

**ARCHITECTURAL REVIEW BOARD AGENDA
VILLAGE OF WESTHAMPTON BEACH
Tuesday, September 15, 2020 at 7:00 pm
MUNICIPAL BUILDING, 165 MILL ROAD**

****The September 15, 2020 Meeting was held via teleconference****

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

Lisa J. Ross, Village Attorney
Kerry Rogozinski, Building Permits Coordinator

Absent: Allegra Dioguardi

The meeting was called to order at 7:15 p.m.

Mr. Minasian said we have four Board members present tonight and that three votes would be needed to approve or disapprove any application on the agenda. Mr. Minasian asked whether any applicants wished to hold their applications over for a full Board, if so, must say before the Board hears your application, but nobody did.

HOLDOVERS

1. Galway Holdings LLC, 53 Exchange Place, (905-15-5-32.1)

Additions and Renovations to Single-Family Dwelling (9 bed, 9 bath, 2 half-bath) on Existing & Expanded Pile System, Roofed-Over Front Porch, 2nd-Story Balcony, Unconditioned Cabana on Existing Rear Deck w/ Reconfigured Stairs, Retain Rear Pool w/ Integral Spa & Two-Car Garage Under, Landscaping & Sanitary Enclosure per PB Reso 7/23/2020.

(Audio Trouble) William Heine, Architect, Mike Murphy, owner, Matt Horvath and Ian Hanbach, LaGuardia Landscape Design.

Mr. Minasian entered the letter from William Heine, Architect dated September 8, 2020 into the record. Mr. Heine stated in his letter that because of the setbacks there are two waterfront lot lines and the setbacks are existing and as approved by the NYSDEC the footprint has to remain as it currently is without expansions. The front (north) covered porch and an adjacent deck are being reduced in size, on the street size of the dwelling.

(Galway-con't)

Mr. Heine said in his letter the neighbor to the west has what appears to be double lot and their house is built as the far (westerly) end of the lot. The evergreen plantings on their property should continue to grow and further shield the view of subject property. He said the properties to the east and west have their orientations toward the water. Their substantial evergreen vegetation blocks their views to subject property; directly across exchange place are four driveways clustered together substantial evergreen plantings on these lots completely block their views of the subject property.

Mr. Heine said in his letter there are only two other houses to the northwest and a second just to the west of that. The proposed landscaping has been designed so as to not block these neighbors' views to the water, but their view of the proposed second floor addition is shielded. Mr. Heine said because the existing dwelling is in a flood zone of AE elevation 8' and because the house was originally built 6.8 higher than FEMA requirements this has reduced the ability to add a second floor onto the house and also achieve a pitched roof design that is functional and visually appealing. The addition of pitched roofs is only going to serve to make the house appear massive and even taller.

Mr. Minasian said we had one Board Member absent at our last meeting on September 1st, and as we closed the meeting prior to voting, I suggested that the Board Members can go down to the property again, and it is my understanding that the Board Members did that. I too went and drove up and down Exchange Place several times what is essentially a dead end street with a loop around to the east. I drove several times both in a clockwise direction and a counter clockwise direction. I viewed the subject property from in front of their driveway and also from the north side of Exchange Place, and the dead end loop.

There are 10 houses on that dead end street, all very traditional with pitched roofs. Mr. Murphy stated at the last meeting there are 2 houses to the east that are facing the water. The rear of those houses do face the water, however the front of those houses face and have a direct view of the subject property. In addition to the McCooyes residence across the street that Mr. Murphy (in full disclosure which is very much appreciated) stated are friends of the family, and their children play together. There are 7 or 8 other houses to the north and east that face and see this property from their house or the street.

Mr. Minasian continued as I was in my car stopped in the street at the house directly next door to the west (No. 37) for quite a long time. I met the owner, I believe her name was Bernstein, who was at the street near her mailbox. She was looking why I guess, why I was looking intently at her house.

(Galway-con't)

I advised her who I was. I asked if they knew about the proposed project and she said No she was not notified by anyone.

Real Estate Brokers consider Exchange Place one of the very unique and exclusive streets in our Village, as well as do other residents of the Village, their guests and visitors to Westhampton Beach.

As a member of this Board and per our Village Code, I do not feel this design is in keeping with the neighbor's homes. I open to other Board Members.

The Board said the house was not in harmony with neighboring properties, striking visual discord not in keeping with the surroundings, Mr. Stoehr said the same and most of the houses are traditional and dissimilarity in relation to their site and surroundings, the house just doesn't fit in. Ms. Lizak said the house is not in keeping with the surrounding neighborhood.

