



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 *MAY 4, 2023*, at 7:00 P. M., to consider the following appeals:

BY ORDER OF THE ZONING BOARD OF APPEALS

HEARING NO. RC 1

APPEAL NO. 21-462 - AMENDMENT

FARMINGDALE

BRIAN VEVANTE: Amend Specific Plan as presented for Appeal No. 21-462 and granted by Decision of the Zoning Board of Appeals, dated October 21, 2021, to allow existing pool equipment having less side/front yard setback than permitted by Ordinance..

NW/ cor. of Cedar St. & W. Oak St., a/k/a 33 Cedar Street, Farmingdale, NY
SEC. 49 BLK. 8 LOT 61 ZONE R1-7

HEARING NO. 1

APPEAL NO. 23-172

MASSAPEQUA

DENNIS BUCKSHAW: Variance to construct raised new dwelling with front and rear multi-level decks having less average front yard setback, side yard setback, aggregate side yards and exceeding maximum building coverage than permitted by Ordinance; also encroachment of eaves and gutters.

E/s/o Riverdale Ave., 221 ft. N/o E. Lincoln Ave., a/k/a 11 Riverdale Avenue, Massapequa, NY
SEC. 66 BLK. 130 LOT 95 ZONE R1-10

HEARING NO. 2

APPEAL NO. 23-173

MASSAPEQUA

CHRISTOPHER DEEGAN: (A) Variance to allow existing raised paver patio having less side yard setback, aggregate side yards, exceeding maximum building coverage and gross floor area than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 11-103 and granted by Decision of the Zoning Board of Appeals, dated March 31, 2011.

E/s/o E. Shore Dr., 1,510 ft. N/o Community Beach., a/k/a 268 E. Shore Drive, Massapequa, NY
SEC. 66 BLK. 64 LOT 83 ZONE R1-10

HEARING NO. 3

APPEAL NO. 23-174

MASSAPEQUA

BONNIE CAPOLONG: (A) Variance to install pool equipment 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.

SW/ cor. of Pittsburg Ave. & Carman Rd., a/k/a 401 Pittsburg Avenue, Massapequa, NY
SEC. 48 BLK. 540 LOT 2 ZONE R1-7

HEARING NO. 4**APPEAL NO. 23-175****MASSAPEQUA**

ADAM TOKAR: Variance to allow existing pool equipment having less front yard setback than permitted by Ordinance.

S/s/o Brewster Rd., 212.34 ft. E/o Gloucester Rd., a/k/a 98 Brewster Road, Massapequa, NY
SEC. 65 BLK. 151 LOT 6 ZONE R1-10/OHG

HEARING NO. 5**APPEAL NO. 23-176****MASSAPEQUA**

RUSSELL KONIG: (A) Variance to construct second kitchen in a one-family dwelling for use as a **PARENT/CHILD** residence. (B) Variance to construct two (2) front doors on a **PARENT/CHILD** residence. (C) Variance to construct accessory unit for use as a **PARENT/CHILD** residence exceeding maximum number of bedrooms than permitted by Ordinance.

E/s/o Clocks Blvd., 690.53 ft. S/o Delta Rd., a/k/a 336 Clocks Boulevard, Massapequa, NY
SEC. 66 BLK. 98 LOT 107 ZONE R1-10

HEARING NO. 6**APPEAL NO. 23-177****MASSAPEQUA**

RUSSELL KONIG: (A) Variance to construct one story addition with roof over front porch having less average front yard setback than permitted by Ordinance. (B) Variance to allow existing detached garage having less side yard setback, front yard setback, exceeding maximum height and accessory coverage than permitted by Ordinance. (C) Variance to allow existing deck extension with four (4) air conditioning units and one (1) generator atop, 7.6 ft. by 13.9 ft. shed, 8 ft. by 16 ft. shed with pool equipment inside and roof over boat slip having less side yard setback than permitted by Ordinance. (D) Variance to allow existing 7.6 ft. by 13.9 ft. shed, roof over boat slip and gas oven having less rear yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (E) Variance to construct one story addition with roof over front porch, allow existing detached garage, 7.6 ft. by 13.9 ft. shed, 8 ft. by 16 ft. shed with pool equipment inside, deck extension with four (4) air conditioning units and one (1) generator atop and roof over boat slip exceeding maximum building coverage than permitted by Ordinance. (F) Variance to construct one story addition with roof over front porch, allow existing detached garage, roof over boat slip and deck extension with four (4) air conditioning units and one (1) generator atop exceeding maximum gross floor area than permitted by Ordinance. (G) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across front yard than permitted by Ordinance. (H) Amend Specific Plan as presented for Appeal No. 13-27 and granted by Decision of the Zoning Board of Appeals, dated January 24, 2013.

