

TOWN OF THOMPSON  
ZONING BOARD OF APPEALS  
March 11, 2025

IN ATTENDANCE: Richard McClernon, Chairman      Laura Eppers, Secretary  
                         Jay Mendels                                      Steve Vegliante, Consulting Attorney  
                         Phyllis Perry  
                         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.

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

**APPLICANT: DENNIS RIORDAN**

Lake Shore Drive E  
Rock Hill, NY  
S/B/L: 55.-6-3.24  
Joseph Irace, Architect

Applicant is requesting an Area Variance from §250-7 of the Town of Thompson Zoning Code for (1) Rear yard setback (Road Side) from required 40' to proposed 24.4' (2) Combined side yard setback from required 40' to proposed 35' (3) Front yard setback (Lake Side) from required 40' to proposed 28.10'. Property is located on Lake Shore Drive E, Rock Hill, NY. S/B/L: 55.-6-3.24. In the Zone: SR with central W/S

Chairman McClernon read the legal notice aloud.

Proof of mailings were received.

Joseph Irace explained that these variance requests were previously approved, on March 12, 2024, but have now expired. The applicant had difficulty finding a contractor and did not realize that the variances had expired, or would expire, until submitting building plans and being advised by the Building Department. They are back tonight to get the variances re-approved.

The Board had the below questions/comments:

- Did anything change since the last approval?

Joseph Irace advised that everything is still the same.

- Looks like the rear yard variance was approved for 40' with the last approval, not the 24.4' proposed.

Joseph Irace advised that per the HOA's request, they shifted the house back to sit 30' away from the road. The site plan was updated after the legal notice was mailed out and because the new dimension is a lesser ask, there was no need to re-notice.

- The HOA provided an approval letter with the original application/approval, but we will need an updated approval letter from the HOA to make sur that they are still okay with the requests.

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 Jay Mendels and seconded by Darren Miller.  
All in favor, 0 opposed.

The Board agreed to vote on all 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 yes

(5) Whether alleged difficulty is self-created; All voted yes

A motion to approve the requested variances, subject to the first variance being modified to 30', instead of the 24.4', and receiving an updated HOA approval letter, was made by Jay Mendels and seconded by Dana Heimbach.

All in favor, 0 opposed

**APPLICANT: DENNIS RIORDAN**

Lake Shore Drive E  
Rock Hill, NY  
S/B/L: 55.-6-3.25  
Joseph Irace, Architect

Applicant is requesting an Area Variance from §250-7 of the Town of Thompson Zoning Code for (1) Rear yard setback (Road Side) from required 40' to proposed 38.6' (2) Combined yard setback from required 40' to proposed 35'. Property is located on Lake Shore Drive E, Rock Hill, NY. S/B/L: 55.-6-3.25. In the Zone: SR with central W/S

Chairman McClernon read the legal notice aloud.

Proof of mailings were received.

Joseph Irace explained that this property is right next door to the previous application and just like that application, the variance requests were previously approved, on March 12, 2024, but have now expired.

The applicant had difficulty finding a contractor and did not realize that the variances had expired, or would, expire. They are back tonight to get the variances re-approved.

The Board had the following questions/comments:

- Did anything change since the last approval?

Joseph Irace advised that everything is still the same.

- This will also require an updated approval letter from the HOA.
- The original approval was subject to the tree buffer, bordering lot 55.-6-3.26, remain and the AC unit being placed on the opposite side of the house; away from lot 55.-6-3.26. The updated site plan provided with this application reflects both of those requests/conditions.
- The legal notice is requesting 35' for the rear yard setback, but the site plan shows 30'.

Joseph Irace advised that was the original request when this was first submitted back in March, but per the HOA's request they reduced it to 30', which is what was approved in March and what they are still proposing.

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 Jay Mendels and seconded by Phyllis Perry.  
All in favor, 0 opposed.

