

TOWN OF LYME, NEW HAMPSHIRE

TOWN MEETING

March 9, 2021 and May 15, 2021

Minutes

Due to Covid-19 precautions and procedural adjustments the 2021 Town Meeting was held on two days, the first being the usual date established by RSA for the Election of Officials (March 9, 2021); the second being the assembly date assigned for purposes of the business meeting which was held on the Lyme Common, under a tent to allow for safe distancing as determined by the Select Board after discussion with the Emergency Management Directors. (May 15, 2021) Masks were worn by attendees at both events.

Polls were open for voting by ballot on Articles 1, 2 and 3 on Tuesday, March 9th, 2021, at 11:00 AM and closed at 7:00 PM.

The business portion of the annual Town Meeting convened at 9:00 AM Saturday May 15th, 2021 on the Town Common, when all of the other Articles were considered.

ELECTION OF OFFICERS (March 9, 2021)

ARTICLE 1. To vote by non-partisan ballot for the following Town Officer:

1 Budget Committee member for 2 years	Bill Malcolm
3 Budget Committee members for 3 years	James Graham Richard G. Jones Wilkes McClave III
1 Cemetery Commission member for 3 years	Michael Hinsley
3 Library Trustees for 3 years	John Biglow Julie Goodrich Deb Robinson
1 Overseer of Public Welfare for 1 year	Nancy Elizabeth Grandine
1 Planning Board member for 3 years	John Stadler
1 Select Board member for 3 years	David Kahn
1 Town Clerk for 3 years	Patricia Jenks
1 Trustee of the Trust Funds for 3 years	John Biglow
1 Supervisor of the Checklist for 5 years	Michelle Whitcomb

AMENDMENT TO ZONING ORDINANCES

ARTICLE 2. Are you in favor of the adoption of Amendment #1 as proposed by the Lyme Planning Board to promote Senior Housing that is suited to the needs of seniors, located close to municipal and social services and facilities, and designed to facilitate independent living with an emphasis on safety and accessibility in the Lyme Common Zoning District.

(Recommended by the Planning Board by a vote of 5-0)

Senior Housing: An arrangement of dwelling units designed exclusively for seniors as set forth in Article XIII.

GROSS FLOOR AREA, Senior Housing. The sum of the floor area of each Senior Housing unit. Floors are measured from the interior limits of the structure where there is at least five feet in height between the floor and the ceiling. The floor area of a Senior Housing unit includes floor areas within each unit only if used for living space. It includes closets and stairwells and enclosed porches within a unit, but does not include common areas.

Senior: A person at least 62 years of age.

Article XIII Senior Housing.

Senior Housing is a residential use suited to the needs of seniors located close to municipal and social services and facilities, and designed to facilitate independent living with an emphasis on safety and accessibility.

A Senior Housing development must meet all the requirements for a Site Plan Review under section 12.10 of the Lyme Zoning Ordinance as well as the following criteria:

- a) Senior Housing may be located in one or more buildings on a lot or on a portion of the lot within the Lyme Common Zoning District.
- b) Only Seniors may occupy a Senior Housing dwelling unit. No more than two Seniors may occupy a Senior Housing dwelling unit.
- c) The number of Senior Housing units on a lot shall not exceed ten.
- d) Dimensional controls such as lot coverage, building footprint, gross floor area, and property boundary and road setbacks may be relaxed by the Planning Board upon the issuance of a Conditional Use Permit, if the following criteria are met:
 - i. the proposed dimensions are consistent with the dimensions of the buildings in the neighborhood;
 - ii. the site is adequate to support on-site wastewater disposal;
 - iii. an adequate supply of water for domestic use and for fire suppression is available, either on-site or from a shared water system;
 - iv. the site can accommodate necessary amenities such as off-street parking, pedestrian ways, landscaping, and recreation areas; and
 - v. Senior Housing may share a lot or building with other principal uses that are allowed in the Lyme Common Zoning District. The gross floor area of the Senior Housing dwelling units, common areas and accessory buildings must exceed 70% of the sum of senior housing gross floor area, non-senior housing

residential gross floor area and non-residential gross floor area on the lot in order for the Planning Board to vary the dimensional controls as described in (d).

