



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

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 *AUGUST 17, 2023*, at 7:00 P. M., to consider the following appeals:

BY ORDER OF THE ZONING BOARD OF APPEALS

HEARING NO. 1

APPEAL NO. 23-297

MASSAPEQUA

MICHELE PATTERSON: (A) Variance to construct roofed over front porch having less average front yard setback than permitted by Ordinance. (B) Variance to allow existing fire pit having less front yard setback than permitted by Ordinance. (C) Variance to allow existing gazebo having less rear yard setback and exceeding maximum gross floor area than permitted by Ordinance. (D) Variance to allow existing in-ground swimming pool with two (2) sets of steps having less rear yard setback than permitted by Ordinance. (E) Variance to construct roofed over front porch and allow existing gazebo exceeding maximum building coverage than permitted by Ordinance.

S/s/o Cabot Rd., 415.24 ft. W/o Bay Dr., a/k/a 140 Cabot Road, Massapequa, NY
SEC. 65 BLK. 163 LOT 6 ZONE R1-10/OHG

HEARING NO. 2

APPEAL NO. 23-375

MASSAPEQUA

CLIFFORD WEISS: (A) Variance to construct one story rear addition having less rear yard setback than permitted by Ordinance. (B) Variance construct one story rear addition and allow existing front roof over porch exceeding maximum building coverage than permitted by Ordinance.

N/s/o Fairfax Rd., 380 ft. W/o Cedar Shore Dr., a/k/a 99 Fairfax Road, Massapequa, NY
SEC. 65 BLK. 154 LOT 50 ZONE R1-10/OHG

HEARING NO. 3

APPEAL NO. 23-459

MASSAPEQUA

RUSSELL KONIG: (A) Variance to construct second kitchen in a one-family dwelling for use as a **PARENT/CHILD** residence. (B) Variance to construct two (2) front doors on a **PARENT/CHILD** residence. (C) Variance to construct accessory unit for use as a **PARENT/CHILD** residence exceeding maximum number of bedrooms than permitted by Ordinance.

E/s/o Clocks Blvd., 690.53 ft. S/o Delta Rd., a/k/a 336 Clocks Boulevard, Massapequa, NY
SEC. 66 BLK. 98 LOT 107 ZONE R1-10

HEARING NO. 4**APPEAL NO. 23-460****MASSAPEQUA**

RUSSELL KONIG: (A) Variance to construct two story addition with roof over front porch having less average front yard setback than permitted by Ordinance. (B) Variance to allow existing detached garage having less side yard setback, front yard setback, exceeding maximum height and accessory coverage than permitted by Ordinance. (C) Variance to allow existing deck extension with four (4) air conditioning units and one (1) generator atop, 7.6 ft. by 13.9 ft. shed, 8 ft. by 16 ft. shed with pool equipment inside and roof over boat slip having less side yard setback than permitted by Ordinance. (D) Variance to allow existing 7.6 ft. by 13.9 ft. shed, roof over boat slip and gas oven having less rear yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (E) Variance to construct two story addition with roof over front porch, allow existing detached garage, 7.6 ft. by 13.9 ft. shed, 8 ft. by 16 ft. shed with pool equipment inside, deck extension with four (4) air conditioning units and one (1) generator atop and roof over boat slip exceeding maximum building coverage than permitted by Ordinance. (F) Variance to construct two story addition with roof over front porch, allow existing detached garage, roof over boat slip and deck extension with four (4) air conditioning units and one (1) generator atop exceeding maximum gross floor area than permitted by Ordinance. (G) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across front yard than permitted by Ordinance. (H) Amend Specific Plan as presented for Appeal No. 13-27 and granted by Decision of the Zoning Board of Appeals, dated January 24, 2013.

E/s/o Clocks Blvd., 690.53 ft. S/o Delta Rd., a/k/a 336 Clocks Boulevard, Massapequa, NY
SEC. 66 BLK. 98 LOT 107 ZONE R1-10

HEARING NO. 5**APPEAL NO. 23-368****NORTH MASSAPEQUA**

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

SW/ cor. of N. Elm St. & N. Park Ave., a/k/a 264 N. Elm Street, North Massapequa, NY
SEC. 52 BLK. 77 LOT 1 ZONE R1-7

HEARING NO. 6**APPEAL NO. 23-380****NORTH MASSAPEQUA**

BRIAN MAYBERRY: (A) Variance to allow existing air conditioning unit having less side yard setback than permitted by Ordinance. (B) Variance to allow existing 8.1 ft. by 8 ft. shed having less side yard setback and rear yard setback than permitted by Ordinance. (C) Variance to allow existing rear deck having less rear yard setback and exceeding maximum gross floor area than permitted by Ordinance. (D) Variance to allow existing driveway having less side yard setback than permitted by Ordinance. (E) Variance to allow existing 5.42 ft. high wood fence exceeding maximum height across side/front yard (N. Summit Drive) than permitted by Ordinance. (F) Amend Specific Plan as presented for Appeal No. 70-450 and granted by Decision of the Zoning Board of Appeals, dated October 28, 1970.

