

1971-72

Annual Meeting was held on June 13, 1971

The Annual Meeting of the Lake Williams Beach Association was held June 13, 1971 at the Acre. President, Paul Intagliata presided. Meeting was called to order at 2:15 P.M.

The Secretary, Mary Anderson, read the minutes of the previous meeting. Mr. Gobin questioned the statement on permanent buildings that is "That they must be on one acre lots if land is 500 feet from waters edge otherwise can still be built on one lot. Mrs. Anderson said that this was taken out of the official records of the Association, word for word. This meeting was held with town Zoning Board officials, May 9th, 1962, with three members of the Lake Williams Beach Association. Mary Joe Hathaway was the Secretary who took the minutes of that meeting. Paul Intagliata stated that the town said they will not stand behind any verbal statements, when he approached them about the matter.

The minutes were than accepted as read.

Treasurer's report: Frank Adamcewicz

Report read as follows:

Recreation Fund.....	\$279.63	
Building Fund.....	\$106.77	
General Fund.....	\$498.23	
	<hr/>	
	\$1,144.65	Balance in Treasury

A detailed report can be found in the records. It was moved and seconded that the treasurers report be accepted as read.

Tax Collector: Milton Krom gave his report  
Amount collected to date was \$682.05  
Outstanding unpaid tax to date \$66.27

It was moved and seconded that his report be accepted as read.

COMMITTEE REPORTS:

Law & Order: No report

Traffic & Signs: No report

Zoning: No report

Health And Sanitation: Donald Shepard read a letter sent to occupants of the cottage rented down by first beach dated Dec 7. It stated that the State Law was being violated by their careless disregarding of rubbish. However about three days before the notice time was officially up the cottage burned down. The owner Mr. Pellecchia has been notified a couple times to clear away the debris and has been down a few times to do so.

Mr Shepard also had recieved a complaint about water running over the road in the vicinity of first beach. He investigated and from what he could see it was caused by a Spring. He did contact Mr. Dunnom of the town who is going to come down and check it also.

Water Samples of tests have come back. They show no Contamination. All are marked suitable for swimming at all three beaches. Anyone wishing to see the copies of the tests was invited to do so.

Finance Report: Frank Adamcewicz presented the following budget for the years 1971-72

Insurance.....	\$155.00
Salaries .....	240.00
Expenses.....	450.00
Taxes.....	190.96
	<u>\$1,035.96</u> Total budget proposed

He proposed the new tax mill rate might be 1.5 mills thereby raising \$1,038.04 for expenditures.

Letters will be sent out to the membership within the next few days giving a detailed budget proposal to be voted on at the next meeting.

Diane Shepard gave the picnic report. Details of which can be found in the file marked "Picnic Report". Total spent on last years picnic was \$182.87.

#### OLD BUSINESS:

The new building erected on the Priviolion is now finished. President Paul Intagliata suggested it either be stained or painted to preserve it. It was so moved. A group of men volunteered their services. They are: Mr. Gobin, Mr. Saponare, Mr. Anderson, Mr. Shepard, Mr. Adamcewicz, Mr. O'Keefe, & Mr. Intagliata. No definite date was set at this time.

Second order of business was the Zoning Problem on the Lake. Mr. Intagliata said he was sorry he had no good news to offer, but he said Mrs. Anderson (Secretary) was at the last town Zoning and Planning meeting and he asked if she would elaborate on the happenings. She read the following statement given by Mr. Liebman at that time (June 9, 1971). "The Zoning Board has met earlier in the month with the State Sanitarian, and met again last night (June 8) with the town attorney to discuss the issue. The Board has not formely met to make a decision although they had discussed it among themselves, know each others thoughts on the subject and now know what they want." Mr. Liebman did not feel at liberty to make a formal statement on the matter, but said "Within a couple of weeks a statement will be drafted and prepared and sent to the Association Attorney and the Beach Association.

Third order of Business was the Boat Launching area on Second Beach. Mr. Larson said a machine or something would have to be hired to remove large bolders or else they would have to blast out bolders before any launching area can be put in. A discussion followed on whether the money already appropriated should be put back into the general fund, or leave as is for use at a later date. Mrs. Lee Silva made a motion to leave the money as is, and this motion was seconded by Mrs. Steinhilber. Motion carried.

A discussion followed on erecting fences on second Beach. Mrs. Steinhilber said the one there at present is ready to fall over at a touch. Also she requested signs be posted FOR MEMBERS ONLY, as she's been policing that beach and people are becoming vindictive. No final decision was made on either issue, at that time.

#### NEW BUSINESS:

Election of Officers. The following persons were elected and sworn into office.

President: Mr. Donald Shepard  
Vice-President: Mr. Joseph O'Keefe Jr.  
Secretary: Mrs. Jeffrey Anderson (Mary)  
Treasurer: Mr. Francis Adamcewicz  
Tax Collector: Mr. Milton Krom

Board-of Directors: Mrs. Rose Miller replaced Mr. Mc. Connell  
Mr. Leonard Saponare replaced Mr. Morarity

These nominations were taken from the floor and voted on. The Secretary (Mary Anderson) was than requested to cast one ballot for each nominee.

Mr. Gobin asked that it be put in the minutes that in the future ALL TRUSTEES AND PAST PRESIDENTS, be notified for each Board of Directors meeting. These men are:

Mr. Joseph Silva, Mr Frank Gariwicz, Mr. Carlton Hathaway Jr.,  
Mr. George Brennan, Mr. Andrew Gobin, Mr Paul Intagliata,

and

THE MEETING WAS THAN TURNED OVER TO THE NEW PRESIDENT MR. DONALD SHEPARD.

