



TOWN of
THOMPSON
ZONING BOARD OF APPEALS

Minutes
June 8, 2015

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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.

1. Roll Call: A. David Babbitt
Kevin Beno
Kirby Cunha
John O'Connell
Dan Roy
Leslie Lavallee and Kirby Cunha were seated as alternates.
Alternates Ray Faucher, Sr. and Leslie Lavallee were present.
There was a quorum.
2. Staff Present: Alvan Hill, ZEO
Tina Fox, Recording Secretary
3. Public Hearings:
 - a. **Variance 15-05 (continued from previous meeting):** SHR Energy Management, Applicant. CRES-RI, Inc., Owner of Record. For property at 0 Riverside Dr. Map 61/Block/56/Lot 34/ Zone C. Use variance requested to allow installation of solar power generating infrastructure on the subject property.
Reason: Proposed use is not permitted by right, or allowed by special permit, in any zone.
 1. **A. David Babbitt moved and Kevin Beno seconded the motion to re-open the public hearing. The motion carried unanimously.**
 2. Janet Blanchette of J&D Civil Engineers spoke on behalf of the applicant. She explained that the property is about 20 acres behind Friendly Market, and the solar infrastructure will need about 7 acres. She stated that it should not be visible from route 12, and that she anticipates the project will meet all zoning requirements except for use. She further explained that the use variance would only affect this one property, and would not set a precedent for any other properties in Town. She added that the solar panels should not aggravate traffic, or create a fire or panic hazard, and that because the property is zoned commercial, any other commercial use is likely to generate a lot of traffic.

3. Frank Jakes, 88 Mechanic St., North Smithfield, RI, owner of the property, stated that he wanted to use the property for the good of the community, and that this use could save the community a lot of money. He added that the solar panels would be low impact and low maintenance, and that this was the least intensive use he could think of for the property.
 4. Noel Lafayette, 24 Hillfarm Rd., Weston, CT, explained that the solar panels would be behind the meter, and that they will be replacing the main switch gear inside the school complex, which is 30 years old and likely not very efficient. He stated that they will try to get the solar panels as close to the school as possible for cost reasons, and that it will not be very noticeable from the road. He further explained that the project will need 8 or 9 acres, which the front of the property will provide, so all of the foliage can be left on the back of the property as a buffer between the panels and nearby residents. He added that he cannot build a bigger solar farm because of current regulations, but that if the regulations change in the future, he that if regulations change in the future so that he can use the rest of the property, he will. He explained that the school will never be disconnected from the grid because the solar power is supplemental. He stated that the contract will say he must provide 80% of his estimates, or refund the Town the difference of the power if he does not produce it.
 5. K. Beno asked about the use of a chain link fence around the project and 100 ft setback lines. N. Lafayette stated that a chain link fence with slats was likely what the project would use, and that he is comfortable with a 100 ft setback.
 6. A. David Babbitt noted that the Town of Thompson currently collects \$947 in taxes from the property.
 7. **Kevin Beno moved and A. David Babbitt seconded the motion to close the public hearing for application 15-06. The motion carried unanimously.**
 8. **Kevin Beno moved and A. David Babbitt seconded the motion to approve Application 15-05 based on the map that was provided showing a 100 ft. setback on the east and west side of the project, and contingent on Mr. Lafayette putting up a chain link fence with slats and vegetation barrier. The motion carried unanimously.**
- b. **Application 15-06:** Francis and Charlene Langlois, Applicant and Owners of Record. For property at 1020 Riverside Dr. Map 167/Block 88/Lot 15/Zone R-40. Requesting determination of less non-conforming use and variance.
- Reason:** Proposed personal service and retail use of the property is less non-conforming than the former industrial use. Variance requested of Article VIII, Section 2.6, to allow a sign larger than the 6 sq. ft. permitted.
1. Chairman Dan Roy stated that the applicant withdrew their application, which was confirmed by Alvan Hill.

- c. **Variance 15-07:** William LePage, Applicant. Ron Weiss, Owner of Record. For property at 226 Labby Rd. Requesting side yard setback relief from 25ft to 2 ft.
Reason: Due to position of house and driveway location, required side yard setback cannot be met.
 - 1. William LePage, 9 Second Ave., Dudley, MA, explained that Mr. Weiss recently inherited the property and that he is looking to put up a garage. He explained that the only person who would be affected by the decreased setback line would be David Marks at 214 Labby Rd., which is the property adjacent to the property being discussed. He presented a letter from David Marks that stated Mr. Marks' approval with the project,
 - 2. K. Beno asked if the applicant had an A-2 survey, to which W. LePage answered in the negative. K. Beno expressed his concern with the requested 2 ft. setback line, stating that it would be difficult to know if the applicant was actually on his property with such a narrow setback. K. Beno asked if the 24 ft. structure includes the eaves on the structure, to which W. LePage responded affirmatively.
 - 3. **A. David Babbitt moved and John O'Connell seconded the motion to close the public hearing for Variance 15-07. The motion carried unanimously.**
 - 4. **Kevin Beno moved and A. David Babbitt seconded the motion to approve Variance 15-07 based on the stipulation that Mr. Weiss gets an accurate A-2 survey on the property line discussed. The motion carried unanimously.**
- 4. Approval of Minutes
 - a. **A. David Babbitt moved and Kirby Cunha seconded the motion to accept the May 11, 2015 minutes as written. The motion carried unanimously.**
- 5. Correspondence
 - a. Sent via regular mail
 - 1. Agenda: Zoning Board of Appeals, June 8, 2015
 - 2. Minutes: Zoning Board of Appeals, May 11, 2015, and *Planning and Zoning Commission May 26, 2015
 - 3. ZEO Report: May 2015
 - 4. Budget Report: May 2015
 - b. Other correspondence (*sent via email only)
 - 1. Received May 28, 2015: Memo from Orla McKiernan-Rafferty regarding department budgets.
 - 2. Information from Mary Ann Chinatti regarding Use Variances.

6. Applications and Appeals
 - a. **Variance 15-08:** Robert Darling, Applicant. Robert and Cheryl Darling, Owners of Record. For property at 55 LaPorte Rd., North Grosvenordale. Map 57/Block 65/Lot 6-A/Zone RA-80. Requesting side yard setback relief of 14ft and 5ft.
Reason: Pre-existing house location built before zoning established in Thompson.
 1. **A. David Babbitt moved and Kirby Cunha seconded the motion to accept application 15-08. The motion carried unanimously.**
7. Applications and Appeals Received after Agenda Posted: None
8. Old Business: None
9. New Business
10. Citizens' Comments: None
11. Commissioners' comments
12. Future Meetings
 - a. The next regular meeting will be held Monday, July 13, 2015 at 7:00 PM in the Merrill Seney Room, Town Hall.
13. Adjournment
 - a. **A. David Babbitt moved and Kirby Cunha seconded the motion to adjourn. The motion carried unanimously.**
 - b. Chairman Dan Roy adjourned the meeting at 8:18 PM.

Tina Fox
Recording Secretary