

TOWN OF THOMPSON
ZONING BOARD OF APPEALS
July 14, 2026

IN ATTENDANCE: Richard McClernon, Chairman
Phyllis Perry
Jay Mendels
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 7:06 p.m. with the Pledge to the Flag.

A motion to approve the June 9, 2026 minutes was made by Jay Mendels and second by Cindy Ruff.
All in favor, 0 opposed

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

The Lederberger – Pool application was called, but the project representative was still tie up at another meeting. The Board moved onto the next application to give him time to arrive.

APPLICANT: CAROLYN RAMSAY

58 Middletown Point Road
Rock Hill, NY
S/B/L: 38.-3-18

Applicant is requesting an Area Variance from §250-8 of the Town of Thompson Zoning Code for (1) Rear yard setback from required 50' to proposed 29' (2) One side yard setback from required 20' to proposed 13.8' (3) One side yard setback from required 20' to proposed 15.8' (4) Combined side yard setbacks from required 50' to proposed 29.6' (5) Percent of lot coverage from required 10% to proposed 14.6%. Property is located at 58 Middletown Point Road, Rock Hill, NY. S/B/L: 38.-3-18. In the Zone: RR-1

The legal notice was read aloud.

HOA approval was received.

Tim Gottlieb explained that the property owner is looking to tear down and replace the existing house. The new house will have a slightly larger footprint and will be shifted back, away from the lake, per the HOA rules.

The Board had the following questions/comments:

- Is the yellow outlined portion on the site plan the old house/footprint?

Tim Gottlieb confirmed that it is.

- Will the dock remain?

Tim Gottlieb confirmed it will.

- Lot is small and did a good job centering the new house on the lot.
- Appreciates that shifting the house back improves the non-conformity on the lake side.

No further questions or comments from the Board.

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

A motion to close the public hearing was made by Jay Mendels and second by Phyllis Perry.
All in favor, 0 opposed

Per Steve Vegliante, this application is a Type 2 action under SEQR.

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 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 was made by Jay Mendels and second by Phyllis Perry.
All in favor, 0 opposed

[APPLICANT: PINKASOV – 117 STARLIGHT RD](#)

117 Starlight Road

Monticello, NY

S/B/L: 57.-2-31.1

Richard McGoey, Engineer

Artur Pinkasov, Property Owner

Applicant is requesting an Area Variance from §250-9 of the Town of Thompson Zoning Code for (1) Front yard (Lake Side) setback from required 50' to proposed 8.9' (2) Rear yard (Road Side) from required 50' to proposed 30' (3) One side yard setback from required 20' to proposed 0'. Property is located at 117 Starlight Road, Monticello, NY. S/B/L: 57.-2-31.1. In the Zone: RR-2

The legal notice was read aloud.

Legal notice was mailed, but the applicant is unable to provide proper proof.

Richard McGoey explained that they are here tonight to take care of some non-conformities. He also mentioned that the current owner did do some work to the property, but all of the non-conformities

were pre-existing and were not increased in any way. There also was a lot subdivision/combination done to remedy some items that were previously encroaching onto a neighboring property.

The Board had the following questions/comments:

- Were any permits pulled for the work done by the current owner?

Richard McGoey advised no permits were pulled, but an application has been submitted at this time.

- Was the covered deck there prior to the current owner?

Richard McGoey confirmed it was. Artur Pinkasov added that it has started to slide down, so he replaced it.

- What about the rear deck?

Richard McGoey advised that there was originally a deck there and the owner reconstructed it in the same footprint.

- What about the side deck?

Richard McGoey advised that was also pre-existing and the owner replaced the concrete; following the same column line.

- What about the sidewalk?

Richard McGoey advised that the side walk was always there.

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

As the legal notice was published by the Town and the applicant is stating they did do the mailings, just cannot provide proof, Steve Vegliante suggested the Board open the meeting up to the public tonight and leave it open until the next meeting; allowing time for the applicant to remail and provide proof.

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

A motion to hold both the application and the public hearing open until next month's meeting, August 11, 2026, was made by Jay Mendels and second by Phyllis Perry.

