



**Town of Oyster Bay**

**Zoning Board of Appeals**

TOWN HALL, AUDREY AVENUE, OYSTER BAY, NEW YORK 11771-1592 - TELEPHONE: (516) 624-6232 - FAX: (516) 624-6149

ARLENE VAN LOAN, *Chairwoman* – LOIS SCHMITT – LEWIS J. YEVOLI – RITA BYRNE  
KATHLEEN MULLIGAN – REBECCA M. ALESIA – JEROME FITZPATRICK

\*\*\*\*\*

**PUBLIC HEARING CALENDAR**

**NOTICE OF PUBLIC MEETING BY THE ZONING BOARD OF APPEALS**  
Pursuant to the provisions of *Chapter 246, Section 246-12* of the Code of the Town of Oyster Bay, notice is hereby given that the Zoning Board of Appeals has scheduled a public meeting, which will take place in the Town Hall Meeting Room, Audrey Avenue, Oyster Bay, New York, on **JANUARY 21, 2021**, at 7:00 P. M., to consider the following appeals:  
**BY ORDER OF THE ZONING BOARD OF APPEALS**

Pursuant to the provisions of Chapter 246, Section 246-12 of the Code of the Town of Oyster Bay, and New York State Executive Order No. 202.1, et. seq. notice is hereby given that the Zoning Board of Appeals has scheduled a public meeting, which will take place in the Town Hall Meeting Room, 54 Audrey Avenue, Oyster Bay, New York, on **JANUARY 21, 2021**, at 7:00 P.M., to be held remotely, and the public has the ability to view or listen to such proceeding via live stream at [www.oysterbaytown.com](http://www.oysterbaytown.com), and that such meeting will be recorded and later transcribed, to consider the following appeal:

**MEMBERS OF THE PUBLIC MAY COMMENT ON APPLICATIONS. COMMENTS TO BE HEARD ON THE NIGHT OF THE HEARING AND ENTERED INTO THE RECORD AT THAT TIME MUST BE RECEIVED BY THE ZONING BOARD OF APPEALS BY 4 P.M. WEDNESDAY BEFORE THE HEARING, COMMENTS TO BE ENTERED INTO THE RECORD FOLLOWING THE HEARING MUST BE RECEIVED BY THE NEXT WEDNESDAY FOLLOWING THE HEARING DATE BY 4 P.M.**

**COMMENTS SHALL BE SENT EITHER:**

**VIA E-MAIL TO: [SCLONINGER@OYSTERBAY-NY.GOV](mailto:SCLONINGER@OYSTERBAY-NY.GOV)**

**VIA MAIL TO: ZONING BOARD OF APPEALS  
74 Audrey Avenue  
Oyster Bay, NY 11771**

**BY ORDER OF THE ZONING BOARD OF APPEALS**

**HEARING NO. RC 1**

**APPEAL NO. 19-191 - AMENDMENT**

**MASSAPEQUA**

**ARTHUR PENSATO:** Amend Specific Plan as presented for Appeal No. 19-191 and granted by Decision of the Zoning Board of Appeals, dated April 25, 2019 to allow existing in-ground swimming pool and pool equipment to remain.

SE/ cor. of Exeter Rd. & Gloucester Rd., a/k/a 94 Exeter Road, Massapequa, NY  
**SEC. 65                      BLK. 154                      LOT 64                      ZONE R1-10**

**HEARING NO. RC 2**

**APPEAL NO. 87-153 - AMENDMENT**

**FARMINGDALE**

**JOANN GREEN:** (A) Amend Decision of Zoning Board of Appeals, dated April 23, 1987 in order to Amend the Declaration of Restrictive Covenants to indicate a change in ownership and occupancy while still maintaining a Parent/Child relationship. (B) Extend the Special Use Permit to maintain an existing second kitchen in a one-family dwelling for use as a Parent/Child residence.

