

**Lyme Planning Board Minutes
January/28th/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 Board member; David Robbins Planning and Zoning Administrator.

Board Members Absent: Freda Swan Alternate Member; Ben Kilham Alternate Member.

Members of the Public Present: Blake Allison, Liz Ryan Cole, Barney Brannen, Charlie Hirshberg

Item: 1 Public hearing to review a petitioned zoning amendment to change the boundary of the Lyme Common Zoning District.

The petitioned amendment would extend the Lyme Common District to include those lands having frontage on NH RT 10 north of the existing Lyme Common District boundary to Pinnacle Hill Road on the east of NH RT 10 and North Thetford Road on the west of NH RT 10, extending up to 1500 feet from centerline of NH RT 10.

At 7:00pm David Roby opened the public hearing. Blake Allison was the only member of the public present. Blake explained that he had reservations about the petitioned amendment due to allowing increased density.

At approximately 7:15pm Liz Ryan Cole arrived and stated that she and the rest of the petitioners were in the process of withdrawing the petition.

David read a letter from the Brotman's, who were unable to attend, stating that they felt that the petitioned zoning amendment was not a good idea.

David then asked if there were any other comments from the public or from the Board. There being none, he asked for a motion to approve or disapprove of the petitioned amendment

Vicki made a motion that the Board vote to strongly disapprove of the petitioned zoning amendment to extend the boundary of the Lyme Common Zoning District.

John seconded the motion.

David asked if there was any discussion. The Board discussed several reasons why they felt that this was not a good amendment, including the fact that the original petitioners were in the process of trying to withdraw the petition.

David called for a vote.

All five members of the Board voted affirmative to strongly disapprove of the petitioned amendment.

Item: 2 Acceptance of minutes from January/14/2010

Dick asked about the wording of the “approval or disapproval” of the petitioned zoning amendment. He wanted to make sure that the wording agreed with the wording in the RSA. Paul checked and stated that the wording in the minutes was consistent with the wording of the RSA.

John made a motion to accept the minutes from the January 14th 2010 meeting. Vicki seconded the motion. The motion passed unanimously.

Item: 3 Review of encroachment into the Steep Slopes Conservation District for a proposed new septic system, well and parking area for the property at 301 River Road (Tax Map 403 Lot 16)

John stated that although he was not an abutter, he lives in the same area on River Road and that he would be willing to reclude himself if Charlie or Barney so wished. Neither of them had any issues with John sitting on the Board for the review.

David said that this was the first time that the Board has seen the full plans and that he felt that the Board would need more time to review the plans in order to make an informed review of the project and the impact of the steep slopes to the project.

David also expressed concern that he felt that the current building has no legal status under the current zoning regulations.

Dick started the discussions, commenting that his major concern with the project was the stability of the soil on the site when water from the leach field was added at the top of the slope.

Barney asked who makes the determination that a property is within steep slopes. David responded that it is the ZBA’s responsibility to interpret the district boundaries. (Section 3.31 of the Lyme Zoning Ordinance) He went on to say that because the ZBA had requested the Planning Board’s review, therefore the ZBA had made the determination that the project was in the Steep Slope Conservation District.

Charlie went over the plans to the Board, describing what is currently on the site and the proposed new septic system, well and parking area.

Dick asked if there had been a Geo-technical evaluation done on the site to address the issue of the stability of the site. Charlie replied that other than the 60 inch deep test pits that he dug for the septic system, no other testing or evaluation had been done. Charlie

went on to say that he felt that the road cut above the property would stop and divert a majority of the water from above the site and therefore he felt that injecting water from the leach field would not increase the instability of the site.

Dick then asked about the wooden retaining walls, he had concerns that they have a limited life span and could be a point of failure; he added that he would like to see more detail in the plans as to the construction of the walls.

Dick also noted that the proposed location of the well was within the 75' set back required by the state. Charlie responded that he would have to obtain a waiver from the state and that this type of waiver was common. Dick asked if it would be possible to move the location of the well to the north to move it out of the 75' protective radius of the septic system. Charlie felt it might be possible but due to the slope from the road to a well location to the north may not be accessible for a well drilling rig.

Vicki asked Charlie about where runoff from the house and parking area would be diverted. He replied that it would be diverted around the septic tanks and onto a lower portion of the property by using a vegetated swale. Vicki requested that this be added to the plans.

Vicki then asked about the leach field vent pipe that was positioned along the walkway leading to the house. She was concerned that the location would be undesirable for people entering the house. Charlie indicated that the vent pipe could be moved to another location.

The board ended discussions by going over the objectives of the Steep Slope Conservation District (Section 3.27.2 of the Lyme Zoning Ordinance) and how the objectives could affect the project.

The Board requested that Charlie revise the plans, submit the new plans to the Board allowing adequate time to review, and then meet with the Board at a future date of his choice.

Dick made a motion to adjourn

The motion was seconded by John

The motion passed unanimously.

The meeting adjourned at 9:00pm

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