

Chairman
David L. Mammina, A.I.A.

Vice Chairman
Leslie Francis, Esq.

Members
Daniel Donatelli, Esq.
Jay Hernandez
Patricia A. Goodsell, Esq.

Town of North Hempstead



Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

CALENDAR FOR JULY 14, 2021

RESIDENTIAL CALENDAR

APPEAL #21069 - Debbie & Peter Giallasis; 138 Sussex Drive, Manhasset; Section 3, Block 184, Lot 167; Zoned: Residence-A

Variance from §§70-30.A and 70-101.B to construct an addition and a portico that are too close to the street.

APPEAL #21070 – Nick Maenhout; 22 Third Avenue, Port Washington, Section 5, Block 46, Lot 1519; Zoned Residence-C

Variances §§70-50.C and 70-101.B construct a second-story addition and front porch that are too close to a street.

APPEAL #21071 - Glen Bruno; 11 Kennworth Road, Port Washington; Section 5, Block 104, Lot 152; Zoned Residence-B.

Variance from §70-100.2(K) to install a gas generator in the front yard.

APPEAL #21072 - Heidi Davis; 10 Hampton Court, Port Washington; Section 5, Block 134, Lot 306; Zoned: Residence-A

Variance from §70-100.2(D) to construct an outdoor fireplace that is too tall.

APPEAL #21073 – Christopher & Rachel Cosolito; 12 Plymouth Road, Port Washington, Section 6, Block 45, Lot 113; Zoned Residence-B

Variance §70-101.B to construct a front porch that is too close to a street.

APPEAL #21074 - Anu Samuel; 40 Deepdale Parkway, Albertson, Section 7, Block 98, Lot 135; Zoned: Residential-B

Variance from §70-100.2(A) to erect fencing within a front yard.

APPEAL # 21067 – Jia Ying Li; 32 Dail Street, New Hyde Park; Section 9, Block 81, Lot 32; Zoned: Residence C

Variance § 70-101(B) to legalize a raised terrace too close to a street.

APPEAL #21076 - Mohammed Quaizar; 47 Oxford Street, New Hyde Park, Section 9, Block 482, Lot 117; Zoned Residential-C

Variance from 70-50.B to construct an addition that is too close to the street.

APPEAL #21077- Juliebeth Devlin; 3 Foxcroft Road, Albertson; Section 9, Block 553, Lot 46; Zoned: Residence-C

Variances from §§70-50.C, 70-101.B, 70-52.5 and 70-202.1(C) to construct a second story addition and roofed over porch that are too close to the street, to construct a roofed over porch, stoop and driveway expansion (impervious surfaces) which cover more than 55% of the front yard, and to erect a retaining wall that is taller than permitted.

APPEAL #21078 – Sheridan Street New Property, LLC; South side of Park Avenue, 50 feet east of Sheridan Street, Westbury, Section 11, Block 103, Lot 3; Zoned Residence-C

Variance §70-50.C to construct a new home and portico that are located too close to the street.

COMMERICAL CALENDAR

APPEAL #21079 – Dos Toros NHP, LLC; 1624 Marcus Avenue, New Hyde Park, Section 8, Block 302, Lot 27; Zoned Business-A

Conditional Use §70-126(A) to construct interior alterations to construct a new restaurant.

APPEAL #21080 – RPAI US Management, LLC; 1618 Marcus Avenue, New Hyde Park, Section 8, Block 302, Lot 27; Zoned Business-A

Variance from §70-196J(1)(f) to erect a wall sign higher than permitted.

APPEAL #20987 – Vigliotti Enterprises LLC; 100 Urban Avenue, Westbury; Section 11, Block 178, Lot 82; Zoned Industrial-B

Variances from §§70-103.A, 70-103.B, 70-103.M, 70-192.A, 70-203.J, & 70-212.B to legalize the change of use to a yard waste transfer facility having less parking than required, parking spaces smaller than required, parking spaces within a required front yard, a building constructed too close to the street(s), a vehicular access gate located too close to the street, and an outdoor storage area located too close to the street.

Town of North Hempstead

Chairman
David L. Mammìna, A.I.A.

