



**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 15, 2024*, at 7:00 P. M., to consider the following appeals:

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

**HEARING NO. 1**

**APPEAL NO. 23-732**

**MASSAPEQUA PARK**

**CHARLES P. MONZILLO:** (A) Variance to allow existing wood deck having less side yard setback and 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 Westwood Rd. N., 369.6 ft. S/o Maple Ln., a/k/a 89 Westwood Rd. N., Massapequa Park, NY  
**SEC. 48                                      BLK. 562                                      LOT 30                                      ZONE R1-7**

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**HEARING NO. 2**

**APPEAL NO. 23-703 - AMENDMENT**

**MASSAPEQUA**

**DANIEL SCHWARTZ:** Amend Specific Plan as presented for Appeal No. 22-272 and granted by Decision of the Zoning Board of Appeals, dated July 21, 2022, to allow existing pool equipment having less side/front yard setback.

SE/ cor. of Massachusetts Ave. & Ash Pl., a/k/a 2 Massachusetts Avenue, Massapequa, NY  
**SEC. 52                                      BLK. 141                                      LOT 211                                      ZONE R1-7**

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**HEARING NO. 3**

**APPEAL NO. 23-716**

**MASSAPEQUA**

**JOHN ODDO:** (A) Variance to install in-ground swimming pool and pool equipment having less front yard setback than permitted by Ordinance. (B) Variance to erect 8 ft. high fence (arbor) exceeding maximum height than permitted by Ordinance.

S/s/o St. Marks Pl., 120 ft. W/o Seaford Ave., a/k/a 12 St. Marks Place, Massapequa, NY  
**SEC. 65                                      BLK. 901                                      LOT 243                                      ZONE R1-7**

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**HEARING NO. 4**

**APPEAL NO. 23-746**

**MASSAPEQUA**

**DANIEL SALAMONE:** (A) Variance to construct new dwelling exceeding maximum building coverage, gross floor area and having less roof pitch than permitted by Ordinance. (B) Variance to construct first and second story roofed-over decks having less rear yard setback than permitted by Ordinance; also encroachment of eaves and gutters.

E/s/o Forest Ave., 1414.25 ft. Garfield Pl., a/k/a 101 Forest Avenue, Massapequa, NY  
**SEC. 65                                      BLK. 135                                      LOT 274                                      ZONE R1-7**

**HEARING NO. 5****APPEAL NO. 23-489****NORTH MASSAPEQUA**

**MICHAEL & LISA COMUNIELLO:** (A) Variance to allow existing 10 ft. by 12 ft. shed having less side/front yard setback (N. West Boulevard) and rear yard setback than permitted by Ordinance. (B) Variance to allow existing widened driveway having less side yard setback than permitted by Ordinance. (C) Amend Specific Plan as presented for Appeal No. 19-370 and granted by Decision of the Zoning Board of Appeals, dated July 25, 2019.

NE/ cor. of N. Richmond Ave. & N. West Blvd., a/k/a 169 N. Richmond Ave., North Massapequa, NY  
**SEC. 48                      BLK. 79                      LOT 722                      ZONE R1-7**

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**HEARING NO. 6****APPEAL NO. 23-555****FARMINGDALE**

**JOHN FLOREZ:** (A) Variance to construct second story addition having less side yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to construct second story addition and allow existing deck abutting dwelling exceeding maximum gross floor area than permitted by Ordinance. (C) Variance to allow existing shed having less rear yard setback than permitted by Ordinance. (D) Variance to allow existing deck abutting dwelling having less side yard setback than permitted by Ordinance. (E) Variance to allow existing swimming pool and deck abutting dwelling having less rear yard setback than permitted by Ordinance. (F) Variance to allow existing pool equipment having less side yard setback and rear yard setback than permitted by Ordinance. (G) Variance for the reduction of off-street parking spaces. Reduction of spaces to 1 when 2 parking spaces are required.

N/s/o Lockwood Ave., 180 ft. W/o Woodward Pkwy., a/k/a 51 Lockwood Avenue, Farmingdale, NY  
**SEC. 48                      BLK. 497                      LOT 40                      ZONE R1-7**

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**HEARING NO. 7****APPEAL NO. 24-3****BETHPAGE**

**MICHAEL & KATHLEEN WALSH:** (A) Variance to construct a 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 2 when 3 parking spaces are required. (C) Variance to construct second floor addition, roofed over front porch and allow existing one story addition having less side yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (D) Variance to construct skirt roof and allow existing cellar entrance having less side/front yard setback (Broadway) than permitted by Ordinance. (E) Variance to construct second floor addition having less roof pitch than permitted by Ordinance. (F) Variance to allow existing shed having less rear yard setback and exceeding maximum height than permitted by Ordinance. (G) Variance to allow existing semi in-ground swimming pool having less side/front yard setback (Broadway) and setback from fence than permitted by Ordinance. (H) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across side/front yard (Broadway) than permitted by Ordinance.

