

**VILLAGE OF QUOGUE  
ZONING BOARD OF APPEALS  
SATURDAY, JANUARY 19, 2019  
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 **December 15, 2018** meeting.

**MR. AMES MADE A MOTION TO APPROVE THE MINUTES OF THE DECEMBER 15, 2018 MEETING. MR. PEIFFER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

2) Mr. Treuhold said the next meeting would be held on **February 23, 2019 at 3:00 P.M.** The tentative date for the March meeting would be **March 30, 2019.**

3) The first item on the agenda was the amended application of **Gregory Hoogkamp** for front yard variance to 33.1 feet, minimum side yard variances to 4.8 feet from easterly line and 10.1 feet from westerly line, a total side yard variance to 14.9 feet and a height variance within required yards in order to permit relocating the existing house and elevating the existing house by six feet in its new location. Premises are known as **65 Dune Road. [SCTM #902-13-1-14]**

**Craig and Michele Carbone** were present to represent the applicant. Mr. Carbone passed out the elevation plans to the Board, as well as pictures of the front and back of the house. He explained that the house was built prior to the 1938 hurricane indicating that it is preexisting, and nonconforming since the lot is less than half an acre in an A3 zoning area. They were requesting to raise the house eight feet plus two feet of building material to make it FEMA compliant. The house at the present time was 4.5 feet and they were requesting an approximate six-foot variance. They were also requesting to move the house north ten feet, away from the road, so they can install the sanitary system by the road. His client, Mr. Hoogkamp, also owned the property to the west, 63 Dune Road. The Board said they needed a survey that showed all relevant height data and what parts were within the required yard. The plans that had been submitted were only of the existing, without any date, and nothing showing the proposed project along with the necessary data. Mr. Carbone said he would get the needed plans with all the pertinent information for the Board's review. The client had not consulted with the neighbors to the East

as to their feelings with the proposed work. Mr. Treuhold asked for a motion to adjourn the Hoogkamp application.

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

4) Next was the application of **Kirk Davenport** for a setback variance to 17.5 feet from westerly line in order to retain a portion of the slate patio and for a setback variance to 21.3 feet from westerly line in order to retain wood deck. Premises are known as **9 Woodland Way**. [SCTM #902-3-5-30]

Attorney **Kittric Motz** was present for the applicant. She explained that the cul de sac property had two front yard setbacks. One of the things she was requesting for the Davenports, was that the reconstructed deck be allowed to remain with a small variance. The house was built in 1984 and there has not been an updated C.O. since then because it had not changed hands since the updated C.O. requirement went into effect. Mrs. Motz explained that the kitchen and the main common areas exit the home to the rear over the deck in question, and then down to the swimming pool. They have spoken with the neighbor who would be most affected, and have their approval for the proposed work. The Board said they would be prepared to consider granting some variance but would like Mrs. Motz to discuss with the client the same setback that was previously granted to 21.3 feet, so that the patio would extend out to the same encroachment as was previously granted by the Board. Mrs. Motz requested an adjournment to consult with her clients.

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

5) Next was the holdover application of **Arun Johar** for variance at **20 Deerfield East**. [SCTM #902-1-1-18.1] Mr. Treuhold said the applicant had made a request for an adjournment.

**DECISION: MR. MOTT MADE A MOTION TO ADJOURN THE JOHAR APPLICATION. MR. PEIFFER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

6) Next was the holdover application of **Francis Paladino and Claudia Step**. Premises are known as **33 Midland Street**. [SCTM #902-9-3-25]

Attorney **Kittric Motz** was present to represent the applicants. Her client's modified request was that the kitchen island and patio be allowed to remain where they were. They were also proposing to pull the pergola columns back to match the edge of the kitchen island, with twelve



inches for the decorative apparatus that stuck out on the ends of the pergola. Mr. Treuhold explained that while the Board was happy that they were making a step in the right direction, they still did not feel the applicant had established a level of hardship necessary to justify the grant of the requested variance. The patio still encroaches into a required side yard set back, and the Board felt that there was room to reverse the ledge and therefore not encroach the eating area into the side yard. Even though they might still need a slight variance, the change would avoid about seven feet protruding into the side yard. Mr. Treuhold said that the Board was not inclined to grant the Paladino variance, as it was presented. Mrs. Motz conferred with her client, and then requested an adjournment to see what modifications they could make that would be acceptable to the Board.

**DECISION: MR. MOTT MADE A MOTION TO ADJOURN THE PALADINO APPLICATION. MR. PEIFFER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

7) Next was the holdover application of **Marjorie and Michael Stern at 86 Dune Road [SCTM #902-13-3-18]**. Mr. Treuhold said the Board had received no further information and, since no one was present for the application discussion, a motion was made to adjourn the application to the next meeting.

