

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

SPECIAL MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
:
:

City Hall
3715 Palisade Avenue
Union City, New Jersey

Thursday, July 30, 2015
Commencing at 7:30 p.m.

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

MARGARITA GUTIERREZ
HARLENNY E. JAVIER
DAVID W. PRESSEY
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:

KHALED DARDIR
MIGUEL ORTIZ
JOHN MEDINA, Alternate No. 1
ANDRES GARCIA, Chairman

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

CARLOS VALLEJO, Secretary to the Board

ULYSSES ISA, ESQ., Attorney for the Board

DAVID SPATZ, Consultant
Community Housing & Planning Associates, Inc.

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

CARMINE R. ALAMPI, ESQ.,
Attorney for Applicant, Ronmar Realty, LLC

I N D E X

	<u>PAGE</u>
CALL TO ORDER	5
SALUTE TO FLAG	5
ROLL CALL	5
ELECTION OF ACTING CHAIRPERSON	7
RESOLUTIONS	9
HEARINGS	
Ronmar Realty, LLC	11
OTHER BUSINESS	171
ADJOURNMENT	173

I N D E X

Ronmar Realty, LLC
116-120 Peter Street and 121 34th Street

<u>WITNESS</u>	<u>PAGE</u>
Albert Arencibia	16/113
Perry Frenzel	39
Louis Luglio	59/104
Michael D. Kauker	85/128
Mark Malas	123
 <u>SWORN PUBLIC</u>	
Larry Price	133
David Chittum	142
Ricardo Negron	153

E X H I B I T S

<u>NO.</u>	<u>DOCUMENT</u>	<u>PAGE</u>
A-1	Site Plans dated, (5) Sheets, 6/10/15	18
A-2	Engineering Plans, (7) Sheets, dated 5/29/15	42

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

3 Please take notice that on Thursday, July
4 30, 2015, at seven p.m., a Special Meeting is
5 scheduled for the City of Union City, Zoning
6 Board of Adjustment, to be held in the Municipal
7 Chambers, located on the second floor, 3715
8 Palisade Avenue, Union City, New Jersey.

9 Everybody kindly please rise to salute the
10 flag.

11

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

14

15 THE SECRETARY: I read the notice this
16 meeting has 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, and The Hudson Reporter, and been posted
21 on the bulletin board in the City Hall, and has
22 been made available to the public in the Office
23 of the Municipal Clerk.

24

25 **ROLL CALL:**

1

2

3

THE SECRETARY: Roll call for tonight's
meeting.

4

Andres Garcia? Absent.

5

Victor Grullon?

6

MR. GRULLON: Here.

7

THE SECRETARY: Margarita Gutierrez?

8

MS. GUTIERREZ: Here.

9

THE SECRETARY: Miguel Ortiz? Absent.

10

David Pressey?

11

MR. PRESSEY: Here.

12

THE SECRETARY: Harlenny Javier?

13

MS. JAVIER: Here.

14

THE SECRETARY: Khaled Dardir? Absent.

15

John Medina? Absent.

16

Joseph Bonacci?

17

MR. BONACCI: Here.

18

THE SECRETARY: Elisa Flores?

19

MS. FLORES: Here.

20

THE SECRETARY: Let the record indicate

21

there are six present.

22

We have a quorum.

23

24

ELECTION OF ACTING CHAIRPERSON:

25

1 THE SECRETARY: Okay.

2 Can I have a motion to appoint a temporary
3 Chairperson?

4 MS. GUTIERREZ: I'll make the motion.

5 THE SECRETARY: To appoint who?

6 MS. GUTIERREZ: To appoint Victor Grullon.

7 THE SECRETARY: Motion to appoint as a
8 temporary Chairperson Mr. Victor Grullon --

9 MR. BONACCI: Second.

10 THE SECRETARY: -- by Margarita Gutierrez.
11 Second by Mr. Joseph Bonacci.

12 Motion --

13 Roll call to approve the motion.
14 Victor Grullon?

15 MR. GRULLON: Yes.

16 Accept.

17 THE SECRETARY: Margarita Gutierrez?

18 MS. GUTIERREZ: Yes.

19 THE SECRETARY: David Pressey?

20 MR. PRESSEY: Yes.

21 THE SECRETARY: Harlenny Javier?

22 MS. JAVIER: Yes.

23 THE SECRETARY: Joseph Bonacci?

24 MR. BONACCI: Yes.

25 THE SECRETARY: Elisa Flores?

1 MS. FLORES: Yes.

2 THE SECRETARY: Motion carries.

3 Six in favor.

4 * * *

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **RESOLUTIONS:**

2

3 (1) 716 Capital, LLC - 716 29th Street, Block
4 162, Lot 9. Proposes to allow the legalization
5 of a four family house. Approved.

6 (2) Bhado & Bhado Development, LLC - 1705
7 Palisade Avenue, Block 89, Lots 1, 2, 3.
8 Proposes to construct a new 28 units multi-family
9 building with 39 parking spaces. Approved.

10 (3) Towers Realty, LLC - 1419 Summit Avenue,
11 Block 69, Lot 10. Proposes to change of the use
12 of the building from one industrial and eight
13 unit residential to a one retail and ten unit
14 residential. Approved.