All in favor, 0 opposed

APPLICANT: 14 DEERFIELD CT GARAGE

14 Deerfield Court

Rock Hill, NY

S/B/L: 52.V-2-18

Chris Beverly, Representative

Applicant is requesting an Area Variance from §250-7 & 21C(1) of the Town of Thompson Zoning Code for (1) Combined side yard with W/S from required 40' to proposed 36' (2) Rear yard setback with W/S from required 40' to proposed 0'. Property is located at 14 Deerfield Court, Rock Hill, NY. S/B/L: 52.V-2-18. In the Zone: SR with central W/S

The legal notice was read aloud.

Chris Beverly explained he is looking to construct a 15'x38', 1-story garage. The garage will have a 10-foot door so that work trucks can be parked in it.

The Board had the following questions/comments:

- Is the plan to run a business out of garage?

Chris Beverly advised that he will not be running a business out of the garage, but he does own a small business and 2 company trucks. He also works for another business that he drives a company vehicle for.

- Will there be an attic in the garage?

Chris Beverly advised that there will be no attic, just a dormer with a drop latter for storage purposes. The dormer will be high to match the neighborhood.

- Is the request for the 0' setback for the deck?

Chris Beverly confirmed that is correct.

- Was the deck built without a permit?

Chris Beverly advised that his wife inherited the house from her parents who built the deck, but it is his understanding that it was built without a permit and as a portion of it exceeds 12 inches in height, setbacks apply. Jim Carnell added that it is pre-existing and just needs to be clean up since asking for another variance.

- Can you bring in some fill so that it does not exceed the 12 inches? That way would not be considered a deck, but a patio.

Chris Beverly advised that he can and is willing to do whatever is required if him. If he is allowed to build the garage, he can use some soil from there.

- What about the shed that appears to be on the property?

Jim Carnell advised that there is no issues with the shed.

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

The meeting was opened up to the public for comment.

Loretta Duarte @ 9 Deerfield Court - Provided written comment prior to the meeting, which she read aloud, and some photos for the Board to review at the meeting.

Link to 7.14.26 Loretta Duarte email & photos - <https://thompsonny.municollab.com/zoning-board-of-appeals/projects/14-deerfield-ct-garage/area-variance/public-comment/public-hearing?fileView=redacted>

Yesenia Soto @ 16 Deerfield Court – Provided written comment prior to the meeting and had the following additional comments:

- Concerned applicant is running a business out of the property, which is not permitted in the HOA, and the garage is to accommodate those needs.
- Business vehicles always parked along the road.
- Feels a business does not belong in the neighborhood/fit the neighborhood.
- Concerned will cause a disturbance in the neighborhood.
- Property was a mess when the deck was built and don't think HOA approval was ever obtained; concerned the neighbors will have to deal with that again.

Link to 7.6.26 Yesenia Soto email - <https://thompsonny.municollab.com/zoning-board-of-appeals/projects/14-deerfield-ct-garage/area-variance/public-comment/public-hearing?fileView=redacted>

Hiral Manwani @ 2 & 4 Deerfield Court – Had the following comments:

- In opposition of the application.

- Concerned applicant is running a business out of the property as his business address is listed as being located in Rock Hill, NY.
- A business does not fit the neighborhood and would cause unsafe conditions for his kids.
- Concerned property values will decrease.
- Applicant states the garage is to store 1 work vehicle, but there are 3 of them.

Other written comment received:

Georgetta Laskowski – <https://thompsonny.municollab.com/zoning-board-of-appeals/projects/14-deerfield-ct-garage/area-variance/public-comment/public-hearing?fileView=redacted>

Christopher Tice - <https://thompsonny.municollab.com/zoning-board-of-appeals/projects/14-deerfield-ct-garage/area-variance/public-comment/public-hearing?fileView=redacted>

Gina Deda - <https://thompsonny.municollab.com/zoning-board-of-appeals/projects/14-deerfield-ct-garage/area-variance/public-comment/public-hearing?fileView=redacted>

No further public comment.

A motion to close the public hearing was made by Jay Mendels and second by Phyllis Perry.
All in favor, 0 opposed

The Board had the additional questions/comments:

- Is there a size limitation?

Jim Carnell advised there is no limitations on the size of the garage because it is an attached garage; only setback requirements.

- Is there a fleet of work vehicles?

