



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

ARLENE VAN LOAN, *Chairwoman* - LOIS SCHMITT - LEWIS J. YEVOLI - RITA BYRNE
KATHLEEN MULLIGAN - JOHN J. FANNING - REBECCA M. ALESIA

PUBLIC HEARING CALENDAR

NOTICE OF PUBLIC MEETING BY THE ZONING BOARD OF APPEALS
Pursuant to the provisions of *Chapter 246, Article III, Section 246-18-E* 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 *JUNE 4, 2020*, at 7:00 P. M., to consider the following appeals:
BY ORDER OF THE ZONING BOARD OF APPEALS

Pursuant to the provisions of Chapter 246, Article III, Section 246-18-E of the Code of the Town of Oyster Bay, and New York State Executive Order No. 202.1, et. seq. 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, 54 Audrey Avenue, Oyster Bay, New York, on JUNE 4, 2020, at 7:00 P.M., to be held remotely, and the public has the ability to view or listen to such proceeding via live stream at www.oysterbaytown.com, and that such meeting will be recorded and later transcribed, to consider the following appeal:

MEMBERS OF THE PUBLIC MAY COMMENT ON APPLICATIONS.
COMMENTS TO BE HEARD ON THE NIGHT OF THE HEARING AND ENTERED INTO THE RECORD AT THAT TIME MUST BE RECEIVED BY THE ZONING BOARD OF APPEALS BY 4 P.M. THE DATE OF THE HEARING, COMMENTS TO BE ENTERED INTO THE RECORD FOLLOWING THE HEARING MUST BE RECEIVED BY THE NEXT WEDNESDAY FOLLOWING THE HEARING DATE BY 4 P.M.

COMMENTS SHALL BE SENT EITHER:
VIA E-MAIL TO: SCLONINGER@OYSTERBAY-NY.GOV
VIA MAIL TO: ZONING BOARD OF APPEALS
74 Audrey Avenue
Oyster Bay, NY 11771

BY ORDER OF THE ZONING BOARD OF APPEALS

HEARING NO. RC 1

APPEAL NO. 90-246- AMENDMENT **OYSTER BAY**

JOHN M. COLLINS: Amend Specific Plan as presented for Appeal No. 90-246 and granted by Decision of the Zoning Board of Appeals, dated July 26, 1990, for the conversion of second and third story office space to residential apartments, thereby requiring the reduction of off-street parking spaces. Reduction of spaces to 0 when 21 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. RC 2

APPEAL NO. 90-237- AMENDMENT **LOCUST VALLEY**

SHARON CLEARY: Amend Specific Plan as presented for Appeal No. 90-237 and granted by Decision of the Zoning Board of Appeals, dated July 26, 1990, for the submittal of amended plans.

S/s/o Soundview Pl., 168.82 ft. W/o Birch Hill Rd., a/k/a 25 Soundview Place, Locust Valley, NY
SEC. 30 **BLK. 17** **LOT 74** **ZONE R1-6**

HEARING NO. RC 3

APPEAL NO. 19-244- AMENDMENT

MASSAPEQUA

JOSEPH SPRATT: Amend Specific Plan as presented for Appeal No. 19-244 and granted by Decision of the Zoning Board of Appeals, dated May 23, 2019, for the submittal of amended plans.

S/s/o Garfield Pl., 214.57 ft. E/o Forest Ave., a/k/a 110 Garfield Place, Massapequa, NY
SEC. 65 BLK. 135 LOT 350 ZONE R1-7

HEARING NO. 1

APPEAL NO. 20-111

MASSAPEQUA

JOSEPH TRAMONTANO: Variance to allow existing 6 ft. high fence exceeding maximum height across side/front yard (Parkhill Avenue) than permitted by Ordinance.

NE/ cor. of Forest Ave. & Parkhill Ave., a/k/a 568 Forest Avenue, Massapequa, NY
SEC. 52 BLK. 258 LOT 962 ZONE R1-7

HEARING NO. 2

APPEAL NO. 20-112

MASSAPEQUA

RANDOLPH AQUINA: (A) Variance to allow existing swimming pool and pool deck 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 driveway having less side yard setback than permitted by Ordinance.

