

Town of Lyme
LYME ZONING BOARD OF ADJUSTMENT
Minutes – May 18, 2023

Board Members: Present - Bill Malcolm, vice chair; Zoe Washburn, Helena Witte

Alternate Member: Present - Judy Timchula

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

Public: Curtis Shepard, Chris Jackson, Michael Whitman, Lynn McRae

Vice Chair Bill Malcolm called the meeting to order at 7:02 pm and appointed Judy Timchula to sit as a regular member. Minutes of the April meeting were approved on a motion by Judy, seconded by Zoe.

Application #2023-ZB-17– Curtis Shepard (Tax Map 402 Lot 93) 131 River Road

Curtis Shepard has applied for a Special Exception under sections 8.22 and 8.25 to construct an addition at the rear of the house and a covered entryway on the front of the house at his property in the Rural District. The addition and the entryway both exceed the maximum lot coverage and footprint as specified in sections 5.14 and 5.15 of the Lyme Zoning Ordinance. Both are located within the setbacks described in section 5.13. David Robbins noted that the lot is small and the house predates zoning. There will be a full foundation under both additions.

Deliberations: Discussion centered on the setbacks, with Bill noting that nothing could be built that would not be in the side and front setbacks. The rear setback is not at issue. Filling in a void at the rear of the building does not present more of an intrusion than already exists. Nine feet of the front porch would intrude in a setback and 23 feet of the addition would intrude, for a total of 336sf of intrusion. The Board reviewed the requirements of section 8.22 and found:

- A. The addition cannot be reasonably be located outside the setback as the majority of the structure is within the setback.
- B. The 366 sf addition will not exceed the 1000 square limitation. 634 square feet will be left for future expansion.

The Board then reviewed the requirements of section 8.25 and found:

- A. The 366 sf addition will not exceed the 1000 sf limitation. 634 sf will be left for future expansion.
- B. The maximum building footprint including the addition will not exceed the 7000 sf limitation.
- C. Based on the information on the Tax Card the original structure was built in 1963, prior to the enactment of zoning.

The Board reviewed the requirements of Section 10.40A 1-14 and found that they were met where applicable. The Board then reviewed section 10.40 B and will require best construction practices will be used, all required permits will be secured, the project will be completed according to the plan submitted, and the applicant will remove the shed before or during construction.

Helena moved to approve a Special Exception under sections 8.22 and 8.25 with the above finding and the following additional findings:

- the building already exceeds the maximum allowed footprint and lot coverage by 59sf
- a 297sf shed will be removed and the additions will amount to 520sf, resulting in an increase in 282sf
- the new lot coverage will be 2,288sf (after removal of the shed)
- the new footprint will be 1,768sf

Zoe seconded the motion and it passed unanimously.

Out of Deliberations:

Application #2023-ZB-16– Chris Jackson (Tax Map 201 Lot 101) 21 Dorchester Road

Chris Jackson has applied on behalf of Michael Whitman and Lynn McRae for a Special Exception under section 8.25 to construct a 262sf breezeway/porch between the house and garage at their property in the Lyme Common District. Chris explained that the breezeway will connect these separate structures to facilitate aging in place as encouraged by the Lyme Master Plan. David pointed out that this will make one building out of two, which will then exceed the maximum footprint and lot coverage of the house.

Deliberations:

The Board reviewed the requirements of section 8.25 and found:

- A. The 262 sf addition will not exceed the 500 sf limitation. 238 sf will be left for future expansion.
- B. The maximum building footprint including the addition will not exceed the 4500 sf limitation.
- C. Based on the information on the Tax Card the original structure was built in 1925, prior to the enactment of zoning.

The Board reviewed the requirements of Section 10.40A 1-14 and found that they were met where applicable. The Board then reviewed section 10.40 B and will require best construction practices will be used, all required permits will be secured, the project will be completed according to the plan submitted, and the applicant will remove the shed before or during construction.

Judy moved to approve a special exception under section 8.25 with the above finding and the additional finding below: findings:

- the breezeway will connect the house and garage to protect occupants from the elements.

Zoe seconded the motion and it passed unanimously.

Out of Deliberations

The board discussed Section 10.40A review procedure.

Meeting adjourned 8:02 pm

Respectfully submitted,
Adair Mulligan, Recorder