Chris Beverly advised there are a total of 3 trucks. 2 of the trucks belong to him and 1 belongs to his employer. When he has his employer's truck, a couple days a week, he ends up having to park a truck off-site. As the Board can hear, there is a need for a place to park these trucks; hence the garage.

- Is there an option/place to park the vehicles off-site?

Chris Beverly advised he is allowed to park on HOA property, but it is inconvenient and unsecure. He cannot keep an eye on the truck(s) parked off-site, which have valuable equipment in them, and can only access the HOA parking lot during business hours. If he does end up having to still utilize the off-site parking, it would be for his secondary truck, that is empty when not in use and would only be used if the primary truck is out of commission.

- Do you run a business out of the property?

Chris Beverly advised that he has a small office in the house and has 2 business vans, but all work/services are preformed off-site. No through traffic or deliveries at the property.

- Are there other garages similar to this in the area?

Chris Beverly advised that the townhouses do not have garages, but the garages on the single-families vary.

- Have no issues with the garage itself and think it will help with the current eyesore complaints.

Chris Beverly advised that his goal is to not have to park any work vehicles in the driveway.

- Be a good neighbor.

No further questions/comments from the Board.

After some additional discussion it was determined that even though the applicant may be running a business out of the property and using the garage to store work vehicles, it is not in this Board's purview to determine the use of the garage. The application brought before the Board is requesting area variances for relief from the zoning code, not use variance. Granting approval does not mean the Board is giving their blessing to run a business out of the property and all public comment will be taken into consideration. If the business is not permitted by HOA rules and regulations, the Board suggested those concerned should bring the issue to the HOA board.

Per Steve Vegliante, this is a Type 2 action under SEQR.

The Board agreed to vote on the variance requests separately.

Request #1:

(1) Whether benefit can be achieved by other means feasible to applicant; 3 voted no and 2 votes yes (Phyllis Perry & Cindy Ruff)

(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 first variance as requested was made by Jay Mendels and second by Phyllis Perry.

All in favor, 0 opposed

Request #2:

(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; 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 the second variance as requested was made by Jay Mendels and second by Cindy Ruff.

All in favor, 0 opposed

A motion to take the agenda out of order to hear the Lederberger – Pool application next was made by Jay Mendels and second by Phyllis Perry.

All in favor, 0 opposed

APPLICANT: LEDERBERGER - POOL

357 Fraser Road

Monticello, NY

S/B/L: 10.-3-5

Isreal Lederberger, Property Owner (sole owner of the LLC)

Nancy Lederberger, Property Owner's Wife

Joel Kohn, Project Representative

Applicant is requesting an Area Variance from §250-33A of the Town of Thompson Zoning Code for (1) Swimming pool proximity to front lot line in relation to main dwelling from required "no closer to the front lot line than the main dwelling" to proposed "closer to the front lot line than the main dwelling". Property is located at 357 Fraser Road, Monticello, NY. S/B/L: 10.-3-5. In the Zone: SR with central W/S

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

Joel Kohn advised he has now been hired to represent the applicant for this application. Explained that it is his understanding that the Board previously express a few concerns; potential issues with utility lines that run under Autumn Lane and visual impact. The applicant is proposing to plant green giant trees between the pool and the road as a buffer and to use Fraser Road only for heavy equipment access to the property.

The Board had the following questions/comments:

- Concerned the pool will increase runoff?

Joel Kohn advised that the pool will not be emptied on a regular basis, or even yearly, so will not affect the runoff.

- Previously requested that the pool be shifted back a few feet; to be inline with the front of the house. Does not appear that was done.

Joel Kohn advised that if they shift it back any, it will require a rear yard variance.

- Size of the pool can be decreased to avoid needing a rear yard variance.
- What height will the fence be?

Joel Kohn advised that the fence will be 8 feet, but the trees being planted will exceed that.

- Reiterated that they would like to see the pool even with the front of the house.

Joel Kohn pointed out that the rest of the houses in the neighborhood are closer to the property line than this house, so even if the pool extends a few feet in front of the house, there will have no impact on the character of the neighborhood.

- Are you unwilling to decrease the size of the pool?

Joel Kohn expressed that they feel a few feet will not make a big difference in esthetics. Nancy Lederberger added that they are a tall family and would like to maintain the current size.

- Can the pool be moved closer to the house?

Joel Kohn advised that there has to be a 10-foot separation distance between the pool and the house.

