



TOWN of
THOMPSON
ZONING BOARD OF APPEALS

Minutes

September 14, 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

Ray Faucher, Sr., Ross Dimock, and Leslie Lavallee were present but were not seated as alternates.

There was a quorum.

2. Staff Present: Alvan Hill, ZEO
Tina Fox, Recording Secretary

3. Public Hearings:

- A. **Application 15-10:** Darsh-Dhriti, LLC, Applicant. Chimanbhai, LLC, Owner of Record. For property at 861 Riverside Dr., North Grosvenordale. Map 61/Block 58/Lot 33/Zone C. Requesting Certificate of Location/Motor Vehicle to establish a used car lot.

Reason: Used car lot not allowed in that zone.

1. Vinodc Patel stated that he would like to open a used car dealership, which would bring more people into Town. He stated that it will help others in the Town that have repair shops, and that it would bring in more taxes.
2. A. David Babbitt asked if the applicant had plans to update the building, to which V. Patel responded in the affirmative. A. David Babbitt confirmed that the plan would be to have 8 spots for the sale of the cars.
3. K. Cunha stated asked where cars belonging to the apartment tenants are parked, to which V. Patel answered that most of the people who live in the apartments do not have a car, and there is parking for the three apartments in front of the market. V. Patel also stated that the store has five parking spots and one handicap parking spot in front of the store.

4. Frank Jakes of North Smithfield, RI, stated that he owns abutting property and that there is no easement on his property allowing the store to park cars on his property, despite the fact that they have been doing so for years. He stated that an upcoming solar project will take complete use of the land that the store has been using to park cars and the store will no longer be able to park cars there. He stated for about fifteen years, the store has been parking cars on his property, and has been on notice that at some point that access would be blocked.
 5. **Kevin Beno moved and Kirby Cunha seconded the motion to close the public hearing for application 15-10. The motion carried unanimously.**
 6. K. Beno stated that the parking seems tight, and there is an access problem around the buildings. K. Cunha agreed, stating that when Frank Jakes blocks off his property, there will be only one access.
 7. A. David Babbitt stated that he does not believe there could be both a market and used car business there.
 8. **A. David Babbitt moved and Kirby Cunha seconded the motion approve application 15-10.**

A. David Babbitt- Yes	Kevin Beno- No	Kirby Cunha- No
John O'Connell- No	Dan Roy- No	

The motion failed.
 9. A. David Babbitt, while voting yes, stated that if the applicant wants to take the effort to dress up the building, then he can because it is his money.
 10. D. Roy, while voting no, stated that with the new solar project coming up, Frank Jakes will definitely block off his land and there is way too much congestion.
4. Approval of Minutes
 - A. **A. David Babbitt moved and Kirby Cunha seconded the motion to accept the August 10, 2015 minutes as written. The motion carried unanimously.**
 5. Correspondence
 - A. Sent via mail (*sent via email only)
 1. Agenda: Zoning Board of Appeals, September 14, 2015
 2. Minutes: Zoning Board of Appeals, August 10, 2015, and *Planning and Zoning Commission August 24, 2015.
 3. ZEO Report: August 2015
 4. Budget Report: August 2015
 6. Applications and Appeals: None

7. Applications and Appeals Received after Agenda Posted

- 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 presented a variance application on behalf of Leo and Laurie Bellanceau, who were also present, and asked the Board to accept the application.

2. **Kevin Beno moved and John O'Connell seconded the motion to accept 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., explained that she is unclear how to proceed with her current situation, and asked if zoning permits ever expire.

2. Alvan Hill began explaining the applicant's situation, and was interrupted by Kevin O'Brien, on behalf of the applicant. K. O'Brien stated that a garage was converted to an apartment on the property and eventually received former ZEO John Mahon's approval via a zoning permit. The Department of Health denied septic approval, which has now been remedied and received approval at a cost of about \$30,000. K. O'Brien stated that now A. Hill has told the applicant that she cannot get a building permit.

3. A. Hill explained that the former ZEO overlooked an issue and should not have signed off on the project. He further stated that his recommendation is that the Board accept a variance application and waive the fee, if the fee is the issue, to which the applicant stated that the fee was the problem.

4. **Kevin Beno moved and A. David Babbitt seconded the motion to accept application 15-12 and waive the application fee. The motion carried unanimously.**

8. Old Business

- A. R. Faucher, Sr. asked about the progress on the Rudzinski bond. A. Hill answered that the bond has been posted.
- B. R. Faucher, Sr. asked about the trailer on Rick Desrocher's property. A. Hill answered that a building permit was issued and the new trailer is being installed. He added that the Board cannot put a limitation like a time constraint on a variance.

9. New Business: None

10. Citizens' Comments

11. Commissioners' Comments

- A. D. Roy thanked members for attending the meeting.
- B. A. David Babbitt stated that he will not be in attendance at the next meeting.
- C. K. Beno asked that hard copies of PZC minutes be mailed to ZBA members as part of the agenda packet.

12. Future Meetings

- A. The next regular meeting will be held Wednesday, October 14, 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 7:49 PM.

Tina Fox
Recording Secretary