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ZONING BOARD OF APPEALS

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VILLAGE OF NORTH HAVEN

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Held at:

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335 Ferry Road

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Sag Harbor, New York 11963

12

Also Held Via:

Zoom Video Communications

13

14

March 12, 2024

7:00 p.m.

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Proceedings Recorded by

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Transcribed by: Agata Davis

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A P P E A R A N C E S:

Mark Poitras, Chairperson

Scott Brooks, Vice Chairman

Steve Hatfield, Board Member

Steve Cox, Board Member (Absent)

Michael D'Angelo, Board Member

Michael Daly, Alternate Board Member  
(Absent)

Richard DeMaio, Esq., Village Attorney

George Butts, Village Building Inspector

\* \* \*

**NORTH HAVEN ZONING BOARD - 3/12/2024**

CHAIRMAN POITRAS: Well, good evening, everyone. Welcome to the Tuesday, March 12th, 2024 Zoning Board of Appeals for the Village of North Haven.

This evening, the first order of business is we need an approval by the Board to -- of the January 9th, 2024 transcript.

Motion by Mr. Brooks, second Mr. D'Angelo.

All in favor?

ALL BOARD MEMBERS: Aye.

CHAIRMAN POITRAS: All members in favor. Okay.

As far as correspondence, we did have some correspondence, but only related to the application that was ZBA #423A, Jason and Caroline Craig at 6 West Harbor Drive. That, at their counsel's request today, was adjourned, so we will hold that for the next -- the next meeting.

And so that leaves us with one application this evening. It's a new application for ZBA #424A, 45 Bay View

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1 Court, LLC. The property is located at 45  
2 Bay View Court, North Haven, New York.  
3 Suffolk County Tax Map No. 901-4-5-7. The  
4 applicant seeks relief for an as-built  
5 addition and alteration that pierces the  
6 allowable primary FAR by 201 square feet  
7 and the total allowable FAR by 135 square  
8 feet. Section 163-13 of the Village Code  
9 allows a maximum of 5,813 square feet for  
10 the primary structure and a total  
11 allowable FAR of 6,685 square feet. The  
12 subject premises is bounded by Bay View  
13 Court, Gruenstein, John P. Picone, Jr.  
14 2011 Qualified Personal Residence, and  
15 West Banks Association, Inc.  
16

17 Okay. And this evening, so who  
18 would like to begin with the presentation?

19 MR. MORASH: Okay. I believe our  
20 attorney Al D'Agostino is Zooming in. He  
21 was under the impression that we were the  
22 second case called, so I just reached out  
23 to him.

24 CHAIRMAN POITRAS: Okay.

25 MR. MORASH: He's getting

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situated.

MR. BROOKS: Okay.

CHAIRMAN POITRAS: Okay. We'll  
give him a moment.

MR. BUTTS: And just for the  
record, just state your name.

MR. MORASH: Good evening. I'm  
Michael Morash, 45 Bay View Court.

CHAIRMAN POITRAS: Okay. And your  
relationship to the -- to the applicant  
is?

MR. MORASH: I'm his son.

CHAIRMAN POITRAS: Okay.

MR. BROOKS: We did not get an  
updated plan with a --

CHAIRMAN POITRAS: No. All we  
have is this as -- right here, breezeway  
between the two.

MR. BROOKS: Okay.

CHAIRMAN POITRAS: That's it.

MR. HATFIELD: So none of this has  
anything to do with the patio being --

MR. BROOKS: Is this as-built?

CHAIRMAN POITRAS: It's built

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2                   already, yeah.

3                   MR. BROOKS: I mean, this  
4                   as-built. This isn't the plan. This is,  
5                   theoretically --

6                   CHAIRMAN POITRAS: We'll confirm  
7                   once the attorney gets on, yup.

8                   MR. MORASH: I have an affidavit  
9                   of support from one of the neighbors. I  
10                  left it in a different folder. Is that  
11                  something you'd like me to get now while  
12                  we're waiting, or?

13                  CHAIRMAN POITRAS: If you have it.  
14                  If you have it with you, yeah, I would --  
15                  we're waiting right now.

16                  MR. MORASH: Okay.

17                  CHAIRMAN POITRAS: We'll give the  
18                  attorney five, ten minutes, and then, you  
19                  know. So if you have it, then --

20                  MR. MORASH: Okay. Thank you.

21                  CHAIRMAN POITRAS: Then I would  
22                  grab it.

23                  MR. MORASH: I apologize for the  
24                  mixup.

25                  CHAIRMAN POITRAS: Sure, yup.

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Who is eligible to speak on this behalf? I think the applicant's the one who signed everything, right? So if he gives permission for his attorney to take over, the attorney can sign the application? That's okay?

MR. DeMAIO: Yeah.

CHAIRMAN POITRAS: Okay.

MR. MORASH: They're in the proc-- I just confirmed they are in the process of logging in.

MR. D'AGOSTINO: Yeah, I'm in.

CHAIRMAN POITRAS: Hello, Mr. D'Agostino, can you hear us?

MR. D'AGOSTINO: Yes. My apologies. I had some difficulties probably tending to my age.

CHAIRMAN POITRAS: All right.

MR. D'AGOSTINO: You let me know when you're ready for me.

CHAIRMAN POITRAS: We -- we are ready. We are awaiting -- awaiting your words eagerly, so.

MR. D'AGOSTINO: Okay.

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MR. BROOKS: Announce yourself and  
your address and --

MR. D'AGOSTINO: I will.

MR. BROOKS: -- you know,  
relationship to --

MR. D'AGOSTINO: For the  
applicant, my name is Albert A.  
D'Agostino, D, apostrophe, capital  
A-G-O-S-T-I-N-O. I'm a member of the firm  
of Minerva, M-I-N-E-R-V-A, and D'Agostino,  
P.C., with offices at 107 South Central  
Avenue, Valley Stream, New York 11580.  
And I appreciate your patience with me  
with the technology. But let me start off  
by saying, I am a bit embarrassed by being  
here by events which apparently have  
occurred.

As you may very well recall, I was  
before you, I believe it was on May 7th of  
last year, seeking variances, which are in  
the notice of that meeting, and that is  
somewhat tied in to what are before you  
this evening. I would respectfully  
request that the transcript of that

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meeting be included in the exhibits.

Among other things, I submitted a letter from my client's physicians. And my client being Thomas Morash. Thomas Morash being the -- Thomas Morash, Sr. being the principal member of the LLC which owns the subject property.

