

**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
July 25, 2023**

Case No. 4172

Alejandro Ochoa, 130 Arlington Avenue, Valley Stream, New York

Re: 130 Arlington Avenue, Valley Stream, New York

Application for a Variation from Section 99-902.A.3 of the Code of the Village of Valley Stream to maintain roof over concrete patio and rear yard patio.

Section 99-902.A.3 of the Code of the Village of Valley Stream allows a maximum rear yard coverage of 40% by aggregate building area of accessory buildings and structures; whereas, proposed rear yard coverage is 80%.

The subject premises is located on the west side of Arlington Avenue, 40' north of the corner formed by the intersection of Fairmount Street and Arlington Avenue known as No. 130 Arlington Avenue, 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. DeLucie

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

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Case No. 4174

Walter Saccareccia, 161 Brookside Drive, Valley Stream, New York

Re: 161 Brookside Drive, 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 expand an existing non-conforming two family dwelling.

Section 99-2403.A.1.a of the Code of the Village of Valley Stream requires special use permit approval from the Board of Appeals to expand a non-conforming use, not to exceed 25% of the existing gross floor area of the existing dwelling. Existing two-family dwelling is a non-conforming use in an R-1 zoning district, and, is proposed to be expanded a total of 6.71% of the existing gross floor area of the existing dwelling.

The subject premises is located on the west side of Brookside Drive, 150' south of the corner formed by the intersection of Brooklyn Avenue and Brookside Drive known as No. 161 Brookside Drive, Valley Stream, New York.

MR. FRUSCI 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. DeLucie

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

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Case No. 4175

Lemon Tree Estate LLC, 640 West Merrick Road, Valley Stream, New York

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

Application for a Variation from Section 99-1707.A.1 of the Code of the Village of Valley Stream to erect a commercial surface mounted sign.

Section 99-1707.A.1 of the Code of the Village of Valley Stream requires signs not to exceed 36 inches in height; whereas, proposed sign is 108 inches in height.

The subject premise is located on the south side of West Merrick Road, 135.71' west of the corner formed by the intersection of Boden Avenue and West Merrick Road known as No. 640 West Merrick Road, Valley Stream, New York

MR. FRUSCI 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. DeLucie

1. No light boxes permitted.

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

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Case No. 4176

Lemon Tree Estate LLC, 640 West Merrick Road, Valley Stream, New York

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

Application for a Variation from Section 99-1707.A.1 and Section 99-3405.C.3.c of the Code of the Village of Valley Stream to erect a commercial surface mounted signs.

Section 99-1707.A.1 of the Code of the Village of Valley Stream requires signs not to exceed 36 inches in height; whereas, proposed sign is 46 inches in height.

Section 99-3405.C.3.c of the Code of the Village of Valley Stream allows only one surface mounted sign; whereas, a second surface mounted sign is proposed.

The subject premise is located on the south side of West Merrick Road, 135.71' west of the corner formed by the intersection of Boden Avenue and West Merrick Road known as No. 640 West Merrick Road, Valley Stream, New York

MR. FRUSCI 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. DeLucie

1. No light boxes permitted.

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

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Case No. 4177

Elias Properties, 500 North Broadway, Jericho, New York

Re: 140 West Merrick Road, Valley Stream, New York

Application for a Variation from Section 99-3405.A.10 and Section 99-3405.B.iii.5 of the Code of the Village of Valley Stream to maintain installed graphics on storefront windows.

Section 99-3405.A.10 of the Code of the Village of Valley Stream requires the use of screening devices such as blinds, shades, curtains, shutters, or other devices to be installed on the inside of the windows, when necessary to restrict views of the interior commercial space. The original sizes, multi-pane divisions, and shapes of the display windows shall be preserved; whereas, the existing storefront display windows are proposed to be screened using vinyl graphics affixed to the windows.

Section 99-3405.B.iii.5 of the Code of the Village of Valley Stream requires permanent display-window or door-mounted informational signs to not exceed one square foot in area; whereas, proposed informational signage affixed to the storefront entrance doors is 3.56 square feet in area.

The subject premises is located on the southwest corner of West Merrick Road formed by the intersection of Hicks Street and West Merrick Road known as No. 140 West Merrick Road, 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 MR. PANZARINO MADE A MOTION TO DENY THIS APPLICATION, SECONDED BY MR. DELUCIE

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

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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

Correspondence received from owner requesting approval of as built landscaping plan.

UPON A MOTION BY MR. DELUCIE, SECONDED BY MR. PANZARINO AND UNANIMOUSLY CARRIED THE BOARD APPROVED THE AS BUILT LANDSCAPING PLAN RECEIVED BY BUILDING DEPARTMENT ON JULY 20, 2023.

Case No's 3970/ 3971

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

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

Correspondence received from attorney requesting approval of revised site plan and modification of Condition No's 2 and 3 of written decision dated April 19, 2022.

UPON A MOTION BY MR. DELUCIE, SECONDED BY MR. PANZARINO AND UNANIMOUSLY CARRIED THE BOARD AGREED TO RE-OPEN CASE NO'S 3970 AND 3971 FOR THE NEXT DECISION MEETING TO BE HELD ON AUGUST 15, 2023.

Upon a motion by Mr. Panzarino, seconded by Mr. Pizzolo and unanimously carried the meeting was adjourned at 7:30 p.m.

Jennifer Minori
Secretary to Board of Appeals