



**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

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**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 21, 2022*, at 7:00 P. M., to consider the following appeals:

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

**HEARING NO. 1**

**APPEAL NO. 22-151**

**MASSAPEQUA PARK**

**JOHN MCHUGH:** (A) Variance to allow existing 6 ft. high vinyl fence exceeding maximum height across side/front yard than permitted by Ordinance. (B) Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

NW/ cor. of Park Ln. & Illinois Ave., a/k/a 366 Park Lane, Massapequa Park, NY

**SEC. 48                      BLK. 549                      LOT 19                      ZONE R1-7**

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**HEARING NO. 2**

**APPEAL NO. 22-152**

**MASSAPEQUA**

**UNA KELLY:** (A) Variance to allow existing shed having less side yard setback than permitted by Ordinance. (B) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across front yard (Roy Street) than permitted by Ordinance.

NW/ cor. of East Dr. & Roy St., a/k/a 128 East Drive, Massapequa, NY

**SEC. 48                      BLK. 190                      LOT 54                      ZONE R1-7**

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**HEARING NO. 3**

**APPEAL NO. 22-153**

**MASSAPEQUA**

**VALERIE DESANTO:** Variance to allow existing rear deck and stairs to grade with roof over having less rear yard setback than permitted by Ordinance.

N/s/o Hamilton Ave., 540 ft. W/o Central Ave., a/k/a 97 Hamilton Avenue, Massapequa, NY

**SEC. 52                      BLK. 186                      LOT 1516                      ZONE R1-7**

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**HEARING NO. 4**

**APPEAL NO. 22-154**

**MASSAPEQUA**

**JEAN AIELLO:** Variance to allow existing 6 ft. high exceeding maximum height across side/front yard than permitted by Ordinance.

SW/ cor. of Central Ave. & Boston Ave., a/k/a 633 Central Avenue, Massapequa, NY

**SEC. 52                      BLK. 178                      LOT 609                      ZONE R1-7**

**HEARING NO. 5**

**APPEAL NO. 22-155**

**MASSAPEQUA**

**THOMAS KARP:** Variance to construct 23 ft. by 19 ft. pavilion exceeding maximum height than permitted by Ordinance.

E/s/o Bayview Ave., 370 ft. S/o Harbour Ln., a/k/a 60 Bayview Avenue, Massapequa, NY  
**SEC. 65                      BLK. 121                      LOT 12                      ZONE R1-7**

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**HEARING NO. 6**

**APPEAL NO. 22-156**

**MASSAPEQUA**

**PAUL ELENIO:** (A) Variance to allow existing 8.7 ft. by 16.1 ft. shed and outdoor kitchen with barbeque, sink and pizza oven having less side yard setback than permitted by Ordinance. (B) Variance to construct second story addition, deck with patio under, florida room, rear roof over and allow existing shed exceeding maximum building coverage than permitted by Ordinance.

W/s/o Division Ave., N/o Bayview Pl. W., a/k/a 52 Division Avenue, Massapequa, NY  
**SEC. 65                      BLK. 135                      LOT 473                      ZONE R1-7**

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**HEARING NO. 7**

**APPEAL NO. 22-157**

**MASSAPEQUA**

**FERNANDO HERNANDEZ:** (A) Variance to allow existing semi-in ground swimming pool with deck having less side yard setback than permitted by Ordinance. (B) Variance to allow existing 6 ft. high fence exceeding maximum height across side/front yard than permitted by Ordinance.

SE/ cor. of Joludow Dr. & Michele Ter., a/k/a 54 Joludow Drive, Massapequa, NY  
**SEC. 53                      BLK. 173                      LOT 1                      ZONE R1-7**

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**HEARING NO. 8**

**APPEAL NO. 22-158**

**MASSAPEQUA**

**MARIA GREENWOOD:** Variance to construct rear roof over patio exceeding maximum gross floor area than permitted by Ordinance.

S/s/o Bay Dr., 442.98 ft. S/o Bay Link, a/k/a 339 Bay Drive, Massapequa, NY  
**SEC. 65                      BLK. 215                      LOT 52                      ZONE R1-10**

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**HEARING NO. 9**

**APPEAL NO. 22-159**

**NORTH MASSAPEQUA**

**PAMELA HULKA:** Variance to allow existing roofed-over patio exceeding maximum building coverage than permitted by Ordinance.