Mr. Morash has been hospitalized several times over the intervening period since May 7th of last year and, in fact, had been in and out of St. Francis Hospital in Nassau County over the last day and last couple of days as well.

I don't want to belabor the -- well, I guess first I would request whether or not you would be willing to incorporate the transcript of that meeting and the exhibits that were then submitted on March 7th of 2023.

CHAIRMAN POITRAS: Well, at this point, Mr. D'Agostino, this is a new application. So you could -- you could submit a letter request that would allow the Village to, I guess, pull those. But

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1                   we would -- we would also want to -- being  
2                   that this is a new application at this  
3                   point, that application was abandoned, and  
4                   so we would need to still start from --  
5                   essentially from scratch on this.

6                   We're not going to just be able to  
7                   incorporate and pick up from where we left  
8                   off on that. It's going to be a case  
9                   where we need to establish a new record  
10                  and start -- you know, start from the  
11                  beginning on what is presented to this  
12                  Board at this point.

13                  MR. D'AGOSTINO: Well, the request  
14                  at that hearing and where we are now are  
15                  somewhat linked in that -- and I -- let me  
16                  say that I was and am most appreciative of  
17                  the position that -- for the time that  
18                  the Board members spent on May 7th, and,  
19                  you know, the -- we went through the  
20                  various iterations and alternatives and  
21                  the possibility of attaching the -- the  
22                  garage to the house.

23                  What we did not go through, and  
24                  which has me a little bit embarrassed even  
25

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1                   being here, is that construction  
2                   apparently was inadvertently started. And  
3                   the Village issued a Stop Work Order,  
4                   which was immediately honored. I'm not  
5                   saying that the Village had to issue the  
6                   Stop Work Order, but it had to be based upon  
7                   the commencement of the construction.  
8                   And for that, I -- and that confusion on  
9                   my client's part, I apologize. I mean,  
10                  this is -- it was not like, you know,  
11                  construction that could have been hidden  
12                  or was not plainly visible.

14                  But in any event, picking up on  
15                  the discussion which occurred at the end  
16                  of the May 7th meeting with the Board and  
17                  the good faith and appreciated  
18                  suggestions, and therefore, I left that  
19                  meeting. I pointed out to my client the  
20                  construction at the Village Hall where you  
21                  have a north and a south main building  
22                  with that glass enclosure. And I -- and I  
23                  said to him, "That's" -- "You know, that's  
24                  what they're talking about, conceptually.  
25                  You have to, you know, do what you have to

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2                   do to get it reviewed."

3                   Now, upon the -- upon the review  
4                   of the -- of the (inaudible).

5                   CHAIRMAN POITRAS: I'm sorry, Mr.  
6                   D'Agostino, you must have gone away from  
7                   your microphone. We couldn't hear  
8                   anything you just said, that last -- that  
9                   last --

10                  MR. D'AGOSTINO: Oh, okay. Can  
11                  you hear me now?

12                  CHAIRMAN POITRAS: Yes, we can.

13                  MR. D'AGOSTINO: Okay. Don't be  
14                  afraid to interrupt me because it's like  
15                  flying a plane for me. And I don't  
16                  have (inaudible).

17                  I believe the lot area coverage in  
18                  the two computations, which are set forth  
19                  in the notice of hearing under 163-13 of  
20                  the Village Code, I believe, if my math is  
21                  correct, we're approximately two percent  
22                  over those calculations. Of course, the  
23                  problem is that -- and there was a permit  
24                  for some construction, and that may have  
25                  led to the continued construction.

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1                                   That, plus my client's condition,  
2                                   which I think has been described by his  
3                                   physicians, where he -- his treatment is  
4                                   the result of cardiac issues, full knee  
5                                   replacement, and as well as kidney cancer.  
6                                   And without getting into the messy  
7                                   details, his -- the issues related to his  
8                                   being able to get to a bathroom as quickly  
9                                   as he would like in many occasions.  
10

11                               MR. BROOKS: I'm gonna interrupt  
12                               you. You said you're okay with us  
13                               interrupting.

14                               With all respect -- and I  
15                               appreciate all the background, you know,  
16                               as a Zoning Board, we're required to  
17                               evaluate variance applications based on a  
18                               specific five prong test. If you could  
19                               just get to the five prong test without  
20                               all the background, we --

21                               MR. D'AGOSTINO: Well --

22                               MR. BROOKS: I don't mean to be  
23                               dismissing it, but I -- I really want to  
24                               try to focus on what the presentation is,  
25                               why we should -- you know, how you address

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2                   the five-prong test and how that fits in,  
3                   without regard to all the background on  
4                   other things that are not necessarily  
5                   relevant to the five prong test.

6                   MR. D'AGOSTINO: Well,  
7                   respectfully, and I fully understand. My  
8                   firm represents many municipal boards.

9                   And the reason -- the reason that  
10                  I was requesting the inclusion of the  
11                  transcript of the prior hearing is that  
12                  spelled out the hardship.

13                  MR. BROOKS: But, I mean, I  
14                  understand. Respectfully, again, we  
15                  understand that hardship in the context  
16                  of --

17                  MR. D'AGOSTINO: I will do that.  
18                  I will do that.

19                  MR. BROOKS: But no, let me just  
20                  explain.

21                  We understand that hardship in the  
22                  context of a variance that was then  
23                  sought, which is different than the  
24                  variance that is now sought, and want to  
25                  try to understand how this variance is

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appropriate based on the application.

MR. D'AGOSTINO: Well, the circumstances, as I said, surrounding the variance application were spelled out previously, but going to Section 7-712-B, Subdivision 3, dealing with area variances, the balancing test deals with benefit of the applicant, if the variance is granted, is waived against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

And the considerations, the five considerations. One, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance. I would respectfully submit that it will not. And that, you know, following that last meeting, my client proceededly (sic) -- proceeded, although overly exuberantly in dealing with a contractor, there was an open permit for

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part of this construction, and they went ahead and brought it to the point of attack.

But I would respectfully request that the granting of a variance, now that this is proposed to be habitable space and as connected to the house, of two percent is di minimus. And the benefit to the applicant, of course, is that the -- the distance in his ability to get to a bathroom from the pool where he is generally out there in the summers with his grandchildren, as opposed to an interior bathroom in the house or a bathroom in the basement.

This is -- those are difficult for him to get to based upon the number of steps, the distance, the fact that there are no showers at neither one of them. In fact, they're very often, to be quite graphic, he has to take a shower if he doesn't get there in time.

