

Town of Lyme
LYME ZONING BOARD OF ADJUSTMENT
Minutes - June 30, 2008
Site visit – Granlund Property, Baker Hill Road

Board members: Present - Alan Greatorex, Chair; George Hartmann

Absent: Ross McIntyre, Walter Swift, Frank Bowles

Alternate members: Present -Margot Maddock, Jane Fant

Staff: Adair Mulligan, recorder

Public: Scott Williams, Tim Odell, Nancy Papademas, David Roby

Site visit began at 5:20 pm.

Application # 2008-ZB-009, Joan Granlund, (Tax Map 409, Lot 84), 12 Baker Hill Road, Represented by Pathways Consulting, LLC.

Alan, an abutter, recused himself. George served as chair for this site visit.

Scott Williams said that there are inherent problems with the existing structure, and that it needs replacement or at least repair of the east side. He said that since the last ZBA meeting, he has met with David Roby to discuss ways to repair and use the crossing. He thought that an independent structure would be needed to bridge the current crossing and would require a 25 foot bridge, extending 10-15 feet beyond the current structure. Scott said that the proposed new culvert/crossing would cost \$40-50,000 including construction. He thought that an alternative would cost \$20,000 for design and could not estimate the cost of construction. The 12' proposed opening of the precast concrete crossing is the smallest opening available. DES requires replacement culverts to have open bottoms or natural bottoms. Scott said that the crossing is not an historic resource according to the town. He said the owner is not comfortable with the current state of the culvert. He said he had talked with the Division of Historical Resources and said he was told that if the owner did not support a National Register designation, a nomination to the Register would not get far.

Alan asked why DES prefers a natural streambed. Scott said that it is to reduce artificial environmental impact. Adair, speaking as a member of the Conservation Commission and staff of the Connecticut River Joint Commissions, said that a natural bottom on a stream crossing can provide improved aquatic habitat, but that the stream under consideration nearly dries up in summer and there is little fish habitat upstream of this culvert. Alan agreed. She added that undersized stream crossings can be a concern, but there is not a large watershed above this crossing, and what exists is either forested and largely conserved or is already developed, so the hydrology is not likely to change substantially and so the culvert is not likely to offer a fluvial erosion hazard. Adair also said that during the 6-7 months when the leaves are off the trees, the stone culvert is in full view of the public passing by.

Scott commented that DES's letter on the project was very complimentary, and that he is trying to balance aesthetics and size. David Roby noted that DES is interested in ecology and hydrology, and not in structures like this, but the Division of Historical Resources is. He asked if the culvert could be rehabbed in a cost effective way. He noted that the frame of the house, the original one in Lyme Center, was built in the late 18th century, and suggested that the stone bridge must date from the same time. Alan said that he has an 1840 deed that refers to it as a road.

David observed that under the Lyme Zoning Ordinance, the board must look at historic structures. He has a call in to James Garvin, State Architectural Historian, with two questions: is it a significant structure, and if it is, who might provide expertise to analyze what is required to rehabilitate it. He added that under Lyme's Zoning Ordinance, the board has the authority to hire an engineer at the applicant's expense to give an independent review. David said that he will find an expert to give a cost opinion. As it is, he believes the structure is unsafe but a temporary crossing could be laid over it to allow construction, so the project would not be held up. Alan said it is common to use steel plates in such situations. He added that he believes that the steel beams now in place are probably weakened.

Tim Odell and Nancy Papademas said they had no comments. Alan asked if water pools at a high flow above the crossing. Scott said he had not seen that condition. Alan said he had not, either, and asked if it occurred, would it create an erosion hazard to the town road. Scott said he had done a very basic stream flow analysis and is not sure whether there are flows that could be too much for the culvert, and wouldn't know until it happened. He added that if the culvert caves in because of storm volumes, there would be a DES violation and enforcement, liabilities, and a need to clean out the streambed. Downstream, he believes the opening and channel are okay as they are.

Jane asked if some code must be met if the culvert is preserved. Adair noted that if no work is done in DES' jurisdictional area, no permit is required. Scott said that there may be a need to fortify the culvert walls, and a permit might be needed for that. He said he understands the perception that the culvert is worth saving, but that the owner is concerned because this is her only access to the property and she feels she has the right to change the crossing in a way that suits her. Jane said that she could have anticipated a problem when she viewed the property before she bought it.

David said he will attempt to locate an engineer to evaluate the structure. At George's request, he offered to share his findings with the board. Scott asked if there is latitude in the zoning ordinance to instruct the owner how to handle the situation. Jane said there is. Scott said that if the culvert question continues to create an issue, the owner might not pursue the development project. He said she feels that the structural engineer has put her on notice, and that she should have the right to replace the culvert as she wants and not how someone else would like her to do it.

Meeting adjourned 5:55 pm. The hearing will resume at 7:40 pm on Thursday, July 17.

Respectfully submitted,
Adair Mulligan, Recorder