

**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
April 19, 2022**

Case No. 4064

The Vantage on Roosevelt LLC, 49 North Central Avenue, Valley Stream, New York

Re: 46-54 Roosevelt Avenue, Valley Stream, New York

Application for a Variation from Section 99-1204.B.1.a, Section 99-2203.C, Section 99-2203.D.1.b and Section 99-2205 of the Code of the Village of Valley Stream to install an above ground transformer, relocate screened dumpster/ refuse area, and modify parking/ landscaping plan.

Section 99-1204.B.1.a of the Code of the Village of Valley Stream requires accessory structures to have a minimum front yard setback of 7 feet; whereas, proposed accessory transformer and screened dumpster/ refuse facilities have front yard setbacks of 2.5 feet along Cochran Place and 6.22 feet along Roosevelt Avenue.

Section 99-2203.C of the Code of the Village of Valley Stream requires driveway access aisles to be not less than 22 feet in width where two- way traffic is proposed; whereas, proposed driveway access aisle is 21.33 feet in width at subject areas.

Section 99-2203.D.1.b of the Code of the Village of Valley Stream requires off- street parking spaces to provide a minimum maneuvering area of 20 feet for ingress and egress; whereas, proposed off- street parking spaces no. 2, 4, and 6 have no maneuvering area for ingress and egress.

Section 99-2205 of the Code of the Village of Valley Stream requires ingress and egress to all off- street parking areas to be designated to cause the least amount of impact to vehicular and pedestrian traffic on streets and sidewalks servicing such areas; whereas, proposed off- street parking spaces no. 1, 2, and 3 configuration and location is such that would require excessive maneuvering for ingress and egress to parking area/ street, and could obstruct / impede the vehicular and pedestrian traffic at the adjacent streets and sidewalks, and, has the potential to create an unsafe vehicular maneuvering condition.

The subject premises is located on the southwest corner of Roosevelt Avenue formed by the intersection of Cochran Place and Roosevelt Avenue known as No. 46-54 Roosevelt Avenue, Valley Stream, New York.

MR. DELUCIE MADE A MOTION TO CLASSIFY THIS APPLICATION AS AN UNLISTED 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

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

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

Case No. 4065

The Vantage on Roosevelt LLC, 49 North Central Avenue, Valley Stream, New York

Re: 46-54 Roosevelt Avenue, 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 southwest corner of Roosevelt Avenue formed by the intersection of Cochran Place and Roosevelt Avenue known as No. 46-54 Roosevelt Avenue, Valley Stream, New York.

MR. DELUCIE MADE A MOTION TO CLASSIFY THIS APPLICATION AS AN UNLISTED 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**

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

Case No. 4077

Rivero Development LLC, 12 West Lincoln Avenue, Valley Stream, New York

Re: 20 White Street, Valley Stream, New York

Application for a Variation from Section 99-902.A.4, Section 99-902.A.5, 99-904.B.3.a, Section 99-2205.A.3 and Section 99-2205.B.2 of the Code of the Village of Valley Stream to construct a 2 ½ story single family dwelling with attached garage.

Section 99-902.A.4 of the Code of the Village of Valley Stream requires a maximum floor area ratio of 0.5; whereas, proposed floor area ratio is 0.59.

Section 99-902.A.5 of the Code of the Village of Valley Stream requires a minimum open space ratio of 150%; whereas, proposed open space ratio is 118.74%.

Section 99-904.B.3.a of the Code of the Village of Valley Stream requires attached accessory structures to have a minimum side yard setback of 5 feet; whereas, proposed attached accessory egress wells from cellar have side yard setbacks of 1.67 feet and 2.67 feet at East side property line.

Section 99-2205.A.3 of the Code of the Village of Valley Stream requires the aggregate width of all curb-cuts (depression and splays) shall not exceed 40% of the total lot frontage width; whereas, proposed aggregate width of curb-cut is 42% of the total lot frontage width.

Section 99-2205.B.2 of the Code of the Village of Valley Stream requires no vehicle be parked in any required front yard setback; whereas, portions of proposed driveway accessorially extends to the west of the attached garage, is located within the required front yard setback, and vehicle parking is proposed thereon.