Motion was made by Mr. Stoehr to **Deny** the application of Galway Holdings seconded by Ms. Lizak and unanimously carried. **4 ayes 0 nays 1 absent**

4 Jonmar Group LLC, 21 Humphrey Street, (905-5-2-38.4) Two-Story Single Family Dwelling (4 bed, 4 bath) over Unfinished Basement w/ Two Egress Wells & Side Cellar Entrance, Attached Two-Car Garage, Gas Fireplace, Roofed-Over Front Porch, Landscaping & Boundary Fence [SCTM # 905-5-2-38.4--**LOT #4**--(21 Humphrey Street)]

John Bracco, Architect, Brian Butler, Owner/Builder/Attorney

Mr. Minasian said he doesn't see any significant change of the house still looks like a mirror image of the original house and a slight extension of the roofed porch.

Mr. Bracco said its different, the main roof is not the only thing that's changed, Lot 3 house you will see there is a full two story structure which was eliminated and it's now a reverse gable. To the right of that is another reverse gable centered to the middle of the house.

(Jonmar-con't)

The other was all the way to the left side and that's a completely different change, a not to mention the full covered porch, the elimination of the reverse gable over the garage. The windows are in similar locations, but the scheme has changed and they are a few triple double hung.

Mr. Minasian said the locations of the windows are the same.

Mr. Bracco said that's correct.

Ms. Lizak said her concern is that she's lived in the Village for 30 years and on her own block there are very different homes, and I am struggling that these two right next to one another also pose a problem that they look too similar. When I look at my block, there are very different homes and that is part of the Code for the ARB is dissimilarity, and similarity and they are right next to one another it's all too similar.

Mr. Bracco said in reading through the ARB Code it talks about not wanting monotony, and this is a three lot subdivision and the third house will be completely different because the foot print is, so we are down to two houses and what's the definition of monotony, three or four or five is; this is two houses and we've made several changes, color schemes are completely different and I don't consider that monotonous.

Ms. Lizak said the color can be changed, I am looking at the style of the home and I don't know of a home that look this similar in the Village right next to one another.

Mr. Minasian said these are right next door to one another.

Mr. Bracco said there are four houses on Humphrey Street that are identical. They are small cottage like houses.

Mr. Butler said there are four cottage houses on this block that are the same, and rebuilt and this house is completely different than the other. The interior is the same and we have a buyer for it and that's why we kept the same interior. When the subdivision was granted the building envelope was small so this will be the style and type of house that will be built there. I don't mind if you put something about the color, I wanted them to all be white with black windows to make a community in the cul-de-sac and we are willing to change, the exterior of the Cedar Perfection in Gray costs us more money.

(Jonmar-con't)

I am not sure if you are looking at the old house compared to the new house, the roof lines are different, the baton board alone brings more of a beach flare to the house and the other is a modern farm house. I would ask you to reconsider the building envelope is going to be a colonial house to maximize the space.

Mr. Minasian asked what can be changed about the rhythm of the placement of the windows to make it look different.

Mr. Butler said the roof line alone is different, the board and baton, the covered porch, the roof over the garage is completely different you're just looking at windows.

Mr. Minassian said and you're looking at roof.

Mr. Butler said I'm looking at all of the roof and the covered porches as completely over the whole front.

Mr. Minasian said the left and right-side elevations, and the rear elevations and the pattern of the windows are exactly the same.

Mr. Butler said who will see the rear, you don't see that from the street.

Mr. Stoehr said the front windows are exactly the same.

Mr. Butler said the other house has picture windows; these are double hung windows it's a colonial style house.

Mr. Minasian asked what other changes they can make.

Mr. Butler said if you make a suggestion, we will consider it but I don't see what we can do with it.

Mr. Minasian said I'm not going to design the house.

Mr. Butler said this is our second time before this Board so I would like suggestions, I'm not going to come back a third time for you to tell me you don't like the house; what are your suggestions.

(Jonmar-con't)

Mr. Minasian said if you'd let me finish my sentence; I am saying the rhythm of the pattern of the windows is exactly the same in the front and the sides, and I understand what you're saying about the rear of the house, but the pattern of the windows and location of the front entry and columns and garage doors are the same as the house next door, to me it's not that dissimilar to the other house except for the type of roof which is a hip roof versus a gable roof.

Mr. Butler said that's three different spots, we've changed the roof across the whole house, and we added a fully covered front porch. I understand the windows but this is a colonial style house. The Planning Board gave an envelope in which to build, this is what fits in that envelope. The interior has been approved by a buyer that wants the layout of the house they have seen other houses that we've built and we've changed the roof line and exterior and we created a porch across the front, and the windows are changed and I am taken back by this.

Mr. Minasian asked if they would change the other house.

Mr. Butler said the other house is sold.

Mr. Stohr said they look the same when you look at it.

