



**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 **FEBRUARY 27, 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. 96-16 - AMENDMENT**

**BETHPAGE**

**MIKE HENRY:** (A) Amend Decision of Zoning Board of Appeals, dated January 31, 1996 in order to Amend the Declaration of Restrictive Covenants to indicate a change in 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.

NW/ cor. of Brenner Ave. & St. Martin St., a/k/a 52 Brenner Avenue, Bethpage, NY  
**SEC. 46                      BLK. 247                      LOT 447                      ZONE R1-7**

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**HEARING NO. RC 2**

**APPEAL NO. 74-283- AMENDMENT**

**MASSAPEQUA**

**FRANK FRASCHILLA:** (A) Amend Decision of Zoning Board of Appeals, dated August 7, 1974 in order to Amend the Declaration of Restrictive Covenants to indicate a change in 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 Chicago Ave., 210 ft. E/o Central Ave., a/k/a 102 Chicago Avenue, Massapequa, NY  
**SEC. 52                      BLK. 201                      LOT 2549                      ZONE R1-7**

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**HEARING NO. RC 3**

**APPEAL NO. 92-391 - AMENDMENT**

**FARMINGDALE**

**RONALD MANNELLINO:** (A) Amend Decision of Zoning Board of Appeals, dated November 5, 1992 in order to Amend the Declaration of Restrictive Covenants to indicate a change in 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 First Ave., 320 ft. W/o Woodward Pkwy., a/k/a 30 First Avenue, Farmingdale, NY  
**SEC. 48                      BLK. 238                      LOT 79                      ZONE R1-7**

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**HEARING NO. 1**

**APPEAL NO. 20-61**

**MASSAPEQUA**

**CAROLYN NILSEN:** (A) Variance to allow existing rear deck exceeding maximum building coverage than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 00-243 and granted by Decision of the Zoning Board of Appeals, dated June 1, 2000.

W/s/o Stillwater Ave., 240 ft. S/o S. Bay Dr., a/k/a 41 Stillwater Avenue, Massapequa, NY  
**SEC. 66                      BLK. 85                      LOT 78                      ZONE R1-10**

**HEARING NO. 2**

**APPEAL NO. 20-62**

**MASSAPEQUA**

**VINCENT PACCI:** (A) Variance to allow existing steps and landings having less average front yard setback than permitted by Ordinance. (B) Variance to allow existing roofed over patio having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (C) Variance to allow existing second story addition and wood deck with area open under, roof over patio and portico with steps and landing exceeding maximum building coverage and gross floor area than permitted by Ordinance. (D) Variance to allow existing pool filter having less side yard setback and rear yard setback than permitted by Ordinance. (E) Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

W/s/o Seaford Ave., 50 ft. N/o McKinley Pl., a/k/a 266 Seaford Avenue, Massapequa, NY  
SEC. 65                      BLK. 5                      LOT 121                      ZONE R1-7

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**HEARING NO. 3**

**APPEAL NO. 20-63**

**MASSAPEQUA**

**WERNER SEITZ:** (A) Variance to allow existing detached garage exceeding maximum building coverage, rear yard accessory coverage, gross floor area and having less side yard setback and rear yard setback than permitted by Ordinance. (B) Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

S/s/o McKinley Pl., 100 ft. E/o Forest Ave., a/k/a 54 McKinley Place, Massapequa, NY  
SEC. 65                      BLK. 42                      LOT 1530                      ZONE R1-7

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**HEARING NO. 4**

**APPEAL NO. 20-64**

**MASSAPEQUA**

**DOUGLAS AMANTE:** Variance to construct roof over patio exceeding maximum building coverage than permitted by Ordinance.

E/s/o Harvard St., 418.14 ft. N/o Arlyn Dr., a/k/a 14 Harvard Street, Massapequa, NY  
SEC. 53                      BLK. 148                      LOT 23                      ZONE R1-7

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**HEARING NO. 5**

**APPEAL NO. 20-65**

**MASSAPEQUA**

**BERNADETTE PESCE:** (A) Variance to allow existing deck having less side yard setback than permitted by Ordinance. (B) Variance to allow existing shed having less rear yard setback than permitted by Ordinance. (C) Variance to allow existing 5 ft. high PVC fence exceeding maximum height across side/front yard (Jomarr Place) than permitted by Ordinance.

NW/ cor. of Jomarr Ct. & Jomarr Pl., a/k/a 30 Jomarr Court, Massapequa, NY  
SEC. 65                      BLK. 200                      LOT 14                      ZONE R1-7

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**HEARING NO. 6**

**APPEAL NO. 20-66**

**MASSAPEQUA**

**ESTATE OF RICHARD HUGHES:** Variance to allow existing rear deck having less rear yard setback and exceeding maximum building coverage than permitted by Ordinance.

