

**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
June 18, 2024**

Case No. 4223

Segundo Guiracocha, 119 Hoffman Street, Valley Stream, New York

Re: 119 Hoffman Street, Valley Stream, New York

Application for a Variation from Section 99-902.A.3 of the Code of the Village of Valley Stream to construct rear patio.

Section 99-902.A.3 of the Code of the Village of Valley Stream requires maximum rear yard coverage of 40% by aggregate building area of accessory buildings and structures; whereas, proposed rear yard coverage is 55%.

The subject premises is located on northeast corner of Hoffman Street formed by the intersection of North Terrace Place and Hoffman Street known as No. 119 Hoffman 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 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**

Case No. 4224

Segundo Guiracocha, 119 Hoffman Street, Valley Stream, New York

Re: 119 Hoffman Street, Valley Stream, New York

Application for a Variation from Section 99-904.A, Section 99-1502.B, Section 99-904.B.1.c and Section 99-2205 of the Code of the Village of Valley Stream to construct a 2nd floor dormer addition and a 1 story front addition with an attached masonry deck/ porch.

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Section 99-904.A of the Code of the Village of Valley Stream requires dwellings to have a minimum front yard setback of 25 feet; whereas, proposed dwelling 1-story front addition has a front yard setback of 14 feet along Hoffman Street.

Section 99-1502.B of the Code of the Village of Valley Stream requires decks/unenclosed porches to have a maximum front yard encroachment of 6 feet into the required front yard setback; whereas, proposed attached masonry deck/porch in the front yard encroaches 15 feet into the required front yard setback, along Hoffman Street.

Section 99-904.B.1.c of the Code of the Village of Valley Stream requires dwellings on a corner lot to have a minimum side yard setback of 5 feet; whereas, proposed 2nd story dormer addition has a side yard setback of 4.1 feet at North side property line.

Section 99-2205 of the Code of the Village of Valley Stream requires ingress and egress to off-street parking spaces to cause the least amount of impact on the vehicular and pedestrian traffic on the streets and sidewalks servicing such areas for safe maneuverability. The proposed layout of the driveway and curb-depression, along Hoffman Street, requires excessive vehicle maneuvering for ingress and egress to the off-street parking spaces, and has the potential to negatively impact the vehicular and pedestrian traffic on the adjacent streets and sidewalks.

The subject premises is located on northeast corner of Hoffman Street formed by the intersection of North Terrace Place and Hoffman Street known as No. 119 Hoffman 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 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

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Case No. 4225

Antonia Strk, 29 West Chester Street, Valley Stream, New York

Re: 29 West Chester 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 and 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 northwest corner of West Chester Street formed by the intersection of North Corona Avenue and West Chester Street known as No. 29 West Chester 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 THE REVISED SURVEY SUBMITTED ON JUNE 13, 2024 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. 4226

Anthony Hallett, 161 Cornwell Avenue, Valley Stream, New York

Re: 161 Cornwell Avenue, Valley Stream, New York

Application for a Variation from Section 99-902.A.3, Section 99-904.B.3.b, Section 99-2205 and Section 99-2205.B.3 of the Code of the Village of Valley Stream to maintain/ legalize accessory patio and walkway structures in rear/ side yards, accessory shed, expanded driveway and expanded rear porch.

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Section 99-902.A.3 of the Code of the Village of Valley Stream requires a maximum rear yard coverage by aggregate building area of all buildings and structures of 40%; whereas, proposed rear yard coverage by accessory structures is 57%.

Section 99-904.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 shed and concrete walkway surface have a side yard setback of 1.25 feet, and 0.08 feet, at the East side property line.

Section 99-2205 of the Code of the Village of Valley Stream requires ingress and egress to/from off-street parking spaces to cause the least amount of impact on the vehicular and pedestrian traffic on the associated streets and sidewalks. The proposed configuration of the driveway and curb-depression are not uniform, and requires excessive maneuvering for vehicle ingress and egress, and, has potential to cause negative impact on the vehicular and pedestrian traffic on the adjacent streets and sidewalks.

