

**ARCHITECTURAL REVIEW BOARD  
VILLAGE OF WESTHAMPTON BEACH  
Tuesday, October 6, 2020 at 7:00 pm  
MUNICIPAL BUILDING, 165 MILL ROAD**

**\*\*The October 6, 2020 Meeting was held via teleconference\*\***

**Present:** Gregory Minasian, Chairman  
Laurette Lizak  
Andrea Kaloustian  
Allegra Dioguardi  
Michael Stoehr  
  
Lisa J. Ross, Village Attorney  
Kerry Rogozinski, Building Permits Coordinator

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

Motion was made by Mr. Stoehr to approve the minutes dated 7/21/20; seconded by Ms. Dioguardi and unanimously carried **4 ayes 0 nays 1 absent**

Motion was made by Ms. Lizak to approve the minutes dated 8/18/20; seconded by Ms. Dioguardi and unanimously carried **5 ayes 0 nays 0 absent**

Motion was made by Ms. Kaloustian to approve the minutes dated 9/1/20; seconded by Ms. Lizak and unanimously carried **4 ayes 0 nays 1 absent**

Motion was made by Ms. Lizak to approve the minutes dated 9/15/20; seconded by Ms. Kaloustian and unanimously carried **4 ayes 0 nays 1 absent**

**FINDINGS OF FACTS**

**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

Mr. Minasian said they have the "Findings of Facts" for 53 Exchange Place-(905-15-5-32.1)

Mr. James Hulme, Attorney was present and requested a copy.

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(Galway-con't)

FINDINGS OF FACT

In the matter of Application of

Galway Holdings LLC (Michael Murphy)

Address: 53 Exchange Place  
SCTM#: 905-15-5-32.1

## I. BACKGROUND

At its meeting on September 15, 2020, the Village of Westhampton Beach Architectural Review Board (“ARB”) disapproved an application for a new single-family residence at the above referenced property. By letter dated September 25, 2020, the applicant, Galway Holding LLC/Michael Murphy, requested that the Board issue “formal findings of fact” with respect to said disapproval, pursuant to Section 5-19 of the Village Code. The subject resolution constitutes the Board’s “formal findings of fact” regarding its disapproval of the application.

## II. APPLICATION

Galway Holdings LLC is the owner of a parcel of real property located at 53 Exchange Place that is improved by a one-story residence. The property is bounded on the north by Exchange Place, which terminates at a dead-end loop, south by Quantuck Bay, west by a private residential parcel with an address of 37 Exchange Place, and east and northeast by residential parcels with addresses of 66 Exchange Place and 60 Exchange Place.

The applicant proposes to demolish the existing dwelling and construct a new two-story dwelling on existing and expanded pile system, roofed-over front porch, second story balcony, cabana on rear deck with reconfigured stairs, retain rear pool with integral spa and two-car garage under. Pursuant to Section 5-9.A of the Village Code, review and approval of the proposed dwelling by the ARB is required before a building permit can be issued. The purpose of the ARB’s review of the exterior on new construction, as set forth in Section 5-1 of the Village Code is to among other things, “preserve and promote the character, appearances and aesthetics of the Village and to conserve the property values of the Village”.

The PDF drawings prepared by William Fredric Heine Architect, dated May 1, 2020, of the Front Perspective, Perspective From Driveway, Rear Perspective and Cabana Perspective, and plans of the Proposed East Elevation, Proposed North Elevation, Proposed West Elevation, Proposed South Elevation and Altered Deck, Pool, Cabana Plan dated July 31, 2020, and submitted to the ARB via email on August 12, 2020.

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The drawings indicate the Existing Elevations of a one-story structure with pitched roofs and deck. The Proposed Elevations of a large two-story structure

indicate that the proposed structure would consist of a flat roofed, largely rectangular L-shaped structure of stacked cubes and projecting box bays with a modern architectural design. The plans reflect the flat EPDM roof, 1 X 6 horizontal clear cedar shipped lapped siding with ½” reveal, projecting box bays of 2 x 2 clear cedar open joint siding with ½” horizontal spaces, deck railings with 4 x 4 mahogany posts and top rails, and stainless-steel cable system 3” on center. The structure is highly elevated on piles with garage below, and approximately 300 ft. of retaining wall.

### III. ARB PROCEEDINGS

This application was duly noticed for a public hearing, which was opened on August 18, 2020, with the hearing continued at the September 1, 2020 and September 15, 2020 meetings, all of which were held via Zoom due to the Covid-19/Corona Virus. The applicant’s architect William F. Heine, Architect, appeared on behalf of the application, together with Michael Murphy, Owner.