15

16 THE SECRETARY: On tonight's agenda, we
17 have three Resolutions.

18 First Resolution, 716 Capital, LLC, 716
19 29th Street.

20 Second Resolution, Bhado and Bhado
21 Development, LLC, 1705 Palisade Avenue.

22 And the third Resolution, Tower Realty,
23 LLC, 1419 Summit Avenue.

24 Can I have a motion to approve these
25 Resolutions?

1 ACTING CHAIRPERSON GRULLON: I make a
2 motion to accept the Resolutions.

3 THE SECRETARY: Motion by Acting --

4 MS. GUTIERREZ: I'm seconding.

5 THE SECRETARY: -- Chairperson Victor
6 Grullon.

7 MS. GUTIERREZ: I'm seconding.

8 THE SECRETARY: Second by Margarita
9 Gutierrez.

10 Roll call to approve the Resolution.
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 THE SECRETARY: Harlenny Javier?

18 MS. JAVIER: Yes.

19 THE SECRETARY: Joseph Bonacci?

20 MR. BONACCI: Yes.

21 THE SECRETARY: Elisa Flores?

22 MS. FLORES: Yes.

23 THE SECRETARY: Motion carries. Six in
24 favor.

25 * * *

1 **Ronmar Realty,. LLC - 116-120 Peter Street and**
2 **121 34th Street:**

3
4 THE SECRETARY: We have on tonight's
5 agenda, one application.

6 Ronmar Realty, LLC, 116-120 Peter Street
7 and 121 34th Street, Block 203, Lot 10, 11 and 28-
8 36.

9 Mr. Alampi and DeMarrais, please.

10 MR. ISA: I believe this is the first time
11 this Board -- the Board is hearing the case.

12 Do you have the jurisdictional documents or
13 --

14 MR. ALAMPI: Yes. We handed --

15 MR. ISA: -- were they submitted to Carlos?

16 MR. ALAMPI: Everything was submitted.

17 Affidavit of Publication, notices, all provided.

18 MR. ISA: Just give me a second.

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

21 MR. ISA: Mr. Chairman, members of the
22 Board, everything appears to be in order. The
23 Board has jurisdiction to proceed.

24 You may proceed.

25 MR. ALAMPI: Thank you, counsel.

1 Chairman, members, Commissioners, my name
2 is Carmine Alampi, A-L-A-M-P-I.

3 I'm an attorney in Hackensack, New Jersey.
4 I represent Ronmar Realty, LLC. Ronmar is a
5 combination of the name Ron and Mark. They're
6 two gentlemen.

7 The owners of the entity is that gentleman
8 in the blue shirt, along with his brother, Mark
9 Malas is his name.

10 I represent the Malas family, and have for
11 many years. In fact, we've had good success in
12 Union City with developing some multiple
13 dwellings, and we're very pleased with those
14 products. We know the city, as well.

15 Tonight, we're here to present an
16 application for a development of 72 units. The
17 property is on 34th Street and part of the
18 property goes through to Peter Street.

19 Access, ingress and egress, is on 34th
20 Street only, but the property -- back end of the
21 property, it's shaped like an L. It goes across
22 and then there's a T, like an upside down L.

23 Even though it goes to Peter Street, for
24 this project, there'll be no vehicular ingress
25 and egress out of Peter Street.

1 The proposal is to build a building with 72
2 units, five levels. And there is a parking
3 facility.

4 The parking facility provides 103 parking
5 spaces; 144 parking spaces are required by the
6 Ordinance.

7 We have also a variance pertaining to the
8 rear yard.

9 I want to bring to your attention that I
10 noticed a typo error on the plan. The plan says
11 the requirement for the parking is 10/20, meaning
12 you must have a ten foot rear yard setback. And
13 when you go up, you have to cut back another ten
14 feet.

15 Here, we are providing the ten foot
16 setback, but on the plan, I notice it said zero.
17 I noticed that because when I looked at Mr.
18 Spatz's review letter, he said that we have a
19 zero setback.

20 And David, we have a ten foot setback.

21 MR. SPATZ: Correct.

22 MR. ALAMPI: And then, we go straight up.
23 But we -- our variance is because we don't go
24 back another ten feet on the upper floor.

25 Now, notwithstanding the parking and the

1 setback, a 25 by a hundred foot section of the
2 property is outside of the gateway commercial
3 zone and in the residential zone.

4 That 25 foot parcel will be retained for
5 ingress and egress. There will be no building on
6 it, and it will serve as our buffer.

7 Your Ordinance requires a 30 foot buffer.
8 This is a 25 foot buffer.

9 So, we're here for four areas of relief.
10 The property itself, although 90 percent in the
11 gateway commercial zone, also incorporates a 25
12 by a hundred residential lot.

13 The residential lot is 25 feet wide,
14 instead of the 30 foot buffer.

15 The number of parking spaces, again, 103
16 provided, when 144 is needed.

17 And although we do have the ten foot rear
18 yard setback, we don't cut back another ten feet
19 on the upper floors.

20 Those are the variances that are requested.

21 Who have we brought tonight to speak to
22 you, under oath, and present the testimony?

23 We have the architect, the site engineer, a
24 traffic consultant, who will discuss the layout
25 of the parking, the efficiency of the parking,

1 and the number of parking spaces, and explain why
2 we understand that the variance request for
3 parking would be appropriate.

4 And then, lastly, our planning consultant
5 will testify about the -- the residential lot and
6 the setback requirements, the variances.

7 So, if you wish, I think we start with the
8 architect, because everyone wants to see what
9 does this building look like first.

