

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

AGENDA FOR MEETING FOR THURSDAY, FEBRUARY 24, 2011

The Zoning Board of Adjustment has scheduled a meeting for Thursday, February 24, 2011 at 6:30 p.m. prevailing time in the Police Training Room, Room 22, at Town Hall, 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. Meeting of December 13, 2010.
6. Communications, reports, and administrative matters. None.
7. Resolutions – None.
  - a. Memorializing Resolution in matter of Application #2010-09, for applicant 521 60<sup>th</sup> Street WNY LLC, for property located at 521 60<sup>th</sup> Street, Block 127, Lot 3. Approved to legalize an existing illegal basement apartment. First hearing was held on October 28, 2010. Matter was approved at second hearing on December 13, 2010.
  - b. Memorializing Resolution in matter of Application #2010-11 for Franklin Avenue Health Club, LLC (West New York Retro Fitness), for property located at 6402 Kennedy Boulevard West and Jefferson Street, Block 158, Lot 15, Block 158, Lots 9, 10 and 11, and Block 159, Lot 15. Applicant approved for a fitness center/gym facility.

- c. Memorializing Resolution in matter of Application #2010-08 for D.R. Mon Inc. for properties known as the Jaclyn Properties at various lots on Washington and Jefferson Streets. Hearings were held on July 22, 2010, August 26, 2010, September 20, 2010, and the matter was approved by vote on October 28, 2010.

This is Amendment #2 for existing approvals granted by the Board in June, 2009 and initially amended in December, 2010. Applicant approved for demolition of existing building and construction of a residential building with 28 for-sale condominium units and 60 parking spaces at 5715 Jefferson Street, Block 130, Lot 3 and Part of Lot 4 (Proposed Lot 3.01). The approval also abandons the school originally proposed for this lot and grants other relief.

8. Applications.

- a. Matter of Application #2009-18 for Marisabel Morales for property located at 519-521 54<sup>th</sup> Street, Block 109, Lot 11. This matter was heard at the meeting of June 7, 2010, at which time the applicant was seeking approval for a catering hall. Applicant has amended the application to request approvals for retail sales and services and business and professional offices. Applicant requires use and parking variances. New notice has been provided. First hearing on amended application.
  
- b. Matter of Application #2010-14 for Miguel Fernandez, Dilenia Fernandez, and Eugenia Peralta, for property located at 122 67<sup>th</sup> Street, Block 6, Lot 14, West New York. Property is located in the RM zone. Applicant seeks to legalize a basement apartment, thereby making a two-family residential building into a three-family. Applicant also seeks approval for construction of an addition at the rear of the building, for which no permits were obtained. Applicant requires use, parking, and other variances.

- c. Matter of Application #2010-16 for BHD Investment, LLC for property located at 214 58<sup>th</sup> Street, Block 8, Lot 10, West New York. The property is located in the RM zone. Applicant proposes to demolish the existing one-family home and construct a three-family home. Applicant requires use, parking, and other variances.
  
- d. Matter of Application # 2010-13, for Family Dollar Store, fro property located at 5909 Park Avenue, Block 59. Lot 6. Applicant requests a D-1 use variance to convert an existing one story commercial building into one retail store. Use and parking variances.
  
- e. Matter of Application #2010-17, for applicant Miralto at Park Avenue LLC, for property located between Buchanan Place and Park Avenue, known as Block 43, Lots 4, 5, 6, 7, 16 and 17. The project name has been changed to “Meridia Park Avenue”. Applicant is seeking a second amendment of the existing approvals.

Applicant was approved by vote on October 26, 2006 for this project, but the resolution was not adopted until January 24, 2008. The applicant then filed for amendment of the approval, which was approved by vote on August 27, 2009 and memorialized by resolution on December 14, 2009.

In 2006, this project was originally approved for construction of one ten-story multi-family residential building providing 102 residential units and two commercial retail units. There were six residential levels providing 66 one-bedroom units and 36 two-bedroom units. The project called for four parking levels providing 92 parking spaces.

In 2009, the project was amended by application and re-approved for construction of one nine-story multi-family residential building providing 125 residential units and one commercial retail unit. There were five residential levels providing 50 one-bedroom with den units, 35 one-bedroom without den units, 5 studio apartment, and 35 two-bedroom apartments. The project called for four parking levels providing 174 spaces for residents and 37 spaces to be used by the WNY Parking Authority.

(continued)

The present amendment seeks construction of one six-story multi-family residential building providing 125 residential units and two commercial units. There are four residential levels providing 65 one-bedroom units and 60 two-bedroom units.

There are two parking levels providing 176 total spaces for the residents. Of these, 80 spaces are arranged as tandem parking. All parking spaces are undersized. There are an additional 37 spaces to be used by the WNY Parking Authority.

This amendment provides for a lower building height because there is expanded acreage as the applicant has added another property.

Applicant seeks continued approvals following the revised plans, for merger of lots, preliminary and final site plan approval, variances for use, density, FAR, height, lot coverage, lot area, lot width, side and front yards, signage, tandem parking plan, undersized parking spaces, width of parking aisles, and no loading dock. There is also encroachment into the public right of way.

9. Payment Resolutions.
  - a. Anne Marie Rizzuto, Esq. – escrow services.
  - b. Anne Marie Rizzuto, Esq. – Town services.
  - c. Maser Consulting.
  
10. Open to public for comments on other matters.
  
11. Motion to adjourn.