



it up. Chairman McClernon – But you have to have a permit to put it up, so just make sure your permit covers that. Richard Hindley – It's just a steal building. Paula Kay – Right, but you still need a valid permit, so just make sure you have one with Building Department. Just to remind the Board and the public, the reason Mr. Hindley is here tonight is just sort of for a status update. He agreed to do some work, which he clearly has done. The Board gave him 60 days from the February meeting to clear some of the debris and other things off the property, unless he could get it done in 30, which is this meeting because the March 14<sup>th</sup> meeting was cancel due to weather. Chairman McClernon – Okay so the 60 days would be the April meeting. Paula Kay – You do not have to wait the 60 days if you feel that he has done everything. Chairman McClernon – Sounds like he is still in progress. Is there any way we can get rid of some of the cars? Richard Hindley – I can only do one thing at a time. Chairman McClernon – Fair enough, but this one pile here is going to go on the next dumpster? Richard Hindley – Yes. Chairman McClernon – Okay, that will be a good start. We will hold this open until the next meeting, April 11<sup>th</sup>, to verify the progress and make a decision.

A motion to hold this application open until the next meeting, April 11, 2023, was made by Jay Mendels and second by Darren Miller.  
All in favor, 0 opposed.

**APPLICANT: YEVGENIY KLINOV**

Lake Shore Drive E  
Rock Hill, NY  
S/B/L: 55.-6-3.10  
Yevgeniy (Eugene) Klinov, Property owner

Applicant is requesting an Area Variance from §250-8 of the Town of Thompson Zoning Code for (1) Rear yard setback with W/S from required 40'-0" to proposed 36'-10" (2) One side yard setback with W/S from required 15'-0" to proposed 11'-6" (3) Combined side yard with W/S from required 40'-0" to proposed 26'-7" (4) Waterfront lots from required 20,000 sq. ft. to proposed 7,140 sq. ft. Property is located on Lake Shore Drive E, Rock Hill, NY. S/B/L: 55.-6-3.10. In the Zone: SR

This project was held open from last month's meeting.

A motion to re-open the public hearing was made by Jay Mendels and second by John Kelly.  
All in favor, 0 opposed.

Chairman McClernon – We got your updated plans and we appreciate very much the changes you have made to work with the HOA, this Board, and the Town. The most recent sit plans, the one without the shed, shows no deck on the side, reducing the variances. Paula Kay – The number of variances was reduced from 7 down to 4, so that is a significant change. Chairman McClernon – You did a great job. Jay Mendels – These are the kinds of thing we hope for. That you work with your neighbors.

No further questions or comment from the board.

The meeting was opened to the public.

Paula Kay – There was a letter that came in from your neighbor, Peter Hirschman, on March 14<sup>th</sup>, but it looks like he was basing his review on the older plans and not the updated ones.

**Mr. & Mrs. Peter Hirshman** @ 175 Lake Shore Drive - Did not attend meeting, but sent in below written comment:

[https://drive.google.com/open?id=145zvSahUzcCX3z0Jskr5m8MHKzTwikwk&authuser=planning%40townofthompson.com&usp=drive\\_fs](https://drive.google.com/open?id=145zvSahUzcCX3z0Jskr5m8MHKzTwikwk&authuser=planning%40townofthompson.com&usp=drive_fs)

No further questions or comments from the public.

A motion to close the public hearing was made by Jay Mendels and second by John Kelly.  
All 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; All voted yes

A motion to approve all requested variances was made by Jay Mendels and second by John Kelly.  
All in favor, 0 opposed.

**APPLICANT: 277 SACKETT LAKE ROAD LLC**

477 Sackett Lake Road  
Monticello, NY  
S/B/L: 45.-3-4

Mark and Liraz Spear, Members of the LLC  
Cynthia Gold, Project contractor  
Adam Wapniak, Project architect

Applicant is requesting an Area Variance from §250-8 of the Town of Thompson Zoning Code for (1) Front yard setback (waterfront) from required 40' to proposed 19.22". Property is located on at 477 Sackett Lake Road, Monticello, NY. S/B/L: 45.-3-4. In the Zone: SR

Chairman McClernon read legal notice aloud.

