

**Town of Lyme**  
**LYME ZONING BOARD OF ADJUSTMENT**  
**Minutes – October 17 2019**

**Board Members:** Present - Frank Bowles, chair; Michael Woodard, Alan Greatorex, Sue Ryan Bill Malcolm

**Alternate Members Absent:** Lynne Parshall

**Staff:** David Robbins, Zoning Administrator.

**Public:** Eric Richter.

Chair Frank Bowles called the meeting to order at 7:30 pm. The minutes of the meeting of September 19 were approved on a motion by Frank seconded by Alan.

**Application #2019-ZB- – Eric Richter (Tax Map 415 Lot 1) 22 River Road.**

Frank asked Mr. Richter to describe his project. Mr. Richter stated that he would like to add a roof, totaling 72 square feet, over the side entrance to his house. He noted that this was the main entrance to the house and the roof above channeled water and snow directly onto the stairs and landing. The intent was to provide a safe entrance into the house during inclement weather.

The Zoning Administrator noted that the new roof area was located in the flood zone but noted that the flood plain ordinance would allow the addition and that the proposed roof area was not located in any other conservation districts. He also noted the new roof was only 60 feet from the centerline of the road and the current house, built in 1768, already exceeded the maximum building footprint for the lot.

Frank asked if there were any questions from Board. There being none he moved to go into deliberations. Mike seconded the motion and with a unanimous vote the Board entered deliberations.

Deliberations: The Board reviewed section 8.22 A. and B. and determined that the requirements were met as the total area of the addition (72 sqft) was under 1,000 sqft and because the addition was over a fixed doorway with stairs and a landing it could not be located outside of the setback. The Board noted that the entrance was the side door and not the front entrance, which is much closer to the road. The Board then reviewed the requirements of section 8.25 A,B,C. The Board determined that the requirements were met as the as the total area of the addition (72 sqft) was under 1,000 sqft, the total footprint of the residence and the addition did not exceed 7,000 square feet and the original structure was built pre-zoning (1768). The individual Board members took a few minutes to review section 10.40 A and B. It was the consensus of the Board that all the applicable requirements were met. Sue moved to approve the application for special exceptions under sections 8.22 and 8.25 with the following findings of fact:

- The lot is a nonconforming lot within the Rural Zoning District with 1.8 acres.
- The pre-zoning (1768) residence (2,639 sqft) currently exceeds the maximum building footprint for the lot (985 Sqft).
- The proposed addition is a 72 square foot roof over the side entry of the house.
- The proposed addition would be allowed within the flood prone area zoning district.
- The proposed addition does not intrude within any other conservation district.
- The proposed addition would be 60 feet from the centerline of the road whereas the required setback in the Rural District is 75 feet.
- The original portion of the house intrudes further into the setback than the proposed addition.
- The proposed addition meets the requirements of sections 8.22 and 8.25.
- 928 square feet remain available for future construction under section 8.22 and 8.25.

Frank seconded the motion.

Alan suggested that the motion as stated did not properly address section 10.40 and proposed an amendment that the proposed addition met the applicable section of 10.40 and to set a condition under section 10.40 B as: Best construction practices will be used to control erosion and sedimentations.

Frank move to approve the amendment to the original motion.

Mike seconded the motion.

Frank called for a vote and the Board approve the amendment.

Frank then called for vote on the amended motion and the Board unanimously voted to approve the motion

Out of deliberations.

The board held a short procedural discussion on how to apply section 10.40. Bill suggested and the Board agreed that instead of individually reading through the section 10.40 and deciding if each of the requirements were applicable, met or not met, for consistency the Board should review each requirement openly in the meeting. Additionally the Board decided that they would like a check list for section 10.40 to be included with each application that they can use when reviewing the application.

The meeting adjourned at 8:12 pm.

Respectfully submitted,

David A. Robbins

Lyme Planning and Zoning Administrator.