

**Lyme Planning Board Minutes**  
**July/23/2015**

Board Members and Staff Present: John Stadler, Chair; C Jay Smith, Select Board Representative; Vicki Smith, Member; Ursula Slate, Member; Eric Furstenberg, Alternate; David Robbins, Planning and Zoning Administrator.

Board Members Absent: Freda Swan, Alternate; Tim Cook, Vice Chair

Members of the Public Present: Mark Bolinger, Matt Brown

**Item 1: Mark and Matt came at the request of the Board to discuss the use of solar energy in Lyme.**

The Board is considering changes to the Zoning ordinance to specifically address solar systems. One of the issues that the Board would like to address is the difference between systems that generate power solely for a residence and systems that commercially generate power.

Mark had prepared a handout for the Board that grouped Photovoltaic systems into three categories. The first is individual home or business net metering. In this category the system is most likely placed on the roof of an existing building but it may be ground mounted. There are around 50 of these systems currently in Lyme.

The second type of system is a utility-scale project with a wholesale power agreement. Mark felt that this type of system was unlikely in NH because the wholesale rates are not high enough to make this type of system economical.

The third type was group net metering. Mark felt that this is the most likely scenario for a sizeable development in Lyme. Of this type Mark had two subtypes, large and small. Large group net-metering projects are systems that are capable of generating 100KW to 1MW. Small group net metering are systems less than 100KW and are compensated at a greater rate than large group net-metering projects.

Due to their economy and easier management, Mark felt that small group net-metering projects, were more likely to be constructed in Lyme. John asked Mark about the physical size of a 100KW system, he responded that, with the current technology, it would cover about a ¼ acre.

The Board discussed some of the zoning issues associated with this type of system. These issues included:

- Exceeding the 35' height limit when installed on a roof.
- Lot coverage and how that coverage should be calculated.

- Intrusion into the conservation districts.
- Glare from the panels and from the mounting hardware.
- Screening for neighbors.
- Setbacks for the systems.
- Sharing a system between lots (System located on one lot with the energy being used on another)
- Should the Board create a separate ordinance to cover solar systems or integrate the requirements into the existing ordinance?

Matt asked where the Board was in the process of developing an ordinance. John responded that they were still in the early stages and were still gathering information.

There being no more discussion John thanked Mark and Matt for attending the meeting and providing the Planning Board with the information. John asked that the Lyme Energy Committee keep the Planning Board updated on any related new information that they may discover.

**Item 2: Acceptance of minutes from July/9th/2015**

John moved to accept the minutes with minor corrections.

Vicki seconded the motion.

John called for a vote and the motion passed unanimously.

**Item 3: Amendments to the Zoning Ordinance, Subdivision Regulations, and Site Plan Review Regulations**

John has written some new proposed language for Section 4.64 B. The Board reviewed and discussed Johns proposed language and offered some changes. The revised language is as follows:

**AGRICULTURAL SOILS CONSERVATION DISTRICT (4.64 B):**

Special Exceptions, Development of any of the uses listed below shall not occur within the District unless a lot does not have sufficient developable non-agricultural soil to accommodate the proposed use. Avoiding intrusion into the district is the priority. If a lot does not have sufficient non-agricultural soil, then an area of the agricultural soils may be developed, so long as the area of the intrusion is minimized. To that end, the Zoning Board of Adjustment may limit the scale of a proposed development to avoid or minimize any intrusion onto the agricultural soils. The Zoning Board may also modify the shape of the proposed development area in order to maximize the viability of the land for agricultural use. If the lot is being subdivided or has been subdivided within the last 10 years, any area of intrusion shall be applied to the parent lot. In all cases 75%, of the

agricultural soils shall be protected by a zoning easement prohibiting all but agricultural, forestry, recreation and conservation uses and under no circumstances may any intrusion exceed a maximum of 25%. The Zoning Board of Adjustment may waive the requirement of an easement on lots which have less than three acres of agricultural soils. The easement requirement does not apply to special exceptions granted under section?

Proposed language for the Subdivision regulations:

**Subdivision of land containing Agricultural Soils.** If a lot that is being subdivided contains Agricultural Soils, the Planning Board shall define Building Envelopes for each subdivided lot that promote the preservation of Agricultural Soils. The Board may require development to be clustered as allowed under Section 5.11 D Lot Size Averaging. The Board shall take into account the soils suitability for septic systems and State setback requirements for wells and septic systems when requiring a Lot Size Averaging Subdivision.

The Planning and Zoning Administrator was concerned that the division of agricultural soils in a subdivision made within the last 10 years was not clearly defined. John felt that it would be useful to know the lots that would currently be subject to the 10 year rule and the agricultural soils present on those lots. The Planning and Zoning Administrator will map those lots and provide the data to the Board for the August 13<sup>th</sup>, 2015 meeting.

The meeting adjourned at 9:10 pm.

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