

TOWN OF THOMPSON  
ZONING BOARD OF APPEALS  
September 13, 2022

IN ATTENDANCE: Chairman Richard McClernon

Sean Walker	Phyllis Perry
John Kelly, Jr.	Cindy Ruff, Alternate
Paula Kay, Consulting Attorney	Darren Miller, Alternate
James Carnell, Director of Building/Planning/Zoning	Laura Eppers, Secretary

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

A motion to approve the August 9, 2022 minutes was made by John Kelly and second by Sean Walker.

5 in favor, 0 opposed

A motion to take the agenda out of order to discuss the Grande project first, as it was a carry-over from last month's meeting, was made by Phyllis Perry and second by John Kelly.

Chairman McClernon appointed Cindy Ruff as a voting member.

**APPLICANT: ELIGIO GRANDE**

694 Southwoods Dr.  
Monticello, NY  
S/B/L: 31.-1-86.1  
Eligio Grande, Property owner  
Daniel Grande, Property owner's son

This project was in front of the Board at last month's meeting where the legal notice was read aloud. The public hearing was left open until this meeting to allow the applicant time to relocate the storage trailer.

Opened discussion to the public.

No questions/comments from the public at this time.

Sean Walker – Have your neighbors said anything about the relocation of the trailer? Eligio Grande – I talked to Todd who said everyone is okay with where we moved it to. Sean Walker – No other complaints? Eligio Grande – No. Paula Kay – None of his neighbors are here tonight so that is a good sign. Can you describe to the Board what you did for the record? Daniel Grande – The trailer was originally in the front yard and we moved it to the back yard, out of sight from the road. Jim Carnell – To update the Board, they did move it fairly quickly after the last meeting and made sure it was taken care of. Paula Kay – Is the photo in the Google Drive showing the trailer in the original location or the new location? Chairman McClernon – That is the original location. Paula Kay – Do we have a photo of the trailer in the new location? John Kelly – Yes. We

have copies that have been printed for us to review tonight. Paula Kay – Okay. We should get those scanned into the Google Drive.

Chairman McClernon – Thanks for joining us, Todd. Will your parents or anyone else be here tonight? Todd Brasington – No, it will be just me. Chairman McClernon – The public hearing is open for comment if you would like to make a comment on the new location. Todd Brasington – We are going to give them the benefit of the doubt and take their word that the trailer will be removed in the timeframe discussed. Chairman McClernon – So that timeframe would be to about May 1<sup>st</sup>, pending any snow storms in April, is that okay? Todd Brasington – Yes, that should be fine.

No further questions/comments from the public.

No further questions/comments from the Board.

A motion to close the public hearing was made by Cindy Ruff and second by Phyllis Perry. 5 in favor, 0 opposed.

(1) Whether benefit can be achieved by other means feasible to applicant; 4 voted no and Cindy Ruff voted yes

(2) Undesirable change in neighborhood character or to nearby properties; 3 voted yes and Cindy Ruff and Phyllis Perry voted No

(3) Whether request is substantial; 3 voted no and Chairman McClernon and Sean Walker voted yes

(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 requested variance and allow the trailer to stay on the property until May 1, 2023 was made by Phyllis Perry and seconded by John Kelly.

**APPLICANT: MARTIN LEVY**

284 Bowers Road  
Rock Hill, NY  
S/B/L: 25.-1-44.4  
Martin Levy, Property owner

Applicant is requesting an Area Variance from §250-16A(2) and §250-16B of the Town of Thompson Zoning Code for: (1) Garage – maximum door opening size from require 8' x 16' to the proposed 8' x 18'. (2) Siding and exterior finishes from required compatible with principle building to the proposed metal.

Chairman McClernon read the legal notice out loud.

Proper proof of mailing was submitted.

Martin Levy – You can get from the picture submitted a rough idea of what the building will look like. The dimensions may differ a little and the garage door may change from 1 door to 2. The sole

reason for the garage is to store my 2 expensive cars. I have a 2022 Thunderbird and a 2006 Corvette. It will not be used for anything else. The main reason for asking for this type of building is the cost. It will only cost me \$8,600.00, where as a wooden garage will start at a minimum of \$20,000.00. There is a landscape buffer as most of my property is covered by trees. It will take a while to actually see the garage from the road no matter which direction you are coming down Bowers Road. Chairman McClernon – Do they make these garages with windows in the side? Martin Levy – I can have them do that. Everything is custom made so I can have a window put on the road side. I can have 2 windows put in. Chairman McClernon – That would be better yet. Sean Walker – Can you match the color to the house? Martin Levy – I have extra vinyl slots down in my basement and I can take a piece to Home Depot so they can match the color exactly. Then I can paint the garage the same color as the house to match perfectly. The garage will be built on an asphalt slab that is already there. No trees will have to be cut down or any rocks moved. They would come and anchor the frame to the asphalt. It already meets the snow load for the roof and the wind resistance for the sides. John Kelly – It's asphalt, not concrete? Martin Levy – It's black top. John Kelly – Are we talking right where the 2 cars are in the picture? Martin Levy – Yes. Chairman McClernon – And that is behind the house? Martin Levy – Yes.