At the initial meeting on August 18, 2020, William Heine advised the Board that the homeowner was looking for a more updated modern design, and advised the Board of the flat roof design, exterior materials of the siding and what he called the 7 box bays projecting out from the house, and the retaining wall of split face stone.

The Board members advised that William Heine’s audio was having audio trouble and was cutting in and out.

The Board expressed concern of the flat roof and was quite modern, overpowering, and not in keeping with the traditional homes on Exchange Place, and how the neighbors would feel about having a completely different style house with a flat roof on that street.

After more audio trouble, the landscaping was discussed. The Board feels it is a very large structure and appears tree-stories high in areas, and where relying on landscaping can be affected by weather and storms.

The Board questioned whether they could mansard or chamfer the edges of the second floor to bring down the profile without reducing the height. Mr. Heine said he would talk to his client.

The applicant agreed to resubmit the renderings, and the Board unanimously voted to holdover the application to the next meeting 5 ayes 0 nays 0 absent.

The application next came before the Board at its September 1, 2020 meeting, one Board member being absent. Mr. Heine stated they tried but it is difficult to put a pitched roof and it ended up basically flat, however they included some drawings that

show hedges along the street and adding a few trees very close to the house, with crepe myrtles and other deciduous trees as a buffer.

The Board voted to have the Board members go down to the property again and holdover the application to the next meeting 4 ayes 0 nays 1 absent.

At the September 15, 2020 meeting, one Board member being absent, the Board entered the letter dated September 8, 2020 from William Heine, Architect into the record.

Board members said they again visited the subject property on Exchange Place which is a dead-end street with a loop around to the east. There are 10 houses on that dead-end street all very traditional with pitched roofs from which the subject property can be seen on the high terrain from those properties and the roadway. The Board concluded the house was not in harmony and is strikingly dissimilar and in visual discord to the other homes.

Accordingly, the Board voted to disapprove the application 4 ayes 0 nays 1 absent.

#### IV. GOVERNING LAW

##### Section 5-18 Disapproval.

The ARB may disapprove any application for a permit, provided that the ARB has afforded the applicant an opportunity to confer upon suggestions for change of the plan or map and provided that the ARB finds and states that the structure or building for which the permit was requested would, if erected, constructed, reconstructed or altered as indicated, provide one or more of the harmful effects described herein by reason of:

##### Section 5-18.B

Striking dissimilarity, visual discord or inappropriateness with respect to other structures or buildings located or proposed to be located in the vicinity in respect to one or more of the following features of exterior design or appearance:

- (1) Façade, disregarding color
- (2) Size arrangement of doors, windows, porticos, porches or garages or other openings, breaks or extensions in the façade.

(Galway-con't)

(3) Other significant design features, such as but not limited to heights, widths, length or elements of design, exterior materials and treatments, roof structures, exposed mechanical equipment, service and storage area, retaining walls, landscaping, signs, light posts, parking areas, fences, service areas, awnings and canopies.

##### Section 5-18.C

Visual offensiveness or other poor qualities of exterior design, including but not limited to excessive divergences of the height or levels of any part of the structure or building from the grade or terrain; harmony or discord of color or incompatibility of the proposed structure, building, refurbishing, reconstruction, alteration or addition with the terrain on which it is to be located; and the failure of the exterior design to complement and enhance the natural beauty of its site in regard to landscape, topography, surrounding structures and the scenic character of roadways when visible from said roadway.

#### Section 5-19.A

Any person aggrieved by the decision of the Architectural Review Board may request, within 30 days of the filing of the decision by the ARB, that the ARB make formal findings of fact. In the event of such a request, the ARB shall make findings of fact within 15 days after the request is filed in the Village Clerk's office, shall thereafter provide the person with an opportunity to answer the findings by a submission of formal proof and shall reconsider the application on the basis of such answer. If a person is still aggrieved by the decision of the ARB after reconsideration, such person may appeal to the Board of Zoning Appeals, in accordance with its rules, within 30 days after the filing in the office of the Village Clerk of the decision of the ARB after reconsideration.

#### V. FINDINGS AND CONCLUSIONS

Based upon the materials submitted to the Board with respect to the subject application, along with the testimony provided at the August 18, 2020, September 1, 2020 and September 15, 2020 meetings, the Board disapproves of the proposed construction on account of its striking dissimilarity, visual discord and inappropriateness with respect to other structures or buildings located or proposed to be located in the vicinity of the premises.

