

# TOWN OF THORNTON

## Zoning Board of Adjustment

Approved on: 23 Feb 23  
ZBA Initials: JMM  
Rec'd by Town Clerk on: 3/7/23  
Town Clerk Initials: ACK

### ZONING BOARD OF ADJUSTMENT MEETING MINUTES

December 19, 2022

#### WELCOME:

Chairman Joe Monti welcomed the members.

#### CALL TO ORDER BY CHAIR:

Mr. Monti called the meeting to order at 6:07 p.m. with the Pledge of Allegiance.

#### ROLL CALL BY CHAIRMAN:

Mr. Monti completed the roll call.

**The following members were present:** Chairman Joe Monti, Vice-Chairman Jerry Sobolewski, Maureen Patti, Kerrin Randall, Board Assistant

**The following members were absent:** Alan Rawson, Joan Marshall

**Others Present:** Landon Gryczkowski

**Others Present on Zoom (names are as they appeared):** None

#### REVIEW/APPROVAL OF MINUTES:

Upon distribution and review of the meeting minutes of September 22, 2022 the members took the following action:

**MOTION: "To accept and approve the Minutes of the September 22, 2022 meeting as amended."**

**Motion:** M. Patti

**Second:** J. Sobolewski

**Discussion:** None

**Vote:** 2 - YES, 0 - NO, 1 - ABSTAIN (M. Patti)

**Motion passes.**

Upon distribution and review of the meeting minutes of November 21, 2022 the members took the following action:

**MOTION: "To accept and approve the Minutes of the November 21, 2022 meeting as amended."**

**Motion:** M. Patti

**Second:** J. Monti

**Discussion:** None

**Vote:** 3 - YES, 0 - NO, 0 - ABSTAIN

**Motion passes.**

#### OLD BUSINESS:

- Review/Approval of Rules of Procedures for 2022

The Board reviewed the Rules of Procedures for 2022 with the following amendments:

#### MEETINGS

- 1. Meetings:** The Board shall meet a minimum of two times each year. Any Public Hearing held by the Zoning Board of Adjustment may be counted as a meeting.
  - Board members may attend meetings, participate in the decision-making process, and participate in roll-call votes via Zoom; however, a quorum of the Board [three (3)] must be present in person to conduct a meeting.

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Board members participation via zoom should be the exception, and, when possible, members must notify the Chair 48-hours in advance if participating via Zoom.

### APPLICATION/DECISION

#### 1. Applications:

- c. Each application for a hearing, with all supporting documents, shall be available at the Thornton Town Hall.
- d. Each application for a hearing, with all supporting documents, shall be posted on the Zoning Board page of the Town of Thornton website, and shall remain on the site for 30 days following the posting of a notice of decision.

**MOTION: "To accept and approve the 2022 Rules of Procedure as amended."**

**Motion:** M. Patti

**Second:** J. Sobolewski

**Discussion:** None

**Vote:** 3 - YES, 0 - NO, 0 - ABSTAIN

**Motion passes.**

#### PRELIMINARY BUSINESS:

- Review/Approval of Revised Applications

Mr. Monti reviewed that the four (4) applications that the ZBA uses have been reformatted with additional language regarding the posting of materials online, and an abutters list form has been added.

Ms. Patti commended Ms. Randall on the addition of the application fees on the form, and Mr. Monti thanked Ms. Randall for her work on the reformatting the applications. Mr. Monti stated the updated forms will help applicants go through the process and make the Board more transparent in what they are reviewing.

