

**Town of Lyme**  
**LYME ZONING BOARD OF ADJUSTMENT**  
**Minutes – April 19, 2014**

**Board Members:** Present -Walter Swift, Acting Chair; Alan Greatorex, Bill Malcolm

Absent: Frank Bowles, Rob Titus

**Alternate Members:** Michael Woodard, Daniel Brand

**Public:** Dale and Patricia Hill (Applicants), Dave Roby, Roger Berger and Chris Berger

**Continuation of Hearing on Application 2014-ZB-11; Site visit at the Applicant's property on Horton Ln.**

Acting Chairman Walter Swift called the meeting to order in open session at 8:30am at the entrance to the property. Alternates Brand and Woodard remained appointed as members in the continuation. Swift summarized the goals for the site visit. Specifically, it would accept the applicants' identification of features and locations of development on the property. Then, in deliberation the board would address the application with respect to criteria regarding the Ridgeline & Hillside Conservation District and identify issues with respect to section 10.40 of the ZO. After that, the board would exit deliberations to accept comment from the applicant and members of the public present.

Testimony from the applicant:

The southeasterly corner of the proposed building site is located approximately 6 feet West of the local high point of the ridge on the property. Two small maples, approximately 4" in diameter at their stumps, and approximately 25 feet tall were identified at the original proposed location of the house, at the corner closest to the high point. The ridge of the proposed house would be approximately 28 feet above grade at that point. After further discussion it was determined that the location of the proposed building corner was approximately 60 ft. from the southerly property line, at variance with the applicants' drawing of 15 March 2014. The applicants mentioned that the location of the building relative to the topography and the property lines were only approximate.

The Board entered deliberations at about 8:45am.

The Board reviewed the criteria for special exceptions in the Ridgeline & Hillside District, particularly the requirement that "...*the use, to the maximum extent reasonably practicable, will not materially interfere with or degrade those visual features of the site or adjacent sites which contribute to the scenic character of the area ...*". The Board determined by inspection that the area around the proposed location of the building site was modestly flat with some depressions for some distance near the height of land, i.e., the ridgeline. The site is also thinly wooded, and the land drops off steeply to the east and west of the proposed building site.

The board identified an area approximately 50 feet northwesterly from the peak in a mild depression that appeared to significantly reduce the visual impact of the proposed structure when compared with the area generally identified by the applicant. The board further determined that the information contained in the applicant's drawing was insufficient and somewhat inaccurate in dimensional details identifying the location of the proposed buildings with respect to significant topographic features.

The board decided to request that the applicant provide a revised drawing that would more accurately define the location of building development relative to the South and West property lines, including important topographic features and the location of the leach field. The board noted that in the absence of an exact structure location, a "building zone" of some defined size to

be defined by the applicant might meet this requirement. The Board voted to authorize Dan Brand to represent the board in confirming the drawing information with respect to the features that were identified during the site visit.

The board then discussed the requirements of section 10.40 and the conditions that might be imposed in consideration of the sensitivity of the Ridgeline and Hillside District and the access to the property. The board identified the following issues to be addressed after receipt of the revised development drawing:

- 1) increases in the side or rear setbacks to limit development activity in these areas,
- 2) limitations on clearing of trees, and screening of the site, etc.
- 3) limitations on the size of the structures – height and footprint. The applicant's plan wasn't clear about the 3,000 SF figure,
- 4) provisions for access and/or turnaround by safety vehicles (fire trucks, etc.) at the driveway entrance
- 5) easements or building envelopes to control further development

The Board exited deliberations at 9:15 am.

The Board then requested that the applicant provide a revised plan with further detail. After a brief conversation clarifying the request, the hearing was continued to the next regular meeting May 15. Dave Roby thanked the ZB for it's thorough treatment of this application.

The meeting adjourned at 9:20 am.