

TOWN OF TEMPLE, NEW HAMPSHIRE

SELECT BOARD

MINUTES OF PUBLIC MEETING

Wednesday March 22, 2023

Town Hall

6:30 PM

Select Board members present: George Willard, Bill Ezell, and Ken Caisse

Other Attendees: Peter Allen, John Kieley, Connie Kieley, Bill McDonnell, & Kent Perry

Meeting called to order by Ezell at 6:30 PM.

Chairman Comments: *Ezell reported that the well has been dug at the town common and is producing almost 3 gallons a minute. The pump and electrical will be in soon.*

Ezell also updated that the power electric co-op comment that was raised by Peter Allen previously, is not as trivial as it seems. A town or group of towns has to set themselves up as an electric provider which is a complicated process with the state. We are looking into this but it may not work out to be worthwhile.

Ezell updated that they finally received feedback from legal and the Municipal association on the flag policy topic. If we adopt a policy, we can say what gets put on town property and that could lead to legal problems which is why no towns have adopted such a policy. Legal would like to have a non-meeting to discuss further.

Public Comment:

John Kieley commented that the building permit instruction sheet confirms that Ben's recent permit application for an addition, should have gone to the ZBA and planning board first. (See attachment)

Kieley also asked about the new format on the agenda where paperwork is now being signed before meetings and then discussed at the next meeting. He believes permits and LUCT's should not be signed prior to a select board meeting. Willard agreed. Ezell noted we will discuss these items at meetings. There is no intention to not notify the public. Caisse added that the only reason for this was to streamline the process so people do not have to wait for their permits and can get started on their projects. Caisse added that as long as the building permit applications are approved by the building inspector, health officer and road agent (if necessary), then a permit can be issued and they can be signed by the board then discussed at the next meeting. The board will revert back to signing the paperwork at the meetings for now.

Peter Allen commented that at the select board meeting of Feb 28, Ezell went out of his way to say something about John Kieley being incorrect about the public being allowed on the Marsh site during the walk through. Ezell commented that 2 cops were there and they were not allowing anyone on the property other than the people on the list that the judge handed to the sheriff, so his comments were accurate and he wanted to clarify that. Allen said he attended the court hearing and he believes the sheriffs were there illegally and he believes the public's constitutional rights were violated. Ezell added that he is not sure why Allen is bringing this up at a select board meeting when it is a court case. Ezell mentioned he was also told it is private property and people can observe but they cannot enter the property without the judge's approval. Ezell noted Allen can take this up with the courts if he wishes.

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Allen added that the draft minutes do not include John's name and he thinks his name should be added. Ezell did not have a problem with that but he usually does not include names in minutes and does not believe he mentioned his name. The select board assistants who took the notes, also believes Ezell only stated there was a "comment made from the audience".

Old Business:

- 1. Code Enforcement Officer Update – No Update**
- 2. Parking/Zoning/Fee structure follow up – No update**
- 3. Background checks & policy update – No update**
- 4. ARPA funds – Town Common Well, Ballfield, fencing, playground estimates etc. – No Update**
- 5. Update on quotes for Town Hall Repairs –** *Connie updated that the TTHAC met and after discussion, a motion was made to recommend to the select board that they hire Greg Ellis. Kieley also asked to have Kent Perry be the contact person to oversee the work. Ezell moved to accept the TTHAC's recommendation to hire Greg Ellis to do the work at the town hall at his convenience. Willard seconded the motion, Caisse voted nay commenting that he has not seen any quotes.*
- 6. Update on Alarm System vendors –** *Approved at town meeting to pay for this, Caisse working on quotes.*
- 7. Follow up on new policy for select board regular paperwork items –** *See public comment*

New Business:

- **Emergency Management Performance Grant:** *McDonnell went over the grant paperwork for the update to our emergency operations plan which is required to be updated every few years, noting the state has money available to help pay up to 50% and they are available to start the work at the end of the year. McDonnell believes we need to get this rolling so we will remain compliant and continue to be eligible for FEMA grants. McDonnell added the quote is for \$4000 and the state will pay half. Ezell commented he has reviewed this adding that this is something we must do but we need to figure out where the money to pay for it will come from, maybe we will have enough in the discretionary fund. Ezell moved to accept the terms of the Emergency Management Performance grant as presented, in the amount of \$2,000 for the update of the Town's Emergency Operations plan. Furthermore, the board acknowledges that the total cost of this project will be \$4000.00, in which the town will be responsible for a 50% match of \$2,000.00. Willard seconded the motion, all were in favor, motion passed.*
- **Office Cleaning:** *Ezell noted we have a bid from a local cleaner to take over the towns cleaning services at the municipal building and the Town hall. The applicant currently cleans the Greenville police department and Town hall and was highly recommended. He prefers to be paid as an hourly employee at a rate of \$21 per hour for approximately 3-4 hours per week. Ezell asked the other select board members their thoughts on employee vs. contractor and all were ok with employee. Ezell moved to notify Dutch maids cleaning*

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services to discontinue their services with a 2-week notice, and hire Caleb Aho as a town employee at \$21 per hour.

