

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

M I N U T E S  
OF THE MEETING  
OF THE  
ZONING BOARD OF APPEALS  
INCORPORATED VILLAGE OF MALVERNE  
May 8, 2025  
7:00 p.m.

PRESENT:

BENJAMIN TRUNCALE, JR.,	CHAIRMAN
BRUCE MAWHIRTER,	MEMBER
MICHELLE SALOGUB,	MEMBER
JOHN TULLEY,	MEMBER
NICHOLAS FEIHEL,	MEMBER

Also Present:

Kevin Walsh - Village Attorney  
Mary Kate Schnaars - Building Department Clerk  
Louis Santora - Building Superintendant

1                   CHAIRMAN TRUNCALE:  Everybody please  
2                   stand for the Pledge of Allegiance.

3                   (Whereupon, the Pledge of Allegiance  
4                   was recited.)

5                   CHAIRMAN TRUNCALE:  Good evening,  
6                   everybody.

7                   Welcome to the May 8th meeting of the  
8                   Zoning Board of the Incorporated Village of  
9                   Malverne.

10                  We have two applications tonight, but  
11                  we have some business to attend to first with  
12                  regard to a reserved decision from last month  
13                  on the application of Malverne Properties, LLC,  
14                  seeking numerous variances with regard to the  
15                  property known as 61 Church Street.

16                  At this time is there anybody that  
17                  would like to make a motion concerning this  
18                  application?

19                  MEMBER TULLEY:  I would like to just  
20                  state for the record from the original meeting  
21                  that somebody questioned my ability and my  
22                  opinion.  I spoke to counsel, and after  
23                  consideration I figure I can carry out my  
24                  duties, and so I am not going to recuse myself  
25                  from the vote.

1 CHAIRMAN TRUNCALE: Thank you, sir.

2 MR. WALSH: It's in the record.

3 CHAIRMAN TRUNCALE: With that I will  
4 entertain a motion.

5 Would you like to make a motion?

6 MEMBER FEIHEL: Sure. I will make a  
7 motion to approve as granted, as long as the  
8 height variance is adjusted to comply with the  
9 maximum allowed height of 35 feet.

10 CHAIRMAN TRUNCALE: Okay. So we have a  
11 motion pending.

12 Motion to approve the application and  
13 the relief requested minus the relief requested  
14 with regard to height, therefore, the height  
15 must comply with the 35 foot restriction,  
16 otherwise all other variances are on the table  
17 for approval.

18 Is there a second?

19 MEMBER TULLEY: I'll second.

20 CHAIRMAN TRUNCALE: All those in favor?

21 MEMBER FEIHEL: Aye.

22 MEMBER TULLEY: Aye.

23 CHAIRMAN TRUNCALE: Aye.

24 All those opposed?

25 MEMBER MAWHIRTER: No.

1                   CHAIRMAN TRUNCALE:  Would you like to  
2                   make a statement with regard to your  
3                   opposition?

4                   MEMBER MAWHIRTER:  Yes, I approve -- I  
5                   am approving everything other than the height  
6                   application as stated, and the parking.

7                   CHAIRMAN TRUNCALE:  Okay, so those are  
8                   the bases of your opposition?

9                   MEMBER MAWHIRTER:  Correct.

10                  CHAIRMAN TRUNCALE:  Michelle, you good?

11                  MEMBER SALOGUB:  I agree with Bruce.

12                  CHAIRMAN TRUNCALE:  A written decision  
13                  to follow.  The decision has conditions so that  
14                  motion to approve is subject to all the  
15                  conditions contained in the written decision  
16                  that is dated -- we will date it as of today  
17                  May 8, 2025.

18                  MR. WALSH:  And a copy of that decision  
19                  is available at the clerk's office beginning  
20                  tomorrow, I'd say, just after noon.

21

22

23

24

25

1 CHAIRMAN TRUNCALE: And with that we  
2 will switch gears and attend to the business  
3 before us tonight.

4 First application is that of Steven  
5 Buccella, 47 Morris Avenue West.

6 Is there somebody here that would like  
7 to be heard on the application? If so, please  
8 step up and state your name and address for the  
9 application.