Legal notice for this meeting was mailed by the Town (due to the March 14, 2023 meeting being cancelled). Proof of mailings in the Google Drive.

Mark Spear – When we bought this property there was an existing deck. We are looking to expand it so that we are a little closer to the lake. Chairman McClernon – The current deck is already only about 19 to 20 feet from the lake, right? Mark Spear – No. It will be 19 feet from the lake after the addition. I have a drawing here if that helps. Chairman McClernon – Yeah, okay. Mar Spear - This is what is currently there and this is what we are proposing. Jay Mendels – And is this a covered deck? Mark Spear – This

part here is covered. Jay Mendels – I can't make out the dimensions. Liraz Spear – Our contractor is on zoom and she could help with this. Cynthia Gold – Sure, which dimensions can't be read? Mark Spear – The dimensions of the deck to the lake. Cynthia Gold – They currently have 10' 2" and they want to add 9' 10". Jay Mendels – So, currently the deck has a 40-foot set back? Cynthia Gold – I would have to check with the architect to be sure, but I think that is right. Jay Mendels – And you are only asking for another 10 feet, right? So, if you are at 40 now, you should only be asking for a 30-foot setback. Jim Carnell – Looking at roughly the size of the scale from the one side yard setback, being 15.86 feet, and the other one, being 17.9 feet, it looks like there is about 20 feet from the deck to the closest part of the lake. So, it's more the a 30-foot setback. Jay Mendels – I think that we need to know for sure what the dimensions are because it makes a difference in the variance being asked for. Paula Kay – I agree with Jay.

Jim Carnell went to get the physical file for this property to see the plans the denial letter was based on. To see how the building department came up the requested setback. In the meantime, the Board moved onto the next project.

Jim Carnell – Here are the plans that we used. I don't know where they came from, maybe the architect. Here is the existing, which is 28.9 feet and based off of what they are proposing, the closest point to the lake is 19.2 feet. Adam Wapniak – Hi. I'm Adam Wapniak. I am the architect of record and think I can help clear some things up. I abstracted this information from a survey done by John Galligan, who I understand is deceased, so I couldn't obtain clarification from his office. So, what I did is scanned his survey, imported it into Auto Cad, and scaled the measurements accordingly. Based on the shoreline you have varying setbacks from the shore to the existing edge of the deck, which is 28.96 feet and 33.8 feet. The applicants hope to extend the deck 20 feet from the building line and the propose plot line shows the updated setbacks from the shoreline. So, you are looking at a minimal setback of 19.22 feet and a maximum set back of 23.96 based on the angle of the building compared to the shoreline. Paula Kay – Just in case you need it in the future, Alvin Chase has taken over all of John Galligan's files and I can give you that number if you want. Adam Wapniak – I'd appreciate that. Paula Kay – His number is 845-321-1463 and he should be able to help. Adam Wapniak – I'm hoping we won't need him for this project and we can answer any questions you have. Paula Kay – Just for future use, I think you are fine with this project. Chairman McClernon – Okay. Does any of the Board members have any more questions? Jay Mendels – Will the existing porch be re-worked? Adam Wapniak – I assume the decking is going to be removed but the existing structure is going to remain. The idea is that we would keep the structure in place, sister some joist to the edge if the existing header, and then shift the columns over a bit, because right now there is currently a cantilever jus at the edge of the deck, so I was going to remove those columns and shift them out a little to meet the new doubled header at the edge of the new balcony. Then another set of columns supporting the new edge, so essentially it will be sort of a floating deck abutting the existing deck. We are just modifying the structure. The exiting joist and headers will stay. Jay Mendels – So overall, you are still ending up with a 20-foot deck, right? Adam Wapniak – Yes, overall.

No further questions or comments from the Board.

Meeting opened to the public.

No public comment.

A motion to close the public hearing was made by John Kelly and second by Jay Mendels.

All in favor, 0 opposed.

(1) Whether benefit can be achieved by other means feasible to applicant; All voted yes

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

(3) Whether request is substantial; All voted yes

(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 requested variance was made by Chairman McClernon and second by John Kelly.

