

**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 official polls of the Town of Lyme, New Hampshire, will be held at the Lyme Community room/Gymnasium in the Lyme School on Tuesday, March 12th, 2024, at 9:00 AM, to act upon the following subjects:

Polls will open for voting by ballot on Article 1 on Tuesday, March 12th, 2024, at **7:00 AM and will close at 7:00 PM**, unless the Town votes to keep the polls open to a later hour.

ELECTION OF OFFICIALS

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

Budget Committee-2 Committee members
Cemetery Trustee-1 Trustee
Library Trustees-3 Trustees
Overseer of Public Welfare-1 Overseer
Planning Board-1 Member
Select Board- 1 Member
Supervisor of Checklist-1 Supervisor
Town Clerk-1 Clerk
Town Moderator-1 Moderator
Trustee of Trust Funds-1 Trustee

ZONING ARTICLES

ARTICLE 2. Solar Energy Systems Zoning Amendment-Add the following definitions to Article II:

SOLAR ENERGY SYSTEM (SES) - A structure composed of multiple components that relies upon sunshine as an energy source and is capable of collecting, distributing, and/or storing energy. A Solar Energy System may be a:

- a) Roof-mounted Solar Energy System - A Solar Energy System that is attached to the roof of a building. It is not a separate structure.
- b) Tracking Solar Energy System - A Solar Energy System that is ground-mounted and moves to track the motion of the sun.
- c) Fixed Solar Energy System - A Solar Energy System that is fixed to the ground and does not have tracking capabilities.

Solar energy systems may be further defined by size as follows:

- a) Small Solar Energy System - A Solar Energy System that is either roof-mounted or ground-mounted with a cumulative footprint of 2,000 square feet or less. This footprint area is measured by totaling the land area occupied by all of the components of the solar energy system including, but not limited to mounting equipment, panels and ancillary parts of the system. The horizontal area of the panels will be used to measure the area of a Small Solar

Energy System. The area of the footprint of a pedestal for a tracking system or racks for a fixed system shall be excluded from this area calculation.

- b) Medium Solar Energy System - A Solar Energy System that is ground-mounted with a cumulative footprint larger than 2,000 square feet but occupying no more than 43,560 square feet. This footprint area is measured by totaling the land area occupied by all of the components of the solar energy system including, but not limited to mounting equipment, panels and ancillary parts of the system. In addition, the footprint also includes the land area in between components of the system.
- c) Large Solar Energy System - A Solar Energy System that is ground-mounted with a cumulative footprint larger than 1 acre up to a maximum of 7 acres. This footprint area is measured by totaling the land area occupied by all of the components of the solar energy system including, but not limited to mounting equipment, panels and ancillary parts of the system. In addition, the footprint also includes the land area in between components of the system.

For the calculation of size of a Solar Energy System, the measurement of cumulative footprint does not include fences and equipment housed in a pre-existing structure or access roads not within the system boundaries.

GROUP NET METERED SYSTEM - A Solar Energy System that supplies energy or energy credits to the host lot and/or a lot or lots other than the one on which the system is located.

Add to section 4.42:

D. Solar Energy Systems (see Article XIV)

Add a new Article XIV – Solar Energy Systems:

Article XIV SOLAR ENERGY SYSTEMS

14.10 Purposes. The purposes of this article are to:

- a) Encourage the use of Solar Energy Systems and group net metering opportunities;
- b) Define the authority of the Town of Lyme to regulate Solar Energy Systems;
- c) Provide standards and requirements for the operation, siting, design, appearance, construction, modification, and removal of Solar Energy System;
- d) Protect the historical, cultural, natural, and aesthetic resources of the Town of Lyme and property values therein by minimizing the adverse impacts of Solar Energy System; and
- e) Locate Solar Energy System in a manner which promotes the safety, health, welfare, and quality of life of the residents of the Town of Lyme and those who visit.

14.20 Small Solar Energy Systems. Small Solar Energy Systems are allowed as an accessory use in all districts if they meet the following conditions:

- a) if a roof-mounted Solar Energy System modifies the building footprint or height of the structure on which it is mounted, the resulting structure must conform to the dimensional controls of the Lyme Zoning Ordinance;
- b) the highest point of any part of a ground-mounted Solar Energy System shall be no more than 21 feet measured vertically from the ground;
- c) a ground-mounted Solar Energy System in the Lyme Common District or the Lyme Center District shall not be located in the area between the public road and any side of the building facing a public road; and

- d) the combined structures on the lot must conform with the footprint and lot coverage standards for the district in which it is located.