SW/ cor. of Broadway & Enness Ave., a/k/a 399 Broadway, Bethpage, NY  
**SEC. 46                      BLK. 335                      LOT 11                      ZONE R1-7**

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**HEARING NO. 8****APPEAL NO. 23-708****HICKSVILLE**

**PAUL & BARBARA GALLUZZI:** (A) Variance to construct a second kitchen in a one-family dwelling for use as a **PARENT/CHILD** residence. (B) Variance to allow two (2) front doors for use as a **PARENT/CHILD** residence. (C) Variance for the reduction of off-street parking spaces. Reduction of spaces to 0 when 3 parking spaces are required.

W/s/o North Dr., 40.02 ft. S/o Brewster Pl., a/k/a 27 North Drive, Hicksville, NY  
**SEC. 46                      BLK. 367                      LOT 2                      ZONE R1-7**

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**HEARING NO. 9****APPEAL NO. 23-711****HICKSVILLE**

**RAJVINDER KAUR:** (A) Variance to construct second floor addition having less roof pitch than permitted by Ordinance. (B) Variance to construct second floor addition, enclosed porch and rear roof-over patio exceeding maximum gross floor area than permitted by Ordinance.

W/s/o Briggs St., 140 ft. N/o Ronald Ave., a/k/a 8 Briggs Street, Hicksville, NY

**SEC. 12****BLK. 159****LOT 39****ZONE R1-7**

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**HEARING NO. 10****APPEAL NO. 23-723****HICKSVILLE**

**NICHOLAS SALERNO:** (A) Variance to construct second story addition, front covered porch and one story additions having less side yard setback than permitted by Ordinance. (B) Variance to construct front covered porch and one story additions having less aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (C) Variance to allow existing oil tank having less side yard setback than permitted by Ordinance. (D) Variance to construct driveway having less side yard setback than permitted by Ordinance.

E/s/o Rim Ln., 481 ft. N/o Link Ln., a/k/a 107 Rim Lane, Hicksville, NY

**SEC. 45****BLK. 337****LOT 27****ZONE R1-7**

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**HEARING NO. 11****APPEAL NO. 23-588****OLD BETHPAGE**

**MELISSA GOMEZ:** (A) Variance to construct rear two story addition, rear second story addition over patio, rear one story extension, rear platform with steps to grade and front portico exceeding maximum building coverage than permitted by Ordinance. (B) Variance to construct second story addition, rear two story addition, rear second story addition over patio, rear one story extension and rear platform with steps to grade exceeding maximum gross floor area than permitted by Ordinance. (C) Variance to construct second story addition exceeding maximum height than permitted by Ordinance. (D) Variance to allow existing pool equipment having less front yard setback than permitted by Ordinance.

N/s/o Melissa Ln., 337.76 ft. W/o Round Swamp Rd., a/k/a 10 Melissa Lane, Old Bethpage, NY

**SEC. 47****BLK. 99****LOT 14****ZONE R1-10**

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**HEARING NO. 12****APPEAL NO. 23-699****PLAINVIEW**

**YAN ZHANG HIRSCH:** (A) Variance to allow existing 10 ft. by 7.7 ft. shed having less side yard setback than permitted by Ordinance. (B) Variance to allow existing 10.5 ft. by 8 ft. shed having less rear yard setback than permitted by Ordinance. (C) Variance to allow existing in-ground swimming pool having less setback from fence than permitted by Ordinance.

N/s/o Pine St., 466.27 ft. W/o Central Park Rd., a/k/a 7 Pine Street, Plainview, NY

**SEC. 12****BLK. 79****LOT 211****ZONE R1-7**

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**HEARING NO. 13****APPEAL NO. 23-724****PLAINVIEW**

**EVAN HOFFMAN:** (A) Variance to construct cantilevered second floor addition exceeding maximum building coverage than permitted by Ordinance. (B) Variance to allow existing masonry front platform with steps to grade having less average front yard setback than permitted by Ordinance. (C) Variance to allow existing rear deck having less rear yard setback than permitted by Ordinance. (D) Variance to allow existing 6.3 ft. by 12.3 ft. shed having less side yard setback than permitted by Ordinance. (E) Variance to allow existing driveway having less side yard setback than permitted by Ordinance. (F) Variance to allow existing 6 ft. high PVC fence atop of a 3 ft. high raised flower bed at rear of property exceeding maximum height than permitted by Ordinance.

S/s/o Avery Ln., 219.95 ft. W/o Glenwood Rd., a/k/a 10 Avery Lane, Plainview, NY

**SEC. 12****BLK. 557****LOT 7****ZONE R1-7**

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**HEARING NO. 14**

**APPEAL NO. 23-731**

**WOODBURY**

**MICHAEL & JAMIE ZOMBEK**: Variance to construct second story addition having less average front yard setback than permitted by Ordinance; also encroachment of eaves and gutters.