Members
Leslie Francis, Esq.
David I. Levine, Esq.
Daniel Donatelli, Esq.
Jay Hernandez



Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

TO: TOWN CLERK
FROM: Virginia M. Wagner, Secretary to the Board
CC: Building Dept.
DATE: July 21, 2021
RE: BZA Decisions for July 14, 2021

Appeal No.	Name	Sec.	Blk.	Lots
21053	Balvinder Singh	9	580	6
21063	Red Barn Dog Ops LI, LLC (Dogtopia)/ Garden City Park Associates	9	612	51
21067	Jia Ying Li	9	81	32
21070	Nick Maenhout	5	46	1519
21074	Anu Samuel	7	98	135
21076	Mohammed Quaizar	9	482	117
21077	Juliebeth Devlin	9	553	46
21078	Sheridan Street New Property, LLC	11	103	3
21080	RPAI US Management, LLC	8	302	27

Chairman
David L. Mammina, A.I.A.

Vice Chairman
Leslie Francis, Esq.

Members
Daniel Donatelli, Esq.
Jay Hernandez
Patricia A. Goodsell, Esq.

Town of North Hempstead



Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #21053 - Balvinder Singh; 16 Nassau Drive, New Hyde Park; Section 9, Block 580. Lot 6; Zoned: Residence-B.

Variances from §§70-39.B, 70-40.C, 70-41.A and 70-42 to construct a two story portico that is too close to the street, to construct a second story addition that is larger than permitted, with total side yards less than permitted, and to legalize a deck in a rear yard which is too close to the rear property line and with total side yards less than permitted.

Whereas, an application (21-102034, 21-102035) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **July 14, 2021** the appeal in the above entitled matter was decided as follows:

GRANTED of the dimension and in the location as shown on drawings prepared by Thomas D. Reilly, P.E. dated September 8, 2019 and revised through June 23, 2021 and on a survey prepared by Michael K. Wicks, P.L.S. dated November 6, 2019.

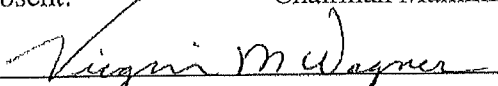
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Goodsell Seconded by: Member Hernandez

Ayes: Member Goodsell, Member Hernandez, Member Donatelli,
Acting Chairman Francis

Nays: None

Absent: Chairman Mammina


VIRGINIA M. WAGNER
SECRETARY

THIS IS NOT A BUILDING PERMIT

Chairman
David L. Mammina, A.I.A.

Vice Chairman
Leslie Francis, Esq.

Members
Daniel Donatelli, Esq.
Jay Hernandez
Patricia A. Goodsell, Esq.

Town of North Hempstead



Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #21063 - Red Barn Dog Ops LI LLC (Dogtopia)/Garden City Park Associates, LLC; 2489 Jericho Turnpike, Garden City Park; Section 9, Block 612, Lot 51; Zoned Business-A

Appeal for determination, or in the alternative, variance from 70-125 to construct interior alterations to convert a commercial tenant space to a kennel, which is not a permitted use in the Business-A District.

Whereas, an application (21-102578) was filed with the Board of Zoning Appeals and a public hearing was held following due notice; and

Whereas, a review was undertaken pursuant to the State Environmental Quality Review Act, and the Board of Zoning Appeals hereby establishes itself as "lead agency" and hereby determines that this Unlisted Action will not result in any significant adverse environmental impacts, therefore, at a meeting of the Board held on **July 14, 2021**, the appeal in the above entitled matter was decided as follows:

The appeal for a determination that the application should be considered under §70-127 of the Town Code is granted and the application to construct interior alterations to convert a commercial tenant space to a kennel is **GRANTED** as a "Special Use" under §70-127 of the Town Code of the dimension and in the location as shown on drawings prepared by Christopher W. Robinson, P.E. dated August 2, 2016 and revised through January 5, 2021 (Alignment Plan) and on drawings prepared by James D. Smith, R.A. dated November 25, 2020 (Floor Plans) and revised through June 10, 2021 **SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1. Chest freezers (8.7 cu. ft. chest freezers as depicted in the specifications attached to the approved plans or a similar model) for the storage of dog waste shall be installed in the "gym", "romper" and "toy" rooms as shown on the floor plans prepared by James D. Smith, R.A. dated November 25, 2020 (Floor Plans) and revised through June 10, 2021.*