3 in favor, 1 opposed (Jay Mendels)

**APPLICANT: MARC & DAWN HOWARD**

88 Lake Shore Drive S

Rock Hill, NY

S/B/L: 52.I-1-24

Applicant is requesting an Area Variance from §250-8 of the Town of Thompson Zoning Code for (1) One side yard setback with W/S from required 15'-0" to proposed 13'-5" (2) Combined side yard with W/S from required 40'-0" to proposed 31'-5" (3) Increasing a nonconforming structure - which is not permitted (4) Percent of lot coverage with W/S from required 20% to proposed 23%. Property is located at 88 Lake Shore Drive S, Rock Hill, NY. S/B/L: 52.I-1-24. In the Zone: SR

Chairman McClernon read legal notice aloud.

Legal notice for this meeting was mailed by the Town (due to the March 14, 2023 meeting being cancelled). Proof of mailings in the Google Drive.

Marc Howard – We are looking to add an addition onto the back of the house to extend the living area. This will push the deck back closer to the lake. There will also be a piece of new decking going above a bedroom that is being created by the addition. Paula Kay – This is in Emerald Green, correct? Marc Howard – Yes. Paula Kay – Have you spoken to the HOA and do you have a letter from them? Dawn Howard – No, because we were advised that we need to get approval from the Zoning Board before we can present it to the HOA's board. Chairman McClernon – Usually it is the other way around. We get the HOA approval first. Dawn Howard – I think that is backwards because we need to show them your approval and the approved plans before they look at them. Chairman McClernon – No. Marc Howard – Doesn't the HOA just look at the final sizes of the Zoning Board. Paula Kay – No. Usually what the applicants do is reach out their HOA to send a letter to the Zoning Board with their approval or disapproval of the application. I am going to try and contact someone from you HOA right now and see if they reviewed anything. Dawn Howard – Last summer I did go to the HOA and was told they give their approval only after the Town approves them, so if we could have submitted plans to them this whole time, I apologies because that is not what we were told. Paula Kay – Okay. Chairman McClernon – We usually take into consideration any concerns they may have because once we give our approval, there really isn't much they can do and we want to make sure they are okay with everything before we do

that. Marc Howard – Can we get a contingency on it being approved by the HOA? This way we don't have to delay this again. Paula Kay – The Board meets again in 2 weeks, instead of the normal 4 to 5 weeks, due to the rescheduled meeting this month, so it wouldn't be more than two more weeks if you can get the HOA approval. Marc Howard – We are already behind due to the snow storm. Chairman McClernon – We have done contingencies before. Paula Kay – Yes because they would have to wait a month or more until the next meeting, but this is only two weeks and there is not a lot they can do in that time without the HOAs blessing. Marc Howard – I'm just trying to understand what the difference would be if the next meeting was in two weeks or two months in terms of the contingency. This was already been delayed and in all of my communications back and forth, nobody told me this was needed. Paula Kay – I'm sorry you got incorrect information, but this Board is going to meet again in two weeks and can't do anything without the HOAs approval. Marc Howard – I didn't say that. We asked for a contingency approval, which apparently you have a problem with. Paula Kay – My concern is the HOA may have some concerns or suggestions that may impact what this Board is approving, which is why we like to wait for the HOAs approval. Marc Howard – So, the HOA determines zoning in terms of differentiation of space on the lot or they determine based on structure, color, and other things? Paula Kay – They can comment however they wish. Marc Howard – They can comment but they do not have zoning. You are in charge of zoning, not them. Paula Kay – This Board is in charge of the variance requests that come in front of it, that is correct, but one of the things they look has always been and will always be the community, which means they look very strongly at what the HOA has to say. Again, this Board meets in two weeks and if you get an approval letter from the HOA by then, you will most likely have two approvals in that time frame. Marc Howard – And what is your name? Paula Kay – My name is Paula Kay and I am council to the Board.

No further questions or comments from the Board.

The meeting was opened to the public.

No public questions or comments.

