

CITY OF UNION CITY
HUDSON COUNTY, NEW JERSEY
ZONING BOARD OF ADJUSTMENT

REGULAR MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
: _____

City Hall
3715 Palisade Avenue
Union City, New Jersey

Thursday, July 9, 2015
Commencing at 6:19 p.m.

M E M B E R S P R E S E N T:

MARGARITA GUTIERREZ, (Arrived at 6:23 p.m.)
DAVID W. PRESSEY
JOHN MEDINA, Alternate No. 1
JOSEPH D. BONACCI, Alternate No. 2
ELISA FLORES, Alternate No. 3
VICTOR M. GRULLON, Acting Chairperson

M E M B E R S A B S E N T:

ANDRES GARCIA, Chairman
KHALED DARDIR
MIGUEL ORTIZ
HARLENNY E. JAVIER

A L S O P R E S E N T:

CARLOS VALLEJO, Secretary to the Board
ULYSSES ISA, ESQ., Board Attorney
DAVID SPATZ, Consultant
Community Housing and Planning Associates

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

LUIS E. DIAZ, ESQ.,
Attorney for Applicant, Towers Realty, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant,
Alpine Investment Group, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, Juan Martin

MICHAEL HEITMANN, ESQ.,
Attorney for Applicant, RDK Royal Associates, LLC

LUIS E. DIAZ, ESQ.,
Appearing for ALAIN MULKAY, ESQ.
Attorney for Applicant, Alberto & Ignazio Laguna

MICHAEL T. HALKIAS, ESQ.,
Attorney for Applicant, Shriji 218, LLC

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I N D E X

RDK Royal Associates, LLC
4510 Brown Street

WITNESSPAGE

Anthony Capone

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

3 Let's take notice that on Thursday, July 9,
4 2015, at six p.m., a Regular Meeting is scheduled
5 for the Union City Board of Adjustment to be held
6 in the Municipal Chamber, located on the Second
7 Floor, 3715 Palisade Avenue, Union City, New
8 Jersey.

9 Everybody kindly, please, can rise to
10 salute the flag.

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
19 extent known, was sent to The Jersey Journal, The
20 Record, The Hudson Reporter, has been posted on
21 the bulletin board in the City Hall, and has been
22 made available to the public in the Office of the
23 Municipal Clerk.

24

25 **ROLL CALL:**

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THE SECRETARY: Roll call for tonight's meeting.

Andres Garcia? Absent.

Victor Grullon?

MR. GRULLON: Present.

THE SECRETARY: Margarita Gutierrez? Absent.

Miguel Ortiz? Absent.

David Pressey?

MR. PRESSEY: Here.

THE SECRETARY: Harlenny Javier? Absent.

Khaled Dardir? Absent.

John Medina?

MR. MEDINA: Here.

THE SECRETARY: Joseph Bonacci?

MR. BONACCI: Here.

THE SECRETARY: Elisa Flores?

MS. FLORES: Here.

THE SECRETARY: Let the record indicate there are five present, so we have a Board made up of five members.

ELECTION OF ACTING CHAIRPERSON:

1 MR. ISA: Before we proceed, we're going
2 to need to have a motion to -- I see the Chairman
3 is -- is not here, motion to elect an acting
4 chairperson.

5 Do we have a motion?

6 Motion?

7 MR. PRESSEY: Motion for Victor Grullon,
8 Acting Chair.

9 MR. ISA: Is it seconded?

10 MR. BONACCI: Second.

11 THE SECRETARY: Motion by Mr. David
12 Pressey.

13 Second by Mr. Bonacci.

14 Roll call on the motion.

15 Victor Grullon?

16 MR. GRULLON: Yes.

17 THE SECRETARY: David Pressey?

18 MR. PRESSEY: Yes.

19 THE SECRETARY: John Medina?

20 MR. MEDINA: Yes.

21 THE SECRETARY: Joseph Bonacci?

22 MR. BONACCI: Yes.

23 THE SECRETARY: Elisa Flores?

24 MS. FLORES: Yes.

25 THE SECRETARY: Motion carries. Five in

1 favor.

2 Mr. Grullon is going to be Acting
3 Chairperson on tonight's meeting.

4 MR. ISA: Congratulations.

5 ACTING CHAIRPERSON GRULLON: I accept.
6 Thank you.

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1 **Alberto & Ignazio Laguna, 201 New York Avenue:**

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3 THE SECRETARY: We are going to change a
4 little bit the order of tonight's agenda. We are
5 going to go first to adjournment.

6 ACTING CHAIRPERSON GRULLON: Mr. Mulkay
7 here?

8 THE SECRETARY: Alberto and Ignazio Laguna,
9 201 New York Avenue.

10 Mr. Diaz, you are going to represent Mr.
11 Mulkay?

12 MR. DIAZ: Good afternoon, Board members.
13 Luis Diaz on behalf of counsel.

14 He asked me to request an adjournment on
15 this matter. I think it will be on the September
16 meeting.

17 THE SECRETARY: September 10, Mr. Diaz.

18 ACTING CHAIRPERSON GRULLON: Mr. Mulkay, we
19 don't have -- you're going to re-notice? No?

20 THE SECRETARY: No.

21 MR. DIAZ: No. There's no need --

22 THE SECRETARY: No further notice required.

23 MR. DIAZ: -- to re-notice.

24 Go ahead.

25 MR. ISA: Notice was obtained at a prior

1 meeting.

2 MR. DIAZ: Correct.

3 THE SECRETARY: Yes.

4 MR. DIAZ: My understanding.

5 ACTING CHAIRPERSON GRULLON: Oh, it's just
6 a continuation.

7 All right.

8 THE SECRETARY: Can I have a motion?

9 MR. DIAZ: Continuation. Correct.

10 ACTING CHAIRPERSON GRULLON: I see.

11 THE SECRETARY: Can I have a motion to
12 adjourn the --

13 ACTING CHAIRPERSON GRULLON: I make -- make
14 a motion to --

15 THE SECRETARY: Motion by Acting Chairman
16 Victor Grullon.

17 Second by?

18 David Pressey to adjourn this application.

19 Victor Grullon?

20 ACTING CHAIRPERSON GRULLON: Yes.

21 THE SECRETARY: David Pressey?

22 MR. PRESSEY: Yes.

23 THE SECRETARY: John Medina?

24 MR. MEDINA: Yes.

25 THE SECRETARY: Joseph Bonacci?

1 MR. BONACCI: Yes.

2 THE SECRETARY: Elisa Flores?

3 MS. FLORES: Yes.

4 THE SECRETARY: Motion carried. Five in
5 favor. No further notice required. Next
6 meeting, September 10. Same time.

7

8 (Whereupon, Margarita Gutierrez arrived at
9 6:23 p.m.)

10

11 MR. DIAZ: And Board -- any members of the
12 public, be advised that it will be September
13 meeting, and there's no need to re -- republish
14 or --

15 ACTING CHAIRPERSON GRULLON: If anyone is
16 here --

17 MR. ISA: No new --

18 ACTING CHAIRPERSON GRULLON: -- for number
19 5, Alberto and Ignazio Laguna, this -- this
20 application is going to be carried to September
21 10, and it's not going to be re-noticed, if
22 anyone is here for the application. For that
23 application. Any member of the public?

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

1 THE SECRETARY: May I --

2 MR. ISA: You guys are short, right?

3 MR. DIAZ: Yeah.

4 ACTING CHAIRPERSON GRULLON: Thank you, Mr.

5 Diaz.

6 MR. DIAZ: Yeah.

7 THE SECRETARY: Let the record indicate
8 that Margarita Gutierrez is joined the meeting.

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1 **Alpine Investment Group, LLC - 517 7th Street:**

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3 THE SECRETARY: Next application on
4 tonight's agenda, Alpine Investment Group, LLC,
5 517 7th Street.

6 Mrs. Pereiras, please?

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

9 MR. DIAZ: If it's okay --

10 MR. ISA: Are you --

11 MR. DIAZ: Following the order, we just
12 have --

13 MR. ISA: Yeah. I think --

14 MR. DIAZ: -- very short.

15 MR. ISA: -- you're just presenting one
16 document. The reason --

17 MS. PEREIRAS: It's not a problem at all.
18 Don't worry. Go right ahead.

19 ACTING CHAIRPERSON GRULLON: Let's go back
20 -- let's -- let's present the --

21 MR. ISA: Okay.

22 ACTING CHAIRPERSON GRULLON: Go back --

23 * * *

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1 **Towers Realty, LLC - 1419 Summit Avenue:**

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3 MR. ISA: So, call Towers Realty.

4 MR. DIAZ: Good evening, Board members.

5 Luis Diaz for the applicant.

6 THE SECRETARY: Allow me, on second, Mr.

7 Diaz, to announce your -- the continuation of
8 your application, please.

9 All right. We are going to go back to
10 Towers Realty, 1419 Summit Avenue.

11 Mr. Diaz, please?

12 MR. DIAZ: Good evening, Board members.

13 Luis Diaz, for Towers --

14 MS. DILLON: Just in front of the
15 microphone, Mr. Diaz, please.

16 MR. DIAZ: This matter was heard at the
17 last hearing. We did entire presentation. We
18 had our experts all testify.

19 There was an issue or -- or a confusion
20 between the Building Department and the Tax
21 Assessor's Office, whether this was an existing
22 eight apartment building.

23 I believe that you have in your possession
24 the memo from the Building Department that
25 clarifies, and asserts that this is an existing

1 | eight apartment building.

2 | And that it's been an eight apartment
3 | building prior to the passing of the Zoning
4 | Ordinance.

5 | I believe that that was the only issue
6 | left.

7 | We also have building permits from the
8 | Building Department. There's work being done
9 | there now. Remodeling the eight existing
10 | apartments.

11 | I can pass them over to counsel.

12 | Again, Building Department acknowledging
13 | that it is an existing eight.

14 | ACTING CHAIRPERSON GRULLON: Yes.

15 | MR. ISA: We should mark this into --

16 | MR. DIAZ: Into evidence.

17 | MR. ISA: -- evidence. I'm not sure what
18 | we were up to.

19 | No?

20 | MR. LOPEZ: Only a copy. You have copies
21 | there. The original needs to be --

22 | MS. DILLON: Your appearance please at the
23 | microphone.

24 | MR. LOPEZ: Oh, I'm sorry.

25 | Adolfo Lopez on behalf of the applicant.

1 I'm one of the -- one of the members.

2 MR. ISA: This is --

3 MR. LOPEZ: That's the original, so I need
4 that back.

5 MR. ISA: Just take this.

6 MR. DIAZ: That's correct. We need that to
7 be in the -- on the job site.

8 MR. ISA: Mark this into evidence.

9 MS. DILLON: Mark it A-1.

10

11 (Whereupon, Building Department
12 Construction Permit, 2 pages, was received and
13 marked as Exhibit A-1.)

14

15 ACTING CHAIRPERSON GRULLON: And we have
16 the memo from the Building Department stating the
17 property contains eight units, eight residential
18 units.

19 MR. DIAZ: Right.

20 And the application that we presented was
21 for two apartments on the ground floor, with a
22 commercial storefront.

23 The ground floor is presently light
24 industrial. It was an embroidery type of a
25 business.

1 And the application before this Board has
2 only to do with the two proposed apartments on
3 the ground floor. It would be then ten
4 residential units and one --

5 ACTING CHAIRPERSON GRULLON: Mr. Diaz, I
6 know that when we heard the application, we have
7 member -- member of the community.

8 MR. DIAZ: Right.

9 ACTING CHAIRPERSON GRULLON: They had
10 concern regarding to the -- to the alleyway on
11 the side of the building.

12 MR. DIAZ: That's been --

13 ACTING CHAIRPERSON GRULLON: Did you -- did
14 you get a chance to meet with the neighbor?

15 MR. DIAZ: Oh, yes, we did. They were over
16 at the office. All of -- at least ten of them,
17 and we were there for about oh, almost until
18 about 7:30. We went back and forth with the --
19 with the concerns, and we reviewed the -- the
20 drawings, and the -- and they were very happy
21 with it.

22 Their concern was that somebody was saying,
23 or pass a memo that the alleyway, which is an
24 easement, was going to be abolished, which is --
25 first of all, we cannot, ourselves, do that. And

1 | this Board has no power to do that.

2 | But somebody maliciously passed that memo,
3 | and scared everybody.

4 | ACTING CHAIRPERSON GRULLON: And they was
5 | terrified with that --

6 | MR. DIAZ: They were terrified.

7 | ACTING CHAIRPERSON GRULLON: -- in the
8 | meeting.

9 | MR. ISA: I -- I believe at the last
10 | meeting, we -- we beat that -- that issue pretty
11 | good.

12 | I mean, it's -- it's --

13 | ACTING CHAIRPERSON GRULLON: The only thing
14 | left --

15 | MR. ISA: There is no possible way that we
16 | could affect that easement at this Board.

