

City Hall
3715 Palisade Avenue
Union City, New Jersey

VICTOR M. GRULLON
MARGARITA GUTIERREZ
MIGUEL ORTIZ, (Arrived at 7:01 p.m.)
DAVID W. PRESSEY
JOHN MEDINA, Alternate No. 1,
(Arrived at 6:55 p.m.)
KHALED DARDIR, Alternate No. 3
ANDRES GARCIA, Chairman

DOMINGA CARRO
FERNANDO URIBE
JOSE CALDERON, Alternate No. 2
SERGIO DATO, Alternate No. 4

DAVID SPATZ, Consultant
Community Housing and Planning Associates

A P P E A R A N C E S:

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Manuel Pereiras

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1 THE SECRETARY: May I have your attention,
2 please?

3 Take notice that on Thursday, January 15,
4 2015, at six p.m., a Regular Meeting is scheduled
5 for the Union City Board of Adjustment to be held
6 in this Municipal Chamber, located at second
7 floor, 3715 Palisade Avenue, Union City, New
8 Jersey.

9 Everybody take this time, please, Pledge of
10 Allegiance.

11

12 (Whereupon, the Pledge of Allegiance was
13 said by all.)

14

15 THE SECRETARY: Notice of this meeting has
16 been provided, as follows:

17 Notice of this meeting setting forth the
18 time, date, location and the agenda to the extent
19 known, was sent to The Jersey Journal, The
20 Record, and The Hudson Reporter, has been posted
21 on the bulletin board of the City Hall, also made
22 available to the public at the Office of the City
23 Clerk's Office.

24

25 **ROLL CALL:**

1

2 THE SECRETARY: Roll call for tonight's
3 meeting.

4 Chairman Garcia?

5 CHAIRMAN GARCIA: Yes.

6 THE SECRETARY: Victor Grullon?

7 MR. GRULLON: Present.

8 THE SECRETARY: Margarita Gutierrez?

9 MS. GUTIERREZ: Present.

10 THE SECRETARY: Miguel Ortiz? Absent.

11 David Pressey?

12 MR. PRESSEY: Here.

13 THE SECRETARY: Fernando Uribe? Absent.

14 Dominga Carro? Absent.

15 John Medina? Absent.

16 Jose Calderon? Absent.

17 Khaled Dardir?

18 MR. DARDIR: Here.

19 THE SECRETARY: Sergio Dato? Absent.

20 Let the -- let the record indicate there
21 are five members present.

22 * * *

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1 **RESOLUTIONS:**

2

3 (1) Bruno Mele - 411-411.5-413 6th Street,
4 Block: 24, Lots: 10, 11, 12 - Propose the
5 construction of a new eight unit building

6

7 THE SECRETARY: On tonight's agenda, we
8 have two Resolutions.

9 First Resolution is Bruno Mele, 411-411.5,
10 413 6th Street.

11 May I have a motion to approve the
12 Resolution for --

13 MR. ISA: Both of them.

14 THE SECRETARY: -- Bruno Mele?

15 CHAIRMAN GARCIA: Not both of them.

16 Aye.

17 MR. ISA: This is a one year extension.

18 THE SECRETARY: Motion by Chairman Garcia.

19 Second by?

20 MS. GUTIERREZ: Second it.

21 CHAIRMAN GARCIA: Oh, okay.

22 THE SECRETARY: Second by Margarita
23 Gutierrez.

24 MR. ISA: They don't even need it because
25 the Permit Extension Act went through.

1 CHAIRMAN GARCIA: The what?

2 MR. ISA: The Permit Extension Act went
3 through, so --

4 CHAIRMAN GARCIA: Okay.

5 THE SECRETARY: Andres Garcia?

6 CHAIRMAN GARCIA: Yes.

7 THE SECRETARY: Victor Grullon?

8 MR. GRULLON: Yes.

9 THE SECRETARY: Margarita Gutierrez?

10 MS. GUTIERREZ: Yes.

11 THE SECRETARY: David Pressey?

12 MR. PRESSEY: Yes.

13 THE SECRETARY: Khaled Dardir?

14 MR. DARDIR: Yes.

15 THE SECRETARY: Motion carries.

16 Five in favor.

17 * * *

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1 **RESOLUTIONS:**

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3 (2) Liberty Park at Union City, LLC - 649-651
4 38th Street, One year extension

5

6 THE SECRETARY: Next Resolution on
7 tonight's agenda is Liberty Park at Union City,
8 LLC, 649-651 38th Street, one year extension.

9 May I have a motion to approve the
10 Resolution?

11 CHAIRMAN GARCIA: Do we have to go to that
12 one, or --

13 Aye.

14 MR. ISA: Yeah. Because they did the one
15 year extension --

16 CHAIRMAN GARCIA: Yes.

17 MR. ISA: -- separate from the building.

18 CHAIRMAN GARCIA: Yes. Yes. Aye.

19 THE SECRETARY: Motion by Chairman Garcia.
20 Second by Victor Grullon.

21 Roll call.

22 Chairman Garcia?

23 CHAIRMAN GARCIA: Yes.

24 THE SECRETARY: Victor Grullon?

25 MR. GRULLON: Yes.

1 THE SECRETARY: Margarita Gutierrez?

2 MS. GUTIERREZ: Yes.

3 THE SECRETARY: David Pressey?

4 MR. PRESSEY: Yes.

5 THE SECRETARY: And Khaled Dardir?

6 MR. DARDIR: Yes.

7 THE SECRETARY: Motion carries. Five in
8 favor.

9 We are going now to applications.

10 First application on tonight's agenda is
11 Navin Joshi, 520 New York Avenue.

12 The lawyer sent a request to the --
13 application will be adjourned for the next
14 meeting in March.

15 MR. ISA: What's -- what's the date of the
16 March meeting?

17 THE SECRETARY: We have to the 12 -- March
18 -- I'm sorry.

19 February 12.

20 MS. GUTIERREZ: February 12.

21 THE SECRETARY: February 12.

22 MR. ISA: Before -- before we --

23 CHAIRMAN GARCIA: First --

24 MR. ISA: Before we go -- before we go into
25 that -- we had a -- the February meeting was

1 | scheduled for February 12th, but that is a
2 | holiday. It's -- it's Lincoln's Birthday, I
3 | believe.

4 | So, before we go to hearing any of these
5 | applications, we need to -- we need to change the
6 | date of that meeting from February 12th to another
7 | date. I believe February 19th was --

8 | CHAIRMAN GARCIA: Can I --

9 | MR. ISA: -- was discussed.

10 | CHAIRMAN GARCIA: Can I check my -- can I
11 | -- can you give me a second?

12 | MR. ISA: Yeah.

13 | MS. GUTIERREZ: Check your calendar before
14 | anything.

15 | CHAIRMAN GARCIA: Yeah. That's what I'm
16 | going to do.

17 | (Whereupon, there was a pause in the
18 | proceedings.)

19 | CHAIRMAN GARCIA: Probably the 26th, I
20 | don't know, can you do the 26th, Mr. Spatz? Are
21 | you busy?

22 | THE SECRETARY: Twenty-sixth?

23 | CHAIRMAN GARCIA: No, what about Mr. Spatz?
24 | Can you do the 26?

25 | MR. SPATZ: I'll look.

1 CHAIRMAN GARCIA: But you're okay for the
2 19th?

3 MR. SPATZ: Twenty-sixth is fine with me.

4 CHAIRMAN GARCIA: Okay.

5 MR. SPATZ: Both dates are fine.

6 CHAIRMAN GARCIA: Can we do it for the
7 26th?

8 MR. ISA: Is it going to be a problem for
9 you?

10 THE SECRETARY: I have to check. I don't
11 think will be problem. One second.

12 CHAIRMAN GARCIA: No. That's okay. Leave
13 it for the 19th. It's okay. No problem.

14 THE SECRETARY: For the 19th?

15 CHAIRMAN GARCIA: Yeah. Leave it for 19th.

16 MS. GUTIERREZ: The 26th, I can't. I have
17 another meeting on the 26th.

18 CHAIRMAN GARCIA: That's okay. No problem.

19 THE SECRETARY: All right. The next
20 meeting will be --

21 CHAIRMAN GARCIA: February 19.

22 THE SECRETARY: -- February 19, 2015.

23 MR. ISA: Actually, is there a motion to --

24 THE SECRETARY: Six p.m.

25 MR. ISA: -- change the date from February

1 12th to February 19th?

2 CHAIRMAN GARCIA: I make my motion to
3 change the meeting for -- from the 12th to the
4 19th.

5 MS. GUTIERREZ: And I'm seconding.

6 THE SECRETARY: Okay. Motion by Andres
7 Garcia.

8 Second Margarita Gutierrez.

9 Andres Garcia?

10 CHAIRMAN GARCIA: Yes.

11 THE SECRETARY: Margarita Gutierrez?

12 MS. GUTIERREZ: Yes.

13 THE SECRETARY: Victor Grullon?

14 MR. GRULLON: Yes.

15 THE SECRETARY: Khaled Dardir?

16 MR. DARDIR: Yes.

17 THE SECRETARY: And David Pressey?

18 MR. PRESSEY: Yes.

19 THE SECRETARY: Right. Let the record
20 indicate that the next meeting in February will
21 be the 19th.

22 * * *

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1 **Navin Joshi - 520 New York Avenue:**

2

3 THE SECRETARY: May I have a motion to
4 adjourn the application for Navin Joshi for
5 February the 19th?

6 CHAIRMAN GARCIA: Aye.

7 MS. GUTIERREZ: Second.

8 THE SECRETARY: Motion by Chairman Garcia.
9 Second by Margarita Gutierrez.

10 Andres Garcia?

11 CHAIRMAN GARCIA: Yes.

12 THE SECRETARY: Victor Grullon?

13 MR. GRULLON: Yes.

14 THE SECRETARY: Margarita Gutierrez?

15 MS. GUTIERREZ: Yes.

16 THE SECRETARY: David Pressey?

17 MR. PRESSEY: Yes.

18 THE SECRETARY: Khaled Dardir?

19 MR. DARDIR: Yes.

20 THE SECRETARY: Motion carries. The next
21 meeting for Navin Joshi will be February 19,
22 2015.

23 * * *

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1 **Liberty Park at Union City, LLC - 649-651 38th**

2 **Street:**

3

4 THE SECRETARY: Second application on
5 tonight's meeting is Liberty Park at Union City,
6 LLC.

7 Mr. Alonso?

8 MR. ALONSO: Good evening, Mr. Chairman,
9 members of the Board.

10 For the record, Alvaro Alonso, Alonso
11 Navarrate, on behalf of the applicant.

12 The Board will -- may recall that we
13 started this application at the last meeting.

14 This is an application that has a lot of
15 legs. This -- this application was first
16 approved by this Board a number of years ago.
17 There was a whole appeal process that went all
18 the way up to the Appellate Division.

19 My client was successful and the court
20 agreed with the Board that the client -- that the
21 applicant met his burden.

22 Now we're into the construction phase of
23 the application.

24 When we started to redesign the building,
25 there's a new architect that -- that was hired by

1 my client. And there are some design changes
2 that are being proposed.

3 When they were submitted to the Building
4 Department, they -- they were of the opinion that
5 these changes, although they don't create any new
6 variances, they don't increase the variances that
7 were originally approved, if anything, it's
8 actually smaller, and it doesn't violate any of
9 the conditions that were -- that were a condition
10 of approvals, that we needed to come back before
11 the Board.

12 I know that I had conversations with your
13 Planner, prior to filing the application. He was
14 of the opinion that there's no relief that this
15 Board could give, but we're here anyway.

16 So, I have a -- it's a two part of
17 application. The first part was an
18 interpretation. Basically, an interpretation by
19 this Board that we -- we are basically building
20 this building in accordance with the prior
21 approvals.

22 And if that is your -- your vote, then we
23 don't need a variance.

24 If the Board feels that this is not the
25 same building that was approved, then we would

1 need the variances.

2 And we already, basically, presented most
3 of the testimony at the last hearing.

4 The Chairman had requested that we provide
5 some amended plans to show some additional
6 information, which we did.

7 And I have the architect here to testify as
8 to those modifications.

9 (Whereupon, there was a pause in the
10 proceedings.)

11 MR. DILLON: I just need you to raise your
12 right hand.

13 Do you swear that the testimony you're
14 about to give this Board is the whole truth?

15 MR. STIEVE: Yes.

16 MR. DILLON: State your name and spell it
17 for the record.

18 MR. STIEVE: Bruce Stieve, S-T-I-E-V-E.

19 MR. DILLON: Thank you.

20 MR. ALONSO: Thank you.

21 Mr. Stieve, you testified at the last
22 hearing.

23 Correct?

24 MR. STIEVE: That's correct.

25 MR. ALONSO: Okay. And the Chairman had

1 asked you to provide some additional renderings.

2 And those are the ones that are on the board now?

3 MR. STIEVE: That's correct.

4 MR. ALONSO: Okay. Can you please review
5 with the Board what those renderings reflect?

6 MR. STIEVE: Yes.

7 We submitted two new sheets, ZB1 and ZB2 to
8 the Board, and those are what are on my -- my
9 easel.

10 And they reflect the adjusted design of the
11 façade of the building to match with the proposed
12 plans.

13 And when we were at the last meeting, we
14 had a sketch and the Board had asked that we
15 prepare a more developed rendition of that
16 sketch.

17 So, this is a -- I would call this an
18 architectural drawing that represents the sketch
19 that was presented last time.

20 It has the dimensions on the building,
21 showing that the building is the same size as
22 previously approved at 94 feet.

23 It shows the building has six residential
24 floors, over three floors of parking, versus the
25 original approval of seven floors residential

1 over three floors of parking.

2 It shows the new window configurations that
3 align with the rooms behind, so that each room
4 gets adequate light and ventilation.

5 It shows the materials called out on the
6 building façade that are intended to be used.

7 It's our -- our opinion that the building
8 reflects a high quality of architectural design.
9 It's designed to have a base, a middle and a top,
10 which is classic architectural styling.

11 The top is defined with a cornice line, a
12 decorative cornice line that emulates some of the
13 historic buildings found in -- in Union City.

14 And -- and I believe that it's a better
15 design in its current configuration than the
16 previous design.

17 ZB1 is the façade elevation, the north
18 façade elevation. And ZB2 is the west façade
19 elevation. These are the two street facing
20 facades.

21 Again, the side façade has the same
22 material designations, it has the same window
23 alignments, again, and it carries through for the
24 design -- a beautiful design wraps the street
25 front façade of the building.

1 That's consistent with the previous
2 submission.

3 MR. ALONSO: Mr. Chairman, I believe,
4 hopefully, that answers the -- the question that
5 the Chairman had.

6 CHAIRMAN GARCIA: Just to recall, how many
7 unit you are presenting now?

8 MR. ALONSO: Sixty-three. It's the same
9 number of units.

10 CHAIRMAN GARCIA: The same number of units?
11 Sixty-three was approved --

12 MR. ALONSO: Yeah.

13 CHAIRMAN GARCIA: -- back in January '07.
14 Okay.

15 And can you -- actually, thank you very
16 much for presenting that -- that --

17 MR. STIEVE: No problem. Thank you for the
18 --

19 CHAIRMAN GARCIA: -- those are real plans.
20 You know what I mean?

21 MR. STIEVE: Thank you for the opportunity
22 to submit them.

23 CHAIRMAN GARCIA: No. That's good.

24 MS. GUTIERREZ: Yeah.

25 CHAIRMAN GARCIA: And can you go through

1 the material that you were showing in the -- in
2 the plans?

3 MR. STIEVE: Sure.

4 At the base of the building, we're calling
5 out for a masonry veneer, or depending on -- on
6 the construction technique that we use, we may
7 use a tinted concrete that has a form mold in it,
8 so that it looks like stone at the base of the
9 building. And that's for the parking structure.

10 Again, the parking structure, in -- in the
11 interest of economy, we're trying to combine the
12 structural system with the decorative finish
13 system of the wall. That's at the base of the
14 building.

15 The grills -- there will be decorative
16 grills that emulate windows in the garage
17 opening.

18 There's a -- a strong cornice line that
19 separates the garage base from the residential
20 portion above.

21 Above that, we have a brick veneer. It's
22 going to have decorative treatment at the heads
23 of the windows. We'll be using a aluminum window
24 system that will be inserted into that. It's a
25 casement system with a decorative mullion on it.

1 Above that, we have a -- a masonry veneer,
2 again, at the top. And that's to lighten the
3 building as it goes up.

4 And then, we've got a cornice line that
5 will be made out of a panel system. Metal
6 panels. Something that has a -- a lasting finish
7 on it.

8 CHAIRMAN GARCIA: A question I have is, can
9 you define what you -- what is for you, as an
10 architect, that brick veneer?

11 MR. STIEVE: The brick veneer?

12 CHAIRMAN GARCIA: Yeah.

13 MR. STIEVE: It's -- well, it depends,
14 again, on the system -- of the construction
15 system of the building. But a brick veneer is
16 normally a brick applied to a system. That can
17 be applied to a panelized system.

