



**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

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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 *JUNE 6, 2024*, at 7:00 P. M., to consider the following appeals:

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

**HEARING NO. 1**

**APPEAL NO. 23-694 - AMENDMENT**

**MASSAPEQUA**

**MICHAEL ROSSETTI:** Amend Specific Plans as presented for Appeal No. 19-616 and granted by Decision of the Zoning Board of Appeals, dated December 19, 2019, for Appeal No. 15-227 and granted by Decision of the Zoning Board of Appeals, dated July 23, 2015 and for Appeal No. 59-394 and granted by Decision of the Zoning Board of Appeals, dated May 14, 1959, to allow existing rear platform with steps to grade having less rear yard setback.

N/s/o W. Shore Dr., 73.546 ft. W/o Atwater Pl., a/k/a 264 W. Shore Drive, Massapequa, NY  
**SEC. 66                      BLK. 66                      LOT 35                      ZONE R1-10**

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**HEARING NO. 2**

**APPEAL NO. 24-93**

**MASSAPEQUA**

**ROBIN MASSIMI:** (A) Variance to construct one story addition, roof over porch and allow existing deck exceeding maximum building coverage than permitted by Ordinance. (B) Variance to construct extended driveway having less side yard setback than permitted by Ordinance.

E/s/o Club Dr., 99.03 ft. S/o Bay Link, a/k/a 2 Club Drive, Massapequa, NY  
**SEC. 65                      BLK. 215                      LOT 12                      ZONE R1-10**

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**HEARING NO. 3**

**APPEAL NO. 24-113**

**MASSAPEQUA**

**ANTHONY LAPADULA:** (A) Variance to construct circular driveway having less front yard setback than permitted by Ordinance. (B) Variance to construct rear raised patio having less side yard setback than permitted by Ordinance. (C) Amend Specific Plan as presented for Appeal No. 10-186 and granted by Decision of the Zoning Board of Appeals, dated August 5, 2010.

E/s/o Bay Dr., 584.55 ft. S/o Sunset Blvd., a/k/a 320 Bay Drive, Massapequa, NY  
**SEC. 65                      BLK. 215                      LOT 84                      ZONE R1-10**

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**HEARING NO. 4**

**APPEAL NO. 24-118**

**MASSAPEQUA**

**RHYS COSMA:** Variance to install air conditioning unit having less side yard setback than permitted by Ordinance.

W/s/o Beach Rd., 2550.15 ft. S/o Canal Rd, a/k/a 6 Beach Road, Massapequa, NY  
**SEC. 65                      BLK. 97                      LOT 526                      ZONE R1-7**

**HEARING NO. 5****APPEAL NO. 24-136****MASSAPEQUA**

**KATHLEEN GRIBBIN**: (A) Variance to allow existing 5 ft. by 6.6 ft. shed abutting garage having less rear yard setback than permitted by Ordinance. (B) Variance to allow existing sunroom and 5 ft. by 6.6 ft. shed abutting garage exceeding maximum building coverage than permitted by Ordinance.

S/s/o Sycamore St., 320 ft. E/o Seaford Ave., a/k/a 34 Sycamore Street, Massapequa, NY  
**SEC. 57                      BLK. 181                      LOT 17                      ZONE R1-7**

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**HEARING NO. 6****APPEAL NO. 24-140****MASSAPEQUA**

**DOMINIC CHIZZONITI**: (A) Variance to allow existing 3 ft. high fence exceeding maximum height within 30 ft. of intersection than permitted by Ordinance. (B) Variance to construct one story addition having less average front yard setback (Oxford Road) than permitted by Ordinance. (C) Variance to construct roof alterations on existing dwelling having less side yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (D) Variance to allow existing 10.6 ft. by 9.6 ft. shed having less front yard setback (Lake Shore Boulevard) than permitted by Ordinance. (E) Variance to allow existing 11.7 ft. by 4.9 ft. shed having less front yard setback (Lake Shore Boulevard) and side yard setback than permitted by Ordinance.