First order of new Business was: Mr. Gobin suggested, that bench's be made around the interior of the new building, and that they be permanently attached. Mr Gobin made the following motion "That the money for wood, stain and whatever materials are necessary to do this work be allocated out of the building fund, but not to exceed \$100. Mr. Krom seconded the motion and it carried.

Mr. Gobin than recommended that a chopping party be organized to clear a piece of land owned by the association in the vicinity of the acre, so that it can be made into something useful, rather than stand grown in by trees and bushes. And perhaps a gate can be erected down by the road so that people who have no right up the acre do not enter.

The question of Insurance on the new building on the acre was brought up. It was deicided that this was not necessary at this time.

Electricity on the Acre was brought up. Mrs. Anderson said she contacted Bozrah Light and Power Co. and spoke to a Mr. John Savitallo who came out and spoke to her on the matter. To have electricity in the acre he said 2 poles would be required at a cost of (\$90). One would be mid-way or 315 ft. from the road, the second would be adjacent to the building, with meter and disconnect on a pole, and the box inside the building. The Electricity would have to be used on a year round basis with the minimum of \$2.25, a month when not in use. When it is in use of course the extra used will be attached on this amount. If so desired eventually str et lights could be installed at a cost of \$6.30. (Again on a year round basis) & (per month)

It was decided that the Acre is not used enough at present to warrant going through such an expense. And for the time being we can tap electricity when needed as we have done in the past.

The mill rate was again brought up. A new rate will have to be set, and Mrs. Steinhilber proposed that 1.5 mills be set (in accordance with the newly proposed budget) to be voted on at the

next meeting. This was seconded by Mary Anderson. Motion carried.

A paper on garbage collection was passed through the group. It was at a cost of 50¢ per week for pick up of either a 55 gallon barrel or a 20 gallon can. Names of people who wished this service were given to the Secretary. And she in turn was to contact Mr. Mayo for further details at 423-7813.

Diane Shepard said she will undertake the annual picnic if she can get someone to co-chair it with her. Mrs. Pat O'Keefe volunteered to do so. The date for the picnic was set at August 22.

The next meeting will be held on July 2nd...Friday Evening at 7:00 P.M. at the newly erected building on the Acre.

It was moved and seconded that the meeting be adjourned at 4:20 P.M.

Respectfully Submitted

*Mary Anderson*

Mary Anderson, Secretary L. W. B. A.

Lake Williams Beach Association Inc.  
Lebanon, Conn. 06249

Mrs. Jeffrey Anderson  
Secretary, L.W.B.A.  
R.F.D. # 2 Lake Williams Dr.  
Lebanon, Conn. 06249

To:  
Members on the Lake Williams Beach Association Inc.  
The following is the Proposed Budget for the year 1971-72

	Income	Expenditures
Insurance		
Liability		\$155.00
Salaries		
Tax Collector	\$150.00	
Secretary	40.00	
Treasurer	25.00	
Auditors	25.00	
	<u>\$240.00</u>	\$240.00
Expenses		
Secretarial	\$ 50.00	
Tax Clerk	50.00	
Beaches	200.00	
Picnic	150.00	
	<u>\$450.00</u>	\$450.00
Tax (Lebanon \$4774 @ 40 mills)	\$190.96	\$190.96
		<u>\$1,035.96</u>
Tax Revenue (\$692,027 @ 1.5 mills)	\$1,038.04	\$1,038.04

The PROPOSED Mill Rate is 1.5 mills to be voted on by the Membership at the next meeting. THIS MEETING WILL BE HELD ON FRIDAY EVENING JULY 2, 1971 AT 7:00 P.M. AT THE NEWLY ERECTED BUILDING ON THE ACRE. (as will all future meetings unless otherwise notified). DO COME !!!!!!!!!!!!!!!!!!!!!

The following are the newly elected officers:

President: Mr. Donald Shepard  
Vice-President: Mr. Joseph O'Keefe  
Secretary: Mrs. Jeffrey Anderson (Mary)  
Treasurer: Mr. Francis Adamcewicz  
Tax Collector: Mr. Milton Krom

Board-of-Directors: { Mrs. Raymond Miller (Rose)  
Mr. Leonard Saponare

Respectfully,

*Mary Anderson*

Mary Anderson, Secretary L.W.B.A.

# SWBA 1970-71 Treasurer's Report

6/6/71

	Income	Expenditure	BALANCE
<u>Recreation Fund</u>			
BALANCE 6/9/70			447 50
Picnic Aug 1970		182 87	264 63
Accrued interest	15 00		
Balance 6/6/70			279 63
<u>BUILDING Fund</u>			
BALANCE 6/9/70			1034 16
Pavilion 5/25/71		975 00	59 16
Accrued interest	47 61	47 61	106 77
BALANCE 6/6/70			106 77
<u>GENERAL Fund</u>			
BALANCE 6/9/70			1279 76
Insurance: Liability 155.00			
70-71 Bonding 42.00			
71-72 Bonding 42.00			
		239 00	1040 76
Salaries: TAX Clerk 150.00			
Secretary 40.00			
Treasurer 25.00			
		215 00	825 76
Expenses: Postage 46.59			
Office Supplies 48.62			
Water Tests 70.00			
		165 21	660 55
TAX (LEBANON - 4774 @ 34M) 162.32			
		162 32	498 23
Total 781.53			
TAX Revenue 357,28 @ 2M (714.25)	646 42		<del>1144 65</del>
income 646.42			
deficit 67.83	6 82 65		1084 47
Expenses 781.53			
income 646.42			
deficit 135.11			
	1144 65		
	135 11		
	1009 54		

# JWBA 1971-72 Proposed Budget

6/6/71

		Income	Expenditure
Insurance			
Liability	\$155.00		155 00
SALARIES			
Tax Clerk	150.00		
Secretary	40.00		
Treasurer	25.00		
Auditors	25.00		
	240.00		240 00
Expenses			
Secretarial	50.00		
Tax Clerk	50.00		
Boaches	200.00		
Picnic	150.00		
	450.00		450 00
TAX (LEBANON 4774 @ 40M)	190.96		190 96
			<u>1035 96</u>
TAX Revenue (692,027 @ 1.5M)	1038.04	1038 04	

A meeting of the Lake Williams Beach Association Board of Directors took place at the home of the President Donald Shepard, Lake Williams Drive, on June 18, 1971 at which time the President made his Committee appointments. The meeting was called to order at 7:20 P.M.