17 | ACTING CHAIRPERSON GRULLON: Counsel, can I
18 | open this up to the public again, just for one
19 | last time, to see if anyone --

20 | MR. ISA: I think -- I think considering
21 | the amount of interest there was, it would make
22 | -- you're -- you're definitely in your right to
23 | open it to the public.

24 | ACTING CHAIRPERSON GRULLON: I just want to
25 | open it to the public to see if any -- any member

1 of the public want to come forward?

2 Open to the public.

3 There's no one here from the public, that
4 means that the meeting that you have with them
5 satisfies all the -- all the questions they have.

6 MR. DIAZ: That's correct.

7 ACTING CHAIRPERSON GRULLON: And I mean, we
8 did say in the memo Building Department, and all
9 your permits that you -- that I see here, I don't
10 -- I think I make a -- I will make a motion to
11 grant the application.

12 THE SECRETARY: Motion to --

13 MS. GUTIERREZ: And I'll second it.

14 ACTING CHAIRPERSON GRULLON: Thank you, Mr.
15 Diaz.

16 MR. LOPEZ: Thank you.

17 THE SECRETARY: Motion to approve the
18 application by Acting Chairman Victor Grullon.

19 Second by Margarita Gutierrez.

20 Roll call to approve the application.
21 Victor Grullon?

22 ACTING CHAIRPERSON GRULLON: Yes.

23 THE SECRETARY: Margarita Gutierrez?

24 MS. GUTIERREZ: Yes.

25 THE SECRETARY: David Pressey?

1 MR. PRESSEY: I abstain.

2 THE SECRETARY: Abstain.

3 John Medina?

4 MR. MEDINA: Yes.

5 THE SECRETARY: Joseph Bonacci?

6 MR. BONACCI: Yes.

7 THE SECRETARY: Elisa Flores?

8 MS. FLORES: Yes.

9 THE SECRETARY: Motion carries. Five in
10 favor, one abstain.

11 Thank you, Mr. Diaz.

12 MR. DIAZ: Very -- thank you very much and
13 have a good night.

14 Thank you.

15 MS. GUTIERREZ: Good night.

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

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1 **Alpine Investment Group, LLC - 517 7th Street:**

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3 THE SECRETARY: Okay. Next application
4 tonight's agenda -- now we okay with Alpine
5 Investment --

6 Right?

7 MR. ISA: This is Alpine Investment.

8 THE SECRETARY: -- Group, LLC, 517 7th
9 Street.

10 Mrs. Pereiras, please.

11 MR. ISA: Go ahead.

12 MS. PEREIRAS: Thank you very much.

13 MR. ISA: Mr. Chairman, members of the
14 Board, I've reviewed the documentation of
15 publication, the notice. Everything appears to
16 be in order. The Board has jurisdiction to
17 proceed.

18 MS. PEREIRAS: Thank you very much.

19 ACTING CHAIRPERSON GRULLON: You may
20 proceed, Ms. Pereiras.

21 MS. PEREIRAS: Good evening, members of the
22 Board.

23 May it please the Board, Bianca Pereiras,
24 on behalf of the applicant, Alpine Investment
25 Group.

1 This is in regards to the property at 517
2 7th Street, also known as Block 28, Lot 15.

3 This is our application to construct a new
4 eight unit residential building.

5 We have two experts to testify before the
6 Board this evening.

7 I'd like to begin tonight's presentation
8 with our architect, Mr. Manuel Pereiras.

9 MS. DILLON: Please raise your right hand.

10 Do you affirm the testimony you're about to
11 give this Board is the whole truth?

12 MR. PEREIRAS: I do.

13 MS. DILLON: Please state your name, and
14 spell it for the record.

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

19 MS. DILLON: Thank you.

20 MS. PEREIRAS: And just for purposes of the
21 record, Mr. Pereiras has testified --

22 ACTING CHAIRPERSON GRULLON: Yes.

23 MS. PEREIRAS: -- before.

24 ACTING CHAIRPERSON GRULLON: We accept your
25 qualification.

1 MR. PEREIRAS: Thank you so much.

2 MS. PEREIRAS: Thank you.

3 MR. PEREIRAS: It's good to be back.

4 MS. PEREIRAS: Mr. Pereira, are you
5 familiar with the property located at 517 7th
6 Street?

7 MR. PEREIRAS: I am.

8 MS. PEREIRAS: And did you prepare the
9 drawings before the Board this evening?

10 MR. PEREIRAS: I have.

11 MS. PEREIRAS: And can you please describe
12 the proposed project for the Board?

13 MR. PEREIRAS: I'd be very happy to. We
14 have a great project before you.

15 We are on 7th Street, right off of
16 Bergenline Avenue, on the south side of the
17 street. It's a series of residential houses.

18 What we have right now is actually kind of
19 a really ugly structure on the property. There's
20 a photograph of it on the top of the sheet.

21 And just for purposes of the record, the
22 drawings I'm using to on this easel are the same
23 drawings that were submitted before you, and the
24 same drawings that you have in your hands now.

25 But if you see if the photograph on the top

1 of the sheet, you see that we have a 50 foot
2 front yard, with a large two story building.
3 It's kind of massive. Very few windows.

4 The building itself occupies the entire
5 lot, all the way to the property line on the
6 rear, on the sides. And the only areas that are
7 open are actually driveways that are completely
8 impervious.

9 So, we have a hundred percent impervious
10 lot, with a building that's two stories, right on
11 the lot line.

12 What we're looking to do is to propose a
13 much more beautiful structure, that creates a lot
14 more open space, and -- and fits into the
15 neighborhood a lot better.

16 So, this is our proposal here, on the -- on
17 the right hand side.

18 The first and foremost thing that we're
19 doing is that we're introducing a front yard
20 setback. Whereas the building used to be right
21 on the property line, we're pushing this building
22 back.

23 The Ordinance requires a ten foot front
24 yard. I don't think that feels in line with the
25 rest of the neighborhood. The houses are

1 | actually pushed about two or three feet from
2 | the property line.

3 | So, we're actually cutting that in half.
4 | We're at about six foot ten from the property
5 | line.

6 | So, our building is set back six foot ten.
7 | And what that does is it allows the opportunity
8 | for landscaping, which is in desperate need on
9 | this particular block. There's very little
10 | landscaping. Very little greenery.

11 | So, we're introducing two large planter
12 | areas of landscaping on both corners of the
13 | building.

14 | And the entire building is set back six
15 | foot ten feet.

16 | In addition to that, we're bringing the
17 | building in three foot one on both of the sides.
18 | So, both on the east and the west sides of the
19 | building, the building is set back three foot
20 | one.

21 | And then, we're introducing a rear yard
22 | that's ten foot seven inches. That's a little
23 | bit shy of the Ordinance, as well. We would have
24 | to be at 25 feet, because the Ordinance requires
25 | 25 percent. We're at -- we're at ten foot seven

1 inches at the rear yard, but that creates a
2 backyard for the building.

3 I'm turning now --

4 Oh, let's talk a little a bit lot coverage.

5 I said that before we were at a hundred
6 percent impervious coverage. Now, we're making
7 it 79.2 percent. So, now we're introducing a lot
8 more pervious landscaping to the site.

9 And our maximum building coverage is now at
10 72.3 percent, which is shy of the 60 percent
11 that's required on the Ordinance.

12 Turning now to the second page, we can see
13 the -- the building floor plans.

14 What I have presented for you here is the
15 ground floor, along that left hand side. It's a
16 combination ground floor and site plan.

17 Here, you can see the landscaping and the
18 driveway for the building.

19 So, we're proposing a new curb cut onto the
20 street. It's actually shifted slightly from what
21 it was before. The previous curb cut occupied 50
22 percent of the property, and -- and was entering
23 all on the right hand side.

24 We're giving a buffer zone from the
25 adjacent properties. So, now, you'll have the

1 landscaping on both sides, and nice vision
2 point so that when you're entering, exiting the
3 building, now that you're setback six foot ten,
4 and we have the landscaping on both sides. It
5 gives the opportunity to see cars. It's very
6 pedestrian friendly, and -- and reduces the risk
7 of accidents.

8 The entry for the parking lot is through
9 here. In here, we have cars parked. We have a
10 total of nine vehicles on this property, with --
11 all within the building envelope, so that we're
12 keeping the -- what's rear yard, side yards truly
13 as rear yard and side yard. It's not being
14 occupied by cars, so we have parking for nine --
15 for nine vehicles within this, including the
16 handicap vehicle that we would be required by --
17 per Code.

18 Also, on this floor is a -- is a garbage
19 room, meter rooms, and a lobby and an elevator.
20 That lobby and elevator is right off the front of
21 the building, accessed right past the landscaping
22 area.

23 Once you take that -- that stair or -- or
24 elevator upstairs, you're introduced into the
25 hallway.

1 That hallway leads you to another
2 emergency egress stair, or into the three
3 apartments that we have per floor.

4 The apartments are at 1,105 square foot two
5 bedroom. Another 1,069 square foot two bedroom.
6 And a 988 square foot one bedroom.

7 Let me walk you a little bit through the
8 apartments.

9 As you walk in, we're introduced to a -- to
10 small hallway that leads you to a kitchen area
11 that's open, has an open floor plan, to living
12 and dining room area.

13 The two bedrooms are along the side. The
14 smaller of the two bedrooms is ten by 12.10. And
15 the larger bedroom is ten and change, by 15, with
16 its own walk-in closet and master bathroom.

17 The opposite apartment is the same layout
18 and inversed. And then, along the front of the
19 building, we have the one bedroom apartment,
20 which you open up into a large, living/dining
21 room kitchen area, with its ADA accessible
22 bathroom. And then, a master bedroom with a huge
23 walk-in closet.

24 For the floors above, what we did is -- the
25 second and third floors are the same. And then,

1 | what we did above, since the character of the
2 | neighborhood is a little bit of lower buildings
3 | along right, immediately next to it, we wanted to
4 | stay in character with that low rise building.

5 | And so, what we're doing is we're setting
6 | our building back. So, that apartment that we
7 | had on the second and third floor is actually
8 | removed on the top floor, and the -- the two
9 | apartments on the back are maintained with the
10 | stair -- the two stair towers and the elevator
11 | tower.

12 | And that -- what that creates is a very
13 | modest elevation that fits into the neighborhood
14 | very well.

15 | So, as you can see, as I turn the page to
16 | the front elevation of the building, this
17 | building reads as a three story building. It
18 | fits perfectly with the houses immediately next
19 | to it. And yet, it stays in character with the
20 | larger density and the hard -- larger, taller
21 | buildings on the corners, within the same block.

22 | And as you could see on the side profile of
23 | the building, there's the -- the three story
24 | portion, and then the four story portion along
25 | the back of the building.

1 The building is characterized by brick.
2 We have a brick façade in the front, stone base,
3 and -- and nice, large windows along the front.

4 We gave it a little bit of architectural
5 accentuation with a cornice along the top. And
6 then, the sides of the building and the rear,
7 we're proposing siding.

8 That concludes my presentation for now, and
9 I'm ready and open for questions.

10 ACTING CHAIRPERSON GRULLON: You said you
11 have another witness.

12 MS. PEREIRAS: We do.

13 ACTING CHAIRPERSON GRULLON: We --

14 MR. PEREIRAS: Fantastic.

15 ACTING CHAIRPERSON GRULLON: We listen to
16 your -- to your last witness. And then we start
17 questioning, after --

18 MS. PEREIRAS: Absolutely.

19 ACTING CHAIRPERSON GRULLON: -- between --

20 MS. PEREIRAS: I'd like to call Mr. Michael
21 Kauker.

22 MS. DILLON: Just go right in front of the
23 microphone there for me.

24 MR. KAUKER: Sure.

25 Is that good enough?

1 MS. DILLON: That's perfect.

2 Please raise --

3 MR. KAUKER: I'll speak loudly.

4 MS. DILLON: Okay.

5 Please raise your right hand.

6 Do you affirm the testimony you're about to
7 give this Board is the whole truth?

8 MR. KAUKER: I do.

9 MS. DILLON: Please state your name and
10 spell it for the record.

11 MR. KAUKER: Michael F. Kauker, K-A-U-K-E-R.

12 MS. DILLON: Thank you.

13 MS. PEREIRAS: And again, for purposes of
14 the record, Mr. Kauker has testified before this
15 Board on numerous occasions, and I ask that he be
16 accepted --

17 ACTING CHAIRPERSON GRULLON: On many
18 occasions.

19 MS. PEREIRAS: -- as an expert.

20 Yes.

21 ACTING CHAIRPERSON GRULLON: Yeah. We
22 accept his qualification.

23 MR. KAUKER: Thank you.

24 MR. ISA: He's been here at least once
25 before.

1 MS. PEREIRAS: Mr. Kauker, are you
2 familiar with the property located at 517 7th
3 Street?

4 MR. KAUKER: Yes, I am.

5 MS. PEREIRAS: And have you had an
6 opportunity to review the drawings prepared by
7 the architect?

8 MR. KAUKER: I have.

9 MS. PEREIRAS: And can you please describe
10 this project, from a planning perspective?

11 MR. KAUKER: Firstly, I'd like to hand out
12 three photos, a set for every Board member.

13 MS. DILLON: Do you have an extra set that
14 I can keep?

15 MR. KAUKER: Yes, I do.

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

18 MS. GUTIERREZ: Thank you.

19 MR. KAUKER: For a change, I might have
20 enough copies.

21 MS. DILLON: Do you have one more?

22 MR. KAUKER: Yes, I do.

23 MS. DILLON: Thank you.

24

25 (Whereupon, Photograph Package, (3

1 | Photographs/Pages), was received and marked as
2 | Exhibit A-1.)

