

TOWN OF THOMPSON  
ZONING BOARD OF APPEALS  
May 12, 2026

IN ATTENDANCE: Richard McClernon, Chairman  
Sean Walker  
Phyllis Perry  
Cindy Ruff  
Darren Miller, Alternate  
Shannon Cilento, Alternate

Jim Carnell, Building, Planning, & Zoning  
Steve Vegliante, Attorney  
Laura Eppers, Secretary

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

A motion to approve the April 14, 2026 minutes was made by Jay Mendels and second by Phyllis Perry.  
All in favor, 0 opposed

Darren Miller was appointed as a voting member for tonight's meeting.

APPLICANT: IOAN DUBOVICI

124 Haddock Road, Monticello, NY  
S/B/L: 50.-1-1.14  
Ioan Dubovici, Property Owner

Applicant is requesting an Area Variance from §250-8 & 16A(5) of the Town of Thompson Zoning Code for (1) Accessory structure (shed) closer to the road than the primary – not permitted (2) Box trailer used as a shed – not permitted (3) Animal housing setback from required 150' to proposed 16' (4) One side yard setback from required 20' to proposed 18.3'. Property is located at 124 Haddock Road, Monticello, NY. S/B/L: 50.-1-1.14. In the Zone: RR-1

Chairman McClernon read the legal notice aloud.

This application and public hearing were left open from last month's meeting.

Ioan Dubovici explained that he is here tonight to request some variances for already existing structures.

The Board had the following questions/comments:

- Are you raising chickens?

Ioan Dubovici advised he is not raising chickens; he has them just for fun.

- How many chickens do you have?

Ioan Dubovici advised he has about 12 chickens, but some are pretty old.

- Can the coop be moved?

Ioan Dubovici advised it can be, if it has to be.

- Is the property big enough to move the coop somewhere where it will be at least 150 feet from all property lines?

Ioan Dubovici advised he does not know for sure, but believes the property is only about 200 feet wide, so probably not. Would rather get rid of the chickens then move the coop.

- Not comfortable with the current 6-foot setback, but would be willing to compromise if you want to keep the chickens and relocate the coop. Maybe can move the coop to the other side of the fence.

Steve Vegliante suggested the Board give an exact distance they would be willing to except. The Board agreed on at least 75 feet from all property lines.

- What are you doing with the 2 trailers?

Ioan Dubovici advised he is no longer in the trucking business and is looking to sell them. He actually has one sold already, just waiting for it to be picked up.

- How much longer do you think it will take to sell the other one?

Ioan Dubovici advised it is hard to say, but maybe he can drop the price to help sell it faster.

- Do you think you can sell it within another 6 months?

Ioan Dubovici advised he should be able to.

- As the trailers are currently being used for storage, will the contents be sold with the trailers? If not, where will you store those contents?

Ioan Dubovici advised he will be keeping the contents and will have to find alternate accommodations. Some is furniture that can go in the house and there is some wood that he will be using soon; nothing too serious in the trailers.

Ioan Dubovici asked if there is a way he would be allowed to keep the trailers. The Board advised he could keep them, but he would have to take them off the axle/wheels and make it look like a shed. Also, if using as a shed, they will need to be no closer to the road than the house and will have to be 10 feet from all property lines and other structures.

- What is the side yard setback request for?

Jim Carnell advised it is for the corner of the house, which is pre-existing, non-conforming and just looking to bring into compliance since they are in front of the Board taking care of everything else.

- As for the request for the shed closer to the road, what size is that shed?

Ioan Dubovici advised it is either 10'x8' or 12'x8'. Jim Carnell added that either way, it is less than 144 sq. ft. and therefore would not have required a building permit and believes this is also pre-existing, non-conforming. Ioan Dubovici confirmed it is.

- Is it possible to move the shed?

Ioan Dubovici advised it is possible to move anything, but will take some time and the shed is so old it might collapse during the move. Steve Vegliante added that the shed is closer to the road than the house, but is pretty far from the road and is not visible. Ioan Dubovici confirmed it is over 400 feet from the road.

- Okay with the shed staying where it is, but if it needs to be replaced in the future, will need to be relocated to meet all code requirements.

No further questions/comments from the Board.

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

A motion to close the public hearing was made by Cindy Ruff and second by Darren Miller.

