

**Lyme Planning Board Minutes**  
**12/9/2021**

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

Board Members Absent: Ben Kilham, Select Board Representative;

Members of the Public Present: None

**Item 1: Acceptance of minutes from 11/11/2021**

John moved to approve the minutes with corrections from Rich Brown.

Tim seconded the motion.

John called for a vote and the motion passes unanimously with Vicki abstaining as she had not attended the meeting.

**Item 2: Solar amendment**

The Board finalized the definitions and language that would allow solar energy systems as accessory uses where the power generated would be used to help meet the energy needs of the lot.

The Board noted that their intent to study larger scale solar energy generation, such as solar farms, in 2022. The Board did not feel that they have enough public input and wanted more information from residents before they proposed any changes to the Ordinance.

The Board voted unanimously to send the amendment to a public hearing.

**Item 3: Hearing date discussions.**

The Board discussed possible dates for the hearing. It was noted that several members would not be able to attend the next scheduled meeting on December 23<sup>rd</sup> as they had travel plans. The Board decided to cancel this meeting and schedule an additional meeting on January 6<sup>th</sup>, 2021. The Board then unanimously voted to hold the public hearing on the Solar Energy Systems zoning amendment on January 6<sup>th</sup>, 2022. In addition, the Board scheduled January 27<sup>th</sup> 2022 as a second public hearing if it is needed.

**Item 4: ListServ public hearing announcement wording.**

The Board discussed the language of an announcement to be sent out on the Lyme Listserv and the other required channels of communication needed for public notice.

Subject: Please Join the Lyme Planning Board on January 6th at 700pm.

The Lyme Planning Board will be holding a public hearing on a proposed zoning amendment for Solar Energy Systems.

The Lyme planning board wants your comments on the proposed zoning amendment about Solar panels. The highlights of the proposed amendment are:

The current proposal regulates Solar energy systems using the same rules applied to other structures, provided that the SES is for the purpose of meeting the electrical needs within the limits of the lot.

Commercial and other large arrays like solar farms are set to be addressed next year.

The current amendment does not propose any aesthetic oversight of Solar Energy Systems.

The current draft of the amendment can be found <[Web link to the amendment](#)>.

**The meeting adjourned at 8:35 pm.**

Respectfully Submitted,

David A. Robbins

Lyme Planning and Zoning Administrator.

The following definitions will be added to Article II: Definitions

*Solar Energy System (SES)* - A device or design feature of a structure that relies upon sunshine as an energy source and is capable of collecting, distributing and storing (if appropriate to the technology) the sun's radiant energy.

*Roof-mounted Solar Energy System (RSES)* - A solar energy system that is attached to a building. Roof mounted SESs are not considered to be individual structures but may modify the building footprint or height of the structure on which they are mounted.

*Ground-mounted Fixed Solar Energy System (GFSES)* - A fixed solar energy collector that is not attached to and is separate from any building. For the purposes of the Lyme Zoning Ordinance, GFSESs are considered to be structures. An individual GFSES may be comprised of one or more separate structures.

*Ground-mounted Tracking Solar Energy System (GTSES)* A solar energy collector that is not attached to and is separate from any building, and where the collector(s) move in order to track the sun. The collector(s) may be moved manually or automatically. For the purposes of the Lyme Zoning Ordinance, GTSESs are considered to be structures. An individual GTSES may be comprised of one or more separate structures.

Section 4.42 will be modified with the addition of section D.

#### **4.42 Accessory uses.**

- A. Customary accessory uses are permitted uses which are incidental to the principal use, including single dwelling uses in conjunction with permitted business use
- B. A single detached accessory dwelling unit may be added to a lot with an existing or proposed residence if:
  - a) only one detached accessory dwelling unit is permitted;
  - b) both units share an access to a town or private road;
  - c) both units are located less than 100 feet apart or share the same wastewater disposal system;
  - d) there shall be a suitable area for a replacement wastewater disposal system(s);
  - e) the gross floor area of the accessory unit does not exceed 750 square feet;
  - f) the subdivision of the lot to separate the two residences is prohibited through the grant of a zoning easement to the Town of Lyme; and
  - g) this shall not be considered a multi-dwelling conversion.
  - h) One of the units is owner-occupied;
  - i) The principal structure is a single-family dwelling and does not and shall not contain an attached accessory dwelling unit;
  - j) The accessory dwelling unit does not have more than two bedrooms;

- k) Parking adequate for the accessory dwelling unit is provided on site pursuant to Article VII; and
  - l) The accessory dwelling unit is designed as follows:
    - 1. **Location of entrances.** Only one entrance may be located on the street side(s) of the accessory building, unless the accessory building contained additional legally pre-existing entrances before the accessory dwelling unit was created. An exception to this requirement is: entrances that do not have access from the ground such as entrances from balconies or decks; in which case, an additional entrance may be located on the street side.
    - 2. **Exterior stairs.** Fire escapes or exterior stairs for access to an upper-level accessory dwelling unit must not be located on the street side(s).
    - 3. **Building setbacks.** A detached accessory dwelling unit must be located at least ten feet behind the street side(s) of principal dwelling, unless the detached accessory dwelling is in a legally pre-existing detached structure and does not meet this standard.
- C. A single attached accessory dwelling unit may be added to a lot with an existing or proposed residence if:
- a) There shall be a suitable wastewater disposal system to accommodate the additional bedroom(s);
  - b) The subdivision of the principal unit from the accessory unit may not occur;
  - c) This development is not considered a multi-dwelling conversion.
  - d) An accessory dwelling unit may be located on a lot only if one of the units is owner-occupied, and if the principal structure is a single-family dwelling.
  - e) The accessory dwelling unit does not have more than two bedrooms;
  - f) Parking adequate for the accessory dwelling unit must be provided on site pursuant to Article VII.
  - g) An accessory dwelling unit must be designed as follows:
    - 1. **Location of entrances.** Only one entrance may be located on the street side(s) of the principal dwelling, unless the principal dwelling contained additional entrances before the accessory dwelling unit was created. An exception to this requirement is: entrances that do not have access from the ground such as entrances from balconies or decks; in which case, an additional entrance may be located on the street side(s).
    - 2. **Exterior stairs.** Fire escapes or exterior stairs for access to an upper-level accessory dwelling unit must not be located on the street side(s).

D. Solar Energy Systems are allowed as an accessory use on a lot, for the purpose of meeting the electrical needs within the limits of the lot.

- i) The building footprint of a Ground Mounted Fixed Solar Energy System shall be measured by the drip line of its solar collector(s) unless another part of the system has greater footprint, in which case the greater lot coverage measurement shall be used.
- ii) The building footprint of a Ground Mounted Tracking Solar Energy System shall be determined to be 70% of the total surface area of the solar collector(s) unless another part of the system has greater footprint, in which case the greater lot coverage measurement shall be used.