3 |
4 | MR. KAUKER: As Mr. Pereiras has observed
5 | and documented for the Board, this site in
6 | question is shown on photograph number 1.

7 | It is a commercial, formerly commercial
8 | building. It, indeed, is the only commercial
9 | building on this street. All the other
10 | structures are residential. I believe there are
11 | seven on each side of the street.

12 | Those particular structures are a mix of
13 | one, two, and three, and multiple family
14 | dwellings.

15 | So, there is a wide array of dwellings in
16 | the neighborhood that are somewhat similar, as
17 | related to the density that we propose.

18 | All of those structures are two and three
19 | story. If you turn to photograph number 2, you
20 | will see the two residential structures that are
21 | adjacent to the property, to the east of the
22 | subject site, which is in the corner of that
23 | photo.

24 | And if you turn to photo 3, you will see
25 | the two residential properties to the west of the

1 subject site. The first being a two story
2 structure, and the second being a relatively new
3 three story structure with garage on the first
4 floor, and the two residential floors above it.

5 This site, in my opinion, to this Board, is
6 particularly suited to accommodate the proposed
7 use because it essentially will result in the
8 removal of a nonconforming commercial use, and
9 introduce a -- a new aspect of revitalization and
10 redevelopment into the neighborhood.

11 Of the 14 properties on either side of the
12 street, to the north side of this subject site,
13 about four properties to the east, is the only
14 representation of very new construction on this
15 block.

16 And that is in the form of a brick three
17 story, with a garage below, two family
18 residential structure.

19 This particular redevelopment of this site
20 would result in a similar revitalization impact
21 upon the neighborhood.

22 With regard to the negative criteria, as
23 related to this application, Manny has very
24 appropriately addressed the side yard provisions
25 that we've made, and the fact that we do have a

1 front yard setback, which enables the provision
2 of landscaping.

3 The four story height that we propose is
4 one story more than is specified as allowed in
5 this R-1 district.

6 However, we do meet the maximum height
7 requirement of 40 feet. And as Manny has
8 testified, the fourth floor of this structure is
9 stepped back, so as to preserve a three story,
10 which is a conforming appearance at the
11 streetscape.

12 That essentially represents only one of the
13 negative criteria aspects that deviate from the
14 Ordinance, in terms of bulk requirements and
15 height requirements.

16 But as I said, we fully mitigate that with
17 the mitigating design that Mr. Pereiras has, in
18 fact, provided.

19 And I believe that that's a positive factor
20 of the application.

21 I don't believe that their consideration of
22 this application would result in a negative
23 impact on the neighborhood.

24 As a matter of fact, I think it would
25 represent an indication of revitalization and

1 renewal in this neighborhood.

2 And I believe that the redevelopment aspect
3 of the application is thoroughly consistent with
4 the purpose and intent of your zone plan to
5 establish renewal within Union City.

6 One aspect of the application which would
7 be a second major special reason is the fact that
8 with regard to the 2010 census, approximately 70
9 percent of the housing over the years,
10 constructed within Union City, was constructed
11 before 1950.

12 This represents an additional renewal
13 activity, which is the sum and substance of a lot
14 of the positive applications that have come
15 before this Board.

16 And I submit it to you for your
17 consideration.

18 Thank you for your patience. I'd be happy
19 to answer any questions you may have.

20 ACTING CHAIRPERSON GRULLON: Let me start
21 with -- with you, Mr. Kauker.

22 Did you get a chance to -- to see the
23 neighborhood entirely?

24 MR. KAUKER: Yes, I did.

25 ACTING CHAIRPERSON GRULLON: Were there any

1 -- any buildings that meet the height of 40
2 feet in the surrounding area?

3 MR. KAUKER: I believe the new --

4 ACTING CHAIRPERSON GRULLON: The -- the
5 picture that you're showing here, there are like
6 two -- two floors, and one of them is a three
7 floor, but it -- it looks like it's only like 30
8 feet high.

9 MR. KAUKER: The three floor -- the three
10 -- three floor structure --

11 ACTING CHAIRPERSON GRULLON: Yes.

12 MR. KAUKER: -- on photograph number 3
13 probably approaches 35 feet, but not -- not 40
14 feet.

15 ACTING CHAIRPERSON GRULLON: Not 40 feet.

16 Any structure --

17 MR. KAUKER: The new structure, across the
18 street, about four properties removed, looks to
19 be between 35 and 40 feet, probably not as high
20 -- as high as 40 feet.

21 Although again, by design, the step back of
22 the fourth story essentially will result in
23 minimizing any impact of that fourth story.

24 The other mitigating factor is the fact
25 that a 40 foot height is, indeed, allowed.

1 So, we don't exceed the quantitative --

2 ACTING CHAIRPERSON GRULLON: Yes.

3 MR. KAUKER: -- measure.

4 ACTING CHAIRPERSON GRULLON: You're not
5 asking for a variance in height.

6 MR. KAUKER: We're asking, simply, not for
7 a height variance, but for an additional story.

8 And the other supporting reason behind the
9 request for that fourth story, certainly is the
10 ability to provide interior covered parking.

11 And that, indeed, is a benefit. You'll
12 notice in all the photographs that -- and this
13 was taken probably mid-morning, probably about 11
14 a.m., about a week ago, the street, essentially,
15 was -- was pretty much full, in terms of parking.
16 So that the kind of parking pressure that we all
17 have in Union City is certainly evident on this
18 block. And the fact that we're providing
19 interior parking, I believe, is certainly a very
20 positive aspect of the application.

21 ACTING CHAIRPERSON GRULLON: Another
22 question, Mr. Kauker.

23 MR. KAUKER: Yes, sir?

24 ACTING CHAIRPERSON GRULLON: The density on
25 this building.

1 Did you get a chance --

2 MR. KAUKER: The density of this building
3 would essentially compute out to a approximate
4 density of 70 units an acre.

5 However, that's somewhat mitigated -- and
6 that's typical of -- of many contemporary
7 developments and applications that have been
8 before the Board.

9 That is -- is mitigated somewhat by the
10 average square footage of the units that we
11 propose, which are relatively small. And they
12 range from a low of nine -- 988 square feet to a
13 high of 1105 square feet.

14 So that, if you compared this project to a
15 larger apartment project proposal, let's say,
16 2,000 square feet, that would essentially result
17 in an effective density which is the same as --
18 as a building mass we propose of 35 units an
19 acre.

20 So that the smaller the unit that you have
21 -- obviously, we have eight units proposed on
22 this site -- the calculation for density tends to
23 be on -- on the higher side.

24 But what I think the Board needs to focus
25 on is the modest size of the units. And -- and

1 | that, indeed is a good thing, as it relates to
2 | minimization of impact on school requirements and
3 | things of that nature.

4 | ACTING CHAIRPERSON GRULLON: Yeah. That
5 | was going to be my next question.

6 | MR. KAUKER: Yes, sir?

7 | ACTING CHAIRPERSON GRULLON: Did you get a
8 | chance to calculate how many -- I know they're
9 | only eight units.

10 | MR. KAUKER: Well, I believe the max that
11 | you would get out of this project is like no more
12 | than one school aged child, because that would be
13 | essentially slightly more than one child every --
14 | every ten units.

15 | ACTING CHAIRPERSON GRULLON: And less than
16 | 200 feet, you have a school right there.

17 | MR. KAUKER: Yes, you do.

18 | ACTING CHAIRPERSON GRULLON: And I know
19 | that's going to attract a lot of -- you know,
20 | families with school aged children.

21 | MR. KAUKER: It could be, but we do have a
22 | minimum of two bedroom units, as opposed to our
23 | -- our number of one bedroom units. So, majority
24 | -- the vast majority of the units that we
25 | propose, essentially, are -- are one bedroom

1 units.

2 ACTING CHAIRPERSON GRULLON: I don't have
3 any more question for Mr. Kauker.

4 Any of you guys?

5 MR. BONACCI: Yeah.

6 MS. PEREIRAS: We have six two bedrooms and
7 two of them --

8 MR. BONACCI: We have a few questions with
9 regards to lighting for the staircase.

10 MR. KAUKER: Um hum.

11 MS. PEREIRAS: Mr. Pereiras.

12 MR. KAUKER: That would be Manny.

13 MR. BONACCI: Okay. So there's two stairs,
14 stair A and stair B.

15 ACTING CHAIRPERSON GRULLON: Do you have
16 any questions for --

17 MR. BONACCI: No, no.

18 ACTING CHAIRPERSON GRULLON: -- Mr. Kauker?

19 MS. GUTIERREZ: For Mr. Kauker.

20 MR. BONACCI: I'm sorry.

21 ACTING CHAIRPERSON GRULLON: For planning?

22 Okay.

23 MS. GUTIERREZ: No.

24 ACTING CHAIRPERSON GRULLON: Mr. Kauker,
25 you may sit down. When we open it to the public.

1 MR. KAUKER: Thank you.

2 MS. GUTIERREZ: For the architect.

3 ACTING CHAIRPERSON GRULLON: Come again.

4 Thank you, Mr. Kauker.

5 MS. GUTIERREZ: Wait for that.

6 MR. BONACCI: So, in the plans there's two
7 staircases. Stair A and stair B.

8 MR. PEREIRAS: Yes.

9 MR. BONACCI: Is there going to be lighting
10 in those stairs?

11 MR. PEREIRAS: Of course there is.

12 So, these are both fire stairs. Okay? So,
13 this is a stair enclosure. They're made with a
14 fire assembly that's going to be rated for a
15 minimum hour.

16 And they're lit to Code. And there's a
17 proper lighting that has to be done in every
18 landing. In addition to that, there's emergency
19 lighting which is what you typically see, the two
20 head bulbs over there, with the exit signs, we'll
21 have this two head.

22 So, even if the power goes off in the
23 building, there's a battery backup that lights up
24 the stairwells, and they're very well lit.

25 And none of them are exposed to the

1 exterior. They're all within -- they're held -
2 - enclosed stairwells.

3 And just to -- there's something important
4 I think we should talk about, because I -- I
5 always like doing this before the Board. It's
6 the comparison game.

7 What can we build here as of right?

8 So, we have a 50 by 100 lot. I don't even
9 have to come before this Board. I would go
10 before the Planning Board, easily, and build two
11 three family houses. Okay.

12 I would build a three family house on 25 by
13 a hundred, and another three family house on 25
14 by a hundred.

15 What do we have with a three family? We
16 have a couple of different scenarios.

17 The first and most common scenario, we
18 would say that we would have three apartments,
19 over parking, that each apartment would have
20 three bedrooms in it. Okay?

21 And then, you have a parking situation
22 that's really, really uncomfortable. And we've
23 all been in these three family houses. You can't
24 really park more than -- too many cars in there.
25 You have to play with cars, because it's tandem

1 parking.

2 So, we would have two of these houses. So,
3 it would be three bedrooms within three
4 apartments, six apartments total. We're talking
5 about 27 bedrooms.

6 What we're proposing is a drastically
7 different project. We're proposing a total of
8 eight units. Right? But those eight units are
9 six two bedrooms --

10 ACTING CHAIRPERSON GRULLON: Yeah.

11 MR. PEREIRAS: -- and two one bedrooms.

12 So, we have --

13 ACTING CHAIRPERSON GRULLON: Sorry that I
14 interrupt.

15 MR. PEREIRAS: Sure.

16 ACTING CHAIRPERSON GRULLON: Do you know
17 the density for those two bed -- three units, and
18 --

19 MR. PEREIRAS: The density?

20 ACTING CHAIRPERSON GRULLON: Yeah.

21 MR. PEREIRAS: Well, the density --

22 ACTING CHAIRPERSON GRULLON: I mean --

23 MR. PEREIRAS: -- we would calculate --

24 ACTING CHAIRPERSON GRULLON: The density,
25 will be --

1 MR. PEREIRAS: -- per unit.

2 ACTING CHAIRPERSON GRULLON: -- will be
3 higher than --

4 MR. PEREIRAS: Yeah. It's going to be
5 higher, because that would be -- that would be
6 six -- six units on a 50 by a hundred. It's
7 going to be less than what we're proposing, eight
8 units on a 50 by a hundred, because it's --
9 because you're -- you're comparing the -- the
10 number of units per acre. We're not comparing
11 the number of bedrooms per acre.