N/s/o Sheep Pasture Ln., 291.14 ft. W/o Crocus Ln., a/k/a 16 Sheep Pasture Ln., N. Massapequa, NY  
**SEC. 52                      BLK. 347                      LOT 22                      ZONE R1-7**

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**HEARING NO. 10**

**APPEAL NO. 22-160**

**FARMINGDALE**

**RICHARD & ELIZABETH MILHAVEN:** (A) Variance to construct one story front addition and front portico having less average front yard setback and exceeding maximum building coverage than permitted by Ordinance. (B) Variance to construct cantilevered second floor addition having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters.

E/s/o Paula Dr., 58.71 ft. N/o Saxon Rd., a/k/a 3 Paula Drive, Farmingdale, NY  
**SEC. 53                      BLK. 193                      LOT 4                      ZONE R1-7**

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**HEARING NO. 11**

**APPEAL NO. 22-161**

**BETHPAGE**

**ANDREW HATKI:** (A) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across front yard than permitted by Ordinance. (B) Variance to allow existing porch having less average side/front yard setback than permitted by Ordinance.

SE/ cor. of S. Scherer St. & Central Ave., a/k/a 38 S. Scherer Street, Bethpage, NY  
SEC. 46                      BLK. 245                      LOT 603                      ZONE NB

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**HEARING NO. 12**

**APPEAL NO. 22-162**

**BETHPAGE**

**OUR HOUSE MONTESSORI CORPORATION:** (A) Variance for the reduction of off-street parking spaces. Reduction of spaces to 38 when 87 parking spaces are required. (B) Variance to install parking spaces along N. Windhorst Avenue having less setback to property line than permitted by Ordinance.

E/s/o Broadway, S/o Central Ave., a/k/a 192 Broadway, Bethpage, NY  
SEC. 49                      BLK. 125                      LOT 265                      ZONE R1-7 & GB

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**HEARING NO. 13**

**APPEAL NO. 22-163**

**BETHPAGE**

**DIANE FENIELLO:** (A) Variance to construct one story addition having less front yard setback than permitted by Ordinance. (B) Variance to construct second story addition, roof-over patio and allow existing pergola having less side yard setback than permitted by Ordinance. (C) Variance to construct second story addition having less aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (D) Variance to construct second story, roof-over patio, one story addition and allow existing pergola exceeding maximum building coverage than permitted by Ordinance. (E) Variance to allow existing air conditioning units having less side yard setback and exceeding maximum encroachment into side yard than permitted by Ordinance. (F) Amend Specific Plan as presented for Appeal No. 96-206 and granted by Decision of the Zoning Board of Appeals, dated June 20, 1996.

N/s/o Carrie Ave., 85 ft. W/o Carol Pl., a/k/a 38 Carrie Avenue, Bethpage, NY  
SEC. 49                      BLK. 214                      LOT 33                      ZONE R1-7

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**HEARING NO. 14**

**APPEAL NO. 22-164**

**HICKSVILLE**

**KIM YU:** (A) Variance to construct cantilevered second story addition having less side yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to construct cantilevered second story addition and front roofed over porch exceeding maximum building coverage than permitted by Ordinance.

E/s/o Spruce St., 180 ft. N/o Plainview Rd., a/k/a 5 Spruce Street, Hicksville, NY  
SEC. 12                      BLK. 252                      LOT 45                      ZONE R1-7

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**HEARING NO. 15**

**APPEAL NO. 22-165**

**HICKSVILLE**

**LISA YACOVONE:** (A) Variance to allow existing rear roof over patio having less side yard setback than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 67-578 and granted by Decision of the Zoning Board of Appeals, dated January 4, 1968.

W/s/o Lee Ave., 180.36 ft. S/o Cottage Blvd., a/k/a 245 Lee Avenue, Hicksville, NY  
SEC. 46                      BLK. 378                      LOT 42                      ZONE R1-7

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**HEARING NO. 16****APPEAL NO. 22-166****HICKSVILLE**

**PURVIK SHAH:** (A) Variance to allow existing 7.6 ft. by 12 ft. shed (West) and 7.5 ft. by 12.1 ft. shed (East) having less front yard setback, side yard setback and rear yard setback than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 21-325 and granted by Decision of the Zoning Board of Appeals, dated July 22, 2021.

