



Chairman McClernon – It was even with the house. Phyllis Perry – So he is only looking to add the bumped-out portion and the stairs off of that, right? Chairman McClernon – Right. The hand drawn portion is what would be extra. Jay Mendels – So, off of what was existing, he wants to add another 5 feet for this small portion only, making his new proposed setback 15 feet. Chairman McClernon – Right. Cindy Ruff – Why did you tear down the old deck? Larry Lee – It was falling apart and wasn't built well. It was actually dangerous and that is why I took it down.

No further questions or comments from the Board and there was no public turn out.

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 no and 1 voted yes (Phyllis Perry)

(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 yes & 1 voted no (Phyllis Perry)

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

**APPLICANT: HITEN PATEL**

Katrina Falls Road

Rock Hill, NY

S/B/L: 63.-1-20.1

Glen Smith, Project representative

Applicant is requesting an Area Variance from §250-16 of the Town of Thompson Zoning Code for (1) Building height required of 30' 0" to the proposed 36 9". Property is located on Katrina Falls Road, Rock Hill, NY. S/B/L: 63.-1-20.1. In the Zone: RR-2

Chairman McClernon read the legal notice aloud.

Proof of mailings were received.

Glenn Smith – This project is for 2 brothers, Hiten and Jatin Patel. Chairman McClernon – I believe there is only 1 name on the deed. Glenn Smith – They should both be on there. Paula Kay – A lot of times Townsoft only shows 1 name. Chairman McClernon – What I have come from the County. Glenn Smith – What name do you see? Chairman McClernon – Jatin Patel, the opposite name then what was on the legal notice. Glenn Smith – I submitted the application under Hiten Patel only, but I can update that to include both names if needed. Paula Kay – Yes please, just to make things cleaner. Glenn Smith – That's

fine. So, I am here tonight on behalf of the Patel bothers who are looking to build a 2-family house about 2 ½ miles down Katrina Falls Road. The Marcy South powerline cuts across the back of their property and the only neighbors are across the street. To one side of them is an old bungalow colony and the other side is an old equipment shop. As this is in the RR-1 zone, a 2-family home requires Planning Board approval, so I went to the Planning Board initially and they referred me to this Board for the building height. You can see on the last page that the house is proposed to be 36' 9" and the zone allows up to 30'. This height comes from a mixture of a few things. Both floors of the house are 10 feet, which is a little unusual but we are seeing more and more these days as people want higher ceilings, the first floor is a couple feet off the ground, as there is a lot of bedrock about 4 feet down and they want to get the basement above that, and architecturally, they wanted a 6 on 9 roof. I did sketch out for you what a 30-foot roof line would look like and it does not look nice in my option as the house is huge; about 180 feet long and 20 feet wide. You also will not be able to see the house from the road. The house is about 160 yards back from the road and it is a completely wooded site. They are going to keep it wooded except for what they clear for the house and the access drive. I have also included the floor plan floor you to look at. There will be a house on each side, for both brothers and their families, and the middle is designed to be a common area and entrance way. And that's about it. Chairman McClernon. Okay, so we are looking at about an extra 6 ½ feet for height and it has to be that height for architectural purposes, right? Glenn Smith – There is also an attic above the second floor for storage. Jay Mendel – It's not living space, right? Glenn Smith – No. They have plenty of living space. Jay Mendels – Would there be issues with snow built up if there was a shallower roof? Glenn Smith – There would be some issues, but there is a code for snow load and it would have to be built to that code. Chairman McClernon – So, there will be a full basement underneath, right? Glenn Smith – Correct. Cindy Ruff – Will they bring fill in? Glenn Smith – They will bring soil in to keep it on grade. Chairman McClernon – They can not bring in extra fill and pile it up against the house to decrease the height. Cindy Ruff – Okay. Chairman McClernon – Do you know if they have a permit for site plan work because I see they are clearing some of the property. Glenn Smith – They shouldn't, as we have to go to the Planning Board tomorrow night for possible approval. Jim Carnell – I checked and they don't have a permit for this property. Paula Kay – What kind of work are they doing? Chairman McClernon – It looks like they are clearing the lot in the back. There is a track hoe back there and treed that have been cut down. Glenn Smith – Was it for the driveway? Chairman McClernon – I don't think so because there are big rocks there that the machines had to go over to get where they are. Glenn Smith – I am very surprised they started anything, but I will check into that.

No further questions or comments from the Board and there was no public turn out.

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 yes.
- (2) Undesirable change in neighborhood character or to nearby properties; All voted no
- (3) Whether request is substantial; 4 voted yes & 1 voted no (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 approval the requested variance was made by Phyllis Perry and second by Darren Miller.

All in favor, 0 opposed.

**APPLICANT: JONATHAN VANATTA**

103 Middletown Point Road

Rock Hill, NY

S/B/L: 38.-5-7

Jonathan Vanatta, Property owner

Applicant is requesting an Area Variance from §250-21C (1) and §250-7 of the Town of Thompson Zoning Code for (1) Increasing a non-conforming, which is not permitted (2) One side yard setback from required 20' to proposed 14' (3) Combined side yard setback from required 50' to proposed 36' (4) Percent of lot coverage from required 10% to proposed 13%. Property is located on at 103 Middletown Point Road, Rock Hill, NY. S/B/L: 38.-5-7. In the Zone: RR-1

Chairman McClernon read legal notice aloud.

Proof of mailings were received.

HOA approval was received.

Phyllis Perry was recused and Cindy Ruff was appointed as a voting member for this project.

Jonathan Vanatta – We had an inspection done when we first purchased the house and was told that the footers under the covered portion of the deck were improperly installed and needed to be adjusted. We decided to just knock the deck down and put a bigger 8x12 foot deck there. That way we can get some sunlight, we can move the grill away from the house, and our 2 small does can have a bigger fenced in area. Chairman Lara – Jim, the legal notice says that one side yard set back is 20 feet and they are asking for 14, but the other side of the house has 32 feet, so don't they meet that requirement? I read it as one or the other side has to be at least 20 feet, which they have. Jim Carnell – That is usually how it works, but sometimes it depends on where the road is and other things like that. I would have to run it by whoever did the notice of disapproval. Chairman McClernon – I don't think it hurts if we approve it and it is not needed. Better save then sorry. Jay Mendels – Will you keep the portion of the porch that is covered the same and just replace what is underneath, extending it in the process? John Vanatta – Yes and it will extend out past the house now.

No further questions or comments from the Board and there was no public turn out.

A motion to close the public hearing was made by Cindy Ruff and second by John Kelly.

All in favor, 0 opposed.

(1) Whether benefit can be achieved by other means feasible to applicant; 3 voted yes & 2 voted no (Chairman McClernon & Darren Miller)

(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 yes & 1 voted no (Cindy Ruff)

A motion to approve all of the 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 John Kelly and second by Jay Mendels.  
All in favor, 0 opposed.

Respectfully submitted,

Laura Eppers  
Secretary  
Town of Thompson Zoning Board of Appeals