

**VILLAGE OF QUOGUE
ZONING BOARD OF APPEALS
WEDNESDAY APRIL 16, 2025
3:00 P.M.**

Members present: Chairperson Pamela Chepiga, Brendan Ryan, Bruce Peiffer, Alternate Member Richard Langan, Jr.

Members absent: Geoff Judge, Ed Tolley

Others present: Village Attorney Wayne Bruyn, Village Building Inspector William Nowak, Deputy Village Clerk Denise Michalowski, Kittric Motz, Joan Gallin, Judy Carroll

1. Ms. Chepiga took a roll call, and designated alternate member Richard Langan Jr. as a voting member for this meeting as Ed Tolley and Geoff Judge were not able to attend. She then set the date of the next meeting to Wednesday, May 28, 2025 at 3 pm. She then asked for a motion to approve the minutes of the March 12, 2025 meeting.

MR. PEIFFER MADE A MOTION TO APPROVE THE MINUTES OF THE MARCH 12, 2025 MEETING. MR. LANGAN SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.

2. The first matter on the agenda for today was the application of **JEFFREY & JOAN GALLIN at 82 DUNE ROAD [SCTM# 902-13-1-15]** for variances from the provisions of: (1) §196-12B (Table of Dimensional Regulations) to permit the maintenance of a wood platform to the south of the existing shed, outdoor shower attached to the easterly side of the existing dwelling and a stone patio attached to an existing deck and dwelling south of the toe of dune where a setback of 25' north of the toe of dune is required; (2) §196-12B (Table of Dimensional Regulations) to permit the maintenance of a wood platform to the south of the existing shed 5' from the easterly property line and the stone patio attached to an existing deck and dwelling 13.2' from the easterly property line where 25' is required; (3) §80-10B(1)(g) to permit the maintenance of a wood platform to the south of the existing shed in the primary dune area 98' south of the CEHA line, outdoor shower attached to the easterly side of the existing dwelling 108' south of the CEHA line, and stone patio attached to an existing deck and dwelling in the primary dune area 155' feet south of the CEHA line; (4) §80-13C to permit the maintenance of an existing at-grade stone and wood walkway leading to the beach where such walk-way is to be elevated and constructed in accordance with the specifications of §196-13.I, and Chapters 80 and 146; (5) §196-13.I to permit the maintenance of an existing at-grade stone and wood walkway leading to the beach between 6' to 20' from the easterly property line where such a walkway on a 100' wide lot is to be located midway between the side lot lines so as to provide the maximum feasible setback; and (6) all other necessary relief as set forth on survey, plans and specifications submitted with the application, on a 49,411 sq.ft. parcel of land located on the southerly side of Dune Road, approximately 800' east of Beach Lane in the A-1 Residence District known as 82 Dune Road and designated as SCTM# 0902-013.00-03.00-015.000.

Attorney Kittric Motz and applicant Joan Gallin were present at the meeting. Ms. Motz reviewed the application and explained that this application is seeking permission to maintain an outdoor shower, and a pre-existing patio which has since been reconstructed, expanded and adjoined to a walkway. The applicants are also seeking permission to maintain the walkway in the current position and reconstructed. Ms. Motz noted that both neighbors have submitted letters of no objection to this application. Mr. Ryan asked if any of the structures had prior approvals. Ms. Motz said that the house is non-conforming pre-existing, built in the 1940s, with the first Certificate of Occupancy being issued in 1988. She continued the house was lifted in 2009, and the patio was reconstructed at a different height. Ms. Motz said the Building Inspector at that time did not advise that the patio would need variance relief. Mr. Bruyn confirmed that there is not a Certificate of Occupancy for the patio. Ms. Chepiga asked if any there has been any environmental consultation regarding damage to the dune from the walkway remaining in place or being relocated. Ms. Motz reviewed the alternate location for the walkway that Mr. Nowak had noted in his memo. Mr. Peiffer expressed concern that building permits had not been obtained for the stonework and the patio. Ms. Gallin said the patio had always been in this location. Mr. Langan asked if the reconfiguration of the pathway would be compliant with code. Mr. Nowak answered that property is less than 100 feet wide, so the walkway would have to be centered to be compliant. He noted that the proposed walkway seems like a good solution given the topography of the area. Ms. Motz said the applicant is willing to reduce the patio to the original 1988 size. Mr. Bruyn asked for the dimensions of the 1988 patio size. Ms. Motz said she will consult with the surveyor and will submit the dimensions.

