



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

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 18, 2024**, at **7:00 P. M.**, to consider the following appeals:

BY ORDER OF THE ZONING BOARD OF APPEALS

HEARING NO. 1

APPEAL NO. 24-67

MASSAPEQUA PARK

SUSAN ROSENTHAL: (A) Variance to construct front porch and one story addition having less average front yard setback than permitted by Ordinance. (B) Variance to construct four season rom having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (C) Variance to allow two (2) existing 8.1 ft. by 10.1 ft. sheds having less rear yard setback than permitted by Ordinance. (D) Variance to construct front porch, front one story addition, rear one story addition, four season room and sheds exceeding maximum building coverage than permitted by Ordinance. (E) Variance to construct circular driveway having less front yard setback than permitted by Ordinance.

N/s/o Willow Dr., 100 ft. W/o Eastwood Dr., a/k/a 3 Willow Drive, Massapequa Park, NY
SEC. 48 BLK. 563 LOT 10 ZONE R1-7

HEARING NO. 2

APPEAL NO. 24-28

MASSAPEQUA

JLP & ASSOCIATES INC.: (A) Variance to construct new dwelling on subdivided lot having less width of lot at street and width from front property line to required rear yard than permitted by Ordinance. **PARCEL A**
(B) Variance to construct new dwelling on subdivided lot having less width of lot at street and width from front property line to required rear yard than permitted by Ordinance. **PARCEL B**

E/s/o Biltmore Blvd., 120 ft. S/o Baldwin Ave., a/k/a 100 Biltmore Boulevard, Massapequa, NY
SEC. 65 BLK. 107 LOT 1202 ZONE R1-7

HEARING NO. 3

APPEAL NO. 24-52

MASSAPEQUA

COLEEN GALICZEWSKI: Variance to allow existing pool equipment having less side yard setback than permitted by Ordinance.

W/s/o Club Rd., 175 ft. S/o Sunset Blvd., a/k/a 5 Club Road, Massapequa, NY
SEC. 65 BLK. 215 LOT 31 ZONE R1-10

HEARING NO. 4

APPEAL NO. 24-54

MASSAPEQUA

4195 MERRICK ROAD LLC: (A) Variance to allow existing 11.25 ft. by 7.25 ft. illuminated freestanding sign located at curb on corner of Merrick Road and Forest Avenue having less front yard setback and exceeding maximum area than permitted by Ordinance. (B) Variance to allow existing 6 ft. by 1.67 ft. illuminated projecting sign exceeding maximum area than permitted by Ordinance.

NE/ cor. of Merrick Rd. & Forest Ave., a/k/a 4195 Merrick Road, Massapequa, NY
SEC. 57 BLK. 198 LOT 449 ZONE GB

HEARING NO. 5**APPEAL NO. 24-65****MASSAPEQUA**

JOHN RAFFAELE: Variance to allow existing 6 ft. high PVC fence exceeding maximum height across side/front yard (Forest Avenue) than permitted by Ordinance.

SW/ cor. of Forest Ave. & Cedar St., a/k/a 340 Forest Avenue, Massapequa, NY

SEC. 57**BLK. 182****LOT 33****ZONE R1-7**

HEARING NO. 6**APPEAL NO. 24-66****MASSAPEQUA**

CHRISTOPHER GUTKIND: **(A)** Variance to construct second floor addition having less side yard setback than permitted by Ordinance; also encroachment of eaves and gutters. **(B)** Variance to allow existing semi in-ground swimming pool having less side yard setback and rear yard setback than permitted by Ordinance. **(C)** Variance to allow existing pool equipment having less side yard setback and rear yard setback than permitted by Ordinance. **(D)** Variance to allow existing 6.3 ft. by 10.1 ft. shed having less side yard setback and rear yard setback than permitted by Ordinance. **(E)** Variance to construct second story addition exceeding maximum gross floor area than permitted by Ordinance. **(F)** Amend Specific Plan as presented for Appeal No. 94-55 and granted by Decision of the Zoning Board of Appeals, dated February 10, 1994.

N/s/o Lagoon Blvd., 275 ft. W/o Cedar Shore Dr., a/k/a 111 Lagoon Boulevard, Massapequa, NY

SEC. 65**BLK. 139****LOT 55****ZONE R1-10/OHG**

HEARING NO. 7**APPEAL NO. 24-103****MASSAPEQUA**

JOSEPH DIVINO: Variance to construct rear addition having less rear yard setback and exceeding maximum building coverage than permitted by Ordinance; also encroachment of eaves and gutters.

W/s/o Margaret Rd., 118 ft. N/o William Rd., a/k/a 126 Margaret Road, Massapequa, NY

SEC. 52**BLK. 346****LOT 24****ZONE R1-7**

HEARING NO. 8**APPEAL NO. 24-72 - AMENDMENT****FARMINGDALE**

DAVID BARNES: Amend Specific Plan as presented for Appeal No. 65-611 and granted by Decision of the Zoning Board of Appeals, dated December 16, 1965, to construct front portico.

