



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

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 21, 2022*, at 7:00 P. M., to consider the following appeals:

BY ORDER OF THE ZONING BOARD OF APPEALS

HEARING NO. RC 1

APPEAL NO. 01-91 - AMENDMENT

GLEN HEAD

FLORA & RITA RACKWITZ: (A) Amend Decision of Zoning Board of Appeals, dated March 29, 2001 in order to Amend the Declaration of Restrictive Covenants to indicate a change in occupancy while still maintaining a Parent/Child relationship. (B) Extend the Special Use Permit to maintain an existing second kitchen in a one-family dwelling for use as a Parent/Child residence.

W/s/o Cody Ave., 34.04 ft. S/o Woodland Ave., a/k/a 43 Cody Avenue, Glen Head, NY
SEC. 20 BLK. 33 LOTS 169 & 268 ZONE R1-7

HEARING NO. RC 2

APPEAL NO. 21-564- AMENDMENT

JERICHO

JERICHO PLAZA PORTFOLIO LLC: Amend Specific Plan as presented for Appeal No. 21-564 and granted by Decision of the Zoning Board of Appeals, dated December 16, 2021, to propose a change in location of 50 ft. by 5 ft. illuminated wall sign.

E/s/o Jericho Plaza, N/o Marginal Rd., a/k/a 2 Jericho Plaza, Jericho, NY
SEC. 11 BLK. 355 LOT 31 ZONE OB

HEARING NO. 1

APPEAL NO. 22-289

MASSAPEQUA

KATHLEEN M. SAPANSKI: (A) Variance to allow existing rear deck with steps to grade and splash pool/jacuzzi having less rear 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 allow existing rear deck with steps to grade exceeding maximum building coverage and gross floor area than permitted by Ordinance. (D) Amend Specific Plan as presented for Appeal No. 13-132 and granted by Decision of the Zoning Board of Appeals, dated April 18, 2013.

S/s/o Exeter Rd., 100 ft. W/o Cedar Shore Dr., a/k/a 110 Exeter Road, Massapequa, NY
SEC. 65 BLK. 154 LOT 21 ZONE R1-10/OHG

HEARING NO. 2

APPEAL NO. 22-290

MASSAPEQUA

JOSEPH DANIELE: (A) Variance to allow existing front addition having less average front yard setback than permitted by Ordinance. (B) Variance to allow existing 15 ft. by 16.33 ft. shed with roof over having less side yard setback and rear yard setback than permitted by Ordinance. (C) Amend Specific Plan as presented for Appeal No. 98-451 and granted by Decision of the Zoning Board of Appeals, dated October 1, 1998.

SW/ cor. of Clinton Pl. & Ocean Ave., a/k/a 67 Clinton Place, Massapequa, NY
SEC. 65 BLK. 205 LOT 29 ZONE R1-10

HEARING NO. 3

APPEAL NO. 22-291

MASSAPEQUA

RYAN WALLACE: (A) Variance to erect 6 ft. high fence exceeding maximum height across side/front yard than permitted by Ordinance. (B) Variance to install in-ground swimming pool and pool equipment having less side yard setback and rear yard setback than permitted by Ordinance.

NW/ cor. of Nassau Rd. & Algonquin Ave., a/k/a 87 Nassau Road, Massapequa, NY
SEC. 66 BLK. 27 LOT 36 ZONE R1-10

HEARING NO. 4

APPEAL NO. 22-292

MASSAPEQUA

CORRIE BANKS: Variance to install in-ground swimming pool having less side/front yard setback than permitted by Ordinance.

