



**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 - JEROME FITZPATRICK - ANDREW MONTELEONE

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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 *AUGUST 19, 2021*, at 7:00 P. M., to consider the following appeals:  
  
**BY ORDER OF THE ZONING BOARD OF APPEALS**

**HEARING NO. RC 1**

**APPEAL NO. 18-412 - AMENDMENT**  
**APPEAL NO. 99-325 - AMENDMENT**

**MASSAPEQUA**

**DORIAN & JOHN ODDO:** Amend Specific Plans as presented for Appeal No. 18-412 and granted by Decision of the Zoning Board of Appeals, dated September 20, 2018 and for Appeal No. 99-325 and granted by Decision of the Zoning Board of Appeals, dated July 29, 1999 to propose lot line adjustment.

S/s/o St. Marks Pl., 80 ft. W/o Seaford Ave., a/k/a 12 St. Marks Place, Massapequa, NY  
**SEC. 65                      BLK. 901                      LOT 243                      ZONE R1-7**

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**HEARING NO. RC 2**

**APPEAL NO. 21-137 - AMENDMENT**

**MASSAPEQUA**

**BRIAN O'NEILL:** Amend Specific Plan as presented for Appeal No. 21-137 and granted by Decision of the Zoning Board of Appeals, dated April 22, 2021, to allow existing second story bathroom dormer exceeding maximum gross floor area.

N/s/o Lagoon Blvd., 128.06 ft. W/o Bay Dr., a/k/a 153 Lagoon Boulevard, Massapequa, NY  
**SEC. 65                      BLK. 157                      LOT 39                      ZONE R1-10/OHG**

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**HEARING NO. RC 3**

**APPEAL NO. 85-214 - AMENDMENT**

**SEAFORD**

**LYNN DONADIO:** (A) Amend Decision of Zoning Board of Appeals, dated May 30, 1985 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 Rutherford Dr., 73.07 ft. S/o Old Post Rd., 532 Rutherford Drive, Seaford, NY  
**SEC. 52                      BLK. 452                      LOT 4                      ZONE R1-7**

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**HEARING NO. RC 4**

**APPEAL NO. 06-259 - AMENDMENT**

**MASSAPEQUA**

**ANTHONY DETOMA:** (A) Amend Decision of Zoning Board of Appeals, dated June 8, 2006 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.

E/s/o West End Ave., 371.60 ft. N/o Lafayette Pl., a/k/a 213 West End Ave., Massapequa, NY  
**SEC. 65                      BLK. 196                      LOT 30                      ZONE R1-7**

**HEARING NO. 1**

**APPEAL NO. 21-357**

**MASSAPEQUA**

**DORIAN & JOHN ODDO**: Variance to allow existing dwelling on lesser lot having less lot area, width of lot, aggregate side yards and exceeding maximum building coverage than permitted by Ordinance.

S/s/o St. Marks Pl., 239 ft. W/o Seaford Ave., a/k/a 10 St. Marks Place, Massapequa, NY  
**SEC. 65                      BLK. 901                      LOT 249                      ZONE R1-7**

**HEARING NO. 2**

**APPEAL NO. 21-358**

**MASSAPEQUA**

**TOM MAVROUDIS**: Variance to allow existing pool filter and heater having less side yard setback than permitted by Ordinance.

N/s/o Adam Rd., 240 ft. E/o Cedar Shore Dr., a/k/a 139 Adam Road, Massapequa, NY  
**SEC. 65                      BLK. 159                      LOT 60                      ZONE R1-10/OHG**

**HEARING NO. 3**

**APPEAL NO. 21-359**

**MASSAPEQUA**

**MINDY GETTLER**: **(A)** Variance to allow existing covered porch having less front yard setback than permitted by Ordinance. **(B)** Variance to allow existing raised masonry patio having less rear yard setback than permitted by Ordinance. **(C)** Variance to allow existing pergola and raised masonry patio having less rear yard setback and exceeding maximum gross floor area than permitted by Ordinance. **(D)** Variance to allow existing covered porch and pergola exceeding maximum building coverage than permitted by Ordinance. **(E)** Variance to allow existing in-ground swimming pool and pool equipment having less front yard setback than permitted by Ordinance. **(F)** Variance to allow existing in-ground swimming pool having less side yard setback than permitted by Ordinance. **(G)** Amend Specific Plan as presented for Appeal No. 98-722 and granted by Decision of the Zoning Board of Appeals, dated February 18, 1999.