CHAIRMAN POITRAS: Mr. D'Agostino, if I could interject something here.

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Just two -- two questions, because the detriment to the community is honestly -- this is the single biggest hurdle, I think, you have in this, right, because there are two major detriments that are associated. While, yes, the two percent may seem de minimis, it is creating a precedent that this Village has never granted, and that's the expansion of the FAR by an expansion of footprint to the house and which is, I think, a really big issue.

And then the second issue is the fact that -- is the construction being completed, if you can comment on where we are on that. I mean, that's another issue. 'Cause you're -- from this Board's perspective, that's a very big hurdle that never has been made in the Village before. So if you could address that.

MR. D'AGOSTINO: Okay.

MR. MORASH: If I may, I had to take some pictures of -- today of the site.

And so if -- if -- like you said,

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1  
2 if, Mr. D'Agostino, you would like to  
3 comment to this, because this is -- this  
4 is a serious hurdle for us to try to get  
5 over.

6 MR. BROOKS: And I think it would  
7 probably be useful to address feasible  
8 alternatives, because we had -- not that  
9 it matters 'cause it was a different  
10 application, but we had pretty good  
11 conversation last time about the  
12 feasibility of alternatives, that,  
13 frankly, there's absolutely no reason I  
14 see that one would need to grant the  
15 variance here. There's a feasible  
16 alternative that requires no variance.  
17 And the fact that you built it without a  
18 permit is not necessarily relevant to this  
19 Board in evaluating the feasibility of  
20 alternatives.

21 And it seems to me a really,  
22 really tough one to overcome because all  
23 of the concerns you've raised about his  
24 medical condition seem to be feasibly, you  
25 know, achievable by having a bathroom that

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complies with applicable code. And the fact that he built one that doesn't comply with the code without a permit isn't an overwhelmingly successful, for me, argument why we should ignore the fact that there's a feasible alternative.

MR. D'AGOSTINO: Again, one of the feasible alternatives that was discussed at the last hearing, and again, that's one of the reasons why I was requesting that that transcript be incorporated, was the connection, which was done.

What was not considered, and frankly, is the proverbial elephant in the room, is that the construction went ahead. And there is a two percent excess of the FAR. And that was the one -- connecting the buildings was the one where the board and I and Mr. Morash spent the most time. And that had -- and you're absolutely correct, had the FAR been complied with in that construction, that we would not be before you today.

And again, and I want to make this

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clear, that discussion that we had at the end of the last hearing is one which I am most appreciative of. And what I didn't expect is that I would be before you again asking for forgiveness on a two percent excess of the --

And that being said, that being said, there -- I believe there was one other alternative that was briefly referred to having to do with a shed at that time. And one of the Board members raised it and then the other Board members sort of spoke over it, and we didn't explore that in detail.

CHAIRMAN POITRAS: Well, Mr. D'Agostino, we'll leave it to you to review feasible alternatives, if you would like to present the -- if you have some tonight, we would be happy to hear. But if -- otherwise, you can present to this Board what you think would be feasible alternatives at this point, so.

MR. D'AGOSTINO: Well, I mean, the first alternative is the request for the

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discretionary relief. The only other possibility would somehow be modifying the structure that is there to bring it into compliance or some other area that's within the FAR.

And if I understood the brief reference that was made to that -- to that shed, there was something involving a shed, and I didn't know -- it wasn't clear through the record whether that referenced --

CHAIRMAN POITRAS: So once again, Mr. D'Agostino, that hearing, since it was abandoned, is not part of this record. So if you'd like to reestablish that conversation, you can. Otherwise, you need to submit in writing and we can bring that into the meeting for next --

MR. D'AGOSTINO: I can't -- I can't -- I'm sorry, I can't see or hear who's speaking, honestly.

CHAIRMAN POITRAS: This is Chair -- Chairman Poitras is speaking right now, so.

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1                   MR. D'AGOSTINO: Mr. Chairman, I  
2  
3                   would be happy to do that in writing as an  
4                   alternative. But again, I would  
5                   respectfully submit that the -- a two  
6                   percent increase in the FAR, you know,  
7                   purely looking at the application, not  
8                   whether it was built or not.

9                   And I understand that construction  
10                  was brought to the point of wherever --  
11                  the date of the Stop Work Order, which has  
12                  been diligently adhered to. But I would  
13                  subject -- I would respectfully submit  
14                  that the undesirable change of two percent  
15                  increase in the FAR will neither create a  
16                  detriment to the character of the  
17                  neighborhood or a detriment to the nearby  
18                  properties.

19                  The benefits sought by the  
20                  applicant can be achieved by some other  
21                  method feasible for the applicant to  
22                  pursue. Other than an area variance, we  
23                  would obviously have to remove or demolish  
24                  something. And again, after referring --  
25                  there was a suggestion from other Board

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members at the end of the May 7th hearing.

MR. BROOKS: I don't want to interrupt again. Did any Board member at the prior hearing recommend that you violate the applicable Zoning Law?

MR. D'AGOSTINO: Absolutely, one hundred percent, no. And I -- and I --

MR. BROOKS: Okay. I just want to be really clear about that, that --

MR. D'AGOSTINO: No, I --

MR. BROOKS: -- this was not a recommendation of the Zoning Board, to --

MR. D'AGOSTINO: No, absolutely not.

MR. BROOKS: -- violate the Zoning Law.

MR. D'AGOSTINO: You are absolutely correct.

MR. BROOKS: Okay. So --

MR. D'AGOSTINO: And I can only reiterate that I'm more than embarrassed at having to be here under these circumstances. But I can assure you that it was -- whatever happened, happened, and

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it's obviously not something that I'm going to suggest that anybody on the Village side suggested.

My assumption is that anything that was coming as a suggestion from the Board or any Board members was being made in good faith, trying to be helpful, and did not, in any way, indicate that anybody should try to shortcut any of the Village processes. I'll make that clear. And that I was appreciative of the time that you spent for it. So I -- and I'm not trying to say that was an alternative.

But if there has to be a modification as a condition of approval, should the Board grant one, obviously the Village has the authority to set forth and require reasonable alternatives to the granting of a variance.

And I heard what you said, and I'm assuming it came from the chairman at the very beginning. And you are absolutely correct, that if this can be brought into compliance and know the variance, when it

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2                   would be required, we would not be before  
3                   you now or in the future, but it would  
4                   have to be brought in compliance. And I  
5                   understand exactly what you were saying.

