

Lebanon

Legislators, Town Off

By Patti Handy
Staff Correspondent

LEBANON - State Rep. Edith Prague (D-8th) and State Sen. Kenneth Przybysz met Monday night with the Board of Selectmen at the Town Hall to discuss the possibility of drafting a new, more acceptable, bill for Lake Williams. However, it seems that the proposal, like the dam itself, is still full of holes.

The selectmen are frustrated after many unsuccessful meetings in Hartford over this matter, and First Selectman Edward Clark said that if the bill that was proposed by former Sen. Eric Benson wasn't passing, then they should "throw it out the window" and try something else. Clark still contends that he will not bring any proposal to the people until they have details on the selling price, and public access. Without these facts, says Clark, "we'll appear to be the village idiots" and said he wouldn't blame the people for thinking that.

Przybysz stated, "The thing is, we can't go forward on Lake Williams unless there's full participation by the town..." Clark's reply, once again, was "...and we've got to have a figure." Selectman Bob Leone heartily agreed. Rep. Prague said she understood the dilemma, saying, "Nobody is going to agree to something that they don't know..., but we're going to meet next week and see what we can come up with that might be a new plan." Prague also expressed she doubts that the state would go over the appraisal of

\$376,000. Clark claims that the appraisal was "very devious" and Prague agreed, saying that "The Lake Williams situation is probably one of the biggest problems in town."

Clark was adamant that they are not going to take "half a deal" to the town, and Chairman Irving "Sol" Kiotic agreed whole-heartedly with Clark, and expressed his own feelings on the matter by stating, "You know, they talk about money, money, money. How can we tell the people, (when) we come to a town meeting, how long is the beach going to be? A hundred feet? A thousand? Two thousand? How many parking? Are they going to have hard top, or grass on top of a hill where people get stuck? Are they going to have swings, a boat launch? Are they going to take the six feet of mud and stones out of there and make a new beach and new sand? The people of Lebanon are very intelligent people," he said passionately, "The people have got to know!"

Rep. Prague again stressed plans to set up another meeting and try to start again stating that "next Tuesday at 3:00 p.m., we are hoping to establish a meeting." She said they were going to sit down with the Department of Environmental Protection, a lawyer from the DEP and the Flood and Erosion Control Board.

During the meeting, Przybysz asked Clark, "What is the policy of the town, do

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Town Officials Discuss New Lake Williams Proposals

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LEGISLATIVE FORUM - State Sen. Kenneth Przybysz (D-19th), right, and State Rep. Edith Prague (D-8th) held a forum with the Board of Selectmen Monday night to receive the town official's "wish lists" for the new legislative session. The selectmen are, from left, First Selectman Edward Clark, Robert Leone and Edward Bender. As expected, the primary topic of discussion was Lake Williams. (T. Schleicher Photo)

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"you feel?" Clark replied, "They expect us to explore this and come back with an honest answer. They don't have to agree with it, but it

should be an honest answer."

Prague interjected, "We honestly wish we had answers."

Clark maintains his position on the subject of eminent domain proceedings, saying that if the proposal doesn't go to a

town meeting, he will go for a referendum, and that "the people that pay taxes in this town are going to vote on it."

Lebanon



Proposed lake purchase may have reached impasse

1-12-87 By JOHN CHALFANT
Staff Writer

LEBANON - Proceedings to purchase of the Lake Williams dam and water rights may have reached an impasse unless state and local officials can determine an agreeable price for the property.

Flood and Erosion Control Board Chairman Sol Kiotic said the panel will not advise the town to authorize the state Department of Environmental Protection (DEP) to begin eminent domain proceedings to seize the property against the current owners, the Gilman Brothers Company of Bozrah. Kiotic said the town will not participate in the purchase of the property without knowing what the price is beforehand.

"The town of Lebanon will not agree to anything without a definite dollar amount," stated Kiotic. "I would say we're waiting for a definite figure right now. We're not stupid enough to sign blank checks."

The DEP asked town officials to consider initiating eminent domain proceedings to seize the property during a December meeting in Hartford. However, Kiotic and Assistant Attorney General Robert Whitehead pointed out the town might end up paying more than anticipated if a state court assigned a higher value to the property during an eminent domain appeal. The DEP appraised the property at values of \$360,500 and \$470,000 in November, more than \$1 million less than the \$1.5 million private appraisal conducted by the Gilmans. In a bill passed in the state legislature last spring, an arrangement was worked out whereby the town would pay for one-third of "an agreed upon," price between the state and the Gilmans.