10 Then, we'll have the engineer give the site
11 details. We'll go to traffic, and then we'll go
12 to the planner.

13 We did -- your attorney did check the
14 notices and the publication, which did comply
15 with the law. We did supply all that in advance.

16 And if there are any questions at this
17 time, I'll entertain it, otherwise I will start
18 with --

19 ACTING CHAIRPERSON GRULLON: You may --

20 MR. ALAMPI: -- the witnesses.

21 ACTING CHAIRPERSON GRULLON: You may
22 proceed with your witnesses.

23 MR. ALAMPI: Thank you, sir.

24 MS. DILLON: Mr. Arencibia, please raise
25 your right hand.

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

3 MR. ARENCIBIA: I do.

4 MS. DILLON: Please state your name and
5 spell it for the record.

6 MR. ARENCIBIA: Albert Arencibia,
7 A-R-E-N-C-I-B-I-A.

8 MS. DILLON: Thank you.

9 MR. ISA: I think Mr. Arencibia certainly
10 has testified before this Board on many --

11 ACTING CHAIRPERSON GRULLON: Yes, Mr.
12 Arencibia, you been --

13 MR. ALAMPI: Thank you.

14 MR. ARENCIBIA: Thank you.

15 ACTING CHAIRPERSON GRULLON: -- on many
16 occasion in front of this Board.

17 MR. ARENCIBIA: Good to see you all again.

18 MR. ALAMPI: We have submitted to the
19 Board, in advance of the meeting, a set of
20 architectural plans and engineering plans.

21 I would like to mark the architectural
22 plans. There were, I believe -- let's see how
23 many sheets we had. I believe we had --

24 MR. ARENCIBIA: Five.

25 MR. ALAMPI: Five sheets?

1 MR. ARENCIBIA: Yes.

2 MR. ALAMPI: So, if you would just identify
3 the date of the plan, and the last revision date?

4 Then we'll mark it collectively as A-1.

5 MR. ARENCIBIA: Okay. The first sheet is
6 basically the cover sheet, site location. And
7 that is dated 6/10/2015.

8 MS. DILLON: How many sheets is it?

9 MR. ARENCIBIA: That's one, T-100.

10 The second sheet is the basement parking
11 floor plan. It's A-100, and the date of that is
12 6/10/2015, as well.

13 The next sheet is A-101. Same -- the date
14 of this is 6/10/2015. And that's the ground
15 floor garage level.

16 THE SECRETARY: Mr. Arencibia, I'm sorry.

17 Can you move a little bit to the side, like
18 that, the public can see it?

19 MR. ARENCIBIA: Sure.

20 THE SECRETARY: Please?

21 MR. ARENCIBIA: Sorry.

22 THE SECRETARY: Thank you, sir.

23 MR. ARENCIBIA: The next sheet is Sheet A-
24 102 that is labeled Typical Residential Floor
25 Plan. The date is 6/10/2015.

1 And the last sheet is A-200. And that's
2 labeled Elevations. The date of that drawing is
3 6/10/2015.

4

5 (Whereupon, Site Plans, (5) Sheets, dated
6 6/10/15 was received and marked as Exhibit A-1.)

7

8 MR. ALAMPI: Now, Albert, you can go
9 through your set of plans in any order you wish.

10 MR. ARENCIBIA: Yes.

11 MR. ALAMPI: Sometimes, people want to go
12 to the elevation just to show it. And then, but
13 whatever choice -- whatever way you want to do
14 it.

15 MR. ARENCIBIA: Okay.

16 Anyway, so I believe Mr. Alampi explained
17 to you where the site was located. It's between
18 Park Avenue and Hudson, and it fronts on 34th
19 Street, but it also has access to Peter Street
20 along the rear.

21 So, it has dual street access from both
22 sides of the street. However, as Mr. Alampi
23 indicated, the actual ingress and egress for the
24 building, parking-wise and pedestrian-wise, is
25 going to be through 34th Street itself.

1 The existing property right now, there's a
2 -- there's an old warehouse building on the site
3 itself. Basically, zero lot line to the end,
4 facing the street. So, that whole structure will
5 be knocked down.

6 The one section, in the rear, fronts to
7 Peter Street is like a parking area. So that
8 will also be razed, and that will be actually
9 built up as part of the building, as well, too.

10 So, the actual footprint of the building is
11 sort of like, if you're looking at a plan, it's
12 sort of like an inverted L.

13 MR. ALAMPI: Albert, with the industrial
14 building, the warehouse that's there now, is that
15 building non-conforming to all the required
16 setbacks?

17 MR. ARENCIBIA: Yes. Yes.

18 Anyway, so, again, the basic scope of the
19 work, we base -- we're going to have 72
20 residential units, and there's going to be four
21 one bedroom units per floor, and 14 two bedroom
22 units per floor.

23 On the ground floor itself, there's going
24 to be the lobby entrance. There's also going to
25 be a small, little commercial space, a little bit

1 under 1,000 square feet.

2 On the westerly end of the building,
3 there's going to be an internal porte cochere
4 entrance, so that the residents have a place to
5 be able to be covered while they pull up into
6 their -- their lobby entrance.

7 You also have access to be able to go into
8 the parking garage on that side, on the ground
9 floor level.

10 As a result of the street actually pitching
11 quite a bit, going down toward Park Avenue the
12 ingress for the actual basement garage level is
13 going to be on the easterly side of the street.
14 And that's so therefore the -- the lower level of
15 the parking will be entered further on the east
16 side, whereas the entrance to the parking on the
17 ground floor will enter on the western end of the
18 building itself.

