

Lyme Planning Board Minutes
11/12/2020

Board Members and Staff Present: John Stadler, Chair; Tim Cook, Vice Chair; Ben Kilham, Select Board Representative; Vicki Smith, Member; Eric Furstenberg, Member; David Van Wie, Alternate; Rich Brown, Alternate; Rich Menge, Alternate David Robbins, Planning and Zoning Administrator.

Board Members Absent: None

Other Select Board members present Judy Brotman, David Kahn

Members of the Public Present: Hebe Quinton, Phil Pochoda, Rusty Keith

Due to Covid-19 restrictions the Board met on-line via Zoom with both video and phone access.

John opened the meeting and read the Right to Know law and the Governor's Emergency Order permitting meetings to be held in electronic remote format.

Attendance was taken via roll call.

Item 1: Senior Housing Zoning Amendment

Rich Menge stated a concern with the language in item b (No more than two residents at least 62 years old may occupy a Senior Housing dwelling unit.) He felt that the wording could be interpreted as any number of people under 62 could occupy the unit but only two if they were 62 or older. The Board decided to rewrite the section using the following:

“Only Seniors may occupy a Senior Housing dwelling unit. No more than two Seniors may occupy a Senior Housing dwelling unit.”

The Board continued discussions concerning the 62 years of age requirement. The Planning and Zoning Administrator noted that the original decision was based on the fact that RSA 354A:15 requires that if an age limit of 62 years or older is set then younger residents are not allowed. The Board agreed with members of the public that the restriction could make it difficult for someone of age 62 or older to have a live-in caretaker that is younger. The Board will continue to look into that.

Hebe Quinton commented that the Board should cast a broader net and would prefer the age limit be 55 so as to allow for younger generations to live with them. She also felt the Lyme Common did not have enough available property in which to construct Senior Housing and the Board should consider other areas. She suggested the Rt 10 area south of Shoestrap Road

Vicki noted that there are existing opportunities for people aged 55 and younger and did not feel that there was the pressing need that existed for the older age group. Based on the forums that the Board held, they were trying to fill a need for seniors. Opening the incentives for the younger age group may not provide enough opportunity to fulfill the needs of the 62 and older age group. Vicki also noted that the Board was already looking at the Rt 10 south area for next year.

Judy Brotman asked the Board if they wanted to expand on section i. Vicki noted that Section 9.12 of the Zoning Ordinance dealt with enforcement of the ordinance and this language just reenforced section 9.12. The Board decided for clarification to include a reference back to section 9.12 in section i.

Based on the discussion, the Board concluded that they would like to have help from legal counsel to try to address the issue of having a live-in caretaker that is younger than 62.

Item 2: Procedural discussions.

Rich Brown had sent an email to John Stadler asking to meet privately to discuss the handling of the minutes and other issues. Due to the rules outlined in the Towns Committee Handbook and NH Right to Know Laws, John felt that a private meeting between Board members to discuss Board business was not allowed. John stated that he believed that the issues Mr. Brown had were better discussed in an open meeting. Mr. Brown's primary issue was that he felt that his opinions were being curbed and not being included in the minutes. John went through many of the minutes from the past year noting that Mr. Brown had been included in many of the minutes. John said that Mr. Brown's complaint was unfounded. He noted that Mr. Brown had also broken several of the Board and Committee rules over the past year and a half. Vicki noted that Mr. Brown had a specific agenda and it appeared that he was promoting that agenda without regard for what may be best for the Town.

Mr. Brown stated that he had written the letter under the belief that communications between two board members is permissible. Mr. Brown stated that he has spoken with some constituents who felt the meetings were uncomfortable and sensed hostility towards him. He said he wished to find a way make the environment better.

Item 3: Acceptance of minutes from 10/22/2020

The Board discussed several changes, additions and corrections to the minutes. John moved to approve the minutes with edits from Rich Brown, Rich Menge, Tim and John.

Rich seconded the motion.

John Called for a roll call vote and the motion passed unanimously.

The meeting adjourned at 8:53 pm

Respectfully Submitted,
David A. Robbins

Lyme Planning and Zoning Administrator.