- e) i. The gross floor area of Senior Housing dwelling units in a single development shall average no larger than 1200 square feet.
 - ii. Interior common areas shall not be counted as residential square footage within the principal structure.
 - iii. The maximum building footprint shall not exceed 8,000 square feet and maximum gross floor area of all the buildings and accessory structures on the lot shall not exceed 12,000 square feet
 - iv. Up to 3,000 square feet of covered parking dedicated solely to the Senior Housing residents shall not be counted as part of building footprint and gross floor area.
- f) Parking may not be located in the front setback and shall be provided on site following the standards contained in Appendix A of the Site Plan Review regulations.
- g) The exterior appearance and massing of any structure associated with Senior Housing must be harmonious and consistent with the present character of the neighborhood.
- h) The owner of any Senior Housing dwelling unit is responsible for supplying proof of each of the resident's age to the Zoning Administrator by the last day of January of each year and whenever a new resident occupies a Senior Housing dwelling unit. Upon notification by the Zoning Administrator or any resident of the Town of a failure to comply with this requirement, the Select board shall be responsible for enforcement as set forth in Section 9.12 and shall take action within 14 days.
- i) Buildings and structures used for Senior Housing shall not be changed to any other use for 25 years after first occupancy as Senior Housing.
- j) If at any time after the adoption of this Article a State law is enacted that mandates that any provisions or incentives of this Article must be applied to other forms of housing, this Article shall terminate as of the effective date of that law and not be valid thereafter.

4.41 Principal Building and Activity on Lots. There shall be only one principal building and one principal activity on a lot unless otherwise approved under the lot size averaging subdivision provision (Section 5.11 D.), the multi-dwelling and conversion provision (Section 4.46), Senior Housing (Article XIII), or the planned development provision (Section 4.49).

5.13 C

- C. Property line setbacks are provided in Table 5.1. In the Lyme Common and Lyme Center Districts, minimum road setbacks for new buildings, additions to existing buildings or replacements of existing buildings shall be no less than the median setback of the five closest buildings on the same side of the street. The minimum setbacks shall not be reduced except in accordance with the provisions of Section 8.20 and Article XIII, Senior Housing.

5.14 D

- D. except as otherwise permitted by special exception in connection with lot size averaging subdivisions (Section 5.11); planned development (Section 4.49); Senior Housing (Article XIII) and expansion of any lawful non-conforming structure in existence when this ordinance was passed (section 8.25).

5.15 E

- E. except as otherwise permitted by special exception for lot size averaging subdivisions (section 5.11 D); planned developments (section 4.49); and expansion of any lawful non-conforming structure in existence when this ordinance was passed (section 8.25); Senior Housing (Article XIII) and

5.16 Gross Floor Area. Gross Floor Areas are provided in Table 5.1. The maximum gross floor area shall be determined by the Planning Board and shall not exceed 14,000 square feet per each lot that would be available to the applicant if the property were subdivided into the maximum number of lots which could be created in a subdivision meeting all of the requirements of the Lyme Subdivision Regulations and this ordinance. Only the principal building in Skiing Facilities Use shall be subject to a maximum gross floor area limitation of 18,000 square feet. For all other uses in the Skiway District, the maximum gross floor area shall be 14,000 square feet. Gross Floor Area for Senior Housing shall be determined by the Planning Board through Site Plan Review as provided in Article XIII.

Table 4.1

	Lyme Center	Lyme Common	Commercial District	Rural District	East Lyme	Skiway	Mountain & Forest	Holt's Ledge
AGRICULTURE								
Agriculture	Y	Y	Y	Y	Y	Y	Y	Y
Agritourism	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
Forestry	Y	Y	Y	Y	Y	Y	Y	Y
RESIDENTIAL								
Single Dwelling	Y	Y	Y	Y	Y	N	Y	Y
Multi-Dwelling Conversion	SPR	SPR	SPR	SPR	N	N	N	N
Affordable Housing	SEE ARTICLE XI							
Lot Size Averaging	Y	Y	Y	Y	Y	N	Y	Y
Senior Housing	N	SPR	N	N	N	N	N	N