A motion to close the public hearing was made by Jay Mendels and second by Darren Miller.  
All in favor, 0 opposed.

A motion to hold this application open until the next meeting on April 11, 2023, to give the applicants time to get HOA approval, was made by Jay Mendels and second by Darren Miller.  
All in favor, 0 opposed.

**APPLICANT: US FAMILY REALTY INC**

392 Sackett Lake Road

Monticello, NY

S/B/L: 44.-1-14.3

Bidyut Sarker, sole member of the LLC

Applicant is requesting an Area Variance from §250-8 of the Town of Thompson Zoning Code for (1) One side yard setback from required 15'-0" to proposed 1'-1" (2) Both side yards combined from required 40'-0" to proposed 3'-1" (3) Percent of lot coverage with from required 20% to proposed 46.4% (4) Increasing a nonconforming building – not permitted (5) Rear yard setback from required 40'-0" to

proposed 19'-0" (6) Front yard setback from required 40'-0" to proposed 38'0". Property is located at 392 Sackett Lake Road, Monticello, NY. S/B/L: 44.-1-14.3. In the Zone: HC-1

Chairman McClernon read legal notice aloud.

Legal notice for this meeting was mailed by the Town (due to the March 14, 2023 meeting being cancelled). Proof of mailings in the Google Drive.

Bidyut Sarker – I was a little naive about this property when I purchased it because it was my first time purchasing any property. I never had a survey until I got the Stop Work order and had to have one done. I realized how small the property was and that the house sticks out a little bit. There is a hill in the back of my house that slopes down, so all of the water was going into my basement, flooding it and my sump pump was getting clogged. The year before last I hired a contractor to fix the water issue in the basement. The contractor took all the debris from the basement and piled it up on the side of the house, where he left it. I paid him a lot of money and he just left the job unfinished. I contacted a lawyer, but was told that they cannot do anything and that I can go to small claims court, which will cost me more money. So, what I did was took some concrete to cover the debris and make like a little pouch. That's all I did. Then eventually I can put a deck on the concrete block. Paula Kay – Are you a sole member of the corporation, or are there other members? Bidyut Sarker – No, it's just me. Paula Kay – Okay, we just needed to know. Also, I know we talked about it in the work session, but maybe we should discuss how this project got here for the record. This started with violations because the applicant was building without permits. Bidyut Sarker – I did not know I needed one. I thought I was just covering up these things. Paula Kay – It is considered structural work. Chairman McClernon – Even though you put this concrete there, the water is still going to come into the basement. Bidyut Sarker – No, it won't because it blocks all of the downhill water and it is next to the basement wall so I can cover that part. All I did was cover the debris with this. Chairman McClernon – It is too close to the property line. Bidyut Sarker – As you can see the back side of my house is right in the corner of the property and is already over the property line. I did not know this when I purchased it because I did not do a survey on it. I think that is covered by a grandfather law or something like that. Paula Kay – No. Part of your due diligence when you buy a property is to get a survey. Bidyut Sarker – I know now, but I was naïve to that before. The point is it is not my fault. This is the property I have and I did nothing but build the concrete block to cover up the Debris. Jay Mendels – We realize the property is small, our concern is that you built right up to this walkway, right? Bidyut Sarker – Yes, to block all the downhill water from coming from right here. Chairman McClernon – Couldn't you have dug a ditch right along this side here? Bidyut Sarker – I can't. Plus, the contractor left all the debris and I cannot remove all the things. Chairman McClernon – You must have removed something to fit in the wall along the walkway. Bidyut Sarker – No I just covered it up levelly. I can explain it better if I can walk through the property with you guys. Jay Mendels – I think we have a good understanding of what has been done, but did you bury construction debris? Bidyut Sarker – No. The contractor took some soil and stones and stuff like that out of the basement. That's what I covered and nothing else. Chairman McClernon – How far down did you go with the blocks? Bidyut Sarker – I went two blocks down. Chairman McClernon - Jim, does this have to be frost protected? Jim Carnell – Yes. Chairman McClernon – So, that is only about two or three feet deep. Jim Carnell – They are 8x16 blocks, so 32 inches. Chairman McClernon - So, it might not meet code so you are going to have to take it down and start over again. If it's not deep enough the frost is going to lift it. Bidyut Sarker – Basically I am not going to do anything else with this. Chairman McClernon – Well you mentioned you were going to put a deck on it eventually. Bidyut Sarker – Yeah, just a deck in the summer. Chairman McClernon – But, you are not going to meet regulations, the way it is now, for a deck. Bidyut Sarker – Okay. What are my other options? Chairman McClernon – That we can't help you

