

**ARCHITECTURAL REVIEW BOARD  
VILLAGE OF WESTHAMPTON BEACH  
Tuesday, May 7, 2019 at 7:00 pm  
MUNICIPAL BUILDING, 165 MILL ROAD**

**Present:** Gregory Minasian, Chairman  
Laurette Lizak  
Andrea Kaloustian  
Allegra Dioguardi  
Michael Stoehr

Kevin A. McGowan, Esq., Village Attorney

**Absent:** Kerry Rogozinski, Building Permits Coordinator

The meeting was called to order at 7:00 p.m.

**HOLDOVER**

- 1. Schlüsselberg Family Limited Partnership, 24 East Division Street, (905-10-7-30)** Two story dwelling with raised enclosed foundation area used for building access and light storage. Dwelling is fully sprinklered. Swimming pool and deck. \*\*Prior to framing inspection, the applicant shall submit and obtain approval by the Fire Marshal for the sprinkler installation.\*\*

James Hulmes appeared or the applicant. He said that based on the previous conversation, he reviewed the code which talks about Section 5-18 which speaks of "Disapproval". He went on to say that the code refers to the three categories in which a project can be disapproved. The first is "Monotonous similarity". He thought that it was interesting that it is listed first because he believes that the drafters of the code were interested in having diversity in the styles of the homes in the Village. The second category is "Striking dissimilarity" and the third is "Visual offensiveness". He said they looked at this project in regard to the three categories and he suggested that there may be a difference of opinion as to whether someone likes or doesn't like the style, and he doesn't believe that the Board would find this project visually offensive. He doesn't think the board is concerned that the project could be defined as monotonous similarity, so he believes that they should focus on the second and third categories. He noted that the code doesn't talk about being similar or dissimilar, it talks about being strikingly dissimilar and there needs to be a content in which those words can be interpreted. He thinks they chose the word "strikingly for a purpose. The drafters of the code were looking for diversity in style, not cookie cutter designs. He said that striking is a pretty strong word. He went on the say that the code also speaks of vicinity which is not right next door. Vicinity can be defined as neighborhood, or district or a section, so it means more than the house next door or across the street.

(Schlüsselberg-con't)

Mr. Hulme told the Board that they took photos of different houses around the Village and he would like to talk about the results. He referred to the previous discussion about whether or not modern houses had made their way to the main land. He said every one of the houses in the photos were modern houses and reviewed and approved by this Board.

He recalled that Rocco Lettieri articulated previously that architecture has had a revolution. There is a tendency of modern houses around the Village at this time. He proposed looking at each modern house in the context of the vicinity, district and area that they were placed and try to get a sense of what is the standard for this house in this neighborhood.

Rocco Lettieri addressed the Board and said that modern is a loaded word because modern architecture as in this house is really a revival. 100 years ago, modern architecture started and generated because of the industrial revolution and people were able to build with such materials as steel and glass and hirsers and such were built.,

He spoke of the different time zones and what was being built at the time., He said that he stayed with the style house that was keeping in kind with this area.

Mr. Hulme went on to specifically speak of the different houses in the Village. He started with 105 Beach Lane and 25 Cox Curve. He said that 105 Beach Lane is in the midst of what an architecture would call a traditional neighborhood. 25 Cox Curve is also a modern house in a traditional style neighborhood.

Mr. Lettieri said that on that street there are postmodern houses down by the bridge that the Board recently approved. He would classify some as transitional but they have the same elements.

Mr. Hulme cited 7 Reynolds Drive and said that it was the first modern house in an eclectic neighborhood 15 years ago. 233 Oneck is another example of a modern house in the midst of traditional houses. There are also modern houses on Jessup and Stacy Drive. He said that modern houses seem to be on the rise.

Rocco Lettieri referred to a picture he submitted of 12 Stacy Drive which is very similar to the house he is proposing.

Mr. Hulme also mentioned houses on Seafield that are modern and were approved. Mr. Hulme said they would like to speak of houses near East Division Street.

(Schlüsselberg-con't)

Mr. Lettieri first mentioned the condos. He said that right before you turn down East Division you see the modern condos that were built in the 60's and 70's.

Mr. Minasian said he would like to address the word modern because Mr. Lettieri stated that some of the condos go back to the 60's.

Mr. Lettieri said it is similar to modern being built today. Its an international modern style.

Mr. Minasian asked what Mr. Lettieiri calls his style and Mr. Lettieri replied that is modern, not postmodern., it's a modern home.

Mr. Hulme said it certainly has other features similar to other homes.

