



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* - KATHLEEN MULLIGAN
REBECCA M. ALESIA - ANDREW MONTELEONE - LISA CICCOLELLA - FLORESTANO GIRARDI

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 **NOVEMBER 21, 2024**, at 7:00 P. M., to consider the following appeals:

BY ORDER OF THE ZONING BOARD OF APPEALS

HEARING NO. 1

APPEAL NO. 24-376

MASSAPEQUA

JOSEPH SEVIROLI: Variance to allow existing concrete surfaced driveway having less side yard setback than permitted by Ordinance.

S/s/o Garfield Pl., W/o Forest Ave., a/k/a 28 Garfield Place, Massapequa, NY

SEC. 65 BLK. 20 LOT 28 ZONE R1-7

HEARING NO. 2

APPEAL NO. 24-381

MASSAPEQUA

4195 MERRICK ROAD LLC: Variance to construct shed having less rear yard setback than permitted by Ordinance.

NE/ cor. of Merrick Rd. & Forest Ave., a/k/a 4195 Merrick Road, Massapequa, NY

SEC. 57 BLK. 198 LOT 449 ZONE GB

HEARING NO. 3

APPEAL NO. 24-391

MASSAPEQUA

JOE MASSA: (A) Variance to allow existing gazebo exceeding maximum building coverage, having less side yard setback and rear yard setback than permitted by Ordinance. (B) Variance to allow existing gas fire pit having less side yard setback and rear yard setback than permitted by Ordinance.

N/s/o Lagoon Blvd., 200 ft. W/o Cedar Shore Dr., a/k/a 115 Lagoon Boulevard, Massapequa, NY

SEC. 65 BLK. 139 LOT 102 ZONE R1-10/OHG

HEARING NO. 4

APPEAL NO. 24-393

MASSAPEQUA

KAREN CULLINAN: Variance to allow existing pool equipment having side yard setback and rear yard setback than permitted by Ordinance.

W/s/o Riviera Dr. W., 677.36 ft. S/o Sunset Blvd., a/k/a 228 Riviera Drive W., Massapequa, NY

SEC. 65 BLK. 236 LOT 45 ZONE R1-10

HEARING NO. 5**APPEAL NO. 24-394****MASSAPEQUA**

WILLIAM & DORENE CARTWRIGHT: Variance to construct new dwelling having less side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters.

W/s/o E. Hamilton Ave., 57.43 ft. S/o Carman Pl., a/k/a 42 E. Hamilton Avenue, Massapequa, NY
SEC. 66 BLK. 127 LOT 59 ZONE R1-10

HEARING NO. 6**APPEAL NO. 24-377****NORTH MASSAPEQUA**

LYNN BAUM: (A) Variance to allow existing second kitchen in a one-family dwelling for use as a PARENT/CHILD residence. (B) Variance to allow existing pool equipment having less side yard setback and rear yard setback than permitted by Ordinance. (C) Variance for the reduction of off-street parking spaces. Reduction of spaces to 2 when 3 parking spaces are required.

N/s/o N. Rutherford Ave., 500 ft. W/o N. Central Ave., a/k/a 327 N. Rutherford Ave., N. Massapequa, NY
SEC. 52 BLK. 70 LOT 651 ZONE R1-7

HEARING NO. 7**APPEAL NO. 24-374****FARMINGDALE**

SHEILA O'SULLIVAN: Variance to erect 6 ft. high PVC fence exceeding maximum height across front yard (Vandewater Street) than permitted by Ordinance.

NE/ cor. of Lockwood Ave. & Vandewater St., a/k/a 39 Lockwood Avenue, Farmingdale, NY
SEC. 48 BLK. 507 LOT 18 ZONE R1-7

HEARING NO. 8**APPEAL NO. 24-390****FARMINGDALE**

MICHAEL J. MIREIDER: Variance to allow existing covered porch having less average front yard setback than permitted by Ordinance.

E/s/o Midwood Ave., 50 ft. S/o Washington St., a/k/a 140 Midwood Avenue, Farmingdale, NY
SEC. 48 BLK. 302 LOT 72 ZONE R1-7

HEARING NO. 9**APPEAL NO. 24-78 - AMENDMENT****BETHPAGE**

RUKHSANA AFZAL: Amend Specific Plan as presented for Appeal No. 24-78 and granted by Decision of the Zoning Board of Appeals, dated April 18, 2024 to allow a two piece bathroom in basement and garage conversion.

