temple Public School.

Members present: George Heck
Richard Odell
Carl Hedman
Alden Smith
Bruce Kullgren
Warren Quinn

Absent: Norman Bartlett

1. Chairman George Heck called the meeting to order at 7:50 PM.
2. At the request of those present Carl Hedman acted as temporary secretary.
3. George Heck stated that he has written a letter to the NHWS & PCC to clarify the situation regarding the Turini building lot south of Hudson Road. The NHWS&PCC was concerned that a subdivision may be involved that did not have Planning Board approval and therefore it was holding up the approval of the septic system application.
4. Mr. Jerry Charron brought in a plan of Stanley Haskins' land south of Webster Highway from which he proposes to purchase a four acre lot. This lot would have approximately 168 foot frontage on Webster Highway and 662 ± feet on the east side of Mr. Haskins' driveway. Mr. Haskins' remaining frontage on Webster Highway would be 275 ± feet.

The Zoning Ordinance requires in the Rural Residential and Agricultural District frontage of 300 feet on a public road or private driveway. Also, no driveway shall serve more than one lot unless granted approval by the Planning Board. In an earlier discussion with Dick Rourke of SWNHRPC he suggested that the New Hampshire statutes require that the frontage be on a public road. Town Counsel, R. Fernald in his letter of May 5, 1977 does not find our Zoning Ordinance outlawed by RSA 36:26 regarding frontage on a private driveway.

Mr. Charron does not propose to have his driveway enter from Webster Highway, but, instead from Mr. Haskins' driveway. After thorough discussion the Planning Board did not object to the ~~PROPOSED~~ proposal.

There was considerable discussion on whether or not to require dedication to the Town of additional width of right-of-way along Webster Highway (one-half the difference between fifty feet and the present width) as per the second paragraph of section 4.14 of the Subdivision Regulations. The Planning Board has not required this on previous subdivisions because it was brought up very late in the review process after final plans were prepared. Some members feel that this would be an unreasonable requirement. There was a tie vote on whether or not to require the dedication of additional right-of-way width. This will be discussed again at the next meeting.

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5. Mr. Gene Robinson has his plans nearly ready for his minor subdivision for the Sign of the Dove Retreat Center. Due to some problems that have arisen in setting up the Retreat Center it will own the buildings and the land and therefore will not be taxable. But Mr. Robinson would make an annual contribution to the Town in lieu of taxes on the land. Previously Robinson was going to own the land and pay taxes on it. The Abutters' Hearing will be on Monday, June 20th. at the regular monthly meeting.

6. Mr. Tom Crabtree wanted to know what the requirements would be for him to sell his land on one side of Cutter Road and to keep the land on the other side. The Board requested that he check his deed(s) to determine whether the parcels are now separately deeded. If separately deeded he would not have to go through the subdivision process.

7. Mr. W. C. MacAdam, a land surveyor, (address, Francestown, N. H. 03043) brought in a preliminary plan for the family of the late Mr. Charles O. Richardson for the subdivision of the estate land into seven parcels (five parcels to be retained by the various family members, one parcel of eleven acres to be sold, and the remaining parcel of 239 acres to be sold) (actually ten parcels, due to being divided by the roads).

In reviewing the plans the Board suggested that road names White Ledge Road (closed subject to gates-and-bars) and Wilson Road (closed subject to gates-and-bars) be added on the plans.

Mr. MacAdam was asked whether the family would be in favor of giving to the Town any of the land in the vicinity of the White Ledge (Kendall Ledge). This land is adjacent to the land given to the Town by the late Mrs. Abbie Kendall Fish and contains a large portion of the exposed White Ledge. Any further investigation of this subject should be done by the Conservation Commission.

Some of the requirements for a major subdivision such as this one were discussed including the dedication to the Town of additional width of right-of-way along existing roads.

8. Secretary Norman Bartlett is requested to send out copies of subdivision applications and related information to Mr. Charron and Mr. MacAdam and Mr. Crabtree

9. Bruce Kullgren raised the question: Does Harold Kullgren have to have subdivision approval to lease out a site for a mobile home, said site was ~~was~~ formerly occupied (more than two years ago) by Bruce Kullgren's mobile home. Answer, yes. septic system is in place there. Health Officer Ken Saunders has examined the site.

10. Next meeting - June 6, 1977, 7:30 PM at the school.

11. Meeting adjourned 10:50 PM.

Carl I. Hedman

Carl I. Hedman - Acting Secretary

TEMPLE PLANNING BOARD
Temple, New Hampshire 03084

Minutes of meeting number 77-20, held at the Temple Public school on July 25, 1977.

Members present;

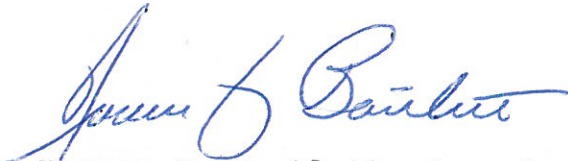
G. Heck
N. Bartlett
C. Hedman
A. Smith
W. Quinn
R. Odell
B. Kullgren

Members absent;

none

1. The meeting was called to order at 7:30 PM by Chairman George Heck. He asked that the reading of the minutes be held until later so that we could discuss the defacto subdivision of property by a public road before the scheduled abutters hearings begin. Discussion by the Board ended in the following recommendations; 1. when a highway passes through a parcel of land and the lots on each side are legal lots for the district, then the land shall be considered to be defacto subdivided by the highway, 2. when a highway passes through a parcel and creates one or more illegal lots, then the highway shall not be considered to subdivide the parcel. However the Board did not reach a final decision on this matter and will study it further, when more time allows.
2. The Wilson Abutters Hearing was called to order at 8:30 PM. John Harling reported that the plan as presented by Leo Turini was in error and that he owned from Hill Road back to Barraclough's Land, and D. Stone, A. Spaulding, Cellier, and San Souci were not abutters and their names could be removed from the plan. L. Turini agreed to do so, and the Board agreed to accept the plan with the names blanked. The plans were signed and accepted by G. Heck, C. Hedman, and N. Bartlett. Checks for the Town and the Registry were accepted by N. Bartlett.
3. The Peterson Abutters Hearing was called to order at 9:00 PM. Atty. Bob Taft explained the subdivision and answered questions. Karl Bigelow asked Mr. Petersons, motives for the subdivision. Ans. "For mortgage purposes". Mr. Bigelow asked about the future of this property and expressed hopes that it did not become part of a major subdivision. Mr. Bigelow then asked if this subdivision could be delayed. Ans. "No". Carl Hedman then asked Mr. Peterson if the brook is used as a property line, isn't it subject to change? Ans. "Yes". Mr. Peterson and Mr. Taft were asked to state on the plan that parcels "F" and "F-1" of subdivision were approved as one lot. They agreed, and the Board voted to accept the plan. Plans were stamped and signed by Heck, Hedman, and Bartlett. Fees were collected by N. Bartlett

4. The Leighton Abutters Hearing was called to order at 9:35 PM. After minor discussion, the Board voted to accept the plans. The plans were stamped and signed by Heck, Hedman, and Bartlett. Fees for the Town, and Registry of Deeds were collected by N. Bartlett.
5. The Board then reviewed the minutes of the last meeting, and they were approved as written.
6. G. Heck reported that he is having the comments from the growth limiting questionnaire copied and will have a copy for each member ready for the next meeting.
7. The next meeting was set for August 8, 1977 as a planning meeting.
8. Meeting was adjourned at 9:55 PM.

A handwritten signature in blue ink, appearing to read "Norman F. Bartlett". The signature is written in a cursive, flowing style.

Norman F. Bartlett- Secretary