The subject premises is located on the south side of White Street, 200' east of the corner formed by the intersection of White Street and Emerson Place known as No. 20 White Street, Valley Stream, New York.

MR. DELUCIE MADE A MOTION TO CLASSIFY THIS APPLICATION AS A TYPE II 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. Frusci

ROLL CALL: Mr. Bond- yes
Mr. Frusci- yes
Mr. Pizzolo- no
Mr. DeLucie- yes
Mr. Panzarino- no

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

Case No. 4078

Rivero Development LLC, 12 West Lincoln Avenue, Valley Stream, New York

Re: 20 White Street, 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 south side of White Street, 200' east of the corner formed by the intersection of White Street and Emerson Place known as No. 20 White Street, 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 SUBJECT TO FINAL APPROVAL BY THIS BOARD OF THE WRITTEN DECISION.

SECONDED BY: Mr. Frusci

**ROLL CALL: Mr. Bond- yes
Mr. Frusci- yes
Mr. Pizzolo- no
Mr. DeLucie- yes
Mr. Panzarino- no**

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

Case No. 4079

Rivero Development LLC, 12 West Lincoln Avenue, Valley Stream, New York

Re: 24 White Street, Valley Stream, New York

Application for a Variation from Section 99-902.A.4, Section 99-902.A.5, 99-904.B.3.a, Section 99-2205.A.3 and Section 99-2205.B.2 of the Code of the Village of Valley Stream to construct a 2 ½ story single family dwelling with attached garage.

Section 99-902.A.4 of the Code of the Village of Valley Stream requires a maximum floor area ratio of 0.5; whereas, proposed floor area ratio is 0.59.

Section 99-902.A.5 of the Code of the Village of Valley Stream requires a minimum open space ratio of 150%; whereas, proposed open space ratio is 118.74%.

Section 99-904.B.3.a of the Code of the Village of Valley Stream requires attached accessory structures to have a minimum side yard setback of 5 feet; whereas, proposed attached accessory egress wells from cellar have side yard setbacks of 1.67 feet and 2.67 feet at East side property line.

Section 99-2205.A.3 of the Code of the Village of Valley Stream requires the aggregate width of all curb-cuts (depression and splays) shall not exceed 40% of the total lot frontage width; whereas, proposed aggregate width of curb-cut is 42% of the total lot frontage width.

Section 99-2205.B.2 of the Code of the Village of Valley Stream requires no vehicle be parked in any required front yard setback; whereas, portions of proposed driveway accessorially extends to the west of the attached garage, is located within the required front yard setback, and vehicle parking is proposed thereon.

The subject premises is located on the south side of White Street, 250' east of the corner formed by the intersection of White Street and Emerson Place known as No. 24 White Street, Valley Stream, New York.

MR. DELUCIE MADE A MOTION TO CLASSIFY THIS APPLICATION AS A TYPE II 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. Frusci

ROLL CALL: **Mr. Bond- yes**
 Mr. Frusci- yes
 Mr. Pizzolo- no
 Mr. DeLucie- yes
 Mr. Panzarino- no

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

Case No. 4080

Rivero Development LLC, 12 West Lincoln Avenue, Valley Stream, New York

Re: 24 White Street, 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 south side of White Street, 250' east of the corner formed by the intersection of White Street and Emerson Place known as No. 24 White Street, 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 SUBJECT TO FINAL APPROVAL BY THIS BOARD OF THE WRITTEN DECISION.

SECONDED BY: Mr. Frusci

**ROLL CALL: Mr. Bond- yes
Mr. Frusci- yes
Mr. Pizzolo- no
Mr. DeLucie- yes
Mr. Panzarino- no**

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

Case No's 4082, 4083, 4084, 4085, 4086, 4087 & 4088

CS 750 West Merrick Road LLC, Nicholas Coslov, 26 West 17th Street Suite 801, New York, New York.

Re: 750 West Merrick Road, Valley Stream, New York

Application for a Variation from Section 99-3505.B.iii.3, Section 99-1707.A.1 and Section 99-1707.A.5 of the Code of the Village of Valley Stream to erect seven (7) commercial surface mounted signs.

