

TOWN OF THOMPSON
ZONING BOARD OF APPEALS
Tuesday, July 9, 2019

IN ATTENDANCE: Chairman Richard McClernon Richard Benson
 Robert Hoose Jay Mendels
 Ryan Schock Barbara Strong, Alternate
 Paula Elaine Kay, Attorney
 Debbie Mitchell, Secretary

Absent: Richard Benson, Danielle Jose-Decker and Jim Carnell

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

A motion to approve the June 11, 2019 minutes was made by Ryan Schock and seconded by Robert Hoose

4 in favor, 0 opposed

Chairman Richard McClernon appoints Barbara Strong to replace Richard Benson in his absents.

APPLICANT: DONNA PAGNUTTI

Applicant is requesting area variances from §250-8 of the Town of Thompson Zoning Code for the following purpose: (1) side yard setback from required 20' to proposed 8.67' (2) garage setback from rear property line from required 50' to proposed .2' (3) garage setback from side property line from required 20' to proposed 1' (4) combined side yard setbacks from required 50' to proposed 11.47' (5) side yard setback from required 20' to proposed 2.8' and (6) percentage of lot coverage from required 10% to proposed 21.258%

Property is located at 12 Little North Shore Road, Rock Hill, NY: S/B/L: 36.-10-7 in the RR1 zone.
Chris Potter, home owner
Donna Pagnutti, home owner

Satisfactory proof of mailing was provided to the Board.

Chairman Richard McClernon – Everything except for the 8.67' side yard setback has been in existence for many years and we just want to document everything for the future.

Mr. Potter – We want to add an extension off the house in an L shape that will be 342 square feet for a full-size bedroom. Our bedroom is currently 10 x 10 square feet. Richard McGoey did a walk through yesterday. The house is currently 920 feet and will be 1,300 square feet when finished. The rest of the setback issues are older than the neighbor, and their daughter did our plans for us. And she is the person who will be living closet to our project. Chairman Richard McClernon – Will this just be one story? Mr. Potter – Yes. Jay Mendels – Did you consider going up instead of going out to the side? Mr. Potter – Our architect suggests going out instead of up for appearance purposes on the lake. This is an

unused section of the property. Ms. Pagnutti – We have several houses next to us and by going up we would block the view of the lake. Robert Hoose– Did you get a letter from your Homeowners Association? Paula Kay – Yes and it was approved.

Chairman Richard McClernon – We got a complaint, the building Department got an eye sore report. There is junk piled and multi-registered vehicles around the property. Paula Kay- Our building Department went out and there was no violation according to our code.

Chairman Richard McClernon show's the applicant the pictures that he took of the clutter. Mr. Potter – We purposely put the items so you can't see it from the road or lake. Ms. Pagnutti – The addition will help with our storage issue.

Mr. Potter – I have numerous materials for this project and they will be gone when we are done. This is taking longer then we expected. Chairman Richard McClernon – What was the hold up? Ms. Pagnutti – Lake approval, since they only meet once a month and they were gone for the month of February.

Jay Mendels – Is this a full-time house or seasonal? Ms. Pagnutti – This is currently a seasonal house. Mr. Potter – We have an apartment in the city.

PUBLIC COMMENT:

Jane Dever, 18 Little North Shore Road – It seems some of the side yard reductions are pretty substantial. Going from 50' down to '2, 20' down to 1', two side yards combined 50' down to 11.47' and the other side yard from 20' down to 2.8'. Are you looking to get rid of the garage and the shed? Your going to keep those two structures as well as doing extended living space. Mr. Potter – Yes. Ms. Pagnutti – The reduction is down to two feet on the existing structure and we are not changing that. Ms. Dever – You are looking for a variance on an existing structure? Ms. Pagnutti – Yes, the Town is. Chairman Richard McClernon – The only new one is the side yard setback from required 20' to proposed 8.67' and the combined 50' down to 11.47'. Chairman Richard McClernon - The other one's were from back in the 50's. Ms. Pagnutti – We have a small lot. Our Homeowner's Association requirement is 8' and we are doing 8.67'.

Chairman Richard McClernon – In the past we usually give breaks in Wanaksink Lake since the lots are so small. Ms. Dever – The house with the Garage, shed and now the addition seems to be over your coverage of your lot. The coverage of the lot seems to be reduced now. Robert Hoose – A lot of houses down there are like that. Mr. Potter – The original lot was two lots with two houses. Ms. Pagnutti – We also own the lot across the street. We can't build on that lot because our septic is there. Ms. Dever – The septic is across the street? Ms. Pagnutti – Yes. Chairman Richard McClernon – We can't allow you to build a garage with out a house either. Ms. Pagnutti – Not only would it be difficult because of the septic our Homeowners Association wouldn't want us to build there either.

Jay Mendels - What is the current lot coverage? Ms. Pagnutti – I think it's 12. Jay Mendels – The addition shouldn't add that much. Mr. Potter – Correct, its 342 square feet to a 7,400 square foot lot. Ms. Pagnutti – The addition is 18 x 19 square feet. Jay Mendels – Then you are adding less than 5%.

That would probably add about 16% currently, with just what you have. Ms. Pagnutti – That is including the garage and shed!

Chairman Richard McClernon – The print say's it's a 2-story addition? Ms. Pagnutti – There is an attic space for storage. Mr. Potter – Currently the only way to get to Attic is from the outside.

Jay Mendels – Will the addition look like a box off the side or a continuation of the house? Mr. Potter – It's not a stream line off the house. The roof line will be the opposite of the current house. Ms. Pagnutti – It will be more aesthetically pleasing.

Chairman Richard McClernon – When the addition is done a lot of the clutter will be removed? Ms. Pagnutti – Correct. Paula Kay – Do you want put a time frame on removal of stuff after the CO? Mr. Potter – Ok.

Chairman Richard McClernon – Any issues with the Homeowner's Association with stuff around the house? Mr. Potter – They want me to clean up the house as well. Not having a garage and owning 4 cars seems to be the biggest issue with my neighbors. Jay Mendels – Is the garage large enough to store a car? Mr. Potter – No.

PUBLIC COMMENT CLOSE:

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; Jay Mendels, Chairman Richard McClernon and Barbara Strong all voted Yes. Jay Mendels – By code it is but based on what is already there its a No. Chairman Richard McClernon - According to lot sizes its not unreasonable. Ryan Schock and Robert Hoose 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

Paula Kay – Remember that your variance is for 6 months unless you do substantial construction.

A motion to approval the variance's with condition that after getting the CO the applicant has 3 months to clean up the material's and temporary structures was made by Robert Hoose and seconded by Ryan Schock

5 in favor; 0 opposed

A motion to close the meeting at 7:21 pm was made by Robert Hoose and seconded by Ryan Schock

5 In favor; 0 opposed

Respectfully submitted,

Debbie Mitchell

Debbie Mitchell
Secretary
Town of Thompson Zoning Board of Appeals