

**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 21, 2022**

Case No. 4101

Dino Stallone, 5 Jackson Road, Valley Stream, New York

Re: 5 Jackson Road, Valley Stream, New York

Correspondence received on June 5, 2022 from homeowner requesting removal of condition no. 1 on minutes dated May 17, 2022.

UPON A MOTION BY MR. PIZZOLO, SECONDED BY MR. FRUSCI AND UNANIMOUSLY CARRIED THE BOARD GRANTED APPROVAL TO RE-OPEN CASE.

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 HOMEOWNER'S REQUEST TO REMOVE CONDITION 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**

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Case No. 4107

Alvaro Bojorge, 81 Horton Avenue, Valley Stream, New York

Re: 81 Horton Avenue, Valley Stream, New York

Application for a Variation from Section 99-2205.B.4, Section 99-1502.B, Section 99-904.B.3.a and Section 99-904.B.3.b of the Code of the Village of Valley Stream to maintain front portico, accessory patio surfaces, and driveway alteration.

Section 99-2205.B.4 of the Code of the Village of Valley Stream requires driveways to maintain a minimum side yard setback of 2 feet; whereas, proposed driveway has no side yard setback, at North side property line, and is located over the property line.

Section 99-1502.B of the Code of the Village of Valley Stream requires porticos, and accessory patios to not encroach more than 6 feet into the required front yard setback; whereas, proposed portico and accessory patio encroach 8.8 feet into the required front yard setback.

Section 99-904.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 Air-conditioning unit has a side yard setback of 0.75 feet at South side property line.

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 concrete pad has a side yard setback of 1 foot at South side property line.

The subject premises is located on the east side of Horton Avenue, 96.21' south of the corner formed by the intersection of Lyncrest Street and Horton Avenue known as No. 81 Horton 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 REVISED PLAN RECEIVED BY THE BUILDING DEPARTMENT ON JUNE 14, 2022 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. 4108

Alvaro Bojorge, 81 Horton Avenue, Valley Stream, New York

Re: 81 Horton Avenue, 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 exceed 4 feet in height; whereas, proposed fence is 5 feet in height.

The subject premises is located on the east side of Horton Avenue, 96.21' south of the corner formed by the intersection of Lyncrest Street and Horton Avenue known as No. 81 Horton 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 REVISED PLAN RECEIVED BY THE BUILDING DEPARTMENT ON JUNE 14, 2022 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. 4110

Trevor Dutchin, 144 North Cottage Street, Valley Stream, New York

Re: 144 North Cottage 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 5' 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 southwest corner of North Cottage Street formed by the intersection of East Argyle Street and North Cottage Street known as No. 144 North Cottage 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 REVISED SURVEY RECEIVED BY BUILDING DEPARTMENT ON JUNE 21, 2022 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. 4113

Rosaire Novembre, 85 East Lincoln Avenue, Valley Stream, New York

Re: 85 East Lincoln Avenue, Valley Stream, New York

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

Section 99-1802.D 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 north side of East Lincoln Avenue, 140' west of corner formed by the intersection Emerson Place and East Lincoln Avenue known as No. 85 East Lincoln 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. 4095

A&S Financial LLC, Ghulman Sarwar, 14 Gray Avenue, Middle Island, New York

Re: 771 West Merrick Road, Valley Stream, New York

Correspondence received from owner requesting approval of revised site plan to comply with State Code.

UPON A MOTION BY MR. DELUCIE, SECONDED BY MR. FRUSCI AND UNANIMOUSLY CARRIED THE BOARD GRANTED APPROVAL TO RE-OPEN CASE.

UPON A MOTION BY MR. DELUCIE, SECONDED BY MR. FRUSCI AND UNANIMOUSLY CARRIED THE BOARD APPROVED REVISED SITE PLAN RECEIVED BY BUILDING DEPARTMENT ON JUNE 13, 2022 AND APPROVED TO ELIMINATE CONDITION NO. 1 ON WRITTEN DECISION DATED APRIL 19, 2022.

Upon a motion by Mr. Panzarino, seconded by Mr. Pizzolo and unanimously carried the meeting was adjourned at 7:15 p.m.

Jennifer Minori
Secretary to Board of Appeals