

**Lyme Planning Board Minutes
November/13/2014**

Board Members and Staff Present: John Stadler, Chair; C Jay Smith, Select Board Representative; Vicki Smith, Member; Tim Cook, Member; Sam Greene, Alternate; David Robbins, Planning and Zoning Administrator

Board Members Absent: Jack Elliott, Vice Chair; Freda Swan, Alternate;

Members of the Public Present: David Roby, Jay Barrett, Bryan Muenzer, Dick Louzier, Jean Behnks, Jolin Kish.

Item 1: Bryan Muenzer, Energy Emporium - Preliminary Site Plan Review for Crossroads Academy Solar installation.

Cross Roads Academy is planning on installing a solar array to help power the school and to use as a teaching aid. Bryan came to the Board for a preliminary Site Plan Review to try to determine what, if any issues that may possibly be encountered.

Bryan presented an overview of the project including the locations of the ground mounted arrays, the locations of the ditches to bring the power to the school and the locations of the auxiliary equipment.

John asked about the visibility of the array from RT 10 and the neighboring properties. Brian stated that the location was below the road and shielded from the neighbors with trees and that the location could not be seen from either.

John asked if there were any known zoning issues. Bryan was unsure at this point in time. The Planning and Zoning Administrator stated that there were several possible issues, the first was a possible encroachment into the Shoreland Conservation District, the second was lot coverage, and the final was encroachment into the Agricultural Soils Conservation district according to the USDA maps. The Planning and Zoning Administrator felt that the Agricultural Soils would not be an issue because the proposed location was part of a reclaimed gravel pit and most likely not the Agricultural Soils shown on the USDA map. He then stated that he would work with the applicants to determine if there was any intrusion into the Shoreland District and to determine the existing and allowed lot coverage.

The Planning and zoning Administrator said that he would work with Bryan and Crossroads Academy to sort out any Zoning issues.

Item 2: Jay Barrett -- Preliminary Site Plan Review to rebuild Pond View Apartments.

The owners of Pond View Apartments have decided that the existing building is at the end of its service life and needs to be replaced.

Representing the owners, Jay Barrett wanted to discuss with the Board the possibility of rebuilding the apartments in the same location. He also wanted to explore the idea of rebuilding using the same amount of footprint but reconfiguring the building. Jay stated that he and the owners had discussed the possibility of rebuilding on a location to the north east of the existing location but had rejected the idea because of the cost of the site work.

The Planning and Zoning Administrator noted that the area to the south of the existing building is fairly wet and is most likely part of the Wetlands Conservation District and the area to the north (the pond) is part of the Shoreland Conservation District.

Vicki read section 8.27 “Replacement of a Non-conforming Structure”. She stated in her opinion that the building could be replaced in the existing footprint but any alterations to the building footprint would result in a new violation and therefore not allowed.

The consensus of the Board was that building anything outside of the existing footprint would present difficulties and that the owners might want to re-evaluate relocating the new building to the site to the north east.

Item 3: Acceptance of minutes from October/23/2014

Vicki moved to accept the minutes from October 23, 2014 as amended by John.

Tim seconded the motion.

John called for a vote and it the motion passed unanimously.

Item 4: Zoning Amendments

Agricultural Soils Conservation District

John had some concerns with the proposed language and asked the Planning and Zoning Administrator if he could meet with him the following week so that they could review the language. Any changes would be brought back to the Board for review prior to any public hearing.

David Roby noted that restaurants were allowed by right in the commercial district; he suggested that the Board revise this to allow them under Site Plan Review. The Board agreed that there should be some oversight, and decided to send this change to Town Meeting.

Mr. Roby also suggested changing the definition of Lodging Accommodations from:

LODGING ACCOMMODATIONS. Overnight quarters provided to transient guests, which could include as Site Plan Review: accessory uses such as meal preparation, meal service, and functions such as weddings, meetings, and reunions.

to:

LODGING ACCOMMODATIONS. Overnight quarters provided to transient guests, **in a country inn such as Dowd's Country Inn, The Lyme Inn, and Breakfast on the Connecticut including** accessory uses such as meal preparation, meal service, and functions such as weddings, meetings, and reunions.

8.29 Relocation of an existing structure in a conservation district.

The relocation of an existing structure in a conservation district to a different location within a conservation district may be permitted as a special exception subject to the provisions of section 10.40 and the following requirement:

The relocation shall better serve the purposes of the Conservation District

A relocated structure shall not be eligible for conversion under section 4.46 until five years after the completed relocation.

The original area of disturbance will be restored to satisfy the purposes of the conservation district as determined by the Zoning Board of Adjustment.

Mr. Roby suggested the following changes to the wording:

8.29 Relocation of an existing structure in a conservation district.

The relocation of an existing structure in a conservation district to a different location within a conservation district may be permitted as a special exception subject to the provisions of section 10.40 and the following requirement:

The relocation shall better serve the objectives of the relevant Conservation District as set forth in sections 3.27- 3.27.6.

A relocated structure shall not qualify for conversion under section 4.46 until five years after the completed relocation.

The original area of disturbance shall be restored to satisfy the objectives of the conservation district as required by the Zoning Board of Adjustment.

The meeting was adjourned at 9:27pm

Respectfully Submitted
David A. Robbins
Lyme Planning and Zoning Administrator.