N/s/o Lincoln Pl., 270 ft. W/o Seaford Ave., a/k/a 3 Lincoln Place, Massapequa, NY  
**SEC. 65                      BLK. 901                      LOT 269                      ZONE R1-7**

**HEARING NO. 4**

**APPEAL NO. 21-360**

**MASSAPEQUA**

**MAE SILVERMAN**: Variance to install natural gas generator exceeding maximum setback from dwelling than permitted by Ordinance.

E/s/o E. Hamilton Ave., 140.16 ft. N/o E. Lincoln Ave., a/k/a 1 E. Hamilton Avenue, Massapequa, NY  
**SEC. 66                      BLK. 128                      LOT 54                      ZONE R1-10**

**HEARING NO. 5**

**APPEAL NO. 21-361**

**MASSAPEQUA**

**KRISTIN STERGAKOS**: **(A)** Variance to install 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 front yard setback than permitted by Ordinance.

N/s/o Burns Ln., 128.34 ft. W/o Ensign Dr., a/k/a 6 Burns Lane, Massapequa, NY  
**SEC. 65                      BLK. 246                      LOT 7                      ZONE R1-10**

**HEARING NO. 6**

**APPEAL NO. 21-362**

**MASSAPEQUA**

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

SE/ cor. of Anchor Dr. & Dory Ln., a/k/a 40 Anchor Drive, Massapequa, NY  
SEC. 65                      BLK. 248                      LOT 1                      ZONE R1-10

**HEARING NO. 7**

**APPEAL NO. 21-363**

**MASSAPEQUA**

**JOHN GIARDINO:** Variance to construct second story addition, two (2) two story front bump out additions, masonry front stoop with barrel vaulted roof over and rear roofed over raised masonry patio with steps to grade exceeding maximum gross floor area than permitted by Ordinance.

S/s/o Riviera Dr. S., 1248.76 ft. W/o Riviera Dr. E., a/k/a 100 Riviera Drive S., Massapequa, NY  
SEC. 65                      BLK. 228                      LOT 52                      ZONE R1-10

**HEARING NO. 8**

**APPEAL NO. 21-364**

**NORTH MASSAPEQUA**

**MMM GILGO BEACH PROPERTY LLC:** Variance to allow existing enclosed cellar entrance having less side yard setback and aggregate side yards than permitted by Ordinance.

S/s/o N. Rutherford Ave., 120 ft. E/o N. Bay Ave., a/k/a 240 N. Rutherford Avenue, N. Massapequa, NY  
SEC. 52                      BLK. 55                      LOT 2101                      ZONE R1-7

**HEARING NO. 9**

**APPEAL NO. 21-365**

**NORTH MASSAPEQUA**

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

SW/ cor. of Amherst Dr. & Harriet Pl., a/k/a 45 Amherst Drive, North Massapequa, NY  
SEC. 52                      BLK. 354                      LOT 27                      ZONE R1-7

**HEARING NO. 10**

**APPEAL NO. 21-366**

**BETHPAGE**

**RICHARD NOCELLA:** (A) Variance to allow existing shed having less side yard setback than permitted by Ordinance. (B) Variance to allow existing portico and shed exceeding maximum building coverage than permitted by Ordinance.

N/s/o Grant Ave., 40 ft. W/o S. First St., a/k/a 14 Grant Avenue, Bethpage, NY  
SEC. 46                      BLK. 12                      LOT 7                      ZONE R1-6

**HEARING NO. 11**

**APPEAL NO. 21-367**

**BETHPAGE**

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

SW/ cor. of Jean Ave. & Avoca Ave., a/k/a 4039 Jean Avenue, Bethpage, NY  
SEC. 46                      BLK. 483                      LOT 22                      ZONE R1-7

**HEARING NO. 12**

**APPEAL NO. 21-368**

**BETHPAGE**

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

SE/ cor. of Evergreen Ave. & Farmers Ave., a/k/a 116 Evergreen Avenue, Bethpage, NY  
SEC. 46                      BLK. 158                      LOT 42                      ZONE R1-7

