



**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 – REBECCA M. ALESIA

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**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 18, 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 18, 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](http://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](mailto: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. 1**

**APPEAL NO. 20-160** **MASSAPEQUA**

**JAMES JUSTICE:** Variance to allow existing swimming pool equipment having less side yard setback than permitted by Ordinance.

SE/ cor. of Clearwater Ave. & Albatross Pl., a/k/a 30 Clearwater Avenue, Massapequa, NY  
SEC. 66                      BLK. 69                      LOT 33                      ZONE R1-10

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**HEARING NO. 2**

**APPEAL NO. 20-161** **MASSAPEQUA**

**MARLENE RICHTER:** (A) Variance to allow existing pergola having less rear yard setback than permitted by Ordinance. (B) Variance to allow existing pool heater and pump having less side yard setback than permitted by Ordinance.

N/s/o Leonard Dr., 67.80 ft. W/o Sandy Ln., a/k/a 24 Leonard Drive, Massapequa, NY  
SEC. 65                      BLK. 205                      LOT 9                      ZONE R1-7

**HEARING NO. 3****APPEAL NO. 20-162****MASSAPEQUA**

**27 CARMANS, INC.:** (A) Variance for the reduction of off-street parking spaces. Reduction of spaces to 44 when 71 parking spaces are required. (B) Variance to construct patio dining area having less front yard setback than permitted by Ordinance. (C) Variance to install zero-degree (parallel) parking spaces having a two-way maneuvering aisle. (D) Variance to install 90 degree parking spaces having less maneuvering aisle width than permitted by Ordinance. (E) Variance to allow existing wall on corner exceeding maximum height than permitted by Ordinance.

NW/ cor. of Carmans Rd. & E. Walnut St., a/k/a 25 Carmans Road, Massapequa, NY  
**SEC. 53                      BLK. 25                      LOT 304                      ZONE NB**

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**HEARING NO. 4****APPEAL NO. 20-163****MASSAPEQUA**

**TRAIL REALTY GROUP LLC:** Variance to install northern and southern rooftop HVAC units having less setback on East and West side than permitted by Ordinance.

S/s/o Merrick Rd., 134.86 ft. E/o Roosevelt Blvd., a/k/a 5596 Merrick Road, Massapequa, NY  
**SEC. 66                      BLK. 102                      LOT 56                      ZONE NB**

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**HEARING NO. 5****APPEAL NO. 20-164****MASSAPEQUA**

**DEREK MILLER:** (A) Variance to construct front portico exceeding maximum building coverage and having less average front yard setback than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 19-475 and granted by Decision of the Zoning Board of Appeals, dated September 19, 2019.

W/s/o Beach Rd., 1834.15 ft. S/o Canal Rd., a/k/a 40 Beach Road, Massapequa, NY  
**SEC. 65                      BLK. 97                      LOT 483                      ZONE R1-7**

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**HEARING NO. 6****APPEAL NO. 20-165****NORTH MASSAPEQUA**

**MARIA FRAM:** (A) Variance to allow existing front porch having less average front than permitted by Ordinance. (B) Variance to allow existing rear wood deck and rear addition having less side yard setback than permitted by Ordinance. (C) Variance to allow existing front and rear decks and one story rear addition exceeding maximum building coverage than permitted by Ordinance. (D) Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

N/s/o Jerusalem Ave., 160 ft. W/o N. Summit Dr., a/k/a 153 Jerusalem Ave., N. Massapequa, NY  
**SEC. 48                      BLK. 81                      LOT 1044                      ZONE R1-7**

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**HEARING NO. 7****APPEAL NO. 20-166****BETHPAGE**

**KELLY SCANLAN:** (A) Variance to allow existing metal awning having less side yard setback than permitted by Ordinance. (B) Variance to allow existing oil tank having less front yard setback (S. Millpage Drive) than permitted by Ordinance. (C) Variance to allow existing 6 ft. high wood fence exceeding maximum height across side/front yard (W. Millpage Drive) than permitted by Ordinance.

NE/ cor. of W. Millpage Dr. & S. Millpage Dr., a/k/a 69 W. Millpage Drive, Bethpage, NY  
**SEC. 49                      BLK. 175                      LOT 3                      ZONE R1-7**

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**HEARING NO. 8****APPEAL NO. 20-167****BETHPAGE**

**KAZI AHMED:** (A) Variance to erect 6 ft. high PVC fence exceeding maximum height across front yard (Carol Drive) than permitted by Ordinance. (B) Variance to erect 6 ft. high PVC fence and 6 ft. high PVC fence atop 2 ft. high retaining wall exceeding maximum height with 30 ft. of intersection than permitted by Ordinance. (C) Amend Specific Plans as presented for Appeal No. 19-340 and granted by Decision of the Zoning Board of Appeals, dated July 11, 2019 and for Appeal No. 95-268 and granted by Decision of the Zoning Board of Appeals, dated August 16, 1995.