NE/ cor. of Cambridge Dr. & Oxford Rd., a/k/a 1 Cambridge Drive, Massapequa, NY  
**SEC. 57                      BLK. 256                      LOT 11                      ZONE R1-7**

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**HEARING NO. 7****APPEAL NO. 24-170****SEAFORD**

**FRANK ANNUNZIATA**: Variance to construct two story addition having less roof pitch than permitted by Ordinance.

W/s/o Hillcrest Dr., 85 ft. S/o Swansdowne Dr, a/k/a 242 Hillcrest Drive, Seaford, NY  
**SEC. 52                      BLK. 425                      LOT 6A                      ZONE R1-7**

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**HEARING NO. 8****APPEAL NO. 24-128****FARMINGDALE**

**LUIS MOSTACERO**: (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 parking spaces are required.

SE/ cor. of Spencer St. & W. Walnut St., a/k/a 32 Spencer Street, Farmingdale, NY  
**SEC. 49                      BLK. 8                      LOT 1                      ZONE R1-7**

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**HEARING NO. 9****APPEAL NO. 24-45****BETHPAGE**

**MATTHEW SIMEONE**: (A) Variance to allow existing gas barbeque/outdoor kitchen having less side yard setback than permitted by Ordinance. (B) Variance to allow existing air conditioning unit having less side yard setback than permitted by Ordinance. (C) Variance to allow existing widened driveway having less side yard setback than permitted by Ordinance. (D) Variance to allow existing second floor cantilevered addition and front porch having less side yard setback than permitted by Ordinance. (E) Amend Specific Plan as presented for Appeal No. 22-135 and granted by Decision of the Zoning Board of Appeals, dated April 7, 2022.

S/s/o Linden Ave., 263.5 ft. E/o Stewart Ave., a/k/a 71 Linden Avenue, Bethpage, NY  
**SEC. 46                      BLK. 339                      LOT 40                      ZONE R1-7**

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**HEARING NO. 10****APPEAL NO. 24-125****BETHPAGE**

**FRANK & PAULA TITO:** (A) Variance to allow existing front deck with steps to grade having less average front yard setback than permitted by Ordinance. (B) Variance to allow existing rear wood pool platform with steps to grade having less side yard setback than permitted by Ordinance. (C) Variance to allow existing 6.9 ft. by 6.9 ft. shed having less rear yard setback than permitted by Ordinance. (D) Variance to allow existing 16 ft. by 31 ft. above-ground swimming pool having less side yard setback and rear yard setback than permitted by Ordinance. (E) Variance to allow existing fence having less setback from pool than permitted by Ordinance. (F) Variance to allow existing 6 ft. high vinyl fence exceeding maximum height across front yard (Coronet Crescent North) than permitted by Ordinance.

SE/ cor. of Coronet Cres. N. & Coronet Cres. W., a/k/a 19 Coronet Crescent N., Bethpage, NY  
**SEC. 46                      BLK. 459                      LOT 1                      ZONE R1-7**

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**HEARING NO. 11****APPEAL NO. 24-150 - AMENDMENT****BETHPAGE**

**DAVID MAHER:** Amend Specific Plan as presented for Appeal No. 22-46 and granted by Decision of the Zoning Board of Appeals, dated February 3, 2022 to allow existing rear platform with steps to grade having less rear yard setback.

SW/ cor. of Dennis Ln. & Elizabeth Dr., a/k/a 1 Dennis Lane, Bethpage, NY  
**SEC. 49                      BLK. 199                      LOT 7                      ZONE R1-7**

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**HEARING NO. 12****APPEAL NO. 23-741****HICKSVILLE**

**GRAIG FISCHGRUND:** (A) Variance to erect 6.7 ft. by 10.4 ft. freestanding sign structure (located on South side of lot facing South Oyster Bay Road) exceeding maximum height than permitted by Ordinance. (B) Variance to erect 6.7 ft. by 2.5 ft. freestanding sign (located on South side of lot facing South Oyster Bay Road) exceeding maximum sign area than permitted by Ordinance.

W/s/o S. Oyster Bay Rd., 1200 ft. N/o Woodbury Rd., a/k/a 372 S. Oyster Bay Road, Hicksville, NY  
**SEC. 12                      BLK. 295                      LOT 75                      ZONE RO**

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**HEARING NO. 13****APPEAL NO. 24-81****HICKSVILLE**

**STEPHEN KHAMRAJ:** (A) Variance to allow existing second kitchen in a one-family dwelling for use as a PARENT/CHILD residence. (B) Variance to allow existing detached garage exceeding maximum height and building coverage of the principal building than permitted by Ordinance. (C) Amend Specific Plan as presented for Appeal No. 06-358 and granted by Decision of the Zoning Board of Appeals, dated July 27, 2006.