"The bill states we'll pay one-third of an agreed upon price. With an eminent domain case, they'll never agree. It wrecks the whole bill and I'm suggesting the bill be rewritten. I'm not saying what they should rewrite, but it should be rewritten," described Kiotic.

Although the bill called for the state to contribute one-third of the purchase price, DEP Director of Land Acquisition Charles Reed said the agency was bound to accept

the lower bid appraisal. The Gilmans agreed to accept a two-thirds payment for the property if the sale price approached \$1.5 million, according to former Sen. Eric Benson, sponsor of the bill.

"There are still negotiations between the the state and the town," said Lawrence Gilman. "It's a delicate situation. There has been no decision yet."

First Selectman Ed Clark said the flood board will make the decision on whether to support the state in eminent domain proceedings. No agreement on the price has been arrived at, according to Gilman and Reed, and Kiotic emphasized the town would not support any action without knowing the purchase price.

"Any time the state seizes property, the court determines the value of the property during an appeal," described Whitehead. "The court determines the costs or there would be no point in an appeal," added Whitehead, who advised DEP officials to only offer the appraised value to the Gilmans during the December meeting.



THE LAKE WILLIAMS DAM continues to deteriorate as state and town officials wrestle with a trouble-plagued plan for the state to take over the property.

Officials attend to final details of new facility

By JOHN CHALFANT
Staff Writer

LEBANON - Final details delaying the opening of the Goshen Hill Fire Safety Complex are expected to be cleared up this week.

First Selectman Ed Clark and project contractor Howard Haggert of Haggert's Equipment Supply of Plainfield said specifications for the heating and air conditioning units of the facility should be submitted to the building office this week. The specifications will complete all the documentation required on the project and pave the way for the official opening of the complex in the near future.

"There are basically a couple of things left to finish," described Haggert. "We're going to forward the specifications on the heating and air conditioning units to the building department as soon as we can."

Haggert said the town would also be credited for an excess amount of gravel deposited on the driveway site. The com-

plex has been virtually complete since October. "We're down to about three or four things and we're going to start talking about what we'll do for the opening of the building," said Clark. "We had some trouble getting the things finished because he (Haggert) went on vacation to Florida last month."

Emergency radio transmissions originating from Willimantic will be received at the complex beginning opening day. Tests on the well water supply for the facility are "okay," according to Clark. "We haven't set an opening date yet. Everything has to be coordinated before we open it up," remarked Clark.

Also, no public events will be permitted at the facility until a second driveway is built. The special Fire Safety Complex Study Committee ordered the town crew to install a second driveway at its Jan. 6 meeting. Clark said a driveway could be created "in a couple of days," once warmer weather allowed town workers to dig three or four feet into the ground.

Lebanon Volunteer Fire Department Chief Timothy Skaats urged the committee to disallow public events at the complex until a second driveway was added. Currently, the single driveway enters the parking area directly in front of the garages for the fire trucks. Skaats said parking area overcrowding might prevent firemen from responding to emergency calls.

In a related matter, the committee concluded its work Jan. 6 without deciding whether alcohol will be served at public functions at the facility. The town's liability exposure is being reviewed by Town Attorney Juri Taalman. A decision on the alcohol policy has been delayed until July, according to Chairman Robert Cady. The committee reported its findings to the Board of Finance Jan. 8.

The Fire Safety Complex contains offices for the fire marshal, civil defense director and resident state trooper. A public meeting hall is located on the right side of the building.

On Lake Williams:

Town Awaiting DEP Word

By Greg Barden
News Editor

LEBANON - Town officials are awaiting notice from retiring state Department of Environmental Protection Commissioner Stanley Pac on a tentative meeting of all parties involved in the Lake Williams dam issue to discuss possible solutions to the longstanding problem.

According to First Selectman Edward Clark, Commissioner Pac has promised to try and draft new legislation that could be proposed by the DEP itself to resolve the stalemate that has been created by the Gilman Brothers Company's rejection of a state

purchase offer for the dam based on recent appraisals.

"If the DEP presents the legislation and says it supports the bills, then the chances of it being accepted by the legislature is much greater," Clark explained. The first selectman said Pac did not indicate what direction the proposed legislation would take. "He said he would get back to us within a couple of weeks."

