

Lyme Planning Board Minutes
12/11/2025

Board Members and Staff Present: Richard Menge Chair; Tim Cook, Vice Chair; David Kahn, Select Board Representative; Vicki Smith, Member; Nathaniel Niles, Member; Rich Brown, Alternate Via Zoom; Hebe Quinton, Alternate; David Robbins, Planning and Zoning Administrator.

Board Members Absent: None

Members of the Public Present: Lynne Parshall Via Zoom, Eric Pospesil Stanley Downs, Kathryn Downs

Item 1: Eric Pospesil, for Seth Downs, 2 lot Minor Subdivision.

Eric Pospesil gave the Board an over view of the subdivision plan.

The Board then reviewed the check list and noted the requested waivers below:

Under Section II Maps, subsection A- submission of a Topographic Map. The plan submitted with this application depicts 2' contours derived from publicly available LIDAR made available through UNH Granite GIS data base in collaboration with the NH Geological Survey. The plan submitted is based on both the horizontal and vertical datums used in the output of this data. It accurately depicts the conditions of the site, and a separate plan is redundant.

Under Section II Maps, subsection B - submission of a Conservation District Map. The plan submitted depicts the areas regulated by Conservation Districts as they relate to the smaller 5-acre lot being proposed. Due to the size of the remaining parcel, approximately 25 acres, we request that only the smaller lot depict the impacts as they relate to this regulation. The submitted plan does depict NRCS soils and topography to verify slopes. The areas adjacent to the smaller house lot have been delineated by a certified wetland scientist and the Wetland Conservation District and Soils of Local Importance are shown. The larger lot does have a State Approved Subsurface Wastewater System Approval as noted on the survey. An AutoCAD digital copy of the Conservation Districts that impact the proposed 5-acre lot has been submitted to the Planning and Zoning Administrator to verify their location. A separate map is redundant.

Under Section III Lot Size and Density Calculations - We request that the larger, approximately 25-acre lot be waived from this requirement. Due to the overall size and soils shown on the plan along with a construction approval for a septic system, this lot meets the requirements for building sites. No waiver is requested for the five-acre lot and lot size calculations are included with this application and shown on the plan. An AutoCAD digital copy of the Conservation Districts that impact the proposed 5 acre lot has been submitted to the Planning and Zoning Administrator to verify their location and calculations as presented in the written report.

Under Section V Surface Water Runoff, Sedimentation, and Erosion -No modification to the property at this time is being proposed to impact surface water. Any alterations to the larger lot due to development will be addressed through the building permit process.

Under Section V Preservation of Significant Natural and Historic Features - No significant Natural or Historic Features have been identified on this property.

Vicki Smith made a motion to consider the application complete with waivers.
Tim Cook seconded the motion.
Rich Menge called for a vote and the motion passed unanimously.

Chair Menge asked if there was any discussion of the plan.

The Planning and Zoning Administrator noted that one of the abutting properties had been sold and the notice list had been updated with the new owner information. The asked that the plat be updated with the new information.

Chair Menge voiced a concern that the proposed driveway, if it followed the “Woods Road” marked on the plat may not meet the driveway specification of the Zoning Ordinance. Planning and Zoning Administrator responded that he had been working with the property owner to create a driveway plan that would meet the specifications in the ordinance.

Vicki Smith noting that the lot had been subdivided in the past and would not qualify for “Freeby” lot as allowed in the Lot size definition. She stated that the provided lot size calculations, when the conservation district reductions are subtracted from the actual lot size, the final calculated lot size did not meet the two-acre minimum for the Commercial Zoning District. This makes the smaller proposed lot non-conforming and the Board not having the jurisdiction to waive a non-conforming lot size, would not be able to approve the subdivision.

The applicant was willing to re-size the smaller lot to ensure it met the 2-acre minimum and re-submit the plan. The Board considered making a conditional approval but rejected the idea as a majority of the members wanted to review the final plat to ensure that no new issues were created with a change in the lot size.

The applicant was asked if they could make the changes before the Boards next meeting on January 8th, 2026. They stated that they could.

Vicki Smith then made a motion to continue to January 8th,2026 at 7:00pm to give the applicant time to revise the lot lines to ensure that the minimum lot size is met.

Rich Menge called for a vote and the motion passed unanimously.

Item 2: Public Hearing Curb Cut Regulations.

The Board proposes to revise the definition of Grade in the Curb Cut Regulations as follows:

GRADE: The grade of the access way curb cut shall fall away from the road at 3%, + or – 1% for the first 20 feet. The grade for the next 10 feet shall be no greater than 8%. The grade of the remainder of the access way and its effect on the access way curb cut shall be subject to the requirements of Article IV of the Zoning Ordinance. The object of this standard is to prevent storm water damage to the town road from the proposed access way.

Rich Menge opened the public hearing. He noting there were no members of the public present for the hearing. The Board read through the changes to the grade definition. Chair Menge asked the Board members if they had any comment, there being none he asked for a motion.

Nat Niles moved to revise the Curb Cut with the new definition of grade.
Tim Cook seconded the motion.
Rich Menge called for a vote and the motion passed unanimously.

Item 3: Acceptance of minutes from 11/13/2025

Vicki Smith moved to approve the minutes as amended.
Tim Cook seconded the motion.
Rich Menge called for a vote and the motion passed unanimously with David Kahn abstaining as he did not attend the meeting.

Item 4: Housing Survey discussions.

Chair Menge stated that there were concerns about the survey results due to an alternate member posting the survey and their response to the questions on their personal blog. He noted that the reason for the cancelation of the meeting on 12/04/25 was to give Town Counsel time to give a legal opinion.

The Board discussed a blog posting by an alternate member and if they believed the survey results could have been influenced.

The consensus of the regular board members was that there was no way to determine if the survey was influenced or not, but could not trust the integrity of the results.

Lynne Parshal, a member of the public voiced her opinion that any survey could be influenced by any data available to the respondents.

Nat Niles moved to not interpret the results and the board believes the data should not be used.

Rich Menge called for a vote the motion passed unanimously.

Item 5: Setting a date and time for a Public Hearing for a petitioned zoning amendment.

The Planning and Zoning Administrator noted that the Town had received a petition zoning amendment. Copies were given to the Board Members. The administrator stated that the Board must set a date for a public hearing on the petition amendment and suggested the first meeting in 2026 on January 8th. The Board agreed and set the date for the public hearing on January 8th, 2026.

The meeting adjourned at 9:17 pm.

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