



TOWN of
THOMPSON
ZONING BOARD OF APPEALS

Minutes
October 14, 2015

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Kevin Beno called the meeting to order at 7:00 PM in the Merrill Seney Community Room at the Town Hall.

1. Roll Call: Kevin Beno
Ross Dimock (seated as an alternate)
Leslie Lavallee (seated as an alternate)
Ray Faucher, Sr. (seated as an alternate)
There was a quorum.
2. Staff Present: Alvan Hill, ZEO
Tina Fox, Recording Secretary
3. Public Hearings:
 - A. **Variance 15-11:** Leo Bellanceau, Applicant. Leo and Laurie Bellanceau, Owners of Record. For property at 653 Quaddick Town Farm Rd. Map 160/Block 11/Lot 17/Zone RA-80. Requesting variance per Zoning Regulations Article VI, Section 1, Subsection 4.
Reason: ZEO states that the applicants are 4 sq. ft. over the 25% allowable expansion.
 1. Donna Hall, Quaddick Rd., spoke on behalf of the applicant. She read an applicable section of the Zoning Regulations aloud. She explained that the applicants are replacing a trailer on their property. She stated that the regulations do not specify if the 25% sq. ft. expansion refers to only habitable living space. She explained that if the square footage of the existing trailer, porch and finished basement are all included, the new trailer meets the 25% expansion rule. She further explained that the ZEO believes the calculation should be done with only habitable space, which would not include the porch and finished basement and makes the new trailer 4 sq. ft. over the 25% allowable expansion. She added that the new trailer is smaller than the existing trailer.
 2. A. Hill explained that the regulations do not specify whether only habitable space should be considered, but that he consulted with Attorney Steven Byrne who agrees that only the live-able space should be used in calculating the 25% expansion.
 3. Members of the audience Tom Poplaski and Jolanta Bugajski stated that they are for the variance.
 4. **Kevin Beno moved and Ross Dimock seconded the motion to close the public hearing. The motion carried unanimously.**

5. **Ray Faucher, Sr. moved and Kevin Beno seconded the motion to approve the variance for application 15-11. The motion carried unanimously.**

B: **Variance 15-12:** Danielle Lefebvre, Applicant and Owner of Record. For property at 112 Gawron Rd. Map 122/Block 31/Lot 20-A/Zone R-40. Requesting an appeal of a ZEO decision that applicant has a 42 ft. road frontage deficiency.

Reason: Pre-existing/zoning permits do not expire.

1. Danielle Lefebvre, 112 Gawron Rd., began to briefly explain the application. Kevin O'Brien, Dayville, CT, explained that the garage on the property was turned into an apartment in an emergency situation. When the applicant purchased the property, the apartment had to be shut down because the septic system was not deemed acceptable.
2. K. Beno asked if it is one structure with a detached garage that is being discussed. A. Hill answered that it is two residences on one lot, and that according to the regulations, the property needs twice the acreage (which has been met) and twice the road frontage, which leaves the applicant with a 42 ft. road frontage deficiency.
3. K. O'Brien further explained that the applicant received a Zoning Permit, then installed a new septic system at a cost of \$25,000, which passed inspection. The applicant believed she had all of the approval needed, and only found out after installing the system that the road frontage was 42 ft. short. A. Hill explained that the Zoning Permit was void because it did not meet NDDH approval. K. O'Brien stated that the Zoning Permit doesn't say that it would be void because of that, and no one told the applicant until she came in to re-file her building permit.
4. The following members of the audience stated that they were for the variance: Donna Hall, Laurie Bellanceau, Tom Poplaski, Jolanta Bugajski, Leo Bellanceau, Blain Cotnoir.
5. **Ross Dimock moved and Leslie Lavallee seconded the motion to close the public hearing. The motion carried unanimously.**
6. **Ray Faucher, Sr. moved and Kevin Beno seconded the motion to approve the variance for application 15-12. The motion carried unanimously.**

4. Approval of Minutes

A. **Leslie Lavallee moved and Ray Faucher, Sr. seconded the motion to accept the September 14, 2015 minutes as written. The motion carried unanimously.**

5. Correspondence

A. Sent via mail (*sent via email only)

1. Agenda: Zoning Board of Appeals, October 14, 2015
2. Minutes: Zoning Board of Appeals, September 14, 2015, and Planning and Zoning Commission September 28, 2015.
3. ZEO Report: August 2015
4. Budget Report: August 2015
5. Received October 7, 2015: Memo from Attorney Steven Byrne regarding a recent U.S. Supreme Court ruling.
 - a. K. Beno asked if the public hearing signs are worthless because of this ruling. A. Hill answered that the Town is not violating anything the Supreme Court has said yet.

6. Applications and Appeals: None

7. Applications and Appeals Received after Agenda Posted

A. **Variance 15-13:** Jolanta T. Bugajski, Applicant and Owner of Record. For property at 36 Watson Rd. Map 15/Block 72/Lot 37C/Zone R40. Requesting variance because site development plan is showing 2.4 inch deficiency of the existing foundation.

Reason: Foundation was poured, single family home is almost complete. House built by a family with two children in Connecticut schools. 85% of building costs are in loan.

1. **Kevin Beno moved and Ross Dimock seconded the motion to accept application 15-13. The motion carried unanimously.**
2. Jolanta Bugajski asked if the Board could vote on the issue tonight because it is only a 2.4 inch deficiency. K. Beno explained that it would be illegal to vote on the variance tonight.

B. **Variance 15-14:** Samantha Weiss, Applicant. Samantha and Tammy Weiss, Owners of Record. For property at 125 Stawicki Rd. Map 99/Block 43/Lot 29M/Zone RA-80. Variance requested regarding Article IX, Section 11.

Reason: 588 sq. ft. over allowable regulation.

1. **Kevin Beno moved and Leslie Lavallee seconded the motion to accept application 15-14. The motion carried unanimously.**

8. Old Business

9. New Business: None

10. Citizens' Comments

11. Commissioners' Comments

- A. K. Beno stated that he noticed in the PZC minutes that the applicant for the solar farm behind Town Hall said at the PZC meeting that PZC was just a stop over and the approval was just a formality. He noted that when the same project was before ZBA, they were told that ZBA was just a stop over point, and that the project would still need PZC approval.

12. Future Meetings

- A. Monday, November 9, 2015: Merrill Seney Community Room, Town Hall
7:00 PM

13. Adjournment

- A. **Ray Faucher, Sr. moved and Kevin Beno seconded the motion to adjourn. The motion carried unanimously.**
- B. Chairman Dan Roy adjourned the meeting at 7:22 PM.

Tina Fox
Recording Secretary