

TOWN OF THOMPSON  
ZONING BOARD OF APPEALS  
January 14, 2025

IN ATTENDANCE: Richard McClernon, Chairman      Laura Eppers, Secretary  
Jay Mendels      Steve Vegliante, Consulting Attorney  
Sean Walker  
Darren Miller, Alternate  
Dana Heimbach, Alternate  
James Carnell, Building Planning, Zoning

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

A motion to approve the September 10, 2024 minutes, the October 8, 2024 minutes, and the November 12, 2024 minutes was made by Jay Mendels and seconded by Darren Miller.

All in favor, 0 opposed

Chairman McClernon appointed Darren Miller and Dana Heimbach as voting members for tonight's meeting.

**APPLICANT: MANUEL DELAVEGA**

346 Lake Louise Marie Road  
Rock Hill, NY  
S/B/L: 52.-1-13.13

Applicant is requesting an Area Variance from §250-16A(2) of the Town of Thompson Zoning Code for (1) Accessory building setback from required 10' to proposed 2'. Property is located at 346 Lake Louise Marie Road, Rock Hill, NY. S/B/L: 52.-1-13.13. In the Zone: SR with central W/S

Chairman McClernon read the legal notice aloud.

This project was in front of the Board last month. The requested variance was discussed but due to improper mailings, no action was taken. Proof of mailings for this meeting have been received and verified.

The Board asked the applicant to remind them why the shed had to go where it is being proposed. Manuel DeLaVega advised that pretty much anywhere the shed is placed would require some sort of a variance and the yard slopes down towards the lake, so that limits their options even more. They chose this spot because it is the best location in their opinion and for how they plan to use the property.

The Board also asked if the property next to his was developed. Manuel DeLaVega advised that it is currently a wooded lot. The Board then asked if it could be developed. Manuel DeLaVega advised that

he was not sure, but there was a house on the lot just past it, so there is a house on both sides of the vacant lot.

No further questions or comments from the Board at this time.

The meeting was opened up for public comment. No public for this application.

A motion to close the public hearing was made by Jay Mendels and seconded 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; 3 voted no & 2 voted yes (Jay Mendels & Richard McClernon)
- (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 as requested was made by Darren Miller and seconded by Sean Walker.  
All in favor, 0 opposed

**APPLICANT: BRENT HOLMES**

Lake Shore Drive E  
Rock Hill, NY  
S/B/L: 55.-6-3.12

Applicant is requesting an Area Variance from §250-7 of the Town of Thompson Zoning Code for (1) Rear yard setback with W/S from required 40' to proposed 5.4' (2) Front yard setback with W/S from required 40' to proposed 31.8' (3) One side yard setback with W/S from required 15' to proposed 12.3' (4) Combined side yard setback with W/S from required 40' to proposed 27.3' (5) Percent of lot coverage with W/S from required 20% to proposed 25%. Property is located on Lake Shore Drive E Road, Rock Hill, NY. S/B/L: 55.-6-3.12. In the Zone: SR with central W/S

Chairman McClernon read legal notice aloud.

Proof of mailings were received.

The applicant advised the Board that him and his spouse bought this property in hopes to build a ranch style house on it for when they retire. It is a relatively small lot and their architect did his best to work within the confines of that. However, it does still require the variances being requested.

The Board asked if they received HOA approval yet? Brent Holmes advised that they had not. He was advised by Camille Johnson, of the HOA, that they would not give any approval until he received

approvals from this Board first. A copy of the email stating such was submitted prior to the meeting. The HOA's main concern is with the requested variance for the rear yard setback as it is only 5.4'. However, the house will really be 26.9' from the road. As shown on the survey provided, the property line itself is more than 20 feet from the road. He provided pictures of neighboring houses and the distance they are from the road to show he is within character. The Board commented that the applicant was very thorough.

The Board asked what the square footage of the house will be. Brent Holmes advised that it will be roughly 1,800 sq. ft. The Board then asked if it will be a one-story house. Brent Holmes advised that it will be one-story with a walk-out basement. The Board agreed that the size of the proposed house is not excessive and the applicant did a good job staying within the boundaries the best he could, due to the size and shape of the lot.

The Board advised that there was an error on the site plan with the front yard variance being requested as well as the lot width. The table shows that the required front yard distance is 40' and the provided is 40', when it should be 31.8', and the lot width shows 19'. As it was noticed correctly, the applicant can simply have the architect update the plan to reflect the correct distances and then submit that for the record.

No further questions or comments from the Board.

The meeting was opened up to the public for comment. No public for this application.

A motion to close the public hearing was made by Sean Walker and seconded by Dana Heimbach. All in favor, 0 opposed.

As people who joined the meeting via Zoom raised their hands to speak, Steve Vegliante explained that Zoom is for streaming purposes only and the Board does not allow for participation via Zoom. The meeting is the in-person meeting and requires in-person participation. However, one of the people with their hand raised is the president of the HOA, Camille Johnson, and the Board wanted to know if they were in favor of the project prior to voting. The Board advised that they did not want to get into a back and forth, they only wanted to know the HOA's position on this application.

A motion to allow Camille Johnson, of the Lake Louise Marie HOA, to join the meeting via Zoom was made by Dana Heinbach and seconded by Jay Mendels. All in favor, 0 opposed

Camille Johnson advised that the HOA understands the rear yard request now and did not have any objection to the variances being requested. They will send an email tomorrow stating such.

The Board agreed to vote on the variance requests together.

(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 variances as requested, subject to receipt of the HOA approval, was made by Jay Mendels and seconded by Darren Miller.

All in favor, 0 opposed

A motion to close the meeting at 7:22 p.m. was made by Jay Mendels and seconded by Dana Heimbach.

All in favor, 0 opposed

Respectfully submitted,

Laura Eppers

Secretary

Town of Thompson Zoning Board of Appeals