



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

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 **JULY 9, 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, Section 246-12 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 **JULY 9, 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. 68-355 - AMENDMENT **BETHPAGE**

ANTONIO SUPPA: Amend Specific Plan as presented for Appeal No. 68-355 and granted by Decision of the Zoning Board of Appeals, dated August 20, 1968, and amended by Decision to the Zoning Board of Appeal, dated June 8, 2006, to repair a fire damaged dwelling.

S/s/o Maple Ave., 166.13 ft. W/o Broadway, a/k/a 15 Maple Avenue, Bethpage, NY
SEC. 46 BLK. 322 LOT 118 ZONE R1-7

HEARING NO. RC 2

APPEAL NO. 18-345 - AMENDMENT **MASSAPEQUA**

MICHAEL FAIRCLOUGH: Amend Specific Plan as presented for Appeal No. 18-345 and granted by Decision of the Zoning Board of Appeals, dated August 9, 2018, to allow existing pool equipment having less front yard setback.

W/s/o Edgewater Ave., 100 ft. N/o Albatross Pl., a/k/a 27 Edgewater Avenue, Massapequa, NY
SEC. 66 BLK. 72 LOT 19 ZONE R1-10

HEARING NO. RC 3**APPEAL NO. 19-366 - AMENDMENT****MASSAPEQUA**

ALAN LAUDE: Amend Specific Plan as presented for Appeal No. 19-366 and granted by Decision of the Zoning Board of Appeals, dated July 25, 2019, to allow existing construction plans.

N/s/o Fairview Rd., 340 ft. E/o Cedar Shore Dr., a/k/a 143 Fairview Road, Massapequa, NY
SEC. 65 BLK. 158 LOT 52 ZONE R1-10/OHG

HEARING NO. 1**APPEAL NO. 20-205****MASSAPEQUA**

ARISTIDES KAKOURIS: (A) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across side/front yard (Ocean Avenue) than permitted by Ordinance. (B) Variance to allow existing 4 ft. high PVC fence exceeding maximum height within intersection than permitted by Ordinance.

NE/ cor. of Chicago Ave. & Ocean Ave., a/k/a 129 Chicago Avenue, Massapequa, NY
SEC. 48 BLK. 126 LOT 1502 ZONE R1-7

HEARING NO. 2**APPEAL NO. 20-206****MASSAPEQUA**

ANTIONETTA CAPPELLA: (A) Variance to allow existing rear deck leading from dwelling to grade having less side yard setback than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 67-442 and granted by Decision of the Zoning Board of Appeals, dated October 11, 1967.

N/s/o Stillwater Ave., 115.93 S/o Waterview Ave., a/k/a 118 Stillwater Avenue, Massapequa, NY
SEC. 66 BLK. 87 LOT 29 ZONE R1-10

HEARING NO. 3**APPEAL NO. 20-207****MASSAPEQUA**

NICHOLAS J. DOMINGO: Variance to construct driveway having less side yard setback than permitted by Ordinance.

E/s/o Cottage Dr., 62 ft. N/o Plymouth Rd., a/k/a 3 Cottage Drive, Massapequa, NY
SEC. 53 BLK. 154 LOT 19 ZONE R1-7

HEARING NO. 4**APPEAL NO. 20-208****MASSAPEQUA**

BILL BURGREN: (A) Variance to construct a second floor addition having less average front yard and side yard setback than permitted by Ordinance. (B) Variance to construct a two story addition and second floor addition having less aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (C) Variance to construct a two story addition and rear one story addition exceeding the maximum building coverage than permitted by Ordinance.

E/s/o Riverside Ave., 120 ft. N/o Pennsylvania Ave., a/k/a 534 Riverside Ave., Massapequa, NY
SEC. 52 BLK. 113 LOT 637 ZONE R1-7

HEARING NO. 5**APPEAL NO. 20-209****MASSAPEQUA**

EASTLAND ESTATES, INC.: Variance to construct new dwelling on a sub-divided lot having less width of lot at front property line, width of lot from front yard to required rear yard and lot area than permitted by Ordinance. (PLOT A)

N/s/o Jerusalem Ave., 418.98 ft. E/o Broadway, a/k/a 183 Jerusalem Ave., Massapequa, NY
SEC. 48 BLK. 75 LOT 960 ZONE R1-7

HEARING NO. 6

APPEAL NO. 20-210

MASSAPEQUA

EASTLAND ESTATES, INC.: Variance to construct new dwelling on a sub-divided lot having less width of lot at front property line, width of lot from front yard to required rear yard and lot area than permitted by Ordinance. **(PLOT B)**

N/s/o Jerusalem Ave., 478.98 ft. E/o Broadway, a/k/a 183 Jerusalem Ave., Massapequa, NY
SEC. 48 BLK. 75 LOT 960 ZONE R1-7

HEARING NO. 7

APPEAL NO. 20-211

MASSAPEQUA

SCOTT SCHRATWIESER: **(A)** Variance to construct a one story addition having less aggregate side yards than permitted by Ordinance. **(B)** Variance construct a one story addition and rear pergola exceeding maximum building coverage than permitted by Ordinance. **(C)** Variance construct one story addition, roof-top deck with pergola and privacy screen and raised patio with pergola exceeding maximum gross floor area than permitted by Ordinance. **(D)** Variance to construct raised patio with pergola and roof-top deck with pergola and privacy screen having less side yard setback and aggregate side yards than permitted by Ordinance.