NW/ cor. of Central Ave. & Toronto Ave., a/k/a 695 Central Avenue, Massapequa, NY
SEC. 52 BLK. 185 LOT 1371 ZONE R1-7

HEARING NO. 5

APPEAL NO. 22-293

MASSAPEQUA

DANIELLE BELLINA: (A) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across side/front yard (Jerusalem Avenue) 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 pool equipment having less rear yard setback than permitted by Ordinance. (D) Variance to allow existing propane tank having less side yard setback than permitted by Ordinance. (E) Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

NE/ cor. of Gull Pl. & Jerusalem Ave., a/k/a 2 Gull Place, Massapequa, NY
SEC. 52 BLK. 122 LOT 76 ZONE R1-7

HEARING NO. 6

APPEAL NO. 22-294

MASSAPEQUA

CHRIS BLUMENSTETTER: Variance to construct rear deck with roof over exceeding maximum building coverage and gross floor area than permitted by Ordinance.

S/s/o Toronto Ave., E/o Bell Pl., a/k/a 218 Toronto Avenue, Massapequa, NY
SEC. 48 BLK. 98 LOT 5 ZONE R1-7

HEARING NO. 7

APPEAL NO. 22-295

NORTH MASSAPEQUA

DIANA BOUCHER: (A) Variance to allow existing shed exceeding maximum building coverage than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 19-73 and granted by Decision of the Zoning Board of Appeals, dated February 28, 2019.

S/s/o N. Elm St., 100 ft. E/o N. Park Ave., a/k/a 260 N. Elm Street, North Massapequa, NY
SEC. 52 BLK. 82 LOT 68 ZONE R1-7

HEARING NO. 8**APPEAL NO. 22-296****NORTH MASSAPEQUA**

RICHARD ANZALONE: (A) Variance to construct second floor addition and allow existing shed abutting dwelling having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to allow existing pool heater having less front yard setback and side yard setback than permitted by Ordinance. (C) Variance to allow existing rear masonry platform with steps to grade having less side yard setback than permitted by Ordinance. (D) Variance to allow existing outdoor gas barbeque having less side yard setback than permitted by Ordinance. (E) Variance to construct second floor addition, allow existing shed abutting dwelling and front roofed over porch exceeding maximum building coverage than permitted by Ordinance. (F) Variance to construct second floor addition, allow existing shed abutting dwelling, rear masonry platform with steps to grade and front masonry roofed over porch exceeding maximum gross floor area than permitted by Ordinance. (G) Variance to construct second floor addition having less roof pitch than permitted by Ordinance. (H) Variance to allow existing widened driveway having less side yard setback than permitted by Ordinance.

S/s/o Margaret Rd., 267.90 ft. W/o Daniel Rd. N., a/k/a 69 Margaret Road, North Massapequa, NY
SEC. 52 BLK. 481 LOT 4 ZONE R1-7

HEARING NO. 9**APPEAL NO. 22-297****NORTH MASSAPEQUA**

NIERMALA SOOKOO: (A) Variance to construct 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 spaces are required. (C) Variance to allow existing front platform with steps to grade having less average front yard setback than permitted by Ordinance. (D) Variance to allow existing pergola exceeding maximum building coverage than permitted by Ordinance.

NW/ cor. of Maria Ct. & N. Delaware Ave., a/k/a 36 Maria Court, North Massapequa, NY
SEC. 52 BLK. 527 LOT 18 ZONE R1-7

HEARING NO. 10**APPEAL NO. 22-298****BETHPAGE**

BETHPAGE GROUP, LLC: (A) Variance to construct dog run having less setback than permitted by Ordinance. (B) Variance to erect 8 ft. high vinyl fence exceeding maximum height at the southeast corner of the lot than permitted by Ordinance.

S/s/o Hempstead Tpke., 718.49 ft. E/o Hicksville-Massapequa Rd., a/k/a 4070-4090 Hempstead Tpke., Bethpage, NY
SEC. 49 BLK. E LOT 40 ZONE GB

HEARING NO. 11**APPEAL NO. 22-299****BETHPAGE**

JOSEPH WALTER: (A) Variance to construct one story rear addition, front portico and allow existing shed exceeding maximum building coverage 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 12.1 ft. by 16.3 ft. shed exceeding maximum height than permitted by Ordinance. (D) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across front yard than permitted by Ordinance. (E) Variance for the reduction of off-street parking spaces. Reduction of spaces to 1 when 2 parking spaces are required. (F) Amend Specific Plan as presented for Appeal No. 14-296 and granted by Decision of the Zoning Board of Appeals, dated October 16, 2014.