S/s/o Massachusetts Ave., 260 ft. W/o Central Ave., a/k/a 100 Massachusetts Ave., Massapequa, NY
SEC. 52 BLK. 179 LOT 697 ZONE R1-7

HEARING NO. 3

APPEAL NO. 20-113

MASSAPEQUA

STEPHANIE SHEEHAN: (A) Variance to allow existing bay window and open porch having less average front yard setback than permitted by Ordinance. (B) Variance to allow existing side deck and roofed over deck having less side yard setback than permitted by Ordinance. (C) Variance to allow existing chimney having less side yard setback than permitted by Ordinance. (D) Variance to allow existing roof over deck having less aggregate side yards than permitted by Ordinance. (E) Variance to allow existing rear roofed over deck, side deck and front open porch exceeding maximum building coverage than permitted by Ordinance. (F) Variance to allow existing hot tub having less side yard setback than permitted by Ordinance. (G) Variance to allow existing air conditioning unit having less side yard setback than permitted by Ordinance.

E/s/o Carman St., 298.88 ft. S/o Seaview St., a/k/a 64 Carman Street, Massapequa, NY
SEC. 66 BLK. 97 LOT 72 ZONE R1-10

HEARING NO. 4

APPEAL NO. 20-114

MASSAPEQUA

RICHARD MORGENSTERN: (A) Variance to allow existing lower level rear deck having less aggregate side yards than permitted by Ordinance. (B) Variance to allow existing rear deck, rear second story deck and rear roof over patio conversion to habitable space exceeding maximum building coverage and gross floor area than permitted by Ordinance.

W/s/o S. Riviera Dr., S/o Clearview Ln., a/k/a 300 S. Riviera Drive, Massapequa, NY
SEC. 65 BLK. 228 LOT 14 ZONE R1-10

HEARING NO. 5**APPEAL NO. 20-115****MASSAPEQUA**

RYAN TOJZA: (A) Variance to allow existing rear deck having less side yard setback and 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 construct second story addition having less roof pitch than permitted by Ordinance.

S/s/o Pittsburgh Ave., 101.06 ft. E/o Franklin Ave., a/k/a 126 Pittsburgh Ave., Massapequa, NY
SEC. 52 BLK. 167 LOT 2704 ZONE R1-7

HEARING NO. 6**APPEAL NO. 20-116****MASSAPEQUA**

REAL REALTY MANAGEMENT CORP.: Variance to construct detached garage having less front yard setback and exceeding maximum height than permitted by Ordinance.

E/s/o W. Bayview Ave. 203.93 ft. N/o Cabot Rd. W., a/k/a 331 W. Bayview Avenue, Massapequa, NY
SEC. 65 BLK. 103 LOT 36 ZONE R1-7

HEARING NO. 7**APPEAL NO. 20-117****MASSAPEQUA**

MICHAEL BATISTA: (A) Variance to construct one story addition having less aggregate side yards than permitted by Ordinance. (B) Variance to construct one story addition and portico exceeding maximum building coverage than permitted by Ordinance.

S/s/o Elm St., 180 ft. W/o Forest Ave., a/k/a 30 Elm Street, Massapequa, NY
SEC. 57 BLK. 185 LOT 25 ZONE R1-7

HEARING NO. 8**APPEAL NO. 20-118****NORTH MASSAPEQUA**

MARTIN KANE: Variance to construct front porch having less average front yard setback than permitted by Ordinance.

N/s/o N. Utica Ave., 700 ft. W/o N. Central Dr., a/k/a 307 N. Utica Avenue, North Massapequa, NY
SEC. 52 BLK. 68 LOT 435 ZONE R1-7

HEARING NO. 9**APPEAL NO. 20-119****FARMINGDALE**

KEITH & SHARI PETZOLD: (A) Variance to allow existing deck surrounding swimming pool abutting dwelling having less side yard setback than permitted by Ordinance. (B) Variance to allow existing pool filter having less side yard setback than permitted by Ordinance. (C) Variance to allow existing shed and masonry barbeque having less side yard setback than permitted by Ordinance. (D) Variance to allow existing 7 ft. high PVC fence exceeding maximum height than permitted by Ordinance.