Mr. Lettieri again described the building as modern. He said that modern international started with such things as flat roofs. A classis modern. Post modern has ornamental objects with no function. Traditional houses are stripped down to the simplest basic form. He told the Board that post modern and traditional houses are on that street as well. He said the neighboring property is a traditional ranch house.

Mr. Minasian spoke of the house to the north and said the neighbor to the north #16 is a one story pitched roof.

Mr. Lettieri said it was original a traditional home but then had modern elements added.

Mr. Minasian said there is another house without a number that is directly across the street that is a traditional house. He said the neighbor to the northwest is an 80's style pitched roof with vertical cedar. The second house shows a traditional style with a porch. He said the neighbors on 65 and 59 Stevens Lane show 2 traditional style shingled houses.

Mr. Lettieri disagreed and said the corner house is the only true traditional style house. The other two, 65 & 59 are a no description and a postmodern. Number 5 and behind number 5 are houses that are modern, showing flat roofs, modern, postmodern, flat roof, with pitched roof and curtain glass walls. He mentioned 7 modern and postmodern homes. He went on to say that there are all types of houses and a very eclectic neighborhood and Village and there have been precedents set throughout this Village by this and other Boards which approved modern, postmodern, traditional farmhouses, modern barns, etc. He said all of these houses have been approved over time so this Board set a standard and he is following that standard. He believes this is no different and he would like the Board to stay focused on the areas they spoke about.

(Schlüsselberg-con't)

She says this property will probably hurt her property values. She spoke of the house built on Stevens most recently and was very pretty.

Mr. Stoehr asked if it's the wall she objects to.

Ms. Propper said it's the wall and the whole thing. It towers 32 ft. or more up in the air and its 20 ft. from her property line. It is not pretty. She does find it visually offensive. She said the house down the street is exactly the same as when it was built and she doesn't think this house works. Its parallel to the street and doesn't fit the space. She said she will be next to a wall 20 ft. from her property line.

Mr. Lettieri stated that he has been through DEC, Planning and Zoning. He went through every board and got a variance., There is no other place to build the house on the property. The Dec is ecstatic with the placement of the house.

Mr. Minasian interrupted and said they are not here about the DEC or any other Boards. They are talking about the aesthetics.

Mr. Lettieri explained that the elevation of the house is only 36 ft. even though he can be at 44 ft. another 8 ft. high. He took that into consideration and they were very conscious of everything around him. He believes it's a beautiful home and will look amazing. He said he has been in front of this Board on a house on Jessup that had adverse eclectic materials all over the place on houses and yet they were approved. The structure he is proposing does not have a hodgepodge mixture, it is simple and clean and it's the only area you could put a house.

Mr. Minasian wanted to talk about the house on Jessup that Mr. Lettieri called hodgepodge.

Mr. Lettieri said on that house there are 10 different materials and colors. He was at the meeting when it was heard on a different matter. He said he is very conscious of those things. He said this house is at dead end street and will be screened off. He said there are trees there already 32 ft. high existing. The way it is designed it will let the wetlands grown and there is a whole drainage design to take in the water.

Ms. Propper said the trees are on her property and said she had a certified arborist talk about the trees and the fact that they are 20 ft. from her house and the shade is not good. She said that he said no one is going to see it. She said it is a wall.

Mr. Minasian said that she is referring to the north side of the building. He wants to know exactly what her issues are.

(Schlüsselberg-con't)

Ms. Propper replied the issue is the height and visually it is 20 ft. from her property which makes the height look higher. It is a solid wall with a staircase that will intrude onto the setback. She said it is going to drain onto her property no matter what anyone says. She said he got a DEC approval to demolish the existing house and put a new one in the footprint that was already there.

Mr. Lettieri said that she is speaking of the prior owner.

Mr. Minasian said that the height is within code and asked her if the solid wall is the problem.

Ms. Propper said it is the whole thing. It has two metal windows and ugly to look at.

She explained that she doesn't like the solidness of it, the tiny windows and the staircase. She doesn't know exactly what it will look like, she said she feels like she is living next to a prison and this shouldn't be allowed to be pushed on her.

Mr. Lettieri explained the project specifically the windows. He said if she is concerned about the trees, he will put his own trees along the north side. He also said that the elements of the house allow sun, light.

Mr. Minasian said the height meets code. He asked if Mr. Lettieri could put more windows.

Mr. Lettieri explained the setbacks again. He said the house is 70 ft. long with a pool area.

