

**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**  
**December 13, 2022**

**Case No. 4135**

Frankel Marcel, 26 Valley Lane West, 26 Valley Lane West, Valley Stream, New York

**Re: 26 Valley Lane West, Valley Stream, New York**

Application for a Variation from Section 99-1502.B, Section 99-2205.B.2, Section 99-1602.B.3 Section 99-1604.B.4, 99-804.B.3.a, Section 99-804.A, Section 99-804.B.3.b, Section 99-802.A.2 and Section 99-802.A.3 of the Code of the Village of Valley Stream to maintain exterior accessory structures.

Section 99-1502.B of the Code of the Village of Valley Stream requires patio surfaces to not encroach more than 6 feet into the required front yard setback; whereas, proposed accessory asphalt paved surface encroaches 25 feet into the required front yard setback.

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, proposed accessory paved asphalt area is located within the required front yard setback and vehicle parking is proposed thereon.

Section 99-1602.B.3 of the Code of the Village of Valley Stream requires decks which are attached to the principal building, but not higher than the 1st floor level of the building - platform level is to not exceed 30 inches in height above the adjacent grade, or be larger than 100 square feet (less 16 square feet for one stairway and landing); whereas, proposed accessory rear deck is: attached to the principal dwelling, not higher than the 1st floor level of the dwelling, and platform level is 32 inches in height above the adjacent grade, and is 683.27 square feet in area (including allowable square footage exclusions).

Section 99-1602.B.4 of the Code of the Village of Valley Stream requires decks to not encroach more than 6 feet into the required rear yard setback; whereas, proposed accessory rear deck encroaches 16.9 feet into the required rear yard setback.

Section 99-804.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 accessory attached deck, and accessory air-conditioning condensers, have side yard setbacks of: 0.75 feet at South side property line, and 2.83 feet at North side property line, respectively.

Section 99-804.A of the Code of the Village of Valley Stream requires accessory structures to have a front yard setback of 25 feet; whereas, accessory raised concrete wall (planter) has a front yard setback of 19 feet.

Section 99-804.B.3.b of the Code of the Village of Valley Stream requires detached accessory structures to have a minimum side yard setback of 2 feet; whereas, proposed accessory raised concrete wall (planter) has a side yard setback of 0.4 feet at North side property line.

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

Section 99-802.A.2 of the Code of the Village of Valley Stream requires a total lot coverage by aggregate building area of all buildings and structures of 60%; whereas, proposed total lot coverage by aggregate building area of all buildings and structures is 64%.

Section 99-802.A.3 of the Code of the Village of Valley Stream requires a maximum rear yard coverage by aggregate building area of accessory buildings and structures of 30%; whereas, proposed rear yard coverage of accessory structures is 44.5%.

The subject premises is located on east side of Valley Lane West, 339.89' north of the corner formed by the intersection of Hungry Harbor Road and Valley Lane West known as No. 26 Valley Lane West.

**MR. PIZZOLO 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 WITH CONDITION SUBJECT TO ELIMINATING SECTION 99-2205.B.2 AND SECTION 99-804.B.3.A FOR DECK TO BE IN COMPLIANCE WITH 5' SIDE YARD SETBACK.**

**SECONDED BY: Mr. DeLucie**

- 1. A planter box with a depth of 24 inches, height of 18 inches and width of 9 feet must be installed on front of converted garage.**

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

**Case No. 4136**

Frankel Marcel, 26 Valley Lane West, 26 Valley Lane West, Valley Stream, New York

**Re: 26 Valley Lane West, Valley Stream, New York**

Application for a Variation from Section 99-802.A.4 and Section 99-802.A.5 of the Code of the Village of Valley Stream to construct interior alterations, convert existing attached garage to living space, and construct new front covered porch.

Section 99-802.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 99-802.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 114%.

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

The subject premises is located on east side of Valley Lane West, 339.89' north of the corner formed by the intersection of Hungry Harbor Road and Valley Lane West known as No. 26 Valley Lane West.

**MR. PIZZOLO 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 WITH CONDITION.**

**SECONDED BY: Mr. DeLucie**

- 1. A planter box with a depth of 24 inches, height of 18 inches and width of 9 feet must be installed on front of converted garage.**

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

**Case No. 4142**

70 East Sunrise Highway LLC, 70 East Sunrise Highway, Valley Stream, New York

**Re: 70 East 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 to install concrete sidewalk and alter site landscaping plan.

The subject premises is located on the south side of East Sunrise Highway formed by the intersections of Sixth Street and Brookside Drive known as No. 70 East Sunrise Highway, Valley Stream, New York.

**MR. PIZZOLO 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. Panzarino**

**ROLL CALL: Mr. Bond- yes**  
**Mr. Frusci- yes**  
**Mr. Pizzolo- yes**  
**Mr. DeLucie- no**  
**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's 4064/ 4065**

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

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

Application to re-open Case No's 4064 and 4065 to modify certain variances from Section 99-1204.B.1.a of the Code of the Village of Valley Stream which were granted by Decision dated April 19, 2022.

Section 99-1204.B.1.a of the Code of the Village of Valley Stream requires that accessory structures have a minimum front yard setback of 7 feet; whereas the existing electrical transformer to be maintained along Cochran Place is 0.1 feet from the front property line.

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

**Case No's 3818/ 3819**

Sakhi Realty, 2 Oakley Place, Great Neck, New York

**Re: 640 West Merrick Road, Valley Stream, New York**

Correspondence received from attorney requesting approval of revised plan received by the Building Department on December 5, 2022.

**UPON A MOTION BY MT. DELUCIE, SECONDED BY MR. PIZZOLO AND UNANIMOUSLY CARRIED THE BOARD APPROVED REVISED PLAN RECEIVED DECEMBER 5, 2022.**

Upon a motion by Mr. PANZARINO, seconded by Mr. Pizzolo and unanimously carried the meeting was adjourned at 6:56 p.m.

Jennifer Minori  
Secretary to Board of Appeals