The meeting would include Pac and other DEP officials, town selectmen, representatives of the Flood and Erosion Control Board, the Gilmans, and the town's two legislators, State Rep. Edith Prague (D-8th) and State Sen. Ken-

neth Przybysz (D-19th).

At its meeting earlier this month, the town flood board asked the legislators to draft and submit a new bill for Lake Williams. According to board members, the ideal proposal, from the town's point of view, would be for the state to be the sole purchaser of the dam, water rights and adjacent property for public access.

A bill sponsored in the last legislative session by former state Sen. Eric Benson called for the state, town and dam owners to participate in a three-way purchase of the dam. But that appears unlikely now (Continued on Page 20)

1/24/1987

Improved relations with DEP is town's top priority

By CLAIRE BESSETTE
Staff Writer

LEBANON — The Board of Selectmen included several of its own ongoing problems and complaints about the state Department of Environmental Protection as the basis for a "wish list" for state legislators representing the town as methods for improving town-state relations.

Improving the working relationship and having the state understand small towns' limited resources and time constraints were two major general goals the selectmen communicated to State Rep. Edith Prague (D-48 Dist.) and State Sen. Kenneth Przybysz (D-19 Dist.) in a meeting this week.

The two-page description of the town's problems and requests for changes centers on specific problems the town has experienced with the DEP over Lake Williams, Amston Lake and general relations between the town and state agency.

"The list is all facts," First Selectman Ed Clark said Wednesday. "Ken and Edith said they would do something if they could. That doesn't give us much enthusiasm, but we're hoping. These are not just our problems. Every town is having the same difficulties."

Prague said this morning that she and Przybysz will meet on Jan. 20 with DEP and officials from other state agencies to discuss the purchase of Lake Williams and what the next step should be. Sometime after the meeting, she said, town officials will be asked to

meet with the state again to discuss the issue.

A bill passed by the legislature last summer called for the town, state and lake owners Charles and Lawrence Gilman to split three ways the estimated \$1.5 million cost of the lake. The state was then to turn

the lake and some surrounding land into a state park. Appraisals came in at \$360,500 and \$470,000, and the Gilmans have refused the lower price.

The DEP may now take the lake through eminent domain, but it would first need a commitment from Lebanon for one third of whatever price the court will later set. Clark said he could not ask the town to give the commitment before knowing the price.

The Lebanon selectmen have several complaints about how the Lake Williams issue has been handled, and in the list, criticize the agency for not understanding town budget processes, for not explaining details of the repairs needed to the dam and what the state plans are for a state park, and for not giving town officials any written correspondences regarding the issue over the past seven years.

"I will give a strong example at Lake Williams," selectmen wrote. "The only thing we have in writing after seven years is a copy of the 1986 appraisers' report. We have no copy of any letters to the Gilmans or letters from Gilman to the DEP, no repair costs are on paper, no written dialogue of our many trips to Hartford. And when we have questioned a statement we had previ-

ously heard, Mr. (Ben) Warner said: 'show me in writing.' (We do not need this)."

Clark also suggested in the list that if the bill regarding Lake Williams does not work, the state legislature should "throw it out. Junk it." He also added that the town needs more information before it presents plans for the purchase of the lake to the residents. "You know no one can sell from an empty wagon," selectmen wrote.

While the list includes details of Lebanon's problems and frustrations in dealing with the

state, Clark said these are intended as examples to show the general problems of misunderstanding and lack of communication that all towns are facing.

Selectmen also suggested the DEP should try to better understand town budget time schedules before issuing abatement orders, such as the engineering study ordered for the homes on the Lebanon side of Amston Lake to determine if sewers are needed. The town has appealed the order claiming it orders construction of sewers if they are deemed needed by this fall, a commit-

ment Clark said he cannot make for the town in so short a time.

"These are all problems," Clark said of the list. "They have a total disregard for our budget process. They just tell us to do it. If we need \$500,000 for something, we have to go to the Board of Finance and call a town meeting

to authorize it. But they yell at us and say we are not cooperating with the state. The agencies must know that towns operate on a fiscal year. If they are going to hit us with something, they should at least let us know months ahead of time."

Clark said he does not know how Przybysz and Prague can help solve

some of these problems, but said the state legislature may be able to improve the working relationship between the state and towns.