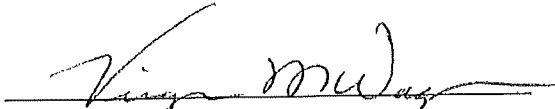
THIS IS NOT A BUILDING PERMIT

2. *The chest freezers shall be emptied on a frequent basis by a private carter so that no pet waste is ever disposed of or stored outside of the building.*

**IN REACHING THIS DETERMINATION, THE BOARD CONSIDERED THE
FACTORS SET FORTH IN THE ATTACHED FINDINGS OF FACT**

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by:	Member Donatelli	Seconded by: Member Hernandez
Ayes:	Member Hernandez, Member Donatelli, Acting Chairman Francis	
Nays:	Member Goodsell	
Absent:	Chairman Mammina	


VIRGINIA M. WAGNER
SECRETARY

THIS IS NOT A BUILDING PERMIT

Board of Zoning Appeals

Town of North Hempstead

Findings of Fact for Appeal # 21063

APPEAL #21063 - Red Barn Dog Ops LI LLC (Dogtopia)/Garden City Park Associates, LLC; 2489 Jericho Turnpike, Garden City Park; Section 9, Block 612, Lot 51; Zoned Business-A

Appeal for determination, or in the alternative, variance from 70-125 to construct interior alterations to convert a commercial tenant space to a kennel, which is not a permitted use in the Business-A District.

Upon careful review of the written record for this appeal, a review of Building Department records, evidence presented at the hearing and personal site observations the Board finds the following with respect to the Appeal for Determination sought under §70-127:

Pursuant to Section §70-127 of the Code, this Board is empowered to authorize Special Uses as exceptions to the permitted uses specified in §70-125 as follows:

“Any use of the same general character as any of the uses hereinbefore specifically permitted may be authorized by the Board of Zoning and Appeals after a public hearing pursuant to Article XXIV”

The Board finds that the proposed use of the commercial tenant space as a dog kennel/dog day care facility is of the same general character as a **Pet Shop** which is specifically permitted as a Conditional Use in the Business A zoning district:

In making such determination the Board finds the following with respect to the criteria set forth in §70-225 for the approval of Conditional and Special Uses:

Pursuant to Section 70-225.B(1) of the Town Code, this Board shall consider the following standards when approving Special Uses: (a) the purposes of zoning as set forth in the Town Law of the State of New York and uses permitted in the district in which the property is located; (b) whether the proposed use is of such character, size, location, design and site layout as to be appropriate to and in harmony with the surrounding properties; (c) whether the proposed use will provide a desirable service, facility or convenience to the area or otherwise contribute to the proper growth and development of the community and to its general welfare; (d) whether the proposed use will be hazardous, conflicting or incongruous to the immediate neighborhood by reason of excessive traffic, assembly of person or vehicles, proximity to travel routes or congregations of children or pedestrians; (e) whether the proposed use will be of such nature as to be objectionable to nearby residential dwellings by reason of noise, lights, vibration or other factors of impact; (f) whether the proposed use will be a harmonious use in the district in which it is to be situated and not hinder or discourage the appropriate use and development of adjacent uses or impair the value thereof; (g) in addition to the foregoing, the location and size of a

THIS IS NOT A BUILDING PERMIT

proposed use in an business or industrial district, the nature and intensity of the operations proposed, the site layout and its relation to access streets shall be considered by the board having jurisdiction of the application to determine whether the vehicular traffic resulting from such use will be more hazardous than the normal traffic of the district, taking into account such factors as street intersection, traffic flow, sight distances and pedestrian traffic.