Mr. Butler said it's the same size, but he doesn't think it's the same house. The windows are in the same spot, so does that mean it's the same house.

Mr. Minasian asked him not to interrupt.

Mr. Butler said yes, the door and windows are in the same spot but that's all that is the same. So, you're saying if the doors and windows are in the same location it's the same house?

Mr. Minasian asked to speak. He said the entire house, the length of the house, the length of the house the placement of the windows and front door is exactly the same, and if you held them up on a light table and reversed them the length of the house is exactly the same as the house next door, we are asking what changes can you make so they don't look so similar other than the roof line and the porch.

Mr. Butler asked if the ARB can go back to the Planning Board to get a bigger building envelope, this house fits in the building envelope. The lot is what it is, but when it was subdivided but the Planning Board gave envelopes to abide by. We are fitting a puzzle piece in to a puzzle your Board created.

(Jonmar-con't)

Mr. Minasian said our Board did not create the building envelope.

Mr. Stoehr said the issue is not the building envelope, it's the similarity of the two houses and our Chairman has asked if there are any changes you can make so they don't look alike.

Mr. Butler said we have made the changes as suggested at the last meeting, we've changed the roof line, we added a covered porch, we changed the colors, we changed the windows and the color of the windows so we have addressed the changes.

Mr. Stoehr said unfortunately it looks the same.

Mr. Butler said he does not believe it looks the same.

Mr. Stoehr said they look the same. The issue that has been posed is that they look similar, based upon the paper we have been given.

Ms. Lizak said that's correct.

Mr. Stoehr said we're not designing it or changing the building plot. But maybe you can sit with your architect and tell us but right now we are looking at drawings that look the same except the garage was flipped and the roof has been extended but it's all the same.

Mr. Minasian said he wants to address the comment made, that the planning board gave you the building envelope. I don't believe the planning board gives you that, you have setbacks on a plot of land.

Mr. Butler said this lot was subdivided off of one big lot and they set the building envelope, it doesn't go by the standard setbacks. We have less granted to us from Planning through the subdivision but you're telling us you want to change the footprint. Our building envelope was lessened that what you'd normally allow for this area, and now you want to change the footprint which will not maximize the space allowed and it's normally less than what I would have been granted.

Mr. Minasian said you don't have to change the footprint, it's exactly like the house next door. The placement of the windows. I think I've had enough. Does anyone else have questions or comments, we can hold it over to have them return with another design that's less similar to the house next door.

(Jonmar-con't

Ms. Kaloustian said that was fine.

Ms. Lizak said she'd like to make a motion to hold it over.

Mr. Butler asked what the difference between holding it over or denying it.

Mr. Minasian said the holdover gives you another opportunity to come back, and a denial would be to deny the application.

Mr. Butler said I'm not only a builder, I'm an attorney. You are holding it over because its too similar to the house that was approved.

Ms. Ross said you are an attorney also?

Mr. Butler said yes.

Ms. Ross said she would suggest that they look at the Code because I think part of the problem with the similarity, if you look at ARB Section 5-18 under disapproval, it explains what the similarity is and what has to be changed to get this approved.

Mr. Butler said I have and I believe it's more opinionated rather than written. I believe it to be different, you believe it to be the same.

Ms. Ross said Section 5-18 its too similar including the windows, and 5-18-A.(2) said one of the reasons can disapprove is if there's substantially size and arrangement of windows and this is what the board is looking at because the windows look the same, and if that can change you will go well on your way to get this approved. I would look at the Code and make those types of changes, and those keep coming up that the windows are the same, and the layout is the same, but I would suggest you look at the Code.

Mr. Butler said we did and we felt this was enough and your opinion is different.

Ms. Ross said it's an interpretation.

Mr. Minasian said I am holding up a plan that was submitted, and if you hold up this drawing and I turn it around and if you put it on a light table it matches up exactly so I feel it's too similar and I am asking you, if you want to hold it over or do you want us to vote on it tonight. You have a recourse if we deny, so would you like us to hold it over.

(Jonmar-con't)

Mr. Butler said we will hold it over and I will discuss with my architect what action we can take next.

Mr. Minasian said so you're asking us to hold it over and not vote, correct?

Mr. Butler said sure.

Motion was made by Ms. Lizak to **hold over** the application of **Jonmar Group, LLC- Lot 4** seconded by Mr. Stoehr and unanimously carried.

4 ayes 0 nays 1 absent

Motion was made by Mr. Stoehr to adjourn the meeting at 8:00 pm; seconded by Ms. Lizak and unanimously carried **4 ayes 0 nays 1 absent**

Respectfully submitted,

Kerry Rogozinski
Building Permits Coordinator

APPROVED:

Gregory Minasian, Chairman of the Board

Dated: _____