



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

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

Chairman McClernon – We got the approval letter from your HOA this afternoon and they do not have a problem with what you are looking to do. Marc Howard – Great.

No further questions or comments from the Board and the public hearing was closed last week.

(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; 4 voted no, 1 voted yes (Phyllis Perry)

(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 combined all variances into one motion was made by Phyllis Perry and John Kelly. All in favor, 0 opposed.

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

**APPLICANT: CAROL COHEN**

124 Starlight Road

Monticello, NY

S/B/L: 45.-3-4

Kara Rinaldi, Project representative.

Applicant is requesting an Area Variance from §250-8 of the Town of Thompson Zoning Code for (1) One side yard setback from required 20' to proposed 10' (2) Combined side yard setback from required 50' to proposed 40'. Property is located on at 124 Starlight Road, Monticello, NY. S/B/L: 57.-2-29. In the Zone: RR-2

Chairman McClernon read legal notice aloud.

Proof of mailings were received.

Joseph Irace could not make it to the meeting, so Kara Rinaldi came as the project representative. The Board and Town Council requested an updated Owner's Proxy be submitted to the Building Dept. tomorrow.

Kara Rinaldi – The applicant purchased this existing house, but has never been able to live in it because it has three levels and she has a problem doing stairs. The way it is designed now, you come in through the garage and have to walk up a set of stairs to access the living area on the main floor and then another set of stairs to access the bedrooms on the second floor. We are proposing to eliminate this house and build another one that has all of her living needs on one level. The living room, kitchen, laundry room, and here bedroom will all be on the first floor. There will be a couple bedrooms on the second floor, for guests and her grandchildren, but it will be only a portion of the first floor. So, some of the house will be 1-story and some of the house will be 2-stories. The existing driveway also causes an issue. As it currently is, you have to back into the road to leave. We are proposing a two-car garage, that will be on the same level as the house, that will leave her room to turn around so she can pull out instead. We did push the new footprint back away from the lake some, but to stay within the setbacks the house would have to be long and skinny and would prevent us from fitting everything we need on the first floor. Chairman McClernon – We run into scenarios similar to this quite often with lake front communities. Jay Mendels – Do you have a picture of the existing residence? Kara Rinaldi – Unfortunately, I do not. Chairman McClernon – Here is an aerial view of the house. Jay Mendels – Being the proposed house is going to be built adjacent to the existing house, do you have any plans to leave any portion of the existing house? Kara Rinaldi – No, it will be completely removed. Sean Walker – Is this going to be like a raised ranch? Kara Rinaldi – I will show you the floor plans. This is the first floor and here is the dining room and living room, which will not have anything above it. Then the master bedroom and the rest of the smaller rooms are over here, which will have the second level above it. This is the second level and it has a generous bathroom, 2 bedrooms, and possibly some bonus storage. There will also be a little porch off the front, so she can sit and look at the lake. Jay Mendels – We certainly appreciate that you have gone to extremes to stay within the existing setback and not violate them any further.

No further question or concerns 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 John Kelly and second by Sean Walker.  
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 combined all variances into one motion was made by Jay Mendels and second by Sean Walker.  
All in favor, 0 opposed.

A motion to approve all variances, subject to receiving the updated Owner's Proxy, was made by Jay Mendels and second by John Kelly.  
All in favor, 0 opposed.

**APPLICANT: YURY LESCHINSKY**

935 Starlight Road  
Monticello, NY  
S/B/L: 27.A-1-15  
Yury Leschinsky, Property owner

Applicant is requesting an Area Variance from §250-8 of the Town of Thompson Zoning Code for (1) Garage height from required 16' to proposed 20.8'. Property is located at 935 Starlight Road, Monticello, NY. S/B/L: 27.A-1-15. In the Zone: RR-1

Chairman McClernon read legal notice aloud.

Proof of mailings were received.

Yury Leschinsky – This garage was built in 2002, over 20 years ago, and it was built too tall. I have put the house up for sale, but cannot get a C/O due to this issue. I am hoping to get a variance for it, but worst-case scenario, it will have to be removed. Chairman McClernon – Are you currently living there? Yury Leschinsky – No and it has been on the market for over a year now. Paula Kay – I believe there was a building permit issued for the work and it wasn't built to plans. Jim, is that correct? Jim Carnell – Yes. Paula Kay – So, it has already been built and the Building Dept. cannot do anything further until the Zoning Board makes a decision. Yury Leschinsky – The company who built the garage never measured the peak when it was delivered, so no one realized it was too high. It has been like that for 20 years before it became a problem. Paula Kay – It has always been a problem as it was not built to code. What was submitted to and approved by the Building Dept., was about 4 feet lower than what was actually built. However, you are here tonight and are on the road to fixing it the problem. Jay Mendels – There appears to be a little window up top, there's not an apartment or living space up there, right? Yury Leschinsky – No. There is insulation up there and a small storage space. Chairman McClernon – Is there electricity in the garage? Yury Leschinsky – Yes. Chairman McClernon – Is there or was there a wood stove in it? Yury Leschinsky – Yes, an antique wood stove, but I will be taking it.

No further questions or comments from the Board.

The meeting was open to the public.

No public questions or comments.

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

(1) Whether benefit can be achieved by other means feasible to applicant; 4 voted yes, 1 voted no (Jay Mendels)

(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 Jay Mendels and second by Chairman McClernon.

4 in favor, 1 opposed (John Kelly)

Jay Mendels wanted it to be noted that the reason he made the motion to approve the variance was because the property is in the middle of nowhere and it has not been a problem with any of the neighbors over all the years it has been there.

A motion to close the meeting was made by Jay Mendels and second by Sean Walker.

All in favor, 0 opposed.

Respectfully submitted,

Laura Eppers  
Secretary  
Town of Thompson Zoning Board of Appeals