

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

MINUTES OF THE MEETING HELD ON MONDAY, JUNE 7, 2010

1. Meeting called to order.
2. Pledge of Allegiance.
3. Roll call of the Board Members.

Chairman -	Kenneth Blane
Vice-Chairman -	Darryl Semple
Board Member-	Rosemary Sciacca
Board Member -	Michael D'Amico
Board Member -	Ernesto Munoz
Board Member -	Kenneth Furlong (absent)
Board Member -	Juan Jimenez (absent)
Board Member-	Michele Irimia (absent)
Board Member-	Myra Real
Board Secretary -	Maria Varela
Board Attorney -	Anne Marie Rizzuto, Esq.
Board Planner-	Joseph J. Layton PP, ACIP

4. Reading of notice in compliance with Open Public Meetings Act.
5. Minutes April 22, 2010 – Motion to approve was made by Mr. Ernesto Munoz and Ms. Rosemary Sciacca seconded. Minutes approved.
6. Communications, reports and administrative matters. None.
7. Memorializing Resolutions - Miscellaneous.
 - a. Memorializing Resolution in Application #2008-22 for Filmore Place LLC for property located at for Filmore Place Property LLC, for property located at 6036 Filmore Place, Block 46, Lots 12 and 13. Matter was originally approved in April 2009. Extension of time for two years to April 30, 2011 was approved at Board Meeting of March 25, 2010. Motion to approve was made by Vice-Chairman Darryl Semple & Mr. Ernesto Munoz seconded. Resolution approved.

- b. Matter of Application #2006-6 for Margaret Seitz for property located at 5111 Kennedy Boulevard East. Matter was heard and approved October 26, 2006. The matter was approved for conversion of a ground floor commercial unit into a third residential apartment. No written resolution was ever approved. Applicant has ordered and obtained the transcript of the hearing and requests a Memorizing Resolution.

Board Member Ernesto Munoz was the only member allowed voting on this matter. He is the only existing Board Member since this application was heard. Motion to approve was made by Vice-Chairman Kenneth Blane and Mr. Darryl Semple seconded. Resolution approved.

8. Memorializing Resolutions – Applications.

- a. Memorializing Resolution (final) in matter of Park Terrace LLC for property located at 5701 Park Avenue, Block 64, Lots 16, 17, 19, 20 and 21.

First hearing was held on November 9, 2009. Second hearing held on December 14, 2009. Third hearing was held on January 28, 2010. Fourth hearing was held on March 25, 2010. Matter was closed to testimony at that time. Vote to approve on April 5, 2010. Initial draft Resolution was reviewed and approved at meeting of April 22, 2010. Motion to approve final Resolution was made by Chairman Kenneth Blane and Ms. Myra Real seconded. Resolution approved.

- b. Memorializing Resolution in matter of Application #2009-13 for Ricardo and Lisa Suarez, for property located at 565 67th Street, Block 762, lot 5. Approved addition the existing master bedroom on the first floor. Use variance for expansion of non-conforming and variance for no off-street parking were granted at Meeting of March 25, 2010. Motion to approve was made by Mr. Darryl Semple and Ms. Rosemary Sciacca seconded. Resolution approved.

- c. Memorializing Resolution in Application #2010-01 for Gilberto Camacho, for property located at 604 56th Street, Block 123, Lot 29. Applicant was approved to convert an existing residential use (non-conforming) into office use for both the first and second floors. Use and parking variances were approved at Board Meeting of March 25, 2010. Motion to approve was made by Chairman Kenneth Blane and Mr. Darryl Semple seconded. Resolution approved.

- d. Memorizing Resolution for Application # 2009-17 for 6409 Broadway, LLC, for property located at 6409 Broadway, Block 23, Lot 12. Approved to convert the ground floor existing industrial use (upholstery) to a retail use (barber shop. Applicant reprovved for use variance and a parking variance (no off-street parking) at Board Meeting on March 25, 2010. Motion to approve was made by Chairman Kenneth Blane and Mr. Darryl Semple seconded. Resolution approved.

- e. Memorializing Resolution in matter of Application #2009-16 for Carlos Hernandez for property located at 6300-6302 Bergenline Avenue, Block 3, Lots 116 and 117. Property is located in the C-R Retail and Service District. Approved for non-conforming residential apartments at meeting of April 5, 2010. Use and Parking Variances. Motion to approve was made by Chairman Kenneth Blane and Mr. Ernesto Munoz seconded. Resolution approved.
- f. Alpy - pending.

