

**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 19, 2023**

**Case No. M/D 1-96**

Jorge Hernandez, 233 Hendrickson Avenue, Valley Stream, New York

**Re: 233 Hendrickson Avenue, Valley Stream, New York**

Application pursuant to Chapter 99, Article XXI, Section 99-2101 of the Code of the Village of Valley Stream for a three- year extension of time to an existing Mother/ Daughter Special Use Permit.

The subject premises is located on the northeast corner of Hendrickson Avenue formed by the intersection of Grant Drive West and Hendrickson Avenue known as No. 233 Hendrickson Avenue, Valley Stream, New York.

**RESERVED FOR WRITTEN DECISION.**

**Case No. 4100**

Sonia Innocents, 147 Elm Street, Valley Stream, New York

**Re: 147 Elm Street, Valley Stream, New York**

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

**UPON A MOTION BY MR. FRUSCI, SECONDED BY MR. DELUCIE AND UNANIMOUSLY CARRIED THE BOARD APPROVED AN EXTENSION OF TIME TO JULY 20, 2024.**

**Case No. 4102**

West Jamaica Holdings LLC, 12 West Lincoln Avenue, Valley Stream, New York

**Re: 54 & 68 West Jamaica Avenue, Valley Stream, New York**

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

**UPON A MOTION BY MR. DELUCIE, SECONDED BY MR. PIZZOLO AND UNANIMOUSLY CARRIED THE BOARD APPROVED AN EXTENSION OF TIME TO JANUARY 20, 2025.**

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

**Case No. 4163**

Rizwan Ayoub, 98 Miriam Street, Valley Stream, New York

**Re: 98 Miriam Street, Valley Stream, New York**

Application for a Variation from Section 99-1802.D of the Code of the Village of Valley Stream to erect a fence.

Section 99-1802.D of the Code of the Village of Valley Stream requires a corner lot to comply with fence regulations for front yard areas on each property line and yard which is adjacent to a street not to exceed 3' in height; whereas, proposed fence is 6' in height. Fences not exceeding 4' in height shall be permitted along all other lot lines and yard areas; whereas, proposed fence is 6' in height.

The subject premises is located on the southeast corner of Miriam Street formed by the intersection of Forest Avenue and Miriam Street known as No. 98 Miriam 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 A SIGNIFICANT IMPACT ON THE ENVIRONMENT AND MR. DELUCIE MADE A MOTION TO DENY THIS APPLICATION**

**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. 4184**

Yehoshua Shlomowitz, 43 Valley Lane North, Valley Stream, New York

**Re: 43 Valley Lane North, Valley Stream, New York**

Application for a Variation from Section 99-1602.B.3, Section 99-1602.B.4, Section 99-802.A.4, Section 99-802.A.5 and Section 99-2205.B.3 of the Code of the Village of Valley Stream to maintain/ legalize accessory attached rear wood deck, interior alterations and convert attached garage into living space.

Section 99-1602.B.3 of the Code of the Village of Valley Stream requires decks to not be larger than 100 square feet in area (excluding 16 square feet for the area of one platform and stairs) when the deck is: attached to the principal building, platform level exceeds 30 inches above the adjacent grade, not higher than the 1st floor level of the building, and is installed at and around a doorway; whereas, proposed rear deck is: attached to the principal building, platform level is 42 inches above the adjacent grade, not taller than the 1st floor level, is installed at and around a doorway, and is 253.81 square feet in area (including the allowable 16 square feet exclusion).

Section 99-1602.B.4 of the Code of the Village of Valley Stream requires no deck shall encroach more than 6 feet into the required rear yard setback; whereas, proposed attached rear deck encroaches 19.92 feet into the required rear yard setback.

Section 99-802.A.4 of the Code of the Village of Valley Stream requires dwellings to have a maximum floor area ratio of 0.5; whereas, proposed floor area ratio is 0.57.

Section 99-802.A.5 of the Code of the Village of Valley Stream requires dwellings have a minimum open space ratio of 150%; whereas, proposed open space ratio is 122%.

Section 99-2205.B.3 of the Code of the Village of Valley Stream requires no vehicle be parked directly in front of the principal dwelling except for attached garages; whereas, existing attached garage is proposed to be converted to living space as part of the principal dwelling, and existing vehicle parking on driveway is located directly in front of the subject dwelling area.

