

**Lyme Planning Board Minutes**  
**January 24, 2008**

**Board Members & Staff:** Present: Jack Elliott, Chair; Stephanie Clark, Vice-Chair; Dick Jones, Selectboard Representative; David Roby, Alternate; John Stadler, Alternate, and Francesca Latawiec, Planning & Zoning Administrator Absent: John Billings, member; Michelle Balch, member.

**Public:** Simon Carr, Selectman; Tony Pippin, applicant; Geoff Thornton, applicant's agent; Mark Bolinger, applicant; Arend Tensen, applicant; John Beedy, Susan McKenzie, Cynthia Bogardo, Jenny Lynn Hill-Tivalongo, Chris Stowe.

The meeting was called to order by Chairman Elliott at 7:05 PM. The Chairman designated David Roby to sit for John Billings and John Stadler to sit for Michelle Balch for the duration of the meeting.

**Item 1: Approval of Minutes:** Three sets of minutes were on the agenda for either amendments or approval. Jack Elliott made a motion to amend the minutes that were previously approved as those of December 6, 2008 to correct the date to December 13, 2008. The motion was seconded by Dick Jones. The motion passed unanimously. Dick Jones made a motion to amend the approval of permit application # 2007-098, Map 416, Lots 7 and 10 to reflect that the approval was for both site plan review and a conditional use approval for the project. The motion was seconded by David Roby. The motion passed unanimously. Jack Elliot made a motion to approve the minutes of the meeting of January 10, 2008. The motion was seconded by Stephanie Clark. The motion passed unanimously.

**Item 2: Conditional Use Approval and Site Plan Review Approval for Pat and Tony Pippin, The Lyme Inn, Application 2008-01 (Tax Map 201, Lot 11)** David Roby asked the board to make a determination of whether he should recuse himself from the hearing, as he had previously had a conversation with Tony Pippin about the Inn project. After discussion on the matter, it was the consensus of the board that just about everyone in town is a patron of the store and has discussions with Mr. Pippin and that David Roby should be able to take part in the deliberations.

Jack Elliott described the conditional use and site plan review application, hearing, and approval process for the general public and had the planning board members and staff introduce themselves. Geoffrey Thornton, architect and agent for the applicant, introduced the project, which proposes to renovate and reconstruct the existing inn at 1 Market Street in Lyme, NH.

Dick Jones led the board through the Application Requirements in Article X of the Site Plan Review Regulations for the Town of Lyme to determine if the application was complete. The board reviewed the application according to Article X to see if it met the requirements, item by item. Under section 10.1, entitled Department Review of the Application, it was noted that written comments have been submitted by the Fire Department and the Police Department. There was discussion about the potential need for a traffic and parking plan under section 10.4, the need for a perimeter boundary survey, information about abutting owners of record, an architect's stamp, some utility lines, a fire protection and response plan and a landscaping plan under section 10.5, entitled Site Plan General Map. It was a consensus of the board that a

drainage and erosion control plan would not be necessary because the terrain at the site is relatively flat.

It was also a consensus of the board that the issue of the 50 foot setback from Dorchester Road would need to be addressed. The applicant was directed that an application to the ZBA for a variance for the proposed 21 foot setback would be necessary.

Dick Jones made a motion, seconded by Stephanie Clark, to accept the application as complete, conditional upon the following conditions:

1. The traffic and parking plan required by section 10.4 would be waived under the condition that the recommendations in the police chief's letter dated January 23, 2008 will be met. Additionally, the delineation between the proposed pavement at access points and the hard packed gravel driveway and parking area shall be shown on the site plan.
2. The perimeter boundary survey required by section 10.5.1 would be waived subject to the requirement that the southern boundary of the property will conform to the Bognolo survey prepared by K. A. LeClair Associates, Inc. for Tax Map 201, Lots 12.1 and 12.2.
3. The location of and provisions for all utilities referenced in section 10.5.9 shall be shown on the site plan.
4. The location of all existing vegetation that will be retained as well as the hemlock visual screen and maple island shall be shown on the plan to meet the requirements of section 10.5.12.

The board voted to accept the application as complete, subject to conditions 1 – 4.

Chairman Elliott opened the public hearing on the proposed project at 8:05 PM. Geoffrey Thornton, architect for the applicant, presented the project. The applicant proposes to demolish the interior of the main building and take down the remaining portions of the structures. The reconstruction will include all new plumbing, fire safety features and handicapped access. The proposal will meet the concerns of both the police and fire departments. However, the applicant will be requesting the police department for permission for two way traffic on Dorchester Road. There will be 40 10' x 20' parking spaces with 24' aisles. There will be down lighting with baffles to buffer light from the neighbors and a fence between the dumpster and the road. The leachfield is an adequately designed Presby system, insulation will have a high R factor and the heating will be changed from oil to gas for cleanliness and efficiency.