S/s/o Compass Ln., 102.57 ft. E/o Ocean Ave., a/k/a 5 Compass Lane, Massapequa, NY  
SEC. 65                      BLK. 37                      LOT 235                      ZONE R1-10

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**HEARING NO. 7****APPEAL NO. 20-67****MASSAPEQUA**

**PATRICK POGAN:** (A) Variance to construct second story roof over deck and side platform with steps to grade exceeding maximum gross floor area than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 03-357 and granted by Decision of the Zoning Board of Appeals, dated July 24, 2003.

W/s/o Riviera Dr. S., 80.61 ft. N/o Clearview Ln., a/k/a 310 Riviera Drive South, Massapequa, NY  
**SEC. 65                      BLK. 228                      LOT 17                      ZONE R1-10**

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**HEARING NO. 8****APPEAL NO. 20-68****NORTH MASSAPEQUA**

**GEORGE VAIL:** (A) Variance to allow existing one story addition having less aggregate side yards than permitted by Ordinance. (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. (D) Variance to allow existing pool heater and filter having less front yard setback than permitted by Ordinance.

E/s/o Garden Ave., 62.28 ft. S/o Poplar St., a/k/a 12 Garden Avenue, North Massapequa, NY  
**SEC. 52                      BLK. 399                      LOT 10                      ZONE R1-10**

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**HEARING NO. 9****APPEAL NO. 20-69****NORTH MASSAPEQUA**

**WILLIAM ROCKENSIES:** Variance to allow existing 6 ft. high PVC fence exceeding maximum height across side/front yard (Imogene Road) and within 30 ft. of intersection than permitted by Ordinance.

NE/ cor. of Cheryl Rd. & Imogene Dr., a/k/a 20 Cheryl Road, North Massapequa, NY  
**SEC. 52                      BLK. 412                      LOT 13                      ZONE R1-7**

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**HEARING NO. 10****APPEAL NO. 20-70****NORTH MASSAPEQUA**

**ANN SMILIE-ROMAN:** (A) Variance to allow existing side stoop having less side yard setback and aggregate side yards than permitted by Ordinance. (B) Variance to allow existing driveway expansion having less side yard setback than permitted by Ordinance.

N/s/o N. Kings Ave., 70 ft. E/o S. N. Summit Dr., a/k/a 135 N. Kings Avenue, North Massapequa, NY  
**SEC. 48                      BLK. 82                      LOT 1578                      ZONE R1-7**

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**HEARING NO. 11****APPEAL NO. 20-71****NORTH MASSAPEQUA**

**PATRICIA HENNESSY:** (A) Variance to allow existing front platform with steps to grade having less average front yard setback than permitted by Ordinance. (B) Variance to allow existing one story addition having less side yard setback than permitted by Ordinance. (C) Variance to allow existing one story addition and enclosed porch having less aggregate side yards and exceeding maximum building coverage than permitted by Ordinance; also encroachment of eaves and gutters.

S/s/o N. Chestnut St., 80 ft. W/o N. Summit Dr., a/k/a 180 N. Chestnut St., North Massapequa, NY  
**SEC. 48                      BLK. 33                      LOT 29                      ZONE R1-7**

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**HEARING NO. 12****APPEAL NO. 20-72****FARMINGDALE**

**JAMES GIUDICE:** (A) Variance to allow existing terrace above one story garage having less side yard setback and aggregate side yards than permitted by Ordinance. (B) Variance to allow existing raised patio having less side yard setback and aggregate side yards than permitted by Ordinance. (C) Variance to allow existing pool abutting raised patio and enclosed porch having less rear yard setback than permitted by Ordinance. (D) Variance to allow existing enclosed porch exceeding maximum building coverage than permitted by Ordinance. (E) Variance to allow existing 4.4 ft. by 2.2 ft. shed and 6 ft. by 3.4 ft. shed having less side yard setback than permitted by Ordinance. (F) Variance to allow existing pool filter having less rear yard setback than permitted by Ordinance. (G) Variance to allow existing enclosed porch, deck above garage and raised patio exceeding maximum gross floor area than permitted by Ordinance.