W/s/o Biltmore Blvd. 822.75 ft. S/o Merrick Rd., a/k/a 29 Biltmore Blvd., Massapequa, NY
SEC. 65 BLK. 98 LOT 977 ZONE R1-7

HEARING NO. 8

APPEAL NO. 20-212

NORTH MASSAPEQUA

MICHAEL FERRIGGI: Variance to allow existing 6 ft. high fence exceeding maximum height across side/front yard (Jacqueline Road) than permitted by Ordinance.

E/s/o Jacqueline Rd., 66.60 ft. N/o Gail Dr., a/k/a 4 Jacqueline Road, North Massapequa, NY
SEC. 52 BLK. 388 LOT 5 ZONE R1-7

HEARING NO. 9

APPEAL NO. 20-213

NORTH MASSAPEQUA

ROBERT COFFEY: **(A)** Variance to construct one story addition having less average front yard setback and aggregate side yards than permitted by Ordinance. **(B)** Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

S/s/o N. Linden St., 316.67 ft. E/o N. Central Ave., a/k/a 312 N. Linden Street, North Massapequa, NY
SEC. 52 BLK. 86 LOT 38 ZONE R1-7

HEARING NO. 10

APPEAL NO. 20-214

NORTH MASSAPEQUA

ROBERT QUINN: **(A)** Variance to allow existing portico and platform with steps to grade having less average front yard setback than permitted by Ordinance. **(B)** Variance to allow existing 5 ft. high PVC fence exceeding maximum height across side/front yard (N. Bay Drive) than permitted by Ordinance. **(C)** Variance to allow existing 4 ft. high PVC fence exceeding maximum height within intersection than permitted by Ordinance.

SW/ cor. of N. Boston Ave. & N. Bay Dr., a/k/a 232 N. Boston Avenue, North Massapequa, NY
SEC. 52 BLK. 10 LOT 21 ZONE R1-7

HEARING NO. 11

APPEAL NO. 20-215

NORTH MASSAPEQUA

ROCCO & GERALDINE DEBENEDETTO: (A) Variance to allow existing second story addition and rear deck having less side yard setback than permitted by Ordinance. (B) Variance to allow existing second story addition having less roof pitch than permitted by Ordinance; also encroachment of eaves and gutters. (C) Variance to allow existing shed having less side yard setback and rear yard setback than permitted by Ordinance. (D) Variance to allow existing pool equipment 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 spaces are required.

N/s/o Briarwood Rd., 458.73 ft. E/o Ailee Rd., a/k/a 385 Briarwood Road, North Massapequa, NY
SEC. 52 BLK. 415 LOT 9 ZONE R1-7

HEARING NO. 12

APPEAL NO. 20-216

SEAFORD

JENNIFER LONDINO: (A) Variance to construct a second kitchen in a one-family dwelling for use as a PARENT/CHILD residence. (B) Variance to allow existing deck and to construct two story addition having less rear yard setback than permitted by Ordinance. (C) Variance to allow existing deck and to construct second story addition exceeding maximum building coverage and gross floor area than permitted by Ordinance.

S/s/o Bayberry La., 83 ft. E/o Woodland La., a/k/a 4102 Bayberry Lane, Seaford, NY
SEC. 52 BLK. 503 LOT 8 ZONE R1-7

HEARING NO. 13

APPEAL NO. 20-217

BETHPAGE

WALTER DROBECKER: (A) Variance to allow existing second story deck and roof over patio exceeding maximum building coverage than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 89-559 and granted by Decision of the Zoning Board of Appeals, dated November 30, 1989.

E/s/o S. Nassau St., 60 ft. N/o Brenner Ave., a/k/a 54 S. Nassau Street, Bethpage, NY
SEC. 46 BLK. 591 LOT 18 ZONE R1-7

HEARING NO. 14

APPEAL NO. 20-218

BETHPAGE

DIANE BERGER: (A) Variance for the expansion of PARENT/CHILD residence. (B) Variance to allow existing accessory unit exceeding maximum number of bedrooms than permitted by Ordinance. (C) Variance to construct one story addition below existing second story addition having less side yard setback than permitted by Ordinance. (D) Variance to construct egress wells having less side yard setback than permitted by Ordinance. (E) Variance to allow two (2) existing air conditioning units having less side yard setback than permitted by Ordinance. (F) Amend Specific Plan as presented for Appeal No. 02-573 and granted by Decision of the Zoning Board of Appeals, dated January 16, 2003.

