

**Incorporated Village of Valley Stream
123 South Central Avenue
Valley Stream, New York 11580
Board of Zoning and Appeals
516-592-5142**

**MINUTES OF THE BOARD OF APPEALS
January 25, 2022**

Case No. 4054

Arkady Ginsburg, 43 Valley Lane West, Valley Stream, New York

Re: 43 Valley Lane West, Valley Stream, New York

Application for a Variation from Section 99-902.A.2 and Section 99-902.A.3 of the Code of the Village of Valley Stream to add paver path on north side of house and rear paver patio.

Section 99-902.A.2 of the Code of the Village of Valley Stream requires maximum coverage of lot by aggregate building area of all buildings and structures is 60%; whereas, proposed is 69.5%.

Section 99-902.A.3 of the Code of the Village of Valley Stream requires maximum coverage of rear yard by aggregate building area of accessory buildings and structures is 30%; whereas, proposed is 48.7%.

The subject premises is located on east side of Valley Lane West, 637.90' north of the corner formed by the intersection of Hungry Harbor Road and Valley Lane West known as No. 43 Valley Lane West.

MR. DELUCIE MADE A MOTION TO CLASSIFY THIS APPLICATION AS A TYPE II ACTION UNDER THE MEANING OF SEQRA WHICH IS HEREBY DETERMINED NOT TO HAVE SIGNIFICANT IMPACT ON THE ENVIRONMENT AND TO APPROVE SUBJECT TO FINAL APPROVAL BY THIS BOARD OF THE WRITTEN DECISION.

SECONDED BY: Mr. Pizzolo

**ROLL CALL: Mr. Bond- yes
Mr. Frusci- recuse
Mr. Pizzolo- yes
Mr. DeLucie- yes
Mr. Panzarino- yes**

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Case No. 4056

Sedana Realty LLC, 4041 Ibis Point Circle, Boca Raton, Florida

Re: 3-15 West Merrick Road, Valley Stream, New York

Application for a Variation from Section 99-2202.C and Section 99-1605 of the Code of the Village of Valley Stream to maintain parking lot configuration.

Section 99-2202.C of the Code of the Village of Valley Stream requires alterations of existing lots to comply with the off- street parking requirements of this chapter. Existing building configuration and uses require 76 total off- street parking spaces be provided; however, previously approved parking/ site plans permit 17 total off- street parking spaces at subject parking lot; whereas, only 10 spaces are provided.

Section 99-1605 of the Code of the Village of Valley Stream requires dumpsters to not be located within 2 feet to any rear or side property line; whereas, proposed dumpster facility is located 1 foot from north side/ rear property line.

The subject premises is located on the northwest corner of West Merrick Road formed by the intersection of Rockaway Parkway and West Merrick Road known as No. 3-15 West Merrick Road, Valley Stream, New York.

MR. DELUCIE MADE A MOTION TO CLASSIFY THIS APPLICATION AS AN UNLISTED ACTION UNDER THE MEANING OF SEQRA WHICH IS HEREBY DETERMINED NOT TO HAVE SIGNIFICANT IMPACT ON THE ENVIRONMENT AND TO APPROVE WITH CONDITIONS SUBJECT TO FINAL APPROVAL BY THIS BOARD OF THE WRITTEN DECISION.

SECONDED BY: Mr. Frusci

- 1. All dumpsters to be screened with PVC fence enclosures.**
- 2. The applicant shall maintain the property, including the proposed refuse container(s)/enclosure(s) in a neat and orderly manner, free of dirt, debris, garbage, waste and the like.**

ROLL CALL: Mr. Bond- yes
Mr. Frusci- yes
Mr. Pizzolo- yes
Mr. DeLucie- yes
Mr. Panzarino- yes

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Case No. 4057

Sedana Realty LLC, 4041 Ibis Point Circle, Boca Raton, Florida

Re: 3-15 West Merrick Road, Valley Stream, New York

Application for Final Site Development Plan Review/ Approval per Article XXVII of the Code of the Village of Valley Stream.

The subject premises is located on the northwest corner of West Merrick Road formed by the intersection of Rockaway Parkway and West Merrick Road known as No. 3-15 West Merrick Road, Valley Stream, New York.

MR. DELUCIE MADE A MOTION TO CLASSIFY THIS APPLICATION AS AN UNLISTED ACTION UNDER THE MEANING OF SEQRA WHICH IS HEREBY DETERMINED NOT TO HAVE SIGNIFICANT IMPACT ON THE ENVIRONMENT AND TO APPROVE WITH CONDITIONS SUBJECT TO FINAL APPROVAL BY THIS BOARD OF THE WRITTEN DECISION.