with. We can just have you remove it because it is too close to the property line. Jay Mendels – Jim, If a deck was not involved with this, does he have the right to level this off up to the property line? Jim Carnell – Possibly, but the one thing he cannot do is divert the water from his property onto this property. In order to raise his property, in all likelihood, it would divert the water. Jay Mendels – Which I believe is what he said his goal is. Jim Carnell – Right. Bidyut Sarker – I am just blocking the water coming to my property. That’s all. Jay Mendels – But by doing so, the water is going to flow over to here, yes? Bidyut Sarker – No. Let me explain something. There is an existing retaining wall in the back of the house that goes right up to the stairs and all the water comes right from there and into the basement. Jay Mendels – So, you are trying to put up a wall so it won’t come from here into your basement? Bidyut Sarker Yes. That’s all. Jay Mendels – Is this a full basement? Bidyut Sarker – Yes. Jay Mendels – Jim, what do you think? Jim Carnell – I think the Chairman or someone mentioned it before, but I think he needs a French drain or something along those lines. Jay Mendels – That will help with his water issue, but his other issues was to level off this part of the property, can he do that up to the property line? Jim Carnell – He can build up to a foot before it would be considered a structure, but it would still have to meet setbacks. Jay Mendels – Which it doesn’t. Jim Carnell – The whole house doesn’t meet setbacks. Jay Mendels – Right. Jim Carnell – As far as the structure there, it will probably need remedial work done to bring it up to code. I have only observed this from the road and Brian is the one who was out at the property. He did stop as soon as we issued the Stop Work order though. Paula Kay – Thank you. Chairman McClernon – Yeah, we appreciate that. Jay Mendels – There are multiple issues here. It’s not just the deck, he shouldn’t have built the concrete platform here, right up to the property line. Are we addressing that or are we only addressing the deck? Paula Kay – The whole thing because that will become part of the deck. Bidyut Sarker – I own up to the middle of the walkway. Jay Mendels – It doesn’t matter because you still went up to the property line. Does the requested 1-foot setback include his half of the side walk? Jim Carnell – I would assume the survey went to the edge of his property. Bidyut Sarker – I asked the owner of the property next door if I could do this and he said okay because it doesn’t bother him. Paula Kay – We understand that, but he would have to give you an easement in order for this Board to approve anything. Bidyut Sarker – He said it was oaky so I thought it was okay. Chairman McClernon – It would be easy enough just to put 2x4s along that side walk to keep the water from coming onto the property. You can put a fence up along your property line so I would image you can put 2x4s along the side walk. You can even go two high. That would probably eliminate the problem. Bidyut Sarker – I would have to run it all the way from here then. Chairman McClernon – Right or at least until you got past the house. Bidyut Sarker – I understand that is another option, but how high can I go if I want to keep the concrete block? Jim Carnell – 12 inches or less to be considered a patio. Jay Mendels – I don’t think 12 inches is enough height to stop the water. Jim Carnell – Do you know how big the parcel next door is? Bidyut Sarker – It is a very big parcel. Jim Carnell – Maybe your neighbor is willing to do a lot line change or maybe you can acquire a small piece of the property from him. Bidyut Sarker – I already asked him if he wants to sell some to me and he said no. Jim Carnell – Okay. I was just throwing out some suggestion. Was there always a doorway into the house at that location? Bidyut Sarker – Yes. Jim Carnell – Was it just a set of stairs up to it or did it have a platform? Bidyut Sarker – Here let me show you what was there. Jim Carnell – Okay. It looks like it was just a landing and some stairs. Bidyut Sarker – I need to replace the front deck so I wanted to put this thing first so I can use it while the other porch is being done. Paula Kay – I think it would be helpful to have the neighbor or maybe a representative here if there is going to be any kind of discussion about the neighbor’s property. This Board cannot act on anything that has to do with someone else’s property without their attendance. Even then, there would have to be a lot line change of he would need to allow you to use a piece of his property with a filed easement. Jay Mendels – What would an easement do for us in this situation if he already owns half of the walkway? Paula Kay – For the other corner. Darren Miller – The corner up here encroaches on the other property. Jay Mendels – But that’s not what we are looking at. Jim Carnell –