SW/ cor. of Stymus Ave. & Carol Dr., a/k/a 43 Stymus Avenue, Bethpage, NY  
**SEC. 46                      BLK. 618                      LOT 4                      ZONE R1-10**

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**HEARING NO. 9****APPEAL NO. 20-168****BETHPAGE**

**ROSEMARY CUOZZO:** (A) Variance to allow existing second story addition, awning, front covered patio and rear mansard roof having less side yard setback than permitted by Ordinance. (B) Variance to allow existing second story addition, front covered patio, rear mansard roof and awning having less aggregate side yards than permitted by Ordinance; also encroachment of eave and gutter. (C) Variance to allow existing shed having less side yard setback and rear yard setback than permitted by Ordinance. (D) Amend Specific Plan as presented for Appeal No. 04-454 and granted by Decision of the Zoning Board of Appeals, dated October 7, 2004.

E/s/o Lexington Ave., 193 ft. S/o Lenox Ave., a/k/a 19 Lexington Avenue, Bethpage, NY  
**SEC. 46                      BLK. 124                      LOT 371                      ZONE R1-7**

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**HEARING NO. 10****APPEAL NO. 20-169****HICKSVILLE**

**L.I. CONSTRUCTION PROFESSIONALS, LLC:** Variance to construct new dwelling on subdivided lot having less width of lot at front property line, width of lot from front yard setback to rear yard, lot size, average front yard setback and average side/front yard setback than permitted by Ordinance; also encroachment of eaves and gutters. **PARCEL 1**

SE/ cor. of Winter Ln. & Cherry Ln., a/k/a 2 Winter Lane, Hicksville, NY  
**SEC. 45                      BLK. 287                      LOT 23                      ZONE R1-7**

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**HEARING NO. 11****APPEAL NO. 20-170****HICKSVILLE**

**L.I. CONSTRUCTION PROFESSIONALS, LLC:** Variance to construct new dwelling on subdivided lot having less width of lot at front property line, width of lot from front yard setback to rear yard, lot size and average front yard setback than permitted by Ordinance; also encroachment of eaves and gutters. **PARCEL 2**

S/s/o Winter Ln., 64.23 ft. E/o Cherry Ln., a/k/a 2 Winter Lane, Hicksville, NY  
**SEC. 45                      BLK. 287                      LOT 23                      ZONE R1-7**

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**HEARING NO. 12****APPEAL NO. 20-171****HICKSVILLE**

**KDS HOMES, INC.:** (A) Variance to allow existing front addition having less aggregate side yards than permitted by Ordinance. (B) Variance to allow existing garage converted to habitable space to remain. (C) Variance for the reduction of off-street parking spaces. Reduction of spaces to 1 when 2 parking spaces are required.

S/s/o Arrow Ln., W/o Acre Ln., a/k/a 68 Arrow Lane, Hicksville, NY  
**SEC. 45                      BLK. 353                      LOT 22                      ZONE R1-7**

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**HEARING NO. 13**

**APPEAL NO. 20-172**

**HICKSVILLE**

**SUMEET SINGH VASU**: Variance to allow existing enclosed rear porch having less side yard setback and aggregate side yards than permitted by Ordinance.

W/s/o Straw Ln., 110 ft. N/o Brittle Ln., a/k/a 34 Straw Lane, Hicksville, NY

**SEC. 45**

**BLK. 322**

**LOT 10**

**ZONE R1-7**

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**HEARING NO. 14**

**APPEAL NO. 20-173**

**OLD BETHPAGE**

**PATRICK TANG**: Variance to allow existing front stoop having less average side/front yard setback (Seton Court) than permitted by Ordinance.

NE/ cor. of Seton Ct. & Simpson Dr., a/k/a 33 Seton Court, Old Bethpage, NY

**SEC. 47**

**BLK. 48**

**LOT 30**

**ZONE R1-7**

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**HEARING NO. 15**

**APPEAL NO. 20-174**

**OLD BETHPAGE**

**DARA HARTMAN**: Variance to construct one story addition, front steps and landing having less average front yard setback than permitted by Ordinance; also encroachment of eaves and gutters.