All in favor, 0 opposed

Steve Vegliante suggested the Board leave the application open for another month to allow the applicant time to update the site plan. Sounds like the Board is willing to grant limited relief on some items and approvals on others, so the site plan needs to reflect all structures on the property, including both trailers and a note in regards to the 6-month time frame, and exactly where the applicant is proposing to relocate the chicken shed; identifying that it can/will be at least 75 feet from all property lines.

Ioan Dubovici asked if he got rid of the chickens, could he make the chicken coop into a shed. Jim Carnell advised that the coop is shown to be 8'x8' so it would not require a permit, but would still need to comply with all other requirements, such as the separation distance and proximity from the road in comparison to the house. Steve Vegliante advised that he needs to choose whether he is keeping the chickens and relocating the coop or getting rid of the chickens and converting the coop into a shed, and update the site plan to reflect that; so that the Board can property act.

A motion to hold the application open until next month's meeting, June 9, 2026, was made by Sean Walker and second by Cindy Ruff.

All in favor, 0 opposed

APPLICANT: KNIGHT & MARTIN

92 Middletown Point Road

Rock Hill, NY

S/B/L: 38.-4-10

Pat Hatcher, Representative of Westchester Modular

Roderick Knight, Property Owner

Applicant is requesting an Area Variance from §250-8 of the Town of Thompson Zoning Code for (1) Front yard setback from required 50' to proposed 44' (2) Rear yard setback from required 50' to proposed 11.9' (3) One side yard setback from required 20' to proposed 6.1' (4) Combined side yard setbacks from required 50' to proposed 32.6' (5) Percent of lot coverage from required 10% to proposed 23.6%. Property is located at 92 Middletown Point Road, Rock Hill, NY. S/B/L: 38.-4-10. In the Zone: RR-1

Chairman McClernon read the legal notice aloud.

HOA approval was received.

Steve Vegliante advised that the legal notices for this application were never mailed out to the adjoining neighbors; however, it was published in the Democrat. The Board can hear from the applicant and any public that may be in attendance, but cannot act until the legal notices have been properly circulated. He suggested the Board leave the application and public hearing open for another month to allow the applicant time to do their mailings.

Roderick Knight explained that they are looking to tear down and replace the existing structure; almost in the same footprint. The lot is small and no way to meet all setbacks/zoning requirements, so they tried to stay as close to the pre-existing, non-conforming footprint as possible. They will also be installing a new septic system.

The Board had the following questions/comments:

- Will you be keeping the existing garage?

Roderick Knight advised that they plan to keep the garage. Pat Hatcher added that the new house will not encroach any closer to the property line than the existing garage currently does; will be even with it.

- Is the well location shown on the map?

Roderick Knight advised it is shown and pointed it out.

No further questions/comments from the Board.

Meeting was opened up to the public for comment. No public in attendance for this application.

A motion to hold the public hearing open until the June 9, 2026 meeting was made by Phyllis Perry and second by Sean Walker.

All in favor, 0 opposed

A motion to hold the application open until the June 9, 2026 meeting was made by Sean Walker and second by Phyllis Perry.

All in favor, 0 opposed

[APPLICANT: KERRI CLARK](#)

4 Gold Point Road

Rock Hill, NY

S/B/L: 37.-13-2

Tim Gottlieb, Project Representative

Applicant is requesting an Area Variance from §250-8 of the Town of Thompson Zoning Code for (1) Front yard setback from required 50' to proposed 45' (2) Rear yard setback from required 50' to proposed 26' (3) One side yard setback from required 20' to proposed 13.5' (4) One side yard setback from required 20' to proposed 16.5' (5) Combined side yard setbacks from required 50' to proposed 30' (6) Percent of lot coverage from required 10% to proposed 18%. Property is located at 4 Gold Point Road, Rock Hill, NY. S/B/L: 37.-13-2. In the Zone: RR-1

Chairman McClernon read the legal notice aloud.

HOA approval was received.

Tim Gottlieb explained that the homeowners are looking to tear down and replace the existing house with a 2-story dwelling; house not worth saving. Is a pre-existing, small lot in the Wanaksink Lake community and therefore requires some variances.

The Board had the following questions/comments:

- Are they keeping the existing garage?

Tim Gottlieb advised they are not keeping the garage; the HOA would not approve their request with the garage.

- The new house looks very nice and will be a great improvement.

- Is the house being elevated?

Tim Gottlieb advised the new house will be on a foundation, so slightly raised.

