

**Temple Planning Board**  
**Approved Minutes, Tuesday September 20<sup>th</sup>, 2022**  
**7:00 pm, Temple Town Hall**

Present: Christine Robidoux, Chair; Bruce Kullgren, Jr., Vice Chair; Murray Collette, Secretary; Keith Charlton; George Willard, ex officio, Select Board; Rev. Olivia Holmes, Clerk

Absent: Alan Fox; Brian Kullgren; Russ Huntley, Alternate

The meeting was called to order at 7:01pm.

**Approval of Draft Minutes of September 6<sup>th</sup> 2022 Meeting**

Bruce moved approval of the minutes as amended. George seconded the motion, which passed by unanimous roll call vote.

**Invitation for Comments from the Audience:** Ivy Bibler asked for more detail about the Board's approach to Short Term Rentals. Christine assured her this issue is on this evening's agenda.

**New Business**

1. Presentation by Temple Forest Monastery Co-Abbots: Jeta Grove: Map 9A, Lots 2, 4, and 5, and Map 1A, Lot 3.

Ajahn Jayanto introduced his Co-Abbot, Ajahn Anando, monastery Treasurer, Joti, and Sheldon Pennoyer, Architect, who helped articulate the vision for the monastery which was presented to the town in 2014.

The vision presented in 2014 was part of the condition of purchase of the property, then owned by Bruce and Barbara Kantner. The monastery received change of use permission from the Zoning Board. In 2015 they approached the Planning Board and had a public hearing in order to waive the need for an immediate site plan review, because they did not know when or whether they would be able to build the buildings envisioned. Because the monastery depends on free-will offerings, they never know exactly when they will be able to enact plans.

Ajahn Jayanto explained that the monastery follows the forest tradition of Theravada Buddhism, which is why they sought a monastic location in the woods. The Kantner's property offered this, as well as existing buildings the monastery could use immediately to allow them to become an active monastery.

Now they are seeking a review of the entire plan for monastery buildings, because if permission were not achieved for a particular building, they might change the entire concept as a result. They do know they currently have sufficient funding to start with construction of the solar array and the utility building, for example.

They have been able to build a number of kutis (huts) so far, and the money has come through to do that, as well as some extensive renovations. He explained the need for a building to house elderly monks and VIPs, with more amenities than provided in the kutis. Completing the whole plan could take 10 years, it could take 30 years; they just never know when they will receive sufficient free-will donations to complete any of the building projects outlined in the plan. We are interested in preserving the quietness of the area as Boston expands, buying neighboring properties, for example, to put into conservation easement. Ajahn Jayanto introduced architect Sheldon Pennoyer.

Sheldon explained that he had been asked to design a group of buildings that could be built over time. Now (fall, 2022) the Co-Abbots want to replace the current maintenance building (the existing barn) with a newly constructed maintenance building; and they want to build a solar array, and replace an existing cottage, all between Derbyshire lane and North Rd. He explained that the 2014 notice of approval shows all the elements being explained tonight. He walked the Board through the drawings of the plan. (See attachments,)

Gail Cromwell asked for an explanation of the day care area shown on the lower level of what is to be the Sala Complex building. Ajahn Jayanto explained that it is intended to be for the children of families who come to participate in activities, where the children can be safely cared for while their parents are in silent activities.

Christine asked about merging all the lots into one. Lot 9A-3 (0.25 acres) was not part of the ZBA and Planning Board decisions in 2015. Ajahn Jayanto explained it would be easier to maintain the mailboxes if they were on Derbyshire Lane, which is why they have kept the lots separate. Christine asked whether they had any plans to modify the quarter acre, Map 9A, Lot 3. Ajahn Jayanto said there are no plans for that. One of the elder hostels planned for that lot, which the Kantners did not own at that time (2014), is now planned elsewhere.

One solar array has already been built. They would like to build another, larger, one at the same time they build the new utility building. They are hoping to achieve “net zero utility” to the extent possible. The plan would replace the existing barn, its attached building, and some other buildings currently existing on the property.

