

**NOTICE OF PUBLIC HEARING  
TOWN OF BABYLON - ZONING BOARD OF APPEALS**

Pursuant to Chapter 213, Article II of the Building Zone Ordinance of the Town of Babylon, notice is hereby given that the Town of Babylon Zoning Board of Appeals will hold a Public Hearing at

**TOWN BOARD ROOM  
(Located in the East Wing)  
at Babylon Town Hall,  
200 East Sunrise Highway,  
Lindenhurst, New York**

on **THURSDAY, MARCH 2, 2023**  
**BEGINNING AT 6:00 P.M.**

**6:00 p.m.**

1. Application #22-232 of Donna Theodosis, 90 Pine Street, Deer Park, NY. Permission to increase total building area from 20% to 37.3% (over by 2,014.8 sq. ft.). All in connection with the installation of an in-ground pool and Paver patio. Property located on the south side of Pine Street, 160' west of Western Avenue, Deer Park, NY.  
SCTM#0100-41-4-67  
Zoning District: Residence B

**6:05 p.m.**

2. Application #23-004 of Donna Baglio a/k/a Donna Cappo, 60 Cutter Place, West Babylon, NY. Permission to increase total building area from 20% to 24.8% (over by 748.52 sq. ft.). All in connection with legally maintaining an existing in-ground pool and patio, a shed, and a raised patio. Property located on the southeast corner of Cutter Place & Fleets Point Drive, West Babylon, NY.  
SCTM#0100-224-2-47  
Zoning District: Residence B

**6:10 p.m.**

3. Application #23-007 of Michelle Esposito, 47 Village Line Road, Babylon, NY. Permission to diminish west side yard from 10' to 9.16' (for proposed addition and roofed over patio); increase total building area from 30% to 40.74% (over by 954.6 sq. ft.); diminish distance to west side yard from 6' to 0.4' (for existing pool deck). All in connection with the erection of a 2<sup>nd</sup> floor addition and to legally maintain existing kitchen/family room addition, roofed over patio, concrete paver patio, semi-in-ground pool, pool deck, and shed. Property located on the north side of Village Line Road, 536.84' east of Deer Park Avenue, Babylon, NY.  
SCTM#0100-164-4-41  
Zoning District: Residence C

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**6:15 p.m.**

4. Application #22-256 of Chris Casazza, 774 Bermuda Road, West Babylon, NY. Permission to diminish front yard setback from 30' to 25.85'; diminish east side yard from 10' to 9.6'; diminish total side yards from 25' to 24.3'; increase total building area from 30% to 30.5% (over by 31.98 sq. ft.); diminish distance to rear lot line from 6' to 2.8' (for shed); diminish distance to east side lot line from 6' to 2.8' (for shed); increase area of the front yard for use as a driveway from 40% to 50.6% (over by 207 sq. ft.); increase number of curb cuts from one (1) to two (2). All in connection with the erection of a 2<sup>nd</sup> floor addition and to legally maintain two (2) existing sheds and two (2) driveways. Property located on the south side of Bermuda Road, 200' west of Avenue B, West Babylon, NY.  
SCTM#0100-214-1-182  
Zoning District: Residence C

**6:20 p.m.**

5. Application #23-005 of Canessa Corp., c/o Gloria Fuentes, 702 6<sup>th</sup> Street, West Babylon, NY. Permission to diminish front yard setback from 30' to 26' on 7<sup>th</sup> Avenue (for outside cellar entrance); increase total building area from 20% to 44.38% (over by 1,950.4 sq. ft.); diminish distance to street line for accessory structure from 40' to 8.9' on 7<sup>th</sup> Avenue (for shed); increase total building area for accessory structures of the rear yard from 45% to 87.5% (over by 753.9 sq. ft.); diminish distance to north side lot line from 2' to 0' (for patio pavers); diminish distance to rear lot line from 2' to 0' (for patio pavers). All in connection with the erection of a 2<sup>nd</sup> floor addition, and to legally maintain a finished basement, outside cellar entrance, shed, and patios. Property located on the northwest corner of 6<sup>th</sup> Street & 7<sup>th</sup> Avenue, West Babylon, NY.  
SCTM#0100-132-3-14  
Zoning District: Residence B