14.30 Medium Solar Energy Systems. Medium Solar Energy Systems may be principal or accessory uses in the Rural, Commercial or Skiway Zoning Districts, and shall require a Site Plan Review and a Conditional Use Permit.

14.40 Large Solar Energy Systems. Large Solar Energy Systems may be principal or accessory uses in the Large Solar Energy District (See 14.50b) or the Skiway District, and shall require a Site Plan Review and a Conditional Use Permit.

14.50 Requirements for a Conditional Use Permit. Medium and Large Solar Energy Systems require a Conditional Use Permit which may be granted if the following criteria are met:

- a) Medium Solar Energy Systems are not permitted in any location that requires upgraded utilities on a designated Scenic Road.
- b) Large Solar Energy Systems are only allowed in the Skiway District or the Large Solar Energy District which comprises the area along Rt.10, bounded on the north by the Lyme Common Zoning District and to the south by the border with Hanover. Large Solar Energy Systems must be located within 1900 feet of the Route 10 right of way as measured from the edges of Rt.10 on either side.
- c) Medium and Large Solar Energy Systems may be allowed only if at least 60% of the power generated by each Solar Energy System will be supplied, per contractual arrangement, to properties in Lyme.
- d) Solar Energy Systems shall be sited in a visually unobtrusive manner as viewed from nearby properties and public right of ways.
- e) Solar Energy Systems larger than 7 acres are not allowed.
- f) Medium and Large Solar Energy Systems shall be located a minimum setback distance of fifty feet from all exterior property lines and existing public rights of way.
- g) A Large Solar Energy System may not be located on a site which has an area of over an acre that has been clear cut within the last 5 years prior to submission of a complete Site Plan Review.
- h) All proposed power and communication lines (both on-site and off-site) serving a Ground-mounted Solar Energy System shall be buried underground up to the point of interconnection with grid components, unless the owner/operator is able to demonstrate the presence of technical or physical constraints (e.g. shallow bedrock, water courses, etc.) that may interfere with the ability to bury lines in certain areas.
- i) The Planning Board may impose conditions on any Solar Energy System project subject to Conditional Use review to the extent the Board concludes such conditions are desirable to minimize any adverse effect of the proposed use on adjoining properties, and to preserve the intent of the purposes of the Zoning Ordinance as set forth in section 1.20.

14.60 Submission Requirements for a Conditional Use Permit.

- a) Applications for Conditional Use Permits shall be the same as that used for Site Plan review, except that submission of plans for traffic impact, parking, septic system may be waived by the Planning Board.
- b) The Applicant shall supply manufacturer's specifications for all proposed equipment.
- c) The Applicant shall supply a statement detailing potential glare onto abutting properties and nearby roadways estimating the interaction of sun to panel angle, time of year and visibility locations.
- d) The Applicant shall supply estimates of any equipment noise on the site based on equipment specification materials. If after installation, the Planning Board determines that noise from the Solar Energy System is a nuisance, the Applicant may be required to implement sound mitigation features to address the nuisance.
- e) All Large Solar Energy Systems and associated equipment must be removed once the system has been out of use for 12 consecutive months. The Applicant shall submit a decommissioning plan to the Planning Board as part of the application for a Conditional Use Permit. This plan shall include provisions for the removal of all structures, foundations and electrical transmission components, including all below grade components, and the restoration of soil and vegetation within eighteen months of the system being out of use.
- f) The Planning Board may require that the owner or operator post a bond, letter of credit, escrow account or some other surety for the decommissioning.

Amend Table 4.1 to include the Solar Energy Systems District.