E/s/o East Ave., 448 ft. N/o Kingston Ave., a/k/a 16 East Avenue, Hicksville, NY  
**SEC. 45                      BLK. 66                      LOT 244                      ZONE R1-7**

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**HEARING NO. 14****APPEAL NO. 24-139****HICKSVILLE**

**JONATHAN P. LOFTON:** (A) Variance to allow existing rear roof over patio and 7.8 ft. by 9.7 ft. shed exceeding maximum building coverage than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 63-5 and granted by Decision of the Zoning Board of Appeals, dated January 3, 1963.

S/s/o Pewter Ln., 494.06 ft. E/o Spindle Rd., a/k/a 28 Pewter Lane, Hicksville, NY  
**SEC. 45                      BLK. 289                      LOT 6                      ZONE R1-7**

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**HEARING NO. 15****APPEAL NO. 24-161****HICKSVILLE**

**THOMAS BELL:** (A) Variance to construct 44.3 ft. by 35.4 ft. new dwelling on partial new and partial existing foundation having less aggregate side yards and roof pitch than permitted by Ordinance. (B) Variance to allow existing pool heater having less side yard setback than permitted by Ordinance. (C) Variance to allow existing deck having less side yard setback than permitted by Ordinance. (D) Variance to allow existing shed having less side yard setback and aggregate side yards than permitted by Ordinance.

E/s/o Sleepy Ln., S/o Walnut Ln., a/k/a 51 Sleepy Lane, Hicksville, NY

**SEC. 45**

**BLK. 300**

**LOT 9**

**ZONE R1-7**

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**HEARING NO. 16****APPEAL NO. 24-175****HICKSVILLE**

**DEBRA NISITO:** Variance to construct second story addition having less average front yard setback and side yard setback than permitted by Ordinance; also encroachment of eaves and gutters.

E/s/o Charles St., 113.19 ft. S/o E. Cherry St., a/k/a 43 Charles Street, Hicksville, NY

**SEC. 12**

**BLK. 132**

**LOT 240**

**ZONE R1-6**

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**HEARING NO. 17****APPEAL NO. 24-173****OLD BETHPAGE**

**ERIC BARON:** (A) Variance to construct 18 ft. by 34 ft. irregular shaped vinyl lined in-ground swimming pool having less side yard setback and rear yard setback than permitted by Ordinance. (B) Variance to install pool equipment having less side yard setback and front yard setback than permitted by Ordinance.

N/s/o Serpentine Ln., 326.26 ft. E/o Point of Woods Rd., a/k/a 9 Serpentine Lane, Old Bethpage, NY

**SEC. 47**

**BLK. 113**

**LOT 12**

**ZONE R1-10**

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**HEARING NO. 18****APPEAL NO. 24-126****PLAINVIEW**

**BROOKE DIGIOIA:** (A) Variance to allow existing front porch having less average front yard setback than permitted by Ordinance. (B) Variance to allow existing deck having less rear yard setback than permitted by Ordinance. (C) Variance to construct one story rear addition, roof over porch, allow existing deck and shed exceeding maximum building coverage than permitted by Ordinance. (D) Variance to construct one story rear addition, second floor addition and allow existing deck exceeding maximum gross floor area than permitted by Ordinance. (E) Variance to allow existing shed having less rear yard setback than permitted by Ordinance.

W/s/o Sherwood Dr., 192.95 ft. N/o Washington Ave., a/k/a 7 Sherwood Drive, Plainview, NY

**SEC. 13**

**BLK. 41**

**LOT 4**

**ZONE R1-7**

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**HEARING NO. 19****APPEAL NO. 24-134****PLAINVIEW**

**LISA MIOK KIM:** (A) Variance to allow existing driveway having less rear yard setback than permitted by Ordinance. (B) Variance to allow existing 6 ft. high vinyl fence exceeding maximum height across side/front yard (Parkview Street) than permitted by Ordinance. (C) Amend Specific Plan as presented for Appeal No. 22-411 and granted by Decision of the Zoning Board of Appeals, dated October 20, 2022.

NE/ cor. of Audrey Ave. & Parkview St., a/k/a 20 Audrey Avenue, Plainview, NY

**SEC. 12**

**BLK. 19**

**LOT 51**

**ZONE R1-7**

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**HEARING NO. 20****APPEAL NO. 24-96****SYOSSET**

**ALEX SPIVAK:** (A) Variance to construct detached garage (4-car) having less side 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 erect 6 ft. high fence exceeding maximum height across front yard than permitted by Ordinance. (D) Amend Specific Plan as presented for Appeal No. 23-287 and granted by Decision of the Zoning Board of Appeals, dated July 20, 2023.