Section 99-3405.B.iii.3 of the Code of the Village of Valley Stream allows only one Facade-mounted Business Identification Sign, whereas, proposed sign is part of eight requested signs.

Section 99-1707.A.1 of the Code of the Village of Valley Stream requires such sign shall be no more than 3 feet in height, whereas, two (2) of the proposed signs is 13.66 feet in height.

Section 99-1707.A.5 of the Code of the Village of Valley Stream requires such sign not to be higher than 22 feet above grade, whereas, two (2) of the proposed signs is 42 feet above grade.

The subject premises is located on the south side of West Merrick Road, 104' east of the corner formed by the intersection of Broadway and West Merrick Road known as No. 750 West Merrick Road, Valley Stream, New York.

MR. DELUCIE MADE A MOTION TO CLASSIFY THIS APPLICATION AS AN UNLISTED 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- no
	Mr. Pizzolo- yes
	Mr. DeLucie- yes
	Mr. Panzarino- yes

Case No. 4089

CS 750 West Merrick Road LLC, Nicholas Coslov, 26 West 17th Street Suite 801, New York, New York.

Re: 750 West Merrick Road, Valley Stream, New York

Application for a Variation from Section 99-1707.B.2 of the Code of the Village of Valley Stream to erect a commercial freestanding sign.

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

Section 99-1707.B.2 of the Code of the Village of Valley Stream requires the lowest bottom edge of such sign shall not be lower than 12 feet from the ground curb level adjacent to said sign; whereas, proposed freestanding sign lowest bottom edge is at ground level.

The subject premises is located on the south side of West Merrick Road, 104' east of the corner formed by the intersection of Broadway and West Merrick Road known as No. 750 West Merrick Road, Valley Stream, New York.

MR. DELUCIE MADE A MOTION TO CLASSIFY THIS APPLICATION AS AN UNLISTED 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- no
 Mr. Pizzolo- yes
 Mr. DeLucie- yes
 Mr. Panzarino- yes**

Case No. 4090

CS 750 West Merrick Road LLC, Nicholas Coslov, 26 West 17th Street Suite 801, New York, New York.

Re: 750 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 south side of West Merrick Road, 104' east of the corner formed by the intersection of Broadway and West Merrick Road known as No. 750 West Merrick Road, Valley Stream, New York.

MR. DELUCIE MADE A MOTION TO CLASSIFY THIS APPLICATION AS AN UNLISTED 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- no
 Mr. Pizzolo- yes
 Mr. DeLucie- yes
 Mr. Panzarino- yes**

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

Case No. 4091

JS Hyundai of Valley Stream LLC, 193 Sunrise Highway, West Islip, New York

Re: 360 West Sunrise Highway, Valley Stream, New York

Application for a Variation from Section 99-2202.C, Section 99-2203.D.1.a and Section 99-3404.B.1 of the Code of the Village of Valley Stream to construct a 1- story addition to existing motor vehicle dealership, alter portions of building façade, and alter associated lot.

Section 99-2202.C of the Code of the Village of Valley Stream requires enlarged buildings to comply with the off-street parking requirements of this chapter for such enlargement. Proposed 1-story addition requires 57 additional off-street parking spaces be provided, in addition, previous variances granted as per Board of Appeals case no. 3401 permitted 75 total off-street parking spaces for building; therefore, 132 total off-street parking spaces are required; whereas, only 86 a provided.

Section 99-2203.D.1.a of the Code of the Village of Valley Stream requires off-street parking spaces to have minimum dimensions of 9 feet in width by 20 feet in length; whereas, (8) subject proposed off-street parking spaces have dimensions of 9 feet in width by 18 feet in length.

Section 99-3404.B.1 of the Code of the Village of Valley Stream prohibits materials of building facades that appear artificial, such as aluminum; whereas, proposed building materials of facade alterations, in part, utilized aluminum composite panels, and appear artificial in finish.

The subject premises is located on the southwest corner of West Sunrise Highway formed by the intersection of Green Acres Road and West Sunrise Highway known as No. 360 West Sunrise Highway, Valley Stream, New York.

