

**Town of Southeast  
Zoning Board of Appeals  
Minutes of January 21, 2026**

Roderick Cassidy, Chairman	Present
Steve Corozine, Vice Chairman	Present
Greg Wunner	Present
John McNeill	Absent
Matthew Lubera	Present
Scott Seaman	Present
Anthony Zito	Present
Will Stephens, Jr., Town Attorney	Present
Jackie Lester, Secretary	Present

**Work Session:**

**Regular Session:**

*Pledge of Allegiance*

*Introduction*

**1. Harold Lepler, 122 Federal Hill Road, Tax Map ID 58.-1-34.2**

This was a Public Hearing to review an application for an existing entry gate with pillars in the R-160 Zoning District requiring a north front setback variance of 78.9 ft. where 21.1 ft. is proposed and 100 ft. is required and a structure height variance of 1.4 ft. where 4.4 ft. is proposed and 3 ft. is required. Owner Harold Lepler appeared before the Board. Boardmember Wunner recused himself from this application.

Mr. Lepler said he bought the property a little over a year ago after living on Joe's Hill Road for 40 years. Chairman Cassidy asked if this was his personal home. Mr. Lepler said yes. Mr. Lepler said they got the permits and constructed the home in about a year. Mr. Lepler said two friends helped rebuild the stone wall and pillars but he was not aware anything had changed regarding height requirements and that is his fault. Chairman Cassidy said they are robust. Mr. Lepler said you want the gate at least 6 inches off the ground if you are plowing so he didn't think anything of it which is again his fault. Mr. Lepler said he thought they put in an attractive gate but they have not landscaped yet given that they just finished and the weather turned but they plan on landscaping the entrance as well as the area behind the stone wall with an evergreen screen but right now you see the gate. Mr. Lepler said he spoke to his immediate neighbor who had no issue and who provided a letter. Chairman Cassidy said Copeland House has submitted a letter of support. Mr. Lepler said that many of his neighbors have similar gates and pillars and they followed what was done in the neighborhood. Chairman Cassidy said there are many homes on Federal Hill Road that have pillars and gates. Mr. Lepler said he thinks every one of his neighbors has similar facilities. Boardmember Seaman asked how difficult or costly it would be to bring the pillars to size. Mr. Lepler said on the pillars it would be difficult given the stonework to take something apart and rebuild but said he could raise the grade with dirt which would not look the same but would change that threshold. Mr. Lepler said the thought was to landscape so it blends quietly. Chairman Cassidy asked if the the applicant would like to proceed with only 5 Boardmembers available to vote. Mr. Lepler said he felt

comfortable moving forward. Chairman Cassidy asked if Mr. Lepler felt if he had been given a full and fair opportunity tonight. Mr. Lepler said yes. Chairman Cassidy asked if there is anything else he would like to add. Mr. Lepler said no thank you.

The motion to grant the applicant a north front setback variance of 79 ft. where 100 ft. is required and a structure height variance of 1.5 ft. where 3 ft. is required was introduced by Chairman Cassidy and was seconded by Boardmember Corozine. Chairman Cassidy addressed the criteria:

1. Whether an undesirable change will be produced in the character of the neighborhood or detriment to nearby properties will be created by the granting of the area variance.  
No, absolutely not. As I have mentioned, virtually everybody on this street with a sizable property has pillars and a gate.
2. Whether the benefit sought by the applicant can be achieved by some feasible method for the applicant to pursue other than the Area Variance.  
The applicant said he could throw dirt around the base of it, but I think that would make it look ridiculous.
3. Whether the requested Area Variance is substantial.  
Yes, it is substantial but if you look at the overall application it is not so substantial that the application should be denied.
4. Whether the proposed variance will have an adverse effect or impact on the physical environmental conditions in the neighborhood.  
There has been no testimony to that effect.
5. Whether or not the alleged difficulty was self-created.  
Yes, the difficulty was self-created but only to the extent that it still remains consistent with similar structures in the neighborhood.

Roll Call Vote:

J. McNeill	Absent
G. Wunner	Recused
R. Cassidy	In Favor
S. Corozine	In Favor
M. Lubera	In Favor
A. Zito	In Favor
S. Seaman	Opposed

The motion to approve the variance as stated passed by a vote of 4 to 1 with 1 absent and 1 recused.