Those present were:

Donald Shepard	President
Joseph O'Keefe Jr.	Vice-President
Mary Anderson	Secretary
Frank Adamcewicz	Treasurer
Milton Krom	Tax Collector
Rose Miller	
&	Board of Directors
Bernyce Brennan	

Absent were:

Mr. Pellecchia	
&	Board of Directors
Mr. Saponare	

"ALL" past presidents and trustees of the Association were notified as requested at the Annual Meeting however none were present at this meeting.

The president appointed his Committee Chairmen, for the year. They are as follows.

ZONING: Chairman: Mr. George Brennan  
Committee: Milton Krom  
&  
Rose Miller

HEALTH & SANITATION: Chairman: Donald Shepard

LAW & ORDER: Chairman: Milton Krom

ROADS & Beaches: Chairman: Joseph O'Keefe Jr.  
Committee: Mr. Larson

FINANCE COMMITTEE: Frank Adamcewicz

TRAFFIC & SIGNS: Chairman: Mary Anderson  
Committee: Milton Krom

The first order of Business was the piece of land bordering Lake Williams adjacent to Route 207 across from Grand Lake Lodge. It was noted that a barrell had been placed there and it was heaped with garbage which was now overflowing. There have been beer cans and other debris floating ashore on our end of the lake and its believed this is the source. There is a fear also that eventually people are going to start trying to launch boats from this area. A lengthy discussion followed, and it was decided that a letter should be sent to Mr. Gillman, of Bozrah Light and Power Co. asking if he would deed this land to the Association or lease it over for a



the Lake Williams Beach Association Board  
President made his Committee  
meeting was called to order at 7:20 P.M.

token amount (for instance \$1 for a period of 99 years) thus giving the Association the right to police the area and keep it clean.

A discussion followed as to whether all past presidents (or trustees) should be notified of the Board Meetings. There is no mention of this in the Charter or By-Laws. It was decided that since there is nothing secretive about these meetings, it would do no harm, to have them present if they so desired. However, no formal notice will have to be sent out to each individual. The Secretary will POST on the Association Bulletin Board notification of the Meetings (or will notify those who SPECIALLY REQUEST notification) of these meetings, and they will be most welcomed to attend in an advisory capacity.

Mr. Pellecchia  
Board of Directors

The subject of Mr. Wilcox as Constable was brought up. There had been several complaints. To our understanding he does answer calls, but does NOTHING about them. It was suggested that perhaps his real estate business creates a conflicting interest to this office of Constable. It was decided that a letter be sent to Mr. Cummings (First Selectman of the Town of Lebanon) informing him that the Association would like Mr. Wilcox removed from this position and have Mr. Kupec, Lake Shore Drive, put in his place. (Subject to the approval of Mr. Kupec.)

This meeting was than adjourned at 8:45 P.M.

HEALTH & SANITATION: Chairman: Donald Shepard

LAW & ORDER: Chairman: Milton

ROADS & BEACHES: Chairman: Frank

YACHT COMMITTEE: Frank

Respectfully Submitted,

*Mary Anderson*

Mary Anderson, Secretary L.W.B.A.

\* Mr. Kupec was contacted on this matter and gave his consent to His appointment on Sunday, June 20, 1971.

With 22 Voting members present a meeting of the Lake Williams Beach Association was called to order at 7:05 P.M. on July 2, 1971.

The minutes of the previous meeting were read and accepted.

Committee Chairmen were asked to give their reports.

Mr. Larson (Roads & Beaches) reported that he had contacted Mr. Al Semran of Deepwood Drive, Amston (537-1775). Mr. Semran agreed to dig one rock out at first beach, and the few on second beach that need removing, level and grade for \$45.00. He also contacted Windham Sand & Stone for the price of sand. There is 12 yards per load making the cost of sand per beach \$18.00. Total cost of grading and sand \$99.00. This met with the COMPLETE APPROVAL OF ALL PRESENT. Since \$200 had previously been approved for repairs on beaches, it was also decided that Mr. Larson price Gravel, and put it on the launching area at second Beach. This work is to begin next week.

Diane Shepard (Picnic Committee) gave her report. Anyone desiring to help, or give advice on the picnic is invited to attend a meeting at her home, at 7 P.M. on Monday July 12, 1971.

Next order of business was the proposed budget, and mill rate of  $1\frac{1}{2}$  mills. Mrs. Lucas entered an objection. The budget showed a \$25 fee for auditing the books. She wanted to know if the books were audited, and if not, WHY? A discussion ensued, which ended with a motion from Bernyce Brennan "That a vote of confidence be given Frank and his assesmen of books be accepted as the offical audit without pay." Said motion was seconded and carried.

Mrs. Viccaro moved the  $1\frac{1}{2}$  mill rate be accepted. Mrs. Gruillea seconded the motion. A vote was than taken and it passed UNANIMOUSLY.

A proposal was read by the President, in which he stated, that at the previous board of directors meetings it was dicided by the board, that in the future, all Past Presidents will be welcomed to attend the Board meetings in strictly an advisory capicity, as any advice would be most welcomed. Meetings will be posted on the bulletin board and anyone wanting to be notified personally contact Mrs. Anderson, she will gladly contact you before all meetings either by phone or mail.

