

**Lyme Planning Board Minutes
October/08/2015**

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

Board Members Absent: Vicki Smith, Member; Ursula Slate, Member; Freda Swan, Alternate

Members of the Public Present: None

John opened the meeting at 7:00 pm and appointed Eric to sit as a regular member.

Item 1: Acceptance of minutes from September/24/2015

Tim moved and Eric seconded a motion to accept the minutes with minor changes. John called for a vote and the motion passed unanimously.

Item 2: Zoning ordinance changes.

Section 8.28

Last year the Board had proposed a new section to address the relocation of an existing non-conforming structure within the setbacks.

8.28 Relocation of an existing non-conforming structure

The relocation of an existing non-conforming structure that is non-conforming because of its location within a setback to a different location within a setback may be permitted as a special exception subject to the provisions of section 10.40 and the following requirement:

The relocated structure shall not result in a new or increased non-conformity.

A relocated structure shall not qualify for conversion under section 4.46 until five years after the completed relocation.

Town Counsel pointed out any relocation would be a new non-conformity. This was not the Board's intention. Given there was not time enough to revise the language and hold a public hearing before Town meeting, it was decided to table this amendment to 2015.

The Board has now provisionally revised the language for the first condition to:

The relocated structure shall better serve the objectives of the ordinance.

John asked the Planning and Zoning Administrator to send the proposed new section with the revised wording to Vicki and Ursula for their consideration. The Board will review the reworded amendment at their next meeting on October 22, 2015.

Section 2.29.

Don Elder had spoken with John during and after the 2015 Little Town meeting, expressing concern with the restriction that: “A relocated structure shall not be eligible for conversion under section 4.46 until five years after the completed relocation.” He felt this was overly restrictive.

The Board discussed this requirement at length and concluded that it serves an important purpose. They felt it was unlikely to come up as a problem. However, the Board will monitor its impact and revisit the wording if necessary.

John asked the Planning and Zoning Administrator if he had re-written the Section 10.50 using the new variance criteria from the state. He had not but would have it for the following meeting on October 22, 2015.

Item 3: Subdivision Regulations.

The Planning and Zoning Administrator passed out revised copies of the Road Construction Criteria from the Subdivisions Regulations. The Board had asked the Administrator to suggest changes that he felt would clarify the section. John asked the Board members to review the suggested changes and be prepared to discuss them at the next meeting. One item the Administrator noted was a significant number of references to a “Town Inspector”. The administrator was concerned that the identity of this inspector was not defined and suggested that the Board clarify the inspection tasks and exactly who would perform each.

Item 4: Capital Improvement Program.

Tim had raised the issue of the Planning Board’s CIP responsibilities. John reviewed RSA 674:5 authorizing the Board to create a CIP and then discussed the need to update the current program. John asked the Administrator to add the CIP as an item to the agenda for the next meeting in order for the Board to start work on updating the program.

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