

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 SEPTEMBER 21, 2022

RESIDENTIAL CALENDAR

APPEAL #21283 - Sean Sedaghatpour; 6 Brook Bridge Road, Great Neck; Section 2, Block 48, Lot 80; Zoned: Residence-A

Variances from §§70-30.B and 70-101.H to legalize an addition and 2 A/C units that are too close to the street.

APPEAL #21285 - Haresh Shah; 27 Sunset Road West, Albertson; Section 7, Block 268, Lot 20; Zoned: Residence-B

Variance from §70-100.2(A)(4) to install fencing that is too tall.

APPEAL #21286 - Timothy Negron; 176 Aster Drive, New Hyde Park; Section 8, Block 304, Lot 16; Zoned: Residence-B

Variances §§70-40, 70-101.B, 70-41.A, 70-38 and 70-208.F to construct a 2nd story addition that is too close to the street, too close to the side property line, and has smaller than required total side yards, a front porch that is too close to the street, a raised roof and rear deck that are too close to the side property line, all of which cover too much of the lot on a non-conforming dwelling.

COMMERICAL CALENDAR

APPEAL #21287 – Benvenuti Salumeria, Inc.; 15 Colonial Parkway, Manhasset; Section 3, Block 28, Lot 299; Zoned Business-A

Conditional Use § 70-126(F) to convert an existing retail space into a new deli, which is food use requiring a conditional use permit.

APPEAL #21289 – Fifth Avenue of L.I. Realty Association – Polo Ralph Lauren restaurant; 1970 Northern Blvd., Manhasset; Section 3, Block 219, Lot 10; Zoned Business-A

Conditional Use § 70-126(A) to convert a portion of a retail store to a restaurant (a conditional use) with indoor and outdoor seating (conversion of parking spaces to seating area).

APPEAL #21270 – 711-735 Port LLC (Rosa's Pizzeria); 711-735 Port Washington Blvd., Port Washington, Section 6, Block 1, Lot 147; Zoned Business-A

Conditional Use § 70-126(F) and Variance from § 70-103(A) to construct interior alterations to build a new pizza parlor with not enough parking.

APPEAL #21281 – 12 Irma Ave Realty, LLC; 12 Irma Ave., Port Washington; Section 5, Block D, Lots 509(I) and 510(J); Zoned Business-B

Conditional Use § 70-139J(1) and Variances from §§ 70-142(B), 70-143(B), 70-103(A)(1), 70-103(B) and 70-103(Q)(1) to build a new four-story multi-family senior living facility (a conditional use) that exceeds the number of stories permitted, on a lot that is too small, that is too close to a street, that has too many units based on the lot area, with not enough parking spaces, parking spaces that are too small, and parking spaces located within the required side and rear setbacks.

APPEAL #21291 – BRIXMOR SPE 6, LLC./Aldi Signs; 225 Glen Cove Rd., Carle Place; Section 10, Block N, Lot 239; Zoned Industrial-B

Variances from §§ 70-196.J(1)(b) and 70-196.J(1)(f) to construct a sign that is too tall, and too high off the ground.

APPEAL #21292 – National Maintenance, Inc./Steel OCR, LLC; 393 Old Country Rd., Carle Place; Section 10, Block 288, Lot 44; Zoned Business-A

Variances from §§ 70-196.J(1)(b) and 70-196.J(1)(f) to construct a sign that is too tall and too big and too high off the ground.

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Board of Zoning Appeals

210 Plandome Road
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AMENDED NOTICE OF DECISION¹

APPEAL #20399 - Gordon Carnation Corp., renewal of variance 70-208.G to permit the continued use of property as accessory parking for automobiles, S/W/cor. Cherry La., & Bryant Ave., New Hyde Park, Sec. 8, Blk. 79, Lots 1-6, R-C District.

