

**VILLAGE OF QUOGUE  
ZONING BOARD OF APPEALS  
SATURDAY, DECEMBER 15, 2018  
3:00 P.M.**

**Present:** Chairman Robert Treuhold, Charles Mott, Brendan Ryan, Alexander Ames, Bruce Peiffer and Village Attorney Richard DePetrìs

**Absent:** T. David Mullen

1) Mr. Treuhold brought the meeting to order. He asked for a motion to approve the minutes of the **November 17, 2018** meeting.

**MR. AMES MADE A MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 17, 2018 MEETING. MR. MOTT SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

2) Mr. Treuhold said that the next meeting would be held on **Saturday, January 19<sup>th</sup>, 2019 at 3:00 PM**. He then explained that the application of **Gregory Hoogkamp, at 65 Dune Road**, had been adjourned to the January meeting.

3) Next was the application of **Arun Johar** for a front yard variance to 53.5 feet in order to permit proposed reconstruction and alteration of existing front porch. Premises are known as **20 Deerfield East. SCTM #902-1-1-18.1**

**Walter Hyde III**, the architect for the applicant, was present for the discussion. He explained that while his client was working on a project on the house, he realized that the house needed to have the front deck rebuilt. The deck is a preexisting, nonconforming structure, built in 1984, that is protruding into the front yard setback. Mr. Hyde said his client planned to replace the deck almost in-kind, with the exception of squaring off the solid, rounded half walls. The deck would have open railings and by squaring off the rounded sides, it would match the overhang above. He said his client was not changing the setback, just adding a little to the encroachment due to the squaring of the corners. The Board mentioned that there seemed to be a lot of structures in the back that were not necessarily included in the CO and they wanted to know if the client had cleared everything with the building inspector. Mr. Hyde explained that this was their third project on the house and no one had ever mentioned anything about the other exterior structures. He said there was a water feature which appeared to have been on the property for a long time. There were some dilapidated arbors that had been removed. Mr. Treuhold said although it was a minor variance request, the Board wanted to make sure there were no other structures on the property that might need a variance or need to be removed. Mr. Hyde said his client would be more than happy to take care of anything that needed to be cleared up. Mr.

Treuhold said they should meet with the Building Inspector to make sure everything gets taken care of. Mr. Treuhold asked for a motion to adjourn the application.

**DECISION: MR. RYAN MADE A MOTION TO ADJOURN THE JOHR APPLICATION TO THE JANUARY MEETING. MR. PEIFFER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

4) Next was the application of **Francis Paladino** and **Claudia Step** for setback variances to 15.7 feet from westerly line for patio, to 18 feet from westerly line for pergola and to 22.1 feet from westerly line for outdoor kitchen. Premises are known as **33 Midland Avenue. SCTM #902-9-3-25**

Attorney **Kittric Motz** was present, along with the applicant, **Francis Paladino**. Mrs. Motz explained that her client was seeking side yard setback reliefs; 9.3 feet for the patio, 7 feet for the pergola, and 2.9 feet for the outdoor kitchen island. She explained that all structures were in the A5 zone where there is a 25-foot setback. The project was largely finished, but when it was brought to her client's attention that he needed a permit, he stopped work, applied for a permit, and was informed that he would also need a variance. The building permit he filled in 2015 included the outdoor kitchen island. The patio had already been expanded, but not into the side yard. The permit was closed out before the outdoor kitchen island was constructed. Mrs. Motz felt that it would be a financial hardship for her client to deconstruct and move the outdoor kitchen at this point. William Berrien, the neighbor that would be the most effected, was present in partial support of the application, although he did mention that he would prefer that there be a change to the location of the pergola. Mr. Paladino said he would be happy to install any landscaping that the Board would impose. Mr. Treuhold explained that the Board felt this was clearly a self-imposed hardship. The Board was troubled by the pergola, which they felt was somewhat imposing, given the extent of its encroachment. The Board felt that it was difficult to justify granting a variance for a structure because it was constructed incorrectly. After speaking to her client, Mrs. Motz requested to adjourn the application to the January meeting so they could revise their application and resubmit it.

**DECISION: MR. AMES MADE A MOTION TO ADJOURN THE PALADINO/STEP APPLICATION TO THE JANUARY MEETING. MR. PEIFFER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

5) Next was the application of **Marjorie** and **Michael Stern** for fence height variances and coastal erosion hazard area variances in order to permit proposed fences. Premises are known as **86 Dune Road. SCTM #902-13-3-18**

Architect **Carl Shenton** was present to represent his applicants. Mr. Shenton explained that they were presently replacing the white exterior on the home with a tropical hardwood similar to mahogany. The owners wanted to install some privacy fencing along the East and West sides of the pool deck, along the lower level, and East side breezeway. The whole pool deck is in the



Coastal Erosion Hazard Area. His clients were also requesting a six-foot fence at the setback line on the West side. On the East side, the owners would also like to install a six-foot fence in case the property owners to the East go forward with their proposed construction. The owners were proposing an eight-foot tall matching fence along the lower level breezeway and outdoor shower for privacy purposes. Mr. Shenton showed the Board a proposed pool fence view of the house from the beach. Mr. Treuholt explained that the Board did not want to compound errors that may have been made in the past. They felt that by granting the requested variances they would be increasing the already large mass. The Board did not want to increase a nonconformity by allowing the privacy fences, and did not feel that there was any significant hardship involved that would justify the requested variance. The Board explained that if it was not in the side yard, the client would most likely be able to build a four-foot high fence on the West side, but the owner should check with the building inspector. The fence on the East side is in the side yard and would be denied. In reference to any fencing around the shower enclosure on the lower level, the Board explained that they would not be inclined to grant that variance as the fence would still be adding mass to the structure and it would be in the CEHA. Mr. Shenton asked if he could adjourn the application to review things with his client and come back with a revised application. Mr. Treuholt asked for a motion to adjourn the application.

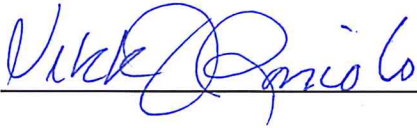
**DECISION: MR. RYAN MADE A MOTION TO ADJOURN THE STERN APPLICATION. MR. AMES SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

**6) Next was the holdover application of Mark and Veronica Dennison at 19 Scrub Oak Road. SCTM # 902-3-3-87.1**

Attorney **Richard Haefeli** was present along with the applicant, **Miles Dennison**. Mr. Haefeli explained that they revised their plan and were now proposing a 36' x 16' swimming pool, which he said would reduce their side yard variance request by approximately 2½ feet. He explained that his client was locating the swimming pool approximately adjacent to the garage and swimming pool of the property to the West, and felt that it would not be intrusive to that neighbor. In reference to the neighbor on the East, Mr. Haefeli estimated the swimming pool would be approximately 100 feet from that house. The Board asked where the pool equipment would be located. Mr. Haefeli explained that the pool equipment is shown as two dots located on the survey, North of the swimming pool, and in a conforming location. Mr. Treuholt asked for a motion to approve the application.

**DECISION: MR. RYAN MADE A MOTION TO APPROVE THE DENNISON APPLICATION AS PER THE REVISED SURVEY DATED 11/24/18. MR. PEIFFER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

The meeting was adjourned.

Respectfully submitted by:  File date: 1/3/19  
~~1/3/18~~