

**Lyme Zoning Board of Adjustment**  
**Minutes: April 17, 2008**

**Board members:** Present - Alan Greatorex, Chair; Ross McIntyre, Vice Chair, Jim Poage, Walter Swift  
Absent - George Hartmann, Frank Bowles, Margot Maddock, Jane Fant  
**Staff:** Francesca Latawiec, Zoning Administrator

Minutes of the March 20 meeting were approved on a motion by Jim Poage, seconded by Ross McIntyre.

**Dwight Lahr and Beatriz Pastor, represented by Pathways Consulting, LLC, (Tax Map 201, Lot 134), 35 Dorchester Road,** have requested a special exception to construct a driveway through the Steep Slopes District from Dorchester Road to a future building site. A house and septic system are also proposed. Planning Board comments on the proposed project are pending.

Alan Greatorex opened the hearing on the proposed project. Jim Poage recused himself from sitting as a voting member on the case, as he is an abutter. The board looked at the plan in a general fashion and voted to enter into deliberations upon a motion by Walter Swift, seconded by Ross McIntyre.

Deliberations: Alan Greatorex said that the project was similar to the previously heard Stout project. Due to an unwillingness of the current applicant's abutters to grant an easement from the other side of the property where their proposed house site is, the only option to access lot 134 for a building site is from Dorchester Road.

It was noted that the plan did not show the location of a dug well on the applicant's property that used to service the Strout's trailer which is no longer there. There was a question of the water rights to that well.

Walter Swift asked if the proposal was being considered as being in the Lyme Common or the Rural zoning district. Alan Greatorex stated that the application identified the project as being in the Rural District.

Out of Deliberations: The board voted to come out of deliberations upon a motion made by Walter Swift and seconded by Alan Greatorex.

Ross McIntyre made a motion to continue the hearing until 8:10 at the next ZBA meeting on May 15, 2008. That motion was seconded by Walter Swift and passed unanimously.

Jim Poage stated that he would like to comment as an abutter at the continued hearing, but he will be moving to Cambridge and unable to attend. Alan Greatorex requested that he submit his comments in writing so that they can be entered into the record of that hearing.

Walter Swift made a motion to congratulate Jim Poage for his years of service as a member of the ZBA and indicated that he will be missed. The motion was seconded by Alan Greatorex and passed unanimously.

Meeting adjourned 8:05 pm.

Respectfully submitted,  
*Francesca Latawiec*  
*Planning and Zoning Administrator*

To the Lyme ZBA:

I'd like to go on record with a couple of issues that came up during our very brief discussion of the Lahr proposal on April 17, 2008.

The first involves the rock and hard place problem of whether the lot is considered as being in the Lyme Common District or in the Rural District. My recollection of the lot map is road frontage of slightly more than 200 feet. That certainly allows creation of one or perhaps two lots in the Lyme Common District.

With much of the land in the lot located in the Rural District I believe the applicant has requested the lot be designated as Rural District. With less than 300 feet of road frontage the lot created by a minor subdivision should have been designated as Lyme Common District. My own preference would be to consider the lot as Rural District but some condition should be added that would preclude future subdivision into two Lyme Common lots.

Another minor point might be the aspect ratio of the lot. I think the lot has a ratio greater than 5:1. Does this cause a problem?

The plot plan presented at the April 17 meeting did not show a well that is located on the Lahr property but very close to my property line. This is a dug well that served the Strout trailer down close to Dorchester Road that is now part of my lot. It's not clear who has water rights on that well, how close the proposed driveway comes to the well and whether there are any restrictions regarding driveways and dug wells.

I'm very much in favor of the Lahr proposal but I feel that these issues should be clarified to avoid future problems.

Jim