6                   Three, whether the requested area  
7                   variance is substantial. Clearly, two  
8                   percent, to me, is not substantial. How  
9                   it got here is problematic and  
10                  embarrassing. But the two percent, as a  
11                  calculation, is -- if my calculation is  
12                  correct, is clearly not substantial.

13                  CHAIRMAN POITRAS: And Mr.  
14                  D'Agostino, along those lines, I had --  
15                  this is Chairman Poitras again. The idea  
16                  of setting precedent, do you have a  
17                  comment to that? Because this is  
18                  something the Village has never granted  
19                  before --

20                  MR. D'AGOSTINO: Well --

21                  CHAIRMAN POITRAS: -- which would  
22                  make two percent substantial. Because  
23                  your two percent becomes the next person's  
24                  three and the --

25                  MR. D'AGOSTINO: Well --

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2                   CHAIRMAN POITRAS:  -- next  
3                   person's four, and then it's where --  
4                   that's the issue with the precedent that  
5                   becomes a real issue for this Board, so.

6                   MR. D'AGOSTINO:  I understand  
7                   that.  But I would respectfully submit  
8                   that the statutory responsibility of the  
9                   Court of Appeals in any jurisdiction is to  
10                  look at and weigh the request for the  
11                  variance, for the relief.  Taking a hard,  
12                  fast position that we will not grant this  
13                  because it might be a precedent.

14                  A precedent is something which,  
15                  one, I would say arguably would be limited  
16                  to two percent under the exact same  
17                  circumstances and facts.  I don't think a  
18                  blanket refusal is the way to address it.  
19                  And obviously I'm arguing for a client,  
20                  and I say that respectfully, but I don't  
21                  see a precedent anywhere in 7-712-B as  
22                  being a reason to deny.

23                  There are five elements to the --  
24                  to weighing the request for a variation  
25                  from the -- certain requirements under the

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1 facts. And again, you know, I'm not gonna  
2 repeat what I already repeated. I wish I  
3 did not have to be here on this, but I do.  
4

5 But the circumstances that  
6 occurred, I mean, it could not have been  
7 done intentionally for the following  
8 reason. I mean, obviously this was not  
9 gonna go away, and I -- my understanding  
10 is that there was a misunderstanding. I  
11 can tell you that I only became aware of  
12 this when the Stop Work Order was issued.  
13 And I didn't understand, I went through  
14 all the papers, why they put a Stop Work  
15 Order, because I know there was a permit  
16 for some of the work, but not for this  
17 specific work. So I understand, but I  
18 would respectfully say that taking a  
19 stance that anything is a precedent, that  
20 every piece of real property is unique and  
21 is developed uniquely.

22 And I can tell you, and I've been  
23 involved in literally thousands of  
24 decisions in my 54-year career, and I'm  
25 not exaggerating, and I mean thousands,

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1  
2 and when a board wanted to take a  
3 position, a precedent, it basically would  
4 not, in my opinion, fly without pointing  
5 out each one of the reasons for it. I'm  
6 not saying you don't have the right to  
7 dismiss it. I just don't think precedent,  
8 as a broad brush approach, is a way to do  
9 it. And obviously, you're either going to  
10 approve or deny it, or if you approve it,  
11 you know, possibly with conditions.

12 But there was, you know, obviously  
13 a misunderstanding here. It was not my  
14 misunderstanding. I wasn't asked, but --  
15 'cause your attorney asked me that at one  
16 point, and I said to him, you know, if you  
17 think that I advised anybody to act in  
18 this manner, I did not. I only became  
19 aware of it after it was a problem. Mr.  
20 Morash was in and out of the hospital. He  
21 was having a lot of issues. And, you  
22 know, forgiveness, yeah. I guess that's  
23 the only thing I can say under the  
24 circumstances. And we're not talking  
25 about 20 percent or 18 percent or 10

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percent. And you may have conditions, and I would respectfully hope --

MR. BROOKS: I'm gonna interrupt one more time just to try to get to the last prong you haven't mentioned, which is self-creation. Is this a problem that is self-created? And I think the answer to that is, yeah, it's entirely self-created. It was self-created in violation of the law, without a building permit and plans submitted for the work that's being asked to be blessed.

So I mean, I -- it's not -- I think precedent is relevant, but this is not solely a precedent issue. This is a self-creation issue. This is a feasible alternatives issue. You know, it's not just one prong. This seems to fail almost every prong.

And so I -- I hear everything you're saying, but given the absolutely simplistic feasible alternative, it's irrelevant to me that you previously built it in violation of law. I mean, that

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1  
2 can't be something we take into  
3 consideration, 'cause then everybody will  
4 be out building in violation of the law  
5 and saying, "Hey, well, it already  
6 exists."

7 MR. D'AGOSTINO: Is this the  
8 chairman?

9 MR. BROOKS: This is the Vice  
10 Chairman Brooks.

11 MR. D'AGOSTINO: Mr. Vice  
12 Chairman, if I might finish, and I had  
13 only gotten up to three, and there are  
14 five of them. I didn't -- I addressed  
15 four or five, and you jumped to five under  
16 the statute.

17 Four is whether the proposed  
18 variance will have an adverse effect or  
19 impact on physical or environmental  
20 conditions in the neighborhood or  
21 district. I would respectfully submit  
22 that it does not and will not.

23 And five, which is the one that  
24 you were referring to, if I can recite it  
25 exactly as it appears in the statue.

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1                   **NORTH HAVEN ZONING BOARD - 3/12/2024**  
2                   "Whether the alleged difficulty was  
3                   self-created" -- and I think you have an  
4                   idea that it was -- "whose consideration  
5                   shall be relevant to the decision of the  
6                   Board of Appeals, but shall not  
7                   necessarily preclude the granting of the  
8                   area variance."

9                   What I would respectfully ask you  
10                  to look at is whether there are any  
11                  conditions that you might impose on a  
12                  possible approval.

13                 And I fully hear what you're  
14                 saying. And the condition -- and I'm not  
15                 a doctor, I can -- I have to go back to  
16                 the exhibits that were submitted in the  
17                 last hearing -- were created by Mr.  
18                 Morash's health conditions. And he -- all  
19                 I can say is the construction should not  
20                 have transpired, but I don't know what  
21                 else to say on that.

22                 But the closing clause of five is,  
23                 "but shall not necessarily preclude the  
24                 granting of the area variance".

25                 And I respectfully submit that so

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1  
2 to, taking the position that this will  
3 creat an adverse possession -- position to  
4 the Village, that there's an application  
5 under the exact same facts in the future  
6 for the exact same extension.

