

Chairman
David L. Mammìna, A.I.A.

Town of North Hempstead

Vice Chairman
Leslie Francis, Esq.



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

Board of Zoning Appeals

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

CALENDAR FOR SEPTEMBER 7, 2022

RESIDENTIAL CALENDAR

APPEAL #21271 – David Sion; 7 Station Rd., Great Neck; Section 2, Block 229, Lot 110; Zoned Residence-A

Variance from § 70-100.2A(4) to legalize a fence that is too tall.

APPEAL #21272 – Zi Song Realty, LLC; 106 Allen Dr., Great Neck; Section 2, Block 358, Lots 2 and 3; Zoned Residence-C

Variance from § 70-47 to subdivide a property into two building lots both of which are too small (insufficient minimum lot area).

APPEAL #21260 – Anastasios Christoforidis; 76 Avenue C, Port Washington, Section 4, Block 25, Lot 249; Zoned Residence-B

Variance from § 70-100.1.A to legalize a gazebo located within in a side yard (not permitted).

APPEAL #21273 – John Meyer; 10 South Ct., Port Washington; Section 5, Block C, Lot 95; Zoned Residence-A

Variance from § 70-31(A) to construct an open porch and a balcony above with side yards that are too small.

APPEAL #21274 – Luigi & Vitella Carullo; 18 Hillview Ave., Port Washington; Section 5, Block D, Lot 119; Zoned Residence-C

Variances from §§ 70-101.B & 70-101.H to legalize a portico located too close to a street and to legalize AC units located too close to a street.

APPEAL #21275 - Valida Scott; 14 N. Plandome Road, Port Washington; Section 5, Block 57, Lot 258; Zoned: Residence-A

Variances from §§ 70-100.2(A)(2), 70-100.2(A)(4), to legalize fencing and to erect new fencing that is in the front yard and that is too tall.

APPEAL #21276 – Christopher Amico; 108 South St., Herricks; Section 9, Block 91, Lot 63; Zoned Residence-B

Variance from § 70-100.2.A(4) to legalize a fence that is too high.

APPEAL #21277 - Christopher Ronan; 104 Lynton Road, Albertson; Section 9, Block 109, Lot 50; Zoned: Residence-C

Appeal for Determination and variances from §§70-51 and 70-52 to construct additions that are too close to the rear and side property lines.

COMMERCIAL CALENDAR

APPEAL #21278 – ELRAC, LLC (Enterprise Rent-A-Car); 131 Northern Blvd., Great Neck; Section 2, Block 50, Lot 236; Zoned Business-A

Conditional Use §70-126(D) renewal of a conditional use to permit the parking, storage, sale and rental of automobiles.

APPEAL #21279 – GN Auto Sales, Inc.; 120 Northern Blvd., Great Neck; Section 2, Block 69, Lots 6 -10; Zoned Business-A

Conditional Use §70-126(D) and Variances from §§ 70-103(A)(1) and 70-103(F) to construct interior alterations to convert an existing commercial building to a new used automobile dealership (parking space for the parking storage and sale of used automobiles) which is a conditional use, with not enough parking or loading zones.

APPEAL #21280 - A&D Realty, Co., LLC; 280 Plandome Road, Manhasset; Section 3, Block 79, Lot 227; Zoned: Business-B

Variance from §70-103.A(1) to convert a retail building to office space with not enough parking on site.

APPEAL #21282 - Port Holdings I, LLC; 51 Main Street, Port Washington; Section 5, Block 22, Lot 220; Zoned: Business-B

Conditional use 70-139.A to convert a retail space to a tea café.

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NOTICE OF DECISION

APPEAL #21221 - Peter & Donna Rowlinson; 15 Lincoln Place, Port Washington; Section 5, Block 41, Lot 7; Zoned: Residence-C

Variances from §§ 70-50.B, 70-52, 70-101.B, and 70-208.F to construct additions to a non-conforming dwelling that are too close to the rear property line and too close to the street, and a porch that is too close to the street.

Whereas, an application (RBP22-000009, BZA22-000037) 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 **September 7, 2022**, 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 Janice Miller, R.A. dated January 4, 2022 and revised through June 17, 2022.

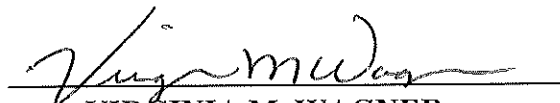
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Donatelli Seconded by: Member Goodsell

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

Nays: None

Absent: Vice Chairman Francis


VIRGINIA M. WAGNER
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NOTICE OF DECISION

APPEAL #21250 – Aiden Stenson; 134 Castle Ridge Rd., Manhasset, Section 3, Block 204, Lot 41; Zoned Residence-A

Variance from § 70-29.B to construct additions that would make the house too big.

Whereas, an application (RBP22-000199, BZA22-000077) 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 **September 7, 2022**, 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 Mark Anthony Munisteri, R.A. dated February 18, 2022 and revised through June 8, 2022..

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

Motioned by: Member Hernandez Seconded by: Member Donatelli

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

Nays: None

Absent: Vice Chairman Francis

A handwritten signature in cursive script, reading "Virginia M. Wagner", is written over a horizontal line.

