

Town of Lyme
LYME ZONING BOARD OF ADJUSTMENT
Minutes – September 19, 2019

Board Members: Present - Frank Bowles, chair; Michael Woodard, Alan Groatorex, Sue Ryan

Absent - Bill Malcolm

Alternate Members: Lynne Parshall

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

Public: John and Helen Skelly, Jim Johnson

Chair Frank Bowles called the meeting to order at 7:32 pm. The minutes of the meeting of August 15 were approved on a motion by Mike seconded by Alan with minor grammatical corrections. Frank appointed Lynne to sit as a regular member.

Application #2019-ZB-65 – John and Helen Skelly (Tax Map 415 Lot 1) 22 Pony Hill Lane

John and Helen Skelly have applied for a Special Exception under section 8.25 to add a 472sf addition to their residence in the Rural District. The new addition will exceed the maximum building footprint as set forth in section 5.14 of the Zoning Ordinance. The Skelly property is a 5.5 acre lot with a significant amount of Wetland and Shoreland area on the south side. This area has reduced the allowable building footprint to 1,145sf. The current house, built in 1986, has a footprint of 1,336sf. The proposed construction does not impact the Wetland and Shoreland Conservation Districts. John Skelly explained that the single story addition would be 10' x 12' and 22' x 16' on the north side of the house that will include a first floor bathroom, a partial loft for grandchildren, and no additional bedroom. He distributed scale drawings. David pointed out that Trout Brook runs on the south side and greatly affects the lot coverage allowance. He has no concerns. The current house was built before zoning.

Deliberations: Mike reviewed each part of section 8.25 and the board agreed that parts A and B do not apply. He reviewed each part of section 10.40 and the board agreed that the project meets the requirements. Alan moved to grant a special exception under section 8.25 to construct a 472sf addition to an existing house with the following findings of fact:

- The property is a 5.5 acre lot with a significant amount of Wetland and Shoreland area on the south side
- The existing structure has a footprint of 1,336sf
- The allowable building footprint on this lot is 1,145sf after the wetland reduction is applied
- The setbacks from the property lines are not an issue
- The original house predates zoning, having been built in 1986 according to the tax card and is a pre-existing non-conforming use
- The proposed addition of 472sf does not exceed the 1000sf of additional footprint allowed by Section 8.25A
- The allowable lot coverage of 26,136sf will not be exceeded
- There was no comment from the Conservation Commission
- An abutter indicates that he supports the project
- Conditions of section 5.14 are satisfied
- Conditions of section 10.40A, 1-14 are either met or are inapplicable to this proposal
- Condition: best construction practices will be used to control erosion and sedimentation. This was explained to John and to his neighbor and builder, Jim Johnson. It was noted that the state prefers that an energy audit be done, but because the state has not provided funding or training to facilitate this, David will not require it.

Lynne seconded the motion and it passed unanimously. Out of deliberations.

Adair asked for an outline or template to guide the construction of motions, suggesting that it could assist the board in issuing thorough decisions and help the recorder. Sue advised that distinct templates be prepared for special exceptions and variances. The board agreed this would be useful; Frank and others will work with David to prepare a draft. Members agreed that while considering section 10.40 for special exceptions, the board could be asked (except in potentially contentious cases) to pause and silently review each aspect of that section rather than have a board member read the entire section aloud. For variances, each aspect of section 10.50 should be read aloud.

Meeting adjourned 8:26pm

Respectfully submitted,

*1- Lyme Zoning Board of Adjustment
Draft Minutes of September 19, 2019*

Adair Mulligan, Recorder