



**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

RITA BYRNE, *Chairwoman* - LOIS SCHMITT, *Vice Chairwoman* - LEWIS J. YEVOLI  
KATHLEEN MULLIGAN - REBECCA M. ALESIA - ANDREW MONTELEONE - LISA CICCOLELLA  
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**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 *FEBRUARY 2, 2023*, at 7:00 P. M., to consider the following appeals:  
  
**BY ORDER OF THE ZONING BOARD OF APPEALS**

**HEARING NO. RC 1**

**APPEAL NO. 12-205 - AMENDMENT**

**MASSAPEQUA**

**BRENDAN MIMS:** Amend Specific Plan as presented for Appeal No. 12-205 and granted by Decision of the Zoning Board of Appeals, dated June 21, 2012, to construct second story addition with bathroom.

N/s/o Massachusetts Ave., 80 ft. W/o Bedford Ave., a/k/a 11 Massachusetts Avenue, Massapequa, NY  
**SEC. 52                      BLK. 144                      LOT 27                      ZONE R1-7**

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**HEARING NO. RC 2**

**APPEAL NO. 22-319 - AMENDMENT**

**PLAINVIEW**

**KUNDAN SEN:** Amend Specific Plan as presented for Appeal No. 22-319 and granted by Decision of the Zoning Board of Appeals, dated August 11, 2022, for the submittal of new plans.

SW/ cor. of Nassau Ave. & Elmwood St., a/k/a 33 Nassau Avenue, Plainview, NY  
**SEC. 12                      BLK. 39                      LOT 135                      ZONE R1-7**

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**HEARING NO. RC 3**

**APPEAL NO. 99-550 - AMENDMENT**

**BETHPAGE**

**JOHN MCGLYNN:** Amend Specific Plan as presented for Appeal No. 99-550 and granted by Decision of the Zoning Board of Appeals, dated January 20, 2000, to construct finished cellar storage with cellar entrance.

N/s/o Jackson Ave., 223.30 ft. E/o N. Sheridan Ave., 26 Jackson Avenue, Bethpage  
**SEC. 46                      BLK. 323                      LOT 269                      ZONE R1-6**

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**HEARING NO. RC 4**

**APPEAL NO. 65-281 - AMENDMENT**

**FARMINGDALE**

**ROBERT J. SCHUMACHER:** Amend Specific Plan as presented for Appeal No. 65-281 and granted by Decision of the Zoning Board of Appeals, dated July 7, 1965, to allow existing finished basement for storage with bath.

S/s/o Bernard St., E/o Hemlock Dr., a/k/a 24 Bernard Street, Farmingdale, NY  
**SEC. 49                      BLK. 21                      LOT 135                      ZONE R1-7**

**HEARING NO. 1****APPEAL NO. 23-34****MASSAPEQUA**

**EILEEN AIVALIOTIS:** (A) Variance for the reduction of off-street parking spaces. Reduction of spaces to 1 when 2 parking spaces are required. (B) Variance to allow existing 9.9 ft. by 8.2 ft. shed having less side yard setback than permitted by Ordinance. (C) Amend Specific Plan as presented for Appeal No. 60-89 and granted by Decision of the Zoning Board of Appeals, dated April 21, 1960.

N/s/o Harrison Pl., 200 ft. W/o Forest Ave., a/k/a 51 Harrison Place, Massapequa, NY  
**SEC. 65                      BLK. 31                      LOT 928                      ZONE R1-7**

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**HEARING NO. 2****APPEAL NO. 23-35****MASSAPEQUA**

**SVEND JENSEN:** (A) Variance to install paver driveway and blacktop for boat parking having less side yard setback than permitted by Ordinance. (B) Variance to allow parking in side yard. (C) Variance to allow existing shed having less side yard setback than permitted by Ordinance.

W/s/o Forest Ave., 1619.90 ft. W/o Jefferson Pl., a/k/a 44 Forest Avenue, Massapequa, NY  
**SEC. 65                      BLK. 1601                      LOT 510                      ZONE R1-7**

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**HEARING NO. 3****APPEAL NO. 23-36****MASSAPEQUA**

**THEODOROS & JEAN GEORGIS:** (A) Variance to allow existing 7 ft. by 10 ft. shed having less rear yard setback than permitted by Ordinance. (B) Variance to allow existing second story deck with patio underneath exceeding maximum building coverage than permitted by Ordinance.

N/s/o Commonwealth Ave., 198.47 ft. E/o Hicksville Rd., a/k/a 79 Commonwealth Ave., Massapequa, NY  
**SEC. 52                      BLK. 181                      LOT 967                      ZONE R1-7**

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**HEARING NO. 4****APPEAL NO. 23-37****MASSAPEQUA**

**KRISTIN WEINSTEIN:** (A) Variance to construct rear deck with steps to grade having less average side/front yard setback and exceeding maximum building coverage than permitted by Ordinance. (B) Variance to allow existing 5 ft. high PVC fence exceeding maximum height across side/front yard (Breezy Place) than permitted by Ordinance.