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NOTICE OF DECISION

APPEAL #21257 - Lidl (Signs); 2475 Jericho Turnpike, Garden City Park; Section 9, Block 612, Lot 51; Zoned: Business-A.

Variance from §70-196.J(1) to construct a new illuminated sign that is not a permitted sign type (not parallel to a building wall).

Whereas, an application (SGP22-000043, BZA21-000071) 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 **September 7, 2022**, 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 Chris H. Cantrell (Federal Heath Visual Communications) dated January 28, 2022 and revised through August 3, 2022.

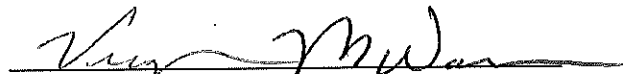
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Goodsell Seconded by: Member Hernandez

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

Nays: None

Absent: Vice Chairman Francis


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NOTICE OF DECISION

APPEAL #21258 – Amy & Martin Griffel; 11 Pond Park Rd., Great Neck, Section 2, Block 367, Lot 11; Zoned Residence-A

Variance from § 70-32 to build a deck too close to the rear property line.

Whereas, an application (BP20-104383, ARB22-000188, BZA22-000084) 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 **September 7, 2022**, 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 Edward J. Hoschler, Jr., R.A. dated June 2, 2020 and revised through May 5, 2022.

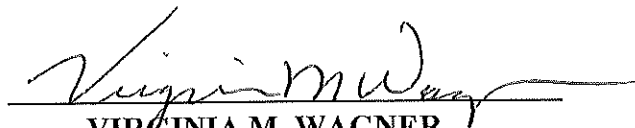
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Donatelli Seconded by: Member Hernandez

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

Nays: None

Absent: Vice Chairman Francis


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NOTICE OF DECISION

APPEAL #21271 – David Sion; 7 Station Rd., Great Neck; Section 2, Block 229, Lot 110; Zoned Residence-A - Variance from § 70-100.2A(4) to legalize a fence that is too tall.

Whereas, an application (RFP21-000311, BZA22-000103) 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 **September 7, 2022**, 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 Christopher Henn, L.S. dated April 23, 2018 *as annotated by the applicant* **SUBJECT TO THE FOLLOWING CONDITION:**

As this variance represents a reasonable and necessary accommodation being provided to the applicant pursuant to the Americans with Disabilities Act, this variance shall not run with the land and the fencing which exceeds the permitted height shall be brought into compliance with the code upon the sale, transfer, lease or other conveyance of the subject home, or at the time the need for the reasonable accommodation is no longer necessary.

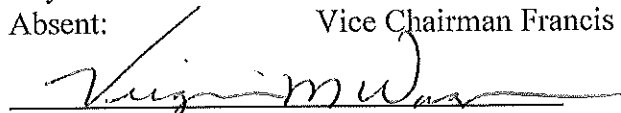
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Donatelli Seconded by: Member Goodsell

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

Nays: None

Absent: Vice Chairman Francis


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NOTICE OF DECISION

APPEAL #21272 – Zi Song Realty, LLC; 106 Allen Dr., Great Neck; Section 2, Block 358, Lots 2 and 3; Zoned Residence-C

Variance from § 70-47 to subdivide a property into two building lots both of which are too small (insufficient minimum lot area).

Whereas, an application (LSP22-000002, BZA22-000111) 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 **September 7, 2022**, 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 Kendrick Lam, R.A. dated May 20, 2022.

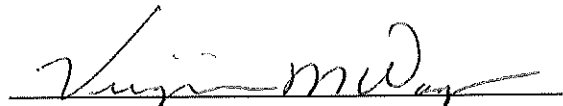
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Goodsell Seconded by: Member Hernandez

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

Nays: None

Absent: Vice Chairman Francis


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NOTICE OF DECISION

APPEAL #21273 – John Meyer; 10 South Ct., Port Washington; Section 5, Block C, Lot 95; Zoned Residence-A

Variance from § 70-31(A) to construct an open porch and a balcony above with side yards that are too small.

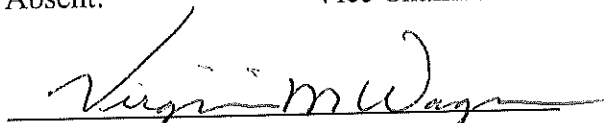
Whereas, an application (RBP22-000360, BZA22-000107) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **September 7, 2022**, the appeal in the above-entitled matter was decided as follows:

GRANTED of the dimension and in the location as shown on drawings prepared by Donald Sclare, R.A. dated April 20, 2022 and revised through July 7, 2022 **SUBJECT TO THE FOLLOWING CONDITION:**

The first floor open porch shall not be enclosed unless and until, an application is made to the Board of Zoning Appeals for approval of such modification to the plan.

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, Chairman Mammina	
Nays:	None	
Absent:	Vice Chairman Francis	


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NOTICE OF DECISION

APPEAL #21274 – Luigi & Vitella Carullo; 18 Hillview Ave., Port Washington; Section 5, Block D, Lot 119; Zoned Residence-C

Variances from §§ 70-101.B & 70-101.H to legalize a portico located too close to a street and to legalize AC units located too close to a street.

Whereas, an application (RBP22-000411, RPH22-000122, BZA22-000099) 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 **September 7, 2022**, 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 David D. Arabi, P.E. dated January 11, 2022 and revised through April 27, 2022.

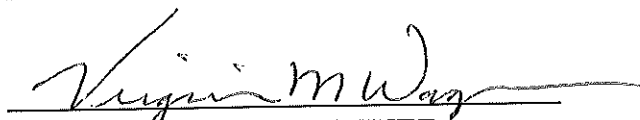
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Donatelli Seconded by: Member Hernandez

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

Nays: None

Absent: Vice Chairman Francis


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NOTICE OF DECISION

APPEAL #21280 - A&D Realty, Co., LLC; 280 Plandome Road, Manhasset; Section 3, Block 79, Lot 227; Zoned: Business-B

Variance from §70-103.A(1) to convert a retail building to office space with not enough parking on site.

Whereas, an application (CBP22-000032, BZA22-000095) 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 **September 7, 2022**, 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 Frank Genese, R.A. dated February 1, 2022 and revised through February 28, 2022.

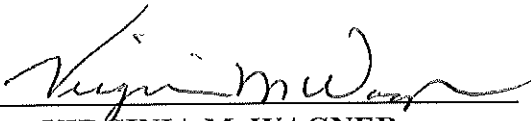
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Hernandez Seconded by: Member Goodsell

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

Nays: None

Absent: Vice Chairman Francis



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NOTICE OF DECISION

APPEAL #21282 - Port Holdings I, LLC; 51 Main Street, Port Washington; Section 5, Block 22, Lot 220; Zoned: Business-B
Conditional use 70-139.A to convert a retail space to a tea café.

Whereas, an application (CBP22-000002, BZA22-000102) 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 **September 7, 2022**, 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 C. Tung, P.E. dated December 31, 2021.

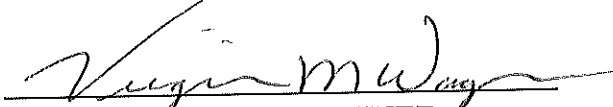
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Donatelli Seconded by: Member Hernandez

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

Nays: None

Absent: Vice Chairman Francis


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Board of Zoning Appeals

Town of North Hempstead

Rider to Appeal # 21282

APPEAL #21282 - Port Holdings I, LLC; 51 Main Street, Port Washington; Section 5, Block 22, Lot 220; Zoned: Business-B

Conditional use 70-139.A to convert a retail space to a tea café.

1. That the applicant shall install and maintain a suitable refrigerated garbage locker within the building. There shall be no outdoor storage of putrescible waste generated by the proposed restaurant at any time. The applicant shall arrange for indoor carry-out pick-up with a licensed sanitation collector and shall forward a copy of the contract to the Building Official prior to approval and/or issuance of a Place of Assembly or Place of Public Assembly License, as defined in the Town Code, and at every subsequent inspection following the issuance of said Place of Assembly or Place of Public Assembly License. All pick-up of sanitation shall be performed after 8:00 a.m.
2. That all exterior doors (with the exception of the primary customer entrance door) shall be of solid construction in a material permitted under the New York State Fire Prevention and Building Code, shall be equipped with self-closing hardware, and shall remain closed at all times except for ingress and egress.
3. At no time may the number of seats on the premises exceed **10** as depicted on the drawings prepared by Thomas C. Tung, P.E. dated December 31, 2021.
4. For purposes of this condition, a seat is defined as any place on the premises where a patron may sit and be served, whether or not a person is seated there. A table set up with four chairs counts as four seats. The conditional use permit and/or variance set forth herein shall continue only for so long as there is compliance with this condition. If at any time the applicant is not in compliance with this condition, then the conditional use permit shall terminate, and the applicant must make a new application to the Board in order to continue the restaurant use.
5. That the applicant shall obtain a Place of Assembly or Place of Public Assembly License, if applicable, as defined in the Town Code, from the Building Department prior to the issuance of a Certificate of Occupancy or Completion.
6. That the applicant shall comply with all laws, ordinances, rules and regulations of all public authorities having jurisdiction over the premises and that no Certificate of Occupancy or Completion shall be issued until absolute compliance has been proven to the Commissioner of the Buildings.
7. That the applicant and or its successor shall comply with Code §70-225B(7)(a). Any restaurant or retail food use must apply to the board of Zoning and Appeals if any of the following occurs:

[1]. an increase in the size of an approved kitchen by 20% of floor area of said kitchen, or 250 square feet, whichever is less, inclusive of prep areas, is proposed.

[2]. The addition or removal of counter/kiosk service for the placement of a food order.

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8. That the conditional use permit set forth herein shall continue only for so long as there is compliance with these conditions. If at any time the applicant is not in compliance with these conditions, then the conditional use permit shall terminate, and applicant must make a new application to this Board in order to continue the premises as a restaurant/food use.

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