

**Temple Planning Board  
Minutes  
Tuesday, September 19, 2023  
7:00pm, Temple Town Hall Annex  
*Zoom Recording available***

**Present:** Christine Robidoux, Chair; Bruce Kullgren, Jr, Vice Chair; Carter Sartell, Secretary; Murray Collette; Keith Charlton; George Willard, ex officio, Select Board; Russ Huntley, Alternate

**Absent:** Brian Kullgren

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

Board Chair Christine Robidoux chaired the meeting. Christine Robidoux appointed Alternate Russ Huntley as a full member of the board for this meeting and he joined the board.

**Approval of Draft Minutes  
September 5, 2023 Meeting**

The minutes were discussed and Keith motioned to approve the minutes as amended. Bruce seconded. Approved by a roll call vote with all in favor.

**Public Comment:**

Connie Kieley asked that the board consider stating “no junk yards” in Temple’s zoning. Some towns specify this for particular areas within the town. It may be effective as a preventative measure. This will be discussed later in the agenda.

Connie also expressed frustration about the InvestNH HOP Grant Steering Committee (Steering Committee) forums being a waste of time. She heard from some people who want to talk about housing in open discussions, and the forums leave them feeling like they have no say. Carter explained that the consultants designed these forums to guide attendees through a series of exercises, with all comments being captured in writing. Christine suggested that Connie speak with Pam Kingston, Carter, or Russ, and also share her specific housing concerns at a future forum.

Cam Lockwood commented on the lack of attendance at these Steering Committee forums. She believes that most residents think affordable housing is optional, and she suggested that sharing Temple’s obligation would help. Christine explained that the consultants have written a Housing Needs Assessment; this still needs to be reviewed by the Steering Committee and then the Planning Board.

## Old Business:

1. InvestNH Housing Opportunity Planning (HOP) Grant
  - a. Steering Committee Update: Carter shared that they have had two forums with very low attendance, approximately 10 people each. There are two more engagements planned: the Harvest Festival on September 24 from 10AM to 2PM, and one last forum on September 30 at 10AM in the Town Hall.
  - b. GIS Mapping Conversion: CAI Technologies shared a proposal for AxisGIS (attached). Carter asked what is the benefit of this GIS conversion, will this save the town time and money, what problem is it solving? Discussion followed:
    - i. Keith suggested that the first step of the conversion is not usable for most people, however it could be an investment for future add-ons that will be usable.
    - ii. Russ noted that AxisGIS will save a lot of time for realtors and consultants, which may result in savings for residents.
    - iii. Christine originally thought that the GIS conversion would allow the tax maps to be accurately overlaid on the Natural Resource and Zoning maps. However the GIS maps will likely be as inaccurate as our current tax maps. Russ concurred that the parcel mapping needs to be entirely redone. Keith suggested the work could be proposed as a longterm project over several years. And as future surveys uncover mapping errors, the maintenance contract will cover those updates. However the maintenance charge is every year, forever.
    - iv. Bruce questioned how much do we need this. Russ highlighted needs versus requirements: we require more accurate tax maps, we do not need the GIS conversion. Christine is not comfortable using grant money for this because it is not providing substantially more than what we already have. Every parcel in town has a deed, but not all have a survey especially if the parcel was created before the 1970s. And many deeds reference markers that no longer exist. Russ suggested that without CAI's highest-priced option, this conversion is not very useful.
    - v. Russ will reach out to similar towns like Stoddard, Marlow, Mason, and Lyndeboro and ask if the GIS conversion has been useful for them.
    - vi. It was agreed to not revisit Avitar's proposal because they are using a third party.
  - c. Natural Resources Regulatory Audit: Jeff Littleton had another commitment tonight so Christine asked him to attend the next meeting. The HOP Grant committee does not need to approve Jeff because we already have consultants and Jeff is considered a "sub-consultant". We need more information from Jeff about the scope of work.

