

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

**MINUTES FOR MEETING OF MONDAY, AUGUST 4, 2014**

The Zoning Board held a meeting on Monday, August 4, 2014, 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, Members, Jesus Alvarado, John Rodas, William Garcia, Rose Puerto, Alberto Chapin, and Ramon Morejon

Absent: Evelina Valdez and Teresa Cruz

Present: Board Attorney Kevin G. Boris, Esq.  
Board Engineer Darren Mazzei, P.E  
Board Planner Joseph J. Layton, P.P., AICP  
Board Secretary Maria Varela

3. Minutes for approval: None

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

5. Payment Resolutions:

a. Metropolitan Court Reporters-A motion to approve payment resolution was made by Chairman Kenneth Blane and Board Member Rose Puerto seconded. Resolution approved.

Metropolitan Court Reporters-A motion to approve payment resolution was made by Chairman Kenneth Blane and Board Member Rose Puerto seconded. Resolution approved.

Metropolitan Court Reporters-A motion to approve payment resolution was made by Chairman Kenneth Blane and Board Member Ramon Morejon seconded. Resolution approved.

- b. CME Associates- A motion to approve payment resolution was made by Chairman Kenneth Blane and Board Member Ramon Morejon seconded. Resolution approved.
- c. Board Attorney (General billing)- A motion to approve payment resolution was made by Chairman Kenneth Blane and Board Member Rose Puerto seconded. Resolution approved.
- d. Board Attorney (Escrow billing)- A motion to approve payment resolution was made by Chairman Kenneth Blane and Board Member Alberto Chapin seconded. Resolution approved.

6. Escrow Refund:

- a. Escrow refund in the matter of Application #2013-13 filed by Ramon and Lourdes Reyes for property located at 300-67<sup>th</sup> Street. Escrow refund in the amount of \$193.75.

A motion to approve payment resolution was made by Chairman Kenneth Blane and Board Member Rose Puerto seconded. Resolution approved. Resolution approved.

- b. Escrow refund in the matter of Application #2010-03 filed by Alonso & Navarrete for property located at 5909 Park Avenue. Escrow refund in the amount of \$1129.41.

A motion to approve payment resolution was made by Chairman Kenneth Blane and Board Member Alberto Chapin seconded. Resolution approved.

7. Resolutions:

- a. Memorializing resolution in the matter of Application # 2014-01 filed by 6404 Park Ave., LLC, for property located at 6404 Park Ave., Block 19 and Lot 2. Applicant proposes to convert building from (23) twenty-three units with (3) three commercial spaces to (27) twenty-seven units.

Matter was denied at the March 27, 2014 meeting.

A motion to approve memorializing resolution was made by Chairman Kenneth Blane and Board Member Alberto Chapin seconded.

8. New Business – Miscellaneous matters: None
9. Miscellaneous matters.
  - a. Application #2013-14 filed by SMLI Development, LLC for property 6122-26 Hudson Avenue. Block 42 and Lots 11 & 12. Applicant seeks to amend approval granted by Zoning Board to eliminate the condition that the applicant obtain a loading zone from the West New York Board of Commissioners.

A motion to approve was made by Chairman Kenneth Blane and Board Member Ramon Morejon seconded.

- b. Application #2014-07 filed by Miralto, LLC for property 83-85 67<sup>th</sup> Street. Block 4 and Lots 1 & 2. Applicant proposes a new thirteen (13) story, 214 multi-family building with commercial and office space and 332 off-street parking spaces. The Board will consider the effect of the West New York Parking Authority's Resolution 014-032 dated June 13, 2014, terminating the contract for sale of real estate between the West New York Parking Authority and Miralto, LLC.

Matter was withdrawn by applicant.

10. Unfinished Business – Continued matter.
  - a. Continuation of hearing in the matter of Application # 2013-30 filed by Silvio Acosta for property located at 312-64<sup>th</sup> St., Block 30 and Lot 20. The applicant is proposing to convert an existing two-family into a three-family home.

Bianca Pereiras, Esq. and David Karelbach, Professional Planner appeared on behalf of the applicant, Silvio Acosta. Mr. David Karlebach, Professional Planner for the applicant testified as to his report, Mr. Karleback provided the Board Members with an exhibit marked A-1 for the record. He described the surrounding area; he discussed the units, the variances, and the positive criteria.

- b. Continuation of hearing in the matter of Application # 2014-06 filed by Em THY DO for property located at 6226 Bergenline Ave., Block 5.02 and Lot 34. Applicant proposes to legalize the back rear apartment.

Marlene Caride, Esq. and Lisa Phillips, Professional Planner appeared on behalf of the applicant, EM THY DO. Ms. Phillips, Professional Planner for the applicant

testified as to her report, Mr. Phillips talked about the surrounding neighborhood; she discussed the existing property, and discussed the variances that are being sought.