S/s/o Beechwood St., E/o Melville Rd., a/k/a 74 Beechwood Street, Farmingdale, NY

SEC. 49**BLK. 60****LOT 126****ZONE R1-7**

HEARING NO. 9**APPEAL NO. 24-39****BETHPAGE**

JAMES HANLY: **(A)** Variance to allow existing 3.4 ft. by 12.2 ft. shed abutting dwelling and cellar entrance having less side yard setback than permitted by Ordinance. **(B)** Variance to allow existing 3.4 ft. by 12.2 ft. shed abutting dwelling having less aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. **(C)** Variance to allow existing swimming pool waterfall having less rear yard setback than permitted by Ordinance. **(D)** Variance to allow existing 10.2 ft. by 10.5 ft. shed having less side yard setback and rear yard setback than permitted by Ordinance. **(E)** Variance to allow existing air conditioning unit having less side yard setback than permitted by Ordinance.

E/s/o West Ct., 108.705 ft. N/o Beverly Rd., a/k/a 5 West Court, Bethpage, NY

SEC. 46**BLK. 339****LOT 10****ZONE R1-7**

HEARING NO. 10**APPEAL NO. 24-56****BETHPAGE**

KARIN ERHART: (A) Variance to allow existing cellar entrance having less side yard setback than permitted by Ordinance. (B) Variance to allow existing second story wood deck with steps to grade having less rear yard setback than permitted by Ordinance. (C) Variance to allow existing shed having less rear yard setback than permitted by Ordinance.

W/s/o Stewart Ave., 199.37 ft. S/o Lincoln Blvd., a/k/a 267 Stewart Avenue, Bethpage, NY
SEC. 46 **BLK. 299** **LOT 65** **ZONE R1-7**

HEARING NO. 11**APPEAL NO. 24-78****BETHPAGE**

RUKHSANA AFZAL: (A) Variance to construct 38.2 ft. by 47.5 ft. new dwelling on partial existing and partial new foundation having less side yard setback, aggregate side yards and exceeding maximum building coverage than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to construct fireplace having less side yard setback than permitted by Ordinance.

S/s/o Brenner Ave., 1922.24 ft. E/o Hicksville Rd., a/k/a 67 Brenner Avenue, Bethpage, NY
SEC. 46 **BLK. K** **LOT 603** **ZONE R1-7**

HEARING NO. 12**APPEAL NO. 24-40****HICKSVILLE**

YUBARAJ GHIMIRE: (A) Variance to allow an existing 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 1 when 3 parking spaces are required. (C) Variance to allow existing rear roof over and wood deck having less side yard setback than permitted by Ordinance. (D) Variance to allow existing rear roof over having less rear yard setback and exceeding maximum gross floor area than permitted by Ordinance. (E) Variance to allow existing 10 ft. by 13.3 ft. shed having less rear yard setback than permitted by Ordinance. (F) Variance to construct front portico, allow existing rear roof over and shed exceeding maximum building coverage than permitted by Ordinance.

S/s/o Gables Rd., 480.85 ft. E/o Gables Dr., a/k/a 26 Gables Road, Hicksville, NY
SEC. 12 **BLK. 284** **LOT 9** **ZONE R1-7**

HEARING NO. 13**APPEAL NO. 24-60 - AMENDMENT****HICKSVILLE**

TIGER W. TUNG SUN: Amend Specific Plan as presented for Appeal No. 95-34 and granted by Decision of the Zoning Board of Appeals, dated January 26, 1995, to allow existing two (2) front bay windows, rear awning over bulkhead, cellar entrance and finished basement.

E/s/o Burns Ave., 100.34 ft. N/o Byron Pl., a/k/a 16 Burns Avenue, Hicksville, NY
SEC. 11 **BLK. D** **LOT 1334** **ZONE R1-7**

HEARING NO. 14**APPEAL NO. 24-69****PLAINVIEW**

29 VERA LLC: (A) Variance to construct new dwelling exceeding maximum building coverage and gross floor area than permitted by Ordinance. (B) Variance to construct driveway having less side yard setback than permitted by Ordinance.

S/s/o Vera Ave., 874.14 ft. W/o Sebree Pl., a/k/a 29 Vera Avenue, Plainview, NY
SEC. 47 **BLK. 18** **LOT 3** **ZONE R1-7**

HEARING NO. 15

APPEAL NO. 24-77

PLAINVIEW

BILL & JACQUELINE VOULGARIS: Variance to allow existing 6 ft. high PVC fence exceeding maximum height across front yard than permitted by Ordinance.

