

TOWN OF THOMPSON
ZONING BOARD OF APPEALS
July 8, 2025

IN ATTENDANCE: Jay Mendels, Acting Chairman	Laura Eppers, Secretary
Cindy Ruff	Steve Vegliante, Attorney
Phyllis Perry	James Carnell, Building Planning, Zoning
Darren Miller, Alternate	
Dana Heimbach, Alternate	

Jay Mendels called the meeting to order at 7:00 p.m. with the Pledge to the Flag.

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

APPLICANT: BERNARD PRIMIANO

149 Starlight Drive
Monticello, NY
S/B/L: 57.-2-1
Ben Primiano, Applicant's Father

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

Bernard Primiano explained that since they were here last month, a new sketch plan showing more detail has been submitted. They decided to enclose the metal storage container as part of the pole barn so all will be uniform.

The Board had the following questions/comments:

- Appears the proposed structure be in the same spot the shed was.

Bernard Primiano confirmed that is correct.

- Will the proposed structure be viable from the road?

Bernard Primiano advised that it will be hard to see from the road if you are not looking for it.

- Is there any other place on the property the structure can go?

Bernard Primiano advised there was not.

- The updated sketch is not professional, but it shows all of the additional information that was requested at the last meeting.
- There are not issues with the setbacks and this only requires a variance because the structure will be closer to the road than the house. It will be in the same location as the previously existing shed and it will be well set back from the road in a wooded area.

No further questions or comments from the Board.

The public hearing for this project was closed at last month's meeting.

- (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 and 1 voted yes (Jay Mendels)
- (4) Whether request will have adverse physical or environmental effects; All voted no
- (5) Whether alleged difficulty is self-created; 3 voted yes and 2 voted no (Cindy Ruff and Dana Heimbach)

A motion to approve the variance as requested was made by Phyllis Perry and second by Dana Heimbach.

All in favor, 0 opposed

APPLICANT: BRENDAN MCSWEENEY

129 East Road
Rock Hill, NY
S/B/L: 66.-48-3

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

Brendan McSweeney explained that since last meeting an updated survey has been submitted showing both the existing and the proposed deck.

The Board had the following questions/comments:

- The proposed deck appears to be improving the current non-conformity and squaring off the house.
- Where do you stand with your HOA approval?

Brendan McSweeney advised that he still has not received their approval, but will apply for a variance from them if he can get through this process.

- Feels this is an improvement to the property.

No further questions or comments from the Board.

Steve Vegliante advised that this Board is not obligated by the HOA requirements and could give their approval tonight if they are inclined to. The applicant will need to follow through with the HOA and get their approval to stay in compliance with them.

The public hearing for this project was closed at last month's meeting.

The Board agreed to vote on both variances together.

- (1) Whether benefit can be achieved by other means feasible to applicant; 3 voted yes and 2 voted no (Cindy Ruff and 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 and 1 voted no (Jay Mendels)

A motion to approve all variances as requested was made by Phyllis Perry and second by Dana Heimbach.

All in favor, 0 opposed

APPLICANT: RICHARD STEINBERG

10 High View Ter

Rock Hill, NY

S/B/L: 55.-4-17.7

Applicant is requesting an Area Variance from §250-7 of the Town of Thompson Zoning Code for (1) Front yard setback with W/S from required 40' to proposed 25.5' (2) Rear yard setback with W/S from required 40' to proposed 30.5' (3) Combined side yard setback with W/S from required 40' to proposed 35.5' (4) Percent of lot coverage from required 20% to proposed 22.5%. Property is located at 10 High View Ter, Rock Hill, NY. S/B/L: 55.-4-17.4. In the Zone: SR with central W/S

Jay Mendels read the legal notice aloud.

This application was originally brought in front of the Board back in May and held open for the last two months due to issues with the legal notice mailings/proper proof of mailings. Proof of mailings for this meeting have been received and confirmed.

HOA approval not received.

Richard Steinberg explained that this property was part of a subdivision done years back. Since then, the zoning has changed causing the lot to not meet current zoning requirements and variances being required to build. Previously built a house on the lot across the street, which is similar in size, and this house is proposed to be built in the same footprint as that one.

The Board had the following questions/comments:

- Did a good job centering the house on the lot.
- You previously stated this lot was not part of the HOA; did you submit a copy of the deed proving so.

Richard Steinberg advised he never stated it wasn't part of the HOA and that he submitted the request to them; they are okay with it. What he said was that it shouldn't require any variances because according to the original subdivision map, it meet the setbacks.

- Even though this property is part of an old subdivision, the current code and zoning law still applies and will need a n approval letter from the HOA.
- The lot/proposed house fits with other lots/houses in the area. This lot is actually on the bigger size for a lake community property.

No further questions/comments from the Board.

The meeting was opened up to the public for comment. No public in attendance for this application. No written comment received.

A motion to close the public hearing was made by Cindy Ruff and second by Dana Heimbach.
All in favor, 0 opposed

The Board agreed to vote on all variances together.