The Board finds that Exchange Place is characterized predominantly by homes with a traditional or European architectural style, generally featuring pitched roofs and shingle siding. In contrast, the renderings submitted by the applicants reflected that the proposed house has a highly modern architectural style that essentially a two-story structure with flat roof, consisting of rectangular cubes with projecting box bays, with contrasting materials, which the Board finds to be inconsistent with and to be strikingly dissimilar to the other houses on this dead-end street.

(Galway-con't)

The Board therefore disapproves of the proposed construction of the house as depicted in the plans submitted by William F. Heine, Architect, dated July 31, 2020. As set forth in Section 5-19 of the Village code, the Board shall provide the applicant with an opportunity to answer these findings of fact by submitting formal proof and the Board shall reconsider the application on the basis of such answer.

Dated: October 5, 2020

Village of Westhampton Beach  
Architectural Review Board

Motion was made by Mr. Stoehr to accept the "Findings of Fact" as written; second by Ms. Lizak and unanimously carried **5 ayes 0 nays 0 absent**

**HOLDOVERS**

- 1. 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 appeared.

Mr. Minasian said that the Board had received the revisions and asked if Mr. Bracco could tell the Board what they were. Mr. Bracco said they are proposing a GAF Architectural Asphalt roof shingle with the color to be Black, the siding on the front of the house will be a vinyl Cedar shingle siding color to be Flint (light gray) style to be cedar spectrum and is manufactured by Georgia Pacific. Mr. Bracco said there will also be a White Board and Batton style siding in the large reverse gables on the front of the house. The siding in the back and sides of the will also be in the Flint (light Grey) color with clapboard style manufactured by Georgia Pacific, all trim and windows will be White.

Mr. Bracco said the front reverse gable portico with tapered columns on the stone piers centered over the entry door, there will be a low band of stone across the front of the house.

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(Jonmar-con't)

The piers and the stone band color and style will Glacier Gray marble stack stone as manufactured by Rockmount. The front entry door will have side lights and transom above.

Mr. Bracco said as you can see from the last time, they were in front of the Board they have redesigned the Front of the house significantly so that it would not be similar to the "Lot 3" house which the Board has already approved.

Mr. Bracco said in regards to the Landscaping they are proposing Winter Green Boxwoods around the house and wrapping slightly around the sides.

Mr. Minasian asked if at some point there will be a pool. Mr. Bracco said there will be a future application for the pool.

Motion was made by Mr. Stoehr to **approve** the application of **Jonmar Group, LLC-Lot 4-** as noted on plans drawn by John R. Bracco, Architect date stamped September 28, 2020; seconded by Ms. Dioguardi and unanimously carried. **5 ayes 0 nays 0 absent**

## **NEW APPLICATIONS**

- 2. 28 Midland LLC, 14 Michaels Way, (905-9-3-17)** Reconstruct Single-Family Dwelling (4 bed, 6.5 bath) on Existing Foundation w/ Attached Two-Car Garage, Fireplace, Roofed-Over Front Porch & Rear Roof Deck Balcony, Retain Swimming Pool & Reconstructed Rear Deck

James Magee. Builder/Owner, Morgan Rolontz, Architect and Doug Nappi, Dragonfly Landscape Design Ltd. Appeared,

Mr. Magee said they were knocking down the existing house because of a fire on the 2<sup>nd</sup> floor and they were going to leave the existing foundation; also leaving the pool and decks and construct the dwelling on the foundation in a new design.

Mr. Magee said that the exterior finishes will be Maybec pre finished siding bleached oil-light Gray, roof will be Alaskan Yellow cedar, white Anderson windows and grilles, the trim and soffits will also be white, oil bronze gutters, back deck will be Mahogany (Ipe).

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(28 Midland-con't)

Mr. Minasian asked about the front of the house. Mr. Magee said that there is a small section of the roof that will be lead coated Copper and, in the front, there will be Azek panels in White and the front door will be Mahogany.

Mr. Nappi then discussed the Landscaping. Mr. Nappi said they have Evergreen screening (Green Giant Arborvitaes) on the approach to screen the driveway along the right property the screening runs up. Mr. Nappi said where we get tight is between the Belgium block and the neighbor, they will have to maintain that sort of hedge, there will be larger trees by the pool, foundation plantings Crape Myrtle (pink), Boxwood Winter Gem Yoshino Cherry, there will be lawn and code compliant wire pool fence.