E/s/o Keswick Ln., N/o Cranberry Ln., a/k/a 6 Keswick Lane, Plainview, NY

SEC. 46

BLK. 593

LOT 2

ZONE R1-7

HEARING NO. 16

APPEAL NO. 24-100

PLAINVIEW

PAMELA LINNEMANN: (A) Variance to construct one story addition and allow existing rear deck having less rear yard setback, exceeding maximum building coverage and gross floor area than permitted by Ordinance. (B) Variance to allow existing 7.9 ft. by 8 ft. shed having less side yard setback and aggregate side yards than permitted by Ordinance.

E/s/o Hollywood Dr., 154 ft. S/o Sunset Ln., a/k/a 28 Hollywood Drive, Plainview, NY

SEC. 12

BLK. 451

LOT 11

ZONE R1-7

HEARING NO. 17

APPEAL NO. 24-41

JERICO

VIRENDER HAK: Variance to construct 53 ft. by 55 ft. new dwelling on partial new and partial existing foundation having less average front yard setback, rear yard setback, roof pitch, exceeding maximum building coverage and gross floor area than permitted by Ordinance.

E/s/o Birchwood Park Dr., 73.54 ft. N/o Birchwood Park Ct., a/k/a 218 Birchwood Park Dr., Jericho, NY

SEC. 12

BLK. 551

LOT 8

ZONE R1-10

HEARING NO. 18

APPEAL NO. 24-57

JERICO

SAWMILL CONSTRUCTION CORP.: Variance to construct new dwelling exceeding maximum building coverage than permitted by Ordinance.

N/s/o Cedar Swamp Rd., 3002.2 ft. S/o Hemlock Dr., a/k/a 107 Cedar Swamp Road, Jericho, NY

SEC. 16

BLK. C

LOT 398

ZONE R1-2A

HEARING NO. 19

APPEAL NO. 24-58

SYOSSET

GIAMPIERO CRECCO: (A) Variance to construct one story addition having less rear yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (B) Amend Specific Plan as presented for Appeal No. 23-29 and granted by Decision of the Zoning Board of Appeals, dated January 19, 2023.

SE/ cor. of Gary Rd. & Terrehans Ln., a/k/a 60 Gary Road, Syosset, NY

SEC. 12

BLK. 398

LOT 2

ZONE R1-7

HEARING NO. 20

APPEAL NO. 24-63

GLEN HEAD

QI CONG WENG: (A) Variance to construct 37 ft. by 24.6 ft. new dwelling on partial new and partial existing foundation with detached garage having less side yard setback, exceeding maximum height and building coverage than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to construct detached garage exceeding maximum rear yard coverage, building coverage of the principal building and height than permitted by Ordinance.

N/s/o Sylvia St., 92.04 ft. E/o Cody Ave., a/k/a 50 Sylvia Street, Glen Head, NY

SEC. 20

BLK. 45

LOT 12

ZONE R1-7

HEARING NO. 21**APPEAL NO. 24-74****EAST NORWICH**

FARRELL DENBY: (A) Variance to allow existing front covered concrete porch having less average front yard setback, side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to allow existing front covered concrete porch and shed exceeding maximum building coverage than permitted by Ordinance. (C) Amend Specific Plan as presented for Appeal No. 63-478 and granted by Decision of the Zoning Board of Appeals, dated October 2, 1963.

N/s/o Radcliff Dr. N., 197.02 ft. E/o Radcliff Dr. W., a/k/a 136 Radcliff Drive N., East Norwich, NY
SEC. 24 BLK. 10 LOT 19 ZONE R1-7

HEARING NO. HO 1**APPEAL NO. 23-680****OYSTER BAY**

STEVE BAUER: (A) Variance to construct deck extension having less side yard setback, rear yard setback, exceeding maximum building coverage and gross floor area than permitted by Ordinance. (B) Variance to install swimming pool having less side yard setback and rear yard setback than permitted by Ordinance. (C) Variance to allow existing 6 ft. high PVC fence and 5 ft. high chain-link fence exceeding maximum height across front yard than permitted by Ordinance.

E/ cor. of Capitol Heights Rd., a/k/a 74 Capitol Height Road, Oyster Bay, NY
SEC. 24 BLK. 1 LOT 65 ZONE R1-10/OB

HEARING NO. HO 2**APPEAL NO. 23-733****WOODBURY**

JASON SCHULMAN: (A) Variance to construct pavilion exceeding maximum height, building coverage and gross floor area than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 23-428 and granted by Decision of the Zoning Board of Appeals, dated January 19, 2023 and amended by Decision of the Zoning Board of Appeals, dated September 7, 2023.

N/s/o Polo Ct., 241.97 ft. E/o The Grasslands, a/k/a 5 Polo Court, Woodbury, NY
SEC. 14 BLK. E LOT 946 ZONE R1-1A

APRIL 8, 2024

BY ORDER OF THE ZONING BOARD OF APPEALS

TOWN OF OYSTER BAY, OYSTER BAY, NEW YORK