19 MR. ALAMPI: Now, these two entry points,
20 because of the profile of the road, allows you to
21 maximize the parking, and you don't need ramps
22 connecting each level, do you?

23 MR. ARENCIBIA: That is correct. Yes.

24 MR. ALAMPI: And if you would just --

25 MR. ARENCIBIA: Um hum.

1 MR. ALAMPI: -- flip over --

2 MR. ARENCIBIA: Sure.

3 MR. ALAMPI: Now, Albert, I explained to
4 the Board that the configuration of the property,
5 likewise of the building, as I said, L shaped, or
6 an upside down L.

7 Is that a good illustration of that?

8 MR. ARENCIBIA: Yes. As you can see here,
9 basically this is 34th Street here. This is Peter
10 Street.

11 So, the front of the building is really
12 going to be along 34th Street. That's where we
13 have the 200 foot width frontage of the actual
14 building itself.

15 What I was indicating to you before with
16 respect to the access to the parking, this is the
17 easterly side of the building, and you can see
18 the entrance to the garage area here is on the
19 easterly side of the building.

20 As you come into the parking area, you have
21 a double loaded parking -- a single aisle, with
22 parking on both sides of the aisle.

23 On the main front of the building, and on
24 the other T section of the -- of the L section of
25 the building, is basically, you have the driveway

1 and you have parking only along one side of the
2 building itself.

3 MR. ALAMPI: And Albert, if you know, how
4 many parking spaces are on that level?

5 MR. ARENCIBIA: On this level, we have 48
6 spaces.

7 MR. ALAMPI: Now, in addition to the
8 residential that we alluded to, the five levels,
9 there is a commercial or retail space, as well.

10 MR. ARENCIBIA: Yes.

11 MR. ALAMPI: And that's required by the
12 Ordinance. Isn't it?

13 MR. ARENCIBIA: That is correct. Yes.

14 MR. ALAMPI: And we have provided a retail
15 area in the front of the building.

16 MR. ARENCIBIA: We have, on the ground
17 floor. This is the basement floor.

18 MR. ALAMPI: Yes.

19 MR. ARENCIBIA: I just wanted to point out
20 that, of course, it's a modern building. It's
21 going to have all the amenities of what a modern
22 building's going to have.

23 One of the things would be the trash chute,
24 a compactor in the space. So that space is --
25 you know, we have a refuge room in the actual

1 | basement level of the garage area, where the
2 | trash will be taken out by a private hauler, on
3 | the days that they -- they set up and schedule.

4 | As far as egressing of the building is
5 | concerned, though, all the stairs will go through
6 | all the floors, so we have plenty of egress.
7 | Very -- very life safety conscious.

8 | We have two stairs along the -- the main
9 | section of the building, and we also have another
10 | egress stair along the Peter Street side of the
11 | building itself, as well as having another
12 | elevator from that section, as well, too.

13 | So, we'll have two elevators on the main
14 | part of the building, and a separate elevator on
15 | the Peter Street side of the building, for
16 | access, as well, too.

17 | MR. ALAMPI: Now these --

18 | MR. ARENCIBIA: So the --

19 | MR. ALAMPI: -- these several staircases
20 | and elevators meet the required Fire Code, as far
21 | as the distance, the travel distance and such --

22 | MR. ARENCIBIA: Absolutely.

23 | MR. ALAMPI: -- on each floor?

24 | MR. ARENCIBIA: Yes, they do.

25 | MR. ALAMPI: Thank you.

1 MR. ARENCIBIA: Okay.

2 So, as we go on up to the main floor, on
3 the ground floor, what we have, the entrance to
4 the lobby and the entrance to the -- to the
5 parking are -- are twofold.

6 We have the area on the westerly side of
7 the actual property, where we have the porte
8 cochere, as I indicated before.

9 So, you can come in, and you could actually
10 make a -- make a turn in the rotunda. There's a
11 couple of visitor parking spaces off of that
12 rotunda, so you can actually make a -- park
13 quickly, maybe you're going to deliver a pizza,
14 or something like that. They can do like a
15 delivery there. Or if someone's going to visit
16 somebody for a short period of time, they could
17 just park there.

18 Or additionally, you can actually go into
19 the -- the garage area, if you're a resident in
20 the building itself, and go right into the
21 building from that section.

22 The lobby entrance is off of that porte
23 cochere, as well as also the center of the
24 building itself.

25 Here, we have a vestibule, which enters

1 | into the main lobby area. And to the westerly
2 | side of that entrance, is a nice, large lounge,
3 | lobby area. And off of the lobby entrance, we
4 | have the two elevators will take all the
5 | residents up and down to the parking spaces, or
6 | up to their residences above.

7 | MR. ALAMPI: And Albert, besides the
8 | lounge, there will be a mailroom and things of
9 | that nature.

10 | MR. ARENCIBIA: That is correct. There's
11 | also a mailroom right off of the lobby --
12 | residential area.

13 | The retail component of the actual building
14 | would be just on the easterly side, off of the
15 | main vestibule. So, you have access directly
16 | from the vestibule area of the -- of the
17 | building.

18 | Again, here, you could actually see the
19 | stairs, again, that we have in the other floors,
20 | and the location of all of the elevators, for
21 | access to all the floors above.

22 | MR. ALAMPI: Now, this retail area is
23 | approximately 972 square feet?

24 | MR. ARENCIBIA: It is exactly 972 square
25 | feet.

