

APPROVED

TOWN OF THOMPSON  
ZONING BOARD OF APPEALS  
August 9, 2022

IN ATTENDANCE: Chairman Richard McClernon

Jay Mendels	
Sean Walker	
John Kelly, Jr.	Phyllis Perry
Paula Kay, Consulting Attorney	Cindy Ruff, Alternate
James Carnell, Director of Building/Planning/Zoning	Darren Miller, Alternate
	Laura Eppers, Secretary

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

A motion to approve the July 12, 2022 minutes, with the request to add the beginning and ending time for the executive meeting, was made by John Kelly and second by Phyllis Perry. 5 in favor, 0 opposed

**APPLICANT: ELIGIO GRANDE**

694 Southwoods Dr.  
Monticello, NY  
S/B/L: 31.-1-86.1  
Eligio Grande, Property owner  
Daniel Grande, Property owner's son

Applicant is requesting an Area Variance from §250-15A(5) of the Town of Thompson Zoning Code for: (1) Trailer used for storage shed from required N/A to proposed N/A. Property is located at 694 Southwoods Drive, Monticello, NY. S/B/L: 31.-1-86.1. In the Zone: RR-1

Chairman McClernon read the legal notice out loud.

Proper proof of mailing was submitted.

Chairman McClernon – We have and saw the pictures of the trailer; did you have a permit for the trailer? Eligio Grande – No. We did not know we needed a permit for that. Chairman McClernon – You got a permit for the nice shed that sits next to the trailer and if you would have applied for a permit for the trailer, you would have found out the it is not allowed. It's up to this Board to decide if we are going to approve the variance. Jay Mendels – Is this going to be permanent or temporary? Daniel Grande – It is temporary. I just came back from college and needed a place to store a few items that I brought back with me. Jay Mendels – Is anyone living in there? Daniel Grande – No. There is no toilet, sink or anything like that. Chairman McClernon – What is temporary, 6 months? Daniel Grande – I am planning to move out in the following year. Chairman McClernon – In the beginning of the year. Daniel Grande – In about 8 months from now. Sean Walker – Is this still on wheels? Daniel Grande – Yes. There are wheels and a hitch so it can be moved. John Kelly – Is it freshly painted? Daniel Grande – No, it hasn't been touched. Cindy Ruff – Was this purchased specifically for this reason? Daniel Grande – Yes. I bought it about a week before I moved back

home from college. Chairman McClernon – What are you going to do with it after the 8 months? Daniel Grande – Hopefully take it where I am planning to move. I don't plan on staying here. Jay Mendels – Is everything in there going with you? Daniel Grande – Yes. Jay Mendels – Would it be feasible to build another shed in the meantime that could serve as storage for the whole family? Daniel Grande – Well it was supposed to be for me to take and not to stay there permanently. Jay Mendels – Is the property big enough to put it somewhere else that is not so conspicuous? Daniel Grande – Yes, it could be moved away from the street. There is a hill that it could be moved behind. Sean Walker – That would make it would be hidden from the road? Daniel Grande – Yes. Chairman McClernon – You defiantly need 8 months or could it be less, like maybe 6 months? Daniel Grande – I'm 19 at the moment and need to wait till I am 20.

No further questions/comments from the Board.

Opened discussion to public.

Ryan Shock – I live at 3 Stacey Drive and think it is an eye sore to the neighborhood. I don't think it should be there at all. Daniel Grande – Would it be okay if it was hidden or painted to match? Ryan Shock – Or if it was an actual shed. Chairman McClernon – Agreed. Paula Kay – The code, as you have now learned, is very specific and box trailers cannot be used as storage sheds. Daniel Grande – Could it be used for anything else? Paula Kay – What other purpose would you use it for? Daniel Grande – There are other uses for trailers and I am just curious if it would matter if it was being used for something else. Chairman McClernon – It's not a live-in trailer. If it was a travel trailer or house trailer or something like that, it might be. Paula Kay – A permit is needed before anything is put on the property. That is kind of where the problem started because the trailer was put on the property without any kind of approval from the town. Chairman McClernon – If it was a camping trailer, you wouldn't need a permit to have it there. Jim Carnell – As long as it was registered.

Maria Shock – I also live at 3 Stacey Drive with Ryan, my husband, and agree with him. I think if they could move it somewhere where it is not visible at all, it would look more becoming to the neighborhood. Chairman McClernon – I'm not sure if you heard but they also plan to remove it from the property altogether in 8 months. Maria Shock – I did.

Todd Brasington – I live at 702 Southwoods Drive and agree with Ryan and Maria. It's not an ideal location for the trailer and also agree that it would probably be okay if the trailer was moved out of sight until it is removed in 8 months. Chairman McClernon – If we approve it tonight, it would defiantly have to be removed in the 8 months.