7 And stuff happens. I mean, I see  
8 that we were Number 2 on the calendar.  
9 Number one on the calendar, just looking  
10 at the notice, addresses something which  
11 is as-built, which is entirely -- you  
12 know, I mean, that -- you know, that was a  
13 much, much, much greater as-built in  
14 growth. And I don't know of the  
15 circumstances of that, but there's a  
16 difference between -- between that type of  
17 a -- an encroachment and a two percent, at  
18 least as to that element, not as to you  
19 making a decision. And you have the --  
20 you know, you have the right to make a  
21 discretionary decision in accordance with  
22 the law.

23 And I am -- I am not in the  
24 strongest position because I am  
25 representing a client who did not follow

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1  
2 it. Only recite the fact that Mr. Morash  
3 has been in and out of the hospital. And  
4 I can tell you personally that he's had  
5 many situations where he has been unable  
6 to get to a lavatory.

7 And if you could consider some  
8 conditions that -- reasonable conditions  
9 that the Board might want to -- and I  
10 understand where you're coming from. And  
11 it is much -- you know, much further than  
12 just a flat table. The reason I say that  
13 is because you were that helpful in  
14 talking to us the last time. You were --  
15 I mean, I can understand the way -- you  
16 know, the position that you're taking.  
17 But in trying to respond to the law,  
18 that's the only request I can make, that  
19 you can go back to -- you consider  
20 reasonable conditions that might be  
21 imposed.

22 But the -- I can assure you, at  
23 least from my position, that there was no  
24 effort or attempt to stick one's thumb in  
25 your eye. It would be the worst thing to

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1 do. It's -- stuff happened. A stop work  
2 was ordered. And the day it was issued,  
3 it was complied with. And, you know, I'm  
4 not even sure whether it covers some of  
5 the things that did not require a  
6 variance. It's just that we stopped, you  
7 know, 'cause we're not looking to -- I  
8 would say antagonize, but I think I would  
9 say further antagonize anybody at the  
10 Village.  
11

12 And I'm most appreciative that you  
13 gave me an opportunity to speak, and I'd  
14 be happy to try to answer whatever  
15 questions you might have.

16 MR. MORASH: The only thing I'd  
17 want to just add -- and I thank you for  
18 your time and your consideration. And  
19 George will, I think, attest to this. We  
20 have looked at every other alternative to  
21 get him a bathroom on the first floor that  
22 is easily accessible, and this is really  
23 the only alternative we could come up  
24 with.

25 It's not only a function of

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1 distance. It's also a function of grade.  
2 The property's not level, so some of the  
3 other areas of the main house require  
4 going up a number of steps. He is -- he  
5 does have ADA license plate, so he does  
6 have a legitimate disability. And we just  
7 hope that you would maybe take this into  
8 consideration.  
9

10 And also, I know you don't want to  
11 go ahead and set precedent over one  
12 percent or two percent, whatever the  
13 numbers may be, but I think one of the  
14 limiting factors that you will have is, I  
15 doubt you'll have most people saying  
16 they're one or two percent over or plus  
17 there, have an ADA issue.

18 So I understand that we've made  
19 mistakes. I can assure you that it was  
20 unintentional. There was no way that we  
21 would ever hide this.

22 MR. BROOKS: I think the --

23 MR. MORASH: We're not --

24 MR. BROOKS: I think the  
25 difficulty -- the difficulty is that that

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1                   ADA or restroom accessibility issue could  
2                   have been addressed in compliance with  
3                   code. And so the variance really is not  
4                   about accessibility or the restroom issue,  
5                   because it could have been addressed in  
6                   compliance with code. This has now been  
7                   done in violation of building permit laws,  
8                   not in violation of, you know -- and as a  
9                   result, because no one ever submitted a  
10                  plan for review, it ended up being in  
11                  violation of Zoning Laws. So this is not  
12                  an application about accessibility and --  
13                  and disabled accommodation, because that  
14                  could have been done in compliance with  
15                  the code.  
16

17                         And so this -- to me, this is an  
18                         application about blatant noncompliance  
19                         when there was a feasible alternative.  
20                         And -- and violating building permit laws  
21                         doesn't seem like a good excuse for  
22                         accommodating a noncompliance with Zoning  
23                         Laws.

24                                 I'm not trying to be  
25                                 unsympathetic, but like, gosh, imagine the

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havoc it would wreak in any village if that was the standard we took, that, well, you didn't pull a permit for your, you know, work in violation of code, and so now we should just grant a little variance because, hey, how are you to know that it didn't comply with code? 'Cause you didn't submit for building permits. I mean, it just kind of a little bit unfair for you, to me, to start talking about this in the context of accessibility and handicap, because that's not what this is about. There was a feasible alternative to address that. And I -- you know, I feel you guys ignored that.

MR. MORASH: With due respect, they were working under an existing permit. They got out over their skis a little bit. It was -- it was unintentional and it was a mistake. Things happen. We've always been in constant communication with George, Mr. Butts. I don't --

MR. BROOKS: I hear you, but --

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2                   anyway. I don't have any other questions.

3                   CHAIRMAN POITRAS: Well, Mr.

4                   D'Agostino, how would you like to proceed  
5                   from this at this point? I don't think  
6                   any of the Board has any other questions  
7                   at this point. And I'll get to the other  
8                   people on the call, too.

9                   MR. D'AGOSTINO: Just a point of  
10                  clarification. And by the way, that was  
11                  Michael Morash was speaking. I'm sure he  
12                  identified himself earlier, the son of  
13                  Thomas Morash, who's the principal member  
14                  of the LLC.

15                 It was my understanding, at least  
16                 in the intervening period, that there were  
17                 plans submitted, and they say nothing was  
18                 submitted. We couldn't be here without a  
19                 disapproval or denial letter based upon  
20                 what was submitted. It was the two  
21                 percent excess. So, you know, unless I'm  
22                 missing something. And I'm not saying  
23                 that --

24                 MR. BROOKS: Submitted after the  
25                 work was performed is what you're saying.

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After you --

MR. D'AGOSTINO: Well --

MR. BROOKS: After it was caught  
and the Stop Work Order was --

MR. D'AGOSTINO: No, no, no. No,  
my understanding -- well, I don't know how  
the circumstances surrounding the Stop  
Work Order. I do know that as soon as it  
was issued, it was stopped. It is my  
understanding that the plans were  
submitted, and that's where the numbers  
are coming from.