E/s/o Clocks Blvd., 690.53 ft. S/o Delta Rd., a/k/a 336 Clocks Boulevard, Massapequa, NY
SEC. 66 BLK. 98 LOT 107 ZONE R1-10

HEARING NO. 7**APPEAL NO. 23-178****MASSAPEQUA**

JONATHAN ENGELKE: Variance to install in-ground swimming pool having less side yard setback and front yard setback than permitted by Ordinance.

N/s/o Exeter Rd., 120 ft. W/o Cedar Shore Rd., a/k/a 111 Exeter Road, Massapequa, NY
SEC. 65 BLK. 153 LOT 40 ZONE R1-10

HEARING NO. 8**APPEAL NO. 23-179****MASSAPEQUA**

14 SUNSET ROAD LLC: Variance to allow existing detached garage having less side yard setback, rear yard setback and exceeding maximum building coverage than permitted by Ordinance.

E/s/o Sunset Rd., N/o Suffolk Rd., a/k/a 14 Sunset Road, Massapequa, NY

SEC. 66**BLK. 12****LOT 58****ZONE R1-10**

HEARING NO. 9**APPEAL NO. 23-180****NORTH MASSAPEQUA**

JOSHUA RICKARD: (A) Variance to allow existing semi in-ground swimming pool having less side/front yard setback than permitted by Ordinance. (B) Variance to allow existing pool equipment having less side/front yard setback and rear yard setback than permitted by Ordinance. (C) Variance to allow existing 6 ft. high fence exceeding maximum height across side/front yard than permitted by Ordinance.

NW/ cor. of Northwest Blvd. & Jerusalem Ave., a/k/a 1 Northwest Boulevard, North Massapequa, NY

SEC. 48**BLK. 75****LOT 985****ZONE R1-7**

HEARING NO. 10**APPEAL NO. 23-181****BETHPAGE**

BETHPAGE GROUP LLC: (A) Variance to erect 19.8 ft. by 3.3 ft. illuminated wall sign located on North side of building exceeding maximum number of wall signs than permitted by Ordinance. (B) Variance to erect 3.8 ft. by 1.3 ft. non-illuminated freestanding sign located on North side of lot exceeding maximum number of freestanding signs than permitted by Ordinance.

S/s/o Hempstead Tpke., 106.6 ft. E/o Hicksville Rd., a/k/a 4070-4090 Hempstead Tpke., Bethpage, NY

SEC. 49**BLK. E****LOT 40****ZONE GB**

HEARING NO. 11**APPEAL NO. 23-182****BETHPAGE**

STEVE STALLONE: Variance to reconstruct new dwelling exceeding maximum building coverage, gross floor area and height than permitted by Ordinance.

N/s/o Brenner Ave., W/o S. Sheridan Ave, a/k/a 28 Brenner Avenue, Bethpage, NY

SEC. 46**BLK. 246****LOT 462****ZONE R1-7**

HEARING NO. 12**APPEAL NO. 23-183****BETHPAGE**

RAYMOND COSTANZO: (A) Variance to allow existing cellar entrance having less side yard setback than permitted by Ordinance. (B) Variance to allow existing 14 ft. by 18 ft. rear addition having less rear yard setback than permitted by Ordinance.

W/s/o West Ct., 169.83 ft. N/o Beverly Rd., a/k/a 8 West Court, Bethpage, NY

SEC. 46**BLK. 339****LOT 58****ZONE R1-7**

HEARING NO. 13**APPEAL NO. 23-184****HICKSVILLE**

RAJBIR SINGH: Variance to allow existing detached garage having less rear yard setback, exceeding maximum building coverage and height than permitted by Ordinance; also encroachment of eaves and gutters.

E/s/o Oak St., S/o Larch St., a/k/a 47 Oak Street, Hicksville, NY

SEC. 12**BLK. 253****LOT 26****ZONE R1-7**

HEARING NO. 14**APPEAL NO. 23-185****HICKSVILLE**

MOHAMMAD ASHRAF: (A) Variance to allow existing shed #1 and #2 having less side yard setback and exceeding maximum height than permitted by Ordinance. (B) Variance to allow existing shed #3 having less rear yard setback than permitted by Ordinance.

