

**Temple Planning Board
Minutes
Tuesday, March 19, 2024
7:00pm, Temple Town Hall**

Present: Bruce Kullgren, Jr, Vice Chair; Carter Sartell, Secretary; Keith Charlton; Murray Collette; Russ Huntley; George Willard, ex officio, Select Board

Absent: Brian Kullgren, Christine Robidoux

Guests: Ken Caisse, Jeff Littleton of Moosewood Ecological, Carol Ogilvie, Jim Medeiros

Board Vice Chair Bruce Kullgren called the meeting to order at 7:01 pm. Bruce chaired the meeting.

Approval of Draft Minutes

March 5, 2024 Meeting

There were no edits to the minutes and Carter motioned to approve the minutes as amended. Russ seconded. Approved by a roll call vote with all in favor.

Public Comment

Ken Caisse congratulated Bruce and Russ on winning their elections. Ken also introduced Jim Medeiros who requested an appointment as an alternate.

Voting Results

1. **Members:** Bruce Kullgren and Russ Huntley were both elected to the board.
2. **Zoning Amendments:** All amendments were passed.

Old Business

1. **Natural Resources Regulatory (NRI) Audit Draft:** Jeff Littleton of Moosewood Ecological (ME) gave an overview of the document (attached). First is a summary of the Master Plan chapters and Regulatory documents, and then Jeff's team created lists of the strengths, weaknesses, and possible changes for each. All agreed that the document's format with concise feedback for each section is helpful.
 - a. There was discussion about how to treat the chapters that are being revised now; ME is reviewing both the existing and draft versions. Carter suggested that since the Steering Committee has been reviewing Carol's drafts of the Population & Housing and Economic Development chapters, then ME should be reviewing the

drafts. All were in agreement. Carol is in the midst of updating the Land Use chapter, and she noted that the objectives still need to be done for all of these chapters.

- b. Page 4, last bullet: Carter asked for examples of innovative practices, and Jeff explained that this is a reference to the state's document mentioned on page 2. He will clarify the reference.
- c. Page 6, last bullet: Carter questioned whether other towns specify action items. Carol explained that some towns list all their goals and objectives in the Future Land Use chapter, while others keep separate lists in each individual chapter. Jeff recommended that we have a method to track progress on these action items, noting that they can get lost as board members come and go. Perhaps a spreadsheet within the Master Plan. Carol explained that part of her work includes creating an implementation section which will list the action items along with their timeframe, responsible parties, and a place for noting progress.
- d. "LID" is Low Impact Development which generally relates to stormwater management. Jeff will spell out all acronyms.
- e. Potential Changes throughout: Russ asked if these bullet items will be turned into action items. Jeff explained that this is up to the town to decide. ME will not provide specific suggestions because the details will be based on what makes sense for Temple. For the example of increasing wetlands buffers, Jeff recommended doing a regional comparison by reaching out to Barbara Richter from NH Association of Conservation Commissions; she has a list of setbacks and buffer sizes for all towns.
- f. Page 7, Chapter 9, Potential Changes, second bullet: Cathy Joly asked on behalf of the Conservation Commission how we would accomplish this. Jeff offered that they could elaborate on technical processes like this.
- g. Page 9, Potential Changes: Cathy asked how this list fits with ME's newly revised NRI. Jeff explained that because of the limited scope of the NRI update, these suggestions will become recommendations within the NRI.
- h. Carol will provide Jeff with the most up-to-date drafts, and ME will revise the comments on those chapters then give the board another draft for review. ME's goal is to complete this before their outdoor field work begins, so they expect to finish sooner than the original July date.

2. **GIS Mapping Conversion:** Jeff is almost finished, however the process has taken longer than anticipated. Their original budget was based on working with the 2017 tax assessor's database. The new tax assessor's database is different so ME has to do more manual manipulation, and they estimate they will need an additional \$800-\$1000 to finish the mapping. Jeff notified Christine about this on February 15th and clarified that this is in addition to the \$750 already allocated to complete the NRI audit. Carter suggested that we need to speak with Christine about how much money is left in the InvestNH HOP grant. Ken also explained that we can ask the

Select Board for additional funding if there are insufficient grant funds. We will follow up with Jeff as soon as we have an answer.

3. **InvestNH Housing Opportunity Planning (HOP) Grant Update:** Carter shared that we are conducting the individual interviews until the end of April. We've had quite a few interviews already and we welcome more signups.
4. **Tax Map Updates:** No update.
5. **NFIP-FEMA Flood Maps:** No update.
6. **Subdivision Regulations:** Russ sent Christine the latest revision, so we are waiting to hear back from legal review.

New Business

1. **Election of Officers:** At a prior meeting Christine confirmed that she was stepping down from the Chair position. Cathy spoke with Christine earlier in the day and shared her comments that she is willing to be Vice Chair or Secretary, and she will support the new Chair. Everyone agreed that Christine has done so much as Chair that no one person can fill her shoes. Bruce will consider being Chair depending on Christine's level of assistance.
2. **Planning Board Members Responsibilities:** The list of responsibilities (attached) can be shared among all members. This is tabled until the next meeting. Cathy will take on editing the agenda, and members will send her agenda items and attachments.