12 So, it's a little bit of a difference
13 there. And Mr. Kauker support me on that,
14 hopefully.

15 So, the -- the question really lies how
16 many bedrooms do we have in comparison to the
17 other scenario?

18 And in an eight unit apartment that's six
19 two bedrooms and two one bedrooms, we would have
20 12, 14 bedrooms in total, as opposed to the --
21 the three, three family -- the three bed -- the
22 three -- two three families on the lot.

23 Okay. And if we also take it down to
24 having a three family, with a -- with a three
25 story three family, so that we would have parking

1 on the ground level, a unit and a unit and a
2 unit behind the -- the apartment, you would have
3 six, seven -- seven bedrooms per building, for a
4 total of 14 bedrooms, which is the same as what
5 we're proposing here as number of bedrooms.

6 But the difference is that when you have a
7 three family house, your density really becomes
8 bigger because now you have the opportunities for
9 more families.

10 So when you have a three bedroom apartment,
11 you can have parents, each with cars, kids with
12 cars, and a lot more school aged children.

13 Whereas, when we have a two bedroom
14 apartment, you have a set of parents and one kid,
15 or a one bedroom, now we don't have the
16 opportunity for kids.

17 So, really, the introduction of vehicles is
18 a lot less with an eight unit building, than if
19 you had two, three family houses next to each
20 other.

21 Okay. So, that comparison, in comparison,
22 proposing this building that's eight units, it's
23 a lot less significant impact to the
24 neighborhood, as far as density, as far as
25 parking, as far as school aged children.

1 It's -- it's a better proposal than if we
2 were to build three family houses.

3 Also, with three family houses, we would
4 have two curb cuts in the street, which would
5 occupy the whole site, so that there's no
6 opportunity for street parking.

7 So, we're basically taking parking away
8 from the neighborhood, if we were to build that.
9 Whereas, when we have a small building like this,
10 now we have more of a sidewalk. You could
11 actually put another car on the street, so it's
12 better for the neighbors in that sense, and less
13 hazard, because now, you only have one point of
14 entry into the building, whereas two points of
15 entry, where it's a little bit more dangerous.

16 ACTING CHAIRPERSON GRULLON: Yes. Okay.

17 MR. PEREIRAS: So, it's significantly
18 better.

19 And to talk about height a little bit.
20 We're within the 40 feet. So that's permitted.
21 What we're asking for is the other story. And
22 what we did is we pushed it to the back of the
23 property.

24 And there are a lot of other neighborhoods
25 in the -- buildings in the neighborhood that are

1 four stories.

2 If you go to -- on Bergenline Avenue, which
3 is less than half a block away, there's buildings
4 on the corner that are four stories.

5 I have a picture of it so we could
6 illustrate it.

7 You could see it, and I'm going to submit
8 this to you.

9 Actually, I have a photograph here. I'm
10 going to pass it along the Board, and I could
11 submit this as evidence.

12 If you look at the center photograph,
13 there's buildings that are over four stories.
14 Definitely over 40 feet, within -- you know, a
15 short distance from that.

16 And then, there's buildings right on the
17 other corner within the same block, and I could
18 show a photograph of that, as well.

19 Here's another building, and this is a four
20 story building, that has a gabled roof along the
21 top. And that's -- that's a four story building,
22 with a gable roof along the top. And that's
23 within the same block on the corner.

24 So, there is an introduction of this height
25 -- the same height within the block.

1 And -- but keep in mind, what we did is,
2 on the front of the building, what you're going
3 to see, what you're going to feel, what you're
4 going to read is a three story structure.

5 And that, I think, keeps it in line with
6 the adjacent houses very well.

7 And just for a matter of record, I'll mark
8 -- I'll label this A-2.

9 Is that right?

10 ACTING CHAIRPERSON GRULLON: A-2.

11 MR. PEREIRAS: A-2, and I'll submit this.

12

13 (Whereupon, Photo Sheet Prepared by
14 Pereiras Architects Ubiquitous, was received and
15 marked as Exhibit A-2.)

16

17 ACTING CHAIRPERSON GRULLON: Thank you, Mr.
18 Pereiras, for the information.

19 I have another question.

20 The square footage of these apartment, do
21 you know?

22 MR. PEREIRAS: Yes.

23 So, we have three different apartment
24 types, the smallest of which is 988 square feet,
25 I believe.

1 Let me just double check myself and go
2 into the floor plan.

3 The first apartment, which is a one bedroom
4 --

5 MS. DILLON: Just one sheet?

6 MR. PEREIRAS: Just one sheet, I guess.

7 Thank you.

8 The one bedroom is 988 square feet. So,
9 this is a beautiful, nice, big one bedroom.

10 And the two bedrooms are nice size also.
11 One of them is 1,105 square feet. And the other
12 one is 1,069 square feet.

13 So, these are nice sized apartments.

14 ACTING CHAIRPERSON GRULLON: And could you
15 explain a little bit the terrace that you have on
16 the fourth floor? The terrace?

17 MR. PEREIRAS: Oh, yeah.

18 ACTING CHAIRPERSON GRULLON: Do you have
19 any railing or --

20 MR. PEREIRAS: Sure.

21 What we'll have, and you could tell from --
22 see if we can look at the elevation for a second
23 --

24 Okay.

25 ACTING CHAIRPERSON GRULLON: Is that

1 railing going to be set back, something like
2 that?

3 MR. PEREIRAS: It is.

4 So, if you look at the elevations, I have
5 what's considered the fourth floor -- floor, at a
6 -- at a height marker of 79 feet ten inches.

7 As you could see, what I have proposed on
8 the façade of the building actually extends
9 beyond that, so that there's a parapet in the
10 building. That's a nice size parapet.

11 On most of my buildings, I do them at three
12 foot six. I believe this is three foot six, as
13 well.

14 So, you have a three foot six parapet in
15 front of the building, as well, like this.

16 That parapet extends around the entire
17 building.

18 Now, I believe strongly that that's
19 probably more than sufficient to -- to stop
20 anybody from jumping over, or doing anything
21 dangerous, because this is a solid parapet. It's
22 not a fence that could be easily climbed, in any
23 sort -- form whatsoever.

24 I know this Board has, in the past,
25 required that we do an additional fence, two feet

1 back.

2 I don't think this is the situation that we
3 would need it. It's not like it's -- but if the
4 Board wants it, we'll be happy to do it.

5 ACTING CHAIRPERSON GRULLON: Since you're
6 going to have children in the building --

7 MR. PEREIRAS: Um hum.

8 ACTING CHAIRPERSON GRULLON: -- be a good
9 idea to have some type of protection, additional
10 protection.

11 MR. PEREIRAS: Okay.

12 ACTING CHAIRPERSON GRULLON: They don't go
13 over the fence. Three and a half feet is -- what
14 is it, 40 -- 40 -- 40 inches?

15 MR. PEREIRAS: Yeah. We could do a 42 inch
16 fence that's three feet away from the -- from the
17 parapet.

18 And -- and we'll be happy to do that.

19 ACTING CHAIRPERSON GRULLON: Okay. I don't
20 have any more question.

21 MS. GUTIERREZ: Mr. Pereiras, the building
22 is going to be fully sprinklered?

23 MR. PEREIRAS: Yes. It has to be by Code.
24 We have a multi-family building, and this will be
25 fully sprinklered.

1 MS. FLORES: I want to come back to the
2 garage area.

3 So, what -- what's the security features
4 here? You have a door here that leads right into
5 the garage. You a bunch of doors that lead
6 inside.

7 MR. PEREIRAS: There's a bunch of doors,
8 and that's done on purpose, because those are
9 Code requirements.

10 MS. FLORES: Okay.

11 MR. PEREIRAS: So if there were ever a fire
12 in the garage, or any type of situation, carbon
13 monoxide or anything like that, we have to be
14 able to get people out of the building quickly.

15 So, every door that you see there is
16 actually a Code requirement, where we have to
17 have it.

18 MS. FLORES: Right. So, how's your
19 security for all these doors?

20 MR. PEREIRAS: So, security is very
21 simple.

22 All those doors have panic hardware in
23 them. They are not accessible from the exterior.
24 They're only accessible from the interior.

25 So, if you wanted to get out of the

1 building, you push the panic bar, you open up.
2 and you go outside.

3 From the outside, it's a solid door. You
4 can't get into the building, as well.

5 There -- the garage doors are typically
6 done in a fob situation. You have a garage door
7 opener in your car, or your keys. You hit that,
8 the garage door opens.

9 The -- the lobby door can be handled with a
10 number of ways by the -- the tenants or the
11 owners of the buildings.

12 Often, in Union City, we'll have the bell
13 right outside. They buzz to get inside the
14 building.

15 But that's really up to them. We can't
16 really define that within the Board.

17 Sometimes, they'll let you come into the
18 vestibule, and then you buzz in, or you go
19 outside.

20 But it's really depending on the property
21 owners --

22 MS. FLORES: Right.

23 MR. PEREIRAS: -- what they wind up doing.

24 MS. FLORES: And the -- the parking
25 situation looks a little tight.

1 Is it -- you know --

2 MR. PEREIRAS: It's tight. We have no
3 doubt about it. We know every single building
4 within Union City has tight parking.

5 It's better to have tight parking than no
6 parking at all.

7 That said, let's go over a little bit, so
8 we could discuss it a little bit.

9 So, the width of the parking spaces are
10 eight foot six. That's typical, normal.

11 That width is reduced at different
12 intervals by columns. The columns will be 12
13 inches in thickness. So, you take six inches
14 away from each side. So, some parking spaces
15 will be around eight feet wide. Still typical.
16 Still able to park.

17 And the depth of the parking spaces are
18 shown as 17 foot six. So, parking car fits
19 typically within that 17 foot six.

20 The aisle, I believe, is 20 -- no, it's 16
21 four.

22 So, it's tight. You're going to have to go
23 back and forth a little bit, to get in and out.
24 But it's better to have tight parking than no
25 parking. And that's what we're providing.

1 ACTING CHAIRPERSON GRULLON: Mr.
2 Pereiras, could you go over the material for the
3 --

4 MR. PEREIRAS: I'd be happy to.

5 The façade of our building, the street
6 façade, we're -- we're keeping in line with the
7 Ordinance that was passed by the Board of
8 Commissioners that they want it to be brick. So,
9 we're proposing a --

10 ACTING CHAIRPERSON GRULLON: Real brick.

11 MR. PEREIRAS: -- brick façade.

12 MS. GUTIERREZ: Real brick.

13 MR. PEREIRAS: This is real brick. No
14 other type of brick in my book.

15 So, there's real brick along the front of
16 the building.

17 And then, the sides of the building, the
18 three -- the three other sides, and the -- the
19 two sides and the rear are going to be siding.

20 And that's just a matter of economy.

21 MR. PRESSEY: We have anything with
22 cameras?

23 MR. PEREIRAS: Cameras? If the Board
24 thinks that we should put a camera, we'll be
25 happy to do a camera.

1 But really, the maintenance of the
2 building is usually handled by the -- by the
3 owner, whether they think they need cameras or
4 not.

5 MS. GUTIERREZ: What about the mirror? The
6 mirror that you guys put them outside to -- when
7 they come --

8 MR. PEREIRAS: If you'd like that to go on
9 there --

10 MS. GUTIERREZ: So they can see the traffic
11 when they come.

12 MR. PEREIRAS: Yeah. I don't think we need
13 it because we're set back six feet, and there's
14 space on both sides of the property.

