

Temple Planning Board
Minutes, Tuesday, April 6, 2021; by Zoom, 7:00pm

Present: Bruce Kullgren, Jr., Chair; Allan Pickman, Vice Chair; Nicole Concordia, Secretary; Brian Kullgren; Randy Martin; Christine Robidoux; George Willard, Select Board Ex-Officio; Olivia Holmes, Clerk; Members Elect: Keith Charlton, Alan Fox

The meeting was called to order at 7:00pm and began with a reading of the "Checklist To Ensure Meetings Are Compliant With the Right-to-Know Law During the State of Emergency."

Approval of Draft Minutes: March 16, 2021

George moved to accept the minutes of the March 16th TPB meeting as amended. The motion was seconded by Christine and unanimously approved by roll call vote.

Invitation for Comments from Audience Members: No comments were offered at this time.

Jeannie Whitcomb: proposed subdivision presentation and discussion

8A-12-1 is a 3-acre subdivision for the yellow house already exists. (see tax map attached). Chris from Fieldstone is drawing up the subdivision plat. The proposed subdivision is a 3-acre lot on the corner of Colburn Road and Rte. 101. Chris Guida will be able to figure out the wetlands, frontage, etc. When Jeanne has an official plan, she will come back to the Planning Board with Chris.

Allan explained that there is often a preliminary meeting with the surveyor, and then any corrections that might be needed can be made before the abutters' hearing. It's up to the surveyor to decide. Brian said they have done the test pit for the subdivision and that would probably be adequate for the septic system as well. Keith asked whether a wetlands permit is required at this stage or later. Allan said there might not be a need for a wetlands permit if the wetlands are not impacted and all the set-backs are met. The surveyor would have to hire a wetlands soil scientist to delineate the wetlands on the plat if required.

Christine explained that all the steps in the procedure are outlined on the TPB website, and that the Subdivision Regulations state that applications should be submitted not less than 15 days prior to the next regular Planning Board meeting.

Randall Martin: Fly Way Farm Hearing: Subdivision of Timberdoodle Lot.

Randy explained that this is a minor lot division; dividing lot 8-2-2 from lot 8-2-2-1. Both lots are 2 acres over the town requirements. They exceed most requirements. Utilities access for the new lot is from an existing utility pole. The driveway is where one currently exists. It is a very low impact subdivision. The lower lot is a field and there probably won't be any disturbance of the trees. The four main abutters are George Russell, Isabella Martin, Nicole and Steve Concordia, and Steve Concordia, heading up the Stonegate Farm Homeowners' Association. Randy stated that Steve Concordia indicated this was a very positive thing, and

Boo Martin, on the left of the proposed division is very pleased as well. If approved, the subdivision will generate about \$12,000 in current use tax revenue to the town. Bullet points of Randy's presentation are attached to these minutes.

George Russell affirmed that Randy has handled this beautifully, with consideration to the neighbors, and affirmed that Randy had answered their questions. Randy fielded a question from Emilio Castilla, a new Stonegate Farm resident.

Randy felt the application is complete; they just have to ask Earl Sanford to complete the mylars. Nicole has the checks. Nicole would deliver the two checks for the registry of deeds with the plans. Bruce and Allan will sign the mylars since Nicole has to abstain. Brian moved to accept the application and approve the subdivision subject to the mylars being submitted to the town within 30 days. Allan seconded the motion. The motion carried with Christine, George, and Bruce affirming it. Randy and Nicole abstained.

Randy will get the 5 paper copies and two mylars and staple the application to the rest of the documents. Allan will find a picture of Pete Caswell's stamp and get it to Earl Sanford.

George Russell asked about the meeting held on March 2nd with Chris Drescher. Why wouldn't Atty Drescher's opinion be shared publicly.

Other Business

1. Authority over appointment of TPB alternates (Nicole, Bruce and Christine)

Christine quoted information she had received from the Municipal Association that an elected planning board appoints its alternates.. Stephen Buckley of the MA said that if the Board appoints people to be alternates, the term is 3 years, so if the TPB appoints Keith and Alan as alternates, then the Board would have to appoint others to fill those positions once Keith and Alan are officially sworn in as Board members at the Town Meeting in June. Christine is still in favor of creating the alternate positions. Brian felt the Board should have elected officials and not appointed ones. Nicole is glad Keith and Alan are attending; under normal circumstances there would not be a need to fast-track people onto the Board. Nicole is not in favor of creating long-term alternates to the Board. Bruce agreed. Randy appreciates Keith and Alan's engagement with the Board; and felt that with 4 meetings left it's fine to be where we are, and they are sworn in in June. Christine reminded everyone that there is a case coming up in which 3 members of the Board would have to recuse themselves. Brian, Nicole, and Randy would have to recuse themselves for Stepping Stones. Brian says there's no money transferred and he does not feel the need to recuse himself. Regarding Ben Fisk's project, Brian and George would have to recuse themselves. Bruce would prefer not to change the status quo.

