

LYME ZONING BOARD OF APPEALS  
PUBLIC HEARING

The Lyme Zoning Board of Appeals held its regular meeting  
on September 21, 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), Toni Phillips (alternate present seated for absent member Winnifred Gencarella), Jack Sulger, John Kiker, 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 July 2017 meeting with one correction. The last name of the Aquatic Pool representative will be added Thomas Laudano.

Harger read the public notice.  
2017-03

Robert O. Harris III, Blood Street, Tax Map 40.2 Lot 36; an application for a variance to construct a new dwelling within the rear yard setbacks and with lot coverage in excess to that allowed. The rear yard setbacks proposed is 30 feet vs. 50 feet required and the lot coverage proposed is 10.7 % vs. 8 % required per section 4.5.

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.  
2017-03

Robert O. Harris III, Blood Street, Tax Map 40.2 Lot 36.

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 one letter received from a neighbor property owner, Dyrs, the letter is in favor of the application.

The board members took a moment to read the letter.

Present at the meeting were Alex Tighe, representing the applicants, Bob & Corey Harris. Tighe explained the application; the parcel has been in the family for many years (lot has been in existence since 1952). The parcel is unique in the way that it is bound on three sides by roadways; the setbacks and the lot coverage are the reasons for the variances. The lots in the neighborhood don't comply with the current regulations. The home being proposed will not be out of character for the neighborhood.

Lahm questioned the square footage of the structure's footprint.

Tighe stated the foot print is 2190 of the house and the garage.

C. Harris added the hope was to construct a raised ranch or small colonel home; the ledge will dictate the basement configuration. The foot print would remain the same.

Lahm question the surface of the driveways and if it will remain permeable. The non-permeable surface allowed for the lot would be limited. The driveways cannot be paved.

Lahm called for questions or comments from the board members.

Harger questioned the dimension of the setback to Blood Street. Tighe answered the reason for the placement of the structure is the topography/the hillside. Tony Hendricks has stated that the location is preferable for drainage and distances from wells and septic systems. Test holes have been dug on the lot.

Gigliotti asked Tighe if the septic system location had been discussed. Tighe stated that Tony Hendricks was contacted and his reasoning may have been the topography; it is unknown if George Calkins and he discussed the location of the system. B. Harris added the location of the well was discussed in length because of the proximity to neighboring locations of wells and septic systems.

Lahm commented this variance will use up the lot coverage, outbuildings would require a separate variance.

Sulger stated the footprint is larger than neighboring structures. Tighe pointed out a neighboring home that is larger.

C. Harris added currently we reside in an in-law apartment and are caretakers to family members. Lahm inquired what the dimension of the garage portion of the structure would be. C. Harris stated the garage would be 26'X26'; the garage will be our storage as to not need outbuildings. The garage will be a 1 ½ story, not taller than the house.

Kiker commented the regulations really limit what can be built on the lot, this lot is unique. Phillips comments on the requirements of Section 8-6 (3) of the General Statutes, a smaller home may be built on this lot to limit the encroachment to the setbacks. Lahm clarified that a smaller home would not cure the setback issues but it may solve the lot coverage.

Gigliotti added there were seven comments in a letter received from George Calkins, the Town Sanitarian, have the issues been addressed. All the items still need to be addressed even if the variance passes. B. Harris commented Mr. Hendricks has worked on the issues and the map has been updated, the dates may not have been changed. Harger stated the comment section on the plans says that the sanitarian comments have been addressed.

Lahm called for questions or comments from the members of the public present. Gary Frebers (5 Oak Street) commented there are differences in the sizing of home in the neighborhood. The Harris family has been considerate to our feelings and there are no objections to the development of the lot. Lynn Bradley (5 Oak Street) added Bob and Corey Harris will be great neighbors.

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

Lahm called for a vote; Kiker in favor, Sulger in favor, Phillips 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 8:06 p.m.

Respectfully submitted,

Patsy Turner, Lyme ZBA Secretary