

Town of Lyme
LYME ZONING BOARD OF ADJUSTMENT
Minutes –November 19, 2009

Board Members: Present - Alan Greatorex, Chair; Ross McIntyre, Walter Swift, Frank Bowles

Absent: George Hartmann

Alternate Members: Present – Margot Maddock, Jane Fant

Staff: Adair Mulligan, recorder

Public: Stephen Balch, Joan Barthold, Jackie Glass

Minutes of the September 23 meeting were approved after amendment of a typo, on a motion by Margot seconded by Frank. Chairman Greatorex appointed Margot Maddock to serve as a regular member.

Application #2009-ZB-63, Stephen Balch (Tax Map 407, Lot 83) 150 Whipple Hill Road in the Rural District.

Stephen Balch has applied for Special Exceptions under Sections 8.23, 8.24 and 8.25 of the Lyme Zoning Ordinance to build a 20' X 30' storage shed on his property. The proposed location of the shed falls inside the Shoreland Conservation District and the Road Setback Area and exceeds the Maximum Lot Coverage and the Maximum Footprint for the lot. Two previous Special Exceptions have been granted for this property, for an addition to the structure in 2002 and for a new septic system in 2004.

Stephen explained that he wanted a place to store his equipment (van, snowmobile, 4 wheeler, lawnmower) out of the weather. He said he was willing to go smaller if necessary. There is not a lot of room on the lot, and he thinks it should go at the end of the leach field, which is a Presby 2 pipe system. (The files showing the septic system location could not be viewed because of the absence of the Zoning Administrator.) The shed would be set back further than the house. He is living there full time now, by himself. The house has a septic system sized for two bedrooms.

Ross asked about the distance between the storage building and the bank of the brook. Stephen said it would be about 75 feet, because it would be the same distance as the leach field. The floor of the building would be crushed stone. It would be built on sonatubes with a wood frame and metal roof. He would work on his own machines but have no shop function there. There would be no water supply, and minimal electrical service, including some lighting inside and an entry light over the door. Stephen said that the entry to the shed would be by the road with an open front. He will not store his cars there, but other equipment.

Adair noted that the Conservation Commission had not been alerted, but if it had, the question of stormwater drainage and roof runoff might have been considered. Stephen said he planned to have the roof slope back toward the brook. Frank suggested creating a larger crushed rock pad than the building so it could capture sheet flow off the roof for infiltration. Stephen said he thought he should put the building as far from the road as possible. Alan said that it should be put only as far from the road as necessary to allow snow removal, and that he is more concerned about the brook than the road.

Jackie Glass, an abutter, said that she is concerned about runoff into the brook and whether the gravel patch could be eroded. Joan Barthold, another abutter, asked about the design and expressed concern about its size and how much open space would be covered by buildings, the proximity of the brook, and sight lines. Her husband had sent an email questioning whether approval of a project that required four special exceptions reflected an adequate zoning ordinance. The email had not been received by the Zoning Administrator due to his absence for health reasons.

Deliberations: Ross noted that in decisions about a previous special exception to add on to the house there was concern about the shape of the parcel and how it impinged on the conservation district. He said it is clear that this lot is marginal because of its relation to the brook and the road. He said that the brook is the primary concern, and thought that the Conservation Commission should make a site visit before the board proceeded. He recommended flagging the building location for this visit. Ross said that if the applicant meets all requirements and the conservation districts are not substantially violated, there is enough reserve in the 1000sf allowance to permit a 20' x 30' structure on the lot, but that the Conservation Commission is the best body to identify problems.

Frank noted that an administrative glitch resulted in neglect to consult the Conservation Commission before the hearing. He noted that all of what is currently on the property would still be there

but moved under cover. He is concerned about runoff. Ross said he needed assurance that the Conservation Commissions concerns would be met. Walter said he understood the applicant's concern about the coming winter, and agreed that the Conservation Commission should review and comment. Alan mentioned that if the long part of the roof shades an infiltration trench, it will stay frozen longer and be less useful.

Out of Deliberations: Stephen said he could pitch the roof differently. Alan, who once did a septic design for the property, said he thought the soils there are coarse gravels. He thought the Conservation Commission should see the septic design. Frank moved to continue the meeting until Thursday, December 3 at 7:30 pm, until the Conservation Commission could visit the site and report back. Ross seconded the motion and it passed unanimously.

Meeting adjourned 8:24 pm

Respectfully submitted,
Adair Mulligan, Recorder