

**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 23, 2024**

**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.

**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 A SIGNIFICANT IMPACT ON THE ENVIRONMENT AND MR. PIZZOLO MADE A MOTION TO DENY THIS APPLICATION**

**SECONDED BY: Mr. Panzarino**

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

**Case No. M/D 1-17**

Marisol Cortes Silva, 289 Emerson Place, Valley Stream, New York

**Re: 289 Emerson Place, 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.

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The subject premises is located on the east side of Emerson Place, 60.66' south of the corner formed by the intersection of Webster Street and Emerson Place known as No. 289 Emerson Place, Valley Stream, New York.

**MR. PANZARINO 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. Pizzolo**

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

**Case No. M/D 7-02**

Premmatie Rambarran, 4 Henry Street, Valley Stream, New York

**Re: 4 Henry Street, 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 west side of Henry Street, 87.03' north of the corner formed by the intersection of Hendrickson Avenue and Henry Street known as No. 4 Henry Street, 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 WITH CONDITIONS SUBJECT TO FINAL APPROVAL BY THIS BOARD OF THE WRITTEN DECISION.**

**SECONDED BY: Mr. Panzarino**

1. The dwelling shall not be listed for sale as a legal mother-daughter and/or two-family residence.
2. The second kitchen shall be removed prior to the closing of any sale for the dwelling, unless otherwise authorized by this Board to remain.

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3. The mother-daughter special permit approval shall terminate automatically prior to its expiration upon the sale of the dwelling in which the mother-daughter residence is located or any other changes or transfer of title thereof.
4. The special use permit(s) set forth herein shall continue only for so long as there is compliance with these conditions. If at any time the Applicant is not in compliance with these conditions, then the special use permit(s) shall terminate, and the Applicant must make a new application to the Board in order to continue the use at the subject premises.

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

**Case No. M/D 8-02**

Rafaela & Hugo Santana, 66 West End Avenue, Valley Stream, New York

**Re: 66 West End 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 west side of West End Avenue, 672' south of the corner formed by the intersection of West Merrick Road and West End Avenue known as No. 66 West End 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. Panzarino**

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

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**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. 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.

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

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**SECONDED BY: Mr. Panzarino**

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

**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.

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

**SECONDED BY: Mr. Panzarino**

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

**Case No. 4193**

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

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

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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.

**MR. PANZARINO 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- absent**  
**Mr. Pizzolo- yes**  
**Mr. DeLucie- absent**  
**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.

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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.

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

**SECONDED BY: Mr. Panzarino**

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

**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.

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

**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 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**

**Incorporated Village of Valley Stream**  
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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. 4202**

Elias Properties, 500 North Broadway, Valley Stream, New York

**Re: 170-198 West Merrick Road, Valley Stream, New York**

Application for a Variation from Section 99- 2202.C of the Code of the Village of Valley Stream to resurface and restripe parking lot and construct handicap accessible ramps.

Section 99-2202.C of the Code of the Village of Valley Stream requires lots that are altered to comply with the off-street parking requirements of this chapter. Existing principal building configuration and uses therein require 131 off-street parking spaces be provided; however, previously approved site plan by the Building Department and Board of Appeals waiver of Final Site Development Plan approved 66 off-street parking spaces being provided; whereas, only 64 off-street parking spaces are proposed.

The subject premises is located on the south side of West Merrick Road formed by the intersections of Payan Avenue and Ballard Avenue known as No. 170-198 West Merrick Road, 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 WITH CONDITION SUBJECT TO FINAL APPROVAL BY THIS BOARD OF THE WRITTEN DECISION.**

**SECONDED BY: Mr. Panzarino**

**1. Replace and maintain the grass along Merrick Road.**

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

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**Case No. 4203**

Elias Properties, 500 North Broadway, Valley Stream, New York

**Re: 170-198 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 formed by the intersections of Payan Avenue and Ballard Avenue known as No. 170-198 West Merrick Road, 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 WITH CONDITION SUBJECT TO FINAL APPROVAL BY THIS BOARD OF THE WRITTEN DECISION.**

**SECONDED BY: Mr. Panzarino**

- 1. Replace and maintain the grass along Merrick Road.**

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

Upon a motion by Mr. Pizzolo, seconded by Mr. Panzarino and unanimously carried the meeting was adjourned at 7:11 p.m.

Jennifer Minori  
Secretary to Board of Appeals