S/s/o Motor Ave., 152.21 ft. W/o Kent St., a/k/a 90 Motor Avenue, Farmingdale, NY  
**SEC. 48                      BLK. 519                      LOT 50                      ZONE R1-7**

**HEARING NO. RC 3**

**APPEAL NO. 81-275 - AMENDMENT**

**MASSAPEQUA**

**MARYANN DE DOMENICO:** (A) Amend Decision of Zoning Board of Appeals, dated August 5, 1981 in order to Amend the Declaration of Restrictive Covenants to indicate a change in ownership and occupancy while still maintaining a Parent/Child relationship. (B) Extend the Special Use Permit to maintain an existing second kitchen in a one-family dwelling for use as a Parent/Child residence.

N/s/o Commonwealth Ave., E/o Hicksville Rd., a/k/a 81 Commonwealth Ave., Massapequa, NY  
**SEC. 52                      BLK. 181                      LOTS 964,965,966,992                      ZONE R1-7**

---

**HEARING NO. 1**

**APPEAL NO. 21-28**

**MASSAPEQUA**

**JOSEPH DANIELE:** Variance to erect 6 ft. high fence exceeding maximum height across front yard than permitted by Ordinance.

SW/ cor. of Clinton Pl. & Ocean Ave, a/k/a 67 Clinton Place, Massapequa, NY  
**SEC. 65                      BLK. 205                      LOT 29                      ZONE R1-10**

---

**HEARING NO. 2**

**APPEAL NO. 21-29**

**MASSAPEQUA**

**CRAIG WALKER:** (A) Variance to construct rear steps and platform having less side yard setback than permitted by Ordinance. (B) Variance to construct first floor side addition exceeding maximum building coverage than permitted by Ordinance. (C) Amend Specific Plan as presented for Appeal No. 07-143 and granted by Decision of the Zoning Board of Appeals, dated March 29, 2007.

S/s/o S. Bay Dr., 48.69 ft. W/o E. Shore Dr., a/k/a 339 S. Bay Drive, Massapequa, NY  
**SEC. 66                      BLK. 91                      LOT 55                      ZONE R1-10**

---

**HEARING NO. 3**

**APPEAL NO. 21-30**

**MASSAPEQUA**

**ROBERT & DOROTHY SESSA:** Variance to allow existing garage exceeding maximum height and having less rear yard setback than permitted by Ordinance.

S/s/o Cleveland Ave., W/o Forest Ave., a/k/a 14 Cleveland Avenue, Massapequa, NY  
**SEC. 52                      BLK. 240                      LOT 987                      ZONE R1-7**

---

**HEARING NO. 4**

**APPEAL NO. 21-31**

**MASSAPEQUA**

**MICHAEL LEMENTOWSKI:** Variance to install in-ground swimming pool having less side yard setback than permitted by Ordinance.

E/s/o Greatwater Ave., 360 ft. S/o Seagull Pl., a/k/a 70 Greatwater Avenue, Massapequa, NY  
**SEC. 66                      BLK. 76                      LOT 58                      ZONE R1-10**

---

**HEARING NO. 5**

**APPEAL NO. 21-32**

**MASSAPEQUA**

**MICHAEL KOVALSKY:** Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

S/s/o Massachusetts Ave., W/o Central Ave., a/k/a 92 Massachusetts Avenue, Massapequa, NY  
**SEC. 52                      BLK. 179                      LOT 690                      ZONE R1-7**

---

**HEARING NO. 6**

**APPEAL NO. 21-33**

**NORTH MASSAPEQUA**

**ANTHONY SIMONELLI:** (A) Variance to construct deck having less rear yard setback than permitted by Ordinance. (B) Variance to allow existing shed having less side yard setback than permitted by Ordinance.

S/s/o Wyngate Dr., 378.99 ft. W/o Peony Dr., a/k/a 232 Wyngate Drive, North Massapequa, NY  
SEC. 52                      BLK. 366                      LOT 28                      ZONE R1-7

**HEARING NO. 7**

**APPEAL NO. 21-34**

**NORTH MASSAPEQUA**

**DENNIS HENCHY:** (A) Variance to allow existing one story side addition having less aggregate side yards than permitted by Ordinance. (B) Variance to allow existing rear deck and rear one story addition having less rear yard setback and exceeding maximum building coverage than permitted by Ordinance.