No further questions from the Board at this time.

The meeting was opened up to the public for comment.

There were a few people in the audience for this project, but they have previously expressed their concerns and do not have anything new to add.

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

The Board had the additional questions/comments:

- Would really like to see the pool no closer to Fraser Road than the house. The neighbors have made it very clear that they are not in favor of the pool, so a little compromise might go a long way.

Joel Kohn pointed out that the pool is permitted and reiterated that it will have minimal impact to the character of the neighborhood.

- Stated that it will be more than just the few feet as there will be a fence and mostly some type of deck or patio.

Nancy Lederberger advised that there will only be a patio on 1 side and that is from the house to the pool.

- Will there be trees and/or bushes to serve as a buffer around the other 3 sides; the sides that won't have a patio?

Nancy Lederberger confirmed there will be.

- What material will the fence be?

Joel Kohn advised that they have not made a final decision on that yet, but are leaning towards aluminum with slots, as the vegetation will serve as additional coverage.

- Would appreciate the pool being even with the house.

No further questions/comments from the Board.

Steve Vegliante advised that this application is a Type 2 action under SEQR.

Board went through the criteria.

(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; 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 the second variance as requested was made by Jay Mendels and second by Cindy Ruff.

All in favor, 0 opposed

A motion to approve the variance request for Autum Lane only, not Fraser Road, and subject to the planting of the proposed landscaping, was made by Jay Mendels and second by Phyllis Perry.

All in favor, 0 opposed

Joel Kohn asked the Board if they would be in favor of granting a rear yard variance, so that the pool can be shifted back and still remain the same size. Steve Vegliante advised that a new application and corresponding site plan/survey would need to be submitted for the Board's review.

APPLICANT: MORNINGSIDE ACRES

71 Rock Ridge Drive
Monticello, NY
S/B/L: 13.-3-37.4 & 38.10
Joel Kohn, Representative
Shamshon Bergman, Applicant

Applicant is requesting an Area Variance from §250-2 of the Town of Thompson Zoning Code for (1) Wetlands, protected – total lot area calculation for density from required 100' protected wetland buffer included to proposed 100' protected wetland buffer excluded. Property is located at 71 Rock Ridge Drive, Monticello, NY. S/B/L: 13.-3-37.4 & 38.10. In the Zone: HC-2 with central W/S

The legal notice was read aloud.

Joel Kohn explained that this applicant acquired an adjoining parcel back in 2023 and are now seeking to combined the 2 parcels, as well as expand the existing bungalow colony by adding 3 additional units. However, due to changes in DEC regulations, the wetland areas are now subject to DEC jurisdiction, establishing a 100-foot buffer around them. That 100-foot buffer now needs to be excluded from the net acreage, reducing the permitted buildable acreage and causing a variance to now be required to build all 3 units. The applicant will experience a big loss if they can only build 1 unit and the request will not cause any impact or change to the neighborhood.

Jim Carnell inquired if both parcels are in the same zoning district and if the current use is permitted. Joel Kohn advised that they are in the same zone and the use is permitted.

No questions or 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 Jay Mendels and second by Darren Miller.
All in favor, 0 opposed.

Steve Vegliante advised that this application is a Type 2 action under SEQR, as long as there will be no building in the wetland.

Board went through the criteria.

- (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 (Richard McClernon)

(4) Whether request will have adverse physical or environmental effects; All voted no

(5) Whether alleged difficulty is self-created; All voted no

A motion to approve the variance as requested was made by Jay Mendels and second by Phyllis Perry.
All in favor, 0 opposed

APPLICANT: TARA ACRES

968 Old Liberty Road

Monticello, NY

S/B/L: 2.-1-29

Moshe Attie, Representative

Maria Zeno, Attorney

Applicant is requesting an Area Variance from §250-21D(2) & 33B of the Town of Thompson Zoning Code for (1) Non-conforming bungalow colony lot coverage increase from required 10% to proposed 11.54% (2) Expansion of a non-conforming bungalow (Units 5 & 6) from required 15% or 200 sq. ft. to proposed 24.18% or 592.73 sq. ft. (3) Expansion of a non-conforming bungalow (Units 14 & 15) from required 15% or 200 sq. ft. to proposed 28.99% or 805.11 sq. ft. (4) Bungalow colony pool front yard setback from required 50' to proposed 30'. Property is located at 968 Old Libert Road, Monticello, NY. S/B/L: 2.-1-29. In the Zone: RR-1

The legal notice was read aloud.