The Board finds the following with respect to the criteria set forth under § 70-225.B(1):

- a. The proposed use of the site for a dog kennel/dog day care is consistent with the purposes of zoning as set forth in the Town Law of the State of New York as well as the uses permitted in the Business-A district in which the property is located.
- b. The proposed use of the site as a dog kennel/dog day care is appropriate to and in harmony with the surrounding properties.
- c. The proposed use of the site as a dog kennel/dog day care provides a desirable service which will contribute to the proper growth and development of the community.
- d. As the tenant space is within an existing shopping center, the proposed use of the space for a dog kennel/dog day care will not be hazardous, conflicting or incongruous to the immediate neighborhood by reason of excessive traffic, assembly of person or vehicles, proximity to travel routes or congregations of children or pedestrians.
- e. The proposed use of the site as a dog kennel/dog day care will not be objectionable to nearby residential dwellings by reason of noise, lights, vibration or other factors of impact. The tenant space is located inside an existing shopping center. The proposed use of the tenant space is not anticipated to exacerbate any of the noise or traffic associated with the normal operation of the shopping center. Conditions #1 and #2 imposed as part of the Notice of Decision are anticipated to mitigate any impacts associated with the use of the space for a dog day care
- f. The proposed use of the site as a dog kennel/dog day care will be a harmonious use in the Business A zoning district and will not hinder or discourage the appropriate use and development of adjacent uses or impair the value thereof.

THIS IS NOT A BUILDING PERMIT

- g. It is not anticipated that the proposed use of the site as a dog kennel/dog day care will not cause a significant increase in traffic within the shopping center nor will the use generate traffic which will be more hazardous than the normal traffic of the district, taking into account such factors as street intersection, traffic flow, sight distances and pedestrian traffic.

THIS IS NOT A BUILDING PERMIT

Chairman
David L. Mammina, A.I.A.

Vice Chairman
Leslie Francis, Esq.

Members
Daniel Donatelli, Esq.
Jay Hernandez
Patricia A. Goodsell, Esq.

Town of North Hempstead



Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL # 21067 – Jia Ying Li; 32 Dail Street, New Hyde Park; Section 9, Block 81, Lot 32; Zoned: Residence C
Variance § 70-101(B) to legalize a raised terrace too close to a street.

Whereas, an application (21-103485, 21-102035) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **July 14, 2021**, the appeal in the above entitled matter was decided as follows:

GRANTED of the dimension and in the location as shown on drawings prepared by Irving M. Kusnitz, P.E. dated June 6, 2019 and on a survey prepared by Daniela Nicoletti, L.S. dated November 3, 2017 and revised through February 7, 2019 **SUBJECT TO THE FOLLOWING CONDITIONS:**

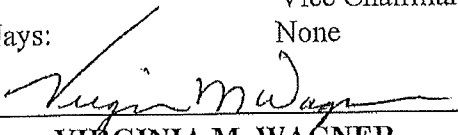
- 1. The raised terrace shall remain open and shall never be enclosed.*
- 2. Evergreen plantings/bushes shall remain in front of the terrace to screen it from view.*

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Goodsell Seconded by: Member Hernandez

Ayes: Member Goodsell, Member Hernandez, Member Donatelli,
Vice Chairman Francis, Chairman Mammina

Nays: None



VIRGINIA M. WAGNER
SECRETARY

THIS IS NOT A BUILDING PERMIT

Chairman
David L. Mammina, A.I.A.

Vice Chairman
Leslie Francis, Esq.

Members
Daniel Donatelli, Esq.
Jay Hernandez
Patricia A. Goodsell, Esq.

Town of North Hempstead



Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #21070 – Nick Maenhout; 22 Third Avenue, Port Washington, Section 5, Block 46, Lot 1519; Zoned Residence-C

Variances §§70-50.C and 70-101.B construct a second-story addition and front porch that are too close to a street.

Whereas, an application (21-104023) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **July 14, 2021**, the appeal in the above entitled matter was decided as follows:

GRANTED of the dimension and in the location as shown on drawings prepared by Dennis M. Mele, R.A. dated November 10, 2020 and revised through November 18, 2020.