The Board agreed to vote on all 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 the requested variances, subject to receiving an updated HOA approval letter, was made by Jay Mendels and seconded by Dana Heimbach.  
All in favor, 0 opposed

**APPLICANT: ESTHER FRIEDMAN REVOCABLE TRUST**

515 Sackett Lake Road

Monticello, NY

S/B/L: 45.-6-5.2

Amber Linke, Representative from Majestic Pools

Applicant is requesting an Area Variance from §250-33A of the Town of Thompson Zoning Code for (1) Swimming pool setback from required 25' to proposed 9' (2) Swimming pool setback from property line required to be no closer to the road than the main swelling and proposed to be closer to the road than

the main dwelling. Property is located at 515 Sackett Lake Road, Monticello, NY. S/B/L: 45.-6-5.2. In the Zone: SR with central W/S

Chairman McClernon read the legal notice aloud.

Proof of mailings were received.

Amber Linke explained that this is a proposed 16'x30' rectangular pool located in the front yard, as there is no other place on the property for it to be placed. The proposed placement also helps with safety because it will be right off of the deck and in eye sight.

The Board had the following questions/comment:

- Need a survey for accuracy and to locate the main and associated easements.
- Requested a buffer between the pool and the road
- Requested the pool be moved as close to the house as possible to leave as much space between the pool and road as possible; at the moment it looks like the pool is proposed to be closer to the road than it is to the house.

The Board had no further questions or comments.

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 Jay Mendels and seconded by Dana Heimbach.  
All in favor, 0 opposed

The applicant is to work on getting a survey and possibly shifting the pool towards the house.

A motion to hold this application open until the next meeting, April 8, 2025, was made by Jay Mendels and seconded by Phyllis Perry.  
All in favor, 0 opposed

**APPLICANT: ANJ REALTY ROCK HILL INC**

271 Lake Louise Marie Road  
Rock Hill, NY  
S/B/L: 52.-1-9  
Matthew Morreale, Representative

Applicant is requesting an Area Variance from §250-10 of the Town of Thompson Zoning Code for (1) Habitable square footage of an apartment in a multiple dwelling (Unit 201) from required 1,000 sq. ft. to proposed 539 sq. ft. (2) Habitable square footage of an apartment in a multiple dwelling (Unit 202) from required 1,000 sq. ft. to proposed 528 sq. ft. (3) Habitable square footage of an apartment in a multiple dwelling (Unit 203) from required 1,000 sq. ft. to proposed 541 sq. ft. (4) Habitable square footage of an apartment in a multiple dwelling (Unit 204) from required 1,000 sq. ft. to proposed 506 sq. ft. (5) Habitable square footage of an apartment in a multiple dwelling (Unit 205) from required 1,000 sq. ft. to proposed 514 sq. ft. (6) Habitable square footage of an apartment in a multiple dwelling (Unit 206) from

required 1,000 sq. ft. to proposed 598 sq. ft. (7) Multiple dwelling front yard setback from required 40' to proposed 15'. Property is located at 271 Lake Louise Marie Road, Rock Hill, NY. S/B/L: 52.-1-9. In the Zone: HC-1 with central W/S

Chairman McClernon read the legal notice aloud.

Proof of mailings were received.

Matthew Morreale explained that this is an existing building, that was last used as a Synagogue, and they are proposing to now convert it into an apartment building with 9 apartments; 3 on the lower level and 6 on the upper level.

It was determined that there are additional variances needed that were not requested/noticed; for the 3 apartments on the lower level and for the acreage. Will discuss the variances that were noticed tonight and will open the public hearing and keep it open.

The Board had the following questions/comments:

- Is there water/sewer capacity for the conversion?

Matthew Morreale advised that it is public water/sewer, so capacity is not an issue.

- Requested parking be shown on plan.
- Why so many apartments?

Matthew Morreale advised that the applicant wants to design the apartments to be affordable living for people who do not require 2 or more bedrooms. There is plenty of high-end rentals, so that is not currently what is needed in the area. Jim Carnell added that the overall size of the apartments and the bedrooms do comply with the code.

- Will this fit in with the rest of the neighborhood?

Matthew Morreale advised that it will not resemble a single-family house, but most of the properties around it are commercial, so it will fit in with those; The Center for discovery hospital, the motel, and the restaurant.