N/s/o Lockwood Ave., 250 ft. E/o Hart St., a/k/a 133 Lockwood Avenue, Farmingdale, NY  
**SEC. 48                      BLK. 586                      LOT 712                      ZONE R1-7**

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**HEARING NO. 13****APPEAL NO. 20-73****BETHPAGE**

**DR. RORY CIUFFO:** (A) Special Use Permit to allow existing home business (Chiropractic Office) in a one-family dwelling. (B) Variance to allow existing home business exceeding maximum area than permitted by Ordinance. (C) Variance to allow existing three (3) home business signs exceeding maximum number of signs than permitted by Ordinance. (D) Variance to allow existing two story addition, second story addition and side steps with landing having less side yard setback than permitted by Ordinance. (E) Variance to allow existing two story addition having less rear yard setback and exceeding maximum building coverage than permitted by Ordinance; also encroachment of eaves and gutters. (F) Variance to allow existing two story addition, second story addition and paver patios exceeding maximum gross floor area than permitted by Ordinance. (G) Variance to allow existing semi-inground swimming pool with multi-level paver patios having less rear yard setback and side yard setback than permitted by Ordinance. (H) Variance to allow existing pool heater having less rear yard setback than permitted by Ordinance. (I) Variance to allow existing 81.2 sq. ft. detached shed having less side yard setback and rear yard setback than permitted by Ordinance. (J) Variance to allow existing 6 ft. high vinyl fence exceeding maximum height across side/front yard than permitted by Ordinance. (K) Variance to allow existing 3.5 ft. high fence exceeding maximum height at corner than permitted by Ordinance.

SE/ cor. of Hicksville Rd. & Moore Dr., a/k/a 176 Hicksville Road, Bethpage, NY  
**SEC. 46                      BLK. 249                      LOT 28                      ZONE R1-7**

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**HEARING NO. 14****APPEAL NO. 20-74****BETHPAGE**

**VICKY GERONTAKOS:** (A) Variance to allow existing one story addition having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to allow existing one story additions exceeding maximum building coverage than permitted by Ordinance.

N/s/o Jean Ave., 488.05 ft. E/o Hicksville Rd., a/k/a 3883 Jean Avenue, Bethpage, NY  
**SEC. 46                      BLK. 461                      LOT 8                      ZONE R1-7**

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**HEARING NO. 15****APPEAL NO. 20-75****BETHPAGE**

**NICHOLAS C. & LORRAINE M. PANELLA:** (A) Variance to construct a second kitchen in a one-family dwelling for use as a **PARENT/CHILD** residence. (B) Variance to construct two story addition and entry platform with steps to grade having less rear yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (C) Variance to construct two story addition having less roof pitch than permitted by Ordinance. (D) Variance to allow existing shed having less front yard setback than permitted by Ordinance. (E) Variance to construct circular driveway having less front yard setback than permitted by Ordinance. (F) Variance to allow existing pool deck having less side yard setback than permitted by Ordinance. (G) Variance to allow existing pool heater having less side yard setback than permitted by Ordinance. (H) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across front yard than permitted by Ordinance. (I) Amend Specific Plan as presented for Appeal No. 99-570 and granted by Decision of the Zoning Board of Appeals, dated December 16, 1999.

SE/ cor. of Stymus Ave. & Castaldi Ct., a/k/a 14 Stymus Avenue, Bethpage, NY

**SEC. 47**

**BLK. D**

**LOT 141**

**ZONE R1-10**

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**HEARING NO. 16****APPEAL NO. 20-76****HICKSVILLE**

**25NB LLC d/b/a SPIEGEL ASSOCIATES:** Variance to install a rooftop cooling tower replacement exceeding maximum height above the roof than permitted by Ordinance.

SE/ cor. of Newbridge Rd. & W. Barclay St., a/k/a 25 Newbridge Road, Hicksville, NY

**SEC. 11**

**BLK. G**

**LOT 199**

**ZONE CB**

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**HEARING NO. 17****APPEAL NO. 20-77****HICKSVILLE**

**ZHANG YONG:** Variance to allow existing garage, roof over patio and vestibule enclosing cellar entrance exceeding maximum building coverage than permitted by Ordinance.

N/s/o Bethpage Rd., 105 ft. W/o Seymor Ln., a/k/a 103 Bethpage Road, Hicksville, NY

**SEC. 12**

**BLK. 303**

**LOT 15**

**ZONE R1-7**

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**HEARING NO. 18****APPEAL NO. 20-78****PLAINVIEW**

**MARC BIELER:** (A) Variance to construct second floor addition having less side yard setback than permitted by Ordinance; also encroachment of eave and gutter. (B) Amend Specific Plan as presented for Appeal No. 68-322 and granted by Decision of the Zoning Board of Appeals, dated July 10, 1968.

SW/ cor. of Richfield St. & Sunnyside Blvd., a/k/a 27 Richfield Street, Plainview, NY

**SEC. 13**

**BLK. 1**

**LOT 49**

**ZONE R1-7**

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**HEARING NO. 19****APPEAL NO. 20-79****PLAINVIEW**

**KEVIN LYNN:** Variance to construct one story garage addition exceeding maximum building coverage than permitted by Ordinance.

