

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

AGENDA FOR THURSDAY, AUGUST 26, 2010

The Zoning Board of Adjustment has scheduled a meeting for Thursday, August 26, 2010, at 6:30 p.m. prevailing time in the Municipal Chambers at 428 60th Street in West New York, New Jersey.

1. Meeting called to order.
2. Pledge of Allegiance.
3. Roll call of the Board Members.
4. Reading of notice in compliance with Open Public Meetings Act.
5. Minutes for meeting of July 21, 2010.
6. Communications, reports, and administrative matters. None.
7. Memorializing Resolutions – Applications.
 - a. Memorializing Resolution in matter of Fabco Enterprises Inc., for property located at 5800-5804 Bergenline Avenue, Block 69, Lot 1, West New York, Application #2010-05. Applicant proposes a large front facade store sign and requires a variance. C-R Zone. Board has jurisdiction where no Site Plan Approval is required. Matter was approved on July 22, 2010.
 - b. Memorializing Resolution in matter of Edmundo and Magdalena Vallejo, for property located at 128A 66th Street, Block 8, Lot 30, Application #2010-06. Applicant seeks to convert an existing two-family residence to a three-family residence by legalizing the existing basement apartment. Applicant seeks site plan approval and requires variances for use, parking, and setbacks. Property is located in the R-M zone. Matter approved at meeting of July 22, 2010.

c. Memorializing Resolution in the matter of Hudson Funding LLC, for property located at 6610 Palisade Avenue, Block 15, Lot 6. Applicant seeks to demolish existing one-family residence and construct of new three-family residence. RM Zone. Applicant requires a use variance and other relief. Matter was approved at meeting of July 22, 2010.

d. Alpy - pending.

8. Applications.

a. First hearing in matter of 5609 Palisade Ave, LLC, for property located at 5609-5615 Palisade Avenue, block 80 Lot 28. Existing building with four residential and one commercial space. Applicant seeks to renovate one commercial unit to create a second commercial unit within. Requires a use and other variance. RM zone.

b. Second hearing in matter of Application ##2009-18 for Marisabel Morales for property located at 519-521 54th Street, Block 109 Lot 11. The property contains a vacant two-story industrial building in the IL Light Impact Industrial District. Applicant proposes to convert the second floor into a catering hall. New restrooms will be installed and the existing restrooms and a partition will be removed. A use variance and other variances were granted. Matter was heard at meeting of June 7, 2010 and was adjourned from July 22, 2010.

To be carried until September 23, 2010.

c. Second hearing for application #2010-08 for D.R. Mon Inc. for properties known as the Jaclyn Properties at various lots on Washing and Jefferson Streets. This is a requested Amendment #2 for existing approvals granted by the Board in June, 2009 and initially amended in December, 2010.

Applicant seeks to change the previous approvals. First, due to lack of education funding, the BOE will no longer seek rehabilitation of an existing building for Pre-K and Special Education at 5715 Jefferson Street, Block 130, Lot 3 and Part of Lot 4 (Proposed Lot 3.01). The applicant instead seeks to demolish the existing building and to construct a residential building with 28 for-sale condominium units

and 60 parking spaces. The building will be a total of five stories consisting of four residential levels and one ground floor parking level.

The proposed lot and subdivision for this residential building is requested to be changed from the prior approval to exclude land. This building would now occupy only 5715 Jefferson Street, Part of Lot 4. Block 130, Lot 3 ("Nunez property") is requested to be abandoned and removed from any approvals.

The applicant seeks approval to abandon the required surface parking lot providing for fourteen (14) spaces that was approved for 5814-5816 Jefferson Street, Block 129, Lot 2.01. It would be removed from any approvals.

There are no changes to the approved residential buildings at the other property locations, except that the applicant seeks to assign parking in the proposed new building to the other sites. The application proposes that the provided excess parking is enough for the other sites.

The applicant requires use variance and other variances, as well as change of the approved subdivision line and cross-easements for parking.

9. Payment Resolutions.
 - a. Joseph J. Layton, PP – Escrow Billing.
 - b. Metropolitan Court Reporting .

10. Escrow Refund resolutions.
 - a. Application #2009-08 Danelli Espinal for property located at 510-56th Street. Refund of unused portion of escrow balance.

11. Open to public for comments on other matters.

12. Motion for closed executive session to discuss litigation entitled *Sico v. Park Terrace and Board of Adjustment*.

13. Motion to go back into open session.

13. Motion to adjourn.