

**VILLAGE OF QUOGUE
ZONING BOARD OF APPEALS
WEDNESDAY MAY 28, 2025
3:00 P.M.**

Members present: Chairperson Pamela Chepiga, Brendan Ryan, Geoff Judge, Alternate Member Richard Langan, Jr.

Members absent: Ed Tolley, Bruce Peiffer

Others present: Village Attorney Wayne Bruyn, Village Building Inspector William Nowak, Deputy Village Clerk Denise Michalowski, Kittric Motz, Carolyn Zenk, Josh Rosensweig, Craig Lee, Harvey Winer, Jay E. Weissbluth, Howard Lowe, Roger Moley, Susan Moley

Others present on ZOOM: Theresa Fontana, Carrie Quinn, Patricia Agnello

1. Ms. Chepiga took a roll call and she then set the date of the next meeting to Wednesday, July 2, 2025 at 3 pm. She then asked for a motion to approve the minutes of the April 16, 2025 meeting.

MR. JUDGE MADE A MOTION TO APPROVE THE MINUTES OF THE APRIL 16, 2025 MEETING. MR. RYAN SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.

2. The first matter on the agenda was the application of **HARVEY WINER at 28 WOODEDGE TRAIL SCTM# 902-3-6-9** for (1) an interpretation that §196-13A(6)(b) allows an existing 590 sq.ft. one-story detached garage to be converted to a one-story home office where such section permits a detached garage to have a second floor with a single room for storage use, a fitness area, or an home office; (2) an interpretation that §196-13A(6)(b) allows an existing 590 sq.ft. one-story detached garage to be converted to a one-story home office where the landowner is elderly, disabled and handicapped with medical conditions preventing him from walking upstairs; (3) a determination pursuant to provisions of §196-13B(18) that the conversion of an existing 590 sq.ft. one-story detached garage to a one-story home office is a permitted accessory use and structure; (4) in the alternative, necessary area and/or use variances from the provisions of §196-13H and §196-13A(6)(b) to permit an existing 590 sq.ft. one-story detached garage to be converted to a one-story home office where an accessory building shall not have living quarters except as expressly permitted on a second floor of a garage or in a pool house; and (5) all other necessary relief as set forth on survey, plans and specifications submitted with the application, on a 41,277 sq.ft. parcel of land located on the easterly side of Woodedge Trail, northerly side of Evergreen Way in the A-3 Residence District.

Attorney Carolyn Zenk and applicant Harvey Winer were present for the application. Ms. Zenk reviewed the application. Ms. Zenk explained that Mr. Winer is elderly and has disabilities that prevent him from climbing steps, therefore he is seeking permission to convert the preexisting one story detached garage into a home office. Ms. Zenk noted Mr. Winer finds it painful and

dangerous to climb stairs, and that he also needs easily accessible access to bathroom facilities due to medical conditions. Ms. Zenk next summarized Mr. Winer's medical conditions which are also detailed in her submissions. Ms. Zenk also reviewed her own educational and professional experience. She next reviewed the sections of the Quogue Village Code applicable to this matter. Ms. Zenk showed the Board pictures of the home, the wooded property and discussed the existing landscaping, driveway and garage area. Ms. Zenk explained that only minor changes to the structure would be necessary in order to convert this area into an office, as opposed to a more invasive addition of a second story added to the garage. She added that this would be beneficial to the environment, as it is an existing structure. Ms. Zenk said there would be no detriment to the neighborhood to proceed with this proposed project, and it would be a great benefit to Mr. Winer. Ms. Zenk said that the Village Code has confusing language in regard to this matter, and submitted and reviewed a document explaining her reasoning. Next Ms. Zenk discussed the legislative history relating to this matter. Ms. Chepiga asked for clarification as to if this is an area or use variance. Ms. Zenk clarified that this would be an area variance, and a request for an interpretation of the Village Code, or variance relief based on Mr. Winer's medical condition. Mr. Bruyn said this section of the code deals with garages and they are not looking to keep this area as a garage, so it would not apply. The issue of accessory structure uses, and the number of uses allowed was discussed. Ms. Zenk summarized Mr. Winer's numerous injuries and medical conditions. Mr. Winer read a statement regarding the hazards of senior citizens falling on staircases. Ms. Chepiga asked if Mr. Winer could use one of the rooms in his home as an office as an alternative. Ms. Zenk replied that there is not enough room for his office in the home. Ms. Bruyn said this request is more of a medical personal convenience, and perhaps something could be considered that would not stay with the property forever. Ms. Chepiga asked if Mr. Winer would consider that this area would be converted back to a garage after the need for this office no longer exists. Mr. Winer said that this area could be easily converted back to an office. Ms. Zenk said that she and Mr. Winer will discuss and consider this option, and asked to keep the record open and adjourn this matter. Mr. Ryan expressed support for the option of converting the structure back to a garage after Mr. Winer no longer needs the area for a home office. Ms. Chepiga asked if anyone had any questions or would like to be heard, hearing nothing, this matter was adjourned to the next meeting.

