

DRAFT

TOWN OF THOMPSON
ZONING BOARD OF APPEALS
September 8, 2026

IN ATTENDANCE: Richard McClernon, Chairman
Jay Mendels
Sean Walker
Phillis Perry
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.

Shannon Cilento was appointed as a voting member for tonight's meeting.

A motion to approve the July 14, 2026 and the August 11, 2026 meeting minutes was made by Jay Mendels and second by Shannon Cilento.
All in favor, 0 opposed

The board called the first application on the agenda, Soto – Rear Deck. No one in attendance for the application. The board agreed to take the agenda out of order to give the applicant time to appear.

A motion to take the agenda out of order was made by Jay Mendels and second by Phyllis Perry.
All in favor, 0 opposed

APPLICANT: JOSE F ROSAS

263 Katrina Falls Road
Rock Hill, NY
S/B/L: 51.A-2-25
Jose Rosas, Property Owner

This application was on last month's agenda; however, the applicant was not present and there was no indication the legal notice was ever mailed. This application was held open to give the applicant another chance to mail the legal notice and attend the meeting.

Applicant was present at this meeting; however, the legal notice was not mailed. The board agreed to discuss the application and review the updated plans submitted, but advised no action can be taken.

The board had the below questions/comments:

- Need to update the survey to include the distance all structures are from the property lines; specifically, the front property line (Katrina Falls Road).
- Don't want the pool any closer to Katrina Falls Road than the main dwelling.
- If pool needs to be shifted, make sure to keep at least 10' between the pool and the garage.
- Make sure all names of the neighboring property owners are legible on the survey.

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

As the legal notice was published, the meeting was opened to the public for comment. No public in attendance for this application.

A motion to hold this application open for another month, until October 13, 2026, was made by Jay Mendels and second by Shannon Cilento.

The board called the next application, Morningside Acres – Unit 18. The applicant's representative was not present yet and previously advised that he may be a little late due to a conflicting meeting. The board agreed to move onto the next application to give the applicant's representative time to appear.

[APPLICANT: 357 FRASER POOL – REAR YARD](#)

357 Fraser Road
Kiamesha Lake, NY
S/B/L: 10.-3-5
Angel Contento, Representative (From Salva Pool Services)
Sisa Boma, Translator

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 20.5'. Property is located at 357 Fraser Road, Kiamesha Lake, NY. S/B/L: 10.-3-5. In the Zone: SR with central W/S

The legal notice was read aloud.

Proof of mailings were received.

This application was deemed a Type 2 action under SEQR.

Owner's proxy not provided for this application; however, one was provided for a previous application (for the same property/property owner and representative).

The previous application was granted allowing the pool to be closer to Autumn Lane, only, than the main dwelling. The board did not want the pool closer to Fraser Road than the main dwelling and the applicant was not willing to reduce the size of the pool. The applicant has now proposed to shift the pool back a few feet, to be in line with the main dwelling, requiring a rear yard variance.

The board had the following questions/comments:

- Should the proposed fence and or patio, around the pool, be included in the setbacks?

Jim Carnell advised that neither a fence or a patio is considered a structure and therefore would not be included. However, the fence will need to meet the building code; locking mechanism, alarms, etc.)

- The previous approval had conditions. If we grant this variance request, can we apply the same conditions?

Steve Vegliante advised that they can and, in his opinion, should.

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

The meeting was opened to the public for comment.

Andre Debski – Had the following comment:

- How tall will the fence be?

The board advised that it is proposed to be 8 feet tall with trees around it for an additional buffer.

- Is the pool inground?

The board confirmed it is.

- The pool is going to be bigger than the house and is concerned it will be used by everyone, not just the home owners.

No further public comment.

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

All in favor, 0 opposed

The board had the following additional questions/comments:

- Are there restrictions on a public pool?

Jim Carnell advised that the Department of Health (DOH) has some restrictions.

- Advised the public that if they feel the pool is being used by the public or if parking on the street becomes an issue, they can reach out to the sheriff department (for the parking) and the DOH (for the pool).
- Appreciates that the applicant shifted the pool back to accommodate the boards request (to stay in line with the main dwelling).
- Asked applicant to be good neighbors.

No further questions/comments from the board.

The board went through the following 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; 3 voted yes and 2 voted no (Jay Mendels & Shannon Cilento)
- (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 conditionally approve the variance as requested, subject to trees being planted around the pool fencing and the fence being chain link with slots, was made by Jay Mendels and second by Shannon Cilento.

All in favor, 0 opposed

APPLICANT: MORNINGSIDE ACRES – UNIT 18

71 Rock Ridge Drive

Monticello, NY

S/B/L: 13.-3-37.4

Joel Kohn, Representative

Applicant is requesting an Area Variance from §250-34D(6) of the Town of Thompson Zoning Code for (1) Bungalow separation from required 25' to proposed 17.4'. Property is located at 71 Rock Ridge Drive, Monticello, NY. S/B/L: 13.-3-37.4. In the Zone: HC-2 with central W/S

The legal notice was read aloud.

Proof of mailings were received.

Joel Kohn explained that the unit owner is looking to construct a small addition that will square off the building. The current, pre-existing bungalow separation for this unit is 18.7 feet and the proposed addition will be 17.4 feet; increasing the non-conformity by less than a foot.

The board had the following questions/comments:

- Decreasing the separation distance creates a fire concern and this colony already experienced a fire that took out multiple units.
- Would the applicant be willing to fire proof the exterior?

Joel Kohn advised that fire rated materials are more expensive, but it just a small portion of the building and feels it is a reasonable request.

- Is there plans to re-side the entire unit to make it look uniformed?

Joel Kohn advised that is not sure, but will let the owner know that the addition needs to match the rest of the unit.

- Chairman was out at the property today, and it appears the deck between unit 17 & 18 was replaced without a permit.

No further 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 Jay Mendels and second by Sean Walker.

All in favor, 0 opposed

The board went through the following 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 yes

A motion to conditionally approve the variance as requested, subject to the addition being properly permitted, using fire rated materials, and made to match the rest of the unit, was made by Jay Mendels and second by Phyllis Perry.

All in favor, 0 opposed

APPLICANT: SOTO - REAR DECK

6 James Place
Kiamesha Lake, NY
S/B/L: 9.B-1-13

The board called this project one more time. Applicant still not present.

The public hearing for his application was closed at last month's meeting and the application left open, until this meeting, to allow the applicant time to make some site plan revisions. As of date, nothing new/revised has been.

Steve Vegliante advised that that there is a 62-day timeframe in which the board has to make a decision or the application will be automatically approved. The applicant has the ability to waive said time frame; however, he is not present to do so.

After some discussion the board agreed that as a revised plan has not been submitted and next month's meeting date will exceed the 62-day timeframe (and applicant is not present to waive), they would not be willing to hold the application open for another month.

A motion to deny the application was made by Jay Mendels and second by Sean walker.

All in favor, 0 opposed

A motion to close the meeting at 7:37 p.m. was made by Shannon Cilento and second by Phyllis Perry.

All in favor, 0 opposed

Respectfully submitted,

Laura Eppers
Secretary

Town of Thompson Zoning Board of Appeals