18 CHAIRMAN GARCIA: Okay.

19 MR. STIEVE: It can be laid in place.

20 CHAIRMAN GARCIA: My question is because we
21 -- I've been concerned, for the last few years,
22 that now, in the new construction, they're coming
23 with all kind of -- is a -- they call brick
24 veneer, but they call -- you could bring
25 something like, for me, it's kind of kooky.

1 MR. STIEVE: Sure.

2 CHAIRMAN GARCIA: You know what I mean?

3 And you know what I'm talking about, because we
4 -- we've been through this --

5 MR. STIEVE: Yes.

6 CHAIRMAN GARCIA: -- many, many meetings.

7 So, I think that -- what I'm seeing through
8 the city is that, driving around seeing the new
9 buildings, they have another problem with leaking
10 and everything, so I need just for the record
11 that you define what kind of brick you're going
12 to use.

13 I know brick veneer okay, but don't come --
14 don't come to me with the construction, not to me
15 because I never -- we don't have the capacity to
16 -- to follow up the construction. We're just
17 here for the application that's said, but after
18 that, nothing. We don't do any of -- we don't
19 enforce anything.

20 But is that, when I'm driving around and
21 I'm seeing those cookies, putting -- you know
22 what I mean? Okay. He had the approval as a
23 brick veneer, however, brick veneer could be
24 this, or could be a real four by two, or whatever
25 on a big one.

1 And it's something like we -- we probably
2 going to start to request on the application to
3 show the real brick that you're going to show --
4 that you're going to use for the construction,
5 because I mean it's so -- and you know better
6 than me that brick -- how many type of brick you
7 have on the -- on the market.

8 You know what I mean?

9 MR. STIEVE: Sure.

10 CHAIRMAN GARCIA: And is -- is something
11 like -- it's sad to see, and I know sometime that
12 probably your client, the applicant, has the best
13 intention to have the best material. However,
14 for reason in the construction -- you know,
15 whatever, he have to come with the less quality
16 product. But that going to impact whoever going
17 to be in the building. You know what I mean?

18 MR. STIEVE: Um hum.

19 CHAIRMAN GARCIA: So that's what, please, I
20 mean, be -- try to show what kind of brick you're
21 going to -- you're going to use in the -- in the
22 façade.

23 Or you know, that's something like we're
24 going to try to -- we're going to start to try to
25 enforce in -- in future application.

1 I have no further question about the --
2 about the plans.

3 I don't know if you have any questions?

4 MR. GRULLON: I have a question. Mr. --
5 for the -- for the architect, probably.

6 MR. STIEVE: Yes.

7 MR. GRULLON: You're keeping the same
8 height of the building?

9 MR. STIEVE: That's correct.

10 MR. GRULLON: You're reducing the building
11 by one floor.

12 MR. STIEVE: That's correct.

13 MR. GRULLON: But you're also keeping the
14 same amount of units.

15 MR. STIEVE: That's correct.

16 MR. GRULLON: Could you give us an idea how
17 is the -- I mean, the size of the units. How --

18 MR. STIEVE: Yes.

19 MR. GRULLON: You're probably have more
20 units, now, per floor?

21 MR. STIEVE: Yes.

22 MR. GRULLON: Is that how it is?

23 MR. STIEVE: Before we had nine very large
24 units.

25 MS. GUTIERREZ: Um hum.

1 MR. STIEVE: And one of the issues, also,
2 in re-looking at this project, and
3 reinvestigating, we realized that the large units
4 were not going to be able to rent in this
5 economy, the way -- the way the world is today.
6 When this building was initially envisioned, a
7 luxury unit was very, very large. But it also
8 made it less affordable, so the -- the residents
9 couldn't afford to move into them.

10 So, one of the things that we were able to
11 do was, by taking the nine units on a floor, we
12 -- we went to ten units on a floor, for some
13 floors, and 11 units on a floor for some floors.
14 And we -- we were able to accomplish that by
15 reducing the square footage of the unit.

16 So, before, the average one bedroom unit
17 size was 936 square feet, which is a huge one
18 bedroom apartment. In fact, there's many two
19 bedroom apartments that are not 936 square feet.

20 We were able to reduce the one bedrooms
21 down to 875 and 920 square feet. So, we were
22 able to reduce those --

23 MR. GRULLON: Yes.

24 MR. STIEVE: -- by quite a bit.

25 The two bedroom units were 1125 square

1 feet, 1270 square feet and 1325 square feet. So,
2 we were able to reduce those down, and we have
3 some at 1050, some at 1070. We have a few at
4 1100 still. And we have a few at 1300 still.

5 MR. GRULLON: But they're -- they're still
6 good size units.

7 MR. STIEVE: They're still good size units.

8 MS. GUTIERREZ: Um hum.

9 MR. STIEVE: They're still marketable
10 units. But just by the configuration, we were
11 able to get them --

12 MR. GRULLON: And the parking count, you're
13 keeping the same?

14 MR. STIEVE: The parking count stays the
15 same. It's 76 spaces.

16 MR. ALONSO: And the -- and the floor to
17 ceiling height increased, which makes it a nicer
18 unit.

19 MR. STIEVE: That's correct.

20 The floor to floor heights before were nine
21 foot. So that any structure that you put in
22 there would reduce the ceiling heights in the
23 units. And in some cases, they would be below
24 eight feet, depending on the structural system
25 that you were using.

1 MR. GRULLON: Yes.

2 MR. STIEVE: So, by taking out the one
3 floor, we were able to get to a ten foot floor to
4 floor height, which again, take the structure
5 out, because ceiling heights are eight foot and
6 above. Eight six, something like that. So it
7 will make it a much -- much more desirable
8 apartment, a better living environment for the
9 residents of the building.

10 MR. GRULLON: Thank you.

11 MR. STIEVE: Thank you.

12 CHAIRMAN GARCIA: Any member of the public
13 wants to step forward?

14 Yes, Mr. Price?

15 MR. PRICE: Larry Price, 1006 Palisade.

16 MR. DILLON: Do you want me to -- would you
17 like me to swear him in?

18 MR. ISA: Yeah. The oath.

19 MR. DILLON: Please raise your right hand.

20 Do you swear that the questions you're
21 about to ask the -- or testimony you're about to
22 give this Board is the whole truth?

23 MR. PRICE: I do.

24 MR. DILLON: State --

25 MR. PRICE: Mr. Stieve --

1 MR. DILLON: Yeah. Say your name and
2 repeat it again --

3 MR. PRICE: Oh.

4 MR. DILLON: -- just to --

5 MR. PRICE: It's still Larry Price. It's
6 still 1006 Palisade.

7 MR. DILLON: Thanks.

8 MR. PRICE: Mr. Stieve, a question about --
9 I have the same question that the Chairman did.

10 You say brick veneer. What kind of brick?

11 MR. STIEVE: At this time, we haven't
12 decided the material -- the actual structural
13 system of the building.

14 MR. PRICE: Will it be -- are you
15 contemplating thin brick?

16 MR. STIEVE: It depends on the structural
17 system that we're working with.

18 MR. PRICE: Okay. There is, right now,
19 pending before the Board of Commissioners of the
20 City, an Ordinance -- it's been introduced; it
21 will probably be adopted next week -- prohibiting
22 the use of thin brick in any façade.

23 Will that change your plans or your
24 statement or your use of a brick veneer here?

25 MR. STIEVE: No. It will still be a brick

1 veneer.

2 MR. PRICE: It just won't be thin brick.

3 MR. STIEVE: That's correct.

4 MR. PRICE: Okay.

5 Thank you.

6 CHAIRMAN GARCIA: Any other member of the
7 public wants to step forward?

8 Okay. Closed to the public.

9 Mr. -- oh, my gosh -- Alonso, I have a
10 question for you.

11 It is your client the owner of the
12 property, of the land or is your applicant --

13 Let me tell you what happened. Okay.
14 Unfortunately, I was not in the meeting that took
15 the decision to grant that application. Not this
16 one, the application in 37 Street, the auto body
17 shop.

18 I remember that I was here in the meeting
19 before the application was granted. One of the
20 conditions that we requested that applicant was
21 to bring lease, because they say that they're
22 going to use, for parking lot, that land that is
23 behind of that property. Is exactly the same lot
24 that his application -- your application. Okay?

25 MR. ALONSO: Okay. So, one of -- one of

1 | our neighbors had an application for a body shop?

2 | CHAIRMAN GARCIA: Yes. The one on the
3 | corner on 37.

4 | MR. ALONSO: And they made a represent --

5 | CHAIRMAN GARCIA: You're on 38, right?

6 | MR. ALONSO: Right. And they made a
7 | representation that they were using our land for
8 | parking.

9 | CHAIRMAN GARCIA: Right. I remember that
10 | attorney was Mr. Mulkay.

11 | MR. ALONSO: Okay.

12 | CHAIRMAN GARCIA: And we request that --
13 | what happened, the other day I was driving
14 | around, and I recall, hey, but I was not part of
15 | the --

16 | Right now, I need to find out if -- in the
17 | record, if that application came with that, and
18 | then we have to talk to your client.

19 | Okay? Because -- no, I mean we don't know
20 | yet. We don't -- I need to find out that because
21 | that -- that was one of the -- one of the
22 | condition that we asked before came for the last
23 | meeting, when we went for voting, to vote --

24 | MR. ALONSO: Okay.

25 | CHAIRMAN GARCIA: -- on that application.

1 MR. ALONSO: On the other application.

2 CHAIRMAN GARCIA: In the other application.

3 MS. GUTIERREZ: In the other.

4 CHAIRMAN GARCIA: It's nothing related to
5 your --

6 MR. ALONSO: Okay.

7 CHAIRMAN GARCIA: -- application. No, no.

8 This one doesn't impact your application.

9 However, could be a conflict that -- right now, I
10 -- I don't -- I'm not -- I don't say yes or no.

11 MR. ALONSO: Right.

12 CHAIRMAN GARCIA: Because probably your
13 client didn't provide any lease to them, but I
14 don't know yet. I need to go through the
15 records. Unfortunately, I didn't go through the
16 record. I wasn't here.

17 I need to check if they -- if that
18 application came here with that lease, then it's
19 a kind of conflict that I need -- that we, as a
20 Board, need to find out.

21 MR. ALONSO: Okay.

22 CHAIRMAN GARCIA: Okay. I'm not tell --
23 just for the record, let me clarify.

24 I am not saying that your client provide
25 that application with that lease. But it's a

1 question that came out last week when I drove
2 through, and I was talking, also, with Mr.
3 Grullon about that.

4 And now, when I get here, and then, we are
5 a little bit confused.

6 MR. GRULLON: Yeah.

7 MR. ALONSO: Okay.

8 CHAIRMAN GARCIA: Okay?

9 MR. ALONSO: Yeah. All right. That's
10 fine.

11 CHAIRMAN GARCIA: It's -- it's a
12 clarification.

13 MR. ALONSO: It's the first time I'm
14 hearing about this.

15 CHAIRMAN GARCIA: I mean, right now, I
16 probably going to ask you for -- for the courtesy
17 to adjourn this application.

18 We could give you the Resolution by next
19 month, without no problem. But we only going to
20 vote next meeting, because we need to clarify
21 that situation.

22 MR. ALONSO: Okay.

23 CHAIRMAN GARCIA: Just for record.

24 MR. ALONSO: As to whether or not there's a
25 lease on the property.

1 CHAIRMAN GARCIA: Yeah. Right. Right.
2 But we -- we could provide you the Resolution,
3 everything, next month, on -- on February. It's
4 going to be the same.

5 MR. ALONSO: Right.

6 CHAIRMAN GARCIA: If we approve --

7 MR. ALONSO: No, you don't --

8 CHAIRMAN GARCIA: -- today --

9 MR. ALONSO: You don't lose any time.

10 CHAIRMAN GARCIA: Right. We don't --
11 right.

12 MR. ALONSO: Okay.

13 CHAIRMAN GARCIA: So, if you want to talk
14 to your client, explain to him, if he's here, or
15 whatever --

16 MR. ALONSO: Yeah. Let me just --

17 CHAIRMAN GARCIA: -- we'll give you two
18 minute.

19 MR. ALONSO: Let me just have two minutes.

20 CHAIRMAN GARCIA: Yeah. Two minute break.
21 Yeah.

22 MR. ALONSO: Thank you.

23 CHAIRMAN GARCIA: Thank you very much, Mr.
24 Alonso.

25

1 (Whereupon, the Board recessed from 6:48
2 p.m. to 6:54 p.m.)

3

4 CHAIRMAN GARCIA: Back on record.

5

6 (Whereupon, John Medina arrived at 6:55
7 p.m.)

8

9 THE SECRETARY: Mr. Chairman, allow me to
10 put in the record that Mr. John Medina arrived to
11 the meeting at 6:55 p.m.

12 CHAIRMAN GARCIA: Yeah. But he doesn't
13 going to be part of this --

14 MR. GRULLON: This application.

15 CHAIRMAN GARCIA: -- this roll call,
16 because since he didn't hear anything, so then --

17 THE SECRETARY: All right.

18 MR. ALONSO: Very good.

19 Okay. Mr. Chairman, I did have an
20 opportunity to speak with my client. There
21 appears to have been a lease. It appears to have
22 been terminated.

23 I will provide the necessary documentation
24 to help the Board with that issue, prior to the
25 next hearing.

1 CHAIRMAN GARCIA: I will really love if you
2 could provide that. And also provide the reason
3 why that lease was terminated, because also, I
4 mean, since that was one of the condition of the
5 prior application approving --

6 MR. ALONSO: Um hum.

7 CHAIRMAN GARCIA: -- then, going to help
8 us.

9 MR. ALONSO: Yeah. Absolutely. We will
10 clarify --

11 MS. GUTIERREZ: Um hum.

12 MR. ALONSO: -- clarify that --

13 CHAIRMAN GARCIA: Okay.

14 MR. ALONSO: -- that issue for you.

15 CHAIRMAN GARCIA: Thank you very much.

16 MR. ALONSO: Okay?

17 MR. GRULLON: Thank you, Mr. Alonso.

18 CHAIRMAN GARCIA: So I make my motion --

19 MS. GUTIERREZ: Thank you.

20 CHAIRMAN GARCIA: -- to adjourn this
21 application, vote only next meeting. Next
22 meeting going to be February the 19th.

23 MR. ALONSO: Nineteen.

24 MS. GUTIERREZ: The 19th.

25 CHAIRMAN GARCIA: Yes.

1 MS. GUTIERREZ: And I'm seconding.

2 THE SECRETARY: Motion to adjourn the
3 application by Chairman Garcia.

4 Second by Margarita Gutierrez.

5 Roll call.

6 Andres Garcia?

7 CHAIRMAN GARCIA: Yes.

8 THE SECRETARY: Victor Grullon?

9 MR. GRULLON: Yes.

10 THE SECRETARY: Margarita Gutierrez?

11 MS. GUTIERREZ: Yes.

12 THE SECRETARY: David Pressey?

13 MR. PRESSEY: Yes.

14 THE SECRETARY: Khaled Dardir?

15 MR. DARDIR: Yes.

16 THE SECRETARY: Motion carries. Let the
17 record indicate that five approve the adjournment
18 of this application.

19 CHAIRMAN GARCIA: Thank you, senor.

20 MR. ALONSO: Thank you very much. Have a
21 good evening.

22 MR. ISA: Thank you. Have a good evening.

23 MS. GUTIERREZ: Good evening.

24 * * *

25

1 **Melani Hidalgo - 314 19th Street:**

2

3 THE SECRETARY: Okay. Next application on

4 --

5 CHAIRMAN GARCIA: Mr. Price?

6 THE SECRETARY: -- tonight's meeting is --

7 CHAIRMAN GARCIA: You didn't catch that?

8 You didn't catch that? You are here tonight.

9 THE SECRETARY: -- Melani Hidalgo, 314 19th
10 Street.

11 (Whereupon, there was a pause in the
12 proceedings.)

13 CHAIRMAN GARCIA: Can I have two minute
14 break?

15 MR. ISA: Yeah.

16 CHAIRMAN GARCIA: Mr. Price, can you come
17 here for a second, please? I have a question for
18 you.

19

20 (Whereupon, the Board recessed from 6:56
21 p.m. to 6:57 p.m.)

22

23 THE SECRETARY: Okay. Melani Hidalgo, 314
24 19th Street.

25 (Whereupon, there was a pause in the

1 proceedings.)

2 MR. ALUM: Ready?

3 MR. ISA: Yeah.

4 MR. ALUM: Oh, okay.

5 Good evening, Mr. Chairman, members of the
6 Board, I'm Luis Alum, and the application is on
7 behalf of Melani Hidalgo, sitting behind me. And
8 the property in question is 314 19th Street.

