



IN ATTENDANCE: Chairman Richard McClernon Richard Benson
 Robert Hoose Jay Mendels
 Barbara Strong Trev Miller, Alternate
 Paula Elaine Kay, Attorney Sean Walker, Alternate
 James Carnell, Director of Building/Planning/Zoning
 Debbie Mitchell, Secretary

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

A motion to approve the September 8, 2020 minutes was made by Robert Hoose and seconded by Barbara Strong
5 in favor, 0 opposed

Chairman Richard McClernon – I would like to thank Robert Hoose for all his years of service. Tonight, is his last meeting, he is moving to South Carolina.

APPLICANT ILENE KARPAS

Applicant is requesting an Area Variance from §250-14D (2) of the Town of Thompson Zoning Code for the following purpose (1) Front yard setback from required 28.6’ to proposed 27’.

Property is located at 541 Sackett Lake Road, Monticello, NY S/B/L: 46.-4-14
Angela Rein, Makovic Homes

A Satisfactory proof of mailing was provided to the Board.

Paula Kay – Let me check to see if there is a proxy here. There is an it’s for Makovic Homes in which Ms. Rein is an officer there.

Ms. Rein – The front porch is actually what we need the variance on. This is an error by us at Makovic Homes. The surveyor had staked out the foundation for us and somehow the stakes got moved or something and we went over the line. We need a variance for the additional one foot that is in the setback. Chairman Richard McClernon – It’s actually 1.5 feet over.

Barbara Strong recused herself from this application.

Jay Mendels – It looks like the way the porch is build it’s into the house. Ms. Rein – Yes, the roof of the porch is connected and is part of the house.

PUBLIC COMMENT:

Bren Salamon – Has no objection.

A motion to close the Public Hearing was made by Richard Benson and seconded by Robert Hoose
4 in favor; 0 opposed

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 approve the variance was made by Jay Mendels and seconded by Robert Hoose
4 in favor, 0 opposed

APPLICANT GILROY HILL REALITY, LLC

Applicant is requesting an Area Variance from §250-9 of the Town of Thompson Zoning Code for the following purpose (1) rear yard (roadside) setback from required 50' to proposed 39.9'. (2) front yard (lake) setback from required 50' to proposed 38.1' (3) one side yard setback from required 20' to proposed 13.11' (4) combined side yard setback from 50' to proposed 30.7' (5) percentage of lot coverage from required 10% to proposed 19%

Property is located at 223 Lake Shore Drive, Monticello, NY S/B/L: 42.-2-5
Glenn Smith, Engineer
Mike Taylor

A Satisfactory proof of mailing was provided to the Board.

Mr. Smith - There are 5 area variances being requested. I heard during the work session the issue with the non-conforming lot. Paula Kay – The non-conforming of the lot and house is not in front of the board tonight. Those were not part of any of the denials from the Building Department. After tonight's meeting if the Building Department determines that there is a non-conforming issue with the §250-21b then you will need that variance at a later date. Mr. Smith - There is a house on the property now that is being torn down and there is water and septic. The yards and the coverage don't meet the Zoning. This is a non-conforming lot that is about a ¼ acres. We just need the 4-yard variance and the lot coverage, that is why we are here tonight.

PUBLIC COMMENT:

Bren Salamon – Has no objection.

A motion to close the Public Hearing was made by Richard Benson and seconded by Robert Hoose
5 in favor; 0 opposed

PUBLIC COMMENT CLOSE:

Jay Mendels – I know the lot coverage required is 10%, do you know what the actual lot coverage is with the existing house? Mr. Smith - It's 9.8%

AREA VARIANCE CRITERIA:

(1) Whether benefit can be achieved by other means feasible to applicant; Robert Hoose Vote No. Chairman Richard McClernon - On such a small lot and the 19% coverage, it's a ¼ acer lot and the minimum is supposed to be 2 acres. I find that a two-story house using the same footprint makes me happier. So, I'm going to say Yes. Richard Benson – I'm going to say No, because we did this for other applicants. Barbara Strong Voted No. Jay Mendels – No, because of the shape of the lot and it's no different then any of the other lots along that area.

(2) Undesirable change in neighborhood character or to nearby properties; All Voted No. Jay Mendels – It's an improvement to the property.

(3) Whether request is substantial; Robert Hoose and Barbara Strong Voted No. Richard Benson - No, based on past variance we have done with the same kind of lots. Chairman Richard McClernon and Jay Mendels Voted Yes.

(4) Whether request will have adverse physical or environmental effects; Chairman Richard McClernon - Will the septic leach field be redone or just the tank? Mr. Smith - They do plan on redoing it. All Voted No

(5) Whether alleged difficulty is self-created; All voted Yes, Jay Mendels – Only because of the shape and that it's the same as the other lots.

A motion to approve all the variances was made by Richard Benson and seconded by Robert Hoose
5 in favor; 0 opposed

APPLICANT DO OVER REAL ESTATE PROPERTY

Applicant is requesting an Area Variance from §250-9 of the Town of Thompson Zoning Code for the following purpose front yard setback (waterfront) from required 50' to proposed 24'.

Property is located at 221 Starlight Road, Monticello, NY S/B/L: 57.-2-3
Jacquie Leventoff, owner

A Satisfactory proof of mailing was provided to the Board.

