

Lyme Planning Board Minutes
4/28/2022

Board Members and Staff Present: John Stadler, Chair; Tim Cook, Vice Chair; Rich Menge, Alternate; Rich Brown, Alternate; David Robbins, Planning and Zoning Administrator.

Board Members Absent: David Kahn, Select Board Representative, Vicki Smith, member.

Via Zoom: Eric Furstenberg, Member;

Members of the Public Present: Hebe Quinton, Robert Lee, Rebecka Lee, Kimberly Warner. Eric Pospesil. Jacob Burgess. Tom Gamble.

Eric attended via Zoom but asked John to appoint an alternate to represent him.

John appointed Rich Menge to sit as a regular member for Eric and Rich Brown to sit for Vicki Smith.

Item 1: Acceptance of minutes from 4/14/2022

Item 2: Kimberly Werner has applied to the Lyme Planning Board for a Minor one lot subdivision of her property at 132 Whipple Hill Road, tax map 407 lot 84.

John asked the applicant to describe the project.

Surveyor Eric Pospesil stated that the property owner was seeking approval for a single lot subdivision. He noted that the parent lot was a lot of record prior to zoning and all lot calculations were based on actual acreage, forgoing the area adjustments as stated in the Lot Size definition in Article II.

John worked through the Board's Minor Subdivision checklist to ensure the application was complete. The Board found one missing item: the addresses of the abutters on the plan. The applicant had supplied a separate list with names and addresses for noticing purposes but did not include the address on the plan.

John suggested that adding the addresses to the plan could be a condition of the approval.

John moved to deem the application complete with the addresses to be added to the final plan.

Tim seconded the motion.

John called for a vote and the motion passed unanimously.

John asked the Board if they had any questions. Rich Menge asked about the driveway location. The Planning and Zoning Administrator stated that he had recommended that the applicant hold off from applying for the curb cut as she intended to sell the property. He felt that the new owner may want a different location. Tim Cook, the designated Planning Board member who approves Curb Cut applications, stated that he had looked at the location and believed that it met all the standards for a curb cut.

John asked if there were any questions from the members of the public. Mr. Lee asked about the driveway location because he was unsure where it was. He had a short side discussion with Surveyor Eric Pospesil and stated he had no objections.

Having no further questions from the Board or the public, John made a motion to approve the application with a condition that abutter addresses be added to the plan.

Tim seconded the motion.

John called for a vote and the motion passed unanimously.

Item 3: Pioneer Land Surveying on behalf of Bayne Stevenson has applied to the Lyme Planning Board for a Lot Line Adjustment to modify the boundary between the two lots at 5 and 7 Market Street, Tax map 201 lots 12.1 and 12.2.

John asked the applicant to describe the project.

Jacob Burgess noted that currently the lot line splits the existing building on lot 12.1. The intent was to adjust the property line so that the building was entirely on lot 12.1. This would also move the septic system (Joint system for both lots) onto lot 12.1. The proposed line will be along the existing fence line.

The Planning and Zoning Administrator noted that both lots are non-conforming. To annex .04 acres from lot 12.2 to 12.1 would make 12.2 more non-conforming. He was not aware of any section of the Zoning Ordinance that would allow the Planning Board to approve making a lot less conforming. He believed that it would require a Variance from the Zoning Board of Adjustment.

The Board determined that it would be more prudent to continue the hearing and make any approval conditional on the Zoning Board granting a variance for reduced lot size of lot 12.2 before the plan could be signed.

The Board worked through the lot line adjustment checklist to ensure the application was complete. When it was complete, John moved to deem the application as complete.

Tim seconded the motion.

John called for a vote and the motion passed unanimously.

John asked if the Board had any questions.

Rich Menge asked if the well shown on lot 12.2 was also shared. Jacob stated that it was. Rich then suggested that Note 3 be amended to include the fact that the well is shared.

Having no further questions from the Board or the public, John made a motion to approve the application with the following conditions:

Prior to the Board signing of the Plan, the Lyme Zoning Board of adjustment must grant a variance from section 5.11, lot size for lot 12.2. to allow a reduced size.

Note 3 will be amended to include the shared well.

Rich Brown seconded the motion.

John called for a vote and the motion passed unanimously.

Item 4: Solar Energy Systems feedback letter.

The Board made edits to the draft feedback letter. Hebe Quinton would make the changes and a new copy would be sent to the Board members. John would send a copy to Mark Bolinger of the Energy Committee for review.

The meeting adjourned at 9:15pm.

Respectfully Submitted,

David A. Robbins

Lyme Planning and Zoning Administrator.