



**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 - JOHN J. FANNING - REBECCA M. ALESIA

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**PUBLIC HEARING CALENDAR**

**NOTICE OF PUBLIC MEETING BY THE ZONING BOARD OF APPEALS**  
Pursuant to the provisions of *Chapter 246, Article III, Section 246-18-E* 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 30, 2020**, at 7:00 P. M., to consider the following appeals:  
**BY ORDER OF THE ZONING BOARD OF APPEALS**

**HEARING NO. RC 1**

**APPEAL NO. 82-419A- AMENDMENT**

**PLAINVIEW**

**ERNEST MARKOWITZ:** Amend Specific Plan as presented for Appeal No. 82-419A and granted by Decision of the Zoning Board of Appeals, dated February 3, 1983, to remove conditions 4. and 5 of the variance.

E/s/o Lester Pl., 104.53 ft. N/o Old Country Rd., a/k/a 3 Lester Place, Plainview, NY  
**SEC. 12                                      BLK. 476                                      LOT 2                                      ZONE NB**

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**HEARING NO. 1**

**APPEAL NO. 20-17**

**MASSAPEQUA**

**STEPHEN RISOLO:** (A) Variance to allow existing second story balcony, front covered porch and rear deck having less side yard setback than permitted by Ordinance. (B) Variance to allow existing second story balcony and front covered porch having less aggregate side yards than permitted by Ordinance. (C) Variance to allow existing shed having less side yard setback than permitted by Ordinance. (D) Variance to construct sunroom having less rear yard setback than permitted by Ordinance. (E) Variance to construct sunroom and allow existing front covered porch, shed and second story balcony exceeding maximum building coverage than permitted by Ordinance. (F) Variance to construct sunroom and allow existing rear wood deck and second story balcony exceeding maximum gross floor area than permitted by Ordinance. (G) Variance to allow existing driveway expansion having less side yard setback than permitted by Ordinance.

N/s/o Brockmeyer Dr., 1027.272 ft. W/o Forest Ave., a/k/a 31 Brockmeyer Drive, Massapequa, NY  
**SEC. 65                                      BLK. 1601                                      LOT 340                                      ZONE R1-7**

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**HEARING NO. 2**

**APPEAL NO. 20-18**

**MASSAPEQUA**

**MATTHEW G. PROVIDENTE:** (A) Variance to allow existing 3.7 ft. by 11.9 ft. shed abutting dwelling having less side yard setback and aggregate side yards than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 17-241 and granted by Decision of the Zoning Board of Appeals, dated June 15, 2017.

E/s/o Waterview Ave., 520 ft. S/o S. Bay Dr., a/k/a 70 Waterview Avenue, Massapequa, NY  
**SEC. 66                                      BLK. 91                                      LOT 20                                      ZONE R1-10**

**HEARING NO. 3**

**APPEAL NO. 20-19**

**FARMINGDALE**

**MICHELLE INZERILLO:** (A) Variance to construct second story addition having less side yard setback and roof pitch than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to allow existing shed having less side yard setback and rear yard setback than permitted by Ordinance. (C) Variance for the reduction of off-street parking spaces. Reduction of spaces to 1 when 2 spaces are required.

E/s/o Scholl Dr., 130 ft. S/o Phillip Dr., a/k/a 31 Scholl Drive, Farmingdale, NY

**SEC. 49**

**BLK. 186**

**LOT 25**

**ZONE R1-7**

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**HEARING NO. 4**

**APPEAL NO. 20-20**

**FARMINGDALE**

**JOHN FRIEDRICH:** Variance to construct garage roof changes having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters.

E/s/o Cedar Dr., 360.43 ft. S/o Frey Rd., a/k/a 73 Cedar Drive, Farmingdale, NY

**SEC. 49**

**BLK. 227**

**LOT 35**

**ZONE R1-7**

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**HEARING NO. 5**

**APPEAL NO. 20-21**

**BETHPAGE**

**ELISA GARAFOLA:** (A) Variance to construct two-family dwelling. (B) Variance to construct two-family dwelling having less lot area than permitted by Ordinance. (C) Variance to allow proposed two-family dwelling to be non-owner occupied. (D) Amend Specific Plans as presented for Appeal No. 69-390 and granted by Decision of the Zoning Board of Appeals, dated September 25, 1969 and for Appeal No. 18-426 and granted by Decision of the Zoning Board of Appeals, dated September 20, 2018.

