

**Lyme Planning Board Minutes  
December/09/2010**

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; Sam Green Alternate member; David Robbins Planning and Planning and Zoning Administrator

Board Members Absent: Freda Swan Alternate; Ben Kilham Alternate

Members of the Public Present: Elizabeth Kilmarx

David opened the meeting at 7:03pm

**Item 1: Acceptance of minutes from October /28/2010**

Vicki made a motion that the minutes be accepted with modifications from John. Dick seconded the motion.

The motion passed unanimously.

**Item 2: Acceptance of minutes from November/18/2010**

Vicki made a motion that the minutes be accepted with edits from John. Dick seconded the motion.

The motion passed unanimously.

Dick asked to Board to consider changing the procedure for providing corrections to the minutes. He proposed that the Planning and Zoning Administrator send out a first draft of the minutes, the board members should return the minutes with any corrections. The Planning and Zoning Administrator would then provide the board a second draft to be sent out prior to the next meeting. This would allow the Board members to review all the corrections before the meeting.

As no members of the public had arrived Chairman Roby decided to move on to Item 5 other business, to give anyone who may have wanted to attend the public hearing more time to arrive.

David asked the Planning and Zoning Administrator to contact Carola Lea to see if comments, from the Energy Committee on the Energy Chapter of the Master Plan were done.

Dick made a motion that the Board cancel the regularly scheduled meeting on December 23<sup>rd</sup>, 2010. Dick felt that due to the close proximity of the date to the Christmas holiday, there may be members of the public who wished to attend the meeting but will be away for the holiday. He felt that this would not be fair to the public.

Vicki seconded the motion.

The motion passed unanimously.

A petitioned zoning amendment had been received by the Select Board. Chairman Roby made a motion to set the public hearing date to be January 13<sup>th</sup> 2011 at 7pm. The Board would then consider the testimony received at the public and hold a vote to approve or disapprove the amendment at the January 27<sup>th</sup> meeting. Vicki seconded the motion. The motion passed unanimously. The Board also decided to schedule the hearing for Wayne Pike's application for Lot Line Adjustment for 8pm on January 13<sup>th</sup> 2011.

### **Item 3: Public Hearing on proposed Zoning Ordinance Changes**

At 7:25pm Dick moved to open the public hearing on proposed zoning ordinance changes Vicki seconded the motion and it passed unanimously.

There were no members of the public present.

#### **Amendment 1)** Add the definitions of expanded and expansion to Article II

Expanded. Increased footprint, gross floor area, height, volume, activity or intensity of use.

Expansion. The result of being expanded.

Dick stated that he had received a comment from a member of the public stating that they felt that the definitions were not needed.

The Board had a discussion on "intensity of use" in the definition of expanded.

Vicki moved that the amendment be brought before the Town at town meeting in March of 2011. Dick seconded the motion. Chairman Roby called for a vote and the motion passed unanimously.

#### **Amendment 2)** Amend section 4.53 Driveways to Delete section 4.53 (B)(4)

Dick moved that the amendment be brought before the Town at town meeting in March of 2011. Vicki seconded the motion. Chairman Roby called for a vote and the motion passed unanimously.

#### **Amendment 3)** Amend the Lyme Zoning Ordinance to include "The Small Wind Energy Systems Ordinance"

The Board had a discussion on the 75' maximum tower height stated in the ordinance.

Dick moved that the amendment be brought before the Town at town meeting in March of 2011. Paul seconded the motion. Chairman Roby called for a vote and the motion passed unanimously.

Chairman Roby closed the Public Hearing and reopened the Planning Board meeting.

The Board then continued with Item 5 Other Business from the agenda.

The Planning and Zoning Administrator passed out a copy of a letter he had received from Public Service of New Hampshire, requesting a public hearing in regards to proposed tree trimming on scenic roads in Lyme. (RSA231:158) Chairman Roby felt that a protocol should be developed for handling these requests. The Board discussed what should be required when someone wants to trim trees on a Scenic Road. The Board decided that the following should be included as part of the protocol:

- 1) Any tree that would be trimmed will be marked with flagging tape to indicate the branched that are to be trimmed, if the entire tree is to be remove then the trunk should be flagged.
- 2) All marking of trees shall be performed before the public hearing, allowing residents and the Planning Board to review the proposed work prior the hearing.
- 3) All residents on the Scenic Road will be notified by mail as to the time and place of the public hearing.
- 4) All costs of the notices for the public hearing will be the responsibility of the applicant.

John and Vicki were appointed as a sub committee to work on the protocol for the Board.

Dick moved that a public hearing be scheduled for January 27<sup>th</sup> 2011. Vicki seconded the motion and it passed with a unanimous vote.

The Planning and Zoning Administrator will contact Public Service of New Hampshire with the date of the public hearing and the Boards requirements for flagging the trees and notifying the public.

Chairman Roby had two items for the board's consideration; first, he wished to be able to see more maps of subdivisions such that were provided in the Woodard's application. The Planning and Zoning Administrator stated that he would be able to create these maps in-house if he were to require the applicants to provide the information from the plans in an electronic format. The consensus of the Board was that these maps were helpful and that the Planning and Zoning Administrator should start requiring electronic versions of plans in the future. The format of the electronic version plans would be determined by the Zoning Administrator.

Chairman Roby's second item was that he felt that the Planning and Zoning Administrator should review the check lists and plans for subdivision and provide this information to the Planning Board to expedite their review of the application for completeness. Vicki recommended that the checklists be provided to and filled out by the

applicant prior to the submission of the application. This would provide a self review of the application prior to the submission. The Planning and Zoning Administrator accepted this task.

#### **Item 4: Woodard lot line adjustment**

Chairman Roby disqualified himself as he is an abutter to the Woodard's property. Sam Green was appointed to sit for Mr. Roby. Paul Mayo was appointed to act as Chairman. Elizabeth Kilmarx was present representing the Woodard's. The Board reviewed the application for completeness, noting the request for a waiver of the full property survey. Dick made a motion to waive the requirement for the full property survey based on the following facts;

- 1) The amount of acreage in the lot line adjustment is more than 50 acres.
- 2) A full survey of the property is on file with the town.
- 3) There would be no benefit to the Board by requiring the full survey.

Vicki seconded the motion.  
The motion passed unanimously.

Dick made a motion to accept the application as complete. Sam seconded the motion. Acting Chairman Mayo called for a vote and the motion passed unanimously.

The Board then started discussions of the submitted plans. Dick noted that there were no test pits and perk tests on the plans and therefore according to section 4.06 of the subdivision regulations could only approve the lot as a conservation lot. Dick recommended that testing for a septic system be performed and the results be added to the plans as to allow the Board to consider this a Building Lot. Vicki noted that the proposed driveway would cross both the Agricultural Soils and the Shoreland Conservation Districts and therefore would require Special Exceptions from the Zoning Board of Adjustment. These Special exceptions should be obtained prior to the Planning Board approving the lot line adjustment. Vicki also noted that location of the proposed driveway may not have the correct site lines on Bliss Lane. The applicant should ask the Road Agent to review the location and provide a letter stating that the proposed location meets all the requirements of the driveway regulations.

Dick moved to continue the hearing to January 27<sup>th</sup> 2011.

Sam seconded the motion. Paul called for a vote and the motion passed unanimously.

The meeting adjourned at 8:50pm

Respectfully Submitted  
David A. Robbins  
Lyme Planning and Zoning Administrator.