Be It Ordained by the Town of Old Lyme, Connecticut that the following Variance Procedure shall be made an Addendum to the Town of Old Lyme Harbor Management Plan:

The Harbor Management Commission ("HMC") is committed to the safe use of Old Lyme waterways and maintaining the aesthetic excellence that currently exists while providing for the reasonable riparian access of property owners. When reviewing an application requiring a state or local permit to conduct activities affecting the waters of Old Lyme, the HMC may consider a request by the applicant for a variance from the Town Wide and Harbor Use Zone Standards set forth in the Town of Old Lyme Harbor Management Plan Addendum Approved July 14, 2009 ("Standards"). If the HMC finds that a variance is justified, it will transmit such recommendation to the appropriate permitting authority.

A variance may be recommended when, in the judgment of the HMC, the variance would be preferable to strict adherence to the Standards based on site-specific conditions not generally prevalent within the site's Harbor Use Zone, and such variance would improve conditions of safety, public access, environmental impacts, specific waterway conditions, and/or avoid significant and unusual hardship to a property owner. No variance shall be approved to allow construction of docks where otherwise prohibited by the Standards or major deviations from the Standards, but variances may be approved for minor modifications and criteria such as floating dock size and dimensions or accessory items and lighting on a dock structure.

Variances may be recommended for all Harbor Use Zones designated in the Standards. Any variance from the Standards will require a 2/3 majority vote of the HMC members present and voting with the justification for the variance stated with the motion brought to vote.

This ordinance approving this addendum shall be effective fifteen days after its publication in a newspaper having a circulation in the Town of Old Lyme.

Approved at Town Meeting July 23, 2018