



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 - JEROME FITZPATRICK - ANDREW MONTELEONE

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 *MARCH 24, 2022*, at 7:00 P. M., to consider the following appeals:

BY ORDER OF THE ZONING BOARD OF APPEALS

HEARING NO. 1

APPEAL NO. 22-106

MASSAPEQUA

SCOTT A. HOFFMAN: (A) Variance to allow existing 8.2 ft. by 8.2 ft. shed having less side yard setback than permitted by Ordinance. (B) Variance to allow existing sheds (8.2 ft. x 8.2 ft. & 8.2 ft. x 8 ft.) having less rear yard setback and exceeding maximum building coverage than permitted by Ordinance. (C) Variance to allow existing sheds and rear wood deck exceeding maximum gross floor area than permitted by Ordinance.

W/s/o Sunset Rd., 200 ft. N/o Suffolk Rd., a/k/a 21 Sunset Road, Massapequa, NY
SEC. 66 BLK. 11 LOT 19 ZONE R1-10

HEARING NO. 2

APPEAL NO. 22-107

MASSAPEQUA

JOSEPH CHIARELLI: (A) Variance to allow existing raised patio exceeding maximum building coverage and gross floor area than permitted by Ordinance. (C) Amend Specific Plan as presented for Appeal No. 08-396 and granted by Decision of the Zoning Board of Appeals, dated October 2, 2008.

W/s/o Bayview Ave., 107.32 ft. S/o Cabot Rd. W., a/k/a 308 Bayview Avenue, Massapequa, NY
SEC. 65 BLK. 102 LOT 220 ZONE R1-7

HEARING NO. 3

APPEAL NO. 22-108

MASSAPEQUA

JOSEPH MARINELLO: Variance to allow existing one story addition having less side yard setback, aggregate side yards and exceeding maximum building coverage than permitted by Ordinance; also encroachment of eaves and gutters.

N/s/o Lincoln Pl., 370 ft. W/o Forest Ave., a/k/a 43 Lincoln Place, Massapequa, NY
SEC. 65 BLK. 33 LOT 1089 ZONE R1-7

HEARING NO. 4

APPEAL NO. 22-109

MASSAPEQUA

LYNN BALDUCCI: (A) Variance to construct second floor addition having less side yard setback and aggregate side yards than permitted by Ordinance. (B) Variance to allow existing front roof over exceeding maximum building coverage than permitted by Ordinance.

S/s/o Ensign Ln., 297.73 ft. E/o Anchor Dr., a/k/a 17 Ensign Lane, Massapequa, NY
SEC. 65 BLK. 249 LOT 5 ZONE R1-10

HEARING NO. 5**APPEAL NO. 22-110****NORTH MASSAPEQUA**

LOUIS GETZELMAN: Variance to allow existing 31 ft. by 21 ft. wood deck with steps to grade surrounding swimming pool having less rear yard setback than permitted by Ordinance.

S/s/o N. Idaho Ave., 130 ft. E/o N. Bleecker Dr., a/k/a 248 N. Idaho Avenue, North Massapequa, NY
SEC. 52 **BLK. 12** **LOT 53** **ZONE R1-7**

HEARING NO. 6**APPEAL NO. 22-111****NORTH MASSAPEQUA**

NICHOLAS CAPPELLO: Variance to construct first floor rear addition having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters.

N/s/o N. Queens Ave., 340.76 ft. E/o Magnolia Dr., a/k/a 407 N. Queens Ave., North Massapequa, NY
SEC. 52 **BLK. 111** **LOT 219** **ZONE R1-7**

HEARING NO. 7**APPEAL NO. 22-112****NORTH MASSAPEQUA**

JUSTIN DELLARATTA: **(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 spaces are required. **(C)** Variance to construct second floor addition having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters.

N/s/o Daniel Rd. N., 65 ft. E/o Margaret Rd., a/k/a 166 Daniel Road N., North Massapequa, NY
SEC. 52 **BLK. 481** **LOT 15** **ZONE R1-7**

HEARING NO. 8**APPEAL NO. 22-113****FARMINGDALE**

DIMITRIOS KAPELONIS: **(A)** Variance to allow existing platform with steps to grade having less average front yard setback than permitted by Ordinance. **(B)** Variance to allow existing roof over having less side yard setback than permitted by Ordinance; also encroachment of eaves and gutters. **(C)** Variance to allow existing pool heater and pool filter having less side yard setback than permitted by Ordinance. **(D)** Variance to allow existing driveway having less side yard setback than permitted by Ordinance. **(E)** Variance to allow existing roof over, rear platform with steps to grade and shed exceeding maximum building coverage than permitted by Ordinance. **(F)** Variance to allow existing roof over and rear platform with steps to grade exceeding maximum gross floor area than permitted by Ordinance.