Christine asked whether Ajahn Jayanto was aware of NH House bill 1021, which includes a religious exemption for site plan review. Christine also quoted the Planning Board Decision of May, 2015, which was signed by Allan Pickman on March 12, 2015. (See attached.)

Christine asked that the existing septic and well system/s be included in the survey to be made for the future engineering plan area (See Attached TFM Master Plan Study, presentation page 3). Ajahn Jayanto pointed out that they see the utility building to be constructed as a replacement of an existing use of an existing building, which is the barn. George, as a member of the Select Board, has no questions regarding the possibility of a

building permit. George commended the presenters on the foresight and openness of their planning process.

Murray clarified that the next need, moving the project forward, is for a building permit for a replacement of the cottage and the existing utility building. Murray asked whether the footprint of the replacement utility building would be comparable to the existing utility building (the barn). Ajahn Jayanto explained that the existing barn is approximately 8,400 square feet. An additional building is 5,400 square feet; and a current storage building is approximately 2,000 square feet. The proposed utility building of 6,000 square feet would replace all three of these, and would be significantly more efficient.

Christine pointed out that they are, in fact, building a new building, which, based on the Planning Board decision in 2015 would require a Site Plan review. Christine would like to consult with the town attorney regarding the proposed buildings they wish to build at this time. Ajahn Jayanto explained that they plan to replace the septic system that serves the cottage at this time as well.

John Kieley suggested they might consider putting conservation easements on the land along North Rd. and along Converse Rd. He also asked whether the new utility building will be visible from North or Converse Roads in the wintertime. Sheldon suggested it probably will not be visible; saying it will not be a big building standing out that you would see from the road. The buildings replacing the existing farmhouse and barn will be visible, which is why the design is sensitive to the environment. (See attached TFM Master Plan Study.)

Christine will consult with the town attorney before the next Board meeting and will let the Co-Abbots know if they need to return to the Board with further information. John Kieley cautioned that Temple takes demolition permits very seriously.

The Co-Abbots agreed that the Board may put the presentation slides on the town website in a Planning Board case file.

## 2. Informal Consultation on Proposed Subdivision – Lot 2B-71 (D. Guy)

No one was present representing Doug Guy, and an application has not yet been received. Christine distributed town ordinances regarding minor subdivisions. (See attachment.)

## **Old Business (As Time Allows)**

### 1. Subdivision application – Lots 5B-84 & 5B-84-1 (S. Guy)

Christine explained she has sent out the Notice of Approval and the Findings of Facts. She has received written approval for the proposal from Pete Caswell, Temple Health Officer. She reported that Sam Ingram had called her to explain that Shelley has a potential buyer who wants the lot line to go back to what was originally presented. The

Board has not yet received formal notification of that change. An easement for the well may be pursued. Sam Ingram stated that the boundary markers will be placed at the request of the potential buyer.

## 2. Excavation Regulations

Keith questioned the need for 5 copies. Discussion revealed that 5 copies are indeed needed to fulfill town requirements.

The question was asked about where the local road conditions conversation go? This was a discussion about the excavation regulations revisions draft attached to the agenda.

There was a discussion about the current draft of possible excavation regulations. Temple does not currently have an excavation application form, and there was a brief discussion of the draft circulated with the agenda for this meeting.

Ivy asked for clarification of how the town can add restrictions to an RSA, and Board members explained. Ivy's concern was what a code officer would have to enforce: town requirements or an RSA, and Ken Caisse replied, "Both." Christine explained the process the PB would follow in implementing any additions to the regulations.

Christine asked for any suggestions regarding the draft excavation application. Christine suggesting scheduling a hearing, perhaps 2 meetings from this one. She also suggested adding a section on "Authority and Purpose," to be consistent with our other regulations. Christine read an example from Wilton's regulations. Christine asked for suggested changes to be brought to the next meeting, and the Board agreed to scheduling a hearing 2 meetings from tonight. Bruce made a motion to schedule a hearing on the changes to the excavation regulations on October 18<sup>th</sup>; Keith seconded the motion, which was approved by unanimous roll call vote.