1 MR. ALAMPI: And that meets the
2 requirements of the gateway commercial zoning
3 criteria?

4 MR. ARENCIBIA: Yes. They want a
5 commercial piece in these residential buildings
6 in the gateway commercial zone.

7 Now, if you go to a typical floor plan, as
8 you could see, it's very nice, very organized.
9 There's lots of different movements in the façade
10 to the building, so you do not have this one,
11 large expansive wall.

12 You have sections that just recess, that
13 come back in and out in certain areas. Some are
14 wider, some of them are narrower.

15 But what happens, by doing that, it creates
16 nice light and shadows on the actual building, so
17 it breaks up the façade, and makes the building
18 look a little bit more compartmentalized, so it's
19 a little bit smaller in scale.

20 So, we use that as an element, as far as
21 bringing the building to a nice scale for the
22 actual block itself.

23 You come up to the elevators, double
24 elevators off the main of the -- in the building.
25 You have the center hallway, with apartments on

1 both sides of the hallway.

2 So, the hallway continues across to access
3 two egress stairs on each end, as well as you
4 continue on the L leg of the actual building
5 itself. It also has access to the other
6 apartments on the other side, with access to the
7 other elevator and the other stair, as well.

8 So, there's a nice flow to the entire floor
9 itself.

10 Again, there's 14 two bedroom units, per
11 floor, and four one bedroom units per floor.

12 The one bedroom unit is roughly 700 square
13 feet in size. A little bit more, 750. And the
14 two bedroom units are roughly between 1150 square
15 feet and 1205 square feet.

16 So, they're nice comfortable, nice sized
17 units. The bedrooms are nice. All of the units
18 will have the open kitchen, dining, living area
19 configuration.

20 The two bedrooms have two bathrooms. Have
21 -- one has like a master bathroom suite, so
22 basically, all of the two bedrooms have a master
23 bathroom suite, with their own bathroom and
24 closet, walk-in closet.

25 All of the units also have their own washer

1 and dryer and laundry -- laundry -- and water
2 heater. So, all of the units will be
3 independently controlled in that respect.

4 MR. ALAMPI: And -- and Albert, just for a
5 moment, so each unit will have its own facilities
6 for hot water heater and air conditioning.

7 MR. ARENCIBIA: Correct.

8 MR. ALAMPI: How is that handled?

9 MR. ARENCIBIA: The air --

10 MR. ALAMPI: Is there a separate unit, for
11 each unit?

12 MR. ARENCIBIA: The air conditioning will
13 be handled through PTAC units, will be from the
14 outside. And the hot water, of course, will
15 handle for the -- the hot water heater within the
16 actual building itself.

17 MR. ALAMPI: Just explain to the Board what
18 those two systems are.

19 MR. ARENCIBIA: Okay. PTAC units are
20 basically those through wall units that you see
21 in a lot of apartment buildings in -- in the area
22 around here.

23 So, that's one of the -- the main -- main
24 ways that most of these new buildings are used --
25 using as far as for heating and cooling to these

1 spaces.

2 MR. ALAMPI: And there's not going to be a
3 big, central system up on the roof, that could
4 cause a problem. Everything is done through this
5 type of HVAC system.

6 MR. ARENCIBIA: That is correct. And
7 everything is controlled within each individual
8 unit. All of the -- each electrical panel will
9 be from each apartment, so therefore, everything
10 will be connected to each apartment's electrical
11 panel.

12 MR. ALAMPI: So, will there be any air
13 conditioning compressors surrounding the
14 building?

15 MR. ARENCIBIA: No. There will not.

16 MR. ALAMPI: Now --

17 MS. DILLON: Mr. Alampi, can you go one
18 step forward --

19 MR. ALAMPI: I'm sorry.

20 MS. DILLON: -- to the mic?

21 Thank you.

22 MR. ALAMPI: With the design of the
23 hallway, I notice that you brought the corridor
24 down, and then you've cut it.

25 Is that so that you don't have a very long

1 | run of the hallway that you -- you created that
2 | for --

3 | MR. ARENCIBIA: Yes. You kind of create
4 | sort of a break in the hallway, so for -- for a
5 | couple reasons.

6 | That's one of the things. As you're going
7 | down a hallway, it gives you a wall at the end,
8 | so you can actually put something decorative,
9 | something interesting art -- some type of an
10 | element. So, visually, it will give you a focal
11 | point.

12 | One of the other things that happens, too,
13 | as we go up in this -- part of this -- this
14 | location, you also have access to views for the
15 | east.

16 | So, by doing this, you also afford some of
17 | these residents -- apartments on this side, also,
18 | affords them to have some nice views out, looking
19 | out east.

20 | MR. ALAMPI: And really, that's the
21 | purpose, to give those -- at least those
22 | apartments the easterly view of the Manhattan
23 | skyline, if possible?

24 | MR. ARENCIBIA: That's one of the main
25 | purpose. Yes.

1 MR. ALAMPI: Good.

2 Any other features of the floor plan you'd
3 like to emphasize, or are you done?

4 MR. ARENCIBIA: I think that's pretty much
5 it.

6 MR. ALAMPI: Okay.

7 MR. ARENCIBIA: Yeah.

8 MR. ALAMPI: Let's go on.

9 MR. ARENCIBIA: Now, basically, what we're
10 showing here is the proposed elevation of the
11 actual building.

12 What we've done is we -- we kept it to
13 materials, brick. We're going to have two
14 different types of brick. Different colors of
15 brick. And we're also going to have different
16 detailing on the brick.

