

**VILLAGE OF QUOGUE
ZONING BOARD OF APPEALS
SATURDAY, MAY 16, 2020
3:00 P.M.**

Present: Chairman Robert Treuhold, Charles Mott, Brendan Ryan, Bruce Peiffer, Pamela Chepiga, alternate Geoff Judge and Village Attorney Richard DePetris (all by telephone)

1) Mr. Treuhold brought the meeting to order and noted that this meeting was being held by teleconference due to the COVID 19 Governor's Orders. He asked for a motion to approve the minutes of the **April 18, 2020** meeting.

MR. MOTT MADE A MOTION TO APPROVE THE MINUTES OF THE APRIL 18, 2020 MEETING. MS. CHEPIGA SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.

2) Mr. Treuhold confirmed that the next meeting would be held on **Saturday, June 20, 2020** at **3:00 P.M.** This meeting will also be held by teleconference as New York State has mandated against live meetings at this time.

3) The first item on the agenda is a request from **James & Elizabeth Miller of 7 Pine Lane SCTM# 902-3-4-2** to extend the variance granted on this property on February 24, 2018. Mr. Miller was on the phone call. Mr. Treuhold asked for a motion to approve this request.

MR. MOTT MADE A MOTION TO APPROVE AN EXTENSION OF THE VARIANCE GRANTED ON FEBRUARY 24, 2018 FOR A PERIOD OF TWO YEARS. MR. PEIFFER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.

4) The second item on the agenda is the application of **Carol Rasic of 18 Barker Lane SCTM# 902-7-1-40**. The application is for a lot area variance to 29,081 square feet for existing lot. Attorney Kittric Motz and Carol Rasic were on the phone call. Mrs. Motz explained that this is undersized lot, just under 30,000 sq. ft. where 43,500 is required. Mrs. Rasic has owned this lot since 1977, and was one of Bill Swan's projects. The problem arose because the subdivision map for this property was never filed so they could not follow traditional road abandonment procedures. When they applied to the Planning Board for a lot line adjustment between this

property and 20 Point Lane, they were referred to the Zoning Board because this is an under sized lot and has not been in single and separate prior to 1945. The lot lines were updated in 1956, but didn't go into single and separate ownership until 1957. Mrs. Rasic already owns to the center of the unopened part of Point Road. She wants to do the lot line adjustment to more accurately reflect ownership and to augment the size of 18 Barker, and to eliminate its status as a corner lot. Mrs. Motz pointed out that granting this variance will make the property more conforming. If this variance is granted, they can then go to the Planning Board to complete the lot line adjustment. Mr. Treuhold asked Mrs. Motz if she has spoken with the owner of 20 Point Rd. Mrs. Motz replied that she had, and that this is a joint application in the Planning Board, and she represents them both. Village Attorney Rick DePetris confirmed this. Mrs. Motz asked if the Board had any further questions, and they did not at this time. Mr. Treuhold asked Mr. Byowitz if he would like to be heard. Mr. Byowitz explained that he was authorized to speak for Alice Byowitz, and The Breezelawn Way Trust. The Trust owns the adjacent property at 8 Breezelawn Way. Mr. Byowitz explained that his concern was of future building on this lot, a large house, and large septic system close to the wetlands, on this undersized lot. He noted that Mrs. Rasic knew this was an undersized lot when she bought the property over 40 years ago. Mr. Byowitz said that they do not have an objection to the Board granting this variance, but wanted the Board to disallow any future variances. Granting this variance will make 18 Barker Lane a "buildable lot", and Mr. Byowitz feels that this, in addition to combining with the abandoned road will enable a larger house, with a large septic tank to be built. Mr. Byowitz would like the Board to agree that if this variance is granted, no further variances will be allowed to prevent this happening close to the wetlands. Mrs. Motz said that they do not plan to develop this property at the present time. Granting this variance eliminates the corner property stipulations, and gives a more comfortable building envelope. Mrs. Motz pointed out that to her knowledge only two properties have even been granted GFA relief in the Village. She also noted that any septic system would have to be 100 feet from the wetlands, and that it would therefore probably have to be put in front of the house. Mr. Treuhold asked if anyone had any questions regarding this application. No one did. Mr. Treuhold agreed that GFA variances are very rarely granted, and did not think it would be an issue. Should any future variances be requested, Mr. Byowitz would be notified and given an opportunity to speak, and his concerns today will become part of the record. Mr. Treuhold did not think it would be appropriate to put any permanent restrictions for a future need of a variance. Mr. Treuhold asked for a motion to approve this variance request.

MR. PEIFFER MADE A MOTION TO APPROVE THIS VARIANCE. MR. RYAN SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.

5) The last item on the agenda is the application of **15 Ogden Lane LLC SCTM# 902-14-1-22** for a minimum side yard setback variance to 21.8 feet, and a total side yard variance to 56.8 feet if necessary, in order to permit elevated platform for mechanical equipment.

Attorney Kittric Motz was on the call for this application. Mr. Treuhold said that the Board has reviewed this application and asked if there was any conforming alternative location for the

elevated mechanical equipment. Mrs. Motz explained that the wetlands wrap around the property, and they have to work around DEC requirements. Mr. Treuhold asked if this was the minimum amount necessary for the equipment. Mrs. Motz said yes. Mr. Treuhold said that an email with no objection has been received from Mr. & Mrs. Boyle, and asked if they have heard from the Haskell's, the neighbors to the south. Mrs. Motz replied that she did not. Mr. Treuhold said that this variance would correspond to where the Haskells have equipment on their property. Mr. Treuhold asked if anyone had questions. Mr. Mott asked if there was any noise reduction in place for this equipment being that it was elevated. Mrs. Motz said there was not, and that most of these elevated platforms in the Village are open and not enclosed. Quogue Village Building Inspector William Nowak noted that this equipment is required by the DEC to be elevated. He thought the noise would be toward the front of the house. Mr. Treuhold asked if anyone had any questions. No one did. He asked for a motion to approve the requested variance.

MR. RYAN MADE A MOTION TO APPROVE THE REQUESTED VARIANCE. MR. MOTT SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY APPROVED.

Mr. Treuhold adjourned the meeting.