



Chairman Carnell read the legal notice; proof of mailing was submitted.

Applicant is requesting area variances for the purpose of (1) decreasing the minimum front yard setback from 50' to 8' (2) decreasing the minimum side yard setback from 20' to 8' and (3) decreasing the minimum rear yard setback from 50' to 34' and (4) increase the lot coverage from 10% to 23% in order to construct a new house on a vacant lot.

Chairman Carnell stated that they discussed the project in the work session. The building inspector interprets that the R.O.W would be considered a front yard since the code states public way.

Mr. Menon said it is really just a path.

The building committee for Wanaksink Lake has approved the plans for the construction of the house. Pamela Zaitchick confirmed that the association reviewed and approved the building plans.

The board had no questions.

Chairman Carnell asked for public comment.

Peter Diamond, 12 First Road: stated that he was confused; the requests seem large, substantial percentages. I haven't seen the building plans. The septic seems close to our well. Certainly not 100'. I don't know the laws. I do want someone to look at it.

Logan Ottino said that she had the building plans so far.

Mr. Menon told the board that he was advised to go this route. Get the variances, then get the septic plans submitted to the DOH for approval.

Mr. Corkey, Wanaksink Lake Club: I suggested to Sean that he get all his paperwork in together.

Stacey Delarede, 5 First Road: read a letter and submitted for the file.

The R.O.W was discussed. Delarede suggested that the board continue the public hearing while the association decides what work will be done on the right of way or make that a condition of approval.

Chairman Carnell asked her if she had seen the building plan; when she said no – he asked that the building committee address that.

Mr. Konefal advised it was not protocol to invite homeowners/association members to the building committee meetings. He said they look at the plans and since the Town codes are more restrictive then their requirements they go ahead with approvals. Then the property owner must get the variances that are required by the town.

Diamond: how far is the deck from the lake?

Chairman Carnell: 65+ feet; based on the calculations of the building inspector it appears that he will not need the rear yard setback

Delarede: will he still need two additional variances? She referred to 250.19; about non-conforming lots of record

Chairman Carnell: he may need an additional variance for lot size but he won't need the rear yard setback. He added that he would like to see an approved set of plans for the septic, not only from Wasson but also from the DOH.

The lot size was discussed.

Delarede: it is not my intention to make him get more variances; just make sure that he makes application for all that he needs.

Height of the house was discussed; how it is measured. Sean confirmed that the height is 28'; the code allows for 30' however he advised that in an effort to be a good neighbor he agreed to the lower height.

The board told Mr. Menon to get his map in order with corrected dimensions and see where Wasson Engineering was with getting the septic plans completed.

A motion to keep the hearing open until September 10, 2013 so that the applicant can get another variance that might be required was made by Pamela Zaitchick seconded by Bob Hoose.

3 in favor

0 opposed

The board took no action on the other variances that were requested.

**MONTICELLO RESORT LLC** – Joel Kohn, Chaim Schwartz & Mike Webber  
Chairman Carnell read the legal notice. Proof of mailing was submitted.

Applicant is requesting area variances for the purpose of (1) decreasing the required 25' separation between dwelling units per attached addendum (2) decreasing the property line setback from 50' to 20.6' for pool filter equipment (3) decreasing the pool fence setback from 50' to 43.9' and (4) increasing the allowed fence height from 8' to 12'.

Chairman Carnell said that there was talk of not being on the agenda; why did you plan not to attend? As far as the requests and setbacks, is the document submitted accurate with respect to those? If so they why didn't you want to attend?

Mr. Kohn stated that the document that was submitted was accurate.

Henri Shawn: If I may speak? I spoke to Jay Zeiger. He asked me to come and represent his clients. We spoke about minor issues. We have safety issues.

Chairman Carnell asked whom he represented.

Mr. Shawn stated the Center for Discovery.

Chairman Carnell said he would have a chance to speak when he opened the hearing to public comment.

Chaim Schwartz addressed the question of not appearing for the hearing. He (they) felt that since they have not finished addressing all of the concerns of the town they should not request the variances. They have been working with the building department to get through certain issues.

Mr. Shawn: they are requesting 28 variances and we only have a problem with #26. We have two towers that are used for training purposes by firemen and paramedics. Children are children and we have what might be considered an attractive nuisance. We wouldn't want anyone getting hurt. We have been speaking with the attorney and engineers. We want to be good neighbors. This is our only concern.

Chairman Carnell confirmed that the problem the Center for Discovery has is item #26; which is for the setback for the pool filter equipment. With that statement the pool on the property line with the Center for Discovery complies except for the fence height. The pool filter equipment that requires a setback variance is on the property line abutting Mr. Kaufman's property.

Mr. Shawn agreed, knowing that, that there is no problem.

There was no other public comment.

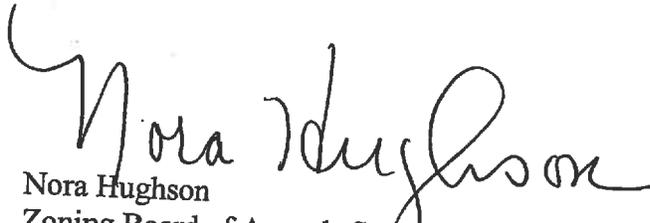
A motion to keep the hearing open until the September 10, 2013 meeting was made by Bob Hoose seconded by Pamela Zaitchick.

3 in favor

0 opposed

A motion to adjourn at 8:25 PM was made by Chairman Carnell.

Respectfully submitted,

  
Nora Hughson  
Zoning Board of Appeals Secretary

# TOWN OF THOMPSON ZONING BOARD OF APPEALS

ZONING: Area Variances Granted

REFERENCE: # 7.-1-5.4

Zone: RR2

210 Coopers Corners Road

Dated: August 14, 2013

## **ACTION OF THE ZONING BOARD OF APPEALS OF THE TOWN OF THOMPSON**

**TO: Michael & Joanna Taylor  
210 Coopers Corners Road  
Monticello, NY 12701**

At a meeting of the Zoning Board of Appeals on July 9, 2013 the referenced appeal was considered and the action indicated below was taken on your request for area variances to the Town Of Thompson Zoning Ordinance. The applicant is requesting area variances for the purpose of (1) decreasing the required property line setback for animal housing from 150' to 40' (2) decreasing the required property line setback for animal housing from 150' to 29' & (3) increasing a non-conforming structure.

- (a) There is no feasible alternative given the location of the existing structure
- (b) There would be no undesirable change in neighborhood character; the surrounding property is vacant and owned by family members
- (c) The requests are not substantial
- (d) Granting the variances would not have adverse physical or environmental effects
- (e) The alleged difficulty was self-created.
- (f) **There was no public comment.**

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**CONCLUSION: The area variances were granted as requested.**

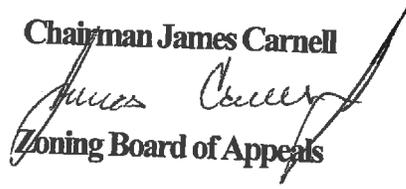
**Filed with the office of the Town Of Thompson Town Clerk**

On August 14, 2013

Variances valid until February 14, 2014

A six-month extension may be requested from the building department.

**Chairman James Carnell**

  
**Zoning Board of Appeals**