

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

MINUTES FOR MEETING OF THURSDAY, JANUARY 24, 2013

The Zoning Board held a meeting on Thursday, January 24, 2013, 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 Julio Garcia, Ramon Morejon, Jesus Alvarado, David Rivera, Melissa Rodriguez, Nelly Vasquez, Armando Alvarez, and Richard Rivera

Absent: None

Present: Board Attorney Jennifer M. Carrillo-Perez, Esq.
Board Planner Sanyogita Chavan, P.P., AICP
Board Secretary Maria Varela

3. Minutes for approval: Minutes October 25, 2012- A motion to approve was made by Chairman Kenneth Blane and Board Member Armando Alvarez seconded. Motion approved.

Minutes of November 20, 2012- A motion to approve was made by Chairman Kenneth Blane and Board Member Armando Alvarez seconded. Motion approved.

Minutes of December 3, 2012- Deferred until the February 28, 2013 meeting.

4. Communications, reports, and administrative matters. None.

5. Payment Resolutions:

a. Metropolitan Court Reporters- A motion to approve payment in the amount of \$360 relating to one (1) application was made by Chairman Kenneth Blane and Board Member David Rivera seconded. Motion approved.

- b. Metropolitan Court Reporting - A motion to approve payment in the amount of \$435 relating to two (2) applications was made by Chairman Kenneth Blane and Board Member Ramon Morejon seconded. Motion approved.
 - c. Board Attorney General Billing- A motion to approve payment was made by Chairman Kenneth Blane and Board Member Armando Alvarez seconded. Motion approved.
 - d. Board Attorney Escrow Billing- A motion to approve payment was made by Chairman Kenneth Blane and Board Member David Rivera seconded. Motion approved.
 - e. Board Engineer- A motion to approve payment was made by Chairman Kenneth Blane and Board Member David Rivera seconded. Motion approved.
 - f. Board Planner (Maser) - A motion to approve payment was made by Chairman Kenneth Blane and Board Member David Rivera seconded. Motion approved.
 - g. Board Planner (Birdsall) - A motion to approve payment was made by Chairman Kenneth Blane and Board Member David Rivera seconded. Motion approved.
6. Escrow Refund:
- a. New Cingular Wireless, application #2011-06 for property located at 6600 Blvd. East St. Block, 38, Lot 11. Refund amount \$1,517.65. A motion to approve refund was made by Chairman Kenneth Blane and Board Member Armando Alvarez seconded. Motion approved.
 - b. New Cingular Wireless, application #2011-08 for property located at 6000-02 Hudson Ave. Block, 47, Lot 4. Refund amount \$1,556.91. A motion to approve refund was made by Chairman Kenneth Blane and Board Member Armando Alvarez seconded. Motion approved.

- c. New Cingular Wireless, application #2011-09 for property located at 6600 Broadway. Block 8, Lot 1. Refund amount \$1,595.15. A motion to approve refund was made by Chairman Kenneth Blane and Board Member Armando Alvarez seconded. Motion approved.
- d. New Cingular Wireless, application #2011-07 for property located at 5106 Kennedy Blvd. Block, 108 Lots 1 & 2. Refund amount \$1,401.91. A motion to approve refund was made by Chairman Kenneth Blane and Board Member Armando Alvarez seconded. Motion approved.

7. Resolutions: None.

- a. Memorializing resolution in the matter of application # 2012-16 filed by Silvio Acosta for property located at 6608 Lincoln Place, Block 3 and Lot 4. Applicant proposes to legalize five illegal units at this location.

Matter approved on December 3, 2012.

A motion to approve resolution was made by Chairman Kenneth Blane and Board Member Jesus Alvarado seconded. Motion approved.

- b. Memorializing resolution in the matter of application #2012-08 filed by Marian Rys, for property located at 560-562-67th St., Block 165 and Lot 7. Applicant moved to amend the application reducing the number of residential units to five (5) consisting of three (3) 3-bedroom units and two (2) 1-bedroom units. The Applicant also agreed to redesign the garage and parking area to allow for three (3) tandem parking spaces for the respective 3-bedroom units and two (2) individual off-street spaces for each respective 1-bedroom unit.

Matter approved on December 3, 2012.

A motion to approve resolution was made by Chairman Kenneth Blane and Board Member David Rivera seconded. Motion approved.

