

MAYOR  
 ALBIO SIRES | PUBLIC SAFETY  
 COMMISSIONER  
 MARIELKA A. DIAZ | PUBLIC AFFAIRS

**TOWN OF WEST NEW YORK**  
 COUNTY OF HUDSON, NEW JERSEY



**DEPARTMENT OF PUBLIC AFFAIRS**  
**ZONING BOARD OF ADJUSTMENT**  
 428-60<sup>th</sup> STREET  
 WEST NEW YORK, NEW JERSEY 07093  
 (201).295.5009

RICKY SOLARES | CHAIRMAN  
 KATHARINE CHAO | 1<sup>ST</sup> VICE-CHAIRWOMAN  
 JEFFREY COURTNEY | 2<sup>ND</sup> VICE-CHAIRMAN  
 MICHAEL CALDERARA | BOARD MEMBER  
 EDUARDO ALVAREZ-DE LA PAZ | BOARD MEMBER  
 JAVIER SALGADO | BOARD MEMBER  
 RONALD THEOBALD | BOARD MEMBER  
 JUNIOR FERNANDEZ | ALT. BOARD MEMBER  
 XAVIER MURILLO | ALT. BOARD MEMBER

BOARD SECRETARY  
 JOSEPH E. ROQUE  
 BOARD ATTORNEY  
 JOSEPH R. MARINIELLO, ESQ.  
 BOARD ENGINEER  
 BERNARD MIRANDI, P.E., C.M.E.  
 BOARD PLANNER  
 DAVID SPATZ, P.P., AICP

**MINUTES FOR REGULAR MEETING THURSDAY FEBRUARY 19, 2026**

The Zoning Board of Adjustment has scheduled a regular meeting on **February 19, 2026**, at **6:30 P.M.** via Teleconference. Call-In Number – **(929) 205-6099** Meeting ID: **840 6989 8918** Password: **42860**

1. **Meeting called to order by Chairman Solares. Time: 6:30 P.M.**
2. **Pledge of Allegiance:**
3. **Reading of notice in compliance with Open Public Meetings Act:**

The Chairman read the Open Public Meeting Notice into the record: This is the regular meeting of **February 19, 2026**, of the Zoning Board of Adjustment of the Town of West New York. Adequate notice of this meeting was provided pursuant to the Open Public Meetings Act, by at least 48 hours prior to this meeting, giving the time, date, location and, to the extent known, the agenda further indicating that formal action may be taken and this notice was (1) prominently posted in at least one public place reserved for such or similar announcements; (2) mailed, telephoned or telecopied to at least two newspapers, which newspapers have been designated by the Governing Body of the Town of West New York to receive such notices, one of which is the official newspaper of the Town; and (3) filed with the Clerk of the Town. Electronic notice of any Zoning Board agenda is available by contacting the Zoning Board of Adjustment Secretary or the Town Clerk.

4. **Roll Call:**

	PRESENT	ABSENT
Chairman Solares	✓	
1 <sup>st</sup> Vice-Chair Chao	✓	
2 <sup>nd</sup> Vice-Chair Courtney	✓	
Member Calderara		✓
Member Alvarez-De La Paz		✓
Member Salgado	✓	
Member Theobald	✓	
Alt. Member Fernandez	✓	
Alt. Member Murillo		✓

**February 19, 2026**  
**Zoning Board of Adjustment Regular Meeting**

**5. Communications, Reports, and Administrative Matters:**

**6. Minutes of Previous Meetings:** Motion to vote on **APPROVING** the *February 5, 2026* Minutes

Ricky Solares (RS)	Katherine Chao (KC)	Jeff Courtney (JC)	Michael Calderara (MC)	Eduardo Alvarez-De La Paz (ED)	Javier Salgado (JS)	Ronald Theobald (RT)	Junior Fernandez (JF)	Xavier Murillo (XM)
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<b>Motion:</b>	<b>RS</b>	<b>KC</b>	<b>JC</b>	<b>MC</b>	<b>EA</b>	<b>JS</b>	<b>RT</b>	<b>JF</b>	<b>XM</b>
<b>Second:</b>	<b>RS</b>	<b>KC</b>	<b>JC</b>	<b>MC</b>	<b>EA</b>	<b>JS</b>	<b>RT</b>	<b>JF</b>	<b>XM</b>

MEMBER	APPROVE	DENY	ABSTAIN	ABSENT
Chairman Solares	✓			
1 <sup>st</sup> Vice-Chair Chao	✓			
2 <sup>nd</sup> Vice-Chair Courtney	✓			
Member Calderara				✓
Member Alvarez-De La Paz				✓
Member Salgado	✓			
Member Theobald	✓			
Alt. Member Fernandez	✓			
Alt. Member Murillo				✓

**7. Payment Resolutions: None**

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**8. Memorializing Resolutions:**

- a. RE: Zoning Board Docket #ZB 2021-08; filed November 10, 2021**  
*Jain Samaj of USA, Inc. – 530-540 52<sup>nd</sup> Street (Block: 109 Lot(s): 23 & 24)*