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**HEARING NO. 13**

**APPEAL NO. 21-369**

**HICKSVILLE**

**GALENA ASSOCIATES, LLC & ROARING BROOK, LLC:** (A) Variance to construct building having less front yard setbacks (West Old Country Road & West Carl Street) and rear yard setback than permitted by Ordinance. (B) Variance to install air conditioning compressor having less rear yard setback than permitted by Ordinance. (C) Variance for the reduction of off-street parking spaces. Reduction of spaces to 0 when 8 parking spaces are required. (D) Variance for the reduction of loading spaces. Reduction of spaces to 0 when 1 loading space is required. (E) Variance to construct building having less planting buffer than permitted by Ordinance.

NE/ cor. of W. Old Country Rd. & Frederick Pl., a/k/a 56 W. Old Country Road, Hicksville, NY  
SEC. 11                      BLK. 286                      LOT 812                      ZONE NB

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**HEARING NO. 14**

**APPEAL NO. 21-370**

**HICKSVILLE**

**POONAM MALHOTRA:** (A) Variance to allow existing concrete front porch and cellar entrance having less side yard setback than permitted by Ordinance. (B) Variance to allow existing concrete front porch having less aggregate side yards than permitted by Ordinance.

N/s/o Linden Ct., 309.56 ft. W/o Frances Ln., a/k/a 4 Linden Court, Hicksville, NY  
SEC. 12                      BLK. 326                      LOT 5                      ZONE R1-7

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**HEARING NO. 15**

**APPEAL NO. 21-371**

**HICKSVILLE**

**IKEA NORTH AMERICA SERVICES, LLC:** (A) Variance to install thirteen (13) ground signs exceeding maximum number of ground signs than permitted by Ordinance. (B) Variance to allow existing wall sign exceeding maximum height than permitted by Ordinance.

W/s/o N. Broadway, 100 ft. S/o Nevada St., a/k/a 358B Broadway Mall, Hicksville, NY  
SEC. 11                      BLK. D                      LOT 1382                      ZONE GB

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**HEARING NO. 16**

**APPEAL NO. 21-372**

**HICKSVILLE**

**MIN YANG & FRED GIOVANELLI:** Variance to construct second story addition having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters.

S/s/o Julian St., 315 ft. E/o Pollok Pl., a/k/a 10 Julian Street, Hicksville, NY  
SEC. 12                      BLK. 103                      LOT 51                      ZONE R1-7

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**HEARING NO. 17**

**APPEAL NO. 21-373**

**HICKSVILLE**

**MOHAMMED KHAN:** (A) Variance to construct second story addition having less rear yard setback than permitted by Ordinance. (B) Variance to construct second floor additions and open canopy addition exceeding maximum gross floor area than permitted by Ordinance.

E/s/o Pine St., 220 ft. N/o Chestnut St., a/k/a 39 Pine Street, Hicksville, NY  
SEC. 12                      BLK. 255                      LOT 17                      ZONE R1-7

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**HEARING NO. 18**

**APPEAL NO. 21-374**

**HICKSVILLE**

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

SE/ cor. of Anne Dr. & Albert Rd., a/k/a 16 Anne Drive, Hicksville, NY

**SEC. 46**

**BLK. 571**

**LOT 19**

**ZONE R1-7**

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**HEARING NO. 19**

**APPEAL NO. 21-375**

**HICKSVILLE**

**MICHAEL MASTRANDREA:** (A) Variance to reconstruct new dwelling having less average front yard setback, side yard setback, aggregate side yards and roof pitch than permitted by Ordinance; also encroachment of eaves and gutters. (B) Amend Specific Plan as presented for Appeal No. 69-11 and granted by Decision of the Zoning Board of Appeals, dated January 2, 1969 and amended by Decision of the Zoning Board of Appeals, dated August 20, 2020.

E/s/o Barry Ct., 414.77 ft. S/o Linden Ct., a/k/a 5 Barry Court, Hicksville, NY

**SEC. 12**

**BLK. 328**

**LOT 53**

**ZONE R1-7**

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**HEARING NO. 20**

**APPEAL NO. 21-376**

**PLAINVIEW**

**JARED BEHR:** Variance to construct cantilevered second story addition and allow existing one story kitchen bump out exceeding maximum building coverage than permitted by Ordinance.