10 MR. BUCCELLA: Steven Buccella, 47  
11 Morris Avenue West.

12 CHAIRMAN TRUNCALE: Tell us what you  
13 are seeking to do, sir?

14 MR. BUCCELLA: Doing an extension to  
15 the back of my house.

16 CHAIRMAN TRUNCALE: Okay.

17 MR. BUCCELLA: Just on the second  
18 floor.

19 MEMBER TULLEY: You are also doing a  
20 pool though?

21 MR. BUCCELLA: No.

22 MEMBER FEIHEL: Pool is existing.

23 CHAIRMAN TRUNCALE: Yeah, it's  
24 existing.

25 MEMBER TULLEY: Oh, okay.

1                   CHAIRMAN TRUNCALE: So you are  
2                   proposing -- let's see, you need a floor area  
3                   ratio variance, you are proposing 42.92 where  
4                   40 percent is allowed, lot coverage of 31.42  
5                   where 25 percent is allowed.

6                   MR. WALSH: Is this just the second  
7                   story that you are putting on?

8                   MR. BUCCELLA: Yeah.

9                   MR. WALSH: So the footprint, does that  
10                  mean he's over already, over the lot coverage?  
11                  In other words, if he is only going for the  
12                  second floor?

13                  CHAIRMAN TRUNCALE: Is he exacerbating  
14                  those issues, or is he staying within the  
15                  footprint?

16                  MR. SANTORA: I got to remember, it's  
17                  been a while since I looked at this. I  
18                  remember the project, I just don't remember  
19                  what the existing lot coverage was.

20                  CHAIRMAN TRUNCALE: The existing lot  
21                  coverage is 29.34 it says.

22                  MR. SANTORA: Right.

23                  Yes, he was preexisting over when the  
24                  pool was put in.

25                  MEMBER FEIHEL: That lot coverage

1 calculation includes the area of the pool?

2 MR. SANTORA: That's correct.

3 CHAIRMAN TRUNCALE: But he is  
4 staying in the footprint?

5 MR. SANTORA: No.

6 To explain the project, he is not  
7 staying in the existing footprint. The second  
8 floor -- a part of the second floor overhangs a  
9 new overhang in the rear of the house, and  
10 underneath that will be an open patio.

11 CHAIRMAN TRUNCALE: Got it.

12 And because of that he requires a  
13 variance also with regards to also the  
14 proximity to the swimming pool.

15 MR. SANTORA: That's correct.

16 CHAIRMAN TRUNCALE: Which we've granted  
17 before.

18 I feel that, you know, most of these  
19 are in line with what we've done before.

20 Anybody have any questions for the  
21 applicant at this time?

22 MEMBER FEIHEL: No.

23 CHAIRMAN TRUNCALE: No.

24 Is there anybody in the public that  
25 wishes to be heard in favor or against?

1 (Whereupon, there was no response.)

2 MR. WALSH: Can I ask a question?

3 CHAIRMAN TRUNCALE: Sure.

4 MR. WALSH: So the second floor  
5 proximity to the pool -- so the first floor is  
6 just going to be a patio or something, or what  
7 is the first floor underneath the new addition?

8 MR. BUCCELLA: It's just an empty  
9 patio.

10 MR. WALSH: The second floor is the  
11 only thing that's close to the pool?

12 MR. BUCCELLA: Yeah.

13 MR. WALSH: And how high is it? How  
14 high is it?

15 MR. BUCCELLA: How high?

16 MR. WALSH: Total second floor going to  
17 be from grade?

18 MR. BUCCELLA: It's 9 feet.

19 MR. WALSH: Pitch roof is going to be  
20 in the back, what kind of roof is it?

21 MR. BUCCELLA: Going to be a, what,  
22 reverse gable?

23 MR. SANTORA: Yeah, a pitched roof.

24 MR. WALSH: Thank you.

25 CHAIRMAN TRUNCALE: Which is relevant

1 because some of the things we worry about with  
2 proximity is the ability for somebody to  
3 obviously jump off the roof.

4 MR. BUCCELLA: That would be me.

5 MR. SANTORA: You see the YouTube  
6 videos.

7 CHAIRMAN TRUNCALE: Anybody in the  
8 public?

9 MS. BUCCELLA: I am for it, we need the  
10 room.

11 CHAIRMAN TRUNCALE: You think he did a  
12 good job?

13 MS. BUCCELLA: He is doing great. As  
14 long as we get approved. If not then he didn't  
15 do a good job.

16 CHAIRMAN TRUNCALE: Is there anybody on  
17 the Board that would like to make a motion?

18 MEMBER FEIHEL: I'll make a motion to  
19 approve.

20 CHAIRMAN TRUNCALE: As requested?

21 MEMBER FEIHEL: Yes.

22 CHAIRMAN TRUNCALE: Is there a second?

23 MEMBER MAWHIRTER: I'll second.

24 CHAIRMAN TRUNCALE: All those in favor?

25 MEMBER FEIHEL: Aye.

1 MEMBER TULLEY: Aye.

2 MEMBER MAWHIRTER: Aye.

3 MEMBER SALOGUB: Aye.

4 CHAIRMAN TRUNCALE: Aye.

5 MR. BUCCELLA: Thank you.

6 MS. BUCCELLA: Good job.

7 MEMBER FEIHEL: Congratulations!

8 CHAIRMAN TRUNCALE: Good luck to you

9 guys.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 CHAIRMAN TRUNCALE: The next  
2 application is that of -- help me out, sir.