17 Along the base of the actual building,
18 we're going to go with some horizontal bricking,
19 where we're actually going to set back the brick,
20 every -- like, four courses or so, in order to
21 give it almost the look of a stone base.

22 We're also going to go with different --
23 we're going to elevate sections of the actual
24 building, with a brick of a different color, in
25 order to bring in some vertical massing to the

1 building.

2 As you could tell by the elevation, we have
3 some areas of the actual brick continued up to
4 the -- the fifth floor. And then, the fifth
5 floor changes and transitions into where we're
6 proposing to have like a hard stucco finish onto
7 the upper floors.

8 But the actual base, and most of the
9 elements that you can see throughout the actual
10 front of the building will be a combination of
11 brick architect -- with some architectural
12 detailing, and also brick with some capping of
13 some -- some hard stucco, stone type detailing
14 along -- as long -- as well as some crown molding
15 elements. Of course, also some hard stucco
16 detailing.

17 We're proposing have an oversized cornice,
18 with a nice oversized crown molding above, in
19 order to give it a nice -- very classical, very
20 elegant look.

21 However, we're also creating sort of a --
22 sort of a modern look by the entrance canopy.
23 It's going to be sort of a steel canopy,
24 supported with some wire. So, creating sort of
25 like a -- an old world, but also new -- new

1 looking structure at the same time.

2 So, it's -- it's a nice combination of the
3 two, to not tie itself into one thing or the
4 other.

5 Again, keystone. Very -- very old world
6 detail, but the arch, the arch itself is a little
7 bit more modern in style.

8 One of the things I'd like to point out
9 here is also, you can see here, in the -- on the
10 easterly side of the elevation, which is actually
11 the westerly side of the street, but the area
12 where the porte cochere is, the cars can come in
13 on one side, and they could come out on the other
14 side.

15 So, this whole area is going to be one
16 entrance to the building. And of course, you
17 could -- you clearly see the center section of
18 the building, where we actually raise the -- the
19 brick work area above, high above the -- the
20 elevation of the front, really to define the
21 entrance of the building itself.

22 MR. ALAMPI: Now, Albert, you were talking
23 earlier about the street profile is a descending
24 profile.

25 Where are the two garage entrances?

1 MR. ARENCIBIA: Yes. Well, one of the
2 garage -- the lower garage is on the easterly
3 side of -- of the structure, as you could see
4 here. This shows the entrance of the garage
5 along the easterly side.

6 This, where the porte cochere is, the
7 actual entrance gate is actually set back. You
8 don't actually see it from the street, because
9 you're actually going into the porte cochere, and
10 the gate is actually further back.

11 So, what -- all you see, basically on the
12 westerly side of the building, is an opening
13 where the cars can come in and out of.

14 MR. ALAMPI: Are you able to tell us how
15 far back that entrance is? Is it 20 feet or 30
16 feet?

17 MR. ARENCIBIA: It's rough -- I would say
18 about a little bit more than 20 feet. About
19 that.

20 Yeah. It's about -- about 20 feet, I would
21 think. Yeah.

22 MR. ALAMPI: Okay.

23 And these other features around the
24 windows, and such are going to be concrete molds
25 and such.

1 MR. ARENCIBIA: They're all going to be
2 hard stucco detailing -- you know, with some nice
3 crown elements on it, so --

4 MR. ALAMPI: Now, this is the front of the
5 building, obviously.

6 What about on the sides and the rear? Are
7 you continuing this material?

8 MR. ARENCIBIA: Yes. This same detailing
9 that you have here, we continue along the
10 perimeter of the -- of the other sides of the
11 building, as well, too.

12 So, it will be consistent to the building.
13 Won't just have a front, and have a different
14 look in the back and the sides. But it will be
15 consistent throughout the other sides.

16 MR. ALAMPI: So, there's not going to be
17 any vinyl siding or Hardy board. This is going
18 to the masonry material.

19 MR. ARENCIBIA: Yes.

20 MR. ALAMPI: Good.

21 Is there -- and the roof itself. Is that a
22 flat roof at the top?

23 MR. ARENCIBIA: Yes, it is.

24 MR. ALAMPI: Of course, it's pitched to a
25 degree for water --

1 MR. ARENCIBIA: Correct.

2 MR. ALAMPI: -- runoff, but what we call a
3 flat roof?

4 MR. ARENCIBIA: Yes.

5 MR. ALAMPI: And lastly, Albert, with
6 regard to the fire suppression.

7 Are you familiar with what system would be
8 employed here?

9 MR. ARENCIBIA: Yes. It will be -- the
10 building, of course, will be fully sprinklered.
11 There will be a full blown fire alarm for this
12 building, as well, too.

13 So, it will have -- it's a state-of-the-art
14 building and will have all the elements.

15 MR. ALAMPI: Now, if we could go back to
16 the floor plan for just a moment.

17 I believe that the International Building
18 Code and the Fire Code, changes of the last few
19 years, required some adjustment with regard to
20 the size of the elevator cab -- cabin itself.
21 And I guess they call an area of repose.

22 MR. ARENCIBIA: Well, a refuge area.

23 MR. ALAMPI: Refuge area.

24 MR. ARENCIBIA: Yes.

25 MR. ALAMPI: Can you just show us your

1 compliance with these new -- newer requirements?

