

**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  
October 18, 2022**

**Case No. 4133**

AAA Valley Stream Property LLC, 1878 Hempstead Tpke, East Meadow, New York

**Re: 192 East Sunrise Highway, Valley Stream, New York**

Application for a Special Use Permit from Section 99-2008.B.8.r of the Code of the Village of Valley Stream to establish self- service operation at existing gasoline station.

Section 99-2008.B.8.r of the Code of the Village of Valley Stream requires special use permit approval from the Board of Appeals for self- service operation, a minimum total land area of 10,000 square feet, and a minimum of 200 feet distance from premises to any residential district boundary line; whereas, existing total land area of gasoline station is 5,350 square feet, and the existing premises is located 40 feet from residential zoning district boundary line "R-1" at southern portion of property.

The subject premises is located on the southeast corner of East Sunrise Highway formed by the intersection of Woodlawn Avenue and East Sunrise Highway known as No. 192 East Sunrise Highway, 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. DeLucie**

1. Must provide free air in accordance with Section 99-2008.8.c and post signage to that effect.
2. Full service signage clearly delineating pump No. 2.
3. Full service to remain during hours of operation.

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

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**Case No. 4134**

AAA Valley Stream Property LLC, 1878 Hempstead Tpke, East Meadow, New York

**Re: 192 East Sunrise Highway, 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 southeast corner of East Sunrise Highway formed by the intersection of Woodlawn Avenue and East Sunrise Highway known as No. 192 East Sunrise Highway, 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. DeLucie**

1. Must provide free air in accordance with Section 99-2008.8.c and post signage to that effect.
2. Full service signage clearly delineating pump No. 2.
3. Full service to remain during hours of operation.

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

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**Case No. 3853**

Vincent Belluccia, 180 Lefferts Road, Woodmere, New York

**Re: 950 Rockaway Avenue, Valley Stream, New York**

Correspondence received from owner requesting approval of revised site plan.

**UPON A MOTION BY MR. PIZZOLO, SECONDED BY MR. DELUCIE THE BOARD APPROVED REVISED SITE PLAN RECEIVED BY THE BUILDING DEPARTMENT ON October 12, 2022.**

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

**Case No's 4064/ 4065**

The Vantage on Roosevelt LLC, 49 North Central Avenue, Valley Stream, New York

**Re: 46-54 Roosevelt Avenue, Valley Stream, New York**

Request to re-open case No's 4064/ 4065 to modify variance granted on April 19, 2022 for approval of accessory structure front yard setback of 2.5 feet for proposed electrical transformer along Cochran Place to 1.0. foot.

**UPON A MOTION BY MR. DELUCIE, SECONDED BY MR. PIZZOLO AND UNANIMOUSLY CARRIED THE BOARD APPROVED TO RE-OPEN CASE.**

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**Case No. 4127**

K&M Management Group LLC, 182-11 N. Conduit Avenue, Springfield, New York

**Re: 440 West Merrick Road, Valley Stream, New York**

Application for a Variation from Section 99-2202.E and Section 99-3405.2 and Application for a Special Use Permit from Section 99-1301.M.9 of the Code of the Village of Valley Stream to construct interior alterations, exterior renovations, and introduce a principal use of adult day- care.

Section 99-2202.E of the Code of the Village of Valley Stream requires changes of use to comply with the off-street parking requirements of this chapter for such use(s). Proposed public assembly and classroom uses require 22 additional off-street parking spaces be provided on site; whereas, no additional off-street parking is provided, furthermore, existing site has no approved off-street parking plan.

Section 99-3405.2 of the Code of the Village of Valley Stream requires the original door openings of a building's facade to not be covered, altered or removed; whereas, subject overhead door opening in the existing building's facade is proposed to be removed and in-filled.

Section 99-1301.M.9 of the Code of the Village of Valley Stream requires special permit approval from the Board of Appeals for places of public assembly uses; whereas, portions of proposed interior layout/functions constitutes a place of public assembly.

The subject premises is located on the south side of West Merrick Road, 59.77' west of the corner formed by the intersection of South Montague Street and West Merrick Road known as No. 440 West Merrick Road, Valley Stream, New York.

**MR. PIZZOLO MADE A MOTION TO CLASSIFY THE VARIANCE APPLICATION AND SPECIAL USE PERMIT APPLICATION AS AN UNLISTED ACTION UNDER THE MEANING OF SEQRA AND DETERMINED NEITHER TO HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT AND MR. PIZZOLO MADE A MOTION TO DENY THIS APPLICATION, SECONDED BY MR. DELUCIE**

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

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**Case No. 4128**

K&M Management Group LLC, 182-11 N. Conduit Avenue, Springfield, New York

**Re: 440 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, 59.77' west of the corner formed by the intersection of South Montague Street and West Merrick Road known as No. 440 West Merrick Road, Valley Stream, New York.

**MR. PIZZOLO MADE A MOTION TO CLASSIFY THE VARIANCE APPLICATION AND SPECIAL USE PERMIT APPLICATION AS AN UNLISTED ACTION UNDER THE MEANING OF SEQRA AND DETERMINED NEITHER TO HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT AND MR. PIZZOLO MADE A MOTION TO DENY THIS APPLICATION, SECONDED BY MR. DELUCIE**

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

Upon a motion by Mr. Pizzolo, seconded by Mr. DeLucie and unanimously carried the meeting was adjourned at 7:14 p.m.

Jennifer Minori  
Secretary to Board of Appeals