

Town of Lyme
LYME ZONING BOARD OF ADJUSTMENT
Minutes – September 16, 2021

Board Members: Present - Frank Bowles, chair; Judith Timchula- Bill Malcolm (by phone)

Absent: Sue Ryan, Lynne Parshall

Alternate Members: Present – Helena Witte

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

Public: Kerri and Andrew Gandin

Chair Frank Bowles called the meeting to order at 7:30 pm and appointed Helena Witte to sit as a regular member. Minutes of the August 19 meeting were approved with correction of a typo on a motion by Judith seconded by Helena.

Application #2021-ZB-64 –Kerri and Andrew Gandin (Tax Map 404 Lot 1) 23 Storrs Hill Lane

The Gandins have applied to the Lyme Zoning Board of Adjustment for a Special Exception under section 4.64B of the Lyme Zoning Ordinance to construct a new house within the Agricultural Soils Conservation District on their property in the Rural District. Once the new house is completed the old house will be removed. Kerri Gandin explained that they moved to the area two years ago and realized their home needed substantial renovation. Contractors recommended that it would be more expensive to renovate than to build new. The entire property is within the Ag Soils District except for an area that is too steep. Kerri said that they are prepared to put the rest of the land in a zoning easement.

David noted that two houses cannot remain on the same parcel, and town counsel has recommended in such cases that the owners establish a bond or escrow account to which the town has access which will provide funds to remove the abandoned house if it is not done in a timely fashion. He added that there is a stream on one part of the property and that the proposed location for the new house seems like the best spot and stays away from the best soils. A new curb cut permit will be needed.

Deliberations: Frank explained that he has drafted a template for board findings. He noted that the existing house predates zoning and asked about the status of the exclusion zone envelope around it. David confirmed that this would remain and that the new house would not have such an exclusion zone. The area to be excluded from the zoning easement includes the excluded zone but is not part of the area calculations. Frank moved to grant a Special Exception under section 4.64B with the following findings:

- There is an existing structure on the lot and the exclusion zone around it will continue
- Agricultural soils are present on the lot and the owner has agreed to execute a zoning easement as specified in 4.64B that will cover 75% of the area in the Agricultural Soils Conservation District and exclude 25%
- No lot calculations are necessary given the large size of the lot
- The owners wish to build a new house in the 25% excluded area because the current house is structurally unsound and too close to the road
- Letters of support have been received from three abutters
- Conditions of section 10.40 are met

The motion was seconded by Judith and approved unanimously by three members of the board present.

David said that he would address the issue of the remaining original house. A survey is not required but David will submit a map to be recorded with the easement.

Out of Deliberations

Meeting adjourned 8:11 pm

Respectfully submitted,

Adair Mulligan, Recorder