

**Town of Chaplin, Connecticut
Zoning Board of Appeals**

Minutes of March 26, 2014

These unapproved Zoning Board of Appeals meeting minutes are forwarded to the Chaplin Town Clerk in a draft format. These minutes are unofficial until they have been read and approved by a majority vote of the Board. Should edits be necessary, they will be made at the next regularly scheduled meeting, voted upon and noted in the meeting minutes.

Public Hearing

The Chaplin ZBA held a public hearing on Wednesday, March 26, 2014 at 7:00PM in the meeting room of the Chaplin Public Library on the application for a variance by Sarah Zimmerman and Allen Olsen, 13 North Street, Lexington, MA 02420 concerning property owned by Virginia Wayne Talbot Harbaugh Trust at 46 Chaplin St. Chaplin, CT. They are requesting a variance seeking relief from CZR 6.1C and 6.2 i.e. lot size, frontage requirement and side and front setback requirements.

The hearing was called to order at 7:01PM. Members Present: Susan Peifer-Chair, Helen Weingart, Rosalie Gifford, Lisa Courcier-Alternate and William Jenkins. Also Present: Sarah Zimmerman, Allen Olsen, Sharon Churchill-Attorney, Members of the Public and Betty Urban-Clerk. The hearing was recorded by voice recorder. The Legal Notice and meeting protocol were read.

Sarah Zimmerman said this property would be used as a second home for her and her husband and a retirement home in the future. She has worked as a historic planner and would use the building as a residence but keep as is to the extent the Building Code allows.

Sharon Churchill, Attorney for the applicants said there is no way the property could conform to lot size, frontage requirement and side and front setback requirements without a variance. According to plans, the footprint of the building would not change except for code requirements. A well and septic plan was submitted.

Peifer read a letter received by Virginia Wayne Talbot Harbaugh, owner of 46 Chaplin St.

Catherine Smith, 44 Chaplin Street feels for privacy reasons the property at 46 Chaplin St. must remain unoccupied. The intent of the building was for storage, never a residence. She submitted documents to support her contention.

Bruce Raymond, 35 Chaplin Street researched the history of the property. He said the lot in question was not a lot of record and was set after zoning regulations were adopted. This property may be outside the legal authority of the ZBA. He submitted documents to support his findings.

Dan Cowles, 50 Chaplin Street questioned the L shaped property behind the property at 46 Chaplin Street. According to tax records, this property is part of the property he owns at 50 Chaplin St

Chris Komuves, 122 Bedlam Rd questioned the location and safety of driving over the septic system and well which would be located under the driveway. The applicant's well plan addresses a construction technique to allow traffic over the well.

Katie Lynch, 96 Chaplin Street read an email that was received from Virginia Wayne Harbaugh in 2006. In this email, she questioned if the store could be made into a residence. Katie Lynch, who was a member of the Board of Assessment Appeals at that time, advised her to talk to Chandler Rose.

Robert Mott, 29 Bedlam Rd. asked if plans for the well and septic system have been approved by Eastern Highlands. The applicant was told that a two bedroom residence, private well and septic system was in compliance with the Health Code.

Diane Cox, 31 Chaplin Street responded to the idea that the building be moved. She feels it should stay where it is.

Jean Givens, 35 Chaplin Street feels the property should never have been split from 50 Chaplin ST. This created a hardship for the residents and neighbors on Chaplin Street.

Dan Cowles, 50 Chaplin Street said he wanted to buy both properties but was unable to at the time he purchased his home.

Sarah Zimmerman thanked everyone for their caring of the old store at 46 Chaplin St. She understands the feelings and concerns of everyone in the community. She stated that Allen Olsen and she had submitted an offer to purchase 50 Chaplin and 46 Chaplin St. as a unit at the time of the sale of 50 Chaplin St.

The decision was made to continue the hearing. Peifer announced that the hearing will be continued on Wednesday, April 23, 2014 at 7:00PM in the meeting room of the Chaplin Public Library.

Regular Meeting

1. Call to Order

The meeting was called to order at 9:01PM.

2. Roll Call, Seating of Alternates

Members Present: Susan Peifer-Chair, William Jenkins, Helen Weingart, Rosalie Gifford, and Lisa Courcier –Alternate who was seated for Guy Ricklin. Others Present: Betty Urban-Clerk

3. Approval of Minutes

a. 26 February 2014 Regular Meeting

Motion made by William Jenkins and seconded by Lisa Courcier to approve the minutes of February 26, 2014 regular meeting. Motion passed unanimous.

4. Old Business

a. Consider Variance Request by Zimmerman/Olsen re: 46 Chaplin St.

Motion was made by Helen Weingart and seconded by William Jenkins to continue the hearing for the variance requested by Sarah Zimmerman and Allen Olsen re: property at 46 Chaplin St. on Wednesday April 23, 2014 at 7:00PM at the Chaplin Library Meeting Room. Motion passed unanimous.

5. New Business None at this time

6. Citizens Having New Business Before the ZBA None

7. Correspondence None at this time

8. Other Items None at this time

9. Items Pro re nata None

10. Adjournment

Motion was made by William Jenkins and seconded by Lisa Courcier to adjourn the meeting. The meeting was adjourned at 9:10PM.

Respectfully Submitted,

Betty G. Urban-Clerk
Chaplin ZBA