Work Session

1. **Driveway Regulations:** See attached. The draft version contains comments from Southwest Regional Planning Commission's (SWRPC) 2022 legal review in red. Subsequent Planning Board discussions led to the suggestions in blue. And now we have ME's recommendations in their Natural Resources Audit.
 - a. Section 3: There was discussion about whether driveway repairs require a permit. Bruce clarified that any repairs within the first 30' affect the apron of the road, so a permit is needed and the Road Agent should inspect it. It's important that water flows from the road towards the driveway, not the reverse. Carter noted that Section 10A states that the owner is responsible for maintaining the driveway.

- i. The regulations are not clear about what level of alteration or repair requires a permit, so Murray will follow up with Kent Perry. Russ also suggested adding definitions for words like “repaving.”
 - ii. Russ questioned the use of the term “right of way” because many people do not know where the right of way is and this could lead to confusion. Perhaps switch to the “edge of the traveled way” so it works for both dirt and paved roads. Lawyers prefer “right of way” because it is delineated on surveys. Murray noted that roads may be widened in the future; the width relates to the time when the application is submitted.
 - iii. Murray noted that for state roads, the regulations refer to the first car length (20’), so our 30’ regulations meet the state requirements. Temple is the only town in the area that does not regulate the entire driveway.
 - iv. Carter posed the example: a resident is resurfacing their driveway and is required to get a permit because they are altering the first 30’. What happens if the driveway doesn’t meet other criteria such as being on a blind curve? Ken verified that existing driveways are grandfathered. The regulations are not clear about this.
 - v. Bruce suggested that we keep “Select Board or Road Agent” just in case we don’t currently have a Road Agent.
- b. Section 5: Bruce clarified that the “unless otherwise noted” refers to subsection C. And Murray confirmed that RSA 153:5 essentially states that for one and two family dwellings with driveways longer than 150’ and at least 12’ wide, the driveway is exempt from the state fire code as long as the Planning Board considers recommendations from the Fire Chief. Otherwise, the state fire code applies. Murray continues to work on the purple section with the Fire Chief. Should these be “shalls” or “recommendations” for the Select Board and Road Agent to consider during the driveway permitting process.
 - c. Page 5, Section J: Bruce was concerned that the 25’ requirement may cause difficulties and Russ agreed. Murray pointed out that Section 7 explains the waiver process. Do we accept this edit?
 - d. Page 6, Section 6 and Page 7, Section 11 B: In the latter section, SWRPC suggested removing the dollar amount and allowing the Road Agent to determine the current cost at the time. This also makes sense for the former section. George was concerned about people struggling with the amount of the bond. Ken suggested that in these situations the town could work out a payment plan. Ken agreed with the bond in a “form acceptable to the Select Board.”
 - e. Page 8 Recommended Updates: The first question is not part of our regulations, so it should either be removed or reworded as Murray suggested. For the second question, Russ suggested that we should match the state and add a description of how to calculate site distance; this is referenced in the subdivision regulations as well.

- f. From the Natural Resource Regulatory Audit, page 16: The only thing we mention about stormwater is that it should not drain into the road. We do not have any recommendations about where it should drain (such as a swale). What kinds of incentives could we offer? Do other towns do this? Murray noted that for dense subdivisions in a wetlands district, all runoff has to be contained on the property.
- g. George noted that the spacing needed to be corrected in a few places.
- h. Murray will make these edits and send the revised copy for review at the next meeting.

Other Business:

1. **Regional Impact Update: New Ipswich Subdivision Application, Brook Haven Farm LLC Appleton & Maki Roads, Map 6 Lots 20 & 20-9:** Carter thought they postponed the meeting again.

2. **Site Plan Regulations Audit Results:** This is tabled until the Subdivision Regulations are finished.

3. **Filing Project:** No update.

4. Webinars & Trainings

- NH OPD Planning Lunches at Noon Webinar Series: “Transfer of Development Rights 101: A Working Through Subdivision and Site Plan Approvals”, March 21st, 2024

<https://www.nheconomy.com/office-of-planning-and-development/what-we-do/municipal-and-regional-planning-assistance/osi-planning-and-zoning-training/monthly-webinar-series>

- NHOPD Spring 2024 Planning and Zoning Conference, May 11, 2024, online from 8:45 AM to 3:30 PM. All sessions recorded and available for viewing at a later date. FREE. Registration opens April 1st.

<https://www.nheconomy.com/office-of-planning-and-development/what-we-do/municipal-and-regional-planning-assistance/osi-planning-and-zoning-conferences>

NHOPD Planning and Zoning Board Handbooks are available online:

<https://www.nheconomy.com/office-of-planning-and-development/resources/planning-board-handbook>

<https://www.nheconomy.com/office-of-planning-and-development/resources/zoning-board-handbook>

Carter motioned to adjourn the meeting and Murray seconded. Approved by a roll call vote with all in favor. Adjourned at 8:39 pm.

Next Planning Board Meeting:

Tuesday, March 19th, 2024 at 7:00pm, Temple Town Hall

Con Com Presentation of Natural Resource Inventory - April 17th, 2024

Minutes respectfully submitted by Cathy Joly.

Attachments:

1. Alternate Member Request
2. Natural Resources Regulatory Audit Draft
3. Officer Duties
4. Current Driveway Regulations
5. DRAFT Driveway Regulations