W/s/o Gardenia Ln., 90.5 ft. S/o Fuchia Ln., a/k/a 20 Gardenia Lane, Hicksville, NY

SEC. 12**BLK. 462****LOT 2****ZONE R1-7**

HEARING NO. 15**APPEAL NO. 23-186****HICKSVILLE**

MOHAMMED RABBANY: (A) Variance to construct second kitchen in a one-family dwelling for use as a **PARENT/CHILD** residence. (B) Variance to construct front portico exceeding maximum building coverage than permitted by Ordinance. (C) Variance to construct second story addition having less side yard setback than permitted by Ordinance.

W/s/o Stanford Ln., 300 ft. S/o Fordham Ave., a/k/a 11 Stanford Lane, Hicksville, NY

SEC. 45**BLK. 491****LOT 6****ZONE R1-7**

HEARING NO. 16**APPEAL NO. 23-187****HICKSVILLE**

JAMES HIGGINS: (A) Variance to construct two story addition and one story front addition having less side yard setback and aggregate side yards than permitted by Ordinance. (B) Variance to construct one story addition having less rear yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (C) Variance to construct two story addition, one story front addition and front roof over exceeding maximum building coverage than permitted by Ordinance. (D) Variance to construct two story addition, one story front addition, front roof over and allow existing second story rear dormer exceeding maximum gross floor area than permitted by Ordinance. (E) Variance to allow existing shed having less side yard setback than permitted by Ordinance.

E/s/o August Ln., 396.08 ft. S/o Abbot Ln., a/k/a 23 August Lane, Hicksville, NY

SEC. 45**BLK. 348****LOT 29****ZONE R1-7**

HEARING NO. 17**APPEAL NO. 23-188****PLAINVIEW**

JENNIFER WATTERS: (A) Variance to allow existing wood pool deck with steps to grade abutting semi in-ground swimming pool having less front yard setback (Keswick Lane) and exceeding maximum gross floor area than permitted by Ordinance. (B) Variance to allow existing semi in-ground swimming pool and pool filter having less front yard setback (Keswick Lane) than permitted by Ordinance. (C) Variance to allow existing 6.1 ft by 6.1 ft. shed and 7.1 ft. by 7.1 ft. shed having less rear yard setback than permitted by Ordinance. (D) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across front yard (Keswick Lane) and within 30 ft. of intersection than permitted by Ordinance. (E) Amend Specific Plan as presented for Appeal No. 90-242 and granted by Decision of the Zoning Board of Appeals, dated July 26, 1990 and amended by Decision of the Zoning Board of Appeals, dated August 3, 2000.

SW/ cor. of Argyle Rd. & Keswick Ln., a/k/a 1 Argyle Road, Plainview, NY

SEC. 46**BLK. 613****LOT 25****ZONE R1-7**

HEARING NO. 18**APPEAL NO. 23-189****PLAINVIEW**

BRETT VETENSKY: (A) Variance to erect 6 ft. high fence exceeding maximum height across side/front yard than permitted by Ordinance. (B) Variance to install pool equipment having less side yard setback and rear yard setback than permitted by Ordinance.

SE/ cor. of Adelphi Dr. & Cornell Dr., a/k/a 2 Adelphi Drive, Plainview, NY

SEC. 13**BLK. 94****LOT 12****ZONE R1-20**

HEARING NO. 19**APPEAL NO. 23-190****JERICO**

IRTAQUA JAMIL: (A) Variance to allow existing 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 1 when 2 parking spaces are required. (C) Variance to allow parking in required front yard. (D) Amend Specific Plan as presented for Appeal No. 08-283 granted by Decision of the Zoning Board of Appeals, dated July 10, 2008.

S/s/o Parkside Dr., 500 ft. W/o 18th St., a/k/a 18 Parkside Drive, Jericho, NY

SEC. 12**BLK. 205****LOT 16****ZONE R1-10**

HEARING NO. 20**APPEAL NO. 23-191****JERICO**

PATRICK AURAM: (A) Variance to construct second kitchen in a one-family dwelling for use as a PARENT/CHILD residence. (B) Variance to reconstruct new dwelling with rear roofed over deck and front portico having less aggregate side yards and exceeding maximum building coverage and gross floor area than permitted by Ordinance; also encroachment of eaves and gutters.

