# 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 scheduled a public meeting, which will take place in the Town Hall Meeting Room, Audrey Ave, Oyster Bay, New York, on June 1, 2023 at 7:00 PM to consider the following appeals:

### BY ORDER OF THE ZONING BOARD OF APPEALS

### **HEARING NO. 1**

### **APPEAL NO. 23-217**

JONATHAN LOVAGLIO: (A) Variance to construct roof over existing deck and wood deck extension 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. (C) Variance to allow existing above-ground swimming pool having less side yard setback than permitted by Ordinance. (D) Variance to allow existing pool equipment having less side yard setback than permitted by Ordinance. (E) Variance to erect 6 ft. high PVC fence having less setback from pool edge, exceeding maximum height across front yard (Herbert Avenue) and within 30 ft. of intersection than permitted by Ordinance. (F) Amend Specific Plan as presented for Appeal No. 91-232 and granted by Decision of the Zoning Board of Appeals, dated July 11, 1991.

SW/ cor. of Block Blvd. & Herbert Ave., a.k.a. 99 Block Boulevard, Massapequa Park, NY

| SEC: 53           | BLK: 178 | LOT: 29  | ZONE: R1-7  |
|-------------------|----------|----------|---|
| HEARING NO. 2     |          |          |   |
| APPEAL NO. 23-216 |          |          | MASSAPEQUA  |
|                   |          | <b>e</b> | yard setback than permitted by Ordinance.<br>tback and rear yard setback than permitted |

by Ordinance. (C) Variance to allow existing 7 ft. by 7 ft. shed having less rear yard setback than permitted by Ordinance.

SW/ cor. of Brewster Rd. W. & Beverly Rd., a.k.a. 12 Brewster Road West, Massapequa, NY

| SEC: 65   | BLK: 168                           | LOT: 157                           | ZONE: R1-7                                  |  |
|---|------------------------------------|------------------------------------|---|--|
| HEARING NO. 3   |                                    |                                    |   |  |
| APPEAL NO. 23-218   |                                    |                                    | MASSAPEQUA                                  |  |
| JOHN & TONIANN COLLINS: (A) Variance to construct driveway having less side yard setback than permitted by Ordinance.<br>Amend Specific Plan as presented for Appeal No. 01-75 and granted by Decision of the Zoning Board of Appeals, dated Februa<br>15, 2001.<br>W. side of Marie Place 230 ft. N. of Bayview Place, a.k.a. 58 Marie Place, Massapequa, NY |                                    |                                    |   |  |
| SEC: 65   | BLK: 204                           | LOT: 10                            | ZONE: R1-7                                  |  |
| HEARING NO. 4   |                                    |                                    |   |  |
| APPEAL NO. 23-219   |                                    |                                    | MASSAPEQUA                                  |  |
| BRYAN BERGIN: (A)   | /ariance to allow existing gas bar | beque and trellis having less side | e 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. (C) Variance to allow existing outdoor shower having less side yard setback and aggregate side yards than permitted by Ordinance. (D) Variance to allow existing enclosed porch having less rear yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (E) Variance to allow existing trellis exceeding maximum building coverage than permitted by Ordinance. (F) Variance to allow existing trellis and front platform with steps to grade exceeding maximum gross floor area than permitted by Ordinance. (G) Amend Specific Plan as presented for Appeal No. 12-423 and granted by Decision of the Zoning Board of Appeals, dated December 13, 2012.

S. side of Neptune Place 120 ft. W. of Alhambra Road, a.k.a. 116 Neptune Place, Massapequa, NY

| SEC: 65       | BLK: 94 | LOT: 179 | ZONE: R1-6 |
|---------------|---------|----------|------------|
| HEARING NO. 5 |         |          |            |

### **APPEAL NO. 23-250**

ANTHONY ST. GEORGE: (A) Variance to allow existing driveway having less side yard setback than permitted by Ordinance. (B) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across side/front yard (Lafayette Place) than permitted by Ordinance. (C) Variance to allow existing 3 ft. high PVC picket fence exceeding maximum height within 30 ft. of intersection than permitted by Ordinance. (D) Variance to allow existing 4 ft. high metal pole and screen pool fencing having less setback from pool edge than permitted by Ordinance.

NE/ cor. of Harrison Ave. & LaFayette Pl., a.k.a. 303 Harrison Avenue, Massapequa, NY

| SEC: 65 | BLK: 197 | LOT: 1 | ZONE: R1-7 |
|---------|----------|--------|------------|
| JLC. 0J | DLR. 137 | 101.1  | 20ML. N1-7 |

### **MASSAPEQUA PARK**

MASSAPEQUA

## <u>1</u>

**ROCCO M CARBONARO:** (A) Variance to allow existing front platform with steps to grade having less front yard setback than permitted by Ordinance. (B) Variance to allow existing shed with bathroom attached to dwelling having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters.

