

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

MINUTES OF THE MEETING HELD ON THURSDAY, JULY 22, 2010

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

Chairman -	Kenneth Blane
Vice-Chairman -	Darryl Semple (Absent)
Board Member-	Rosemary Sciacca
Board Member -	Michael D'Amico (Absent)
Board Member -	Ernesto Munoz
Board Member -	Kenneth Furlong
Board Member -	Juan Jimenez (Absent)
Board Member-	Michele Irimia
Board Member-	Myra Real (Absent)
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 for meeting of June 7, 2010. Motion to approved amended minutes was made by Chairman Kenneth Blane and Mr. Ernesto Munoz seconded. Minutes approved as amended.
6. Communications, reports and administrative matters. None.
7. Memorializing Resolutions – Applications.
 - a. Memorializing Resolution 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. Matter was approved at the meeting of June 7, 2010. Motion to approve the Memorializing Resolution was made by Chairman Kenneth Blane and Ms. Rosemary Sciacca seconded. Resolution approved.

8. New Business – Miscellaneous.

- a. First Hearing 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.

Tim Hott, Esq. represented the applicant. Mr. Ken Lustbader, Principal of the applicant, testified about the proposed sign over the new facade of Fabco shoes. Exhibits of color renderings and photographs were marked and passed around to Board Members, showing the surrounding commercial signs. A motion was made to approve by Chairman Kenneth Blane and Ms. Michele Irimia seconded. Matter approved.

- b. Matter of Application ##2009-18 for Marisabel Morales for property located at 519-521 54th Street, Block 109 Lot 11. Matter was initially heard at meeting of June 7, 2010. Matter adjourned until the August 26, 2010 Meeting.

- c. First hearing in the 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 first floor apartment. Applicant seeks site plan approval and requires variances for use, density, parking, and setbacks. Property is located in the R-M zone.

J. Alvaro Alonso, Esq. and Mr. Alberto Arencibia, architect for the applicant. Mr. Arencibia described the floor plan and the relocation of the kitchen and other items to provide for more square footage for the first floor apartment, and for an egress window in the bedroom area, and also a relocation of a door near the service area.

A motion to approve was made by Ms. Rosemary Sciacca and Mr. Ernesto Munoz seconded. Matter approved.

- d. First hearing 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.

Luis Diaz, Esq. and Mr. Orestes Valella, AIA for the applicant. Mr. Valella testified as to the plans proposing the demolition of the existing structure, then new construction of a three-family home. He described the floor plan depicting the layout of the three apartments. Ground floor consists solely of the garage space. Marked exhibits were passed around to Board Members. Mr. Valella also described the characteristics of the surrounding neighborhood. Revisions will be made to plans as requested by the Board.

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

- e. First 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.

Michael Fink, Esq. and Mr. Alberto Arencibia AIA, for the applicant. Mr. Arencibia testified as to the changes being made to the previous approvals. Mr. Arencibia provided the Board with a power-point presentation and later a hard copy marked A1 consisting of thirty-four pages was passed around to the Board Members.

In his presentation, Mr. Arencibia described all the proposed buildings that have been already approved. He described the new structure that is intended. He explained the floor plan, the parking, and the landscaping. He also testified that this is an energy efficient building.

The hearing was opened for public commentary. There were various members who came up to speak and express their interests and concerns.

The matter was continued to the August 26, 2010 Meeting.

8. Payment Resolutions.
 - a. Anne Marie Rizzuto, Esq. – Escrow Billing #1. Motion to approve was made by Ms. Michele Irimia and Mr. Kenneth Furlong seconded.
 - b. Anne Marie Rizzuto, Esq. – Escrow Billing #2. Motion to approve was made by Ms. Michele Irimia and Mr. Kenneth Furlong seconded.
 - c. Anne Marie Rizzuto, Esq. – Escrow Billing #3. Motion to approve was made by Ms. Michele Irimia and Mr. Kenneth Furlong seconded.
 - d. McManimon & Scotland- Escrow Billing. Motion was made by Mr. Kenneth Blane and Mr. Ernesto Munoz seconded.
 - e. Jersey Journal three payment resolutions. Chairman Kenneth Blane and Mr. Kenneth Furlong seconded.
 - f. Metropolitan Court Reporters- Chairman Kenneth Blane and Mr. Kenneth Furlong seconded.
 - g. Maser Consulting-Motion to approve was made by Rosemary Sciacca and Mr. Kenneth Furlong.

9. Escrow Refund resolutions.
 - a. Application #2006-24, Nicholas Silao for property located at 538-540-62nd Street. Motion to approve was made by Chairman Kenneth Blane and Mr. Kenneth Furlong seconded.
 - b. Application #2008-12, Rolando Batres for property located at 551-55th Street. Motion to approve was made by Chairman Kenneth Blane and Mr. Kenneth Furlong seconded.

A motion to adjourn the meeting was made and the meeting was adjourned at 10:02 p.m.

Respectfully submitted,

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

Date approved: August 26, 2010