

**VILLAGE OF QUOGUE
ZONING BOARD OF APPEALS
WEDNESDAY, AUGUST 6, 2025
3:00 P.M.**

Members present: Chairperson Pamela Chepiga, Ed Tolley, Bruce Peiffer, Geoff Judge, and Alternate Member Richard Langan Jr.

Member absent: Brendan Ryan

Others present: Village Attorney Wayne Bruyn, Village Building Inspector William Nowak, Deputy Village Clerk Denise Michalowski, Robert Kelly, Paul Sigismondi, William O'Neil

1. Ms. Chepiga took a roll call, and she then set the date of the next meeting to Wednesday, September 10, 2025, at 3 pm. Ms. Chepiga stated that Mr. Langan will serve as a voting member in place of Mr. Ryan, who is unable to attend. She then asked for a motion to approve the minutes of the July 2, 2025 meeting.

MR. PEIFFER MADE A MOTION TO APPROVE THE MINUTES OF THE JULY 2, 2025 MEETING. MR. TOLLEY SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.

2. The first matter on the agenda today was the application of **TODD M. & LARA ROSS at 32 JESSUP AVENUE SCTM# 902-3-3-4.1** for variances as follows: (1) §196-12B (Table of Dimensional Regulations) to legalize the construction of an existing swimming pool with a setback of 19.6' from the easterly rear property line where 25' is required; (2) §196-12B (Table of Dimensional Regulations) to legalize the construction of swimming pool equipment with a setback of 19.7' from the northerly side property line where 25' is required; and (3) all other necessary relief as set forth on survey, plans and specifications submitted with the application, on a nonconforming, 20,007 sq.ft. parcel of land located on the easterly side of Jessup Avenue, approximately 765' north of Old Meeting House Road in the A-5 Residence District.

Attorney Robert Kelly was present for the application. Mr. Kelly reviewed the application and said that the pool had been constructed in the wrong location due to the builder's error. He noted that the area is very well screened, and that the pool has been in this location for 20 years. Mr. Kelly said that when the error was discovered in 2014, the applicant removed the structures that she could – the pool patio, dog pen and shed, but relocating the pool would be a hardship. Ms. Chepiga asked how the error occurred, and who made the error. Mr. Kelly said the pool was built in 2005 by Jim Otto, whom he believes is deceased. The applicant had obtained a building permit for the pool to be built in the correct setbacks, and an error was made by the builder. Mr. Tolley expressed his frustration at the number of builder errors that occur. Mr. Tolley asked if there had been any complaints regarding the location of the pool equipment. Mr. Kelly said that the pool equipment is far from any neighbors and he does not know of any complaints being

made. Mr. Peiffer said he would like to see the pool equipment moved to a conforming location. Mr. Kelly said he thought the applicant would agree to moving the pool equipment to have the variance for the pool granted. Ms. Chepiga asked if anyone else present would like to be heard. No one came forward, and she asked for a motion to grant the variance related to the existing swimming pool location, but to deny the request relating to the pool equipment.

MR. TOLLEY MADE A MOTION TO GRANT THE VARIANCE REQUEST TO LEGALIZE THE CONSTRUCTION OF AN EXISTING SWIMMING POOL WITH A SETBACK OF 19.6' FROM THE EASTERLY REAR PROPERTY LINE WHERE 25' IS REQUIRED, AND TO DENY THE VARIANCE REQUEST TO LEGALIZE THE CONSTRUCTION OF SWIMMING POOL EQUIPMENT WITH A SETBACK OF 19.7' FROM THE NORTHERLY SIDE PROPERTY LINE WHERE 25' IS REQUIRED. MR. PEIFFER SECONDED THE MOTION, AND THE MOTION WAS UNANIMOUSLY CARRIED.

