

**VILLAGE OF QUOGUE  
ZONING BOARD OF APPEALS  
WEDNESDAY SEPTEMBER 27, 2023  
3:00 P.M.**

**Pursuant to §103-a of the New York State Public Officer’s Law and Local Law No. 3 of 2022, this public hearing of the Zoning Board of Appeals was held as a hybrid meeting in a combination of both in-person and videoconference (i.e. ZOOM).**

**Members present in person:** Chairperson Pamela Chepiga, Brendan Ryan, Ed Tolley, Bruce Peiffer, Geoff Judge

**Members present by ZOOM:** Alternate member George Sard

**Others present in person:** Village Attorney Wayne Bruyn, Village Building Inspector William Nowak, Deputy Village Clerk Denise Michalowski, Jacqueline Morley, William Heine, James Hulme, Charles Hammer, Kittric Motz, Michael & Susan Luyckx, Michael Luyckx Jr., Margaret Nordlinger, Richard Hook and Sarah Adams

**Others present by ZOOM:** Robert & Lynn Ducommun

1) Ms. Chepiga noted that all voting members are physically present at the meeting, and alternate member George Sard is present on the ZOOM call. She then set the date of the next meeting to November 8, 2023. Ms. Chepiga next asked for a motion to approve the minutes of the August 30, 2023 meeting.

**MR. RYAN MADE A MOTION TO APPROVE THE MINUTES OF THE AUGUST 30, 2023 MEETING. MR. TOLLEY SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

2) The first matter on the agenda was the holdover application of **ROBERT C. & LYNN A. DUCOMMUN – 12 POST LANE [SCTM# 902-10-3-44]** for a variance from the provisions of §196-13(6)(b) in order to permit the construction of a cupola on the roof of a proposed detached garage to a height of 24.4’ where a maximum of 20’ is allowed; and all other necessary relief on a nonconforming 34,074 sq. ft. parcel of land located on the westerly side of Post Lane, approximately 375’ north of Niamogue Lane in the A-3 Residence District.

Attorney Jacqueline Morley and Architect William Heine were present at the meeting for the applicant. Ms. Morley reviewed her submission from September 22, 2023, and noted that two neighbors from 10 & 16 Post Lane have submitted letters of support for this application. Ms. Chepiga asked if anyone present had any questions. As no one did, Ms. Chepiga asked for a motion to close the public hearing for this application for written decision.

**MR. JUDGE MADE A MOTION TO CLOSE THE PUBLIC HEARING FOR WRITTEN DECISION. MR. RYAN SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

3) The next matter on the agenda was the application of **ROBERT C. DUCOMMUN AS TRUSTEE OF THE ROBERT C. DUCOMMUN TRUST U/A/D 05/12/95 and LYNN A. DUCOMMUN – 14 POST LANE [SCTM# 902-10-3-33.2]** for a variance from the provisions of §196-49 in order to permit the construction of an additional 282 sq. ft. of habitable space above the existing detached garage as a recreation room increasing the gross floor area of the dwelling to 6,763 sq. ft. where 6,481 sq. ft. is allowed; and all other necessary relief on a conforming 44,010 sq. ft. parcel of land located on the westerly side of Post Lane, approximately 168' north of Niamogue Lane in the A-3 Residence District.

Attorney Jacqueline Morley and Architect William Heine were present at the meeting for the applicant. Ms. Morley reviewed her submission from September 22, 2023 and noted that the neighbor from 16 Post Lane has submitted a letter of support for this application. Mr. Tolley asked if the yellow portion of the schematic is existing or not built yet. Mr. Heine explained that the yellow portion is open space, they have a building permit in place, but have not yet started the work. He further noted that the garage area is a two story space where they will create a bedroom. Mr. Tolley asked for clarification on the mass and volume existing in the yellow space. Mr. Heine said that they will be putting in windows and dormers in the yellow area, so they will be increasing mass and volume. Ms. Chepiga asked why the area was originally called a recreation room and is now being called a bedroom. Mr. Heine said that they originally just wanted space in this area, but it is now being designated as a bedroom. Mr. Ducommun clarified that the space was always intended to be a bedroom. Ms. Chepiga asked if anyone else at the meeting had any questions. No one did, and Ms. Chepiga asked for a motion to close the record for written decision.

