

TOWN OF THOMPSON  
ZONING BOARD OF APPEALS  
Tuesday, August 13, 2019

IN ATTENDANCE: Chairman Richard McClernon  
Robert Hoose Jay Mendels  
Ryan Schock Danielle Jose-Decker, Alternate  
Logan Morey, Building Department  
Debbie Mitchell, Secretary

Absent from the meeting is Richard Benson and Barbara Strong

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

A motion to approve the July 9, 2019 minutes was made by Ryan Schock and seconded by Robert Hoose  
5 in favor, 0 opposed

Chairman Richard McClernon appoints Danielle Jose-Decker to fill in for Richard Benson

**APPLICANT: MICHAEL SKRODZKI**

Applicant is requesting area variances from §250-7 and §250-16B of the Town of Thompson Zoning Code for the following purpose: (1) accessory building closer to the road than the main dwelling (2) shed side yard setback from required 10' to proposed 7' (3) shed front yard setback from required 10' to proposed 4'

Property is located at 8 Richards Ave, Monticello, NY S/B/L: 46.-5-3.2 in the SR zone with central sewer.  
Michael Skrodzki, Owner

Satisfactory proof of mailing was provided to the Board.

Mr. Skrodzki – I have an existing shed and didn't realize I needed a permit to have a shed there. I need a bigger shed for my kids' toys. Chairman Richard McClernon – I see you have the shed at 4 feet from the road and the pole is 10 feet from the road. Looks like you have plenty of room to have it line up with the pole. Mr. Skrodzki – But then I won't have a front yard left. The survey is a little inaccurate too. Jay Mendels – What is the size of the existing shed? Mr. Skrodzki - 8 x 10 feet.

Mr. Skrodzki – I was hoping to move 7 feet from the pole and 4 feet from the road. I'm measuring 4 feet from the side of the tree. Danielle Jose-Decker – I'm ok with the side yard being 7 feet.

Ryan Schock – You said from the Tree? Mr. Skrodzki – Yes, from the tree not the road. So, from the road it would be 7 feet then. Chairman Richard McClernon – Can you keep it even with the pole? Robert Hoose – Can't you put it on the other side of the pole? Mr. Skrodzki – No, then it's too close to the neighbor's line. Chairman Richard McClernon - To keep it 7 feet from the property line you would have

to move it behind the pole. The pole is 7 ½ feet. Mr. Skrodzki – Correct we were leaving space for NYSEG if they need to do work.

Jay Mendels – I don't think we have an issue with the front yard and no issue with the 7 feet from the side property line. The issue is that it's going to be too close to the road. Danielle Jose-Decker - And it's going to be a bigger shed too. Mr. Skrodzki – I want to keep it in the area it is now. It's another 14 inches over, that all I'm requesting. If I do the 10 feet then I will be more into the front yard. Jay Mendels – We want to try and bring you into compliance now. Logan Morey – Is it 4 feet from the shed to the pavement now? Danielle Jose-Decker – Yes. I would like to see it come back more.

Mr. Skrodzki – Show's the Board a picture of the current shed. Logan Morey – Essentially you can be 8 feet from the road. Mr. Skrodzki – Yes. I'm trying to make the shed open up to my driveway and be closer to the driveway not the road.

Chairman Richard McClernon – The Shed is now 8 feet from the road? Mr. Skrodzki – Yes. Ryan – The side of the shed will be same as it is now and the front will be closer to the driveway. Mr. Skrodzki – Yes. Danielle Jose-Decker – So, you requested 4 feet but it's really 8 feet to the road. Mr. Skrodzki – 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
- (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 variances with a condition that it's eight feet from the edge of the road was made by Ryan Schock and seconded by Robert Hoose  
5 in favor; 0 opposed

**APPLICANT: WEBSTER YOUNG**

Applicant is requesting area variances from §250-8 of the Town of Thompson Zoning Code for the following purpose: (1) rear yard (road side) from required 50' to proposed 28' (2) side yard setback from required 20' to proposed 8' (3) combined side yard setback from proposed 50' to proposed 16.1' (4) percentage of lot coverage from required 10% to proposed 20.3%

Property is located at 105 South Lake Road, Rock Hill, NY S/B/L: 39.-2-5 & 39.-2-6 in the RR1 Zone.  
Tim Gottlieb, Engineer  
Webster Young, Owner

Satisfactory proof of mailing was provided to the Board.

