

**Temple Planning Board**  
**Approved Minutes, Tuesday August 16<sup>th</sup>, 2022**  
**7:00 pm, Temple Town Hall**

Present: Christine Robidoux, Chair; Murray Collette, Secretary; Keith Charlton; Alan Fox; Brian Kullgren; George Willard, ex officio, Select Board;

Absent: Bruce Kullgren, Jr., Vice Chair; Russ Huntley, Alternate

The meeting was called to order at 7:00pm.

**Approval of Draft Minutes of Meeting**

George moved approval of the draft minutes of the 7/19/22 meeting, as amended. Keith seconded the motion, which was approved with Brian and Murray abstaining. However, the Board did not have a quorum present at the time of the vote; so approval will be placed on the September 6<sup>th</sup> meeting agenda.

**Invitation for Comments from the Audience:** None were received.

**New Business**

1. Subdivision Application – Preliminary Review – Map 5B-84 & 5B-84-1 (Shelley Guy)

A version of this application was previously reviewed when the Board was doing the lot line adjustments for Nancy Armstrong. Sam Ingram from Meridian Land Services explained that the main purpose of this would be to combine lots 5B-84 and 84-1 and then subdividing the combined lots into a total of 6 lots.

Christine asked whether the house on 5B-84 has a 35-foot setback. Sam pointed out that the lot complies and the setback is designated in the legend. Sam explained that the 250-foot box is extremely tight, and he reassured the Board that it is within the requirements. Sam explained the total frontage for each lot is shown in each lot area. Christine asked where the well is on the existing lot 84-1 off Cutter Rd. Sam explained it is directly behind the house. He also explained that on lot 84-5 there is a well that currently serves lot 84. A new well may need to be dug for one or the other of these two lots, he suggested, depending on the new owner's ownership of one or both lots. Keith suggested there would need to be disclosure. The Board members generally agreed that the plan fully discloses the reality of the well's positioning. Christine will consult with our Land Use Attorney on how this factors in to the board's decision.

Sam reported that perc tests were done on all 4 of the proposed new lots.

Brian moved that the Board hold a hearing on this application at the Board's September 6, 2022, meeting. George seconded the motion which was approved by unanimous roll call vote.

The application and plans can be found on the Temple website under Planning board Case Files for 2022, Shelley Guy Subdivision Lots 5B & 5B-84-1.

2. HB 1661 – BEA & NHMA Guidance on Changes to Zoning Regulations (*attachment*)

Christine explained that some of the changes go into effect on August 23<sup>rd</sup>; and as long as the TPB follows the new regulations, the Board can update its ordinance when possible. She read her summary of each change required, and led a brief discussion of possible actions regarding each requirement by the TPB (or the ZBA or Select Board, for example). See her attached summary.

HB 1021: Religious Exemption for Development

See Christine's summary of the changes required by this bill (included in the attachment with HB 1611), effective July 1, 2022. When asked about the monastery on Derbyshire lane, Ken reassured the Board that the Monastery on Derbyshire is a religious organization, and the Select Board overruled the decision by Avatar.

**Old Business (As Time Allows)**

1. SWRPC Regulatory Review/InvestNH Municipal Application (*attachment*)
  - a. Site Plan Regulations & Subdivision Regulations
  - b. Zoning Ordinance (2022)
  - c. Earth Excavations
  - d. Change of Use

Christine will continue to work with Lisa Murphy of the Southwest Regional Planning Commission (SWRPC) on grant possibilities.  
(See attached notes writing up what Christine has learned)

Murray asked whether matching funds are required for any of the possible grants, and Christine said no match is required. She added that community engagement is required. Holding the Charrette will count as evidence of community engagement.

Keith moved to proceed with drafting InvestNH grant possibilities. Murray seconded the motion which carried with Brian and George abstaining.

2. Driveway Regulations – SWRPC Recommendations (*2 attachments*)

Christine shared recommendations she received from Lisa Murphy and JB Mack of the SWRPC, and the February 2022 legal review done by Laura Spector-Morgan, Temple's Land Use Attorney. Christine provided documentation for the recommendations discussed in the attachment to these minutes regarding Driveway Regulations.

Lisa and JB reviewed our regulations. Christine sent Lisa's recommendations to Laura Spector-Morgan, and shared comments Laura had sent to Nicole Concordia back in February (copy of email attached). Lisa had some wording issues and recommended

including height requirements for emergency vehicles. Laura said the 30-foot requirement would only apply to repairs, not to the entire driveway. Kent Perry suggested altering the placement of the 30-foot requirement within the sentence to address the misunderstanding. The intention is to include “construct, alter, repair or pave”; not just to “repair”. Christine will ask Laura for correct language to make the intention clear.

SWRPC feels there are too many town bodies named as having approval authority. Temporary driveways, septic repair, logging and permit, Kent said, should go directly to the Road Agent. There are two places that need to be corrected to remove Planning Board and be clear the Road Agent has authority.

The Board reviewed Laura’s recommended changes, and decided on preferred wording. Christine will prepare an updated version based on tonight’s conversation for distribution before the next meeting.

3. Master Plan Natural Resources Inventory – Conservation Commission (ConCom)

Christine spoke with Scott Hecker, Chair of the ConCom, who said the ConCom approved the proposal submitted by Moosewood Ecological Services, LLC.

4. ADU Discussion – Bruce/Brian

Christine mentioned the fact that the town is reviewing the need for the 3 additional acres, which could help in grant applications from InvestNH.

5. Home Based Business - Christine

No update at this time

6. Community Advisory Committee Updates - Christine/Keith

e. Housing Forum

- f. Plan NH Charrette: The work is moving forward; materials will be sent to residents within the next week.

7. Other 2022-2023 Initiatives

- g. Master Plan update schedule: Christine thanked Murray for the schedule updates.  
h. National Flood Insurance Program (NFIP): Nothing new to report. That said, it was observed that there has been a lot of flooding because of dryness in other parts of the country. Alan reminded the Board that Hurricane Irene hit Vermont some years ago, and it caused major flooding.

## **Old Action Items**

1. Reformatting Zoning Ordinance for easier updating, online more user friendly: Keith asked Christine to put a second pair of eyes to his update. His key question is whether any errors exist because of updated RSAs.
2. Town Office Filing Project - Keith/Olivia: Olivia, Keith, and Carole will be meeting in the town office on Thursday, August 19<sup>th</sup>, to create a shared drive for Olivia and Carole.
3. Tax Map Updates – Keith: Keith reported he, Carole, and Murray all have to agree on corrections before submitting updated tax maps.
4. Create Zoning Ordinance Historical Index - Christine: no updates at this time.
5. Planning Board webpage review: Keith will discuss with Carole Thursday morning.

## **Other Business**

1. Upcoming Webinars/Conferences: Christine mentioned upcoming webinars.
2. Short Term Rentals: No news at this time, but Airbnb's would be covered.

Brian moved adjournment of the meeting. George seconded the motion, which carried by unanimous roll call vote.

The meeting was adjourned at 8:40pm.

Respectfully submitted by Rev. Olivia Holmes, Clerk

**Next meeting: Tuesday, September 6, 7:00pm, Temple Town Hall**

Attachments: Christine's Summary of HB 1661 and HB 1021  
SWRPC Driveway Regulations Recommendations  
Email Laura Spector-Morgan to Nicole Concordia dated 2/23/2022  
Driveway Grades in Neighboring Towns