



TOWN OF
THOMPSON
ZONING BOARD OF APPEALS

MUNICIPAL BUILDING
815 RIVERSIDE DRIVE
NO. GROSVENORDALE, CT 06255
Phone (860) 923-1852
Fax (860) 923-9897

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Minutes: Zoning Board of Appeals

Monday, March 9, 2020, 7:00 PM

Merrill Seney Community Room, Town Hall

1. **Chair Kevin Beno called the meeting to order at 7:00 PM**
2. **Roll call:** Chairman Kevin Beno, Kirby Cunha, Jason St. Onge, Geoff Bolte
Absent: Ken Weiss, Tom Poplawski
Alternates Seating: Leslie Lavallee
Staff Present: Cynthia Dunne, Zoning Officer and Gloria Harvey, Recording Secretary

3. **Public Hearing**

Public Hearing ZBA Application #20-02, Joshua and Jessica Rhodes, Owner of 0 Pompeo Rd, Map 61, Block 59, Lot 5A, Zone R40 requesting a 25' variance front setback.

A sign was not posted on the premises announcing the Public Hearing 14 calendar days prior to the scheduled public hearing. The Board questioned the legality of opening the Public Hearing and setting a future precedent. Cindy Dunne, ZEO, read the state statutes regarding Public Hearing requirements. The Town's Regulations were also discussed adding that the town's regulations require both the notification of abutters and posting a sign on the property.

Kirby Cunha moved to table the Public Hearing to April 13, 2020 and have the applicants resend the notification letters. Jason St. Onge seconded the motion. The motion carried unanimously. The Rhodes' engineer asked if a Certificate of Mailing would be acceptable as a means of notification to the abutters. The ZEO stated State Statutes accept a Certificate of Mailing and there is a proposal in place to change the notification requirements to Certificate of Mailing.

Leslie Lavallee moved to have the Town reimburse the applicants for the cost of the second certified mailing. Kevin Beno seconded the motion. The motion carried unanimously.

4. Approval of Regular ZBA Meeting Minutes, February 10, 2020

Jason St. Onge moved to approve the Minutes of February 10, 2020 as written. Jeff Bolte seconded the motion. The motion carried unanimously.

5. Correspondence:

- a. PZC February 24, 2020 Minutes (included to keep the Board informed)
- b. Town of Webster, Public Hearing Notice
- c. Town of Webster, ZBA Appeals Decision
- d. ZBA February 2020 Budget
- e. ZEO Memo

6. Applications: Appeals and Variances - None

7. Applications and Appeals Received after Agenda Posted:

ZBA Application #20-03, 705 Washington Avenue LLC, Owner, 1391 Riverside Drive, Map 57, Block 61, Lot 2, Zone R40 appealing enforcement letter issued by the Town of Thompson Zoning Enforcement Officer.

Kevin Beno moved to accept the Appeal Application #20-03, for a Public Hearing April 13, 2020. Leslie Lavallee seconded the motion. The motion carried unanimously.

ZBA Application #20-04, Joseph and Wanda Kelly, Owner, 0 Lowell Davis Road, Map 120, Block 30, Lot 3A, Zone IND requesting a Variance to build a house on property in non-conforming zone.

Leslie Lavallee moved to accept the Variance application #20-04 for a Public Hearing on April 13, 2020. Kevin Beno seconded the motion. The motion carried unanimously.

8. Old Business

- a. PZC Zoning Review Commission meeting, Monday, March 30, 2020, 7 pm, Merrill Seney Room, Thompson Town Hall – Review of regulations, draft copy from Town Attorney. The Board questioned the Town Attorney's comments. ZEO stated he made remarks about the applications procedure for Permits and Special Permits; and concerns about non-conforming uses. The ZEO will email a copy of Attorney Roberts comments to ZBA members. ZEO stated some positive changes such as re-zoning Route 12 from I-395 to Massachusetts boarder. ZEO

commented additional thought needs to be explored for Rural Business and Home Occupation criteria. Chairman Beno asked what is the purpose of the changes? ZEO stated "the compelling reason is to make it easier for people to apply and generate more business." ZEO stated target date for completion of regulations is June 30, 2020.

b. ZEO Bates Auto, 64 Linehouse Road update

The ZEO explained 64 Linehouse Road, Bates Auto is a legal business. The property and business is for sale and she is working with the prospective buyer and his lawyer.

At the same time a complaint was filed on 65 Linehouse Road (owned by Shara Bates) and 77 Linehouse Road (owned by Elton Bates) of excessive unregistered vehicles on both properties. Mrs. Bates has Doug Wooton from Woodstock beginning the process of clearing vehicles off 65 and 77 Linehouse Road.

9. New Business

a. ZEO "Ask Me Anything" Report

Cindy Dunne, submitted the following Citizen Questions from the "Ask Me Anything" meeting.

1. Bates Auto, 65 Linehouse Road – illegally parked automobiles
2. Corner of Wilsonville Road and Lowell Davis Road – concerned citizen questioned the safety of the structure of the person living in the structure.
3. Recommended to view development on Courthouse Road
4. Variance Application at 0 Pompeo Road
5. Donna Barrett inquired on the Blight Ordinances and Solar Installation
6. Junkyard at 198 Pompeo Road owned by Maurice Dumas
7. South Shore Road – property abutting a paper street
8. Inland/Wetland Chairman Charles Obert inquired about a permit for 484-486 which is an active violation with the Zoning office.
9. Edward Koistenern – inquired about a regulation on the time, day and amount of rounds someone can shoot at a shooting range

10. Citizens Comments - None

11. ZBA Member Comments

Kevin Beno commented on the process of setting up signs on a property seeking a Variance. The ZEO stated the town has a process in place. She sends applicants a "Next Step" letter outlining the complete application process and dates in order to be in compliance. Chairman Beno requested ZEO add to Next

Step letter the statement **“The following steps need to be completed by the required dates. Failure to follow the appropriate dates delays the opening of the Public Hearing to the next scheduled ZBA meeting.”**

The ZEO asked the Board members how they wanted to receive their meeting packets, mailed, emailed or both?

Kevin Beno moved to have meeting packets mailed and emailed. Kirby Cunha seconded the motion. The motion carried unanimously.

12. Future Meeting: Monday, April 13, 2020 Merrill Seney Community Room, Town Hall 7:00 pm

13. Adjournment

Kirby Cunha moved to adjourn at 7:58 pm. Jason St. Onge seconded the motion. The motion carried unanimously.

Respectfully Submitted

Gloria Harvey

Recording Secretary

These minutes have not yet been approved by the ZBA. Please refer to next month's meeting minutes for approval of and/or amendments to these minutes.