

TOWN OF THOMPSON  
ZONING BOARD OF APPEALS  
November 11, 2025

IN ATTENDANCE: Richard McClernon, Chairman  
Jay Mendels  
Sean Walker  
Cindy Ruff

Darren Miller, Alternate  
Dana Heimbach, Alternate  
Laura Eppers, Secretary  
Steve Vegliante, Attorney

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

A motion to approve the October 8, 2025 minutes was made by Jay Mendels and second by Sean Walker.

All in favor, 0 opposed

Steve Vegliante advised that the first application on tonight's agenda, 21 Strong Road, is listed as a use variance on the agenda, but it is really an area variance and was noticed as so. The agenda simply had a typo, but the application was submitted and noticed correctly.

APPLICANT: 21 STRONG ROAD

21 Strong Road  
Harris, NY  
S/B/L: 1.-1-16.2  
David Burr, Property Owner

Applicant is requesting an Area Variance from §250-8 of the Town of Thompson Zoning Code for (1) Decrease in the minimum habitable dwelling area from required 1,000 sq. ft. to proposed 770 sq. ft. Property is located at 21 Strong Road, Harris, NY. S/B/L: 1.-1-16.2. In the Zone: SR & RR-1

Chairman McClernon read the legal notice aloud.

David Burr explained that the dwelling was built without a building permit. It was originally intended to be only a shed, but over time, it got bigger. Once he was caught, he submitted a building permit application/building plans and was told he would require a variance.

The Board had the following questions/comments:

- When was the structure built?

David Burr advised that he is not exactly sure, but somewhere between 3 to 4 years ago.

- Is it or has it ever been occupied?

David Burr advised it has never been occupied.

- Is the building completed?

David Burr advised that at this time, only 1 room down stairs has been finished, with insulation and electric. He uses it as a shop room.

- Is there electric to the property?

David Burr advised that there is no electricity to the property yet and he is currently using a generated.

- Is there a septic?

David Burr advised not yet, but one had been designed and plans submitted.

- What about water?

David Burr advised that there is an existing well on the property, but he will be drilling/using a new one.

- Why was the building expanded over time?

David Burr advised that it was originally supposed to be his work space while building his house, somewhere else on the property, but ended up liking this location and decided to build out.

- Will this be your primary residence?

David Burr advised that it will be his seasonal residence.

- Is there a kitchen and/or a bathroom?

David Burr advised not yet, but there will be.

- Is the property mostly wooded?

David Burr confirmed it is.

- Are there any other structures on the property?

David Burr advised there is; an 8x8 shed.

- Is the shed close to this structure?

David Burr advised that it is within walking distance.

- Appears there is a deck off of the second floor?

David Burr confirmed there is. It is needed for egress and underneath is being used for storage.

- Plans submitted looks nice.
- Small houses are popular these days and if built correctly, no issues with it.

No further questions/comments from the board.

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

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; All voted yes

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

(3) Whether request is substantial; 4 voted yes and 1 voted no (Cindy Ruff)

(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 Jay Mendels and second by Sean Walker.  
All in favor, 0 opposed

**APPLICANT: 357 FRASER ROAD**

357 Fraser Road  
Monticello, NY  
S/B/L: 10.-3-5

Angel Contento, Project Representative  
Sisa Boma, Project Representative

Applicant is requesting an Area Variance from §250-7 & 33A of the Town of Thompson Zoning Code for (1) Swimming pool separation from the property line from required 25' to proposed 19.5' (2) Swimming pool setback from front property line from required "no closer to the front than the main dwelling" to "closer to the front than the main dwelling". Property is located at 357 Fraser Road, Monticello, NY. S/B/L: 10.-3-5. In the Zone: SR

Chairman McClernon read the legal notice aloud.

Steve Vegliante advised that there is currently no Owner's Proxy on file for this application and no action can be taken until one has been provided. As the mailings were done properly, the Board can open the public hearing tonight and take public comment, but recommends they leave it open until all proper documentation has been provided.

The Board had the following questions/comments:

- What is your relationship to the property owner?

Angel Contento advised that he is the contractor.

- Is this a big pool?

Angel Contento confirmed that it is. The pool will be 18'x36'.

- Is it an inground pool?

Angel Contento confirmed it will be and also mentioned that it will be covered.

- Requested renderings to be provided.
- Plan provided is not to scale. Need a scaled plan with all dimensions and all existing/proposed structures shown, as well as the distances the pool will be from each; the house, the fence, all property lines, etc.

Angel Contento advised that he was only hired to install the pool, so not really sure how to provide what the Board is asking for. The Board explained that the property owner will have to get involved and find a way to provide the request information/documents.

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

The meeting was opened up to the public for comment.

**Jacalyn Kearns** – Had the following questions:

- How did they get this far?

Steve Vegliante advised that they submitted a permit application to the Building Department for the installation of the pool and was advised that they would require some variances from the ZBA first. No permit has been issued yet.

- Does the pool have to be 25 feet from both the side and the rear property line?

Steve Vegliante explained that is why they are here tonight; to ask for relief from the code. Also, as the property is on a corner lot, they technically have 2 front yards and that is why the second variance is required.

**Jillian & Sean McMichael** – Had the following questions/comments:

- Their driveway is Autumn Lane.
- Has anyone physically gone out to this property to see how small it is?

The Board advised that someone has gone out to the property and took some pictures that they have reviewed tonight.

- The fence line is close to their sewer and concerned heavy equipment will drive over that portion and break their pipes. Stated they would need to come off of Fraser Road to avoid this.
- There are already issues with flooding on their property and this property is up hill from them, so concerned this will just amplify the exiting issues. Especially since a lot of the water run off comes from this property.
- The size of the proposed pool is ridiculous and an issue for them.

**Margaret & Andre Debski** – Submitted written comment that was read aloud and had an additional comment.

Link to written comment: <https://townofthompsonny.municollab.com/zoning-board-of-appeals/projects/357-fraser-road-monticello-ny-127011/area-variance/public-comment/public-hearing#fileModal=true&projectDataId=7e14f5db-7c10-4b7b-b12e-40f3011507cb>

- Where will they get the water from to fill the pool? There is already an issue with low water pressure in the area.

The Board advised most people filling a pool bring in a water truck.

**Anes Kurtagic** – Had the following comments:

- Their fence is almost touching his property.
- Believes there is an illegal building on the property. A garage that was converted to a 2-bedroom, 2-bath dwelling.
- Feels the ask is too big.

No further public comment.

A motion to adjourn the application and the public hearing until the December 9, 2025 meeting was made by Jay Mendels and second by Sean Walker.

All in favor, 0 opposed.

Steve Vegliante explained that the additional information/details requested will need to be submitted prior to the next meeting or the Board may be inclined to deny the application.

A motion to close the meeting at 7:44 p.m. was made by Jay Mendels and second by Cindy Sean Walker. All in favor, 0 opposed

Respectfully submitted,

Laura Eppers  
Secretary  
Town of Thompson Zoning Board of Appeals

DRAFT