SW/ cor. of N. Oak St. & N. Summit Dr., a/k/a 170A N. Oak Street, North Massapequa, NY
SEC. 48 BLK. 65 LOT 293 ZONE R1-7

HEARING NO. 7**APPEAL NO. 23-369 - AMENDMENT****FARMINGDALE**

CESAR BERMEIO: Amend Specific Plan as presented for Appeal No. 18-164 and granted by Decision of the Zoning Board of Appeals, dated April 26, 2018, to construct sunroom.

W/s/o Barbara Dr., 70.31 ft. N/o Saxon Rd., a/k/a 4 Barbara Drive, Farmingdale, NY
SEC. 53 BLK. 193 LOT 106 ZONE R1-7

HEARING NO. 8**APPEAL NO. 11-10 - AMENDMENT****BETHPAGE**

SCOTT SCHWARTZ: (A) Amend Decision of Zoning Board of Appeals, dated January 13, 2011 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.

N/s/o Laurel Pl., 525.44 ft. W/o Willow St., a/k/a 32 Laurel Place, Bethpage, NY
SEC. 46 BLK. 245 LOT 530 ZONE R1-7

HEARING NO. 9**APPEAL NO. 23-367****BETHPAGE**

SOPHIA DELUSTRO: Variance to allow existing 12.3 ft. by 7.9 ft shed having less rear yard setback than permitted by Ordinance.

E/s/o Caffrey Ave., S/o Flamingo Ln., a/k/a 62 Caffrey Avenue, Bethpage, NY
SEC. 46 BLK. 587 LOT 70 ZONE R1-7

HEARING NO. 10**APPEAL NO. 23-392****BETHPAGE**

LILY W. & EDWARD J. MARCO: Variance to construct one story addition exceeding maximum building coverage than permitted by Ordinance.

SW/ cor. Kevin Ln. & Plainedge Dr., a/k/a 31 Kevin Lane, Bethpage, NY
SEC. 49 BLK. 202 LOT 6 ZONE R1-7

HEARING NO. 11**APPEAL NO. 23-436****BETHPAGE**

GREGORY BERARDO: Variance to allow existing deck abutting pool having less rear yard setback than permitted by Ordinance.

W/s/o Park Ave., 225 ft. N/o Emma St., a/k/a 187 Park Avenue, Bethpage, NY
SEC. 49 BLK. 145 LOT 35 ZONE R1-7

HEARING NO. 12**APPEAL NO. 23-348****HICKSVILLE**

1016 WEST MARIE LLC: (A) Variance to allow existing rooftop mechanical unit located on northwest corner (closest to roof's edge) having less setback than permitted by Ordinance. (B) Variance to allow existing rooftop mechanical unit located on northwest corner (second unit from roof's edge) having less setback than permitted by Ordinance. (C) Variance to allow existing rooftop mechanical unit located on northwest corner (third unit from roof's edge) having less setback than permitted by Ordinance.

N/s/o W. Marie St., 60 ft. E/o Hicksville Rd., a/k/a 16 W. Marie Street, Hicksville, NY
SEC. 11 BLK. 295 LOT 136 ZONE HD-II

HEARING NO. 13**APPEAL NO. 23-358****HICKSVILLE**

GURDEEP SINGH AHLUWALIA: (A) Variance to construct second floor addition having less side yard setback, aggregate side yards, roof pitch and exceeding maximum gross floor area than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance for the reduction of off-street parking spaces. Reduction of spaces to 1 when 2 parking spaces are required.

S/s/o 5th St., 85 ft. W/o Jerusalem Ave., a/k/a 165 5th Street, Hicksville, NY
SEC. 45 BLK. 89 LOT 102 ZONE R1-7

HEARING NO. 14

APPEAL NO. 23-363

HICKSVILLE

JERRELL A. NARDIELLO: (A) Variance to allow existing one story addition with platform with steps to grade having less side yard setback, aggregate side yards and exceeding maximum gross floor area than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to allow existing shed having less side yard setback than permitted by Ordinance. (C) Variance to allow existing pool filter having less side yard setback than permitted by Ordinance.

W/s/o Irving Ct., 253.75 ft. S/o Windsor St., a/k/a 13 Irving Court Hicksville, NY

SEC. 11

BLK. D

LOT 1341

ZONE R1-7

HEARING NO. 15

APPEAL NO. 23-365

HICKSVILLE

SAMEERA QUDSIA: Variance to allow existing second story deck having less rear yard setback than permitted by Ordinance.