INSTITUTIONAL								
Government Use	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR
Institution	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR
BUSINESS								
Clinic	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR
Cottage Industry	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR
Day Care	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR
Excavation	N	N	Y	Y	Y	Y	Y	N
Home Occupation	Y	Y	Y	Y	Y	N	Y	Y
Light Manufacturing or Processing	N	N	SPR	N	N	N	N	N
Lodging Accommodations	SPR	SPR	SPR	SPR	N	N	N	N
Office Building, New	N	N	SPR	N	N	N	N	N
Office/Studio/Restaurant Conversion	SPR	SPR	SPR	SPR	SPR	N	SPR	N
Outdoor Recreation Activities	Y	Y	Y	Y	Y	Y	Y	Y
Planned Development	N	SPR	SPR	N	N	N	N	N
Restaurant	N	N	SPR	N	N	N	N	N
Retail Use	SPR	SPR	SPR	N ¹	N ¹	N ¹	N ¹	N
Sawmill	N	N	N	SPR	SPR	SPR	SPR	SPR
Service Use	SPR	SPR	SPR	N	N	N	N	N
Skiing Facilities	N	N	N	N	SPR	SPR	N	SPR

Y - Use permitted by right, provided that all other requirements of Federal, State, and Town laws, rules, ordinances, and regulations have been met. A permit is not required for agricultural, forestry, or home occupation uses.

SPR -Use permitted by Site Plan Review provided that all other requirements of Federal, State, and Town laws, rules, ordinance, and regulations have been met and approval has been granted by the Planning Board.

N - Use not permitted.

¹ The retail sales of products resulting from accessory use are permitted in these districts.

YES 406

NO 191

COMBINE THE OFFICE OF TOWN CLERK AND TAX COLLECTOR

ARTICLE 3. Are you in favor of combining the offices of tax collector and town clerk into one elected position of town clerk/tax collector? If approved, one individual will be elected to hold the combined elective office for a term of three years beginning in March, 2022. (Majority vote required.) (Recommended by the Select Board by a vote of 3-0)

YES 257 NO 349

The Business Meeting portion of Town Meeting was called to order on May 15, 2021 under a tent on the Lyme Common at 9:06 AM. There were approximately 150 people in attendance. Voters were asked to check in with Ballot Clerks to obtain the Yes/No voting cards prior to the Call to Order.

Moderator Kevin Peterson recognized all veterans, asking them to stand and be honored. Following that, the Lyme Girl Scouts presented The Colors and the Pledge of Allegiance was recited. Girl Scouts Johanna Bujarski, Della Cote, Hannah Eck, Maddie Pippin and Malia Pippin were recognized as having received the Junior Girl Scouts Bronze Award-the highest award for community involvement.

Reverend Amy Hayden read the names of those Lyme residents who have died since last Town Meeting. Included are:

Noreen Estes	Cecil “Danny” Carrier	Beverly Piper
Richard Birch	Margaret Menard	Herbert Butman
Cynthia Bognolo	Craig Walton	Ruth Woodward
Priscilla Alvord	Irene “Dottie” Gernhard	Hsing Ching “Wango” Weng
Mary Etta Day	Mike Morton	Arthur Pike
Steve Hewes	Verna Rich	Michael Woodard
David Hagerman	Paula Pomeroy	Darlene Lehmann
Duane Small	Jeffrey Small	

She also read the names of babies born to or adopted by Lyme Residents since last Town Meeting. Included are:

Walter Merle French	Griffin Jacobi Saunders	Nathan Mahlab Price
Amala Iris Meyer	Hugh Yoon Smith	Jacob Howard Peritz
Leo Hewitt Coleman	Peyton Bartlett Goss	

John Mudge, Chair of the Supervisors of the Checklist asked to be recognized. Mr. Mudge read a statement honoring retiring Supervisor Alan Greator. Mr. Greator served as a Supervisor of the Checklist for many years. He was instrumental in helping transition the procedural operations from manual to computerized formatting. There was a round of applause in appreciation of Alan’s contributions.

Lisa Hayes from The Lyme Foundation presented the Citizen of the Year Award to Michael Whitman.

Moderator Peterson made general announcements, pointed out handouts and surveys available, thanked the election assistants and reviewed the Rules of Procedures.

Mike Smith made the MOTION that the Rules of Procedure be adopted.

Simon Carr SECONDED the motion.

Motion was APPROVED by VOICE VOTE.

There being no objection, Voice without Vote was granted to Laura Spector Morgan, an Attorney from the Town's Legal Firm.

TOWN OPERATING BUDGET (May 15, 2021)

ARTICLE 4. Richard Jones made the MOTION that the Town will vote to raise and appropriate the sum of two million four hundred thirty two thousand eight hundred seventeen dollars (**\$2,432,817.00**) which represents the operating budget as recommended by the Budget Committee.