Prague agreed, and said the legislators should at least serve as a communication link between the towns and state agencies if pro-

blems like these arise.

"If the towns are having problems with state agencies," she said, "then it is up to the people representing the towns to do something. Ken and I are certainly available to any of the towns we represent to try to work out the problems."

CHRONICLE
THUR
JAN 15 1987

DEP mulls new order for repair of Lake Williams dam

Chronicle By CLAIRE BESSETTE
Staff Writer
Tuesday Jan 27, 1987

LEBANON — State Department of Environmental Protection officials are considering renewing their efforts to have the owners of Lake Williams repair the dam, instead of pursuing a course of taking the property through eminent domain.

DEP officials met last week with state Sen. Kenneth Przybysz (D-19th Dist), and state Rep. Edith Prague (D-8th Dist), to discuss options for buying the lake property or ordering the dam be repaired by the owners, Lawrence and Charles Gilman.

"We are really in a quandary as to what to do next," Przybysz said. "We discussed going to court to make the Gilman Corporation repair the dam. That may be the only solution at this point. The DEP will have to make the decision."

Benjamin Warner, director of the DEP's Water Resources Division, confirmed that the DEP is considering ordering the Gilmans to repair the dam, but added that other possible solutions include efforts to negotiate a price with the owners and the possibility of changing

legislation passed last year calling for the state and town to buy the lake.

"I can't really say much right now," Warner said, "because there is still a possibility of negotiating on a price. The meeting last week did not result in any definitive plans. It was just to see where the problems are."

Lawrence Gilman said this morning he and his brother have been out of town and knew nothing about the meeting. He had no comment.

A year ago, the DEP ordered the Gilmans to repair the dam, but the order was dropped when the General Assembly approved legislation calling for the town, and the state to purchase the lake and dam which the state would repair.

But since property value appraisals came in last November at more than \$1 million less than the Gilmans' asking price of \$1.5 million, the state and town have offered \$360,500 for the property, and the Gilmans have refused.

Now the DEP is thinking about asking the owners to repair the dam, and short of this, would go to court to enforce its order.

Once before, in 1981, the DEP ordered the Gilmans to either repair or remove the dam, but the Gilmans went to court to fight the order, which was upheld. Four years later, the Gilmans

applied to the DEP for a permit to remove the dam, but the agency rejected the request because it said it would be harmful to area wetlands. The Gilmans then failed to appeal the decision within legally-prescribed time limits.

Recently, DEP officials discussed taking the property through eminent domain, but according to the legislation, Lebanon would have to agree ahead of time to contribute one third of the price of the property, which would not be established until a court set the amount. First Selectman Ed Clark said he could not commit the town to paying an unknown price.

Warner said an effort to change the legislation could include reducing the town's contribution to a set fee rather than one third of the value, but no proposed changes in the legislation have yet been written.

According to Przybysz, there is no guarantee that the General Assembly would approve changes in the legislation especially if they involve the state paying a larger share of the price and the town having less responsibility in the take-over of the lake. Przybysz said that forcing the Gilmans to repair the dam may be the only option left.

"This is not a solution we like at this point,"

Przybysz said. "But this might be all that we can do. There isn't any easy solution. We have a document done by independent appraisers saying the lake and dam are worth so much. We can examine the appraisal, criticize it or whatever. We have not seen objective figures from the other side."

Clark, who favors changing the legislation to reduce the town's contribution, said town officials were not invited to last week's meeting, but said he is not optimistic that the lake would be restored fully even if the dam were repaired.

"If he repaired the dam to their requirements," Clark said, "the people still wouldn't have all the water back. The order says the water level must not go past three feet from the top of the dam. That won't fill the lake. The Gilmans would have to own 30 to 40 feet of property on the other side of the dam to fill it, and they can't take property by eminent domain on their own."

In January 1986, the DEP ordered the owners to repair the dam by May 1, 1986, at an estimated cost of \$200,000 but did not take the matter to court because the legislature was then considering the bill to have the state and town purchase the lake and have the state repair the dam.

Officials seek solution to Lake Williams dilemma

By JOHN CHALFANT
Staff Writer
FEB 2 1987

LEBANON - The state Department of Environmental Protection (DEP) may step up its efforts to resolve the continuing stalemate over the deteriorated Lake Williams Dam.