3 MS. SCHNAARS: Mr. Chukwudi Ozo-Onyali,  
4 62 Parkview Place.

5 CHAIRMAN TRUNCALE: 62 Parkview Place.  
6 Please step up.

7 MR. OZO-ONYALI: My name is Chukwudi  
8 Ozo-Onyali.

9 CHAIRMAN TRUNCALE: That sounds much  
10 better than the way I said it.

11 And your address?

12 MR. OZO-ONYALI: 62 Parkview Place,  
13 Malverne, New York 11565.

14 CHAIRMAN TRUNCALE: Please tell us what  
15 you are here for.

16 MR. OZO-ONYALI: I'm here to request  
17 variance to expand my driveway so that I can  
18 park more cars. Like I can only park two cars,  
19 my son is 17 now, he have a car, I have  
20 autistic son who his aide comes at night and  
21 gets a ticket because parks on the street, I  
22 want them to be able to park in the driveway  
23 too.

24 CHAIRMAN TRUNCALE: Does anybody have  
25 any questions?

1                   MEMBER TULLEY: The only thing I have a  
2                   concern myself is when you do the driveway is  
3                   line of sight, and he has no problem with that,  
4                   he is on the side of the Southern State. If  
5                   you see the pictures, he clears.

6                   CHAIRMAN TRUNCALE: Where is it?

7                   MEMBER TULLEY: Right here, Southern  
8                   State is right here, nobody coming down in here  
9                   and it's clear.

10                  CHAIRMAN TRUNCALE: And it's not right  
11                  in front of the house.

12                  MEMBER TULLEY: No, off to the side.

13                  CHAIRMAN TRUNCALE: Anybody else have  
14                  any questions?

15                  MEMBER SALOGUB: No.

16                  CHAIRMAN TRUNCALE: Anybody in the  
17                  audience wants to be heard?

18                  (Whereupon, there was no response.)

19                  CHAIRMAN TRUNCALE: Is there anybody  
20                  that would like to make a motion?

21                  MEMBER TULLEY: I will make a motion to  
22                  accept the variances.

23                  CHAIRMAN TRUNCALE: Is there a second?

24                  MEMBER SALOGUB: Second.

25                  CHAIRMAN TRUNCALE: All those in favor?

1 MEMBER FEIHEL: Aye.  
2 MEMBER TULLEY: Aye.  
3 MEMBER MAWHIRTER: Aye.  
4 MEMBER SALOGUB: Aye.  
5 CHAIRMAN TRUNCALE: Aye.  
6 Congratulations!  
7 MR. OZO-ONYALI: Thank you.  
8 CHAIRMAN TRUNCALE: Good luck to you.  
9 MS. SCHNAARS: We will be in touch.  
10 MR. SANTORA: We have to issue the  
11 permits, but we will get it to you as quick as  
12 we can.  
13 MR. OZO-ONYALI: Thank you.  
14 CHAIRMAN TRUNCALE: Good luck.  
15 Miss, would you like to be heard?  
16 MS. SCHNAARS: Would you like to make a  
17 motion to close the meeting?  
18 CHAIRMAN TRUNCALE: I will make that  
19 motion.  
20 MEMBER MAWHIRTER: Second.  
21 CHAIRMAN TRUNCALE: All those in favor?  
22 MEMBER FEIHEL: Aye.  
23 MEMBER TULLEY: Aye.  
24 MEMBER MAWHIRTER: Aye.  
25 MEMBER SALOGUB: Aye.

1 CHAIRMAN TRUNCALE: Aye.

2 (Whereupon, the Zoning Board of Appeals  
3 hearing was concluded and stood adjourned.)

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

## C E R T I F I C A T I O N

I, Mary Kate Waldron, Court Reporter, within  
and for the State of New York, do hereby certify that I  
have reported the proceedings, that it is a true and  
accurate transcription of my stenographic notes.

I further certify that I am not related to  
any of the parties to this action by blood or marriage,  
and that I am in no way interested in the outcome of  
this matter.

IN WITNESS WHEREOF, I have hereunto set my  
hand this 12th day of May, 2025.

---

MARY KATE WALDRON