

LYME ZONING BOARD OF APPEALS

PUBLIC HEARING

The Lyme Zoning Board of Appeals held its regular meeting

on July 20, 2017 at 7:30 p.m.

at the Lyme Town Hall, 480 Hamburg Road, Lyme, CT.

MEMBERS PRESENT: David Lahm Chairman, Judy Davies (alternate present but not seated, Winnifred Gencarella, Jack Sulger, John Kiker, Toni Phillips (alternate present but not seated), Fred Harger, Bernie Gigliotti ZEO, and Patsy Turner Secretary.

Lahm called the meeting to order at 7:30 p.m.

Lahm adopted the minutes of the June 2017 meeting.

Harger read the public notice.

2017-02

John and Noreen Lavoie, 4 Clark Road, Tax Map 12 Lot 34; an application to install a swimming pool within the front yard setback. When completed the pool would have a front yard setback of 40 ft. vs. 75 ft. required per section 7.3.

Lahm read into the record Section 8-6 (3) of the General Statutes the five- (5) requirements that have to be met before a variance can be granted.

Harger read the application, appeal, and denial.

2017-02

John and Noreen Lavoie, 4 Clark Road, Tax Map 12 Lot 34.

Lahm questioned Gigliotti if the certified mail receipts were received.

Gigliotti stated the receipts have been received.

Lahm waived the reading of the specific section of our zoning regulations and questioned if there were letters received from the public.

Gigliotti stated that there was no letter received. A phone call was received from Don Gerber, representing the Lyme Land Trust; the land trust has no opposition to the granting of the variance.

Lahm added that the proposed location of the pool is shown on the map. The as built of the septic system was used for the placement of the pool.

Present at the meeting were Aquatic Pool, Thomas _____.

Thomas explained the project; this is a project the home owners has wanted to do for a while. The property has two front yard setbacks due to the parcel being a corner lot. There is a 6 foot high fence along Route 82. A photograph of the area was passed around to the board members.

Harger questioned where the extra patio area would be located.

Thomas explained the patio is more of a walkway from the house.

Sulger questioned where the measurement of 40 feet is starting from?

Thomas stated the measurement starts from the existing fence/property line.

Sulger added the reason for setbacks from a roadway is to avoid cars striking the structure because of the proximity to the road.

Lahm called for additional information from Thomas the representative for the applicant.

Thomas commented he is present to describe the view from the road and the applicant's situation.

Lahm called for questions or comments from the board members.

Kiker questioned if there was any other place on the property for the placement of the pool?

Thomas answered there is not another area due to the existing deck and the location of the septic system.

Lahm stated with there being no other comments or questions, entertained a motion to grant the variance as proposed. Harger moved the motion and Sulger seconded.

Lahm called for a vote; Kiker in favor, Sulger in favor, Gencarella in favor, Harger in favor, and Lahm in favor. The variance has been granted.

Lahm reminded the applicant that there is a 15 day waiting period after the decision has been published during which time an appeal can be made of this board's decision to the superior court. You may proceed now but you do this at your own risk, if there is a successful appeal.

The meeting was adjourned at 7:54 p.m.

Respectfully submitted,

Patsy Turner, Lyme ZBA Secretary