



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

LOIS SCHMITT - LEWIS J. YEVOLI - RITA BYRNE
KATHLEEN MULLIGAN - REBECCA M. ALESIA - JEROME FITZPATRICK

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 **APRIL 8, 2021**, at 7:00 P. M., to consider the following appeals:

BY ORDER OF THE ZONING BOARD OF APPEALS

Pursuant to the provisions of Chapter 246, Section 246-12 of the Code of the Town of Oyster Bay, and New York State Executive Order No. 202.1, et. seq. 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, 54 Audrey Avenue, Oyster Bay, New York, on **APRIL 8, 2021**, at 7:00 P.M., to be held remotely, and the public has the ability to view or listen to such proceeding via live stream at www.oysterbaytown.com, and that such meeting will be recorded and later transcribed, to consider the following appeal:

MEMBERS OF THE PUBLIC MAY COMMENT ON APPLICATIONS. COMMENTS TO BE HEARD ON THE NIGHT OF THE HEARING AND ENTERED INTO THE RECORD AT THAT TIME MUST BE RECEIVED BY THE ZONING BOARD OF APPEALS BY 4 P.M. WEDNESDAY BEFORE THE HEARING, COMMENTS TO BE ENTERED INTO THE RECORD FOLLOWING THE HEARING MUST BE RECEIVED BY THE NEXT WEDNESDAY FOLLOWING THE HEARING DATE BY 4 P.M.

COMMENTS SHALL BE SENT EITHER:

VIA E-MAIL TO: SCLONINGER@OYSTERBAY-NY.GOV

**VIA MAIL TO: ZONING BOARD OF APPEALS
74 Audrey Avenue
Oyster Bay, NY 11771**

BY ORDER OF THE ZONING BOARD OF APPEALS

HEARING NO. RC 1

APPEAL NO. 02-456 - AMENDMENT

HICKSVILLE

RENEE GLICK: (A) Amend Decision of Zoning Board of Appeals, dated September 19, 2002 in order to Amend the Declaration of Restrictive Covenants to indicate a change in ownership and 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.

E/s/o Haverford Rd., 112.84 ft. S/o Hollins Rd., a/k/a 64 Haverford Road, Hicksville, NY
SEC. 12 BLK. 344 LOT 7 ZONE R1-7

HEARING NO. RC 2

APPEAL NO. 05-695 - AMENDMENT

HICKSVILLE

MICHAEL O'HARE: (A) Amend Decision of Zoning Board of Appeals, dated December 1, 2005 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.

NE/cor. of Henry Place and Raymond Street, a/k/a 5 Henry Place, Hicksville, NY
SEC. 12 BLK. 86 LOT 33 ZONE R1-6

HEARING NO. RC 3**APPEAL NO. 76-19 - AMENDMENT****BETHPAGE**

JOANN SIMONE: (A) Amend Decision of Zoning Board of Appeals, dated January 15, 1976 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.

E/s/o Ninth St., 172.81 ft. S/o Meade Ave., a/k/a 152 Ninth Street, Bethpage, NY
SEC. 46 BLK. 23 LOT 41 ZONE R1-6

HEARING NO. RC 4**APPEAL NO. 90-243 - AMENDMENT****PLAINVIEW**

EILEEN HIX: (A) Amend Decision of Zoning Board of Appeals, dated November 8, 1990 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 Amby Ave., 144 ft. E/o Orchard St., a/k/a 71 Amby Avenue, Plainview, NY
SEC. 12 BLK. 15 LOT 25 ZONE R1-7

HEARING NO. RC 5**APPEAL NO. 20-336 - AMENDMENT****MASSAPEQUA**

AMY SAUTER: Amend Specific Plan as presented for Appeal No. 20-336 and granted by Decision of the Zoning Board of Appeals, dated September 16, 2020, for the submittal of amended plans.

N/s/o Jeanette Dr., 595.05 ft. W/o Riviera Dr. E., a/k/a 23 Jeanette Drive, Massapequa, NY
SEC. 65 BLK. 223 LOT 27 ZONE R1-10

HEARING NO. RC 6**APPEAL NO. 12-133 - AMENDMENT****HICKSVILLE****APPEAL NO. 20-48 - AMENDMENT**

SALVADOR TARALLO: Amend Specific Plans as presented for Appeal No. 12-133 and granted by Decision of the Zoning Board of Appeals, dated April 19, 2012 and for Appeal No. 20-48 and granted by Decision of the Zoning Board of Appeals, dated August 20, 2020, for existing roof changes.

