

Town of Lyme
LYME ZONING BOARD OF ADJUSTMENT
Minutes – January 18, 2024

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

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

Public: Curtis Shepard

Chair Bill Malcolm called the meeting to order at 7:03 pm.

Minutes of the September 21, 2023 meeting will be reviewed at the next meeting.

Application #2024-ZB-01– 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 a 10' x 40' deck in the rear of the residence at 131 River Road. The entire deck exceeds the maximum lot coverage and footprint as specified in sections 5.14 and 5.15 of the Lyme Zoning Ordinance. 110 sf of the deck will fall inside the property line setback and as described in section 5.13 of the Ordinance.

On May 18, 2023, the ZBA granted a special exception under sections 8.22 and 8.25 to construct an addition and covered entryway, totaling 580sf, leaving 480sf for future expansion. Bill Malcolm pointed out that if the deck is built as proposed, it would leave only 80sf for future expansion. Curtis replied that he now plans to reduce the size of the deck to 10' x 28' or 280sf. Discussion ensued about whether he should seek a special exception for 400sf or 280sf, and he decided to apply for 280sf. This would leave 200sf for future expansion.

The change would not affect the setback intrusion, which had 634sf left for future expansion. This project would leave 524sf for future expansion in the setback.

Deliberations: Bill moved to approve a Special Exception for a 10'x'28' deck under sections 8.22 and 8.25, with the following findings:

- the application meets the requirements of 8.22A in that the deck cannot be reasonably located outside the setback
- the project will consume 280sf of intrusion in the setback, leaving 524sf for future expansion
- Items regarding Section 8.22 A-C were debated at the May, 2023 meeting
- no abutters were present nor comment offered
- the application meets the requirements of section 8.25, building footprint and lot coverage
- the deck will consume 280sf of building footprint and lot coverage, leaving 200sf for future expansion
- the application meets the requirements of section 10.40A 1-14 as applicable

Bill recommended that the board impose the following conditions under section 10.40B: construction consistent with the plan submitted and use of best management practices. The motion passed unanimously.

Out of Deliberations

Discussion ensued regarding membership of the Zoning Board. David Robbins reported that an interested citizen has come forward and will likely join the board in the following months.

Meeting adjourned 7:26 pm

Respectfully submitted,

Adair Mulligan, Recorder