9 It's currently a two family home, with a
10 finished basement. And essentially, we're
11 seeking a variance for lot -- lot coverage, front
12 yard, rear yard, and side yard.

13 MR. ISA: How many units is --

14 MR. ALUM: Currently, it's a two family,
15 two apartments, and there's an existing basement
16 apartment.

17 And what we're trying to do is legalize the
18 basement apartment, and subdivide the ground
19 floor apartment.

20 MR. ISA: Did you provide notice?

21 MR. ALUM: Oh, I'm sorry.

22 (Whereupon, there was a pause in the
23 proceedings.)

24 MR. ISA: Mr. Chairman, members of the
25 Board, I've reviewed the notice documentation.

1 The Board has jurisdiction to proceed.

2 I'm sorry. Go ahead.

3 MR. ALUM: The ground floor apartment, it's
4 -- it's huge. And what we're trying to do is
5 subdivide it and make it into a two one bedroom
6 apartment on the ground floor. Leave the second
7 floor as is. The basement will remain -- would
8 remain as is.

9 So, there's no exterior construction. And
10 -- and the only work, essentially, would be on
11 the ground floor.

12 And I -- Mr. Jose Carballo is the
13 architect, and he can go more in depth as to the
14 proposed -- the proposal.

15 MR. DILLON: Please raise your right hand.

16 Do you swear that the testimony you're
17 about to give this Board is the whole truth?

18 MR. CARBALLO: Yes, I do.

19 MR. DILLON: State your name and spell it
20 for the record.

21 MR. CARBALLO: Definitely.

22 Jose Carballo, C-A-R-B as in boy A-L-L-O.

23 MR. DILLON: Thank you.

24

25 (Whereupon, Miguel Ortiz arrived at 7:01

1 p.m.)

2

3 MR. ORTIZ: Good evening everyone.

4 MR. ALUM: Good evening.

5 Just in time.

6 MS. GUTIERREZ: Just in time.

7 MR. DILLON: Carlos, announce --

8 THE SECRETARY: May I have one second, Mr.
9 Chairman?

10 Let the record show that Mr. Ortiz arrived
11 at 7:03 (sic).

12 Thank you.

13 (Whereupon, there was a pause in the
14 proceedings.)

15 MR. ALUM: Mr. Carballo, you're -- you're a
16 licensed architect.

17 Correct?

18 MR. CARBALLO: Yes, I am.

19 MR. ALUM: And how long have you been, in
20 fact?

21 CHAIRMAN GARCIA: I think -- sorry for
22 interruption -- we are -- we accept Mr. Carballo
23 here many, many times. Probably he's been
24 accepted before by member of the Board, and I'm
25 already 12 years on the Board.

1 So, Mr. Carballo, do you still have the
2 license?

3 MR. CARBALLO: Since 1986. I have a
4 license paid for --

5 CHAIRMAN GARCIA: Oh, okay.

6 MR. CARBALLO: -- and valid.

7 CHAIRMAN GARCIA: Okay.

8 MR. CARBALLO: So yes, I can still use it.

9 CHAIRMAN GARCIA: Okay.

10 MR. CARBALLO: And it's 09174, I believe it
11 is.

12 CHAIRMAN GARCIA: It's our pleasure, Mr.
13 Carballo.

14 MR. CARBALLO: Thank you, Mr. Chairman.

15 As Mr. Alum explained, it -- well, it is a
16 25 by a hundred property, and there's a building
17 on it.

18 If you look at the site plan, that was
19 provided, you can see that it was the original
20 building, and then there's a couple of extensions
21 that was put -- were put onto the building.

22 As our counsel also explained, not only do
23 we have a -- a unit on the second floor and a
24 unit on the first floor, but there's also a
25 basement apartment that is complete. There's

1 people living in it. When my client bought the
2 property, they were living in it. And that makes
3 it a third unit.

4 The next situation that we have is that
5 middle apartment, which is about 1300 square
6 feet, and -- and it's a warren of rooms. And the
7 -- their experience in the past is that when
8 they've rented the apartment, many families have
9 moved into it.

10 In other words, it actually acted almost as
11 a rooming house. And it -- she hasn't found the
12 tenant that will take out the entire apartment,
13 and just live in it by themselves. It's -- it's
14 just been a very difficult task for them.

15 So, in order to control that, they've asked
16 me to subdivide that apartment into two units,
17 which means that what we're seeking for the --
18 the approval that we're seeking tonight is to go
19 from two bedroom -- from two apartments to four
20 apartments.

21 So, aside from the variances that Mr. Alum
22 mentioned, we also have a use variance, because
23 the zone only allows one and two family
24 buildings.

25 All right. All that being said, you have

1 on your -- on your drawing, the first one we have
2 two photos of the property. We have the front
3 elevation of the property, as well as we have on
4 the lower right hand side, we have a view from
5 the rear of the property.

6 And at that point, you can see all the
7 additions that have been put on.

8 If you go to Sheet A2, and by the way, the
9 drawings are dated March 12, 2014. Those are the
10 drawings we're referring to.

11 You're going to see, from left to right,
12 you're going to see the existing basement
13 apartment. It's a good size apartment. It's
14 almost 900 square feet. It has a minimum height
15 of seven foot two.

16 As you can see, it's a -- it's a one
17 bedroom apartment. It's large. The kitchen,
18 dining room, it's -- it's huge. And it's not
19 going to be touched, it's not going to be
20 converted to anything other than what is there
21 now, which is a one bedroom apartment.

22 The next drawing you see, it's a -- it's an
23 existing first floor plan. And what we have
24 shown is all the walls that we're removing in
25 order to subdivide this apartment.

1 As you could see, it's a very long, rather
2 large apartment. And that's the floor plan
3 number 2 that we're showing that's in -- in the
4 -- on the left side of the drawings.

5 On the right side, drawing number 3 is
6 actually showing the subdivision that we have
7 done for the apartments.

8 And as you can see, we're making them two
9 one bedroom apartments. You know, obviously,
10 we're having -- you know, a bathroom and kitchen
11 that has to be added to it.

12 And then, on -- on the right hand of the
13 drawing, you're going to see the second floor,
14 which is an existing apartment. And we're not
15 going to touch that. And that one is a two
16 bedroom apartment.

17 There are no extensions, additions or
18 alterations to the exterior of the building.
19 Building is going to remain as is.

20 The only thing is, obviously, the interior
21 is going to -- is going to change.

22 Obviously, as a four bedroom unit -- as a
23 four apartment building, we're looking to -- you
24 know, have to meet all kinds of accessibility
25 Codes. And we will -- we'll be working with

1 | that, if the -- the project gets approved, with
2 | the Building Department, to find out the best way
3 | to do that.

4 | But -- but aside from that, this is what we
5 | have here.

6 | And if you have any questions, I'm here to
7 | answer them.

8 | MR. ALUM: Actually, also that the basement
9 | apartment has three access doors, through the
10 | front of the -- of the property, street level,
11 | then through the -- through the steps, through
12 | the front door of the structure, and then the --
13 | the rear, as well, has an egress door.

14 | CHAIRMAN GARCIA: Okay.

15 | A question I have is when your client
16 | acquired that property, when they purchase that
17 | property?

18 | MR. ALUM: The property was purchased --

19 | A VOICE: 2005.

20 | MR. ALUM: 2005.

21 | CHAIRMAN GARCIA: 2000 (sic)?

22 | Mr. Carballo, with your experience in
23 | architect, all those addition to the main
24 | construction, main structure, are there, what,
25 | for many years? For five years? Ten years?

1 Thirty years?

2 MR. CARBALLO: I'm sorry.

3 CHAIRMAN GARCIA: You see -- you showed
4 that picture, just to show -- you took that
5 picture just to show the addition of the
6 building.

7 MR. CARBALLO: Correct.

8 CHAIRMAN GARCIA: So, how old is that
9 addition to the --

10 MR. CARBALLO: You mean how long have they
11 --

12 CHAIRMAN GARCIA: Just -- yeah. How long
13 been there?

14 MR. CARBALLO: They -- they look older than
15 20 years. I mean, these things are -- you know,
16 you -- you can see the termination. You can see
17 the -- the door parts. You could see all of the
18 other construction.

19 It's got to be at least 20 years, at -- at
20 the very least.

21 CHAIRMAN GARCIA: And which one is the
22 current condition of the addition?

23 MR. CARBALLO: Inside is good. I mean, the
24 -- the floors are, I would say, probably an inch
25 off, uneven. But everything else is fine.

1 I mean, you -- you walk on it. You know,
2 it doesn't budge. I mean, there's no -- the
3 structure seems to be okay.

4 CHAIRMAN GARCIA: Okay.

5 And like in your statement, you said that
6 -- you don't have any change in the -- in the --

7 MR. ALUM: Exterior.

8 CHAIRMAN GARCIA: -- in the exterior.

9 MR. CARBALLO: I'm not -- I'm not going to
10 have any changes to the exterior of the building.
11 The only thing that I -- that I foresee is
12 closing a few windows only because we're -- on
13 one side, we're right on the property line. So,
14 I want to eliminate as many windows as possible
15 just for fire safety.

16 But aside from that, there's not going to
17 be -- especially to the front. The front is
18 going to remain exactly the same as it is right
19 now.

20 But no, there are no other existing -- or
21 I'm sorry -- there's no other proposed changes to
22 the exterior of the building.

23 CHAIRMAN GARCIA: And right now, if I
24 clearly understood your statement was that you
25 have an -- an apartment in the basement. There's

1 already people living in the basement.

2 MR. CARBALLO: That is correct.

3 CHAIRMAN GARCIA: And you have, in the
4 first floor, just one large apartment.

5 MR. CARBALLO: That is correct.

6 CHAIRMAN GARCIA: And in the third floor,
7 you have one apartment.

8 MR. CARBALLO: That is correct.

9 CHAIRMAN GARCIA: And as per Building
10 Department, memorandum is only two legal units.

11 MR. CARBALLO: That is correct.

12 CHAIRMAN GARCIA: Okay.

13 And your proposal is to subdivide level one
14 and convert the property from two to four.

15 MR. CARBALLO: Right. Subdivide the -- the
16 first level --

17 CHAIRMAN GARCIA: The first floor.

18 MR. CARBALLO: -- and legalize --

19 MR. ALUM: Legalize the basement.

20 MR. CARBALLO: -- the lower level basement.

21 CHAIRMAN GARCIA: Actually, legalize both
22 because you already have to legalize --

23 MS. GUTIERREZ: Yeah.

24 CHAIRMAN GARCIA: Okay.

25 MR. CARBALLO: Okay.

1 CHAIRMAN GARCIA: But is converted from two
2 to four.

3 MR. CARBALLO: Legalization, conversion.
4 Yeah. Okay.

5 CHAIRMAN GARCIA: Conversion from four --

6 MR. ALUM: Yeah.

7 CHAIRMAN GARCIA: From four to -- from two
8 to four.

9 MR. CARBALLO: Right. We're going --
10 right. Exactly.

11 CHAIRMAN GARCIA: Right. And right now, in
12 -- in the first floor, where you have the large
13 apartment, what do you have? Is somebody living
14 there?

15 MR. CARBALLO: No. It's been --

16 MR. ALUM: Currently vacant.

17 CHAIRMAN GARCIA: Is vacant? Okay.

18 MR. ALUM: It's been vacant for quite
19 awhile now.

20 CHAIRMAN GARCIA: And is your client living
21 in that unit? I mean, in that -- in that
22 apartment or in that house?

23 MR. ALUM: She's not currently, but it's
24 her intention --

25 CHAIRMAN GARCIA: To live there.

1 MR. ALUM: -- if the plans are --

2 CHAIRMAN GARCIA: Okay.

3 MR. ALUM: -- approved, to move to the
4 second floor apartment.

5 CHAIRMAN GARCIA: Okay.

6 And in your proposal, you have -- in the
7 first floor, that is --

8 MR. CARBALLO: Mr. Chairman, proposed or
9 existing?

10 Proposed. Okay.

11 CHAIRMAN GARCIA: Actually, it's -- it's in
12 both, because it's here. You have a door in the
13 existing living. So, you're going to keep that
14 door.

15 Right?

16 MR. CARBALLO: I'm sorry. Which door are
17 you talking about?

18 CHAIRMAN GARCIA: This one in the --
19 proposed first floor, in apartment number 2.

20 MR. CARBALLO: In the proposed first --

21 MS. GUTIERREZ: Apartment number 2.

22 CHAIRMAN GARCIA: Go to the rear.

23 MR. CARBALLO: Right.

24 CHAIRMAN GARCIA: Is the current first
25 floor.

1 MR. CARBALLO: That is correct.

2 CHAIRMAN GARCIA: But it's still in -- in
3 your proposal, you're going to keep that door?

4 MR. CARBALLO: There -- there's a door --
5 in apartment 3, there's a door going to the back.

6 CHAIRMAN GARCIA: To the back.

7 MR. CARBALLO: Yes.

8 CHAIRMAN GARCIA: Okay.

9 MR. CARBALLO: Definitely.

10 CHAIRMAN GARCIA: Definitely. Okay.

11 MS. GUTIERREZ: Um hum.

12 CHAIRMAN GARCIA: I have no further
13 question.

14 Any question?

15 No?

16 Any member of the public wants to step
17 forward?

18 Yes, Mr. Price?

19 MR. PRICE: Mr. Carballo, there's a ground
20 floor apartment existing, which is going to be
21 legalized. It's one bedroom?

22 MR. CARBALLO: The downstairs is one
23 bedroom, yes.

24 MR. PRICE: How big is it?

25 MR. CARBALLO: It's 889 square feet.

1 MR. PRICE: Okay.

2 The first floor is going to be subdivided
3 into two units.

4 MR. CARBALLO: That's correct.

5 MR. PRICE: They will be one bedroom or --

6 MR. CARBALLO: Each -- each one bedroom.

7 MR. PRICE: Each one bedroom. How big will
8 they be?

9 MR. CARBALLO: One is 599, the other one is
10 646 square feet.

11 MR. PRICE: Six hundred and forty-six.

12 And the apartment on -- on the second
13 floor?

14 MR. CARBALLO: On the second floor, it's a
15 two bedroom apartment, 1,052 square feet.

16 MR. PRICE: Thousand fifty square feet.

17 Okay. My comments. First I make a
18 comment.

19 There was a notice ad carried in The Jersey
20 Journal on December 24th for this presentation
21 this evening. So, it's certainly timely. It
22 meets the ten day requirement.

23 But the ad says that -- then I'll --
24 propose to convert a basement into an apartment.
25 Okay. That's the only thing. And then, it talks

1 | about the bulk variances -- well -- that are
2 | required, which are pre -- all preexisting
3 | anyway.

4 | The purpose of this notice is to apprise
5 | members of the public of what's -- what are --
6 | this -- they want to go from two to four
7 | apartments. They only mention that they want to,
8 | basically, legalize the basement apartment.
9 | They're not talking -- whatever.

10 | So, I think -- I think the notice is
11 | defective. Okay.

12 | The second thing is, since they're going
13 | from two to four, they're not going from two to
14 | three, they no longer have a permitted use.
15 | You're required to grant a D-1 use variance, with
16 | all the rest of it, without any expert testimony.

17 | I think that's unwarranted.

18 | MR. ISA: You bring up a good point, Mr.
19 | Price.

20 | MR. PRICE: Thank you.

21 | MR. ISA: Do you have any --

22 | CHAIRMAN GARCIA: Actually, it's a point
23 | that you have -- I mean, it's a good point for
24 | the applicant.

25 | MR. ISA: Yeah.

1 CHAIRMAN GARCIA: I mean, it's something
2 like they have to consider if they want to --

3 MR. ISA: You are -- you are asking for --
4 for a use variance. I mean -- you know, so, it
5 may be advisable to bring in some planning
6 testimony.

7 But I mean that's -- that's up to you. I
8 don't know if you have any -- anything you want
9 -- you want to add to that, Mr. --

10 MR. ALUM: Well, may I?

11 MR. PRICE: Yes. Sure.

12 MR. ALUM: Thank you.

13 (Whereupon, there was a pause in the
14 proceedings.)

15 MR. ALUM: The gentleman has a point with
16 respect to the actual notice.

17 MR. ISA: So, if the notice is defective
18 then -- I mean, what?

19 MR. ALUM: No.

20 MR. ISA: I mean, you know, we -- you can
21 proceed, but it can be challenged successfully.
22 There's a problem with it. I mean, I'm not sure
23 -- can I -- can I see --

24 MR. PRICE: Do you want to see?

25 MR. ALUM: It's in the --

1 (Whereupon, there was a pause in the
2 proceedings.)

3 MR. ISA: What?

4 MR. ALUM: Might be easier if you just --

5 MR. ISA: Yeah.

6 (Whereupon, there was a pause in the
7 proceedings.)

8 MR. ISA: Convert a basement into an
9 apartment located -- I mean, it's kind of hard to
10 argue that that isn't a problem. So, I mean, my
11 -- if this is challenged, it's going to -- I
12 mean, it's defect -- it seems defective. I don't
13 know if you disagree with me.