2 MR. ARENCIBIA: Well, we have -- we have
3 the section off of -- off of the elevator lobby.
4 There will be a pair of doors off the lobby, will
5 separate the building into two.

6 But with respect to, also, the elevators,
7 the elevators will also comply with the stretcher
8 requirements, which are --

9 MR. ALAMPI: And that's what I'm asking.

10 MR. ARENCIBIA: -- required by all the new
11 modern codes, too.

12 MR. ALAMPI: So, in other words, if there's
13 an emergency, and somebody's on a gurney or a
14 stretcher, these cabs have been designed to meet
15 these new standards.

16 Correct?

17 MR. ARENCIBIA: Absolutely. Yes.

18 MR. ALAMPI: Is there anything else you
19 wish to present to the Board?

20 We have other witnesses, but is there
21 anything else you need to tell them?

22 MR. ARENCIBIA: I think that's it. I think
23 it's a very beautiful building. I think the
24 location is perfect for this type of structure.

25 It's going to be quite a bit of improvement

1 over what's existing in the space right now.

2 MR. ALAMPI: Generally, we would be
3 replacing an industrial building with a
4 residential, that's in compliance with the
5 gateway commercial development?

6 MR. ARENCIBIA: That's correct.

7 MR. ALAMPI: I have nothing further of this
8 witness, Chairman.

9 ACTING CHAIRPERSON GRULLON: Yeah. You can
10 bring your next witness.

11 If we have question, we will do it at the
12 end.

13 MR. ALAMPI: Perfect.

14 Thank you.

15 MR. ARENCIBIA: Thank you very much.

16 ACTING CHAIRPERSON GRULLON: Thank you.

17 Thank you, Mr. Arencibia.

18 MR. ALAMPI: Perry?

19 MS. DILLON: Mr. Arencibia?

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

22 MR. ALAMPI: Oh, I thought he brought that
23 himself.

24 Don't I get one of those?

25 MS. DILLON: No. That's why you have to

1 stand there.

2 MR. ALAMPI: Okay.

3 You know, they're -- they're afraid to give
4 me a microphone in most towns, because I won't
5 let it go.

6 MR. ISA: I'm telling you. We get that
7 reputation, lawyers -- you know we just --

8 MR. ALAMPI: Right?

9 MR. ISA: -- love to hear ourselves.

10 MR. ALAMPI: That's okay. We just love to
11 hear ourselves talk.

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

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

16 MR. FRENZEL: I do.

17 MS. DILLON: Please state your name and
18 spell it for the record.

19 MR. FRENZEL: Perry Frenzel, F-R-E-N-Z-E-L.

20 MS. DILLON: Thank you.

21 MR. ALAMPI: Perry, very briefly, would you
22 give us the benefit of your educational,
23 professional background, and your engineering
24 licenses in the State of New Jersey?

25 MR. FRENZEL: I am a graduate of New Jersey

1 Institute of Technology. I hold a bachelor of
2 science degree in civil engineering, which I
3 received in 1977.

4 I have been a licensed professional
5 engineer since 1983. That license is current.

6 In that time period, I have served as the
7 Chief Engineer for the Hackensack Meadowlands
8 Commission.

9 Later, the Senior Vice President of
10 Development and Engineering for Hartz Mountain
11 Industries. And in that position, I supervised
12 the preparation of many site plans for the Hartz
13 holdings. And I presented those before a number
14 of boards across the northern part of the state,
15 primarily.

16 MR. ALAMPI: So, you engineered and
17 designed thousands of housing projects with Hartz
18 haven't you?

19 MR. FRENZEL: I did.

20 MR. ALAMPI: And now in your affiliation
21 with Azzolina and Feury, as a consulting
22 engineer, you've reviewed these site plans that
23 have been prepared?

24 MR. FRENZEL: Yes, I have.

25 MR. ALAMPI: Thank you.

1 Chairman, I offer our witness as an expert
2 in civil engineering and site preparation.

3 ACTING CHAIRPERSON GRULLON: We accept his
4 qualification.

5 MR. FRENZEL: Thank you.

6 ACTING CHAIRPERSON GRULLON: Thank you, Mr.

7 --

8 MR. ALAMPI: Thank you.

9 ACTING CHAIRPERSON GRULLON: -- Frenzel.

10 MR. ALAMPI: Perry, very briefly, before we
11 let you go into your set of plans, which we're
12 going to mark as A-2 in a moment, we noted a typo
13 error on the rear yard setback requirement.

14 It said zero, but it was supposed to say
15 ten feet.

16 MR. FRENZEL: That is --

17 MR. ALAMPI: Is that correct?

18 MR. FRENZEL: That is correct.

19 MR. ALAMPI: And maybe on the computer, it
20 was hard to see.

21 With that correction, please, let's mark,
22 as A-2, your set of plans.

23 And what is that, seven sheets --

24 MR. FRENZEL: That's seven --

25 MR. ALAMPI: -- on the set?

1 MR. FRENZEL: Seven drawings.

2

3 (Whereupon, Engineering Plans, (7) Sheets,
4 dated 5/29/15, was received and marked as Exhibit
5 A-2.)

6

7 MR. ALAMPI: And could you just tell us
8 what the date of the plan and/or last revision
9 date is?

10 MR. FRENZEL: The seven sheets are
11 comprised, first, of Sheet 1. That would be June
12 (sic) 29th, 2015.

13 Sheet 2 -- and that is, of course, a cover
14 sheet. Sheet 2 is titled Existing
15 Conditions/Removal Plan. That also being dated
16 June (sic) 29th, 2015.

