

**VILLAGE OF QUOGUE  
ZONING BOARD OF APPEALS  
WEDNESDAY, APRIL 22, 2026  
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, Geoff Judge, Brendan Ryan, Bruce Peiffer, and Alternate Member Richard Langan

**Others present in person:** Village Attorney Wayne Bruyn, Village Building Inspector William Nowak, Deputy Village Clerk Denise Michalowski, Village Office Assistant Tara Mahon, John Laffey, Lisa Poyer, Kittric Motz, Karen Hoeg, Joshua Rosensweig, Chuck Bowman, Joseph F. Gazza, Debbie Disston, Geoff Disston

**Others present via ZOOM:** Stuart Disston

1. Ms. Chepiga took a roll call and then set the date of the next meeting to Wednesday, June 10, 2026, at 3 pm. She next asked for a motion to approve the minutes of the March 5, 2026 meeting.

**MR. PEIFFER MADE A MOTION TO APPROVE THE MINUTES OF THE MARCH 5, 2025, MEETING, AND MR. RYAN SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

2. The first matter on the agenda today was the application of **DEBORAH W. DISSTON, GEOFFREY W. DISSTON, ROBERT H. LARSON and STUART DISSTON AS TRUSTEE OF THE STUART DISSTON REVOCABLE LIVING TRUST, 117 DUNE ROAD SCTM# 902-15-1-12** for variances from the provisions of (1) §196-22B (Height of Walls & Visibility) in order to erect a solid vinyl sheet retaining wall with the top of wall 3’ to 5’ above existing grade with 0% visibility in the southerly front yard, the easterly side yard and westerly side yard where a wall in such yards must either have 40% visibility or not exceed 2’; and (2) all other necessary relief as set forth on survey and plans submitted with the application, on a nonconforming, 36,233 sq.ft. parcel of land with a single-family dwelling and a guesthouse, located on the southerly side of the Quogue Canal, northerly side of Dune Road approximately 90’ east of Post Lane, in the A-2 Residence District.

Attorney Kittric Motz, Architect Joshua Rosensweig, and Chuck Bowman of Land Use Ecological Systems were present on behalf of the applicants. Ms. Motz reviewed the application for the requested retaining wall and explained the purpose of the wall is to halt the progression of the wetlands on the property. Ms. Motz submitted a photograph of the area and noted that the neighboring property of 121 Dune Rd consists almost entirely of wetlands. She next reviewed the height of the wall in various locations along the property, noting that most of the wall will be

3 feet above grade except in two discrete locations. Ms. Motz explained that the DEC has issued a permit for a 5-foot retaining wall. She read the language of the permit, which includes the demolition of a single-family dwelling and accessory structures, and abandonment of the current sanitary system, the construction of a single-family dwelling, pool, porch, French drain, driveway, retaining wall, and vegetative buffer. Ms. Motz said that the retaining wall will help define the vegetative buffer. Ms. Motz said that at this time, they will only be constructing the retaining wall. She added that another reason for the wall to be at this height is the change in the New York State code, which now requires a freeboard height of 3.5 feet. Ms. Motz said that granting this request will not cause an undesirable change to the neighborhood, as there are many retaining walls on Dune Rd. She said that 127 Dune Rd has a similar retaining wall to contain fill, but did not require a variance. Ms. Motz showed the Board two photos of the wall at 127 Dune Road. Ms. Motz said there is no feasible alternative because of the new height restriction. She added that this additional one foot in height is not substantial and would have no adverse impact; the wall would protect the property. Mr. Tolley asked for clarification of the visibility of the wall. He asked for a rendering, including colors and plantings, to be submitted. Mr. Rosensweig said there is a restriction on fertilized plantings on the seaward side. He continued that the goal is for native species, such as Bayberry, to take over the area, which will naturally happen. Ms. Chepiga questioned that only the fence part of the permit is being constructed, which is only a small part of the DEC permit. She noted that the DEC approval will expire soon, and the remaining permitted structures will not be able to be built. Mr. Rosensweig said that they do not currently have drawings or plans to construct a new home on this property. He said the wall is intended to stop future wetland migration onto the property. Ms. Chepiga said that the Board would like more information about the future plans for this property in order to determine the impact of the wall. Ms. Motz said that both homes on the property are currently being used and that the wall is to keep the property envelope from shrinking. Mr. Bowman noted that he processed the original DEC permit. He said that the intention of the wall is to establish setbacks and create a buffer. There was discussion on whether the buffer could be created without the wall. Mr. Tolley said the Board has issues with the bifurcation of the permit and asked if the applicant would be willing to commit to only constructing a fully conforming residence in the future, and to demolish the non-conforming second residence. Mr. Bruyn said that the issue is that the wall is part and parcel of the application to demolish the two dwellings and construct a new dwelling, and but for that, there would not be a wall. He continued that if this, along with the drainage and buffers, are not done, would the DEC have permitted the wall for the existing structures? Mr. Bowman said that it would be very difficult to get the DEC to answer this question. Mr. Bruyn said the only way that the Building Inspector could issue a building permit is if it is consistent with the DEC permit. He continued that a permit for the wall alone would not be consistent with the language of the DEC permit. Ms. Chepiga asked if anyone would like to be heard. Joseph Gazza, owner of the adjacent property to the east, came forward to speak. He showed the Board an enlarged copy of the survey. Mr. Gazza noted the large amount of fill proposed to be brought in, and compared the undersized lot to a sandbox. He expressed concern regarding the height of the wall and the need for a fence on top of the wall to prevent someone from falling. There was discussion of this issue in relation to NYS Code. Mr. Gazza next showed the Board a tax map of the properties. Mr. Gazza asked if the construction of the wall would