14 MR. ALUM: I do not disagree with you as to
15 the notice itself.

16 MR. ISA: So, the notice is defective and
17 there's a jurisdictional issue. If there's a
18 jurisdictional -- jurisdictional issue, then --
19 then it's going to get pretty easy to challenge
20 for Mr. Price, or someone else.

21 So, I mean, would you like to come back?
22 Re-notice, come -- redo the notice, and come back
23 next meeting?

24 MR. ALUM: Yeah.

25 CHAIRMAN GARCIA: Okay.

1 MR. ALUM: You think, Mr. Vallejo, that we

2 --

3 MR. ISA: And you may want to consider
4 bringing in some planner testimony.

5 MR. ALUM: Yeah.

6 MR. CARBALLO: When is the next meeting?

7 MR. ALUM: February.

8 MR. ISA: February 19th.

9 MS. GUTIERREZ: February 19.

10 MR. CARBALLO: Nineteen?

11 MS. GUTIERREZ: Nineteen.

12 CHAIRMAN GARCIA: Mr. Spatz, can you give
13 your opinion as a -- to the Board?

14 MR. SPATZ: As in regards to the variance?

15 CHAIRMAN GARCIA: Yes.

16 MR. SPATZ: Yes. They do need a use
17 variance, because four units is not permitted in
18 the zone.

19 CHAIRMAN GARCIA: Okay.

20 MR. SPATZ: So, it's up to the applicant to
21 determine how they --

22 MR. ISA: I mean. Yeah.

23 MR. SPATZ: -- present their testimony.

24 Certainly, testimony of a planner would be
25 beneficial to support a use variance.

1 CHAIRMAN GARCIA: Thank you very much.

2 MR. ALUM: I'm sorry, Mr. Chairman. The
3 next meeting is?

4 CHAIRMAN GARCIA: The 19 of February.

5 MR. ALUM: Okay.

6 CHAIRMAN GARCIA: Or I don't know if you
7 want for March. It's up to you.

8 MR. ALUM: No. I -- how's the agenda for
9 the 19th?

10 CHAIRMAN GARCIA: It's good.

11 MR. ALUM: It's good?

12 MR. ISA: So far.

13 CHAIRMAN GARCIA: Yeah. So far, it's not
14 that bad.

15 MR. PRICE: It's getting more crowded as we
16 speak.

17 MR. ALUM: Hmm?

18 MR. PRICE: Getting more crowded.

19 CHAIRMAN GARCIA: So, I make my motion to
20 adjourn this application to next meeting, 19 of
21 February.

22 THE SECRETARY: Motion --

23 MR. ISA: But they have to re-notice.

24 MS. GUTIERREZ: And I second it.

25 THE SECRETARY: -- to adjourn the

1 application by Chairman --

2 CHAIRMAN GARCIA: You have to re-notice --

3 THE SECRETARY: -- Andres Garcia.

4 CHAIRMAN GARCIA: -- with the correct --

5 MR. ALUM: Yes. No. That's not an issue.

6 Yeah.

7 THE SECRETARY: Second by --

8 CHAIRMAN GARCIA: -- application.

9 THE SECRETARY: -- by Margarita Gutierrez.

10 CHAIRMAN GARCIA: Thank you very much.

11 MR. ALUM: I'm going to bring a --

12 MR. GRULLON: Planner.

13 MR. ALUM: -- bring a planner.

14 MS. GUTIERREZ: The planner.

15 MR. ALUM: Absolutely. Yeah.

16 CHAIRMAN GARCIA: Thank you very much.

17 MR. CARBALLO: Have a good evening.

18 MS. GUTIERREZ: Okay.

19 CHAIRMAN GARCIA: Thank you, Mr. Carballo.

20 MS. GUTIERREZ: Thank you.

21 THE SECRETARY: Roll call.

22 Andres Garcia?

23 CHAIRMAN GARCIA: Yes.

24 THE SECRETARY: Victor Grullon?

25 MR. GRULLON: Yes.

1 THE SECRETARY: Margarita Gutierrez?

2 MS. GUTIERREZ: Yes.

3 THE SECRETARY: Miguel Ortiz?

4 MR. ORTIZ: Yes.

5 THE SECRETARY: David Pressey?

6 MR. PRESSEY: Yes.

7 THE SECRETARY: John Medina?

8 MR. MEDINA: Yes.

9 THE SECRETARY: Khaled Dardir?

10 MR. DARDIR: Yes.

11 THE SECRETARY: Motion carries.

12 Let the record indicate seven approved the
13 adjournment for the next meeting on February 19.

14 (Whereupon, there was a pause in the
15 proceedings.)

16 * * *

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1 **Sip Inka, LLC - 717-719 Sip Street - 718-720 31st**
2 **Street:**

3

4 MR. ISA: Sip Inka.

5 Right?

6 THE SECRETARY: Next application on
7 tonight's --

8 CHAIRMAN GARCIA: You may proceed.

9 THE SECRETARY: -- tonight agenda is Sip
10 Inka. It's a continuation.

11 CHAIRMAN GARCIA: Which one is?

12 THE SECRETARY: Ms. Pereiras?

13 CHAIRMAN GARCIA: Which one is this one?

14 MS. PEREIRAS: Sip Inka, the hotel.

15 CHAIRMAN GARCIA: Okay. Perfect.

16 MR. ISA: Yes.

17 (Whereupon, there was a pause in the
18 proceedings.)

19 MR. ISA: I believe, that the Board may
20 recall, this was -- this is a prior matter and
21 jurisdiction was previously obtained.

22 (Whereupon, there was a pause in the
23 proceedings.)

24 CHAIRMAN GARCIA: Who was here last
25 meeting?

1 MR. ISA: You guys --

2 MR. GRULLON: I was here.

3 MR. ISA: Yeah. Yeah.

4 CHAIRMAN GARCIA: Everybody -- everybody
5 knows about the hotel?

6 MR. ISA: Yeah.

7 (Whereupon, there was a pause in the
8 proceedings.)

9 MS. PEREIRAS: Good evening, Counsel, Mr.
10 Chairman, members of the Board.

11 May it please the Board, Bianca Pereiras,
12 on behalf of Sip Inka, LLC.

13 As counsel mentioned, this is a
14 continuation.

15 When we were here last month, the Board had
16 certain questions about -- really about the
17 brand, about the TRYP Hotel. So, we did a little
18 more research and the TRYP Hotel actually
19 originated in Spain. So, it has a lot of
20 Mediterranean flavor and feel to it. And they
21 try to incorporate that into all their hotels, as
22 well as paying homage to the culture around the
23 hotel.

24 For instance, in this case, the hotel would
25 like to pay homage to the embroidery history of

1 Union City, and they're going to put elements of
2 that throughout the hotel.

3 I did provide the Board with a leaflet,
4 pretty much, about the services that the TRYP
5 Hotel offers.

6 For instance, one thing that I thought was
7 very interesting about what they offer is the
8 different rooms.

9 For instance, you have your typical premium
10 room that has most of the things you would expect
11 in a regular hotel. But they also have, for
12 instance, a fitness room for the person who's a
13 little more of a health nut. They actually have
14 a treadmill or elliptical right in the room.
15 They also provide workout clothes for you.

16 They also have a room geared towards
17 families, where they have bunk beds for the kids.
18 And in those rooms, they actually provide a
19 dental hygiene bag for the children.

20 So, they do -- they do provide a lot of
21 services to make this a chic hotel, I would say.

22 As far as prices are concerned, we're
23 looking to be approximately, on average, about a
24 hundred dollars less than the TRYP hotels in New
25 York City. At least that's the goal of the hotel

1 for the moment.

2 I'd like to bring our architect up, Mr.
3 Pereiras, to discuss a few of the changes that we
4 propose, based on the comments of the Board when
5 we were here last month.

6 Mr. Pereiras?

7 MR. DILLON: Please raise your right hand.

8 Do you swear the testimony you're about to
9 give this Board is the whole truth?

10 MR. PEREIRAS: I do.

11 MR. DILLON: State your name and spell it
12 for the record.

13 MR. PEREIRAS: Manny Pereiras,
14 P-E-R-E-I-R-A-S, with Pereiras Architects
15 Ubiquitous, 1116 Summit Avenue, Union City, New
16 Jersey.

17 MR. DILLON: Thanks.

18 MR. PEREIRAS: Thank you.

19 MS. PEREIRAS: And just for purpose of the
20 record, Mr. Pereiras has been qualified before,
21 and I ask that he be continued.

22 MR. PEREIRAS: Thank you very much.

23 CHAIRMAN GARCIA: Nothing with your license
24 from the last --

25 MS. GUTIERREZ: Your license?

1 CHAIRMAN GARCIA: You don't have any --

2 MS. PEREIRAS: You need the license number.

3 MR. PEREIRAS: No different.

4 CHAIRMAN GARCIA: okay.

5 MR. PEREIRAS: I'd have to read it off the
6 drawings.

7 CHAIRMAN GARCIA: Mr. -- Mr. Price, that's
8 true? You checked The Jersey Journal and
9 everything for him? Okay.

10 MR. PEREIRAS: Actually, there is a
11 difference. I am now licensed in Ohio. I wasn't
12 last month.

13 MR. ISA: Wow.

14 MS. GUTIERREZ: Wow.

15 MR. PEREIRAS: Believe it or not, there
16 actually is a difference.

17 MR. ISA: Wow.

18 MR. PEREIRAS: We took all the Board's
19 recommendations and we drew them up exactly as
20 you recommended.

21 We have revised drawings that I'm
22 submitting before the Board right now, on a small
23 scale, so it's easier to read, rather than
24 opening up the big drawings.

25 Mr. Isa, here you are.

1 And I have the same drawing at a larger
2 scale presented here on the board.

3 The first key difference that we have is
4 that we clarified the entire loading dock
5 situation.

6 Since it's going to be a strictly valet, we
7 reduced our ramp to almost half the size as what
8 it was before, since it's just going to be one
9 valet driver going up and down the ramp. And
10 that allowed us more room to have a loading dock
11 area, and it also created greater space for
12 having more pervious ground.

13 So, we added more grass and trees to the
14 rear of the property.

15 So, for purposes of the neighborhood, the
16 smaller scale, it's a very nice attractive thing
17 that our building is set back significantly, and
18 we added a great deal of landscaping along that
19 whole side.

20 Moving forward on the drawings, we
21 increased the number of parking spaces
22 significantly.

23 Shown on the drawing, what we did is we
24 made that first level a lot taller. And what
25 we're doing is we're double stacking those cars.

1 So, now, we have a total of 44 cars on the -- on
2 the actual racks.

3 In addition to those 44 cars, a valet
4 driver could easily park more cars along the open
5 aisle, as well.

6 So, we have 44 in the open stacks, plus the
7 valet section.

8 And in order to be very clear about things,
9 we added a drawing, which is a cross section of
10 the building. And in this cross section, we
11 could see a little bit better what the grade
12 difference is between the two sides.

13 That's Sheet Z07. And in that cross
14 section, we see the two different floor planes
15 and how the cars are double stacked within that
16 floor plane.

17 So, that really describes and explains the
18 confusion that we had last meeting, and makes it
19 very clear, so that we could actually put the 44
20 cars drawn there.

21 So, what you're looking at here are the two
22 parking levels, double stacked. And then, all
23 the hotel rooms above. And then, the penthouse
24 area with all the amenities on the top floor.

25 What that did to our height of our

1 building, we raised the building up to 107 feet
2 in height. So, adding the -- the additional
3 level, we're all the way up to 107.

4 CHAIRMAN GARCIA: And before how many was?

5 MR. PEREIRAS: I think it was a hundred and
6 something. A hundred and one, if I'm not
7 mistaken. But it's in my testimony, I believe.
8 It went up a few feet, about six feet. Six or
9 seven feet.

10 CHAIRMAN GARCIA: Okay.

11 MR. PEREIRAS: Beyond that, everything else
12 stays the same.

13 For purposes of clarity, I just want to
14 clarify how much --

15 So, we're proposing 5,854 square feet of
16 room spaces, per floor, for a total of 35,124
17 square feet dedicated to the actual rooms, which
18 is the equivalent of 20 rooms per floor, or 120
19 in the entire building.

20 And that's -- and those figures, it doesn't
21 count the -- vertical circulation or the hallways
22 or the amenities or the -- or the elevator or the
23 -- or the lobby. So, those are the key figures
24 for the actual room sizes that we have.

25 And that covers, I believe, all your

1 recommendations.

2 CHAIRMAN GARCIA: Yes.

3 But I want to go back, just for the record.

4 First of all, about the parking spaces. I
5 think that is a good idea, valet parking, because
6 like you said, went up like another eight spaces
7 more. Ten?

8 MR. PEREIRAS: More than that because --
9 not only that, but we also eliminate the handicap
10 parking spaces, because now that's all valet.

11 CHAIRMAN GARCIA: You --

12 MR. PEREIRAS: So, we added two spots
13 there, which actually became four. And then, we
14 added more on the other side.

15 So, I think we added -- I'm not sure what
16 the count was previously.

17 CHAIRMAN GARCIA: Looks like 36. That was
18 another -- yeah.

19 MR. PEREIRAS: But it was a significant
20 amount of spaces. Yeah.

21 CHAIRMAN GARCIA: This is another ten space
22 more I think.

23 MR. PEREIRAS: Yeah.

24 CHAIRMAN GARCIA: I recall. Not only that,
25 basically, that we had the experience last week

1 | in -- where I'm staying that when they have
2 | events, they shut down the parking lot.

3 | MR. PEREIRAS: Yeah.

4 | CHAIRMAN GARCIA: Only valet parking. And
5 | they probably multiply by two the number of
6 | space, because they park whatever.

7 | MR. PEREIRAS: That's true.

8 | CHAIRMAN GARCIA: Since they don't --

9 | MR. PEREIRAS: So, we added the 11 spaces.

10 | CHAIRMAN GARCIA: Right.

11 | MR. PEREIRAS: And in addition to those 11
12 | spaces, that aisle, when it's --

13 | CHAIRMAN GARCIA: Right.

14 | MR. PEREIRAS: -- valet parking, they could
15 | do miracles. They could put cars in front of
16 | each other.

17 | CHAIRMAN GARCIA: Yeah.

18 | MR. PEREIRAS: And they could really --

19 | CHAIRMAN GARCIA: Yup.

20 | MR. PEREIRAS: -- pack them in there.

21 | CHAIRMAN GARCIA: Yup. Yup. Agree with
22 | that.

23 | One of the big concern that I had, I think
24 | I explained -- explained over here to your
25 | applicant, to your client, is that I know that is

1 -- I went through and I saw that there's only 90
2 TRYP hotel in the entire world.

3 MR. PEREIRAS: Um hum.

4 CHAIRMAN GARCIA: Including only two in
5 United States. And it is a big, huge difference
6 between those two hotel in United States.

7 The one in New York City is in Times
8 Square. Basically, Times Square Hotel is for
9 tourist.

10 And also, they have to have some kind of
11 standard to -- to be attractive for that tourist.

12 MR. PEREIRAS: Um hum.

13 CHAIRMAN GARCIA: Therefore, price is
14 around \$300.00 a night.

15 MR. PEREIRAS: Um hum.

16 CHAIRMAN GARCIA: Going south, the second
17 one is in Atlantic City, New Jersey. So, we're
18 going to be the lucky one, if this one granted,
19 that we're going to have only three United
20 States, two in New Jersey.

21 So, but the difference in -- between the
22 New York City one and the Atlantic City one is
23 from heaven to whatever you want it.

24 MR. PEREIRAS: It's a different market.

25 CHAIRMAN GARCIA: It is a different market.

1 I understand that.

2 And is not only the price, because probably
3 Atlantic City, since it's a lot of room, probably
4 the price is less. However, basically, if I'm
5 going to describe both hotel, in my street
6 language, because I'm -- I don't know anything
7 about hotel, one hotel in Atlantic City is a kind
8 of in and out hotel, versus the hotel to be there
9 for a few days as a vacation that is provide --
10 that is provided in Times Square.

11 So, I just need to hear from your client,
12 and I need that he explain to us that he went
13 through every -- because he doesn't going to -- I
14 mean, he going to invest not only us invest.

15 MR. PEREIRAS: No.

16 CHAIRMAN GARCIA: And for him to invest --
17 I mean, when I say him, his company, whatever, to
18 put -- to make that investment, at least he have
19 to went through the same thing that I did. And I
20 don't think so. This is not enough. I'm just
21 seeing something -- I'm just shopping to see
22 which hotel I'm going to take.

23 MR. PEREIRAS: Um hum.

24 CHAIRMAN GARCIA: And I think that for him
25 to put that money there, I think that he has at

1 | least -- like I mentioned at the previous
2 | meeting, a target market.

