

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

MINUTES FOR MEETING OF THURSDAY, MARCH 24, 2011

The Zoning Board held a meeting on Thursday, March 24, 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 Michael D'Amico, Kenneth Furlong, Michele Irimia, Rosemary Sciacca, and Ernesto Munoz
 - Absent: Vice Chair Darryl Semple and members Juan Jimenez, and Myra Real
 - Present: Board Attorney Anne Marie Rizzuto, Esq.
Board Planner Joseph J. Layton, P.P., AICP
Board Secretary Maria Varela
3. A motion to approve the Minutes of the Meeting of February 24, 2011 was made by Chairman Kenneth Blane and Kenneth Furlong seconded. The minutes were approved by the Board.
4. Resolutions
 - a. Memorializing Resolution in matter of Application #2010-09, for applicant 521 60th Street WNY LLC, for property located at 521 60th 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. A motion to approve was made by Chairman Kenneth Blane and Ms. Rosemary Sciacca seconded. Resolution approved.
 - b. Memorializing Resolution in matter of Application #2010-14 for Miguel Fernandez, Dilenia Fernandez, and Eugenia Peralta, for property located at 122 67th Street, Block 6, Lot 14, West New York. Property is located in the RM zone. Applicant approved for a basement apartment, thereby making a two-family residential building into a three-family. Applicant approved for addition at the rear of the building, for which no permits were obtained. Matter approved at meeting of February 24, 2011. A motion to approve was made by Mr. Kenneth Blane and Mr. Ernesto Munoz seconded. Resolution approved.

- c. Memorializing Resolution in matter of Application #2010-16 for BHD Investment, LLC for property located at 214 58th Street, Block 8, Lot 10, West New York. The property is located in the RM zone. Applicant approved to demolish the existing one-family home and construct a three-family home. Matter approved at meeting of February 24, 2011. Resolution not ready.

- d. Memorializing Resolution in 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 approved for second amendment of the existing approvals.

Approved for 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. There are an additional 37 spaces to be used by the WNY Parking Authority.

Original approval was in 2006. In 2009, the project was amended by application and re-approved for construction of one nine-story multi-family residential. The amendment hearings were heard on February 24, 2011 and March 15, 2011.

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

5. Applications.

- a. Second hearing in Matter of Application #2010-13, for Family Dollar Store, for property located at 5909 Park Avenue, Block 59. Lot 6. Applicant requests a use variance to convert an existing one story commercial building into one retail store. Use and parking variances are requested.

First hearing was held on February 24, 2011, and applicant was directed to file traffic and planner reports.

J. Alvaro Alonso Esq., and William Stimmel P.E., for the applicant. Mr. Stimmel testified as to the traffic impact analysis that he prepared. He described the existing road conditions, the traffic volume for Park Avenue, and the intersection. He also talked about the future traffic volumes and trip generations.

Mr. Stimmel's impression is that this project is favorable to the existing neighborhood, and traffic operations will not be impacted.

The hearing was opened to the public and members of the public came up to express their concerns and had questions for the traffic expert.

The project manager, Roger Morris, also provided testimony regarding the construction and the type of merchandising the store will provide, how the hiring will take place, and the intended hours for delivery of new merchandise.

The matter was opened to the public and members of the public spoke.

All evidence and testimony was presented and the applicant closed the case. No vote was taken at this time.

- b. First hearing in matter of Lexington Equities, LLC, for properties located at 6000-6002 Jefferson Street, Block 144, Lots 1 and 2, Application #2010-15. The property is on the corner of Jefferson Street and 60th Street in the R-M Medium Density Residential District.

Applicant seeks to amend existing approvals from a nine unit residential building to a six unit building. The property received approval in 2007 for a use variance and site plan approval for nine residential units. Variances were granted for density, height, yard setbacks, lot coverage, and number of parking spaces.

The applicant proposes demolition of existing structures and construction of a new building. The current application seeks to continue the approved use and other variance as are necessary for a four-story building with only six units. Applicant proposes three two-bedroom units and three three-bedroom units for a total of six units. There will be eleven (11) on-site parking spaces.

Bianca Periera, Esq. and Manuel Periera, architect for the applicant. Mr. Periera testified as to floor plan, number of rooms, and size of each apartment. He also talked about the variances that they are seeking. Mr. Periera also intends to incorporate some landscaping to the building and he did mention that these will be sold as condominiums.

A motion to approve this matter was made by Chairman Kenneth Blane and Ms. Michele Irimia seconded. Matter approved.

- c. First hearing in the matter of Juan Carlos Ramirez, for property located at 6028 Buchanan Place, Block 43, Lot 6.01, Application #2011-03. The property is located in the RM zone. Applicant seeks to convert the second-floor office space into one residential unit containing three bedrooms. The first floor contains a warehouse, which is a non-conforming use in the zone.

Applicant requires a use variance for continuation of the non-conforming warehouse use. Applicant requires a variance for lack of on-site parking. The building footprint is not being changed by this application. Existing non-conformities include lot width, lot coverage, and side, front, and rear yard setbacks.

Bianca Periera, Esq. and Manuel Periera, architect for the applicant. Mr. Periera testified as to the floor plans describing the layout of the apartment. He also stated that the owner of the property will use the first floor as an office. Mr. Periera talked about the variances being sought and that the building will remain consistent with the characteristics of the neighborhood.

Mr. Ramirez was also asked to come up and testify as to the intent of the first floor office space. He stated that the office will solely be occupied for his personal use.

A motion to approve this matter was made by Chairman Kenneth Blane and Mr. Ernesto Munoz seconded. Matter approved.

6. Payment Resolutions
 - a. Metropolitan Court Reporting- A motion to approve was made by Chairman Kenneth Blane and Ms. Rosemary Sciacca seconded.
 - b. Maser Consulting - A motion to approve was made by Chairman Kenneth Blane and Mr. Kenneth Furlong seconded.
 - c. Jersey Journal - A motion to approve was made by Chairman Kenneth Blane and Ms. Michele Irimia seconded.
7. Open to public for comments on other matters. No member of the public spoke.
8. Motion to adjourn was made at 10:05 PM and the meeting was adjourned.

Respectfully submitted,

**MARIA VARELA
Zoning Board Secretary
Town of West New York**

Date approved: April _____, 2011