Connie asked the Board what the possible objection would be to having alternates. Bruce explained that there are 7 members on the Board; 6 elected by the town, one ex-officio from the Select Board. There's a reason why there are 3 select people not 5.

Allan explained that historically there has never been a time when alternates were needed by the Planning Board. He said there have always been at least 4 members who could vote. Allan also suggested that if a board were unevenly divided between two perspectives on an issue, then the majority could vote to appoint alternatives of their perspective. It was pointed out that an applicant to the ZBA can ask for a full board; Connie wanted to know whether that same rule exists for the TPB. Christine said that might be a question for legal counsel. Certainly the Board could bring in a technical expert if required.

Allan said that in the 36 years he's been on the Board there has always been a quorum. George agrees with Randy, Nicole, Bruce, and Brian; appointing alternates at this time is not expedient.

Christine pointed out that the 1995 rules of procedure say the Board will consider alternates. Bruce replied that it was created by copying from another example. Allan did not recall the process of drawing that up, pointing out that saying we "may" doesn't mean we "should."

2. Voluntary Lot Merger Application Form Updated Draft (Nicole)

Nicole reviewed the major updates to the draft discussed at the 3/16/21 meeting; most of which are the indications of when the application was received and by whom. Nicole added a check box for whether the proposed merger complies with the Temple zoning ordinance.

Nicole moved to adopt the Voluntary Lot Merger Application as presented and get it on the website. George seconded the motion and it was approved by unanimous roll call vote.

3. Site Plan Review Application Form: Review (Allan Pickman). No update available.

The Board had considered looking at the OSI handbook and at other towns' forms. That sounded like a lot of work, and it was suggested to back up and look at the rules of procedure first. Christine offered to circulate the section of the OSI handbook on planning board rules of procedure for review before the next TPB meeting, along with the TPB existing rules of procedure (both documents are attached). The Board would also have to have a public hearing if any changes are proposed.

4. Discussion of Public Files for Pending Applications on Website (Nicole, Olivia, Bruce)

Nicole thought it would be a great idea. Allan thought that with a simple subdivision what's really essential to be there are all the Board's minutes; the application, the current version of the plat and any attachments. Christine is in favor of the idea. She also suggested the Board should tighten up its application process. Keith suggested there should be a check list for anyone coming before the Board. Bruce agreed. Allan explained that the check list is on the application form for a subdivision. Test pit results

do go into the Board's file, though not to the registry. Pete Caswell has to sign the mylar to show that the Health Department approves it. Keith requested the check list Allan referred to be sent to Nicole or Olivia for formalizing. Allan explained it's on the subdivision application.

Nicole moved to begin putting all applications and their attachments received on the Board's website before a meeting to discuss the application. Nicole volunteered to manage the implementation. Christine seconded the motion which was unanimously approved by roll call vote.

5. Education Corner (Bruce). The radius required for a well is 75 feet; but is allowed to extend onto someone else's property. It cannot extend into the septic system. Allan pointed out that radius can include wetlands, and if it does enter someone else's property, their permission would need to be acquired. A leach field could certainly be at the 75-foot distance.

New Business

George asked Nicole to sign him up for the May 15 Planning Conference. The Office of Strategic Initiatives, the New Hampshire Municipal Association, and the Southwest Planning Commission are constantly running webinars having to do with housing. Christine is really good at making sure TPB members all get those emails.

Next Meeting: Tuesday, April 20, 2021, 7:00pm by Zoom

Adjournment was moved by Nicole, seconded by George, and unanimously approved by roll call vote.

Respectfully submitted by Rev. Olivia Holmes, Clerk

Attachments: Jeanne Whitcomb Tax Map with subdivisions drawn in
 Fly Way Farm Timberdoodle Lot subdivision presentation (when available)
 Fly Way Farm Timberdoodle subdivision topographical map
 Temple_RulesOfProcedure_v1.docx
 NH_OSI_SuggestedRulesOfProcedures.pdf