

Lyme Planning Board Minutes
1/8/2026
Draft

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

Board Members Absent: Nathaniel Niles, Member;

Members of the Public Present: Jennifer Boylston, Lynne Parshall, Jo Steele, Pat Pippin, John Stadler, Michael Whitman, Patrick Mendyka, Richard Trefren, Alli Schwartz, JJ Pippin, Jim Kormani, Mark Schiffman

Members of the Public Via Zoom: Liz Carey, Lynore, Sue MacKenzie, Bill Malcolm, Barbara Woodard, Virginia Beahan, Sheila MacDowell, Fielding Essensa, Lin Brown, Liz Ryan Cole, Ellen Hender, Eric Pospesil, John Campbell, 16037, Karen Menge, Sean Uiterwyk, Sarah Eck, Dana, Joseph Horrell, Matt Brown, Leigh Prince, Ben Hass, Kevin Isett, Jonathan Voegele, Kristin Kelly, Charles Cole, Peggy Plunkett

Item 1: Public hearing for petition zoning amendment.

The Town received the following petitioned zoning amendment:

Are you in favor of amending the Lyme Zoning Ordinance by amending subsection 4.46 G and adding a new subsection 4.46 H as follows:

G. [AMENDED] Any building that is outside the Lyme Center, Lyme Common, or Commercial Zoning Districts, may be converted into no more than 6 units.

H. [NEW] For any building that is within the Lyme Center, Lyme Common, or Commercial Zoning Districts, if the building is more than 5 years old, it may be converted into no more than 6 commercial units and any number of residential units that fit into its existing structure, plus up to 15% to accommodate changes to the structure to support the conversion; and if the building is less than 5 years old it may be converted into no more than 6 units.

Chairman Menge opened the public hearing and asked the petitioner, Pat Pippin to give a synopsis of the petitioned amendment. Lynne Parshall, speaking for Pat, described the purpose of the amendment as to allow the repurposing of older buildings in Lyme into multi-dwellings that would house a larger number of dwelling units than would be allowed under the current zoning with the hopes that it would provide a greater number of dwelling units that would be more affordable.

The Board felt there were several issues with the proposed amendment. First the sentence that included “any number of residential units that fit into its existing structure”. There was concern that “fit” was ambiguous, it did not define who made the determination and set no minimum size for a residential unit. It was also noted that the “plus up to 15% to accommodate changes to the structure to support the conversion” did not have a defined

unit. The zoning administrator would not be able to approve an increase in size without that definition. Several members also believed that the proposed language was in conflict with other articles in the zoning ordinance.

Rich Menge asked if there was any comment from the members of the public. Several people spoke in favor of the proposed amendment; nobody spoke against it. There being no other comment Rich Menge asked if there was a motion.

Tim Cook moved to disapprove of the petition amendment.

David Kahn seconded the motion.

Rich Menge called for a vote and the motion passed with Tim Cook, David Kahn, Rich Menge voting in favor of the motion. Vicki Smith voted against.

Item 2: Continuation of the Downs Subdivision.

114 Dartmouth College Highway, Tax map 401 Lot 13.1

Rich Menge re-opened the subdivision hearing. He noted that the corrections to the plat had been made and the smaller lot had increased in size to make it conforming to the 2-acre lot size requirement. Vicki Smith noted that the square foot lot size calculation did not match the acre calculation. Eric Pospesil, the surveyor, stated that the discrepancy was due to a rounding issue and showed the Board how the calculation was created.

Vicki Smith moved to approve the subdivision with the waivers approved during the meeting on December 11, 2025 (Listed Below).

Waivers:

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.

David Kahn seconded the motion.

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

Item 3: Acceptance of minutes from 12/11/2025

The Board started discussing the minutes.

During the discussions, Rich Brown passed out a letter he had written stating that he had retained counsel and would like the Board to make a public statement and modify the minutes as per his letter.

Davis Kahn suggested to the Board that due to possible litigation that the Board table the minutes until input from Town Council can be obtained.

The Board agreed to table the minutes.

Item 4: Discussion of Proposed Zoning amendment for allowing buried propane tanks within the Shoreland Conservation District.

The Board reviewed the current draft language and made several changes for clarity and format, suggested by Vicki Smith.

The new language is listed below:

7. Underground propane tanks with the following additional conditions:
 - a) Where conservation districts overlap, the tank is not located in the Wetlands or Flood Prone Conservation Districts.
 - b) Designed and properly anchored to prevent flotation. The design and installation shall be certified by an engineer or other qualified professional. The elevation of the Seasonal High-Water Table

(SHWT), shall be included. In lieu of determining the SHWT, the tank installation may be designed assuming ground surface elevation to be the SHWT.

c) Submission of the elevation of the seasonal highwater table.

d) An installation plan shall be approved by the Lyme Fire Department.

C. Additional Provisions.

1. No use which utilizes, stores, processes or disposes of toxic substances which may pose a threat to surface or ground water quality, including underground fuel storage tanks other than propane are permitted.

With no further discussions, David Kahn moved to hold a public hearing on Thursday January 22, 2026 at 7:00pm.

Tim Cook seconded the motion.

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

The meeting adjourned at 8:50 pm.

Respectfully Submitted,

David A. Robbins

Lyme Planning and Zoning Administrator.