S/s/o Brenner Ave., 1922.24 ft. E/o Hicksville Rd., a/k/a 67 Brenner Avenue, Bethpage, NY
SEC. 46 BLK. K LOT 603 ZONE R1-7

HEARING NO. 10**APPEAL NO. 24-401****BETHPAGE**

BRETT CASELLA: (A) Variance to construct second story addition and allow existing concrete paver stoop having less side yard setback than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to allow existing 8.2 ft. by 9.8 ft. shed having less side yard setback and rear yard setback than permitted by Ordinance. (C) Variance to install an air conditioning unit and allow existing air conditioning unit having less side yard setback than permitted by Ordinance. (D) Variance to allow existing 6 ft. high vinyl fence exceeding maximum height across side/front yard (Berkshire Road) than permitted by Ordinance.

SW/ cor. of Berkshire Rd. & Essex Rd., a/k/a 84 Berkshire Road, Bethpage, NY
SEC. 46 BLK. 534 LOT 1 ZONE R1-7

HEARING NO. 11**APPEAL NO. 24-490****BETHPAGE**

NICHOLAS & GINA RUFRANO: (A) Variance to allow existing 6 ft. high vinyl fence exceeding maximum height across side/front yard (Laurie Boulevard) than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 07-154 and granted by Decision of the Zoning Board of Appeals, dated March 29, 2007.

NE/ cor. of Caffrey Ave. & Laurie Blvd., a/k/a 34 Caffrey Avenue, Bethpage, NY

SEC. 46**BLK. 587****LOT 39****ZONE R1-7**

HEARING NO. 12**APPEAL NO. 24-497****BETHPAGE**

LEONARD MESSINA: Variance for the reconstruction of existing dwelling on partial existing and partial new foundation having less aggregate side yards and exceeding maximum building coverage than permitted by Ordinance.

E/s/o Plainedge Dr., 63.42 ft. N/o Kevin Ln., a/k/a 40 Plainedge Drive, Bethpage, NY

SEC. 49**BLK. 199****LOT 13****ZONE R1-7**

HEARING NO. 13**APPEAL NO. 06-152 - AMENDMENT****HICKSVILLE**

SHARON KNAPP: (A) Amend Decision of Zoning Board of Appeals, dated April 6, 2006 in order to Amend the Declaration of Restrictive Covenants to indicate a change in ownership and 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.

NE/ cor. of Boxwood Ln. & Beech Ln., a/k/a 65 Boxwood Lane, Hicksville, NY

SEC. 45**BLK. 370****LOT 25****ZONE R1-7**

HEARING NO. 14**APPEAL NO. 24-378****HICKSVILLE**

MIAH SHAMIN: (A) Variance to allow existing wood shed having less side yard setback and exceeding maximum height than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 66-698 and granted by Decision of the Zoning Board of Appeals, dated December 13, 1966.

N/s/o W. Nicholai St., 537.94 ft. W/o Newbridge Rd., a/k/a 188 W. Nicholai Street, Hicksville, NY

SEC. 11**BLK. 323****LOT 494****ZONE R1-6**

HEARING NO. 15**APPEAL NO. 24-392****HICKSVILLE**

DOUGLAS HERON: Variance to construct driveway having less side yard setback than permitted by Ordinance.

S/s/o Peachtree Ln., E/o Lilac Ln., a/k/a 37 Peachtree Lane, Hicksville, NY

SEC. 12**BLK. 361****LOT 7****ZONE R1-7**

HEARING NO. 16**APPEAL NO. 24-383****PLAINVIEW**

DAVID FEINBERG: (A) Variance to allow existing wood burning fire pit having less side yard setback than permitted by Ordinance. (B) Variance to allow existing 14.6 ft. by 21.5 ft. pavilion having less rear yard setback than permitted by Ordinance. (C) Variance to allow existing circular driveway having less front yard setback than permitted by Ordinance. (D) Amend Specific Plan as presented for Appeal No. 21-159 and granted by Decision of the Zoning Board of Appeals, dated April 22, 2021.