And by the way, and I'll say it  
again, this is far from a -- an as-built  
relief that you had in Item 1, which is 40  
as opposed to 90 feet. This is two  
percent. And if there's a --

CHAIRMAN POITRAS: Once again,  
Item 1 has not been heard and has no  
bearing whatsoever on this. It's two  
entirely different variances, so, right.  
I mean, you're talking about Item 1 on our  
agenda today?

MR. D'AGOSTINO: You're -- except

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for one thing. It is being characterized as a precedent.

I just would like to establish, whatever your decision is, it is two percent. There were plans that were submitted to the Building Department. I cannot tell you when they were submitted by the architect to George Butts, obviously whether it was before or after the Stop Work Order was issued.

MR. BROOKS: I think -- I think you're focusing on a little bit -- you're missing the point. There were not permitted -- hold on a second.

There were not approved, permitted plans submitted and approved by the Village. So that is a violation of Building Code, not even a violation of Zoning Code. And if it were not for the work that was already done, and if you had just waited for a response on the submitted plans and then looked at the Turndown Letter, we wouldn't be having this conversation because --

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MR. D'AGOSTINO: I fully --

MR. BROOKS: The only reason we're having this conversation is that the work was done in violation of Building Law, and now you're asking for a variance to look back to make what was built in violation of building law valid under zoning.

And so this is -- unlike some of the self-creation issues we have where you're like, "Oh, well, it's self-created 'cause I want to build a pool that's too close to my neighbor's yard, I haven't built it yet, but it's self-created 'cause it's my desire to build this pool," this is self-created 'cause you built the structure already. So that's a different -- I mean, I really think that's -- that's just, I don't know, somewhat difficult to overcome.

MR. MORASH: I would say that there was a time when -- and I wasn't present at the last hearing, but I did watch it on Zoom, that this seemed like a very reasonable and viable alternative.

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2                   And had we not -- had we not made a  
3                   mistake and if we weren't a percent or two  
4                   over, it seemed like a very viable option.

5                   MR. BROOKS: 'Cause you would  
6                   never need to come back and get a  
7                   variance. That's what was --

8                   MR. HATFIELD: If it was a viable  
9                   option, if it was done in a conforming  
10                  manner.

11                  CHAIRMAN POITRAS: Right. This  
12                  was not the option presented, right, so  
13                  this is not -- this is not the viable  
14                  option that would be out there, right, so.

15                  MR. HATFIELD: It was a concept.

16                  CHAIRMAN POITRAS: And just to go  
17                  back to Mr. Brooks' point, too, I'm  
18                  looking -- the plan -- the only plan I  
19                  have here that actually shows in the  
20                  application, at least, that shows the  
21                  current structure, the breezeway that's  
22                  connecting the garage, the bathroom, the  
23                  date I find on that is 3/31 of twenty -- I  
24                  believe it's 3/31 of '24 here. Hold on, I  
25                  lost it. Maybe it's '23. So '23. So --

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2                   and then our turndown is in December.

3                   So I don't know when these plans  
4                   were submitted as part of the actual  
5                   record, but I think that that would be  
6                   something for you to establish when these  
7                   were -- documents were submitted for  
8                   approval, so.

9                   MR. BROOKS: But the approval was  
10                  never granted.

11                  CHAIRMAN POITRAS: Approval was  
12                  never granted, either, right, so.

13                  MR. BROOKS: It's not that  
14                  compelling, but --

15                  CHAIRMAN POITRAS: Right.

16                  MR. BROOKS: -- you know -- I  
17                  don't know. I'm sorry, I --

18                  And I don't think that responding  
19                  in the manner that I feel I'm responding,  
20                  which is somewhat negatively to the  
21                  application, is reflective of  
22                  unreasonableness or unfairness. I think  
23                  that the circumstance that we are trying  
24                  to be cooperative about was to point out  
25                  that there were feasible ways to make this

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2                   work without a variance, and now we're  
3                   back seeking a variance. And I don't need  
4                   to reiterate the issue.

5                   MR. MORASH: Putting aside the  
6                   square footage issue, and I know that's  
7                   the core reason we're here --

8                   MR. BROOKS: It's the sole reason  
9                   we're here.

10                  MR. MORASH: Of course. As I  
11                  acknowledge. We don't have any other  
12                  alternatives. We can't put a bathroom in  
13                  the --

14                  MR. BROOKS: Can't you just tear  
15                  it down and build one that complies with  
16                  zoning?

17                  MR. MORASH: Tear what down?

18                  MR. BROOKS: The work that was  
19                  done that exceeds the FAR.

20                  MR. MORASH: We only have nine  
21                  feet of available FAR, so that's --  
22                  that's -- that's the --

23                  MR. BROOKS: I mean, I'm not the  
24                  architect. And I certainly don't want to  
25                  make suggestions because maybe it'll be

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2                   taken out of context, but go back to the  
3                   drawing board would be --

4                   MR. MORASH:   There's no drawing  
5                   board to go back to.   We don't have any  
6                   other options.   And that's one of the  
7                   elements that you've discussed.   We have  
8                   no other options.   That's why we're here.  
9                   George will tell you, I spent multiple  
10                  times reaching out to him to try and work  
11                  some -- some way into this to not be in  
12                  this position.   I don't -- we don't have a  
13                  choice.   I have a handicapped father  
14                  that's in the ninth inning of his life and  
15                  I'm trying to come here to advocate for  
16                  him.   This is a one percent issue that  
17                  you're --

18                 MR. BROOKS:   Well, again, it's not  
19                  one percent.   Next time you reference it,  
20                  it'll be a half percent.   It -- it is a  
21                  FAR variance which we don't grant, and --

22                 MR. MORASH:   And there's never  
23                  been one in the history of this Village?

24                 MR. BROOKS:   I'm not gonna get  
25                  into it.   I don't know the history of the

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1  
2 Village. But I can tell you that in the  
3 context of the prongs that we are asked to  
4 consider, I've certainly never seen one  
5 where all the -- where these prongs were  
6 ticked off in this manner, particularly  
7 the manner of the self-creation. Sorry,  
8 I -- I can't -- it's hard to overcome  
9 that. That people should be able to say,  
10 "The fact that I already built it in  
11 violation of not having a permit for it  
12 gives me a good excuse to seek a  
13 variance."