15 So, if a car were to come out, I don't
16 think you actually need that, but we'll be happy
17 to put a mirror.

18 Would you like us to just --

19 MS. GUTIERREZ: Yes, add it for safety.

20 MR. PEREIRAS: Let's -- let's add it no
21 matter what.

22 MS. GUTIERREZ: Um hum.

23 MR. PEREIRAS: We'll put a concave mirror.

24 ACTING CHAIRPERSON GRULLON: No more
25 question, Mr. Pereiras.

1 Thank you.

2 MR. PEREIRAS: Thank you.

3 ACTING CHAIRPERSON GRULLON: Let me, at
4 this time, let me open it to the public.

5 Anybody from the public wants to come
6 forward to ask question?

7 MS. GAETA: Are these condominiums?

8 ACTING CHAIRPERSON GRULLON: Could you
9 please --

10 MS. GUTIERREZ: You have to come forward.

11 MR. ISA: To the microphone.

12 MS. GAETA: I'm sorry.

13 MS. GUTIERREZ: You have to come forward.

14 MS. DILLON: Right up here, ma'am. Right
15 in front of that black microphone.

16 MS. GAETA: Right here. Okay.

17 I just --

18 MS. DILLON: Please --

19 MS. GAETA: -- have a question.

20 MS. DILLON: Wait, wait, wait.

21 Please raise your right hand.

22 MS. GAETA: Oh, yes ma'am.

23 MS. DILLON: Do you affirm the testimony
24 you're about to give this Board is the whole
25 truth?

1 MS. GAETA: Yes, I do.

2 MS. DILLON: Okay. Can you state your name
3 and spell it for the record?

4 MS. GAETA: Yes.

5 Jessica, J-E-S-S-I-C-A, Gaeta, G-A-E-T-A.

6 MS. DILLON: And what's your address?

7 MS. GAETA: 1903 New York Avenue.

8 MS. DILLON: Okay. I'm just going to ask
9 you to keep your voice up for me.

10 MS. GAETA: Sure.

11 MS. DILLON: Thank you.

12 MS. GAETA: I just have a question.

13 Are these apartments going to be rentals or
14 condominiums?

15 MR. PEREIRAS: It depends on the owner, and
16 when they get released, when they're finished,
17 depends on the market.

18 If -- I'm sure they'll go to what's ever
19 the best investment.

20 MS. GAETA: I see.

21 Regarding security. It's up to the owner
22 or the owners if they want --

23 MR. PEREIRAS: If they want to add cameras

24 --

25 MS. GAETA: -- say, ADT security system,

1 | some kind of security system --

2 | MR. PEREIRAS: Yes.

3 | MS. GAETA: -- and all that.

4 | MR. PEREIRAS: Yes.

5 | MS. GAETA: So it's up to them.

6 | MR. PEREIRAS: Yes.

7 | MS. GAETA: Okay.

8 | So, if it's one owner for the building, it
9 | will be up to him?

10 | MR. PEREIRAS: Yes.

11 | MS. GAETA: If he rents it out or, let's
12 | say, it's condominiums, it will be up to -- I
13 | guess --

14 | MR. PEREIRAS: Sure. Whoever owns this
15 | property, where it's condominiums, one owner, or
16 | multiple owners, I would assume that they want to
17 | take care of the property, and want to keep it
18 | safe.

19 | MS. GAETA: Um hum.

20 | MR. PEREIRAS: So, but it's really up to
21 | them whether they put a security system in there
22 | or not.

23 | MS. GAETA: I see.

24 | Thank you.

25 | MR. PEREIRAS: No problem.

1 MR. BONACCI: I just have one last --

2 ACTING CHAIRPERSON GRULLON: Mr. Price?

3 MR. BONACCI: I just one last --

4 MS. GUTIERREZ: Hold on. Hold on.

5 MR. BONACCI: Oh, you're --

6 MS. GUTIERREZ: We'll have to continue with
7 the --

8 MR. BONACCI: -- still doing --

9 Okay.

10 MS. GUTIERREZ: -- with the public.

11 ACTING CHAIRPERSON GRULLON: Mr. Price, can
12 you --

13 MS. GUTIERREZ: Later on.

14 MR. BONACCI: Thanks.

15 MS. GUTIERREZ: We're coming back.

16 MS. DILLON: Mr. Price, do you affirm the
17 testimony you're about to give this Board is the
18 whole truth?

19 MR. PRICE: I do.

20 MS. DILLON: Name and address, for the
21 record.

22 MR. PRICE: Larry Price, 1006 Palisade
23 Avenue.

24 Let's talk about parking again there for a
25 second.

1 The parking spots are --

2 MS. DILLON: Don't stray away.

3 MR. PRICE: Sorry.

4 -- eight feet --

5 MR. ISA: You'd think after all these years
6 Larry, you'd know you have to stand by the
7 microphone.

8 MR. PRICE: But my -- my mellow porous
9 voice carries so well.

10 Right. Okay. Sure.

11 Okay.

12 The parking spots are eight and a half feet
13 by 17 and a half?

14 MR. PEREIRAS: Correct.

15 MR. PRICE: What's the RSIS requirement?

16 MR. PEREIRAS: I believe RSIS is eight by
17 --

18 ACTING CHAIRPERSON GRULLON: Nine by 18.

19 MR. SPATZ: Nine by 18.

20 MR. PRICE: Nine by 18. Okay.

21 The aisle is 16 --

22 MR. PEREIRAS: Sixteen seven. It's tight.

23 MR. PRICE: Huh?

24 MR. PEREIRAS: Sixteen foot seven inches.

25 MR. PRICE: Yeah. What -- by the way,

1 | what's the RSIS requirement?

2 | MR. PEREIRAS: As per an aisle? I think
3 | 23.

4 | MR. SPATZ: Twenty-four.

5 | MR. PEREIRAS: Twenty-four.

6 | MR. PRICE: Twenty-four feet. Okay.

7 | Your aisle width is less than your parking
8 | width? Can you actually turn a car in that
9 | narrow a space?

10 | MR. PEREIRAS: It will be multiple turns,
11 | but it could definitely be done.

12 | MR. PRICE: Okay. Thank you.

13 | Okay. Thank you.

14 | MS. GUTIERREZ: Thank you, Mr. Price.

15 | ACTING CHAIRPERSON GRULLON: Any other
16 | member of the public?

17 | Closed to the public.

18 | Mr. Bonacci has a question.

19 | MR. BONACCI: Yeah.

20 | I think that some of us have issues as far
21 | as the -- the depth of the parking.

22 | And also, I think that speaking for myself,
23 | personally, I'd be a little bit more comfortable
24 | in granting the application if the lighting,
25 | terrace, the stuff that you were going to put,

1 security features, to keep anybody from falling
2 off and stuff, it was like included in the plans.

3 Because you know, you're --

4 MR. PEREIRAS: Sure.

5 MR. BONACCI: -- explaining these things
6 very well, but being in the plans would help us
7 to visualize it a lot better, to grant the
8 application.

9 MR. PEREIRAS: So, as a matter of
10 procedure, once everything that we say here in
11 this Board, I'll actually put together an
12 additional drawing, and I hand it over to Mr.
13 Valella, the Board Secretary.

14 And he actually has the Chairman, or the
15 Acting Chairman sign the plans that actually
16 already have all the things that we talked about
17 right in it.

18 So, you could rest -- feel rest assured
19 that all those comments that we spoke about are
20 going to be in the plan and going to be signed by
21 your Chairman, who's going to check that very
22 thoroughly.

23 THE SECRETARY: Mr. Chairman, --

24 ACTING CHAIRPERSON GRULLON: Thank you, Mr.
25 Pereiras.

1 THE SECRETARY: -- if you allow me to
2 just mention that the revised plans will be with
3 a -- will be the condition in order to, in the
4 case, these were approved.

5 ACTING CHAIRPERSON GRULLON: Yes.

6 THE SECRETARY: With the condition to --
7 the condition to approve the Resolution.

8 ACTING CHAIRPERSON GRULLON: If it's -- if
9 it's approved, it will --

10 THE SECRETARY: Have to be before.

11 ACTING CHAIRPERSON GRULLON: -- with the
12 condition to submit -- to present the -- the
13 request --

14 MR. PEREIRAS: To submit. I'm not
15 representing.

16 THE SECRETARY: Right. No, to submit.

17 MR. PEREIRAS: It would be -- it would be a
18 single line.

19 MR. SPATZ: Right. We will -- Mr.
20 Chairman, we'll review those plans prior to the
21 adoption of the Resolution. And if they are on
22 the plans, then we -- we would make the
23 recommendation to continue with the Resolution,
24 or else hold it off for another month. So --

25 MS. GUTIERREZ: Exactly.

1 MR. ISA: And -- and if --

2 MR. SPATZ: That's typically what's done
3 with those conditions.

4 THE SECRETARY: Thank you, Mr. Spatz.

5 MR. ISA: And any Board member wants to
6 come and review the plans, once they're here --

7 MR. SPATZ: Absolutely.

8 MR. ISA: -- should -- you know, should do
9 so, so you feel comfortable with it.

10 ACTING CHAIRPERSON GRULLON: Thank you, Mr.
11 Pereiras.

12 Taking in consideration that in that 50 by
13 a hundred lot, you are right, you could put two
14 -- two buildings, a three -- three family, three
15 bedroom units, in each of the lot, without coming
16 and presenting to the Board, and that would be no
17 detriment to the -- to the area, putting this
18 building, which I think is beautiful and I thank
19 you again for bringing -- and benefit of the --
20 the neighborhood.

21 And I mean, the only concern that I have
22 was the height, next to the other -- to the other
23 houses, but it's -- it's something that you're
24 not even asking for variance, is -- is permitted,
25 what you're proposing, 40 feet.

1 I make a motion to grant the application.

2 MS. GUTIERREZ: And I second it.

3 THE SECRETARY: Motion to grant the
4 application with the condition by Acting Chairman
5 --

6 ACTING CHAIRPERSON GRULLON: With the
7 condition --

8 THE SECRETARY: -- Victor Grullon.

9 ACTING CHAIRPERSON GRULLON: -- of the
10 railing for the --

11 THE SECRETARY: Second by Margarita
12 Gutierrez.

13 ACTING CHAIRPERSON GRULLON: -- for the
14 terrace.

15 MS. GUTIERREZ: Um hum.

16 THE SECRETARY: Roll call to approve this
17 application with the conditions.

18 Acting Chairman Grullon?

19 ACTING CHAIRPERSON GRULLON: Yes.

20 THE SECRETARY: Margarita Gutierrez?

21 MS. GUTIERREZ: Yes, with the condition.

22 THE SECRETARY: David Pressey?

23 MR. PRESSEY: Yes.

24 THE SECRETARY: John Medina?

25 MR. MEDINA: Yes.

1 THE SECRETARY: Joseph Bonacci?

2 MR. BONACCI: Yes.

3 THE SECRETARY: Elisa Flores?

4 MS. FLORES: Yes.

5 THE SECRETARY: Motion carries. Six in
6 favor.

7 MS. PEREIRAS: Thank you all very much.

8 THE SECRETARY: Thank you.

9 ACTING CHAIRPERSON GRULLON: Thank you,
10 Mrs. Pereiras.

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

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Juan Martin - 406 19th Street:

THE SECRETARY: May I have your attention,
please -- please?

Next application, tonight's agenda, Juan
Martin, 406 19th Street.

Mrs. Pereiras, please?

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

MR. ISA: Mr. Chairman, members of the
Board, I reviewed the documentation of
publication, service, and jurisdiction.
Everything appears to be in order. The Board has
jurisdiction to proceed.

ACTING CHAIRPERSON GRULLON: You may
proceed, Ms. Pereiras.

MS. PEREIRAS: Thank you.

Again, Bianca Pereiras on behalf of the
applicant, Juan Martin.

This is for property located at 406 19th
Street, also known as Block 102, Lot 23.

We are located in the R residential zone.

1 This is a mixed use building. We have a
2 warehouse on the ground floor. And there was a
3 question as to whether the apartment on the
4 second floor was legal.

5 In order to clarify that, we are before the
6 Board this evening, and asking for the
7 legalization of that second floor apartment.

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

11 MR. PEREIRAS: I remember I am still under
12 oath.

13 ACTING CHAIRPERSON GRULLON: You may
14 proceed, Mr. Pereiras.

15 MR. PEREIRAS: Thanks.

16 MS. PEREIRAS: Mr. Pereiras, are you
17 familiar with 406 19th Street?

18 MR. PEREIRAS: I am.

19 MS. PEREIRAS: And did you prepare the
20 drawings before the Board?

21 MR. PEREIRAS: I have.

22 MS. PEREIRAS: And can you please describe
23 the proposed project for the Board?

24 MR. PEREIRAS: Okay. We are on the north
25 side of -- of 19th Street.

1 We have a preexisting building. It's --
2 there's a photograph of it on the drawings.

3 It's a two story structure. It's a masonry
4 structure. It's characterized by this garage
5 door on the ground floor, with an entrance going
6 to the right, that leads you to the second floor.
7 And on that second floor, there is a preexisting
8 apartment there.

9 That preexisting apartment was recently
10 renovated, so I don't have a good idea of when it
11 was constructed. But it's a very nice, very
12 beautiful apartment.

13 That apartment, when you go up the stairs,
14 you're lead into a kitchen, living, dining room
15 area, along the front of the building. And then,
16 there's a room along the back that's 12 by -- 12
17 by 13.4, bedroom that has a preexisting balcony,
18 along the side of the building. That balcony is
19 three foot nine by the length of the -- the --
20 half the building.

21 And -- and it's a preexisting condition.
22 We're asking for this one unit. The size --
23 there's a series of existing nonconformities to
24 the size, to the lot. A lot of them are
25 triggered because of the size of the lot.

