

**Town of Lyme**  
**LYME ZONING BOARD OF ADJUSTMENT**  
**Minutes – September 15, 2011**

**Board Members:** Present - Ross McIntyre, Alan Greatorex, Walter Swift, Rob Titus

**Absent:** Frank Bowles

**Alternate Members:** Absent: Paul Mayo

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

**Public:** Don Metz, Peter Treadwell

Chairman Ross McIntyre called the meeting to order at 7:35 pm.

Minutes of the meeting of August 18, 2011 were approved on a motion by Alan seconded by Walt.

**Application #2011-ZB-79, Tami Dowd (Tax Map 201, Lot75) 9 Main Street in the Lyme Common District.**

David reported that Colin Robinson has requested a continuance to the next meeting on October 20, in order to have time for a licensed septic designer approve the plans. Walter moved to continue the hearing to the next meeting on October 20. Rob seconded the motion and it passed unanimously.

**Application #2011-ZB-83, Don Metz on behalf of Peter and Janice Treadwell (Tax Map 408, Lot 47.2) 18 Horton Lane in the Rural District.** The application is for a special exception to build a single family dwelling on the Treadwell property. The proposed building location is within the Hillside and Ridgeline Zoning District and therefore requires a special exception under section 4.66B of the zoning ordinance. David provided a corrected page of calculations. Don is still in the process of designing the house but has indicated that the footprint will be around 1000 sf and the single family structure will be a 1.5 story cape on a full basement.

There is a small area of Ag soils along Franklin Hill Road but this area will not interfere with this project.

Actual Lot Size	538,638 Square Feet (12.4 acres)	
<b>Conservation District Reductions</b>	<b>% reduction</b>	<b>Actual district area</b>
Steep Slopes (80 %)	112,627 square ft	140,784 square ft
National and State Soils (60 %)	36,790 square ft	61,316 square ft
Total Reduction	149,417 Square Feet (3.4 acres)	
Lot Size After Reduction	389,221 Square Feet (8.9 acres)	
Maximum Lot Coverage.	46,706 Square Feet	
Maximum Building Footprint	7000 Square Feet	

Don displayed a diagram showing sight lines for the Ridgeline and Hillside District, drawn from geodetic maps. He believes that the only public road from which the house could be seen would be the top of Baker Hill Road and from Acorn Hill, where the house would be viewed against the backdrop of the hill. It might be visible from Franklin Hill Road, but the area is deeply wooded. Don said his understanding is that the district's purpose is to prevent seeing a house on the very top of a hill.

Peter Treadwell said that there was a structure on the site in disrepair when he bought the property, and that he tore it down four years ago and buried the foundation. The driveway goes through the middle of the property. He swapped land with a neighbor and put a conservation easement on it to protect the trees, but the 2007 windstorm took down the pines.

Walter asked about steep slopes. Don said that the house site is not on steep slopes, but that there are some below it. Walter pointed out that the purpose of the Ridgeline and Hillside District is to prevent anything visible near or at the top of hills, whether or not there are trees, and referred to the district's description in 3.27.6, noting that vegetation cover does not count.

Ross noted that the road is not publicly maintained. Walter asked where else the house could be put on the property. Don pointed to a lower area west of the road. David prepared a topographic map for the project area

and overlaid lot lines on it, which Walter measured. David said he agreed that the site is in a flat area on the east side of the drive, adding that the Planning Board requires proof that a new lot has a house site. The Planning Board did not feel that the site was in steep slopes.

Deliberations: Ross suggested a site visit. Alan agreed. Ross moved to conduct a site visit at a time when the majority of board members could attend. Alan seconded this motion and it passed unanimously.

Out of Deliberations: Don offered to stake out the proposed house site. He thought there were a few places near the former Waterbury property on Acorn Hill from which the house would be visible. Walter moved to continue the hearing to Monday September 19 at 4 pm, when the board will meet on the site. Rob seconded the motion and it passed unanimously.

Meeting adjourned 8:37 pm  
Respectfully submitted,  
Adair Mulligan, Recorder