

**WARRANT FOR THE ANNUAL TOWN MEETING
STATE OF NEW HAMPSHIRE**

GRAFTON, SS

TOWN OF LYME

To the inhabitants of the Town of Lyme, New Hampshire, who are qualified to vote in Town affairs:

You are hereby notified that the annual Town Meeting of the Town of Lyme, New Hampshire, will be held at the Lyme Community Gymnasium in the Lyme School on Tuesday, March 10th, 2020, at 7:00 AM, to act upon the following subjects:

Polls will open for voting by ballot on Articles 1, 2 and 3 on Tuesday, March 10th, 2020, at 7:00 AM and will close at 7:00 PM, unless the Town votes to keep the polls open to a later hour. The business portion of the meeting will convene at 9:00 AM that same day, when all of the other Articles will be considered.

ELECTION OF OFFICERS

ARTICLE 1. To vote by non-partisan ballot for the following Town Officer:

- 1 Selectman for 3 years
- 1 Town Moderator for 2 years
- 1 Overseer of Public Welfare for 1 year
- 3 Budget Committee members for 3 years
- 1 Cemetery Trustee for 3 years
- 3 Library Trustees for 3 years
- 1 Planning Board member for 3 years
- 1 Trustee of the Trust Funds for 3 years
- 1 Supervisor of the Checklist for 6 years

AMENDMENT TO ZONING ORDINANCE

Petitioned warrant article

ARTICLE 2. To see if the Town will vote to amend the Zoning Ordinance as follows to allow for Planned Developments, by site plan review, for any property abutting NH Route 10 in the Rural District. See the attached pages for details

Changes are in bold & italic - Deletions are struck through

References to Planned Development appears on pages 11, 20, 21, 24, 37, 39, 40, 41

Page (11) Edit: *Change definition to allow 100% residential or a mix of residential and business uses*
PLANNED DEVELOPMENT. ***May be 100% residential or a*** mix of residential and institutional or business uses on a single lot in more than one building on a single lot.

Page (20) Edit: *In Table 4.1 for Planned Development under the Rural District, change the N (no) to SPR (Site Plan Review) ² Adding Note 2: applying only to properties abutting NH Rt 10*

Table 4.1 **Planned Development under Rural District - SPR ²**

Note 2: applying only to properties abutting NH Rt10

Page (21) unchanged:

4.41 Principal Building and Activity on Lots. There shall be only one principal building and one principal activity on a lot unless otherwise approved under the lot size averaging subdivision provision (Section 5.11 D.), the multi-dwelling and conversion provision (Section 4.46), or the planned development provision (Section 4.49).

Page (24) Edit: *Remove the limitation on permitted business uses and the requirement for an easement on the remaining open space (5.) for a Planned Development.*

4.49 Planned Development. Planned Developments are allowed by Site Plan Review in districts as shown in Table 4.1. ~~*The uses in a Planned Development shall include only those uses permitted or allowed by Site Plan Review as listed in Table 4.1 in the district in which the development is proposed.*~~ A Planned Development or a change of use in a Planned Development shall be reviewed and approved by the Planning Board prior to the issuance of a building & zoning permit. A Planned Development must meet all of the requirements for a Site Plan Review under section 12.10 as well as the following criteria:

1. At least 15% of the floor area shall be reserved for residential use.
2. There shall be no more than six units per building.
3. If there will be a total of three or more units, there shall be a water supply suitable and accessible for public safety purposes; and the water supply must be located within 1/2 mile of the Planned Development.
4. Dimensional Controls: The Planned Development shall satisfy the dimensional controls of Article V except that aggregate building footprint and maximum lot coverage shall be established by the Planning Board and shall be equal to the maximum total building footprint and maximum total lot coverage which would be available to the applicant if the property were subdivided into the maximum number of lots which could be created in a subdivision meeting all of the requirements of the Lyme Subdivision Regulations and this ordinance. Maximum individual building footprint shall be as specified in Table 5.1.
5. ~~*Other Requirements: The areas of the lot which will be left undeveloped shall be retained in open space and such open space shall be protected through the granting of a zoning easement to the Town or a conservation easement to a governmental agency or a conservation organization approved by the Planning Board.*~~

Page (37) unchanged

5.11 Lot Size.

1. For the purposes of applying the provisions of this ordinance, lot size shall be defined as set forth in Article II and as provided by District in Table 5.1.
2. Unless otherwise permitted by the Planning Board in accordance with provisions for Planned Development in section 4.49, Lot Size Averaging in section 5.11 D., or Affordable Housing in

section 11.30, minimum lot sizes shall be as set forth in Table 5.1. The minimum lot size in the Rural District is three acres for land within 1,000 feet of the state highways and five acres for all other land.