W/s/o Crestwood Blvd., 100 ft. S/o Lincoln St., a/k/a 145 Crestwood Boulevard, Farmingdale, NY
SEC. 48 **BLK. 310** **LOT 68** **ZONE R1-7**

HEARING NO. 9**APPEAL NO. 22-114****BETHPAGE**

DINA ROBINSON: Variance to allow existing shed having less side yard setback and rear yard setback than permitted by Ordinance.

N/s/o Crestline Ave., 230 ft. W/o Acme Ave., a/k/a 46 Crestline Avenue, Bethpage, NY
SEC. 46 **BLK. 481** **LOT 45** **ZONE R1-7**

HEARING NO. 10**APPEAL NO. 22-115****BETHPAGE**

JUDE DUFFY: (A) Variance to construct second story cantilevered front dormer having less average front yard setback, side yard setback and roof pitch than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to allow existing shed exceeding maximum building coverage than permitted by Ordinance.

S/s/o Brenner Ave., 1862.24 ft. E/o Hicksville Rd., a/k/a 69 Brenner Avenue, Bethpage, NY
SEC. 46 BLK. K LOT 606 ZONE R1-7

HEARING NO. 11**APPEAL NO. 22-116****BETHPAGE**

CHRISTOPHER PONZO: (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 spaces are required.

W/s/o Armon Dr., 567.39 ft. S/o Armon Dr., a/k/a 50 Armon Drive, Bethpage, NY
SEC. 46 BLK. 575 LOT 5 ZONE R1-7

HEARING NO. 12**APPEAL NO. 22-117****BETHPAGE**

STEPHEN REID: Variance to allow existing square off second story addition to align with first floor below having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters.

W/s/o Broadway, 150 ft. S/o William St., a/k/a 143 Broadway, Bethpage, NY
SEC. 49 BLK. 103 LOT 255 ZONE R1-7

HEARING NO. 13**APPEAL NO. 22-118****BETHPAGE**

PETER SCHIMMEL: (A) Variance to allow existing rear roof over patio exceeding maximum building coverage than permitted by Ordinance. (C) Amend Specific Plan as presented for Appeal No. 64-667 and granted by Decision of the Zoning Board of Appeals, dated October 29, 1964.

N/s/o Wilson Ln., 50 ft. E. Millpage Dr., a/k/a 33 Wilson Lane, Bethpage, NY
SEC. 49 BLK. 177 LOT 32 ZONE R1-7

HEARING NO. 14**APPEAL NO. 22-119****HICKSVILLE**

HUSHIM RASOOLI: Variance to construct front dormer having less roof pitch than permitted by Ordinance.

E/s/o Atlas Ln., 270.17 ft. N/o Acre Ln., a/k/a 29 Atlas Lane, Hicksville, NY
SEC. 45 BLK. 349 LOT 26 ZONE R1-7

HEARING NO. 15**APPEAL NO. 22-120****HICKSVILLE**

IBRAHIM MASHRIQI: (A) Variance to construct 7.1 ft. by 10.8 ft. front portico having less average front yard setback than permitted by Ordinance. (B) Variance to allow existing 6.7 ft. by 10.4 ft. shed having less front yard setback than permitted by Ordinance (C) Variance to allow existing raised patio abutting dwelling having less side yard setback than permitted by Ordinance. (D) Variance to allow existing raised patio abutting swimming pool having less side yard setback than permitted by Ordinance. (E) Variance to allow existing pool filter and pool heater having less side yard setback than permitted by Ordinance. (F) Variance to construct second floor expansion with cathedral foyer, to allow existing rear raised patio abutting dwelling and patio abutting swimming pool exceeding maximum gross floor area than permitted by Ordinance. (G) Variance to allow existing 6 ft. high vinyl fence exceeding maximum height within 30 feet of intersection and across front yards (Jerusalem Avenue and 7th Street) than permitted by Ordinance.

