

Town of Lyme
LYME ZONING BOARD OF ADJUSTMENT
Minutes – July 23, 2017

Present: Frank Bowles, Dan Brand, Bill Malcolm, Mike Woodard, Allan Greateorex
Public: Phillip Harrison, Brad Choyt (both representing Crossroads Academy)

This meeting is a continuation of the ZBA hearing of July 20, 2017 on application 2017-ZB-23 from Crossroads Academy, to construct an accessory environmental studies classroom on its property at 95 Dartmouth College Highway (Map 401 lot 55).

The meeting was held at the proposed site of the classroom on the Crossroads Academy campus and called to order at 10:05Am by Chairman Bowles. Members of the board reviewed the site and adjacent parts of the property.

The site is located on the western side of the property, about 300; feet from the NW corner of the lot. It overlooks a steep ravine cut by Hewes Brook. The brook forms the western edge of the property.

The proposed site in the shoreland conservation setback and placed at the very edge of the ravine so that it would overlook the ravine and give the impression of being a treehouse to those using it.

Given the environmental sensitivity of the site, members of the board examined other nearby areas of the property to see if the building could be moved out of the shoreland conservation zone and still meet the educational objectives of the school.

Members of the board expressed concern about the site location and reviewed the area with the representatives from Crossroads Academy to determine if there was an adjacent area that would meet the educational objectives of the school while moving the proposed classroom back from the edge of the ravine. After examining the area, it was concluded that moving the proposed site to the southeast, into an area behind the protective fence at the edge of the ravine, would be a reasonable alternative location.

The Crossroads representatives asked the board if the proposed relocation could be approved so that the project could proceed this fall, after it is reviewed by the Planning Board. The board agreed to take this matter up in deliberation.

Alan Greateorex had to leave before the meeting ended and Crossroads agreed to accept a four-person board.

The board went into deliberation and made the following findings of fact:

1. The subject property is shared by Crossroads Academy and the 85 Dartmouth College condominium development. The allowable lot coverage and other dimensional controls were fixed by the Planning Board in a memo of determination dated July 2001 and provided the academy with a total approved lot coverage of 33,400 ft². At that time the lot coverage was 27,631 ft², leaving 5769 ft² available. Subsequent construction left 4,055 ft² available
2. The proposed building is octagonal with an area of 395 ft². It is to have overhanging eaves and encircling walkways. The walkways and entry ramp would bring the building footprint to a total of 725 ft². This is within the allowable lot coverage and does not exceed the 1000 ft² allowable by special exception under Section 8.24.

3. The proposed site is on the edge of a steep ravine that has Hewes Brook at its bottom. While the specific application of the steep slopes district to this site is unclear, the board noted that being at the edge of the ravine would not meet the criteria of section 10.40.A.3
4. Other possible sites in the same area of the campus, but outside of the Shoreland Conservation zone, do not meet the educational objectives of the school and also present other problems of both adjacency to established programs and other issues such as requiring that environmentally valuable trees be cut.
5. In a letter dated July 19, 2017, the Conservation Commission expressed satisfaction with the project and noted the need for very careful control of runoff and erosion during and after construction and also asked that an engineering study be conducted to assess the stability of the adjacent bluff of the ravine.
6. There is a perimeter fence near the edge of the ravine.
7. An alternative location was found to exist adjacent to the originally proposed site, about 30 feet away to the southeast of the perimeter fence. The western edge of this site would be placed about 15 feet back from the edge of the ravine on solid ledge and inside of the perimeter fence. This site meets the conditions of section 8.24 and 10.40.
8. The alternative site has better potential handicap access via a walkway and ramp and would not require cutting as many trees.

The board discussed the findings of fact and concluded that the revised location could meet the criteria of Section 8.24: A through D, provided that the foundation of the accessory classroom is kept 15 feet from the edge of the ravine. It was agreed that the requirements of section 10.40 would be met provided that appropriate foundation design is used and that the plan of the revised location submitted to the planning board accurately show the location of the boundary of the Shoreland Conservation district, said boundary now being only approximately known. It was noted that the revised location places the eastern edge of the structure in close proximity to the probable location of this boundary and that this new placement minimizes the intrusion into the setback for the Shoreland Conservation Zone.

Bill Malcolm moved that the appeal be granted based on the findings of fact and the following conditions:

1. The structure is to be located so that the maximum westward extent of the foundation shall lie no closer than fifteen feet from the edge of the bluff and so that any walkway around the structure does not extend past the line of the existing fence.
2. That the location of the proposed structure, its associated walkways and the boundary of the Shoreland Conservation District are to be shown on an accurate drawing for the records of this hearing and for submission to the planning board.
3. That best construction practices are to be used and that particular attention be given to control of both surface runoff and rainwater runoff from the structure in order to prevent erosion of the bluff.

The motion was seconded by Dan Brand and passed unanimously. The meeting was then adjourned.