3. Building lot depth shall not exceed four times the average width of the lot, unless otherwise approved in connection with Planned Development provisions in section 4.49, Lot Size Averaging provisions in section 5.11 D. or Affordable Housing provisions in section 11.30. The foregoing limitation shall not apply in the subdivision of a lot of record on the effective date of this provision, March 12, 1996, for the creation of one lot in a single subdivision of that lot.

Page (39) unchanged:

5.12 Road Frontage. The minimum road frontage of a lot shall be as shown in Table 5.1 except in the case of lots approved in a Planned Development in section 4.49, Lot Size Averaging in section 5.11 D., or Affordable Housing in section 11.30 and conservation lots as defined in Article II. Subject to approval by the Planning Board in its discretion, such lots may have no road frontage, but must have adequate access as approved by the Planning Board.

Page (40) unchanged:

5.14 Building Footprint. The maximum building footprint shall be a percentage of lot size as provided in Table 5.1, or as follows, whichever is smaller:

- D. except as otherwise permitted by special exception in connection with lot size averaging subdivisions (Section 5.11); planned development (Section 4.49); and expansion of any lawful non-conforming structure in existence when this ordinance was passed (section 8.25).

Page (41) unchanged:

5.15 Maximum Lot Coverage. The maximum lot coverage shall be a percentage of lot size as provided in Table 5.1, or as follows, whichever is smaller:

4. except as otherwise permitted by special exception for lot size averaging subdivisions (section 5.11 D); planned developments (section 4.49); and expansion of any lawful non-conforming structure in existence when this ordinance was passed (section 8.25); and

(Not recommended by the Planning Board by a vote of 5-0)

TO CONSTRUCT A FIRE STATION

ARTICLE 3. To see if the Town will vote to authorize the Selectmen to enter into a long-term purchasing agreement in the amount of five hundred thousand dollars (**\$500,000**), payable over a term of 7 years for the purpose of engineering and construction of a fire station located at 44 High Street. The first payment will be due in 2021. This purchase agreement does not contain an escape clause.

(These appropriations are not included in the total town operating budget warrant article as approved by the Budget Committee.)

(2/3 ballot vote required.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 8-0.)

(No amount to be raised by taxation.)

Note: After discussion, the polls and ballot box will remain open for at least an hour for voting on this article.

WITHDRAWAL FROM THE PUBLIC WORKS FACILITY CAPITAL RESERVE FUND

ARTICLE 4. To see if the Town will vote to raise and appropriate the sum of four hundred thousand dollars (**\$400,000.00**) for the purpose of constructing a fire station located at 44 High Street and further to authorize the withdrawal of such funds from the Public Works Facility Capital Reserve Fund for the purposes of which it was created.

(This appropriations is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 8-0.) (No amount to be raised by taxation.)

TOWN OPERATING BUDGET

ARTICLE 5. To see if the Town will vote to raise and appropriate the sum of two million three hundred sixty seven thousand six hundred forty nine dollars (**\$2,367,649.00**) which represents the operating budget as recommended by the Budget Committee.

Said sum does not include appropriations contained in any other warrant articles.

(Majority vote required.) (The Select Board recommends an operating budget of \$2,367,649.00 by a vote of 3-0.) (The Budget Committee recommends an operating budget of \$2,367,649.00 by a vote of 8-0.) (To be raised by taxation.)

TO CAPITAL RESERVE FUNDS AND TRUST FUNDS

ARTICLE 6. To see if the Town will vote to raise and appropriate four hundred twenty-five thousand dollars (**\$425,000**) to be added to the following Capital Reserve and Expendable Trust Funds previously established for the purposes for which they were created.

