

Town of Lyme
LYME ZONING BOARD OF ADJUSTMENT
Minutes – February 16, 2017

Board Members: Present - Frank Bowles, Rob Titus, Alan Greatorex

Absent: Walter Swift, Bill Malcolm

Alternate Members: Dan Brand, Michael Woodard

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

Public: James Black, Flora Krivak-Tetley, Chris Brown

Chairman Frank Bowles called the meeting to order at 7:30 pm. The minutes of the meeting of January 19 were approved on a motion by Rob seconded by Alan. Frank appointed Mike and Dan to sit as regular members.

Application #2017-ZB-03, James Black and Flora Krivak-Tetley (Tax Map 402 Lot 7)

The property owners have applied for special exceptions under sections 8.23 and 8.25 to construct a 16' x 16' addition to their house at 234 Dartmouth College Highway in the Rural District. The proposed addition will exceed the maximum allowed building footprint by 68sf and 80sf of intrusion into the road setback.

The lot is a preexisting non-conforming lot of just under an acre (42,406sf). The current house was built in 1947. The maximum allowed footprint is 848sf. The maximum lot coverage is 5,088sf. The total used lot coverage is 1,348sf. The residence is 660sf. The garage, not attached, is 528sf. The shed is 160sf. The addition to the house will add 256sf to the residence, for a total of 916sf. The new total lot coverage will be 1,604sf (under the maximum allowed). The right of way for Route 10 south of the Lyme Common is 35' from the centerline. The first five feet of the addition facing the road will be in the road setback, totaling 80sf of intrusion (5' x 16').

James Black explained that he would like to add a studio to his house, which he said is small and cramped. He makes quilts, which require much floor space but produce little waste and will engender no traffic to the studio. Alan asked for clarification on dimensions in the drawing that did not seem to match the tax card. David said that after accompanying the former tax collector on site visits, he preferred to take the property owner's word on dimensions over the tax card. He said he drew the land area from his GIS data.

Rob asked why the application cited section 8.23 instead of 8.22. It was agreed that 8.22 was more appropriate as it deals with non-conforming situations.

Abutter Chris Brown said that she supports the application.

Deliberations: Rob moved to grant a special exception under sections 8.22 and 8.25 to add a 256sf addition to the existing house with the following findings of fact:

- The house was built in 1947
- The existing residence is separate from the garage and is 660sf
- The house is a preexisting nonconforming structure due to its setback
- The addition will amount to 256sf for a total of 916sf based on the Zoning Administrator's testimony
- This will exceed the maximum allowed footprint by 68sf
- The road setback is 75 feet in the Rural District
- The addition will intrude a total of 80sf into the setback, so a special exception is required
- An abutter spoke in support of the application
- Given the applicant's sketch with the addition's location identified, the proposed location is the most reasonable one and the addition cannot be reasonably located outside the road setback
- Section 8.22 allows up to 1000sf of intrusion, and this project will use 80sf
- Section 8.25 establishes the maximum footprint permitted, 848sf.
- This project will exceed it by 68sf, and the total lot coverage will be 916sf, so nearly 300sf of additional lot coverage is available for future expansion.

- The conditions of sections 8.22 and 8.25 are met
- The criteria of section 10.40 are met
- Conditions: best practices will be used in construction.

Mike seconded the motion and it was unanimously approved.

Meeting adjourned 7:55pm

Respectfully submitted,

Adair Mulligan, Recorder