



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 - RAYMOND SPAGNUOLO

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 19, 2022*, at 7:00 P. M., to consider the following appeals:

BY ORDER OF THE ZONING BOARD OF APPEALS

HEARING NO. RC 1

APPEAL NO. 01-47 - AMENDMENT **SYOSSET**

DINA EVANGELISTA: (A) Amend Decision of Zoning Board of Appeals, dated January 18, 2001 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 Bluebird Dr., 80 ft. W/o Arbor Rd., a/k/a 50 Bluebird Drive, Syosset, NY
SEC. 15 **BLK. 108** **LOT 1** **ZONE R1-7**

HEARING NO. RC 2

APPEAL NO. 98-87 - AMENDMENT **BETHPAGE**

LISA FALCONE: (A) Amend Decision of Zoning Board of Appeals, dated February 19, 1998 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 Essex Rd., 330 ft. S/o Warwick Rd., a/k/a 67 Essex Road, Bethpage, NY
SEC. 46 **BLK. 155** **LOT 50** **ZONE R1-7**

HEARING NO. 1

APPEAL NO. 22-202 **MASSAPEQUA**

MARIA DAVILA: Variance to allow existing cellar entrance having less rear yard setback than permitted by Ordinance.

W/s/o Hicksville Rd., 71.15 ft. N/o Maple St., a/k/a 340 Hicksville Road, Massapequa, NY
SEC. 57 **BLK. 194** **LOT 118** **ZONE R1-7**

HEARING NO. 2

APPEAL NO. 22-203 **MASSAPEQUA**

CEDAR CARMANS, LLC: Variance to install 15.9 ft. by 6.5 ft. illuminated wall sign (West side of building) exceeding maximum height than permitted by Ordinance.

E/s/o Carmans Rd., 288 ft. N/o Bernard St., a/k/a 997 Carmans Road, Massapequa, NY
SEC. 53 **BLK. 160** **LOT 40** **ZONE NB**

HEARING NO. 3**APPEAL NO. 22-204****MASSAPEQUA**

MARK ANTONACCI: (A) Variance to construct second story addition and front portico having less average side/front yard setback (Roy Avenue) than permitted by Ordinance. (B) Variance to construct two story addition and second story addition having less rear yard setback than permitted by Ordinance. (C) Variance for the reduction of off-street parking spaces. Reduction of spaces to 1 when 2 parking spaces are required. (D) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across front yard and maximum height within 30 ft. of intersection than permitted by Ordinance.

SW/ cor. of Roy Ave. & S. Merrick Rd., a/k/a 5 Roy Avenue, Massapequa, NY

SEC. 66

BLK. 14

LOT 1

ZONE R1-10

HEARING NO. 4**APPEAL NO. 22-205****MASSAPEQUA**

DON CARNEY: (A) Variance to allow existing detached garage having less side yard setback, rear yard setback and exceeding maximum height than permitted by Ordinance. (B) Variance to allow existing one story rear addition, front roof over porch and detached garage exceeding maximum building coverage than permitted by Ordinance.

N/s/o Rutland Rd., 420.84 ft. W/o Marlboro Ave., a/k/a 17 Rutland Road, Massapequa, NY

SEC. 52

BLK. 399

LOT 26

ZONE R1-7

HEARING NO. 5**APPEAL NO. 22-206****MASSAPEQUA**

KRISTINA WEPPLER: Variance to install in-ground swimming pool having less front yard setback than permitted by Ordinance.

SW/ cor. of Park Lane Pl. & Alhambra Rd., a/k/a 30 Park Lane Place, Massapequa, NY

SEC. 65

BLK. 95

LOT 240

ZONE R1-7

HEARING NO. 6**APPEAL NO. 22-207****MASSAPEQUA**

JOHN ODDO: (A) Variance to construct hot tub with abutting raised patio and roof over kitchen atop raised patio having less front yard setback and exceeding maximum gross floor area than permitted by Ordinance. (B) Variance to construct roof over kitchen atop raised patio exceeding maximum height, rear yard coverage and building coverage than permitted by Ordinance. (C) Amend Specific Plans as presented for Appeal No. 99-325 and granted by Decision of the Zoning Board of Appeals, dated July 29, 1999 and for Appeal No. 18-412 and granted by Decision of the Zoning Board of Appeals, dated September 20, 2018.