Moshe Attie explained that the Board previously granted 19 variances for this property. Of those 19 variances, the 4 requested variances have since expired; as they are still working with the Planning Board and therefore have not been built yet. At this time, they are requesting re-approvals for the 4 variances.

The Board had the following questions/comments:

- Has anything changed?

Moshe Attie advised that there have been no changes to the variance requests.

- Noticed the deck on unit 5 has not been removed yet.

Moshe Attie advised that the plan was to remove the deck before building the addition off of the back of the unit; to swap the square footage. At this time, they are still in front of the Planning Board and therefore have not been able to build the new addition. Once they can start construction, the front deck will be removed.

- What guarantees the deck will be removed at that time?

Steve Vegliante advised that if the deck does not get removed, it would be a violation and they can end up back in court. Maria Zeno added that this property is still in court, awaiting Planning Board and Zoning Board approvals to remedy the existing violations, and have been working diligently, so they will make sure everything gets completed.

- The Building Department was out at the site today and a lot of the conditions have been met, but there are still a few outstanding.

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

The meeting was opened up to the public for comment.

Wayne Fedun @ 954 Old Liberty Road – Had the following comments:

- Appreciates that the encroaching fence has been removed.
- Walked the property today and it appears to be dry, but concerned that there will be future issues with the septic systems; as that has been the history with this property.

A motion to close the public hearing was made by Jay Mendels and second by Phyllis Perry.

All in favor, 0 opposed

The Board had the additional questions/comments:

- Wasn't there was a new septic design for this property?

Jim Carnell advised that there is a new septic design for the system on the other side of the property.

- Is the septic system closest to the Fedun property now okay?

Jim Carnell advised that he was out at the site today with both the towns and the applicants engineers and that system seems to be functioning properly now and some additional grading is to be done, once the season is over, to help prevent any future issues. However, during the site visit, they did encounter an issue with the septic system on the other side of the property; the one being re-designed.

- Sounds like the applicant and the Town are aware of the issue and monitoring it.
- If future issues arise with neighboring properties, what recourse can they take?

Steve Vegliante advised that they would need to reach out to the Building Department so that they can issue a new violation.

No further questions/comments from the Board.

Steve Vegliante advised that this application is a Type 2 action under SEQR.

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 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 re-approve all variances as requested was made by Phyllis Perry and second by Jay Mendels.

All in favor, 0 opposed

[APPLICANT: TARA ACRES – Unit 9 Chaim Berger](#)

968 Old Liberty Road

Monticello, NY

S/B/L: 2.-1-29

Moshe Attie, Representative
Steve Barshov, Attorney

Applicant is requesting an Area Variance from §250-21D(2) & 33B of the Town of Thompson Zoning Code for (1) Expansion of a non-conforming bungalow (Unit 9) from required 15% or 200 sq. ft. to proposed 64.25% or 774.57 sq. ft. Property is located at 968 Old Libert Road, Monticello, NY. S/B/L: 2.-1-29. In the Zone: RR-1

Both the application and the public hearing were held open from last month's meeting.

The Board explained that they were ready to act on this application last month, but were asked to hold off until their attorney could be present; who at that time was held up at a prior meeting.

Steve Barshov stated that he appreciates the Boards accommodations and apologized for his absence.

Discussed that at last's month's meeting the Board and the unit owner were able to come to a compromise. That compromise was to lower the side deck, without back filling, so that it would be considered a patio and therefore removed from the total square footage.

Jim Carnell added that per the town's engineer, the deck cannot be backfilled without causing runoff issues to the neighboring unit.

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 Cindy Ruff.
All in favor, 0 opposed

Board went through the criteria.

(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; 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 the variances as requested, subject to the side deck being lowered to a patio, was made by Jay Mendels and second by Phyllis Perry.
All in favor, 0 opposed

A motion to close the meeting at 8:50 p.m. was made by Phyllis Perry and second by Cindy Ruff.
All in favor, 0 opposed

Respectfully submitted,

Laura Eppers
Secretary
Town of Thompson Zoning Board of Appeals

DRAFT