NW/ cor. of Roosevelt Ave. & Breezy Pl., a/k/a 82 Roosevelt Avenue, Massapequa, NY  
**SEC. 66                      BLK. 111                      LOT 10                      ZONE R1-10**

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**HEARING NO. 5****APPEAL NO. 23-38****NORTH MASSAPEQUA**

**PETER VISCONTI:** (A) Variance to allow existing second kitchen in a one-family dwelling for use as a **PARENT/CHILD** residence. (B) Variance for the reduction of off-street parking spaces. Reduction of spaces to 0 when 3 spaces are required.

SE/ cor. of N. Wisconsin Ave. & N. Bay Dr., a/k/a 230 N. Wisconsin Avenue, North Massapequa, NY  
**SEC. 52                      BLK. 8                      LOT 1                      ZONE R1-7**

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**HEARING NO. 6****APPEAL NO. 23-39****NORTH MASSAPEQUA**

**PETER VISCONTI:** (A) Variance to allow existing roofed over front porch with steps to grade, one story addition and roofed over rear wood deck with steps to grade having less average side/front yard setback (N. Bay Drive) than permitted by Ordinance. (B) Variance to allow existing 10.05 ft. by 8 ft. shed and 12 ft. by 8.2 ft. shed having less side/front yard setback than permitted by Ordinance. (C) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across side/front yard (N. Bay Drive) than permitted by Ordinance. (D) Variance to allow existing rear wood deck with steps to grade having less rear yard setback than permitted by Ordinance. (E) Variance to allow existing roofed over front porch with steps to grade, one story addition, roofed over rear wood deck with steps to grade, kitchen addition, 10.05 ft. by 8 ft. shed and 12 ft. by 8.2 ft. shed exceeding maximum building coverage than permitted by Ordinance. (F) Variance to allow existing one story addition, roofed over rear wood deck with steps to grade, kitchen addition and rear wood deck with steps to grade exceeding maximum gross floor area than permitted by Ordinance.

SE/ cor. of N. Wisconsin Ave. & N. Bay Dr., a/k/a 230 N. Wisconsin Avenue, North Massapequa, NY  
**SEC. 52                      BLK. 8                      LOT 1                      ZONE R1-7**

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**HEARING NO. 7****APPEAL NO. 23-40****HICKSVILLE**

**SEAN KELLAR:** (A) Variance to allow existing cellar entrance having less aggregate side yards than permitted by Ordinance. (B) Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

E/s/o Valley Ln., 744.88 ft. N/o Winding Rd., a/k/a 10 Valley Lane, Hicksville, NY  
**SEC. 45                      BLK. 482                      LOT 23                      ZONE R1-7**

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**HEARING NO. 8****APPEAL NO. 23-41****HICKSVILLE**

**ELAINE SZCEZEPANKOWSKI MARCIANO:** (A) Variance to allow existing enclosed porch with two steps to grade, 12.25 ft. by 12.4 ft. shed and 7 ft. by 7 ft. shed exceeding maximum building coverage than permitted by Ordinance. (B) Variance to allow existing 12.25 ft. by 12.4 ft. shed exceeding maximum height than permitted by Ordinance.

N/s/o W. Marie St., 207.11 ft. E/o Underhill Ave., a/k/a 226 W. Marie Street, Hicksville, NY  
**SEC. 11                      BLK. 322                      LOT 85                      ZONE R1-6**

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**HEARING NO. 9****APPEAL NO. 23-42****HICKSVILLE**

**LI LING KONG:** (A) Variance to allow existing widened driveway having less side yard setback than permitted by Ordinance. (B) Variance to allow existing 6 ft. by 8 ft. shed having less rear yard setback than permitted by Ordinance. (C) Variance to allow existing 8.2 ft. by 11.8 ft. shed exceeding maximum height than permitted by Ordinance.

S/s/o Genesee St., 100 ft. E/o Jefferson Ave., a/k/a 45 Genesee Street, Hicksville, NY  
**SEC. 45                      BLK. 72                      LOT 11                      ZONE R1-7**

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**HEARING NO. 10****APPEAL NO. 23-43****HICKSVILLE**

**YI MENG MA:** (A) Variance to allow existing rear one story addition having less side yard setback than permitted by Ordinance. (B) Variance to allow existing rear one story addition and one story side addition having less aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (C) Variance to allow existing 8 ft. by 8 ft. shed having less side yard setback and rear yard setback than permitted by Ordinance. (D) Variance to allow existing rear one story addition, side one story addition and shed exceeding maximum building coverage than permitted by Ordinance. (E) Variance to allow existing driveway having less side yard setback than permitted by Ordinance. (F) Variance to allow existing oil tank having less side yard setback than permitted by Ordinance.