Mr. Shepard than read two letters which were sent out on request of the Board of Directors. One was to Mr. Gilman concerning a certain parcel of land on Route 207 requesting consent to police the area, or some other desirable solution to the problem presently there.

The second was to Mr. Cummings (First Selectman) requesting the replacement of Mr. John Wilcox as Constable to be replaced by Mr. Robert Kupec Jr.

Discussion followed on both letters, and detailed explanations were given on both matters.

Mrs. Joan Bandzes brought up the question of parking on Beaches. She said that she has heard complaints that their cars were parked on second Beach, and she did not feel they are there excessively. And just what harm do the cars do anyway?

A heated discussion took place and Mrs. Bandzes stated that such permission for overnight parking was given to them a few years back by Mr. Brennan. It was decided that such permission is not a peputal thing, and Mrs. Bandzes was advised to write a letter to the Board of Directors requesting permission for overnight parking on the

second beach. Anyone objecting to such parking arrangements were asked to also write to the Board stating why? All letters would be taken into consideration and a decision made. The Board of Directors will than ~~to~~ write Mrs. Bandzes of their decision.

Diane Shepard than made a motion that it be left to the discretion of the Board of directors whether Mrs. Bandzes can park overnight in the area of second beach. And that such permission be applied for on an annual basis. Mary Anderson seconded the motion.

Milton Krom made a motion that Mrs. Bandzes be allowed to park two cars in this area temporarily till the Board of Directors resolves this matter.

Donald Shepard than read a letter from the Town Zoning Board in reply to the memorandum given to them at the May Planning & Zoning Commission meeting. It stated that: "It is the decision of the Planning and Zoning Commission that the long term best interests of the residents and property owners of both the lake areas and of the town as a whole will best be served with the existing regulations." Some reasons given for this decision were: "Lebanon is a rural community with generally poor soil conditions and with no central sewage disposal facilities. The commission feels that the 1 acre requirement is a minimum to insure a safe and healthy surrounding with adequate sewage disposal. To permit a large increase in permanent occupancy in these areas on small lots could be very dangerous in terms of health and pollution, and could very well require the installation of a sewage disposal plant in the not too distant future at a great cost to the town. In addition, the lowering of the acreage requirement in the lake areas alone would be unfair to the property owners in the rest of the town, who have been required to meet the one-acre requirement.

It also stated that: "These regulations have been in force since April 16, 1962. They are a matter of public record, they are valid, and the property owners in the town are deemed to have been aware of them." "We do recognize however, that there MAY be some individual cases where hardship would result in the enforcement of these regulations. If in your opinion, such cases do exist, we would suggest that an appeal be made to the Zoning Board of Appeals by the affected property owners." This Summer Season should also give those residents who plan to apply for a variance, ample time to do so before this deadline." (November 1, 1971) It was signed by Harold Liebman, acting chairman of the Planning & Zoning Commission.

There was also a letter from the Association Attorney, Mr. Peter Buscemi, suggesting a general meeting of all the leaders of the various beach associations who have an interest in this matter. At this meeting Mr. Buscemi stated he will "Outline in detail the various alternatives that are available to us and present them for consideration." He also felt "We must take action BEFORE the end of the Summer Season if we wish to pursue the matter further."

It was decided that meeting will be held Saturday July 10 at 2 P.M. at the Acre. The Secretary will notify all Association members by Post card, and try to contact members of the other Associations involved.

With no further business, the meeting was adjourned at 8:15P.M.

Respectfully submitted,  
*Mary Anderson*  
Mary Anderson, Secretary L.W.B.A.

July 10, 1971

A special meeting of the Executive Board & Representatives of The Red Cedar Lake Beach Association was held at the home of the Secretary, Mary Anderson, Lake Williams Drive, with Attorney Peter Buscemi and Mr. Hagearty presiding. Those present were:

Mr. Donald Shepard- Prssident  
Mr. Joseph O'Keefe- Vice- President  
Mrs. Mary Anderson- Secretary  
Mr. Milton Krom- Tax Collector  
Mr. Francis Adamcewicg-Treasurer  
Mrs. Rose Miller- Board member  
Mrs. Bernoye Brennan-Board member  
Mr. Leonard Saponare-Board member  
Mr Andrew Gobin Special invited guests of the  
Mrs. Diane Shepard Lake Williams Beach Association.

Mr. Joseph Del Monte  
Mrs. Joseph Del Monte Representatives of the Red  
Mrs. Joyce Brodeur Cedar Lake Beach Association

The meeting was called to order at 1:40 P.M. With Mr. Buscemi introducing one of his law partners Mr. Haggaretywho was most helpful during the entire meeting explaining and answering questions.

These were the Alternatives presented to us and later to the Beach Association for further action to be taken on the matter of Zoning Voilations.

1.) VARIANCE

Each INDIVIDUAL could case by case basis seek a variance.

Letter from the ZONING COMMISSION indicates there may be individuals who can get a variance.

A.) Requirement for Variance from Z.B.A.

1). The basis for the granting of a variance would be "exceptional difficulty" & "unusual hardship"-these are words of Art - Any lesser degree of financial hardship than VIRTUAL CONFISCATION will not entitle the applicant to a finding of unusual hardship.

2). Any finding by the Z.B.A. favorable or unfavorable is open to appeal to the Court of Common Pleas.

B). RESULT

1.) The variance route would involve individual action by individual property owners appearing before the Z.B.A.

