

**Lyme Planning Board Minutes**  
**Aug/13/2015**

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

Board Members Absent: None

Members of the Public Present: Rich Brown, Brian Pratt, Liz Ryan Cole, Jonathan Edwards, Rod Finley, David Cullenberg Jean Ball

**Item 1:** Informal Subdivision review with David Cullenberg to discuss a proposed subdivision of Jean Ball's property at 97 North Thetford Rd (Tax Map 404 Lot 5).

The Board met with David Cullenberg and Jean Ball to discuss a proposed minor subdivision of Jean Ball's property. David had submitted information describing the proposed division. John asked the Board members if they had any questions about the proposed subdivision. Following a brief discussion of septic and title issues, John recommended that they submit an application for final approval.

**Item 2:** Rod Finley to discuss the addition of a deck to the Nunnemacher Cabin on the Dartmouth Skiway property. The cabin is within the Steep Slopes Conservation District and will require review and comment from the Planning Board prior to Zoning Board review. The cabin may also require a Site Plan Review. Rod requested that the Board determine if it will be required.

Nunnmacher Cabin is located on the Skiway property along the top of the west facing slope of Holts Ledge. The cabin is managed by the Dartmouth Outing Club and can be used for a fee. Because the cabin is not used in conjunction with the skiing facilities it is subject to the requirements of the Steep Slope and Ridgeline Conservations Districts.

Rod reviewed with the Board the proposal to add a deck to the cabin. He stated that based on the USGS Quad map, the cabin may not be in the Steep Slopes Conservation but he would need to take measurements in order to confirm this. Tim asked about access to the site, Rod responded that there is a road that leads up the back side of Holts Ledge that could be used for access. He believes that the road is in good enough condition to bring in equipment such as a mini excavator and all the building materials.

Vicki felt more information was needed in particular, a construction sequence with details on any excavation for the footings and tree removal. Vicki asked about lighting and if new lights were to be added. If so the specifications would be needed. She noted the stairs from the deck to the ground and asked for more information. Rod stated that he

had just become involved with the project and did not have all the specifics. Vicki suggested that he create a site plan to provide greater detail for the Board to use for a Site Plan Review.

John asked the Board members if a Site Plan Review would be necessary, the consensus was that the project is subject to the Site Plan Review regulations.

**Item 3:** Pinnacle Project has requested an Informal Subdivision Review of a potential five-lot subdivision on our parcel at 70 Orford Road.

Jonathan Edwards read to the Board an outline that he had prepared regarding an informal review under section 3.02 of the subdivision regulations to explore possible ways to build Co-housing residential development on the property at 70 Orford Road. The Project wanted to discuss the possibilities of a conventional subdivision and the creation of a Lot Size Averaging Subdivision.

There was discussion about a 2011 consensus of the Board that the original property held five lots. John pointed out that since the original property had subsequently been subdivided into two lots, the subdivision of this remainder lot constituted a new proposal which would be evaluated as such.

John asked if Pinnacle would like to go over the Board's thoughts based on their review of Pinnacle's submissions. Mr. Edwards. replied affirmatively and John reviewed aspects of the Subdivision Regulations it would be important to address going forth.

Section 2.33} The Board would require information covering the entire Parent Lot in order to proceed with a determination for a conventional subdivision.

Sections 4.02 & 4.06} A substantial area on each proposed lot that is of a 15% slope or less must be shown. This substantial area must accommodate septic (of no less than a 4,000 sq. ft. minimum size), dwelling, driveway and appurtenant structures.

Additionally:

- \* all roads and driveways must be shown.
- \* the access road as shown abuts the Lodge Lot and runs right through some of the most sensitive wetlands. {4.08} John suggested reconfiguring the road.
- \* Cul de sac roads shall not exceed 1,200 feet. {4.08 K.}
- \* Fire Chief approval is needed for water supply, access, design etc. {4.20}
- \* Perc rates must be acceptable for each location.
- \* Make sure proposed lots are of an "appropriate shape". {4.05 A}
- \* Any Special Exceptions concerning Steep Slopes or Wetlands will need Planning Board or Conservation Commission input, respectively.

Tim pointed out that some of the lots dimensions were very tight, especially one that showed only 17 sq. ft. in excess of the requirements. He suggested that Pinnacle might want to not cut things so close.

Freda stated that residences are not allowed in the Steep Slopes under Special Exceptions. John suggested reconfiguring the developable area away from the Steep Slopes and closer to the front of the lot.

Freda also pointed out that residences are also not allowed in the Wetlands.

There was a question that if a Special Exception or Variance were needed to approve a lot, would Pinnacle need to have Zoning Board approval. Vicki felt the Planning Board could evaluate a Special Exception based on the criteria set forth in the Zoning Ordinance. However, The Zoning Board would have to approve any Variances.

Brian Pratt, of CLD Engineers, said that he would revise the subdivision plan based on the Board's input. Vicki pointed out that most of the data needed would most likely have been created for past hearings and should be on file with CLD.

John reviewed the criteria for Lot Size Averaging. He had created a worksheet for himself and offered to provide a copy to Pinnacle, sent through the Zoning and Planning Administrator, if they liked. Mr. Edwards accepted that offer.

Mr. Edwards asked about using section 5.11 D. 7 to be able to build more than one building on a lot. Specifically, he wanted to know if the dimensional controls used to establish the number of residential buildings under 5.11 D. 3 could be applied to the building created under 5.11. D. 7.

The Planning and Zoning Administrator stated the Ordinance does not allow for the transfer of dimensional control, but that Special Exceptions granted by the Zoning Board could allow for larger footprint and lot coverage.

Liz expressed disappointment over what was possible under Lot Size Averaging. Vicki said that maximization was not necessarily at the heart of Lot Size Averaging. John reviewed again how LSA does work and how much it makes possible, but he understood it might not fit her particular objectives.

There were further questions, but as it had been a long meeting, it was suggested that additional questions should be put down in writing in a timely manner. In this way, the Board could address them at the next meeting. Pinnacle agreed to submit those questions to the Planning and Zoning Administrator.

Mr. Edwards thanked the Board and said he looked forward to the further discussions at the August 27th meeting.

#### **Item 4: Acceptance of minutes from July/23<sup>rd</sup>/2015**

John moved to accept the minutes with minor changes.

Vicki seconded the vote.

John called for a vote and it passed unanimously.

The meeting adjourned at 8:55pm.

Respectfully Submitted

David A. Robbins

Lyme Planning and Zoning Administrator.