Paula kay – If you were to act on it tonight, it may make since to make sure there is an appropriate spot to move it before you act. Chairman McClernon – The property drops off; can you get it far enough in the back that it wouldn't be seen in the back? Daniel Grande – Yes. Paula Kay – Would it be seen from other properties in the back? Daniel Grande – There is no house behind us. Paula Kay – What about your neighbors to either side?

Liz Brasington – I'm at 682 Southwoods Drive, the house next door, and it would be seen from my house. We can see everything on the back of their property. There is a truck there now. I just don't know how they would get it down where it wouldn't be seen from the road. There is such a slope I don't know how it could be done. If they could do it, I also would not have a problem with it being there until it could be removed. As it is right now, it is truly an eyesore and effects all of our properties.

Chairman McClernon – Would the Building Dept. go down to check if there is a good location?  
Jim Carnell - It wouldn't really be up to us to determine where it should be located on the property. I am familiar with the property and it is surrounded by the Brasington's parcels and it would be seen by them no matter where it is moved to.

Paula Kay – Mr. Chairman, I understand that this gentleman is looking to continue the illegal use for 8 months and my concern would be, if you did continue it through April 2022 and we have weather, which we often do, you may have to extend the use until it can be removed. You might want to think about having it removed prior to the winter season. Chairman McClernon – It would have to be the end of November and even then, there is a chance of snow. Eligio Grande – Are we allowed to keep the trailer if we can move it behind the house? Chairman McClernon – Apparently, no matter where you put it, it will be seen by your neighbors and they are not okay with that. Jay Mendels – It's not going to get in a spot where it is not visible by anybody. You have another storage building, is there any room in there for temporary storage? Daniel Grande – That's where we keep our tractor, stuff to cut the grass, snow blower and things like that. It's mainly utility stuff and is really no room for anything in there. Chairman McClernon – Looking at the pictures of the stuff being stored in the trailer, it doesn't look like there is much in there to store. Just some tots and paper towels. Jay Mendels – So, is there room in the shed for the few things being stored in the trailer? Daniel Grande – There is also a mattress and couch being stored in the trailer so those things would be able to be stored in the shed. Chairman McClernon – Is there room in the house for that stuff. Daniel Grande – No, there is already a couch in the house. Chairman McClernon – I mean in the basement or something. Daniel Grande – No, it's an old foundation with cracks and the basement is not ideal for storage. Jay Mendels – I guess the alternative would be to get a storage unit somewhere. Chairman McClernon – Like a Pod or something. Jay Mendels – I was thinking an off-site storage unit, like the ones on East Broadway. Jim Carnell – Pods are typically for short term use and we would run into the same problem we have now. Jay Mendels – Are you hoping to move out in spring or will you defiantly be moving out in spring? Daniel Grande – I'm defiantly moving out in spring. Jay Mendels – Might it happen sooner then that? Daniel Grande – It might happen sooner but 8 months would be a safe timeframe to ensure I can be out. Jay Mendels – The concern is if we have a bad winter, you will never be able to get the trailer out. Is the terrain that steep that you wouldn't be able to get in and out of there? Daniel Grande – No, it's not really that steep. On the right of the house, in between the garage and where the trailer is now, it's probably about 10 feet from there and it doesn't really drop off. Jay Mendels – What about if you have winter weather, snow or ice on the ground? Daniel Grande – The plan is to be out of the house before then and the 8 months is just a safe timeframe. I'm just looking for a job in a different state before I move. Cindy Ruff – Is there any other place you can store the stuff? Maybe another property? Like a friend or a relative. Daniel Grande – No.

Jay Mendels – Is there any way to keep this open until we can determine if there is a place on the property that won't be offensive to the neighbors? Chairman McClernon – Who's going to determine that? Paula Kay – A lot of the neighbors are here tonight, maybe they can walk the property and find a spot they agree upon. Ryan Shock – The Brasington's own the properties on both sides and behind the house so they encompass the whole property and there is nowhere the trailer can be put that it won't be seen. I think getting a storage unit was a great idea. Chairman McClernon – That would probably be the best. Jay Mendels – I would like to ask the Brasington's, since it is their property that would still see the trailer, is there a place on the property you would be okay with the trailer going until it removed? Todd Brasington – There is a place but I don't think they can get the trailer in there. The length of the trailer may be an issue. Jay Mendels – If they could get there trailer there, is there a place on the property that it wouldn't be seen from the road and you would be okay with looking at it until they remove it? Liz Brasington – There is no level spot there in the back where it could go. There is a spring back there and I don't know how they would ever get it down there with the size of it. It's not that we don't want to help them and