- **Audit.:** *Caisse noted that typically when we change bookkeepers, an audit is performed. The board discussed the reasoning which is to protect the departing bookkeeper and they agreed to do the short audit now. Ezell moved to have the audit performed due to the change in bookkeeper. Willard seconded the motion, Caisse abstained, motion passed.*
- **Bridge Funding:** *Kent Perry presented paperwork from the NH DOT regarding bridge aid funding opportunities for the Powers Rd bridge. Perry noted the DOT is estimating the cost to replace the bridge at \$1,254,000.00 of which Temple will be responsible for 20%. If we are interested, we need to complete the form in order to be put on the ten-year plan list. Perry believes this number is quite high and we should look into doing the repairs ourselves. The board discussed the bridge which has been red listed by the state and discussed temporarily closing the bridge as recommended by Perry, since it is a safety issue. Once closed, Perry noted he can evaluate what needs to be done. Kieley also commented that if we reject this letter of interest, we will be taken off the list and it may take some time to ever get back on it. Ezell moved to accept the letter for the enrollment process, knowing we are not legally bound to spending any money. Willard seconded the motion, all were in favor, motion passed. Ezell moved to temporarily close Powers road at the bridge in one month's time until further notice. Caisse seconded the motion, all were in favor, motion passed.*
- **LUCT Abatement request – Woodcock Farm:** *Ezell updated the audience that the applicant has requested an abatement of the \$6500 LUCT issued in November. Ezell noted that Avitar has reviewed the abatement application and supporting documents. Ezell read part of the Avitar recommendation and subsequent recommendation to deny the abatement request. Avitar noted the main issue is that the cabin has been on the property for some time and since no written notice or permit was ever received before as to when the cabin was put up, per statute the town has 18 months from when the town becomes aware of the land being taken out of current use (receipt of permit application), to issue the LUCT. Kieley commented what is this dinky piece of land really worth and added that he believes this value should be lowered based on common sense and he also compared it to the Monk Kuti's. Ezell noted he has walked the property and the driveway should be discounted from the LUCT adding that the cabin is small and Avitar has come up with 1 acre of disturbed area which includes the driveway and they valued it at \$65,000. The board discussed and reviewed the Avitar assessment of \$6500 which Ezell believes to be outrageous and should be reduced. Caisse noted the applicant could not be here and asked if we should wait until he can be available. Ezell noted we can postpone and he moved we defer any further discussion until the applicant can be available. Caisse seconded, all were in favor, motion passed.*
- **Permit application – Pool – Farrell – Fish Rd. –** *The board reviewed the application and noted it has been approved by the building and health inspectors. Ezell moved to approve the application. Caisse seconded, all were in favor*

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- **Roof Mounted Solar Permit application – Old Rev.-** *Caisse noted the permit has been approved by the building inspector which is all that is required, and he moved to approve the solar permit. Willard seconded the motion, all were in favor.*
- **LUCT & Warrant – Judkins – Hudson Rd.** *Caisse briefed the audience on the subdivision and lot line adjustments noting Avitar valued the .206 at \$400 for a LUCT of \$40 and so moved to approve the LUCT. Ezell seconded the motion, all were in favor.*
- **Health Officer reappointment nomination form:** *Caisse commented that Pete Caswell has been our health officer for many years and his 3-year term is up for renewal. Caisse moved to sign the health officer renewal paperwork for Pete Caswell to be appointed by the state as our health officer for another 3-year term. Ezell seconded the motion, all were in favor. Ezell noted Pete is doing a lot of work for free on the town well and he is also donating the pump.*
- **Approve Select Board Meeting Minutes February 28, 2023:** *Caisse moved to approve the minutes from February 28th as amended. Ezell seconded the motion, all were in favor, motion passed.*

Other Business:

Caisse noted we need to reschedule the barn easement hearing next week due to the elections. Ezell noted we will have the hearing in the annex on Tuesday as posted for a minute to continue the hearing to April 11th at 5:30. The next select board meeting is scheduled for election day as well so Ezell asked if we should skip a week and have the next Meeting on April 11th. Caisse noted if anything comes up we can always schedule a meeting. The board decided the next select board meeting will be held on April 11th at 6:30.

Caisse noted there are 2 people who left employment before the budget was approved at town meeting and he wondered since there is no policy, if they are eligible for the retroactive pay. Ezell believed they are retroactive to January so he believes they should receive the retro pay.

