



TOWN of **THOMPSON**

ZONING BOARD OF APPEALS

Minutes: Zoning Board of Appeals

September 11, 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
 - Jason St. Onge
- There was a quorum.**

Alternate Tom Poplawski was seated.

- II. Staff Present:
- Tina Fox, Recording Secretary
 - Mary Ann Chinatti, Director of Planning and Development
 - Cynthia Dunne, Zoning Enforcement Officer

II. Public Hearings

- A. **Variance 17-07:** Gary and Debra White, Applicants and Owners of Record. For property at 36 Klondike St. Map 83/Block 57/Lot 20/Zone R20. Variance requested to build egress deck, as small as could be built following all guidelines.

Reason: Safety issue coming down the stairs.

1. Gary White, 25 Blash Rd., stated that the existing stairway has no landing and just ends at a door. He feels it is unsafe, particularly in winter. The new stairway will have a small deck that will still be within the existing frame of the house. The variance is due to the amount of impervious surface.
2. K. Beno stated that the footprint wouldn't really be changing.
3. Norman Deslauriers, 54 Klondike St., asked what impervious surface is. M. A. Chinatti answered that it is ground that does not allow water to penetrate.
4. **Kevin Beno moved and A. David Babbitt seconded the motion to close the public hearing for variance 17-07.**

A. David Babbitt- Yes Kevin Beno- Yes Kirby Cunha- Yes
Tom Poplawski- Yes Dan Roy- Yes

The motion carried unanimously.

5. **Kevin Beno moved and A. David Babbitt seconded the motion to approve variance 17-07.**

A. David Babbitt- Yes Kevin Beno- Yes Kirby Cunha- Yes
Tom Poplawski- Yes Dan Roy- Yes

The motion carried unanimously.

MUNICIPAL BUILDING

815 RIVERSIDE DRIVE, P.O. Box 899 NO. GROSVENORDALE, CONNECTICUT 06255
TELEPHONE (860) 923-9475 x130 · FAX (860) 923-9897

B. **Variance 17-08:** Paul Cloutier, Applicant. Krystal Baker, Owner of Record. For property at 26 South Shore Rd. Map 133/Block 1/Lot A13/Zone R20. Variance requested to demolish existing home and build new home with better lot conformity.

Reason: Set back variance north side 4' 10", lot size variance, lot coverage variance, set back right southern corner.

1. Paul Cloutier, 21 Beach St., Woodstock, CT, stated that he is representing Krystal Baker. There is currently a building on the property that has been there since 1935 that is 4 ft. from the existing neighbor's property line. They would like to build a two story building 10 ft. from that property line, and 9 ft. from the street. The building is currently part way in Massachusetts, and they would be building the new one entirely in Connecticut. The utilities will come from Massachusetts. The current value of the property is \$50,000 and the proposed improvements will increase the value to \$200,000. There is currently septic, but the new building will be connected to water and sewer. The deck is included in the calculated variance requested.
2. A. David Babbitt thanked the applicant for the very complete application.
3. Pat Cheever, 13 South Shore Rd., stated that the new building will be an improvement to the neighborhood. Two other homes in the area were refurbished. The new building will add to Thompson taxes. She would love to see the home built.
4. Christopher Groccia, 20 South Shire Rd., stated that he is the abutting neighbor and that he is for the variance so long as it does not inconvenience him at all.

5. **Kevin Beno moved and Kirby Cunha seconded the motion to close the public hearing for variance 17-08.**

A. David Babbitt- Yes Kevin Beno- Yes Kirby Cunha- Yes
 Tom Poplawski- Yes Dan Roy- Yes

The motion carried unanimously.

6. D. Roy stated that the plans look like the building will be a great improvement.
7. K. Cunha stated that the lot predates zoning regulations.
8. K. Beno agreed that it looks like the building will be an improvement.

9. **Kevin Beno moved and A. David Babbitt seconded the motion to approve variance 17-08 as stated.**

A. David Babbitt- Yes Kevin Beno- Yes Kirby Cunha- Yes
 Tom Poplawski- Yes Dan Roy- Yes

The motion carried unanimously.

C. **Variance and Appeal 17-09:** Russell Mackowiak, Applicant. Jean and Joseph Seraphin, Owners of Record. For property at 769 Quinebaug Rd. (aka 773 Quinebaug Rd.). Appeal of ZEO decision revoking local approval for on premises liquor permit, and variance to allow serving of liquor at the location which is within 1,000' of a place of worship and within 1500' of another establishment selling alcoholic beverages.

