



**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  
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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 **MAY 16, 2024**, at 7:00 P. M., to consider the following appeals:  
  
**BY ORDER OF THE ZONING BOARD OF APPEALS**

**HEARING NO. 1**

**APPEAL NO. 24-25**

**MASSAPEQUA**

**JASON GIERUM:** (A) Variance to construct a 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 parking spaces are required. (C) Variance to allow existing shed abutting wood deck having less side yard setback, aggregate side yards and exceeding maximum building coverage than permitted by Ordinance; also encroachment of eaves and gutters. (D) Variance to allow existing driveway having less side yard setback than permitted by Ordinance. (E) Amend Specific Plan as presented for Appeal No. 93-375 and granted by Decision of the Zoning Board of Appeals, dated November 4, 1993.

N/s/o Briarwood Rd., 282.80 ft. E/o Ailee Rd., a/k/a 391 Briarwood Road, Massapequa, NY  
**SEC. 52                      BLK. 415                      LOT 6                      ZONE R1-7**

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**HEARING NO. 2**

**APPEAL NO. 24-59**

**MASSAPEQUA**

**COURTNEY HUGUES:** (A) Variance to allow existing 6 ft. high PVC fence exceeding maximum height across side/front yard (Central Avenue) than permitted by Ordinance. (B) Variance for the reduction of off-street parking spaces. Reduction of spaces to 1 when 2 parking spaces are required.

SW/ cor. of Parkhill Ave. & Central Ave., a/k/a 88 Parkhill Avenue, Massapequa, NY  
**SEC. 52                      BLK. 171                      LOT 34                      ZONE R1-7**

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**HEARING NO. 3**

**APPEAL NO. 24-99**

**MASSAPEQUA**

**JAMES & BARBARA HILLIN:** Variance to allow existing 8 ft. by 14 ft. shed having less side yard setback and rear yard setback than permitted by Ordinance.

E/s/o Cedar Shore Dr., 350 ft. N/o Harbour Ln., a/k/a 44 Cedar Shore Drive, Massapequa, NY  
**SEC. 65                      BLK. 124                      LOT 734                      ZONE R1-10/OHG**

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**HEARING NO. 4**

**APPEAL NO. 24-104**

**MASSAPEQUA**

**SEAN SANTOS:** (A) Variance to construct 16 ft. by 32 ft. rectangular shaped in-ground swimming pool with side bench and end waterfall having less rear yard setback and side yard setback than permitted by Ordinance. (B) Variance to install pool equipment with gas pool heater having less front yard setback and side yard setback than permitted by Ordinance.

N/s/o Nassau St., 101.05 ft. E/o Cedar Shore Dr., a/k/a 11 Nassau Street, Massapequa, NY  
**SEC. 65                      BLK. 124                      LOT 1135                      ZONE R1-10/OHG**

**HEARING NO. 5****APPEAL NO. 24-124****MASSAPEQUA**

**MICHAEL PALAZZOLO**: Variance to construct 30.53 ft. by 47.33 ft. new dwelling on partial new and partial existing foundation having less average front yard setback, side yard setback and aggregate side yards than permitted by Ordinance; also encroachment of eaves and gutters.

E/s/o Leslie Ln., 730.58 ft. N/o East Blvd., a/k/a 42 Leslie Lane, Massapequa, NY

**SEC. 48****BLK. 527****LOT 12****ZONE R1-7**

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**HEARING NO. 6****APPEAL NO. 24-27 - AMENDMENT****BETHPAGE**

**DIANE & FRANCO FENIELLO**: Amend Specific Plan as presented for Appeal No. 22-163 and granted by Decision of the Zoning Board of Appeals, dated April 21, 2022, for the submittal of new plans.

N/s/o Carrie Ave., 85 ft. W/o Carol Pl., a/k/a 38 Carrie Avenue, Bethpage, NY

**SEC. 49****BLK. 214****LOT 33****ZONE R1-7**

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**HEARING NO. 7****APPEAL NO. 24-105****BETHPAGE**

**NIRMAL S. TALWAR**: Variance to erect 6 ft. high PVC fence exceeding maximum height across front yard (Wilson Lane) than permitted by Ordinance.

SE /cor. of Broadway & Wilson Ln., a/k/a 76 Broadway, Bethpage, NY

**SEC. 49****BLK. 25****LOT 109****ZONE R1-7**

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**HEARING NO. 8****APPEAL NO. 24-97****HICKSVILLE**

**JIMMY CHANDHOK**: Variance to allow existing front roof over having less side yard setback and aggregate side yards than permitted by Ordinance.

