

TOWN OF THOMPSON  
ZONING BOARD OF APPEALS  
Tuesday, December 12, 2019

IN ATTENDANCE: Chairman Richard McClernon Richard Benson  
Robert Hoose Jay Mendels  
Ryan Schock  
Michael Mednick, Attorney Barbara Strong, Alternate  
James Carnell, Director of Building/Planning/Zoning  
Debbie Mitchell, Secretary

Absent - Danielle Jose-Decker and Paula Kay

Chairman McClernon called the meeting to order at 7:00 p.m. with the Pledge to the Flag.

A motion to approve the November 12, 2019 minutes was made by Ryan Schock and seconded by Robert Hoose  
5 in favor, 0 opposed

**APPLICANT RICHARD COHEN**

Applicant is requesting area variances from §250-9 of the Town of Thompson Zoning Code for the following purpose: (1) Garage setback to property line required 25' to proposed 10' (2) Garage setback from primary structure required 25' to proposed 10' (3) Garages shall not exceed 16' in height required 16' to proposed 20'.

Property is located at 57 Canal Rd, Rock Hill, NY in the RR-2 zone, S/B/L: 66.-11-2  
Bob Mickelson, Greys Woodwork, representing Richard Cohen

Satisfactory proof of mailing was provided to the Board.

Mr. Mickelson – We got a new survey and it was actually 20 feet off the line not 10 feet and we got an approval from the Wolf Lakes Homeowners Association for this project. We changed the design of the roof to a A-frame roof. Jay Mendels – Will that still flow with the other buildings roof? Mr. Mickelson – Yes.

Chairman Richard McClernon – The side yard on the neighbors side now meets the town code. So, the only thing we need to vote on is the height of the roof. Mr. Mickelson - The new garage needs to be attached now.

Jay Mendels - What is the requirements for the distance from the house? Jim Carnell – Ten feet which it is.

Jay Mendels – It was written as the garage setback from the primary structure is required 25 feet and you're proposing 10 feet. So that's incorrect? Jim Carnell – If you can provide it as requested, but it's

there and done. Mr. Mickelson - The normal setback is 10 feet. Jay Mendels – So, it was just written incorrectly. Let’s just approve it to be on the safe side.

Chairman Richard McClernon – We will be looking to approve the 20-foot garage height from the max height of 16 feet and the distance of 10 foot to the primary structure.

**AREA VARIANCE CRITERIA:**

(1) Whether benefit can be achieved by other means feasible to applicant; All voted No

(2) Undesirable change in neighborhood character or to nearby properties; All voted No

(3) Whether request is substantial; All voted No

(4) Whether request will have adverse physical or environmental effects; All voted No

(5) Whether alleged difficulty is self-created; All voted Yes

A motion to approve the 20-foot height of the garage roof and the 10 foot distance to the primary structure was made by Ryan Schock and seconded by Jay Mendels

5 in favor; 0 opposed

A motion to take agenda out of order was made by Jay Mendels and seconded by Ryan Schock

5 in favor; 0 opposed

**APPLICANT RJPM LLC**

Applicant is requesting area variances from §250-8 of the Town of Thompson Zoning Code for the following purpose: (1) Front yard setback (Second Rd) required 50’ to proposed 9.4’ (2) Front yard setback (North Shore Rd) required 50’ to proposed 30’; (existing) (3) One side yard required 20’ to proposed 5.7’ (existing) (4) Combined side yard setback required 50’ to proposed 17.9’ (5) percent of lot coverage required 10% (existing = 23.8%) to proposed 30.18%.

Property is located at 15 Second Rd, Rock Hill, NY in RR-1 Zone S/B/L: 37.-4-4

Robert Schmitt

The applicant did not show up.

A motion to keep this application open until the January meeting was made by Jay Mendels and seconded by Richard Benson

5 in favor; 0 opposed

**APPLICANT KIAMESHA HOME OWNERS ASSOCIATION**

Property is located at 39 Medallion Rd, Kiamesha Lake, NY S/B/L: 9.C-23-1

Ralph Guarino

Satisfactory proof of mailing was provided to the Board.

Mr. Guarino - For years we have had a garage that has been used for an office as well as a garage. Then the Building Dept came for an inspection and saw that we had computers and a printer in the garage and they told us that this building can't be used as an office. Meanwhile they have been using it since day one. So, I'm here to get everything correct. I started with the Planning Board and they told me to come here. This building was built in 1969, then in 1974 a new law passed that said row houses could not have offices. My argument is that that office was there before that law came into effect and that we should be grandfathered in.

Chairman Richard McClernon - This office is just for the Homeowner's Association? Mr. Guarino – Yes, and we don't plan on making any changes to it.

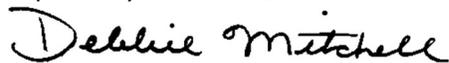
Jay Mendels – Are we making a ruling on this? Mike Mednick – No it's an interpretation as to whether or not they can continue to use this garage as an office.

Jay Mendels – I think since they have been using this garage in this way for year, we should approve it to continue to be used as an office. As long as they don't make any changes to the building. Richard Benson – We talked to Paula Kay and she also said we can approve it since it was prior to the law as long as they do not make any changes.

A motion to allow the applicant to continue to utilize the building as it has been utilized for years with no changes was made by Jay Mendels and seconded by Ryan Schock  
5 in favor; 0 opposed

A motion to close the meeting at 7:12 pm was made by Richard Benson and seconded by Jay Mendels  
5 In favor; 0 opposed

Respectfully submitted,



Debbie Mitchell  
Secretary  
Town of Thompson Zoning Board of Appeals