S/s/o Abbot Ln., 328 ft. E/o Ash Ln., a/k/a 54 Abbot Lane, Hicksville, NY

**SEC. 45****BLK. 350****LOT 6****ZONE R1-7**

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**HEARING NO. 11****APPEAL NO. 23-44****HICKSVILLE**

**MIN LING ZHAO:** (A) Variance to allow existing pool waterfall having less rear yard setback than permitted by Ordinance. (B) Variance to allow existing shed having less side yard setback than permitted by Ordinance.

E/s/o Eton Ln., 144.17 ft. S/o Tudor Rd., a/k/a 6 Eton Lane, Hicksville, NY

**SEC. 46****BLK. 585****LOT 1****ZONE R1-6**

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**HEARING NO. 12****APPEAL NO. 23-45****HICKSVILLE**

**JOHN FITZPATRICK:** (A) Variance to construct roofed-over front porch with steps to grade and one story addition having less average front yard setback than permitted by Ordinance. (B) Variance to construct roofed-over front porch with steps to grade, one story addition, side roofed-over platform with steps to grade and rear roofed over deck exceeding maximum building coverage than permitted by Ordinance.

E/s/o Plover Ln., 252.52 ft. S/o Salem Rd., a/k/a 10 Plover Lane, Hicksville, NY

**SEC. 45****BLK. 481****LOT 19****ZONE R1-7**

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**HEARING NO. 13****APPEAL NO. 23-46****HICKSVILLE**

**SAEED RATE ABRAR:** (A) Variance to reconstruct new dwelling having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to allow existing 10.2 ft. by 8.3 ft. shed housing electric pool heater and filter having less side yard setback and rear yard setback than permitted by Ordinance. (C) Amend Specific Plans as presented for Appeal No. 94-244 and granted by Decision of the Zoning Board of Appeals, dated June 16, 1994 and for Appeal No. 91-125 and granted by Decision of the Zoning Board of Appeals, dated April 18, 1991.

E/s/o Crown St., 486.41 ft. N/o King St., a/k/a 15 Crown Street, Hicksville, NY

**SEC. 12****BLK. 299****LOT 24****ZONE R1-7**

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**HEARING NO. 14****APPEAL NO. 23-47****HICKSVILLE**

**17 WINDSOR ST LLC:** Variance to construct a second kitchen in a one-family dwelling for use as a PARENT/CHILD residence.

N/s/o Windsor St., 553.51 ft. E/o Irving St., a/k/a 17 Windsor Street, Hicksville, NY

**SEC. 11****BLK. 312****LOT 11****ZONE R1-7**

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**HEARING NO. 15****APPEAL NO. 23-48****HICKSVILLE**

**17 WINDSOR ST LLC:** (A) Variance to construct second story cantilevered addition having less average front yard setback, side yard setback, aggregate side yards and roof pitch than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to construct second story cantilevered addition, front portico and allow existing detached garage extension exceeding maximum building coverage than permitted by Ordinance. (C) Variance to allow existing 10.9 ft. by 14.4 ft. detached garage front extension having less side yard setback than permitted by Ordinance. (D) Variance to allow existing 30.9 ft. by 14.4 ft. detached garage extension exceeding maximum height than permitted by Ordinance.

N/s/o Windsor St., 553.51 ft. E/o Irving St., a/k/a 17 Windsor Street, Hicksville, NY

**SEC. 11****BLK. 312****LOT 11****ZONE R1-7**

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**HEARING NO. 16****APPEAL NO. 23-49****PLAINVIEW**

**HAROLD SCHNEIDER:** Variance to allow existing wood deck having less side yard setback, aggregate side yards and exceeding maximum building coverage than permitted by Ordinance.

N/s/o Country Dr., 64.35 ft. E/o Netto Ln., a/k/a 67 Country Drive, Plainview, NY

**SEC. 13****BLK. 51****LOT 40****ZONE R1-7**

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**HEARING NO. 17****APPEAL NO. 23-50****PLAINVIEW**

**JOAN ISAAC:** (A) Variance allow existing front stoop having less front yard setback than permitted by Ordinance. (B) Variance to allow existing front stoop and rear wood deck exceeding maximum building coverage and gross floor area than permitted by Ordinance.