**2. Apap Land Management, 1912 Route 22 Tax Map ID 35.-2-6**

This was a Public Hearing to review an application referred by the Planning Board for a new building with off-street parking and outdoor storage in the OP-2 Zoning District. The applicant is seeking a front yard setback variance of 75 ft. where 25 ft. is proposed and 100 ft. is required

and a front parking setback variance of 31 ft. where 19 ft. is proposed and 50 ft. is required. Engineer Paul Pelusio and Owner George Apap appeared before the Board.

Mr. Pelusio said there is a Site Plan application pending with the Planning Board. Mr. Pelusio said Mr. Apap has an established painting business and is looking to relocate to this location and is looking to construct a 10,000 sf building, a two-story building with a 5,000 sf footprint. Mr. Pelusio said there are two variances required, a front yard and a front parking setback variance. Mr. Pelusio said the property is unique because it is long and narrow and said that in order to construct anything on the site they would need variances because if the requirements are used then the two setback lines cross each other virtually wiping out all the buildable area on the property. Mr. Pelusio said the property shares a narrow a long narrow piece of land and there is a residential structure immediately to the south which also does not meet the setback requirements. Mr. Pelusio said the application has been before all the outside agencies for approvals for the of the septic system, well and all the environmental permitting most of which has been completed at this point. Chairman Cassidy asked what is across the street from this. Mr. Apap said Putnam Steel is behind it. Boardmember Corozine asked what the structure next to it is. Mr. Pelusio said it is an older residential single-family dwelling. Boardmember Seaman asked if they are moving from the Patterson location to this one. Mr. Apap said yes he has always wanted to be in Brewster and looked for a year when this property came up and was already planned for what he wanted to build and is in the process of buying it pending approvals. Boardmember Seaman asked if the outdoor storage will be the proper amount for the property. Mr. Pelusio said yes it is in front of the Planning Board that also considers the outdoor storage area and said that it meets the planning and zoning regulations so these are the only variances needed. Boardmember Corozine asked how large the parking lot is. Mr. Pelusio said it is sized to accommodate 12 vehicles. Chairman Cassidy asked how many vehicles they have. Mr. Apap said more than 12 but almost all the vehicles go home at night and only a small fleet is kept at the office. Chairman Cassidy said they don't have commercial plates that they park in residential driveways. Mr. Apap said never. Mr. Pelusio said the layout of the lot, the building and the site amenities were laid out to work with the property, the building is long and narrow, the parking is relatively long and narrow and the retention basin for the stormwater management is also long and narrow and the building itself is tucked into the slope so there will be an entrance at one elevation and the driveway at the lower elevation. Boardmember Corozine asked what the function of the paved area to the right is. Mr. Pelusio said that is the outdoor storage area that will just be gravel surface storage area with landscaping and a stockade fence around it. Chairman Cassidy said so it will be semi-permeable. Mr. Pelusio said yes. Mr. Apap said you enter from the Old Route 22 side. Chairman Cassidy asked if there were any other questions.

The motion to grant the applicant a front yard setback variance of 75 ft. where 25 ft. is proposed and 100 ft. is required and a front parking setback variance of 31 ft. where 19 ft. is proposed and 50 ft. is required was introduced by Chairman Cassidy and seconded by Boardmember Zito. Chairman Cassidy addressed the criteria:

1. Whether an undesirable change will be produced in the character of the neighborhood or detriment to nearby properties will be created by the granting of the area variance.  
No, not really because it is consistent with the neighborhood.

2. Whether the benefit sought by the applicant can be achieved by some feasible method for the applicant to pursue other than the Area Variance.  
No, because if they met all the requirements they wouldn't be able to build anything on the property because it is so narrow.
3. Whether the requested Area Variance is substantial.  
Yes, it is substantial but not to the extent where it calls for denial.
4. Whether the proposed variance will have an adverse effect or impact on the physical environmental conditions in the neighborhood.  
There has been no testimony to that effect.
5. Whether or not the alleged difficulty was self-created.  
It's only self-created to the extent that it is a uniquely narrow piece of property and if one wishes to build on it they need a variance.

Roll Call Vote:

J. McNeill	Absent
G. Wunner	In Favor
R. Cassidy	In Favor
S. Corozine	In Favor
M. Lubera	In Favor
A. Zito	In Favor
S. Seaman	In Favor

The motion to approve the variance as stated passed by a vote of 6 to 0 with 1 absent.