E/s/o S. Fordham Rd., 74.35 ft. S/o Elliot Dr., a/k/a 139 S. Fordham Road, Hicksville, NY

SEC. 46

BLK. 562

LOT 35

ZONE R1-7

HEARING NO. 16

APPEAL NO. 23-372

HICKSVILLE

SHIRLEY MATHEW: (A) Variance to construct front one story addition having less average front yard setback and aggregate side yards than permitted by Ordinance. (B) Variance to construct rear one story addition having less rear yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (C) Variance to construct front one story additions, rear one story addition and front covered porch exceeding maximum building coverage than permitted by Ordinance. (D) Variance to construct front one story additions and rear one story addition exceeding maximum gross floor area 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.

N/s/o Cornell Ln., 605.61 ft. E/o LeHigh Ln., a/k/a 9 Cornell Lane, Hicksville, NY

SEC. 12

BLK. 416

LOT 24

ZONE R1-7

HEARING NO. 17

APPEAL NO. 23-391

HICKSVILLE

NEARAJ BHALLA: Variance to construct 52.41 ft. by 28.7 ft. new dwelling on existing foundation exceeding maximum gross floor area than permitted by Ordinance.

N/s/o Cornell Ln., 665.61 ft. E/o Lehigh Ln., a/k/a 5 Cornell Lane, Hicksville, NY

SEC. 12

BLK. 416

LOT 25

ZONE R1-7

HEARING NO. 18

APPEAL NO. 23-443

HICKSVILLE

MOHAMMAD PERWAIZ: (A) Variance to construct 33.5 ft. by 44.1 ft. new dwelling on partial new and partial existing foundation having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters. (B) Amend Specific Plan as presented for Appeal No. 18-296 and granted by Decision of the Zoning Board of Appeals, dated July 12, 2018.

W/s/o Scooter Ln., 79 ft. N/o Rising Ln., a/k/a 141 Scooter Lane, Hicksville, NY

SEC. 46

BLK. 474

LOT 7

ZONE R1-7

HEARING NO. 19**APPEAL NO. 23-376****PLAINVIEW**

HOWARD SPECHLER: (A) Variance to construct sunroom exceeding maximum building coverage than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 96-53 and granted by Decision of the Zoning Board of Appeals, dated February 29, 1996.

S/s/o Grace St., 186.77 ft. E/o Randy Ln., a/k/a 150 Grace Street, Plainview, NY

SEC. 12**BLK. 490****LOT 34****ZONE R1-7**

HEARING NO. 20**APPEAL NO. 23-353****JERICO**

CHANGYUAN ZOU: (A) Variance to allow existing second kitchen in a one-family dwelling for use as a PARENT/CHILD residence. (B) Amend Specific Plans as presented for Appeal No. 14-113 and granted by Decision of the Zoning Board of Appeals, dated March 20, 2014 and for Appeal No. 92-359 and granted by Decision of the Zoning Board of Appeals, dated October 8, 1992.

NW/ cor. of Moss Ln. & Marian Ln., a/k/a 57 Moss Lane, Jericho, NY

SEC. 12**BLK. 616****LOT 30****ZONE R1-10**

HEARING NO. 21**APPEAL NO. 23-371****JERICO**

GAYLE WENGROVER: (A) Variance to allow existing one story addition exceeding maximum building coverage than permitted by Ordinance. (B) Variance to allow existing driveway having less side yard setback than permitted by Ordinance. (C) Variance to allow existing pool heater having less front yard setback than permitted by Ordinance.

N/s/o Forest Dr., 203.5 ft. E/o Fern St., a/k/a 165 Forest Drive, Jericho, NY

SEC. 12**BLK. 572****LOT 16****ZONE R1-10**

HEARING NO. 22**APPEAL NO. 23-374****JERICO**

GARY BUKI: (A) Variance to allow existing front wood deck with steps to grade and one story addition having less average front yard setback (Birchwood Park Drive) and exceeding maximum gross floor area than permitted by Ordinance. (B) Variance to allow existing raised platform having less side/front yard setback (Oakwood Street) than permitted by Ordinance. (C) Variance to allow existing front wood deck with steps to grade, one story addition and roofed over stoop with steps to grade exceeding maximum building coverage than permitted by Ordinance. (D) Variance to allow existing 6 ft. high wood fence exceeding maximum height across side/front yard (Oakwood Street) and front yard (Birchwood Park Drive) than permitted by Ordinance.