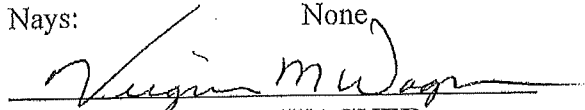
IN REACHING THIS DETERMINATION, THE BOARD CONSIDERED THE FACTORS SET FORTH IN THE ATTACHED FINDINGS OF FACT

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Donatelli Seconded by: Vice Chairman Francis

Ayes: Member Goodsell, Member Hernandez, Member Donatelli,
Vice Chairman Francis, Chairman Mammina

Nays: None


VIRGINIA M. WAGNER
SECRETARY

THIS IS NOT A BUILDING PERMIT

Board of Zoning Appeals

Town of North Hempstead

Findings of Fact for Appeal # 21070

APPEAL #21070 – Nick Maenhout; 22 Third Avenue, Port Washington, Section 5, Block 46, Lot 1519; Zoned Residence-C

Variances §§70-50.C and 70-101.B construct a second-story addition and front porch that are too close to a street.

Under Section 267-b of the Town Law, the Board is empowered to grant area variances in cases where the benefit to the applicant outweighs the detriment to the health, safety and welfare of the neighborhood or community. The Board is also required to grant the *minimum* variance necessary. In making such determination the Board shall also consider: 1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; 2) whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance; 3) whether the requested area variance is substantial; 4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and 5) whether the alleged difficulty was self-created. After careful consideration of the facts presented during the hearing, personal observations of the site and surrounding area, a review of Building Department files, and a review of the Town Code as it pertains to development of this property, the Board finds the following with respect to these criteria:

1. The Board finds that granting the requested variance will not have a negative impact on the character of the neighborhood. In making this determination the Board notes the following:

The applicant testified that the average front yard setback calculation is skewed by two properties which are not in line with the other properties on this block. If these anomalies are removed from the average setback calculations the average setback calculation would be 30.44'. The proposed setback of the addition is 29.7' and a variance of only .74' would be required. The front porch would qualify for a 5' encroachment and therefore, the setback requirement would only be 25.44'. Since the proposed porch will have a 24.7' setback, a variance of only .7' would be required.

2. The applicant could not achieve the benefit of enlarging the second floor and adding a front porch without the requested variances.

THIS IS NOT A BUILDING PERMIT

3. In consideration of the circumstances stated in #1 above, the Board does not find the variances to be substantial.
4. For the reasons stated above, the Board finds that granting the requested variances would not result in adverse effects or impacts to the physical or environmental conditions of the surrounding neighborhood.
5. The alleged difficulty is self-created since the applicant chooses to expand their home.

In conclusion the Board finds that the applicant's request for relief from the requirements of §§70-50.C and 70-101.B are supported by the record herein.

THIS IS NOT A BUILDING PERMIT

Chairman
David L. Mammìna, A.I.A.

Vice Chairman
Leslie Francis, Esq.

Members
Daniel Donatelli, Esq.
Jay Hernandez
Patricia A. Goodsell, Esq.

Town of North Hempstead



Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #21074 - Anu Samuel; 40 Deepdale Parkway, Albertson, Section 7, Block 98, Lot 135; Zoned: Residential-B

Variance from §70-100.2(A) to erect fencing within a front yard.

Whereas, an application (21-102034, 21-102035) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **July 14, 2021**, the appeal in the above entitled matter was decided as follows:

GRANTED of the dimension and in the location as shown on a survey prepared by John P. Ferrantello, L.S. dated September 3, 2004 *as annotated by the applicant and as amended by the Board* **SUBJECT TO THE FOLLOWING CONDITIONS:**

1. *The applicant shall install an estate style fence as shown on a survey prepared by John P. Ferrantello, L.S. dated September 3, 2004 as annotated by the applicant and as amended by the Board.*
2. *Arborvitae shall be planted in front of the fence (outside of fence) to screen the fence from view. Irrigation shall be provided in a manner sufficient to maintain the continued health of the arborvitae.*
3. *This variance shall lapse and no longer be in effect once the child ("Aaron J. George") is no longer a resident in the home as the accommodation being provided pursuant to the Americans with Disabilities Act will no longer be applicable.*

IN REACHING THIS DETERMINATION, THE BOARD CONSIDERED THE FACTORS SET FORTH IN THE ATTACHED FINDINGS OF FACT

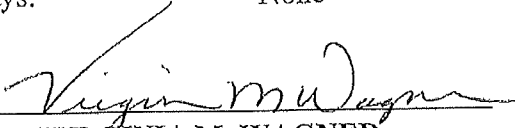
THIS IS NOT A BUILDING PERMIT

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Donatelli Seconded by: Member Goodsell