Section 99-2205.B.3 of the Code of the Village of Valley Stream requires no vehicle be parked located directly in front of the principal dwelling; whereas, proposed expanded driveway (Westerly) is located directly in front of the principal dwelling - past the attached garage.

The subject premises is located on the east side of Cornwell Avenue, 50' north of the corner formed by the intersection of East Maujer Street and Cornwell Avenue known as No. 161 Cornwell Avenue, 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 WITH CONDITION SUBJECT TO FINAL APPROVAL BY THIS BOARD OF THE WRITTEN DECISION.

SECONDED BY: Mr. Pizzolo

- 1. Remove 10.7' concrete driveway in front of the living space of the structure and replace with grass. Applicant shall be permitted to maintain a concrete walkway no greater than 48" in width immediately adjacent to the structure.**

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

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Case No. 4227

Henry Mbiaka, 45 East Dover Street, Valley Stream, New York

Re: 45 East Dover Street, Valley Stream, New York

Application for a Variation from Section 99-904.A and Section 99-1502.B of the Code of the Village of Valley Stream to construct 2nd story additions with a cantilever and a front portico.

Section 99-904.A 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 2nd story additions are: 15.2 feet and 14.2 feet along E. Dover Street, and 18 feet along North Grove Street.

Section 99-1502.B of the Code of the Village of Valley Stream requires porticos to not encroach more than 6 feet into the required front yard setback; whereas, proposed portico encroaches 13.5 feet into the required front yard setback along East Dover Street.

The subject premises is located on the northeast corner of East Dover Street formed by the intersection of North Grove Street and East Dover Street known as No. 45 East Dover 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 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

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Case No. 4228

Adriano DaSilva, 55 Berry Street, Valley Stream, New York

Re: 55 Berry Street, Valley Stream, New York

Application for a Variation from Section 99-904.A of the Code of the Village of Valley Stream to construct a 1 - story addition enclosure and an exterior stairway to cellar.

Section 99-904.A of the Code of the Village of Valley Stream requires dwellings and structures to have a minimum front yard setback of 25 feet; whereas, proposed front yard setback of: 1-story addition enclosure, and, exterior stairway to cellar are 22.58 feet and 17.7 feet respectively, along Wheeler Avenue.

The subject premises is located on the northeast corner of Berry Street formed by the intersection of North Grove Street and Berry Street known as No. 55 Berry 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 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**

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Case No. 4229

Adriano DaSilva, 55 Berry Street, Valley Stream, New York

Re: 55 Berry 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 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 Berry Street formed by the intersection of North Grove Street and Berry Street known as No. 55 Berry 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 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. 4230

Adriano DaSilva, 55 Berry Street, Valley Stream, New York

Re: 55 Berry Street, Valley Stream, New York

Application for a Variation from Section 99-1502.B, Section 99-902.A.2, Section 99-1906 and Section 99-1904 of the Code of the Village of Valley Stream to construct an in ground pool, accessory pavers, circular driveway and fire pit.

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Section 99-1502.B of the Code of the Village of Valley Stream allows for 6 feet encroachment into the required 25 feet front yard setback; whereas, the front paver patios are encroaching 25 feet into the required front yard setback.

Section 99-902.A.2 of the Code of the Village of Valley Stream requires 60% maximum coverage of lot by aggregate building area of all buildings and structures; whereas, proposed buildings and accessory structures are 69%.

Section 99-1906 requires all swimming pool be installed in the rear yard, unless otherwise approved by the Board of Appeals; whereas, proposed pool is located in the front yard.

Section 99-1904 requires all corner lot pool and accessories maintain a required 25 feet front setback along abutting street; whereas, proposed pool and accessories (gas heater, fire pit, pool spillover and pool) are 23.75 feet, 7.08 feet, 12.8 feet and 13.5 feet from front property lines.

The subject premises is located on the northeast corner of Berry Street formed by the intersection of North Grove Street and Berry Street known as No. 55 Berry 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 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. The front pavers and walkway, as reflected on the revised plans submitted on June 13, 2024, shall be no greater than 40" in width.**

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

Upon a motion by Mr. DeLucie, seconded by Mr. Pizzolo and unanimously carried the meeting was adjourned at 6:57 p.m.

Jennifer Minori
Secretary to Board of Appeals