

Town of Lyme
LYME ZONING BOARD OF ADJUSTMENT
Minutes – August 20, 2015

Board Members: Present - Frank Bowles, Rob Titus, Alan Greatorex, Bill Malcolm

Absent: Walter Swift

Alternate Members: Present- Dan Brand

Absent: Michael Woodard

Staff: David Robbins, Zoning Administrator; Adair Mulligan, recorder

Public: Liz Ryan Cole, Rich Brown, John Stadler

Chairman Bowles called the meeting to order at 7:30 pm and appointed Dan Brand to sit as a regular member. The minutes of the meeting of June 18 were approved on a motion by Rob seconded by Bill. The minutes of July 2 were approved on a motion by Rob seconded by Dan. The minutes of July 16 were approved on a motion by Bill seconded by Alan.

Application #2015-ZB-06, Pinnacle LLC (Tax Map 408 Lot 22.1)

Frank announced that the Pinnacle LLC project has requested a rehearing. The board must make a decision on this within 30 days. Rob asked about the status of the project. David Robbins said that the applicant is talking with the Planning Board about subdivision, informally, and nothing is in process at this time. Liz Ryan Cole said that they had taken the board's advice and gone to the Planning Board to work with them. Rob noted that under RSA 677:3 the board can suspend the order of decision pending further information. Liz said that suspension would suit as there is a strong desire to work out the project's problems without litigation. First, they are trying to find out what they can build without changes to the Zoning Ordinance. Second, they are trying to determine if there is interest in changes to the Zoning Ordinance.

Bill asked if a rehearing is agreed to, whether there is a calendar obligation. David said that the board can schedule a convenient time with the applicant and there is no time frame. Frank noted that the only way to bring in a new idea is a new submission.

Deliberations: Bill advised going ahead with a re-hearing to evaluate points made in the rehearing request. He noted that this gives the board an opportunity to review and clarify its decision. The applicant could bring in new information but not a new plan. The re-hearing would give a chance to re-evaluate existing data that can be explained with new information. Bill moved to schedule a re-hearing for a mutually convenient time. Frank seconded the motion and after much discussion, the date of November 19, the regularly scheduled ZBA meeting for that month, was selected.

Out of Deliberations: Liz agreed that November 19 makes sense. The board voted unanimously to schedule a re-hearing for that date. Frank noted that the memo to the board from town counsel is a privileged document.

Meeting adjourned 8:12pm

Respectfully submitted,

Adair Mulligan, Recorder