MR. DELUCIE MADE A MOTION TO CLASSIFY THIS APPLICATION AS AN UNLISTED 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. No additional temporary or permanent signage on light poles.**
- 2. Maintain landscaping and replace as needed.**

ROLL CALL:

- Mr. Bond- yes**
- Mr. Frusci- yes**
- Mr. Pizzolo- yes**
- Mr. DeLucie- yes**
- Mr. Panzarino- yes**

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

Case No. 4092

JS Hyundai of Valley Stream LLC, 193 Sunrise Highway, West Islip, New York

Re: 360 West Sunrise Highway, 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 southwest corner of West Sunrise Highway formed by the intersection of Green Acres Road and West Sunrise Highway known as No. 360 West Sunrise Highway, Valley Stream, New York.

MR. DELUCIE MADE A MOTION TO CLASSIFY THIS APPLICATION AS AN UNLISTED 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. No additional temporary or permanent signage on light poles.**
- 2. Maintain landscaping and replace as needed.**

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

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

Case No. 4093

Richard DeGregoris, 555 West Merrick Road, Valley Stream, New York

Re: 555 West Merrick Road, Valley Stream, New York

Application for a Variation from Section 99-3405.1, Section 99-3404.B.1, Section 99-3405.2 and Section 99-3405.A.10 of the Code of the Village of Valley Stream to alter existing building façade.

Section 99-3405.1 of the Code of the Village of Valley Stream requires the existing architectural features of a building façade to be retained and preserved. Renovations shall be compatible with the dominant features of a building to preserve and enhance its original architectural character; whereas, proposed façade alterations uses dissimilar building materials to the existing, and alters the overall existing building's architectural character.

Section 99-3404.B.1 of the Code of the Village of Valley Stream prohibits building materials that appear temporary or artificial to be used for commercial building facades; whereas, portions of proposed façade utilizes composite panel finishes and appears temporary and/or artificial.

Section 99-3405.2 of the Code of the Village of Valley Stream requires the original window and door openings of a building façade to not be covered, altered, or removed; whereas, existing window/door openings are proposed to be covered, in-filled, and/or altered at subject areas.

Section 99-3405.A.10 of the Code of the Village of Valley Stream requires existing storefront display windows to not be reduced from their original sizes; whereas, existing front storefront display window is proposed to be reduced in size and have portions of the same eliminated.

The subject premises is located on the northwest corner of West Merrick Road formed by the intersection of Shaw Avenue and West Merrick Road known as No. 555 West Merrick Road, Valley Stream, New York.

MR. DELUCIE MADE A MOTION TO CLASSIFY THIS APPLICATION AS AN UNLISTED 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. Pizzolo

- 1. Replace all 6' cyclone fencing adjacent to residential property with 8' PVC and replace 4' cyclone fencing (which sits on a 4' wall) adjacent to residential property with 4' PVC fence.**

ROLL CALL:

- Mr. Bond- yes**
- Mr. Frusci- yes**
- Mr. Pizzolo- yes**
- Mr. DeLucie- yes**
- Mr. Panzarino- yes**

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

Case No. 4094

A&S Financial LLC, Ghulman Sarwar, 14 Gray Avenue, Middle Island, New York

Re: 771 West Merrick Road, Valley Stream, New York

Application for a Variation from Section 99-2205, Section 99-2203.D.1.a and Section 99-2205.B.2 of the Code of the Village of Valley Stream to modify site plan to add off-street parking as part of an application to construct interior alterations, an exterior handicap accessible entrance ramp, and install shutter door.

Section 99-2205 of the Village Zoning Code requires ingress and egress to and from off-street parking spaces/areas to cause the least amount of impact on vehicular and pedestrian traffic on streets and sidewalks servicing such areas; whereas, proposed off-street parking layout with relation to existing curb-cut requires excessive maneuverability to and from parking spaces for safe ingress and egress, and has the potential to negatively impact the vehicular and pedestrian traffic on the adjacent street and sidewalk and/or create a situation for unsafe vehicular maneuverability.

