



# TOWN of THOMPSON ZONING BOARD OF APPEALS

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*Linda Paradise*  
TOWN CLERK, Asst

**Minutes: Zoning Board of Appeals**  
**Wednesday October 10, 2018 7:00 PM**  
**Merrill Seney Community Room, Town Hall**

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1. Chair Dan Roy called the meeting to order at 7:00 PM.
2. Roll Call: Chair Dan Roy, Vice-Chair Kevin Beno, Tom Poplawski, John O'Connell, Jason St. Onge, Leslie Lavallee and Jared Lockwood

Absent: Kirby Cunha

Alternates Seated: Leslie Lavallee for Kirby Cunha

Staff Present: Cynthia Dunne, Zoning Enforcement Officer and Diane Minarik, Recording Secretary

3. Public Hearings:
  - a. **ZBA #18-04** Shawn P. Deary, Applicant & Owner of Property at 1 Totem Pole Dr. Map 141, Block 17, Lot 50, R-40, increase size of existing shed on property with existing setback. Shawn Deary was present and sworn in; he replaced existing 60 sq. ft. shed with a new 180 sq. ft. shed without applying for Zoning Permit and has increased the size beyond the 25% allowable increase for an accessory building on a non-conforming property per Zoning Regulations Article VI, Sec. 4; since this is a non-conforming existing shed he is only asking for a variance on the increase in the size of 25%; Zoning Permit is now paid; he went to Building Dept. to pull permit but no permit is needed for a structure under 200 sq. ft. so he thought he didn't need any permit; the new shed footprint started exactly on top of old shed footprint; he received compliments from neighbors regarding the work he had done since buying the house until he had the top of a tree cut off that was touching the shed; the tree is on the property line of his neighbor Barry McCarthy.
    - Chair Roy read an email from neighbor Barry McCarthy, owner of 3 Totem Pole Drive, with concerns that if a new building offset line which is against current codes is being established he's going on record opposing it.
    - Chair Roy read a letter from Durf Hyson, 370 Brandy Hill Rd, which stated he doesn't have any issues with the new shed, it's a good size for the lot and tucked away not hindering my view of the lake.
    - Derek Desouza, 3 Totem Pole Drive leasing from Mr. McCarthy, had no problems with tree trimming until shed was built within inches of a tree; disagrees the new shed is on same footprint, unhappy with losing privacy

from the topped tree; Mr. McCarthy doesn't want any problems with Shawn but just wants to make sure allowing this variance doesn't give Mr. Deary the right to ignore other regulations.

- The Board reassured Mr. Desouza each project is handled completely separate, this variance is only for the shed.

**Kevin Beno moved and Leslie Lavallee seconded the motion to close the Public Hearing. The motion carried unanimously.**

The Board suggested they communicate and agree on what to do with the trees for a better living environment.

**Kevin Beno moved and Leslie Lavallee seconded the motion to approve ZBA Variance #18-04.** A roll call vote was taken.

**The motion carried unanimously.**

4. Approval of September 10, 2018 Minutes:

A copy of the minutes were available for review. Chair Roy asked if there were any corrections and being none:

**Minutes of the 9/10/18 regular meeting was accepted as written.**

5. Correspondence:

- a. Minutes of PZC Meeting on 9/24/18
- b. FY18-19 Budget Report
- c. ZEO October Report
- d. Webster ZBA: Notice of PH on 9/17/18 for Special Permit application
- e. Webster ZBA: Notice of PH on 9/17/18 for a variance application

6. Applications and Appeals:

- a. **ZBA #18-05:** Donald Mead, Applicant and Owner of property at 0 Watson Rd, Map 15, Block 72, Lot 28B, R-40, requesting variance decreasing the frontage on a public street from 150' to 140.45', a 9.55' frontage decrease.

**John O'Connell moved and Tom Poplawski seconded the motion to accept ZBA Variance #18-05 for Public Hearing at the next ZBA Meeting on Wednesday 11/14/18 @ 7:00 pm.** A roll call vote was taken.

**The motion carried unanimously.**

7. Applications and Appeals Received after Agenda Posted: None

8. Old Business: None

9. New Business:

- a. Review of 2019 meeting dates for approval.

**Kevin Beno moved and Leslie Lavallee seconded the motion to accept the 2019 ZBA Regular Meeting dates.** A roll call vote was taken.

**The motion carried unanimously.**

10. Citizens' Comments: None
11. ZBA Members' Comments:
  - Discussion on the positive outcome of the public hearing and how it makes a Board feel.
12. Future Meeting: **Wednesday** 11/14/18 in the Merrill Seney Community Room, Town Hall at 7:00 PM.
13. Adjournment:  
**Kevin Beno moved and Leslie Lavallee seconded the motion to adjourn.**  
**The motion carried unanimously.**  
Chair Dan Roy adjourned the meeting at 7:35 PM.

Respectfully Submitted,

*Diane Minarik*

Diane Minarik  
Recording Secretary