Mr. Minasian asked about the West and South side of property. Mr. Nappi said there is a Scenic Easement to remain and a Natural Wetland buffer that cannot be touched.

Motion was made by Ms. Lizak to **approve** the application of **28 Midland LLC** as noted on plans drawn by R. Morgan Rolontz Architecture PC dated September 10, 2020 and Landscape plan drawn by Doug Nappi, Landscape Design, Ltd date stamped September 30, 2020; seconded by Ms. Dioguardi and unanimously carried. **5 ayes 0 nays 0 absent**

3. **Le Trois, LLC-(Motschwiler), 482 Dune Road, (905-16-1-24)** , Front Entry Addition (~ 40 SF) w/ Exterior Renovations to Square-Off Dwelling, Cedar Siding, Windows & Doors, Pergola on Existing Deck, Exterior Stairs, Glass & Steel Guards & Railings, Including Minor Interior Modifications to Update Kitchen, Bathrooms & Laundry Room

John Himmelsbach, Architect appeared. Mr. Himmelsbach said they were updating the existing house with some minor front addition. They are pulling the front door forward 4 ½ feet to make a vestibule and updating the siding material with Cedar Horizontal nickel joint plank siding in off White, taking down some parapet walls that are high and scaling back so they would have some glass rails for views. Mr. Himmelsbach said that most of the windows are staying so they are just squaring off the front tower, they are pulling back some of the balconies in the back, redoing front entry stairs adding some sliding doors and adding a Cedar pergola for shade. Mr. Himmelsbach said the landscaping will remain.

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(LeTrois-con't)

Motion was made by Mr. Stoehr to **approve** the application of **Le Trois, LLC** as noted on plans drawn by John Himmelsbach, Architect date stamped September 18, 2020; seconded by Ms. Dioguardi and unanimously carried.

**5 ayes 0 nays 0 absent**

4. **John Rote, 79 Oneck Road, (905-10-1-27)** “Renovate & Reconfigure Single-Family Dwelling (6 bed, 6 bath, 2 half-bath) on Existing Crawlspace, Construct Dormers & Roofline Changes, Rear Screened Patio Addition, Roofed-Over Front & Side Entry Porches, Gas Fireplace, Retain Attached Two-Car Garage & Wood-Burning Fireplace, Upgrade Sanitary System & Landscaping”

Salvatore Iannone Jr., Architect appeared. Mr. Iannone said they were removing the Brick veneer and replacing with Wood siding: Cedar shingles, Light Gray, adding some dormers on the 2<sup>nd</sup> floor to make better window views and light, the roof will be Asphalt Architectural in light Gray, trim, columns, door, windows all will be white, chimney will be a Danish blend brick veneer.

Mr. Iannone said there will be a pool cabana in the rear and the materials will match the house. They will be removing a pool and replacing with a new swimming pool, an outdoor BBQ will be constructed also with a patio that will be finished in a light Gray stone.

Mr. Iannone said there will be a Black wire mesh fence with White picket self-closing gates and a pool patio in Madras Grey and also the garage doors will be White carriage style doors. There will be also an Evergreen hedge planted along their



South property line, the foundation plantings will remain and there will be a nice big lawn.

Motion was made by Ms. Kaloustian to **approve** the application of **John Rote** as noted on plans drawn by Salvatore Iannone Jr., Architect date stamped September 21, 2020; seconded by Ms. Dioguardi and unanimously carried.

**5 ayes 0 nays 0 absent**

- 5. John Rote, 79 Oneck Road, (905-10-1-27)** “Construct Swimming Pool (20' x 40') w/ Hot Tub (8' x 8'), Cabana (200 SF Enclosed w/ Attached Roof-Over, Outdoor Shower & BBQ, Enclosure Fence (demo existing pool & patio) per ZBA D20008”

(same as above)

Motion was made by Ms. Dioguardi to **approve** the application of **John Rote** as noted on plans drawn by Salvatore Iannone Jr., Architect date stamped March 16, 2020; seconded by Ms. Lizak and unanimously carried.

**5 ayes 0 nays 0 absent**

Motion was made by Mr. Stoehr to adjourn the meeting at 7:30 pm; seconded by Ms. Lizak and unanimously carried **5 ayes 0 nays 0 absent**

Respectfully submitted,

Kerry Rogozinski  
Building Permits Coordinator

APPROVED:

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

Dated: \_\_\_\_\_