

**TOWN OF CHAPLIN, CONNECTICUT  
HISTORIC DISTRICT COMMISSION**

**MINUTES OF A PUBLIC HEARING AND BUSINESS MEETING  
HELD ON November 18<sup>th</sup>, 2014 IN THE CONF RM, CHAPLIN LIBRARY**

**Public Hearing**

Paul Peifer, Chair, called the hearing to order at 7:04 PM. Members present were Warren Church (vice chair), Jean Givens, Kitty LeShay, Carl Lindquist (alternate), Catherine Lynch (secretary), Paul Peifer (chair), and Catherine Smith (alternate). Also present were Fritz and Gretchen Maurer.

Peifer read the public notice published in *the Chronicle* on November 6<sup>th</sup>, 2014, regarding a November 18<sup>th</sup> hearing of the Chaplin Historic District Commission on the application for a Certificate of Appropriateness by Fritz and Gretchen Maurer for changes to the building and grounds at 350 Phoenixville Road.

Gretchen Maurer submitted a three page emendation and expansion of the original Oct 23 application. She and Fritz Maurer described work that has already been done on the exterior of the building to replace extensive rotten sills, construct below grade foundations where none existed before, and improve drainage around the building. They discovered that the grange building was built in 1930, not 1910, and found newspaper photographs from 1931 showing the front of the building. Over the course of their presentation, the Maurers proposed to:

- Install double hung, wooden doors (32" x80" each), with three lights (panes of glass) across the top of each door, in the original door opening (67" x 82") on the front, west side of the building to recreate the door style in the 1931 newspaper photograph. This proposal replaced the original proposal to install a single front door with side lights.
- Install two lamps on either side of the front doors, matching the placement and style of the lights in the 1931 photograph. The Maurers had researched 1930s building styles and proposed that the front doors and lamps have "craftsman style" details. Givens explained that buildings in the District would not have been of the latest style in the 1930s and urged the Maurers to keep the details simple, with basic, square, lantern style lighting.
- Replace the current side door on the north of the building with a six-panel wooden door found inside the building or a similar door. This would expand the current opening from 36" x 80" to 40" x 80". The side door and front doors would be of a similar style.
- Install a light beside the side door similar to the two lights on either side of the front doors.
- Install a new stone walkway curving from the front doorstep around to the parking area on the north side of the building ending in stone steps set in a new retaining wall. The existing front doorstep of stone and mortar is being repaired.
- Construct a retaining wall on the north side of the building approximately 4' high at the building and descending to 2', beginning near the building's front, north-west corner and curving for 30' along the parking area and beginning up the driveway. The retaining wall would primarily face east toward the rear of the building and not be visible from the street.

- Re-grade the current sloping ground along the north side of the building and shift the parking area forward. A level area would be created below the new retaining wall to its east. This would allow the parking area and that end of the driveway to be moved forward, toward the west. Both parking area and driveway will continue to be gravel.

- Install a sign, "Home of Natchaug Grange," on the roof over the front doors. The sign would reproduce the historic sign visible in the 1931 photograph in both appearance and placement.

- Install basic, seamless gutters to ring the house. Downspouts would be placed as needed, most likely at the corners, although the Maurers would keep downspouts off the front of the building to the extent practicable.

The Maurers also would like to place flower boxes under the two front windows and expect to replace the roof and do work on the windows in the future. As the new roof would use asphalt shingles as does the existing roof, no Certificate of Appropriateness is required. Any changes to the windows that go beyond repairing the existing windows or replacing them with identical windows would require a hearing.

Commissioners commended the Maurers on their work to rescue a deteriorating building historically important to the town, as well as their research and provision of photographs and drawings with their application.

Peifer closed the hearing at 7:42 PM.

### **Business Meeting**

Peifer opened the meeting at 7:47 PM. The same members were present.

1. Approval of the minutes. Lacking copies of the minutes of September 9<sup>th</sup>, 2014, the Commission postponed their approval until the next meeting, scheduled for February 3<sup>rd</sup>, 2015.