2.) Appeal to the Court of Common Pleas is expensive

2.) CLASS ACTION

Class Action - united appeal by Lake District Associations

## Planners to Act on Lake

The Hartford Courant (1923-1987); Aug 13, 1971;  
ProQuest Historical Newspapers: Hartford Courant (1764-1987)  
pg. 19B

# Planners to Act on Lake

LEBANON —The planning and Zoning Commission (PZC) will meet in executive session Monday with the Board of Selectmen to complete occupancy certificates for individual lake area dwellers.

The paperwork has been completed in a survey of lake area dwellings conducted recently by Zoning Agent Carroll Dunham and Mrs. Janie Bartizek.

Occupancy certificates will be sent by registered mail to lake area landowners. They will indicate whether the dwelling may be occupied continuously or only on a seasonal basis.

At Wednesday's PZC meeting, Acting Chairman Harold Liebman presented a report on soil tests conducted at Lebanon Acres by the state Health Department. Arthur Woods is seeking to develop more land at the site.

The report from State Sanitarian Paul Shur is "not a good view," Liebman said.

The report recommended further tests, since in "questionable areas" such as this, July tests for ground water level are not reliable and tests should be conducted in February.

Shur's report said the existing 125-foot lots may not be large enough for individual sewage disposal. He suggested on Scott Hill Road as a camp trailer site.

The letter said that the state Board of Health expects to have recommendations for such sites by fall.

Zoning Agent Dunham issued 15 building certificates during July and collected fees totaling \$459. He also issued five well permits at \$1 each. The estimated value of the planned construction is \$88,530.

The Lebanon Nursery School has announced that openings still exist in its fall program for three and four-year-olds. Interested parents may contact Mrs.

Richard Bauwens.

An exhibition softball game between the Volunteer Fire Department and parents of the Midget Football Team will be tonight at 7:30 p.m. in Ray Kanter's field on Rt. 207.

Two of the seven innings will be played by mothers of the football league and wives of the firemen.

Each player hitting a home run will donate 25 cents as he crosses home plate. All proceeds will help the newly formed Midge Football Team purchase equipment.

The Women's Auxiliary of the football team will sell refreshments during the game. No admission will be charged.

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## Year-Round Occupancy Requests Denied

The Hartford Courant (1923-1987); Oct 12, 1971;

ProQuest Historical Newspapers: Hartford Courant (1764-1987)

pg. 33B

### Lebanon

# Year-Round Occupancy Requests Denied

LEBANON — The Zoning Board of Appeals (ZBA) has denied requests for variances for year-round occupancy of lake area property belonging to John and Jean Schreiner, of Lake Williams, Louis and Anna Lane, also of Lake Williams, and Margaret Gleason of Amston Lake.

"We aren't budging," said Mrs. Schreiner. "We have no place to go."

The reasons given by the ZBA for denying the Schreiner request were:

—The hardship is not relative-

ly unique to the applicant.

—The hardship was created solely by the applicant and not by the application of the ordinance in question.

—Lot size does not conform to zoning regulations.

—Granting the variance may present a danger to public health and safety.

The Lane application was denied for the first three reasons given for the Schreiner denial.

The Gleason application denial was based on lot size, lack of uniqueness of the hardship and

danger to public health. Also given as a reason was exceptional difficulty or unusual hardship does not prevail.

According to a ZBA member, a committee from the board inspected the properties before the decisions were made. Town counsel assisted the board in wording its decisions.

In April 1962 the town enacted zoning ordinances requiring dwellings to be constructed on lots of at least one acre in size. Because lake area lots are generally smaller than one acre, zoning ordinances restrict occupancy of dwellings there to the time between July 1 and Nov. 1 each year.

Seasonal dwellings which were occupied on a permanent basis before 1962 established non-conforming use and may be occupied year-round now. Seasonal dwellings located on one acre of contiguous land may be granted a variance by the Planning and Zoning Commission (PZC) for year-round occupancy.

Apparently little was done to enforce the lake area aspects of the zoning ordinances from 1962 until last winter, when the PZC authorized Mrs. Janice Bartizek and Zoning Agent Carroll Dunham to make a house-to-house survey of all seasonal dwellings.

By March of 1971 the PZC reported that year-round residents in seasonal dwellings had received letters from the commission advising them that they were in violation of zoning ordinances.

About 100 lake area residents attended the April PZC meeting to protest the letters.

Acting PZC Chairman Harold Liebman told the group his commission had to uphold the zoning regulations and only the ZBA had the power to make exceptions to the regulations. He advised the lake area dwellers to appeal to the ZBA "on cases of hardship."

After its recent denials, one ZBA member said the town counsel had advised the board that a hardship "is not health or money and a variance is for the land and not the people."

An example of a hardship, the ZBA member explained, is if a building is too close to a prop-

erty line, it would be a hardship to move it.

John and Jean Schreiner have lived at 247 Lakeshore Drive since 1965. They added a 4½-room unit to the house in 1966, after having been issued a building permit. In 1969 they secured a permit for another addition.

The Schreiners said they feel the town was well aware of their residency during this time. They sent a child to school, were registered voters, paid their taxes and had their road maintained.

The Schreiners were first notified of their violation of zoning regulations when they received a letter early this year. They tried and failed to purchase additional contiguous land; they tried and failed to sell their house. "Wer'e boxed in," said Mrs. Schreiner.

The Schreiners were represented for their appeal to the ZBA on Sept 27 by Atty Melvin Scott, of Colchester. He produced a statement from an appraiser demonstrating that the Schreiner house would be worth at least \$7,000 less as a summer residence than as a year-round residence.

He attempted to show that the lake could not be polluted by

year-round occupancy of the Schreiner property because of a double septic arrangement and also because the land to the rear owned by Richard Cummings would have to conform to one-acre zoning when it is developed.

Scott asked the board to consider that a hardship was created by the strict application of the zoning law and not by the Schreiners, who did not deliberately violate the law.

