

Lyme Planning Board Minutes
July /09/2009

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

Board Members Absent: David Roby Chair; Freda Swan alternate; Ben Kilham Alternate

Members of the Public Present: Don Elder; Julia Elder; Duane Small; Alice Small; Charles Hirshburg CLD Consulting; Mike Novello Wagner Forest Management; Tom Colgan Wagner Forest Management;

John Stadler called the meeting to order at 7:05pm
Noting the time he requested the Board to postpone the acceptance of the minutes from June 25 until after the hearings had been completed. The Board agreed.

Item 2: Lot Line Adjustment, Kenneth Elder Revocable Trust (Map 408 Lot 59)

Dick opened the discussions by reading through the Lot Line Adjustment Check list.

It was noted that some of the existing utilities were not on the map. Vicki asked if the only thing in the area to be annexed was the garden and that there were no utilities there. Alice Small answered that the garden was the only thing on the property. Vicki moved to waive the requirement for the location of existing utilities (II.A.7) The Board unanimously agreed and waived the requirement.

Dick stated that no Zoning District Boundaries were shown on the Map, and thought Lot 63 was partially in the Mountain and Forest District. After a short discussion with the land owner it was determined that the entire map was in the Rural District. The Board voted unanimously to waive the requirement (II.A.8) for the zoning districts to be located on the map with the condition that when the Plat was signed a note would be added to stating that the entire plat was within the Rural District.

Dick also noted that the abutting lot to the south of Pout Pond Lane (Map 409 Lot 25) was missing and questioned if parcel owned by the O'Keefe's (Map 409 Lot 22) should be included as an abutting parcel. Don Elder stated that he owned the parcel to the south of Pout Pond Lane (Map 409 Lot 25) so there was no need to be added to notification list. The Planning and Zoning Administrator stated that he had sent an abutter notification to the O'Keefe's. The Board decided that the tax maps did not provide enough detail to accurately determine if the O'Keefe's were an abutter or not. It was then decided that the two parcels did not need to have the names and addresses of the owners added to the plat.

Vicki moved to accept the application as complete with the waivers they had previously approved. John seconded the motion. The motion passed unanimously.

Vicki then moved to approve the Lot Line Adjustment with the following two notes to be written on the plats when they are signed by the Board:

- 1) The entire plat is within the Rural Zoning District.
- 2) The 0.19 acres from Map 208 Lot 59 as shown on the plat will become part and parcel with Map 408 Lot 60.

John seconded the motion.
The motion passed unanimously.

The previous hearing ended early so John decided to use the time until the next hearing to accept the minutes from the last meeting.

Item 1: Acceptance of minutes from 06/25/2009

Dick had some minor corrections for the minutes. Vicki moved to accept the minutes as corrected. Dick seconded the motion and it passed unanimously.

Item 3: Continuation of Loch Lyme Lodge Site Plan Review (Map 408 Lot 22)

Vicki started by reviewing the conditions that were sent to CLD to ensure that all the conditions were added to the plans. It was determined that all conditions were on the plans with the exception of the removal of the propane tank from the wetlands.

The Board then reviewed the new pages of the plans to ensure that all changes had been added. Vicki expressed concern that the area that would be cleared for the leach fields was not accurately portrayed on the plans. Charles assured her that CLD would be the ones who will do the actual marking and that it would be based on the topology at the site.

John proceeded to go through the Site Plan Review Check List to check that the application was complete. The following items were found to be missing and were waived by the Board:

- 1) Item II.B special exception from the ZBA.

The waiver is for a Special Exception from the Zoning Board to be able to move the propane tank from in the wetland to the wetland buffer.

- 2) Item V.B Tax map and lot numbers, names and street addresses of owners of record of properties within two hundred (200) feet of the subject property as shown in the Town records

The Abutters are on a separate list.

- 3) Items VI C, D and E

The Board determined these items were not required.

4) Item VII.B Showing conceptual plans and elevations of all proposed structures on the site and a breakdown of the floor area and proposed use(s)

The Board determined this item was not required.

5) Item VIII.A Copies of each of all required federal, state, and local permits, and approvals (with or without special conditions and/or stipulations).

This was waived for the permit to move the propane tank and for the Route 10 trench permit.

Dick made the motion to wave the above items.

Vicki seconded the motion.

The motion passed unanimously.

Dick then moved to accept the application as complete.

John seconded the motion

It passed unanimously.

Dick finally moved to approve the application subject to the previously approved conditions and the following addition condition:

The propane tank must be moved from the wetlands. Any Special Exceptions and a Zoning Permit will need to be obtained from the Zoning Board prior to moving the tank. Construction of the septic system may start before this condition is met.

Vicki seconded the motion. The Board voted unanimously to pass the motion.

Item 4: Wagner Forest Management request to waive the requirement for Site Plan Review for the installation of solar panels.

Mike Novello of Wagner Forest Management presented the Board with an overview of a proposed project to install 108 3' by 5' solar panels on the roof of the barn. The solar array would be used to generate electricity for use by Wagner Forest Management. Vicki asked if the system would use batteries to store excess electricity. Mike responded that the system would have no batteries, excess electricity would be sold to the electric company. Dick then asked about the glare from the panels. Mike responded that the panels are made to be low reflective because any reflected light is lost energy. Vicki then asked how tall the panels were and if the installation would exceed the 35' maximum height requirement of the Zoning Ordinance. Mike stated that they were 1-2 inches. Tom Colgen noted that the panels would not be installed above the existing ridge line of the barn.

Mike then asked the Board if they felt that the project fell under the jurisdiction of the Site Plan Review Regulations. Paul felt that it fell under section 4.13 of the Regulations because it was a change in the utilities. John then asked the Board if they agreed The Board felt that it did.

Paul then asked if there should have been an abutter notification. The Board discussed this issue and concluded that there was no need to for an abutter notification because the

only decision that was being made was if the project needed to go to Site Plan Review. An abutter could appeal the Zoning Permit to the ZBA if they felt that the project should not take place.

Dick then moved to waive the requirement for Site Plan Review for this project. Paul seconded the motion. The motion passed with no dissenting votes.

Item 5: Master Plan Discussion

Dick asked for any revisions that the Board members may have for Chapter II. Dick collected the revisions.

Item 6: Capitol Improvement Program

Dick informed the Board that it was time to be considering revisions to the CIP including updating prices, and that the upgrades to the beach and ball field should be added. Vicki asked the Planning and Zoning Administrator to schedule time at the first Planning Board meeting in September for work on the CIP.

Item 7: Clarification of sections 8.23 B, 8.24 C, and 8.25 A and B. for the Zoning Board.

Both Dick and Vicki recalled that when the Ordinances were written the intent was to make the expansion cumulative, not additive. An applicant would be allowed to expand to the amount specified in the ordinance, then no more.

The meeting adjourned at 8:45pm

Respectfully Submitted
David A. Robbins
Lyme Planning and Zoning Administrator