

**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  
November 28, 2023  
Corrected December 19, 2023**

**Case No. M/D 12-08**

Mark Ramsarup, 212 Rockaway Parkway, Valley Stream, New York

**Re: 212 Rockaway Parkway, 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 Rockaway Parkway, 60' south of the corner formed by the intersection of West Euclid Street and Rockaway Parkway known as No. 212 Rockaway Parkway, 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**

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**Case No. M/D 3-11**

Olurotimi Diyaolu, 133 Buscher Avenue, Valley Stream, New York

**Re: 133 Buscher 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 Buscher Avenue formed by the intersection of Charles Court and Buscher Avenue known as No. 133 Buscher 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**

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**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.

**RESERVED FOR WRITTEN DECISION.**

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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. 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 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.

**RESERVED FOR WRITTEN DECISION.**

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**Case No. 4190**

Brian Grady, 231 East Dover Street, Valley Stream, New York

**Re: 231 East Dover Street, Valley Stream, New York**

Application for a Variation from Section 99-904.C.2.a of the Code of the Village of Valley Stream to install a standby generator.

Section 99-904.C.2.a of the Code of the Village of Valley Stream requires a 25 feet rear setback for attached accessory structures; whereas, proposed standby generator is 20.2 feet from rear property line.

The subject premises is located on the north side of East Dover Street, 189.43' west of the corner formed by the intersection of Cornwell Avenue and East Dover Street known as No. 231 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. Pizzolo**

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

**Case No. 4100**

Sonia Innocent, 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.

**RESERVED FOR WRITTEN DECISION.**

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**Case No's 3930/ 3931/ 3932/ 3933**

Peter Panzarino, 70 Bismark Avenue, Valley Stream, New York

**Re: 70 Bismark Avenue, Valley Stream, New York**

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

**UPON A MOTION BY MR. DELUCIE, SECONDED BY MR. PIZZOLO, THE BOARD GRANTED AN EXTENSION OF TIME TO SEPTEMBER 18, 2024**

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

**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.

**RESERVED FOR WRITTEN DECISION.**

**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. 22 Surrey Lane, Valley Stream, New York.

**RESERVED FOR WRITTEN DECISION.**

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**Case No. 4038**

**The Promenade 360 LLC, 49 North Central Avenue Suite 201, Valley Stream, New York**

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

Revised landscaping plan and lighting plan submitted for approval per condition No. 1 per written decision dated October 17, 2023.

**RESERVED FOR WRITTEN DECISION.**

**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.

**RESERVED FOR WRITTEN DECISION**

Upon a motion by Mr. DeLucie, seconded by Mr. Pizzolo and unanimously carried the meeting was adjourned at 7:58 p.m.

Jennifer Minori

Secretary to Board of Appeals