Scott described Lebanon building permits as "one of the more deceptive permits you'll find. Seasonal and year-round permits are exactly the same except for one word written in the upper corner."

He said when the permit was picked up from the zoning agent, no reference was made to its seasonal nature.

"The community owes something to people who thought enough of it to make an investment in it," Scott said to the board. "You should ask, 'Who's getting hurt, and is justice being done?'"

After the denial of their request by the ZBA, one board member said, "You see the people and you feel for them. We have to abide by the zoning regulations and it's so hard."

**Tempers Flare Over Lake Area Notices**  
 Albert, G Claude  
*The Hartford Courant* (1923-1987); Oct 23, 1971;  
 ProQuest Historical Newspapers: Hartford Courant (1764-1987)  
 pg. 18B  
**Lebanon**

# Tempers Flare Over Lake Area Notices

By G. CLAUDE ALBERT

LEBANON — The coming of chilly autumn weather has done nothing to cool the tempers of about half a dozen residents who have been told by authorities they cannot live in their lake area homes after Nov. 1.

According to the Planning and Zoning Commission (PZC), which has issued "seasonal" certificates of occupancy to at least seven permanent residents of the Lake Williams area, the homes do not meet the requirements for year-round dwellings under zoning regulations passed in 1962.

The furious residents say they have no place else to go. "I put all my money in that house," said one lake area resident who returned from the hospital recently to find his "seasonal" certificate.

"Where the hell am I going to sleep, in the street?" he asked. "If the sheriff kicks me out, I'm going to move that house in the middle of the road," he continues. "I'm serious."

The lake area residents feel they are being victimized because zoning rules governing seasonal dwellings, passed nine years ago, have apparently never been enforced seriously until now.

The residents also say their properties were, in some cases, misrepresented at the time of sale.

They claim small-town politics has influenced the granting of permanent certificates to other lake area dwellers.

According to town zoning regulations, permanent dwellings in Lebanon must be built on at least one acre of land to provide sufficient septic capacity for year-round use.

Town officials say the regulations were aimed at protecting the ecology of Lake Williams.

Seasonal dwellings, which may be used between June 1 and Nov. 1 and for no more than 30 days the rest of the year, must be built on at least 5,000 square feet of land.

**Year-Round Use**

According to Harold Liebman, PZC chairman, dwellings that do not meet the one-acre requirement can still be used as year-round homes if:

- A resident can show that his property constitutes a "non-conforming use," meaning the dwelling lived in year-round before the adoption of zoning;
- A resident can win a variance from the Zoning Board of Appeals (ZBA) based on hardship, or
- A resident can show an intention to use a dwelling year-round before the adoption of zoning.

According to Liebman, capital improvements, such as the installation of insulation or a heating system, could be pointed to as evidence of intent to use a residence year-round.

This doesn't seem to please many of the residents, however, who say they have lived year-round in their homes with no questions asked by town officials.

"If this violation was in effect, we should have been told," one resident said, "rather than being allowed to live here so many years and investing all our money."

One lake area resident, who recently had a variance request turned down by the ZBA, said she had been living in her home continuously for four and a half years.

"We invested all our money in that land," the resident said, adding that her home was valued at about \$30,000.

"When we bought that property we were told by the realtor that it was a year-round lot," he said. There was nothing on her deed which indicated the dwelling was only suitable for seasonal use, she claimed.

According to a legal source this information would not normally be noted in a deed.

In addition, the resident said, she has paid \$600 a year in taxes to the town, she has voted in the town since she moved here and her son is attending Lebanon schools.

Nothing in her experience in Lebanon, the resident said, has indicated her home was not suitable as a year-round dwelling.

**No Answer**

Liebman, when asked why the zoning ordinance had gone unenforced for so many years, said "there really is no satisfactory answer to that."

The PZC chairman did say, however, that the PZC is not legally responsible for informing each land purchaser in town about the suitability of his property for various uses.

First Selectman Richard Cummings said Friday he didn't want to generalize about why the zoning regulations had not been strictly enforced.

He said one reason for the current enforcement, however, is the increased awareness of zoning by town officials.

Liebman also said he believed that at least some residents who have now received seasonal certificates "went into this in complete innocence."

"They feel they were misled," he said. "Who misled them is another question."

**Connections**

The angry residents also say that permanent certificates were granted to certain lake area residents who had connections with town officials.

"It's what you know and who you know in the town that counts," one resident, who also received a year-round certificate said.

Liebman, who said he participated in the decision process on the certificates, denied that favoritism had played any part.

"The same standards were applied during all our discussions," he said. "I know of no case where favoritism took any part."

Mistakes

The PZC chairman also volunteered that mistakes might have been made in some cases where our information was not complete." The PZC would be happy to review any of these cases, the chairman said.

"You can well imagine that any decisions we have made have been given with the advice of the town attorney," Liebman said.

Liebman said it was possible some of the residents would be evicted from their homes if they cannot provide the "proof we're asking under these guidelines."

"Of course, they always have recourse to the courts," the chairman said.

The residents also say they are not unconcerned about the ecology of Lake Williams.

The residents agreed that "great development" of the lake should not be allowed. But they also cite water tests done over the last five years by a UConn bacteriologist to show Lake Williams is still clean and suitable for swimming.

"Who could care more about the lake than we do?" one resident asked. "If that lake gets polluted, our property is worthless."

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**PZC Approves Trailer Site**  
*The Hartford Courant* (1923-1987); Feb 12, 1972;  
 ProQuest Historical Newspapers: Hartford Courant (1764-1987)  
 pg. 10B

## Lebanon

# PZC Approves Trailer Site

LEBANON — The Planning and Zoning Commission (PZC) has unanimously approved a camp trailer site on property owned by Raymond Kanter on Rt. 207 at Lake Williams.