Ms. Lizak asked Mr. Lettieri if there is something, he can do to address her concerns and he said he was willing to put the trees and add windows.in but he is not willing to change the design. In his opinion it is a beautiful design. He explained the location of the house to the trees and said her trees are all in the sun. He can put 20 ft. trees in, but doesn't want to change something on the design to try to appease her. This house is a stand- alone, it is surrounded by wetlands.

Mr. Lettieri said he can't make the building lower, if they want trees, he will do trees, if they want hedges, he will do this on both sides.

Mr. Minasian stated that it really is about what defines the vicinity ad neighborhood. So, they can apply the standards. which is north south front and back. The houses shown in the other areas are in other vicinities. Mr. Lettieri remembers a case on Jessup where the vicinity is a 1-2-mile radius of that area.

(Schlüsselberg-con't)

Mr. McGowan said to Mrs. Propper that the Board has giving you a lot of leeway in stating your objections but at the end of the day they are the applicants they are going to get the last words in this and as the Board sees fit, they will take your testimony.

Mr. Minasian asked if there is anything that can be done to increase the number of windows, Mr. Lettieri said I don't think that's what it is about. Ms. Propper said it is not about windows. Ms. Dioguardi said I think what Ms. Propper is objecting to the monolithic wall.

Mr. Stoehr said we have to come back to what the Board can do we are not architects, we are dealing with the vicinity under the code and the question is does it fit into the community which we define as looking bac, forward, right and left. Mr. Hulme said if you try to answer that question in the context of the standards that you have set thru the samples, we have showed you throughout the Vi8llage the answer is yes

Mr. McGowan said if you would like to submit that case and that the Code does not have an objective standard for vicinity it is safe to say it is smaller than the Village of Westhampton Beach; larger than the immediate house to the left right.

Mr. Hulme said your misunderstanding, we are not saying you should allow this modern house here in this neighborhood because there are modern houses elsewhere that's not what he is saying. Mr. Hulme said for me to allow this modern house here in this vicinity because you have allowed modern houses elsewhere in the context of the vicinity of those houses which are very similar to the neighborhood that's here. Mr. Hulme said you have established a standard throughout the Village there are 26 different modern houses.

Ms. Lizak said the semantics that we are getting into right now if we were to revisit the Code and the rewording our code, I'm fine with that but this is not the forum for that. Mr. Hulme said the Code says that this is not just opinion that there needs to be a standard by which you evaluate this neighborhood. The standard by which you can evaluate this neighborhood is how you analyzed other neighborhoods throughout the Village.

Ms. Propper said the design doesn't fit. The height of the house could come down. It needs some curves and gables.

Mr. Minasian asked if anyone else had anything to say. He then asked Mr. Letteiri wanted a decision tonight or wanted to come back.

(Schlusselberg-con't)

Mr. Lettieri said he didn't know, what do they want him to do? He is willing to put windows, trees or hedges. The most he could lower the structure is maybe 8 inches. The point is if he looks to the north, I see a house with flat roof which is a modern structure. One story, and if that house ever got renovated it would have to be raised 8 ft. The houses are driven because of the floodplain. There is no way around it.

Mr. Minasian said he will give him an opportunity to resubmit something or they will make a decision tonight. He asked Mr. Lettieri what he wanted to do.

Ms. Dioguardi suggested that Mr. Lettieri sit down and look at it all and see if there is something he can do.

Mr. Lettieri asked if there are any specific suggestions they would like to see.

Ms. Kaloustian said she thinks trees can do it for her.

Ms. Lizak said trees are fine but that doesn't cut it for her. Even though it would be an enhancement depending on conditions they could die. She would like him to go to Architect and reevaluating the design.

Mr. Minasian said that when building the house, the landscaping should always be a part, but having said that he doesn't know if the trees are going to make a difference of what the structure will look like.

Mr. Hulme argued that instead of changing the aesthetics, they are taking steps for her not to have to see it.

Mr. Lettieri said he will resubmit a more intensive landscaping plan.

Ms. Lizak said she wants to see it before the meeting not at the meeting.

Mr. Hulme said they will take a look and see if they can come up with something.

Ms. Propper asked if she can take a look before the meeting. Mr. Hulme agreed to mail or email it.

Motion was by made by Mr. Stoehr to **Holdover** the application of **Schlusselberg Family Limited Partnership** until the May 21, 2019 meeting; seconded by Ms. Dioguardi and unanimously carried  
**5 ayes 0 nays 0 absent**

**NEW APPLICATIONS**

2. **Wayne Steck, 20 Moniebogue Lane, (905-11-2-16)** Two story addition on piles with roof construction; 1st floor addition for Entry Foyer and Laundry room, 2nd floor addition for Master Bath and Sitting room extension of Bedroom with Balcony.