Capital Reserve Funds:

Bridge Capital Reserve Fund	\$50,000
Vehicle Capital Reserve Fund	\$150,000
Heavy Equipment Capital Reserve Fund	\$30,000
Class V Roads Rehab Capital Reserve Fund	\$50,000
Public Works Facility Capital Reserve Fund	\$100,000
Computer System Upgrade Capital Reserve Fund	\$10,000
Town Buildings Major Maintenance and Repair Fund	\$10,000

Fire Fighting Safety Equipment Capital Reserve Fund	\$10,000
Recreation Facilities Capital Reserve Fund	<u>\$5,000</u>
Capital Reserve Funds Subtotal:	\$415,000

Expendable Trust Funds:

Town Poor Expendable Trust Fund	<u>\$10,000</u>
Expendable Trust Funds total:	\$10,000

Capital Reserve Funds and Expendable Trust Funds Total: \$425,000

(These appropriations are not included in the total town operating budget warrant article as approved by the Budget Committee.)

(Majority vote required.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 8-0.) (To be raised by taxation.)

STATE OF NEW HAMPSHIRE BLOCK GRANT APPROPRIATION

ARTICLE 7. To see if the Town will vote to raise and appropriate the sum of one hundred thousand dollars (**\$100,000**) for the purpose of maintenance, construction and reconstruction of Class IV & V highways with \$100,000 anticipated to come from the State of New Hampshire Block Grant. Said sum does not include appropriations contained in any other warrant articles.

(Majority vote required.) (Recommended by the Select Board by a vote of 3-0) (Recommended by the Budget Committee by a vote of 8-0) (No amount to be raised by taxation.)

***APPROPRIATE FUNDS TO CLASS V ROADS REHAB CAPITAL RESERVE FUND
FOR RIVER ROAD AT NORTH THETFORD ROAD REPAIR***

ARTICLE 8. To see if the Town will vote to raise and appropriate the sum of two hundred thousand dollars (**\$200,000**) to be added to the Class V Roads Rehab Capital Reserve Fund for the purpose of repairing a portion of River Road at North Thetford Road intersection in 2021.

(This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 8-0.) (To be raised by taxation.)

WITHDRAWAL FROM THE CLASS V ROADS REHAB CAPITAL RESERVE FUND

ARTICLE 9. To see if the Town will vote to raise and appropriate the sum of eighty thousand dollars (**\$80,000.00**) for the purpose of design and engineering for the repair of River Road at North Thetford Road and further to authorize the withdrawl of such funds from the Class V Roads Rehab Capital Reserve Fund for the purposes of which it was created.

(This appropriations is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 8-0.) (No amount to be raised by taxation.)

WITHDRAWAL FROM VEHICLE CAPITAL RESERVE FUND

ARTICLE 10. To see if the Town will vote to raise and appropriate the sum of eighty-two thousand four hundered sixty-seven dollars (**\$82,467**) for the annual payment on the Fire Truck, the purchase of which was authorized in 2019; and further to authorize the withdrawl of this amount from the Vehicle Capital Reserve Fund. The purchase agreement does not contain an escape clause.

(This appropriations is not included in the total town operating budget warrant article as approved

by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 8-0.) (No amount to be raised by taxation.)

WITHDRAWAL FROM THE VEHICLE CAPITAL RESERVE FUND

ARTICLE 11. To see if the Town will vote to raise and appropriate the sum of fifty-one thousand four hundred fifty-nine dollars (**\$51,459.00**) for the purpose of paying off the loan for the police vehicle purchased in 2019 and to authorize the withdrawl of these funds from the Vehicle Capital Reserve Fund for the purposes of which it was created.

(This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 8-0.) (No amount to be raised by taxation.)

WITHDRAWAL FROM CAPITAL RESERVE FUNDS

ARTICLE 12. To see if the Town will vote to raise and appropriate the sum of two hundred eighty-seven thousand dollars (**\$287,000**) to fund the following purchases by authorizing the withdrawal of such funds from the Capital Reserve Funds for the purposes for which they were created as submitted by the Budget Committee:

Vehicle Capital Reserve Fund: 5-ton truck with plow	\$230,000
Vehicle Capital Reserve Fund: maintenance work truck	\$32,000
Computer System Upgrade CRF: computer equipment replacement	\$25,000

Withdrawals from Capital Reserve Funds Total: \$ 287,000

These appropriations are not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 8-0.) (No amount to be raised by taxation.)

**APPROPRIATE FEMA FUNDS FROM JULY 2017 STORM TO
EMERGENCY HIGHWAY REPAIR CAPITAL RESERVE FUND**

ARTICLE 13. To see if the Town will vote to raise and appropriate the sum of one hundred and fifty thousand dollars (**\$150,000**) to be added to the Emergency Highway Repair Capital Reserve Fund previously established and for the purpose which it was created, with said funds to come from unassigned fund balance. This amount represents a portion of FEMA reimbursement funds from the 2017 July storm which were accepted by the selectmen as unanticipated revenue.

