

TOWN OF TEMPLE, NEW HAMPSHIRE  
PLANNING BOARD  
April 03, 2019  
MINUTES OF PUBLIC MEETING

Board members present: Randy Martin, Allan Pickman, Bill Ezell, Brian Kullgren, Nicole Concordia, Bruce Kullgren, Jr., and Tedd Petro

Call to order by Pickman at 7:01 p.m.

Whitcomb minor subdivision: Chris Guida from Fieldstone Land Consultants was present to provide details and answer questions about the proposed subdivision prior to the formal public hearing scheduled for 4/17/19. Copies of the plat were reviewed as Guida indicated potential house, well, and septic locations. He noted the Health Officer had witnessed the test pit. Guida requested two waivers from the application checklist: not having to show topography details on the parent lot, and not having to show contours on the subdivided lot. Pickman reviewed the application checklist and said everything looked in order. Bruce Kullgren made a motion to accept the request for the two waivers, with a second by Petro, and so voted unanimously.

Bruce Kullgren asked Guida for an impromptu conversation about affordable housing. Kullgren mentioned the current declining enrollment in local schools, as well as a desire to encourage young families to move to town. One of the aspects the board may look at to help is to have soil conditions be considered as part of determining lot size. Guida responded that there are variations from town to town, and utilizing soil conditions is usually associated with larger subdivisions. He stated some towns choose to consolidate housing at a higher density (i.e. with elderly housing). Guida also said some towns oppose affordable housing, or try to set limitations on areas where this type of housing can be built. Brian Kullgren asked Guida about the minimum lot size the state allows for subdivision, and Guida responded this does depend on soils, with consideration of water and septic loading, and is currently at 1-acre. Guida also said there is a need to consider aquifer zones. Brian Kullgren then asked Guida if he is familiar with the state now allowing deeper well casings to reduce the needed setbacks from septic systems. Guida said there is a formula, and a vertical distance of 400' probably accesses a separate aquifer and impacts a lower prospect of contamination. A well deeper in ledge and sealed is allowed to be closer than 75' to a septic system, although it would be much more expensive to drill. Kullgren thought this allowance might be advantageous for a smaller size lot. Guida also mentioned community wells and septic systems may be utilized for a subdivision. Both Pickman and Bruce Kullgren told Guida the board wishes to explore these type of options in relation to the town's Planned Residential Development (PRD) and Workforce Housing regulations.

Guida then asked the board if he could offer a "bonus" presentation, which turned out to be a preliminary proposal for a minor subdivision of the Copertino property located on Webster Highway. Guida said the family wishes to create a separate lot of approximately 8 acres that encompasses the old farm, which would be going to a family member. The family trust would maintain the balance of the property with no improvements. Board members reviewed a plat showing the proposed changes and asked a few questions. Guida will submit the necessary paperwork, and a public hearing date of Wednesday, May 1<sup>st</sup> was scheduled.

Approval of minutes: The minutes of 03/20/19 were reviewed. Motion by Bruce Kullgren to approve as amended, second by Brian Kullgren, and so voted.

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Review of Planned Residential Development (PRD) and Workforce Housing regulations: Printed copies of both regulations were available, and Pickman related how and why they had been developed to allow options for more affordable housing. Martin mentioned when his Stonegate PRD was done it had been approved for up to 27 lots, but they built only 12 and opted for leaving more open space. He felt the application should not be as stringent. Petro stated a PRD makes sense for land and conserving, but workforce housing is different and would depend on what the town wants. Pickman said the current PRD ordinance does not have a minimum lot size, and potentially could allow row type housing. He suggested the board could tweak the ordinance, such as a density bonus of 25% if building workforce housing. Petro asked Ezell if it was possible to provide the board with a list of 2018 Temple home sales with prices by accessing Avitar data. Current market values of land and building costs were discussed, and how to best help lower prices of starter homes to attract families. Bruce Kullgren said he had talked recently with a builder, and offered to get specific information on a home built in the area that sold for \$230,000. The lot size was unknown, but there was agreement that one aspect of lowering housing prices might be to allow building on smaller size lots. Bruce Kullgren told the board he and Concordia had just attended a seminar in Concord, and offered some of the highlights. He stressed the town's Zoning Ordinance must become flexible enough to allow housing to thrive, and suggested at the very least allowing duplexes on a 3-acre lot. Petro thought that discussing this would be a good test for the town.

Pickman brought up ADU's (Accessory Dwelling Units) and the board discussed scenarios for possible rental unit situations. It was noted lot sizes would not have to change for duplex consideration. Petro mentioned two local area retirement communities who have built and already filled all their new units, saying investors are willing to build more. Discussion turned to duplexes. Bruce Kullgren asked if the definition of a duplex is related to square footage. Pickman said it was simply allowing 2-family dwellings, and Bruce Kullgren responded if that is so then ADU's could go away as a separate entity. Bruce Kullgren also told the board he had spoken with Kathy Eneguess, who said if Temple has voters who are interested in the ongoing school situation, the board should grab their attention now to make changes in zoning regarding housing. Tedd Petro agreed and stated the board needs to hold a public forum that is well publicized. Pickman advised the board to develop a concrete list of options to present, and that changes to lot size could change the character of the town. Another suggestion was to look at the town tax maps to obtain a good visual of open space and development clusters. Bruce Kullgren spoke of the board having one chance to do this, and do it right. There was further discussion about whether the format for the forum should be to listen to what people want, or to present choices for them to consider. One idea offered by Brian Kullgren would be to allow retrofitting existing houses into duplexes. Bruce Kullgren talked of tweaking the PRD regulations utilizing soils, etc. Bill Ezell spoke about tweaking the ADU's to allow them to become duplexes. The board will continue to work to come up with ideas for further discussion.

Legal status of Warrant Article 12: There is some disagreement about the legal status of Warrant Article 12 concerning building code enforcement that was adopted at town meeting. Concordia presented the board with research based on a statutory review and without any case law, with a conclusion that the town vote was not valid. Ezell spoke of the Selectboard following advice from both the NH Municipal Association and town counsel Bill Drescher in promoting adoption of the article, and the Selectboard feels the vote remains legitimate. He said perhaps Drescher could come in to speak with the board or provide a written opinion. Pickman said he has communicated with Drescher since the vote. Ezell explained the Selectboard adopted it due to concern over not having had the legal authority to issue permits and charge fees. Concordia explained

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her position as being the procedure had not been followed as outlined in state statutes, and suggested the language should be cleaned up and the process done again. She gave Ezell permission to forward her written commentary to Drescher.

Other business:

- Bruce Kullgren commented on a new list of town hall fees. Ezell said the Selectboard just wanted clarification for everyone.
- Further discussion of possibly changing the board's meeting day from Wednesday to either Tuesday or Thursday during the summer months. A meeting on Wednesday, May 1<sup>st</sup> is already scheduled for a public hearing on a subdivision. After brief conversation the following revised summer meeting dates were agreed upon: a second meeting in May held on Tuesday the 21<sup>st</sup>, two meetings in June held on Tuesday the 4<sup>th</sup> and 18<sup>th</sup>, one meeting held in July on Tuesday the 16<sup>th</sup>, and one meeting in August held on Tuesday the 27<sup>th</sup>. Pickman moved to accept the summer schedule, second by Ezell, and so voted.

Motion to adjourn by Brian Kullgren, second by Pickman, and so voted at 8:38 p.m.

Minutes submitted by Betsy Perry