Steve Vegliante pointed out that the building only takes up a small portion of the property and the Board may want to put some restraints in place for what can be done with the remainder of the property. Jim Carnell added that this will have to go to the Planning Board as well when they are done with this Board and they usually deal with those things.

No further questions/comment from the Board.

The meeting was opened up to the public for comment.

Chairman McClernon read the written comment received from Patricia Galligan aloud:

[https://docs.google.com/document/d/1GT1\\_OiEXe0NaOITTYbYhvour\\_JZp-d\\_m?rtpof=true&usp=drive\\_fs](https://docs.google.com/document/d/1GT1_OiEXe0NaOITTYbYhvour_JZp-d_m?rtpof=true&usp=drive_fs)

Gyule Gyelis @ 12 Crescent View - Had the below questions/concerns:

- Project will increase traffic.

- Project will affect the character of the neighborhood.
- Project will affect property values.
- Who is the new owner?
- Is there additional building being proposed?

No further comments or questions from the public.

A motion to hold the public hearing open, so that the additional variance requests can be noticed, was made by Jay Mendels and seconded by Dana Heimbach.

All in favor, 0 opposed

A motion to hold this application open until the next meeting, April 8, 2025, was made by Jay Mendels and seconded by Phyllis Perry.

All in favor, 0 opposed

**APPLICANT: JOSEPH EHRENFELD, TRUSTEE**

695 Heiden Road  
Monticello, NY  
S/B/L: 15.-1-27

Applicant did not mail the legal notices and therefore this application could not be heard. Applicant to be on the April meeting.

**APPLICANT: TARA ACRES PARTNERS LLC**

968 Old Liberty Road  
Monticello, NY  
S/B/L: 2.-1-29  
Moshe Attie, Representative  
Mordchai Blau, Representative from the HOA

Applicant is requesting an Area Variance from §250-21D, 21D(2), 33B, and 34D(6) of the Town of Thompson Zoning Code for (1) Bungalow separation distance (Units 1B & 2) from required 25' to proposed 14.5' (2) Bungalow separation distance (Units 2 & 3) from required 25' to proposed 22.6' (3) Bungalow separation distance (Units 3 & 4) from required 25' to proposed 22.5' (4) Bungalow separation distance (Units 4 & 5) from required 25' to proposed 19.4' (5) Bungalow separation distance (Units 8 & 9A) from required 25' to proposed 17.6' (6) Bungalow separation distance (Units 9 & 10) from required 25' to proposed 14.4' (7) Bungalow separation distance (Units 10 & 11) from required 25' to proposed 12.2' (8) Bungalow separation distance (Units 12 & 14) from required 25' to proposed 19.6' (9) Bungalow separation distance (Units 15 & 16) from required 25' to proposed 16.1' (10) Bungalow separation distance (Units 17 & 18) from required 25' to proposed 20' (11) Bungalow separation distance (Units 19 & 20) from required 25' to proposed 19.5' (12) Bungalow separation distance (Units 21 & 22) from required 25' to proposed 9.6' (13) Bungalow colony pool front yard setback from required 50' to proposed 30' (14) Nonconforming bungalow colony lot coverage from required 10% to proposed 11.54% (15) Expansive of a nonconforming bungalow (Units 1A & 1B) from required 15% or 200 sq. ft. to proposed 18.2% or 426.65 sq. ft. (16) Expansive of a nonconforming bungalow (Units 5 & 6) from