SECONDED BY: Mr. Frusci

- 1. All dumpsters to be screened with PVC fence enclosures.**
- 2. The applicant shall maintain the property, including the proposed refuse container(s)/enclosure(s) in a neat and orderly manner, free of dirt, debris, garbage, waste and the like.**

**ROLL CALL: Mr. Bond- yes
 Mr. Frusci- yes
 Mr. Pizzolo- yes
 Mr. DeLucie- yes
 Mr. Panzarino- yes**

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Case No. 4050

Davinder Pal, New York Empire Homes LLC, 15 Gregory Street, Valley Stream, New York

Re: 228 Fir Street, Valley Stream, New York

Application for a Variation from Section 99-902.A.2, Section 99-902.A.3 and Section 99-2205.B.4 of the Code of the Village of Valley Stream to maintain installation of accessory driveway/ patio areas to new single family dwelling.

Section 99-902.A.2 of the Code of the Village of Valley Stream requires a maximum lot coverage by aggregate building area of all buildings and structures thereon of 60%; whereas, proposed total lot coverage by buildings and structures is 74.9%.

Section 99-902.A.3 of the Code of the Village of Valley Stream requires a maximum rear yard coverage by aggregate building area of accessory building structures of 30%; whereas, proposed rear yard coverage by accessory building and structures is 73.6%

Section 99-2205.B.4 of the Code of the Village of Valley Stream requires driveways to not be located nearer than 2 feet from any side property line; whereas, proposed side yard setback of new driveway is 0 feet, at east property line.

The subject premises is located on the south side of Fir Street, 225' west of the corner formed by the intersection of Broadway and Fir Street known as No. 228 Fir Street, Valley Stream, New York.

MR. DELUCIE MADE A MOTION TO CLASSIFY THIS APPLICATION AS A TYPE II ACTION UNDER THE MEANING OF SEQRA WHICH IS HEREBY DETERMINED NOT TO HAVE SIGNIFICANT IMPACT ON THE ENVIRONMENT AND TO APPROVE SUBJECT TO FINAL APPROVAL BY THIS BOARD OF THE WRITTEN DECISION.

SECONDED BY: Mr. Pizzolo

ROLL CALL: Mr. Bond- yes
Mr. Frusci- yes
Mr. Pizzolo- yes
Mr. DeLucie- yes
Mr. Panzarino- yes

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Case No. 4068

L.I. Assets, 125 North Central Avenue, Valley Stream, New York

Re: 125 North Cottage Street, Valley Stream, New York

Application for Waiver of Final Site Development Plan Review/ Approval as per Article XXVII of the Code of the Village of Valley Stream to construct interior alterations to divide interior tenant space, and construct exterior rear stairway.

The subject premises is located on the east side of North Central Avenue, 82.72' south of the corner formed by the intersection of Felton Avenue and South Central Avenue known as No. 125 North Central Avenue, Valley Stream, New York.

MR. DELUCIE MADE A MOTION TO CLASSIFY THIS APPLICATION AS AN UNLISTED ACTION UNDER THE MEANING OF SEQRA WHICH IS HEREBY DETERMINED NOT TO HAVE SIGNIFICANT IMPACT ON THE ENVIRONMENT AND TO APPROVE WITH CONDITION SUBJECT TO FINAL APPROVAL BY THIS BOARD OF THE WRITTEN DECISION.

SECONDED BY: Mr. Frusci

- 1. Must remove barbwire fence.**

**ROLL CALL: Mr. Bond- yes
 Mr. Frusci- yes
 Mr. Pizzolo- yes
 Mr. DeLucie- yes
 Mr. Panzarino- yes**

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Case No's 3954/ 3961

McDonalds USA, LLC, 11 Wood Avenue, Iselin, New Jersey

Re: 10 West Sunrise Highway, Valley Stream, New York

Correspondence received from attorney requesting approval of revised plans per Nassau County 239F Approval.

UPON A MOTION BY MR. DELUCIE, SECONDED BY MR. PANZARINO AND UNANIMOUSLY CARRIED THE BOARD APPROVED THE REVISED PLANS RECEIVED BY THE BUILDING ON DECEMBER 2, 2021.

Upon a motion by Mr. DeLucie, seconded by Mr. Frusci and unanimously carried the meeting was adjourned at 7:32 p.m.

Jennifer Minori

Secretary to Board of Appeals