N/s/o Sunset Ave., 323.08 ft. W/o Miller Rd., a/k/a 29 Sunset Avenue, Hicksville, NY

**SEC. 12****BLK. 323****LOT 21****ZONE R1-7**

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**HEARING NO. 9****APPEAL NO. 24-107****HICKSVILLE**

**70 E. OLD COUNTRY LLC**: Variance for the reduction of off-street parking spaces. Reduction of spaces to 27 when 46 parking spaces are required.

NE/ cor. of Old Country Rd. & Kraemer St., a/k/a 70 Old Country Road, Hicksville, NY

**SEC. 12****BLK. 185****LOT 80****ZONE NB**

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**HEARING NO. 10****APPEAL NO. 24-109****HICKSVILLE**

**25 MAPLE LLC**: **(A)** Variance to construct new dwelling having less side yard setback, aggregate side yards, exceeding maximum building coverage and gross floor area than permitted by Ordinance; also encroachment of eaves and gutters. **(B)** Variance to construct driveway 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 parking spaces are required.

E/s/o Maple Pl., 240.06 ft. S/o James St., a/k/a 25 Maple Place, Hicksville, NY

**SEC. 11****BLK. D****LOT 1119****ZONE R1-7**

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**HEARING NO. 11****APPEAL NO. 24-95****PLAINVIEW**

**JOEL DAUMAN:** (A) Variance to allow existing 8 ft. by 10 ft. shed having less side yard setback than permitted by Ordinance. (B) Variance to allow existing 11.67 ft. by 18.17 ft. pergola having less rear yard setback than permitted by Ordinance. (C) Variance to allow existing 11.67 ft. by 18.17 ft. pergola and one story addition exceeding maximum gross floor area than permitted by Ordinance. (D) Variance to allow existing 6 ft. high vinyl fence and two (2) 8.8 ft. high arbors exceeding maximum height across front yard than permitted by Ordinance.

E/s/o Ruth Pl., 953.28 ft. N/o Jacob Rd., a/k/a 30 Ruth Place, Plainview, NY

**SEC. 47****BLK. 54****LOT 30****ZONE R1-7**

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**HEARING NO. 12****APPEAL NO. 24-101****PLAINVIEW**

**LU ZHOU:** Variance to allow existing 6 ft. high PVC fence exceeding maximum height across front yard (Wilson Place) and within 30 ft. of intersection than permitted by Ordinance.

NE/ cor. of Robin Ln. & Wilson Pl., a/k/a 29 Robin Lane, Plainview, NY

**SEC. 13****BLK. 57****LOT 17****ZONE R1-7**

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**HEARING NO. 13****APPEAL NO. 24-143****PLAINVIEW**

**BHAGATJOT SINGH:** (A) Variance to construct 65.3 ft. by 48.6 ft. new dwelling on partial new and partial existing foundation having less side yard setback, aggregate side yards and exceeding maximum building coverage than permitted by Ordinance; also encroachment of eaves and gutters. (B) Amend Specific Plan as presented for Appeal No. 95-14 and granted by Decision of the Zoning Board of Appeals, dated January 12, 1995.

S/s/o Newport Dr., 363.86 ft. W/o Colonial Gate, a/k/a 16 Newport Drive, Plainview, NY

**SEC. 13****BLK. 90****LOT 28****ZONE R1-20**

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**HEARING NO. 14****APPEAL NO. 24-115****WESTBURY**

**BRUSH HOLLOW INN LLC:** (A) Variance to construct deck addition having less front yard setback than permitted by Ordinance. (B) Variance for the reduction of off-street parking spaces. Reduction of spaces to 121 when 123 parking spaces are required.

SE/ cor. of Brush Hollow Rd. & Montrose Rd., a/k/a 3998 Brush Hollow Road, Westbury, NY

**SEC. 11****BLK. B****LOT 1054****ZONE LI**

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**HEARING NO. 15****APPEAL NO. 24-123****JERICO**

**JAY WEINSTEIN:** Variance to erect 6 ft. high PVC fence exceeding maximum height across front yard (Rockland Drive) and side/front yard (Delaware Avenue) than permitted by Ordinance.

NW/ cor. of Delaware Ave. & Rockland Dr., a/k/a 1 Delaware Avenue, Jericho, NY

**SEC. 11****BLK. 481****LOT 19****ZONE R1-10**

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**HEARING NO. 16****APPEAL NO. 24-61 - AMENDMENT****SYOSSET**

**CALOGERO BRUTTO:** Amend Specific Plan as presented for Appeal No. 22-510 and granted by Decision of the Zoning Board of Appeals, dated December 15, 2022, for the submittal of new plans.

N/s/o Sherman Dr., E/o Richard Ln., a/k/a 47 Sherman Drive, Syosset, NY

**SEC. 15****BLK. 148****LOT 13****ZONE R1-10**

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HEARING NO. 17

APPEAL NO. 24-114

SYOSSET

LIJUN LIN: Variance to erect 6 ft. high PVC fence exceeding maximum height across front yard (Gary Road) and within 30 ft. of intersection than permitted by Ordinance.