S/s/o Magnolia Ave., 204.58 ft. W/o Stafford Ave., a/k/a 6 Magnolia Avenue, Woodbury, NY  
**SEC. 14**                      **BLK. 19**                      **LOT 6**                      **ZONE R1-1A**

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**HEARING NO. 15**

**APPEAL NO. 23-713**

**SYOSSET**

**VENKATAKRISHNAN SATHIYAMOORTHY**: (A) Variance to allow existing cellar entrance having less average front yard setback than permitted by Ordinance. (B) Variance to allow existing 4 ft. high vinyl fence exceeding maximum height within 30 ft. of intersection than permitted by Ordinance.

NW/ cor. of Searington Dr. & Southwoods Rd., a/k/a 23 Searington Drive, Syosset, NY  
**SEC. 25**                      **BLK. 43**                      **LOT 5**                      **ZONE R1-20**

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**HEARING NO. 16**

**APPEAL NO. 23-712**

**LOCUST VALLEY**

**WILLIAM FRINTZILAS**: (A) Variance to allow existing deck with steps to grade, cellar entrance and side roofed over platform with steps to grade to remain to a non-conforming dwelling (**#37 13<sup>th</sup> Street**) on lot with two (2) non-conforming dwellings and detached garage. (B) Variance to allow existing deck with steps to grade and cellar entrance to remain to a non-conforming dwelling (**#35 13<sup>th</sup> Street**) on lot with two (2) non-conforming dwellings and detached garage. (C) Variance to allow existing side roof over platform with steps to grade (**#37 13<sup>th</sup> Street**) and rear deck with steps to grade (**#35 13<sup>th</sup> Street**) exceeding maximum building coverage than permitted by Ordinance. (D) Variance to allow existing side roof over platform with steps to grade, rear deck with steps to grade (**#37 13<sup>th</sup> Street**) and rear deck with steps to grade (**#35 13<sup>th</sup> Street**) exceeding maximum gross floor area than permitted by Ordinance.

W/s/o 13<sup>th</sup> St., 325.35 ft. N/o Forest Ave., a/k/a 35 13<sup>th</sup> Street, Locust Valley, NY  
W/s/o 13<sup>th</sup> St., 325.35 ft. N/o Forest Ave., a/k/a 37 13<sup>th</sup> Street, Locust Valley, NY  
**SEC. 30**                      **BLK. 22**                      **LOT 43**                      **ZONE R1-6**

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**HEARING NO. 17**

**APPEAL NO. 24-10**

**EAST NORWICH**

**STEPHANIE & SHAWN MILEY**: Variance to allow existing above-ground swimming pool abutting proposed wood deck with steps to grade having less side yard setback and rear yard setback than permitted by Ordinance.

W/s/o Radcliff Dr., 336.46 ft. N/o Laurel Ct., a/k/a 174 Radcliff Drive, East Norwich, NY  
**SEC. 24**                      **BLK. 10**                      **LOT 38**                      **ZONE R1-7**

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**HEARING NO. 18**

**APPEAL NO. 23-719**

**OYSTER BAY**

**THOMAS & KATHRYN CLEARY**: Variance to install natural gas generator having less side yard setback than permitted by Ordinance.

S/s/o Melbourne St., W/o Ships Point Ln., a/k/a 86 Melbourne Street, Oyster Bay, NY  
**SEC. 27**                      **BLK. 38**                      **LOT 347**                      **ZONE R1-10/OB**

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**HEARING NO. 19**

**APPEAL NO. 23-720**

**OYSTER BAY**

**MIKE MAIORANA:** Variance to construct detached garage exceeding maximum building coverage of the principal building and height setback ratio for side yard than permitted by Ordinance.

E/s/o Anstice St., 151.60 ft. N/o Weeks Ave., a/k/a 71 Anstice Street, Oyster Bay, NY  
**SEC. 27                      BLK. F                      LOT 16                      ZONE R1-6/OB**

**HEARING NO. HO 1**

**APPEAL NO. 23-377**

**HICKSVILLE**

**PAUL & ANNA KELLY:** Variance to allow existing shed having less rear yard setback and side yard setback than permitted by Ordinance.

E/s/o April Ln., 78.48 ft. S/o Abbot Ln., a/k/a 5 April Lane, Hicksville, NY  
**SEC. 45                      BLK. 352                      LOT 2                      ZONE R1-7**

**HEARING NO. HO 2**

**APPEAL NO. 23-462**

**NORTH MASSAPEQUA**

**MICHELLE SACCO:** (A) Variance to construct portico exceeding maximum building coverage than permitted by Ordinance. (B) Variance allow existing shed having less side yard setback than permitted than Ordinance.

SE/ cor. of N. Rutherford Ave. & N. Bay Ave., a/k/a 246 N. Rutherford Avenue, North Massapequa, NY  
**SEC. 52                      BLK. 55                      LOT 2200                      ZONE R1-7**

**FEBRUARY 5, 2024**

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

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