Motion to **APPROVE** / DENY Memorializing Resolution

Ricky Solares (RS)	Katherine Chao (KC)	Jeff Courtney (JC)	Michael Calderara (MC)	Eduardo Alvarez-De La Paz (ED)	Javier Salgado (JS)	Ronald Theobald (RT)	Junior Fernandez (JF)	Xavier Murillo (XM)
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<b>Motion:</b>	<b>RS</b>	<b>KC</b>	<b>JC</b>	<b>MC</b>	<b>EA</b>	<b>JS</b>	<b>RT</b>	<b>JF</b>	<b>XM</b>
<b>Second:</b>	<b>RS</b>	<b>KC</b>	<b>JC</b>	<b>MC</b>	<b>EA</b>	<b>JS</b>	<b>RT</b>	<b>JF</b>	<b>XM</b>

MEMBER	APPROVE	DENY	ABSTAIN	ABSENT
Chairman Solares	✓			
1 <sup>st</sup> Vice-Chair Chao	✓			
2 <sup>nd</sup> Vice-Chair Courtney	✓			
Member Calderara				✓
Member Alvarez-De La Paz				✓
Member Salgado	✓			
Member Theobald	✓			
Alt. Member Fernandez	✓			
Alt. Member Murillo				✓

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**9. Acceptance/Completeness:**

- a. Zoning Board Docket #ZB 2026-01; filed February 2, 2026:  
*5220 Bergenline Ave, LLC Site Plan – 5220 Bergenline Avenue (Block: 96 Lot: 8)***

**The applicant is represented by J. Alvaro Alonso, Esq.**

The applicant proposes to construct a new three-story, mixed-use building, on the above noted vacant lot. The building will have commercial space on the ground floor, 2 one-bedroom duplex units on the second and third floors. The property is located on the eastern side of Bergenline Avenue between 52nd and 53rd Streets, in the Town of West New York’s C-R, Retail & Service Commercial Zone. Prior comments are struck through and new comments are bold.

Motion to deem application **COMPLETE** / INCOMPLETE

Ricky Solares (RS)	Katherine Chao (KC)	Jeff Courtney (JC)	Michael Calderara (MC)	Eduardo Alvarez-De La Paz (ED)	Javier Salgado (JS)	Ronald Theobald (RT)	Junior Fernandez (JF)	Xavier Murillo (XM)
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<b>Motion:</b>	<b>RS</b>	<b>KC</b>	<b>JC</b>	<b>MC</b>	<b>EA</b>	<b>JS</b>	<b>RT</b>	<b>JF</b>	<b>XM</b>
<b>Second:</b>	<b>RS</b>	<b>KC</b>	<b>JC</b>	<b>MC</b>	<b>EA</b>	<b>JS</b>	<b>RT</b>	<b>JF</b>	<b>XM</b>

MEMBER	APPROVE	DENY	ABSTAIN	ABSENT
Chairman Solares	✓			
1 <sup>st</sup> Vice-Chair Chao	✓			
2 <sup>nd</sup> Vice-Chair Courtney	✓			
Member Calderara				✓
Member Alvarez-De La Paz				✓
Member Salgado	✓			
Member Theobald	✓			
Alt. Member Fernandez	✓			
Alt. Member Murillo				✓

**Note: The Completeness Review was conducted by Board Planner David Spatz, PP, AICP. Pursuant to the recommendation of our Planner this application requires submission of an Engineering Site Plan which shall be submitted no later than ten (10) days prior to the scheduled hearing date of March 19, 2026. (Public Notices Required)**

**10. Old Business – Applications: None**

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**Note:** Board Counsel, advised the Chair that recent legislative changes have modified public notice requirements for meetings. He noted that, although publication practices have evolved and traditional newspapers may no longer publish notices in the same manner, electronic notice requirements will continue to apply. He further stated that new rules may require publication on designated websites meeting specified circulation or distribution standards. Board Counsel also informed the Board that he would be excusing himself from the remainder of the meeting due to a prior commitment. He advised that his partner, Kurt Hartman, Esq., would remain in attendance and represent the Board for the balance of the evening.

**11. New Business:**

- a. **Zoning Board Docket #ZB 2025-12; filed May 7, 2025:**  
*Gerardo & Filomena Zaino site plan -- 6321 Bergenline Avenue (Block: 151 Lot: 14)*

**The applicant is represented by Adolfo Lopez, Esq.**

The applicants propose to convert a second-floor office in an existing mixed use building to a two-bedroom unit; there will also be two home offices in the unit. The property is located on the southwestern corner of Bergenline Avenue and 64th Street, in the Town of West New York's C-R, Retail & Service Commercial Zone. **The Board had set the first hearing on this application for September 4, 2025. At the September 4, 2026 Regular Meeting, a motion to deny Application ZB 2025-12 was made by First Vice-Chair Chao and seconded by Chairman Solares. On December 9, 2025, correspondence was received from the applicant's attorney requesting reconsideration of the application. At the 1/8/2026 Regular Meeting a motion was made by Chairman Solares seconded by Member Theobald to approve the reconsideration. The hearing has been scheduled for today 2/19/2026. (Public Notices are Required)**