S/s/o Sorgi Ct., 162.08 ft. W/o Washington Ave., a/k/a 7 Sorgi Court, Plainview, NY

**SEC. 13****BLK. 27****LOT 89****ZONE R1-10**

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**HEARING NO. 18****APPEAL NO. 23-51****PLAINVIEW**

**DIANE & MICHAEL WEINER:** (A) Variance to allow existing front platform with steps to grade having less average side/front yard setback (Floral Avenue) than permitted by Ordinance. (B) Variance to allow existing rear wood deck with steps to grade and gazebo having less side yard setback than permitted by Ordinance. (C) Variance to allow existing 9.6 ft. by 7.6 ft. shed having less side yard setback than permitted by Ordinance. (D) Variance to allow existing 10 ft. by 12 ft. gazebo atop deck with steps to grade exceeding maximum height than permitted by Ordinance. (E) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across side/front yard (Floral Avenue) than permitted by Ordinance.

NE/ cor. of Farmers Ave. & Floral Ave., a/k/a 51 Farmers Avenue, Plainview, NY

**SEC. 46****BLK. 154****LOT 20****ZONE R1-7**

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**HEARING NO. 19****APPEAL NO. 23-52****JERICHO**

**BALJINDER KAUR:** (A) Variance to allow existing 5 ft. high PVC fence exceeding maximum height across front yard (Scott Avenue) than permitted by Ordinance. (B) Variance to allow existing 6 ft. high PVC fence atop 1 ft. high retaining wall, totaling 7 ft. high, exceeding maximum height than permitted by Ordinance.

SE/ cor. of Scott Ave. & 20<sup>th</sup> St., a/k/a 36 Scott Avenue, Jericho, NY

**SEC. 12****BLK. 212****LOT 16****ZONE R1-7**

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**HEARING NO. 20****APPEAL NO. 23-53****GLEN HEAD**

**EILEEN COTTER:** Variance to allow existing enclosed porch having less aggregate side yards and exceeding maximum building coverage than permitted by Ordinance.

E/s/o Roosevelt St., 200 ft. N/o Todd Dr., a/k/a 34 Roosevelt Street, Glen Head, NY  
**SEC. 21                      BLK. 226                      LOT 10                      ZONE R1-7**

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**HEARING NO. 21****APPEAL NO. 23-54****GLEN HEAD**

**PARMA LLC:** (A) Variance to allow existing walk-in cooler having less rear yard setback than permitted by Ordinance. (B) Variance to allow no landscaped buffer between residential and commercial zones.

E/s/o Glen Cove Ave., 125 ft. S/o Walnut St., a/k/a 716 Glen Cove Avenue, Glen Head, NY  
**SEC. 20                      BLK. 63                      LOT 138                      ZONE GB**

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**HEARING NO. 22****APPEAL NO. 23-55****LOCUST VALLEY**

**LISA MARCOCCIA:** (A) Variance to construct second story addition having less front yard setback than permitted by Ordinance. (B) Variance to construct second story addition, two story addition and cellar entrance having less side yard setback than permitted by Ordinance. (C) Variance to construct second story addition and two story addition having less aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (D) Variance to construct rear two story addition, cellar entrance and rear platform with steps to grade having less rear yard setback than permitted by Ordinance. (E) Variance to construct two story addition and roofed over cellar entrance exceeding maximum building coverage than permitted by Ordinance. (F) Variance to construct second story addition, two story addition, rear platform with steps to grade and roofed over cellar entrance exceeding maximum gross floor area than permitted by Ordinance.

S/s/o North St., 66.08 ft. E/o W. 4<sup>th</sup> St., a/k/a 1 North Street, Locust Valley, NY  
**SEC. 30                      BLK. 66                      LOT 481                      ZONE R1-6**

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**HEARING NO. 23****APPEAL NO. 23-56****OYSTER BAY**

**249 SOUTH STREET LLC:** (A) Variance to allow existing two (2) air conditioning units having less side yard setback than permitted by Ordinance. (B) Variance to allow existing 5.9 ft. by 3.4 ft. illuminated freestanding sign located on southwest corner of lot having less front yard setback than permitted by Ordinance.

E/s/o South St., 150 ft. N/o Burtis Ave., a/k/a 249 South Street, Oyster Bay, NY  
**SEC. 27                      BLK. 24                      LOT 3                      ZONE GB**

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**HEARING NO. HO 1****APPEAL NO. 22-179****MASSAPEQUA**

**VINCENT ANSANELLI:** (A) Variance to construct new dwelling and raised rear patio exceeding maximum building coverage and gross floor area than permitted by Ordinance. (B) Variance to construct new dwelling exceeding maximum height and having less roof pitch than permitted by Ordinance. (C) Variance to install in-ground swimming pool abutting raised rear patio abutting dwelling having less rear yard setback than permitted by Ordinance.

E/s/o E. Shore Dr., 299.60 ft. N/o Iroquois Pl., a/k/a 130 E. Shore Drive, Massapequa, NY  
**SEC. 66                      BLK. 97                      LOT 21                      ZONE R1-10**

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**JANUARY 23, 2023****BY ORDER OF THE ZONING BOARD OF APPEALS  
TOWN OF OYSTER BAY, OYSTER BAY, NEW YORK**