

**Lyme Planning Board Minutes
February/28th/2013**

Board Members and Staff Present: David Roby, Chair; John Stadler, Vice Chair; Simon Carr, Select Board Representative; Vicki Smith, Member; Tim Cook, Member; Freda Swan, Alternate; Sam Greene, Alternate; Jack Elliott, Alternate; David Robbins, Planning and Zoning Administrator

Board Members Absent: Ben Kilham, Alternate

Members of the Public Present: Colin Robinson, Tami Dowd, Darryl Torrey Jim Kennedy, Tracy Flickinger, Earl Strout, Cynthia Bognolo, Bob Coyle

Chairman Roby opened the meeting at 7:00

John Stadler and Vicki Smith both withdrew because they had not been present at the Board meeting on February 14th, 2013 and the site visit on February 16th, 2013.

Chairman Roby appointed Freda Swan and Jack Elliott to sit for John and Vicky as they had attended both the February 14th meeting and the site visit.

Item 1: Continuation of the Site Plan Review for the proposed expansion of the Dowd's Inn, located at 9 Main Street, Tax Map 201 Lot 75.

At the February 14th meeting the Board had requested that additional notices be sent to the properties on the south side of the common. The Planning and Zoning Administrator sent notices to all listed property owners on "On the Common", the notice list included a building that Chairman Roby is a part owner. He asked the applicants if they were concerned that there might be a conflict of interest and stated that he would be willing to withdraw if they had any concerns.

The applicants stated that they did not believe there was any conflict and did not wish for him to withdraw.

At the request of the Board, the applicants had submitted additional information, including new site plans and an addition to the narrative.

Colin went through the additional submittals with the Board.

Vicki asked about use of the cellar under the tavern, Tami stated that it will be used for storage and there will be no public access.

Vicki then asked about the construction sequence and the locations for stockpiling materials. She was concerned about bringing heavy equipment into the site along the east

side of the inn. She was particularly concerned that the two trees (A Norway Spruce and a Black Locust) shown on the plan were protected from damage due to construction equipment and soil compaction. Colin responded that the intention was to bring any materials and equipment into the site using the existing driveway, if possible. If it was not possible then all precautions would be taken to protect the trees as they are important to the landscaping of the Inn.

Vicki asked if they were planning to allow patrons to bring drinks outside to the patio areas. Colin responded that there were no plans for this at this time. If the Inn decides to have an outside serving area, then they will come back to ask to have the approval amended to allow for this use.

David asked the Board members if they had any further questions, having none he asked the members of the public if they had any questions.

Tracy Flickenger was concerned that the only access to the property was narrow and ran alongside the Inn, in an emergency would the fire department and fast squad be able to access the property.

The Planning and Zoning Administrator stated that he had asked the Fire Chief the same question was assured that the Chief had no issues with access.

Earl Strout asked about noise from the new tavern. Colin stated that the windows facing the common would not be open during operation, in the summer the tavern would be cooled using air conditioning and not natural ventilation. In addition the new structure would provide a sound barrier between any outside function and the common.

Chairman Roby suggested that a condition of approval, similar to the Lyme Inn condition allowing the neighbors to request the Planning Board to reopen the Site Plan Review to address any noise issues that were a problem.

Earl was also concerned that the pipe from the Lyme Water Association well, at the rear of the property could be damaged from vehicular traffic. Colin, president of the Water Association, stated that the pipes were buried six feet down for the purpose of protecting them from damage.

Earl then asked about the construction timeframe. Darryl answered that the intent is to have the building framed and the outside finished before the start of the wedding season in May, as long as all the permits were in place. If the permitting took longer, then the project would be started in the fall after the wedding season.

Bob Coyle was concerned that the parking plan was not adequate for when the inn was hosting a private function and the tavern was open. Colin responded that the parking plan meets the requirement of appendix A of the Site Plan Review Regulations.

Chairman Roby suggested that a condition of approval could be set so the neighbors could ask the Planning Board to reopen the Site Plan Review to deal with parking issues if they become a problem. Chairman Roby also stated that the Zoning Ordinance is clear that all parking is required to be onsite.

Chairman Roby then asked if there were any other questions from the public, there being none the Board reviewed Section X (Application Requirements) of the Site Plan Review Regulations to ensure that the application was complete.

During the review the Board determined the following conditions need to be met for an approval:

Section 10.4

- 1) Move the snow storage area in the overflow parking to the empty triangle area located to the north and south of the overflow parking.
- 2) Add the location of and the access for the dry hydrant required by the Fire Chief

Section 10.5.9.2

- 1) Remove the septic approval number in the proposed leach field as this approval will not be used for the new septic system.

Section 10.5.9.4

- 1) Pictures of the current signs will be submitted, all new signs will be similar in character to the submitted signs.
- 2) A note will be added to the site plan stating that the light posts will be no higher than 10 feet.

Section 10.5.9.7

- 1) The location of outside AC units for the proposed tavern will be added to the Site Plan.

Section 10.8.2

- 1) A State Liquor License will be required
- 2) A State Occupancy Permit will be required.
- 3) A State Permit by Notification for the dry hydrant will be required.
- 4) An Approval for Construction and an Approval for Operation will be required for the new septic system

Section 10.9

- 1) A protection plan for the trees (The Norway Spruce and a Black Locust) in the construction area.

The Board determined that the final submittal of the plans should be on 11" X 17" paper for easier storage in the Town files.

Waivers for the following sections were requested:

- 10.1.4 Select Board review.
- 10.1.5 Conservation Commission Review.
- 10.1.6 School District Review.
- 10.5.1 Perimeter Survey
- 10.5.7 Conservation District boundaries 200 feet beyond the site plan.
- 10.5.10 Fire Protection Plan
- 10.6.1 Existing and proposed grades, drainage systems, structures, and topographic contours at intervals not exceeding 2 feet and extending 200 feet beyond the site plan boundary

The Board reviewed each of the individual waiver requests. After all the waiver requests were reviewed, Simon made a motion to grant the waivers.

Tim seconded the motion.

Chairman Roby called for a vote and the motion passed unanimously.

Simon then moved to deem the application complete with the condition that the above items are addressed.

Jack seconded the motion.

Chairman Roby called for a vote and the motion passed unanimously.

As it was already 9:30 the Board decided to continue the hearing to March 14th, 2013 at 7:00 pm

Jack made the motion and Simon seconded.

Chairman Roby called for a vote and the motion passed unanimously.

At the March 14th meeting the Board will review section XI to determine that the requirements for approval have been met.

Item 2: Acceptance of minutes from February 14th and 16th, 2013

Simon moved to accept the minutes as submitted.

Jack seconded the motion.

Chairman Roby called for a vote and the motion passed unanimously.

Item 3: Discussion on the Boards position on Conservation Neighborhoods

The Board had a short discussion as to the need for an official position on the proposed zoning amendment for Conservation Neighborhoods. It was decided that because there were different reasons that the individual members voted either for or against the amendment that a single position for the entire board would be too difficult to write.

The Board decided that the Board members, who could attend Little Town Meeting, would do so and they would be willing to speak as to their own reasons for voting for or against the amendment.

The meeting adjourned at 9:43pm.

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