	Lyme Center	Lyme Common	Commercial District	Rural District	East Lyme	Skiway	Mountain & Forest	Holt's Ledge	Solar Energy Systems District
AGRICULTURE									
Agriculture	Y	Y	Y	Y	Y	Y	Y	Y	N/A
Agritourism	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	N/A
Forestry	Y	Y	Y	Y	Y	Y	Y	Y	N/A
RESIDENTIAL									
Single Dwelling	Y	Y	Y	Y	Y	N	Y	Y	N/A
Multi-Dwelling Conversion	SPR	SPR	SPR	SPR	N	N	N	N	N/A
Affordable Housing			SEE ARTICLE XI						N/A
Lot Size Averaging	Y	Y	Y	Y	Y	N	Y	Y	N/A
Senior Housing	N	SPR	N	N	N	N	N	N	N/A
INSTITUTIONAL									
Government Use	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR	N/A
Institution	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR	N/A
BUSINESS									
Clinic	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR	N/A
Cottage Industry	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR	N/A
Day Care	SPR	SPR	SPR	SPR	SPR	N	SPR	SPR	N/A
Excavation	N	N	Y	Y	Y	Y	Y	N	N/A
Home Occupation	Y	Y	Y	Y	Y	N	Y	Y	N/A
Light Manufacturing or Processing	N	N	SPR	N	N	N	N	N	N/A
Lodging Accommodations	SPR	SPR	SPR	SPR	N	N	N	N	N/A
Office Building, New	N	N	SPR	N	N	N	N	N	N/A
Office/Studio/Restaurant Conversion	SPR	SPR	SPR	SPR	SPR	N	SPR	N	N/A
Outdoor Recreation Activities	Y	Y	Y	Y	Y	Y	Y	Y	N/A

Planned Development	N	SPR	SPR	N	N	N	N	N	N/A
Restaurant	N	N	SPR	N	N	N	N	N	N/A

Retail Use	SPR	SPR	SPR	N ¹	N ¹	N ¹	N ¹	N	N/A
Sawmill	N	N	N	SPR	SPR	SPR	SPR	SPR	N/A
Service Use	SPR	SPR	SPR	N	N	N	N	N	N/A
Skiing Facilities	N	N	N	N	SPR	SPR	N	SPR	N/A
Solar Energy Systems									
Small Solar Energy Systems	Y	Y	Y	Y	Y	Y	Y	Y	Y
Medium Solar Energy Systems	N	N	SD	SD	N	SPR/CU	N	N	SPR/CU
Large Solar Energy Systems	N	N	SD	SD	N	SPR/CU	N	N	SPR/CU

- Y** - Use permitted by right, provided that all other requirements of Federal, State, and Town laws, rules, ordinances, and regulations have been met. A permit is not required for agricultural, forestry, or home occupation uses.
- SPR** - Use permitted by Site Plan Review provided that all other requirements of Federal, State, and Town laws, rules, ordinance, and regulations have been met and approval has been granted by the Planning Board.
- N** - Use not permitted.
- SD** - Allowable within the Solar Energy System District with Site Plan Review and Conditional Use Permit.
- N/A** - Not applicable to this district see underlying Zoning District.
- CU** - Conditional Use Permit Required.

TOWN OPERATING BUDGET

ARTICLE 3. To see if the Town will vote to raise and appropriate the sum of two million eight hundred twenty one thousand four hundred ninety four dollars **(\$2,821,494)** 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.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 10-0.) (To be raised by taxation.)

TO CAPITAL RESERVE FUNDS AND TRUST FUNDS

ARTICLE 4. To see if the Town will vote to raise and appropriate four hundred ten thousand dollars **(\$410,000)** 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:

Vehicle Capital Reserve Fund	\$250,000
Heavy Equipment Capital Reserve Fund	\$30,000
Property Reappraisal Capital Reserve Fund	\$5,000
Class V Roads Rehab Capital Reserve Fund	\$5,000
Public Works Facility Capital Reserve Fund	\$80,000
Computer System Upgrade Capital Reserve Fund	\$5,000
Fire Fighting Safety Equipment Capital Reserve Fund	\$20,000
Recreation Facilities Capital Reserve Fund	<u>\$5,000</u>
Capital Reserve Funds Subtotal:	\$400,000

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: \$410,000

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 10-0.) (To be raised by taxation.)

REPAIRS TO THE EDGELL BRIDGE

ARTICLE 5. To see if the town will vote to raise and appropriate the sum of six hundred ninety thousand dollars (**\$690,000**) for the purpose of repairing the Edgell Bridge and to fund this appropriation as follows: the withdrawal of **\$250,000** from the Bridge Capital Reserve Fund, **\$188,589** from the unexpended fund balance (which represents \$100,000 in donations received to date as well as \$88,589 in state bridge grant funds); **\$190,000** from taxation, and the balance of **\$61,411** to be raised by additional donations. Should donations above that amount be received, they will be used to lower the amount raised from taxation. (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Budget Committee by a vote of 10-0.) (Some funds to be raised by taxation.)

STATE OF NEW HAMPSHIRE BLOCK GRANT APPROPRIATION

ARTICLE 6. To see if the Town will vote to raise and appropriate the sum of ninety-five thousand dollars (**\$95,000**) for the purpose of maintenance, construction and reconstruction of Class IV & V highways with \$95,000 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 10-0.) (No amount to be raised by taxation.)