3. The next matter to be heard was the application of ROGER W. & SUSAN G. MOLEY at 3 QUOGO NECK LANE SCTM# 902-7-3-14 for variances as follows: (1) §196-7.1B in order to permit the replacement of an approximately 10' by 12' (120 sq.ft.) nonconforming shed with attached outdoor shower with a new 10.3' by 12.3' (127 sq.ft.) shed; (2) §196-12B (Table of Dimensional Regulations) to permit the new shed with a side yard setback of 10.4' from the northerly property line where 25.0' exists and 25' is required; (3) §196-12B (Table of Dimensional Regulations) to permit the new shed with a rear yard setback of 8.4' from the westerly property line where 7.5' exists and 25' is required; and (4) all other necessary relief as set forth on survey, plans and specifications submitted with the application, on a nonconforming, 43,621 sq.ft. parcel of land located on the westerly side of Quogo Neck Lane, approximately 228' south of Quogue Street in the A-3 Residence District.

Architect Craig Lee and applicant Roger Moley were present for this application. Mr. Lee reviewed the application, and submitted an amended survey showing the correct names of the neighbors. Mr. Lee also submitted a picture of the area where they are proposing to install the shed, and an amended site plan. Mr. Lee noted that they will be tearing down the existing shed and the new shed will be in a more conforming location on the property. He added that the shed will be hidden behind the garage from the street and will not have an adverse effect on the neighborhood. Mr. Lee said that additional landscaping will be planted, and that there is no other feasible alternate location on the property. Mr. Lee added that the neighbors have written letters of support for this application. Ms. Chepiga asked if anyone would like to be heard, but no one came forward.

MR. RYAN MADE A MOTION TO GRANT THE REQUESTED VARIANCE. MR. JUDGE SECONDED THE MOTION AND THE MOTION WAS UNANIMOUSLY CARRIED.

4. The last matter to be heard was the application of **52 DUNE ROAD, LLC at 52 DUNE ROAD SCTM# 902-13-2-7** for a determination pursuant to provisions of §196-13B(18) that a new 485 sq.ft. one-story, detached building with bathroom to be used as a golf/sports simulator and fitness/exercise room is a permitted accessory use and structure to a one-family dwelling; which building will replace an existing 362 sq.ft. greenhouse and potting shed, and (2) all other necessary relief as set forth on survey, plans and specifications submitted with the application, on a 90,427 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.

Mr. Langan announced that he was recusing himself on this matter and left the meeting. Attorney Kittric Motz and Architect Josh Rosensweig were present for the application. Ms. Motz reviewed the application and handed out some photographs to the Board of the existing structure and street views. She added that the neighbor has submitted a letter of no objection for this application, and the structure will be closest to the parking lot. Ms. Motz said that the structure will be barely visible from the street, and there will not be an undesirable change to the neighborhood. She added that there is no other feasible alternative to this request, and the area will be heavily landscaped. Mr. Bruyn noted this is not a variance request, but a special permit request as a customary accessory use to the residence. Ms. Motz said there are other similar recreational uses like this in the Village. Ms. Chepiga asked if anyone would like to be heard. No one came forward. Ms. Chepiga asked for a motion to grant the special permit according to the attached resolution.

MR. JUDGE MADE A MOTION TO APPROVE THE ATTACHED RESOLUTION, MR. RYAN SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.

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

Denise Michalowski
Deputy Village Clerk

Date