Said sum does not include appropriations contained in any other warrant articles.

(Majority vote required.) (Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 9-0) (To be raised by taxation)

SECONDED by Wilkes McClave.

Richard Jones proposed an AMENDMENT to increase line 69 of the budget worksheet from \$55,000.00, adding \$103,000 for a bottom line legal budget of \$158,000, bring the budget total to \$2,535,817.00.

AMENDMENT SECONDED by Judith Brotman

Ms. Brotman, Chair of the Select Board explained the request for this amendment was the opportunity to settle a long standing legal dispute with one of the utility companies. During a period of questions, Select Board member David Kahn further explained that Consolidated Communications (formerly Fairpoint Communications) had challenged the assessments on their properties and this was an effort to resolve the issue, thereby reducing further legal expenses.

AMENDMENT was VOTED IN THE AFFIRMATIVE BY Voice Vote

Faith Catlin proposed an AMENDMENT to remove line number 300 from the operating budget (\$28,960.26) which represents the Recreation portion of the budget.

There being NO SECOND to this proposed amendment, the AMENDMENT WAS REJECTED.

Leigh Prince proposed an AMENDMENT to increase the town operating budget by \$15,000.00 for the intended purpose of hiring Lifeguards and a Pond Activities Supervisor for Chase Beach/Post Pond Recreation Area.

AMENDMENT WAS SECONDED by Lynne Parshall

AMENDMENT WAS VOTED IN THE AFFIRMATIVE by VOICE VOTE

ARTICLE 4, AS AMENDED (Bottom line \$2,550,817.00), was VOTED IN THE AFFIRMATIVE BY VOICE VOTE

TO CAPITAL RESERVE FUNDS AND TRUST FUNDS

ARTICLE 5. Simon Carr made the MOTION that the Town vote to raise and appropriate four hundred fifteen thousand dollars (**\$415,000**) to be added to the following Capital Reserve and Expendable Trust Funds previously established for the purposes for which they were created.

Capital Reserve Funds:

Bridge Capital Reserve Fund	\$50,000
Vehicle Capital Reserve Fund	\$200,000
Heavy Equipment Capital Reserve Fund	\$30,000
Property Reappraisal Capital Reserve Fund	\$10,000
Public Works Facility Capital Reserve Fund	\$50,000
Computer System Upgrade Capital Reserve Fund	\$5,000
Town Buildings Major Maintenance and Repair Fund	\$5,000
Fire Fighting Safety Equipment Capital Reserve Fund	\$10,000
Recreation Facilities Capital Reserve Fund	<u>\$10,000</u>
Capital Reserve Funds Subtotal:	\$370,000

Expendable Trust Funds:

Emergency Major Equipment Rebuilding Trust Fund	\$10,000
Town Poor Expendable Trust Fund	\$30,000
Annual Leave Trust Fund	<u>\$5,000</u>
Expendable Trust Funds total:	\$45,000

Capital Reserve Funds and Expendable Trust Funds Total: \$415,000

These appropriations are not included in the total town operating budget warrant article as approved by the Budget Committee. (Majority vote required.)
(Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 9-0) (To be raised by taxation)

SECONDED by Wilkes McClave

No Discussion.

MOTION WAS VOTED IN THE AFFIRMATIVE by VOICE VOTE

STATE OF NEW HAMPSHIRE BLOCK GRANT APPROPRIATION

ARTICLE 6. Susan MacKenzie made the MOTION that the Town vote to raise and appropriate the sum of ninety five thousand dollars (**\$95,000**) for the purpose of maintenance, construction and reconstruction of Class IV & V highways with \$95,000 anticipated to come from the State of New Hampshire Block Grant. Said sum does not include appropriations contained in any other warrant articles. (Majority vote required.)

(Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 10-0) (No amount to be raised by taxation.)

SECONDED by Richard Jones

Rich Menge asked if this was an actual grant. Select Board responded that it is.

ARTICLE 6 was VOTED IN THE AFFIRMATIVE by VOICE VOTE

WITHDRAWAL FROM VEHICLE CAPITAL RESERVE FUND

ARTICLE 7. Margaret Caudill-Slosberg made the MOTION that the Town vote to raise and appropriate the sum of eighty one thousand two hundred fifty two dollars (**\$81,252**) for the annual payment on the Fire Truck, the purchase of which was authorized in 2019; and further to authorize the withdrawal of this amount from the Vehicle Capital Reserve Fund. The purchase agreement does not contain an escape clause.