NW/ cor. of Oakwood St. & Birchwood Park Dr., a/k/a 11 Oakwood Street, Jericho, NY

SEC. 12**BLK. 515****LOT 14****ZONE R1-10**

HEARING NO. 23**APPEAL NO. 23-347****SYOSSET**

MIRSODA MUHJAJ: Variance to construct 32.6 ft. by 64.75 ft. new dwelling on existing foundation having less average front yard setback and side yard setback than permitted by Ordinance.

S/s/o Robert Cir., 352.82 ft. E/o Teibrook Ave., a/k/a 10 Robert Circle, Syosset, NY

SEC. 15**BLK. 86****LOT 34****ZONE R1-7**

HEARING NO. 24**APPEAL NO. 23-437****SYOSSET**

RICHARD SANTORO: (A) Variance to allow existing deck with pergola having less average front yard setback (Holly Drive) and side yard setback than permitted by Ordinance. (B) Variance to allow existing entry steps having less side/front yard setback (Southwood Circle) than permitted by Ordinance. (C) Variance to allow existing shed having less rear yard setback than permitted by Ordinance. (D) Variance to allow existing 6 ft. high wood fence exceeding maximum height across side/front yard (Southwood Circle) than permitted by Ordinance. (E) Variance to allow existing 5.75 ft. high wood fence exceeding maximum height across front yard (Holly Drive) than permitted by Ordinance. (F) Amend Specific Plan as presented for Appeal No. 05-713 and granted by Decision of the Zoning Board of Appeals, dated December 15, 2005.

NW/ cor. of Southwood Cir. & Holly Dr., a/k/a 268 Southwood Circle, Syosset, NY

SEC. 15**BLK. 111****LOT 26****ZONE R1-7**

HEARING NO. 25**APPEAL NO. 23-381****GLEN HEAD**

JEFFREY POMBAR: (A) Variance to allow existing two-family dwelling having less lot area than permitted by Ordinance. (B) Variance to allow existing storage shed extending into residential R1-7 zone and having less rear yard setback than permitted by Ordinance.

S/s/o Glen Head Rd., 50.36 ft. E/o Cherry St., a/k/a 157 Glen Head Road, Glen Head, NY

SEC. 20**BLK. 16****LOT 58****ZONE GB**

HEARING NO. 26**APPEAL NO. 23-370****LOCUST VALLEY**

FOREST VALLEY REALTY LLC: Variance for the reduction of off-street parking spaces. Reduction of spaces to 14 when 26 parking spaces are required.

NW/ cor. of Forest Ave. & 10th St., a/k/a 324 Forest Avenue, Locust Valley, NY

SEC. 30**BLK. 33****LOT 115****ZONE NB**

HEARING NO. 27**APPEAL NO. 23-379****EAST NORWICH**

JENNIFER KITCHNER: (A) Variance to construct one story addition having less rear yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (B) Amend Specific Plan as presented for Appeal No. 68-388 and granted by Decision of the Zoning Board of Appeals, dated August 14, 1968 and amended by Decision of the Zoning Board of Appeals, dated May 22, 1969.

N/s/o Johnson Ct., 466.59 ft. E/o Pine Hollow Rd., a/k/a 15 Johnson Court, East Norwich, NY

SEC. 27**BLK. E****LOT 500****ZONE R1-7**

HEARING NO. 28**APPEAL NO. 23-433****EAST NORWICH**

JASON HUDES: (A) Variance to allow existing 10 ft. by 10 ft. shed and 8 ft. by 12 ft. shed having less side yard setback than permitted by Ordinance. (B) Variance to allow existing bathroom inside cabana.

S/s/o Ridge Rock Ln., 259.52 ft. E/o Split Oak Dr., a/k/a 5 Ridge Rock Lane, East Norwich, NY

SEC. 27**BLK. 48****LOT 2****ZONE R1-1A**

HEARING NO. 29

APPEAL NO. 23-432

OYSTER BAY

MICHAEL TAGLICH: (A) Variance to construct detached garage and cabana with attached pergola exceeding maximum building coverage of the principal building and gross floor area than permitted by Ordinance. (B) Variance to construct two (2) bathrooms inside proposed cabana. (C) Variance to allow existing sports court having less side/front yard setback (Sandy Hill Road) than permitted by Ordinance. (D) Variance to allow existing driveway having less side yard setback than permitted by Ordinance.

SW/ cor. of E. Main St. & Sandy Hill Rd., a/k/a 198 E. Main Street, Oyster Bay, NY

SEC. 27

BLK. 32

LOT 301

ZONE R1-10/OB

AUGUST 7, 2023

BY ORDER OF THE ZONING BOARD OF APPEALS

TOWN OF OYSTER BAY, OYSTER BAY, NEW YORK