(This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 8-0.) (No amount to be raised by taxation.)

**APPROPRIATE FEMA FUNDS FROM JULY 2017 STORM TO
CLASS V ROAD REHAB CAPITAL RESERVE FUND**

ARTICLE 14. To see if the Town will vote to raise and appropriate the sum of eighty thousand nine hundred and ninety-four dollars (**\$80,994**) to the Class V Roads Rehab Capital Reserve Fund previously established and for the purpose which it was created, with said funds to come from unassigned fund

balance. This amount represents a portion of FEMA reimbursement funds from the 2017 July storm which were accepted by the Selectmen as unanticipated revenue.
(This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 8-0.) (No amount to be raised by taxation.)

***APPROPRIATE FUNDS FROM HAZARD MITIGATION GRANT PROGRAM
TO BE USED FOR PAVING RIVER ROAD SOUTH***

ARTICLE 15. To see if the Town will vote to rescind Article 13 from the 2019 Town Meeting raising and appropriating one hundred fifty-four thousand six hundred twenty-five dollars (**\$154,625.00**) for a Hazard Mitigation Grant Program from the Federal Emergency Management Agency that will no longer be applied for. Further to raise and appropriate \$154,625 to be used to pave River Road south from East Thetford Road intersection to south of 51 River Road, with the funds to come from the unassigned fund balance.

(This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 8-0.) (No amount to be raised by taxation.)

***TO DISCONTINUE COMPLETELY THE SECTION OF RIVER ROAD
CLOSED DUE TO EROSION***

ARTICLE 16. To see if the Town will vote to discontinue the section of River Road that will not be used after the reroute is completed. The section of the road to be discontinued is approximately 1,053 feet long and runs from just south of 307 River Road to just north of 278 River Road.
(Recommended by the Select Board by a vote of 3-0.) (Majority vote required.)

DISCONTINUE PUBLIC LAND ACQUISITION CAPITAL RESERVE FUND

ARTICLE 17. To see if the Town will vote to discontinue the Public Land Acquisition Capital Reserve Fund. Said funds, with accumulated interest to date of withdrawal, are to be transferred to the municipality's general fund.

(Majority vote required.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 8-0.) (No amount to be raised by taxation.)

APPROPRIATE FUNDS TO CLASS V ROADS REHAB CAPITAL RESERVE FUND

ARTICLE 18. To see if the Town will vote to raise and appropriate the sum of thirty-six thousand seventy-six dollars (**\$36,076.00**) to be added to the Class V Roads Rehab Capital Reserve Fund. Said funds to come from the unassigned fund balance. This amount is the equivalent of the balance remaining in the Public Land Acquisition Capital Reserve Fund, proposed to be discontinued, above.

(This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 8-0.) (No amount to be raised by taxation.)

***INDEPENDENCE DAY CELEBRATION
SPECIAL REVENUE FUND***

ARTICLE 19. To see if the Town will vote to raise and appropriate the sum of six thousand nine hundred eighty-three dollars (**\$6,983.00**) to sponsor an Independence Day celebration, including but not limited to a parade, picnic, music and family fun and to fund this appropriation by authorizing withdrawal of

that sum from the Independence Day Celebration Special Revenue Fund established for this purpose at the 2003 Town Meeting.

(This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 8-0.) (No amount to be raised by taxation.)

MILFOIL TREATMENT FOR POST POND

ARTICLE 20. To see if the Town will vote to raise and appropriate the sum of thirty-four thousand nine hundred thirty-six dollars **(\$34,936.00)** for milfoil treatment of Post Pond, with thirteen thousand nine hundred seventy-four dollars **(\$13,974.00)** to be funded through a grant from the New Hampshire Department of Environmental Services; a withdrawal of eight thousand seven hundred fifty-two dollars **(\$8,752.00)** from the unassigned fund balance and twelve thousand two hundred ten dollars **(\$12,210.00)** to be funded by the Conservation Commission. This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the milfoil problem is resolved or by December 31, 2023, whichever is sooner.

(This appropriation is not included in the total town operating budget warrant article as approved by the Budget Committee.) (Majority vote required.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by vote of 8-0.) (No amount to be raised by taxation.)