14 MR. MORASH: I don't think that's  
15 what we're saying.

16 MR. BROOKS: It's exactly the  
17 basis of your variance.

18 MR. MORASH: I think our position  
19 would be that we made a mistake. We were  
20 operating under an existing permit that  
21 was there. We got out ahead of our skis a  
22 little bit. We stopped immediately. And  
23 the variance -- under those circumstances,  
24 we -- it's not like we -- we started cold  
25 and we said, "Let's just build this thing,

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2                   we're not gonna consult George, we're not  
3                   gonna follow permits."

4                   It was -- it's a little bit of a  
5                   unique situation, 'cause you already had  
6                   an existing permit that was open, and  
7                   there was a little bit of  
8                   miscommunication, and this just kind of  
9                   snowballed.

10                  I would just ask you to look at  
11                  intent on it. A mistake is a mistake.  
12                  It's not -- we didn't say let's just  
13                  blatantly violate the Zoning Laws of North  
14                  Haven. If that was the case, we wouldn't  
15                  have filed for a variance in the first  
16                  place. There has to be some level of  
17                  reason and compassion in this case.

18                  MR. BROOKS: I'm compassionate. I  
19                  just -- I don't know. I don't think  
20                  there's anything to be gained from hearing  
21                  again the mistake and, you know --

22                  CHAIRMAN POITRAS: I think maybe  
23                  an examination, if you look with your  
24                  counsel, of the FAR, like, of what the FAR  
25                  calculation was, what is going into that,

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2                   maybe there's some -- some way to look at  
3                   the feasible alternatives from where you  
4                   are. So I don't know. We don't have the  
5                   diagram here that shows how the FAR was  
6                   ultimately calculated. So if you want to  
7                   present that as an exhibit, that's  
8                   something you can do at the next meeting  
9                   and/or if you have it here.

10                          Once again, we're not here to make  
11                          suggestions, but I think it's something  
12                          that maybe there's some way to look at  
13                          that and see if there's a way to cut back.  
14                          'Cause you're talking about 200 square  
15                          feet, so it's not a substantial amount to  
16                          try to cut back, so.

17                          MR. MORASH: The problem is, I  
18                          think, I believe on the primary, we only  
19                          have nine square feet.

20                          So if there -- if there was a  
21                          reasonable way, I'm just trying to look at  
22                          alternatives, it says, "to legalize an  
23                          as-built addition and alteration that  
24                          pierces the allowable primary FAR by 201  
25                          square feet and the total allowable FAR by

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2                   135 square feet".

3                   If we were able to knock that down  
4                   a little bit and maybe resolve the primary  
5                   FAR square footage --

6                   MR. BROOKS: I feel really, you  
7                   know, gun shy about giving any  
8                   suggestions. You guys should go back,  
9                   talk to the architect, make another  
10                  submission. It's not our job, it's just  
11                  not.

12                  I'm sorry, but things that we  
13                  might have said at our last hearing seem  
14                  to be taken out of context. I have to  
15                  clarify that we never suggested that you  
16                  violated Zoning Law. I mean, I think that  
17                  you need to consider feasible alternatives  
18                  with your architect and your counsel and  
19                  make another submission if that's what you  
20                  want to do, or close the hearing and let  
21                  us make a determination.

22                  MR. D'AGOSTINO: Mr. Chairman, can  
23                  I just respond to -- to Mr. Brooks?

24                  Mr. Brooks, I can -- I can assure  
25                  you that there's no effort or thought

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1                   that -- that the suggestions that were  
2                   made by the Board at the end of the last  
3                   hearing -- and they weren't suggestions,  
4                   it was a colloquy -- are being used in any  
5                   way or there's any intention to do that.  
6

7                   All I can say is that I and my  
8                   client were and are most appreciative of  
9                   the time you spent and the discussions we  
10                  had. But there's -- you know, there's --  
11                  it's not something that I'm taking a  
12                  position that, well, we follow what you  
13                  said, or anything like that. Obviously,  
14                  it was subject to the required process  
15                  with the Building Department. That didn't  
16                  happen, and I acknowledge that. And --  
17                  but, you know, please don't feel that in  
18                  any way, I or my client are taking a  
19                  negative view or attacking you in any way  
20                  for being nothing more than helpful, and  
21                  we appreciate it.

22                  MR. DEMAIO: Mr. D'Agostino, this  
23                  is Rich DeMaio. I work with Scott  
24                  Middleton, the Village Attorney.

25                  Would you like to keep the hearing

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2                   open for additional submissions?

3                   MR. D'AGOSTINO: I would -- I  
4                   would say yes. If you give me an adjourn  
5                   date and hopefully I'll get there to see  
6                   you in person, but I would -- I would say  
7                   yes.

8                   MR. DEMAIO: It's your  
9                   prerogative.

10                  MR. D'AGOSTINO: Yes.

11                  MR. DEMAIO: You know, you have to  
12                  make the record. So if you're inclined to  
13                  do that, that's fine. I think the next  
14                  meeting is on for April 9th, if I'm  
15                  recalling correctly.

16                  CHAIRMAN POITRAS: Yes. April 9th  
17                  is the next meeting.

18                  But before we move on, so we do  
19                  have another caller. Mr. Kline, do you  
20                  have anything to add to the record today?  
21                  He was on there. Let's see. Yup, there  
22                  he is.

23                  MR. KLINE: Hi. Thanks for taking  
24                  me. No, I'm okay. That was very helpful.

25                  CHAIRMAN POITRAS: All right.

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Thank you, Mr. Kline.

And then we have Mr. Gruenstein?

MR. GRUENSTEIN: Yes.

Thank you very much. I think -- I think most everything has been covered, so I would limit myself to pointing out some facts, some facts of the --

CHAIRMAN POITRAS: And actually, I'm sorry, Mr. Gruenstein, if you could just start by giving your relationship to the application or in the Village, you know, your residence, just for the record. Thank you.

MR. GRUENSTEIN: My name is David Gruenstein. I live at 47 Bay View Court, which is right next to the property in question.

CHAIRMAN POITRAS: Thank you.

MR. GRUENSTEIN: So I simply wanted to point out some facts that the -- that the Board may not be aware of pertaining to the first and the last prongs of the standard, if I hold it up correctly on Google.

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1                   The first -- the first factor is  
2                   undesirable neighborhood change or  
3                   detriment to nearby properties. And, you  
4                   know, putting -- there's been an extensive  
5                   discussion of FAR, so I'm not gonna go  
6                   into that. But what people may not be  
7                   aware of is that our master bedroom is  
8                   very close to the property in question, to  
9                   the garage. And this is something -- you  
10                  know, we hear everything that goes on  
11                  there. So I think it does -- I think  
12                  that's relevant to that consideration. I  
13                  don't think it's a big problem if you're  
14                  in the garage and you're listening to what  
15                  happens in the master bedroom, but it's  
16                  not necessarily the same in reverse.