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

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

(3) Whether request is substantial; 4 voted no and 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 approve all variances as requested, subject to receiving HOA approval letter, was made by Phyllis Perry and second by Cindy Ruff.
All in favor, 0 opposed

APPLICANT: BRANDY DOLLARD

21 Sylvan Shore Road
Rock Hill, NY
S/B/L: 40.-3-12.3

Applicant is requesting an Area Variance from §250-16B of the Town of Thompson Zoning Code for (1) Accessory structure without a primary structure from required primary structure to proposed vacant land. Property is located at 21 Sylvan Shore Road, Rock Hill, NY. S/B/L: 40.-3-12.3. In the Zone: RR-1

Jay Mendels read the legal notice aloud.

HOA approval letter was received and read aloud at the meeting.

Brady Dollard explained that the lot with their house on it does not have room for the shed, so they are proposing to put the shed on the lot across the street. Also, since they submitted the application, they increased the size of the proposed shed.

The Board had the following questions/comments:

- Does increasing the size of the shed effect anything?

Jim Carnell advised it does not. The size of the shed was never an issue; the only issue is they are proposing to put it on a vacant lot.

- Which lot is the house on?

Brady Dollard advised that the house is on the corner lot that is diagonally across the street.

- Can you access the lake from this property?

Brady Dollard advised you cannot; only from the lot with the house on it.

- Does Wanansink Lake own the strip of land that runs along the lake on the property with the house?

Brady Dollard confirmed they do, but they have access rights to the lake.

- Is there an existing/old shed already on the property?

Brady Dollard confirmed that is correct.

- Is the shed viable from the road?

Brady Dollard confirmed it is because the front of the property is open and cleared.

- Feels the request fits with other properties in the area.

No further questions/comments from the Board.

The meeting was opened up to the public for comment. No public in attendance for this application. No written comment received.

A motion to close the public hearing was made by Dana Heimbach and second by Cindy Ruff.

All in favor, 0 opposed

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

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

(3) Whether request is substantial; 4 voted no and 1 voted yes (Jay Mendels)

(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 Dana Heimbach and second by Darren Miller.

All in favor, 0 opposed

APPLICANT: LUIS BARRAGAN

346 Ketrina Falls Road

Rock Hill, NY

S/B/L: 51.-1-18.2

Steven Sherwin, Architect

Applicant is requesting an Area Variance from §250-9 & 33 of the Town of Thompson Zoning Code for (1) Single family side yard setback from required 20' to proposed 2.3' (2) Single family rear yard setback from required 50' to proposed 15.9' (3) Pool setback from 25' to proposed 13'. Property is located at 346 Katrina Falls Road, Rock Hill, NY. S/B/L: 51.-1-18.2. In the Zone: RR-2

Jay Mendels read the legal notice aloud.

Steven Sherwin explained the shape of this lot is unusual and the house is positioned in the front corner of the lot. The house was purchased with a deck that was encroaching in the setbacks. There was a recent fire that caused damage to the house and needs to be repaired. The owner would like to take this opportunity to expand the house by constructing an addition and take care of the encroaching deck.

The Board had the following questions/comments:

- Does the deck need to be replaced?

Steven Sherwin advised that it was not damaged by the fire and does not need to be replaced.

- Are you replacing the whole house?

Steven Sherwin advised the interior has to be gutted, but are keeping the existing shell.

- Are there any neighboring houses the addition will affect?

Steven Sherwin advised there is a house on the lot to the south, but it is very old and decapitated and is unoccupied.

- It appears from the survey that the well is under the house; is that correct?

Luis Barragan advised that the well is located under another structure, but not the house.

- It appears the driveway is on the neighboring property, is that accurate?

Luis Barragan confirmed that is correct. They were told by the previous owner that it was their driveway, but the survey showed otherwise. Now that they are aware, they will be using the other driveway.

- Do you plan on removing the driveway?

Luis Barragan advised that he does not want to touch it as it is not his.

- It appears the septic is also on the other property, is there an easement in place for that?

Luis Barragan advised that they are in the process of straightening that all out and hope to have it done before the year is up.

- What kind of pool are you proposing?

Luis Barragan advised it will be an above-ground pool.

- Why did you choose this location for the pool?

Luis Barragan advised there is no better place for it to go.

No further questions/comments from the Board.

The meeting was opened up to the public for comment. No public in attendance for this application. No written comment received.

A motion to close the public hearing was made by Cindy Ruff and second by Phyllis Perry.

All in favor, 0 opposed

The Board agreed to vote on all requested variances 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; 3 voted yes and 2 voted no (Jay Mendels & Dana Heimbach)

(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 was made by Phyllis Perry and second by Dana Heimbach.

All in favor, 0 opposed

A motion to close the meeting at 7:48 p.m. was made by Dana Heimbach and second by Phyllis Perry.

All in favor, 0 opposed

Respectfully submitted,

Laura Eppers
Secretary
Town of Thompson Zoning Board of Appeals