This appropriation is **not** included in the total town operating budget warrant article as approved by the Budget Committee. (Majority vote required.)

(Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 10-0) (No amount to be raised by taxation.)

SECONDED by Phil Kinsler

ARTICLE 7 was VOTED in the AFFIRMATIVE by VOICE VOTE

WITHDRAWAL FROM THE PUBLIC WORKS FACILITY CAPITAL RESERVE FUND

ARTICLE 8. Wilkes McClave MADE THE MOTION that the Town will vote to raise and appropriate the sum of eighty one thousand seven hundred sixteen dollars (**\$81,716**) for the annual payment on the Fire Station, the purchase of which was authorized in 2020; and further to authorize the withdrawal of this amount from the Public Works Facility Capital Reserve Fund.

This appropriation is **not** included in the total town operating budget warrant article as approved by the Budget Committee. (Majority vote required.)

(Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 10-0) (No amount to be raised by taxation.)

SECONDED by Susan MacKenzie

Ms. MacKenzie remarked it is a beautiful Fire Station and thanked all for the effort. Moderator Peterson noted that the Fire Department is planning an open house for later this year.

ARTICLE 8 was VOTED in the AFFIRMATIVE by VOICE VOTE

WITHDRAWAL FROM CAPITAL RESERVE FUNDS

ARTICLE 9. Bill Waste made the MOTION that the Town vote to raise and appropriate the sum of seventy-four thousand seven hundred sixty-five dollars (**\$74,765**) to fund the following purchases by authorizing the withdrawal of such funds from the Capital Reserve Funds for the purposes for which they were created as submitted by the Budget Committee:

Computer System Upgrade CRF: Computer equipment replacement	\$25,000
Property Reappraisal Capital Reserve Fund: Town wide re-appraisal	\$49,765

Withdrawals from Capital Reserve Funds Total: \$74,765

These appropriations are **not** included in the total town operating budget warrant article as approved by the Budget Committee. (Majority vote required.)

(Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 10-0) (No amount to be raised by taxation.)

SECONDED by Elizabeth Glenshaw

Judith Brotman proposed an AMENDMENT to reduce Article 9 by \$5,000.00 from the Computer System Upgrade CRF, explaining the entire amount requested was not needed at this time.

AMENDMENT was SECONDED by Leigh Prince.

AMENDMENT was VOTED in the AFFIRMATIVE by VOICE VOTE

ARTICLE 9, as AMENDED was VOTED in the AFFIRMATIVE by VOICE VOTE

WITHDRAWAL FROM VEHICLE CAPITAL RESERVE FUND

ARTICLE 10. Steve Campbell made the MOTION that the Town vote to raise and appropriate sixty eight thousand dollars (**\$68,000**) for the purchase of a new police vehicle and to fund this appropriation by authorizing the withdrawal of such funds from the Vehicle Capital Reserve Fund. This appropriation is **not** included in the total town operating budget warrant article as approved by the Budget Committee. (Majority vote required.)

(Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 10-0.) (No amount to be raised by taxation.)

SECONDED by Richard Jones

Chief of Police, Shaun O'Keefe PROPOSED AN AMENDMENT to add \$2,500.00 to Article 10, bringing the total withdrawal for the police cruiser to \$70,500.00

Chief O'Keefe explained that due to Covid-19 and the global effects on Ford Motor Company

and its independent contractors, he had been advised there is an unprecedented shortage of microchips that are required in order for the vehicles to operate. Given that shortage, the department will not be able to receive the originally placed order for a 2021 Ford Interceptor. The vehicle we will receive will be a 2022 and this drives the costs up accordingly.

MOTION TO AMEND was SECONDED by BILL WASTE

After a short period of questions and clarifications the AMENDMENT was VOTED in the AFFIRMATIVE by VOICE VOTE.

Article 10, AS AMENDED was VOTED in the AFFIRMATIVE by VOICE VOTE.

WITHDRAWAL FROM CLASS V ROADS CAPITAL RESERVE FUND

ARTICLE 11. Paul Klee made the MOTION that the Town vote to raise and appropriate the sum of one hundred thousand dollars (**\$100,000**) to fund the paving of North River Road and to authorize the withdrawal of such funds from the Class V Roads Capital Reserve Fund for this purpose.

This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee. (Majority vote required.)

(Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 10-0) (No amount to be raised by taxation.)

SECONDED by Jo Steele

After discussion and clarification, Judith Brotman made the MOTION to AMEND the language in Article 11 to read: “.....to fund the paving of north River Road and other roads.....”

MOTION TO AMEND was SECONDED by Richard Jones.

AMENDMENT was VOTED in the AFFIRMATIVE by VOICE VOTE

After a period of clarifications provided by Road Agent Scott Bailey, ARTICLE 11, as AMENDED was VOTED IN THE AFFIRMATIVE by VOICE VOTE

PAVED ROAD REPAIR AND MAINTENANCE

ARTICLE 12. Luke Prince made the MOTION that the Town vote to raise and appropriate the sum of eighty two thousand dollars (**\$82,000.00**) for the purpose of repair and maintenance of the Town’s paved roads. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until December 31, 2026. This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee. (Majority vote required.)

(Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 10-0) (To be raised by taxation)

SECONDED by Simon Carr

After discussion and clarification, ARTICLE 12 was VOTED in the AFFIRMATIVE by

VOICE VOTE

Moderator Kevin Peterson recused himself prior to the start of acting on Article 13, as his family has vested interest in the outcome. Assistant Moderator Bill Waste managed the meeting for Articles 13 and 14.

COMPLETELY DISCONTINUE THE WEST LANE OF THE SECTION OF “OLD RIVER ROAD” WITH THE EAST LANE BEING A CLASS B TRAIL

ARTICLE 13. Judith Brotman made the MOTION that the town vote to completely discontinue the west lane of the section of “old River Road” from its intersection of the new bypass on the north end, south to the intersection with the south end and return the underlying land to the abutting land owners for a distance of 1,053 feet running from just south of 307 River Road to just north of 278 River Road AND to see if the Town will vote to reclassify the EAST LANE section of the “Old River Road” from its intersection of the new bypass on the north end for 1,053 feet south to its intersection with the south end of the new bypass to a Class B Trail in accordance with RSA 231-A. (Majority vote required.)

A Class B Trail is a full public right of way subject to public trail use restrictions. It may not be used for vehicular access for any new or existing building or structure, and shall not be used by the owners of land served by or abutting on such trail in any manner inconsistent with applicable public trail use restrictions. Approval of this article will result in the termination of all public rights to use the west lane of Old River Road.

Should Article 14 pass, this article shall be null and void.

SECONDED by David Kahn

Judith Brotman proposed an AMENDMENT to Article 13, changing the trail to a Class A trail (from a proposed Class B trail)

Proposed AMENDMENT was SECONDED by Jennifer Cooke.

After a significant period of questions and clarifications, the proposed AMENDMENT to Article 13 was VOTED in the AFFIRMATIVE by VOICE VOTE.

Jane Fant proposed an AMENDMENT to the amended Article 13, adding “.....south end and retain 40 feet at the beginning and end of the 1,053 feet section before returning the rest to the abutting owners....”.

Town Counsel in attendance was concerned that making this change was not on subject and recommended against this amendment. She also clarified that easement is by prescription because this road has been in use over 20 years.

Dick Jones commented he'd done much research on town roads saying viatic right of way allows the right to travel, not build parking areas. He recommended not further amending the article.

MOTION to AMEND was SECONDED by John Gartner.

After further comments and clarifications, Steve Campbell CALLED TO END DISCUSSION ON THIS PROPOSED AMENDMENT.

MOTION to END DEBATE was ACCEPTED AND VOTED IN THE AFFIRMATIVE by VOICE VOTE.

MOTION TO AMEND was VOTED in the NEGATIVE by VOICE VOTE.

Richard Menge MADE THE MOTION TO TABLE ARTICLE 13 and move discussion to Article 14.

Legal Counsel said the motion to table was in order.

MOTION TO TABLE ARTICLE 13 was SECONDED by John Mudge.

Emily Davis asked if Articles 13 & 14 could be discussed together.

Moderator Waste indicated they could not-they needed to be dealt with one at a time.

MOTION TO TABLE ARTICLE 13 was VOTED in the AFFIRMATIVE by VOICE VOTE.

Moderator Waste instructed that the voters would go back to the agenda and discuss Article 14.

