



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 20, 2023*, at 7:00 P. M., to consider the following appeals:

BY ORDER OF THE ZONING BOARD OF APPEALS

HEARING NO. 1

APPEAL NO. 23-151

MASSAPEQUA PARK

BRIAN BISCHOFF: (A) Variance to allow existing above-ground swimming pool surrounded by raised deck abutting dwelling having less rear yard setback than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 22-133 and granted by Decision of the Zoning Board of Appeals, dated April 7, 2022.

N/s/o Rose St., 75 ft. W/o Seville Pl., a/k/a 324 Rose Street, Massapequa Park, NY
SEC. 48 BLK. 583 LOT 2 ZONE R1-7

HEARING NO. 2

APPEAL NO. 23-152

MASSAPEQUA PARK

MICHELE FARINACCIO: (A) Variance to reconstruct new dwelling having less average front yard setback and exceeding maximum building coverage than permitted by Ordinance. (B) Variance to allow existing shed having less rear yard setback than permitted by Ordinance. (C) Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

E/s/o Westwood Rd. S., 60 ft. S/o Oakdale Pl., a/k/a 37 Westwood Road S., Massapequa Park, NY
SEC. 48 BLK. 537 LOT 17 ZONE R1-7

HEARING NO. 3

APPEAL NO. 23-153

MASSAPEQUA

RONALD MAZZOLA: Variance to allow existing raised patio around existing semi in-ground swimming pool having less rear yard setback than permitted by Ordinance.

S/s/o Shoreham Rd., 144 ft. W/o Fox Blvd., a/k/a 42 Shoreham Road, Massapequa, NY
SEC. 65 BLK. 111 LOT 2243 ZONE R1-7

HEARING NO. 4

APPEAL NO. 23-154

MASSAPEQUA

NORE CABARCAS: (A) Variance to reconstruct new dwelling and platform with steps to grade having less average front yard setback, side yard setback, aggregate side yards, roof pitch, exceeding maximum building coverage and gross floor area than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to construct driveway having less side yard setback than permitted by Ordinance.

S/s/o New Hampshire Ave., 340 ft. E/o Central Ave., a/k/a 124 New Hampshire Ave., Massapequa, NY
SEC. 52 BLK. 191 LOT 1881 ZONE R1-7

HEARING NO. 5**APPEAL NO. 23-155****MASSAPEQUA**

JOHN ROMANO: 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.

S/s/o Cleveland Pl., 140 ft. E/o Forest Ave., a/k/a 108 Cleveland Place, Massapequa, NY
SEC. 65 BLK. 43 LOT 1584 ZONE R1-7

HEARING NO. 6**APPEAL NO. 23-156****NORTH MASSAPEQUA**

NICOLE FERRETTI: (A) Variance to construct roofed-over front porch with steps to grade having less average front yard setback than permitted by Ordinance. (B) Variance to construct second floor cantilever addition and allow existing first floor side addition having less side yard setback and exceeding maximum gross floor area than permitted by Ordinance. (C) Variance to construct second floor cantilever addition having less aggregate side yards and exceeding maximum height than permitted by Ordinance; also encroachment of eaves and gutters. (D) Variance to construct front covered porch with steps to grade, second floor cantilever addition and allow existing one story addition exceeding maximum building coverage than permitted by Ordinance. (E) Variance to allow existing air conditioning unit exceeding maximum encroachment into side yard than permitted by Ordinance. (F) Variance to allow existing pool filter having less front yard setback than permitted by Ordinance. (G) Variance to allow existing pool heater having less side yard setback than permitted by Ordinance.

S/s/o Brookline Dr., 110 ft. E/o Walter Ave., a/k/a 9 Brookline Drive, North Massapequa, NY
SEC. 52 BLK. 344 LOT 14 ZONE R1-7

HEARING NO. 7**APPEAL NO. 23-157****NORTH MASSAPEQUA**

JOHN FRANZINO: (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 allow existing rear wood deck with steps to grade exceeding maximum building coverage than permitted by Ordinance.

N/s/o N. Park Dr., 580 ft. W/o N. Central Dr., a/k/a 22 N. Park Drive, North Massapequa, NY
SEC. 52 BLK. 71 LOT 764 ZONE R1-10

HEARING NO. 8**APPEAL NO. 23-158****NORTH MASSAPEQUA**

ALICIA CICCARELLO: (A) Variance to construct cantilevered second story addition having less side yard setback, aggregate side yards and roof pitch than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to construct cantilevered second story addition and front portico exceeding maximum building coverage than permitted by Ordinance. (C) Amend Specific Plan as presented for Appeal No. 77-358 and granted by Decision of the Zoning Board of Appeals, dated November 3, 1977.