- The new house is proposed to be a little closer to the lake than the old one, but HOA is okay with that.
- Will they be removing the retaining wall?

Tim Gollieb advised they are removing the retaining wall and doing some grading out to the road.

No further questions/comments from the Board.

Meeting was opened up to the public for comment. No public in attendance for this application.

A motion to close the public hearing was made by Darren Miller and seconded by Cindy Ruff.  
All in favor, 0 opposed

The Board agreed to vote on all of 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 yes
- (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 Darren Miller and second by Cindy Ruff.  
All in favor, 0 opposed

[APPLICANT: MONTICELLO GREENHOUSE](#)

217 East Broadway  
Monticello, NY  
S/B/L: 23.-1-21.1  
Rich Heins, Property Owner

Applicant is requesting an Area Variance from §250 Attachment 9 of the Town of Thompson Zoning Code for (1) Greenhouse one side yard setback from required 50' to proposed 32.6'. Property is located at 217 East Broadway, Rock Hill, NY. S/B/L: 23.-1-21.1. In the Zone: EBG

Chairman McClernon read the legal notice aloud.

Jim Carnell explained that this project is also in front of the Planning Board, for a 2-lot subdivision, who denied and referred them to this Board. Some of the existing greenhouses are encroaching in the side yard setback and therefore require a variance. The request is for the distance of the closest greenhouse to the existing property line.

No questions/comments from the Board.

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

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

All in favor, 0 opposed

Steve Vegliante advised the Board that the surveyor moved the originally proposed property line over a few feet to run along the small stream located on the property, that already kind of creates a nature boundary, to provide some additional room for the existing right-of-way; due to an existing barn being currently located in the right-of-way. He suggested that maybe the right-of-way be officially shifted over, to coincide with the path being used to access the rear property and to eliminate the barn from encroaching. The Board agreed that would be best incase the property(s) are sold in the future. Jim Carnell added that they will be going back to the Planning Board and that Board can make it a condition of their approval; if granted.

(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 variance as requested was made by Sean Walker and second by Phyllis Perry.

All in favor, 0 opposed

[APPLICANT: DAROJACO LLC](#)

125 South Lake Road

Rock Hill, NY

S/B/L: 39.-3-5

Tim Gottlieb, Project Representative

Applicant is requesting an Area Variance from §250-8 of the Town of Thompson Zoning Code for (1) Front yard setback from required 50' to proposed 33' (2) Rear yard setback from required 50' to proposed 43' (3) One side yard setback from required 20' to proposed 10' (4) Combined side yard setbacks from required 50' to proposed 37' (5) Percent of lot coverage from required 10% to proposed 19.5%. Property is located at 125 South Lake Road, Rock Hill, NY. S/B/L: 39.-3-5. In the Zone: RR-1

Chairman McClernon read the legal notice aloud.

HOA approval was received.

Tim Gottlieb explained that the owner's are proposing to tear down and replace the existing house; in a slightly larger footprint.

The Board had the following questions/comments:

- Does the bulk table show both the existing and proposed lot coverage?

Tim Gottlieb advised it does. The existing lot coverage is 16.8% and the proposed is 19.5%.

- Will be an improvement.

No further questions/comments from the Board.

Meeting was opened up to the public for comment. No public in attendance for this application.

A motion to close the public hearing was made by Phyllis Perry and seconded by Cindy Ruff.  
All in favor, 0 opposed

The Board agreed to vote on all of 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; 3 voted no and 2 voted yes (Phyllis Perry and Sean Walker)
- (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 Cindy Ruff and second by Darren Miller.  
All in favor, 0 opposed

[APPLICANT: TARA ACRES – UNIT 9](#)

968 Old Liberty Road  
Monticello, NY  
S/B/L: 2.-1-29  
Steve Barshov, Attorney  
Moshe Attie, Representative  
Chiam Berger, Unit Owner

Applicant is requesting an Area Variance from §250-21D(2) & 34D(6) of the Town of Thompson Zoning Code for (1) Expansion of a non-conforming bungalow (Unit 9) from required 15% or 200 sq. ft. max to required 120.85% or 1,196.49 sq. ft. (2) Bungalow separation distance (Units 9 & 10) from required 25' to proposed 14.4'. Property is located at 968 Old Liberty Road, Monticello, NY. S/B/L: 2.-1-29. In the Zone: RR-1

Chairman McClernon read the legal notice aloud.