ADOPT SOLAR EXEMPTION WITH EXPANDED DEFINITION

ARTICLE 21. To see if the Town will readopt the RSA 72:62 solar energy system tax exemption originally adopted in 2008 to expand the definition of “solar energy system” eligible for exemption to include a system which utilizes solar energy to produce electricity for a building and includes all photovoltaics, inverters, and storage. Systems may be off-grid or connected to the grid in a net metered or group net metered arrangement pursuant to RSA 362-A:9 or in a direct retail sale arrangement pursuant to RSA 362-A:2-a.

(Recommended by the Select Board by a vote of 3-0.)

RENEWABLE SOURCES OF ENERGY

ARTICLE 22. To see if the Town of Lyme will vote to commit to a goal of 100% reliance on clean, renewable sources of electricity by 2030 and clean, renewable sources for all other energy needs, including for heating and transportation, by 2050.

The impetus for this goal is to reduce energy costs to the community and to keep energy dollars in the local economy; to reduce the risks to the community of escalation and volatility in energy costs; and to address the threat of global climate change.

The intent of this article is to influence policy at the local level in a fiscally responsible manner that will support and encourage individual action to shift towards 100% clean, renewable energy.

(This article is recommended by the Energy Committee, 7-0.) (Recommended by the Select Board by a vote of 3-0.)

RESOLUTION REGARDING EROSION ALONG THE CONNECTICUT RIVER

ARTICLE 23. “Whereas, the peaking operations of Wilder, Bellows Falls and Vernon dams have been causing daily fluctuations of, on average, 2-3 feet every day in the impoundments behind the dams for 70 years resulting in loss of land for landowners in VT and NH and degradation of water quality and habitat of the river for decades;

Whereas, in the late 1970s, during the last relicensing process, the Army Corps of Engineers (ACOE) conducted an erosion study on the project area; and FERC issued the last licenses in early 1979

just months before the ACOE completed their study in November of that year; and the ACOE study clearly states that pool level fluctuations are the *second most important causative factor* for erosion in the project areas.

Whereas, the erosion study completed for the current relicensing by Great River Hydro, the current owner of these three projects did not look at the effect of pool level changes on erosion, instead, focusing only on potential erosion due to velocity along the bank edge that would be typical for a natural river system; and the Connecticut River in the project area does not function as a natural river, instead functioning as a hybrid river with a series of impoundments controlled by the dams.

Whereas, many towns and landowners up and down the river have used millions of dollars in public and private money to attempt to stabilize and restore their streambanks to protect property and infrastructure over the past 70 years;

Therefore, be it resolved that the Town of Lyme, formally requests that the Federal Energy Regulatory Commission require, via license article, the current and any subsequent owners of the Wilder, Bellows Falls and Vernon Dams to modify current dam operations to minimize peaking; provide for ongoing monitoring; develop a shoreline adaptive management plan; and commit funding for riverbank restoration and/or property owner compensation to reimburse towns and landowners for any and all damages resulting from the deterioration of the riverbank."

(Recommended by the Select Board by a vote of 3-0.)

REPORTS OF AGENTS, AUDITORS & COMMITTEES

ARTICLE 24. To hear reports of Agents, Auditors, or Committees or other officers heretofore chosen, and to pass any vote relating thereto.

(Majority vote required.)

OTHER BUSINESS

ARTICLE 25. To transact any other business that may be legally brought before this Town Meeting.


Given under our hands and seal of the Town of Lyme this 6th day of February, 2020.

Town of Lyme

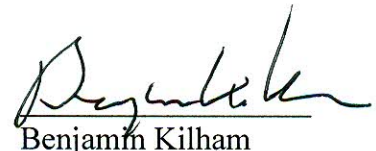
Select Board



Kevin Sahr, Chair



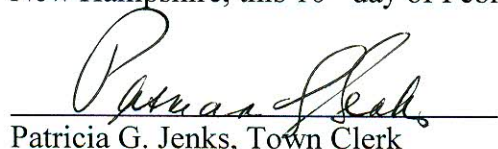
Judith Brotman



Benjamin Kilham

Recording of Warrant:

This Warrant and return of Warrant has been duly recorded in the Office of the Town Clerk of Lyme, New Hampshire, this 10th day of February 2020.



Patricia G. Jenks, Town Clerk