2. Tax Map Updates: Keith will share the spreadsheet with board members to verify that nothing was missed. He wants to use the formal, registered data because it will be most accurate. Once CAI completes the updates, we will need to verify their changes. We are waiting on 3 out of 5 registrations to be completed by the Registry of Deeds; the Judkins lot line conveyance is one that is incomplete. Keith will call the Registry to get an update. This work has to be done regardless of the decision about the GIS conversion. Carter will work with Keith to learn this process.
3. Subdivision Regulations DRAFT: The blue edits were recommendations from the consultants, and red edits were recommended by legal, required by the state, or made for consistency such as gender neutral verbiage.
  - a. Overall comment: Christine thought that the length may feel overwhelming for applicants.
  - b. Section 1: Murray questioned the reference to 1955 statutes; this is a question for legal review. Use “as amended” to always refer to the latest revision.
  - c. Section 2.1 A is missing a parenthesis.
  - d. Section 2.2: This was previously called Preliminary Design Review. The new name matches the state statute.
  - e. Section 2.3: The application is filed at town office with Carole Singelais, not the Planning Board Secretary.
  - f. Section 2.4 B: We have been following the RSA requirement of 10 days since it changed a while ago.
  - g. Sections 2.5 and 2.6: Christine used the language from the RSA.
  - h. Section 3.1 B: Change “he” to “they”.
  - i. Section 3.2 C: Pete Caswell suggested leaving “adequate” and adding “as defined by NH DES ENV-WQ1000” (subdivision septic regulations.)
  - j. Section 3.4: The information in B and C are already in the zoning ordinance so remove them here.
  - k. Section 4.2 D 11: This is a state requirement. What is 2017? Start with “Existing and proposed driveways: If the subdivision abuts a state highway” then explain the state requirements or cite the related RSA.
  - l. Section 4.3 B 1: Add a reference to section 5 here to highlight that Temple desires open space, and to alert surveyors and land designers to consider open space in their initial design.
  - m. Section 4.3 B 3: Another mention of 2017; were these changes made in 2017? If so we could use “revised in 2017.”
  - n. Section 4.5:
    - Section A: The text in 3 and 4 should not be numbered; it applies to the section, not the list.
    - A 4: Add a period at the end. The changes should be in red.
    - Bruce reached out to Allan Pickman about bonds on roads and will forward Allan’s letter. Allan did not remember the town requiring bonds in the past and

said it would have been a Select Board issue; perhaps they held off issuing the Certificate of Occupancy until paving was complete. One subdivision in town was required by the bank to supply a bond. The state recently amended RSA 674-36 (attached) and Christine will update this section to match these key points: 1) the types of securities, 2) road and utility construction can start without a bond, 3) a bond is required before any sales of parcels or applications for building permits, 4) there can be partial releases of securities. Keith suggested referencing the RSA.

- C: “town agent” should be the Town Road Agent.
  - D: remove the extra space before “drain”
- o. Section 6: Joe Driscoll recommended removing the definitions of roads from the zoning ordinance; Christine disagreed because this information is referenced often and is unknown to most people. Kent Perry commented on run-off issues, and pointed out that requiring paving for a subdivision off a dirt road does not make sense. Murray highlighted that 6.2 B requires most of these “feeder” dirt roads to be paved, with paving costs borne either by the town or by the developer if the cost is prohibitive for the town. Some towns solve this issue through impact fees. Bruce noted that precedence has been set for exceptions to this regulation for PRDs and common driveways. Christine questioned whether we should specify “paved or surfaced” as in 6.2 A. It was agreed to leave this as is because it gives the Select Board the choice of who pays for paving.
- 6.1 D 6 “Pre-existing condition”: This was Kent’s concern at the last meeting about subdivisions being built on a class 6 road. Bruce will ask the town elders about the history of this.
  - 6.4 A: Pete Caswell suggested adding “adequate water supply as defined by NH DES”. Russ recommended citing ENV-WQ1000.
  - 6.4 C: Pete Caswell suggested adding “designed by a qualified stormwater engineer.”
- p. Section 7.5: This was changed to match the amended RSA; will add “as amended.”
- q. Section 7.8 and 7.9: This was changed for consistency with other regulations.
- r. Definitions: Russ suggested removing the numbers so the Table of Contents is shorter. The definitions are easy to find in alphabetical order.
- s. An updated version will be shared for the next meeting. Then it may be ready for legal review.
4. Site Plan Regulations Audit Results: This was tabled until the Subdivision Regulations are finished.
5. Driveway Regulations: Joe Driscoll suggested that we require driveways over 150’ in length to have a minimum width of 12’ (attached). Currently our zoning states 16’

width for the first 30'; we want to keep this requirement. We also need to add that consideration will be given to any written recommendations from the Fire Chief. Murray will draft this language. Christine suggested that the Fire Chief might draft recommendations.