1. **Adolfo Lopez, Esq. – 6120 Bergenline Avenue, West New York, NJ:**

Mr. Adolfo Lopez, Esq., appearing on behalf of the applicant, addressed the Board regarding a prior denial issued at the September 4, 2025 meeting. Counsel confirmed that the denial was primarily based on parking compliance. He stated that the ordinance requires 3.5 parking spaces and that the property currently provides three functional, usable parking spaces at the rear of the property with direct street access. He referenced prior testimony indicating that the spaces are generally unoccupied and noted that the property owner resides in one of the units and does not own a vehicle. Counsel stated that the application seeks reconsideration based on the near compliance with the parking requirement and additional considerations related to the use of the second floor. He explained that the second-floor space had previously been utilized as a dental office, with that use terminating approximately ten years ago. Since that time, the space has remained vacant. Counsel represented that, absent approval of the proposed residential unit on the second floor, the space would likely remain unusable, as it is not viable for continued commercial use under the current physical configuration of the building. He indicated that, given the limited scope of the reconsideration request and prior testimony already in the record, he would present additional detail through Mr. Izquierdo and requested that he be sworn in.

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**2. Jose Izquierdo – JAI Architect, LLC:**

Mr. Izquierdo was sworn and testified on behalf of the applicant. He confirmed that the second floor was previously used as a medical office and has been vacant for approximately ten years. He explained that due to the building’s age and configuration, it is technically infeasible to provide ADA-compliant access to the second floor, making continued commercial use impractical. As the prior residential use was abandoned when converted to a conforming commercial use, a D (1) use variance is required to restore the second floor to residential use. Mr. Izquierdo testified that the applicant seeks approval to reinstate the historic residential use of the second floor, with the owner’s granddaughter intended to occupy the unit. Regarding parking, he confirmed that three full-sized rear parking spaces exist, accessible from the street. While the ordinance requires 3.5 spaces for the proposed residential configuration, the property provides three spaces, resulting in a 0.5-space deficiency. He noted that no parking is required for the ground-floor commercial use in the CR Zone. He also stated that the applicant would agree to remove the sliding gate enclosing the parking area if requested by the Board.

Motion to **APPROVE** DENY

**ZB 2025-12**

Ricky Solares (RS)	Katherine Chao (KC)	Jeff Courtney (JC)	Michael Calderara (MC)	Eduardo Alvarez-De La Paz (ED)	Javier Salgado (JS)	Ronald Theobald (RT)	Junior Fernandez (JF)	Xavier Murillo (XM)
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<b>Motion:</b>	<b>RS</b>	<b>KC</b>	<b>JC</b>	<b>MC</b>	<b>EA</b>	<b>JS</b>	<b>RT</b>	<b>JF</b>	<b>XM</b>
<b>Second:</b>	<b>RS</b>	<b>KC</b>	<b>JC</b>	<b>MC</b>	<b>EA</b>	<b>JS</b>	<b>RT</b>	<b>JF</b>	<b>XM</b>

MEMBER	APPROVE	DENY	ABSTAIN	ABSENT
Chairman Solares	✓			
1 <sup>st</sup> Vice-Chair Chao	✓			
2 <sup>nd</sup> Vice-Chair Courtney	✓			
Member Calderara				✓
Member Alvarez-De La Paz				✓
Member Salgado	✓			
Member Theobald	✓			
Alt. Member Fernandez	✓			
Alt. Member Murillo				✓

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**12. Privilege of the Floor: None**

**13. Adjournment:**

**Motion to Adjourn at 6:53 P.M.**

Ricky Solares (RS)	Katherine Chao (KC)	Jeff Courtney (JC)	Michael Calderara (MC)	Eduardo Alvarez-De La Paz (ED)	Javier Salgado (JS)	Ronald Theobald (RT)	Junior Fernandez (JF)	Xavier Murillo (XM)
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<b>Motion:</b>	<b>RS</b>	<b>KC</b>	<b>JC</b>	<b>MC</b>	<b>EA</b>	<b>JS</b>	<b>RT</b>	<b>JF</b>	<b>XM</b>
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MEMBER	APPROVE	DENY	ABSTAIN	ABSENT
Chairman Solares	✓			
1 <sup>st</sup> Vice-Chair Chao	✓			
2 <sup>nd</sup> Vice-Chair Courtney	✓			
Member Calderara				✓
Member Alvarez-De La Paz				✓
Member Salgado	✓			
Member Theobald	✓			
Alt. Member Fernandez	✓			
Alt. Member Murillo				✓

\_\_\_\_\_  
**Chairman Ricky Solares**

Attest: \_\_\_\_\_  
**Joseph E. Roque**  
**Board Secretary**