allow for structures to be constructed closer than the 75-foot DEC restriction. Mr. Gazza showed a survey of his property, which currently has a small shed. He said that he would not be allowed to build a house set back only 33 feet from wetlands on his property. Mr. Gazza said that this wall would be a bulkhead around the property, would be a detriment, and would change the character of the neighborhood. Debbie Disston, one of the property owners, came forward to speak. Ms. Disston said that she and her husband live on the property and care for her 92-year-old mother, who lives next door. She spoke of the extensive flooding that has occurred on this property. Ms. Disston said that on Mr. Gazza's property there is an unfinished foundation of stone, and a gravel driveway that people use to park and walk over to the beach. Ms. Disston said this wall is needed for the safety and protection of the existing structures on her property. She also spoke of her and her family's long history in the Village of Quogue. Mr. Rosensweig said that the family would like to allow Joan Larson to live the rest of her life on the property uninterrupted. He added that the site plan that is shown with the 30-foot setback from the wetland has been approved by the DEC. Mr. Rosensweig said he has seen many instances of DEC approvals that differ from the 75-foot restriction. He added that the property owners would commit to removing the existing homes and constructing a Zoning and Code-compliant residence in the future. Mr. Rosensweig spoke of the fill being brought in on the East and West sides. He reiterated that the wall will preserve the property so that in the future a compliant residence can be built. Ms. Motz said that she would like to reserve the right to apply for some Zoning relief in the future, should it be needed. Mr. Gazza was concerned with flooding waters hitting the wall and falling back on his property. Mr. Bowman said that the vegetation should prevent this. Mr. Gazza did not agree with this. Mr. Tolley said a rendering of the wall and the landscaping would be helpful to the Board. Ms. Chepiga summarized the concern of the Board that the wall is only a small part of the DEC permit. She noted that the preservation of the existing structures was not part of the approval, as the authorized activity is to remove the existing structures and construct a new residence. Ms. Chepiga questioned if this negates the permit. Mr. Bruyn questioned if the DEC would allow the wall for protection of the existing structures. Ms. Chepiga added that the Board is concerned about what the wall will look like driving down Dune Road. Mr. Bruyn said that they should also submit additional detail of any similar permits that have been issued, in order to establish the character of the neighborhood. He also asked for any possible feasible alternatives, and any evidence of wetland creeping onto the property. Ms. Chepiga asked for a motion for a resolution to adjourn this matter for all purposes until the next meeting on June 10<sup>th</sup>.

**MR. RYAN MADE A MOTION TO ADJOURN, AND MR. TOLLEY SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

3. The last matter on the agenda was the application of **KAREN BANDER AS TRUSTEE UNDER THE BEVERLY WEISS DECLARATION OF TRUST DATED NOVEMBER 1, 2011 – 6 OLD OAK LANE SCTM# 902-6-1-7.8** for variances from the provisions of (1) §196-5D (change of nonconforming guest house) in order to relocate a pre-existing, nonconforming, 804 sq.ft. one-story, two-bedroom accessory guesthouse with attached 455 sq.ft. deck situate

approximately 10' of designated wetlands along Stone Creek to a conforming location on the northwesterly side of the premises; (2) §196-5D to renovate and enlarge the accessory guesthouse by 219 sq.ft. (27.23%), increase the height above existing grade (but still less than 16' above grade), add a new basement for mechanicals and storage only, and add a new attached 823 sq.ft. deck; and (3) all other necessary relief as set forth on survey and plans submitted with the application, on a 115,454 sq.ft. parcel of land located on the southerly side of Stone Creek, easterly terminus of Old Oak Lane (a private road), approximately 491' south of Montauk Highway, in the A-8 Residence District.

Lisa Poyer, Architect John Laffey and Attorney Karen Hoag were present on behalf of the applicant. Ms. Poyer submitted an aerial photo to the Board and reviewed the application. She explained that the applicant proposes to expand and move the existing cottage to a conforming location, and has applied to the DEC for a permit and a non-jurisdictional letter. Ms. Poyer reviewed the Certificates of Occupancy and ZBA Decisions and conditions issued for the property. Ms. Poyer said that the cottage currently has two bedrooms, two baths, and a small kitchen area. Mr. Laffey said that the proposal is to enlarge the bedroom, add a powder room and basement, reduce the porch, and expand the deck. Mr. Tolley verified with Ms. Poyer that the cottage would not be demolished, only moved and expanded. Ms. Poyer said that there is no objection from the neighbors. Mr. Bruyn said all conditions previously imposed would remain, and that Health Department and DEC approval would be needed before a Building Permit could be issued. Ms. Chepiga asked if anyone would like to be heard. No one came forward, and Ms. Chepiga asked for a motion to approve the requested variances.

**MR. RYAN MADE A MOTION TO APPROVE THE REQUESTED VARIANCES, AND MR. TOLLEY SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

As there was no more business, Ms. Chepiga adjourned the meeting.

Denise Michalowski  
Denise Michalowski  
Deputy Village Clerk

6/9/26  
Date