SW/ cor. of Andrew Rd. & Miller Rd., a/k/a 3 Andrew Road, Farmingdale, NY
SEC. 49 BLK. 232 LOT 3 ZONE R1-7

HEARING NO. 10**APPEAL NO. 20-120****FARMINGDALE**

ANNMARIE JACKSON-COYNE: (A) Variance to construct driveway having less side yard setback than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 03-523 and granted by Decision of the Zoning Board of Appeals, dated October 16, 2003.

N/s/o Radcliffe Ave., 380 ft. W/o Woodward Pkwy., a/k/a 75 Radcliffe Avenue, Farmingdale, NY
SEC. 48 BLK. 493 LOT 61 ZONE R1-7

HEARING NO. 11

APPEAL NO. 20-121

BETHPAGE

ROBERT J. SCHUMACHER: Variance to construct new dwelling on sub-divided lot having less lot area, width of lot at front property line and width of lot to required rear yard than permitted by Ordinance. **PARCEL A**

E/s/o S. 1st St., 100 ft. S/o Grant Ave., a/k/a 1st Street, Bethpage, NY

SEC. 46

BLK. 5

LOT 31

ZONE R1-6

HEARING NO. 12

APPEAL NO. 20-122

BETHPAGE

ROBERT J. SCHUMACHER: Variance to construct new dwelling on sub-divided lot having less lot area, width of lot at front property line and width of lot to required rear yard than permitted by Ordinance. **PARCEL B**

E/s/o S. 1st St., 142.50 ft. S/o Grant Ave., a/k/a 1st Street, Bethpage, NY

SEC. 46

BLK. 5

LOT 32

ZONE R1-6

HEARING NO. 13

APPEAL NO. 20-123

BETHPAGE

ASHOK KUMAR: (A) Variance to allow existing front wood deck having less side yard setback than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 85-21 and granted by Decision of the Zoning Board of Appeals, dated March 21, 1985.

E/s/o Marlon Ave., 522.10 ft. N/o Boundary Ave., a/k/a 20 Marlon Avenue, Bethpage, NY

SEC. 49

BLK. 212

LOT 10

ZONE R1-7

HEARING NO. 14

APPEAL NO. 20-124

HICKSVILLE

LUIGI ALFANI: Variance to allow existing second kitchen in a one-family dwelling for use as a PARENT/CHILD residence.

E/s/o New South Rd., 266.66 ft. N/o Field Ave., a/k/a 66 New South Road, Hicksville, NY

SEC. 46

BLK. 631

LOT 12

ZONE R1-10

HEARING NO. 15

APPEAL NO. 20-125

HICKSVILLE

LUIGI ALFANI: (A) Variance to allow existing wood deck having less rear yard setback than permitted by Ordinance. (B) Variance to allow existing 10 ft. by 11.7 ft. shed having less side yard setback than permitted by Ordinance. (C) Variance to allow existing 5.5 ft. by 7.8 ft. shed having less rear yard setback than permitted by Ordinance. (D) Variance to allow existing pool heater and filter having less rear yard setback than permitted by Ordinance. (E) Variance to allow existing in-ground swimming pool having less side yard setback and rear yard setback than permitted by Ordinance. (F) Amend Specific Plan as presented for Appeal No. 67-118 and granted by Decision of the Zoning Board of Appeals, dated March 16, 1967.

E/s/o New South Rd., 266.66 ft. N/o Field Ave., a/k/a 66 New South Road, Hicksville, NY

SEC. 46

BLK. 631

LOT 12

ZONE R1-10

HEARING NO. 16**APPEAL NO. 20-126****HICKSVILLE**

CORNELIA CATERA: (A) Variance to allow existing 6.7 ft. by 14.9 ft. one story garage addition 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) Amend Specific Plan as presented for Appeal No. 66-168 and granted by Decision of the Zoning Board of Appeals, dated April 14, 1966.

SW/ cor. of Boulder Ln. & Boulder Ln., a/k/a 15 Boulder Lane, Hicksville, NY
SEC. 45 BLK. 369 LOT 1 ZONE R1-7

HEARING NO. 17**APPEAL NO. 20-127****HICKSVILLE**

XIAO LONG HU: (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 2 when 3 parking spaces are required.