required 15% or 200 sq. ft. to proposed 35.05% or 858.21 sq. ft. (17) Expansive of a nonconforming bungalow (Units 7 & 8) from required 15% or 200 sq. ft. to proposed 54.95% or 947.98 sq. ft. (18) Expansive of a nonconforming bungalow (Unit 9A) from required 15% or 200 sq. ft. to proposed 13.59% or 246.75 sq. ft. (19) Expansive of a nonconforming bungalow (Unit 9) from required 15% or 200 sq. ft. to proposed 120.85% or 1,196.49 sq. ft. (20) Expansive of a nonconforming bungalow (Unit 10) from required 15% or 200 sq. ft. to proposed 33.61% or 644.94 sq. ft. (21) Expansive of a nonconforming bungalow (Units 14 & 15) from required 15% or 200 sq. ft. to proposed 28.99% or 805.11 sq. ft. (22) Expansive of a nonconforming bungalow (Units 16 & 17) from required 15% or 200 sq. ft. to proposed 23.86% or 640.50 sq. ft. (23) Expansive of a nonconforming bungalow (Units 18 & 19) from required 15% or 200 sq. ft. to proposed 32.39% or 821.32 sq. ft. (24) Expansive of a nonconforming bungalow (Units 22 & 23) from required 15% or 200 sq. ft. to proposed 31.03% or 675.79 sq. ft. (25) Expansive of a nonconforming bungalow (Main Bldg.) from required 15% or 200 sq. ft. to proposed 23.40% or 500.20 sq. ft. (26) Expansive of a nonconforming bungalow (Shul) from required 15% or 200 sq. ft. to proposed 32.77% or 727.22 sq. ft.. Property is located at 968 Old Liberty Road, Monticello, NY. S/B/L: 2.-1-29. In the Zone: SR with central W/S

Chairman McClernon read the legal notice aloud.

Proof of mailings were received.

Moshe Attie explained that this property has incurred numerous building violations for building without permits. They are looking to get approvals for the additions already build and some proposed additions. The site plan submitted is color coded to help differentiate between what was already built and what is proposed. There is a variance being requested for the expansion of unit #18, but they were under the 15% allowed, so that variance is not required and can be removed. In 2018 the applicant fixed up the sewer, but that now needs to be re-evaluated and we should have plans for that shortly.

Jim Carnell gave a brief history of the issues the building department has had with this property over the last decade or so; stop work orders and violations. There were also issues with the septic systems and doesn't believe they have all been addressed. At one point they did fix a system to only build an extension over it and damage it again. Their solution to that was to pump the sewer onto the neighboring property.

The Board had the following questions/comments:

- Requested the square footage of the decks be added to the plan as well as whether they are covered or uncovered.
- Requested site plan be updated with the existing and proposed bedroom counts.

The Board had no further questions/comments.

The meeting was opened up to the public for comment.

Chairman McClernon read the written comments received aloud:

**Barbara & Richard Sush** - [https://drive.google.com/open?id=1uWMleitmO\\_Xv9FjfrhkAcNDN7Lneqz2-&usp=drive\\_fs](https://drive.google.com/open?id=1uWMleitmO_Xv9FjfrhkAcNDN7Lneqz2-&usp=drive_fs)

**Walter Fedun** -

[https://drive.google.com/open?id=1GrVoom6CvHc\\_DeLtyWds2K1K2HkUvjYa&usp=drive\\_fs](https://drive.google.com/open?id=1GrVoom6CvHc_DeLtyWds2K1K2HkUvjYa&usp=drive_fs)

**Anne Delio -**

[https://drive.google.com/open?id=1jhXlGwz81VMtMbNw5QOD2um\\_CnutPssr&usp=drive\\_fs](https://drive.google.com/open?id=1jhXlGwz81VMtMbNw5QOD2um_CnutPssr&usp=drive_fs)

**Kaitlyn Haas**, on behalf of The Center for Discovery – Expressed that they are concerned with increased traffic on Old Liberty Road, as the road is already dangerous.

No further questions/comments from the public.

The Board decided to both keep the public hearing and the application open to give the applicant time to update the site plan.

A motion to hold the public hearing open was made by Jay Mendels and seconded by Dana Heimbach.  
All in favor, 0 opposed

A motion to hold the application open was made by Phyllis Perry and seconded by Dana Heimbach.  
All in favor, 0 opposed

A motion to close the meeting at 8:27 p.m. was made by Phyllis Perry and seconded by Dana Heimbach.  
All in favor, 0 opposed

Respectfully submitted,

Laura Eppers  
Secretary  
Town of Thompson Zoning Board of Appeals