N/s/o Normandy Dr., 223.1 ft. E/o Seitz Dr., a/k/a 10 Normandy Drive, Bethpage, NY
SEC. 49 BLK. 193 LOT 14 ZONE R1-7

HEARING NO. 15

APPEAL NO. 20-219

BETHPAGE

ROSALIA GULLO: (A) Variance to allow an existing portico having less average front yard setback than permitted by Ordinance. (B) Variance to allow an existing waterfall having less side yard setback than permitted by Ordinance. (C) Variance for the reduction of off-street parking spaces. Reduction of spaces to 1 when 2 spaces are required. (D) Variance to allow existing sheds having less side yard setback than permitted by Ordinance.

N/s/o Fairview La., 148.81 ft. E/o Grohmans Lane, a/k/a 4 Fairview Lane, Plainview, NY
SEC. 46 BLK. 621 LOT 8 ZONE R1-7

HEARING NO. 16

APPEAL NO. 20-220

HICKSVILLE

70 E. OLD COUNTRY ROAD LLC: Variance to erect 8 ft. high fence in rear yard and side yard than permitted by Ordinance.

NE/ cor. of E. Old Country Rd. & Kraemer St., a/k/a 70 E. Old Country Road, Hicksville, NY
SEC. 12 **BLK. 185** **LOT 80** **ZONE NB**

HEARING NO. 17

APPEAL NO. 20-221

HICKSVILLE

JOSEPH CASTRO: (A) Variance to allow existing detached garage exceeding maximum height than permitted by Ordinance. (B) Variance for the reduction of off-street parking spaces. Reduction of spaces to 2 when 4 spaces are required. (C) Amend Specific Plan as presented for Appeal No. 91-29 and granted by Decision of the Zoning Board of Appeals, dated January 24, 1991.

SW /cor. of 16th St. & Burns Ave., a/k/a 71 16th Street, Hicksville, NY
SEC. 11 **BLK. 398** **LOT 26** **ZONE R1-7**

HEARING NO. 18

APPEAL NO. 20-222

HICKSVILLE

LI LING KONG: (A) Variance to allow an existing 7.8 ft. x 8.2 ft. shed having less side and rear yard setback than permitted by Ordinance. (B) Variance to allow an existing driveway having less side yard setback than permitted by Ordinance. (C) Variance to allow existing parking in the required front yard. (D) Amend Specific Plan as presented for Appeal No. 18-355 and granted by Decision of the Zoning Board of Appeals, dated August 9, 2018.

S/s/o Preston Lane, 277.49 E/o Division Avenue, a/k/a 16 Preston Lane, Hicksville
SEC. 45 **BLK. 527** **LOT 15** **ZONE R1-7**

HEARING NO. 19

APPEAL NO. 20-223

HICKSVILLE

ANTHONY LABRIOLA: (A) Variance to construct portico over steps and landing having less average front setback than permitted by Ordinance. (B) Variance to allow existing 24.1 ft. x 38.4 ft. one story addition having less side and rear yard setbacks than permitted by Ordinance. (C) Variance to construct a second story addition and front roof over having less side yard and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters.

W/s/o Hicks Circle, 237.61ft. N/o Miller Road, a/k/a 10 Hicks Circle, Hicksville, NY
SEC. 12 **BLK. 305** **LOT 5** **ZONE R1-7**

HEARING NO. 20

APPEAL NO. 20-224

OLD BETHPAGE

BALAL AYOUB: (A) Variance to allow existing front portico, front steps, landings and front window addition having less average front setback than permitted by Ordinance. (B) Variance to allow an existing raised patio abutting swimming pool having less rear yard setback than permitted by Ordinance. (C) Variance to allow an existing driveway having less side yard setback than permitted by Ordinance.

E/s/o Weldon La. 181.46 ft. N/o So. Park Dr., a/k/a 14 Weldon La., Old Bethpage, NY
SEC. 47 **BLK. 72** **LOT 15** **ZONE R1-10**

HEARING NO. 21**APPEAL NO. 20-225****OLD BETHPAGE**

14 FORTE LLC: (A) Variance to construct new dwelling having less aggregate side yards, exceeding maximum building coverage and gross floor area than permitted by Ordinance. (B) Variance to construct side platform with steps to grade having less side yard setback and aggregate side yards than permitted by Ordinance.