1 You have a 20 foot width by a 50 foot
2 depth of the house, which triggers a minimum lot
3 area variance.

4 This is a preexisting nonconformity, so we
5 have a thousand square foot lot area, whereas
6 2,500 square foot would be required.

7 A minimum width of 20 -- of 25 feet would
8 be required. We have 20 feet.

9 The lot depth. We -- a minimum lot depth
10 of a hundred is required. We have 50.

11 So, these are all preexisting
12 nonconformities. And of course, they trigger
13 everything else.

14 So, there are side yard nonconformities,
15 where we are at two feet in total, whereas we
16 would be required five on both sides, two on one
17 side.

18 The rear yard, we have zero foot setback.
19 We're -- we need a variance for that, as well.

20 And the front yard, we do -- in the front
21 yard, we do not need a variance. We are in
22 compliance in the front yard. We are actually
23 set back 11.25 feet in the front yard.

24 There's a variance for minimum building
25 coverage, we're at 62 percent.

1 And minimum lot coverage, we're at a
2 hundred percent.

3 And of course, parking. So, we have a
4 preexisting commercial unit. What we're
5 proposing to adopt is a new -- a one bedroom
6 apartment, which would require 1.5 cars, and we
7 have no -- we have -- the parking that's existing
8 is for the commercial unit on the ground floor.
9 So, we have zero provided.

10 So, there's a variance for parking, as
11 well.

12 That, however, said, we have no proposals
13 for changes on the site whatsoever. These are
14 all preexisting conditions. We don't propose to
15 change anything to the bulk of the building. We
16 don't propose to make any changes inside, except
17 for one.

18 Since we're coming before this Board, we
19 actually have the opportunity to make sure that
20 everything meets Code.

21 So, now, they have to go before the -- the
22 Building Department, and make sure that all the
23 conditions within this apartment meet Code.

24 Quite frankly, I think everything already
25 does meet Code. It's all in good working

1 condition.

2 But we'll be verifying all of that through
3 the process.

4 So, for example, one thing that we're going
5 to be verifying is that there's a commercial
6 space on the ground floor. This residential unit
7 on the top floor, we have to make sure that
8 there's a fire separation between the floors.
9 So, we're going to go in there and make sure that
10 the proper fire separation was done. If it's
11 sealed properly, if it's looking right.

12 And all those things will be reviewed.

13 So, we're going to bring the building into
14 compliance from a Code standpoint.

15 ACTING CHAIRPERSON GRULLON: Are you doing
16 any type -- are you demolishing anything inside
17 the building?

18 MR. PEREIRAS: No. These are actually --

19 ACTING CHAIRPERSON GRULLON: Everything is
20 existing?

21 MR. PEREIRAS: Yeah. Everything's
22 existing. Everything's -- I'm not sure if
23 there's a memo from the Building Department.

24 There's a question as to its legality.
25 Rather than going through a lot of --

1 ACTING CHAIRPERSON GRULLON: Yes.

2 MR. PEREIRAS: -- legal paperwork, going
3 back and forth, we're coming before this Board,
4 just to be clear on everything.

5 But -- but this is a preexisting condition.
6 Commercial on the ground floor, apartment on the
7 second floor. And we're just coming before this
8 Board to clarify --

9 ACTING CHAIRPERSON GRULLON: Even --

10 MR. PEREIRAS: -- everything.

11 ACTING CHAIRPERSON GRULLON: -- the balcony
12 is existing?

13 MR. PEREIRAS: Everything's existing.

14 If you look at the envelope of the
15 building, that I could see, because that wasn't
16 touched, you could tell that the building's been
17 there for -- you know, for many years.

18 ACTING CHAIRPERSON GRULLON: Yeah. I mean,
19 we can see the facade, the brick, the windows,
20 they -- it looks like it's preexisting for -- for
21 a long time there.

22 MR. PEREIRAS: It does. The exterior of
23 the building is untouched. That, for sure, is a
24 preexisting condition.

25 The apartment itself seems to be just

1 | nicely renovated.

2 | ACTING CHAIRPERSON GRULLON: I don't have
3 | any more question.

4 | MR. PRESSEY: Is the commercial area still
5 | in use?

6 | MR. PEREIRAS: Currently, the building is
7 | vacant. It's under -- it's under contract to be
8 | sold, pending this Board decision.

9 | So right now, it's empty.

10 | ACTING CHAIRPERSON GRULLON: What's on the
11 | first floor? The garage?

12 | MR. PEREIRAS: It's empty right now.

13 | ACTING CHAIRPERSON GRULLON: In the garage?

14 | MR. BONACCI: The doorway with the address
15 | on it, it takes you to a staircase, that takes
16 | you to the upstairs --

17 | MR. PEREIRAS: Right.

18 | MR. BONACCI: -- apartment?

19 | MR. PEREIRAS: If you go to the floor plan,
20 | this stairwell leads you right into that fairway.

21 | So, the apartment has a entry point right
22 | from the street. It's not hidden in any way.

23 | ACTING CHAIRPERSON GRULLON: I don't see --
24 | I don't see a memo from the Building Department.

25 | MS. GUTIERREZ: It's right here. It's

1 right here.

2 ACTING CHAIRPERSON GRULLON: Is this
3 considered one commercial, one residential unit?

4 MR. PEREIRAS: If -- in -- it's very
5 confusing, because what does the memo say?

6 ACTING CHAIRPERSON GRULLON: It was just
7 one commercial.

8 MR. PEREIRAS: One commercial.

9 So, the Building Department -- there's
10 questions that's there, because there's certain
11 records that say yes, no.

12 But there is -- so, we're going -- we're
13 basically introducing before this Board this
14 residential unit.

15 So, we're maintaining the commercial, and
16 we're proposing a new apartment on the second
17 floor.

18 This is what the preexisting condition that
19 we're legalizing.

20 MR. PRESSEY: Oh.

21 MR. MEDINA: I have a question.

22 When you say empty that means two floors.
23 Nobody there.

24 MR. PEREIRAS: Yes.

25 MR. MEDINA: Someone's leaving.

1 MR. PEREIRAS: It's empty.

2 MR. MEDINA: It's empty.

3 MR. PEREIRAS: There's no one living there
4 at the moment.

5 MR. MEDINA: All right.

6 ACTING CHAIRPERSON GRULLON: Any more
7 question?

8 You don't have any more witnesses?

9 MS. PEREIRAS: No.

10 ACTING CHAIRPERSON GRULLON: Just want to
11 open it to the public at this time.

12 Please.

13 MS. GAETA: Mr. Pereira, I live around the
14 corner.

15 MS. DILLON: Just state your name again --

16 MS. GAETA: Jessica --

17 MS. DILLON: -- for the record.

18 MS. GAETA: Jessica Gaeta, 1903 New York
19 Avenue.

20 I live around the corner from said
21 property.

22 MR. PEREIRAS: Um hum.

23 MS. GAETA: And I was told by my husband,
24 many years ago, that that area, that commercial
25 space, was once a garage for horses. They found

1 hay in there, perhaps from the old Fire
2 Department.

3 And since then, I've seen it -- you know,
4 used as a garage and a warehouse, as you have
5 said.

6 I've also been told that people who have
7 rented upstairs have moved out, because it is
8 very cold there, because the under part has no --
9 no heat at all. So, the floor is very cold, and
10 that's the reason that they moved out.

11 So, if anything be done, I would suggest to
12 the owner, the new owner, that that be rectified.

13 Also, I have a question.

14 I'd like to know what sort of commercial
15 use is intended for that first floor? Do we
16 know?

17 MR. PEREIRAS: I don't know.

18 MS. GAETA: Nobody knows.

19 MR. PEREIRAS: I have no idea. No.

20 MS. GAETA: Not yet.

21 MR. PEREIRAS: No. But I thank you for
22 your testimony, because that explains that that
23 apartment is existing. It was there.

24 And just to address your concern. Part of
25 -- there is -- if this falls into a commercial

1 | property, we have to follow ASHRAE, which is
2 | the -- it's guidelines for -- for environmental
3 | situations like insulation and things like that.

4 | MS. GAETA: Um hum.

5 | MR. PEREIRAS: So, we have to make sure
6 | that that's insulated properly, and it has the
7 | proper R rating between the units.

8 | So, that's one of the things that we go
9 | through when we verify and make sure that it's up
10 | to Code --

11 | MS. GAETA: Um hum.

12 | MR. PEREIRAS: -- going through this
13 | process.

14 | So thank you --

15 | MS. GAETA: Um hum.

16 | MR. PEREIRAS: -- for bringing that up to
17 | light.

18 | MS. GAETA: There's one more thing that
19 | affects my backyard.

20 | MR. PEREIRAS: Um hum.

21 | MS. GAETA: There's siding on the side,
22 | where the new apartment was built. It was built
23 | on top of the existing garage. And some faulty
24 | construction was done.

25 | MR. PEREIRAS: Um hum.

1 MS. GAETA: And I have like a waterfall
2 going down into my yard every time it --

3 MR. PEREIRAS: Um hum.

4 MS. GAETA: -- rains heavily. So, I don't
5 -- I think that -- I don't know if that goes into
6 your Code system, or whether it's -- you know, a
7 private issue.

8 MR. PEREIRAS: Technically, that's not --

9 MS. GAETA: That I don't know.

10 MR. PEREIRAS: -- handled by the Board.

11 MS. GAETA: Um hum.

12 MR. PEREIRAS: You could put a complaint to
13 the Building Department. They'll address it.

14 MS. GAETA: Um hum.

15 MR. PEREIRAS: But in any case, we could
16 talk to the owners and we can make sure that
17 that's addressed, and we'll be -- we'll make sure
18 that that gets fixed for you.

19 MS. GAETA: Um hum.

20 So, has the building been sold?

21 MR. PEREIRAS: I believe it's under
22 contract to be sold.

23 MS. GAETA: It's under contract.

24 MR. PEREIRAS: Yes.

25 MS. GAETA: I see. And Mr. Moya is the

1 realtor?

2 MR. PEREIRAS: Is the -- the --

3 MS. GAETA: Ruben Moya?

4 MR. PEREIRAS: -- realtor. Yes.

5 MS. GAETA: Okay.

6 Thank you.

7 MR. PEREIRAS: Yes.

8 MS. GAETA: Thank you.

9 MS. GUTIERREZ: Thank you.

10 ACTING CHAIRPERSON GRULLON: Again, Mr.
11 Pereiras, but there was no recent construction in
12 that building to put a second floor?

13 MR. PEREIRAS: No. That -- that was a
14 preexisting condition. It's been up there. I
15 don't know how long, but it's been up there.

16 And according -- would you mind saying
17 that?

18 ACTING CHAIRPERSON GRULLON: Please.

19 MR. PEREIRAS: Would --

20 Yeah, would you mind saying that?

21 MS. GAETA: Yes.

22 ACTING CHAIRPERSON GRULLON: Yeah. Please.
23 That's --

24 MS. GAETA: Yeah.

25 ACTING CHAIRPERSON GRULLON: -- important

1 information.

2 MS. GAETA: Yeah. No. I -- I would say,
3 I'm thinking 15, it's more like maybe 20. Twenty
4 years, at least.

5 I remember when it went up. Mr. McGarrow
6 (phonetic) was the owner then. And he had put
7 that up. Yeah.

8 I don't remember the exact year, but I
9 remember it was quite some time ago. It was
10 about 20 years ago. Yeah.

11 MS. PEREIRAS: Thank you.

12 MR. PEREIRAS: Thank you, Ms. Gaeta.

13 MS. GUTIERREZ: Thank you.

14 ACTING CHAIRPERSON GRULLON: Twenty years
15 ago, it's after our --

16 MR. PEREIRAS: It is.

17 ACTING CHAIRPERSON GRULLON: -- Ordinance.

18 MR. PEREIRAS: It is. It's after the
19 Ordinance.

20 We're not questioning that in any way, but
21 we have a preexisting condition. I don't think
22 it -- it impacts the neighborhood negatively in
23 any way.

24 On the contrary, I think it's a positive
25 thing because we are going from a fully

1 commercial building to a mixed use building,
2 which now introduces residential. So that means
3 it's in use 24/7. There's people sleeping there.
4 You have less chances of anything going on in the
5 night that isn't up to what we would like to
6 happen there.

7 So, I think it's a good condition.
8 Residential is permitted in the neighborhood.
9 It's of course something that we want.

10 I think it makes a lot of sense to approve
11 this project, based on those conditions or those
12 concepts.

13 ACTING CHAIRPERSON GRULLON: Yeah, there is
14 a preexisting condition, but I have a little
15 concern with the balcony there.

