

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

MINUTES FOR MEETING OF THURSDAY, OCTOBER 27, 2011

The Zoning Board held a meeting on Thursday, October 27, 2011, 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, Michael D'Amico and Jason Gonzalez

Absent: Board Members Rosemary Sciacca, Juan Jimenez and Michele Irimia

Present: Board Attorney Luis Amaro, Jr. Esq.
Board Planner Joseph J. Layton, P.P., AICP
Board Engineer Tom R. Lemanowicz, P.E., P.P., C.M.E.
Board Secretary Maria Varela
3. A motion to approve the Minutes of the meeting September 29, 2011 was made by Chairman Kenneth Blane and Mr. Michael D'Amico seconded. The minutes were approved by the Board.
4. Communications, reports, and administrative matters.
 - a. Board Members are to review the schedule of meetings for 2012.
5. Payment Resolutions
 - a. Metropolitan Court Reporting- A motion to approve was made by Chairman Kenneth Blane and Mr. Michael D'Amico Seconded. Resolution approved.
 - b. Jersey Journal- A motion to approve was made by Chairman Kenneth Blane and Mr. Michael D'Amico seconded. Resolution approved.

- c. Maser Consulting- A motion to approve was made by Chairman Kenneth Blane and Mr. Michael D'Amico seconded. Resolution approved.
- d. Luis Amaro, Jr. Esq.-General and Escrow Billing- A motion to approve was made by Chairman Kenneth Blane and Mr. Michael D'Amico seconded. Resolution approved.

6. Resolutions

- a. Memorializing Resolution in the matter of Application 2011-01 for Rubiel D. Osorio, for property located at 411 61st Street, Block 55, Lot 24. Applicant seeks to legalize one existing basement apartment in an existing apartment building. There are a total of nine approved units within the building, and this unit, if approved, will provide a total of ten units. This is an expansion of a non-conforming use, requiring a use variance, as well as parking variance, and acknowledgement of existing conditions that constitute bulk variances.

Matter approved at September 29, 2011 meeting.

A motion to approve was made by Chairman Kenneth Blane and Mr. Michael D'Amico seconded. Resolution approved.

- b. Memorializing Resolution in matter of New Cingular Wireless, PCS, LLC in Application #2011-10, for property located at 6700 Hillside Road (Storage Mart), Block 167, Lot 2, seeking approval for the placement of 12 new panel antennas for 4G service (three sectors of 4 antennas each) on the roof of the Storage Mart building at the intersection of Hillside Road (Anthony M. DeFino Way) and River Road. In addition to the 4 panel antennas in each sector, 2 RRH units, and one fiber/power distribution box will be placed on each sector. Two GPS devices will be mounted in the center of the roof.

The property is located in the CWD Controlled Waterfront Development District. Wireless telecommunications facilities are not a permitted use. This applicant requires approval of non-conforming use, waivers for site plan approval requirements, and site plan approval.

Matter approved at September 29, 2011 meeting.

A motion to approve was made by Chairman Kenneth Blane and Mr. Michael D'Amico seconded. Resolution approved.

- c. Memorializing Resolution in the matter of Application #2011-05, filed by applicant Sid Rizzoli for a business to be known as Tequila River, property located at 6701 Park Avenue, Block 6, Lot 22. Applicant seeks to renovate and expand a pre-existing non-conforming use with interior renovations including removal of walls. The first floor bar is not permitted in the RM zone. Applicant requires approval of use variance (expansion).

Matter approved at meeting of June 13, 2011.

Vote on resolution postponed until the November 7, 2011 meeting.

7. New Business – Miscellaneous matters.

- a. Request for extension of time for Application #2009-10, Arturo Aguirre Romero, Angela Huestipa, and Fortunato Aguirre for property located at 47A-64th St., Block 20, Lot 12. Resolution of approval was granted on October 22, 2009. Applicant is requesting a one-year extension of time.

Vote on resolution postponed until the November 7, 2011 meeting.

8. Applications

- a. Continued hearing/vote only in the matter of Application #2010-13, for Family Dollar Store, for property located at 5909 Park Avenue, Block 59, Lot 6. Applicant proposes to convert an existing one story commercial building into one retail store. Use, parking, and loading dock variances are requested.

Hearings were held on February 24, 2011 and March 24, 2011. Applicant agreed to carry the matter as of the meeting of April 28, 2011. Matter was carried until applicant received approval or denial from the Board of Commissioners for an on-street loading zone for tractor trailer on Park Avenue. Applicant has received initial approval.

Vote postponed until the November 7, 2011 meeting.

- b. First hearing in the matter of Application 2011-02, filed by Filmore Place Property, LLC, for property located at 6036 Filmore Place, Block 46, Lots 12 and 13. Applicant seeks legalization of an existing basement apartment, which converts this five-unit residential building into a six-unit residential building. Property is located in the RM zone. Applicant requires approval for expansion of pre-existing non-conforming use as well as other variances for existing conditions and parking.

Jurisdictional notice compliance was established at the June 13, 2011 meeting.

Matter has been postponed until the November 7, 2011.

9. Open to public for comments on other matters. No member of the public spoke.
10. Motion to adjourn was made at 6:53 PM and the meeting was adjourned.

Respectfully submitted,

MARIA VARELA
Zoning Board Secretary
Town of West New York

Date approved: January _____, 2012