

TOWN OF THOMPSON
ZONING BOARD OF APPEALS
Tuesday, February 11, 2020

IN ATTENDANCE: Chairman Richard McClernon Richard Benson
Barbara Strong Jay Mendels
Paula Elaine Kay, Attorney
James Carnell, Director of Building/Planning/Zoning
Debbie Mitchell, Secretary

Absent is Robert Hoose.

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

A motion to approve the January 14, 2020 minutes was made by Jay Mendels and seconded by Richard Benson

4 in favor, 0 opposed

JOHN SINCLAIR

Applicant is requesting area variances from §250-9 of the Town of Thompson Zoning Code for the following purpose: (1) Front Yard (Lake) setback from required 50' to proposed 40.9' (2) Combined Side Yard from required 50' to proposed 37.67' (3) One side yard (Existing House) from required 20' to proposed 16.67' (4) One side yard (Existing Garage) from required 20' to proposed 16.2' (5) Percent of lot coverage from required 10% to proposed 14.8% (6) Accessory structure (Existing Shed) from required 10' to proposed 2.0' (7) Rear yard (Road) setback from required 50' to proposed 32'.

Property is located at 200 Canal Rd, Rock Hill, NY in the RR2 Zone S/B/L: 66.-17-27
John Sinclair, owner

Paula Kay – Can you please add to the original application the wording “As per attached denial letter”, since there are actually 7 variances with some being existing. Mr. Sinclair write onto the application.

Chairman Richard McClernon – On the application #3, one side yard (Existing House) say's its 16.67' and the notice say's 13.67'. Paula Kay – As long as Heather fixes it for next month we are ok.

Mr. Sinclair - We are renovation the house and we want to put a deck on the lake side. The two variances I'm asking for is the total lot coverage and distance between the lot line and the end of deck. I submitted this info to Wolf Lake Association and they approved it. They wanted 60 feet from the high-water mark which I have but I'm short on the distance to the property line by 10 feet. The total area coverage of the house has been approved too and they wanted 15% and you require 10%. So, I'm off by 3%. Chairman Richard McClernon – You're asking for 14.8% Mr. Sinclair – I want to come out a little further with the deck because I can't come out too far from the sliding glass doors because of the septic. So, I want to bow out the deck from the side so we can put in a nice table. Jay Mendels - Right night the

porch area is being replaced as well? Mr. Sinclair – The existing is being screened in, we eliminated the deck in the front and the one side. In order to have a decent size table we needed to come out 14 feet. We originally wanted it to be 16 feet but Wolf Lake said no.

Jay Mendels – Why are you going beyond the footprint of the house, instead of keeping it in line? Mr. Sinclair – Because we have an overhang and want to even it out with the overhang.

Jay Mendels – All the other issues are preexisting and there is not much you can do with a narrow property.

A motion to hold the hearing open until the certificated mailings have been sent out was made by Richard Benson and Jay Mendels
4 in favor, 0 opposed

CATSKILL FOREST PROPERTIES, INC.

Applicant is requesting area variances from §250-9 and §250-21B(4) of the Town of Thompson Zoning Code for the following purpose: (1) Increasing a non-conforming structure (2) One side yard setback from required 20' to proposed 15.8' (3) Combined side yard setback from required 50' to proposed 30.8'.

Property is located at 200 Starlight Rd, Monticello, NY S/B/L: 57.-2-8 I the RR2 zone.
David Ettenburg, owner

A Satisfactory proof of mailing was provided to the Board.

Mr. Ettenburg – I bought the property around 25 years ago. We bought it for the water front not the house because I own Camp Shane and we wanted to use it for waterskiing. I had a permit from the Town and the neighbors didn't like it since it was being used as commercial property. So, I never used the property, instead I went to White Lake. This house has been unused for all these years. I got a call from my neighbor about three years ago saying trees and wires had come down. We cleaned it all up and I decided on the spot to re-build the deck and I didn't get any permits. When the Town talked to me, they asked me to do a lot of things. I then hired several people to help me with the survey, coding, deck and house. I then got fined \$1,000. I responded quickly with everything that was asked of me. I was told the deck was too close to the property line. We replaced what was there with new decking on the existing posts. The surveyor came and did a survey and the deck is 15.8 feet from the line. It must have been this way all along. Paula Kay – It could have been but you need to be in compliance with the law or get a variance. Mr. Ettenburg - The neighbor's house that is next to me is way down by the water, so I don't think the deck is going to affect him.

Jay Mendels – In regards to the side deck, all you did was replace the decking? Mr. Ettenburg – The front deck went out a few feet. The side deck was built off the original piers. Richard Benson – So the

original piers were in the ground? Mr. Ettenburg – Yes. Jay Mendels– Did you replace them? Mr. Ettenburg – No we built on them.

Jay Mendels – Where are you in the process? Mr. Ettenburg – I think I just need to get the variance and then the permits.

Paula Kay – You said you were fined \$1,000. You paid a building without a permit fee? Mr. Ettenburg – I paid the permit fee. Jim Carnell – Were you in court? Mr. Ettenburg – Yes, I was in court. Paula Kay – So you paid a building without a permit fee in court.

Mr. Ettenburg – Some things were not done correctly so we have to take some things down and re-build. Jay Mendels – You have to take it down and start again? Mr. Ettenburg – Not everything just some stuff. I have a builder now who is ready to go.

Jay Mendels – Is there still a fee that needs to be paid? Paula Kay – Yes, the building without a permit fee that needs to be paid and he can do that when he get's his permits.

PUBLIC COMMENT:

No public comment.

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; 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 accept all three variances with the condition that the building without permit fee is paid was made by Jay Mendels and seconded by Richard Benson
4 in favor; 0 opposed

CHRISTOPHER KAYLOR

Applicant is requesting area variances from §250-8 and §250-16B of the Town of Thompson Zoning Code for the following purpose: (1) Accessory building closer to the road than the main building. (2) Exterior finishes of the accessory structure shall be compatible with the principle building from required Asphalt

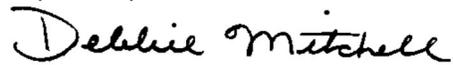
Shingles to proposed Metal Roof (3) Exterior finishes of the accessory structure shall be compatible with the principal building from required Vinyl Siding to proposed Metal Siding.

Property is located at 16 Michael Hill Rd, Monticello NY S/B/L: 28.-1-4-16

Applicant did not show

A motion to close the meeting at 7:24 pm was made by Richard Benson and seconded by Jay Mendels
4 In favor; 0 opposed

Respectfully submitted,

A handwritten signature in black ink that reads "Debbie Mitchell". The signature is written in a cursive, flowing style.

Debbie Mitchell
Secretary
Town of Thompson Zoning Board of Appeals