NW/ cor. of Gainsboro Ln. & Gary Rd., a/k/a 31 Gainsboro Lane, Syosset, NY

SEC. 12

BLK. 397

LOT 15

ZONE R1-7

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HEARING NO. 18

APPEAL NO. 24-110

GLEN HEAD

MICHAEL & DIANE MCGRATH: (A) Variance to allow existing pergola and barbeque island having less side yard setback than permitted by Ordinance. (B) Variance to allow existing shed having less side yard setback and rear yard setback than permitted by Ordinance.

S/s/o Beechwood Dr., 1782.7 ft. E/o Central Dr., a/k/a 37 Beechwood Drive, Glen Head, NY

SEC. 21

BLK. 206

LOT 119

ZONE R1-20

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HEARING NO. 19

APPEAL NO. 24-89

LOCUST VALLEY

DOROTHY LAMB IRREVOCABLE TRUST: (A) Variance to allow existing pool equipment having less front yard setback than permitted by Ordinance. (B) Variance to allow existing swimming pool having less rear yard setback than permitted by Ordinance. (C) Variance to allow existing pool enclosure fence having less setback from pool than permitted by Ordinance. (D) Variance to allow existing detached garage exceeding maximum height than permitted by Ordinance. (E) Variance to erect 5 ft. high PVC fence exceeding maximum height across front yard than permitted by Ordinance. **PARCEL A**

S/s/o Hernan Ave., 50 ft. E/o Bayview Pl., a/k/a 80 Hernan Avenue, Locust Valley, NY

SEC. 29

BLK. 63

LOT 433A

ZONE R1-7

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HEARING NO. 20

APPEAL NO. 24-90

LOCUST VALLEY

KATHLEEN & JOHN REILLY: (A) Variance to propose lot line adjustment transferring 2,383.5 sq. ft. of land from subject parcel to Parcel A (Appeal No. 24-89) creating less width of lot at street, width of lot from front property line to the required rear yard and lot area than permitted by Ordinance. (B) Variance to allow existing 4.5 ft. high PVC fence exceeding maximum height across front yard than permitted by Ordinance. **PARCEL B**

S/s/o Hernan Ave., 100 ft. E/o Bayview Pl., a/k/a 76 Hernan Avenue, Locust Valley, NY

SEC. 29

BLK. 63

LOT 432A

ZONE R1-7

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HEARING NO. HO 1

APPEAL NO. 24-63

GLEN HEAD

QI CONG WENG: (A) Variance to construct 37 ft. by 24.6 ft. new dwelling on partial new and partial existing foundation with detached garage having less side yard setback, exceeding maximum height and building coverage than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to construct detached garage exceeding maximum rear yard coverage, building coverage of the principal building and height than permitted by Ordinance.

N/s/o Sylvia St., 92.04 ft. E/o Cody Ave., a/k/a 50 Sylvia Street, Glen Head, NY

SEC. 20

BLK. 45

LOT 12

ZONE R1-7

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**HEARING NO. HO 2**

**APPEAL NO. 23-277**

**GLEN HEAD**

**DONNA SLANINA RUIZ:** (A) Variance to allow existing greenhouse attached to detached garage having less side yard setback and exceeding maximum building coverage of the principal building than permitted by Ordinance; also encroachment of eaves and gutters. (B) Variance to allow existing dwelling and greenhouse attached to detached garage on subdivided lot having less width of lot at street and width of lot from front property line to required rear yard than permitted by Ordinance. **PARCEL A**

S/s/o The Promenade, W/o Hill Dr., a/k/a 47 The Promenade, Glen Head, NY

**SEC. 21**

**BLK. Q**

**LOT 35**

**ZONE R1-7**

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**HEARING NO. HO 3**

**APPEAL NO. 24-28**

**MASSAPEQUA**

**JLP & ASSOCIATES INC.:** (A) Variance to construct new dwelling on subdivided lot having less width of lot at street and width from front property line to required rear yard than permitted by Ordinance. **PARCEL A**

(B) Variance to construct new dwelling on subdivided lot having less width of lot at street and width from front property line to required rear yard than permitted by Ordinance. **PARCEL B**

E/s/o Biltmore Blvd., 120 ft. S/o Baldwin Ave., a/k/a 100 Biltmore Boulevard, Massapequa, NY

**SEC. 65**

**BLK. 107**

**LOT 1202**

**ZONE R1-7**

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**HEARING NO. HO 4**

**APPEAL NO. 23-621**

**PLAINVIEW**

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

NE/ cor. of Birch Dr. & Oak Dr., a/k/a 61 Birch Drive, Plainview, NY

**SEC. 12**

**BLK. 59**

**LOT 32**

**ZONE R1-7**

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**MAY 6, 2024**

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

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