

TOWN OF TEMPLE, NEW HAMPSHIRE PLANNING BOARD

APRIL 18, 2007
FINAL MINUTES OF PUBLIC MEETING

Board members present: John Kieley, Bruce Kullgren, Randy Martin, Rose Lowry, Richard Whitcomb, Will Wildes, Allan Pickman

Call to order by Kullgren at 7:35 p.m.

1. Review of minutes: Meeting of 4/11/07. Move by Wildes to accept as written, second by Whitcomb, and voted in the unanimous affirmative.
2. Mail: Kullgren mentioned the PB had received a letter from Jo Anne Carr noting that SWRPC does not have a legal department.
3. Lot line consolidation: Further consideration of letter from Temple Congregational Church requesting a voluntary merger of lots for Map 7A Lots 047 and 046. It was noted the original letter from the church contained an incorrect lot number. A draft letter from the PB to be recorded at Hillsborough County Registry was reviewed. It was determined that the church needs to provide a deed reference for the lot containing the parsonage. The church will be notified of the board's approval of the merger and asked to forward the deed reference.
4. Dublin PRD zoning: Kieley told the board the town of Dublin had recently updated its mountain district zoning. He noted Dublin requires any application for development of more than 20 acres to be a Planned Residential Development (PRD), unless the applicant can prove a conventional subdivision would be better. Kieley said the mountain zone minimum lot size in Dublin is 8 acres, as compared with 5 acres in Temple. He mentioned several other Dublin requirements, including requisite site studies. Kieley urged board members to review Dublin's regulations on-line or via hard copy, which he offered to provide.
5. Hearing for PRD subdivision: At 8:02 p.m. Bruce Kullgren, Sr. stepped down as chairman and Pickman became acting chair. Pickman announced the board would be considering approval of an application for a 3-lot PRD owned by Bruce Kullgren, Jr. Copies of homeowner covenants for "Laurel Pastures" were distributed for review. Earl Sandford explained changes made to the plans, including upgraded lot numbers, revisions to notes, and further definition of buffer strips. Sandford said he hoped the board would approve the project, contingent upon review of the covenants. The board reviewed the drawing. Kieley asked about septic test pits and a proposal to widen one portion of the shared driveway. The board then discussed the covenants document. Lowry suggested the language concerning Board of Arbitration be clarified. There was discussion about allocation of taxes on open space land, with Kieley recommending the town attorney review language concerning tax responsibilities. Kieley also asked if a section for liens on the open space land should be added.

Pickman asked the board to approve the plat and grant conditional approval for the project, pending review of the covenants document by the town attorney. Martin moved to approve the plan contingent upon research of the lien, tax, and arbitration issues and any other recommendations made by the town attorney, seconded by Wildes. At this point abutter George Willard asked to be heard. He expressed his unhappiness with the shared driveway, and also mentioned his name was not shown on the plan. Martin explained the board had looked at the subdivision both ways, and with this particular property a shared driveway was

TOWN OF TEMPLE, NEW HAMPSHIRE PLANNING BOARD

APRIL 18, 2007
FINAL MINUTES OF PUBLIC MEETING

deemed best. Pickman stated a shared driveway goes with the nature of the land and does help minimize curb cuts. He said the PB does not automatically encourage the use of shared driveways. Willard said he felt shared driveways should be built to town road standards. Wildes said he was generally not in favor of shared driveways, but sometimes they worked out better to reduce curb cuts on roads such as Route 101. He continued that the PRD covenants do cover responsibilities of the shared driveway, which should lessen problems. Pickman offered that road agent Tim Fiske was drafting driveway regulations to address similar issues up front. Willard mentioned the J. Kullgren 3-lot subdivision on Route 101, which initiated further discussion of shared driveway issues. Willard said there were other tools the PB could use to limit lot design. Bruce Kullgren, Sr. spoke in favor of shared driveways, saying they were efficient and effective. He said subdivision plans and deeds should include explanatory language to reduce confusion. He also said the PB cannot discriminate and must use fact and law in determining development. Pickman asked the board to address the motion on the floor, and the vote was six members in favor, with Kullgren, Sr. abstaining.

6. Mountain Zone PRD: At 8:51 p.m. Kullgren, Sr. returned as chairman. The board continued work on a PRD ordinance for the Mountain District. Lowry suggested they look at all Mountain District zoning regulations. Kullgren said the board might want to look at lot size. Kielely said two important issues were visual impact on the town (viewshed mitigation), and sensitivity of topography with relation to soils, slopes and water. He mentioned the recent heavy rainstorm and impact on culverts and runoff. This brought up the subject of the Tamposi PRD and issues related to approval of that subdivision. Lengthy discussion ensued over design and engineering for specific topography. Lowry said the concern was for the fragility of the land, and wanted to know who provides safeguards and at what level. Kullgren explained the sequence of regulations, surveys and reports. Kielely suggested consideration of two new requirements, including the need for a high intensity soil survey up front, and mandating an on-site visit by the reviewing engineering firm. Whitcomb reminded the board that the Tamposi project has only conditional approval and still needs to meet all state requirements. Martin stated that the Tamposi PRD was the first development in the mountain zone, and each specific project should be considered on an individual basis. Lowry said if the town establishes tougher standards, they could always be waived. She also commented she felt the concerns of abutters were not adequately addressed during the Tamposi hearings. Several board members disagreed with Lowry on this point, and Kullgren commented this was "water over the dam" and everyone needed to move on.

Move by Kielely to adjourn, second by Martin, and so voted. Meeting adjourned at 9:39 p.m.

Minutes submitted by Betsy Perry