3 | And I need that he explain it to the Board,
4 | and to the public, and he explain to Union City
5 | what -- I mean, what he did, what his target, why
6 | he has the -- which one is the motivation that he
7 | has to put that hotel there? That's -- that's
8 | what -- I need to hear that --

9 | MS. PEREIRAS: Yeah.

10 | CHAIRMAN GARCIA: -- from his mouth.

11 | MS. PEREIRAS: From him. Okay.

12 | CHAIRMAN GARCIA: Okay?

13 | MS. PEREIRAS: Mr. Friedman, please?

14 | MR. DILLON: Please raise your right hand.

15 | Do you swear that the testimony you're
16 | about to give this Board is the whole truth?

17 | MR. FRIEDMAN: Yes.

18 | MR. DILLON: State your name and spell it
19 | for the record.

20 | MR. FRIEDMAN: Jacob Friedman, J-A-C-O-B,
21 | F-R-I-E-D-M-A-N.

22 | MR. DILLON: Thank you.

23 | MR. FRIEDMAN: So, good evening.

24 | CHAIRMAN GARCIA: It's like I mentioned to
25 | you last time, it is -- I just -- it's basically,

1 | it is my -- I don't know. It's a question more
2 | that I have.

3 | It's like which is -- is everything has --
4 | it's like when Mr. Pereiras explained here his
5 | dedication design the church -- you know, all the
6 | history that he brought here about his culture
7 | and everything, his religion, a great, great,
8 | great design. I congratulate him personally
9 | because he put his whole heart in there.

10 | And you're going to put here not only your
11 | heart, you're going to put your money, too. You
12 | know what I mean?

13 | MR. FRIEDMAN: That's --

14 | CHAIRMAN GARCIA: So, it's something like
15 | probably when you're going to put a business like
16 | that, you -- you were probably putting in
17 | jeopardize your whole entire career --

18 | MR. FRIEDMAN: A lot. A lot. Yeah.

19 | CHAIRMAN GARCIA: -- your life. You know
20 | what I mean? Your family, everything.

21 | So, why that hotel? Why in Union City?
22 | Why -- and what are you pursuing?

23 | It's business. Forget about business. I
24 | don't -- I don't -- you know, that's not part of
25 | our concern.

1 But what are you pursuing and what -- what
2 kind of service you want provide to that hotel,
3 based on the -- like I mentioned before, you have
4 two different hotel between New York City and
5 Atlantic City, and what -- what you going to
6 offer to -- to Union City?

7 What you going to offer to -- to the
8 guests, through a location in Union City?

9 MR. FRIEDMAN: We believe that there's a
10 big demand -- a big demand, people that don't
11 want to go to the city. A lot of people, they
12 want to come to New York, they want to -- you
13 know, get everything that New York has to offer,
14 but they don't want to actually be in New York.

15 Price-wise, traffic-wise, noisy, quiet. We
16 strongly believe -- you know, we spoke to a lot
17 of people and we got a strong feeling that -- and
18 also, because Union City is so close to the city,
19 and there is not much hotels in the area, we
20 strongly believe there is a big demand and we'll
21 do very well with that.

22 And I know you -- I know -- I strongly
23 understand your concern from the last time. To
24 put up this kind of hotel, putting in this money,
25 it won't even make sense to -- to go that route

1 | that -- that you fear.

2 | I mean, it does belong -- it does -- does
3 | not economically, nothing. You don't put up such
4 | a kind of project for that kind of stuff. I mean
5 | --

6 | CHAIRMAN GARCIA: Okay.

7 | MR. FRIEDMAN: I mean, I don't know how
8 | more strongly that I can -- I could put it down.
9 | But this is a real business, magnificent -- I
10 | mean, the way I see it.

11 | I mean, this is real -- this is real stuff.
12 | That's a real business. This is not -- this is
13 | not -- you know, playing games.

14 | CHAIRMAN GARCIA: Right. And -- and in
15 | your -- in your probably survey, study, whatever
16 | you're going to call, or probably in the number
17 | that you did, which one is the expectation of
18 | that hotel in -- in occupancy? Like 70 percent,
19 | 80 percent? In a daily base, in the weekly base.
20 | I mean, it's --

21 | MR. FRIEDMAN: The rate we got --

22 | CHAIRMAN GARCIA: -- it's to be --

23 | MR. FRIEDMAN: -- is 80 percent.

24 | CHAIRMAN GARCIA: Eighty percent.

25 | MR. FRIEDMAN: Eighty percent.

1 CHAIRMAN GARCIA: Okay. And if I ask you
2 between \$69.00 hotel in Atlantic City, versus 389
3 a night, same night in New York City, this hotel,
4 what, going to be close to the 69 or close --
5 close to the -- going to be the middle?

6 I mean, what I'm asking you about the
7 price, I don't need to know how much you're going
8 to charge for that, the only thing that I want to
9 know is what -- the capacity of the -- the people
10 that you are targeting.

11 MR. ISA: Who you're marketing to.

12 MR. FRIEDMAN: We really --

13 CHAIRMAN GARCIA: Who you're marketing.

14 MR. FRIEDMAN: We really don't believe that
15 it will be less than 109 a room, at any time of
16 the year.

17 CHAIRMAN GARCIA: Okay. Okay.

18 And it is any specific requirement that is
19 not sensitive information, it is no -- I don't
20 want to know -- I -- I don't want to ask for
21 sensitive information, but is not any specific
22 requirement that the holding company require you
23 in order for you to be -- in order for you to
24 qualify for that brand in this place?

25 MR. FRIEDMAN: I'm not sure I understand

1 the question.

2 CHAIRMAN GARCIA: You didn't understand my
3 question?

4 MS. PEREIRAS: I do. I do.

5 CHAIRMAN GARCIA: Can you --

6 MS. PEREIRAS: The --

7 CHAIRMAN GARCIA: -- explain to him?

8 MS. PEREIRAS: Yes.

9 When you spoke with the franchise --

10 MR. FRIEDMAN: Um hum.

11 MS. PEREIRAS: -- were there any
12 requirements that were needed on this particular
13 site, in order for them to confirm their
14 participation in this?

15 MR. FRIEDMAN: I can --

16 MS. PEREIRAS: In this venture?

17 MR. FRIEDMAN: In dollar-wise?

18 MS. PEREIRAS: No.

19 CHAIRMAN GARCIA: No.

20 MS. PEREIRAS: No.

21 CHAIRMAN GARCIA: No sensitive information.

22 No.

23 MS. PEREIRAS: Right. As far as amenities

24 --

25 CHAIRMAN GARCIA: Location, service --

1 MS. PEREIRAS: Location --

2 CHAIRMAN GARCIA: -- amenities?

3 MS. PEREIRAS: Right. Amount of rooms --

4 CHAIRMAN GARCIA: Right.

5 MS. PEREIRAS: -- things of that nature.

6 MR. FRIEDMAN: Yeah. We had to have 120

7 rooms. Minimum 120 rooms. We have that,

8 otherwise --

9 CHAIRMAN GARCIA: Oh, okay.

10 MR. FRIEDMAN: -- we wouldn't be able to go
11 forward.

12 CHAIRMAN GARCIA: Okay.

13 Okay. Any other member -- any other
14 question?

15 Any member of the public?

16 MR. PRESSEY: Yeah.

17 CHAIRMAN GARCIA: Okay. Go ahead.

18 MR. PRESSEY: They're all hotel rooms. I
19 mean, will any of the rooms be for residential
20 purposes?

21 MR. FRIEDMAN: Residential?

22 MR. PRESSEY: No?

23 MR. FRIEDMAN: No. No.

24 MR. PRESSEY: That's it.

25 MR. FRIEDMAN: No.

1 MR. PEREIRAS: I'd like to add something,
2 too.

3 CHAIRMAN GARCIA: Okay.

4 MR. PEREIRAS: And this is in reference to
5 a statement you made.

6 You looked on the internet, and you saw one
7 hotel in Atlantic City and you saw one in Times
8 Square. And you immediately made judgements.
9 And the reason you immediately made judgements
10 are mostly based on the architecture of them.

11 You saw one that was a motel style, and you
12 saw New York City that was a building.

13 Architecture speaks volumes, and it
14 expresses what happens within it.

15 We're presenting a beautiful building made
16 with class. It's not a motel. It's not doors
17 opening into a hallway that's out into the open.
18 This is a beautiful, classy building. And that
19 speaks as to what is happening within it. And I
20 think that's an important note to make.

21 There is no comparison between what we're
22 doing here and a motel in Atlantic City.
23 However, I could easily make the comparison
24 between this and a building by Times Square.

25 MR. PRESSEY: I understand, also, the name

1 | that goes with it -- you know?

2 | MR. PEREIRAS: Of course. A hundred
3 | percent. It's important.

4 | CHAIRMAN GARCIA: Mr. Pereira, I'm so in
5 | love with my town, and I'm so in love what --

6 | MR. PEREIRAS: Me, too.

7 | CHAIRMAN GARCIA: -- I'm doing for my town
8 | --

9 | MR. PEREIRAS: Me, too.

10 | CHAIRMAN GARCIA: -- that --

11 | MR. PEREIRAS: And that's why I love this
12 | project.

13 | CHAIRMAN GARCIA: -- that I drove down to
14 | Atlantic City and I rent a room for two hours.

15 | MR. PEREIRAS: Oh, poor you.

16 | CHAIRMAN GARCIA: Over there. Yes.

17 | MR. PEREIRAS: Poor you.

18 | CHAIRMAN GARCIA: I know. I mean, it is --
19 | I know -- I mean, I -- it is like -- it is like
20 | tomorrow, I don't want to, in ten more years,
21 | say, damn, I was part of a group that approved
22 | that motel. That's my point.

23 | MR. PEREIRAS: Um hum.

24 | CHAIRMAN GARCIA: You know what I mean?

25 | No, no. What I'm saying is, if -- if they

1 | did the --

2 | MR. PEREIRAS: Um hum.

3 | CHAIRMAN GARCIA: -- the -- the market --

4 | MR. PEREIRAS: Um hum.

5 | CHAIRMAN GARCIA: -- that's my -- but I'm
6 | going to feel so, so proud to say, wow, I was
7 | part of that -- the group who grant that
8 | application, for that big, nice hotel. You know,
9 | that's -- that's how I love what I'm doing.

10 | MR. PEREIRAS: Yup.

11 | CHAIRMAN GARCIA: And you know that better
12 | than me.

13 | MR. PEREIRAS: I know that very well. I
14 | know that very well.

15 | CHAIRMAN GARCIA: Okay. No other question?
16 | Any member of the public?

17 | No?

18 | Actually, like I said right now, I think is
19 | -- is a kind of historic moment for Union City to
20 | bring application like that, for being part of
21 | application like that, because I think that
22 | granting this application going to put Union City
23 | in the map. It's just going to --

24 | MS. GUTIERREZ: Um hum.

25 | CHAIRMAN GARCIA: -- TRYP Hotel, actually,

1 is only 90 hotel in the whole world, TRYP Hotel.
2 Three in United State, if we grant this one.
3 Only two right now.

4 So, probably two -- in an hour, probably
5 going to be three. Probably just two.

6 And I think that it's -- it's a kind of a
7 privilege for us to have a presentation like
8 that.

9 Always Mr. Pereiras respect some criteria,
10 the safety issue and the landscaping. And also,
11 he always respect the visual aspect.

12 I think it's enough reason for grant this
13 application.

14 First of all, respect for the -- for the
15 City, respect for the traffic. I mean, respect
16 for all the -- all the recommendation that we --
17 that we ask.

18 So, I think is -- like I said, it's -- it's
19 a historic moment for Union City to approve this
20 application.

21 So, I make my motion to grant this
22 application.

23 MR. ORTIZ: Yeah. Not only that, Mr.
24 Chairman --

25 THE SECRETARY: Motion to approve the

1 application --

2 MR. ORTIZ: -- it also going to enhance the
3 area.

4 MR. ISA: Wait one second. Wait one
5 second. One second.

6 CHAIRMAN GARCIA: One second.

7 THE SECRETARY: -- by --

8 MR. ORTIZ: Is going to give it a beautiful
9 look.

10 CHAIRMAN GARCIA: Yes.

11 MS. GUTIERREZ: Yes.

12 MR. ORTIZ: Is going to --

13 MS. GUTIERREZ: Um hum.

14 CHAIRMAN GARCIA: And also, yes. Just for
15 the record, this application is only here for
16 height -- for height variance.

17 MS GUTIERREZ: Um hum.

18 CHAIRMAN GARCIA: So, hotel is allowed.
19 The use is allowed. It's everything, just
20 height.

21 So, I don't think that they could come
22 here, like I mentioned in the prior meeting, with
23 just -- with TRYP Hotel, put ten rooms, 20 rooms,
24 still is a hotel.

25 So, I think it's -- like I said, it's

1 enough reason to approve this application, and I
2 make my motion to grant this application.

3 MR. MEDINA: Just let me know when is the
4 grand opening.

5 MS. GUTIERREZ: And I'm seconding.

6 MS. PEREIRAS: They want to know when the
7 grand opening is.

8 MR. MEDINA: Just let me know when is the
9 grand opening.

10 MS. PEREIRAS: You have to let them know.

11 MR. MEDINA: All right?

12 MR. FRIEDMAN: Sure. You're all --

13 MS. GUTIERREZ: And thank you -- and thank
14 you for bringing the --

15 THE SECRETARY: Motion to approve the --

16 MS. GUTIERREZ: -- hotel to Union City.

17 MR. FRIEDMAN: You're welcome.

18 MR. PRICE: Conflicted victory.

19 THE SECRETARY: -- application by Chairman
20 Andres Garcia.

21 CHAIRMAN GARCIA: Yes.

22 THE SECRETARY: Second by Margarita
23 Gutierrez.

24 MR. ISA: Roll call.

25 THE SECRETARY: Roll call to approve the

1 application.

2 Andres Garcia?

3 CHAIRMAN GARCIA: Yes.

4 THE SECRETARY: Victor Grullon?

5 MR. GRULLON: Yes.

6 THE SECRETARY: Margarita Gutierrez?

7 MS. GUTIERREZ: Yes.

8 THE SECRETARY: Miguel Ortiz?

9 MR. ORTIZ: Yes.

10 THE SECRETARY: David Pressey?

11 MR. PRESSEY: Yes.

12 THE SECRETARY: John Medina?

13 MR. MEDINA: Yes.

14 THE SECRETARY: Khaled Dardir?

15 MR. DARDIR: Yes.

16 THE SECRETARY: Let -- let the record
17 indicate motion carries. Seven in favor.

18 * * *

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1 **RESOLUTIONS:**

2

3 (1) Sip Inka, LLC - 717-719 Sip Street - 718-
4 720 31st Street, Block 171, Lots 13, 14, 33, 34,
5 Propose the construction of a new hotel

6

7 MR. ISA: Now, before we move on to the
8 next application, at the last meeting, the
9 Chairman had said that -- asked me to get a --
10 Resolutions prepared in the event that this was
11 approved.

12 So, we have that, so we need to now -- you
13 know, make a motion on the Resolution.

14 MS. GUTIERREZ: I make a motion.

15 CHAIRMAN GARCIA: I make my motion to adopt
16 this Resolution.

17 THE SECRETARY: Motion to --

18 MS. GUTIERREZ: And I'm seconding.

19 THE SECRETARY: -- adopt the Resolution by
20 Chairman Andres Garcia.

21 Second by?

22 MS. GUTIERREZ: Margarita Gutierrez.

23 THE SECRETARY: Roll call to -- to approve
24 the Resolution.

25 Andres Garcia?

1 CHAIRMAN GARCIA: Yes.

2 THE SECRETARY: Margarita Gutierrez?

3 MS. GUTIERREZ: Yes.

4 THE SECRETARY: Victor Grullon?

5 MR. GRULLON: Yes.

6 THE SECRETARY: Mr. Ortiz?

7 MR. ORTIZ: Yes.

8 THE SECRETARY: John Medina?

9 MR. MEDINA: Yes.

10 THE SECRETARY: Khaled Dardir?

11 MR. DARDIR: Yes.

12 THE SECRETARY: David Pressey?

13 MR. PRESSEY: Yes.

14 THE SECRETARY: Motion carries.

15 MS. PEREIRAS: Thank you all very much.

16 THE SECRETARY: Seven in favor.

17 MR. PEREIRAS: Thank you.

18 MS. PEREIRAS: Thank you.

19 MR. FRIEDMAN: Thank you. Thank you very

20 much.

21 MR. PEREIRAS: Thank you very much.

22 MR. FRIEDMAN: Have a good evening.

23 CHAIRMAN GARCIA: Thank you.

24 MS. GUTIERREZ: You're welcome. Good

25 night.

1 MR. GRULLON: Good night.

2 MR. ISA: All right.

3 (Whereupon, there was a pause in the
4 proceedings.)

5 CHAIRMAN GARCIA: Are we on the record or
6 not on record?

7 MR. ISA: We're on the record.

8 (Whereupon, there was a pause in the
9 proceedings.)

