

TOWN OF THOMPSON  
ZONING BOARD OF APPEALS  
4052 ROUTE 42  
MONTICELLO, NY 12701  
(845) 794-2500 Ext. 304  
[planning@townofthompson.com](mailto:planning@townofthompson.com)

PLEASE READ - IMPORTANT APPLICATION INFORMATION

Dear Applicant:

This packet contains the application required for a use or area variance, which will be heard in a public hearing process before the Town of Thompson Zoning Board of Appeals (ZBA).

ZBA meetings are held once a month and a copy of the hearing schedule is included in this application.

Please review the application carefully and in its entirety. It is your responsibility to complete this application completely. If the application is incorrect or incomplete, the Board will not be able to hear your application on the scheduled hearing date and you will have to re-apply and come back before the Board at a different hearing date and time. Town employees cannot assist you in completing this application. If you feel you cannot complete the application, please hire a professional to complete the same for you (e.g.: a surveyor, architect, engineer or attorney).

If your property is located within a Homeowner's Association, you must obtain the written approval of the Homeowner's Association prior to making this application.

Most importantly, Board members visit the sites before they make decisions on any applications. You must provide directions to your property. If you do not, your application may not be heard.

Finally, if you received an Appearance Ticket from the Town for Code Enforcement Violations, your application may not be heard. Please contact the undersigned prior to filing an application.

Very truly yours,  
PAULA ELAINE KAY, ESQ.  
Town Attorney - Town of Thompson

Richard McClernon - Chairman  
Robert Hoose - Member  
Richard Benson - Member  
Jay Mendels - Member  
Ryan Schock - Member  
E. Danielle Jose-Decker - Alternate  
Ian Constable - Alternate

# Town of Thompson

Zoning Board of Appeals  
4052 Route 42  
Monticello, New York 12701-3221

Phone: (845) 794-2500  
Fax: (845) 794-8600

Paula Kay - Attorney  
Logan Ottino - Zoning Officer  
Heather Zangla - Secretary  
Debbie Mitchell - Recording Secretary

Zoning District \_\_\_\_\_

## Area Variance Application

Tax Map Number: Section- \_\_\_\_\_ Block- \_\_\_\_\_ Lot- \_\_\_\_\_ Location \_\_\_\_\_  
(Street Name and Number)

Owners Name: \_\_\_\_\_ Applicants Name: \_\_\_\_\_

Tax Address: \_\_\_\_\_ Applicant Address: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_

E-mail: \_\_\_\_\_

E-mail: \_\_\_\_\_

Name and Address for legal notices: Owner Applicant Engineer (Circle One)

Applicants interest in Property: Owner Agent of the Owner Lessee Other \_\_\_\_\_  
(Circle One) (Please Specify)

The Applicant is seeking relief from the following Zoning Code Section: 250- \_\_\_\_\_

Denial of an application for building permit? Yes \_\_\_\_\_ No \_\_\_\_\_ Date of denial \_\_\_\_\_

### **COPY OF DENIAL LETTER MUST BE SUBMITTED WITH THIS APPLICATION**

State what type and size of an area variance you are requesting (ie. 3 foot side yard setback): \_\_\_\_\_

From (requirement) \_\_\_\_\_ To (request) \_\_\_\_\_

State the reason you are applying for the area variance: \_\_\_\_\_

Describe the character of the neighborhood \_\_\_\_\_

Attach a Plot Plan drawn to scale and indicating the following:

- 1) Driving directions to your property.
- 2) Location of all existing structures and other site improvements (i.e. well, septic system/sewer lines, etc.).
- 3) Location(s) of proposed improvements.
- 4) Names and locations of all existing and proposed streets, highways, easements, etc.
- 5) Any additional information pertinent to this application which could assist the Board in its review of the application.
- 6) \$100.00 application fee due at submission.

### **OFFICE OF THE ZONING BOARD OF APPEALS**

Date Received: \_\_\_\_/\_\_\_\_/\_\_\_\_

Date Notified: \_\_\_\_/\_\_\_\_/\_\_\_\_

Date of Hearing: \_\_\_\_/\_\_\_\_/\_\_\_\_

Area Variance- Relief from a *dimensional* requirement in the Zoning Code (i.e. height, width, setbacks, etc.)

Applicant: \_\_\_\_\_

Signature: \_\_\_\_\_

**The Board of Appeals will consider the following:**

- 1) whether the benefit can be achieved by other means feasible to the applicant
- 2) whether or not there will be an undesirable change in neighborhood character or to nearby properties
- 3) whether or not the request is substantial
- 4) whether or not the request will have an adverse physical or environmental effect
- 5) whether or not the alleged difficulty is self-created

**Nine copies of the application and plot plan** must be submitted together with all fees to be considered complete. **Incomplete applications will not be placed on the agenda** for the next scheduled meeting. Thank you.