Mr. Gottlieb – Right now Mr. Youngs owns S/B/L: 39.-2.5 and is in contract to purchasing the property next door, 39.-2-6. pending the variances. He will tear down the old house and construct new. As you know the lots' in Wanaksink Lake have structures close to the lake and have garage in the front of the property. We are not doing anything out of the ordinary for the lake. Jay Mendels – What is the square footage of the new house? Mr. Gottlieb – 2,400 square feet is the house with a garage and 3,150 square feet is with the deck added on. Jay Mendels - Will it have a two-car garage? Mr. Young – Yes. Robert Hoose – How high is the garage? Mr. Young – One story high.

Mr. Gottlieb – The Lounsbury property is 50 to 75 feet from the property line. Danielle Jose-Decker – The shed that is there now, is that encroaching on the property? Mr. Young – It's the neighbors shed. There is no foundation so it can be moved. Danielle Jose-Decker – By combining the parcels you are bringing it more into compliance.

Jay Mendels – Because of the size was this originally one lot and then subdivide into these lots? Mr. Young – No, they have always been separated. Jay Mendels – Do you have a letter from the Wanaksink Lake Homeowners Association? Mr. Young – Yes and I gave it to the secretary. I didn't require any variances from the lake so we would have no issues. Jay Mendels – And they are ok with everything? Mr. Gottlieb – Yes.

#### PUBLIC COMMENT:

Annie Rody-Wright, 113 South Lake Drive. How big is the right-of-away? Mr. Gottlieb – Twenty feet. Chairman Richard McClernon – Mr. Young will be 8 feet off the buffer. Is it pretty wooded? Ms. Rody-Wright -Yes, and that's what I wanted to talk about. We have been looking for this property for year and we just bought it last October. This property is perfect, we can't see our neighbors. The variance that Mr. Young requesting is looking for a 60% reduction in the side yard and 130% increase in lot coverage. That's 130% increase in lot coverage and that's more then what the Zoning Board of Appeal allows. Ms. Rody-Wright reads threw the town law section 267B, area variances. The requested variance would absolutely bring undesirable changes to the character of the neighborhood and our adjacent property. Robert Hoose – Why do you think this, there is a buffer here? Ms. Rody-Wright – I think he's going to be knocking down these trees. Mr. Gottlieb – He can't. Chairman Richard McClernon – Whatever is in the right-of-away has to stay unless Wanaksink Lake comes in and takes them down. Mr. Young – I too want my privacy. One of the reasons I'm putting the garage on the new property is for

more privacy in the house. We are on the same page. Ms. Rody-Wright – With all due respect I don't think we are. You're asking to occupy 130% increase of the lot. Jay Mendels – How are you getting the 130% increase? Ms. Rody-Wright – Because he's going from 10% of the lot to 20.3% that's 130% increase. Danielle Jose-Decker – It's actually 13.7% now so it's really only going up 7%.

Mr. Gottlieb – The majority that we notified exceeded the lot coverage requirements.

Jay Mendels – What happens if Mr. Young doesn't buy it and someone else does and they put up a house there? Ms. Rody-Wright – I thought he already bought it. Mr. Young – It's conditioned on these variances. Chairman Richard McClernon – He currently has a two-story house there now; can you see it? Ms. Rody-Wright – No. Chairman Richard McClernon - The only thing that will be on the vacant lot is going to be the garage. The new house will still be on the current lot and it will not be as high as it is now.

