

**WARRANT FOR THE ANNUAL TOWN MEETING
STATE OF NEW HAMPSHIRE**

GRAFTON, SS

TOWN OF LYME

To the inhabitants of the Town of Lyme, New Hampshire, who are qualified to vote in Town affairs:

You are hereby notified that the official polls of the Town of Lyme, New Hampshire, will be held at the Lyme Community room/Gymnasium in the Lyme School on Tuesday, March 9th, 2021, at 11:00 AM, to act upon the following subjects:

Polls will open for voting by ballot on Articles 1, 2 and 3 on Tuesday, March 9th, 2021, at **11:00 AM and will close at 7:00 PM,** unless the Town votes to keep the polls open to a later hour.

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

ELECTION OF OFFICERS

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

- 1 Budget Committee member for 2 years
- 3 Budget Committee members for 3 years
- 1 Cemetery Commission member for 3 years
- 3 Library Trustees for 3 years
- 1 Overseer of Public Welfare for 1 year
- 1 Planning Board member for 3 years
- 1 Select Board member for 3 years
- 1 Town Clerk for 3 years
- 1 Trustee of the Trust Funds for 3 years
- 1 Supervisor of the Checklist for 5 years

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.

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.

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)

TOWN OPERATING BUDGET

ARTICLE 4. To see if 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)

TO CAPITAL RESERVE FUNDS AND TRUST FUNDS

ARTICLE 5. To see if the Town will 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)

STATE OF NEW HAMPSHIRE BLOCK GRANT APPROPRIATION

ARTICLE 6. To see if the Town will 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.)

WITHDRAWAL FROM VEHICLE CAPITAL RESERVE FUND

ARTICLE 7. To see if the Town will 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 withdrawl 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.)

WITHDRAWAL FROM THE PUBLIC WORKS FACILITY CAPITAL RESERVE FUND

ARTICLE 8. To see if 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 withdrawl 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.)

WITHDRAWAL FROM CAPITAL RESERVE FUNDS

ARTICLE 9. To see if the Town will 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.)

WITHDRAWAL FROM VEHICLE CAPITAL RESERVE FUND

ARTICLE 10. To see if the Town will 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.)

WITHDRAWAL FROM CLASS V ROADS CAPITAL RESERVE FUND

ARTICLE 11. To see if the Town will 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.)

PAVED ROAD REPAIR AND MAINTENANCE

ARTICLE 12. To see if the Town will 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)

COMPLETELY DISCONTINUE THE WEST LANE OF THE SECTION OF

"OLD RIVER ROAD" WITH THE EAST LANE BEING A CLASS B TRAIL

ARTICLE 13. To see if the town will vote to completely discontinue the west lane of the section of "old River Road" from its intersection of the new by-pass 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.

"OLD RIVER ROAD" CHANGE TO A CLASS A TRAIL

ARTICLE 14. To see if the Town will 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.

INDEPENDENCE DAY CELEBRATION SPECIAL REVENUE FUND

ARTICLE 15. To see if the Town will vote 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.)

MILFOIL TREATMENT FOR POST POND

ARTICLE 16. To see if the Town will 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.)

DISCONTINUE CEMETERY GENERAL MAINTENANCE CAPITAL RESERVE FUND

ARTICLE 17. To see if the town will 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)

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

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

ARTICLE 19. To see if the Town will 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.)

OVERSEER OF PUBLIC WELFARE TO BE APPOINTED

ARTICLE 20. Are you 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 selectboard 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)

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.)

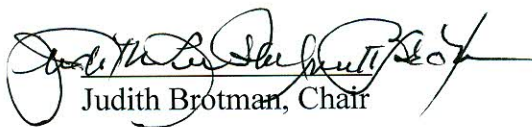
OTHER BUSINESS

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

Given under our hands and seal of the Town of Lyme this 2nd day of February 2021.

Town of Lyme

Select Board

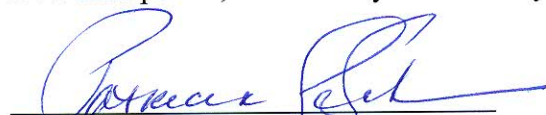

Judith Brotman, Chair


Benjamin Kilham


David Kahn

Recording of Warrant:

This Warrant and return of Warrant has been duly recorded in the Office of the Town Clerk of Lyme, New Hampshire, this 3rd day of February 2021.


Patricia G. Jenks, Town Clerk