A motion to approve this matter was made by Chairman Kenneth Blane and Board Member Ramon Morejon seconded. Matter approved.

11. Applications:

- a. First hearing in the matter of Application # 2014-09 filed by 5818 Jefferson Street Realty, LLC for property located at 5818 Jefferson St. Block 129 and Lot 2 and 2.01. The applicant proposes to expand an existing Day Care and Learning Center onto lot 2.01 by constructing over the existing parking lot.

Jurisdictional notice compliance was established at the May 22, 2014 meeting

J. Alvaro Alonzo, Esq. and Alberto Arencibia, Professional Architect appeared on behalf of the applicant. Mr. Arencibia testified as to the plans prepared by him. He described the existing property and the proposed new entrance to the Day Care. He described the facade of the building and the proposed expansion.

Mr. Humberto Herrera, owner of the business came up to testified as to the hours of operation, the capacity of the daycare, and number of employees.

Joseph Stagier, Professional Traffic Expert appeared on behalf of the applicant. Mr., Stagier testified as to his report, He talked about the traffic counts performed in the surrounding neighborhood; he discussed the pick-up and drop-off of the existing Day Care. He also discussed the parking.

John McDonough, Professional Planner appeared on behalf of the applicant,. Mr. McDonough testified as to his report. He talked about the surrounding neighborhood, the positive criteria, and the variances that are being sought.

A motion to approve this matter was made by Chairman Kenneth Blane and Board Member Alberto Chapin seconded. Matter approved.

- b. First hearing in the matter of Application # 2014-04 and Application # 2014-05 filed by Gaetano Graziano Development, LLC for property located at 6012 Polk

St., Block 137 and Lot 4 and Lot 5. The applicant proposes to remove existing structures and subdivide the lot into two (2) lots and construct a three (3) family dwelling on each lot.

Matter was carried to the September 25<sup>th</sup>, 2014 regular meeting.

- c. First hearing in the matter of Application #2014-10 filed by Lexington Equities, LLC, for property located at 6000-02 Jefferson St. Block 144 and Lot 1 and 2. The applicant seeks site plan approval to construct a twelve unit apartment building.

Jurisdictional notice compliance was established at the May 22, 2014 meeting

Matter was carried to the October 23<sup>rd</sup>, 2014 regular meeting.

- d. First hearing in the matter of Application # 2013-31 filed by YYY Enterprises, LLC for property located at 6111 Palisade Ave., Block 50 and Lot 24. Applicant proposes to convert an existing warehouse into a (12) twelve unit apartment building.

Jurisdictional notice compliance was established at the May 22, 2014 meeting

Matter was carried to the September 25<sup>th</sup>, 2014 regular meeting.

- e. First hearing in the matter of Application # 2014-08 filed by NASA Realty, LLC for property located at 6314-6316 Jefferson Street and 6400 Jefferson Street. Block 12, 13, 14 and Lot 158. Applicant proposes to construct a new 18 unit multi-family building with 18 off street parking spaces.

Jurisdictional notice compliance was established at the May 22, 2014 meeting

Matter was carried to the September 25<sup>th</sup>, 2014 regular meeting.

- f. First hearing in the matter of Application # 2014-11 filed by 56<sup>th</sup> Street, LLC for property located at 561-563-56<sup>th</sup> Street. Block 117 and Lots 4, 5. Applicant proposes to construct a new 20 unit multi-family building with off street parking spaces.

Matter was carried to a Special Meeting scheduled for September 22, 2014.

- g. First hearing in the matter of Application # 2014-12 filed by 56<sup>th</sup> Street Inc. for property located at 575-57<sup>th</sup> St. and 576-78-56<sup>th</sup> St. Block 120 and Lot and 60.

Applicant proposes to construct a (20) unit multi-family residential building with (22) twenty-two parking spaces.

Matter was carried to the September 25<sup>th</sup>, 2014 regular meeting.

- h. First hearing in the matter of Application # 2014-07 filed by Meridia Le Boulevard, LLC for property located at 6609-15 Kennedy Boulevard East and 9-67<sup>th</sup> St. Block 2 and Lot 9 & 10. Applicant proposes to construct a new one-hundred and twenty three (123) unit high-rise multi-family residential building with One-hundred and seven (107) parking spaces.

Matter was carried to a Special Meeting scheduled for September 18<sup>th</sup>, 2014 and September 22<sup>nd</sup>, 2014.

- 12. Open to public for comments on other matters
- 13. Motion to adjourn
- 11. Open to public for comments on other matters. No member of the public spoke.
- 12. Motion to adjourn was made at 10:08 PM and the meeting was adjourned.

**Respectfully submitted,**

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**MARIA VARELA**  
**Zoning Board Secretary**  
**Town of West New York**  
**Date approved: December \_\_\_\_\_, 2014**