W. side of Florgate Road 354.92 ft. S. of Miller Road, a.k.a. 30 Florgate Road, Farmingdale, NY

| SEC: 49       | BLK: 265 | LOT: 6 | ZONE: R1-7 |
|---------------|----------|--------|------------|
| HEARING NO. 7 |          |        |            |

### APPEAL NO. 23-252

**DAWN MARIE SAUNDERS:** (A) Variance to construct one story addition having less side yard setback, rear yard setback and exceeding maximum building coverage than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to allow existing cellar entrance having less average front yard setback than permitted by Ordinance. (C) Variance to allow existing hot tub having less front yard setback than permitted by Ordinance. (D) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across front yard (South side) than permitted by Ordinance.

N/s/o Parkdale Dr., S/o Grant St., a.k.a. 3 Parkdale Drive, Farmingdale, NY

| SEC: 48                    | BLK: 567                         | LOT: 41                            | ZONE: R1-10                         |
|----------------------------|----------------------------------|------------------------------------|-------------------------------------|
| HEARING NO. 8              |                                  |                                    |                                     |
| <u>APPEAL NO. 23-253</u>   |                                  |                                    | FARMINGDALE                         |
| DAWN MARIE SAUNDERS: Varia | ance to construct second kitcher | n in a one-family dwelling for use | as a <b>PARENT/CHILD</b> residence. |

N/s/o Parkdale Dr., S/o Grant St., a.k.a. 3 Parkdale Drive, Farmingdale, NY

| SEC: 48       | BLK: 567 | LOT: 41 | ZONE: R1-10 |
|---------------|----------|---------|-------------|
| HEARING NO. 9 |          |         |             |

APPEAL NO. 23-212

**SUNLAN CHOI**: (A) Variance to construct rear deck with two (2) sets of steps to grade and one story addition having less side yard setback than permitted by Ordinance. (B) Variance to construct rear deck with two (2) sets of steps to grade having less rear yard setback than permitted by Ordinance. (C) Variance to construct rear addition exceeding maximum building coverage than permitted by Ordinance. (D) Variance to construct second story shed dormer, one story addition and rear deck with two (2) sets of steps to grade exceeding maximum gross floor area than permitted by Ordinance.

N. side of Harrison Ave., 989 ft. E. of McCord Pl., a.k.a. 180 Harrison Avenue, Bethpage, NY

| SEC: 46                  | BLK: 627 | LOT: 46 | <b>ZONE: R1-6</b> |  |
|--------------------------|----------|---------|-------------------|--|
| HEARING NO. 10           |          |         |                   |  |
| <b>APPEAL NO. 23-256</b> |          |         | BETHPAGE          |  |

APPEAL NO. 23-256

**STEVE & JEANNE GILBERT:** (A) Variance to construct 47.2 ft. by 42.6 ft. new dwelling replacing existing dwelling on partial existing and partial new foundation having less aggregate side yards, exceeding maximum building coverage and gross floor area than permitted by Ordinance. (B) Amend Specific Plans as presented for Appeal No. 74-13 and granted by Decision of the Zoning Board of Appeals, dated January 10, 1974 and for Appeal No. 72-330 and granted by Decision of the Zoning Board of Appeals, dated September 6, 1972.

E/s/o N. Windhorst Ave., 162.50 ft. S/o Sophia St., a.k.a. 112 N. Windhorst Avenue, Bethpage, NY

| SEC: 49                      | BLK: 105                              | LOT: 595                        | ZONE: R1-7  |
|------------------------------|---------------------------------------|---------------------------------|---|
| HEARING NO. 11               |                                       |                                 |   |
| APPEAL NO. 23-215            | <u>i</u>                              |                                 | HICKSVILLE  |
| Amend Specific Plar<br>2022. | n as presented for Appeal No. 22-     | 237 and granted by Decision of  | setback than permitted by Ordinance. <b>(B)</b><br>the Zoning Board of Appeals, dated June 2, |
| E/S/O Kraemer St., a         | 369.4 ft. E/o Cherry St., a.k.a. 61 K | raemer Street, Hicksville, NY   |   |
| SEC: 12                      | BLK: 190                              | LOT: 47                         | <b>ZONE: R1-6</b>   |
| HEARING NO. 12               |                                       |                                 |   |
| APPEAL NO. 23-249            | <u>)</u>                              |                                 | HICKSVILLE  |
| SARIKA KAPOOR: (             | (A) Variance to construct new d       | welling having less rear yard s | etback than permitted by Ordinance; also  |

**SARIKA KAPOOR:** (A) Variance to construct new dwelling having less rear yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to construct driveway having less rear yard setback than permitted by Ordinance.

