

APPROVED

TOWN OF THOMPSON
ZONING BOARD OF APPEALS
Tuesday, September 12, 2018

IN ATTENDANCE: Chairman Richard McClernon Richard Benson
Robert Hoose Danielle Jose-Decker
Paula Elaine Kay, Attorney
Jim Carnell
Debbie Mitchell, Secretary



Absent from the meeting; Jay Mendels and Ryan Schock

Chairman Richard McClernon has appointed Danielle Jose-Decker.

Chairman McClernon called the meeting to order at 6:00 p.m. with the Pledge to the Flag.

A motion to approve the August 14, 2018 minutes was made by Robert Hoose and seconded by Richard Benson
3 in favor, 0 opposed

SERENITY GARDENS

Applicant is requesting area variances from §250-11, §250-16A(1) and §250-28C(1)(a) of the Town of Thompson Zoning Code for the following purpose 1) lot area from required 10 acre to proposed 5.45 acres 2) building length requested 160' to proposed 165' and accessory building height from required 16' to proposed 23'.

Property is located at Serenity Lane, Monticello, NY S/B/L: 49.-1-4.1 in the HC-2 Zone.
Michael Watkins, Owner

Satisfactory proof of mailing was provided to the Board.

Danielle Jose-Decker has to recuse herself from this application.

Mr. Watkins – I started this project in 2014. We have built five new houses and several more parcel have sold. The main reason for this was for member to own homes. I've had several members approach me and asked for something other than homes. When I started this project, I had built a shell of the club house, but sales did not go as quickly as I hoped. So, since we have this space we have decided to build four condos in this space using the existing structure. We will still have the same amenities as we originally planned. We will have a pool, gym, conference room and a race simulator. I'm here to ask for a few variances. I need to have a taller garage because they plan on putting in car lifts for storage of cars. The building length is already 165 feet and I want to use the existing structure. And looking to have smaller lot's since this was not our original intended plan and I don't have the acreage to grab from for this project.

Paula Kay – I would like to make a note that there is no one here from the public to speak. I would say that the acreage should not be an issue since no one is here to speak against it.

Mr. Watkins shows the board a sketch of how this project will look when it's done.

Paula Kay – You will develop the amenities at the same time? Mr. Watkins – Yes.

PUBLIC COMMENT:

No public comment

PUBLIC COMMENT CLOSE:

A motion for negative declaration motion under SEQRA was made by Richard Benson and seconded by Robert Hoose
3 in favor; 0 opposed

AREA VARIANCE 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; Chairman Richard McClernon voted Yes, because of the acreage. Robert Hoose voted No. Richard Benson voted No since its part of the development already.
- (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's requested was made by Robert Hoose and seconded by Richard Benson
3 in favor; 0 opposed

KENNETH BABCOCK

Applicant is requesting area variances from §250-9 and §250-16 of the Town of Thompson Zoning Code for the following purpose 1) an accessory structure closer to the road than the main building and 2) garage height required 16' to proposed 20'

Property is located at 127 Canal Road, Rock Hill, NY S/B/L: 66.-15-16 in the RR-2 Zone.
Kenneth Babcock, Owner

Satisfactory proof of mailing was provided to the Board.

Mr. Babcock – I need this variance since it's the only location on the property I can do this. When the house was built it was pushed back away from the road because of the septic system. Chairman Richard McClernon – Will the wooded area stay as is? Mr. Babcock – Yes.

Danielle Jose-Decker –You're putting a second story in the garage and the reason for this is why? Mr. Babcock – For storage space.

Chairman Richard McClernon – We have a letter from the Wolf Lake Homeowners Association approving this application. Danielle Jose-Decker – The letter from Wolf Lake states that the garage can't be any higher than 20 feet. Mr. Babcock – Yes, that the max they allow.

PUBLIC COMMENT:

No public comment.

PUBLIC COMMENT CLOSE:

AREA VARIANCE CRITERIA:

(1) Whether benefit can be achieved by other means feasible to applicant; All voted No. Chairman Richard McClernon – Not with the location of the septic.

(2) Undesirable change in neighborhood character or to nearby properties; All voted No. Danielle Jose-Decker - It was approved by Wolf Lake Homeowners Association. Chairman Richard McClernon- His front is covered by trees and shrubs, it's going to be nice.

(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's requested was made by Richard Benson and seconded by Danielle Jose-Decker
4 in favor; 0 opposed

PETER VARCO

Applicant is requesting area variances from §250-9 of the Town of Thompson Zoning Code for the following purpose 1) front yard setback from required 50' to proposed 23.4' 2) one side yard setback from required 20' to proposed 15.3' 3) one side yard setback from required 20' to 19.2' and 4) combined side yard setback from required 50' to proposed 34.5'.

Property is located at 101 Starlight Road, Monticello, NY S/B/L: 57.-1-4 in the RR-2 zone.
Steven Mogel, Attorney

Satisfactory proof of mailing was provided to the Board.

Mr. Mogel – This is a preexisting deck that is 12 x 16 feet and it's a non-conforming deck. The only increase in the non-conforming deck is the front yard setback and wanting another four feet added to the deck. According to the Builder, Son T, there are hundreds of decks similar to this existing deck.

Chairman Richard McClernon – The septic is in the back and well is on the side. Danielle Jose-Decker – Trees are remaining? Steven – Correct.

PUBLIC COMMENT:

No public comment.

PUBLIC COMMENT CLOSE:

AREA VARIANCE CRITERIA:

(1) Whether benefit can be achieved by other means feasible to applicant; All voted Yes. Danielle Jose-Decker – Could make it smaller or replace what's there. Robert Hoose – I still say No. Chairman Richard McClernon and Richard Benson- Voted Yes

(2) Undesirable change in neighborhood character or to nearby properties; All voted No. Danielle Jose-Decker - That could be an improvement.

(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

Chairman Richard McClernon – Is there any issues with the power company. Jim Carnell – No, as long as they are not encroaching the 1,075 watermark.

A motion to approve the variance's requested was made by Danielle Jose-Decker and seconded by Richard Benson
4 in favor; 0 opposed

Jim Carnell – Heather sent out training information last week. Paula Kay – Marybeth did training for Fallsburgh. Jim Carnell – I did reach out to her. Paula Kay – I have the book she used. Jim Carnell– Everyone needs to get their credits. Paula Kay – I'll ask Marybeth to see if she can do some kind of training. Chairman Kiefer – Instead of a small group maybe we can extend it to other towns too.

A motion to close the meeting at 6:22 pm was made by Danielle Jose-Decker and seconded by Chairman Richard McClernon
4 In favor; 0 opposed

Respectfully submitted,

Debbie Mitchell

Debbie Mitchell
Secretary
Town of Thompson Zoning Board of Appeals