**MOTION: "To accept and approve the reformatted ZBA applications dated December 2022."**

**Motion:** J. Monti

**Second:** M. Patti

**Discussion:** None

**Vote:** 3 - YES, 0 - NO, 0 - ABSTAIN

**Motion passes.**

#### NEW BUSINESS:

- Review/Approval of Letter to BOS

**MOTION: "To authorize sending the confidential letter from Chairman Monti, dated December 19, 2022, with attachments from Attorney Boldt, dated November 7, 2022, to the Board of Selectmen."**

**Motion:** M. Patti

**Second:** J. Sobolewski

**Discussion:** None

**Roll Call Vote:** J. Monti – abstained, J. Sobolewski – yes, M. Patti – yes

**Vote:** 2 - YES, 0 - NO, 1 - ABSTAIN

**Motion passes.**

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### HEARINGS:

**6:30 p.m. APPLICATION/PUBLIC HEARING:** Landon Gryczkowski [Tax Map 239, Lot 24] for a "VARIANCE REQUEST; ARTICLE VI: Dimensional Requirements, Section A, 2: Location of Structure." *Proposed attached garage would extend into the setback area.*

Mr. Monti opened the public hearing at 6:33 p.m. Mr. Gryczkowski, applicant, was present.

Mr. Monti reviewed the application and informed the applicant that there are only three (3) members present, which is a quorum, and any decision rendered must be unanimous. Mr. Monti stated that the applicant has the right to continue their application to the next meeting in January when there will be more Board members present.

Mr. Gryczkowski asked what his options were should the Board not come to a unanimous decision and Mr. Monti stated that the decision could be appealed and appear before the Board again when more members are present. Mr. Gryczkowski stated he would like to move forward with his application this evening.

Mr. Monti asked the Board if they had any questions on the application and Mr. Sobolewski stated the application was very clear and summarized that even if the proposed garage occupies space within the setback between his property and his neighbor Richard Bonomi's property [Tax Map 239, Lot 25], it will be far enough away from Mr. Bonomi's house to not cause concern.

Mr. Gryczkowski stated that was correct and submitted a letter of support from Mr. Bonomi [Tax Map 239, Lot 25], stating that he would support the approval of the variance.

Ms. Patti asked Mr. Gryczkowski if he could indicate on the town map provided to the Board to show where Mr. Bonomi's house would be located, and Mr. Gryczkowski indicated that Mr. Bonomi's house would be near the center of Lot 25.

Mr. Monti reviewed the criteria for granting a variance.

1. Granting the Variance would not be contrary to the public interest.
2. If the Variance were granted, the spirit of the Zoning Ordinance would be observed.
3. Granting the Variance would do substantial justice.
4. If the Variance were granted, the values of the surrounding properties would not be diminished.
5. Unnecessary Hardship:
  - A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the Variance would result in unnecessary hardship.
    - i. No fair and substantial relationship exists between the general public purposes of the Zoning Ordinance provision and the specific application of the provision to the property.
    - ii. The proposed use is a reasonable one.

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Mr. Monti asked the Board if all criteria had been met based on statements made on the application and the responses of the applicant at this hearing.

Mr. Sobolewski stated he feels that all criteria have been met, Ms. Patti stated she feels that all criteria have been met, and Mr. Monti stated he feels that all criteria have been met.

Mr. Monti stated that, having received a letter of support from the abutter whose property the setback would affect, as well as having all criteria met, he would ask for a motion to grant the variance.

**MOTION: "That a variance be granted from ARTICLE VI: Dimensional Requirements, Section A, 2: Location of Structure, allowing for a garage to occupy space within the 15-foot setback area (to be constructed with an approved ZCA), finding that the applicant has met all criteria to grant the variance and a letter of support from Mr. Bonomi has been received."**

**Motion:** M. Patti

**Second:** J. Sobolewski

**Discussion:** None

**Roll Call Vote:** J. Monti – yes, J. Sobolewski – yes, M. Patti – yes

**Vote:** 3 - YES, 0 - NO, 0 - ABSTAIN

**Motion passes.**

Mr. Monti stated the variance is granted and a notice of decision will be sent to the applicant. Mr. Monti closed the public hearing at 6:47 p.m. Mr. Gryczkowski thanked the Board for their time.

**ADJOURNMENT:**

**MOTION: "To adjourn at 6:53 p.m."**

**Motion:** J. Sobolewski

**Second:** M. Patti

**Discussion:** None

**Vote:** 3 - YES, 0 - NO, 0 - ABSTAIN

**Motion Passes.**

Respectfully submitted,

Kerrin Randall  
Zoning Board Assistant