16 Now that we have the application in front
17 of us, we can do a little -- you know, minor
18 changes here.

19 MR. PEREIRAS: Um hum.

20 ACTING CHAIRPERSON GRULLON: I would -- I
21 would say if you can consider asking you're --
22 the applicant to remove the balcony on this.
23 That would give -- that would give more living
24 space to the -- to whoever is renting the
25 apartment, and at the same time, you can maybe

1 out of the concern -- the concern that she has
2 with the -- you know, siding, to do decoration of
3 the siding.

4 MR. PEREIRAS: Um hum.

5 So, are you proposing to --

6 ACTING CHAIRPERSON GRULLON: In the --

7 MR. PEREIRAS: -- infill that section?

8 ACTING CHAIRPERSON GRULLON: In the -- yes.
9 Yes.

10 Enclose the balcony, because I know in that
11 balcony, what they're going to use -- they're
12 going to use it as a storage, to put stuff on the
13 back. And it's not going to look good for the
14 neighborhood.

15 MS. GUTIERREZ: Going to look --

16 MS. PEREIRAS: The client does not have an
17 objection to that.

18 MS. GUTIERREZ: Okay.

19 ACTING CHAIRPERSON GRULLON: All right.

20 With that condition, I will make a motion
21 to grant the application for the one apartment
22 above.

23 I don't know what happened with the ground
24 floor, if it's a commercial, but we are only
25 granting the -- this application, for the one

1 apartment, legalizing one apartment.

2 MR. PEREIRAS: Correct.

3 MS. GUTIERREZ: I second it.

4 ACTING CHAIRPERSON GRULLON: I make a
5 motion.

6 THE SECRETARY: Motion to --

7 ACTING CHAIRPERSON GRULLON: Legalizing one
8 apartment, and with the condition to enclose the
9 -- the balcony.

10 MR. ISA: Did you open to the public? Did
11 you open to the public?

12 ACTING CHAIRPERSON GRULLON: Once only.

13 Yeah. I did. I open it to the public.
14 She came --

15 MS. GUTIERREZ: It was already done.

16 THE SECRETARY: You make a motion to --

17 ACTING CHAIRPERSON GRULLON: I made a
18 motion.

19 THE SECRETARY: -- to approve the
20 application.

21 ACTING CHAIRPERSON GRULLON: To approve the
22 application.

23 THE SECRETARY: Motion to approve the
24 application by Acting Chairman Victor Grullon.

25 Second by Margarita Gutierrez.

1 Roll call to approve this application
2 with the conditions.

3 Victor Grullon?

4 ACTING CHAIRPERSON GRULLON: Yes.

5 THE SECRETARY: Margarita Gutierrez?

6 MS. GUTIERREZ: Yes, with the condition.

7 THE SECRETARY: David Pressey?

8 MR. PRESSEY: Yes.

9 THE SECRETARY: John Medina?

10 MR. MEDINA: Yes.

11 THE SECRETARY: Joseph Bonacci?

12 MR. BONACCI: Yes.

13 THE SECRETARY: Elisa Flores?

14 MS. FLORES: Yes.

15 THE SECRETARY: Motion carries. Six in
16 favor.

17 Thank you --

18 MR. ISA: Thank you.

19 THE SECRETARY: -- Mrs. Pereiras.

20 MS. PEREIRAS: Thank you all very much.

21 MS. GUTIERREZ: Thank you.

22 MR. PEREIRAS: Thank you everyone.

23 MS. PEREIRAS: Good night.

24 ACTING CHAIRPERSON GRULLON: Okay. Thank
25 you.

1 MR. PEREIRAS: See you next time.

2 ACTING CHAIRPERSON GRULLON: Good night.

3 MS. PEREIRAS: Enjoy the rest of your
4 summer. We'll see you in September.

5 MS. GUTIERREZ: All right. Have a great
6 summer.

7 MR. MEDINA: Congratulations, by the way.

8 MS. PEREIRAS: Thank you.

9 Thank you.

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

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RDK Royal Associates, LLC - 4510 Brown Street:

THE SECRETARY: Next application, tonight's agenda, RDK Royal Associated (sic), LLC, 4510 Brown Street.

Mr. Heitmann?

MR. HEITMANN: Good evening, Board.

Michael Heitmann, H-E-I-T-M-A-N-N, appearing again on behalf of RDK Royal Associates.

I have an application before the Board. We've been here a few times. The application is to legalize a basement apartment, seeking certain bulk and use variances to change the use from a three family to four family.

MR. ISA: The Board may recall that we acquired jurisdiction --

ACTING CHAIRPERSON GRULLON: Yes.

MR. ISA: -- a couple meetings ago. And it's -- this is a continuation of --

ACTING CHAIRPERSON GRULLON: Continuation.

Go ahead

1 MR. ISA: Sorry.

2 I just wanted --

3 MR. HEITMANN: No problem.

4 MR. ISA: -- clarify.

5 MR. HEITMANN: Yeah. I'll try to skip
6 right to the issue, but you've heard from my
7 client's architect and engineer. You've heard
8 from my client's site planner. You've heard from
9 the president of my client, as well.

10 And what's come to fruition is this is an
11 actual preexisting condition.

12 Mr. Passante, the President of the
13 applicant, has testified before the Board that he
14 bought this as a four unit building. That the
15 basement apartment, although it has been
16 renovated, was preexisting when he bought it.

17 The problem is he -- he bought it a year
18 and a half ago, so he can't really testify to how
19 long it was preexisting.

20 However, if you'll remember last time I was
21 before the Board, we had presented a
22 certification because, as you know, the change in
23 the plan was in 19 -- early 1970s. So, it's
24 difficult to find somebody who can testify to
25 that.

1 But frankly, my client bought the
2 property from somebody he knew. So, we went out
3 to family members. And last time, we provided a
4 certification from a Russ Russo.

5 That's understandable that the Board does
6 not accept certifications.

7 ACTING CHAIRPERSON GRULLON: If they're not
8 present, yes.

9 MR. HEITMANN: Right.

10 So, and -- and that's understandable. So,
11 we went out and we -- we found -- unfortunately,
12 Mr. Russo can't come here. He's about 82 years
13 old and disabled and he just -- it's just
14 impossible to get him here.

15 But we have, I think, it's his great-nephew
16 with us today, Anthony Capone, Jr., who I'll --
17 who I'll call to testify as to the preexisting
18 condition, if that's okay with the Board.

19 MR. ISA: Does he have firsthand knowledge
20 of this or --

21 MR. HEITMANN: He has firsthand knowledge.
22 I mean, he -- he will -- he will testify to being
23 in the premises, and also speaking --

24 MR. ISA: I mean --

25 MR. HEITMANN: -- to family members.

1 MR. ISA: So, some degree of hearsay is
2 permitted in -- in this -- in this proceeding.

3 ACTING CHAIRPERSON GRULLON: You may bring
4 him.

5 MR. HEITMANN: Okay.

6 I'd like to call, at this time, Anthony
7 Capone, Jr.

8 Step up.

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

11 MS. DILLON: Sir, please raise your right
12 hand.

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

15 MR. CAPONE: I do.

16 MS. DILLON: I need you to state your name
17 and spell it for the record.

18 MR. CAPONE: Anthony Capone, C-A-P-O-N-E.

19 MS. DILLON: Thank you.

20 MR. HEITMANN: All right.

21 Mr. Capone, are you familiar with the
22 premises located at 4510 Brown Street in Union
23 City?

24 MR. CAPONE: Yes.

25 MR. HEITMANN: And how are you familiar

1 with that premises?

2 MR. CAPONE: My great-grandfather, my
3 grandmother, my great-aunt bought that property.

4 MR. HEITMANN: Many, many years ago?

5 MR. CAPONE: I would say in the early '40s,
6 probably.

7 MR. HEITMANN: Okay.

8 And did anybody in your immediate family,
9 like your father or your mother live in that
10 premises?

11 MR. CAPONE: Yeah. My father lived there
12 growing up, and my great-grandpa lived there, my
13 great-aunt lived there, and my grandma.

14 I was told that in the '50s, my uncle,
15 Sonny, who's Russ Russo, lived downstairs. And
16 then, in the '60s, my father lived downstairs.

17 MR. HEITMANN: And Mr. -- and Mr. Russo is
18 the one that I showed you his certification.

19 Is that correct?

20 MR. CAPONE: Yeah. That's my Uncle --
21 yeah. Yes.

22 MR. HEITMANN: Okay.

23 MR. CAPONE: Yes. Yes.

24 MR. HEITMANN: And he lived in the
25 basement.

1 And did he live in a basement, was it
2 separate and -- and apart from the -- the rest of
3 the property?

4 MR. CAPONE: Yeah. When you walk in, you
5 walked through a separate entrance to get into
6 it. And then, you would walk into the kitchen
7 area, and there was a bathroom, and then there
8 was another room outside, kitchen table, bed out
9 there. And then, it would walk into the
10 backyard, where there was a patio area.

11 MR. HEITMANN: Okay. So, it had its own
12 entrance.

13 Did it have a bathroom?

14 MR. CAPONE: Yeah. It was back in the
15 kitchen area.

16 MR. HEITMANN: And then, also have --
17 obviously had a kitchen and --

18 MR. CAPONE: Yeah. Absolutely.

19 MR. HEITMANN: -- there was a bed down
20 there, as well?

21 MR. CAPONE: Yes. Yeah.

22 MR. HEITMANN: Okay. And you said -- and
23 how do you know that your dad lived down there?

24 MR. CAPONE: He told me. He said that
25 Uncle Sonny lived there for years, then I lived

1 | there. I never saw my father live there. I
2 | wasn't -- you know, it was in the mid-60s, but he
3 | had told me that Uncle Sonny stayed there, then
4 | he lived there. And it was kind of a joke that
5 | everybody made it to the basement before they got
6 | out so --

7 | MR. HEITMANN: Okay. So, it's
8 | understandable that your father moved out and
9 | then had you.

10 | Is that correct?

11 | MR. CAPONE: Yeah. Yeah.

12 | MR. HEITMANN: Okay.

13 | MR. CAPONE: Yes.

14 | MR. HEITMANN: And did you ever -- did you
15 | ever actually go to the premises yourself?

16 | MR. CAPONE: Yeah. Yeah.

17 | MR. HEITMANN: Okay.

18 | MR. CAPONE: Absolutely.

19 | MR. HEITMANN: Okay.

20 | MR. CAPONE: When I was younger, I was -- I
21 | spent time there, yes.

22 | MR. HEITMANN: And what did you notice
23 | about, specifically, the basement apartment?

24 | MR. CAPONE: I remember not -- you would go
25 | upstairs on the first floor outside to enter.

1 And then, we would go downstairs.

2 So, we would go in through -- there's a
3 little alley. And then, you would turn left, and
4 there was a door, and it would go into the
5 basement, into the kitchen area. And I remember
6 using that bathroom, because I didn't like going
7 upstairs.

8 MR. HEITMANN: You didn't like --

9 MR. CAPONE: So --

10 MR. HEITMANN: -- going upstairs to that
11 bathroom.

12 MR. CAPONE: So, I would stay downstairs.
13 I would use that bathroom. Then I would go play
14 in the backyard.

15 MR. HEITMANN: Okay.

16 So you know -- and when you were down
17 there, did you notice living quarters? Did you
18 notice a bed?

19 MR. CAPONE: Oh, yeah. There was a kitchen
20 and everything there.

21 MR. HEITMANN: Kitchen --

22 MR. CAPONE: Yeah. Yeah. Because we
23 definitely would go down there to use the
24 bathroom, because we didn't want to walk up the
25 back hallway. Just one of those things.

1 MR. HEITMANN: Okay.

2 MR. CAPONE: When you were little.

3 ACTING CHAIRPERSON GRULLON: Mr. Capone,
4 the access to the basement unit is from the
5 street?

6 MR. CAPONE: Oh, yeah, yeah, yeah. There's
7 an alley. There's a --

8 ACTING CHAIRPERSON GRULLON: You don't have
9 to go up to the first --

10 MR. CAPONE: No, no, no, no, no.

11 ACTING CHAIRPERSON GRULLON: -- floor?

12 MR. CAPONE: No. When you -- we'd walk up
13 -- there's steps. Stone steps going to the first
14 floor. And then, there was the little alley.
15 And there was -- it wasn't steps down, it was
16 just like a little gradient.

17 ACTING CHAIRPERSON GRULLON: On the side --

18 MR. CAPONE: And you go down --

19 ACTING CHAIRPERSON GRULLON: On the side of
20 the building?

21 MR. CAPONE: On the side of the building,
22 and you -- and you would go right into the left
23 side, and you'd open the door to go down into the
24 basement.

25 ACTING CHAIRPERSON GRULLON: Thank you, Mr.

1 Capone.

2 MR. CAPONE: You're welcome.

3 MR. HEITMANN: That's all I have, if
4 anybody has any other questions for this --

5 ACTING CHAIRPERSON GRULLON: No. That was
6 -- that was my only question was if the access
7 was from the street -- from the street level, or
8 from the first floor.