2. Consideration of the application from Fritz and Gretchen Maurer. Givens made a **motion** to approve a Certificate of Appropriateness for Fritz and Gretchen Maurer to make the following changes at 350 Phoenixville Road: to install double-hung doors, circa 67" x 80", on the western facade with lights [glass panes] across the tops of the doors; to install lantern-style lights to either side of the front door; to install a six-panel side door, circa 40" x 80" and a light similar to those on the front of the building; to build a flagstone path from the front door to the drive on the north side of the house; to install a low stone wall 4' high descending to 2'; to install a small sign modeled on the original sign; to install gutters on all sides of the house. Church **seconded** the motion, and it passed unanimously.

3. New Business.

a. 66 Chaplin Street. Peifer visited the Shultzes at 66 Chaplin Street concerning the recent installation of asphalt over their gravel driveway without complying with Historic District Commission regulations, as well as their previous installation of two large propane tanks and a generator on the north side of the house and an even earlier propane tank on the south. The paved driveway, 3'' of asphalt compressed to 2'', appears to be 8' to 11' wide, expanding to 25' at a pull-off, and of unknown length. Peifer read a letter from Mary Schultz dated November 15<sup>th</sup> [attached]. Commissioners were alarmed at the Schultz's assumption that they did not need to contact the HDC prior to beginning work. Given that it would be difficult to require the Shultzes to remove the asphalt, tanks, and generator at this point, Commissioners felt that an after-the-fact hearing would

entail too great an expense of time and of Town funds. Instead they charged the Chair with writing a letter to the Schultzes expressing the Commission's deep concern over their failure to follow District regulations. Peifer will also urge the Schultzes to mask the tanks and generator with evergreen plantings. Further, Commissioners discussed the past practice of sending an informal letter from the Chair to all district residents and thought that it might be time to send one again, in which Peifer could introduce himself as the new Chair, remind residents of the regulations, and invite them to touch bases with the Chair about any contemplated work.

b. *HDC record storage*. Peifer has raised the issue with Shari Smith, the Town Clerk, of storing HDC records at Town Hall instead of in private homes. Church, at whose house the records currently are, will follow through on moving the records to Town Hall.

c. *HDC website*. HDC members will individually send suggestions for improvements to the HDC page on the Town website to Suzanne Gluck, the First Selectman's Assistant (assistant@chaplinct.org). If they were to cc Peifer at the same time, the Chair would have an overview of suggested changes.

d. *HDC bylaws*. Peifer wondered if the Commission has by-laws. There are none beyond the "Town of Chaplin, Historic District Commission Regulations and Procedures."

e. *Minimum requirements of legal notices*. Peifer, with some assistance from Lynch, read email correspondence [attached] with the Town Attorney, Dennis O'Brien, concerning the minimum language needed in a legal notice. O'Brien identified two areas in the Nov 6<sup>th</sup> notice that could have been omitted, although it might be advisable to retain the second area when a notice is vague about the work proposed. The consensus of the Commission was that it is possible to be more specific about proposed work while still keeping the language simple and that the length of the legal notices should be kept to a minimum in order to save the Town money.

4. Old Business. Smith reported that she has not yet been able to welcome the new owners at 342 Phoenixville Road and introduce them to the District and its requirements.

5. Adjournment. Givens made a **motion** to adjourn, and Peifer closed the meeting at 8:45 PM.

Respectfully submitted,  
Catherine Lynch  
Secretary

The next scheduled meeting will be held on February 3<sup>rd</sup>, 2015, and these minutes are subject to approval at that time.

November 15, 2014

Paul and Members of the Historic Commission,

Jack and I regret that we failed to seek approval from the Historic Commission for having asphalt placed over our driveway. It was one of the additions we recently made to our property to help us remain in our home as long as possible. We are both now 85. Mary has some problem with balance and often has difficulty walking on uneven ground or grass, as well as, our walks where the stones are irregular and become slippery when wet and cold. Our driveway is our best exit to the road and it was becoming steeper due to erosion where it intersected with Chaplin Street. Pushing garbage containers up to the street is not easy and likely impossible for Mary if the chore should of necessity fall to her.