S/s/o Jeanne Ln., 347.34 ft. E/o Virginia Ln., a/k/a 40 Jeanne Lane, Bethpage, NY
SEC. 49 BLK. 188 LOT 7 ZONE R1-7

HEARING NO. 12**APPEAL NO. 22-300****HICKSVILLE**

DARCI BOERCKEL: (A) Variance to allow existing 3.5 ft. by 6.3 ft. entry platform with steps to grade, 3.9 ft. by 5.8 ft. entry platform with steps to grade and bay window having less average side/front yard setback (Crescent Street) than permitted by Ordinance. (B) Variance to allow existing egress well having less side yard setback than permitted by Ordinance.

SW/ cor. of Ronald Ave. & Crescent St., a/k/a 20 Ronald Avenue, Hicksville, NY

SEC. 12**BLK. 167****LOT 9****ZONE R1-7**

HEARING NO. 13**APPEAL NO. 22-301****HICKSVILLE**

SONIA VERA: (A) Variance to construct second story cantilevered addition having less average front yard setback and roof pitch than permitted by Ordinance. (B) Variance to construct one story addition with roof top deck having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (C) Variance to construct second story cantilever, one story addition and portico exceeding maximum building coverage than permitted by Ordinance. (D) Variance to construct second story cantilevered addition, one story addition with roof top deck and rear platform with stairs to grade exceeding maximum gross floor area than permitted by Ordinance.

N/s/o Georgia St., 341.07 ft. W/o Burns Ave., a/k/a 17 Georgia Street, Hicksville, NY

SEC. 11**BLK. 366****LOT 25****ZONE R1-7**

HEARING NO. 14**APPEAL NO. 22-302****PLAINVIEW**

STEVE LIEBERMAN: Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

N/s/o Lillian Ln., 471.72 ft. W/o Hope Dr., a/k/a 16 Lillian Lane, Plainview, NY

SEC. 47**BLK. 14****LOT 29****ZONE R1-7**

HEARING NO. 15**APPEAL NO. 22-303****PLAINVIEW**

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

NW/ cor. of Main Pkwy. & Kroll St., a/k/a 26 Main Parkway, Plainview, NY

SEC. 12**BLK. 378****LOT 13****ZONE R1-7**

HEARING NO. 16**APPEAL NO. 22-304****WOODBURY**

MARISA FANG: (A) Variance to allow existing second story deck exceeding maximum building coverage than permitted by Ordinance. (B) Variance to allow existing second story deck, front platform with steps to grade and two (2) rear platforms with steps to grade exceeding maximum gross floor area than permitted by Ordinance. (C) Variance to allow existing air conditioning unit (northeast corner of dwelling) exceeding maximum distance into side yard than permitted by Ordinance. (D) Amend Specific Plan as presented for Appeal No. 19-534 and granted by Decision of the Zoning Board of Appeals, dated October 17, 2019.

S/s/o Windemere Way, 1014.88 ft. E/o Windemere Dr., a/k/a 28 Windemere Way, Woodbury, NY

SEC. 14**BLK. 37****LOT 28****ZONE R1-1A**

HEARING NO. 17

APPEAL NO. 22-305

SYOSSET

SPYRO GEORGOPALIS: (A) Variance to allow existing 10.2 ft. by 12.2 ft. shed having less side/front yard setback (Split Rock Road) than permitted by Ordinance. (B) Variance to allow existing 10 ft. high chain link fence surround tennis court having less side/front yard setback (Split Rock Road) than permitted by Ordinance. (C) Variance to allow existing 6 ft. high fence exceeding maximum height within 30 ft. of intersection than permitted by Ordinance.