17                 With respect to the fifth prong,  
18                 which is self-created hardship, the  
19                 only -- you know, which is also related to  
20                 the issue to the extent it is one of  
21                 intentionality, which has been discussed  
22                 on a number of occasions.

23                 I would simply point out that we  
24                 are a -- the west -- when I say "we," West  
25

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1 Banks is a homeowners association that has  
2 a series of rules providing for an  
3 architectural review board where these  
4 issues are informally dealt with and they  
5 never have to reach any further. And  
6 there was no compliance with the rules of  
7 the architectural review board. Had there  
8 been such compliance, we would have had a  
9 neighborly discussion with our neighbors,  
10 which I would have been happy to do.  
11

12 And then when we found out by  
13 getting a certified mail of this --  
14 certified mail notice of this legal  
15 application when we found out about it, I  
16 immediately went to Marcus Kline, who will  
17 be speaking briefly after me, and I  
18 pointed out to him that I thought these  
19 things should be handled by -- you know,  
20 we should give a notice that the  
21 architectural review board should consider  
22 it, and we should invite our neighbor to a  
23 meeting in order to try to resolve this on  
24 an amicable basis.

25 And Mr. Kline can speak for

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himself, but that notice was given to our neighbor. And despite efforts, there was no response. The neighbor simply ignored the request for a neighborly meeting.

So I think that goes to self-created hardship. It also goes to the question of how many inadvertent mistakes can a person make.

MR. MORASH: I'd like to re- -- I'd like to respond to that.

CHAIRMAN POITRAS: Just one moment. Yeah, one moment.

Mr. Gruenstein, just -- are you related to the -- you mentioned there's a homeowners association. Are you related to that board in any way, or are you just -- besides just paying dues to it?

MR. GRUENSTEIN: Yeah, I am a member of the Board of Directors of the West Banks Association. I'm also an officer of the association. But I'm speaking here today purely in my capacity as a neighbor and as the adjoining property owner with my master bedroom

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2                   abutting the garage, which is having a  
3                   bathroom and could conceivably become  
4                   living quarters immediately adjacent to  
5                   our master bedroom.

6                   CHAIRMAN POITRAS: Thank you.

7                   And I think you wanted to respond?  
8                   You had something to say, or?

9                   MR. MORASH: I just wanted to say  
10                  that if there was a notice sent via hard  
11                  mail, we never received it. We're not  
12                  year-round residents. If the mailing was  
13                  sent to this address here --

14                  CHAIRMAN POITRAS: Okay.

15                  MR. BROOKS: Hold on.

16                               (Crosstalk)

17                  CHAIRMAN POITRAS: Before, Mr.  
18                  Kline, before you jump in, is there  
19                  anything else? So that was -- that was  
20                  it?

21                  Mr. Kline, if you could just,  
22                  actually for the record, too, just  
23                  mention --

24                  MR. KLINE: Sure.

25                  CHAIRMAN POITRAS: State your

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address and relationship to the  
application also, please.

MR. KLINE: Sure. This is Marcus  
Kline. I live at 1 Fox Crossing, and I'm  
the president of the board of directors of  
West Banks, and so I'm speaking on behalf  
of the Board.

And I just wanted to reinforce  
something that David said, that we do have  
a formal process here. And I actually  
also unfortunately don't have many members  
that are active, but I'm also the head of  
the architectural review board. And I was  
not privy to any plans that were brought  
to, you know, the architectural review  
board, to the board, or anything. So, you  
know, to David's point, it would have been  
resolved.

We did send a letter. We sent it  
via e-mail. I think there was very, very  
recently a response to that e-mail after  
multiple attempts. But, yeah, we're  
disappointed to be here as well. We want  
to try to get this resolved. But we were

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2                   also unaware of a lot of the back and  
3                   forth that was going on.

4                   CHAIRMAN POITRAS:   And so Mr.  
5                   Kline, just to be clear, your  
6                   architectural review board, you're  
7                   referencing the West Banks, just for the  
8                   record to be clear?   Not -- not the North  
9                   Haven Village Architectural Review Board,  
10                  'cause that has an independent one also.

11                  MR. KLINE:   That is correct.   It's  
12                  the West Banks Architectural Review Board,  
13                  which I think works in tandem or parallel  
14                  to the -- to North Haven Architectural  
15                  Review Board.

16                  CHAIRMAN POITRAS:   Okay.

17                  With that, Mr. D'Agostino or  
18                  Gruenstein, anybody else want to add  
19                  anything further at this point?

20                  MR. D'AGOSTINO:   I have nothing  
21                  further.   I appreciate the additional time  
22                  which you spent on this and all of the  
23                  comments which were made.   Thank you.

24                  CHAIRMAN POITRAS:   So with that,  
25                  the record could show that there's no

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other request for comment. There's nobody in person additional here that hasn't spoken. So with that, at the request of counsel, we will leave the application open 'til next month.

And once again, I would suggest the review of feasible alternatives. Perhaps now that you know there was communication from the West Banks Association, I might make a suggestion to speak to them also in the interim. But that is -- I think that's all we have then.

So anything else from the Board?

MR. BROOKS: No.

CHAIRMAN POITRAS: No? In that case, we will adjourn the meeting for this evening. Next meeting, once again, will be on Tuesday, April 9th, 2024. Okay.

MR. D'AGOSTINO: Thank you.

CHAIRMAN POITRAS: Thank you, all. Have a good night.

(End of Provided Recording)

\* \* \*

ERRATA SHEET FOR THE TRANSCRIPT OF:  
Hearing Name: North Haven Zoning Board  
Hearing Date: March 12, 2024

## CORRECTIONS

PG	LN	NOW READS	SHOULD READ	REASON FOR
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Date

\_\_\_\_\_  
Signature

Subscribed and sworn to  
before me this \_\_\_\_ day  
of \_\_\_\_\_, 2024

\_\_\_\_\_  
Notary Public

1  
2 I, Agata Davis, certify that the  
3 foregoing transcript of Proceedings of the  
4 Zoning Board of Appeals of the Village of  
5 North Haven, held on March 12, 2024, was  
6 prepared using the required electronic  
7 transcription equipment and is a true and  
8 accurate record of the Proceedings.  
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Agata Davis

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