we would be okay with it there temporarily, out of sight from the road, but I just don't know how it could be done. Cindy Ruff – Do you have a truck to move it with? Daniel Grande – Yes. Cindy Ruff – Big enough that you could get it down to where everyone is saying they don't think it's going to go? Daniel Grande – Yes and I know what they are talking about. The property slopes down a pretty fair amount, but if you drive on the right side, it is level enough to get it in the back where no one will see it from the road. Phyllis Perry – Can we give a time limit? Let's say we give them a month to try to move it and if they can't, then they have to take it off the property and find alternative storage. Chairman McClernon – We could do that, but the neighbors stated it would be visible to them no matter where they put it. Phyllis Perry – They did, but also said they would be okay with it as long as it is not viable from the road and will be removed at the end of the 8 months. Chairman McClernon - We can leave this open for a month, see if they can move it to the spot agreed upon and if you folks wouldn't mind coming back next month, or zoom in, to give us your opinion on the new location. Paula Kay – The Board may want to ask for pictures and may want to think about how to word any sort of approval in the event the trailer is not removed in the time frame given. Chairman McClernon – They are going to have to get a mover in there at the end of the 8 months in the event they couldn't get it out themselves. John Kelly – Is it rough terrain through there? Daniel Grande – No, it's just grass. Also, I would just like to make it clear that when I move, if I take the trailer or not, it will not be staying on the property. The trailer was purchased solely for me and my stuff and my parents do not plan on keeping it. We thought this was a good short term storage option and didn't know it needed a permit, like we did with the shed. Cindy Ruff – It getting another shed an option? Daniel Grande – Budget wise it's different and the trailer isn't as expensive as a shed, which is another reason we went with the trailer. Chairman McClernon – If you contact the Building Dept. after you move the trailer, I will come down and take some pictures for the next meeting.

Jim Carnell – Also, I believe the septic is located back there and you are going to have to be careful where you place it. Daniel Grande – It is located off to the side and won't be a problem.

No further questions/comments from the public.

A motion to leave the public hearing open until next month's meeting held on September 13, 2022, to allow time for the applicant to move the storage trailer to a spot on the property that is not seen from the road and is acceptable to the neighbors that will still see it, was made by Phyllis Perry and second by Sean Walker.  
5 in favor, 0 opposed.

**APPLICANT: CHRISTOPHER & KIMBERLY PATETE**

14 Scarborough Circle  
Rock Hill, NY  
S/B/L: 52.K-2-16  
Christopher & Kimberly Patete, Property owners

Applicant is requesting an Area Variance from §250-16A(2) and §250-16B of the Town of Thompson Zoning Code for: (1) Accessory building closer to the road than the main dwelling from required N/A to proposed N/A. (2) Accessory building setback from property all property lines from required 10' to proposed 4'. Property is located at 14 Scarborough Circle, Rock Hill, NY. S/B/L: 52.K-2-16. In the Zone: SR with Central W/S

Chairman McClernon read the legal notice out loud.

Proper proof of mailing was submitted.

Christopher Patete – I'm not sure if you had a chance to review the pictures I sent in, but the shed is going to be a 10 x 14 patriot quaker from Woodworks and we are planning on matching the trim and style to the house. It will have 2 double doors in the front as well as some windows. Again, we are trying to match the house and keep the appeal of the neighborhood. There are sheds in our neighborhood that can be seen from the road. Although those properties are on the lake side and it's technically their back yard, it is not uncommon to see a shed from the road in our neighborhood.

Chairman McClernon – Is it going to be a regular peak? Christopher Patete – Yes, just a regular A frame style.

Chairman McClernon – I was down over the weekend to take some pictures and it looks like you would need a crane to lift it up over the house to get it in the back. Christopher Patete – That's why we are asking to put it more in front of the house. As it is right now there no good access point from the front to the back. There's lots of boulders and it's on a plain. Just getting things like the snowblower and heavy objects to the shed would be difficult.

Phyllis Perry – There's a big, huge tree that looks dead in the front of your house. Christopher Patete – The tree is not dead it's just very tall. Phyllis Perry – Is the shed going to go behind that tree? Kimberly Patete – Yes. It's would go directly behind that tree kind of in line with the property, running parallel. Jay Mendels – So the tree will be in front of the shed creating some buffer. Kimberly Patete – Yes. Christopher Patete- It's actually going where the playground is and we will be moving the playground. The shed will just be set back a little further, between the 2 trees there.

Paula Kay – Do you have a permit from Emerald Green for the shed? Christopher Patete – Yes. Michael did initially issue a permit and then realized that the shed was going to be in the front and not the back and said that we just need to go through the Zoning Board first. If we get the variances today, he will put it back in front of their Board for approval. Jim Carnell – So if you guys acted on it tonight, we wouldn't issue our permit until we get the revised approval from their association. Paula Kay – Technical you could issue, because you are independent of any association, but generally we do like to wait for their determination first. Kimberly Patete – We did do our part. Christopher Patete – Yes and we did mark it in the front of the house but I guess it was just an oversight by the association.

