

## USE OF COMMON APPLICATION STEPS TO COMPLETION

Step 1: Complete detailed event description, include all aspects of event

Step 2: Contact Police Department to review parking plan, revise as needed in order to obtain Police Department approval

Step 2: Fill out Use of Common application, include detailed event description and Police Department approved parking plan

Step 3: Secure and present your certificate of insurance along with the application.

Step 4: Not less than 30 days BEFORE event submit the completed application with all detail attachments to Board administrator for forwarding to Board for review at the next Board meeting

# **Lyme Common**

## **Management and Use Policy**

### **1. Introduction:**

The area known as Lyme's Common is central to the Lyme Historic District. A Town common does not appear on the original Town Plan, but was the result of several transactions including those of 1785 and 1794 in which individual citizen's deeded parcels to the Town. The earliest reference to "The Common" appears in the 1794 deed. For most of its existence the Common was a hayfield crossed by roads and footpaths. In 1917 the Civil War Monument was added in memory of Lyme's soldiers and sailors from 1861 – 1865. It is only since 1926 that the Common has been seeded and mowed, taking on its present appearance. Today the central Common consists of a well-kept lawn with maple trees around the perimeter replacing the diseased and damaged elms which were removed. In 1976 the current flagpole was donated by the American Legion. In 1987 the Memory Stone was added "to all those from Lyme who served their country in times of conflict or peace".

### **2. Authority:**

New Hampshire RSA 41:11-a 1. The Selectmen shall have authority to manage all real property owned by the Town and to regulate its use, unless such management and regulation is delegated to other public officers by vote of the Town or is governed by other statutes, including but not limited to RSA 31:112, RSA 35-B, RSA 36-A:4 and RSA 202-A:6.

### **3. Purpose:**

The Select Board is particularly sensitive to the historic nature of the Common and its significance to the citizens of the Town of Lyme. The Select Board researched prior Select Board meetings going back to 1997 and found that the average number of times a Select Board had to deal with the use of the Common was 4-5 times a month. Issues ranged from simple parking requests from the Congregational Church to more complex issues of event organizers using the Common to stage the event and complaints from Common neighbors about illegal parking and noise issues. Prior Select Boards tried to address this with the "Parking on the Common" form which provided certain rules and restrictions. Since it was called a "parking request" there was a perception that any use was okay as long as you weren't parking. In 2015, to try and make it clearer, the then-current Select Board changed the name to the "Common Use Request Form". This alone has not cleared up the confusion!

As a result, this Select Board felt it necessary to have a "Common Use Policy" which clearly articulates its intent, which is to manage the Common for the benefit of all residents, to maintain its appearance and to prevent actions which have the potential to cause damage to the Common. In designing a Common Use policy, the Board members understand that it is impossible to set hard and fast rules since most uses need to be evaluated on a case-by-case basis. By setting guidelines it is the Board's intent to create a process to evaluate each individual request and to make the process clearer, more consistent and transparent.

#### 4. General Use Policies:

- The Common is for the individual and collective use of all the citizens of Lyme and Town Organizations, at the discretion of the Select Board.
- Parking on the Common is not permitted. \* Persons sponsoring events will be required to submit a parking plan, to be approved by the Police Department, prior to review by and (hopeful) approval of the Select Board.
- Persons or groups wishing to hold an event on the Common must submit an “Event Use of the Common Application” at least thirty (30) days prior to the event. Persons or groups submitting a request, or their representative, may be required to attend a Select Board meeting to provide additional information.
- Depending on the event and/or the event sponsor, additional separate insurance may be required. The New Hampshire Municipal Association (NHMA) now offers reasonably priced event insurance for those events not covered under the Town’s policy. If insurance is required, the Town’s Administrative Assistant can help you to obtain this.
- Persons hosting an event are responsible to provide trash cans or garbage bags as required and for removing same and cleaning up any litter or waste left on the Common Area after the event.
- Persons with dogs are required to clean up after their animals. Please bring your own waste bags and take them home with you!

\*Lyme Parking Ordinance: At no time is parking allowed on the Route 10 side of the Town Common. Parking or driving on the Common is forbidden. All State motor vehicle laws to the Common - New Hampshire State law prohibits parking within the travel portion of any road. To be in compliance with the law, all 4 tires must be off the travel portion of the road.