NE/ cor. of Pollack Pl. & Honved St., a.k.a. 123 Pollok Place, Hicksville, NY

| SEC: 12 | BLK: 301 | LOT: 5 | <b>ZONE: R1-7</b> |
|---------|----------|--------|-------------------|
|---------|----------|--------|-------------------|

### HEARING NO. 6

## APPEAL NO. 23-211

FARMINGDALE

FARMINGDALE

**BETHPAGE** 

| E/s/o Bluebird Ln., 29   | 94.72 ft. N/o Parkway Dr., a.k.a | . 32 Bluebird Lane, Plainview, N | ١Y   |
|--------------------------|----------------------------------|----------------------------------|--|
| SEC: 47                  | BLK: 148                         | LOT: 3                           | ZONE: R1-7                                   |
| HEARING NO. 14           |                                  |                                  |  |
| <u>APPEAL NO. 23-225</u> |                                  |                                  | <b>PLAINVIEW</b>                             |
|                          | • •                              | <b>o</b> ,                       | outdoor kitchen having less side yard setbac |

JE k than permitted by Ordinance. (B) Variance to allow existing pool equipment having less side yard setback than permitted by Ordinance. (C) Amend Specific Plan as presented for Appeal No. 21-403 and granted by Decision of the Zoning Board of Appeals, dated September 9, 2021.

E. side of Cornell Dr., 609.52ft. N. of Adelphi Dr., a.k.a. 70 Cornell Drive, Plainview, NY

| SEC: 13        | BLK: 95 | LOT: 7 | ZONE: R1-20 |  |
|----------------|---------|--------|-------------|--|
| HEARING NO. 15 |         |        |             |  |

APPEAL NO. 23-213

391 JERICHO PARTNERS LLC: (A) Variance to allow existing 25.6 ft. by 3.7 ft. illuminated wall sign located on South side of building exceeding maximum number of wall signs per tenancy and square footage than permitted by Ordinance (Sign E04). (B) Variance to allow existing 0.9 ft. by 1.3 ft. non-illuminated wall sign located on norther sign of the ATM drive-thru canopy exceeding maximum number of wall signs per tenancy than permitted by Ordinance (Sign E11). (C) Variance to allow existing 2 ft. by 1.7 ft. non-illuminated freestanding sign located at curb cut along Jericho Turnpike having less front yard setback than permitted by Ordinance (Sign E06). (D) Variance to allow existing 0.9 ft. by 1.3 ft. non-illuminated freestanding sign located on East side of lot exceeding maximum number of freestanding signs per tenancy than permitted by Ordinance (Sign E10). (E) Variance to allow existing 0.9 ft. by 1.3 ft. non-illuminated freestanding sign located on East side of lot exceeding maximum number of freestanding signs per tenancy than permitted by Ordinance (Sign E09). (F) Variance to allow existing 0.9 ft. by 1.3 ft. non-illuminated freestanding sign located on East side of lot exceeding maximum number of freestanding signs per tenancy than permitted by Ordinance (Sign E08). (G) Variance to allow existing 0.9 ft. by 1.3 ft. non-illuminated freestanding sign located on southeast corner of lot exceeding maximum number of freestanding signs per tenancy than permitted by Ordinance (Sign E07).

SE/ cor. of Jericho Tpke. & Merry Ln., a.k.a. 391 Jericho Turnpike, Jericho, NY

| -,,               |        |           |          |
|-------------------|--------|-----------|----------|
| SEC: 12           | BLK: A | LOT: 1095 | ZONE: GB |
| HEARING NO. HO 1  |        |           |          |
| 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.

| SEC. 14                               | BLK. E                              | LOT 16                              | ZONE NB                                |  |
|---------------------------------------|-------------------------------------|-------------------------------------|--|--|
| HEARING NO. HO                        | 2                                   |                                     |  |  |
| APPEAL NO. 23-13                      | <u>4</u>                            | MASSAPEQUA                          |  |  |
| PETER & AUGUSTA<br>permitted by Ordin |                                     | existing 6 ft. high fence exceeding | g maximum height across front yard tha |  |
| S/s/o McKinley Pl.,                   | 180 ft. W/o Seaford Ave., a/k/a 2   | 2 McKinley Place, Massapequa, N     | Y                                      |  |
| SEC. 65                               | BLK. 6                              | LOT 139                             | ZONE R1-7                              |  |
| HEARING NO. HO                        | 3                                   |                                     |  |  |
| APPEAL NO. 23-16                      | 5                                   | BETHPAGE                            |  |  |
| JOSHUA GIBBS: Va                      | ariance to construct new dwelling   | g exceeding maximum gross floor     | area than permitted by Ordinance.      |  |
|                                       |                                     | /k/a 70 Sucamora Avanua Bathna      | ge. NY                                 |  |
| S/s/o Sycamore Av                     | e., 281.06 ft. E/o Stewart Ave., a/ | rkja 79 Sycamore Avenue, betripa    |  |  |

# **BY ORDER OF THE ZONING BOARD OF APPEALS** TOWN OF OYSTER BAY, OYSTER BAY, NEW YORK

### **HEARING NO. 13**

### **APPEAL NO. 23-214**

**PLAINVIEW** JOSEPH MCMICHAEL & ANNETTE CARBONE-MCMICHAEL: (A) Variance to allow existing driveway having less rear yard setback

**JERICHO** 

than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 21-561 and granted by Decision of the Zoning

Board of Appeals, dated December 16, 2021.