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1 **Zohara 544, LLC - 544 40th Street:**

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3 THE SECRETARY: Next -- next application on
4 tonight's agenda, Zohara five five -- 554 (sic),
5 LLC, 544 40th Street.

6 Mrs. Pereiras?

7 MR. PEREIRAS: Are you here on this one?

8 MR. ISA: All right.

9 MR. PEREIRAS: Are you here on this
10 application?

11 A VOICE: No, just curious.

12 MR. ISA: Mr. Chairman, members of the
13 Board --

14 MR. PEREIRAS: Or you're just curious in
15 general? Okay.

16 MR. ISA: -- I've reviewed the application,
17 the documents of notice. Everything appears to
18 be in order. The Board has jurisdiction to
19 proceed.

20 (Whereupon, there was a pause in the
21 proceedings.)

22 MS. PEREIRAS: Again, Bianca Pereiras, on
23 behalf of Zohara 544, LLC. This is our client's
24 application to add two units to an existing
25 multi-family.

1 This is an application that actually
2 appeared before this Board back in 2005, at which
3 time this Board approved their application for 17
4 units. My client now is looking to add,
5 technically, one additional unit.

6 We have one expert to testify before the
7 Board this evening. That is our architect, Mr.
8 Manuel Pereiras.

9 MR. PEREIRAS: Hello, everyone.

10 I remember I am still under oath.

11 MS. GUTIERREZ: Um hum. After 12 o'clock.

12 MR. PEREIRAS: Yes.

13 MR. ISA: How many units are you adding?

14 CHAIRMAN GARCIA: Just one?

15 MR. PEREIRAS: Okay.

16 MS. PEREIRAS: It's --

17 MR. PEREIRAS: It's confusing.

18 MS. PEREIRAS: Let me explain a little.

19 MR. PEREIRAS: So, let me give you history
20 and a background on -- on this building.

21 This building went before the Board years
22 ago.

23 What year was it?

24 MS. PEREIRAS: 2005.

25 MR. PEREIRAS: 2005. It got approved for

1 17 units. Okay?

2 They got permits. They built almost the
3 entire thing. The shell's up. They put studs
4 up. They put -- they ran electric and they built
5 it for only 16 units, not 17. Okay? Including
6 four duplexes that are enormous. Okay?

7 The -- there were financial issues. There
8 were legal issues. There were a lot of problems.
9 Owner went bankrupt, disappeared, bank took it
10 over. It's changed hands. It's -- it's been a
11 mess.

12 We've had an abandoned eyesore for a long,
13 long time.

14 What we're here before this Board is to
15 salvage this building and make something good.
16 So, they -- we have a bunch of lemons and we're
17 trying to make lemonade.

18 So, we have 17 approved, 16 --

19 CHAIRMAN GARCIA: Let's do margaritas.

20 MR. PEREIRAS: -- somewhat built.

21 Yeah. Margaritas would be better.

22 CHAIRMAN GARCIA: Or mojitos.

23 MR. PEREIRAS: Yeah.

24 So, just to understand a little bit what
25 the building is, and -- and all of these things

1 are kind of built, and done.

2 We have an existing site that's 50 by 97 --
3 by a hundred feet.

4 The building itself covers almost the
5 entire site. It's 98 feet long. It has a
6 setback of three feet on each side. The setback
7 is greater on the -- on the floors above. It
8 sets back five feet in order to have windows in
9 the apartments.

10 The first floor of the building is parking.
11 And we're not making any changes to that parking
12 layout.

13 However, as every other building in Union
14 City, that we're -- and I've become somewhat of
15 an expert on this, because we've been doing so
16 many, during the boom, and a few years ago,
17 things were built in a very strange way, and
18 incorrectly in many ways. So, we're doing a lot
19 of things to correct it.

20 For example, from a Code perspective, the
21 parking area is open. There's three feet of open
22 air on both ends. There's about six feet of open
23 air in the rear. We're enclosing that. We're
24 making that a type 2 construction for the parking
25 garage.

1 We're making this safe, from a Code
2 standpoint, from a fire standpoint.

3 These are all things that would happen
4 regardless of what the Board decides today.

5 So, we're making a lot of modifications.
6 We're adding trash chutes to this building. I
7 don't know how we had six story buildings before
8 and we're going to have a trash chute. I guess
9 people were going to throw their garbage out the
10 window or something.

11 So, we're adding trash cutes. Adding trash
12 rooms on the bottom.

13 So, we have -- and we're going to keep the
14 same number of parking spaces which is 17.

15 Here's where the modifications start
16 happening. The first floor of residential, which
17 is the second floor, stays the same.

18 You have a two bedroom apartment along the
19 front. Two bedroom here. One bedroom along this
20 corner. And a one bedroom here.

21 The one bedroom on this corner is what
22 we're looking to modify on the floors above.

23 On the floors above, each of those one
24 bedrooms are duplexes that are almost 17,000
25 (sic) square feet each. Okay? So, you had two

1 bedroom duplexes that were 17,000 (sic) square
2 feet.

3 What we're looking to do is split each of
4 those duplexes and keep them per floor, so that
5 each duplex is going to have 820 square feet.
6 So, we're adding a trash room in a portion of
7 that. That's a trash room here. We're taking
8 that away from the -- what was that apartment.
9 And we're -- with the remainder 820 square feet
10 is a one bedroom apartment.

11 So, you have -- you walk in, you have a big
12 dining room, living space. It's 12 feet by 21
13 feet. Another kitchen area here, a hallway for
14 an ADA bathroom and a bedroom.

15 By the way, ADA compliance is huge in this
16 building. We're making it ADA compliant.

17 There's a lot of changes that have to go on
18 to this building in order to make it ADA
19 compliant. We're doing them all.

20 So, going up. Basically, every floor is
21 exactly the same. So, in this unit, where you
22 had two duplexes, one on top of each other, now
23 you're going to have four apartments.

24 So, we're going from two apartments to four
25 in that section.

1 And this area here are -- is duplex. And
2 we didn't want to be greedy. We didn't ask for
3 more there. That's a more reasonable size unit.
4 That's about 1400 square feet. And we're keeping
5 those the way they are.

6 So, in this building, at the end of the
7 day, we're going to have two duplex units and 17
8 -- do I have the right count -- 17 apartments in
9 total. No. Eighteen apartments -- 18 apartments
10 in total.

11 So, we're going from 16 actual, 17
12 approved, to 18 proposed.

13 I know that was confusing.

14 CHAIRMAN GARCIA: There was not 19
15 approved?

16 MR. PEREIRAS: They came before the Board
17 for 19. The actual Resolution was 17.

18 MR. ISA: Why?

19 MS. GUTIERREZ: Why they put 16 in here?

20 MR. PEREIRAS: I have no idea. And 19
21 makes a lot of sense to me, because we eliminate
22 the duplexes, and we could keep them -- keep the
23 duplexes.

24 MR. ISA: And this was back in 2005.
25 Right?

1 MR. PEREIRAS: It's 2005. Before my time.

2 CHAIRMAN GARCIA: Still my time.

3 MR. ISA: Before Larry Price's time.

4 CHAIRMAN GARCIA: Gosh.

5 MR. PRICE: That's even before me.

6 MR. ISA: Yeah.

7 CHAIRMAN GARCIA: No, Mr. Price. That

8 wasn't in the moment that you start to come here

9 with your best friend.

10 MR. PRICE: That's when I was --

11 CHAIRMAN GARCIA: Marotta.

12 MR. PRICE: -- cranking up.

13 MS. GUTIERREZ: Yup.

14 CHAIRMAN GARCIA: That's when you teach me

15 how to fight.

16 No, but here -- so, they came with -- they

17 applied for 19.

18 MR. PEREIRAS: They applied for 19, which

19 we would love. It would make this building

20 financially feasible, perfectly. It would be

21 wonderful. We would love that, but we're here

22 before this Board for -- for --

23 MS. PEREIRAS: Eighteen.

24 MR. PEREIRAS: -- 18.

25 MR. ISA: And there's currently 16.

1 MR. PEREIRAS: There's --

2 MR. ISA: But approved 17.

3 MR. PEREIRAS: -- currently 16.

4 MS. PEREIRAS: Right.

5 MR. PEREIRAS: But 17 approved.

6 MR. ISA: Have to have visions for 19.

7 MR. PEREIRAS: Right.

8 MS. PEREIRAS: Yes.

9 MR. ISA: Yeah.

10 CHAIRMAN GARCIA: So, they approve for 17.

11 MR. PEREIRAS: Correct.

12 CHAIRMAN GARCIA: I mean, we approve.

13 MR. GRULLON: But was the approval for 17?

14 CHAIRMAN GARCIA: Yeah. That was for 17.

15 Five one bedroom unit, 11 two bedroom unit.

16 That was in -- that Resolution was adopted
17 on June '05.

18 (Whereupon, there was a pause in the
19 proceedings.)

20 CHAIRMAN GARCIA: And you're going to use
21 the same -- the same structure. Right?

22 Everything going to be inside?

23 MR. PEREIRAS: We are making a lot of
24 corrections to the structure itself. But nothing
25 changes. All the bulk dimensions are the same.

1 CHAIRMAN GARCIA: So, the -- the building
2 --

3 MR. PEREIRAS: With --

4 CHAIRMAN GARCIA: -- the lot coverage going
5 to be the same.

6 MR. PEREIRAS: Lot coverage -- there's
7 actually one big change to the exterior of the
8 building, that isn't really a zoning issue, but
9 it's important because it's aesthetic.

10 The Code requires that a building of this
11 size have a generator. So, the only place to put
12 that generator is on the roof, over the elevator.

13 So, our elevator bulkhead is going to be
14 bigger than -- than it is, and -- and was
15 proposed. But that is exempt from the -- from
16 our Zoning Ordinance.

17 But we're going to put a generator up
18 there.

19 CHAIRMAN GARCIA: And you're going to
20 maintain the same façade and everything?

21 MR. PEREIRAS: Everything's the same.
22 We're replacing all the windows. Some are
23 broken. So, they're actually replacing all of
24 them.

25 But yes, the façade stays the same.

1 | There's not much we could do with the building.

2 | CHAIRMAN GARCIA: How many parking spaces?

3 | MR. PEREIRAS: Nineteen. Seventeen.

4 | Seventeen parking spaces.

5 | CHAIRMAN GARCIA: And you want 20 unit?

6 | MR. PEREIRAS: No. We -- 17 parking spaces
7 | and we want 18 units.

8 | CHAIRMAN GARCIA: Eighteen units.

9 | Hmm. Mr. Spatz?

10 | MR. SPATZ: Yes?

11 | CHAIRMAN GARCIA: Did you have the chance
12 | to compare both application? The one that was
13 | granted --

14 | MR. SPATZ: I did not have the initial
15 | approval, but as you can see from what was
16 | submitted -- you know, it's really just taking
17 | some of the duplex apartments and splitting them
18 | into two apartments instead of the one larger
19 | apartment.

20 | You know, the other improvements are -- you
21 | know, more related to Building Department and --
22 | and Code issues, as opposed to zoning issues.

23 | CHAIRMAN GARCIA: Okay.

24 | And the applicant -- how many -- let me go
25 | back to the parking space.

1 MR. PEREIRAS: Yes.

2 CHAIRMAN GARCIA: How many parking spaces?

3 MR. PEREIRAS: There are 17 parking spaces,
4 including the handicap parking space.

5 CHAIRMAN GARCIA: And you are seeking 18
6 units?

7 MR. PEREIRAS: We are seeking 18 units,
8 which is one additional to what was previously
9 approved. And there is significant amount of
10 work that has to be done on this building in
11 order to salvage the building.

12 So, we're doing -- it's a huge investment
13 from -- from my patron's point of view, in order
14 to salvage this building.

15 And that's saving us from having 1700
16 square foot units. Basically, two 1700 square
17 foot units.

18 CHAIRMAN GARCIA: How many tandem parking
19 you have?

20 MR. PEREIRAS: Tenant parking spaces?
21 Seventeen, including the handicap. So that's --

22 CHAIRMAN GARCIA: Tandem.

23 MR. ISA: Tandem. Tandem.

24 MR. PEREIRAS: Oh, tandem? Zero.

25 CHAIRMAN GARCIA: Going back in the time,

1 I'm just going to explain, for record, my
2 frustration.

3 In the last application that I vote for an
4 approval of a building, with one parking space
5 short, at least for one per one.

6 MS. GUTIERREZ: Um hum.

7 CHAIRMAN GARCIA: That building was or is
8 located in New York Avenue, between 17 and 18.

9 I recall, because going back to record,
10 you're going to see that the only one that vote
11 against that application was myself.

12 Because when I move in Union City, back in
13 1998, that I was renting a basement in 11th
14 Street, between Central and Summit, after drive
15 hour and a half from work, that was my miserable
16 life, to drive another hour looking for parking.

17 And I think -- and I think that this kind
18 of investment at least deserve a parking space
19 per park -- per apartment.

20 I really, really, really appreciate that --
21 that your client want to save the -- the --

22 MS. GUTIERREZ: The building.

23 CHAIRMAN GARCIA: -- the building, the
24 application to save the situation. But I think
25 is -- if there's any -- any kind of -- of

1 possibility to have one and one, I think that
2 going to be my best recommendation.

3 MR. PEREIRAS: There's -- and there's a few
4 things that we should stipulate. This is a
5 rental building not a -- not a condo. So, no
6 one's going to purchase in -- in this building.

7 CHAIRMAN GARCIA: That is another thing,
8 Mr. Pereiras, that I always been upset with
9 people who build rent and rent separate. It is
10 not fair at all.

11 I'm not talking --

12 MR. PEREIRAS: Um hum.

13 CHAIRMAN GARCIA: -- I mean, not against
14 you, but I'm seeing that situation.

15 Like, oh I rent -- I rent an apartment, but
16 I rent the unit -- the parking space separate.

17 MR. PEREIRAS: Um hum.

18 CHAIRMAN GARCIA: And is something like one
19 day, I think I'm going to come to -- to whoever I
20 have to come and say, hey, I think we have to do
21 something for the -- because it's -- it's a kind
22 of frustration.

23 MR. PEREIRAS: Okay.

24 CHAIRMAN GARCIA: I mean --

25 MR. PEREIRAS: Um hum.

1 CHAIRMAN GARCIA: -- with you -- I mean,
2 with your experience, it is anything that could
3 be doable, is anything that you could do to -- I
4 don't know, I mean, probably tandem parking,
5 whatever, to create in 18 unit, and 18 -- 18
6 spaces with 18 units?

7 MR. PEREIRAS: We could --

8 Not reasonably. No.

9 MR. SPATZ: Can I?

10 MR. PEREIRAS: Yes, please.

11 MR. SPATZ: These -- these are the columns.
12 Right?

13 MR. PEREIRAS: Correct.

14 MR. SPATZ: And is it possible --this is
15 not there for handicap accessibility. Right?
16 It's just --

17 MR. PEREIRAS: It's the access to the
18 lobby, but I could move that door. That's not a
19 problem.

20 MR. SPATZ: Right. Is -- if it's possible
21 to -- I mean, to get the extra space in. Here,
22 you can't do anything because you have the
23 columns. But the columns are here. If you --
24 you know, reduce the size of that space -- of
25 that striped area, and reduced the width -- what

1 are the -- what's the width of the spaces?

2 MR. PEREIRAS: They're eight feet to the
3 center and the column.

4 MR. SPATZ: Right.

5 MR. PEREIRAS: They're very tight spaces as
6 it is.

7 MR. SPATZ: Right. But here there's -- you
8 know -- you know, whether you feel it might be
9 possible to squeeze an extra space out of it, if
10 you have some narrow -- or something designated
11 for a compact car or --

12 MR. PEREIRAS: If -- this first parking
13 space that I have, if it was designated to the
14 same person, and they could squeeze two compact
15 cars in there, it's technically feasible. We
16 could fit two cars there. But it's not -- but
17 it's extremely tight.

18 CHAIRMAN GARCIA: Let me tell you. I'm --
19 I'm just thinking about myself, when I was --
20 when I didn't have my -- my parking space. No
21 matter what, I prefer to spend ten minutes trying
22 to park my car --

23 MR. PEREIRAS: That could be done.

24 CHAIRMAN GARCIA: -- in a space that is
25 reserved for me, and not to go 20, 30 minute

1 driving around.