SE/ cor. of 6th St. & Jerusalem Ave, a/k/a 151 6th Street, Hicksville, NY

SEC. 46

BLK. 272

LOT 103

ZONE R1-7

HEARING NO. 16**APPEAL NO. 22-121****HICKSVILLE**

ALICE DING: (A) Special Use Permit to convert a one-family dwelling to a two-family dwelling. (B) Variance to allow existing rear deck with roof having less rear yard setback than permitted by Ordinance.

S/s/o Gardner Ave., 109.42 ft. E/o Roy Ave., a/k/a 180 Gardner Avenue, Hicksville, NY

SEC. 11

BLK. 400

LOT 75

ZONE R1-10

HEARING NO. 17**APPEAL NO. 22-122****PLAINVIEW**

CINDY SCHORR: Variance to install natural gas generator having less side yard setback than permitted by Ordinance.

N/s/o Debora Dr. W/o Rose Pl., a/k/a 20 Debora Drive, Plainview, NY

SEC. 47

BLK. 21

LOT 46

ZONE R1-7

HEARING NO. 18**APPEAL NO. 22-123****PLAINVIEW**

HEBREW ACADEMY OF NASSAU COUNTY: (A) Variance to allow existing private school building on sub-divided lot having less side yard setback, exceeding maximum gross floor area and building coverage than permitted by Ordinance. (B) Variance to allow existing circular driveway on sub-divided lot having less side yard setback than permitted by Ordinance.

E/s/o Country Dr., N/o Joyce Rd., a/k/a 25 Country Drive, Plainview, NY

SEC. 12

BLK. 478

LOT 37

ZONE R1-7

HEARING NO. 19**APPEAL NO. 22-124****LOCUST VALLEY**

CATHY HENDERSON: (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 spaces are required. (C) Amend Specific Plan as presented for Appeal No. 00-55 and granted by Decision of the Zoning Board of Appeals, dated January 20, 2000.

E/s/o Baldwin Ave., 486 ft. S/o Hillcrest Pl., a/k/a 98 Baldwin Avenue, Locust Valley, NY

SEC. 30

BLK. M

LOT 158

ZONE R1-7

HEARING NO. 20

APPEAL NO. 22-125

OYSTER BAY

VDD EQUITY LLC: (A) Variance to allow existing dwelling on subdivided lot having less width of lot at street at required rear yard than permitted by Ordinance. (B) Variance to allow existing cellar entrance having less front yard setback than permitted by Ordinance. **PARCEL A**

S/s/o Summit St., 100 ft. W/o School St., a/k/a 66 Summit Street, Oyster Bay, NY
SEC. 27 BLK. 13 LOT 112 ZONE R1-6/OB

HEARING NO. 21

APPEAL NO. 22-126

OYSTER BAY

VDD EQUITY LLC: Variance to construct new dwelling on subdivided lot having less width of lot at street, exceeding maximum gross floor area, height, rear height setback ratio and side height setback ratio than permitted by Ordinance. **PARCEL B**

S/s/o Summit St., 100 ft. W/o School St., a/k/a 66 Summit Street, Oyster Bay, NY
SEC. 27 BLK. 13 LOT 112 ZONE R1-6/OB

HEARING NO. HO 1

APPEAL NO. 22-102

JERICO

VARUN REALTY LLC: (A) Variance to install loading spaces without landscape buffer than permitted by Ordinance. (B) Variance to construct retail store having less rear yard setback and without landscape buffer than permitted by Ordinance. (C) Variance for the reduction of off-street parking spaces. Reduction of spaces to 7 when 10 parking spaces are required. (D) Variance to install 7 ft. by 1.5 ft. illuminated wall sign on East side of building exceeding maximum number of wall signs than permitted by Ordinance.

N/s/o Jericho Tpke., 530 ft. W/o Old Jericho Tpke., a/k/a 430 Jericho Tpke., Jericho, NY
SEC. 12 BLK. 37 LOT 143 ZONE NB

HEARING NO. HO 2

APPEAL NO. 22-68

FARMINGDALE

KIMBERLY BARRA: Variance to construct new dwelling having less average front yard setback and rear yard setback than permitted by Ordinance; also encroachment of eaves and gutters.

S/s/o Hazel Ave., 100 ft. E/o Main St., a/k/a 6 Hazel Avenue, Farmingdale, NY
SEC. 49 BLK. 161 LOT 74 ZONE R1-7

MARCH 14, 2022

BY ORDER OF THE ZONING BOARD OF APPEALS

TOWN OF OYSTER BAY, OYSTER BAY, NEW YORK