S/s/o St. Marks Pl., 120 ft. W/o Seaford Ave., a/k/a 12 St. Marks Place, Massapequa, NY

SEC. 65

BLK. 901

LOT 243

ZONE R1-7

HEARING NO. 7**APPEAL NO. 22-208****MASSAPEQUA**

ERIC GIULIANI: (A) Variance to install in-ground swimming pool having less side yard setback and rear yard setback than permitted by Ordinance. (B) Variance to allow existing 6.9 ft. by 10.4 ft. shed having less front yard setback and side 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.

SW/ cor. of Peconic Dr. & Greatwater Ave., a/k/a 36 Peconic Drive, Massapequa, NY

SEC. 66

BLK. 55

LOT 32

ZONE R1-10

HEARING NO. 8**APPEAL NO. 22-209****MASSAPEQUA**

BRAD GRIGGS: (A) Variance to install swimming pool, pool filter and electric pool heater having less front yard setback than permitted by Ordinance. (B) Variance to install hot tub and gas barbeque having less side yard setback than permitted by Ordinance. (C) Variance to allow existing 7.5 ft. by 5.55 ft. shed having less side yard setback and rear yard setback than permitted by Ordinance. (D) Variance to erect 6 ft. high fence exceeding maximum height across front yard (Stillwater Avenue) and maximum height within 30 ft. of intersection than permitted by Ordinance. (E) Amend Specific Plans as presented for Appeal No. 63-373 and granted by Decision of the Zoning Board of Appeals, dated August 1, 1963, and for Appeal No. 68-213 and granted by Decision of the Zoning Board of Appeals, dated May 21, 1968, and for Appeal No. 71-461 and granted by Decision of the Zoning Board of Appeals, dated November 11, 1971 and for Appeal No. 00-248 and granted by Decision of the Zoning Board of Appeals, dated June 1, 2000.

NE/ cor. of Tidewater Ave. & Stillwater Ave., a/k/a 72 Tidewater Avenue, Massapequa, NY
SEC. 66 BLK. 87 LOT 32 ZONE R1-10

HEARING NO. 9**APPEAL NO. 22-210****MASSAPEQUA**

FRED LEDETSCH: 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.

N/s/o Chicago Ave., 101.46 ft. E/o Seaford Ave., a/k/a 3 Chicago Avenue, Massapequa, NY
SEC. 52 BLK. 243 LOT 1190 ZONE R1-7

HEARING NO. 10**APPEAL NO. 22-211****NORTH MASSAPEQUA**

ROBERT RIEGEL: (A) Variance to allow existing cellar entrance having less side yard setback than permitted by Ordinance. (B) Variance to allow existing 15.6 ft. by 4.2 ft. side platform with steps to grade and cellar entrance having less aggregate side yards than permitted by Ordinance. (C) Variance to allow existing platform with steps to grade exceeding maximum building coverage than permitted by Ordinance. (D) Amend Specific Plan as presented for Appeal No. 07-248 and granted by Decision of the Zoning Board of Appeals, dated June 21, 2007.

S/s/o N. Poplar St., 100 ft. W/o N. Central Ave., a/k/a 248 N. Poplar Street, North Massapequa, NY
SEC. 52 BLK. 80 LOT 46 ZONE R1-10

HEARING NO. 11**APPEAL NO. 22-212****NORTH MASSAPEQUA**

DION & TANIA VISCONTI: (A) Special Use Permit to allow an existing home business (Chiropractor's Office) in a one-family dwelling. (B) 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.

E/s/o Hicksville Rd., 59 ft. S/o N. Hickory St, a/k/a 888 Hicksville Road, North Massapequa, NY
SEC. 52 BLK. 347 LOT 34 ZONE R1-7

HEARING NO. 12**APPEAL NO. 22-213****FARMINGDALE**

THOMAS GARRY: (A) Variance to allow existing roofed-over front porch having less average front yard setback than permitted by Ordinance. (B) Variance to allow existing front porch and 8 by 8 ft. shed having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (C) Variance to allow existing swimming pool, pool deck and pool filter having less side yard setback than permitted by Ordinance. (D) Variance to allow existing air conditioning unit having less side yard setback than permitted by Ordinance. (E) Variance for the reduction of off-street parking spaces. Reduction of spaces to 1 when 2 parking spaces are required.

