



# TOWN of **THOMPSON**

## **ZONING BOARD OF APPEALS**

**Minutes: Zoning Board of Appeals**

**May 8, 2017**

**Merrill Seney Community Room, Town Hall, 7PM**

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Chairman Dan Roy called the meeting to order at 7:00 PM in the Merrill Seney Community Room at the Town Hall.

- I. Roll Call:
- A. David Babbitt
  - Kevin Beno
  - Kirby Cunha
  - Leslie Lavallee
  - Tom Poplawski
  - Dan Roy
- There was a quorum.**

Alternate Tom Poplawski was seated.

- II. Staff Present: Tina Fox, Recording Secretary

II. Public Hearings

- A. **Appeal 17-03:** Alex J. Leblanc, Jr., Applicant and Owner of Record. For property at 0 Wilsonville Rd. Map 77/Block 62/Lot 63/Zone R-40. Requesting an appeal to the cease and desist order for brining in stone and removing same stone.

**Reason:** None given.

1. D. Roy stated that this application was withdrawn by the applicant, and the cease-and-desist remains in effect.

- B. **Variance 17-04:** Robert L. Witham, Jr., Applicant and Owner of Record. For property at 12 Hill Rd. Map 109/Block H/Lot 32B/Zone R40. Requesting a variance to construct an animal shed within 150' of a sideline, i.e. 85' from the southern line and 145' from the western line.

**Reason:** Due to the shape of the property, and two of the sidelines being less than 300', it is impossible to site a structure that would be 150' from all property sidelines, as required by the zoning ordinance.

1. Robert Witham, 12 Hill Rd., stated that he came before ZBA the prior year to ask to build a structure for alpacas. He decided against alpacas, and used the structure for three female goats. The current application is to build a small structure for two male goats. He indicated on a map where the existing structure is, and where he plans to build the new structure.
2. D. Roy read aloud a portion of the Director of Planning and Development's report.
3. K. Beno explained that the prior variance could be challenged because the variance was approved for a structure to house alpacas, not for goats.

**MUNICIPAL BUILDING**

- 4. A. D. Babbitt stated that the report says that violation of a condition can void a variance, not that it has to void a variance.
- 5. R. Witham stated that the zoning regulations don't require a variance for an animal and that the variance was for the structure.
- 6. K. Beno stated that variances stay with a property forever and the Board has reason to be cautious. K. Cunha added that the Board has to protect property values in the area, as well.
- 7. There was discussion as to whether the Board should close the public hearing, or continue until next month. K. Cunha stated that there would have to be a valid reason for granting the variance at all; the animals aren't the only issue, but voting on a variance for another structure.
- 8. There was discussion as to whether the Board could approve a variance for just a structure, without reference to goats.
- 9. T. Poplawski noted that there are not abutting neighbors in the audience against the application.
- 10. **Kirby Cunha moved and Kevin Beno seconded the motion to continue application 17-04 to next month's meeting (June 12, 2017).**  
 A. David Babbitt- Yes      Kevin Beno- Yes      Kirby Cunha- Yes  
 Tom Poplawski- Yes      Dan Roy- Yes  
**The motion carried unanimously.**

IV. Approval of Minutes

- A. **Kevin Beno moved and Kirby Cunha seconded the motion to accept the minutes of the April 10, 2017 meeting with the following correction:**
  - 1. Motion for adjournment was seconded by Tom Poplawski.  
 A. David Babbitt- Yes      Kevin Beno- Yes      Kirby Cunha- Yes  
 Tom Poplawski- Yes      Dan Roy- Yes  
**The motion carried unanimously.**

V. Correspondence

- A. Sent via mail (\*sent via email only)
  - 1. Agenda: Zoning Board of Appeals, May 8, 2017
  - 2. Minutes: Zoning Board of Appeals, April 10, 2017; Planning and Zoning Commission, April 24, 2017
  - 3. ZEO Report: March 2017
  - 4. Budget Report: March 2017
  - 5. Letter of Resignation from Alvan Hill, ZEO.

VI. Applications and Appeals: None

VII. Applications and Appeals Received after Agenda Posted: None

VIII. Old Business: None

IX. New Business: None

X. Citizens' Comments: None

XI. Commissioners' Comments

- A. Ken Beausoleil stated that an Interim ZEO has been chosen. Her name is Ann Brown, and she is a retired ZEO.
- B. A. D. Babbitt stated that he is glad to be back. He brought up the 55+ housing projects that were discussed at the previous PZC meeting. The Board briefly discussed 55+ housing projects in general.

XII. Future Meetings

- A. Monday, June 10, 2017: Merrill Seney Community Room, Town Hall  
7:00 PM.

XIII. Adjournment

- A. **Kirby Cunha moved and A. David Babbitt seconded the motion to adjourn.**
  - A. David Babbitt- Yes                      Kevin Beno- Yes                      Kirby Cunha- Yes
  - Tom Poplawski- Yes                      Dan Roy- Yes

**The motion carried unanimously.**
- B. Chairman Dan Roy adjourned the meeting at 7:43 PM.

Tina Fox  
Recording Secretary