## 3. Driveway Regulations

Murray and Chief Clark have not yet had an opportunity to meet. The latest draft version is from September 6<sup>th</sup>, 2022.

## 4. Short-Term Rentals

Christine reported that Select Board Chair, Bill Ezell, had asked her what Temple's zoning regulations are around short-term rentals. She explained that there is no existing state statute on short-term rentals and Temple does not have any existing regulations on short-term rentals. She explained that court decisions in New Hampshire specify that if a town in New Hampshire does NOT have regulations specifically allowing short-term rentals, then they are NOT allowed in that town. Given this court ruling, and since Temple does not have any existing regulations allowing short-term rentals, short-term rentals are not permitted in Temple at this time. This includes residences that are owner-occupied with some space being rented on a short-term basis as well as properties

purchased by investment-seekers who have no other investment in the well-being of the town.

Christine referenced information that was included in a NH Office of Planning and Development webinar of May 2022. The presentation can be found at: <https://www.nh.gov/osi/planning/resources/conferences/spring-2022/documents/short-term-rentals.pdf>

There was some discussion within the Board as to whether this is an issue that needs to be addressed. Keith explained that there may be a change of ownership at the cottages on Rte. 101, and that is why the Board is considering addressing the issue now.

Ken Caisse recommended putting some regulations into place to prevent the possibility of lawsuits arising because clear regulations do not exist. Christine will put this conversation on the agenda for the next Planning Board meeting: October 4<sup>th</sup>, 2022,

5. SWRPC Regulatory Review/InvestNH Grant Application
  - a. Site Plan Regulations & Subdivision Regulations
  - b. Zoning Ordinance (2022)
    - i. ADU Revisions
    - ii. Form Based Code
    - iii. Neighborhood Overlay Districts
    - iv. Home Based Businesses
    - v. Change of Use

No update at this time.

6. Master Plan Natural Resources Inventory – ConCom

The contract for phase I has been signed; Sean Radcliffe will present the costs for phase II when they are available.

7. Community Advisory Committee Updates - Christine/Keith
  - a. Housing Forum
  - b. Plan NH Charrette

Christine has sent out invitations to town Boards and committees, for the 1:30 to 3pm session on Friday. Then all town residents are welcome to attend the two sessions planned for 3:30 to 5 and 6:30 to 8. These two sessions will have the same format. Saturday's session is ~~just~~ for town residents to hear the recommendations from the Charrette team.

8. Other 2022-2023 Initiatives
  - a. Master Plan update schedule
  - b. National Flood Insurance Program (NFIP)

Not discussed at this meeting.

**Old Action Items**

1. Reformatting Zoning Ordinance for easier updating, online more user friendly
2. Town Office Filing Project - Keith/Olivia
3. Tax Map Updates - Keith
4. Create Zoning Ordinance Historical Index - Christine
5. Planning Board webpage review

Not discussed at this meeting.

**Other Business**

1. 2023 Budget
2. Upcoming Webinars/Conferences

Not discussed at this meeting.

Bruce moved meeting adjournment. The motion was seconded by George, and unanimously approved by roll call vote.

The meeting was adjourned at 8:59pm.

**Next meeting: Tuesday, October 4<sup>th</sup> at 7:00pm, Temple Town Hall**

**Attachments: 20220908 TPB ExcavationRegulations\_revisions\_DRAFT\_CLEAN.pdf  
20220906\_TPB\_ExcavationApplication\_DRAFT.pdf  
2022-09-20 Cover Letter from Jeta Grove (Forest Monastery)  
2022-09-20 Temple Forest Monastery Master Plan Study  
ZBA Decision for Special Exception for TFM (2016-11-20)  
2015\_TPB\_Change of Use\_Approval (Forest Monastery)  
20220920\_TPB\_MinorSubdivisions  
20220920\_TPB\_Excavation\_Considerations**