#### Annual Events sponsored by the Town Recreation Commission

Annual Tree festival

Lyme Town Band

Pumpkin Festival

Memorial Day Celebration

Skating rink

**TOWN OF LYME  
OFFICE OF THE SELECT BOARD  
ONE HIGH STREET  
P.O. BOX 126  
LYME, NEW HAMPSHIRE 03768  
Phone: 603-795-4639 Fax: 603-795-4637**

**Event Use of the Lyme Common Application**

Please submit this application to the Select Board's Office at least ONE MONTH prior to the date of the event/function.

Date of application: \_\_\_\_\_

Submitted by: \_\_\_\_\_ Telephone # \_\_\_\_\_

Town of Lyme Organization and contact person \_\_\_\_\_

Address: \_\_\_\_\_

Event description: A detailed description of the proposed event is required for Board review and approval.  
(Please provide a detailed description of event on a separate sheet of paper)

Date of event: \_\_\_\_\_ Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_

Number of event workers: \_\_\_\_\_ Event Worker vehicles: \_\_\_\_\_

Number of Expected Participants in the event: \_\_\_\_\_ Estimated Number of vehicles expected: \_\_\_\_\_

Functions resulting in significant personal financial gain are not permitted. The Town is to be named on the certificate of insurance. (Comprehensive General Liability Insurance: the renter shall have comprehensive general liability basis in an amount no less than \$2,000,000, combined single limit personal injury and property damage for each occurrence) and, where applicable, certification or similar documentation that they are fully qualified to conduct the proposed activity. All activities at the Lyme Common must be open to all Lyme residents. "Free will" contributions or donations to non-profit organizations and/or individuals sponsoring activities (e.g. cost of refreshments, etc.) to cover the costs of the activity are not considered "fees".

If you cannot provide proof of insurance, you can purchase a Tenant User Liability Insurance Policy (TULIP) through a special program. For more information about how to purchase your TULIP please contact the Select Board office.

**INDEMNIFICATION AND HOLD-HARMLESS.** To the fullest extent permitted by law, User shall protect, indemnify, save, defend and hold harmless the Town of Lyme, including its officials, agents, volunteers and employees ("Indemnified Parties"), from and against any and all liabilities, obligations, claims, damages, penalties, causes of action, costs, interest and expenses, including but not limited to reasonable attorney and paralegal fees, which Indemnified parties may become obligated or suffer by reason of any accident, bodily injury, personal injury, death of person, or loss of or damage to property, arising indirectly or directly under, out of, in connection with, or as a result of this Agreement or the activities of User or its agents, employees, guests, vendors, contractors or subcontractors, and even if allegedly or actually caused in whole or in part by any negligent or intentional act or omission of Indemnified Parties.

I agree to this Indemnification and Hold Harmless section by signing below:

Applicant Signature: \_\_\_\_\_ (Date) \_\_\_\_\_

**Parking Plan:** I understand that parking is not available around or on the Common. (Per the Lyme Parking Ordinance.) Please secure “off street” parking for your event. This may even require you to have parking supervisors available to direct your guests. The parking supervisor and event organizer must meet with the Police Department prior to Board review of the application to confirm a police-approved parking plan.

•I have established a Parking plan, which has been approved by the Lyme Police Department. The approved parking plan is attached to this application. The contact person for parking issues on the day of the event is \_\_\_\_\_. The best phone number to call on the day of the event is \_\_\_\_\_.

•I understand that this “Use of the Common” permit is issued for events taking place on the Common and that I am responsible for making sure that all general guidelines and specific approvals are followed.

The Use of the Common may incur charges for police coverage and/or other necessary items may be required. i.e., porta johns, trash cans etc.

•I understand that if I am not able to comply with these conditions, the permit that has been issued will be revoked.

In addition, I agree to accept responsibility for cleaning up any litter and waste left on the Common area after the permitted event within 24 hours of the end of the event.

\_\_\_\_\_  
Signature of Applicant      Date: \_\_\_\_\_

Event parking plan is \_\_\_\_ / is not \_\_\_\_ approved.

Event requires charges for detail officer (s):

Number of officers: \_\_\_\_\_ Charges: \$ \_\_\_\_\_

\_\_\_\_\_  
Lyme PD

The Event is \_\_\_\_ is/not \_\_\_\_ recommended for approval by the Board.

The Event is Approved \_\_\_\_ / Denied \_\_\_\_

\_\_\_\_\_  
Select Board Representative