E/s/o Grace St., 399.69 ft. S/o Harold Rd., a/k/a 122 Grace Street, Plainview, NY

**SEC. 12**

**BLK. 490**

**LOT 21**

**ZONE R1-7**

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**HEARING NO. 20**

**APPEAL NO. 20-80**

**SYOSSET**

**JERANDI MARQUIS**: Variance to erect 6 ft. high fence exceeding maximum height across side/front yard (Arizona Avenue) than permitted by Ordinance.

NW/ cor. of Wyoming Ct. & Arizona Ave., a/k/a 64 Wyoming Court, Syosset, NY

**SEC. 15                      BLK. 79                      LOT 14                      ZONE R1-7**

**HEARING NO. 21**

**APPEAL NO. 20-81**

**SYOSSET**

**CHRISTOPHER SPIRIDIS**: Variance to construct garage addition having less side yard setback, aggregate side yards and rear yard setback than permitted by Ordinance; also encroachment of eave & gutter.

N/s/o Split Rock Rd., 250 ft. W/o Calvin Ave., a/k/a 264 Split Rock Road, Syosset, NY

**SEC. 25                      BLK. 53                      LOT 99                      ZONE R1-10**

**HEARING NO. 22**

**APPEAL NO. 20-82**

**GLEN HEAD**

**A. ABBONDANDOLO & A. VALENTINO**: **(A)** Variance to allow an existing two-family dwelling to remain in R1-1A residential zone. **(B)** Variance to allow existing second story addition and one story addition having less side yard setback than permitted by Ordinance; also encroachment of eaves and gutters. **(C)** Variance to allow existing one story addition and el-shaped detached garage exceeding maximum building coverage than permitted by Ordinance. **(D)** Variance to allow existing second story addition, one story addition and el-shaped detached garage exceeding maximum gross floor area than permitted by Ordinance. **(E)** Variance to allow existing el-shaped detached garage having less rear yard setback, side yard setback, exceeding maximum building coverage of the rear yard, building coverage of the principal building and building coverage for an accessory structure than permitted by Ordinance. **(F)** Amend Specific Plan as presented for Appeal No. 67-257 and granted by Decision of the Zoning Board of Appeals, dated June 14, 1967.

W/s/o Cedar Swamp Rd., 2,000 ft. S/o Sea Cliff Ave., a/k/a 288 Cedar Swamp Road, Glen Head, NY

**SEC. 21                      BLK. S                      LOT 7                      ZONE R1-1A**

**HEARING NO. 23**

**APPEAL NO. 20-83**

**GLEN HEAD**

**ELAINE BRAITHWAITE**: Variance to construct one story garage addition having less average front yard setback and average side/front yard setback than permitted by Ordinance; also encroachment of eaves and gutters.

SE/ cor. of Maple St. & Hillside Ave., a/k/a 3 Maple Street, Glen Head, NY

**SEC. 21                      BLK. 74                      LOT 41                      ZONE R1-7**

**HEARING NO. 24**

**APPEAL NO. 20-84**

**EAST NORWICH**

**GEORGE KEENE**: Variance to allow existing roof over patio attached to detached garage having less rear yard setback, exceeding maximum building coverage, rear lot coverage and building coverage of the zoning district than permitted by Ordinance.

E/s/o James Ave., 150.37 ft. N/o Hawthorne Rd., a/k/a 14 James Avenue, East Norwich, NY

**SEC. 24                      BLK. 8                      LOT 5                      ZONE R1-7**

**HEARING NO. 25**

**APPEAL NO. 20-85**

**OYSTER BAY**

**ANNE BERCH:** (A) Variance to allow an existing two-family dwelling to remain. (B) Variance to allow an existing two-family dwelling having less lot area than permitted by Ordinance. (C) Variance to allow an existing two-family dwelling to be non-owner occupied. (D) Variance for the reduction of off-street parking spaces. Reduction of spaces to 3 when 4 spaces are required. (E) Variance to allow tandem parking for 3 vehicles. (F) Variance to allow existing shed having less average side/front yard setback (Summer Street) than permitted by Ordinance. (G) Amend Specific Plan as presented for Appeal No. 17-540 and granted by Decision of the Zoning Board of Appeals, dated March 15, 2018.

SW/ cor. of Berry Hill Rd. & Summer St., a/k/a 102 Berry Hill Road, Oyster Bay, NY

**SEC. 27**

**BLK. 59**

**LOT 3**

**ZONE R1-6/OBHDD**

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**HEARING NO. HO 1**

**APPEAL NO. 19-632**

**SYOSSET**

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

S/s/o Chadwick Rd., 489.96 ft. E/o Cambria Rd., a/k/a 15 Chadwick Road, Syosset, NY

**SEC. 12**

**BLK. 348**

**LOT 7**

**ZONE R1-7**

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**FEBRUARY 17, 2020**

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

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