

Town of Lyme
LYME ZONING BOARD OF ADJUSTMENT
Minutes – January 19, 2017

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

Alternate Members: Dan Brand

Absent: Michael Woodard

Staff: David Robbins, Zoning Administrator; Adair Mulligan, recorder

Public: Karen Menge

Chairman Frank Bowles called the meeting to order at 7:30 pm. The minutes of the meeting of December 15 were approved on a motion by Walter seconded by Alan with a minor amendment.

Application #2016-ZB-66, James and Liz Kelsey (Tax Map 408 Lot 2)

The Kelseys have applied for a Use Variance to allow the use of the property and buildings at 39 Pleasant Street for hosting temporary events. The barn and the rest of the property, as needed, would be available to rent by private parties for weddings, family reunions, company outings, and local fundraisers. David reported that the applicants had not contacted him or sent further information, and made no subsequent request for continuation. Voted to deny the application based on lack of further information, on a motion by Walter seconded by Alan.

Application #2017-ZB-01, Karen Menge and Matthew Fritz Feick (Tax Map 401 Lot 52)

Karen Menge and Matthew Fritz Feick have applied to the Lyme Zoning Board of Adjustment for a special exception under section 8.25 of the Zoning Ordinance to construct a 1000sf addition to the existing barn that will include a connection between the barn and the existing house on their property at 61 Dartmouth College Highway in the Rural District. Karen Menge explained that the house and barn are currently not attached. They plan to move to Lyme full time and need more space. They want to renovate the barn into living space and plan a breezeway between the house and barn to link them. The rear of the addition would be 137 feet from Hewes Brook. No new bedrooms will be added, although they may add a bathroom to the barn.

Walter asked if the use will be entirely residential. Karen said yes noting that the ceilings in the upstairs of the house are just six feet so that this part of the house is only minimally useable. David displayed a map of the brook's floodplain and noted that the house has been certified as being out of the 100 year floodplain. The new addition will be at the same elevation. Dan said that he monitors the conservation easement on abutting land, that does not extend beyond the boundary of the brook. David confirmed that the excess lot coverage allowed by the ordinance has not been previously used.

Deliberations: Walter asked if the additions would create an additional footprint of 1700sf by joining the buildings. He noted that an increase in lot coverage does not require a special exception here because the project does not approach the limits for the lot. The board discussed the meaning of section 8.25 and advised that the Planning Board should look closely at the language. Once an addition is made to a pre-1989, pre-zoning structure, it is no longer considered to be that.

Out of Deliberations: David reminded that the board is considering the footprint restriction, and that the applicants could request a permit to add lot coverage for a structure that is not attached to the house/barn. In fact, they could increase lot coverage up to 5,844sf; it is currently 3,372sf as proposed.

Deliberations: Frank moved to grant a special exception under section 8.25 to add 1000sf to the existing house and barn with the following findings of fact:

- The criteria of section 10.40 are met
- The allowable lot coverage is 5,844sf
- With the addition, the structures will be connected to become one primary structure with a footprint of 3,372sf
- This leaves 862sf of lot coverage remaining
- The entire proposed resulting structure is intended for residential use
- Testimony has been received that no additional bedrooms will be added to the three-bedroom home

- Conditions are that no further additions to the footprint of the primary structure may be made and best construction practices will be used.

Rob seconded the motion and it was unanimously approved.

Out of Deliberations: Karen asked if a detached garage with a square footage less than 862sf could be built in the future, and David confirmed that it could.

Meeting adjourned 8:25pm

Respectfully submitted,
Adair Mulligan, Recorder