



TOWN of THOMPSON

ZONING BOARD OF APPEALS

Minutes: Zoning Board of Appeals

July 11, 2016

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.

1. Roll Call: A. David Babbitt
Kevin Beno
Ray Faucher, Sr.
Leslie Lavallee
John O'Connell
Thomas Poplawski
Dan Roy
There was a quorum.

Alternate Leslie Lavallee was seated for Kirby Cunha. Alternates Ray Faucher, Sr. and Tom Poplawski were not seated.

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

3. Public Hearings

- A. **Variance 16-05:** Richard Mead III, Applicant and Owner of Record. For property at 685-687 Thompson Rd. Map 122/Block 19/Lot 2/Zone R-40. Requesting a front yard setback from 50 ft. to 9 ft. of the (East Thompson Road) boundary line. Also requesting a variance for pony manure that would not be within the 150 ft. requirement.

Reason: Based on the configuration of the property, there is no conforming location to put the structure or pony manure.

1. K. Beno asked applicant Richard Mead questions about the lot size, and why the setbacks can't be reached given that the lot seems large enough with plenty of open space.
2. Richard Mead, 685-687 Thompson Rd., stated that he wants to build the barn so that it coincides with the garage addition. He explained that there will be no stockade fence, and a second barn is needed to house a pony that cannot be housed in the current barn with pigs. He also stated that the pony manure will not be stored/stockpiled as it will be immediately used.
3. T. Poplawski stated that Thompson is supposed to be a farm-friendly community, there had been horses on that lot in the past, and he doesn't see an issue.

4. Sarah (Sally) Folger White, 308 East Thompson Rd., stated that there was a horse on that property in the 60's and 70's. There used to be horses on Thompson Hill right in the center of Town, and are still some behind the Vernon Stiles Inn. Horses have been common in Town in terms of manure management. Other places in Town, like the alpaca farm, have an abundance of animals that come right up to against another property. It is critical to keep animals in clean separate facilities, and not have a pony in a barn with pigs. She would expect the applicants to handle the manure responsibly.
5. John Rice, East Thompson Rd., stated that the reason the map shows a lot of open space is because there is actually a trailer on the property where the open space is shown. There is now a butcher shop attached to the barn. To the right of the garage addition is a patio with a roof structure. There is not a lot of space for a horse. The letter that was sent to abutters did not state that the application had to do with a manure pit. He doesn't have a problem with a pony being there; he has a problem with how the manure will be managed. K. Beno stated that it does not seem the map filed with the application is reflective of what the lot really is.
6. R. Mead stated that he will not be operating a manure pit or stockpiling manure.
7. Alison Rice, 15 East Thompson Rd., stated that she has no problems with the pony, but her house hadn't been built yet at the time when there used to be horses on that property, so there was no well to be worried about. She said there have been various animals there over time, and a few years previous, there was a problem with an intense manure smell to the point that she could not open her house's windows. She said that her concern is that a number of years from now, there will be 50 pigs in the new barn. The applicant stated that there will not be 50 pigs, and that there are currently only 2 pigs on the property.
8. T. Poplawski stated that with a deep well, the water could be coming from anywhere. He stated that they were talking about the building tonight, not 50 pigs.
9. Richard Asal, 1040 Quaddick Town Farm Rd., stated that he is for the pony, and the applicant is hauling the manure out. The pigs in question go to his house to be slaughtered, and only go to the applicant's property to give birth. He also stated that there is quite a bit of difference between the abutter's house and the applicant's property line.
10. K. Beno stated that the application was not correctly filled out and mailed to abutters, and the Board does not have a survey that accurately reflects the property. He suggested the public hearing be continued for that reason.
11. R. Faucher, Sr. asked questions regarding the pony and proposed barn. R. Mead answered the following: the pony is 10 hands (to which S. White explained that equates to 40 inches high); there are 2 pigs at the barn; the barn is 32' x 24'; part of the barn can't be sectioned to house the pony because even though there are currently 2 pigs in the barn, there will be more eventually as they come and go; and there are no pigs or manure outside of the barn.

12. **A. David Babbitt moved and Leslie Lavallee seconded the motion to close public hearing 16-05. The motion carried unanimously.**
 13. T. Poplawski stated that he does not know if ZBA can address the number of animals, and the Board should focus on the structure.
 14. **A. David Babbitt moved and Dan Roy seconded the motion to approve variance 16-05.**

A. David Babbitt-Yes	Kevin Beno-Yes	Leslie Lavallee-Yes
John O'Connell-Yes	Dan Roy-Yes	

The motion carried.
4. Approval of Minutes
 - A. **A. David Babbitt moved and Dan Roy seconded the motion to accept the minutes of the June 13, 2016 meeting. The motion carried unanimously.**
 5. Correspondence
 - A. Sent via mail (*sent via email only)
 1. Agenda: Zoning Board of Appeals, July 11, 2016
 2. Minutes: Zoning Board of Appeals, June 13, 2016; Planning and Zoning Commission, June 27, 2016
 3. ZEO Report: June 2016
 4. Budget Report: FY 2016-2017
 6. Applications and Appeals: None
 7. Applications and Appeals Received after Agenda Posted
 - A. Variance 16-06
 1. **Kevin Beno moved and A. David Babbitt seconded the motion to accept variance application 16-06. The motion carried unanimously.**
 - B. Variance 16-07
 1. **John O'Connell moved and A. David Babbitt seconded the motion to accept variance application 16-07. The motion carried unanimously.**
 8. Old Business
 - A. J. O'Connell stated that a variance was granted for a property on Thompson Hill a couple months ago to take down an old shed and put up a new one. He stated that he was taken aback by what one person in the audience said. Specifically, the person said that if he was the applicant and someone didn't like what he was doing, he would offer money to his neighbors. He stated that he thought the person's statement was inappropriate, and he thinks the Board made the right decision with the application and improved Thompson Hill.
 - B. K. Beno suggested that the applicant for variance 16-04 and 16-06 should be allowed to speak at this time. Ron Berard, representing the Tri-State Baptist church, stated that 16-04 originally was filled out for a setback, and Mr. Hill told him that the sign was also too large for zoning regulations so that would need to be added to the application. When he sent the letters to abutters, it included the square footage of the sign, so anyone who had a problem with the sign could have come to the public hearing. Later, he found out that the square footage portion of the application was not on the paperwork at Town Hall because it was not on his original application.

- C. The Board discussed whether or not application 16-06, which would be a variance for the square footage of the sign, needs to go forward and whether or not the fees should be waived. Tina Fox, Recording Secretary, indicated to the Board that because the square footage issue was not on the original paperwork, the public hearing notice published did not include the square footage issue.
 - D. **A. David Babbitt moved and Kevin Beno seconded the motion to waive all fees for application 16-06. The motion carried unanimously.**
 - E. A. Hill told the applicant that the certified mailing costs would be reimbursed to him, as well.
9. New Business: None
10. Citizens' Comments: None
11. Commissioners' Comments
- A. Dan Roy thanked the Board for the sympathy card he received.
12. Future Meetings
- A. Monday, August 8, 2016: Merrill Seney Community Room, Town Hall
7:00 PM.
13. Adjournment
- A. **A. David Babbitt moved and Kevin Beno seconded the motion to adjourn. The motion carried unanimously.**
 - B. Chairman Dan Roy adjourned the meeting at 7:48 PM.

Tina Fox
Recording Secretary