

**Lyme Planning Board Minutes**  
**January/14/2016**

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

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

Members of the Public Present: Rich Brown, Rod Finley.

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

**Item 1:** Public hearing for a Petition Zoning Amendment to extend Planned Development in a limited area into the Rural Zoning District.

John announced that the petitioners had requested the petition be withdrawn. He made a motion that the Planning Board accept the withdrawal of the petition.

Tim seconded the motion.

John called for a vote and the motion passed unanimously.

John then closed the public hearing.

**Item 2:** Rodrick Finley of Pathways Consulting, LLC on behalf of the Trustees of Dartmouth College has applied to the Lyme Planning Board for a Site Plan Review to construct a wood deck attached to the Nunnemacher cabin on the west slope of the Dartmouth Skiway.

The Planning and Zoning Administrator passed out an email from member Smith, who was unable to attend, containing several issues that she wished to have resolved.

Vicki has asked that straw be specified instead of hay as it has less of a chance of spreading invasive plants. Rod stated that he would change the specification on the plans.

Her second issue was the propane tanks. The plans had a notation that tanks would be moved but did not specify where. She wanted to ensure that the new locations would meet the setback requirements. The Board discussed the issue with Rod and decided that they would include a condition that stated "The Propane tanks shall be relocated by a NH licensed plumber in accordance with NFPA 58."

Vicki, in her email also stated that she wished the deck could be accessed via a ramp. The Board questioned if the cabin was required to be ADA compliant or not. Rod stated that

he had discussed this with Rory Gawler, who is in charge of the cabin and Rory believes that the cabin is exempt to the ADA requirements. Eric felt that accessibility was important and suggested that a condition be made that stated "If required by ADA then a ramp must be installed."

The Board reviewed the application to confirm it was complete. The following items were waived by the Board:

- 1) Department review from Lyme Highway, Police, Select Board, Conservation Commission, School District, as the project would not have any impact on these departments.
- 2) Perimeter survey- The Board waived the perimeter survey as it would not provide any additional information needed by the Board.

The Board discussed waiving the fire protection and response plan but felt that due to the remoteness of the cabin that it would be important for the Fire Department to approve a fire protection and response plan. John recommended that a condition be added giving the applicant 90 days to submit a plan to the Fire Department and have it approved.

John asked if the Board had any more questions. There being none John moved to accept the application as complete with the waivers.

Tim seconded the motion.

John called for a vote and the motion passed unanimously.

John noted that there were no abutters present and none of the abutters had submitted comments.

John moved to approve the application with waivers and the following conditions:

- 1) Straw shall be used instead of hay for mulching.
- 2) The Propane tanks shall be relocated by a NH licensed plumber in accordance with NFPA 58.
- 3) If required by ADA then a ramp must be installed.
- 4) The applicant shall within 90 days (April 14, 2016) submit and have approved by the Fire Department a fire protection and response plan.

Tim seconded the motion.

John called for a vote and the motion passed unanimously.

**Item 3:** Approve the minutes from December 10th, 2015

John moved to accept the minutes from December 10, 2015 with minor corrections from Tim.

Ursula seconded the motion.

John called for a vote and the motion passed unanimously.

**Item 4: New business**

John noted that the filling period for Lyme Town election of officers is January 20, 2016 to January 29, 2016. Both Ursula and Vicki were up for reelection and if they wanted to serve for another term they would need to declare their candidacy with the Town Clerk.

Jay updated the Board on two planning and zoning issues currently in the NH legislature.

The first, response to a New Hampshire Supreme Court decision last summer produced two bills, one in the House and one in the Senate, dealing with agritourism. A number of legislators were concerned that the court's decision did not give appropriate protection to activities that many farmers have been pursuing to keep their farms economically viable, such as on-site farm stands, tours, farm-related recreational activities, overnight stays, and serving of meals.

Concerning the second issue, the House passed SB 146. This is the bill retained from last year that requires municipalities to allow accessory dwelling units in all residential districts, either as a matter of right or by special exception. The House made several changes to the bill, so it will now go back to the Senate, which will decide whether to concur or request a committee of conference. One of the most important changes is that the House version has an effective date of June 1, 2017, which will give all towns a full town meeting season to amend their zoning ordinances, if necessary.

The meeting adjourned at 7:59 pm.

Respectfully Submitted

David A. Robbins

Lyme Planning and Zoning Administrator.