**6:25 p.m.**

6. Application #22-257 of MPK MAC Inc., 825 Sunrise Highway, Copiague, NY. Permission to allow a two-family dwelling where residential use is not permitted in Business Eb district; diminish front yard setback from 45' to 28'-4"; diminish buffer strip from 5' to 0' on west side. All in connection with an existing building. Property located on the north side of Sunrise Highway, 820' west of Magaw Place, West Babylon, NY.  
SCTM#0100-157-1-7  
Zoning District: Business Eb  
Subject Premises: 437 Sunrise Highway, West Babylon

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**6:30 p.m.**

7. Application #23-006 of RGP Owners DP LLC, 810 Seventh Avenue, New York, NY. Permission to increase number of wall/entrance signs on the south elevation from one (1) to three (3). All in connection with the erection of wall/entrance and awning signs in connection with a proposed Applebees "To-Go" restaurant. Property located on the northeast corner of Commack Road & Grand Boulevard, Deer Park, NY.  
SCTM#0100-68-1-46.001  
Zoning District: Industry Ga  
Subject Premises: 403 Commack Road, Deer Park

**6:35 p.m.**

8. Application #22-251 of RGP Owners DP LLC, 810 Seventh Avenue, New York, NY. Permission to increase number of ground signs from one (1) to five (5) for menu/clearance signs; increase number of wall signs on the north elevation from one (1) to two (2); increase number of wall signs on the south elevation from one (1) to two (2); increase number of wall signs on the west elevation from one (1) to two (2); increase number of wall signs per parcel from four (4) to ten (10). All in connection with the erection of ground signs (menu/clearance) and wall signs in connection with a proposed Panera restaurant with drive-thru. Property located on the northeast corner of Commack Road & Grand Boulevard, Deer Park, NY.  
SCTM#0100-68-1-46.001  
Zoning District: Industry Ga  
Subject Premises: 403 Commack Road, Deer Park

**6:40 p.m.**

9. Application #22-245 of Bolla Oil Corp., (tenant)/Franklin Johnson, Inc. (prop. owner), 809 Stewart Avenue, Garden City, NY. Permission to increase building height from 25' to 26'-2"; diminish front yard setback from 15' to 7' on Crown Street; diminish off-street parking from 13 parking spaces to 10 parking spaces; diminish buffer strip from 10' to 0' on North Bayshore Road; diminish buffer strip from 10' to 7' on Crown Street; allow gas station to be located on a non-permitted roadway (Bayshore Road and Commack Road); diminish number of driveways per front yard from one (1) to zero (0) on Crown Street; to lift previously imposed Covenants & Restrictions as per case # 1453. All in connection with the demolition and rebuilding of a gas station with convenience store and site improvements. Property located on the southwest corner of Bayshore Road & Commack Road, North Babylon, NY.  
SCTM#0100-117-1-1  
Zoning District: Business E  
Subject Premises: 170 Bayshore Road, North Babylon

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**6:45 p.m.**

10. Application #22-246 of Bolla Oil Corp. (tenant)/Franklin Johnson, Inc. (prop. owner), 809 Stewart Avenue, Garden City, NY. Permission to diminish distance from property line from 10' to 2.3'; increase sign height from 15' to 26' -3"; increase area of ground sign from 40 sq. ft. to 55.8 sq. ft.; increase number of signs per pole from one (1) to two (2); increase area of price sign from 12 sq. ft. to 53.90 sq. ft.; increase number of signs per wall from one (1) to three (3) on west elevation; to lift previously imposed Covenants & Restrictions as per case #1453. All in connection with the erection of wall, ground, and price signs. Property located on the southwest corner of Bayshore Road & Commack Road, North Babylon, NY.  
SCTM#0100-117-1-1  
Zoning District: Business E  
Subject Premises: 170 Bayshore Road, North Babylon

**ALL PERSONS OR THEIR DULY APPOINTED REPRESENTATIVE MUST APPEAR IN PERSON AT THE ABOVE HEARING. ALL CASES WILL BE HEARD IN THE ORDER IN WHICH THEY ARE ADVERTISED, TO BE FOLLOWED BY ADJOURNED CASES.**

BY ORDER OF THE ZONING BOARD OF APPEALS  
MICHAEL KANE, CHAIRMAN

Dated: Babylon Town Hall  
Lindenhurst, New York  
February 6, 2023