9 This -- your answer was that you access the
10 building from the side of the building. The
11 basement from the side of the building?

12 MR. CAPONE: Yeah. From the street.

13 ACTING CHAIRPERSON GRULLON: From the
14 street level.

15 MR. CAPONE: Yeah.

16 ACTING CHAIRPERSON GRULLON: Okay.

17 MR. CAPONE: Absolutely.

18 ACTING CHAIRPERSON GRULLON: Thank you, Mr.
19 Capone.

20 MR. CAPONE: You're welcome.

21 MR. HEITMANN: Thank you.

22 ACTING CHAIRPERSON GRULLON: No more
23 question.

24 Mr. Heitmann --

25 MR. HEITMANN: Yes?

1 ACTING CHAIRPERSON GRULLON: -- I just
2 want to bring to your attention -- I don't know
3 if this is the first time that you've been
4 presenting application to this Board, but for the
5 record, I want to make clear that if you come
6 here, with any professional, any architect,
7 anybody that comes here to present an
8 application, they have to come prepared for
9 questions -- you know, like I -- I remember that
10 this application has been going on for so long
11 because there were question that the architect
12 couldn't answer, like the height of the building.
13 That's something that even if it's for a basement
14 unit, they should be aware of the -- what the
15 building -- you know, height is, the building --
16 all the measurements of the building, they should
17 be aware --

18 MR. HEITMANN: I --

19 ACTING CHAIRPERSON GRULLON: -- when we ask
20 question.

21 MR. HEITMANN: I understand that and I've
22 -- you know, I was hired after the architect.

23 ACTING CHAIRPERSON GRULLON: Yes. And --

24 MR. HEITMANN: I will say that the
25 architect did show up the second time and -- and

1 provided the letter --

2 ACTING CHAIRPERSON GRULLON: Yes.

3 MR. HEITMANN: -- to the Board, and
4 answered all of the Board's questions regarding
5 the -- the height of the -- the seven foot height
6 of -- of the basement, any kind of fire safety
7 questions. He also addressed the exits, the
8 three exits, where only two exits were required.
9 He addressed the International Building Code.
10 The total net area of the proposed basement
11 apartment will be 890 square feet.

12 So, unfortunately, and I apologize that he
13 wasn't prepared and that -- that's on me, and
14 I'll be sure --

15 ACTING CHAIRPERSON GRULLON: And at the
16 same -- well, at the same time, I want to say
17 that -- you know, I want to thank the applicant
18 for doing the renovation of the entire building.
19 It is going to be something better for the -- for
20 the neighborhood.

21 MR. HEITMANN: That's correct.

22 ACTING CHAIRPERSON GRULLON: And -- and
23 coming in front of the Board to legalize what --
24 something that he just had to prove that it's
25 existing there for many years.

1 I make a motion to grant the
2 application.

3 THE SECRETARY: Motion to approve the
4 application by Acting Chairman Victor Grullon.

5 Second by --

6 MS. GUTIERREZ: And I'll second.

7 THE SECRETARY: -- Margarita Gutierrez.
8 Roll call to approve this application.
9 Victor Grullon?

10 ACTING CHAIRPERSON GRULLON: Yes.

11 THE SECRETARY: Margarita Gutierrez?

12 MS. GUTIERREZ: Yes.

13 THE SECRETARY: David Pressey?

14 MR. PRESSEY: I abstain.

15 THE SECRETARY: John Medina?

16 MR. MEDINA: Yes.

17 THE SECRETARY: Joseph Bonacci?

18 MR. BONACCI: Yes.

19 THE SECRETARY: Elisa Flores?

20 MS. FLORES: Yes.

21 ACTING CHAIRPERSON GRULLON: Thank you, Mr.
22 Heitmann.

23 THE SECRETARY: Motion carries. Five in
24 favor. One abstain.

25 MR. HEITMANN: Thank you very much. Thank

1 you for your time and patience.

2 MS. GUTIERREZ: All right.

3 MR. ISA: Take care.

4 MR. HEITMANN: Thank you very much.

5 MS. GUTIERREZ: Thank you.

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

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Shriji 218, LLC - 2107 Bergenline Avenue:

THE SECRETARY: Next application in
tonight's agenda --

MS. GUTIERREZ: Number 6.

THE SECRETARY: -- Shriji 218, LLC, 2107
Bergenline Avenue.

ACTING CHAIRPERSON GRULLON: Continuation.

THE SECRETARY: Mr. Michael Halkias?

ACTING CHAIRPERSON GRULLON: He was
supposed to bring --

THE SECRETARY: Halkias, I'm sorry.

ACTING CHAIRPERSON GRULLON: -- revised
plans?

MR. ISA: I believe so.

ACTING CHAIRPERSON GRULLON: Did he submit
revised plans?

MS. GUTIERREZ: Um hum.

ACTING CHAIRPERSON GRULLON: Did he submit
revised plans?

MR. HALKIAS: Good evening.

1 ACTING CHAIRPERSON GRULLON: Good
2 evening.

3 MR. ISA: I'm just trying to make sure if
4 you -- we have some -- was everyone that's
5 sitting here present for the -- for that meeting?

6 ACTING CHAIRPERSON GRULLON: He wasn't
7 present.

8 MS. GUTIERREZ: He wasn't here. John
9 Medina wasn't here.

10 ACTING CHAIRPERSON GRULLON: Last meeting?
11 Yes. Yes, he was.

12 MS. GUTIERREZ: He was here? He was here?

13 ACTING CHAIRPERSON GRULLON: He was here.

14 MR. ISA: All right. So, we have five --

15 ACTING CHAIRPERSON GRULLON: Yeah. We got
16 five members.

17 MR. ISA: All right. So, we have --

18 MS. GUTIERREZ: You was here?

19 MR. ISA: I mean, you -- you can -- you can
20 stay. You don't have to leave, I just want to
21 make sure we have enough members.

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

24 MS. DILLON: Do you want to go off the
25 record?

1 MR. ISA: Let's go off the record.

2

3 (Whereupon, the Board recessed from 7:39
4 p.m. to 7:44 p.m.)

5

6 MR. ISA: I apologize.

7 MS. DILLON: Okay. Come back.

8 MR. ISA: Come back.

9 THE SECRETARY: May I have your attention,
10 please?

11 We are going to back business with the
12 application of -- of Shriji 218, LLC, 2107
13 Bergenline Avenue.

14 MS. DILLON: Just your appearance for the
15 record.

16 MR. HALKIAS: Yes. Of course.

17 MS. DILLON: I don't know whether you put
18 it on or not.

19 MR. HALKIAS: Of course.

20 Michael Halkias, 1300 Van Houten Avenue,
21 Clifton, New Jersey --

22 MS. DILLON: Thank you.

23 MR. HALKIAS: -- on behalf of the
24 applicant.

25 Mr. Chairman, what we will do is we will

1 adjourn to the September 10th meeting.

2 ACTING CHAIRPERSON GRULLON: You want to
3 request for an adjournment?

4 MR. HALKIAS: Yes.

5 We'll waive any time limitations that there
6 may be.

7 In the event the full Board, or a number of
8 Board members are here, we will pickup from where
9 we left off. And if we have to start again,
10 we'll start again at the September 10th meeting.

11 MR. ISA: What we'll do is we'll -- we'll
12 get the transcript to all the Board members.

13 MR. HALKIAS: Okay.

14 MR. ISA: So you can --

15 MR. HALKIAS: So either way, we might be
16 able to pickup then.

17 MR. ISA: Yes. I mean --

18 MR. HALKIAS: Everything. Good.

19 Okay. We'll probably need 15 minutes with
20 the architect, just describing the changes that
21 were made, pursuant to what the Board had
22 suggested, and one very favorable change, which
23 is that we've shorted the building, if everyone
24 saw, to comply with one of the -- one of the, I
25 guess, neighbor's --

1 MR. ISA: Good.

2 MR. HALKIAS: -- request. We shorted the
3 building by eight feet.

4 MR. ISA: All right.

5 MR. HALKIAS: Okay?

6 MR. ISA: That's good.

7 MR. HALKIAS: So it's many changes that we
8 took into account.

9 MR. ISA: All right.

10 So, what we'll do is if -- you know, when
11 we get -- we'll get the transcript out to
12 everyone, because it's going to be a long time.
13 That way it could be a refresher.

14 ACTING CHAIRPERSON GRULLON: Yes. Get it
15 to us.

16 MR. ISA: And -- and you know, someone make
17 a motion to adjourn it to --

18 ACTING CHAIRPERSON GRULLON: Yes.

19 MR. ISA: -- September --

20 THE SECRETARY: Ten.

21 ACTING CHAIRPERSON GRULLON: I make my
22 motion to adjourn this --

23 THE SECRETARY: Motion to --

24 ACTING CHAIRPERSON GRULLON: --
25 application.

1 THE SECRETARY: -- adjourn this
2 application by --

3 ACTING CHAIRPERSON GRULLON: Without --
4 without new notice.

5 THE SECRETARY: -- Acting Chairman Victor
6 Grullon.

7 MS. GUTIERREZ: Second it.

8 THE SECRETARY: Second by Margarita
9 Gutierrez.

10 Roll call to adjourn this application.
11 Victor Grullon?

12 ACTING CHAIRPERSON GRULLON: Yes.

13 THE SECRETARY: Margarita Gutierrez?

14 MS. GUTIERREZ: Yes.

15 THE SECRETARY: David Pressey?

16 MR. PRESSEY: Yes.

17 ACTING CHAIRPERSON GRULLON: No new notice.

18 THE SECRETARY: John Medina?

19 MR. MEDINA: Yes.

20 ACTING CHAIRPERSON GRULLON: To the
21 September 10, the next meeting.

22 MR. MEDINA: Yes.

23 THE SECRETARY: Joseph Bonacci?

24 MR. BONACCI: Yes.

25 THE SECRETARY: Elisa Flores?

1 MS. FLORES: Yes.

2 THE SECRETARY: Motion carries. Six in
3 favor --

4 MR. HALKIAS: Thank you very much.

5 THE SECRETARY: -- to adjourn this
6 application. No further notice required. Next
7 meeting will be --

8 MS. GUTIERREZ: Have a great summer.

9 THE SECRETARY: -- September 10, 2015, same
10 -- same time.

11 ACTING CHAIRPERSON GRULLON: Same time.

12 THE SECRETARY: Board members, allow me to
13 let you know there will be a Special Meeting --

14 ACTING CHAIRPERSON GRULLON: Special
15 meeting.

16 MS. GUTIERREZ: Medina?

17 THE SECRETARY: -- on July the 30th, seven
18 p.m.

19 ACTING CHAIRPERSON GRULLON: July 30th,
20 Special Meeting.

21 THE SECRETARY: Only one application will
22 be there.

23 MR. PRICE: July 30th, seven p.m. here?

24 MS. GUTIERREZ: Here.

25 THE SECRETARY: Yes. Mr. Price?

1 MR. PRICE: Seven p.m.?

2 THE SECRETARY: Yes, Mr. Price.

3 ACTING CHAIRPERSON GRULLON: You can come
4 at six if you please.

5 * * *

6 **ADJOURNMENT:**

7

8 THE SECRETARY: Okay.

9 There being no other application on
10 tonight's agenda, can I have a motion to close
11 tonight's meeting?

12 ACTING CHAIRPERSON GRULLON: Aye. Aye.

13 MS. GUTIERREZ: Second it.

14 THE SECRETARY: Motion by Mr. David
15 Pressey.

16 MS. GUTIERREZ: Victor Grullon.

17 THE SECRETARY: Second by Margarita
18 Gutierrez to adjourn this application.

19 Victor Grullon?

20 ACTING CHAIRPERSON GRULLON: Yes.

21 THE SECRETARY: Margarita Gutierrez?

22 MS. GUTIERREZ: Yes.

23 THE SECRETARY: David Pressey?

24 MR. PRESSEY: Yes. Yes.

25 THE SECRETARY: John Medina?

1 MR. MEDINA: Yes.

2 THE SECRETARY: Joseph Bonacci?

3 MR. BONACCI: Yes.

4 THE SECRETARY: Elisa Flores?

5 MS. FLORES: Yes.

6 THE SECRETARY: Motion carries. Six in
7 favor.

8 Let the record show the meeting has ended.

9 Thank you everyone. Have a beautiful
10 night.

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12 (Whereupon, the proceedings were concluded
13 at 7:47 p.m.)

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STATE OF NEW JERSEY:

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COUNTY OF ESSEX :

I, DEBRA A. KASZNIAK, assigned transcriber,
do hereby affirm that the foregoing is a true and
accurate transcript in the matter of the REGULAR
MEETING of the UNION CITY ZONING BOARD OF
ADJUSTMENT held on Thursday, July 9, 2015 and
digitally recorded.

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Monitored and proofread by: Deborah Dillon