Jeffrey Butler, P.E. and Wayne Steck appeared.

Mr. Minasian questioned why they were getting revisions tonight.

Mr. Butler explained that the shutters, the front door, the treatment around the front door and flower boxes.

Ms. Lizak asked if there is a ledger. Mr. Butler said no ledger

He said they talked about adding on the first floor and on the second floor changing the roof and structure. There will be some other window changes as well and a first floor and second floor addition toward the front of the house. The previous application they did had already addressed the siding.

Mr. Minasian said he needs to talk about this application.

Mr. Steck spoke about the siding. He said it is a vinyl product.

Ms. Lizak said it's cedar shake and different from the plans they were given. She said the color is off white or beige on all the sides. Mr. Butler said it was Nu-cedar Beige "Plastic" cedar shake. The Chimney will be in a stone veneer in Country Field Mosaic pattern, garage door will be dark Mahogany color shutters board Dusty Cornflower, fascia and trim are White pvc, front door Mahogany color and railings in a White vinyl. Ms. Lizak noted that there is a copper cap on chimney.

She asked about the stones around the front door now that he changed it.

He said it was the same stone. The windows are white Anderson windows. The garage door has vertical lines under the windows and the color of the garage door is mahogany. The shutters will be French blue. The roof will be square tab slate weathered wood. There is one rail on the upper balcony, white vinyl.



(Steck-con't)

Mr. Minasian told the audience that if all this information was already on the plans it would save a lot of time.

Motion was made by Mr. Stoehr to **approve** the application of **Wayne Steck** as noted on plan drawn by Jeffrey T. Butler, P.E. date stamped April 15, 2019; seconded by Ms. Kaloustian and unanimously carried **5 ayes 0 nays 0 absent**

**3. Mark & Christine Tobin, 185 Dune Road, (905-20-2-15)**

Elevate and renovate dwelling with one and two story additions on existing and expanded Pile Foundation. (4 bedrooms, 4.5 bath) per Board of Zoning Appeals decision (D18001) dated 1/18/18. (demo walls and finishes in lower level in VE flood plain)

Nicholas Vero, Architect appeared for the applicant. He explained that this is a cedar sided house keeping the cedar natural with a black window frame. There will be a glass rail as noted on all the elevations. Cable rails at the front entry and azek trim which will be white.

Ms. Lizak asked why the plans she had were different. He said he had revised drawings with today's date.

Mr. Vero marked up the plans.

Motion was made by Ms. Lizak to **approve** application of **Mark & Christine Tobin** as noted on plans drawn by Nicholas Vero, Architect dated August 28, 2017; seconded by Mr. Stoehr and unanimously carried **5 ayes 0 nays 0 absent**

**4. Daniel and Vivian Bernstein, 37 Exchange Place, (905-15-5-29.1)**

Reconstruct Asphalt Tennis Court, Including Removal of 4' Along the Eastern Edge, Installation of French Drain Leaching Field, Replace Fence and Landscaping per PB Resolution dated 4/11/19 & ZBA decision D19004 dated 2/21/19.

Susan Wilcenski, Architect, appeared for the applicant. She explained that the court is asphalt and was damaged during Hurricane Sandy and was never renovated until now. They had gotten approval for the courts from the Planning Board.

Ms. Wilcenski said the one side of the tennis court has existing hedges. The existing hedges will be removed, the court will be cut back by four ft., drainage will be installed and they will install hedge row of evergreens along the property line to screen the

(Bernstein-con't)

court from the neighbor. The construction impact will be on the east side of the tennis court. Ms. Wilcenski said they redesigned the entrance with some evergreens to keep it screened from the road.

Ms. Lizak asked if the fence was outside of the trees. Ms. Wilcenski said that the fence is an existing chain link fence.

Ms. Lizak said the fence is usually inside so the client sees it. Ms. Wilcenski confirmed that is what will be. There was some discussion about the hedges and fences. The height will be 8 ft. to match existing. The goal is for the hedge line to mature and provide screening.

Motion was made by Mr. Stoehr to **approve** the application of **David & Vivian Bernstein** as noted on plans drawn by Susan Wilcenski, Spaces Landscape Architecture date stamped April 22, 2019 seconded by Ms. Lizak and unanimously carried **5 ayes 0 nays 0 absent**

**5. Daniel and Vivian Bernstein, 37 Exchange Place, (905-15-5-29.1)** Construct Pavilion (15' x 20') for Accessory Tennis Court per ZBA decision D19004 dated 2/21/19.

