

TOWN OF TEMPLE, NEW HAMPSHIRE
PLANNING BOARD
June 18, 2014
FINAL MINUTES OF PUBLIC MEETING

Board members present: Camilla Lockwood, Randy Martin, Rose Lowry, Mary Beth Ayvazian, Tedd Petro and Allan Pickman, with John Kielely on speakerphone for entire meeting.

Call to order by Lowry at 7:34 p.m.

Approval of minutes: Motion by Petro to approve the minutes of 05/21/14 as written, second by Lockwood, and so voted.

HB210: Brief explanation of a recently passed NH bill that makes changes to RSA 675:7 regarding Notice Requirements for a Public Hearing.

Summer meeting schedule: Decision made that the next regularly scheduled summer meeting will be on Wednesday, July 16th at 7:30 p.m. at the Annex. The August meeting date will be decided later.

Connolly barn: Marty and Christopher Connolly presented plans for their new beef cow barn and discussed the Board of Selectmen's directive to go through Site Plan Review before receiving a Building Permit. C. Connolly stated they are working with the United States Department of Agriculture (USDA) - Natural Resources Conservation Service (NRCS) office, and showed plans for the building and its location on the farm. He further explained new techniques that would be utilized to keep the cows comfortable, contain and direct waste, and develop usable compost. When asked about liquid from the compost area possibly escaping into the ground and contaminating neighbors' wells, C. Connolly replied that this would be a less contaminate system than the present farm setup, and that they would work closely with the federal government to determine handling procedures. C. Connolly also stated the farm currently has around 100 cows and the new barn would accommodate up to 34 adult beef cows; the animals are grazed in different areas depending on the season to include pasture, woods, and a hay-fed loafing area. He stressed the farm adheres to federal government guidelines and recommendations, including the development of an overall grazing plan for the farm.

Lowry then brought up the question of whether the Connolly's would need to go through Site Plan Review- is agriculture exempt? Pickman said agriculture is allowed by right in zoning RSA's. The power to review site plans is contained within RSA 674:43. Ayvazian stated the Planning Board has authority to waive it. Pickman also said agriculture is allowed in the town's Zoning Ordinance. The board agreed the barn is a great idea and it is just a matter of complying with the rules.

Marty Connolly addressed the board and said he believes agriculture is currently exempt from Site Plan Review. He discussed a long history within the town on this issue and presented supporting documentation, including Planning Board minutes, references to elements of the town's Zoning Ordinance, a ballot vote in 2001, and a petition warrant article and subsequent ballot vote in 2007. He mentioned a particular issue that arose when a large barn was built within legal setbacks but too close to a neighbor's residence, and said the voters decided agriculture was still exempt. Board members reviewed the materials and discussed how to proceed. They were in agreement the voters had said 'no' to Site Plan Review for agriculture in 2001, and perhaps there is a need to review and amend regulations.

Kielely asked the board to consider seeking an opinion from the town attorney, based on a previous legal analysis that found a discrepancy in the town's zoning that would indicate Site Plan Review was

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warranted for agriculture. He offered to dig out the previous email chain with attorney Dwight Sowerby and forward to all. Kieley also stated that what the Connolly's were proposing seemed appropriate for the town of Temple. Planning Board members were amenable to having Lowry speak to attorney Bill Drescher. This was followed by general conversation about an increase in interest in local farming and related local press coverage, and the need to address agriculture in the Master Plan update.

Selectman George Willard, sitting in the audience as a resident, provided some history of the development of Site Plan Review. He commented that he was chairman of the Planning Board when discussing implementation of Site Plan Review, and there were two factions at work – those that wanted it, and those that did not. Willard said he decided to put it on the town warrant and let those factions campaign, and let the people decide. This started the process of working with Site Plan Review, and it was developed using language from other towns. Willard stated it was meant for commercial and industrial enterprises and agriculture was not involved. He said if it is applied to agriculture it does not always make sense, as it was not meant for that, and suggested a need for review. Both M. Connolly and Lowry agreed there is a need to review agriculture and commercial agriculture so regulations can be written that reflect the rules.

Houck lot line merger: The applicant was not present and the board decided to wait until the next meeting to address this matter.

Robbins gravel pit: The board had recently received an inquiry from a resident about the condition of the now closed pit. It was decided that a site visit was warranted to view the state of reclamation and determine if it was adequate. Martin said there was a written reclamation plan, and it was noted the bond had already been released some time ago. Up to three board members will make a visit and report back with their findings.

Master Plan chapters: Petro's "homework" had been made available previously. Martin reviewed his thoughts and notes on his assigned chapters. Other members are still working on their chapters and will make their presentations available at a future meeting.

Other business:

- The issue of trails will be considered for possible inclusion within future subdivision plans.
- General discussion about agriculture and the need to 1) further define and address uniformly within all land use documents, and 2) balance the rights of farmers and residents.

Motion to adjourn the meeting by Ayvazian, second by Petro, and so voted at 9:12 p.m.

Minutes submitted by Betsy Perry

~ Next regularly scheduled meeting is July 16, 2014 ~