The subject premises is located on the north side of Valley Lane North 1546.8' west of the corner formed by the intersection of Hungry Harbor Road and Valley Lane known as No. 43 Valley Lane North, Valley Stream, New York.

**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 FINAL APPROVAL BY THIS BOARD OF THE WRITTEN DECISION.**

**SECONDED BY: Mr. Frusci**

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

1. A masonry or timber planter box shall be installed in front of the converted garage to serve as a barrier. The planter box must be installed a minimum of 24 inches from the front of the converted garage and have a minimum height of 18 inches and width of 9 feet.

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

**Case No. 4185**

Mohammed Khaleelullah, 238 Stuart Road, Valley Stream, New York

**Re: 238 Stuart Road, Valley Stream, New York**

Application for a Variation from Section 99-902.A.4, Section 99-902.A.5, Section 99-2205.B.3 and Section 99-2205.4 of the Code of the Village of Valley Stream to construct a 2<sup>nd</sup> story addition, 2- story addition, convert existing attached garage to living space, with interior alterations and a front portico.

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 0.67.

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 98.6%.

Section 99-2205.B.3 of the Code of the Village of Valley Stream requires no vehicle be parked directly in front of the principal dwelling; whereas, existing attached garage is proposed to be converted to living space, and, vehicle parking is proposed directly in front of the subject dwelling area.

Section 99-2205.4 of the Code of the Village of Valley Stream requires driveways to not be located nearer than 2 feet from any side yard property line; whereas, existing/proposed driveway is located on the South side property line - no setback.

The subject premises is located on the west side of Stuart Road, 50' north of the corner formed by the intersection of Peninsula Blvd. and Stuart Road known as No. 238 Stuart Road, Valley Stream, New York.

**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 FINAL APPROVAL BY THIS BOARD OF THE WRITTEN DECISION.**

**SECONDED BY: Mr. Frusci**

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

1. A masonry or timber planter box shall be installed in front of the converted garage to serve as a barrier. The planter box must be installed a minimum of 24 inches from the front of the converted garage and have a minimum height of 18 inches and width of 9 feet.

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

**Case No. 4188**

Krishna Seepersad, 115 East Maujer Street, Valley Stream, New York

**Re: 115 East Maujer Street, Valley Stream, New York**

Application for a Variation from Section 99-1802.D of the Code of the Village of Valley Stream to erect a fence.

Section 99-1802.D of the Code of the Village of Valley Stream requires a corner lot to comply with fence regulations for front yard areas on each property line and yard which is adjacent to a street not to exceed 3 feet in height; whereas, proposed fence is 4 feet and 5 feet in height. Fences not exceeding 4 feet in height shall be permitted along all other lot lines and yard areas; whereas, proposed fence is 5 feet in height.

The subject premises is located on the northwest corner of East Maujer Street formed by the intersection of Albermarle Avenue and East Maujer Street known as No. 115 East Maujer Street, Valley Stream, New York.

**RESERVED FOR WRITTEN DECISION.**

**Case No. 4189**

Jumshaid Hussain, 120 Meyer Avenue, Valley Stream, New York

**Re: 120 Meyer Avenue, Valley Stream, New York**

Application for a Special Use Permit from Section 99-2403.A.1.a of the Code of the Village of Valley Stream to construct a 2- story addition with interior alterations to a non- conforming two- family use dwelling.

Section 99-2403.A.1.a of the Code of the Village of the Valley Stream requires special use permit approval from the Board of Appeals to expand an existing non-conforming use, not to exceed 25% of the

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

existing gross floor area of the building in which the non-conforming use is being conducted. The present two-family use dwelling is of non-conforming status in an R-1 zoning district. Previous variance case no. 1518 granted an expansion of 8.6% of the existing gross floor area under building permit no. 32672; whereas, proposed expansion of non-conforming two-family use dwelling is 58% of the existing gross floor area.

The subject premises is located on the south side of Meyer Avenue, 463.31' east of the corner formed by the intersection of Edna Place and Meyer Avenue known as No. 120 Meyer 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. 4191**

Mercy Cuzo, 2 Drew Street, Valley Stream, New York

**Re: 2 Drew Street, Valley Stream, New York**

Application for a Variation from Section 99-1906 of the Code of the Village of Valley Stream to install an above ground pool.