Right. Paula Kay – He really has two issues here. Jay Mendels – Right, but only one is being brought to us tonight and he said that the retaining wall, that encroaches the other property, was preexisting when he bought it. Chairman McClernon – Still, it is his responsibility now. Jay Mendels – Alright. Well, it can't stay like this, so let's make a decision. I hate to say it. but I think he needs to start over. Chairman McClernon – He also has an alternate option to put in some sort of drains along the property line. Bidyut Sarker – I was naïve and didn't know I needed a permit for this. Chairman McClernon – Well you did and you built it improperly. Jay Mendels – I think we should vote on what was put in front of us tonight and he can deal with the Building Dept. for any other issues or questions he has. Jim Carnell – He can remove the slab and if we can find a picture to show what was there, we could give him a permit to replace that in-kind. Jay Mendels – Is does say on the survey that there were cement steps. Bidyut Sarker – If I do that you are going to be able to see all the debris out there. Chairman McClernon – Maybe he should get an engineer to help him out. Jim Carnell – Just a contractor would work. Bidyut Sarker – I don't want to do that because I had bad experiences with contractors, not just this one. Paula Kay – Unfortunately because you didn't have a contractor do it, the problem now is it was not built to code. My suggestion would be to hire a licensed contractor to do the work. They will work with the Building Dept. to make sure it is done properly. A variance will still be necessary, but not to this degree. Bidyut Sarker – Okay. Just let me know exactly what I need to do and the variance I need. Chairman McClernon – You would have to call a contractor to draw up plans and submit them to the Building Dept. Paula Kay – Using the survey you have. Bidyut Sarker – But my survey shows there is no space. Paula Kay – This Board cannot design plans for you. Bidyut Sarker – Maybe I can just go to the Building Dept. Chairman McClernon – They cannot design plans for you either. Bidyut Sarker – So you are saying you want me to break the concrete and leave the stone and other stuff there? Chairman McClernon – The whole foundation is a problem. Paula Kay – Maybe he needs a licensed architect or engineer to get this done the right way since it is such a complex matter. I would suggest you contact the Building Dept tomorrow and see what they can suggest. The Board is clearly not going to approve this. They may be willing to give you some time to remove the slab so that you can hire a contractor and get it done the best way that will be the least problem for you. Bidyut Sarker – This whole thing is a problem for me if I have to demo this. It will cost me more money and I will still need a variance. Chairman McClernon – That depends on what you decide to do. You can put a drain without a variance. Bidyut Sarker – How high can I put a wall along the property? Jim Carnell – I have been in the industry almost 18 years of my life and I don't understand how what you built it helping your water situation in any way. You are here asking the Board for a variance for this and claiming it is the keeping water out of your basement, but it's not. Putting some kind of drain in there may help with your problems, but the house doesn't have any gutters on it so the rain is coming right off of the house and into the foundation. This addition has not solved your problem, if anything it had created a problem because the water sits on the slab and is forced to go into the building. So, just so the Board knows, this is an addition, not a water problem.

No further questions or comments from the Bord.

The meeting was opened to the public.

No public questions or comments.

A motion to close the public hearing was made by Jay Mendels and second by Darren Miler.  
All in favor 0 opposed.

(1) Whether benefit can be achieved by other means feasible to applicant; All voted yes

(2) Undesirable change in neighborhood character or to nearby properties; All voted yes

(3) Whether request is substantial; All voted yes

(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 deny all variances was made by John Kelly and second by Darren Miller.  
All in favor, 0 opposed.