3. The next matter on the agenda today was the application of **DENISE CANTOR & DOMINGO PEREZ JR. at 4 LITTLE PINE LANE SCTM# 902-3-4-29** for variances as follows: (1) §196-12B (Table of Dimensional Regulations) to legalize the construction of an existing air conditioner condenser with a setback of 11.3' from the southerly side property line where 25' is required; (2) §196-12B (Table of Dimensional Regulations) to enable the construction of a new wood walkway that exceeds more than 4' in width with a setback of 21.4' from the southerly side property line where 25' is required; (3) §196-12B (Table of Dimensional Regulations) to enable the construction of a new wood pool deck with a setback of 21.3' from the southerly side property line where 25' is required; (4) §196-12B (Table of Dimensional Regulations) to legalize the construction of an 8' by 10' shed with a setback of 10.0' from the westerly rear property line where 25' is required; (5) §196-12B (Table of Dimensional Regulations) to enable the construction of new swimming pool equipment with a setback of 9.3' from the southerly side property line where 25' is required; and (6) all other necessary relief as set forth on survey, plans and specifications submitted with the application, on a nonconforming, 21,060 sq.ft. parcel of land located on the southwesterly corner of Old Depot Road and Little Pine Lane (a private road) in the A-5 Residence District known as 4 Little Pine Lane.

Paul Sigismondi was present to represent the applicant. Mr. Sigismondi explained that this is a small, preexisting nonconforming property in terms of total lot size. He continued that the house, pool house, and pool are all on the Certificate of Occupancy, and they are proposing to construct a 5-foot-wide walkway, level with grade. Mr. Sigismondi explained that there had previously been a 5-foot-wide walkway in this location since the 1960s, which had rotted and was removed. He added that the bedrooms on the back of the house all have slider doors that would open up to the proposed walkway. Mr. Tolley asked where the AC condenser is located on the plans, and if there is a more conforming location than what is being proposed. Mr. Sigismondi stated that the area along the east side of the house has other utilities, and it was not practical to locate the AC condenser in that area. He added that the AC condenser will not be visible from the street in the proposed location, will be well screened, and two neighbors (65 & 67 Old Depot Road) have written letters of support. Mr. Sigismondi said the only other area they could relocate to would be behind the pool house, and that would be too far away, per the

manufacturer's recommendations. Mr. Tolley asked if there is another more conforming location than the one that has been proposed for both the AC condenser and the pool equipment. Mr. Bruyn said if there is not a more conforming location for these structures, the Board would need more information as to why not. Mr. Sigismondi said the pool equipment cannot go by the pool house because of the existing shower and tree roots. Mr. Bruyn suggested that the information that was submitted to the Board be updated with current information and resubmitted. Mr. Sigismondi said the old shed has been removed and the new shed has not yet been constructed, but is needed for storage of lawn equipment and pool supplies. Ms. Chepiga asked if anyone else present had any questions. Mr. O'Neil, owner of 63 Old Depot Road, came forward and asked where the proposed shed would be located. Mr. Sigismondi said it would be located on the southern side of the pool house, and would be shorter in height. Mr. O'Neil said he had no further questions. Mr. Peiffer said he would like the applicant to explore if there is a more compliant location for the shed as well. Mr. Sigismondi said there is no other option for the shed. Mr. Nowak suggested that the Board members individually visit the site to get a better idea of the property. Mr. Bruyn asked that the survey be checked for accuracy. Ms. Chepiga asked for a motion to adjourn this matter to the next meeting.

MR. TOLLEY MADE A MOTION TO ADJOURN THIS MATTER TO THE NEXT MEETING. MR. PEIFFER SECONDED THE MOTION AND THE MOTION WAS UNANIMOUSLY CARRIED.

4. The last 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.

Ms. Chepiga said that a written decision has been prepared and reviewed by the Board. Both Mr. Tolley and Mr. Langan were not at the last meeting, but they both stated that they have fully reviewed all of the information and are prepared to vote on the Decision. Ms. Chepiga asked for a vote from the Board. The vote was as follows – Ms. Chepiga, Mr. Tolley, Mr. Judge and Mr. Langan voted Aye. Mr. Peiffer voted Nay. The Decision was approved 4 to 1.

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

Denise Michalowski
Deputy Village Clerk

Date