The agency is considering efforts to encourage the current owners of the property, Gilman Brothers Co. of Bozrah, to make previously ordered repairs to the dam. The DEP will also continue efforts to reach a sales agreement with the Gilmans for the state purchase of the dam and water rights.

Sen. Kenneth Przybyz (D-19) said he discussed solutions at a meeting two weeks ago with DEP officials and Rep. Edith Prague (D-8). "We're in a quandary as to what to do right now," said Przybyz. "We discussed the possibility of going to court to force the Gilmans to repair the dam. That may be the only option right now."

"I can't really say much right now because there are still negotiations pending," said DEP Water Resources Director Benjamin Warner. "The meetings we've had were merely to discuss what problems we have."

Warner said agency officials discussed the possibility of continuing efforts to reach a sales agreement with the Gilmans or to rewrite legislation for the state purchase of the property. Currently, negotiations have stalled over the sale of the property. Town officials have expressed reluctance over commencing eminent domain



LOCAL AND STATE officials are attempting to resolve problems with the proposed state purchase of Lake Williams' dam.

ding to Assistant Attorney General Robert Whitehead.

The DEP attempted to force the Gilmans to make repairs in state court beginning in 1981. The Gilmans appealed the order to repair the dam but lost. The Gilmans next applied to the DEP for a permit to remove the dam however the agency denied permission. An appeal of the denial was thrown out of court because the Gilmans missed a filing deadline in January 1986.

The repairs were estimated to cost approximately \$200,000, according to Warner. DEP officials declined to enforce a May 1, 1986 deadline for submission of a repair plan because of the bill calling for state purchase of the property.

Although all options are open, Clark said he preferred the legislation be rewritten to stipulate a set price the town would contribute. "If (the Gilmans) repaired the dam to (DEP) requirements, people still wouldn't have all the water back," explained Clark. "The order says the water level must not go past three feet from the top of the dam. That won't fill the lake. The Gilmans would have to own 30 to 40 feet on the other side of the dam to fill it."

Przybyz cautioned it was uncertain whether a new bill would be passed in the General Assembly. A new bill setting the town's share of the purchase might increase the state's contribution and decrease town participation in the takeover. "This is not a solution we like at this point," said Przybyz in reference to the repair order. "But this may be the only solution. There isn't an easy solution."

Chairman Sol Klotz. However, the DEP appraised the value of the property at more than \$1 million less than a private \$1.5 million private estimate quoted by the Gilmans. Klotz and First Selectman Ed Clark said the town wouldn't agree to support eminent domain proceedings without knowing the purchase price in advance. Technically, a state court could determine any value of the property during eminent domain proceedings, according to Flood and Erosion Control Board

proceedings to seize the property from the Gilmans.

Under legislation passed last spring in the General Assembly, the state and town would each pay a third of the purchase price for the property. The Gilmans agreed to contribute by accepting a two-thirds payment of "an agreed upon price" between the Gilmans and the state, according to Flood and Erosion Control Board



Milton and Marie Krom stand in front of the house on Lake Williams in Lebanon from which

they face eviction because the town considers it a cottage, not a year-round home.

Hartford Courant

Feb. 11, 1987



Den Haar / The Hartford Courant

Milton and Marie Krom trudge through the snow in the yard of their Lebanon home, with Lake Williams in background.

view, the town is correct. It's also one of those cases that seems grossly unfair," said Terry Tondro, a University of Connecticut Law School professor who specializes in land-use issues.

Tondro assisted state Rep. Edith Pragne, D-Columbia, in an unsuccessful effort to keep the Kroms in their home.

"It's horrendous to be moved out of your home. It's very cruel," said Pragne, whose district includes Lebanon. "I feel very bad for the Kroms... but my hands are tied."

When Krom purchased the 1/2-acre lot at Lake Williams in 1964, he said, the real estate agent told him he could stay there permanently. Although he received a permit for a seasonal home that allowed him to build his house in 1966, he said the former building inspector, the late

Carroll Dunham, allowed him and others to construct year-round dwellings.

Dunham was wrong to allow that, Zoning Enforcement Officer Donald Johnson said, but that should not restrict the town's right to enforce the zoning law.

In 1971, members of the town planning and zoning commission, concerned about the number of illegal year-round dwellings at the town's three lakes, began a concerted effort to evict violators. They expressed concern that dense lakefront populations would tax septic tanks and lead to water pollution.

