

Planning Board Minutes
04/23/2009

Board Members and Staff Present: David Roby Chair; John Stadler Co-Vice Chair, Paul Mayo Co-Vice Chair, Dick Jones Select Board Representative, Vicki Smith Member, Freda Swan Alternate, David Robbins Planning and Zoning Administrator.

Board Members Absent: Ben Kilham Alternate

Members of the Public Present: Charles Hirshburg, Carola Lea, Donna Lawless, Michael MCroy

Item 1. Elect a Chair and Vice Chair.

Dick opened the meeting at 7:02 and asked the board for nominations for a Chair. John made a motion that David Roby be nominated for the position and Vicki seconded the motion. David stated that he only has one year left on the board and recommended that John be the Chair. John felt that he did not have the experience for the position. John asked Vicki if she would be willing to be the Chair because she has Planning Board experience. Vicki acknowledged that she does have experience but she is the junior member and did not feel it was appropriate for her to be Chair, although she would be willing to be Vice Chair. After some further discussion David said he would be willing to be the chair, if John and Paul would share the Vice Chair position to prepare either one to take the chair position when his term is up.

Vicki moved that David Roby be nominated as the Chair, Dick seconded the motion. All members voted unanimously to elect David Roby as the Chair.

Dick then made a motion to nominate John Stadler and Paul Mayo to share the Vice Chair Position as Co-vice Chair. Vicki seconded the motion. It passed unanimously.

Item 2. Approval of minutes April 9th, 2009.

John made a motion that the minutes from April 9th, 2009 be accepted as presented. Dick seconded the motion and it passed unanimously.

Item 3. Loch Lyme Lodge, Application for Site Plan Review Map 408 Lot 22

Charles Hirshburg presented the plan for a new septic system and bath house at the Loch Lyme Lodge. The new system would be a replacement of the old system that is near the end of its useful life. The current system is a mix of older septic technologies setup for the individual buildings. These older systems require periodic pumping during the summer season especially during wet summers. The new system is designed to replace all of the individual systems and to pump the effluent to a leach field that would be located in suitable soil at the back of the property. The system is sized based on DES Standards. It is the intent of the applicant to build the project in two phases; the first phase would

include one of the leach fields and to attach the system to the cabins by post pond, the main lodge, the staff cabin and the barn. The second phase would connect all the cabins to the system. Prior to the second phase meters would be installed to determine the usage of the system to see if it would be necessary to install the second leach field.

Vicki started the discussion by asking how the usages would be metered. Charles responded that it would be based on usage from the well. He also stated that he has recommended that low flow fixtures be installed in order to reduce usage.

Vicki then asked about a spring, spring house and cistern that appeared on the map. Her concern was if it is an old water system that was disturbed it could start flowing again creating a new intermittent stream or wetland. Charles replied that the spring is no longer connected to the spring house. He has dug several test pits in the area.

Dick asked if in phase 1 the main feed line to the leach field would be sized to handle the flow for both phases or would a new pipe have to be installed for phase 2. Charles stated that all the main lines would be installed in phase 1 so that the trench would not have to be opened for Phase 2.

Vicki inquired if the system is being sized to handle the co-housing units proposed in the Pinnacle Project along with the current usage from the lodge and cabins. Charles answered that the Co-housing would require a separate system that could be located at a different site on the property.

Vicki asked a follow up question: Could a single system be designed to handle both with less impact. Charles felt that there would be more of an impact to the wetlands because the system would have to cross a stream in order to pump the effluent to a leach field located on a different portion of the property. The Co-housing units would be located on the other side of the stream therefore a separate system for the Co-housing would not impact the stream. Charles went on to say that one of the reasons that the system is being built in phases is due to the large financial impact of the whole septic project. The first phase was to take care of some immediate needs to replace a failing system, and then by metering the system determine if the second leach field was needed for the cabins.

Freda asked for the DES figures for septic usage for the cabins. Charles replied that if the cabin had a kitchen then the usage was 75 gallons per person per day. If there was no kitchen then it was 50 gallons per person per day.