S/s/o N. Richmond Ave., 143 ft. E/o Nottinghill Dr., a/k/a 264 N. Richmond Avenue, N. Massapequa, NY
SEC. 52 BLK. 122 LOT 184 ZONE R1-7

HEARING NO. 9**APPEAL NO. 23-159****FARMINGDALE**

JAMES FITZPATRICK: Variance to allow existing in-ground swimming pool with attached waterfall having less rear yard setback than permitted by Ordinance.

W/s/o Elm Dr., N/o Bernard St., a/k/a 66 Elm Drive, Farmingdale, NY
SEC. 49 BLK. 143 LOT 18 ZONE R1-7

HEARING NO. 10**APPEAL NO. 23-160****FARMINGDALE**

FRANCES ALLGIER: Variance for the reduction of off-street parking spaces. Reduction of spaces to 1 when 2 parking spaces are required.

N/s/o Plitt Ave., 200 ft. W/o Kent St., a/k/a 145 Plitt Avenue, Farmingdale, NY

SEC. 48**BLK. 481****LOT 42****ZONE R1-7**

HEARING NO. 11**APPEAL NO. 23-161****FARMINGDALE**

CAROL BATTAGLIA: (A) Variance to allow existing 8.1 ft. by 8.1 ft. shed having less side yard setback than permitted by Ordinance. (B) Variance to allow existing 12.3 ft. by 11.6 ft. shed and gazebo having less side yard setback and rear yard setback than permitted by Ordinance. (C) Variance to allow existing swimming pool waterfall and hot tub having less rear yard setback than permitted by Ordinance. (D) Variance to allow existing driveway having less side yard setback than permitted by Ordinance. (E) Amend Specific Plan as presented for Appeal No. 85-640 and granted by Decision of the Zoning Board of Appeals, dated December 19, 1985.

W/s/o James St., N/o Henry St., a/k/a 118 James Street, Farmingdale, NY

SEC. 49**BLK. 141****LOT 143****ZONE R1-7**

HEARING NO. 12**APPEAL NO. 23-162****FARMINGDALE**

BRUCE MARKLAND: Variance to allow existing rear wood deck with steps to grade having less side yard setback than permitted by Ordinance.

N/s/o 2nd Ave., 260 ft. W/o Woodward Pkwy., a/k/a 29 2nd Avenue, Farmingdale, NY

SEC. 48**BLK. 238****LOT 62****ZONE R1-7**

HEARING NO. 13**APPEAL NO. 23-163****FARMINGDALE**

DAVID KAFKA: (A) Variance to allow existing pool equipment having less front yard setback and side yard setback than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 22-134 and granted by Decision of the Zoning Board of Appeals, dated April 7, 2022.

E/s/o Lawrence St., N/o Cornell Pl., a/k/a 43 Lawrence Street, Farmingdale, NY

SEC. 49**BLK. 12****LOT 6****ZONE R1-7**

HEARING NO. 14**APPEAL NO. 23-164****BETHPAGE**

PATRICIA DONOHUE: (A) Variance to allow existing shed having less front yard setback than permitted by Ordinance. (B) Variance to allow existing gazebo having less side yard setback and exceeding maximum rear yard coverage than permitted by Ordinance. (C) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across front yard than permitted by Ordinance.

NE/ cor. of Armon Dr. & Armon Dr., a/k/a 10 Armon Drive, Bethpage, NY

SEC. 46**BLK. 575****LOT 13****ZONE R1-7**

HEARING NO. 15**APPEAL NO. 23-165****BETHPAGE**

JOSHUA GIBBS: Variance to construct new dwelling exceeding maximum gross floor area than permitted by Ordinance.

S/s/o Sycamore Ave., 281.06 ft. E/o Stewart Ave., a/k/a 79 Sycamore Avenue, Bethpage, NY

SEC. 46**BLK. 319****LOT 45****ZONE R1-7**

HEARING NO. 16**APPEAL NO. 23-166****HICKSVILLE**

THOMAS CAMPISI: (A) Variance to allow existing driveway having less rear yard setback than permitted by Ordinance. (B) Variance to allow existing shed having less side yard setback and rear yard setback than permitted by Ordinance.

S/s/o Fordham Ave., 60 ft. W/o Terrell Ln., a/k/a 10 Fordham Avenue, Hicksville, NY
SEC. 45 BLK. 490 LOT 5 ZONE R1-7

HEARING NO. 17**APPEAL NO. 23-167****HICKSVILLE**

HESSAM SAMIRA: (A) Variance to allow existing 7.6 ft. by 12 ft. shed having less average front yard setback than permitted by Ordinance. (B) Variance to construct second floor addition having less rear yard setback than permitted by Ordinance. (C) Variance to construct second story addition exceeding maximum gross floor area than permitted by Ordinance. (D) Variance for the reduction of off-street parking spaces. Reduction of spaces to 1 when 2 parking spaces are required. (E) Variance to erect 6 ft. high vinyl fence exceeding maximum height across front yard (5th Avenue) than permitted by Ordinance.