N/s/o Michel Ave., 229.90 ft. E/o Powell St., a/k/a 17 Michel Avenue, Farmingdale, NY
SEC. 48 BLK. 512 LOT 43 ZONE R1-7

HEARING NO. 13**APPEAL NO. 22-214****BETHPAGE**

KENNETH WHITE: (A) Variance to allow existing wood deck having less rear yard setback than permitted by Ordinance. (B) Variance to allow existing shed 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.

E/s/o Plainview Rd., 601.36 ft. S/o Hay Path, a/k/a 665 Plainview Road, Bethpage, NY
SEC. 47 BLK. 138 LOT 16 ZONE R1-10

HEARING NO. 14**APPEAL NO. 22-215****HICKSVILLE**

JOHN DEMARTINO: (A) Variance to allow existing front portico having less average front yard setback than permitted by Ordinance. (B) Variance to allow existing shed having less side yard setback and aggregate side yards than permitted by Ordinance. (C) Variance to allow existing second story dormer having less roof pitch than permitted by Ordinance. (D) Variance to allow existing front portico, shed, one story rear addition and rear roof over exceeding maximum building coverage than permitted by Ordinance.

S/s/o Waters Ave., 308.22 ft. E/o Bay Ave., a/k/a 11 Waters Avenue, Hicksville, NY
SEC. 12 BLK. 184 LOT 135 ZONE R1-6

HEARING NO. 15**APPEAL NO. 22-216****HICKSVILLE**

JEFFREY MOODY: (A) Variance to construct garage addition having less rear yard setback, exceeding maximum building coverage and gross floor area than permitted by Ordinance. (B) Amend Specific Plans as presented for Appeal No. 17-269 and granted by Decision of the Zoning Board of Appeals, dated June 29, 2017 and for Appeal No. 17-270 and granted by Decision of the Zoning Board of Appeals, dated June 29, 2017.

NW/ cor. of Ketchams Rd. & Mack Ave., a/k/a 18 Ketchams Road, Hicksville, NY
SEC. 12 BLK. 320 LOT 31 ZONE R1-7

HEARING NO. 16**APPEAL NO. 22-217****OLD BETHPAGE**

JOSEPH DISTEFANO: (A) Variance to allow existing pool filter and pool heater having less front yard setback than permitted by Ordinance. (B) Variance to allow existing front platform with steps to grade having less average front yard setback than permitted by Ordinance.

S/s/o Lido Pl., 106.95 ft. W/o Barry Ln. E., a/k/a 3 Lido Place, Old Bethpage, NY
SEC. 47 BLK. 133 LOT 11 ZONE R1-10

HEARING NO. 17**APPEAL NO. 22-218****PLAINVIEW**

JEFFREY AGOGLIA: Variance to allow existing portico exceeding maximum building coverage than permitted by Ordinance.

W/s/o Elmwood St., 100 ft. S/o Virginia Ave., a/k/a 106 Elmwood Street, Plainview, NY
SEC. 12 **BLK. 29** **LOT 59** **ZONE R1-7**

HEARING NO. 18**APPEAL NO. 22-219****PLAINVIEW**

ABRAHAM LENDERMAN: Variance to erect 6 ft. high fence exceeding maximum height across front yard than permitted by Ordinance.

SW/ cor. of Millford Dr. & Ruey Pl., a/k/a 15 Millford Drive, Plainview, NY
SEC. 13 **BLK. 43** **LOT 16** **ZONE R1-20**

HEARING NO. 19**APPEAL NO. 22-220****PLAINVIEW**

STEVEN VEROXIE: **(A)** Variance to construct front stoop with steps to grade having less average front yard setback than permitted by Ordinance. **(B)** Variance to construct second floor addition having less aggregate side yards than permitted by Ordinance.