No further questions/comments from the Board.

Opened discussion to public.

Paula Kay – I would like to note for the record that I spoke to your neighbors across the street, Jessica Epifania and Kathleen Broeckel, and they said you are a great neighbor and they are happy with where you are constructing the garage.

No further public comments.

A motion to close the public hearing was made by Cindy Ruff and second by Sean Walker. 5 in favor, 0 opposed.

(1) Whether benefit can be achieved by other means feasible to applicant; 4 voted no and Phyllis Perry voted yes

(2) Undesirable change in neighborhood character or to nearby properties; All voted no

(3) Whether request is substantial; 3 voted yes. Sean Walker and Cindy Ruff 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 request for all variances, conditional to adding 2 windows on the side and painting it to match the house, was made by John Kelly and seconded by Cindy Ruff. 5 in favor, 0 opposed

**APPLICANT: RUTH LORIA & DANIEL ZIMMERMAN**

123 East Road

Wurtsboro, NY

S/B/L: 66.-48-2

Matthew Morreale, Property representative

Daniel Zimmerman, Property owner

Applicant is requesting an Area Variance from §250-8 of the Town of Thompson Zoning Code for (1) Front yard setback from required 50' to proposed 47' (2) Rear yard setback from required 50' to proposed 9'. Property is located at 59 North Shore Road, Rock Hill, NY. S/B/L: 36.-2-6. In the Zone: RR-1

Chairman McClernon read the legal notice out loud.

Proper proof of mailing was submitted.

Received approval from the HOA.

Matthew Morreale – The homeowners find themselves between a rock and a hard spot. The rock in this case is literally boulders and the hard spot is the Wolf Lake HOA. Wolf Lake does not like disturbing native vegetation and in order for us to put the garage anywhere else on the property, would require a lot of disturbance. In this particular lake community, it is common for garages to be closer to the road than the home itself and is almost customary at this point. On one side of the road all of the garages are closer to the road. On a personal side, the homeowners are currently storing landscaping tools in the laundry room and swimming rafts in the bath tub and are in need of some storage space. There is no crawl space or other places to put things.

Chairman McClernon – What size was the proposed garage? Matthew Morreale – I believe it is 16' x 24'. Paula Kay – Yes and 12'11" in height. Chairman McClernon – Now will that give you enough storage for your car plus other things? Daniel Zimmerman – I would love for it to be bigger, but that will have to do. There's really not much room for anything bigger than that. Cindy Ruff – If you are going to store your car in there, are you thinking about making storage in the attic part of the garage? Daniel Zimmerman – We'll try. It's still going to be very, very tight but we will do what we have to do. Chairman McClernon – Maybe you can get the same size garage with a gambrel roof so it comes up and over, kind of like a barn, that way you get a little more height. Daniel Zimmerman – I think this is more aesthetically pleasing to the community and neighborhood, so that is what we went with to keep everyone happy. Phyllis Perry – It's a very nice-looking garage. Sean Walker – It looks like it's going to match the house too. Matthew Morreale – Yes, it will.

No further questions/comments from the Board.

Opened discussion to public.

Halimah Marcus – I am your neighbor at 122 East Road, so just across the street. I just wanted to find out more information because the letter we got just stated a building and I wanted to see what kind of building. Now that I know, what size did you say it was going to be? Phyllis Perry – 16' x 24'. Paula Kay – Can we share a screen showing the picture? Halimah Marcus – That's okay because I had to call in and wouldn't be able to see it anyway. I think I'm all set and hello from your neighbor across the street. Jim Carnell – If you change your mind you can go to the Google Drive on our website and see anything submitted on this. Halimah Marcus – Thank you.

Kathy Walker – I am the neighbor on the side of Dan and just had a question on how far the garage is going to be from the road? Matthew Morreale – From the pavement of the road, it will be about 36 feet. There is 11 feet between the pavement of the road and the property line and then 25 feet beyond that, making the 36 feet. Kathy Walker – What is the requirement? Chairman McClernon – The Town's requirement is 25 feet from the property line. Jim Carnell – That is for the side yard. It would be

whatever the required front yard setback would be because it's not permitted in the front yard and it is an accessory use. Kathy Walker – I just wanted to know how far from the road because I think Wolf Lake requires 20 feet. Paula Kay – They need to maintain at least 20 feet from the side yard and that language is also contained in the Wolf Lake approval for their building permit. Kathy Walker – Great. Thank you very much.

No further questions/comments from the public.

A motion to close the public hearing was made by Jay Mendels and second by Phyllis Perry.  
5 in favor, 0 opposed.

(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; All voted no

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

(5) Whether alleged difficulty is self-created; 4 voted no and Sean Walker voted yes

A motion to approve the requested variance was made by John Kelly and seconded by Phyllis Perry.  
5 in favor, 0 opposed

A motion to close the meeting was made by Phyllis Perry and second by Cindy Ruff.  
5 in favor, 0 opposed

Respectfully submitted,

Laura Eppers  
Secretary  
Town of Thompson Zoning Board of Appeals