Meeting in executive session with PZC members, Kanter submitted a map, recommendations by state sanitarian Paul Schur and verification by Zoning Enforcement Officer Carroll Dunham that Schur's recommendations were followed.

Minutes of the executive session were filed Friday.

According to town assessors, Kanter owns 10 acres known as Kanter's Campground, 4.5 acres in building lots and 4 acres known as "the King Place."

A public hearing was conducted in June 1970 to discuss Kanter's application to allow camping on his 20 acres, rather than the minimum of 50 that is required.

The Lake Williams Beach Association went on record at the time as opposing Kanter's request. It reasoned that increased campsites on less land would pollute Lake Williams.

In July 1970, the PZC decided to leave the requirement at 50 acres.

**Nonconforming**

In September 1971, Kanter told the PZC he was developing a campsite on his property as a nonconforming use.

**Nonconforming use results**

when property is used for a certain purpose before adoption of zoning.

Kanter then submitted letters from five individuals who said they had camped on the land between 1955 and 1960, before adoption of zoning.

The PZC accepted these letters as "proper evidence" of nonconforming use.

Several Lake Williams residents said they were surprised the PZC would accept letters to prove nonconforming use in Kanter's case. They said more stringent proof was required of them in their attempt to gain permanent certificates of occupancy through proof of nonconforming use.

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Lebanon

## Lake Resurvey Completed

LEBANON — A resurvey of the lake areas has been completed by Zoning Commissioner Harold Liebman. Thirty-seven alleged violators of zoning ordinances have been found.

The PZC will send each violator a letter notifying him that he is living all year on property granted only a seasonal permit.

Liebman told the PZC at its meeting Wednesday that he met recently with the town counsel who informed him the commission "has been using proper guidelines in our procedure."

The counsel advised the PZC to continue to hear cases already before it of people attempting to gain permanent certificates of occupancy, but to refer subsequent cases to the Zoning Board of Appeals.

Liebman reported First Selectman Martin Masters had

spoken with the owner of industrially zoned land on Rt. 207. An informal meeting between the land owner, the first selectman and the PZC to discuss development on the land has been set for 8:30 p.m. Wednesday at Town Hall.

Liebman read a letter from the state Highway Bureau enclosing a map of the section of Rt. 289 where the state will rebuild a culvert at Burgess Brook.

John Hoyt of Hub Corp., engineers, discussed State Sanitarian Paul Schur's recommendations for the development of Bush Hill campsites on land owned by James Cook.

A public hearing will take place when the plans are in accordance with the recommendations.

Edward Gianert of East Hartford received a permanent cer-

tificate of occupancy for his property at Amston Lake after the PZC accepted his proof of intent to live there all year.

Dr. John Trapuzzano of Manchester, who also submitted evidence of intent, will be granted a permanent certificate of occupancy for his Amston Lake property pending proof of an adequate water supply.

Stanley Babiarczyk of Willimantic will be granted a permanent Lake Williams as soon as he drills a well. He presented letters from the first selectman and the local water company granting him permission to run a water line under Lake Shore Drive.

A proposed subdivision on Rt. 207 near Rt. 16 on land owned by Anthony Silvester was discussed. Silvester was referred to the Zoning Board of Appeals

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## PZC Decision on Campground Criticized

Masters, Barbara

The Hartford Courant (1923-1987); Feb 15, 1972;  
ProQuest Historical Newspapers: Hartford Courant (1764-1987)  
pg. 46B

Lebanon

## PZC Decision on Campground Criticized

By BARBARA MASTERS

LEBANON — The president of the Lake Williams Beach Association has called the Planning and Zoning Commission's (PZC) decision to allow Raymond Kanter to operate a campground on his property irresponsible.

Donald Shepard, association president, said in a press release Sunday night he feels the PZC acted "arbitrarily" at Wednesday's executive session

when it approved the campground under "non-conforming use."

The decision was made public Friday the day before several lake area residents received letters advising them that they were in violation of the zoning regulations by living year-round on their property.

Donald Shepard, association president, has called the decision "irresponsible."

"I feel that the PZC has acted

arbitrarily in this matter and as an elected body has abused the authority vested in it," Shepard said Sunday.

"If this decision is not reviewed and reversed I have no other recourse but to seek redress through the courts. I fully intend to enlist the support of the three lake associations and other concerned voters of Lebanon in pursuing this matter," he said.

PZC Chairman Harold Liebman said Sunday the non-conforming use of Kanter's property was established by five notarized letters from individuals claiming to have camped on the Kanter property prior to local adoption of zoning in 1962.

These letters were submitted to the PZC Sept. 8, 1971.

"Despite several requests, copies of these letters are not a matter of public record," Shepard said. "Chairman Liebman acknowledged that as of Saturday copies of these letters were not in the possession of the PZC."

**'Proposed' Sites**  
State Sanitarian Paul Schur investigated the site in 1969. His report describes the camp sites at that time as "proposed."

Shepard said that following the submission of Schur's report, Kanter attempted and failed to get the zoning requirements for a campground changed from 50 to 10 acres.

In May 1970, Kanter failed to get the acreage requirements reduced from 50 to 20 acres.

Shepard said, "if indeed, Kanter was running a campground for the past 10 years as he claimed to establish his non-con-

forming use, why was he so intent upon changing the zoning requirement for a campground?"

The minutes of the Dec. 1, 1971 PZC executive session say, "In regard to the camping site at Kanter's property, Atty. Charles Jewett (former town counsel) said the extent of non-conforming use should be made specific—either number of campers allowed or an established acreage limit. Again, the board agreed that Kanter submit a map of the proposed camping area."