N/s/o S. Southwick Ct., 232 ft. W/o Kennedy Dr., a/k/a 22 S. Southwick Court, Plainview, NY
SEC. 13 BLK. 109 LOT 6 ZONE R1-20

HEARING NO. 17**APPEAL NO. 24-387****JERICO**

HARSH VYAS: (A) Variance to construct second story addition having less rear yard setback and exceeding maximum gross floor area than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to construct portico exceeding maximum building coverage than permitted by Ordinance. (C) Variance to install air conditioning unit exceeding maximum encroachment into side yard than permitted by Ordinance. (D) Amend Specific Plan as presented for Appeal No. 02-588 and granted by Decision of the Zoning Board of Appeals, dated January 16, 2003.

S/s/o Birchwood Park Cres. E/o Birchwood Park Dr., a/k/a 14 Birchwood Park Crescent, Jericho, NY
SEC. 12 BLK. 551 LOT 15 ZONE R1-10

HEARING NO. 18**APPEAL NO. 24-397****JERICO**

IRIS XIN XIN HE: (A) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across side/front yard (Saratoga Drive) than permitted by Ordinance. (B) Amend Specific Plan as presented for Appeal No. 23-144 and granted by Decision of the Zoning Board of Appeals, dated April 4, 2023.

SW/ cor. of Yates Ln. & Saratoga Dr., a/k/a 21 Yates Lane, Jericho, NY
SEC. 11 BLK. 438 LOT 1 ZONE R1-10

HEARING NO. 19**APPEAL NO. 24-453****SYOSSET**

180 MICHAEL DRIVE LLC: Variance to allow existing rooftop units to remain without screening/enclosures.

E/s/o Michael Dr., 1211.05 ft. S/o W. Jericho Tpke., a/k/a 180 Michael Drive, Syosset, NY
SEC. 15 BLK. 157 LOT 44 ZONE LI

HEARING NO. 20**APPEAL NO. 24-388****GLEN HEAD**

STEVEN XU: (A) Variance to construct 22.4 ft. by 7 ft. one story addition having less average side/front yard setback (Cherry Street) and average front yard setback (Glen Head Road) than permitted by Ordinance. (B) Variance to allow existing 6 ft. high fence exceeding maximum height across side/front yard (Cherry Street) than permitted by Ordinance.

SW/ cor. of Glen Head Rd. & Cherry St., a/k/a 147 Glen Head Road, Glen Head, NY
SEC. 20 BLK. 15 LOT 209 ZONE GB

HEARING NO. 21

APPEAL NO. 24-400

GLEN HEAD

JOSEPH HINDEN: Variance to construct roofed over front porch having less average front yard setback, exceeding maximum building coverage and gross floor area than permitted by Ordinance.

W/s/o Post St., 200 ft. S/o Union Ave., a/k/a 19 Post Street, Glen Head, NY

SEC. 20

BLK. 23

LOT 48

ZONE R1-7

HEARING NO. 22

APPEAL NO. 24-498

OYSTER BAY

ORVILLE J. DONOVAN: (A) Variance to construct front sunroom addition exceeding maximum building coverage and gross floor area than permitted by Ordinance. (B) Variance to allow existing 14 ft. by 23.3 ft. deck having less side yard setback than permitted by Ordinance. (C) Amend Specific Plan as presented for Appeal No. 24-130 and granted by Decision of the Zoning Board of Appeals, dated June 6, 2024.

NW/ cor. of Melbourne St. & Seawanhaka Pl., a/k/a 77 Melbourne Street, Oyster Bay, NY

SEC. 27

BLK. 45

LOT 38

ZONE R1-10/OB

HEARING NO. HO 1

APPEAL NO. 24-429

PLAINVIEW

JACLYN SANDLER: (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 1 when 3 parking spaces are required. (C) Variance to allow existing plastic garbage can holder having less side yard setback than permitted by Ordinance.

W/s/o Briarwood Ln., 264 ft. N/o Algiers St., a/k/a 51 Briarwood Lane, Plainview, NY

SEC. 47

BLK. 36

LOT 11

ZONE R1-7

HEARING NO. HO 2

APPEAL NO. 24-68

MASSAPEQUA

JOE CLABBY: Variance to install natural gas generator having less side yard setback (South) than permitted by Ordinance.

E/s/o Ocean Ave., N/o Compass Ln., a/k/a 175 Ocean Avenue, Massapequa, NY

SEC. 65

BLK. 37

LOT 24

ZONE R1-10

NOVEMBER 11, 2024

BY ORDER OF THE ZONING BOARD OF APPEALS

TOWN OF OYSTER BAY, OYSTER BAY, NEW YORK