

**VILLAGE OF QUOGUE
ZONING BOARD OF APPEALS
WEDNESDAY MARCH 12, 2025
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, Ed Tolley, Bruce Peiffer, Alternate Member Richard Langan, Jr.

Member present by ZOOM: Brendan Ryan, Geoff Judge

Others present in person: Village Attorney Wayne Bruyn, Village Building Inspector William Nowak, Deputy Village Clerk Denise Michalowski, Kittric Motz, Heather Wright, Soloman Cohen, Craig Arm

Others present by ZOOM: Joan McGivern, Jennifer & James Coster

1. Ms. Chepiga took a roll call, and then set the date of the next meeting to Wednesday, April 16, 2025 at 3 pm. She then asked for a motion to approve the minutes of the February 19, 2025 meeting.

MR. PEIFFER MADE A MOTION TO APPROVE THE MINUTES OF THE FEBRUARY 19, 2025 MEETING. MR. TOLLEY SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.

2. The first matter on the agenda for today was the application of **CLARE MUNANA – 76 DUNE ROAD [SCTM# 902-13-3-5]** for necessary variances as follows: (1) §196-7.1A in order to permit the alteration, reconstruction and expansion of a nonconforming 2,120 sq.ft. one-story dwelling with attached garage by raising the building to conform to FEMA requirements, reconstruct the first floor and add a 704 sq.ft. second-story addition; (2) §196-7.1B in order to permit the alteration, reconstruction, expansion and replacement of nonconforming patios, decks, porches, outdoor shower, walls and other accessory structures; (3) §196-12B (Table of Dimensional Regulations) to permit the proposed alterations, reconstruction and expansion of the dwelling with front yard setbacks of 16.7' from Rogusa Lane where 14.6' exists and 38.2' from Dune Road where 35.2' exists and 60' is required; (4) §196-12B (Table of Dimensional Regulations) to permit the proposed alterations, reconstruction, expansion and replacement of nonconforming patios, decks, porches, outdoor shower, walls and other accessory structures with a front yard accessory structure setback of 11.85' from Rogusa Lane for a patio where 6.2' exists and 40' is required; (5) §196-48A to permit the alteration, reconstruction and expansion and second story addition to the dwelling with an elevation of 37.0' AMSL where the maximum height of 16' in the required yards allows an elevation of 19.2' AMSL; (6) §196-48B to permit the alteration, reconstruction and second story addition to the existing dwelling with an elevation

of 37.0' AMSL where the dwelling lies entirely within the required 60' front yards with setbacks of 16.7' from Rogusa Lane where 14.6' exists and 38.2' from Dune Road where 35.2' exists; (7) §196-12A (Table of Dimensional Regulations) to permit the alteration, reconstruction, second story dwelling addition, and replacement of nonconforming accessory structures with a lot coverage of 21.70% where 20% is required; and (8) all other necessary relief as set forth on survey, plans and specifications submitted with the application, on a nonconforming, 13,120 sq.ft. parcel of land located on the northerly side of Rogusa Lane (private road), southerly side of Dune Road, approximately 300' east of Beach Lane in the A-1 Residence District.

Attorney Heather Wright was present at the meeting on behalf of the applicant. Ms. Wright reviewed the application and noted that there is a Certificate of Occupancy for the house issued in 1978, another for interior repairs, and then an updated Certificate issued in 2018. She continued that the applicant is proposing to reconstruct the existing dwelling, and add a small second story addition designed in a similar style. Ms. Wright noted that this property has two front yards, Dune Road and Rogusa Lane, and a depth of 87.17 feet, which limits the building envelope. Ms. Wright said that they are proposing to decrease some of the properties non-conformities by increasing the setback from Rogusa Lane from 14.6 feet to 16.7 feet, from Dune Road from 35.2 feet to 38.2 feet, and increasing the accessory structure setback from 6.2 feet to 11.8 feet. She added that they are decreasing the lot coverage on the property to 21.7%. Ms. Wright said that the architect calculated the existing lot coverage as 23.5%, but the survey says 22.7%. She believes the difference is from the surveyor not counting the steps, which are wider than four feet, in the calculation. Ms. Wright said that this proposal will not have a negative impact on the character of the neighborhood, and the second story is only 30% of the first floor area. She said they designed the addition to be as far away from the road as possible. Ms. Wright added that the proposed house will be FEMA compliant and have a new septic system. She noted that there is a similar two story house in the immediate area, and that there is no feasible alternative to this proposal. Ms. Wright submitted two photographs to the Board. Mr. Tolley expressed his support of the applicant reducing the various existing non-conformities, and limiting the size of the addition. He asked if any neighbors have come forward regarding this project. Ms. Wright said they have not heard from any neighbors. Mr. Bruyn asked about the survey. Ms. Wright said the survey is being corrected and will be submitted as soon as it is complete. Ms. Chepiga asked if anyone else would like to be heard. Hearing nothing, she asked for a motion to conditionally approved the requested variances.

MR. TOLLEY MADE A MOTION TO APPROVE THE REQUESTED VARIANCES CONDITIONED UPON THE SUBMISSION OF A SURVEY SHOWING THE PROPOSED PROJECT WITH CORRECTED LOT COVERAGE CALCULATIONS. MR. PEIFFER SECONDED THE MOTION AND THE MOTION WAS UNANIMOUSLY CARRIED.