Ayes: Member Goodsell, Member Hernandez, Member Donatelli,
Vice Chairman Francis, Chairman Mammina

Nays: None



VIRGINIA M. WAGNER
SECRETARY

THIS IS NOT A BUILDING PERMIT

Board of Zoning Appeals

Town of North Hempstead

Findings of Fact for Appeal # 21074

APPEAL #21074 - Anu Samuel; 40 Deepdale Parkway, Albertson, Section 7, Block 98, Lot 135; Zoned: Residential-B

Variance from §70-100.2(A) to erect fencing within a front yard.

The Board finds the applicant has submitted sufficient evidence to support why this application should be given special consideration under the Americans with Disabilities Act 28 C.F.R. § 35. Pursuant to § 35.130(b)(7), local governments are required to make reasonable modifications to policies, practices, or procedures to prevent discrimination on the basis of disability.

Given the above, the board grants the relief requested under 70-100.2(A) to erect fencing within a front yard with the specific limitations and conditions as specified in the Notice of Decision, as a reasonable modification to the Zoning Code in order to accommodate the disability of the applicant's child.

THIS IS NOT A BUILDING PERMIT

Chairman
David L. Mammina, A.I.A.

Vice Chairman
Leslie Francis, Esq.

Members
Daniel Donatelli, Esq.
Jay Hernandez
Patricia A. Goodsell, Esq.

Town of North Hempstead



Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #21076 - Mohammed Quaizar; 47 Oxford Street, New Hyde Park, Section 9, Block 482, Lot 117; Zoned Residential-C
Variance from 70-50.B to construct an addition that is too close to the street.

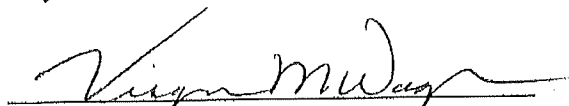
Whereas, an application (21-103597) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **July 14, 2021**, the appeal in the above entitled matter was decided as follows:

GRANTED of the dimension and in the location as shown on drawings prepared by Anthony DiProperzio, R.A. dated November 23, 2020 and revised through December 31, 2020 *as amended by the Board* **SUBJECT TO THE FOLLOWING CONDITION:**

- 1. The drawings shall be amended to demonstrate a hip roof as shown on the plans prepared by Anthony DiProperzio, R.A. dated November 23, 2020 and revised through December 31, 2020 as amended by the Board.*

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by:	Member Goodsell	Seconded by: Vice Chairman Francis
Ayes:	Member Goodsell, Member Hernandez, Member Donatelli, Vice Chairman Francis, Chairman Mammina	
Nays:	None	


VIRGINIA M. WAGNER
SECRETARY

THIS IS NOT A BUILDING PERMIT

Chairman
David L. Mammina, A.I.A.

Vice Chairman
Leslie Francis, Esq.

Members
Daniel Donatelli, Esq.
Jay Hernandez
Patricia A. Goodsell, Esq.

Town of North Hempstead



Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #21077- Juliebeth Devlin; 3 Foxcroft Road, Albertson; Section 9, Block 553, Lot 46; Zoned: Residence-C

Variances from §§70-50.C, 70-101.B, 70-52.5 and 70-202.1(C) to construct a second story addition and roofed over porch that are too close to the street, to construct a roofed over porch, stoop and driveway expansion (impervious surfaces) which cover more than 55% of the front yard, and to erect a retaining wall that is taller than permitted.

Whereas, an application (21-103098) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **July 14, 2021**, the appeal in the above entitled matter was decided as follows:

GRANTED of the dimension and in the location as shown on drawings prepared by Todd O'Connell, R.A. dated April 16, 2018 and revised through February 10, 2021 **SUBJECT TO THE FOLLOWING CONDITION:**

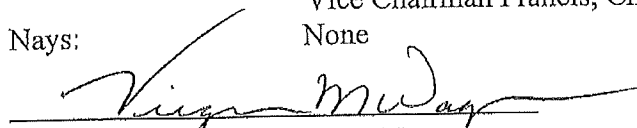
- 1. The applicant shall install a guard rail adjacent to the proposed retaining wall on the northern portion of the site. Said guard rail shall comply in all respects to any applicable Town or State Building Code requirements.*

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Donatelli Seconded by: Member Hernandez

Ayes: Member Goodsell, Member Hernandez, Member Donatelli,
Vice Chairman Francis, Chairman Mammina

Nays: None


VIRGINIA M. WAGNER
SECRETARY

THIS IS NOT A BUILDING PERMIT

Chairman
David L. Mammina, A.I.A.