W/s/o Spector Ln., 438.43 ft. N/o Stauber Dr., a/k/a 17 Spector Lane, Plainview, NY
SEC. 12 **BLK. 402** **LOT 30** **ZONE R1-7**

HEARING NO. 20**APPEAL NO. 22-221****JERICO**

ROBERT HASER: Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

S/s/o Cumberland Rd., 100 ft. W/o Deer Ln., a/k/a 35 Cumberland Road Jericho, NY
SEC. 12 **BLK. 522** **LOT 8** **ZONE R1-7**

HEARING NO. 21**APPEAL NO. 22-222****SYOSSET**

HOLLY SIGMAN: Variance to construct second story rear deck with steps to grade having less average front yard setback (Cold Spring Road) than permitted by Ordinance.

SW/ cor. of Southwoods Rd. & Cold Spring Rd., a/k/a 2 Southwoods Road, Syosset, NY
SEC. 25 **BLK. G** **LOT 298B** **ZONE R1-20**

HEARING NO. 22**APPEAL NO. 22-223****SYOSSET**

ASHOK K. AGRAWAL: **(A)** Variance to construct new dwelling having less average front yard setback and exceeding maximum gross floor area than permitted by Ordinance; also encroachment of eaves and gutters. **(B)** Variance to construct new dwelling and allow existing shed exceeding maximum building coverage than permitted by Ordinance. **(C)** Variance to allow existing shed having less side yard setback than permitted by Ordinance.

E/s/o Southwood Cir., 245 ft. S/o James St., a/k/a 183 Southwood Circle, Syosset, NY
SEC. 15 **BLK. 99** **LOT 5** **ZONE R1-7**

HEARING NO. 23**APPEAL NO. 22-224****SYOSSET**

SYOSSET CAP, LLC: Variance for the reduction of off-street parking spaces. Reduction of spaces to 94 when 119 parking spaces are required.

W/s/o Eileen Way, 239.18 ft. E/o W. Jericho Tpke., a/k/a 115 Eileen Way, Syosset, NY
SEC. 15 **BLK. 157** **LOT 38** **ZONE LI**

HEARING NO. 24**APPEAL NO. 22-225****SYOSSET**

JOSHUA HOROWITZ: Variance to install pool equipment having less side yard setback than permitted by Ordinance.

E/s/o Azalea Dr., 528.72 ft. N/o Crocus Dr., a/k/a 14 Azalea Drive, Syosset, NY
SEC. 25 **BLK. 26** **LOT 8** **ZONE R1-10**

HEARING NO. HO 1**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**

HEARING NO. HO 2**APPEAL NO. 22-107****MASSAPEQUA**

JOSEPH CHIARELLI: **(A)** Variance to allow existing raised patio exceeding maximum building coverage and gross floor area than permitted by Ordinance. **(B)** Variance to allow existing shed abutting dwelling having less side yard setback 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. 08-396 and granted by Decision of the Zoning Board of Appeals, dated October 2, 2008.

W/s/o Bayview Ave., 107.32 ft. S/o Cabot Rd. W., a/k/a 308 Bayview Avenue, Massapequa, NY
SEC. 65 **BLK. 102** **LOT 220** **ZONE R1-7**

HEARING NO. HO 3**APPEAL NO. 22-193****HICKSVILLE**

PATRICK MADDEN: **(A)** Variance to construct two-family dwelling in GB Zoning District. **(B)** Variance to construct two-family dwelling having less lot area than permitted by Ordinance. **(C)** Variance to construct two-family dwelling having less habitable area than permitted by Ordinance. **(D)** Variance to allow proposed two-family dwelling to be non-owner occupied. **(E)** Variance to construct two-family dwelling from the conversion of a structure used as commercial property.

E/s/o Bay Ave., 275 ft. S/o Lotie Ave., a/k/a 101 Bay Avenue, Hicksville, NY
SEC. 12 **BLK. 182** **LOT 26** **ZONE GB**

HEARING NO. HO 4

APPEAL NO. 22-167

SYOSSET

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, Syosset, NY
SEC. 12 BLK. 445 LOT 8 ZONE R1-10

MAY 9, 2022

BY ORDER OF THE ZONING BOARD OF APPEALS

TOWN OF OYSTER BAY, OYSTER BAY, NEW YORK