NW/ cor. of 9th St. & 5th Ave., a/k/a 133 9th Street, Hicksville, NY
SEC. 46 BLK. 278 LOT 879 ZONE R1-7

HEARING NO. 18**APPEAL NO. 23-168****WOODBURY**

DAVID ERFAN: (A) Variance to install parking lot having less front yard setback and side yard setback than permitted by Ordinance. (B) Variance to construct building having less rear yard setback than permitted by Ordinance.

W/s/o Woodbury Rd., N/o Uphill Ln., a/k/a 135 Woodbury Road, Woodbury, NY
SEC. 14 BLK. E LOT 16 ZONE NB

HEARING NO. 19**APPEAL NO. 23-169****WOODBURY**

WOODBURY 884 OWNER LLC: Variance to construct twelve (12) basements converted to habitable space in RMF-10 Zone.

SW/ cor. Jericho Tpke. & Plainview Rd., a/k/a 884 Jericho Turnpike, Woodbury, NY
SEC. 13 BLK. 79 LOT 42 ZONE RMF-10

HEARING NO. 20**APPEAL NO. 23-170****GLEN HEAD**

T-MOBILE NORTHEAST LLC: Variance to allow existing 10 ft. by 20 ft. T-Mobile raised equipment having less rear yard setback than permitted by Ordinance.

E/s/o Dumond Pl., 120 ft. N/o Glen Head Rd., a/k/a 6 Dumond Place, Glen Head, NY
SEC. 21 BLK. N03 LOT 22 ZONE LI

HEARING NO. 21**APPEAL NO. 23-171****OYSTER BAY**

LEE LAND OYSTER BAY LLC: Variance for the reduction of off-street parking spaces. Reduction of spaces to 1 when 38 parking spaces are required.

NW/ cor. of South St. & W. Main St., a/k/a 108 South Street, Oyster Bay, NY
SEC. 27 BLK. 31 LOT 269 ZONE GB

HEARING NO. HO 1

APPEAL NO. 22-489

HICKSVILLE

LIGHTHOUSE COMMONS, LLC: Variance to install 3.7 ft. by 10 ft. illuminated wall sign on South side of building exceeding maximum number of wall signs per tenancy than permitted by Ordinance.

W/s/o N. Broadway, 790 ft. S/o Nevada St., a/k/a 200 N. Broadway, Hicksville, NY

SEC. 11

BLK. D

LOT 1389

ZONE GB

HEARING NO. HO 2

APPEAL NO. 23-72

HICKSVILLE

VICTORIA HO: (A) Variance to allow existing reconstructed dwelling having less average side/front yard setback (Foran Place/William Place), roof pitch, exceeding maximum building coverage and gross floor area than permitted by Ordinance. (B) Variance to allow three (3) existing window wells on East side of dwelling having less side yard setback than permitted by Ordinance. (C) Variance to allow existing air conditioning units exceeding maximum encroachment into side yard than permitted by Ordinance. (D) Variance to allow existing cellar entrance having less rear yard setback than permitted by Ordinance. (E) Variance to allow existing 5.92 ft. high vinyl fence exceeding maximum height across front yard (Thorman Avenue) than permitted by Ordinance. (F) Variance to allow existing 6 ft. high vinyl fence exceeding maximum height across side/front yard (Foran Place/William Place) than permitted by Ordinance. (G) Variance to allow existing 6.17 ft. high vinyl fence exceeding maximum height than permitted by Ordinance.

SE/ cor. of Thorman Ave. & Foran Pl./William Pl., a/k/a 43 Thorman Avenue, Hicksville, NY

SEC. 12

BLK. 198

LOT 16

ZONE R1-6

HEARING NO. HO 3

APPEAL NO. 23-92

HICKSVILLE

KULWANT DEOL: Variance to allow existing second kitchen in a one-family dwelling for use as a spice kitchen.

N/s/o Nevada St., 80 ft. W/o Oxford Pl., a/k/a 126 Nevada Street, Hicksville, NY

SEC. 11

BLK. 300

LOT 5

ZONE R1-7

APRIL 10, 2023

BY ORDER OF THE ZONING BOARD OF APPEALS

TOWN OF OYSTER BAY, OYSTER BAY, NEW YORK