N/s/o Pembroke Dr., 377.58 ft. W/o N. Wisconsin Ave., a/k/a 22 Pembroke Dr., North Massapequa, NY  
SEC. 52                      BLK. 436                      LOT 16                      ZONE R1-7

**HEARING NO. 8**

**APPEAL NO. 21-35**

**NORTH MASSAPEQUA**

**GRACE PALM:** (A) Variance to allow existing rear deck having less rear yard setback than permitted by Ordinance. (B) Variance to allow existing wood deck and roof over exceeding maximum building coverage than permitted by Ordinance.

S/s/o N. Elm St., 109.2 ft. E/o N. Broadway., a/k/a 118 N. Elm Street, North Massapequa, NY  
SEC. 48                      BLK. 39                      LOT 78                      ZONE R1-7

**HEARING NO. 9**

**APPEAL NO. 21-36**

**FARMINGDALE**

**JOSHUA HORNER:** Variance to construct a second kitchen in a one-family dwelling for use as a PARENT/CHILD residence.

N/s/o Lockwood Ave., 63.86 ft. W/o Robert St., a/k/a 111 Lockwood Avenue, Farmingdale, NY  
SEC. 48                      BLK. 587                      LOT 772                      ZONE R1-7

**HEARING NO. 10**

**APPEAL NO. 21-37**

**FARMINGDALE**

**JOSEPH GARCIA:** (A) Variance to construct roofed-over front porch having less average front yard setback than permitted by Ordinance. (B) Variance to construct attached garage with mudroom and front porch having less side yard setback than permitted by Ordinance. (C) Variance to construct attached garage having less aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (D) Variance to construct second story addition having less roof pitch than permitted by Ordinance. (E) Variance to construct attached garage with mudroom, front porch, cantilevered second floor addition and allow existing rear addition exceeding maximum building coverage than permitted by Ordinance. (F) Variance for the reduction of off-street parking spaces. Reduction of spaces to 1 when 2 spaces are required.

N/s/o S. Zoranne Dr., 147.41 ft. E/o W. Zorrane Dr., a/k/a 89 S. Zoranne Drive, Farmingdale, NY  
SEC. 49                      BLK. 238                      LOT 13                      ZONE R1-7

**HEARING NO. 11**

**APPEAL NO. 21-38**

**BETHPAGE**

**CAROLYN D'ANTONIO**: Variance to allow existing rear stoop having less aggregate side yards than permitted by Ordinance.

W/s/o N. 5<sup>th</sup> St., 300 ft. S/o Maple Ave., a/k/a 209 N. 5<sup>th</sup> Street, Bethpage, NY

**SEC. 46**

**BLK. 52**

**LOT 58**

**ZONE R1-6**

---

**HEARING NO. 12**

**APPEAL NO. 21-39**

**BETHPAGE**

**FERDINAND GIANNICO**: (A) Variance to allow existing cellar entrance having less average front yard setback (Maple Avenue) than permitted by Ordinance. (B) Variance to allow existing 8 ft. by 9.9 ft. shed having less front yard setback (Maple Avenue) than permitted by Ordinance. (C) Variance to allow existing rear dormer having less roof pitch than permitted by Ordinance. (D) Variance to allow existing detached garage addition with two (2) roof overs exceeding maximum building coverage of the principal building than permitted by Ordinance. (E) Variance to allow existing 5 ft. high and 6 ft. high wood fences exceeding maximum height across front yard (Maple Avenue) than permitted by Ordinance. (F) Variance to allow existing 6 ft. high wood fence exceeding maximum height across side/front yard (Lincoln Road) than permitted by Ordinance.

SE/ cor. of Lincoln Rd. & Maple Ave., a/k/a 10 Lincoln Road, Bethpage, NY

**SEC. 46**

**BLK. 322**

**LOT 136**

**ZONE R1-7**

---

**HEARING NO. 13**

**APPEAL NO. 21-40**

**HICKSVILLE**

**MICHAEL LANG**: (A) Variance to allow existing garage having less front yard setback (Cortland Avenue) than permitted by Ordinance. (B) Variance to allow existing 5 ft. high fence with sliding gate exceeding maximum height in front yard (Cortland Avenue) than permitted by Ordinance. (C) Amend Specific Plan as presented for Appeal No. 16-472 and granted by Decision of the Zoning Board of Appeals, dated November 17, 2016.