“OLD RIVER ROAD” CHANGE TO A CLASS A TRAIL

ARTICLE 14. Judith Brotman MADE the MOTION that the Town vote to reclassify the section of the “Old River Road” from its intersection of the new bypass on the north end for 1053 feet south to its intersection with the south end of the new bypass to a Class A Trail in accordance with RSA 231-A. (Majority vote required.)

A Class A Trail is a full public right of way subject to public trail use restrictions. It may not be used for vehicular access to any new building, but it may be used by abutting landowners to provide access for agriculture and forestry and to any building existing prior to its designation as a Class A trail. The municipality shall bear no responsibility for maintaining the trail for such uses.

Should Article 13 pass, this article shall be null and void.

SECONDED by Richard Jones.

After a significant period of questions and clarifications, **Richard Brown MADE THE MOTION TO END DISCUSSION on the proposed amendment.**

Motion to end debate was VOTED IN THE AFFIRMATIVE BY VOICE VOTE.

Moderator Waste asked for a voice vote on Article 14. Voice vote was too close to determine and paper ballots were used.

While Article 14 was dealt with, Moderator Peterson resumed the meeting.

***INDEPENDENCE DAY CELEBRATION
SPECIAL REVENUE FUND***

ARTICLE 15. Bill Malcolm made the MOTION that the Town will to raise and appropriate the sum of six thousand nine hundred eighty-three dollars **(\$6,983.00)** to sponsor an Independence Day celebration, including but not limited to a parade, picnic, music and family fun and to fund this appropriation by authorizing withdrawal of that sum from the Independence Day Celebration Special Revenue Fund established for this purpose at the 2003 Town Meeting. This appropriation is **not** included in the total town operating budget warrant article as approved by the Budget Committee. (Majority vote required.)

(Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 10-0) (No amount to be raised by taxation.)

SECONDED by Dave Hewitt

Article 15 was VOTED IN THE AFFIRMATIVE by VOICE VOTE

MILFOIL TREATMENT FOR POST POND

ARTICLE 16. John Mudge made the MOTION that the Town vote to raise and appropriate the sum of nineteen thousand eight hundred fifty dollars **(\$19,850.00)** for milfoil treatment of Post Pond, with seven thousand nine hundred forty dollars **(\$7,940.00)** to be funded through a grant from the New Hampshire Department of Environmental Services; a withdrawal of six thousand eight hundred eight dollars **(\$6,808.00)** from the unassigned fund balance and five thousand one hundred two dollars **(\$5,102.00)** to be funded by the withdrawal of this amount from the Conservation Fund. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the milfoil problem is resolved or by December 31, 2027, whichever is sooner.

This appropriation is **not** included in the total town operating budget warrant article as approved by the Budget Committee. (Majority vote required.)

(Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by vote of 10-0) (No amount to be raised by taxation.)

SECONDED by Jennifer Cooke

Judith Brotman proposed an AMENDMENT to Article 16, reducing the total expenditure from \$19,850.00 to \$16,750.00 with \$6,700 funded from a NHDES Grant and \$3,242.00 from the Conservation Fund. \$6,808 will come from the unassigned fund balance as stated in the warrant. The lapse date will change to December 31, 2026.

SECONDED by John Mudge

Proposed AMENDMENT was VOTED IN THE AFFIRMATIVE by VOICE VOTE.

Article 16, as AMENDED was VOTED in the AFFIRMATIVE by VOICE VOTE.

DISCONTINUE CEMETERY GENERAL MAINTENANCE CAPITAL RESERVE FUND

ARTICLE 17. Laurie Wadsworth made the MOTION that the town vote to discontinue the Cemetery General Maintenance Fund created in 1986. Said funds, with accumulated interest to date of withdrawal, are to be transferred to the municipality's general fund. (Majority vote required) (Recommended by the Select Board by a vote of 3-0)

SECONDED by Michael Beahan

Laurie Wadsworth made the MOTION that this article be PASSED OVER as it is not needed at this time.

Motion to pass over was SECONDED by Barbara Woodard.

MOTION TO PASS OVER was VOTED in the AFFIRMATIVE by VOICE VOTE. No other action was needed.

APPROPRIATE FUNDS TO NEW CEMETERY CAPITAL RESERVE FUND

ARTICLE 18. To see if the Town will vote to raise and appropriate the sum of twenty thousand three hundred eighty eight dollars (**\$20,388**) to be added to the New Cemetery Capital Reserve Fund. Said funds to come from the unassigned fund balance. This amount is the equivalent of the balance remaining in the Cemetery General Maintenance Capital Reserve Fund, proposed to be discontinued, above. This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee. (Majority vote required.)

(Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 10-0) (No amount to be raised by taxation.)

This Article is contingent upon the passage of Article 17

The Vote taken to PASS OVER Article 17 resulted in the ability to PASS OVER Article 18. Moderator Peterson declared no action was necessary-ARTICLE 18 WAS PASSED OVER.

***WITHDRAWAL FROM THE CEMETERY MAINTENANCE GIFTS
AND DONATIONS FUND***

ARTICLE 19. Laurie Wadsworth made the MOTION that the Town vote to raise and appropriate the sum of fifteen thousand nine hundred ninety one dollars (**\$15,991.00**) to be used towards funding maintenance of the Town cemeteries and to authorize funding this appropriation by the withdrawal of such sum from the Cemetery Maintenance Gifts and Donations Fund (established by the Select Board on January 5, 2000).

This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee. (Majority vote required.)

(Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 10-0) (No amount to be raised by taxation.)

SECONDED by Jay Cary

Article 19 was VOTED in the AFFIRMATIVE by VOICE VOTE.

OVERSEER OF PUBLIC WELFARE TO BE APPOINTED

ARTICLE 20. David Kahn made the **MOTION** to learn if the voters are in favor of discontinuing the elected office of overseer of public welfare? If approved, the person elected to that office this year will continue to serve until March 8, 2022, at which point the select board will appoint an individual to serve as overseer of public welfare.

(Majority vote required.) (Recommended by the Select Board by a vote of 3-0)

SECONDED by Wilkes McClave

After clarification and assurance by Mr. Kahn, speaking for the Select Board, that this article was no reflection on the current Overseer of Public Welfare, but an effort to streamline efficiency and operations, there was a period of comments and questions.

ARTICLE 20 was VOTED in the NEGATIVE by VOICE VOTE.

Following the vote on article 20, Moderator Peterson yielded to Assistant Moderator Waste to learn the vote of Article 14. Further, the time of Town Meeting was extended by ½ hour to allow adequate discussion on remaining articles.

ARTICLE 14 was VOTED IN THE AFFIRMATIVE BY PAPER BALLOT
YES 75 NO 66

Moderator Waste instructed that Article 14 passes.

Hoyt Alverson made the MOTION to restrict reconsideration of Article 14.

MOTION TO RESTRICT was SECONDED by Phil Kinsler.

MOTION TO RESTRICT was VOTED in the AFFIRMATIVE by VOICE VOTE.

Moderator Waste indicated that with the passage of Article 14, tabled Article 13, is now moot.

REPORTS OF AGENTS, AUDITORS & COMMITTEES

ARTICLE 21. To hear reports of Agents, Auditors, or Committees or other officers heretofore chosen, and to pass any vote relating thereto.
(Majority vote required.)

There were no reports provided.

OTHER BUSINESS

ARTICLE 22. To transact any other business that may be legally brought before this Town Meeting.

Margaret Caudill-Slosberg proposed the following resolution:

The Lyme for Fair Nonpartisan Redistricting Resolution

Every 10 years the New Hampshire General Court is obligated to redraw the maps of political districts within the state following the federal census. With this resolution, The Town of Lyme urges the New Hampshire General Court to ensure fair and effective representation of New Hampshire voters without gerrymandering. In addition, the Town of Lyme urges the NH General Court to carry out the redistricting in a fair and transparent way through public meetings, not to favor a particular political party, to include communities of interest, and to minimize multi-seat districts.

Furthermore, if the resolution is passed by the Town of Lyme we request that this resolution be transmitted by written notice from town officials to Lyme's state legislators, informing them of the requests from their constituents within 30 days of the vote.

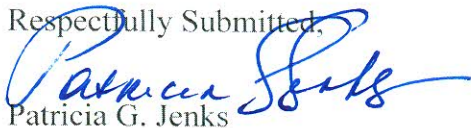
SECONDED by Simon Carr

VOTED IN THE AFFIRMATIVE by VOICE VOTE

Select Board Chair, Judith Brotman offered sincere appreciation to the Emergency Management Director, Public Health Director and the associated teams for their guidance and leadership throughout the past year during the pandemic. They received a round of applause.

Moderator Peterson declared the meeting closed at 12:30 pm.

Respectfully Submitted,



Patricia G. Jenks

Town Clerk