1. M. A. Chinatti stated that while she was acting ZEO, it was brought to her attention via a phone call that this property received a liquor permit. The caller complained that he was told he could not have a liquor permit in that area. In October 2016, the then ZEO did sign off on the State application for local approval. Because the Town was notified of that error, it had to be corrected, which was revocation of the local approval. The zoning regulations do not allow a liquor permit within 1,000 ft. of a church, or within 1,500 ft. of another establishment that serves alcohol. She advised the applicant to request a variance to allow him to sell alcohol, in addition to appealing the decision. She stated that the revocation was proper and would like it to be upheld.
2. Russell Mackowiak, 28 New Boston Rd., Dudley, MA, stated that this was the second time he received a signature from a Town employee and the signature was then vacated. He would have applied for a variance before if he was told he needed to. The State granted a provisional liquor permit for a service bar only. He acted in good faith on the signature of a Town official.
3. Pat Cheever, 13 South Shore Rd., stated that there had been a restaurant at the same location years ago that served alcohol, and asked what the problem is now. R. Mackowiak stated that he asked the same question and was told that the former restaurant has no bearing on his application. P. Cheever asked if the rules not allowing a liquor permit within 1,000 ft. of a church and 1,500 ft. of another establishment selling liquor were Thompson rules or State rules, because in Putnam there are churches and liquor licenses near each other. She stated that it is nice for a restaurant to have a liquor license.
4. L. Lavallee asked if the permit was for full liquor. R. Mackowiak answered affirmatively, and added that it is for a service bar only.
5. J. St. Onge asked what the church's standpoint is. R. Mackowiak stated that the church has had no issue.
6. **Kirby Cunha moved and A. David Babbitt seconded the motion to close the public hearing for appeal 17-09.**
 A. David Babbitt- Yes Kevin Beno- Yes Kirby Cunha- Yes
 Tom Poplawski- Yes Dan Roy- Yes
The motion carried unanimously.
7. K. Cunha stated that M. A. Chinatti had the right to revoke the local approval under the current zoning regulations.
8. M. A. Chinatti stated that the Board must first decide on the appeal, then act on the variance.
9. K. Beno stated that he would agree to approve the revocation that M. A. Chinatti issued so that the Board can move on to the variance. He stated that the original Town official should be held accountable.

- 10. **Kevin Beno moved and Kirby Cunha seconded the motion to accept the revocation of the local approval order.**
A. David Babbitt- Yes Kevin Beno- Yes Kirby Cunha- Yes
Tom Poplawski- Yes Dan Roy- Yes
The motion carried unanimously.
- 11. In regards to the variance, R. Mackowiak stated that he just wants his patrons to be able to drink with their meals.
- 12. A. D. Babbitt stated that he has been in the restaurant several times and it has been an enjoyable experience.
- 13. K. Beno stated that he supports the variance, and added that one of the churches came to the neighborhood after the restaurants.
- 14. D. Roy read a letter aloud from William and Robin Ceras, who are in favor of the variance.
- 15. **A. David Babbitt moved and Kirby Cunha seconded the motion to approve variance 17-09.**
 - a. A. D. Babbitt stated that the restaurant is very nice and an asset to the Town. He added that if something can enhance the business, then he is in favor of granting it.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 August 14, 2017 meeting as written.**
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, September 11 2017
 - 2. Minutes: Zoning Board of Appeals, August 14, 2017; Planning and Zoning Commission, August 28, 2017
 - 3. Budget Report: August 2017
 - 4. Director of Planning and Development Report

VI. Applications and Appeals

- A. **Variance 17-10:** Woodstock Building Associates, Applicant. Trebor Realty, LLC, Owner of Record. For property at 23 Main St. Map 169/Block 91/Lot 26/Zone R20. Requesting variance for handicap ramp to front door.
Reason: None listed.
 - 1. **Kevin Beno moved and Kirby Cunha seconded the motion to accept variance 17-10 for public hearing.**
A. David Babbitt- Abstain Kevin Beno- Yes Kirby Cunha- Yes
Tom Poplawski- Yes Dan Roy- Yes
The motion carried.

VII. Applications and Appeals Received after Agenda Posted: None

VIII. Old Business: None

VIII. New Business

A. D. Roy welcomed new alternate member Jason St. Onge.

X. Citizens' Comments: None

XI. Commissioners' Comments: None

XII. Future Meetings

A. Monday, October 9, 2017: Merrill Seney Community Room, Town Hall
7:00 PM.

XIII. Adjournment

A. **Kirby Cunha moved and Tom Poplawski 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 7:46 PM.

Tina Fox
Recording Secretary