MS. CHEPIGA MADE A MOTION TO GRANT THE FOLLOWING RESOLUTION:

WHEREAS, the Board of Appeals received an application of JEFFREY GALLIN and JOAN GALLIN for variances to enable the maintenance of a wood platform to the south of the existing shed, an outdoor shower attached to the easterly side of the existing dwelling, and a stone patio attached to an existing deck south of the toe of dune in the primary dune area south of the CEHA line, and to permit the maintenance of an existing at-grade stone and wood walkway leading to the beach, on a 49,411 sq.ft. parcel of land located on the southerly side of Dune Road, approximately 800' east of Beach Lane in the A-1 Residence District known as 82 Dune Road and designated as SCTM# 0902-013.00-03.00-015.000; and

WHEREAS, by letter dated April 10, 2025, the applicant's attorney submitted additional information, including an updated survey showing that the wood platform had been removed and letters from the abutting neighbors to the east and west expressing no objections to the requested variances; and

WHEREAS, a public hearing was held on April 16, 2025, the applicant's attorney presented an alternative plan for the replacement of the existing at-grade stone and wood walkway with an elevated walkway conforming to the Code requirements with a setback of 24.9' from the easterly property line; and

WHEREAS, the applicant also offered to reduce the size of the stone patio attached to the existing deck to the configuration that existed before the renovation of the dwelling in 2009,

and at the suggestion of the Building Inspector to replace the stone patio with a wood deck matching the existing wood deck in elevation; and

WHEREAS, upon considering and balancing all relevant factors in accordance with the provisions of Chapters 80, 146, the Zoning Law and §7-712-b(3) of the Village Law, this Board finds and determines that the requested variances, as amended, are warranted.

NOW, THEREFORE, BE IT RESOLVED, that the amended application of **JEFFREY GALLIN** and **JOAN GALLIN** for variances from the provisions of: (1) §196-12B (Table of Dimensional Regulations) to permit the maintenance of an outdoor shower attached to the easterly side of the existing dwelling and the replacement of a stone patio with a wood deck south of the toe of dune where a setback of 25' north of the toe of dune is required; (2) §196-12B (Table of Dimensional Regulations) to permit the replacement of the stone patio with a wood deck 19.2' from the easterly property line where 25' is required; (3) §80-10B(1)(g) to permit the maintenance of an outdoor shower attached to the easterly side of the existing dwelling 108' south of the CEHA line and replacement of the stone patio with a wood deck in the primary dune area 155' feet south of the CEHA line; (4) §80-13C to permit the replacement of the existing at-grade stone and wood walkway leading to the beach with an elevated walkway constructed in accordance with the specifications of §196-13.I, and Chapters 80 and 146 with a setback of 24.9' from the easterly property line where such a walkway on a 100' wide lot is to be located midway between the side lot lines so as to provide the maximum feasible setback, **BE AND ARE HEREBY GRANTED, SUBJECT TO** (1) Submission of a revised survey and plans showing the replacement of the stone patio with a wood deck matching the existing wood deck in elevation and in the size and configuration of the stone patio that existed before the renovation of the dwelling in 2009, and (2) Submission of a revised survey and plans showing the replacement of the existing at-grade stone and wood walkway leading to the beach with an elevated walkway constructed in accordance with the specifications of §196-13.I, and Chapters 80 and 146.

MR. RYAN SECONDED THIS 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.

Ms. Chepiga said that the Board members have reviewed the draft decision on this matter, and asked for a vote.

MS. CHEPIGA, MR. RYAN, AND MR. LANGAN VOTED AYE TO APPROVE THE RESOLUTION ATTACHED TO THESE MINUTES. MR. PEIFFER VOTED NO. MR. TOLLEY AND MR. JUDGE WERE ABSENT FOR THIS VOTE. THE RESOLUTION WAS APPROVED 3 TO 1.

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

Denise Michalowski
Deputy Village Clerk

Date