9. Applications.

- a. First 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 are required.

J. Alvaro Alonso Esq. and Orestes Valella, AIA for the applicant. Mr. Valella explained that the applicant wishes to use the second floor of this existing building as a catering hall. He also described the floor plans and the maximum occupancy load. There will be no cooking on the premises according to the applicant. Color renderings submitted by the Board Planner were marked and passed around to the Board Members.

No vote was taken at this time. Applicant's attorney requested that this matter be adjourned until the July 22, 2010 meeting.

- b. First Hearing in matter of Application # 2010-02 for Royal Printing Services for property located at 435-441 51st Street, Block 104 Lots 11, 12, 13 and 14.

Currently the applicant operates a print shop in a building on Lots 11, 12 and 13. The Application proposes to build a two-story addition to the print shop on adjacent Lot 14 (a vacant paved lot).

The current structure is predominantly two stories in height but there is a section which is three stories in height. The application also includes construction of a car port which at the side lot line between Lot 14 and Lot 16 owned by others. There is an off-site parking lot across the street which accommodates nine (9) vehicles. This Lot must be made part of the application.

Applicant requires a use variance, lot coverage variance, parking variance, and height variance (existing).

J. Alvaro Alonso Esq. and John P. Capazzi, AIA for the applicant. Mr. Capazzi testified as to the project layout, the site plan and the floor plan. He talked about how this addition is just to accommodate additional machinery for production. No additional personnel will be required. The applicant, Mr. Passante, was also asked to come up for testimony. Board Members had questions concerning the employees and the parking.

A motion to approve was made by Chairman Kenneth Blane and Mr. Darryl Semple seconded. Matter approved.

10. Payment Resolutions.

- a. Anne Marie Rizzuto, Esq. – Escrow Billing for Park Terrace LLC. A Motion to approve was made by Chairman Kenneth Blane Mr. Ernesto Munoz seconded. Resolution approved.
- b. Metropolitan Court Reporting - Motion was made by Chairman Kenneth Blane and Mr. Darryl Semple seconded. Resolution approved.

11. Escrow Refund resolutions.

- a. Application of 5719 Jefferson LLC, for property located at 5719 Jefferson Street, Application #896. Resolution authorizing release of balance of escrow funds. Motion to approve was made by Chairman Kenneth Blane and Ms. Rosemary Sciacca seconded. Resolution approved.
- b. Application of 5501-5505 Hudson Ave. LLC, for property located at 5501-05 Hudson Ave., Application #895. Resolution authorizing release of balance of escrow funds. Motion to approve was made by Chairman Kenneth Blane and Ms. Rosemary Sciacca seconded. Resolution approved.
- c. Application of 6031 Broadway LLC, for property located at 6031 Broadway, Application #2006-44. Resolution authorizing release of balance of escrow funds. Motion to approve was made by Chairman Kenneth Blane and Ms. Rosemary Sciacca seconded. Resolution approved.
- d. Application of 6011-21 Polk St. LLC, for property located at 6011-21 Polk St., Application #2006-01. Resolution authorizing release of balance of escrow funds. Motion to approve was made by Chairman Kenneth Blane and Ms. Rosemary Sciacca seconded. Resolution approved.

- e. Application of Mari Mar, for property located at 6100 Monroe Place. Resolution authorizing release of balance of escrow funds. Motion to approve was made by Chairman Kenneth Blane and Ms. Rosemary Sciacca seconded. Resolution approved.
- f. Application of 573-56th St. LLC, for property located at 573-56th Street, Application #2006-45. Resolution authorizing release of balance of Escrow. Motion to approve was made by Chairman Kenneth Blane and Ms. Rosemary Sciacca seconded. Resolution approved.
- h. Application of 316-318-51st St. LLC, for property located at 316-318-51st Street, Application #2006-41. Resolution authorizing release of balance of escrow funds. Motion to approve was made by Chairman Kenneth Blane and Ms. Rosemary Sciacca seconded. Resolution approved.
- i. Application of Wilson Altamirano for property located at 5510 Jackson Street, Application #877. Resolution authorizing release of balance of escrow funds. Motion to approve was made by Chairman Kenneth Blane and Ms. Rosemary Sciacca seconded. Resolution approved.

A motion to adjourn the meeting was made and the meeting was adjourned at 7:40 p.m.

Respectfully submitted,

MARIA VARELA, BOARD SECRETARY
Town of West New York
Zoning Board of Adjustment

Date approved: July 22, 2010