Danielle Jose-Decker – What is the size of the buffer? Mr. Gottlieb – It's close to 40 feet. Ms. Rody-Wright and Mr. Young look over some pictures and Mr. Young show's Ms. Rody-Wright what his plans are. Ms. Rody-Wright – I just want to make sure I'm not going to see a structure. Mr. Young – The current structure is now red and I'm looking to make it more earth tones.

Jay Mendels – It sounds like you both can work together. Ms. Rody-Wright – I was told that is was already bought and you didn't talk to us. Mr. Young – My goal was to talk to you but I wanted to come here and get an approval first.

#### PUBLIC COMMENT CLOSE:

Jay Mendels – There is nothing on this lot currently, correct? Mr. Gottlieb – Correct.

#### AREA VARIANCE CRITERIA:

- (1) Whether benefit can be achieved by other means feasible to applicant; All voted No except for Danielle Jose-Decker and Chairman Richard McClernon they voted Yes, Jay Mendels – If he wants to use both properties, he's going to be building something over there and it can't be achieved any other way. Danielle Jose-Decker – I say Yes, because he could have done a smaller garage.
- (2) Undesirable change in neighborhood character or to nearby properties; All voted No
- (3) Whether request is substantial; Chairman Richard McClernon, Robert Hoose & Ryan Schock voted No. Jay Mendels and Danielle Jose-Decker Voted Yes. Jay Mendels – It is based on lot coverage but I understand that it's a special situation. Danielle Jose-Decker – It is substantial because of the combining the two lots making the other set backs a better condition. It is substantial but in other way's it's not.
- (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 was made by Danielle Jose-Decker and seconded by Robert Hoose 5 in favor; 0 opposed

**APPLICANT: WCPC, LLC**

Applicant is requesting area variances from §250-10 of the Town of Thompson Zoning Code for the following purpose: (1) billboard setback from R.O.W required 25' to proposed 6.4' (2) billboard setback from R.O.W. from required 25' to proposed 8.9' and (3) signage per 1,000 feet road frontage from required 1 to proposed 2.

Property is located at 17B & Kitz Road, Mongaup Valley, S/B/L: 17.-1.18.1

Michael Croissant, Owner

Scott Pujols, engineer

Satisfactory proof of mailing was provided to the Board.

Mr. Pujols – We have an existing billboard and looking to get 3 variances. Chairman Richard McClernon – Are you going to put something on them and make them look good? Michael Croissant – Yes. Jay Mendels – You're not changing the size. How long have they been there? Michael Croissant – We have had a DOT permit for around 15 years or so. We also got a permit from the DOT for a lite sign. But we don't plan on doing that. Logan Morey – If he has the same sign on both sides then technically he doesn't need two sides.

**PUBLIC COMMENT**

NO Public Comment

**PUBLIC COMMENT CLOSED**

Chairman Richard McClernon – We got a 239 from the County with local determination.

**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; Jay Mendels, Chairman Richard McClernon & Danielle Jose-Decker all voted Yes. Jay Mendels – Yes, based on our requirements. Robert Hoose and Ryan Schock voted No

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

(5) Whether alleged difficulty is self-created; Chairman Richard McClernon and Danielle Jose-Decker voted Yes. Jay Mendels, Robert Hoose and Ryan Schock voted No. Jay Mendels – No, because it's something that is already there and he's not looking to change it. Danielle Jose-Decker – Yes, because he could take it down.

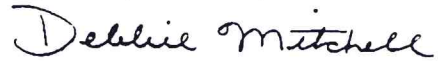
A motion to approve the variance was made by Ryan Schock and seconded by Robert Hoose

5 in favor; 0 opposed

A motion to close the meeting at 7:40 pm was made by Danielle Jose-Decker and seconded by Jay Mendels

5 In favor; 0 opposed

Respectfully submitted,

A handwritten signature in cursive script that reads "Debbie Mitchell". The signature is written in black ink and is positioned below the typed name.

Debbie Mitchell

Secretary

Town of Thompson Zoning Board of Appeals