W/s/o Grace St., 200 ft. N/o Mark Pl., a/k/a 123 Grace Street, Plainview, NY

**SEC. 12**

**BLK. 492**

**LOT 28**

**ZONE R1-7**

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**HEARING NO. 21**

**APPEAL NO. 21-377**

**WOODBURY**

**7940 WOODBURY PARTNERS, LLC:** Variance to install ground sign having less front yard setback, exceeding maximum height and area than permitted by Ordinance.

SW/ cor. of Jericho Tpke. & Piquets Ln., a/k/a 7940 Jericho Turnpike, Woodbury, NY

**SEC. 15**

**BLK. D**

**LOT 534**

**ZONE NB**

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**HEARING NO. 22**

**APPEAL NO. 21-378**

**JERICO**

**SAJU SIMON:** (A) Variance to reconstruct new dwelling having less side yard setback, aggregate side yards and exceeding maximum building coverage and gross floor area than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to expand existing driveway having less side yard setback than permitted by Ordinance.

S/s/o Dewey St., 127.56 ft. W/o Halsey Ave., a/k/a 114 Dewey Street, Jericho, NY

**SEC. 11**

**BLK. 358**

**LOT 8**

**ZONE R1-10**

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**HEARING NO. 23**

**APPEAL NO. 21-379**

**GLEN COVE**

**TINA HOLDINGS INC.:** Variance to construct new dwelling having less lot area and width of lot than permitted by Ordinance.

E/s/o Nassau Ave., 175.13 ft. N/o Frost Pond Rd., a/k/a 67 Nassau Avenue, Glen Cove, NY

**SEC. 22**

**BLK. B**

**LOT 86**

**ZONE R1-10**

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**HEARING NO. 24**

**APPEAL NO. 21-380**

**GLENWOOD LANDING**

**SHORE ROAD CONSTRUCTION, INC.:** Variance to allow outdoor storage of commercial vehicles, stockpiled building materials, storage containers, construction equipment and manufacturing of mulch.

E/s/o Shore Rd., 1,471 ft. N/o Glenwood Rd., a/k/a 450 Shore Road, Glenwood Landing, NY  
**SEC. 21                      BLK. M                      LOT 37                      ZONE WF-B**

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**HEARING NO. HO 1**

**APPEAL NO. 21-315**

**NORTH MASSAPEQUA**

**RONALD J. FAIRCLOUGH, JR.:** (A) Variance to construct pavilion with barbeque and countertop exceeding maximum height than permitted by Ordinance. (B) Variance to construct raised covered porch and pavilion with barbeque and countertop exceeding maximum gross floor area than permitted by Ordinance.

W/s/o West Dr., 1581.38 ft. N/o East Dr., a/k/a 38 West Drive, North Massapequa, NY  
**SEC. 48                      BLK. 171                      LOT 39                      ZONE R1-7**

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**HEARING NO. HO 2**

**APPEAL NO. 21-329**

**PLAINVIEW**

**MATTHEW MOSKOWITZ:** (A) Variance to construct one story addition having less aggregate side yards than permitted by Ordinance. (B) Variance to construct second story addition having less roof pitch than permitted by Ordinance.

N/s/o Eton Pl., 241 ft. W/o Amherst Dr., a/k/a 17 Eton Place Plainview, NY  
**SEC. 12                      BLK. 609                      LOT 5                      ZONE R1-7**

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**HEARING NO. HO 3**

**APPEAL NO. 21-353**

**JERICHO**

**KIMCO REALTY CORPORATION:** (A) Variance to install wall signs exceeding maximum number of wall signs on West side of building than permitted by Ordinance. (B) Variance to install wall signs exceeding maximum height than permitted by Ordinance. (C) Variance to install ground sign having less setback from property line and exceeding maximum area than permitted by Ordinance.

E/s/o N. Broadway, 903.7 ft. N/o Village Dr., a/k/a 500 N. Broadway, Jericho, NY  
**SEC. 12                      BLK. A                      LOT 1352                      ZONE GB**

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**AUGUST 9, 2021**

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

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