E/s/o Forte Ave., 386.79 ft. S/o Park Dr., a/k/a 14 Forte Avenue, Old Bethpage, NY
SEC. 47 BLK. 30 LOT 11 ZONE R1-7

HEARING NO. 22**APPEAL NO. 20-226****PLAINVIEW**

BRAD FELL: (A) Variance to allow existing raised wood deck abutting above-ground swimming pool having less rear yard setback than permitted by Ordinance. (B) Variance to allow existing raised wood deck with steps to grade abutting above-ground swimming pool having less side yard setback than permitted by Ordinance. (C) Variance to allow existing pool equipment having less side yard setback than permitted by Ordinance. (D) Variance to allow existing raised wood deck exceeding maximum building coverage than permitted by Ordinance. (E) Amend Specific Plan as presented for Appeal No. 98-611 and granted by Decision of the Zoning Board of Appeals, dated October 15, 1998.

S/s/o Gloria Pl., 421.59 ft. E/o Rosewood Pl., a/k/a 20 Gloria Place, Plainview, NY
SEC. 47 BLK. 79 LOT 12 ZONE R1-7

HEARING NO. 23**APPEAL NO. 20-227****PLAINVIEW**

PETER DELMAN: Variance to install natural gas generator exceeding maximum setback from dwelling than permitted by Ordinance.

S/s/o Sally Ln., 300 ft. W/o Richfield St., a/k/a 6 Sally Lane, Plainview, NY
SEC. 13 BLK. 62 LOT 17 ZONE R1-7

HEARING NO. 24**APPEAL NO. 20-228****WOODBURY**

AMIR GILAAD: (A) Variance to construct second story addition and front open porch exceeding maximum building coverage than permitted by Ordinance. (B) Variance to construct second story addition, front open porch and rear steps and landing exceeding maximum gross floor area than permitted by Ordinance.

N/s/o Joyce Ln., 272.24 ft. W/o Merrill Ln., a/k/a 50 Joyce Lane, Woodbury, NY
SEC. 15 BLK. 192 LOT 21 ZONE R1-10

HEARING NO. 25**APPEAL NO. 20-229****GLEN HEAD**

DIANE BASSO: (A) Variance to construct front roof over porch, second story addition and cellar entrance having less front yard setback than permitted by Ordinance. (B) Variance to construct detached garage having less front yard setback than permitted by Ordinance. (C) Variance to allow existing shed having less front yard setback than permitted by Ordinance. (D) Amend Specific Plan as presented for Appeal No. 03-379 and granted by Decision of the Zoning Board of Appeals, dated July 24, 2003.

S/s/o Frost Pond Rd., 241.46 ft. E/o Crossway, a/k/a 162 Frost Pond Road, Glen Head, NY
SEC. 22 BLK. E LOT 361 ZONE R1-1A

HEARING NO. 26

APPEAL NO. 20-230

GLEN HEAD

CARLO BORDONE: (A) Variance to allow existing convenience kitchen in one-family dwelling. (B) Amend Specific Plan as presented for Appeal No. 18-573 and granted by Decision of the Zoning Board of Appeals, dated November 29, 2018 and amended by Decision of the Zoning Board of Appeals, dated August 8, 2019.

SW/ cor. of Beechwood Dr. & Meadow Ln., a/k/a 60 Beechwood Drive, Glen Head, NY
SEC. 21 BLK. 203 LOT 60 ZONE R1-20

HEARING NO. 27

APPEAL NO. 20-231

GLEN HEAD

CHRISTOPHER GIOVANIS: (A) Variance to construct a two story addition, one story addition and one story front portico having average less front yard setback than permitted by Ordinance. (B) Variance to construct a second story addition exceeding the maximum height and having less roof pitch than permitted by Ordinance.

NW/cor. Garfield Avenue & McKinley Place, a/k/a 28 Garfield Road, Glen Head, NY
SEC. 20 BLK. 5 LOT 10 ZONE R1-7

HEARING NO. 28

APPEAL NO. 20-232

NORTH MASSAPEQUA

FELIX SCIANNAMEA: Variance to construct new dwelling having less average front yard setback, side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters.

N/s/o N. Cedar St., 260 ft. E/o N. Bay Ave., a/k/a 211 N. Cedar Street, North Massapequa, NY
SEC. 52 BLK. 95 LOT 69 ZONE R1-7

HEARING NO. HO 1

APPEAL NO. 19-339

FARMINGDALE

436F REALTY, LLC/7-ELEVEN, INC.: Variance to construct a convenience store in a commercially zoned property operating 24 hours a day.

SE/ cor. of Merritts Rd. & Michel Ave., a/k/a 209 Merritts Road, Farmingdale, NY
SEC. 48 BLK. 520 LOT 868 ZONE GB

JUNE 29, 2020

BY ORDER OF THE ZONING BOARD OF APPEALS

TOWN OF OYSTER BAY, OYSTER BAY, NEW YORK