**MR. PEIFFER MADE A MOTION TO CLOSE THE PUBLIC HEARING FOR WRITTEN DECISION. MR. RYAN SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

4) The next holdover matter on the agenda was the holdover application of **MICHAEL & SUSAN LUYCKX – 17 WILLOW LANE [SCTM# 902-7-2-40]** for variances from the provisions of (1) §196-3D and §196-7B in order to permit the reconstruction with modifications and additions of a nonconforming single family dwelling with attached garage, screened porch and brick patio on a parcel with three dwellings; (2) §196-47 and §196-48 to permit the reconstruction of the dwelling with a height at elevation 33.88' where the maximum height permitted is at elevation 23.25' in the required front and rear yards; (3) §196-12B (Table of Dimensional Regulations) to permit the reconstruction of the dwelling with the existing attached garage to remain with a front yard/street setback of 19.7' where 60' is required; (4) §196-12B (Table of Dimensional Regulations) to permit the reconstruction of the dwelling with the existing attached garage to remain with a rear yard setback of 38.8' where 70' is required; (5) §196-12B (Table of Dimensional Regulations) to permit the reconstruction of the attached screened porch with a rear yard setback of 34.2' where 70' is required; (6) §196-12B (Table of Dimensional

Regulations) to permit the reconstruction of an attached at-grade brick patio with rear yard setback of 18.1' where 25' is required; (7) §196-12B (Table of Dimensional Regulations) to permit lot coverage of 22.04% where 20.00% is required; and (8) all other necessary relief as set forth on the plans and surveys on a nonconforming 15,295 sq. ft. parcel of land located on the westerly side of Willow Lane, approximately 200' north of Main Street in the A-3 Residence District.

Attorney Kittric Motz and Mr. Luyckx were present at the meeting. Ms. Motz reviewed her submission of September 22, 2023. Ms. Chepiga said that in regard to the submission argument regarding future variances, since this is one lot, future lot coverage can be conditioned. Ms. Motz agreed if the matter was only limited to lot coverage. Mr. Tolley said that GFA could also be conditioned under the same reasoning. Ms. Motz said that the new plan that has been submitted shows a matching dormer added on the other side. Mr. Bruyn said this new request would have to be re-advertised, and asked that Ms. Motz submit a letter detailing all variance being requested currently. Ms. Chepiga asked if anyone at the meeting would like to be heard. Ms. Nordlinger of 5 Village Lane came forward. She handed out a submission to the Board, and expressed her concerns regarding this application. Ms. Nordlinger said that this project should be looked at as one lot and not three separate residences. She further noted her concerns regarding the increased cubic square footage, and the additional bulk and mass of the new structure. Sarah Adams of 8 Willow Lane spoke next. Ms. Adams expressed her support of this application. Ms. Motz noted that Missy Baris of 7 Willow Lane has submitted an email also in support of this application. Ms. Motz further noted that in the Village Code, what is permitted is measured by square feet and not cubic feet, and the applicant is not adding to the square footage nor the footprint of the property. Ms. Motz showed the Board a photo of the view from standing on 17 Willow Lane looking across the road. Ms. Chepiga asked for a motion to adjourn this matter for all purposes so that it may be re-advertised.

**MR. JUDGE MADE A MOTION TO ADJOURN THIS APPLICATION TO THE NEXT MEETING. MR. PEIFFER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

**5) The last holdover matter on the agenda was the holdover application of CHARLES & WENDY HAMMER – 3 BARKER LANE [SCTM# 902-7-1-28] for a variance from the provisions of §196-49 in order to permit the construction/remodeling and additions to a single family dwelling to allow a gross floor area of 5,630 sq. ft. where a maximum of 4,930 sq. ft. is permitted, and all other necessary relief on a nonconforming, 31,090 sq. ft. parcel of land located on the westerly side of Barker Lane, approximately 134' south of Quogue Street in the A-3 Residence District.**

Attorney James Hulme was present at the meeting for the applicant. He reviewed the application and handed out a submission to the Board. He noted that the first and second pages show the aerial view of structure and the neighborhood. The third page is a compilation of GFA computations of surrounding properties showing potential maximum allowable GFA permitted according to the lot size of the property. He explained that the GFA variance they are requesting

is in line with the average maximum allowable percentages of the neighboring properties. Ms. Chepiga noted that none of these properties in these calculations are built to maximum allowable percentages. Mr. Hulme also noted that there is 75 feet between the existing property and the neighbor to the northeast (21 Quogue Street), and that will not be changing. Mr. Hulme reviewed photos of the view from 3 Barker, and noted that you cannot see the house next door. Mr. Hulme said they would be willing to speak with the neighbor to add screening on his property and improve upon the screening on the neighbor's property. Mr. Hulme noted that this neighbor has been granted variance relief on their property. Ms. Chepiga asked if anyone would like to be heard. Mr. Hammer said they would be adding two rooms, one bedroom and one office. He said they have not been to the SC Health Department but he is under the impression that he does not have to upgrade the septic system. Mr. Hammer also spoke of improving on the neighbor's current landscaping to add to screening. Mr. Hulme asked for this matter to be left open and adjourned, as they will provide more information regarding the septic system, and speak to the neighbor regarding screening. Ms. Chepiga asked for a motion.

**MR. RYAN MADE A MOTION TO ADJOURN THIS APPLICATION TO THE NEXT MEETING. MR. PEIFFER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

There being no more business, Ms. Chepiga asked for a motion to adjourn the meeting.

**MR. TOLLEY MADE A MOTION TO AJOURN THE MEETING. MR. RYAN SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**