NW/ cor. of Lee Ave. & 9th St., a/k/a 54 Lee Avenue, Hicksville, NY
SEC. 46 BLK. 326 LOT 164 ZONE R1-7

HEARING NO. 18**APPEAL NO. 20-128****PLAINVIEW**

MARTA KOWALSKY: (A) Variance to allow existing four (4) accent additions having less average front yard setback (Netto Lane) than permitted by Ordinance. (B) Variance to allow existing one story closet addition having less average front yard setback (Plainview Road) than permitted by Ordinance. (C) Variance to allow existing barbeque having less front yard setback than permitted by Ordinance. (D) Variance to allow existing accent addition and one story closet addition having less side yard setback than permitted by Ordinance. (E) Variance to allow existing 6 ft. high PVC fence exceeding maximum height in front yard (along Plainview Road and Gary Road) than permitted by Ordinance.

SW/ cor. of Netto Ln. & Gary Pl., a/k/a 23 Netto Lane, Plainview, NY
SEC. 13 BLK. 52 LOT 1 ZONE R1-7

HEARING NO. 19**APPEAL NO. 20-129****PLAINVIEW**

FAROOK YAQUB: (A) Variance to construct one story addition having less aggregate side yards than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 00-567 and granted by Decision of the Zoning Board of Appeals, dated November 16, 2000.

N/s/o Sunrise St., 176 ft. E/o S. Oyster Bay Rd., a/k/a 8 Sunrise St., Plainview, NY
SEC. 12 BLK. 40 LOT 105 ZONE R1-7

HEARING NO. 20**APPEAL NO. 20-130****PLAINVIEW**

BERNARD SOSINSKY: Variance to allow existing deck with steps to grade having less aggregate side yards and rear yard setback than permitted by Ordinance.

E/s/o Netto Ln., 213.92 ft. N/o Country Dr., a/k/a 18 Netto Lane, Plainview, NY
SEC. 13 BLK. 51 LOT 4 ZONE R1-7

HEARING NO. 21**APPEAL NO. 20-131****PLAINVIEW**

RICHARD PAPILE: (A) Variance to construct second story addition having less side yard setback and aggregate side yards than permitted by Ordinance. (B) Variance to allow existing air conditioning unit exceeding maximum distance into side yard than permitted by Ordinance.

S/s/o Sydney St., 115 ft. E/o Central Park Rd., a/k/a 4 Sydney Street, Plainview, NY
SEC. 12 BLK. 385 LOT 9 ZONE R1-7

HEARING NO. 22**APPEAL NO. 20-132****PLAINVIEW**

JOSH DYSZEL: (A) Variance to allow existing raised patio having less rear yard setback and exceeding maximum gross floor area than permitted by Ordinance. (B) Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

N/s/o Southwick Ct. N., 180.35 ft. E/o Kennedy Dr., a/k/a 14 Southwick Ct. N., Plainview, NY
SEC. 13 BLK. 108 LOT 5 ZONE R1-20

HEARING NO. 23**APPEAL NO. 20-133****PLAINVIEW**

VIRGINIA STANUCH: (A) Variance to allow existing rear deck and platform with steps to grade having less rear yard setback than permitted by Ordinance. (B) Variance to allow existing shed and rear deck exceeding maximum building coverage than permitted by Ordinance. (C) Variance to allow existing shed having less side yard setback and rear yard setback than permitted by Ordinance.

W/s/o Forest Dr., 520 ft. S/o Orchard St., a/k/a 26 Forest Drive, Plainview, NY
SEC. 12 BLK. 388 LOT 21 ZONE R1-7

HEARING NO. 24**APPEAL NO. 20-134****JERICO**

CHURONG LIU: (A) Variance to allow existing second story raised wood deck on West side of dwelling having less side yard setback and aggregate side yards than permitted by Ordinance. (B) Variance to allow existing rear steps from second story deck to grade having less rear yard setback than permitted by Ordinance. (C) Amend Specific Plan as presented for Appeal No. 18-42 and granted by Decision of the Zoning Board of Appeals, dated January 18, 2018.