Over the years, most moved out, but a few were able to obtain variances that allowed them to stay, officials said. Now only Krom and two other year-round residents of Lake Shore Drive — Joseph Cam-

panelli and Jean Shreiner — remain holdouts from the 1960s. Both are considering selling.

Zoning officials say the law is the law, however, and that an exception for Krom would open a Pandora's box of complaints from those who left when they were evicted.

"Personally, I certainly feel sorry for them," said Harold Liebman, chairman of the planning commission. "But to make an exception for one creates a pattern. What's good for one is good for anyone else."

"I feel sorry for them all, but if you're violating something, you can't pull them out of the bucket. These rules are made to be obeyed," said First Selectman Edward O.

Liebman said Krom's septic tank does not pollute, and Liebman ac-

knowledged that the house is suitable for year-round living, but he said that does not exonerate Krom. Liebman and Johnson said Krom should have asked the zoning board of appeals for a variance, as some other residents did.

Prague said the court decision effectively nullified any effort she might make in the General Assembly to provide an exception for Krom and the others, a move town zoning officials say they would not have opposed.

Prague and Tondro say the town still could extend amnesty to those who built year-round homes between 1962 and 1971 or allow the three homes to remain occupied year-round until their current residents leave, when they would revert to seasonal dwellings.

The saga of seasonal ho Lake Williams resident denied request to extend move deadline

By CLAIRE BESSETTE
Staff Writer

LEBANON — Town officials granted a request by a resident at Lake Williams to allow him to live in his seasonal home until Nov. 1, after a court ordered him to leave last month, but say they will not grant further extensions requested by state Rep. Edith Prague (D-8th Dist.) who sought the deadline waiver because the lake is now drained.

Milton Krom of 213 Lake Shore Dr., Lake Williams was one of three residents at the lake ordered in early December to leave his home. The home has been designated as a seasonal dwelling, but the Planning and Zoning Commission last week granted his request to allow him to stay until Nov. 1, 1987, the end of the next seasonal dwelling period.

The extension allows him to stay through the current off season, which ends March 31. Krom was the only one of the three residents to request an extension.

As a condition, however, Krom was ordered to pay the court-imposed fine of \$2,500 and the town's legal fees, which have not been received yet.

Krom said he will comply with the extension requirements, but said he is now waiting to see if Prague can work out further agreements with town officials to allow him to stay beyond the Nov. 1 deadline.

"I've lived here for 20 years," Krom said. "It was built as a year round dwelling. Right now, we're just going to sit and wait to see if Edith Prague can work something out."

But both PZC chairman Harold Leibman and First Selectman Ed Clark said they do not agree with Prague's request to call a special meeting for the PZC and the Board of Selectmen to work out further extensions of the order based on the condition of the lake.

Prague argued that since the lake is now drained, and no one knows when it will be refilled, the court order against the Kroms and the other residents should not be considered

urgent. In addition, she said, three elderly residents live at Kroms' home, and it would be wrong to force them to leave if the situation is not urgent.

"Three elderly people live there, and they live on social security," Prague said. "Laws are not meant to be cruel and inhuman. Lake Williams comes and goes. What good will it do the town to kick these people out now? This is a very human problem, and is much more important than the threat of polluting a lake that isn't even there."

But Clark disagreed, saying first that he could not order the PZC to call a meeting to work out extensions and that the potential pollution of the lake is still important.

"They've had their warrant to leave every year," Clark said. "And they've ignored it every year. The reason for these laws is to prevent the pollution of the lake. That wouldn't be an issue if nobody cared. It costs us thousands of dollars to enforce this, but if it will put off the pollution of a lake for a good number of years, then it is worth it."

Krom said if the town does not agree to hold a special meeting on the seasonal homes at Lake Williams, he will appeal the order to the Zoning Board of Appeals, a move he has not yet made.

"When I built the house," Krom said, "it was built with a septic tank and well to be a year round home. I have three-quarters of an acre of land. The ZBA grants year-round requests for lots smaller than this one."

Leibman said the PZC allowed the Kroms to stay because the order came in the middle of winter, but said he feels the issue of allowing residents to stay longer was discussed two years ago and turned down because it would create laws that are not uniform in town.