W/s/o East Ave., 219 ft. N/o Kingston Ave., a/k/a 21 East Avenue, Hicksville, NY

**SEC. 45**

**BLK. 55**

**LOT 246**

**ZONE R1-7**

---

**HEARING NO. 14**

**APPEAL NO. 21-41**

**PLAINVIEW**

**STUART MARKOWITZ**: Variance to install natural gas generator having less side yard setback than permitted by Ordinance.

E/s/o Lincoln Rd. E., 167.43 ft. N/o Lincoln Rd. S., a/k/a 111 Lincoln Road E., Plainview, NY

**SEC. 46**

**BLK. 609**

**LOT 3**

**ZONE R1-7**

---

**HEARING NO. 15**

**APPEAL NO. 21-42**

**PLAINVIEW**

**GLORIA EATON**: (A) Variance to allow existing cellar entrance having less side yard setback than permitted by Ordinance. (B) Variance to allow existing front portico exceeding maximum building coverage than permitted by Ordinance.

N/s/o Jamaica Ave., 670.63 ft. E/o S. Oyster Bay Rd., a/k/a 24 Jamaica Avenue, Plainview, NY

**SEC. 12**

**BLK. 339**

**LOT 29**

**ZONE R1-7**

---

**HEARING NO. 16**

**APPEAL NO. 21-43**

**WOODBURY**

**CHEI HOW LEE:** (A) Variance to construct a second kitchen in a one-family dwelling for use as a PARENT/CHILD residence. (B) Variance to construct cellar entrance having less side yard setback than permitted by Ordinance.

N/s/o Elm St., 308.97 ft. W/o Pine Dr., a/k/a 5 Elm Street, Woodbury, NY

**SEC. 14**

**BLK. 16**

**LOT 4**

**ZONE R1-1A**

---

**HEARING NO. 17**

**APPEAL NO. 21-44**

**WOODBURY**

**MICHAEL GREENBAUM:** (A) Variance to construct two story front addition and rear one story addition exceeding maximum building coverage than permitted by Ordinance. (B) Variance to allow existing pool equipment having less front yard setback than permitted by Ordinance. (C) Variance to allow existing pool slide having less side yard setback than permitted by Ordinance.

W/s/o Roseanne Dr., 474.07 ft. S/o Joan Ct., a/k/a 2 Roseanne Drive, Woodbury, NY

**SEC. 15**

**BLK. 175**

**LOT 72**

**ZONE R1-10**

---

**HEARING NO. 18**

**APPEAL NO. 21-45**

**WOODBURY**

**JODI & CRAIG KIRSCH:** (A) Variance to allow existing raised masonry patio having less side yard setback, aggregate side yards and exceeding maximum gross floor area than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 89-186 and granted by Decision of the Zoning Board of Appeals, dated April 27, 1989 and amended by Decision of the Zoning Board of Appeals, dated April 27, 1998.

N/s/o Elm St., E/o Cypress Dr., a/k/a 25 Elm Street, Woodbury, NY

**SEC. 14**

**BLK. 21**

**LOT 7**

**ZONE R1-1A**

---

**HEARING NO. HO 1**

**APPEAL NO. 20-469**

**SYOSSET**

**DAOUD ERFAN:** Variance to construct new dwelling on subdivided lot having less width of lot and roof pitch than permitted by Ordinance. **PARCEL B**

N/s/o Convent Rd., 3599.64 ft. W/o Southwoods Rd, a/k/a 111 Convent Road, Syosset, NY

**SEC. 15**

**BLK. C**

**LOT 664**

**ZONE R1-10**

---

**JANUARY 11, 2021**

**BY ORDER OF THE ZONING BOARD OF APPEALS**

**TOWN OF OYSTER BAY, OYSTER BAY, NEW YORK**