Geoff Thornton presented to the board that it is the applicant's intention to approach the project in phases, due to budgetary constraints. Phase I would be for the main portion of the original building and Phase II would be for the proposed tavern and banquet/function area. The existing sheds would be removed in Phase I. The water storage facility would also be part of Phase I. Jack Elliot mentioned that the board has approved phased projects before and that they would consider the current proposal in phases. He mentioned that the board could require bonding of phased projects, but that it was not a concern in the case of this project.

The Chairman opened the public hearing to comments from the public. The first abutter to testify was Cynthia Bognolo, the owner of record of lots 12.1 and 12.2. She voiced concerns about the

fire hazard of the existing structures, in close proximity to her property. Other concerns included noise from previous use of the property for auto repair and the proposed generator, health issues from automobile exhaust and an area that was previously used by animals and odor from the dumpster and leachfield area. Geoffrey Thornton replied that the generator could be moved closer to the parking lot.

Jack Elliott indicated that the time allotted for the hearing had gone way over and declared that the public hearing for the proposed project would be continued until the next planning board meeting on February 14, 2008 at a time to be announced. The hearing was continued at 8:05 PM. The board discussed whether the project should be considered as one or two separate applications. There was a consensus that the application could possibly be approved as one application with Phase II being conditional upon ZBZ approval for the variance for the Dorchester Road setback for the tavern portion of the project.

**Item 3: Conceptual Consultation/Informal Review for Mark Bolinger and Ursula Slate, 105 North Thetford Road, (Tax Map 404, Lot 7).** Mark Bolinger discussed his intention to propose a 2 lot minor subdivision of his approximately 16 acre property on North Thetford Road in Lyme. The concept would be to subdivide the portion with the house on it as one lot, while retaining at least a ten acre portion that is in current use as a woodlot. He had a series of questions to discuss with the board as to how his proposal might relate to the requirements of the zoning ordinance. First was relative to the minimum lot size in the rural district within 1,000' of a state highway. It was agreed that the 3 acre lot size would apply. Second was whether his lot would qualify as a lot of record. It was agreed that since the lot was established prior to the establishment of zoning, that it would qualify. Third, it was agreed that the lot size adjustments for the overlay conservation districts would not apply. Relative to the 300' lot width from table 5.1, Dick Jones recommended that Mark Bolinger take a look at the lot size averaging option allowed under section 5.11 D. Mark Bolinger asked what would be necessary to guarantee that the larger lot would be developable in the future. It was discussed that a suitable area for a well and septic would need to be shown on the plan for subdivision approval, however, future use of the property would be governed by what ever regulations are in place at the time of the desired land use change. Regardless, the current use land use change tax would apply. David Roby brought up the requirement of section 4.01 of the subdivision regulations, which does not allow passage over agricultural soils. The board informed Mr. Bolinger that he could hire a soil scientist to document whether or not there were agricultural soils on the site and submit that information to the board with any future application.

**Item 4: Conceptual Consultation/Informal Review for Arend Tensen, Property at 100 River Road, (Tax Map 415, Lot 8).** Arend Tensen discussed his intention to propose to move an existing residential trailer and replace it with a farm stand on his property. There was a long discussion relative to whether his proposal would represent a permitted use under the definition of agriculture, a home occupation under the definition in the zoning ordinance or a cottage industry under section 4.47 of the ordinance. This will depend upon exactly what he proposes to do on the property. There was further discussion about whether the existing structures would qualify as pre-existing, non-conforming uses under Article VIII of the zoning ordinance. The issue of the limit of abandonment being limited to 2 years was discussed.

The meeting adjourned at 9:35 pm.

Respectfully Submitted  
Francesca Latawiec, CWS, CPSSc, PG  
Planning & Zoning Administrator

PLANNING BOARD AGENDA

JANUARY 24, 2008

The Lyme Planning Board will meet on **Thursday, January 24, 2008** at **7:00 PM** at the Lyme Fire Station at 44 High Street to consider the following items:

1. 7:00 – 7:15 Approval of minutes of December 20, 2007.
2. 7:15 – 7:45 Design Review/Completed Application, possible public hearing. Geoffrey Thornton Architect, representing Tony and Pat Pippin relative to a proposal to renovate and reconstruct the existing Lyme Inn at their property at 1 Market Street in Lyme, New Hampshire.
3. 7:45 Conceptual consultation/informal review. Mark and Ursula Bolinger wish to discuss a potential 2 lot subdivision on their property on North Thetford Road in Lyme, New Hampshire.
4. Following item 3. Conceptual consultation/informal review. Arend Tensen wishes to discuss a potential land use change on his property in Lyme, New Hampshire.
5. Public Hearing on proposed zoning amendments.
6. Other Business