Vice Chairman
Leslie Francis, Esq.

Members
Daniel Donatelli, Esq.
Jay Hernandez
Patricia A. Goodsell, Esq.

Town of North Hempstead



Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #21078 – Sheridan Street New Property, LLC; South side of Park Avenue, 50 feet east of Sheridan Street, Westbury, Section 11, Block 103, Lot 3; Zoned Residence-C
Variance §70-50.C to construct a new home and portico that are located too close to the street.

Whereas, an application (21-102034, 21-102035) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **July 14, 2021**, the appeal in the above entitled matter was decided as follows:

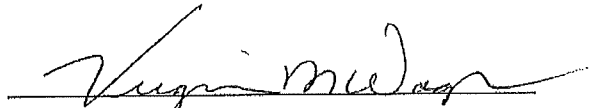
GRANTED of the dimension and in the location as shown on drawings prepared by Luigi Gileno, R.A. dated February 14, 2020 and revised through November 13, 2020.

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman Francis Seconded by: Member Hernandez

Ayes: Member Goodsell, Member Hernandez, Member Donatelli,
Vice Chairman Francis, Chairman Mammina

Nays: None


VIRGINIA M. WAGNER
SECRETARY

THIS IS NOT A BUILDING PERMIT

Chairman
David L. Mammina, A.I.A.

Vice Chairman
Leslie Francis, Esq.

Members
Daniel Donatelli, Esq.
Jay Hernandez
Patricia A. Goodsell, Esq.

Town of North Hempstead



Board of Zoning Appeals

210 Plandome Road
Manhasset, NY 11030
(516) 869-7667
Fax (516) 869-7812

NOTICE OF DECISION

APPEAL #21080 – RPAI US Management, LLC; 1618 Marcus Avenue, New Hyde Park, Section 8, Block 302, Lot 27; Zoned Business-A
Variance from §70-196J(1)(f) to erect a wall sign higher than permitted.

Whereas, an application (21-102034, 21-102035) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **July 14, 2021**, the appeal in the above entitled matter was decided as follows:

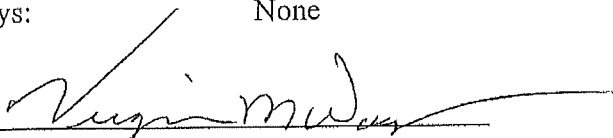
GRANTED of the dimension and in the location as shown on drawings prepared by Stratus Unlimited dated September 29, 2020 and revised through February 10, 2021 and on a Site Plan (undated and unknown preparer).

The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Goodsell Seconded by: Member Donatelli

Ayes: Member Goodsell, Member Hernandez, Member Donatelli,
Vice Chairman Francis, Chairman Mammina

Nays: None


VIRGINIA M. WAGNER
SECRETARY

THIS IS NOT A BUILDING PERMIT

The live Zoom meeting can be accessed at: <https://us02web.zoom.us/j/86163146424>
Or via phone at +1 929 436 2866 or +1 312 626 6799 or +1 301 715 8592 or +1 346 248 7799 or
+1 669 900 6833 or +1 253 215 8782 using Webinar ID: 861 6314 6424. Additionally, the
public may view the live stream of this meeting at
<https://northhempsteadny.gov/townboardlive>.

Should you wish to participate in an appeal hearing, please register in advance by sending an email to bzadept@northhempsteadny.gov no later than Friday, July 9, 2021. Please include your first and last name, street address, email address, any prepared written comments/questions and the appeal number you wish to be heard on. Comments will be limited to 3 minutes per speaker. Members of the public can email written comments or questions addressed to the Board. Written comments must be received 60 minutes prior to the meeting. Questions and/or comments which are timely submitted will be accepted and made a part of the record.