Section 99- 1906 of the Code of the Village of Valley Stream requires all swimming pools shall be installed in the rear yard of the premises unless otherwise approved by the Board of Appeals.

The subject premises is located on the southwest corner Drew Street formed by the intersection of Pershing Avenue and Drew Street known as No. 2 Drew Street, Valley Stream, New York.

**RESERVED FOR WRITTEN DECISION.**

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

**Case No. 4192**

Mercy Cuzo, 2 Drew Street, Valley Stream, New York

**Re: 2 Drew Street, Valley Stream, New York**

Application for a Variation from Section 99-1802.D of the Code of the Village of Valley Stream to erect a fence.

Section 99-1802.D of the Code of the Village of Valley Stream requires fences on a corner lot, excepting front yard areas, not to exceed 4 feet in height; whereas, proposed fence is 6 feet in height.

The subject premises is located on the southwest corner Drew Street formed by the intersection of Pershing Avenue and Drew Street known as No. 2 Drew Street, Valley Stream, New York.

**RESERVED FOR WRITTEN DECISION.**

**Case No. 4193**

Franceen Spadaccino, 62 East Melrose Street, Valley Stream, New York

**Re: 62 East Melrose Street, Valley Stream, New York**

Application for a Variation from Section 99-1802.B of the Code of the Village of Valley Stream to erect a fence.

Section 99-1802.B of the Code of the Village of Valley Stream requires side yard fences not to exceed 4 feet in height; whereas, proposed fence is 6 feet in height.

The subject premises is located on the south side of East Melrose Street, 100' west of the corner formed by the intersection of North Cottage Street and East Melrose Street known as No. 62 East Melrose Street, Valley Stream, New York.

**RESERVED FOR WRITTEN DECISION.**

**Case No. 4194**

Sandeep Bajaj, 417 Rockaway Parkway, Valley Stream, New York

**Re: 417 Rockaway Parkway, Valley Stream, New York**

Application for a Variation from Section 99-1802.D of the Code of the Village of Valley Stream to erect a fence.

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

Section 99-1802.D of the Code of the Village of Valley Stream requires corner lots to comply with fence regulations for front yard areas on each property line and yard which is adjacent to a street not to exceed 3 feet in height; whereas, proposed fence is 6 feet in height. Fences not exceeding 4 feet in height shall be permitted along all other lot lines and yard areas; whereas, proposed fence is 6 feet in height.

The subject premises is located on the northeast corner of Rockaway Parkway formed by the intersection of Lamberson Street and Rockaway Parkway known as No. 417 Rockaway Parkway, 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. Frusci**

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

**Case No. 4195**

Howard Schieren, 307 Leesville Street, The Villages, Florida

**Re: 135 East Maujer Street, Valley Stream, New York**

Application for a Variation from Section 99-902.A.4, Section 99-902.A.5, Section 99-904, Section 99-1502.B and Section 99-2205 of the Code of the Village of Valley Stream to construct a 2 story single-family dwelling with attic and associated driveway.

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 0.51.

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 148.37%.

Section 99-904 of the Code of the Village of Valley Stream requires dwellings to have a minimum front yard setback of 25 feet; whereas, proposed front yard setback of dwelling is 20 feet.



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

Section 99-1502.B of the Code of the Village of Valley Stream requires porches to not encroach more than 6 feet into the required front yard setback; whereas, proposed front porch encroaches 6.5 feet into the required front yard setback.

Section 99-2205 of the Code of the Village of Valley Stream requires ingress and egress to/from off-street parking spaces to be designed to cause the least amount of impact on the vehicular and pedestrian traffic on the adjacent streets and sidewalks. Proposed configuration of vehicle driveway and associated curb-depression have the potential to require excessive vehicle maneuvering on/off site for ingress and egress, and, have potential negative impact of the adjacent streets and sidewalks.

The subject premises is located on the north side of East Maujer Street, 79.54' west of the corner formed by the intersection of Emerson Place and East Maujer Street known as No. 135 East Maujer Street, Valley Stream, New York.

