

# TOWN OF TEMPLE, NEW HAMPSHIRE PLANNING BOARD

June 21, 2006  
FINAL MINUTES OF PUBLIC MEETING

Board members present: Richard Whitcomb, John Kieley, Allan Pickman, Bruce Kullgren, Will Wildes

Call to order by Kullgren at 7:40 p.m.

1. Review of the minutes from meeting of 5/17/06. Move by Pickman to accept minutes as written, second by Whitcomb and voted in the unanimous affirmative.
2. Copies of the January 2006 handbook prepared by the NH Office of Energy and Planning entitled "The Planning Board in New Hampshire" were distributed to board members.
3. Final paper and Mylar copies for Randy Martin's previously approved minor subdivision were available to be signed. Pickman will record copies at the registry upon receipt of a check from Martin to cover costs.
4. Pickman related he had nothing further to report regarding the Tamposi PRD.
5. Kieley brought up the subject of updating mountain district zoning and wondered how the board would like to proceed. Kullgren stated this issue might initially be addressed in a work session this summer, and later presented at a public hearing.
6. Resident and ZBA member Honey Hastings advised the board about a recent NH Supreme Court decision concerning a proposed zoning variance for wetlands setback and slope. She felt the board might be interested in the case and its outcome, and provided a copy of the decision for the board to review.
7. Kieley mentioned a proposal to build a wind tower or turbine that has recently been presented to the Board of Selectmen. This prompted discussion of whether the town should regulate such structures, as current town zoning does not address this specific type of tower. Related comments included size of the proposed tower, scope of the existing telecommunications ordinance, possible noise and sight issues, wind turbine technology, federal government regulation of communications structures, and whether selling of excess power might be considered a commercial use.
8. At 8:10 p.m. Kullgren opened the hearing for acceptance of the Natural Resources Inventory (NRI) into the Master Plan. PB members had previously reviewed and discussed the NRI and had indicated overall satisfaction with the document. Kullgren commended the Conservation Commission for their efforts in creating the NRI, and then asked the public for any comments. Bruce Kantner addressed the board and said he hoped all members would look favorably on the NRI, that the document follows a standard format, and all towns are required to have one according to law. He reminded the board that the NRI was a "living document" and would be updated through community input and fieldwork, and the maps would be done through SWRPC. At this point Whitcomb commented that it would be helpful if the maps were oriented with town lines. Pickman asked Kantner about the status of GIS files and said CD ROM copies would be easy to update. Kieley brought up the importance of aquifers in town and noted their size and depth limitations. Kieley said the state has no local sites to support a municipal water system, and since there is a lack of town protection of water assets, he hoped

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science could be introduced to prevent future problems. Pickman mentioned that other towns have developed zoning overlays (aquifer recharge) districts, and noted the difference between aquifers and wetlands. Kieley stated the town has no special wetlands buffers and currently uses the state standard, and suggested future consideration of this issue. Kullgren stated that the town's 3 and 5 acre minimum zoning also provides some protection to aquifers. Kantner cited the high quality aquifer map present in the NRI, and Kullgren agreed the data and information available are good tools. Pickman moved to accept the 2004-2005 Natural Resources Inventory as part of the Master Plan, second by Kieley, and voted in the unanimous affirmative. The hearing closed at 8:30 p.m.

9. Kullgren noted the PB can lighten their meeting load during the months of July and August, and could meet once a month or as-needed. Kieley again mentioned identifying a work session to address updates to the mountain district zoning. Kullgren stated this should be coordinated with SWRPC and they would not be available until after late August. Kullgren felt SWRPC could offer information and advice and would be a good stepping off point. He also suggested board members put down any ideas for input. Wildes agreed that SWRPC would be a good source to find out what other towns are doing. Kullgren reminded the board that other subjects should be looked at, including wind power, home industry, and commercial businesses.

Discussion followed regarding the differences between having a zoned commercial district vs. allowing businesses to exist in the Rural/Agricultural district. Mention was made of an ongoing ZBA case in town regarding a variance for an existing vehicle repair business. Further discussion of related topics included setbacks, hardships, substandard lot sizes, non-conforming uses, and "grandfathering". Kieley mentioned recent court decisions are not allowing towns to be so strict in denying variances, and that "the petitioner's hurdle has been lowered". Pickman stated there is a separate standard for measuring hardship for a use variance vs. an area variance. Kullgren stated the information given to the board earlier in the evening showed setbacks were considered legal, and he felt setbacks should not be varied as their intent was to protect, and residential privacy should be maintained. Resident Connie Kieley asked the board if these issues might be suitable for a public forum to gain residents' input, and also asked what other zoning changes were being considered. Kullgren replied that previous forums had been positive, that work sessions needed to be separate from those with public input, and the board had previously asked for ideas in writing as a starting point for consideration.

10. Brief mention was made of the need to address wind turbines in the zoning ordinance. Kullgren stated the board must specifically deal with the subject or according to state law they may be allowed. He suggested considering a permit process.

Move by Pickman to adjourn, second by Wildes. Meeting adjourned at 9:00 p.m.

Minutes submitted by Betsy Perry