

**ZONING BOARD OF ADJUSTMENT
TOWN OF WEST NEW YORK
COUNTY OF HUDSON**

MINUTES FOR MEETING OF MONDAY, SEPTEMBER 17, 2012

The Zoning Board held a meeting on Monday, September 17, 2012, at 6:30 p.m. prevailing time in the Municipal Chambers at 428 60th Street in West New York, New Jersey. The reading of notice in compliance with Open Public Meetings Act was read.

1. Meeting called to order at approximately 6:30 p.m.
2. Roll call of the Board Members

Present: Chairman Kenneth Blane, and Members Armando Alvarez, Nelly Vasquez, Ramon Morejon and David Rivera

Absent: Jesus Alvarado, Michael D'Amico and Jason Gonzalez

Present: Board Attorney Jennifer M. Carrillo-Perez, Esq.
Board Planner Ronald Reinertsen, P.P., AICP
Board Engineer Robert J. Russo, P.E., P.P., C.M.E.
Former Board Planner Joseph J. Layton, P.P., AICP
Former Board Engineer Tom R. Lemanowicz, P.E., P.P., C.M.
Board Secretary Maria Varela
3. Minutes for approval: May 24, 2012 and July 26, 2012 – Minutes adjourned until the October 25, 2012 meeting.
4. Communications, reports, and administrative matters: Chairman Kenneth Blane communicated to all Board Members and members of the public that there will be change of date for the November meeting. The date will be announced at the next hearing on October 25, 2012.
5. Payment Resolutions:
 - a. Metropolitan Court Reporting - A motion to approve payment in the amount of \$435 relating to four (4) applications was made by Chairman Kenneth Blane and Board Member David Rivera seconded. Motion approved.
6. Escrow Refund: No pending escrow refunds.

7. Resolutions:

- a. Memorializing resolution in the matter application # 2012-07 filed by Rainbow, for property located at 5727 Bergenline Ave., Block 125 and Lot 8. Applicant proposes to place a non-conforming sign on the premises.

Matter approved on July 26, 2012.

Postponed until the October 25, 2012 meeting.

- b. Memorializing resolution in the matter of application # 2012-09 filed by Carmen Monteagudo for property located at 6134 Washington St., Block 149 and Lot 13. Applicant proposes to construct a new three family house.

Matter approved on July 26, 2012

Postponed until the October 25, 2012 meeting.

- c. Memorializing resolution in the matter of application # 2012-10 file by Orlando Quintero for property located at 6009 Washington St., Block 146 and Lot 11. Applicant seeks to construct a second floor addition over an existing commercial unit and convert the entire building to a one dwelling unit with a small owner occupied office.

Matter approved on July 26, 2012

Postponed until the October 25, 2012 meeting.

8. New Business – Miscellaneous matters: NONE

9. Applications:

- a. First hearing in the matter of application # 2012-08 filed by Marian Rys, for property located at 560-562-67th St., Block 165 and Lot 7. Applicant proposes to convert an existing commercial and three (3) unit residential building into a nine (9) one-bedroom residential units.

This matter was adjourned until the December 3, 2012 meeting.

Jurisdictional notice compliance was established at the June 4, 2012 meeting.

- b. First hearing in the matter of application #2012-11 filed by Alberto Tapia for property located at 406-56th St., Block 80 and Lot 31. Applicant proposes to construct a new residential 16 unit multi-family building with 15 off street parking spaces on each new lot.

This matter was adjourned until the December 3, 2012 meeting.

Jurisdictional notice compliance was established at the July 26, 2012 meeting.

- c. First hearing in the matter of application #2012-13 filed by Joseph Felice for property located at 6025-31 Boulevard East, Block 36 and Lot 34 & 35. Applicant proposes to construct a new 35 unit multi-family building with 41 off street parking spaces.

This matter was adjourned until the December 3, 2012 meeting.

Jurisdictional notice compliance was established at the July 26, 2012 meeting.

- d. First hearing in the matter of application #2012-14 filed by Elsa Iris Zayas-Gertsman for property located at 20-51st St. Block 85 and Lot 42. Applicant proposes to convert a two-family into a three-family by legalizing basement apartment.

Damon T. Kamvosoulis, Esq., and Orestes Valella, AIA for the applicant. Mr. Valella testified as to the overall project. He described the layout of the apartments, the floor plan, and the parking – Exhibit A-1, color photograph taken by Mr. Valella providing current street view. Mr. Valella also described the surrounding neighborhood. No exterior changes proposed. Revised plans are expected pursuant to the Board's request to reflect changes to the Mechanical Room. Condition to approval. New plans reflecting changes were requested by the Board.

A motion to approve was made by Chairman Kenneth Blane and Board Member Armando Alvarez seconded.

- e. First hearing in the matter of application #2012-16 filed by Silvio Acosta for property located at 6608 Lincoln Place, Block 3 and Lot 4. Applicant proposes to convert a two-family home into a five-family home and legalize a rear extension.

This matter was adjourned until the December 3, 2012 meeting.

Jurisdictional notice compliance was established at the September 17, 2012 meeting.

- f. Continued hearing in the matter of Application #2012-03 filed by Merida Le Boulevard, LLC, for property located at 6609-15 Blvd. East and 9-67th Street. Block 2, Lots 9 and 10. Applicant proposes to construct a new 123 unit high-rise multi-family dwelling with 107 off street parking spaces.

First hearing held on February 23, 2012, continued hearings held on March 31, 2012, June 4, 2012, July 26, and September 17, 2012.

J. Alvaro Alonso, Esq. and Alberto Arencibia, AIA, for the applicant. Mr. Arencibia testified as to a PowerPoint presentation prepared by him regarding a Sun Shadow study. He discussed the different periods that they have chosen in order to determine when the sun casts shadows on the proposed project.

The Chairman requested that a study be done at 5 p.m. and 7 p.m. for the months of May, July and September. A revised study is expected at the next hearing.

The matter was later opened up to members of the public, and members came up for questions for this expert.

John McDonough, LA, AICP, PP for the applicant. Mr. McDonough testified as to a report prepared for this pending application. He distributed an exhibit of an aerial photograph that was marked B1 for the record. He talked about the characteristics, the aesthetics of the surrounding high-rises in the neighborhood. Mr. McDonough also talked about current site conditions and what is proposed. He has determined that the proposed project is in character with the neighborhood. He discussed both the positive and negative criteria of the variances sought in relation to the project.

Based on his analysis, the matter was later opened up to members of the public, and members came up for questions for this expert.

This matter was adjourned to the October 25, 2012 meeting.

10. Open to public for comments on other matters. No member of the public spoke.
11. Motion to adjourn was made at 10:20 PM and the meeting was adjourned.

Respectfully submitted,

MARIA VARELA
Zoning Board Secretary
Town of West New York
Date approved: October _____, 2012