Dick asked if speculating about the Co-housing was not in order because current zoning would not allow the project to go forward. Paul felt that it was in order because it is the Planning Boards responsibility to maintain orderly development. David Roby stated that the Co-housing is a project that the applicants would like to go forward with and that there is a planned open house to promote the project. It was his feeling that it was not out of order. Charles also stated that the plans for the Co-housing are not complete so it would not be possible to design the septic system at this time.

He continued by saying that the owners of Loch Lyme Lodge would like to be able to construct Phase 1 starting at the end of May so that it could be completed before two weddings that have been scheduled for early in the summer. This would also eliminate the cost to have the septic tanks pumped over the summer.

Vicki asked if there will be any alteration to the terrain. Charles indicated that there would not.

Freda asked about the NHDOT Trench Permit to cut across Route 10. Charles stated that NHDOT wanted to have them try to bore under the roadway first. If they could not bore then they could request a Trench Permit.

Paul then asked about water quality monitoring. He wanted to know if it was possible to tell if the Phase 1 of the new system had any positive impact on the water quality of Post Pond. Charles stated that there was no planned water quality monitoring.

Dick stated that monitoring usually occurs when additional loading is added to the system. This system is an update to an old system. David felt that it could be considered additional loading because in the current system tanks are pumped several times a season and that effluent is removed from the system. The new system will not have to be pumped so the effluent must be handled by the new system.

Vicki felt that the new system would be an improvement over the old system.

Vicki went on to ask what would happen if one of the effluent pumps failed. She used the pump at the cabins near the water front as an example. Charles described how each pump has an audible alarm and a red flashing warning light that come on if the pump fails. He also stated that at the cabins near the pond the tank has enough capacity to hold about one days worth of effluent if the pump did fail. He continued to say the main pump that sends effluent to the leach field is two reciprocal pumps so that if one failed the other would be able to take over. He also stated that in the event of a power failure that a portable generator would be used to run the pumps.

Vicki stated that if the generator is going to sit on a pad or is going to be shielded by any landscaping it should be on the Site Plan Map.

Vicki's next question was about access to the tanks if they need to be pumped. Charles answered that there is access because the current tanks are pumped during the summer season. He did concede that there are no defined driveways to the cabins, when the tanks are pumped the pumping unit drives across the lawn / field to access the tanks.

Freda mentioned that as a condition for approval of the Site Plan it could be required that the tanks be pumped each fall.

At this point David Roby stopped discussion because it had taken all the scheduled time. He asked Charles if he would be willing to continue after Item 4 on the agenda was discussed. Charles agreed.

7:40 Item 4. A discussion of RSA 674:53 Land Affected by Municipal Boundaries.

The Planning and Zoning Administrator explained that he brought this item to the board's attention so that the board would be able to understand their role in the decision process of an upcoming project that the property crosses the town boundary of Lyme and Hanover. (Map 401 Lot 40) Because there was no abutter notification, the discussion was limited to the procedure that the board would have to follow to comply with the articles in RSA 674:53. The RSA outlines the responsibilities of the Planning Board when a piece of property crosses a municipal boundary.

Paul noted that the Planning and Zoning Administrator had transposed two digits of the RSA number in the agenda, that it should be 674:53 not 647:53.

Dick asked for an update as to the status of project. Mike McCrory of Pathways Consulting, LLC who is heading up the project for both the land owner and the prospective buyers asked if he could give the overview. Mike stated that the Hanover Planning Board had approved a lot line adjustment to move a portion of the lot that is in both municipalities into an adjoining lot in Hanover, owned by the same owners. The purpose of the lot line adjustment was to enable the adjoining lot to conform to Hanover zoning ordinances. The Planning Board meeting in which the lot line adjustment was approved was not properly noticed. As a result the applicants needed to return and apply again for the Lot Line Adjustment. The applicants have requested a rehearing at Hanover Planning Board on May 5, 2009.

The Hanover Zoning Board was meeting on April 23, 2009 to hear a request for a special exception for the driveway.

The proposed driveway will end on Goose Pond Road in Lyme after it has passed through the portion of the lot that is in Lyme. Because it passes through both the Lyme Wetlands Conservation District and the Agricultural Soils Conservation District, the Lyme Zoning Board would need to give a Special Exception for the portion of the driveway that is in the town of Lyme. The Lyme Zoning Board met on April 16th 2009 but this meeting was also not properly noticed to the abutters. The item has been tabled until the May 14th 2009 meeting. At this time the abutters will have been properly notified.