6. Natural Resources Inventory (NRI): No update.
7. NFIP-FEMA Flood Maps: Bruce is unable to attend the conference. There will be another in the future.

### **New Business:**

1. Proposed Zoning Amendments for 2024: See attached.
  - a. The town attorney shared language for stating that we have a “permissive” zoning ordinance. It was agreed to use Dummer’s language since it is short and simple. Similarly, Dummer’s enforcement language about adopting the NH state building code is straightforward and recommended by the town attorney.
  - b. Dummer’s land use tables for permitted uses and special exceptions are nicely summarized on one page. We likely want tables for each district. Dummer’s population is about a third less than Temple, with a lower-income demographic, and no planning staff.
  - c. We need definitions for special exceptions: “industry/industrial use”, “non-commercial enterprises”, and “rural pursuits”. Christine found the latter referenced in state documents as non-commercial recreational activities like snowmobiling, hunting, fishing, etc. We might use “recreational use” instead.
  - d. Keith noted that the term “transient” in the Bed & Breakfast (B&B) definition can be demeaning. Christine copied the language from an RSA; the attorney’s recommendation was to use state definitions.
  - e. Many towns are defining Short Term Rentals although the state has not adopted this yet. Airbnb is considered a Short Term Rental; B&B is defined as serving breakfast with no separate kitchen, so this differs from Airbnb. The “185 days” contradicts the “90 days” in the Transient definition, so use 185 in both. Keith suggested including the most common-sense definitions. Adding this definition does not mean it is allowed or prohibited; it is just a definition. We also need to define Tourist.
  - f. For Auto Repair, “major repair” needs to be defined. Specify that this is a business where money or other compensation is exchanged.
  - g. We need to add a definition for junk yards. It is currently referenced under aquifers where it states that junk yards must comply with state RSAs. Junk yards are permitted everywhere except in aquifer districts. It has been requested to not allow them anywhere. Junk yards are not in our permitted uses section, although the town allows them. Are there other situations like this?

- h. Should we move all definitions into one section? Definitions that are only referenced in their respective sections can remain in place: wind energy, dark skies, telecommunication facilities, workforce housing. Then move the common definitions together and verify that no definitions are duplicated within the document. Some aquifer and wetlands definitions are common while others are specific so they will be split between sections. The definition of impermeable surface is odd; Christine will search for another.
- i. Article V: Murray asked which regulation applies when a lot straddles two districts. George suggested using the more stringent regulation. Would we treat each situation individually? We need to define what happens so Christine will research this.
- j. We will revisit this at the next meeting.

### **Other Business:**

1. Filing Project: No update.
2. Upcoming Webinars & Conferences
  - NH Office of Planning and Development (OPD) Planning Lunches At Noon (PLAN) Monthly Webinar Series: “Recipe for CIP-How to start and utilize a Capital Improvement Program” September 21, 2023, from 12 to 1:00 P.M. <https://www.nheconomy.com/office-of-planning-and-development/what-we-do/municipal-and-regional-planning-assistance/osi-planning-and-zoning-training/monthly-webinar-series>
  - Plan NH Fall Conference September 26 in person in Concord (\$60)
  - Radically Rural Summit in Keene September 27-28 (\$175)
  - Floodplain Management Basics hosted by NH OPD September 28 in Lancaster
  - NH Housing and Economy Conference hosted by NHHFA October 4 in Manchester (\$60)
  - NHMA Land Use Law Conference October 14 in Concord (\$90) - Christine wants to attend this. Bruce made a motion to fund Christine to attend the NHMA Land Use Law Conference. Keith seconded. Approved by a roll call vote with all in favor except Christine who abstained.

Bruce motioned to adjourn the meeting and Murray seconded. Approved by a roll call vote with all in favor. Adjourned at 9:03 pm.

Next Planning Board Meeting: Tuesday, October 3 at 7:00pm, Temple Town Hall

Minutes respectfully submitted by Cathy Joly.

Attachments:

1. AxisGIS Proposal from CAI Technologies
2. Temple Subdivision Regulations 2023 DRAFT
3. RSA 674-36 Subdivision Improvements
4. Email from Joe Driscoll regarding new Driveway RSA Amendment
5. Proposed Language and Definitions for Zoning Amendment