Joe Pagac appeared for the applicant. He explained the project. He said it is a straight forward application. The materials will be an asphalt roof to match the main house which will be pewter gray. The columns will be painted white. The floor will be bluestone. The rest of the trim is white. All materials will match existing house.

Motion was made by Ms. Dioguardi to **approve** the application of **David & Vivian Bernstein** as noted on plans drawn by Joseph Pagac Architect P. C. date stamped April 22, 2019 seconded by Ms. Lizak and unanimously carried **5 ayes 0 nays 0 absent**

**6. Pine West LLC, 46 Woodland Avenue, (905-12-2-28)** Two-Story Single Family Dwelling over Unfinished Basement with Cellar Entrance and Three Egress Wells, Fireplace, Roofed-Over Front & Rear Porches (5 bed, 3.5 bath), Detached One-Car Garage (15' x 20'), Inground Pool (16' x 32') with Heater, Patio & Fence

William Schilling appeared for the applicant. He explained the project. He said there will be Hardie plank and siding is a clapboard in the color is Heathered Moss. The trim will Woodland cream. The window frames are black and the handrails are black. There are double hung windows. There is metal roofing over the window to the left of front door. (accent zinc). No other metal.

(Pine West-con't)

Ms. Lizak said why don't we enter in the roof color is weathered wood asphalt, the gable s is accented in Bordon batton in the color of woodland Cream. Ms. Lizak asked if there is a landscape plan.

Mr. Schilling said yes. They discussed the location of the fence which will be black aluminum. There will be gates. He said they would be using the neighbor's fence as part of the enclosure.

Ms. Lizak said they have to have their own fence. \*\*\*\*\*

Mr. Schilling said that he will put his own fence in if that is the case.

*\*\*\*\*\* (As per Chapter 157 of the Village Code, a fence or enclosure may be located on the adjacent property, provided that the use of same complies with the requirements for enclosing the swimming pool. If such fence or enclosure is removed, a replacement fence or enclosure shall be constructed within 20 days of the removal.)*

Motion was made by Mr. Stoehr to **approve** the application of **Pine West, LLC.** as noted on plans drawn by Jeffrey Sands Architect -pg. (S1-landscape plan) (Main plan-pages-A4&5) dated April 24, 2019 seconded by Ms. Dioguardi and unanimously carried **5 ayes 0 nays 0 absent**

**Committee of One**

**Suzanne Jackey, 108-110 Main Street, (905-124-33)** Wall sign for new business  
Good and Wall sign for new business. High End Hippie

The application is being submitted by the new owner of the property. It will replace the Mustique signs. They want to apply for two different business. The signs are very similar, but the coloring varies a bit. Both signs are code compliant in lettering and size.

Suzanne Jackey the applicant told the Board that she just purchased the building and would like to get sign permits. She explained the sign stating that it was the same as the other store. She will take down the signs and erect the two signs that are on the application ¾ inch pvc, all vinyl letters. She gave information on the coloring, lettering and materials. She said they tried to keep both signs similar. There are two signs, one will be GOOD, and one is for High End Hippie and it will be 72" long by 13.5" high -6 ¼" lettering, ¾ " PVC sign Board all vinyl lettering and stripes and the sign will be fastened with 3" epoxy coated screws by 3 across top and bottom in Pantone Navy color #289C and the boarder all the around it will be Pantone White-#311C and the sign for Good Westhampton will be 72" long 13.5" 6 ¼" lettering for Good—1 ¼" lettering for Westhampton Pantone colors Pantone#289C & 311C.

(108-110 Main-con't)

Mr. Minasian said that since this is going to be a sign plan for the building so if other tenants coming in this is going to be the style of the Sign Plan for the entire building. Ms. Lizak said that they would just pull out the sign plan if someone else comes in.

Motion was made by Mr. Stoehr to **approve** the Sign Plan of **Suzanne Jackey** for 2 signs as noted on drawings dated May 7, 2019 seconded by Ms. Dioguardi and unanimously carried **5 ayes 0 nays 0 absent**

Motion was made by Mr. Stoehr to adjourn the meeting at 8:00 pm; seconded by Ms. Dioguardi and unanimously carried **5 ayes 0 nays 0 absent**

Respectfully submitted,

Kerry Rogozinski  
Building Permits Coordinator

APPROVED:

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Gregory Minasian, Chairman of the Board  
Dated: \_\_\_\_\_