Committee Updates:

Willard noted he attended a SAC meeting and Kimberly Saunders reported that the Conval school board is putting out a search for a private firm to study what changes are needed to our district, possibly consolidation and changes to the articles of agreement. The next meeting is tomorrow night at 7pm and the public is welcome.

Caisse noted the police meeting was cancelled.

Meeting Adjourned:

Motion to adjourn by Caisse second by Willard. Meeting adjourned at 7:52 PM.

Next Select Board Meeting: *The next select board meeting will be held on **Tuesday April 11th** at the town Hall main room at 6:30pm. Meeting minutes respectfully submitted by Carole Singelais*

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ATTACHMENT

BUILDING PERMIT APPLICATION GUIDE
Town of Temple

When is a building permit required?

- New structures of any kind (house, barn, garage) unless under 125 square feet and serving as an accessory use to an existing building.
- Additions, changes of use, structural changes and certain interior alterations.
- Relocating a building.
- Repairing or rebuilding after a fire or act of God.

The Temple Zoning Ordinance is the basic guide and is available online (www.templenh.org). The Building Inspector should be contacted for remaining questions. The Building Inspector is Will Wildes, 878-4320. All application forms are available online or in the town office.

If a building permit is requested for anything other than single-family housing or accessory buildings, approval by either the Temple Planning Board or Zoning Board of Adjustment will be required. The Planning Board will require site plan review approval for commercial, multi-family and certain other uses, excepting agriculture.

Before any structure or dwelling may be occupied, all inspections must be completed and a Certificate of Occupancy issued by the selectmen.

**Do not begin construction without a building permit or a penalty fee will be assessed.
If the project is not permitted, you may be required to remove it.**

When is a building permit not required?

- Replacing roofing, siding or windows.
- Interior change that does not change plumbing or add more than 1 electric circuit.
- Painting, papering, flooring, tiling, carpeting, cabinets, countertops and similar finish work.
- Minor repairs involving less than 25% of the building.
- An addition or accessory building of 125 square feet or less. (Required setbacks must be maintained.)
- New or modified gas (propane) lines approved by installer.
- When in doubt, consult the building inspector.

Other Permits:

A Demolition Permit is required to demolish an existing building. No fee is charged. The Building Inspector must evaluate the building before demolition to determine the presence of asbestos and lead paint. The State of NH has strict regulations regarding the removal and dumping of these materials. Information is available at the Town Office regarding these procedures. The Health Officer also has to sign off on this permit.

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A Driveway Permit may be obtained from the Road Agent with a separate application available. See: *Driveway Regulations* - available on line (www.templenh.org) or at the Municipal Office for all requirements. Driveways must meet standards of safety for both the property owner and the general public. No fee is charged but a performance bond may be required.

Solar Permit – use for installation of solar panels.

Note: If a building permit is requested for anything other than single-family housing or accessory buildings, requiring either planning board or zoning board approval, drawings stamped by a licensed architect or engineer may be required.

WHO APPROVES VARIOUS APPLICATIONS?

TYPE	APPROVALS NEEDED
RESIDENTIAL	SELECT BOARD
COMMERCIAL	BOARD OF ADJUSTMENT SPECIAL EXCEPTION IS REQUIRED, NON RESIDENTIAL SITE PLAN REVIEW BY PLANNING BOARD
AGRICULTURE	SELECT BOARD
BED & BREAKFAST	ZONING BOARD OF ADJUSTMENT SPECIAL EXCEPTION, PLANNING BOARD SITE PLAN REVIEW
ACCESSORY DWELLING UNITS	SELECT BOARD
SMALL WIND ENERGY SYSTEMS	SPECIAL APPLICATION TO BUILDING INSPECTOR
LARGE WIND ENERGY SYSTEMS	PLANNING BOARD SITE PLAN REVIEW
WORKFORCE HOUSING	PLANNING BOARD
SOLAR	BUILDING INSPECTOR AND SELECT BOARD

CURRENT SETBACK REQUIREMENTS – WILL BE MEASURED AT SITE VERIFICATION STAGE

35 feet from all boundary lines is required for any structure.
75 feet is required for most structures adjacent to a wetland.
For a well, the State of NH requires 75 feet from any boundary.
For a septic system, the State of NH requires 10 feet from any boundary.

HOW TO DETERMINE SETBACKS

Measurements to determine setback will require knowledge of the lot line along the public or private right of way. The lot line shall be considered to be from the edge of the right-of-way, not at the edge of the traveled way. The right-of-way may be 33' or 49.5' for town roads. Stone walls are generally located within the right-of-way but should not be regarded as having legal significance. Any disputed measurement should be resolved by a survey by the landowner.

No part of a building or structure may extend across the setback established by the zoning ordinance. Such projects may include roof eaves, steps, windowsills and similar architectural features, rain leaders, chimneys, fire escapes and other required elements of a means of egress