SW/ cor. of 6<sup>th</sup> St. & Felice Cres., a/k/a 81 6<sup>th</sup> Street, Hicksville, NY

**SEC. 46****BLK. 273****LOT 1****ZONE R1-7**

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**HEARING NO. 17****APPEAL NO. 22-167****HICKSVILLE**

**STEPHANIE HONIG:** (A) Variance to construct one story addition 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 construct one story addition, cantilevered second story addition and portico exceeding maximum building coverage than permitted by Ordinance. (C) Variance to allow existing driveway having less side yard setback than permitted by Ordinance. (D) Amend Specific Plan as presented for Appeal No. 09-396 and granted by Decision of the Zoning Board of Appeals, dated August 6, 2009.

S/s/o Birchwood Park Dr., 182 ft. W/o Bernice Rd., a/k/a 97 Birchwood Park Drive, Hicksville, NY

**SEC. 12****BLK. 445****LOT 8****ZONE R1-10**

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**HEARING NO. 18****APPEAL NO. 22-168****OLD BETHPAGE**

**DENISE NACHAMKIN:** (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 one story addition with steps to grade having less side yard setback than permitted by Ordinance; also encroachment of eaves and gutters.

W/s/o Isabel Ln., 98.73 ft. N/o Woodland Dr., a/k/a 5 Isabel Lane, Old Bethpage, NY

**SEC. 47****BLK. 123****LOT 13****ZONE R1-10**

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**HEARING NO. 19****APPEAL NO. 22-169****PLAINVIEW**

**RACHEL & SAMUEL GARTNER:** (A) Variance to construct second floor addition exceeding maximum height than permitted by Ordinance. (B) Variance to construct two story addition and deck exceeding maximum building coverage than permitted by Ordinance. (C) Variance to construct second floor addition, two story addition and deck exceeding maximum gross floor area than permitted by Ordinance.

N/s/o Maxine Ave., 374.01 ft. E/o Pasadena Dr., a/k/a 16 Maxine Avenue, Plainview, NY

**SEC. 12****BLK. 465****LOT 8****ZONE R1-7**

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**HEARING NO. 20****APPEAL NO. 22-170****PLAINVIEW**

**FLOREEN PRIESTON:** Variance to allow existing rear deck with hot tub having less rear yard setback and exceeding maximum building coverage than permitted by Ordinance.

S/s/o Thomas Ln., 70.73 ft. E/o Glenwood Rd., a/k/a 6 Thomas Lane, Plainview, NY

**SEC. 12****BLK. 567****LOT 20****ZONE R1-7**

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**HEARING NO. 21**

**APPEAL NO. 22-171**

**WOODBURY**

**ERICA SUTTER:** (A) Variance to allow existing shed with roof over porch having less rear yard setback than permitted by Ordinance. (B) Variance to allow existing pool equipment having less side yard setback and rear yard setback than permitted by Ordinance. (C) Variance to allow existing shed exceeding maximum height than permitted by Ordinance.

E/s/o Fox Meadow Ct., 654.94 ft. E/o Cypress Dr., a/k/a 8 Fox Meadow Court, Woodbury, NY  
SEC. 14                      BLK. 16                      LOT 22                      ZONE R1-1A

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**HEARING NO. 22**

**APPEAL NO. 22-172**

**JERICO**

**APRIL SONG:** Variance to construct sunroom having less side yard setback and exceeding maximum building coverage than permitted by Ordinance.

S/s/o Halsey Ave., 484.93 ft. E/o Leahy St., a/k/a 216 Halsey Avenue, Jericho, NY  
SEC. 11                      BLK. 359                      LOT 9                      ZONE R1-10

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**HEARING NO. 23**

**APPEAL NO. 22-173**

**OYSTER BAY**

**FRANK & LISA IEMMITI:** Variance to allow existing deck having less average front yard setback than permitted by Ordinance.

SE/ cor. of Blueberry Ln. & Woodland Rd., a/k/a 1 Blueberry Lane, Oyster Bay, NY  
SEC. 27                      BLK. 62                      LOT 17                      ZONE R1-10

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**APRIL 11, 2022**

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

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