E/s/o N. 6<sup>th</sup> St., 160 ft. N/o Thomas Ave., a/k/a 210 N. 6<sup>th</sup> Street, Bethpage, NY

**SEC. 46**

**BLK. 52**

**LOT 63**

**ZONE R1-6**

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**HEARING NO. 6**

**APPEAL NO. 20-22**

**BETHPAGE**

**ROBERT & MARY ALYCE SPORING:** Variance to construct a second kitchen in a one-family dwelling for use as a PARENT/CHILD residence.

SW/ cor. Pine Ave. & Locust Ave., a/k/a 54 Pine Avenue, Bethpage, NY

**SEC. 46**

**BLK. 154**

**LOT 65**

**ZONE R1-7**

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**HEARING NO. 7**

**APPEAL NO. 20-23**

**BETHPAGE**

**ROBERT & MARY ALYCE SPORING:** (A) Variance to construct 15.33 ft. by 25 ft. one story addition, cantilevered two story addition and front platform with steps to grade having less front yard setback than permitted by Ordinance. (C) Variance to construct cantilevered two story addition, cantilevered second story addition and roof over porch having less average side/front yard setback than permitted by Ordinance. (D) Variance to construct 12.75 ft. by 16.12 ft. one story addition, cantilevered two story addition, roof over porch and existing cellar entrance having less rear yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (E) Variance to construct 12.75 ft. by 16.12 ft. one story addition, 15.33 ft. by 25 ft. one story addition, cantilevered two story addition, cantilevered second story addition, roof over porch, front platform with steps to grade and existing roof over deck exceeding maximum gross floor area than permitted by Ordinance. (F) Variance to construct cantilevered two story addition and cantilevered second story addition having less roof pitch than permitted by Ordinance. (G) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across front yard (Locust Avenue) than permitted by Ordinance.

SW/ cor. Pine Ave. & Locust Ave., a/k/a 54 Pine Avenue, Bethpage, NY

**SEC. 46**

**BLK. 154**

**LOT 65**

**ZONE R1-7**

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**HEARING NO. 8**

**APPEAL NO. 20-24**

**HICKSVILLE**

**SHIN LI WENSHEN-FARKAS:** (A) Variance to allow existing portico exceeding maximum building coverage than permitted by Ordinance. (B) Variance to allow existing deck exceeding maximum gross floor area setback than permitted by Ordinance.

E/s/o Mead Ave., 92.85 ft. S/o Duffy Ave., a/k/a 5 Mead Avenue, Hicksville, NY

**SEC. 11**

**BLK. 331**

**LOT 3**

**ZONE R1-6**

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**HEARING NO. 9**

**APPEAL NO. 20-25**

**PLAINVIEW**

**PETER SULLIVAN:** (A) Variance to construct second story addition and roof over porch having less average front yard setback than permitted by Ordinance. (B) Variance to construct second story addition having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (C) Variance to construct second story addition, roof over porch and allow existing one story addition exceeding maximum building coverage than permitted by Ordinance. (D) Variance to construct second story addition and allow existing one story addition exceeding maximum gross floor area than permitted by Ordinance.

E/s/o Harold Rd., 276.75 ft. S/o Grace St., a/k/a 27 Harold Road, Plainview, NY

**SEC. 12**

**BLK. 481**

**LOT 24**

**ZONE R1-7**

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**HEARING NO. 10**

**APPEAL NO. 20-26**

**PLAINVIEW**

**MICHAEL PICARD:** (A) Variance to construct a second kitchen in a one-family dwelling for use as a PARENT/CHILD residence. (B) Variance to allow existing shed having less side yard setback than permitted by Ordinance. (C) Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

E/s/o Stratford Rd., 130 ft. N/o Bedford Rd., a/k/a 28 Stratford Road, Plainview, NY

**SEC. 12**

**BLK. 471**

**LOT 13**

**ZONE R1-7**

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**HEARING NO. 11**

**APPEAL NO. 20-27**

**PLAINVIEW**

**NICOLE NADBOY:** Variance to install in-ground swimming pool having less side yard setback and rear yard setback than permitted by Ordinance.

