

**Temple Planning Board
Approved Minutes, Tuesday November 2, 2021
7:00pm, Temple Town Hall**

Present: Nicole Concordia, Chair; Bruce Kullgren, Vice Chair; Keith Charlton, Secretary; Alan Fox; Brian Kullgren; Christine Robidoux (by telephone); George Willard, Select Board ex-officio; Olivia Holmes, Clerk

The meeting was called to order at 7:02.

Approval of Draft Minutes of 10/19/21 Meeting

A motion to approve the minutes of the 10/19/21 meeting as amended was made by Bruce Kullgren, seconded by George Willard; and passed by unanimous roll call vote.

Invitation for Comments from the Audience

Gail Cromwell expressed concern about how the proposed changes in the draft driveway recommendations would affect access of emergency vehicles and safety of the travelling public.

Honey Hastings requested attachments to an agenda or minutes be made available electronically.

Connie Kieley expressed concern that driveway regulations should ensure the safety and well-being of citizens, and that a draft of regulations must be presented at a public hearing.

Old Business

1. Ben's Maple Products Site Plan Review Update (Nicole)
 - a. Nicole filed the ZBA decision and the Planning Board decision documents. Nicole returned the unnecessary LCHIP fee to Ben in this meeting.
 - b. The new mylars received by the Board were 23" by 38" and did not fit on the scanning machine at the Registry. Mylars need to be 22" by 34". The Planning Board needs to receive 2 mylars and 4 papers. One mylar and 4 paper copies are filed in the town office, and one mylar goes to the county registry. There is nothing in our Site Plan Review regulations about whether we need to file an updated mylar at the registry, which conforms with specific requirements as set forth by the ZBA and Planning Board during their planning processes. Bruce noted the Planning Board always has submitted them, and recommended the practice be continued. Nicole offered that she had spoken with Allan Pickman to confirm the Planning Board approved Doug Heck's plan back in January 2020, with only a hand-drawn sketch; and nothing was submitted to the registry.
 - c. Bruce, Nicole, Keith and George all supported continuing to file a copy with the county registry; particularly given that future owners would have to comply with the final agreed plan. Applicant Ben Fisk was also in agreement with filing at the

registry, and will get the C1 map updated with the book and page numbers of the filed Decision documents, which will be cut to the correct size. The ZBA decision on Ben's project was filed in Book # 9549, page 1658. The Planning Board decision was filed in Book # 9549, page 1663.

- d. The registry didn't understand why a surveyor's stamp is not on the mylar being discussed at this meeting. Ben will get both stamps on the final C1 map.
 - e. Keith will update the site plan review document and check with the rules of procedure regarding requirements for submitting updated mylars and surveyor's stamp requirements.
2. Budget 2022 (Nicole): There will be more information after Nicole meets with the BAC and CIP in their joint meeting next week. Up to 4 hours have been approved by the Select Board for Olivia (assisted by Bruce) to figure out what needs to be done to maintain Planning Board paper files in good order at the town office. Their recommendations regarding best practice and time required to bring the files up to date are needed by early December. Keith offered to assist Olivia if Bruce cannot be available when needed.
 3. Community Advisory Committee (Christine/Keith/Alan)
 - a. Affordable Housing. Christine attended the Wolfeboro Charette. She reported that it was an excellent meeting, and she is excited to bring the team of presenters to Temple. The CAC meets next week, and will draft the challenges they would like to have addressed in a Charette.
 - b. Zoom: The Select Board approved approaching a professional group to help assess what is actually needed.
 4. Driveway Regulations (Brian)
 - a. Brian and Kent gave an overview report of the reasons for their recommended updates to Temple's driveway regulations.
 1. The decision to regulate driveways for just the first 30 feet was made about 5 years ago, but the driveway regulations document was not revised accordingly.
 2. Most of the deletions recommended are in section V. At the top of the page it says these regulations are strongly advised for the rest of the drive.
 3. Most of the safety problems are within the first 30 feet, except regarding fire apparatus.
 4. It's not up to a resident to fix their driveway if water drains down on the street.
 - b. There was lengthy discussion around the following overarching questions:
 1. What is the town's obligation regarding safety beyond the first 30 feet for fire apparatus, and on the street for public traffic at the intersection with the driveway.
 2. Relevant RSAs certainly need to be followed.

3. How much autonomous authority should be delegated to the town road agent and deleted from the zoning requirements; and what skills and/or training makes a road agent good at the job.
 4. Would the deletions recommended make it more difficult for a potential developer to comply with the underlying RSAs.
 5. Should a waiver be required when people ask for a driveway permit, to relieve the town from any liability for the whole driveway; for example, if emergency vehicles couldn't get up the driveway?
 6. Changing "selectmen" to Select Board throughout the document was requested.
- c. There was discussion around the following specific issues:
1. Requirements for dirt driveway to dirt road versus dirt driveway to paved road, and paved driveway to dirt road,
 2. Requirements for drainage (section V, item D).
 3. Requirements for culvert piping (section V, item F)
- d. There were a number of questions raised regarding the requirements for a temporary versus a permanent access entrance/driveway
1. Section VIII D and Section IV, C seem to be in conflict.
 2. The intent to ensure property be returned to the way it was before a temporary access entrance was permitted.
 3. The section on permanent driveways should not include anything about temporary driveways.
 4. The check box on page 8 for temporary driveways should be removed as there is a separate application for temporary driveways, which should be included in this document.
- e. Other questions or recommendations which were raised include the following:
1. On page 3, section III references state highways. In the last sentence of section III, the word "also" should be removed. Kent reported that the town stays out of state business regarding driveway regulations on state roads; the DOT has a memorandum of understanding around this issue.
 2. In section V, Page 5, sight distance speed limits; should speed limits under 30 miles an hour be eliminated because Temple roads are designed for a 200' sight line at 30 miles per hour? (Remove 0 to 30 at 150 feet.)
 3. Driveway design requirements should all be on one list, somewhere in the document (currently referenced on both page 5 and page 8).
 4. In section IX, page 6, common driveways: should the 24" requirement and the 3" pavement requirement be deleted?