Whereas, an application (12-117755) 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 27, 2017**, 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 A. Agujo, L.S. dated May 16, 2012 and revised through May 30, 2012 **SUBJECT TO THE AMENDED CONDITIONS IN THE ATTACHED RIDER:**

SEE ATTACHED RIDER

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

Motioned by: Member Hernandez Seconded by: Member Levine

Aye: Member Hernandez, Member Levine,
 Vice Chairman Francis, Chairman Mammina

Nay: None

Absent: Member Donatelli

VIRGINIA M. WAGNER
SECRETARY

¹Amended to correct reference to wrong Town Code section and to remove a time limitation on the variance which is not authorized under that section of the Town Code.

THIS IS NOT A BUILDING PERMIT

Board of Zoning Appeals

Town of North Hempstead

Rider to Appeal # 20399

S/W/cor. Cherry La., & Bryant Ave., New Hyde Park, Sec. 8, Blk. 79, Lots 1-6, R-C District.

1. The premises shall be kept clean and maintained in an orderly manner at all times, including the outside area abutting the fencing around the entire perimeter of the property.
2. The existing fencing shall be maintained and kept in constant good order at all times.
3. At no time are the premises to be used for the purpose of displaying automobiles to customers for resale.
4. The use of guard dogs for security purposes shall be prohibited.
5. No vehicles shall be moved into or out of the lot between the hours of 7:00 p.m. and 8:00 a.m.
6. The conditions enumerated herein shall be enforceable by the Building Department of the Town of North Hempstead, in accordance with the provisions of Chapter 28 of the Town Code.

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Town of North Hempstead



Chairman

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Members

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Daniel Donatelli, Esq.

Jay Hernandez

Board of Zoning Appeals

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AMENDED NOTICE OF DECISION¹

APPEAL #21046 - For Five Port, LLC; 24 Main St., Port Washington; Section 5, Block 126, Lot 215, Zoned Business-B

Conditional Use § 70-139(A), 126(A) for interior alteration to an existing commercial building for use as a coffee shop.

Whereas, an application (21-101962) 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 **April 21, 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 Paul Christakos, R.A. dated November 25, 2020 and revised through August 16, 2022
SUBJECT TO THE CONDITIONS CONTAINED IN THE ATTACHED RIDER.

SEE ATTACHED RIDER

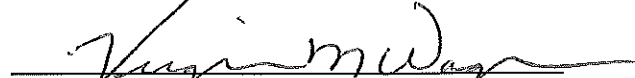
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Vice Chairman Francis Seconded by: Member Hernandez

Ayes: Member Hernandez, Vice Chairman Francis,
Chairman Mammìna

Nays: None

Recused: Member Donatelli


VIRGINIA M. WAGNER
SECRETARY

¹Decision was amended at the September 21, 2022 meeting to refer to revised plans dated August 16, 2022 (Motioned by: Member Donatelli, Seconded by: Vice Chairman Francis, Ayes: Member Donatelli, Vice Chairman Francis, Chairman Mammìna, Nays: None, Abstained: Member Goodsell, Absent: Member Hernandez)

THIS IS NOT A BUILDING PERMIT

Board of Zoning Appeals

Town of North Hempstead

Rider to Appeal # 21046

APPEAL #21046 - For Five Port, LLC; 24 Main St., Port Washington; Section 5, Block 126, Lot 215, Zoned Business-B

Conditional Use § 70-139(A), 126(A) for interior alteration to an existing commercial building for use as a coffee shop.

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 **35** as depicted on the drawings prepared by Paul Christakos, R.A. dated November 25, 2020 and revised through August 16, 2022. 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.
4. That the applicant shall obtain a Place of Assembly or Place of Public Assembly License, as defined in the Town Code, from the Building Department prior to the issuance of a Certificate of Occupancy or Completion.
5. 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.
6. 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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7. 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.

THIS IS NOT A BUILDING PERMIT

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Board of Zoning Appeals

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AMENDED NOTICE OF DECISION¹

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.

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

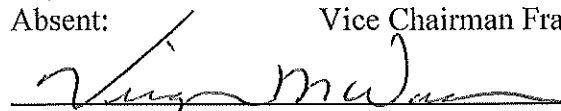
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Hernandez Seconded by: Member Donatelli

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

Nays: None

Absent: Vice Chairman Francis


VIRGINIA M. WAGNER
SECRETARY

¹ Decision was amended at the September 21, 2022 meeting to adopt and include findings

THIS IS NOT A BUILDING PERMIT

Board of Zoning Appeals

Town of North Hempstead

Findings of Fact for Appeal # 21250

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.

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, and a review of Building Department files, the Board finds the following with respect to these criteria:

1. The Board finds there will be no undesirable change to the character of the neighborhood nor that a detriment to neighboring properties will occur as a result of granting the requested variances. Part of the proposed additions will be constructed in the rear of the home in an area where a sunroom presently exists. In addition, the property sits at a slightly lower elevation than the adjacent property to the south. Therefore, the second floor addition over the garage which is proposed on the southeastern side of the home is not anticipated to impact the adjacent property since the addition will not loom over the adjacent residence. The Board finds that the neighborhood is comprised of large homes, several of which have additions above the garage. The home with the proposed additions will be in keeping with the other homes in the neighborhood, and the minimal overage in GFA will not be detectable, nor will it have any adverse impact on the surrounding properties.
2. The applicant could not achieve the benefit of the additional bedroom and family room in the sizes proposed without the requested variances. Although the size of the rooms could be reduced, due to the small size of the gross floor area being requested, the Board does not find that an alternative which would result in smaller rooms would measurably improve the character of the neighborhood or result in less of an impact to the neighbors.
3. The applicants request a variance to exceed the permitted floor area by 62 square feet (or a 2 % variance). In this instance the Board does not find this request to be substantial.

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4. For the reasons stated above, The Board finds that granting the requested variances would not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. The difficulty is self-created since the applicant is proposing to construct the additions which exceed the permitted floor area. However, the Board does not find this fact to be determinative.

Adoption of Findings of Fact:

Motioned by: Vice Chairman Francis Seconded by: Member Goodsell

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

Nays: None

Absent: Member Hernandez

THIS IS NOT A BUILDING PERMIT

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NOTICE OF DECISION

APPEAL #21267 - Lee Tsai; 702 Foch Boulevard, Williston Park; Section 9, Block 655, Lot 2; Zoned: Residence-C

Variances from 70-100.2(A)(2) and 70-100.2(A)(4)(b) to construct fencing that is too tall and located within a front yard.

Whereas, an application (RFP22-000184, BZA22-000085) 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 21, 2022**, the appeal in the above-entitled matter was decided as follows:

DENIED with respect to the variance requested under **70-100.2(A)(4)(b)** to construct fencing that is too tall and **GRANTED** with respect to the variance requested under **70-100.2(A)(2)** to construct a fence within the front yard (*in the location amended by the BZA*) of the dimension and in the location as shown on a survey prepared by Donald Malm, Jr., L.S. dated October 16, 2012 as annotated by the applicant *and as amended by the BZA (this decision does not affect any variances that were granted per prior appeal #16405)*
SUBJECT TO THE FOLLOWING CONDITIONS:

1. *The applicant shall plant arborvitae in front of the fence facing Foch Blvd as shown on the amended plan/survey.*
2. *The fence shall be located behind the existing shrubbery which is located along Center Street.*

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:

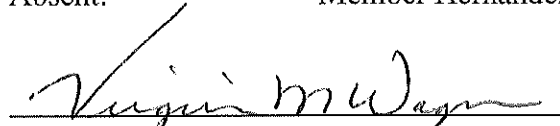
THIS IS NOT A BUILDING PERMIT

Motioned by: Vice Chairman Francis Seconded by: Member Donatelli

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

Nays: None

Absent: Member Hernandez

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

VIRGINIA M. WAGNER
SECRETARY

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Board of Zoning Appeals

Town of North Hempstead

Findings of Fact for Appeal # 21267

APPEAL #21267 - Lee Tsai; 702 Foch Boulevard, Williston Park; Section 9, Block 655, Lot 2; Zoned: Residence-C

Variances from 70-100.2(A)(2) and 70-100.2(A)(4)(b) to construct fencing that is too tall and located within a front yard.

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. The Board finds that in granting an amended plan to locate 4' fencing in a portion of the secondary front yard they are granting the minimum variance necessary which will still achieve the benefit sought by the applicant to have a portion of the yard which can be enclosed and utilized similar to a backyard. The Board finds that this relief is necessary due to the limited amount of space which can be utilized as a backyard behind the dwelling. The fence will be located behind the existing shrubs and newly planted vegetation and therefore will be hardly noticeable from the street. Given these facts the Board does not find that granting the requested variances will produce an undesirable change in the character of the neighborhood or have an adverse effect on adjacent properties.

THIS IS NOT A BUILDING PERMIT

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NOTICE OF DECISION

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.

Whereas, an application (RFP22-000197, RFP22-000133, BZA22-000109) 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 21, 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 G & R dated January 24, 2022 (Existing Fencing Plan) and on drawings prepared by G & R dated January 24, 2022 (New Fencing Plan) **SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1. The applicant shall install additional vegetation as shown in the landscape plan prepared by G&R dated January 24, 2022.*
- 2. All fences must be wooden fences*

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

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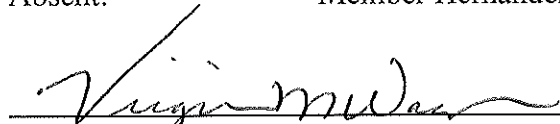
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Donatelli Seconded by: Member Goodsell

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

Nays: None

Absent: Member Hernandez



VIRGINIA M. WAGNER
SECRETARY

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Board of Zoning Appeals

Town of North Hempstead

Findings of Fact for Appeal # 21275

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.

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, and a review of Building Department files, the Board finds the following with respect to these criteria:

1. The Board finds there will be no undesirable change to the character of the neighborhood nor that a detriment to neighboring properties will occur as a result of granting the requested variances to legalize a fence and to erect a new fence¹ to replace an existing fence as proposed in this appeal. The fences have existed in this configuration and in this location for close to 30 years². In addition, the fences are setback from the property line and are partially screened by vegetation. The applicant also plans on installing additional vegetation as shown in the landscape plan prepared by G&R dated January 24, 2022. The wood style of the fences also helps them blend in with the surroundings.

In addition, the Board takes into consideration that property ranges in elevation from approximately 57' (bottom of driveway) to 67.4 (southwest corner). Therefore, there is almost a 10' grade change between the developed portions of the property (where the home and yard are located) and the street. The fences provide safety to the homeowners from any hazard created by this significant grade change and also provide protection from the dangers of being located on N. Plandome Road which is a very busy roadway. Considering the aforementioned facts, the Board finds that the benefit to the applicant to

¹ This fence is not a "new" fence but a fence that will be removed and put back in its current location and at its current height.

² Signed Proposal from North Shore Fence Company dated April 9, 1994.

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legalize the existing fence and to erect a new fence (re-erect the existing fence) outweighs any detriment to the neighborhood or neighbors.

2. The applicant seeks to repair the retaining wall on the southwestern portion of the property and to do so they need to remove the fence that sits atop the retaining wall. They would like to utilize the same fence when re-erecting a fence on top of the retaining wall. This will minimize the costs associated with the retaining wall repair. They would also like to legalize the fence that exists on the northern and northwestern portion of the property to minimize the costs associated with either the modification of the fence or replacement of the fence with a compliant fence. The benefit to the applicant to keep the fences without modification cannot be achieved without the requested variances and no alternative exists which would achieve the same benefit without the requirement of variances.
3. The applicants seek to legalize an existing 6' fence and to construct a new fence (re-erect an existing fence) in the front yard which is not permitted. This variance could be considered substantial. The applicant also seeks to legalize an existing 6' fence where a 4' fence would be permitted (except not in the front yard). This variance could also be considered substantial. The applicant also seeks to erect a new 5' fence (re-erect an existing fence) where a 4' fence would be permitted (except not in the front yard). This variance would not be considered substantial. Given the facts stated in #1 and #2 above the Board does not find that the substantiality of the variances in this instance weigh in favor of denial.
4. For the reasons stated above, The Board finds that granting the requested variances would not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. The difficulty is self-created in part since the applicant erected the fences without permits and now seeks to legalize a portion of the fence and to re-erect another portion of the fence not in compliance with the code. However, this fact alone is not determinative. The applicant did not create the difficulty associated with the unusual topography and location of the property which necessitates the fencing for safety reasons.

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NOTICE OF DECISION

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.

Whereas, an application (RFP22-000254, BZA22-000104) 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 21, 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 Ralph Heil, L.S. dated November 12, 1952 and revised through July 6, 2022.

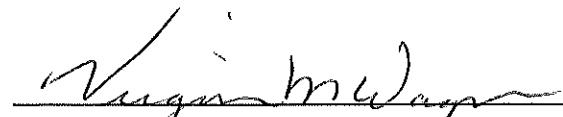
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Goodsell Seconded by: Vice Chairman Francis

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

Nays: None

Absent: Member Hernandez


VIRGINIA M. WAGNER
SECRETARY

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NOTICE OF DECISION

APPEAL #21283 - Sean Sedaghatpour; 6 Brook Bridge Road, Great Neck; Section 2, Block 48, Lot 80; Zoned: Residence-A

Variances from §§70-30.B and 70-101.H to legalize an addition and 2 A/C units that are too close to the street.

Whereas, an application (RBP21-000681, RPH22-000211, BZA22-000119) 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 21, 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 Helen Bogdanos, P.E. dated July 27, 2021 and revised through May 21, 2022 and on a survey prepared by Malgorzata Gasiorowska, L.S. dated June 2, 2021, **SUBJECT TO THE FOLLOWING CONDITION:**

- 1. The applicant shall install/maintain evergreen plantings/bushes around the air conditioning units to screen the units from view.*

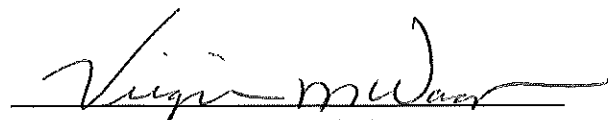
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Donatelli Seconded by: Vice Chairman Francis

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

Nays: None

Absent: Member Hernandez



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 #21286 - Timothy Negron; 176 Aster Drive, New Hyde Park; Section 8, Block 304, Lot 16; Zoned: Residence-B

Variances §§70-40, 70-101.B, 70-41.A, 70-38 and 70-208.F to construct a 2nd story addition that is too close to the street, too close to the side property line, and has smaller than required total side yards, a front porch that is too close to the street, a raised roof and rear deck that are too close to the side property line, all of which cover too much of the lot on a non-conforming dwelling.

Whereas, an application (RBP22-000343, BZA22-000101) 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 21, 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 Bernard G. Rodgers, R.A. dated December 17, 2021.

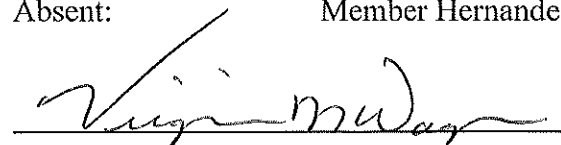
The vote of the **BOARD OF ZONING APPEALS** was recorded as follows:

Motioned by: Member Goodsell Seconded by: Member Donatelli

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

Nays: None

Absent: Member Hernandez


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NOTICE OF DECISION

APPEAL #21291 – BRIXMOR SPE 6, LLC./Aldi Signs; 225 Glen Cove Rd., Carle Place; Section 10, Block N, Lot 239; Zoned Industrial-B

Variances from §§ 70-196.J(1)(b) and 70-196.J(1)(f) to construct a sign that is too tall, and too high off the ground.

Whereas, an application (SGP22-000088, SGP22-000089, BZA22-000112) 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 21, 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 Broadway National dated March 22, 2022.

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 Donatelli, Vice Chairman Francis, Chairman Mammina	
Nays:	None	
Absent:	Member Hernandez	


VIRGINIA M. WAGNER
SECRETARY

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