

**Town of Lyme**  
**LYME ZONING BOARD OF ADJUSTMENT**  
**Minutes – April 23, 2016**  
**Site Visit Lacroix Property**  
**216 Goose Pond Rd (Tax map 410 Lot 70)**

**Board Members:** Present - Rob Titus, Alan Greatorex, Bill Malcolm, Walter Swift

Absent- Frank Bowles

**Alternate Members:** Michael Woodard

Absent: Dan Brand

**Staff:** David Robbins, Zoning Administrator

**Public:** Kyle Lacroix (Applicant)

Rob called the meeting to order at 8:00 am and appointed Michael Woodard to sit as a regular member.

The applicant had placed stakes at each corner of the proposed shed.

Mike measured from the centerline of Goose Pond Rd into the property 100 feet to establish the Road Setback. He then measured 35 feet from the west property line to establish that property line setback. Alan measured the elevation change over the length of the shed and determined it to be approximately 6 feet. He noted that if the shed were to be placed further to the south, to be out of the setback, if it were placed on grade it would be inaccessible to vehicles. To make it accessible to vehicles a large amount of material would need to be excavated. Rob noted that the entire shed (1000 sq. ft.) would be within the road setback, the closest edge would be 44 feet from the road centerline.

Alan asked how the Board wished to deal with unpermitted shed that the Zoning Administrator had noted was placed on the property between 2005 and 2006. Walt moved to enter deliberations, Mike seconded the motion. Rob called for a vote and the Board voted unanimously to enter deliberations. The Board reviewed the requirements for an Equitable Waiver and determined that it met the criteria for a waiver.

Rob asked if the Board wanted to consider the access to the shed. Mike noted that both accesses to the property existed before zoning was enacted. Bill reviewed the ordinance and determined that the two access ways were allowed and the applicant did not need any relief from the Board as the access ways existed prior to the enactment of Zoning. The rest of the Board members agreed.

Rob asked if the Board had any further issues to discuss concerning the proposed shed. There being none Walt moved to approve a special exception under section 8.23 and an Equitable Waiver for the existing 10' X 10' (100 square feet) shed on the property of 216 Goose Pond Road (Tax map 410 Lot 70) with the following findings and conditions:

**Findings of Fact:**

The existing 10' X 10' shed was placed on the property by a previous owner without a permit.

The existing shed meets the requirements for Equitable Waiver.

The proposed shed will be 40' X 25' (1000 Sq. Ft.) entirely within the road setback.

The proposed shed cannot be reasonably located out of the road setback.

The proposed shed would use all of the 1000 square feet of expansion allowed under section 8.23.

The residence on the lot pre-dated zoning.

The requirements under section 10:40 were met.

No abutters provided comment.

**Conditions:**

The proposed shed will be placed as reasonably close to the location that was staked out for the Board.  
The eastern side of the shed will be no less than 44' (+- 5') from the centerline of Goose Pond Rd.  
The proposed shed will remain out of the 35' side setback to the west.

Rob called for a vote and the motion passed unanimously.

The meeting adjourned at 10:30 am

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