5. Also, while common driveways are allowed and were voted at a town meeting, the question was raised as to why they exist in Temple. Christine will research the question.
6. In section XIV, page 7, amendment; does the town have to adhere to RSA 236:13, referred to the OSI Planning Board handbook that says if you are amending driveway regulations you have to follow the same process as when amending subdivision regulations.
7. On the Permit to Build Driveway, page 8, There should be a statement that says only the first 30' are involved.
8. Should the paving permit application form (page 9) include everything in section V?
9. Should clarification, specifically: "Applies to the first 30' of new driveway construction only," be added under the Driveway Regulations title on page 10?
10. The items on page 10 (specifically 1-6, suggested by Brian) are not always reasonable. The safety issue is to prevent water running out onto a town road, sliding into the street. Should all of page 10 be deleted (recommended by Brian).
11. Kent requested the line-of-sight diagram be included (page 11).
12. Both Brian and Kent suggested page 12 (geometric and structural guides) should be deleted as unnecessary except for a major housing development. It was noted that driveway plowing got the town working on driveway regulations. The Tamposi plan was also an important factor because of the possibility of housing on steep slopes. This page is really about a new subdivision road, to be deeded to the town after approval, and should not be included in a section on driveway regulations. Once the road is built, then the driveways would have to comply for the first 30'. Page 10 is not the road; that's page 12.

Brian agreed to make the changes discussed in this meeting and to present an updated draft at the next meeting.

5. Rules of Procedure (Christine): The following suggestion and recommendations were made to the draft presented dated 10/20/21.
 - a. Capitalize all the references to Chair, etc.
 - b. Page 2, section IV, #2: Change "annually" to "periodically."
Page 2, section V, #7: make pronouns neutral (find and replace) throughout.
 - c. Page 4, section VI, #3: Copies of the minutes that are discussing the application and the notice of decision should be included with the records.

Page 4, section VI, #4: “or their designee” should be added after “Planning Board member.”

Page 4, section VI, #5c, add something about unanimous roll call vote.

Page 4, section 7, #1: uses language to conform with the RSA; so zoning regulations would also have to change to comply. Conversations with a potential applicant have to happen in a public meeting unless the Planning Board designates a planning consultant to meet with the applicant, which consultant would not have any Planning Board authority. RSA 676:4 I (a) suggests the Planning Board does not have to use the state’s language.

Page 4, section VII #4: does this section ask too much if it’s just a preliminary design review. Should the possibility of a Planning Board waiver be added to indicate which specifics (between #4a and #4g) could be waived in any specific case?

Pages 4 and 5, sections VII and VIII: are these mutually exclusive?

Page 4, section VII, #1: should “Board designee” be added? Christine will verify whether this is possible.

- d. Page 5, section VIII #1: add Board designee if appropriate. Christine will verify whether this is possible.

Page 5, section VIII, #1: add “the” between “to” “Secretary.”

Page 5, section X, #1: under line 2, indicating two public places, it might be good to say where those places are. They include the Municipal Building and the website, and may also be posted at any of the following: Willard’s store, the elementary school, the town hall, and when it becomes possible, the town library.

Page 5, section X: the notes in italics can be removed under #1 and #2.

Page 5, section XI, #1: should this sentence be removed?

- e. Page 6, section XI, #2: change Secretary to Chair.

Page 6, section XI, #12 and #13: Chair person should be changed to Chair, and is this wording correct? Should the public comment period be closed before a Board vote? Should the Chair indicate when the public may comment? Christine will follow up with someone to determine whether adjournment (#13) means at the end of the time of public comment or at the end of deliberations of the board.

Page 6, section XII, #1: 65 days is required for rendering a decision; not 90.

Page 6, section XII, #3: the location should be the Municipal Building. All references to town offices should be changed to Change Municipal Building.

Page 6, section XII, #4: add “or designee”. Delete “approved.”

Page 6, section XIII: remove the RSA from the title (and if desired, include it in the body copy).

- f. Page 7, section XIV: add that approved site plan review plats shall include the book and page number of the location of the filing of decision.

Page 7, section XIV, #1: the town is responsible for recording; so add “or their designee.”

Page 7, section XV: Christine will research whether joint meetings with the Select Board are allowed.

Page 7, section XV, #4: Christine will research whether this is correct.

Page 7, section XVI: capitalize Rules of Procedure.

6. Site Plan Review Application Revision (Keith) Keith will submit the regulations at the next meeting as well.
7. Tax Maps Update (Keith): Tabled to next meeting.
8. Zoning Ordinance Updates (Keith): Tabled to next meeting.

New Business:

1. Nicole asked everyone to get here 15 minutes early to help set up tables and chairs, and to stay to help put it all away. Olivia has a potential conflict on December 8th and will not be present on January 4th. George will ask Carole to fill in.
2. Christine reported that the Select Board decided to move forward with the Flood Plain program at their last meeting. She believes the Planning Board is responsible for holding the hearing, and the Select Board makes the presentation. This will be added to the agenda for the next meeting.

A motion to adjourn was made by Keith, seconded by Bruce and approved by unanimous roll call vote.

The meeting was adjourned at 9:37pm.

Next meeting: Tuesday, November, 16, 7pm, Temple Town Hall