2 MR. PEREIRAS: So, what I could do is,
3 relocate that door to here, eliminate the striped
4 parking, and make that all one --

5 MR. SPATZ: Is it possible, just another
6 thought, -- to put the handicap accessible spot
7 here?

8 MR. PEREIRAS: Yes. That's a --

9 MR. SPATZ: And then --

10 MR. GRULLON: Yeah. That's a better one.

11 MR. SPATZ: -- cut this is the two spaces?

12 MR. PEREIRAS: Brilliant man.

13 MR. GRULLON: Yes.

14 CHAIRMAN GARCIA: Okay.

15 MR. PEREIRAS: Brilliant and perfect.

16 I could make the handicap spot over here --

17 MR. SPATZ: Right.

18 MR. PEREIRAS: -- which is still very close

19 --

20 MR. SPATZ: Which is closer to the elevator
21 than it is already.

22 MR. PEREIRAS: -- and then we have 16 feet.
23 I could put two cars there. It's tight, but it
24 will work.

25 MR. GRULLON: Yes.

1 MR. PEREIRAS: It will work. So, we could
2 do, potentially, a Resolution for 18 to 18.

3 CHAIRMAN GARCIA: Okay.

4 MR. PEREIRAS: Equal.

5 CHAIRMAN GARCIA: Okay. Thank you, Mr.
6 Spatz.

7 MR. GRULLON: Thank you.

8 MR. SPATZ: Sure.

9 MR. PEREIRAS: Thank you, Mr. Spatz.
10 That's --

11 MR. SPATZ: Sure.

12 CHAIRMAN GARCIA: Thank you very much.

13 Okay. Thank you for my -- listen my
14 speech.

15 No. It is -- it is tough when you don't
16 have any parking space.

17 MR. PEREIRAS: That's very true.

18 CHAIRMAN GARCIA: Any member of the -- ask
19 question?

20 Any member of the public wants to step
21 forward?

22 Mr. Spatz?

23 MR. ISA: Mr. Price.

24 CHAIRMAN GARCIA: Mr. Price?

25 MR. GRULLON: Mr. Price?

1 MR. PRICE: Larry Price.

2 By the way, you made reference to the
3 duplex apartments being 17,000 square feet.

4 You mean 1700.

5 Correct?

6 MR. PEREIRAS: Yes, Mr. Price.

7 MR. PRICE: Okay.

8 MR. PEREIRAS: Otherwise, I would want one.

9 MR. PRICE: Okay.

10 By the way, I guess I'm a parking expert
11 since I've been in that business for awhile.

12 MR. PEREIRAS: Yes.

13 MR. PRICE: If the space is seven and a
14 half feet wide, it's tight, but it's doable, even
15 by a ordinary size car.

16 Ordinary size car is usually about five
17 feet wide. The widest is a Hummer, whatever,
18 it's 68 inches wide. So, it's less than six
19 feet.

20 You -- you have to counsel, anybody has
21 that lot, that they can't open their door
22 vigorously, because they're going to dent the --
23 either they'll dent their door or the guy next
24 door.

25 But -- but it -- it's -- you know, big --

1 | you got to -- you can put 18 spaces in there.

2 | Question. This thing has stayed empty for
3 | ten years?

4 | MR. PEREIRAS: Correct. Correct. And has
5 | received a lot of damage, consequently, because
6 | of it.

7 | The roof that was put on it, was sub-par.
8 | So, there is a lot of water damage throughout the
9 | building.

10 | We're doing significant structural work to
11 | this building, and -- and lots of repairs. We're
12 | ripping out a lot. We're doing mold remediation
13 | on things. We're ripping out all the sheetrock.

14 | It's a significant endeavor to restore this
15 | building.

16 | MR. PRICE: What was the state of the
17 | building when it was abandoned? Were the build
18 | -- were the apartments finished, and walls, and
19 | --

20 | MR. PEREIRAS: They were --

21 | MR. PRICE: -- electric, and plumbing, and
22 | so on put in?

23 | MR. PEREIRAS: If -- if we go off the
24 | Building Department tech card, there were various
25 | inspections on different floors for rough

1 | electrical, rough plumbing, and -- and framing
2 | never closed out.

3 | So, there's some areas that they put
4 | sheetrock, but very few. But for the most part,
5 | the entire building was completely framed. And
6 | this is a metal frame building.

7 | And -- and all the electrical and plumbing
8 | roughing was done.

9 | MR. PRICE: Okay.

10 | Basically, it's almost like you're starting
11 | from nothing.

12 | MR. PEREIRAS: We are. And it's actually
13 | more difficult, because now, we're -- we're
14 | patching and changing and -- and to the extreme
15 | --

16 | Let me give you an example of this
17 | building.

18 | There was a corner of this building where
19 | you have a block wall --

20 | CHAIRMAN GARCIA: That was round.

21 | MR. PEREIRAS: -- and you have a block
22 | wall, and they don't meet. So, on the exterior
23 | of the building, there's like a big hole. And on
24 | the inside, they just covered it up.

25 | So, we're now, to fix these things.

1 First of all, to find these things is
2 difficult. We've had to, very painstakingly, go
3 through this. But once we saw that, we got very
4 nervous and now we started going through the
5 building very carefully. And we've been finding
6 more and more things.

7 So -- and I consider myself an expert in
8 this, because I've already done it all over Union
9 City, with these buildings that have been
10 abandoned, this one actually takes the cake.
11 It's even -- it -- there's a lot wrong with it.

12 MR. PRICE: Okay.

13 Thank you.

14 MR. PEREIRAS: And we're fixing it.

15 CHAIRMAN GARCIA: Any other member to the
16 public -- of the public?

17 Closed to the public.

18 Any other question?

19 MS. GUTIERREZ: Uh huh.

20 CHAIRMAN GARCIA: Okay. I'm going to close
21 -- and I'm going to make my motion to grant the
22 application, especially that it is taking a -- I
23 mean, I think is -- is a benefit to everybody,
24 because it's -- it's a building that's
25 dilapidated there. And in reality, it's really

1 | sad to have -- to repeat the history that we had
2 | in 17 and Palisade Avenue. I don't want to see.

3 | I mean, it's like -- it's --

4 | MR. PEREIRAS: Um hum.

5 | CHAIRMAN GARCIA: And I think that it is a
6 | great opportunity for everybody. So, it's fair
7 | for everybody.

8 | I make my motion to grant this application,
9 | with the condition before the adopt the
10 | Resolution, to present the --

11 | MR. PEREIRAS: Parking layout.

12 | CHAIRMAN GARCIA: -- the -- correct set of
13 | plans.

14 | MR. PEREIRAS: Yes, sir.

15 | CHAIRMAN GARCIA: Okay. I make my motion
16 | to grant the application.

17 | MR. PRESSEY: Second.

18 | THE SECRETARY: Motion to approve the
19 | application by Chairman Andres Garcia.

20 | Second by David Pressey.

21 | Roll call.

22 | Andres Garcia?

23 | CHAIRMAN GARCIA: Yes.

24 | THE SECRETARY: Victor Grullon?

25 | MR. GRULLON: Yes.

1 THE SECRETARY: Margarita Gutierrez?

2 MS. GUTIERREZ: Yes.

3 THE SECRETARY: Miguel Ortiz?

4 MR. ORTIZ: Yes.

5 THE SECRETARY: David Pressey?

6 MR. PRESSEY: Yes.

7 THE SECRETARY: John Medina?

8 MR. MEDINA: Yes.

9 THE SECRETARY: Khaled Dardir?

10 MR. DARDIR: Yes.

11 THE SECRETARY: Motion carries. Seven in
12 favor.

13 MS. PEREIRAS: Thank you very much.

14 MR. ISA: One minute break.

15

16 (Whereupon, the Board recessed from 8:05
17 p.m. to 8:07 p.m.)

18 * * *

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1 **4614 Kennedy Boulevard, LLC - 4614 Kennedy**
2 **Boulevard:**

3

4 THE SECRETARY: May I have your attention,
5 please?

6 Next application on tonight's agenda, 4614
7 Kennedy Boulevard, LLC.

8 Mrs. Pereiras, please?

9 (Whereupon, there was a pause in the
10 proceedings.)

11 MS. PEREIRAS: Again, Bianca Pereiras on
12 behalf of the applicants.

13 This is a continuation. I think it's been
14 going on for several months now.

15 We had taken some of the Board's
16 suggestions, and we'd like to address some of
17 your concerns, to see if maybe we can alleviate
18 some of those concerns that the Board was having.

19 I'd like to have our architect, Mr.
20 Pereiras.

21 MR. PEREIRAS: Yes.

22 We just want to put all our cards on the
23 table, and give all our ideas and all our
24 options.

25 We know that the City's very concerned on

1 the traffic impact on this corner. So, we have
2 three concepts that from a menu --

3 CHAIRMAN GARCIA: I don't know the City.
4 The Board is very concerned.

5 MR. PEREIRAS: The Board.

6 MS. PEREIRAS: Board.

7 MR. PEREIRAS: Of course. Of course. My
8 -- I misspoke.

9 The Board is very -- the Board is very
10 concerned, and rightfully so. And rightfully so.

11 We -- we've done a few mitigating aspects
12 with our design. We indented the sidewalk, so we
13 could have cars parked and not open their doors
14 into oncoming traffic.

15 We've created a significant amount of
16 parking. We've -- and we have that curb cut.

17 Here are the three kind of new concepts
18 that we have.

19 There's mosque at the end of the block.
20 They have a parking lot. We would be pleased and
21 -- and welcome the idea of approvals being
22 contingent on getting parking spaces leased from
23 that mosque.

24 That's one concept.

25 A second concept is to have a security

1 person monitor traffic and monitoring the -- the
2 children getting in and out, and having someone
3 responsible there on the site.

4 And here's a third kind of concept, which
5 is the significant, and I think this makes the
6 project -- it really makes a lot of sense, which
7 is simply knocking off a story off the building.

8 We remove one story from the entire
9 building. We're significantly reducing the
10 amount of kids. We're -- we're dropping,
11 basically, 75 children from the scope of this
12 project.

13 That reduces the impact on traffic
14 significantly, and -- and really, makes this a
15 very good application, in my humble opinion.

16 CHAIRMAN GARCIA: So, now, how many kids
17 going to --

18 MR. PEREIRAS: So, it would be --

19 CHAIRMAN GARCIA: -- be the capacity?

20 MR. PEREIRAS: Bianca, what was the total
21 and we're dropping off for?

22 MS. PEREIRAS: Bear with me.

23 MR. PEREIRAS: I'm sorry.

24 (Whereupon, there was a pause in the
25 proceedings.)

1 MR. PEREIRAS: We have fifty --

2 MS. PEREIRAS: Two hundred and four
3 children, originally.

4 MR. PEREIRAS: Yeah.

5 CHAIRMAN GARCIA: Two hundred four now?

6 MR. PEREIRAS: Two hundred and four.

7 MS. PEREIRAS: That was originally.

8 CHAIRMAN GARCIA: Okay.

9 MR. PEREIRAS: And we're --

10 MS. PEREIRAS: Now, we're dropping it down
11 --

12 MR. PEREIRAS: We're dropping --

13 CHAIRMAN GARCIA: To 129, 130. Okay.

14 MR. PEREIRAS: We're removing 76 students.

15 CHAIRMAN GARCIA: So is one -- so, what was
16 original?

17 MS. PEREIRAS: Two oh four.

18 CHAIRMAN GARCIA: One twenty-eight.

19 MR. PEREIRAS: One twenty-eight.

20 CHAIRMAN GARCIA: Okay.

21 That's it?

22 MR. GRULLON: Mr. Pereira, on the previous
23 application, how many floors?

24 MR. PEREIRAS: We had -- and let me go to
25 the elevations so that it's clear because from

1 the existing to the proposed, it actually varies
2 a little bit.

3 The -- so we would have a three story
4 structure in -- in the --

5 MR. GRULLON: That's not what you're
6 showing on the rendering. No?

7 MR. PEREIRAS: Hold on.

8 No. This is actually the -- I'm sorry. It
9 was four stories. This is the -- I already drew
10 it and I already have it three story -- it would
11 now be a three story structure.

12 So, it was a four -- we've gone -- we've
13 adjourned this like five times, so pardon my
14 memory.

15 So, this was a four story structure, and
16 what we're proposing is to make it a three story
17 structure, as seen.

18 So, it's a lot more of a modest building.
19 One of those floors would simply be removed, the
20 whole building gets dropped down, which brings us
21 to scale a lot lower than the adjacent buildings,
22 because remember, at the grade on the adjacent
23 buildings, on that area of Kennedy Boulevard,
24 they actually start a little bit higher. So,
25 we're actually going to be lower than the

1 adjacent buildings.

2 CHAIRMAN GARCIA: Which one is the line of
3 business of your client?

4 MR. PEREIRAS: He owns delis. Lots of
5 delis. And he -- and he is investing money on
6 several properties, including this.

7 And is that okay to say?

8 MS. PEREIRAS: That's correct.

9 CHAIRMAN GARCIA: The question is because
10 one of the -- one of the proposed on the
11 application is that your client going to have the
12 head office on top.

13 Right?

14 MR. PEREIRAS: Correct. He wants an office
15 up there for himself.

16 CHAIRMAN GARCIA: Okay.

17 MR. PEREIRAS: He lives in the area, and he
18 has no local office, and he wants to have an
19 office up there.

20 CHAIRMAN GARCIA: Okay.

21 And which one is the -- I don't recall, but
22 which one is the access to his office?

23 MR. PEREIRAS: His access is through
24 Kennedy Boulevard side, which is --

25 So, the main entrance for the school is off

1 -- as far away from the curb line as possible.

2 And then, his entrance will be completely
3 isolated along Kennedy Boulevard, on what I call
4 stair B, with an independent vestibule.

5 So, the only reason that vestibule or that
6 stair is ever accessed by the school is in an
7 emergency, if there's a fire and kids have to
8 come out.

9 That vestibule, that stair is strictly for
10 his use.

11 And -- and by the way, that's something
12 that's been an issue, a hot topic in our area now
13 for daycares. The State -- in Union City, you
14 see, very often, daycares above -- residences
15 above daycares. And you'll find a lot of areas
16 that in order to get to the residences, you use
17 the same staircase.

18 That's no longer permitted by the City.
19 It's only permitted in situations like this, when
20 there's an independent vestibule. And the State
21 licensing actually regulates all that very well.
22 And they review -- they've already reviewed these
23 plans, and they're going to review them again,
24 once -- if this were ever approved, to get it
25 fine -- fine tuned to a -- to the correct

1 standard.

2 CHAIRMAN GARCIA: Which one is the size of
3 the office? Of the applicant? I mean, that --
4 that one on top?

5 MR. PEREIRAS: And -- and to be clear --

6 CHAIRMAN GARCIA: His office.

7 No, --

8 MR. PEREIRAS: -- it's not just --

9 CHAIRMAN GARCIA: -- the one separate than
10 -- separate than the -- than the daycare.

11 MR. PEREIRAS: Actually, his office and the
12 daycare offices are expected to be in the top.

13 So, what he wants for his office is 800
14 square feet on this corner. So, on the -- on the
15 very corner of Kennedy, there's an 800 square
16 foot office for him, with a private bathroom.

17 And then, these three offices remaining,
18 are for the daycare facility itself.

19 CHAIRMAN GARCIA: And how many parking
20 spaces do you need for this application?

21 MR. PEREIRAS: We -- I believe -- for the
22 office area, which is one per 300 square feet, we
23 would need 8.6 parking spaces, so -- so, nine
24 parking spaces.

25 And for the childcare facility, we need 12

1 parking spaces.

2 CHAIRMAN GARCIA: Twenty-one.

3 MR. PEREIRAS: So, 21 would be the total.

4 CHAIRMAN GARCIA: And you are providing?

5 MR. PEREIRAS: Actually, that changes,
6 because now the childcare is smaller.

7 CHAIRMAN GARCIA: No. In your application
8 -- in your -- your new application you said 29.

9 MS. PEREIRAS: Twenty-nine.

10 MR. PEREIRAS: Oh, so I already fixed it.
11 I'm sorry.

12 CHAIRMAN GARCIA: And how many are you
13 providing now? Less than six because now you're
14 using space for the --

15 Right?

16 MR. PEREIRAS: No, no. These are six
17 parking spaces and we're keeping that.

18 They're tandem, all -- there's three tandem
19 spaces, six in total.

20 That hasn't changed. And they have the
21 availability of the mosque, if the Board so see
22 fit.

23 CHAIRMAN GARCIA: The -- the breaking point
24 of that business, of the 170 -- 128 kids, how
25 many kids did they need for the breaking point?

1 MR. PEREIRAS: I really have no idea --

2 CHAIRMAN GARCIA: You have no idea.

3 MR. PEREIRAS: -- of their financials.

4 CHAIRMAN GARCIA: Okay.

5 My question is not because I want to get
6 into that business, it's because in order for
7 them to maintain a business, we need to know the
8 breaking point in order to figure out how going
9 to be the minimum people that going to -- they
10 going to need for working there, employee.

11 MR. PEREIRAS: Um hum.

12 CHAIRMAN GARCIA: And also, this -- I think
13 that this business more than anyone probably
14 going to need more employee than any other one,
15 because just for safety issues, is basically in
16 that one.

17 Mr. Spatz, since this application is in the
18 -- is in the -- in 501, which is a County road,
19 it is -- this one doesn't have to go to the
20 Hudson County --

21 MR. SPATZ: Yes. Hudson County Planning
22 Board would have to approve this, because it is
23 on a County roadway.

24 MR. PEREIRAS: Um hum.

25 CHAIRMAN GARCIA: Did this one went

1 already, or didn't go yet?