NW/ cor. of Sagamore Dr. & Split Rock Rd., a/k/a 5 Sagamore Drive, Syosset, NY
SEC. 25 BLK. 51 LOT 1 ZONE R1-1A

HEARING NO. 18

APPEAL NO. 22-306

SYOSSET

FRANCISCO SANLES: (A) Variance to install semi in-ground swimming pool with abutting deck attached to dwelling having less side yard setback and rear yard setback than permitted by Ordinance. (B) Variance to allow existing 6.3 ft. by 14.6 ft. shed having less side yard setback than permitted by Ordinance.

E/s/o Patricia Ln., N/o N. Service Rd., a/k/a 31 Patricia Lane, Syosset, NY
SEC. 15 BLK. 128 LOT 37 ZONE R1-7

HEARING NO. 19

APPEAL NO. 22-307

SYOSSET

MELBA PAULOSE: (A) Variance to construct front portico having less average front yard setback than permitted by Ordinance. (B) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across side/front yard, front yard and within a 30 ft. intersection than permitted by Ordinance.

NE/ cor. of 5th Pl. & Convent Ct., a/k/a 17 5th Place, Syosset, NY
SEC. 15 BLK. 75 LOT 34 ZONE R1-7

HEARING NO. 20

APPEAL NO. 22-308

GLEN HEAD

ELAINE BRAITHWAITE: (A) Variance to allow existing raised platform with steps to grade having less average side/front yard setback (Hillside Avenue) than permitted by Ordinance. (B) Variance to allow existing shed having less side yard setback and rear yard setback than permitted by Ordinance.

SE/ cor. of Maple St. & Hillside Ave., a/k/a 3 Maple Street, Glen Head, NY
SEC. 21 BLK. 74 LOT 41 ZONE R1-7

HEARING NO. 21

APPEAL NO. 22-309

GLEN HEAD

ANTHONY & ERICA IMBRIANO: (A) Variance to construct second story addition, first floor additions and cellar entrance having less average front yard setback than permitted by Ordinance. (B) Variance to allow existing shed and pool equipment having less rear yard setback than permitted by Ordinance.

N/s/o Central Dr., 109.62 ft. W/o Beechwood Dr., a/k/a 24 Central Drive, Glen Head, NY
SEC. 21 BLK. 203 LOT 72 ZONE R1-20

HEARING NO. 22

APPEAL NO. 22-310

LOCUST VALLEY

RAMDAI GIARDINA: (A) Variance to allow existing alterations to a two-family dwelling. (B) Variance to allow existing garage expansion attached to existing detached garage and shed exceeding maximum rear yard coverage and building coverage of the principal building than permitted by Ordinance. (C) Variance to allow existing driveway having less width than permitted by Ordinance.

N/s/o Pershing Ave., 420.34 ft. W/o French St., a/k/a 79 Pershing Avenue, Locust Valley, NY
SEC. 29 BLK. 1 LOT 151 ZONE R1-7

HEARING NO. 23

APPEAL NO. 22-311

OYSTER BAY

DERRICK CORNELIOUS: Variance to install 6 ft. high fence exceeding maximum height across front yard than permitted by Ordinance.

SW/ cor. of W. Main St. & Underhill Ave., a/k/a 161 W. Main Street, Oyster Bay, NY
SEC. 24 BLK. A LOT 520 ZONE R1-10/OB

HEARING NO. HO 1

APPEAL NO. 22-272

MASSAPEQUA

DANIEL SCHWARTZ: (A) Variance to erect 6 ft. high fence exceeding maximum height across side/front yard than permitted by Ordinance. (B) Variance to install in-ground swimming pool and pool equipment having less side/front yard setback than permitted by Ordinance.

SE/ cor. of Massachusetts Ave. & Ash Pl., a/k/a 2 Massachusetts Avenue, Massapequa, NY
SEC. 52 BLK. 141 LOT 211 ZONE R1-7

JULY 11, 2022

BY ORDER OF THE ZONING BOARD OF APPEALS

TOWN OF OYSTER BAY, OYSTER BAY, NEW YORK