E/s/o Fairway Dr., 243 ft. S/o Hay Path Rd., a/k/a 8 Fairway Drive, Old Bethpage, NY

**SEC. 47**

**BLK. 139**

**LOT 4**

**ZONE R1-10**

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**HEARING NO. 16**

**APPEAL NO. 20-175**

**PLAINVIEW**

**ADAM SPIVAK**: **(A)** Variance to construct second story addition, one story addition and rear deck having less aggregate side yards, exceeding maximum building coverage and gross floor area than permitted by Ordinance. **(B)** Variance to allow existing driveway having side yard setback than permitted by Ordinance.

S/s/o Jody Ln., 100 ft. W/o Whitlock St., a/k/a 22 Jody Lane, Plainview, NY

**SEC. 13**

**BLK. 49**

**LOT 8**

**ZONE R1-7**

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**HEARING NO. 17**

**APPEAL NO. 20-176**

**PLAINVIEW**

**DAVID SCHNEEBAUM**: Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

W/s/o Nautilus Ave., 260.81 ft. N/o Lombardi Pl., a/k/a 25 Nautilus Avenue, Plainview, NY

**SEC. 47**

**BLK. 37**

**LOT 29**

**ZONE R1-7**

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**HEARING NO. 18**

**APPEAL NO. 20-177**

**WOODBURY**

**NOAH BANK**: Variance to erect 6 ft. high fence exceeding maximum height across side/front yard than permitted by Ordinance.

SE/ cor. of Jan Ln. & Joyce Ln., a/k/a 3 Jan Lane, Woodbury, NY

**SEC. 15**

**BLK. 193**

**LOT 1**

**ZONE R1-10**

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**HEARING NO. 19****APPEAL NO. 20-178****JERICO**

**JULIE PERESS:** Variance to allow existing 6 ft. high fence exceeding maximum height across side/front yard (Fern Street) than permitted by Ordinance.

SW/ cor. of Flower Ln. & Fern St., a/k/a 39 Flower Lane, Jericho, NY

**SEC. 12****BLK. 571****LOT 3****ZONE R1-10**

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**HEARING NO. 20****APPEAL NO. 20-179****GLENWOOD LANDING**

**JOHN HYNES:** (A) Variance to allow existing front steps with landing having less average front yard setback than permitted by Ordinance. (B) Variance to allow existing rear raised wood deck, front steps with landing and one story additions exceeding maximum building coverage than permitted by Ordinance. (C) Variance to allow existing front steps with landing, raised rear wood deck and one story additions exceeding maximum gross floor area than permitted by Ordinance. (D) Variance to allow existing shed having less side yard setback than permitted by Ordinance. (E) Variance to allow existing 6 ft. high fence exceeding maximum height in front yard than permitted by Ordinance.

S/s/o Glenmore Ave., 240 W/o Larsen Ave., a/k/a 7 Glenmore Avenue, Glenwood Landing, NY

**SEC. 20****BLK. 27****LOT 323****ZONE R1-7**

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**HEARING NO. 21****APPEAL NO. 20-180****GLEN HEAD**

**PETER GARGAGLIANO:** (A) Variance to construct roof over front porch with steps to grade having less average front yard setback than permitted by Ordinance. (B) Variance to construct rear deck with steps to grade and steps to below grade garage having less rear yard setback than permitted by Ordinance. (C) Variance to construct two story attached garage, roof over front porch and rear deck exceeding maximum building coverage and gross floor area than permitted by Ordinance. (D) Variance to allow existing shed having less side yard setback and rear yard setback than permitted by Ordinance.

S/s/o Beechwood Dr., 649.35 ft. E/o Central Dr., a/k/a 15 Beechwood Drive, Glen Head, NY

**SEC. 21****BLK. 206****LOT 406****ZONE R1-20**

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**HEARING NO. 22****APPEAL NO. 20-181****LOCUST VALLEY**

**MICHAEL DISHAW:** Variance to construct detached garage having less average side/front yard setback and exceeding maximum building coverage of the principal building than permitted by Ordinance.

SE/ cor. of North St. & 8<sup>th</sup> St., a/k/a 121 North Street, Locust Valley, NY

**SEC. 30****BLK. 29****LOT 10****ZONE R1-6**

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**HEARING NO. 23****APPEAL NO. 20-182****OYSTER BAY**

**XAVIER VILLAMAR:** Variance to construct new dwelling having less roof pitch than permitted by Ordinance.

W/s/o Park Ave., 200 ft. N/o High St., a/k/a 48 Park Avenue, Oyster Bay, NY

**SEC. 27****BLK. 4****LOT 53****ZONE R1-6**

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**JUNE 8, 2020****BY ORDER OF THE ZONING BOARD OF APPEALS  
TOWN OF OYSTER BAY, OYSTER BAY, NEW YORK**