8. New Business – Miscellaneous matters:
 - a. Request for an extension of time in the of Application #2009-10 filed by Romero, Huestipa and Aguirre for property located at 47A 64th Street, Block 20, Lot 12. Applicant is requesting an additional extension of time for one year for approval of conversion of a two-family dwelling into a three-family dwelling. Matter was originally approved by vote on 10-22-2009 and resolution on 11-9-2009. Previous extension was granted on October 28, 2010.

Joseph Rychlicki, Attorney for the applicant requested an extension of time until December 31, 2014. A motion to approve was made by Chairman Kenneth Blane and Vice-Chair Julio Garcia seconded. Motion approved.

9. Unfinished Business - Continued matters
 - a. Summations and Vote in the matter of Application #2012-03 filed by Merida Le Boulevard, LLC, for property located at 6609-15 Blvd. East and 9-67th Street. Block 2, Lots 9 and 10. Applicant proposes to construct a new 123 unit high-rise multi-family dwelling with 107 off street parking spaces.

First hearing held on February 23, 2012, continued hearings held on March 31, 2012, June 4, 2012, July 26, September 17, 2012, and November 20, 2012.

Jeffery Kantowitz, Attorney to the Board of Directors and for one shareholder for the Versailles Apartments. Mr. Kantowitz provided the Board with his comments on his summation.

J. Alvaro Alonso, Esq. attorney to the applicant provided the Board with his comments on his summation.

Members of the Board who did not attend hearings were asked to certify that they had read the transcripts for meetings that were missed. The Chairman of the Board recited some notes that he had written on his views regarding the Meridia Le Boulevard project. He later asked Board Members if they would like to comment or address any issues before taking a formal vote. No Members of the Board spoke.

A motion to approve this matter was made by Vice-Chairman Julio Garcia and Board Member Armando Alvarez seconded. Motion approved.

10. Applications:

- a. First hearing in the matter of application # 2012-15 filed by Joseph DeSalvo, for property located at 10-66th St., Block 2 and Lot 13. Applicant proposes to create a studio apartment within the first floor of the building.

David Carmel, Attorney and Orestes Valella, architect for the applicant. Mr. Valella talked about how the applicant is seeking approval to construct a studio apartment to an existing five-family house, for a total of six residential units. Mr. Valella described the existing building, and the floor plan of the basement apartment which the applicant is proposing.

Gregory Polyniak, Professional Planner for the applicant testified about the variances. He also indicated that the property is in an evolving neighborhood area, and felt that there would be no major impacts to the surrounding area,

- b. First hearing in the matter of application #2012-17 filed by BHD Investments, LLC for property located at 418-420-63rd St., Block 33 and Lot 35. Applicant proposes to subdivide and construct (3) three new homes on each lot.

J. Alvaro Alonso attorney and Marta Rodriguez architect for the applicant. Ms. Rodriguez spoke about the previous use that was at this location, and the proposed subject site. She also talked about the floor plan, and the variances that are being sought, and the complete layout of the proposed homes.

This matter was approved by Board Member David Rivera and Chairman Kenneth Blane seconded. Motion passed.

- c. First hearing in the matter of application #2012-18 filed by 6030 Monroe Place, LLC for property located at 6030-32 Monroe Place, Block 53 and Lot 11. Applicant proposes to develop a (10) ten unit apartment building.

George Campen attorney and Marta Rodriguez architect for the applicant. Ms. Rodriguez talked about the floor plan, and the variances that are being sought, and the complete layout of the proposed project. She also discussed the parking spaces located in the garage of the anticipated building. In addition, she discussed the number of parking spaces including the length and the width.

Joseph J. Staiger, traffic engineer for the applicant. Mr. Staiger testified as to the traffic report that he prepared. He talked about the existing traffic conditions in the surrounding area. He also discussed the traffic flow of the ingress and egress expected from the garage. Mr. Staiger felt that according to his study there will be no major impact to the surrounding neighborhood.

Carl Jenne, professional engineer for applicant. Mr. Jenne testified as to the drainage analysis of the proposed building. He discussed the elevation, and the storm water ingress and egress of the building.

David Carlebach, professional planner for the applicant. Mr. Carlebach talked about the surrounding neighborhood. He explained the reasons why he felt that this residential building was a valuable asset to the neighborhood.

This matter was approved by Chairman Kenneth Blane and Board Member Armando Alvarez seconded. Motion passed.

10. Open to public for comments on other matters. No member of the public spoke.
11. Motion to adjourn was made at 10:39 PM and the meeting was adjourned.

Respectfully submitted,

MARIA VARELA
Zoning Board Secretary
Town of West New York
Date approved: March _____, 2013