N/s/o 6th St., 281 ft. E/o Division Ave., a/k/a 180 6th Street, Hicksville, NY
SEC. 45 BLK. 89 LOT 120 ZONE R1-7

HEARING NO. 1**APPEAL NO. 21-137****MASSAPEQUA**

BRIAN O'NEILL: (A) Variance to allow existing one story addition attaching detached structure to principal dwelling having less side yard setback and rear yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to allow existing front roof over porch, one story addition, roof over side steps and shed exceeding maximum building coverage than permitted by Ordinance. (C) Variance to allow existing front roof over porch, one story addition and roof over side steps exceeding maximum gross floor area than permitted by Ordinance.

N/s/o Lagoon Blvd., 128.06 ft. W/o Bay Dr., a/k/a 153 Lagoon Boulevard, Massapequa, NY
SEC. 65 BLK. 157 LOT 39 ZONE R1-10

HEARING NO. 2

APPEAL NO. 21-138

MASSAPEQUA

RIDGE DRIVE CAPITAL LLC: Variance to allow existing second floor addition having less aggregate side yards than permitted by Ordinance.

E/s/o W. Arlyn Dr., 53.18 ft. N/o Carlton Dr., a/k/a 144 W. Arlyn Drive, Massapequa, NY
SEC. 53 BLK. 151 LOT 18 ZONE R1-7

HEARING NO. 3

APPEAL NO. 21-139

MASSAPEQUA

HOWARD BYRNS: (A) Variance to allow existing outdoor counter with gas grill having less side yard setback than permitted by Ordinance. (B) Variance to allow existing wood burning fireplace having less rear yard setback than permitted by Ordinance. (C) Variance to allow existing pool equipment having less front yard setback than permitted by Ordinance. (D) Amend Specific Plan as presented for Appeal No. 07-171 and granted by Decision of the Zoning Board of Appeals, dated April 12, 2007.

W/s/o Springdale Ave., 300 ft. S/o Seaview St., a/k/a 17 Springdale Avenue, Massapequa, NY
SEC. 66 BLK. 17 LOT 16 ZONE R1-10

HEARING NO. 4

APPEAL NO. 21-140

MASSAPEQUA

VIRGINIA BARRETTO: Variance to allow existing rear one story addition attached to rear of garage and housing existing cellar entrance having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters.

S/s/o New Hampshire Ave., 100 ft. E/o Doris Pl., a/k/a 250 New Hampshire Avenue, Massapequa, NY
SEC. 48 BLK. 103 LOT 6 ZONE R1-7

HEARING NO. 5

APPEAL NO. 21-141

MASSAPEQUA

ALEXIS ADAMS: (A) Variance to construct one story front addition, front portico with platform and steps to grade and second floor cantilevered addition having less average front yard setback than permitted by Ordinance. (B) Variance to construct second floor cantilevered addition having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters.

N/s/o Ontario Ave., 460 ft. W/o Central Ave., a/k/a 97 Ontario Avenue, Massapequa, NY
SEC. 52 BLK. 184 LOT 1310 ZONE R1-7

HEARING NO. 6

APPEAL NO. 21-142

MASSAPEQUA

GREENWOOD UNION LLC: (A) 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. (B) Variance to construct front portico and rear platform with steps to grade exceeding maximum building coverage than permitted by Ordinance. (C) Variance to construct second story addition and rear platform with steps to grade exceeding maximum gross floor area than permitted by Ordinance. (D) Variance to construct rear platform with steps to grade having less rear yard setback than permitted by Ordinance. (E) Variance to construct fireplace having less side yard setback than permitted by Ordinance. (F) Variance for the reduction of off-street parking spaces. Reduction of spaces to 1 when 2 space are required.

N/s/o Connecticut Ave., 440 ft. W/o Central Ave., a/k/a 81 Connecticut Avenue, Massapequa, NY
SEC. 52 BLK. 174 LOT 279 ZONE R1-7

HEARING NO. 7**APPEAL NO. 21-143****MASSAPEQUA**

ANTHONY MAROTTA: (A) Variance to allow existing rear roof-over porch having less aggregate side yards, rear yard setback and exceeding maximum gross floor area than permitted by Ordinance. (B) Variance to allow existing roof-over front porch, rear roof-over porch and shed exceeding maximum building lot coverage than permitted by Ordinance. (C) Variance to allow existing shed having less side yard setback, rear yard setback and exceeding maximum height than permitted by Ordinance. (D) Variance to allow existing three (3) air conditioning units having less side yard setback than permitted by Ordinance.

S/s/o Commonwealth Ave., 820 ft. W/o Central Ave., a/k/a 74 Commonwealth Ave., Massapequa, NY
SEC. 52 BLK. 180 LOT 776 ZONE R1-7

HEARING NO. 8**APPEAL NO. 21-144****MASSAPEQUA**

MICHELLE VEVANTE: (A) Variance to install in-ground swimming pool having less side yard setback and rear yard setback than permitted by Ordinance. (B) Variance to install pool equipment having less front yard setback than permitted by Ordinance. (C) Variance to allow existing garage addition and front roof over exceeding maximum building coverage than permitted by Ordinance.