Ms. Leventoff – This is for a deck that was on the house and we took it down and we are now putting back the same exact deck. The old deck was 10 'x 36' and that is the same size we are putting back. But you require a variance to do that.

PUBLIC COMMENT:

Bren Salamon – Has no objections

Harry Rhulen – There is no issue for me or my Family with the deck being replaced. My Mom had a question/concern about the septic. Chairman Richard McClernon – That is not our issue it's a Planning Board and Building Department issue. Ms. Leventoff – I am developing the house across the street. Mr. Smith and I will be redoing the septic system across the street and up the hill. Mr. Rhulen, if you or your mom have any issues or concerns please contact me. Mr. Rhulen – I am very happy to know that you are the person doing this project. My mom just doesn't want the lake impacted any more than it is now.

A motion to close the Public Hearing was made by Richard Benson and seconded by Robert Hoose 5 in favor; 0 opposed

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. Jay Mendels because it's a direct replacement.
- (4) Whether request will have adverse physical or environmental effects; All voted No
- (5) Whether alleged difficulty is self-created; Robert Hoose and Jay Mendels all voted Yes. Chairman Richard McClernon – No, because it was already there and they are replacing it. Richard Benson and Barbara Strong Voted No.

A motion to approve the variance was made by Robert Hoose and seconded by Richard Benson 5 in favor; 0 opposed

APPLICANT THOMAS ROCHON

Applicant is requesting an Area Variance from §250-9 and §250-21B (4) of the Town of Thompson Zoning Code for the following purpose (1) one side yard setback from required 20' to proposed 18.5' (2) increasing a non-conforming (3) combined side yard setback from 50' to proposed 38.5' (4) front yard setback from required 50' to proposed 30' (5) percentage of lot coverage from required 10% to proposed 11%

Property is located at 394 South Shore Drive, Rock Hill, NY S/B/L: 66.-29-3

Thomas Rochon, Applicant

A Satisfactory proof of mailing was provided to the Board.

Mr. Rochon – We want to build a deck in front of the house that will be 10’ X 20’ and 18” high from the ground. With no foundation. It will conform to the shape of the house. The topography of the land is mostly moss and our grandchildren want somewhere to play. We will not be cutting down any trees. The Wolf Lake Homeowners Assortation says that we have to have a 12% lot coverage and the Town says it needs to be 10% but I figured it out, we are at 10.3% for the lot coverage.

I also CC some letters to you that the neighbors approved the deck. Chairman Richard McClernon – We have not received any Letters yet. Mr. Rochon - Also, the Association gave us a permit to do it as well. Chairman Richard McClernon – We have the Associations letter.

PUBLIC COMMENT:

David Puretz –I have a letter from the neighbor approving this and I can read it. Chairman Richard McClernon – No thank you, we are just looking for comments tonight. Mr. Puretz - I am for the addition, I’m Mr. Rochon son-in-law.

Bren Salamon – Has no objection

A motion to close the Public Hearing was made by Richard Benson and Robert Hoose
5 in favor; 0 opposed

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 approve all the variances was made by Jay Mendels and seconded by Robert Hoose
5 in favor; 0 opposed

APPLICANT REBECCA KELLY

Applicant is requesting an Area Variance from §250-9 of the Town of Thompson Zoning Code for the following purpose Front yard setback from required 50’ to proposed 17.5’

Property is located at 2 Decker Drive, Rock Hill, NY S/B/L: 66.-5-2
David Weiboldt, Architect
Rebecca Kelly, applicant

A Satisfactory proof of mailing was provided to the Board.

Mr. Weiboldt – In developing the protect we wanted to have a larger porch. The building and the columns are within the 25’ setback but the roof’s over hang went over so we are looking to get an approval for the overhang. Chairman Richard McClernon – It’s going to be a three-foot overhang over the porch? Mr. Weiboldt – Yes. Paula Kay – We have an approval letter from Wolf Lake Homeowners Association from back in April. Did you go back to the Association with this change? Ms. Kelly – I went back to them and got it approved. Chairman Richard McClernon – With this new application? Mr. Weiboldt - Yes. Chairman Richard McClernon - We never got a new approval from them. Ms. Kelly – I didn’t submit the last letter because I called the office 2 weeks ago and asked if anything else was needed and they said no. Paula Kay – Can you please submitted that? Rebecca – Yes.

PUBLIC COMMENT:

No Public Comment

A motion to close the Public Hearing was made by Richard Benson and seconded by Robert Hoose
5 in favor; 0 opposed

PUBLIC COMMENT CLOSE:

AREA VARIANCE CRITERIA:

- (1) Whether benefit can be achieved by other means feasible to applicant; Robert Hoose, Chairman Richard McClernon, Richard Benson & Barbara Strong all Voted No. Jay Mendels – Yes, another 2 feet.
- (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 variance with condition that the Wolf Lake Association’s approved letter is sent and received was made by Robert Hoose and seconded by Richard Benson
5 in favor; 0 opposed

A motion to close the meeting at 7:45 pm was made by Richard Benson and seconded by Barbara Strong
5 In favor; 0 opposed

Respectfully submitted,

Debbie Mitchell

Debbie Mitchell

Secretary

Town of Thompson Zoning Board of Appeals