No further questions/comments from the Board.

Opened discussion to public.

Mitchell Schiff @ 18 Scarborough – How do we get to see a picture of the shed? Jim Carnell – Are the pictures on the Google Drive? Paula Kay – No. Christopher Patete – I did send the pictures to the Town. Would it be helpful if I show them now? Mitchell Schiff – That would be helpful. We want to be good neighbors but it would have been nice if you would have come by to show us where you want to put it and we would have worked with you. Paula Kay – Can you just describe the shed again and explain the way it's going to match the house. Kimberly Patete – It's a 10 x 14 quaker shed and it is white with black trim to match the house. Mitchell Schiff – Again, we ant to work with you and would like to see a picture if possible. That way we can get a better idea of where you want to put it. Christopher Patete – Do you know where the playground currently is? Mitchell Schiff – Yes. Christopher Patete – We are going to be removing the playground and setting the shed a little bit back from that. Mitchell Schiff – Is it a possibility for you to drop a picture off at

our house? Christopher Patete – Yes. We can show you in person or drop of a picture. Mitchell Schiff – Why don't you stop by tomorrow and then we shouldn't have an issue.

No further public comments.

A motion to close the public hearing was made by Jay Mendels and second by John Kelly. 5 in favor, 0 opposed.

(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 vote 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 request for all variances, conditional to the HOA approval, was made by Jay Mendels and seconded by John Kelly.

5 in favor, 0 opposed

**APPLICANT: JOHN VANNATA**

59 North Shore Road

Rock Hill, NY

S/B/L: 36.-2-6

Robert Ruggiero, Property representative

Applicant is requesting an Area Variance from §250-8 of the Town of Thompson Zoning Code for (1) Front yard setback from required 50' to proposed 47' (2) Rear yard setback from required 50' to proposed 9'. Property is located at 59 North Shore Road, Rock Hill, NY. S/B/L: 36.-2-6. In the Zone: RR-1

Chairman McClernon read the legal notice out loud.

Proper proof of mailing was submitted.

**Robert Ruggiero** – It's a non-conforming, existing lot with setback of 50 feet from both the front and the back, leaving a dot in the middle. As you know these parcels are small. I have been talking to Logan about this a lot and the only way to give more room in the back would be to remove the deck and just put stairs. However, what is being proposed is almost exactly where the original one is. It's my understanding that just about all of these lots are non-conforming so we are sticking with what the community looks like and make it look nice.

Paula Kay – Did you get approval from your association? **Robert Ruggiero** – Yes. Paula Kay – We did not receive a copy of that. **Robert Ruggiero** – Everything was handed in at the time of the application. Jim Carnell – It may have been, but it didn't make the transfer to the Google Drive with the application. Paula Kay – So you submitted it with the ZBA application. **Robert Ruggiero** – I was told it was already here, but I can get that if needed. Paula Kay – Just send a copy in to Laura or Heather.

Phyllis Perry – Who owns the rear, behind the house? **Robert Ruggiero** – That I couldn't tell you. I think I know what you are getting at and I agree with you. They have the shed and what is being called a garage on the left-hand side, but the garage is being demo'd. I do have pictures here for you to see if that is helpful.

**Robert Ruggiero** showed the Board pictures on his phone. The Board already had printed pictures that they used to review.

Chairman McClernon – Is the applicant sure the shed and garage are on his property? I just don't want him to demo something that is not his. **Robert Ruggiero** – before we do anything we will confirm if that was part of his purchase or still belongs to Wanaksink Lake. **Paula Kay** – Looks like there's a dog house there too. **Jay Mendels** – It appears the previous owner may have just been using that property as extra space. **Paula Kay** – Either Wanaksink isn't aware or maybe there's something in the letter that says that has to come down. **Robert Ruggiero** – The owner is pretty open to whatever has to be done. **Paula Kay** – You can make it a condition because, obviously, you can't approve a garage that is over the property line and the shed is way over. **Chairman McClernon** – We'll wait to see what the letter from the HOA says. **Paula Kay** – You can handle this just the way you did with the first project and hold it open until we get the letter from the HOA.

No further questions/comments from the Board.

Opened discussion to public.

A motion to close the public hearing was made by **Jay Mendels** and second by **Phyllis Perry**.  
5 in favor, 0 opposed.

(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; 4 voted no and **Phyllis Perry** voted yes

A motion to approve request for all variances, pending the approval from the HOA and removal of the buildings, was made by **Jay Mendels** and seconded by **John Kelly**.  
5 in favor, 0 opposed

A motion to close the meeting was made by **Jay Mendels** and second by **Sean Walker**.  
5 in favor, 0 opposed

Respectfully submitted,

Laura Eppers  
Secretary  
Town of Thompson Zoning Board of Appeals