Section 99-2203.D.1.a of the Village Zoning Code requires off-street parking spaces to have minimum dimensions of 9 feet in width by 20 feet in length; whereas, subject proposed off-street parking space has dimensions of 8 feet in width by 18 feet in length.

Section 99-2205.B.2 of the Village Zoning Code requires no vehicle be parked in any required front yard setback; whereas, proposed off-street parking spaces are located within the required front yard setback area, along W. Merrick Road.

The subject premises is located on the northwest corner of West Merrick Road formed by the intersection of Ormonde Blvd and West Merrick Road known as No. 771 West Merrick Road, Valley Stream, New York.

MR. DELUCIE MADE A MOTION TO CLASSIFY THIS APPLICATION AS AN UNLISTED 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. Pizzolo

- 1. The two on-site parking spaces to be designated for employees ONLY with appropriate signage stating such and must back into spaces.**
- 2. Paint the rear wall, clean and maintain the alleyway.**
- 3. Applicant shall make an application to the Village under Chapter 90 of the Village Code for the installation of three curbside trees on Ormonde Blvd.**

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

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

Case No. 4095

A&S Financial LLC, Ghulman Sarwar, 14 Gray Avenue, Middle Island, New York

Re: 771 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 Ormonde Blvd and West Merrick Road known as No. 771 West Merrick Road, Valley Stream, New York.

MR. DELUCIE MADE A MOTION TO CLASSIFY THIS APPLICATION AS AN UNLISTED 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. Pizzolo

- 1. The two on-site parking spaces to be designated for employees ONLY with appropriate signage stating such and must back into spaces.**
- 2. Paint the rear wall, clean and maintain the alleyway.**
- 3. Applicant shall make an application to the Village under Chapter 90 of the Village Code for the installation of three curbside trees on Ormonde Blvd.**

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

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

Case No. 3860

Bella Guzman, 12 Oceanview Avenue, Valley Stream, New York

Re: 12 Oceanview Avenue, Valley Stream, New York

Correspondence received from owner requesting an extension of time to obtain a building permit.

UPON A MOTION BY MR. DELUCIE, SECONDED BY MR. PANZARINO AND UNANIMOUSLY CARRIED THE BOARD APPROVED A 90 DAY EXTENSION OF TIME TO JULY 19, 2022 TO OBTAIN A BUILDING PERMIT AND COMPLY WITH CONDITIONS.

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

Correspondence received from architect requesting approval of revised plans eliminating installment of new drywells in the front yard.

UPON A MOTION BY MR. PIZZOLO, SECONDED BY MR. DELUCIE AND UNANIMOUSLY CARRIED THE BOARD APPROVED REVISED PLANS RECEIVED BY VILLAGE ON APRIL 13, 2022.

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

Case No. 3970

Bethlehem Assembly of God, 188 Rockaway Avenue, Valley Stream, New York

Re: 12 East Fairview Avenue, Valley Stream, New York

Application for a Special Use Permit from Section 99-1201.J.1, Section 99-2008.B.24.i, Section 99-1201.J.5 and Application for a Variation from Section 99-2202.C, Section 99-2202.F, Section 99-2203.D.1.a, Section 99-2301.C, Section 99-2205.B.2, Section 99-1204.B.2.C, Section 99-1204.B.1.a, Section 99-3405.1, Section 99-3405.2 and Section 99-3405.A.14.d of the Code of the Village of Valley Stream to construct 1- story additions to existing building, introduce accessory uses of: adult education, nursery school, aftercare, restaurant, and parochial education, alter exterior of existing building, and alter associated lots for parking/ loading.

Section 99-1201.J.1 of the Code of the Village of Valley Stream requires special use permit approval from the Board of Appeals for proposed accessory restaurant use.

Section 99-2008.B.24.i of the Code of the Village of Valley Stream requires a separate special use permit approval from the Board of Appeals for any restaurant use that also constitutes a place of public assembly, as defined by this chapter; proposed restaurant use also constitutes a place of public assembly.

Section 99-1201.J.5 of the Code of the Village of Valley Stream requires special use permit approval from the Board of Appeals for proposed accessory Nursery School use.