The Zoning Administrator then handed out a copy of an Email sent to him, at his request from Jae Whitelaw who is council for the town of Lyme. In her Email she outlines the responsibilities of the Lyme Planning Board in this situation. A copy of the Email is attached to the end of these minutes. The Lyme Planning Board's responsibilities are as follows.

The board must review the application for Lot Line Adjustment presented to the Hanover Planning Board and the application for special exception that was presented to Hanover Zoning Board. The only issue for the Lyme planning board under RSA 674:53 is whether the access is sufficient for the proposed use and the impact of the proposed use on the Lyme access road (i.e. is the road up to sufficient standards, traffic issues, line-of-sight, etc.).

Dick mentioned that it is also the responsibility of the planning board to approve the Curb Cut Permit necessary for the driveway access in the town of Lyme. He also stated that if the property was to be used for commercial purposes that a Planning Board Site Plan Review would be needed and that conditions for Planning Board approval could include that the driveway could not be used for commercial purposes. Mike agreed that the condition would be appropriate.

At this time David Roby returned the meeting to the Site Plan review of the Loch Lyme Lodge septic plans. David Roby asked Dick to start going through the Site Plan Review Check list.

10.1 Department review of Application.

The only review received was from the Conservation Commission. The board has requested that the Fire Department and Police Department both review the application and provide comments.

10.2 Public Notice List.

The list was provided.

10.3 Summary of Proposal

A project summary was provided.

10.4 Traffic and Parking Plan.

The board requires plans for the following:

- Contractors during construction
- Lake side and Cabin driveways

10.5 Site Plan General Map.

10.5.8 Items from 10.4 need to be added to the map.

10.5.9.1 Water supply for fire protection needs to be shown on the map.

10.5.9.3 Emergency Generator for the main pumps needs to be shown on the map

10.5.9.6 A propane tank is shown located in a wetland. Vicki would like to have this noted and possibly moved to a better location.

10.5.10 Fire protection and response plan from the fire chief. To be approved by the planning Board

10.5.12 Landscaping for pumping station shutoff and alarm.

10.6 Drainage and Erosion Control Plan.

There is no Drainage and Erosion Control Plan on the map. A plan for controlling erosion during construction will need to be added. Specific items that the board

noted should be included in the plan are erosion control at the leach field site and the location of stockpiles of soil during construction. These are in addition to the existing Site Plan Review requirements.

10.7 Building Layout plans

Layout of the bath house and a generator pad if the generator is to be stored outside of the barn.

10.8 Federal, State and Local Permit Approval.

10.8.1 ZBA Approval was submitted.

10.8.2 State permits have not been approved.

After the check list was completed the board further discussed some of the missing items.

Vicki noted the need for an erosion control plan to use during construction so that the contractors will know where to stockpile excavated soil and to stop any erosion of the stock piles. There are large areas of wetlands on the property and they must be protected. This will be especially important during the construction of the leach field.

Dick requested input from the Police Chief and the Fire Chief and Freda noted that the input from the Police Chief would be especially important when boring or trenching under RT 10.

Freda asked about the plans for the bath house and Charles said the decisions had not been completed. Vicki asked if the bathhouse will be a public bathhouse because it may be regulated by the state the same way a public bathroom in a restaurant is regulated.

Dick made a motion that the application was incomplete. Vicki seconded and the motion was passed unanimously.

David Roby asked the board if they wanted to continue the review at one of the June meetings. Dick felt that June was too late and that it should be done sooner while it is still fresh in everyone's memory. Dick made a motion to continue on May 28th 2009 at 7:15. Vicki seconded the motion and the motion was passed unanimously.

Both Dick and David Roby noted to the Planning and Zoning Administrator that information for the Site Plan Review should be sent to the Board members so that they will have a chance to review it before the meeting. The Planning and Zoning Administrator agreed to send out packet to the board members prior to the scheduled meeting.

John made a motion to adjourn it was seconded by Dick and it passed unanimously. The meeting ended at 9:28pm

Respectfully submitted,

David A. Robbins
Planning and Zoning Administrator
Town of Lyme