2 MS. PEREIRAS: Not yet. We're waiting for
3 -- for this approval, hopefully, and then we'll
4 go before the Board.

5 CHAIRMAN GARCIA: Which one is the -- the
6 speed limit on Kennedy Boulevard?

7 MR. ISA: Twenty-five miles per hour.

8 CHAIRMAN GARCIA: Twenty-five miles per
9 hour?

10 MR. GRULLON: Twenty-five.

11 CHAIRMAN GARCIA: And how much is -- how
12 many it is in a school zone?

13 MS. GUTIERREZ: School zone?

14 MR. ISA: I'm not sure.

15 MR. SPATZ: School zones are typically --

16 MR. ISA: Yeah.

17 MR. SPATZ: -- 25.

18 MR. ISA: Yeah. Twenty-five.

19 MR. MEDINA: Yes. Fifteen.

20 MS. GUTIERREZ: Fifteen.

21 MR. ISA: Fifteen.

22 MS. GUTIERREZ: Fifteen.

23 CHAIRMAN GARCIA: Fifteen.

24 MR. SPATZ: Fifteen? Yeah.

25 CHAIRMAN GARCIA: Okay. Mr. Spatz, with

1 | your experience, can you -- can you give us our
2 | opinion about a daycare in that specific
3 | intersection? Kennedy Boulevard --

4 | MR. SPATZ: Well, it --

5 | CHAIRMAN GARCIA: -- 47?

6 | MR. SPATZ: You know, I think that -- you
7 | know, it's close to the light rail, it's close to
8 | the college. So, there's, I think, a -- you
9 | know, a need in that area. Certainly, enough
10 | businesses in that area.

11 | I think if the drop off is handled
12 | properly, and is done off the intersection, and
13 | as far away from it as possible, I think it
14 | certainly is something that -- you know, can be
15 | handled.

16 | I think you're going to get a lot of
17 | pedestrian traffic to this facility, more so than
18 | driving, because of -- of the facilities in the
19 | area.

20 | CHAIRMAN GARCIA: I have a lot of concern
21 | about that -- this application, especially it is
22 | -- I don't mind that the traffic that's going to
23 | create that application. I really don't mind.

24 | My concern is that if you, as a father, one
25 | of the kids is three years old, in a blink of

1 eye, you don't know where is, can you imagine for
2 -- to handle a hundred -- just say a hundred -- a
3 hundred kids. Not -- not 128. Not a hundred
4 percent. Let's say 80 percent of the -- of the
5 capacity.

6 I mean, it's -- it is not an -- an -- it is
7 on Kennedy Boulevard. I mean, it's -- have my
8 reserve.

9 I have no more comments.

10 Any other member of the public?

11 MR. PEREIRAS: I think it's important to
12 say that --

13 MR. GRULLON: Mr. Pereiras, the drop off,
14 on the previous meeting, I thought that we --
15 that you had said that you were going to increase
16 the curb cut.

17 MR. PEREIRAS: We did. Let's talk about
18 that.

19 Here we are.

20 So, on Sheet Z06, and -- and I limited it
21 to 50 feet, but the Board may see it fit that it
22 should have to be wider, but we did 50 feet where
23 we indented the curb four feet, leaving an
24 additional four feet.

25 MR. GRULLON: What page -- what page did

1 | you say?

2 | MR. PEREIRAS: This is Sheet Z06.

3 | MR. ISA: Oh six.

4 | MR. PEREIRAS: It's actually a new --

5 | MR. GRULLON: You have 05.

6 | MR. PEREIRAS: I'm not sure if you have it.

7 | It's --

8 | MR. GRULLON: We only have --

9 | MR. PEREIRAS: This is a new sheet, based
10 | on the Board's recommendations.

11 | So, do you want me to mark it as evidence,
12 | submit it?

13 | MR. ISA: Yeah --

14 | MR. PEREIRAS: For the record, it's Sheet
15 | Z06, added to the set.

16 | The curb cut is cut in four feet, which
17 | leaves an additional four feet of sidewalk, and
18 | allows for those cars to be -- to pull in closer,
19 | so that there's no danger of doors hitting
20 | oncoming traffic along there.

21 | And Union City has a number of schools
22 | right on Kennedy Boulevard, including our own
23 | childhood learning center. It's on 22nd and
24 | Kennedy. We have the --

25 | CHAIRMAN GARCIA: Just for the record --

1 MR. PEREIRAS: -- high school on Kennedy.

2 CHAIRMAN GARCIA: -- it is not -- I mean,
3 with all due respect --

4 MR. PEREIRAS: Um hum.

5 CHAIRMAN GARCIA: -- because you're an
6 architect, I don't know anything about this, but
7 you have two different intersections.

8 You have 22nd and Kennedy Boulevard, both
9 -- they have two lane.

10 MR. PEREIRAS: That's very true.

11 CHAIRMAN GARCIA: And 47 is only one way
12 going east, with one lane.

13 MR. PEREIRAS: Very true.

14 CHAIRMAN GARCIA: Is completely different
15 scenario. And still, you drive through and it's
16 a mess.

17 Plus, this one -- this application has
18 another school right away, in the east of that
19 application. That is -- I think is elementary
20 school. Is not high school. I don't recall the
21 level.

22 Plus, this -- 47th Street is eastbound,
23 going to Bergenline Avenue, that is only -- you
24 only one choice, make a right.

25 Or you can make a right in -- I don't know

1 the name of that street. The small one.

2 MS. PEREIRAS: Kerrigan.

3 MR. PEREIRAS: No, it's on -- C-H.

4 CHAIRMAN GARCIA: Coppy (phonetic)?

5 MR. PEREIRAS: C-H something.

6 CHAIRMAN GARCIA: Whatever. I don't -- I
7 don't recall.

8 MR. PEREIRAS: Cottage.

9 MR. ISA: Cottage.

10 MR. PEREIRAS: Yeah.

11 MR. ISA: Cottage.

12 MR. PEREIRAS: Cottage Street.

13 CHAIRMAN GARCIA: Cottage.

14 MS. GUTIERREZ: Yes. Cottage.

15 MR. PEREIRAS: C-O. Cottage.

16 MR. MEDINA: Is Cottage?

17 CHAIRMAN GARCIA: Cottage?

18 MR. ISA: Cottage Street.

19 MS. GUTIERREZ: Um hum.

20 MR. PEREIRAS: You can make a right on
21 Cottage.

22 MR. ISA: Cottage. That's by -- the mosque
23 is on Cottage, I think, right?

24 MR. MEDINA: Yeah. The mosque is right on
25 Cottage.

1 MS. GUTIERREZ: Yeah. Um hum.

2 MR. ISA: The mosque is on Cottage Street.

3 MR. MEDINA: May I ask a question?

4 MR. PEREIRAS: Yes.

5 MR. MEDINA: Is this daycare is for under
6 any program? What's your policy?

7 MS. PEREIRAS: Not at the moment.

8 MR. MEDINA: Oh, not at moment.

9 CHAIRMAN GARCIA: But actually, if it isn't
10 -- if it is -- that's the reason that we are
11 listening. If it's in any program, that has to
12 be involved with --

13 MR. MEDINA: Involved.

14 CHAIRMAN GARCIA: -- Board of Education
15 then --

16 MR. MEDINA: That's --

17 CHAIRMAN GARCIA: -- forget about it.

18 MR. MEDINA: We are -- my concern.

19 CHAIRMAN GARCIA: I mean, we are all out.

20 MR. MEDINA: Yeah.

21 MS. PEREIRAS: Right.

22 MR. MEDINA: That's my concern too, also.

23 CHAIRMAN GARCIA: So, the application
24 supposed is privately --

25 MS. PEREIRAS: Um hum.

1 CHAIRMAN GARCIA: -- private daycare.

2 MS. PEREIRAS: Yes.

3 MR. PEREIRAS: Yes.

4 MS. PEREIRAS: Yes.

5 MR. MEDINA: Oh.

6 CHAIRMAN GARCIA: Okay.

7 MR. ORTIZ: Yeah, we talk about --

8 MR. PEREIRAS: The applicant has no
9 connections. He has no prior experience with
10 that, he has no --

11 MR. MEDINA: No. We talk about how many
12 children. We talk about how many -- how many
13 capacity -- capacity on this building.

14 MR. PEREIRAS: The modified is -- what was
15 it again? The number?

16 MS. GUTIERREZ: They modified that.

17 MR. PEREIRAS: One twenty-eight.

18 MS. GUTIERREZ: One twenty-eight.

19 MR. PEREIRAS: One twenty-eight.

20 MR. MEDINA: Okay. One twenty-eight.

21 So, means how many can be in one classroom
22 or room?

23 MR. PEREIRAS: The -- the State regulations
24 are very different from the Abbott regulations
25 that you're used to, sir.

1 So, they actually can have a capacity of
2 having more kids per classroom, as long as they
3 have the right ratio of teachers to classroom.

4 So, we have a classroom, for example, here
5 that has 21 -- capacity for 21 children in one
6 classroom. You wouldn't do that with a normal
7 Abbott program, but you could do it in a private
8 school like this.

9 CHAIRMAN GARCIA: And I think that --

10 MR. MEDINA: Is be --

11 CHAIRMAN GARCIA: -- with all --

12 MR. MEDINA: Is be -- sorry.

13 CHAIRMAN GARCIA: -- with all --

14 MR. MEDINA: Is because it's a privacy,
15 that means it can be -- we talk about kids
16 starting, what, two years old and -- and --

17 MR. PEREIRAS: No, there's -- the capacity
18 is for infants here. So, we have a ground floor.
19 From a Code standpoint, this is considered an I-4
20 building. So, we're going to have the ground
21 floor, I-4, which allows for infants to use the
22 ground floor, which is actually something that's
23 desperately needed. There aren't enough daycares
24 in Union City that are I-4. There's a huge
25 demand on them.

1 DYFS has a -- a problem with their
2 children. They don't have a place to put them.
3 They're actually putting them in illegal
4 daycares, and there's a struggle, because we
5 don't have enough infant daycares in Union City.
6 It's a huge problem. It's a huge demand that we
7 have.

8 So, we are having the entire ground floor
9 dedicated to I-4, which is infants, which is
10 total of 52 children on the ground floor
11 capacity.

12 MR. DARDIR: And that include the ratio of
13 staff, as well?

14 MR. PEREIRAS: The staff ratio is actually
15 higher for infants. I -- I don't know exactly,
16 precisely what it is, but there's more staff
17 members per infant child than there is for a
18 regular 18 and up -- 18 months and up children.

19 CHAIRMAN GARCIA: Actually, just for the
20 record, the -- we -- we usually take in
21 consideration, and also just to give you our
22 opinion, probably the two member that was
23 questioning is -- they don't be so long on the
24 Board. Actually, we ask for the capacity in the
25 application, then State is the one that control

1 everything. And if the State doesn't give the
2 permission, whatever, they cannot function.

3 So -- but they need the -- the grant of
4 this -- they need this approval in order to go
5 forward to the different license.

6 So, it's like also the same thing that we
7 do with -- with any legalization of -- of
8 basement, whatever. We don't ask for the -- for
9 the sprinkle, just in case then the -- for the
10 Code, they need it, so they have to put.
11 Otherwise, they're never going to get a CO.

12 MR. DARDIR: Okay.

13 CHAIRMAN GARCIA: So, it's --

14 MR. PEREIRAS: Yeah. There's three
15 governing bodies for occupancy.

16 The first is here before you. You guys
17 could actually limit and change what we do.

18 The second is the Building Department, with
19 actual Code. And that's based on the UCC, the
20 Uniform Construction Code. And they give a
21 limit.

22 And then, the -- the State licensing gives
23 their own limit, based on their measurements and
24 calculations.

25 So, the governing occupancy is the lowest

1 of the three.

2 CHAIRMAN GARCIA: Any other question?

3 Any member of the public wants to step
4 forward?

5 Closed to the public.

6 Mr. Pereiras, is a traffic light there?

7 MR. PEREIRAS: Not a hundred percent sure.

8 I think so.

9 CHAIRMAN GARCIA: No.

10 MR. PEREIRAS: I think so. No, --

11 CHAIRMAN GARCIA: Forty-seventh, no.

12 MR. PEREIRAS: -- 47?

13 CHAIRMAN GARCIA: No.

14 MS. GUTIERREZ: Yes. On 47, yes.

15 MR. PEREIRAS: Think so.

16 CHAIRMAN GARCIA: Forty-nine, yes.

17 MR. PEREIRAS: I -- I think so.

18 MS. GUTIERREZ: Forty-seven, yes. The one
19 going --

20 CHAIRMAN GARCIA: Yeah. Because I was
21 going --

22 MS. GUTIERREZ: -- going up to Bergenline.

23 CHAIRMAN GARCIA: -- used to be -- used to
24 be going west -- used to be westbound.

25 MS. GUTIERREZ: And now --

1 MR. PEREIRAS: Yeah. That's right.

2 MS. GUTIERREZ: -- now it's going up.

3 CHAIRMAN GARCIA: Yes.

4 MS. GUTIERREZ: Yes.

5 CHAIRMAN GARCIA: Okay. I mean, one of the
6 -- I remember when I start experience on the
7 Board, a lot of application came here with zero
8 setback.

9 And I never realized that the purpose of
10 the setback, just give an example, the setback.
11 And it's something that Mr. Pereiras doesn't have
12 to listen because he always come with decent
13 setback.

14 But I have the opportunity to go to a few
15 fire, middle of the night, in wintertime, and
16 then I realized, wow. Now, I know why we need a
17 setback.

18 I just want to tell you this because this
19 Board, for the last 12 years, is looking for the
20 safety of any construction. Looking for the
21 safety of the children, senior citizen, and the
22 rest of the community.

23 And I think that we're talking here about
24 our future, talking about our children.

25 And my opinion, as a father, my opinion as

1 a resident of Union City, for over 17 years, that
2 this is not the proper place to have a daycare,
3 especially mixing with the business that is not
4 related to a daycare, especially providing the
5 daycare in a questionable location to an investor
6 that doesn't have any kind of experience in the
7 daycare.

8 So, my opinion, personal opinion, is that
9 this is not the right location.

10 It's a great application. Don't get me
11 wrong. But this is not the right location to put
12 hundred kids to be there for the whole day, based
13 on the traffic.

14 We know that Kennedy Boulevard is one of
15 our most dangerous way in the -- in the Hudson
16 County.

17 I think I make my motion to deny this
18 application for all the stated reason.

19 I make my motion to deny.

20 THE SECRETARY: Motion to deny the --

21 MR. GRULLON: Second to deny.

22 THE SECRETARY: -- application by Chairman
23 Garcia.

24 Second by Victor Grullon.

25 Any other motion?

1 No other motion.

2 Roll call.

3 Chairman Garcia?

4 CHAIRMAN GARCIA: Yes to deny.

5 THE SECRETARY: Yes for deny.

6 Victor Grullon?

7 MR. GRULLON: Yes to deny.

8 THE SECRETARY: Margarita Gutierrez?

9 MS. GUTIERREZ: Yes to deny.

10 THE SECRETARY: Miguel Ortiz?

11 MR. ORTIZ: Yes to deny.

12 THE SECRETARY: David Pressey?

13 MR. PRESSEY: Yes.

14 THE SECRETARY: John Medina?

15 MR. MEDINA: Yes to deny.

16 THE SECRETARY: Khaled Dardir?

17 MR. DARDIR: Yes to deny.

18 THE SECRETARY: Motion carries.

19 Let the record indicate the application has
20 been denied.

21 MS. PEREIRAS: Thank you very much.

22 MS. GUTIERREZ: Good night.

23 CHAIRMAN GARCIA: Thank you very much.

24 MR. PEREIRAS: Thank you, guys, very much.

25 * * *

1 **ADJOURNMENT:**

2

3 THE SECRETARY: There -- there being no
4 other application on tonight's agenda, can I have
5 a motion to close tonight's meeting?

6 Motion by?

7 MS. GUTIERREZ: I make a motion.

8 THE SECRETARY: Margarita Gutierrez.

9 Second by Miguel Ortiz.

10 All in favor?

11 (Whereupon, there was a chorus of ayes.)

12 THE SECRETARY: Ayes have it. Motion
13 carries.

14 Let the record show up that the meeting has
15 ended.

16 Thank you and good night.

17 Remember, the next meeting on February
18 19th.

19

20 (Whereupon, the proceedings were concluded
21 at 8:31 p.m.)

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25

1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

4

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6 I, DEBRA A. KASZNIAK, assigned transcriber,
7 do hereby affirm that the foregoing is a true and
8 accurate transcript in the matter of REGULAR
9 MEETING of the UNION CITY ZONING BOARD OF
10 ADJUSTMENT held on Thursday, January 15, 2015,
11 and digitally recorded.

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon