

# Town of North Hempstead



*Chairman*  
David L. Mammìna, R.A.,  
A.I.A.

*Members*  
Donal McCarthy, Esq.  
Paul Aloe, Esq.  
Leslie Francis, Esq.  
David I. Levine, Esq.

## Board of Zoning Appeals

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

### NOTICE OF DECISION

**APPEAL #19946 - Joseph Losquadro**, variance 70-100.1 to install a generator within a required front yard; SW/cor. 94 Payne Whitney Ln. & Mill Spring Rd., Manhasset, Sec. 3, Blk. 160, Lot 198, R-A District.

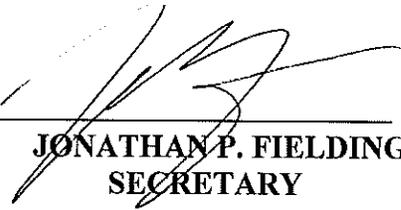
**WHEREAS**, an applications (15-100801) was filed with the Board of Zoning Appeals and a public hearing was held following due notice. That at a meeting of the Board held on **MARCH 18, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on a survey prepared by Albert W. Tay, L.L.S., dated March 7, 2005 as annotated by the applicant and received by the Board on February 3, 2015, **SUBJECT TO THE FOLLOWING CONDITION:**

*the property owner shall install and maintain evergreen plantings, also installing replacement plantings as necessary, sufficient to screen the generator from view from Payne Whitney Lane, Mill Spring Road, and the adjoining property.*

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

Motioned by: Vice Chairman McCarthy                      Seconded by: Member Francis  
Aye:                      Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy  
Not participating:                      Chairman Mammìna

  
\_\_\_\_\_  
**JONATHAN P. FIELDING**  
**SECRETARY**

**THIS IS NOT A BUILDING PERMIT**

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### NOTICE OF DECISION

**APPEAL #19948 – Shah Giashaddin**, variances 70-202.1.C & 70-202.1.E to construct a retaining wall exceeding permitted height; N/side #77A Powerhouse Rd., 330.91' E/of Jefferson Ave. Roslyn Heights, Sec. 7, Blk. 47, Lot 224, R-C District.

**WHEREAS**, an application (15-100709) 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 **MARCH 18, 2015**, 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 Muzaffar Jamal, P.E., dated October 1, 2013 and revised through November 20, 2014.

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

Motioned by: Member Levine                      Seconded by: Member Aloe  
Aye:                      Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
Chairman Mammina

  
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### NOTICE OF DECISION

**APPEAL #19950 – Just Green Foods**, conditional use 70-187 to convert retail space to a restaurant; NW/cor./of #11 Old Country Rd. & Glen Cove Rd. Carle Place, Sec. 9, Blk. 670, Lots 27-28, 31, 46-50, 52-55, I-B District.

**WHEREAS**, an application (15-100863) 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 **MARCH 18, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED**, of the dimension and in the location shown on drawings prepared by Michael D. Just, R.A., dated September 3, 2014, **SUBJECT TO THE FOLLOWING CONDITION:**

#### SEE ATTACHED RIDER

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

Motioned by: Member Aloe      Seconded by: Vice Chairman McCarthy  
Aye:            Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
                  Chairman Mammìna

A handwritten signature in black ink, appearing to read "Jonathan P. Fielding", written over a horizontal line.

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# Board of Zoning Appeals

## Town of North Hempstead

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Rider to Appeal # 19950

Just Green Foods

NW/cor. 11 Old Country Rd. & Glen Cove Rd., Carle Place

Section: 9 Block: 670 Lots: 27-28, 31, 46-50, 52-55

1. That the applicant, its successors and/or assigns (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 food use 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 (a) Certificate of Occupancy/Certificate of Completion or Certificate of Existing Use; and (b) 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.
2. 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.
3. That all exterior doors shall be of solid construction, shall be equipped with self-closing hardware, and shall remain closed at all times except for ingress and egress.
4. At no time may there be more than **thirty-four (34)** seats on the premises. 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.
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/Certificate of Completion or Certificate of Existing Use 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 § 70-225(7)(A). Prior to making any changes to the kitchen, either by the addition of equipment not on the approved plan, or through an increase in the size of existing equipment, or in the size of the square footage of the kitchen, the applicant or its successor shall make a new application to this Board for a conditional use permit to use the space as a food use.
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 food use.
8. That the food use as described by the applicant at the public hearing shall constitute a "bar and grill" restaurant for the purposes of the parking requirement outlined in § 70-103.A of the Code.

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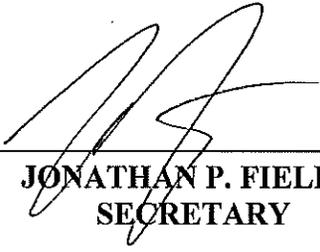
**APPEAL #19841 - Angel Herrera (Owner)/Edward W. Dickman (Applicant),** variances 70-49.C, 70-51.A, and 70-100.1.A to maintain an addition exceeding the permitted floor area with insufficient aggregate side yards and accessory structures in the front yard; W/side 34 Albertson Ave., 100' S/of Coventry Ave., Albertson, Sec. 9, Blk. 103, Lot 13, R-C District.

**WHEREAS,** an application (14-107293) was filed with the Board of Zoning Appeals, a public hearing was held following due notice, at a meeting of the Board held on **MARCH 18, 2015**, the appeal in the above entitled matter was decided as follows:

**GRANTED,** of the dimension and in the location shown on drawings prepared by Edward Warren Dickman, R.A., dated January 9, 2014 and revised through February 20, 2015, and a survey prepared by Laurence Michael Haynes, L.L.S., dated August 18, 2011 and revised through February 12, 2015.

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

Motioned by: Member Levine                      Seconded by: Vice Chairman McCarthy  
Aye:            Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
                    Chairman Mammina

  
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### NOTICE OF DECISION

**APPEAL #19933 - Shaheed Rasul**, variances 70-50.B and 70-231 to construct additions in a required front yard for conversion to a mother-daughter, a conditional use, with an accessory apartment exceeding the permitted floor area; NW/cor. 1001 Lakeville Rd. & White Ave., New Hyde Park, Sec. 8, Blk. 10, Lot 166, R-C District.

**WHEREAS**, an application (14-110988) was filed with the Board of Zoning Appeals and a public hearing was held following due notice; therefore, at a meeting of the Board held on **MARCH 18, 2015**, the appeal in the above entitled matter was decided as follows:

The application for a conditional use for a mother-daughter permit and the variance from §70-231 were **WITHDRAWN**, and the variance from §70-50.B was **GRANTED**, of the dimension and in the location shown on a drawings prepared by Emmanuel N.K. Tehn-Addy, R.A., dated October 2, 2014 and revised through February 18, 2015.

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

Motioned by: Vice Chairman McCarthy      Seconded by: Member Levine  
Aye:            Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
                  Chairman Mammìna

  
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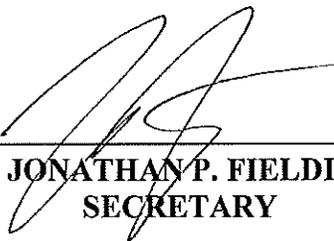
**APPEAL #19944 – Miran Holdings LLC**, variances 70-103.A, 70-103.B, 70-103.F, 70-103.M, 70-231 to maintain conversion of storage to offices in a commercial building; NW/cor. #401 Great Neck Rd. & Water Mill Lane, Great Neck, Sec. 2, Blk. 42, Lot 46, B-A District.

**WHEREAS**, an application (15-100586) was filed with the Board of Zoning Appeals and a public hearing was held following due notice, at a meeting of the Board held on **MARCH 18, 2015**, 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 Norman Nemeç, R.A., dated August 13, 2014 and revised through November 26, 2014 and January 27, 2015.

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

Motioned by: Vice Chairman McCarthy      Seconded by: Member Levine  
Aye:            Member Levine, Member Francis, Member Aloe, Vice Chairman McCarthy,  
                  Chairman Mammìna



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