SW/ cor. of Colgate Dr. & Bucknell Dr., a/k/a 69 Colgate Drive, Plainview, NY

**SEC. 13**

**BLK. 101**

**LOT 24**

**ZONE R1-20**

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**HEARING NO. 12**

**APPEAL NO. 20-28**

**JERICHO**

**BRIJESH GOSWAMI:** (A) Variance to construct raised paver patio having less rear yard setback than permitted by Ordinance. (B) Variance to construct one story addition and wood platform with steps to grade exceeding maximum building coverage than permitted by Ordinance. (C) Variance to construct one story addition having less roof pitch than permitted by Ordinance.

E/s/o Friendly Ln., 279.50 ft. S/o Forest Dr., a/k/a 46 Friendly Lane, Jericho, NY

**SEC. 12**

**BLK. 583**

**LOT 8**

**ZONE R1-10**

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**HEARING NO. 13****APPEAL NO. 20-29****JERICHO**

**XIAOLE ZHENG & HAIBO YUAN:** (A) Variance to construct rear wood deck and allow existing awning over patio having less side yard setback than permitted by Ordinance. (B) Variance to allow existing awning over patio having less aggregate side yards and exceeding maximum building coverage than permitted by Ordinance. (C) Amend Specific Plan as presented for Appeal No. 63-78 and granted by Decision of the Zoning Board of Appeals, dated March 21, 1963.

S/s/o Seaman Rd., 210.08 ft. W/o Leahy St., a/k/a 106 Seaman Road, Jericho, NY  
**SEC. 11                      BLK. 356                      LOT 3                      ZONE R1-10**

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**HEARING NO. 14****APPEAL NO. 20-30****SYOSSET**

**HAGAY KEREN:** Variance to allow existing 6 ft. high fence on 2 ft. high wall exceeding maximum height across side/front yard than permitted by Ordinance.

SE/ cor. of Richard Ln. & Ronald Ln., a/k/a 6 Richard Lane, Syosset, NY  
**SEC. 15                      BLK. 148                      LOT 36                      ZONE R1-10**

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**HEARING NO. 15****APPEAL NO. 20-31****SYOSSET**

**KOORESH SHOOSHTARY:** Variance to allow existing circular driveway having less front yard setback than permitted by Ordinance.

E/s/o Cambria Rd., 422.11 ft. N/o Wood Ct., a/k/a 29 Cambria Road, Syosset, NY  
**SEC. 12                      BLK. 347                      LOT 18                      ZONE R1-10**

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**HEARING NO. 16****APPEAL NO. 20-32****GLEN HEAD**

**JAMES COMITINO:** (A) Variance to allow existing roof-over deck, deck, roof-over air conditioning unit, bay window and cellar entrance having less average front yard setback (Glen Cove Avenue) than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to allow existing roof-over deck, shed, roof-over air conditioning unit and front bay window exceeding maximum building coverage than permitted by Ordinance. (C) Variance to allow existing shed having less front yard setback and exceeding maximum height than permitted by Ordinance. (D) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across front yard (Glen Cove Avenue) than permitted by Ordinance. (E) Variance to allow existing 5 ft. high PVC fence exceeding maximum height across front yard (Glen Cove Avenue) than permitted by Ordinance.

W/s/o Falmouth Ln., 127.13 ft. N/o Plymouth Dr. S., a/k/a 7 Falmouth Lane, Glen Head, NY  
**SEC. 21                      BLK. 216                      LOT 44                      ZONE R1-7**

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**HEARING NO. 17****APPEAL NO. 20-33****GLEN HEAD**

**EDWARD PAULINSKI:** (A) Variance to construct second story addition and front portico having less average front yard setback than permitted by Ordinance. (B) Variance to construct second story addition having less side yard setback and rear yard setback than permitted by Ordinance; also encroachment of eave and gutter. (C) Variance to construct front portico exceeding maximum building coverage than permitted by Ordinance. (D) Variance to allow existing pool equipment having less side yard setback and front yard setback than permitted by Ordinance. (E) Amend Specific Plans as presented for Appeal No. 17-451 and granted by Decision of the Zoning Board of Appeals, dated October 19, 2017.

