ZONING BOARD
OF APPEALS

LYME TOWN HALL
480 HAMBURG ROAD
LYME, CT 06371

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MINUTES
January 16, 2025

The Lyme Zoning Board of Appeals held a Public Hearing/Regular meeting on Thursday, January 16, 2025, at 7:30 p.m. at the Lyme Town Hall, 480 Hamburg Road, Lyme, CT 06371.

Members Present- Fred Harger (chair), Toni Phillips, Henry Lahm, Dave Gage, Anna James, Jeane Rutigliano (alternate), Adam Brevoort (alternate)

Members of the Public Present.

CALL TO ORDER - 7:32 p.m.

APPROVAL OF MINUTES FROM December 19, 2024 - Accepted

PUBLIC HEARING

2025-01 Labossier/Walsh 219 Blood St. Map 40.2, Lot 57: An application for a variance for a shed located 5.4ft in the side yard setback vs. the required 20 and 18.6 ft. in the rear yard setback vs. the required 20ft requirement per Chapter 315-7.3A. – Present and speaking were Will Laboossier and Katie Walsh. Labossier spoke and explained the shed had already been built. He said they moved the shed to avoid cutting down any trees. Labossier said the shed is bigger and has a different look but the same usage intention. He also compared their shed to surrounding neighbors who also have sheds close to the water.

Neighbor Joel Hawkins read a letter he composed with his concerns. He also shared and submitted photos of the shed. Phillips questioned if they have a garage; yes. Harger explained that if they were denied, then the shed would need to be removed. They may request a variance for something different with the help of the board or build it the same size and shape that was previously there.

2024-07 Koch Northeast, LLC, 0 Avenue B Tax Map 40.4 Lot 4: Continuation of an application for a variance to construct a three-bedroom, single-family home on an existing nonconforming lot. The lot does not meet the minimum 15,000 sq. ft. requirement per Chapter 315- 23.3. The structure, as presented, will not meet the yard setbacks, maximum building or impervious coverage, net buildable area, and minimum lot width per Chapter 315-4.5. – William Koch was present and speaking. Byrne started off by reading 1 opposed letter, 3 pro letters, a letter from Engineer Tom Metcalf, and a letter from Attorney Shipman, who represents neighbor Noniewicz. Byrne then read a reply letter from Koch pertaining to Shipman's letter. Byrne admitted his wrongful support from the prior application and explained he was new to the job. Koch negatively commented. Attorney Carey supported Byrne's comment. Koch felt the board should approve with the condition of a letter from George at Ledge Light Health District. Town resident Lahm spoke and said Attorney Shipman's letter was correct, and all was discussed in the hearing of the prior application. Lahm said the prior application was denied, which is the

same application currently being presented, and that being the same, should not be overturned. Lahm said he has never seen over a dozen neighbors present and against an application before. Neighbor Rex said her wetlands abut the property, which gives her concerns, and the board should not overturn due to persistence. Weissinger, in favor of the variance, said there were points missed, and the lot is nonconforming, which is legally under protection. Price shouldn't matter; if LLHD says it is ok, the town should follow the same. Neighbor Lins-Morstadt also commented on her concerns about the lack of water and said Old Lyme has city waterlines, but we do not. Noniewicz commented and said his concerns about another septic system, worries of downhill fertilization runoff, and the size of the home do not show affordability. This could affect other home values, and the applicant currently uses the property for lake usage. Neighbor Wells said the applicant knew it was not buildable because if so, it would have originally been for sale as a buildable lot. Lins-Morstadt expressed his concerns about the health and safety of the neighborhood. Koch mentioned the initial meeting he had with the prior ZEO, current ZEO, and himself on site, back in 2019, where they said it would be a "pure variance."
Motion made to close the public hearing.

REGULAR MEETING
2025-01
Gage- opposed- completely self-created hardship. If it had only been to store equipment, the prior size would have been big enough. With a neighbor here opposing, it seems it needs to be denied.
Lahm- opposed- no undue hardship.
Phillips - opposed- no variance prior to building. There are other building options. There are others in the same situation. A kayak rack could have been an option.
James- deny- understand there's a drop, but permission should have prior been requested.
Harger- deny- no hardship created other than by yourself.
Motion to approve the denial decision.

2024-07
Attorney Carey explained the process to a second time application being submitted. A motion was made by Phillips to agree the application is the same as the prior submission. Seconded by Rutigliano.
Harger questioned if the conditions were the same as those in a previous application. Brevoort, Phillips, and Harger said yes. James said no because the last time was conducted under Zoom, there was new information, and the Fuller books were used this time. Rutigliano said no because it was an inappropriate presentation last time from the ZEO, implying it was a "shoe-in," that more research had been done, and that the applicant had more research information.

NEW BUSINESS n/a

ADJOURNMENT 10:13 p.m.

Respectfully submitted,
Lannie Mossberg