The propane tank on the south side of the house fuels a propane stove in our kitchen. We had it installed to replace a wood stove that gave us concern over the smoke it released. We need a stove there to supplement the heat from the furnace located in the basement on the north side of the house. The propane tanks on the north side of the house fuel a standby electric generator we had installed to provide for heat and water during electrical outages. We found hauling the gallons of water required during lengthy outages very difficult and would become more so for us in time. The propane tanks do not belong to us. They would be removed by the propane companies if we simply quit paying their bills. We will do our best to screen them and the generator with plantings in the spring. We have certain limitations because suppliers of fuels need access to that rather narrow strip of property where the septic system is also buried.

Mary E. Schultz

## Main Identity

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**From:** "Dennis O'Brien" <dennis.o.brien@snet.net>  
**To:** "Paul & Sue Peifer" <peifer356@charter.net>  
**Cc:** "Bill Rose" <firstselectman@chaplinct.org>; "Jay Gigliotti" <jaygigs25@hotmail.com>; <zoningofficer@chaplinct.org>  
**Sent:** Tuesday, November 18, 2014 2:52 PM  
**Subject:** RE: Legal Notices

Paul, As to this HDC notice in particular, after a fairly quick review of C.G.S. section 8-7d and section 7-147e and some case law, it is my opinion that the following language could have been very safely left out of the notice: "At the hearing interested citizens may be heard and written communications will be received. No information from the public or the applicants shall be received after the public hearing is closed." In is unlikely in my opinion that the HDC could run afoul of the law by also leaving out: "A public copy of this application is on view at the Chaplin Town Clerks Office," but there is at least one trial court case in which the judge seemed to say that it is important if not essential to have language to that effect in the notice. I think this is so especially if the description of what the applicant intends to do on the subject property is too general or extremely vague. Nevertheless, erring on the side of caution in this regard is not a bad idea as the saving of money for giving notice of where the public may view the application cannot be much except perhaps in the very long run, and there is no point in taking chances. As the land use statutes are all nonspecific on the point you have raised, it almost comes down to a matter of constitutional (due process) law, and every judge may have their own individual view of that, so why take chances? In any event, I agree that what I have stated herein may be applied to any land use notice of a public hearing including of course HDC proceedings. I hope this answers your question. If not, or if you would like a more detailed or formal opinion, let me know and I will do better. Best, Dennis

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**From:** Paul & Sue Peifer [mailto:peifer356@charter.net]  
**Sent:** Tuesday, November 11, 2014 10:38 AM  
**To:** Dennis O'Brien  
**Cc:** Bill Rose  
**Subject:** Re: Legal Notices

Hi Dennis;

I've attached the ad. Please see what we can eliminate to keep costs down. In our HDC regulations we require the name of applicant, property affected, description of work to be done, date, time, and location of a hearing. Is that enough? Thanks for your help.

----- Original Message -----

**From:** Dennis O'Brien  
**To:** 'Bill Rose'  
**Cc:** 'Paul & Sue Peifer'  
**Sent:** Tuesday, November 11, 2014 8:15 AM  
**Subject:** RE: Legal Notices

You sure the ad Paul is referring to is in the 11/6 Chronicle. I went to the Chronicle website and did not find it in the 11/6 edition.

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**From:** Bill Rose [mailto:firstselectman@chaplinct.org]  
**Sent:** Tuesday, November 11, 2014 7:59 AM  
**To:** 'Dennis O'Brien'  
**Cc:** 'Assistant'  
**Subject:** FW: Legal Notices

See below

William H. Rose IV  
First Selectman  
Town of Chaplin  
495 Phoenixville Road  
Chaplin, CT 06235  
Voice: 860-455-0073  
[firstselectman@chaplinct.org](mailto:firstselectman@chaplinct.org)

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**From:** Paul & Sue Peifer [<mailto:peifer356@charter.net>]  
**Sent:** Thursday, November 06, 2014 5:41 PM  
**To:** Bill Rose  
**Subject:** Legal Notices

Hi Bill;

As a cost savings measure, could you get a legal opinion from the Town Attorney as to what minimum requirements are needed to be included in a published Legal Notice.

The HDC Legal Notice I wrote, published in the Chronicle Nov. 6 for the Nov 18 meeting, is the usual boiler plate, but I see other Town's Commissions do with less wordy notices.

I know the date, time and location and a brief description of what is being discussed are required. Anything else?

This opinion could be used by other Boards and Commissions, as well.

Thanks for any help: Paul Peifer Chairman Chaplin HDC