WITHDRAWAL FROM THE PUBLIC WORKS FACILITY CAPITAL RESERVE FUND

ARTICLE 7. To see if the Town will vote to raise and appropriate the sum of eighty one thousand seven hundred seventeen dollars (**\$81,717**) for the annual payment on the Fire Station, the purchase of which was authorized in 2020; and further to authorize the withdrawal of this amount from the Public Works Facility Capital Reserve Fund.

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 10-0.) (No amount to be raised by taxation.)

WITHDRAWAL FROM VEHICLE CAPITAL RESERVE FUND

ARTICLE 8. To see if the Town will vote to raise and appropriate the sum of eighty two thousand two hundred fifty two dollars (**\$82,252**) for the annual payment on the Fire Truck, the purchase of which was authorized in 2019; and further to authorize the withdrawal of this amount from the Vehicle Capital Reserve Fund. The purchase agreement does not contain an escape clause.

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 10-0.) (No amount to be raised by taxation.)

WITHDRAWAL FROM HEAVY EQUIPMENT CAPITAL RESERVE FUND

ARTICLE 9. To see if the Town will vote to raise and appropriate the sum of one hundred forty four thousand dollars (**\$144,000**) for the purchase of a backhoe as a highway work vehicle and to fund this appropriation by authorizing the withdrawal of such funds from the Heavy Equipment Capital Reserve Fund. 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 10-0.) (No amount to be raised by taxation.)

DISCONTINUE A CLASS VI SECTION BETWEEN SHOESTRAP ROAD AND MAPLE LANE

ARTICLE 10. To see if the town will vote, pursuant to RSA 231:43, to completely discontinue the section of Shoestrap Road that was made subject to gates and bars in 2007, specifically, a small portion of Shoestrap Road of approximately one thousand four hundred fifteen feet (1,415') in length (located approximately one thousand three hundred forty-five feet (1,345') east of River Road to three thousand, one hundred sixty-five feet (3,165') west of Dartmouth College Highway). If passed, the public will no longer have any rights to use the road for any purposes, however, no owner of land shall, without the owner's written consent, be deprived of access over such highway, at such owner's own risk. (Majority vote required.) (No amount to be raised by taxation.)

***RECLASSIFY THE CLASS VI SECTION OF SHOESTRAP ROAD
AND CHANGE THIS TO A CLASS A TRAIL***

ARTICLE 11. To see if the Town will vote to reclassify the Class VI section of Shoestrap Road to a Class A Trail in accordance with RSA 231-A:1 (I.) (Majority vote required.) (No amount to be raised by taxation.)

A Class A Trail is a full public right of way subject to public trail use restrictions. It may not be used for vehicular access to any new building, but it may be used by abutting landowners to provide access for agriculture and forestry and to any building existing prior to its designation as a Class A trail. The municipality shall bear no responsibility for maintaining the trail for such uses.

Should Article 10 pass, this article shall be null and void.

REMOVE MATERIAL FROM PROPERTY

ARTICLE 12. To see if the town will raise and appropriate the sum of one hundred fifty thousand dollars of **(\$150,000)** to remove the materials stored on the properties located at 116 Dorchester Road and 172 Goose Pond Road, that the Grafton County Superior Court by its order dated November 25th, 2015, has authorized the Town to remove, and to cover any legal or other related costs associated with such action. (Recommended by the Select Board by a vote of 2-0-1.) (Recommended by the Budget Committee by a vote of 8-0-1.) (Majority vote required.) (To be raised by taxation.)

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

ARTICLE 13. To see if the Town will vote to raise and appropriate the sum of six thousand seven hundred forty seven dollars **(\$6,747.00)** 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 10-0.) (No amount to be raised by taxation.)

MILFOIL TREATMENT FOR POST POND

ARTICLE 14. To see if the Town will vote to raise and appropriate the sum of thirty seven thousand forty five dollars (**\$37,045**) for milfoil treatment of Post Pond, with eighteen thousand five hundred and twenty three dollars (**\$18,523**) to be funded through a grant from the New Hampshire Department of Environmental Services; nine thousand and eighty seven dollars (**\$9,087**) to come from the Unassigned Fund Balance and nine thousand four hundred and thirty five dollars (**\$9,435**) to be funded by the withdrawal of this amount from the Conservation Fund. 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, 2027, 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 a vote of 10-0.) (No amount to be raised by taxation.)

