

**ZONING BOARD OF APPEALS  
SATURDAY, SEPTEMBER 13, 2014  
4:00 P.M.**

**Present:** Chairman Robert Treuhold, Charles Mott, Ogden Lewis, T. David Mullen, Alexander Ames, Brendan Ryan, and Village Attorney Richard DePetris

1) Chairman Treuhold brought the meeting to order. The minutes of the **August 15, 2014** meeting were approved into the record. Mr. Treuhold also indicated that the next meeting would be held on **October 18, 2014** at **4 PM**.

2) First on the afternoon's agenda was the holdover application of **Dune Designs LLC** for a setback variance to 19.4 feet from the westerly line for proposed deck addition to swimming pool deck and for a coastal erosion hazard area variance for such addition and for proposed triangular deck addition. Premises are known as **86 Dune Road. TM #902-13-3-18**.

Attorney **Kittric Motz** was present for the applicants. She had no new information to present and requested to hear the decision.

**DECISION: MR. TREUHOLD MOVED TO DENY THE DUNE DESIGNS LLC APPLICATION WITH RESPECT TO THE POOL DECK EXTENSION AND APPROVE THE PROPOSED TRIANGULAR DECK ADDITION. MR. AMES SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

3) Next was the application of **Mark Carbone** for a setback variance to 42 feet from Niamogue Lane and a height variance within such required front yard for proposed house and for a setback variance from Ogden Lane for proposed stairs as shown on site plan. Premises are known as **9 Ogden Lane. TM #902-14-1-19**.

Architect **Fred Weber** was present for the applicant. He explained that Mr. Carbone purchased his late mother's house, which is on a little over an acre, on Ogden Lane. Mr. Carbone was not interested in keeping the house in its present condition as it was not FEMA compliant, and it needed extensive remodeling. With the use of drawings and photos Mr. Weber showed the board the site. He explained that the building envelope was rather small because the property had two front yards, Niamogue Lane and Ogden Lane. His client was proposing to construct a two-story house, with an open floor plan for the first floor and 4 bedrooms proposed for the second floor. The garage is proposed

for underneath the house. The house would be about 3,700 SF. of living area, plus porches with a gross floor area of about 4,700 SF. Although they significantly under built the lot, they still had setback issues. Mr. Weber explained that they needed a side yard variance and a height variance because the FEMA code would put the house up so high. He felt that because they were trying to create a house that had more of a Quogue look with gambrel roofs, wood siding, and wood shingles on the roof, it would be a better look and a good impact on the neighborhood. He did not view the variance request as too substantial because the body of the house was in conformance, and it was only the one story element on the side that created the need for a variance. Because the sanitary system is too close to the wetlands, it would be pushed back on the landward side of the house, and brought up to Health Dept. codes. He also mentioned that there were wood stairs that would come down from the first floor entry porch to a path, and more steps to come down because of the retaining wall around the septic system. They planned to make the septic retaining wall look as nice as possible.

**John Turner**, the neighbor at **#7 Ogden Lane**, came forward to say he was concerned about the height of the two houses on either side of him. Since his house sat lower, he was concerned with water run off and flooding on his property. He also wanted to see where the steps were located, which Mr. Weber showed him on the drawings. He felt that grading might effect flooding and was also concerned because the driveway was by his property line. The board explained that the Carbones would have to address the grading and drainage with the building inspector. Mr. Weber explained that because the sanitary system was in the front of the house, they had to put the garage on the side closer to the Turners, with the entrance and driveway also closer to them. He explained they were not removing any trees and could possibly put up a narrow barrier of landscaping.

**DECISION: MR. TREUHOLD MOVED TO APPROVE THE CARBONE APPLICATION. MR. AMES SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

4) Next was the holdover application of **James and Dale Hisiger** for a setback variance to 22.1 feet from rear line for existing stone patio and for a lot coverage variance to 20.6% for existing structures. Premises are known as **15 Blueberry Lane. TM #902-1-49.8**

Attorney **Robert Kelly** was present for the applicants. He explained that his clients converted the wood deck into a patio, in the same footprint that had been there in the past, since 1984. When they recently had a survey done the building inspector noticed that they the patio was setback 22.1 instead of 25 feet. Mr. Kelly explained that the area between the two properties was heavily landscaped and he did not feel that the neighbors can even see the patio. The patio has been in its present position since 2008 and no one has ever complained about it. The lot coverage is at 20.6 %.

**DECISION: MR. TREUHOLD MOVED TO GRANT THE HISIGER APPLICATION. MR. AMES SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.**

The meeting was adjourned.

**Respectfully submitted by:** \_\_\_\_\_ **File date:** \_\_\_\_\_