E/s/o Lydia Pl., 225 ft. S/o Robbins Ln., a/k/a 313 Lydia Place, Jericho, NY

SEC. 12**BLK. 536****LOT 4****ZONE R1-10**

HEARING NO. 21**APPEAL NO. 23-192****JERICO**

LORIANN VERGOS: (A) Variance to erect 6 ft. high vinyl fence exceeding maximum height across front yard (Forsythia Lane) than permitted by Ordinance. (B) Variance to allow existing roof over open porch having less side/front yard setback (Sagamore Way South) than permitted by Ordinance. (C) Variance to allow three (3) existing sheds having less rear yard setback than permitted by Ordinance. (D) Variance to allow existing roof over open porch, one story addition, two story addition and three (3) sheds exceeding maximum building coverage than permitted by Ordinance. (E) Variance to construct swimming pool having less front yard setback and side yard setback than permitted by Ordinance. (F) Variance to install pool heater and filter having less front yard setback and side yard setback than permitted by Ordinance. (G) Variance to allow existing hot tub having less side yard setback than permitted by Ordinance. (H) Variance to allow existing outdoor kitchen having less side yard setback than permitted by Ordinance. (I) Variance to allow parking in the required front yard.

NW/ cor. of Sagamore Way S. & Forsythia Ln., a/k/a 3 Sagamore Way South, Jericho, NY

SEC. 12**BLK. 627****LOT 12****ZONE R1-10**

HEARING NO. 22**APPEAL NO. 23-193****SYOSSET**

PIETRO DESERIO: (A) Variance to allow existing in-ground swimming pool having less side yard setback and rear yard setback than permitted by Ordinance. (B) Variance to allow existing pool equipment having less side yard setback than permitted by Ordinance. (C) Variance to allow existing 6+ ft. high fence exceeding maximum height than permitted by Ordinance.

W/s/o Lilac Dr., S/o Iris Ln., a/k/a 29 Lilac Drive, Syosset, NY

SEC. 25**BLK. 26****LOT 15****ZONE R1-10**

HEARING NO. 23

APPEAL NO. 23-194

GLEN HEAD

ROBERT HOLDEN: Variance to allow existing 6 ft. high fence exceeding maximum height across side/front yard than permitted by Ordinance.

NE/ cor. of Smith St. & Virginia St., a/k/a 54 Smith Street, Glen Head, NY

SEC. 20

BLK. 50

LOT 7

ZONE R1-7

HEARING NO. 24

APPEAL NO. 23-195

GLEN HEAD

PETER FILIPPI: Variance to allow existing 6.2 ft. x 10 ft. shed having less side yard setback than permitted by Ordinance.

E/s/o Coolidge Ave., S/o Washington Ave., a/k/a 40 Coolidge Avenue, Glen Head, NY

SEC. 20

BLK. 81

LOT 13

ZONE R1-7

HEARING NO. 25

APPEAL NO. 23-196

EAST NORWICH

CHRIS & LAURIE METAXAS: Variance to construct raised patio having less rear yard setback and exceeding maximum gross floor area than permitted by Ordinance.

SW/ cor. of Sunny Hill Dr. & Split Oak Dr., a/k/a 20 Sunny Hill Drive, East Norwich, NY

SEC. 27

BLK. 50

LOT 17

ZONE R1-10

HEARING NO. 26

APPEAL NO. 23-197

OYSTER BAY

GLENN MYHR: Variance to allow existing 4 ft. high vinyl fence exceeding maximum height within 30 ft. of intersection than permitted by Ordinance.

SW/ cor. of Sidney St. & Ships Point Ln., a/k/a 170 Sidney Street, Oyster Bay, NY

SEC. 27

BLK. 39

LOT 112

ZONE R1-10/OB

HEARING NO. HO 1

APPEAL NO. 23-71

HICKSVILLE

MARY NGUYEN: (A) Variance to allow existing front one story addition having less average front yard setback (Willoughby Avenue) and exceeding maximum building coverage than permitted by Ordinance. (B) Variance to allow existing raised roof on existing second floor addition having less roof pitch than permitted by Ordinance. (C) Variance to allow existing 4 ft. high PVC fence exceeding maximum height within 30 ft. of intersection than permitted by Ordinance. (D) Amend Specific Plan as presented for Appeal No. 08-156 and granted by Decision of the Zoning Board of Appeals, dated July 24, 2008.

NE/ cor. of Willoughby Ave. & Foran Pl., a/k/a 40 Willoughby Avenue, Hicksville, NY

SEC. 12

BLK. 193

LOT 16

ZONE R1-6

APRIL 24, 2023

BY ORDER OF THE ZONING BOARD OF APPEALS

TOWN OF OYSTER BAY, OYSTER BAY, NEW YORK