**RESERVED FOR WRITTEN DECISION.**

**Case No. 4196**

Howard Schieren, 307 Leesville Street, The Villages, Florida

**Re: 135 East Maujer 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 north side of East Maujer Street, 79.54' west of the corner formed by the intersection of Emerson Place and East Maujer Street known as No. 135 East Maujer Street, Valley Stream, New York.

**RESERVED FOR WRITTEN DECISION.**

**Case No. 4197**

L.I. Assets LLC, Igor Ilyabayev, 82-46 214<sup>th</sup> Street, Hollis Hills, New York

**Re: 125 North Central Avenue, Valley Stream, New York**

Application for a Variation from Section 99- 1204.b.2.a of the Code of the Village of Valley Stream to maintain a constructed exterior stairway, as part of an application to construct interior alterations and renovate existing parking lot.

Section 99-1204.b.2.a of the Code of the Village of Valley Stream requires accessory structures to have a minimum rear/side yard setback of 10 feet when property line is located on a zoning district boundary

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

line; whereas, proposed exterior stairway has a rear/side yard setback of 3.25 feet, and 8.5 feet at the property line which separates zoning districts: "C-1" and "R-1".

The subject premise is located on the northeast Corner of North Central Avenue formed by the intersection of Sapir Street and North Central Avenue known as No. 125 North Central Avenue, Valley Stream, New York.

**RESERVED FOR WRITTEN DECISION.**

**Case No. 4198**

L.I. Assets LLC, Igor Ilyabayev, 82-46 214<sup>th</sup> Street, Hollis Hills, New York

**Re: 125 North Central 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 premise is located on the northeast Corner of North Central Avenue formed by the intersection of Sapir Street and North Central Avenue known as No. 125 North Central Avenue, Valley Stream, New York.

**RESERVED FOR WRITTEN DECISION.**

**Case No. 4199**

V.S. Surrey Inc., 430 West Merrick Road, Valley Stream, New York

**Re: 22 Surrey Lane, Valley Stream, New York**

Application for waiver of Final Site Development Plan Review/ Approval per Article XXVII of the Code of the Village of Valley Stream to construct a 2 ½ story single family dwelling with detached garage.

The subject premises is located on the south side of Surrey Lane, 100' east of the corner formed by the intersection of Emerson Place and Surrey Lane known as No. 22 Surrey Lane, 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**

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

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

**Case No. 4200**

V.S. Surrey Inc., 430 West Merrick Road, Valley Stream, New York

**Re: 24 Surrey Lane, Valley Stream, New York**

Application for waiver of Final Site Development Plan Review/ Approval per Article XXVII of the Code of the Village of Valley Stream to construct a 2 ½ story single family dwelling with detached garage.

The subject premises is located on the south side of Surrey Lane, 150' east of the corner formed by the intersection of Emerson Place and Surrey Lane known as No. 24 Surrey Lane, 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- yes  
Mr. DeLucie- yes  
Mr. Panzarino- yes**

**CASE No. 4204**

Wattoo Brothers LLC, 79 Jackson Road, Valley Stream, New York

**Re: 107-111 North Central Avenue, Valley Stream, New York**

Application for Waiver of Final Site Development Plan Review/ Approval per Article XXVII of the Code of the Village of Valley Stream for a change of use to professional use.

The subject premises is located on the southeast corner of North Central Avenue formed by the intersection of Sapir Street and North Central Avenue known as No. 107-111 North Central Avenue, Valley Stream, New York.

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

**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- yes  
Mr. DeLucie- yes  
Mr. Panzarino- yes**

**Case No. 4038**

The promenade 360 LLC, 49 North Central Avenue, Valley Stream, New York

**Re: 360A & 362 West Merrick Road, Valley Stream, New York**

Correspondence received from applicant requesting approval of revised landscaping plan and lighting plan per condition No. 1 of written decision dated October 17, 2023.

**UPON A MOTION BY MR. FRUSCI, SECONDED BY MR. PIZZOLO AND UNANIMOUSLY CARRIED THE BOARD APPROVED THE REVISED LANDSCAPING AND LIGHTING PLAN.**

Upon a motion by Mr. Panzarino, seconded by Mr. Pizzolo and unanimously carried the meeting was adjourned at 7:57 p.m.

Jennifer Minori  
Secretary to Board of Appeals