**3. Randall Vennekotter, 148 Turk Hill Road, Tax Map ID 67.16-1-21**

This was a Public Hearing to review an application for a pool in the R-160 Zoning District requiring a west front setback variance of 47 ft. where 53 ft. is proposed and 100 ft. is required and a south side setback variance of 34 ft. where 66 ft. is proposed and 100 ft. is required. Owners Randall and Anita Vennekotter appeared before the Board.

Mr. Vennekotter said they have lived at 148 Turk Hill Road for 7 years and are looking for a variance to put in a pool. Mr. Vennekotter said his home is in zone R-160 but they only have 1.4 acres to work with because the property was carved out from the Quinn property which surrounds their property on three sides. Mr. Vennekotter said if they were to follow the setback requirements, because it is such a small property they would need a variance anywhere they put it. Mr. Vennekotter said they looked at where would be the most private location which they believe is the side yard because there is a wall on the south and east side that is 7 ft. tall and the pool would go there and it's difficult to see from the road because it's elevated. Mr. Vennekotter said that there are evergreens and a hedge along Turk Hill Road that also shield it. Mr. Vennekotter said the backyard has a septic system in the north east section but it drains south southwest to just the other side of the wall which would have been another possible place for the pool but they didn't want to put it where the septic drains and there is also a natural spring there so they are worried about groundwater. Mr. Vennekotter said the neighbor to the south of them has a clay tennis court that is as close to Turk Hill Road as the

pool would be. Mr. Vennekotter presented pictures. Chairman Cassidy asked Town Attorney Willis Stephens if a pool has to be in the backyard. Mr. Stephens said it can't be in the front yard. Mr. Vennekotter said this is in the side yard. Chairman Cassidy asked what the road on the plans is. Mr. Vennekotter said it is the Quinns private road. Mr. Vennekotter said across the road is R-60 which he thinks maybe would be more accurate for this property.

Boardmember Corozine asked the age of the house. Mr. Vennekotter said it's very old but there was a fire in 2004 and was rebuilt but maybe the early 1900's. Mr. Stephens said it was referred to as the playhouse. Boardmember Corozine asked Mr. Vennekotter to show him on the picture where the pool would be. Chairman Cassidy read an email from neighbor Denise Quinn into the record which said, "I am thrilled you are thinking about putting in a pool. I have felt your magnificent home deserves a water feature." Chairman Cassidy asked if they though they had a full and fair chance to speak. Mr. Vennekotter said yes.

The motion to grant the applicant a west front setback variance of 47 ft. where 53 ft. is proposed and 100 ft. is required and a south side setback variance of 34 ft. where 66 ft. is proposed and 100 ft. is required was introduced by Boardmember Corozine and was seconded by Boardmember Wunner. Boardmember Corozine addressed the criteria:

1. Whether an undesirable change will be produced in the character of the neighborhood or detriment to nearby properties will be created by the granting of the area variance.  
No, the pool will not be visible, the owners are being diligent in the design of the pool and it is in a private place so it will not impact the neighborhood in that manner.
2. Whether the benefit sought by the applicant can be achieved by some feasible method for the applicant to pursue other than the Area Variance.  
No, as the testimony has concluded that there have been attempts to look at an assess other parts of the property for the purpose of the pool but there are a natural spring, septic drainage and tanks.
3. Whether the requested Area Variance is substantial.  
Yes, it is substantial statistically but that does not mitigate the value of the application or mean that it should be denied.
4. Whether the proposed variance will have an adverse effect or impact on the physical environmental conditions in the neighborhood.  
There has been no evidence presented to that effect.
5. Whether or not the alleged difficulty was self-created.  
No other than the fact that the owners would like to install a pool and that they are working all the different options and availability that they have with the footprint of the land.

Roll Call Vote:

J. McNeill	Absent
G. Wunner	In Favor
R. Cassidy	In Favor
S. Corozine	In Favor

M. Lubera     In Favor  
A. Zito        In Favor  
S. Seaman     In Favor

The motion to approve the variance as stated passed by a vote of 6 to 0 with 1 absent.

The motion to approve the Meeting Minutes of November 17, 2025 was introduced by Boardmember Wunner, seconded by Chairman Cassidy and passed all in favor.

The motion to close the meeting was introduced by Boardmember Corozine, seconded by Chairman Cassidy.

Respectfully submitted,  
Jackie Lester