# TOWN OF THOMPSON

TOWN HALL - 4052 ROUTE 42

MONTICELLO, NEW YORK 12701-3221

(845) 794-2500 Ext. 304

[planning@townofthompson.com](mailto:planning@townofthompson.com)

## Disclosure Required by Article 18, Section 809 of the General Municipal Law.

Section 809 Disclosure applications

1. Every application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, exemption from a plat or official map, license or permit, pursuant to the provisions of any ordinance, local law, rule or regulation constituting the zoning and planning regulations of a municipality shall state the name, residence and the nature and extent of the interest of any state officer or any officer or employee of such municipality or of a municipality of which such municipality is a part, in the person partnership or association making such application, petition or request (hereinafter called the applicant) to the extent known to such applicant.

APPLICATION BEFORE :        Planning Board  
      Zoning Board of Appeals  
      Town Board  
      County Planning Board

FOR :     Variance         Site Plan         Sub-division     Special Use  
           Change of Zone             Other \_\_\_\_\_

NAME	RESIDENCE	NATURE AND EXTENT OF INTEREST
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The above individuals have interest requiring disclosure in accordance with section 809 of the General Municipal Law. ( If none so state)

Date: \_\_\_\_\_

Applicant: \_\_\_\_\_

(Signature)

TO: TOWN OF THOMPSON

RE: OWNERS' PROXY

(Owner) \_\_\_\_\_deposes and says he/she resides at  
\_\_\_\_\_ in the county of \_\_\_\_\_  
and State of \_\_\_\_\_ and that he/she is the owner of the premises  
described in the foregoing application and that he/she has authorized  
\_\_\_\_\_to make the  
foregoing application as described therein.

Date: \_\_\_\_\_

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Witness' Signature

# Short Environmental Assessment Form

## Part I - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:		Telephone:		
Address:		E-Mail:		
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		_____ acres		
b. Total acreage to be physically disturbed?		_____ acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres		
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland				



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?

If Yes, explain purpose and size: \_\_\_\_\_  
\_\_\_\_\_

NO	YES
<input type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?

If Yes, describe: \_\_\_\_\_  
\_\_\_\_\_

NO	YES
<input type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?

If Yes, describe: \_\_\_\_\_  
\_\_\_\_\_

NO	YES
<input type="checkbox"/>	<input type="checkbox"/>

**I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE**

Applicant/sponsor name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**COMPLETION OF THE ATTACHED SHORT ENVIRONMENTAL ASSESSMENT FORM (EAF) IS REQUIRED FOR MOST APPLICATIONS. PLEASE READ THE FOLLOWING FOR MORE INFORMATION:**

**APPLICATIONS FOR COMMERCIAL PROPERTIES (including multi-family residential dwellings):** A Short Environmental Assessment Form (EAF) is required to be completed and returned with the completed application. The EAF is attached.

**APPLICATIONS FOR ONE-FAMILY RESIDENCES:** Applications in connection with one-family residences are generally exempt from completing the EAF.

It is recommended that all applicants review the following section of the NYS Environmental Law to ensure that the same is not required for their particular project and application.

If you have any questions concerning your requirement of completing this form, please contact Town Attorney Paula Elaine Kay, Esq. at (845) 796-1343.

**STATE ENVIRONMENTAL QUALITY REVIEW §617.5 - TYPE II ACTIONS**

*(a) Actions or classes of actions identified in subdivision (c) of this section are not subject to review under this Part. These actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under Environmental Conservation Law, article 8. The actions identified in subdivision (c) of this section apply to all agencies.*

*(c) The following actions are not subject to review under this Part [NO EAF REQUIRED]:*

- (1) maintenance or repair involving no substantial changes in an existing structure or facility;*
- (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;*
- (3) agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures, and land use changes consistent with generally accepted principles of farming;*
- (4) repaving of existing highways not involving the addition of new travel lanes;*
- (5) street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities;*
- (6) maintenance of existing landscaping or natural growth;*
- (7) construction or expansion of a primary or accessory appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;*
- (8) routine activities of educational institutions, including expansion of existing facilities by less than 10,000 square feet of gross floor area and school closings, but not changes in use related to such closings;*

- (9) construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (11) and the installation, maintenance and/or upgrade of a drinking water well and a septic system;
- (10) construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density;
- (11) extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list;
- (12) granting of individual setback and lot line variances;
- (13) granting of an area variance(s) for a single-family, two-family or three-family residence;
- (14) public or private best forest management (silvicultural) practices on less than 10 acres of land, but not including waste disposal, land clearing not directly related to forest management, clear-cutting or the application of herbicides or pesticides;
- (15) minor temporary uses of land having negligible or no permanent impact on the environment;
- (19) official acts of a ministerial nature involving no exercise of discretion, including building permits and historic preservation permits where issuance is predicated solely on the applicant's compliance or noncompliance with the relevant local building or preservation code(s);
- (26) license, lease and permit renewals, or transfers of ownership thereof, where there will be no material change in permit conditions or the scope of permitted activities;
- (27) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list;
- (32) designation of local landmarks or their inclusion within historic districts.

A complete copy of §617.5 of the NY State Environmental Quality Review can be reviewed on the NYS Department of Environmental Conservation's website as follows:  
<http://www.dec.ny.gov/regs/4490.html#18105>