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

8) Next was the application of **The Quogue Library** for a front yard/street setback variance to 30 feet from Quogue Street in order to permit proposed relocation of the building known as 1822 Schoolhouse and for fence height/visibility variances in order to permit solid fences having a height of 8 feet along the west, north and east property lines. Premises are known as **90 Quogue Street. [SCTM #902-10-1-13]**

Attorney **Kittric Motz** was present along with **Barbara Sartorius** to represent **The Quogue Library**. Mrs. Motz said they were modifying the fence height request to six feet from the original eight-foot request. They wanted the fence to extend from the neighbor's garage to the west, up to and across the north property line, in front of the Bower/Cole property. She explained that they felt that any headlights, that might be associated with use of the staff parking lot, would be blocked by the solid fence. The remainder of the property, if advised by their landscape architect, would be enclosed with deer fencing or some other kind of permissible material that would not require a variance. Mrs. Motz also explained that the Library was looking for a street setback variance to 30 feet back from the road instead of the required 60 feet for the 1822 Schoolhouse, which they would like to locate on the Library campus. The schoolhouse was originally constructed in 1822 and had been owned and operated by the Library since 1947. The Historical Committee of the Library administered the 1822 Schoolhouse up to



1977 when the Historical Society took over. Ownership was still retained by the Library. Initially they proposed to have the front of the Schoolhouse facing the road, but then decided that it would be less intrusive from the street to have the narrow side facing the road. Instead of having a 30-foot frontage, it would be an 18-foot frontage. Making that change put the building a little closer to the tree they were hoping to preserve. Mrs. Sartorius explained that the Historical Society had tree professionals come to examine the tree, a Norway Maple. Their arborist explained that anything that encroached too much under the drift-line of the tree would tend to eventually kill the tree. She explained that if they tried to move the schoolhouse within the required setback, it could most likely kill the tree in about five or six years. For that reason and to be historically accurate by having the building closer to the road as it would have been in 1822, they decided to request the variance. Mrs. Sartorius explained that they hired a landscape design company to look over the property and see what trees on the property should be saved and which would need to be removed. She explained that the offsite parking for six additional cars was contiguous with the Bower property, so all the trees in that area had to be clear-cut. Mrs. Sartorius explained that they then hired an arborist who was an instructor at Cornell University. He assisted in selecting what trees and shrubs would remain and assisted in pruning of the remaining trees on the property. Mr. Treuhold said that the Board had received a letter from the neighbors Booth/Coles and the Bowers, expressing their ongoing concerns about the parking area, the fencing and landscaping. Neither neighbor was able to be present for the application discussion, and each would appreciate a chance to express their opinions. Mrs. Sartorius said she had spoken to the Booth/Cole family and Mrs. Oldfield, who was present for the discussion. The neighbors had requested green screening, which Mrs. Sartorius was in agreement, but did not have a plan to give them. She explained to the Board where they felt the screening should be implemented. The reason the Library was requesting a six-foot solid fence was because the only area for additional staff parking would be contiguous with the back of the Bower property. They felt that since they would be open one night a week, the solid fence would keep any sweep of headlights reduced. The proposed fence could be 72 feet along the Bower/Cole property and about 30 feet along the Chase property, if Mrs. Chase wanted it installed. There would also be some sort of sign that would indicate staff parking only for the six-car parking area, and possibly a chain across it, so that not just anyone could use the area. They did not anticipate any big lights on the schoolhouse building and, there is no plumbing in the schoolhouse. Any interior lighting would be minimal. Mrs. Sartorius said there would be cameras on the schoolhouse, and there was a historical garden planned. The Board explained that they would need a plan in the file with dimensions on it, showing all information and location of the proposed fencing. Mrs. Motz agreed to provide it.

**Jennifer Oldfield** the resident at the neighboring **94 Quogue Street**, came forward to speak. She explained that she had already served a writ to the Library and was surprised at how plans had moved forward without her family being advised. She did not feel the schoolhouse could be located on the proposed parcel since there were restrictive covenants involved. She objected to a second story set of windows looking into their property and said it was contrary to their covenants. Mrs. Oldfield felt the idea of moving the schoolhouse, outhouse and smoke house, the latter two structures which she said had not been referred to up to then, was totally elective, and felt there was no necessity to move them. She also felt it would be setting a dangerous

precedent in the Village of Quogue to allow a solid fence. It was her feeling that if the patrons wanted the schoolhouse to be utilized more, maybe they could shift the hours of operation. She felt there were other places on the property that the buildings could be located. She said she wanted a definition of what was referred to as 'minimal lighting' that would be on the building and needed to know what was going to happen to the other two structures that were not being discussed. Mr. Treuhold asked Mrs. Motz if the other structures were being removed. Mrs. Sartorius said that since the Library was in litigation at the present time, they could not comment on it. Mr. Treuhold explained to Mrs. Oldfield that the Zoning Board would take into consideration any and all issues that have to do with zoning, but some of the issues and private covenants were beyond the scope of the Zoning Board's area of jurisdiction. Mrs. Motz said that she felt the Library had publicized their plans for expansion in a way that all in Quogue could be aware of their plans. In trying to work out an agreement where the windows were concerned, Mrs. Motz said the Library had offered to install historically appropriate shutters on the North and East windows, but the offer was not accepted. She did not think that the move of the schoolhouse would generate additional traffic on the road. Mr. Treuhold said the Board was not prepared to decide on the application at that time and asked for a motion to adjourn the application to the next meeting.

**DECISION: MR. MOTT MADE A MOTION TO ADJOURN THE QUOGUE LIBRARY APPLICATION TO THE NEXT MEETING. MR. PEIFFER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

The meeting was adjourned.

Respectfully submitted by:  File date: 2/20/19