

APPROVED

TOWN OF THOMPSON
ZONING BOARD OF APPEALS
Tuesday, August 14, 2018



IN ATTENDANCE: Chairman Richard McClernon Richard Benson
Robert Hoose Jay Mendels
Paula Elaine Kay, Attorney
Ryan Schock
Debbie Mitchell, Secretary

Absent from the meeting was Danielle Jose-Decker and Jim Carnell.

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

A motion to approve the July 10, 2018 minutes was made by Robert Hoose and seconded by Ryan Schock
5 in favor, 0 opposed

MARILYN WIESEL

Applicant is requesting area variance from §250-7 of the Town of Thompson Zoning Code for the following purpose; Pool setback side yard from required 25' to 4'. Prior variance granted for reduction of 25' to 5' in 2004.

Property is located at 8 Lee Drive, Monticello, NY: S/B/L: 45.-5-2 in the SR Zone.
Sam and Marilyn Wiesel, owners

Paula Kay – The application was incorrect and I would like to correct this. The application say's Pool setback side yard from required 5' to 4'. It should be 25' to 4 just like the legal notice. Mr. Wiesel changed the application and initialed it.

Mr. Wiesel – I was here several years ago and got a variance for my pool since I have a small strip of property. This was a above ground pool and we had it for many years. For the last two years we were trying to get the pool all setup. So, this year we called CES and they came over and told us that we needed to replace it. After a long search I was able to find a person to install a new pool. This was a long and painful process. One week later after we had the pool setup we noticed water on the ground. The installed had to come back and replace the liner. They had to take the pool down to replace the liner. I told the installer to put it back where the original pool was. After the pool was up the inspector came around and said it was too close to the wall. I didn't mean to have it too close it just happened.

Jay Mendels –Is the new pool an above ground pool? Mr. Wiesel – Yes. Jay Mendels – I see here that it cost \$10,000 to install this pool, how come so much money? Mr. Wiesel – It took the installer two days to install. I had to put 40,000 gallons of water in it, there we spike that had to be installed as well and then the actual cost of the pool. We bought the pool online. After they got it installed we noticed there was water all over the ground one week later. The installed came back and realized there was a tear in

the liner and they had to re-due the pool. Mrs. Wiesel – We also had to re-due all the stone work that was around the pool. Jay Mendels - This was to replace the existing pool, correct? Mrs. Wiesel – Yes, but once they took the old pool out they had to re-due all the stonework.

Chairman Richard McClernon – The pictures of the pool show a new fence. Is this fence on the property line? Mr. Wiesel – Yes, it's on the boundary line. Between the fence and the pool is about four feet.

Jay Mendels – Did we get any letters from neighbors? Chairman Richard McClernon – No, we did not. Chairman Richard McClernon – Were there any violations from the Building Department? Paula Kay – No.

PUBLIC COMMENT:

No public comment.

PUBLIC COMMENT CLOSE:

AREA VARIANCE CRITERIA:

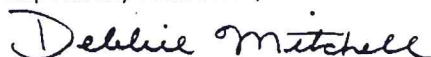
- (1) Whether benefit can be achieved by other means feasible to applicant; All voted No
- (2) Undesirable change in neighborhood character or to nearby properties; All voted No
- (3) Whether request is substantial; Jay Mendels and Chairman Richard McClernon – Voted Yes. Jay Mendels – I think it is substantial since it's supposed to be 25' and its now 4'. Richard Benson, Robert Hoose Ryan Schock – Voted No. Richard Benson – I say no because it was already 5' they are only asking for 1'.
- (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 requested was made by Ryan Schock and seconded by Richard Benson 5 in favor; 0 opposed

Paula Kay – Mr. Wiesel, please go see the Building Department and tell them you got your approval.

A motion to close the meeting at 7:10 pm was made by Ryan Schock and seconded by Jay Mendels 5 In favor; 0 opposed

Respectfully submitted,



Debbie Mitchell
Secretary
Town of Thompson Zoning Board of Appeals