S/s/o Central Dr., 78.11 ft. W/o Cross Ln., a/k/a 15 Central Drive, Glen Head, NY  
**SEC. 21                      BLK. 202                      LOT 285                      ZONE R1-20**

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**HEARING NO. 18**

**APPEAL NO. 20-34**

**GLEN HEAD**

**GIUSEPPE GAUDES!**: Variance to allow existing 6 ft. high fence exceeding maximum height across side/front yard (Meadow Lane) than permitted by Ordinance.

NW/ cor. of Central Dr. & Meadow Ln., a/k/a 6 Central Drive, Glen Head, NY

**SEC. 21**

**BLK. 206**

**LOT 404**

**ZONE R1-20**

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**HEARING NO. 19**

**APPEAL NO. 20-35**

**JERICO**

**KIMCO JERICO MI LLC:** (A) Variance to construct three-story 93-room hotel building exceeding maximum height than permitted by Ordinance. (B) Variance for the reduction of off-street parking spaces. Reduction of spaces to 1,576 when 2,128 spaces are required.

SE/ cor. of N. Broadway & NYS Route 25, a/k/a 585 N. Broadway, Jericho, NY

**SEC. 12**

**BLK. A**

**LOTS 859,861,952,  
953,956,1075,1077,  
1078,1127,1334,1341,  
1343,1345,1351 & 1352**

**ZONE GB**

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**HEARING NO. HO 1**

**APPEAL NO. 19-607**

**SYOSSET**

**ALAN LANG:** Variance to allow existing natural gas generator in front yard.

SE/ cor. of Burtis Ln. & Burtis Ln., a/k/a 69 Burtis Lane, Syosset, NY

**SEC. 25**

**BLK. 61**

**LOT 1**

**ZONE R1-1A**

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**HEARING NO. HO 2**

**APPEAL NO. 19-612**

**NORTH MASSAPEQUA**

**INTERCOUNTY PROPERTIES, LLC & XIOTIS REALTY, LLC:** Variance to construct new dwelling on sub-divided lot having less lot area and width of lot than permitted by Ordinance. **PARCEL B**

S/s/o N. Queens Ave., 520 ft. W/o N. Central Ave., a/k/a N. Queens Ave., No. Massapequa, NY

**SEC. 52**

**BLK. 114**

**LOTS 15-17**

**ZONE R1-7**

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**HEARING NO. HO 3**

**APPEAL NO. 19-613**

**NORTH MASSAPEQUA**

**INTERCOUNTY PROPERTIES, LLC & XIOTIS REALTY, LLC:** Variance to construct new dwelling on sub-divided lot having less lot area and width of lot than permitted by Ordinance. **PARCEL A**

S/s/o N. Queens Ave., 520 ft. W/o N. Central Ave., a/k/a N. Queens Avenue, North Massapequa, NY

**SEC. 52**

**BLK. 114**

**LOT 12**

**ZONE R1-7**

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**HEARING NO. HO 4**

**APPEAL NO. 19-629**

**HICKSVILLE**

**DESIGNATRONICS, INC.:** Variance to erect canopy on existing principal building having less rear yard setback than permitted by Ordinance.

N/s/o Duffy Ave., 2948.04 ft. W/o Newbridge Rd., a/k/a 250 Duffy Avenue, Hickville, NY

**SEC. 11**

**BLK. G**

**LOT 174**

**ZONE LI**

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HEARING NO. HO 5

APPEAL NO. 19-611

HICKSVILLE

PERFLAND PROPERTIES, INC.: Direct Appeal for an interpretation pursuant to Chapter 246 Section 12.3.6 of the Code of the Town of Oyster Bay.

N/s/o E. Marie St., 141.41 ft. E/o Bay Ave., a/k/a 92 East Marie Street, Hicksville, NY  
SEC. 12                      BLK. 238                      LOTS 25, 26 & 27                      ZONE GB

HEARING NO. HO 6

APPEAL NO. 19-630

HICKSVILLE

REHANA KAUSAR: (A) Variance to construct new dwelling exceeding maximum gross floor area than permitted by Ordinance. (B) Variance to construct circular driveway having less front yard setback than permitted by Ordinance.

S/s/o Walter Ave., 138.71 ft. W/o S. Oyster Bay Rd., a/k/a 9 Walter Avenue, Hicksville, NY  
SEC. 46                      BLK. 632                      LOT 19                      ZONE R1-10

**JANUARY 20, 2020**

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

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