STATE OF NEW YORK
DEPARTMENT OF STATE
STATE OFFICE BUILDING
250 VETERANS MEMORIAL HIGHWAY
HAUPPAUGE, NY 11788-5519
HTTPS://DOS.NY.GOV

KATHY HOCHUL
GOVERNOR

WALTER T. MOSLEY
SECRETARY OF STATE

LONG ISLAND REGIONAL BOARD OF REVIEW
MEETING MINUTES
September 17, 2026, at 9:00 a.m. (started approximately 9:30 a.m.)

Perry B. Duryea Jr. State Office Building
250 Veterans Memorial Hwy. Room 4A9A
Hauppauge, NY 11788

A QUORUM IS PRESENT

NEW BUSINESS

FIRST HEARING

IN THE MATTER OF PETITION NO. 2026-0373
This petition pertains to an existing detached two story, One Family Dwelling of wood frame construction. The dwelling is approximately 2,790 square feet in total gross floor area and is located at 12 Cross Road, Incorporated village of Bayville, County of Nassau, State of New York.

RELIEF IS REQUESTED FROM:
19 NYCRR, Part 1220, Ref. 2025 Residential Code of New York State Section R306.2, titled Flood hazard areas (including A Zones, B Zones and shaded X Zones), and requires that, areas that have been determined to be prone to flooding and that are not subject to high-velocity wave action shall be designated as *flood hazard areas*. *Flood hazard areas* that have been delineated as subject to wave heights between $1^1/_2$ feet (457 mm) and 3 feet (914 mm) or otherwise designated by the *authority having jurisdiction* shall be designated as Coastal A Zones and are subject to the requirements of Section R306.3. *Buildings* and structures constructed in whole or in part in *flood hazard areas* shall be designed and constructed in accordance with Sections R306.2.1 through R306.2.4.
[The petitioner wishes to install finishes in an existing basement that does not conform to applicable provisions of Section R306.2.1 through R306.2.4]
AND
19 NYCRR, Part 1220, Ref. 2025 Residential Code of New York State Section R306.1.5 which requires that, The lowest floor shall be the lowest floor of the lowest enclosed area, including *basement*, and excluding any unfinished flood-resistant enclosure that is useable solely for vehicle parking, *building* access or limited storage provided that such enclosure is not built so as to render the *building* or *structure* in violation of this section. *[The petitioner wishes to have a lowest floor below the Required Flood Elevation]*
AND
19 NYCRR, Part 1220, Ref. 2025 Residential Code of New York State Section R306.1.6 which requires in relevant part that, plumbing *appliances* and plumbing fixtures; *duct systems*; and other service *equipment* shall be located at or above the elevation required in Section R306.2 or R306.3. *[The petitioner wishes to install electrical outlets, wiring. Etc. below the Required Flood Elevation]*
AND
19 NYCRR, Part 1220, Ref. 2025 Residential Code of New York State Section R306.1.8 which requires that Building materials and installation methods used for flooring and interior and exterior walls and wall coverings below the elevation required in Section R306.2 or R306.3 shall be flood damage-resistant materials that conform to the provisions of FEMA TB-2. *[The petitioner wishes to use materials that are not flood damage resistant below the Required Flood Elevation]*

PETITIONER: NICOLE BAMBA

- VARIANCE MOTION: LARA BOUSLEIMAN
- SECOND: RICHARD M. BIVONE
- VARIANCE RELIEF: GRANTED WITH CONDITIONS

Variance Vote:

AYE	ROBERT PETERSON, CHAIRMAN
AYE	ERIKA SCHAUB (ATTENDING REMOTELY)
AYE	RICHARD M. BIVONE
AYE	LARA BOUSLEIMAN
AYE	SHAHIN BADALY (ATTENDING REMOTELY)

SECOND HEARING

IN THE MATTER OF PETITION NO. 2026-0438
This petition seeks variance to allow a two-piece bathroom in a pool cabana within a flood plain, allow finishes in a pool cabana within a flood plain, allow walls below a DFE within a pool cabana, and allow an enclosed pool Cabana on a slab foundation within DFE. The affected area is 496 square feet (including roof over patio attached) and located at 142 Wagstaff Lane, Town of Islip, County of Suffolk, State of New York.

BOARD ACTION:
The board reviewed the application and determined that revised information was needed.

PETITIONER: NORLEY CASTANEDA

- VARIANCE MOTION: LARA BOUSLEIMAN
- SECOND: RICHARD M. BIVONE
- VARIANCE RELIEF: ADJOURNED

Variance Vote:

AYE	ROBERT PETERSON, CHAIRMAN
AYE	ERIKA SCHAUB
AYE	RICHARD M. BIVONE
AYE	LARA BOUSLEIMAN
AYE	SHAHIN BADALY (ATTENDING REMOTELY)

THIRD HEARING

IN THE MATTER OF PETITION NO. 2026-0439
This petition seeks variance from flood construction requirements and work that is considered a substantial improvement by the code official and must comply with FEMA flood zone provision of the code as a result. The dwelling is 3349 square feet (including basement) and located at 23 The Keel, Town of Islip, County of Suffolk, State of New York.

RELIEF IS REQUESTED FROM:

19 NYCRR Part 1220, The 2020 Residential Code of New York State, Section AJ601.4 Nonconformities. The work performed shall not increase the extent of noncompliance with the requirements of this code or create nonconformity with those requirements which did not previously exist.

AND

19 NYCRR Part 1220, The 2020 Residential Code of New York State, Section AJ801.5 Flood hazard areas. Additions and foundations in flood hazard areas shall comply with the following requirements:

1. For horizontal additions that are structurally interconnected to the existing building:
    1.1. If the addition and all other proposed work, when combined, constitute substantial improvement, the existing building and the addition shall comply with Section R322 of this code.
    1.2. If the addition constitutes substantial improvement, the existing building and the addition shall comply with Section R322.
2. For horizontal additions that are not structurally interconnected to the existing building:
    2.1. The addition shall comply with Section R322.
    2.2. If the addition and all other proposed work, when combined, constitute substantial improvement, the existing building and the addition shall comply with Section R322.
3. For vertical additions and all other proposed work that, when combined, constitute substantial improvement, the existing building shall comply with Section R322.
4. For a new, replacement, raised, or extended foundation, if the foundation work and all other proposed work, when combined, constitute substantial improvement, the existing building shall comply with Section R322.

[The petitioner requests relief from additions and alterations below the DFE]

PETITIONER: JOSH SEIDEN

- VARIANCE MOTION: RICHARD M. BIVONE
- SECOND: LARA BOUSLEIMAN
- VARIANCE RELIEF: GRANTED WITH CONDITIONS

Variance Vote:

AYE	ROBERT PETERSON, CHAIRMAN
AYE	ERIKA SCHAUB
AYE	RICHARD M. BIVONE
AYE	LARA BOUSLEIMAN
AYE	SHAHIN BADALY (ATTENDING REMOTELY)

The meeting adjourned at approximately 2:30 p.m.