N/s/o Cedar Swamp Rd., 140.93 ft. E/o State of N.Y. Recharge Basin, a/k/a 149 Cedar Swamp Rd., Jericho, NY
SEC. 16 BLK. C LOT 399 ZONE R1-2A

HEARING NO. 25**APPEAL NO. 20-135****SYOSSET**

ADAM MEYER: (A) Variance to construct second story addition having less average front yard setback (Azalea Drive) than permitted by Ordinance. (B) Variance to construct two story and second story additions having less average side/front yard setback (Lilac Drive) than permitted by Ordinance. (C) Variance to construct one story addition and second story over garage having less rear yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (D) Amend Specific Plan as presented for Appeal No. 97-449 and granted by Decision of the Zoning Board of Appeals, dated October 23, 1997 and amended by Decision of the Zoning Board of Appeals, dated June 18, 1998.

SW/ cor. of Lilac Dr. & Azalea Dr., a/k/a 11 Lilac Drive, Syosset, NY
SEC. 25 BLK. 27 LOT 18 ZONE R1-10

HEARING NO. 26

APPEAL NO. 20-136

LOCUST VALLEY

LAWRENCE BUTINDARI: (A) Variance to construct roofed over porch and addition having less average side/front yard setback than permitted by Ordinance. (B) Variance to construct roofed over porch having less side yard setback than permitted by Ordinance; also encroachment of eave and gutter. (C) Amend Specific Plan as presented for Appeal No. 97-191 and granted by Decision of the Zoning Board of Appeals, dated May 15, 1997.

S/s/o Valley Ave., 407.85 ft. W/o Village of Lattington Line, a/k/a 83 Valley Ave., Locust Valley, NY
SEC. 29 BLK. M01 LOT 7 ZONE R1-7

HEARING NO. 27

APPEAL NO. 20-137

OYSTER BAY

MICHAEL NAAZE: (A) Variance to allow the expansion of structure to legally nonconforming residence. (B) Variance to construct front roofed open porch having less average front yard setback, side yard setback, aggregate side yards and exceeding maximum height setback of the side yard ratio than permitted by Ordinance.

S/s/o Capitol Heights Rd., 709.19 ft. W/o Lexington Ave., a/k/a 55 Capitol Heights Rd., Oyster Bay, NY
SEC. 24 BLK. B LOT 29 ZONE R1-10/OB

HEARING NO. 28

APPEAL NO. 20-138

OYSTER BAY

JOAN VACCARO: (A) Variance to allow existing pavilion, shed and addition exceeding maximum gross floor area than permitted by Ordinance. (B) Variance to allow existing generator exceeding maximum setback from the dwelling and having less rear yard setback than permitted by Ordinance. (C) Variance to allow existing shed having less side yard setback and exceeding maximum height than permitted by Ordinance. (D) Variance to allow existing pavilion exceeding maximum height than permitted by Ordinance.

S/s/o Soundview Ave., 100 ft. W/o Singworth St., a/k/a 28 Soundview Avenue, Oyster Bay, NY
SEC. 27 BLK. 66 LOT 119 ZONE R1-6/OB

HEARING NO. 29

APPEAL NO. 20-139

BETHPAGE

GOLDEN SUN GROUP LLC: Variance for the reduction of off-street parking spaces. Reduction of spaces to 121 when 215 parking spaces are required.

E/s/o Broadway, S/o Powell Ave., a/k/a 326 Broadway, Bethpage, NY
SEC. 46 BLK. 635 LOT 25 ZONE GB

HEARING NO. HO 1

APPEAL NO. 20-52

PLAINVIEW

DANIEL & LISA O'NEIL: Variance to allow existing semi in-ground swimming pool and pool equipment having less rear yard setback than permitted by Ordinance.

NW/ cor. of Sunrise St. & Manor St., a/k/a 64 Sunrise Street, Plainview, NY
SEC. 12 BLK. 41 LOT 141 ZONE R1-7

MAY 25, 2020

BY ORDER OF THE ZONING BOARD OF APPEALS

TOWN OF OYSTER BAY, OYSTER BAY, NEW YORK