N/s/o Lagoon Blvd., 425 ft. W/o Cedar Shore Dr., a/k/a 103 Lagoon Boulevard, Massapequa, NY
SEC. 65 BLK. 139 LOT 63 ZONE R1-10/OHG

HEARING NO. 9**APPEAL NO. 21-145****NORTH MASSAPEQUA**

NICHOLAS DELUCA: Variance to erect 6 ft. high fence exceeding maximum height across side/front yard than permitted by Ordinance.

NW/ cor. of Oxford Ave. & N. Pine St., a/k/a 1 Oxford Avenue, North Massapequa, NY
SEC. 52 BLK. 463 LOT 8 ZONE R1-7

HEARING NO. 10**APPEAL NO. 21-146****FARMINGDALE**

LIDL US, LLC: (A) Variance to install wall sign on West side of building exceeding maximum height than permitted by Ordinance. (B) Variance to install wall sign on North side of building exceeding maximum height than permitted by Ordinance.

NE/ cor. of Northwest Dr. & Merritts Rd., a/k/a 501 Northwest Drive, Farmingdale, NY
SEC. 48 BLK. 590 LOT 20 ZONE GB

HEARING NO. 11**APPEAL NO. 21-147****FARMINGDALE**

IPPOLITO ABBATE: Variance to allow existing pool deck and above-ground swimming pool abutting dwelling having less rear yard setback than permitted by Ordinance.

S/s/o Lincoln St., 211 ft. E/o Meadow Ln., a/k/a 30 Lincoln Street, Farmingdale, NY
SEC. 48 BLK. 546 LOT 34 ZONE R1-7

HEARING NO. 12**APPEAL NO. 21-148****FARMINGDALE**

JEFF BUONO: Variance to allow existing florida room attached to detached garage exceeding maximum height and building coverage of the principal building than permitted by Ordinance.

S/s/o Lowell Dr., 157.54 ft. W/o Cinque Dr., a/k/a 6 Lowell Drive, Farmingdale, NY
SEC. 49 BLK. 259 LOT 28 ZONE R1-7

HEARING NO. 13**APPEAL NO. 21-149****BETHPAGE**

OSCAR A. CANO: Variance to construct new dwelling having less side yard setback, aggregate side yards and roof pitch than permitted by Ordinance; also encroachment of eaves and gutters.

W/s/o Evergreen Ave., 150 ft. S/o Pine Ave., a/k/a 145 Evergreen Avenue, Bethpage, NY
SEC. 46 BLK. 162 LOT 29 ZONE R1-7

HEARING NO. 14**APPEAL NO. 21-150****BETHPAGE**

PAUL DENATALE: Variance to construct two story rear addition and allow existing raised deck with patio below exceeding maximum gross floor area than permitted by Ordinance.

W/s/o Suzane Ln., 208.88 ft. N/o Evelyn Dr., a/k/a 24 Suzane Lane, Bethpage, NY
SEC. 47 BLK. 125 LOT 4 ZONE R1-10

HEARING NO. 15**APPEAL NO. 21-151****HICKSVILLE**

NEDEIDA TURCIOS: (A) Variance to erect 6 ft. high PVC fence exceeding maximum height across side/front yard than permitted by Ordinance. (B) Variance to construct front dormer and two story addition having less average side/front yard setback than permitted by Ordinance. (C) Variance to construct two story addition and rear masonry landing exceeding maximum building coverage than permitted by Ordinance. (D) Amend Specific Plan as presented for Appeal No. 60-424 and granted by Decision of the Zoning Board of Appeals, dated June 30, 1960.

SW/ cor. of W. Nicholai St. & Morgan St., a/k/a 247 W. Nicholai Street, Hicksville, NY
SEC. 11 BLK. 324 LOT 105 ZONE R1-6

HEARING NO. 16**APPEAL NO. 21-152****HICKSVILLE**

NAMRATA ZILPELWAR: (A) Variance to construct second kitchen in a one-family dwelling for use as a PARENT/CHILD residence. (B) Variance to park three (3) vehicles in tandem. (C) Variance to construct one story addition having less side yard setback and exceeding maximum building coverage than permitted by Ordinance; also encroachment of eaves and gutters.

E/s/o Linden Blvd., 235 ft. S/o Michigan Dr., a/k/a 103 Linden Boulevard, Hicksville, NY
SEC. 46 BLK. 524 LOT 14 ZONE R1-7

HEARING NO. 17**APPEAL NO. 21-153****HICKSVILLE**

JAN METRI: Variance to allow existing front platform with steps to grade having less average front yard setback than permitted by Ordinance.