Section 99-2202.C of the Code of the Village of Valley Stream requires enlargements and expansions of existing buildings and/ or uses to comply with the off- street parking requirements for such enlargements/ expansions. Proposed 1- story additions, with associated uses therein, require 278 additional off- street parking spaces be provided; whereas, only 19 additional off-street parking spaces are provided.

Section 99-2202.F of the Code of the Village of Valley Stream requires buildings/ lots that contain multiple uses shall comply with off- street parking requirements for each and all uses. Existing, and proposed to be enlarged building on lot contains multiple uses, and require 606 total off- street parking spaces for proposed configuration of building and the proposed uses therein; whereas, only 19 off- street parking spaces are provided.

Section 99-2203.D.1.a of the Code of the Village of Valley Stream requires off- street parking spaces to have minimum dimensions of 9 feet in width by 20 feet in length; whereas, subject proposed off-street parking spaces have dimensions of 8 feet in width by 20 feet in length.

Section 99-2301.C of the Code of the Village of Valley Stream requires enlarged buildings to comply with the off- street loading requirements of this chapter, for such enlargement(s). Proposed enlargements require 1 off- street loading space be provided; whereas, no off- street loading space is provided.

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

Section 99-2205.B.2 of the Code of the Village of Valley Stream requires no vehicle be parked within the required front yard setback buffer; whereas, subject proposed off- street parking spaces are located within the required front yard setback buffer, along East Mineola Avenue.

Section 99-1204.B.2.C of the Code of the Village of Valley Stream requires buildings and accessory structures to not be located nearer than 5 feet from any rear/ side property line- when adjacent to an adjoining C-1 district; whereas, subject proposed accessory canopy is to be located 2.17 feet from east rear/ side property line, and proposed 1- story building addition is located 4.8 feet from west side/ rear property line- both if which are adjacent to adjoining C-1 district.

Section 99-1204.B.1.a of the Code of the Village of Valley Stream requires building to have a minimum front yard setback of 7 feet; whereas, proposed 1- story addition to existing building has a front yard setback 4.92 feet, along East Fairview Avenue- at subject area.

Section 99-3405.1 of the Code of the Village of Valley Stream requires the existing architectural features and details of a building façade shall be retained and preserved. Renovations shall be compatible with the dominant features of a building to help preserve and enhance the original architectural character of the same; whereas, proposed building façade renovations, and building additions: alter the existing architectural character of the existing building, alters the dominant features, and uses dissimilar building materials/ finishes to the same.

Section 99-3405.2 of the Code of the Village of Valley Stream requires original window and door openings to an existing building façade shall not be covered, altered, or removed; whereas, existing window and door openings of the building's façade are proposed to be altered, in- filled, or removed , at subject areas.

Section 99-3405.A.14.d of the Code of the Village of Valley Stream prohibits removing part of original commercial entrances; whereas, existing commercial storefront entrance is proposed to be removed.

The subject premises is located on the south side of East Fairview Avenue, 100' east of the corner formed by the intersection of Rockaway Avenue and East Fairview Avenue known as No. 12 East Fairview Avenue, Valley Stream, New York.

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

SECONDED BY: Mr. Frusci

ROLL CALL:

- Mr. Bond- yes**
- Mr. Frusci- yes**
- Mr. Pizzolo- no**
- Mr. DeLucie- yes**
- Mr. Panzarino- abstain**

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

Case No. 3971

Bethlehem Assembly of God, 188 Rockaway Avenue, Valley Stream, New York

Re: 12 East Fairview Avenue, 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 south side of East Fairview Avenue, 100' east of the corner formed by the intersection of Rockaway Avenue and East Fairview Avenue known as No. 12 East Fairview Avenue, Valley Stream, New York.

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

SECONDED BY: Mr. Frusci

**ROLL CALL: Mr. Bond- yes
 Mr. Frusci- yes
 Mr. Pizzolo- no
 Mr. DeLucie- yes
 Mr. Panzarino- abstain**

Upon a motion by Mr. DeLucie, seconded by Mr. Panzarino and unanimously carried the meeting was adjourned at 8:55 p.m.

Jennifer Minori
Secretary to Board of Appeals