Chairman McClernon – Your requests have been denied, so you are going to have to remove this and get a licensed contractor or architect and have them come out to take a look at your water problem and submit plans to the Building Dept., if you still wish to have an addition.

**APPLICANT: ALBERT KAKZANOV**

9 Sam Lane

Monticello, NY

S/B/L: 46.-3-2.2

Joseph Irace, Project representative

Applicant is requesting an Area Variance from §250-8 of the Town of Thompson Zoning Code for (1) Rear yard setback with W/S from required 30'-0" to proposed 9'-8" (existing) (2) Increasing a nonconforming structure - not permitted (3) Percent of lot coverage with W/S from required 20% to proposed 20.6%. Property is located at 9 Sam Lane, Monticello, NY. S/B/L: 46.-3-2.2. In the Zone: SR

Chairman McClernon read legal notice aloud.

Legal notice for this meeting was mailed by the Town (due to the March 14, 2023 meeting being cancelled). Proof of mailings in the Google Drive.

Joseph Irace- When looking at the survey, Sackett Lake Road is down here and this is Sam Lane. I also brought with me a picture of the existing house for the Board to see. There is nothing really to this house, so they are basically looking to double it in size. This is the existing footprint and this is the proposed footprint, which will be about 3,000 square feet. The goal is to just reconstruct the existing building and save what we can save of it. This house is pre-existing non-conforming, but we tried to stay within the setbacks and lot coverage allowed as much as possible. However, we are slightly over the 20% allowed lot coverage and exceeded the rear setback. We are here tonight to request variances for those. Jay Mendels – Are you just building something that will attach to what is already there? Joseph Irace – Pretty much. We are keeping the line and possibly the foundation, but the rest will be all new materials. Jay Mendels – The agenda states you are looking for 23% coverage, but the legal notice states 20.6%. We got some clarification on that at our work session and we now know the 20.6% is the correct lot coverage and the variance being asked for. Joseph Irace – We are flexible and can adjust or shrink this is we need to. Jim Carnell – I think the survey you have shows existing Town sewer here, or is that down further? It might be closer to the lake. Joseph Irace – There are pipes coming out of the ground as a clean-out right here on the map and a well house here for water pumping, but I think everything flows this way. Jim Carnell – Right, but do you know if this adjoining neighbor, right here, flows through the district? Joseph Irace – I honestly don't know. There is also a right-of-way here, but I don't know where

they hook in. Jim Carnell – I know the sewer line is down close to the lake and everything gravity feeds down there. Paula Kay – We can always pull the easement and see what it reads. Jim Carnell – I think ours is two parcels down. Joseph Irace – I also have an old survey from 30 years ago, but it doesn't say much in regards to sewer. Jim Carnell – I think anything that comes from the other parcels would be considered a lateral, but they do come through other parcels there. Joseph Irace – We assumed this sewer clean-out pipe was our connection. Jim Carnell – That seems about right. Jay Mendels – So you wouldn't be building within the easement? Joseph Irace – That was a good question though. We want to make sure we are not building a house on top of Town sewer pipes. Jay Mendels – So, we have concluded that that is not an issue, right? Jim Carnell – There may be a lateral that comes from another house, but again, it is gravity fed and therefore could be moved easily. However, it doesn't look like that is going to be the issue here as the clean-out is over here. Chairman McClernon – And it doesn't look like there are any houses between them and the road. Joseph Irace – We obviously would explore that before we do any construction. We will tie into the sewer line that the existing house does and it gets water from a well that they are already using, which we intend to still use.

No further questions or comments from the Board.

Meeting was opened to the public.

No public questions or comments.

A motion to close the public hearing was made by John Kelly and second by Jay Mendels. All 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; All voted no

A motion to approve all requested variances was made by Jay Mendels and second by John Kelly. All in favor, 0 opposed.

A motion to close the meeting was made by Jay Mendels and second Chairman McClernon. All in favor, 0 opposed.

Respectfully submitted,

Laura Eppers  
Secretary  
Town of Thompson Zoning Board of Appeals