

**APPROVED**

TOWN OF THOMPSON  
ZONING BOARD OF APPEALS  
Tuesday, May 11, 2021

IN ATTENDANCE: Chairman Richard McClernon Richard Benson  
Barbara Strong Sean Walker  
Paula Elaine Kay, Attorney  
James Carnell, Director of Building/Planning/Zoning  
Debbie Mitchell, Secretary

Absent; Jay Mendels

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

A motion to approve the April 13, 2021 minutes was made by Barbara Strong and seconded by Sean Walker

4 in favor, 0 opposed

**Applicant Countryside Acres**

Applicant is requesting an Area Variance from §250-34 of the Town of Thompson Zoning Code for (1) Bungalow separation from required 25' to proposed 24.4.

Property is located at 445 Old Liberty Road, Monticello, NY S/B/L: 8.-1-57 in the RR1 zone.  
Allen Frishman, Regional Planning & Permit Consultants  
David Dachs, Applicant

Chairman Richard McClernon – I was out there yesterday and with the deck on the side of the building it's 19.4'. Mr. Frishman– I think you're looking at the wrong deck or building. I had a discussion with the Building Department today and they said there might be a newer one built. Chairman Richard McClernon – That is the one on the diagram. The diagram is so old that the parking lot is not there. Mr. Frishman– I went out and measure it and used the Denial letter from Brian Benzenberg. Brian Benzenberg physically went out and measured it. I looked at the closet point and it was 24.4 inches to the deck. The amount of the deck that is encroaching is only about 1' on one side and 3' on the other side. We could cut it off and make it an angel. Paula Kay – This is a deck that is already built. During the work session we talked about this and said If the dimension is not the same as the application, and the variance is greater and no Public Comment, then we would leave it open until next time. Then you will have to notice it with the correct dimensions. If there is an issue with dimensions then maybe you, Chairman Richard McClernon and Brian Benzenberg will have to re-measure. Chairman Richard McClernon – It only has to be one point; it doesn't have to be the whole deck. The deck needs to be 25' away. Mr. Frishman– I believe Brian Benzenberg is the one who gave me the stop work order. I don't know where you are getting your measurements from. If it is 5' like you are saying then I would of wrote this application different. Chairman Richard McClernon– I had 24.4' to the house, the deck is 5' which gives you 19.4. Jim Carnell – The deck on the adjoining units is where Chairman Richard McClernon is measuring too.

Mr. Frishman– So you’re saying the deck on 26 is part of the distance not the building. I get that now, but why did the building Department write it this way? Paula Kay – That we can’t answer tonight, I know we can’t act tonight. We are going to hold this open and you have to re-notice with the correct dimensions and then come back.

Jim Carnell – Heather will do get the notice for you and you will just have to get the correct measurements. You can go out with Chairman Richard McClernon and/or Brian Benzenberg.

PUBLIC COMMENT:

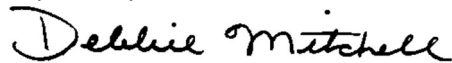
No Public Comment

PUBLIC COMMENT CLOSE:

A motion to keep the Public Hearing open until June 8, 2021 was made by Richard Benson and seconded by Sean Walker  
4 in favor; 0 opposed

A motion to close the meeting at 7:12 pm was made by Richard Benson and seconded by Barbara Strong  
5 In favor; 0 opposed

Respectfully submitted,



Debbie Mitchell  
Secretary  
Town of Thompson Zoning Board of Appeals