Steve Vegliante reminded the Board that Tara Acres was previously before them, on behalf of the HOA, to request a series of variances to rectify a number of violations issued to multiple units on the property, and at that time, the variance requests pertaining to this unit were denied. He has been in communications with Steve Barshov and determined that as the time frame in which to challenge the Board's decision had lapsed, they would need to submit a new application.

Steve Barshov explained that at this time, a new application has been submitted with a set of different variance requests, as the first set of requests were incorrect and to give the unit owner a chance to plead his own case. The percentage of increase originally provided was wrong and is actually far less. The unit owner went out and conservatively identified more accurate measurements of the additions constructed over the years; to the best of his abilities as some of the additions were done prior to him. He did his best to determine the dimensions of the original unit and per his calculations determined the percentage of increase is around 64%, not the 120% originally portrayed; as the original structure was approximately 1,205 sq. ft. and the new addition was approximately 774 sq. ft. We would also like to point out that the overall size of the unit now is no larger than other units/structures on the property; it falls about in the middle. We ask that the Board take another look and keep two things in mind; the original calculations/information provided was not accurate and the additions have already been constructed and therefore, will not have any additional impacts on traffic or the environment. The purpose of the variances is to bring the unit into compliance.

The Board had the following questions/comments:

- We have aerial photos of the unit in 2020 and in 2023, and as you can see, the unit is significantly larger in 2023 compared to 2020.
- Town records show that the original unit was 864 sq. ft. and two additions have been constructed since. One of those additions being a 280 sq. ft. covered porch; bringing the total square footage at that time to 1,144 sq. ft. and serving as the permitted, one-time expansion. Everything after that was not permitted.

Steve Barshov inquired if the first addition would matter at this point as the ownership has changed. Not suggesting that the new addition constructed was done legally, but a violation was not issued until the new addition was constructed. Jim Carnell advised each building is allowed a one-time expansion, no matter how many owners there are, and the original addition would be considered that one-time expansion.

- A 64% increase is still significantly larger than what was approved for other units.

Steve Barshov argued that it is still comparable to other structures on the property and asked if the history of other units were reviewed to ensure they did not have previous additions. The Board advised they did and the other units had better records on file.

- Appears you are now suggesting to bring in some grade for around the deck, to make it less than 12' high, and not the whole building; what kind of affect will that have on the already existing drainage issues? Per the minutes from previous meetings, it was made clear that the whole building would need to be graded, not just the deck portion.

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

The meeting was opened up to the public for comment.

**Walter Fedun @ 954 Old Liberty Road** – Had the following concerns/comments:

- Water runoff – Drainage ditches were previously dug to drain runoff water onto the neighboring properties; a new ditch is actually being dug at this time. Concerned additional lot coverage will only increase the amount of runoff.
- Septic System - Constant issues with the septic that cannot seem to be addressed properly/fully. Septic was previously pumped onto my property and it killed the trees that were in that area. They previously built over/in the septic system.

- Encroachment on Neighboring Properties – Recently had a new survey done that proves that they were previously encroaching 26 feet onto my property. Other neighbors have had similar issues. Concerned encroachment will continue to happen in the future.
- No issues with the people who reside on the property, just the maintenance of the property.

Steve Vegliante mentioned that the Planning Board is reviewing all environmental concerns.

Copy of new survey provided - <https://thompsonny.municollab.com/zoning-board-of-appeals/projects/tara-acres-unit-9-chaim-berger/area-variance/public-comment/public-hearing>

Written Comment Received:

Richard & Barbara Sush - <https://thompsonny.municollab.com/zoning-board-of-appeals/projects/tara-acres-unit-9-chaim-berger/area-variance/public-comment/public-hearing?fileView=redacted>

No further public comment.

Steve Veglainte suggested leaving both the application and the public hearing open for another month to give the applicant time to review the information provided to them tonight. Steve Barshov agreed as the Town's records do not seem to match their findings and as there is also outstanding issues with the septic system.

A motion to hold both the application and the public hearing open until the June 9, 2026 meeting was made by Phyllis Perry and second by Sean Walker.

All in favor, 0 opposed

A motion to close the meeting at 8:26 p.m. was made by Cindy Ruff and second by Phyllis Perry.

All in favor, 0 opposed

Respectfully submitted,

Laura Eppers  
Secretary  
Town of Thompson Zoning Board of Appeals