E/s/o Cold Spring Rd., 233.56 ft. N/o Syosset Woodbury Rd., a/k/a 146 Cold Spring Road, Syosset, NY  
**SEC. 25**                      **BLK. G**                      **LOT 340**                      **ZONE R1-20**

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**HEARING NO. 21****APPEAL NO. 24-135****SYOSSET**

**SOFIA RUBINSTEIN:** (A) Variance to allow existing 7.9 ft. by 12.3 ft. shed having less side yard setback than permitted by Ordinance. (B) Variance to allow existing rear overhang exceeding maximum gross floor area than permitted by Ordinance.

S/s/o Chelsea Dr., E/o Wilshire Dr, a/k/a 23 Chelsea Drive, Syosset, NY  
**SEC. 25**                      **BLK. 35**                      **LOT 11**                      **ZONE R1-20**

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**HEARING NO. 22****APPEAL NO. 24-138****SYOSSET**

**JACOB CHANDAPILLAI:** (A) Variance to allow existing shed having less rear yard setback than permitted by Ordinance. (B) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across front yard (Park Drive E.) than permitted by Ordinance.

SE/ cor. of Cedar St. & Park Dr. E, a/k/a 21 Cedar Street, Syosset, NY  
**SEC. 15**                      **BLK. 36**                      **LOT 70**                      **ZONE R1-10**

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**HEARING NO. 23****APPEAL NO. 24-127****GLEN HEAD**

**MICHAEL NAHVI:** (A) Variance to allow existing front platform with steps to grade having less average front yard setback than permitted by Ordinance. (B) Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

S/s/o Glenwood Rd., 96 ft. E/o Willard Pl., a/k/a 19 Glenwood Road, Glen Head, NY  
**SEC. 20**                      **BLK. 56**                      **LOT 222**                      **ZONE R1-7**

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**HEARING NO. 24****APPEAL NO. 24-130****OYSTER BAY**

**ORVILLE DONOVAN:** (A) Variance to allow existing 14 ft. by 23.3 ft. deck having less rear yard setback than permitted by Ordinance. (B) Variance to allow existing 4 ft. by 4 ft. shed having less side/front yard setback (Melbourne Street) than permitted by Ordinance. (C) Variance to allow existing 14 ft. by 23.4 ft. deck and 8 ft. by 11.7 ft. deck exceeding maximum building coverage and gross floor area than permitted by Ordinance. (D) Amend Specific Plan as presented for Appeal No. 68-480 and granted by Decision of the Zoning Board of Appeals, dated October 1, 1968.

NW/ cor. of Melbourne St. & Seawanhaka Pl., a/k/a 77 Melbourne Street, Oyster Bay, NY  
**SEC. 27**                      **BLK. 45**                      **LOT 38**                      **ZONE R1-10/OB**

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**HEARING NO. HO 1**

**APPEAL NO. 24-89**

**LOCUST VALLEY**

**DOROTHY LAMB IRREVOCABLE TRUST:** (A) Variance to allow existing pool equipment having less front yard setback than permitted by Ordinance. (B) Variance to allow existing swimming pool having less rear yard setback than permitted by Ordinance. (C) Variance to allow existing pool enclosure fence having less setback from pool than permitted by Ordinance. (D) Variance to allow existing detached garage exceeding maximum height than permitted by Ordinance. (E) Variance to erect 5 ft. high PVC fence exceeding maximum height across front yard than permitted by Ordinance. **PARCEL A**

S/s/o Hernan Ave., 50 ft. E/o Bayview Pl., a/k/a 80 Hernan Avenue, Locust Valley, NY  
**SEC. 29                                      BLK. 63                                      LOT 433A                                      ZONE R1-7**

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**HEARING NO. HO 2**

**APPEAL NO. 24-90**

**LOCUST VALLEY**

**KATHLEEN & JOHN REILLY:** (A) Variance to propose lot line adjustment transferring 2,383.5 sq. ft. of land from subject parcel to Parcel A (Appeal No. 24-89) creating less width of lot at street, width of lot from front property line to the required rear yard and lot area than permitted by Ordinance. (B) Variance to allow existing 4.5 ft. high PVC fence exceeding maximum height across front yard than permitted by Ordinance. **PARCEL B**

S/s/o Hernan Ave., 100 ft. E/o Bayview Pl., a/k/a 76 Hernan Avenue, Locust Valley, NY  
**SEC. 29                                      BLK. 63                                      LOT 432A                                      ZONE R1-7**

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**MAY 27, 2024**

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

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