N/s/o W. Marie St., 907 ft. W/o Newbridge Rd., a/k/a 186 W. Marie Street, Hicksville, NY
SEC. 11 BLK. 322 LOT 45 ZONE R1-6

HEARING NO. 18**APPEAL NO. 21-154****OLD BETHPAGE**

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

S/s/o Prescott Pl., 720.03 ft. W/o Cedar Dr. W., a/k/a 37 Prescott Place, Old Bethpage, NY
SEC. 47 BLK. 99 LOT 28 ZONE R1-10

HEARING NO. 19

APPEAL NO. 21-155

PLAINVIEW

JONATHAN MURRAY: (A) Variance to construct two story addition exceeding maximum building coverage than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 15-319 and granted by Decision of the Zoning Board of Appeals, dated October 8, 2015.

N/s/o Vernon St., 242 ft. E/o Universal Blvd., a/k/a 34 Vernon Street, Plainview, NY
SEC. 12 BLK. 47 LOT 106 ZONE R1-7

HEARING NO. 20

APPEAL NO. 21-156

PLAINVIEW

JAMES CATALDO: Variance to construct second floor addition having less side yard setback than permitted by Ordinance; also encroachment of eave and gutter.

W/s/o Vernon St., 65 ft. N/o Island St., a/k/a 49 Vernon Street, Plainview, NY
SEC. 12 BLK. 49 LOT 121 ZONE R1-7

HEARING NO. 21

APPEAL NO. 21-157

PLAINVIEW

JOHN O'CONNOR: Variance to allow existing rear platform with steps to grade exceeding maximum building coverage than permitted by Ordinance.

S/s/o Audley Cir., 167.06 ft. W/o Keswick Ln., a/k/a 40 Audley Circle, Plainview, NY
SEC. 46 BLK. 592 LOT 5 ZONE R1-7

HEARING NO. 22

APPEAL NO. 21-158

PLAINVIEW

JONATHAN SCHUBERT: (A) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across side/front yard (Sutton Drive) than permitted by Ordinance. (B) Variance to allow existing wood deck having less average front yard setback than permitted by Ordinance.

NE/ cor. of Sutton Dr. & Radcliff Rd., a/k/a 111 Sutton Drive, Plainview, NY
SEC. 12 BLK. 601 LOT 25 ZONE R1-7

HEARING NO. 23

APPEAL NO. 21-159

PLAINVIEW

DAVID FEINBERG: (A) Variance to install in-ground swimming pool having less rear yard setback than permitted by Ordinance. (B) Variance to install pool equipment having less rear yard setback and side yard setback than permitted by Ordinance.

N/s/o S. Southwick Ct., 232 ft. W/o Kennedy Dr., a/k/a 22 S. Southwick Court, Plainview, NY
SEC. 13 BLK. 109 LOT 6 ZONE R1-20

HEARING NO. 24

APPEAL NO. 21-160

WOODBURY

MATTHEW GOODMAN: (A) Variance to construct deck additions having less rear yard setback than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 18-432 and granted by Decision of the Zoning Board of Appeals, dated September 20, 2018.

S/s/o Cypress Dr., 868.07 ft. N/o Elm St., a/k/a 105 Cypress Drive, Woodbury, NY
SEC. 14 BLK. 21 LOT 13 ZONE R1-1A

HEARING NO. HO 1

APPEAL NO. 21-77

HICKSVILLE

CHICK-FILL-A, INC.: (A) Variance for the reduction of off-street parking spaces. Reduction of spaces to 4,882 when 5,242 parking spaces are required. (B) Variance allow existing one-way vehicular traffic access abutting 90 degree angled parking spaces than permitted by Ordinance.

W/s/o Broadway Mall, 480 ft. S/o Nevada St., a/k/a 1401 Broadway Mall, Hicksville, NY
SEC. 11 BLK. D LOT 1383 ZONE GC

HEARING NO. HO 2

APPEAL NO. 21-76

FARMINGDALE

ELVA BUCK: (A) Variance to construct second kitchen in a one-family dwelling for use as a PARENT/CHILD residence. (B) Variance to propose accessory unit exceeding maximum number of bedrooms than permitted by Ordinance. (C) Variance to allow existing 4.5 ft. high fence exceeding maximum height in front yard than permitted by Ordinance.

E/s/o Main St., N/o Plitt Ave., a/k/a 741 Main Street, Farmingdale, NY
SEC. 49 BLK. 157 LOT 621 ZONE R1-7

MARCH 29, 2021

BY ORDER OF THE ZONING BOARD OF APPEALS

TOWN OF OYSTER BAY, OYSTER BAY, NEW YORK