3. The next matter on the agenda was the holdover amended application of **JAMES & JENNIFER COSTER at 39 DUNE ROAD [SCTM# 902-13-1-3]** for necessary variances from the provisions of: (1) §196-12A (Table of Dimensional Regulations) to replace an existing one-story, 2,304 sq.ft. dwelling with a new two-story, 3,221 sq.ft. dwelling with a covered front porch, elevated rear deck and roof overhangs/eaves with a front yard setback of 23.1' measured

from the street to the front porch, 25.1' to the covered entry, 26.2' to the eaves and 28.0' from the dwelling wall to Dune Road where 30' is required; (2) §196-12A Table of Dimensional Regulations) to permit the new dwelling to have a side yard setback measured from the easterly property line of 10.3' to the eaves and 11.8' from the dwelling walls where 25' is required; (3) §196-12A (Table of Dimensional Regulations) to permit the new dwelling to have a total side yard 56.6' measured from eaves on the easterly side of the dwelling and the attached elevated air conditioning units on the west side where 60' is required; (4) §196-12A (Table of Dimensional Regulations) to permit the new dwelling to have a rear yard setback measured from the northerly property line along the Quogue Canal of 41.7' to the eaves and 43.4' from the dwelling wall where 50' is required; (5) §196-13E to permit a 12' wide elevated rear deck to have a setback measured from the existing bulkhead along the Quogue Canal of 31.4' and from the boat slip of 9.2' where 50' is required; (6) §196-13E to permit the new dwelling to have a setback measured from the bulkhead and boat slip of 17.5' from the eaves and 19.6' from the dwelling wall and 17.5' from the steps attached to the dwelling where 50' is required; (7) §196-13E to permit an existing flagpole to be maintained with a setback of 6' measured from the existing bulkhead along the Quogue Canal and 8' from the boat slip where 50' is required; (8) §196-49 in order to permit the new dwelling to have a gross floor area of 3,221 sq.ft. where a maximum of 2,764.2 sq.ft. is permitted; (9) §196-12A (Table of Dimensional Regulations) to permit the construction of the new dwelling and accessory structures with a lot coverage of 23.40% where 20% is required; (10) §196-48A to permit the new dwelling to have an elevation of 39.9' where the maximum height of 16' in the required yards allows an elevation of 18.9'; and (12) all other necessary relief as set forth on the survey, plans and specifications submitted with the application, on a nonconforming, 13,034 sq.ft. parcel of land located on the northerly side of Dune Road, approximately 1,070' west of Beach Lane in the A-2 Residence District.

Property owners Jennifer and James Coster were present on the ZOOM call. Mr. Coster asked that the Board reopen the record and consider the letter he has submitted. He said he understands the Board will also accept the rebuttal letter from Joan McGivern, and then the record will be closed. Ms. McGivern, who was also present on the ZOOM call, agreed to this as well. Ms. Chepiga asked for a motion.

MR. PEIFFER MADE A MOTION TO OPEN THE RECORD SOLEY FOR THE PURPOSE OF RECEIVING THE TWO LETTERS THAT HAVE BEEN SUBMITTED, AND THEN CLOSING THE RECORD FOR DECISION. MR. TOLLEY SECONDED THE MOTION, AND THE MOTION WAS UNANIMOUSLY CARRIED.

4. The next matter on the agenda was the holdover application of **210 DUNE ROAD LLC – 210 DUNE ROAD [SCTM# 902-16-3-17]** for variances to permit the alteration of a nonconforming single family dwellings on a parcel with two dwellings as follows: (1) §196-3D and §196-7B in order to permit the alteration of a 4,138 sq.ft. one-story dwelling and a 1,037 sq.ft. addition; (2) §196-2 (Definition of Single-Family Dwelling) in order the addition to be connected to the existing dwelling with a conditioned hallway in length that is more than two times the width of the hallway; (3) §196-12B (Table of Dimensional Regulations) to permit the proposed alterations and addition to the dwelling 70.3' south or seaward of the toe of the dune

where all structures are required to be 25’ north or landward of the toe of the dune; (4) §196-12B (Table of Dimensional Regulations) to permit the proposed elevated deck 72.6’ south or seaward of the toe of the dune where all structures are required to be 25’ north or landward of the toe of the dune; §80-3 (Definition of Major Addition) in order to verify and determine that the proposed alterations and addition together with all prior additions do not constitute a major addition; (5) §80-10B(1)(g), (h) and/or (i) in order to permit the proposed alterations and addition to be constructed in the primary dune area 111.9’ feet south of the CEHA line; (6) (5) §80-10B(1)(g), (h) and/or (i) in order to permit the proposed elevated deck to be constructed in the primary dune area 116.3’ feet south of the CEHA line; and (7) all other necessary relief as set forth on survey, plans and specifications submitted with the application, on a 132,241 sq.ft. parcel of land located on the southerly side of Dune Road, approximately 1,690’ west of the Village Town line in the A-1 Residence District.

Ms. Chepiga confirmed with Kittric Motz that a letter was submitted requesting that this matter be withdrawn.

5. The next matter on the agenda today was the holdover application of **ANN GRIFFITH O’CONNOR, TRUSTEE OF THE 34 SECOND LANE TRUST** (adjoining neighbor) appealing the Building Inspector’s issuance of a Certificate of Compliance # 2233, dated November 7, 2024, issued to Second Neck Summers, LLC for a “Bay access Walkway with kayak rack. 608’ To terminate before high water mark” to confirm the completeness and closure of the Board of Trustee approval issued July 19, 2024, on a 133,495 sq.ft. parcel of land located on the northerly side of Second Neck Lane, approximately 960’ east of Second Neck Court in the A-2 Residence District known as **36 SECOND NECK LANE and designated as SCTM# 0902-006.00-02.00-002.083.**

Ms. Chepiga confirmed that a letter has been received from the applicant’s attorney requesting that this matter be withdrawn.

There being no more business, Ms. Chepiga adjourned the meeting.

Denise Michalowski
Deputy Village Clerk

Date