**'Crude Sketch'**

Shepard described the map submitted last week by Kanter as "nothing more than a crudely-drawn sketch of the basic boundaries of Kanter's overall property. There are no dimensions indicating where the alleged campsite is located or how many camp sites it encompasses."

"The camp is drawn to absolutely no scale. Chairman Liebman signed the map with the request that it be redrawn to

clarify the area in question, but rather than waiting for the map to be resubmitted the board unanimously agreed that based on the information supplied, Mr. Kanter had established a non-conforming use. Since there were absolutely no acreage limits listed in this map it becomes obvious that the PZC chose to disregard the advice of the town attorney in this matter," Shepard said.

Liebman said the map was requested only to show what the non-conforming area encompasses.

Concerning the unanimous

PZC decision Wednesday, Shepard said, "When I personally questioned Chairman Liebman on his decision he admitted that he had abstained from voting because of a possible conflict of interest, since he owns land abutting the alleged campsites."

"No mention of this is made in the minutes of the executive session. This means that the vote was made by four members of a seven-man commission. In addition, one of the members voting was not in office when the letters were submitted, and admitted never having seen the originals or copies of these letters," he said.

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## Lake Zoning Attacked Again

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### Lebanon

# Lake Zoning Attacked Again

LEBANON — Controversies over lake area zoning arose again at the Planning and Zoning Commission (PZC) monthly meeting Wednesday.

After being informed, the PZC's decision to grant non-conforming use to Kanter's campground was final, Lake Williams resident Donald Shepard said that he had initiated legal action concerning the zoning.

"I can only repeat that this action is completely arbitrary and an abuse of your power," Shepard told the PZC.

PZC Chairman Harold Liebman told the PZC that since completion of the survey of the lake areas, letters were sent to those residents believed to be living there year round in violation of the local zoning regulations.

Liebman said a number of residents who received these letters had informed him that they plan to appeal to the Zoning Board of Appeals.

The PZC voted that all supposed violators who have not informed the PZC of their intentions will have their cases referred to the town attorney.

#### Letter

Leon Skawinski of Colchester, who owns property at Red Cedar Lake, read a letter he had sent to the PZC. This included descriptions of his property, which he built before 1962 with the intention of eventually occupying year round.

"I have established my intent before you came into being. Therefore you have no jurisdiction over me," claimed Skawinski.

Liebman advised Skawinski to obtain statements from acquaintances familiar with the facts as presented in his letter.

Skawinski contended that the structure itself is all the proof that is required.

An Amston Lake property owner, Arthur Jones, described the problems confronting him in

his attempt to obtain a permanent certificate of occupancy for his retirement home at the lake.

He said the secretary of the Zoning Board of Appeals told him the board could not hear his case until it had been heard by the PZC.

#### Improper Agency

Liebman told him the PZC couldn't handle his case and that the proper agency was the zoning board of appeals. Liebman said the PZC can consider only cases of intent which arose before 1962. Jones built his home in 1967.

In other business, the PZC authorized payment of a bill of over \$500 presented by Mrs. Janice Bartizek "for services rendered" between August, 1971 and February, 1972.

Although no mention was made of what constituted the services, Mrs. Bartizek, with the zoning enforcement officer, made the lake area surveys, the

results of which have been given to the PZC.

Mrs. Bartizek has been acting as clerk for the PZC since last month when acting secretary Delton Briggs said he was unable to perform this duty.

#### New Office

Liebman announced that the PZC will move into the vacant office in the southwest corner of the Town Hall. The office will be shared with the building department and the Zoning Board of Appeals.

Liebman said he will meet within two weeks with Robert Young of the Windham Regional Planning Agency to review local zoning regulations.

He presented to the board for its consideration drafts of two forms for its use: an application for a public hearing, and an application for final approval of a subdivision, which contains a check list of requirements for subdivisions.

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**Lebanon**

# Zone Ruling Appealed

LEBANON — The Planning and Zoning Commission (PZC) has been served with a summons by an attorney for a group of Lake Williams residents appealing the PZC's decision February to allow Raymond and Doris Kanter to operate a campground on their property at Lake Williams under a non-conforming use.

The summons was filed by Atty. Oliver Chappell of Williamantic for Donald and Diane Shepard, Edward and Rose Cichowitz, Boleck and Mary Rogowski, and Blanche Newman, who claim the PZC acted "improperly and arbitrarily" when they granted the Kanters permission to operate a campground with insufficient acreage.

The complaint was served on the PZC Tuesday, the same day that another complaint was served on the Zoning Board of Appeals in an unrelated zoning decision appeal.

The PZC complaint says that, according to zoning regulations which became effective June 20, 1969, the Kanters do not have sufficient acreage to permit use of the land as a recreational campsite.

The complaint says that at some time after June 20, 1969, the Kanters began to develop their land as a campsite and that on Sept. 8, 1971, Kanter applied to the PZC to develop the land as a "non-conforming campsite."

The complaint says that on Feb. 9, 1972 the PZC decided reasonable proof of this had been presented and restated this decision at its March 8, 1972 meeting. The complaint describes these decisions as "illegal, arbitrary, and in abuse of its discretion" because of insufficient evidence, and because any previous non-conforming use of the site for camping prior to zoning had been abandoned.

The complaint also says that the PZC's decisions were based in part upon a statement made by Kanter that he was willing to rent a recreation area to the town at a nominal cost.

The complaint also says that the PZC did not reduce to writing the vote of each board member upon the decision within 48

hours, as is required by law. It claims that although the PZC Chairman Harold Liebman said he would disqualify himself from voting on the matter, the board's minutes do not indicate whether he did.

According to the complaint, the PZC failed to establish the extent of any prior non-conforming use.

The PZC is summoned to appear in the Court of Common Pleas in Norwich June 6 to answer the complaint.