WITHDRAWAL FROM THE CEMETERY MAINTENANCE GIFTS AND DONATIONS FUND

ARTICLE 15. To see if the Town will vote to raise and appropriate the sum of fifteen thousand nine hundred ninety-one dollars (**\$15,991**) to be used towards funding maintenance of the Town Cemeteries and to authorize funding this appropriation by the withdrawal of such sum from the Cemetery Maintenance Gifts and Donations Fund (established by the Select Board on January 5, 2000).

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 10-0.) (No amount to be raised by taxation.)

STANDARD AND OPTIONAL VETERANS' TAX CREDIT (RSA 72:28)

ARTICLE 16. Shall the town vote to readopt the provisions of RSA 72:28, Optional Veterans' Tax Credit? If readopted, the credit will apply to every resident of this state who is any person who is a veteran, as defined in RSA 21:50, and served not less than 90 days on active service in the armed forces of the United States in any qualifying war or armed conflict listed in this section, and continues to serve or was honorably discharged or an officer who continues to serve or was honorably separated from service; or the spouse or surviving spouse of such resident, provided that training for active duty by a member of the national guard or reserve shall be included as service under this subparagraph; (b) Every resident of this state who was terminated from the armed forces because of service-connected disability; or the surviving spouse of such resident; and (c) The surviving spouse of any resident who suffered a service-connected death. If adopted, the credit granted will be \$500.00, which is the amount adopted by the town in 2023 (Majority vote required.) (Recommended by the Select Board by a vote of 3-0) (No amount to be raised by taxation.)

NOTE: This article is required because the legislature expanded the eligibility criteria for this credit to include individuals who have not yet been discharged from service in the armed forces.

ALL VETERANS' TAX CREDIT (RSA 72:28-b)

ARTICLE 17. Shall the Town vote to readopt the provisions of RSA 72:28-b, All Veteran's Tax Credit? If readopted, the credit will be available to any resident who is a veteran, as defined in RSA 21:50, and served not less than 90 days on active service in the armed forces of the United States and continues to serve or was honorably discharged or an officer who continues to serve or was honorably separated from service; or the spouse or surviving spouse of such resident, provided that training for active duty or state active duty by a member of the national guard or reserve shall be included as service

under this paragraph; provided however that the person is not eligible for and is not receiving a credit under RSA 72:28 or RSA 72:35. If adopted, the credit granted will be \$500.00, the same amount as the optional veterans' tax credit voted by the Town under RSA 72:28. (Majority vote required.) (Recommended by the Select Board by a vote of 3-0) (No amount to be raised by taxation.)

NOTE: This article is required because the legislature expanded the eligibility criteria for this credit to include individuals who have not yet been discharged from service in the armed forces.

LYME COMMUNITY POWER ELECTRIC AGGREGATION PLAN

ARTICLE 18. To see if the Town will vote to adopt the Lyme Community Power Electric Aggregation Plan, finalized January 12, 2024 by the Lyme Electrical Aggregation Committee and to further authorize the Select Board to develop and implement Lyme Community Power, and to take all action in furtherance thereof, pursuant to New Hampshire Statute Section 53-E. (Majority vote required.) (Recommended by the Select Board by a vote of 3-0.) (Recommended by the Energy Committee by a vote of 5-0.) (No amount to be raised by taxation.)

REPORTS OF AGENTS, AUDITORS & COMMITTEES

ARTICLE 19. To hear reports of Agents, Auditors, Committees or other officers heretofore chosen, and to pass any vote relating thereto. (Majority vote required)

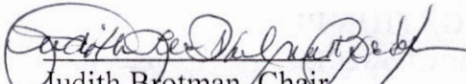
OTHER BUSINESS

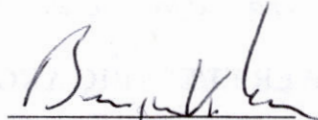
ARTICLE 20. To transact any other business that may be legally brought before this Town Meeting.

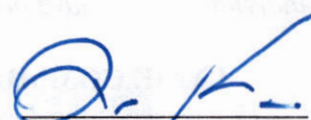
Given under our hands and seal of the Town of Lyme this 8th day of February 2024.

Town of Lyme

Select Board

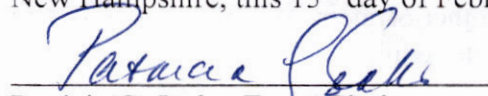

Judith Brotman, Chair


Benjamin Kilham


David Kahn

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 13th day of February 2024.


Patricia G. Jenks, Town Clerk