"We already had a meeting a couple of years ago with the town attorney, the PZC, selectmen and Edith Prague," Leibman said. "We re-hashed the whole thing and decided the laws must be uniform. It creates a hardship, but they have to be uniform."

Lebanon board says lake resident can't live in home year-round

BILL KEVENEY Courant Staff Writer
The Hartford Courant (1923-1987): Mar. 20, 1987;
ProQuest Historical Newspapers: Hartford Courant (1764-1987)

pg. B1D

Lebanon board says lake resident can't live in home year-round

By BILL KEVENEY
Courant Staff Writer

LEBANON — For Milton Krom, there may be no options left. With the zoning board of appeals' rejection Thursday of his bid for a variance, the longtime Shore Drive resident lost another battle in his 15-year war to save off-estate, scheduled for Nov. fighting with the town since 1971, when the 67-year-old retiree was notified he would have to vacate his house for six months each year because it was

zoned only for seasonal use.

He says the town's former building official had given him permission to live year-round in the house since 1962. Despite its seasonal designation, Krom's red A-frame has all the makings of a year-round home, including a basement and a heating system.

Krom told the board that he built the house with the intention of spending his remaining days there, and that he has nowhere else to go.

But board members voted 4-0 to reject Krom's application, saying

they could not approve variances for personal hardships, only hardships related to the property. But members said Krom's plight did not make the decision easy.

"I can cry when I say this, and I will cry," board member N. Alicia Wayland said as she spoke against Krom's case.

Zoning Enforcement Officer Donald Johnson told the board that Krom has not caused problems, and that his septic system is not likely to pollute the lake.

One of the reasons cited for requiring 1-acre plots of land for year-round

homes when the town adopted zoning in 1962. Two acres are now required for a year-round home.

Krom, who has three-quarters of an acre, and two who face eviction say their cases fell through the cracks, each building homes on less than an acre between 1962, when zoning started, and 1971, when the town began systematic enforcement. Many residents who built homes on lots smaller than an acre before 1962 were allowed to remain as year-round residents.

"I don't see any problem with him living there year-round," Johnson said. "Except that he's in violation."

Neither Krom nor his wife, Marie, expressed any optimism before the board's action.

"I don't have any hope," Marie Krom said.

Under the terms of a Superior Court decision last year that backed the town in its effort to enforce the zoning law, the Kroms must move out of their house Nov. 1 and will not be able to return until the following spring.

Local Officials Awaiting Date For Lake Williams Discussion

By Joe Anastasio
Staff Writer

LEBANON - Town officials are still awaiting word on a meeting date between with the state and owners of the Lake Williams dam to try and solve the six-year dispute which has plagued residents and damaged wildlife relying on the lake.

It was decided at a May 6 meeting with Marilyn Cruz-Aponte, administrative aide to Gov. William O'Neill, that the town, state and the owners of the dam, Charles and Lawrence Gilman, sit down and find a solution to the problem.

The meeting was sparked by a letter sent last month from First Selectmen Ed Clark to O'Neill, asking for the governor's assistance in negotiations with the owners.

"It seemed like the only alternative," said Clark. "Our representatives were

unwilling to proceed with new legislation."

In 1981, the Gilmans were ordered by the Department of Environmental Protection to repair the damaged dam or remove it. The order was challenged by the Gilmans in court, but they lost. In 1985, the Gilmans applied for a permit to remove the dam, but the state denied it, saying that it would damage area wetlands.

In 1986, the Gilmans were again ordered by the DEP to repair the dam, but the order was rescinded when legislation was passed by the General Assembly calling for the state and town to purchase the lake and dam for \$1.5 million, the town paying one-third of the price.

But appraisals done by the state established the value of the land at \$360,000. The state offered to pay the Gilmans this amount, but they turned

the offer down.

The state then decided to pursue acquiring the land through eminent domain. Under this proceeding, a court judge would set the price, with the state paying two-thirds and the town one-third.

But town officials opposed this idea because they could not commit the town to pay a sum of money that was not yet determined.

The state is now in the process of drawing up possible solutions to discuss at the upcoming meeting.

The estimated cost for repairing the dam is between \$75,000 to \$250,000, according to Clark.

"It's just not a local situation," said Clark, "I just can't envision the DEP letting the 274 acres be destroyed... After all, they are named the Department of Environmental Protection... It's time it was over."