17 Sheet number 3, title Site Grading,
18 Drainage and Utilities Plan, also bearing the
19 same date.

20 Sheet number 4, Basement Grading and
21 Drainage Plan. That also being dated June (sic)
22 29th, 2015.

23 Sheet number 5, Soil Erosion and Sediment
24 Control Plan. Again, the same date.

25 Sheet 6, the Landscape Plan, also June

1 (sic) 29th -- May 29th. I'm sorry.

2 Correct that, if you would. That is --

3 MR. ALAMPI: Perry --

4 MR. FRENZEL: -- May 29th.

5 MR. ALAMPI: -- all these plans are 5/29 --

6 MR. FRENZEL: All --

7 MR. ALAMPI: -- 2015, not 6/29.

8 Is that correct?

9 MR. FRENZEL: That is correct.

10 And the last sheet, 7 of 7, is the Detail
11 Sheet, having the same date.

12 MR. ALAMPI: And with that in mind, just
13 bring us through each of these sheets and its
14 function.

15 For example, first sheet, of course, is the
16 Cover Sheet.

17 MR. FRENZEL: The first sheet is just a
18 general information sheet. It gives the
19 information as to where the property is, by
20 street addresses, as well as the -- the block and
21 lots, as per the municipal tax maps.

22 MR. ALAMPI: And then, Perry on the key
23 map, I see an outline in yellow.

24 Is that the subject property?

25 MR. FRENZEL: Yes, it is.

1 MR. ALAMPI: Fronting on 34th Street, and
2 also on Peter Street?

3 MR. FRENZEL: That's correct.

4 MR. ALAMPI: But can you confirm that
5 there'd be no vehicular ingress/egress on Peter
6 Street?

7 MR. FRENZEL: There is none.

8 MR. ALAMPI: Thank you.

9 Can we move on to Sheet 2?

10 MR. FRENZEL: Sheet 2 is the Existing
11 Conditions and Removal Plan.

12 What it is, is it is a drawing based on the
13 boundary and topographic survey that was
14 performed of the existing conditions.

15 It shows the 12 lots that comprise the
16 tract that is the subject of the application. It
17 identifies each one by lot and block.

18 It also shows, with these cross hatched
19 lines, the outline of the existing building that
20 is located on the lots that front on 34th --

21 MR. ALAMPI: So, Perry --

22 MR. FRENZEL: -- Street.

23 MR. ALAMPI: -- I'm going to take you
24 through, quickly.

25 Your -- your company did the actual

1 surveying over the past two or three months.

2 Correct?

3 MR. FRENZEL: Yes, we did.

4 MR. ALAMPI: The main building is a
5 warehouse building, that is outlined with the
6 hash marks.

7 Is that correct?

8 MR. FRENZEL: That's correct.

9 MR. ALAMPI: And then, adjacent to it, on
10 one side is a parking area.

11 MR. FRENZEL: That is correct.

12 MR. ALAMPI: Or a vacant, asphalt parking.

13 MR. FRENZEL: Yes.

14 MR. ALAMPI: And on the easterly side,
15 there are two frame structures.

16 Correct?

17 MR. FRENZEL: I would say that that is --

18 MR. ALAMPI: Or there's one frame
19 structure, rather.

20 MR. FRENZEL: On this side, there are --
21 there are two, two story frame dwellings. Or
22 there's one -- I'm sorry -- one and one beyond
23 the property line.

24 MR. ALAMPI: Right. So you --

25 MR. FRENZEL: That's actually the --

1 MR. ALAMPI: You were showing -- you were
2 showing, for our purposes, the adjacent property,
3 as well.

4 MR. FRENZEL: Yes.

5 MR. ALAMPI: But the subject property is
6 only the first of those two lots.

7 Correct?

8 MR. FRENZEL: Right.

9 This blue line is the separating line
10 between our site and the adjoining site next
11 door.

12 MR. ALAMPI: And the plan for demolition of
13 the warehouse would also call for the demolition
14 of that particular structure?

15 MR. FRENZEL: Yes, it would.

16 MR. ALAMPI: And then, the new plan would
17 call for that area to serve as the buffer between
18 the building and the remaining residential
19 structure.

20 Correct?

21 MR. FRENZEL: That's correct.

22 MR. ALAMPI: And that's where the porte
23 cochere will be and the driveway entry to the
24 garage, in that area?

25 MR. FRENZEL: Yes. The driveway entry into

1 the upper garage level.

2 MR. ALAMPI: And the main building, the
3 five story building, will be reposed at 25 feet
4 from the -- the property line.

5 Correct?

6 MR. FRENZEL: Yes.

7 MR. ALAMPI: With that in mind, what about
8 the rear, facing Peter Street? What's there now?

9 MR. FRENZEL: Right now, the -- this area
10 abutting Peter Street is an open parking lot.

11 MR. ALAMPI: Now, the grade, or the
12 topography of this property to the adjacent
13 properties to the -- what would be to the east.

14 Is there a differential in the grade?

15 MR. FRENZEL: From one end of the property,
16 along 34th Street, to the easterly, or the -- the
17 downhill end toward Park Avenue, there's a
18 difference in grade of approximately 16 feet
19 across the frontage of the property.

20 MR. ALAMPI: And do you know what the
21 difference in grade is to the neighbors, going
22 further east? Is there a -- is there a drop off
23 from the property line?

24 MR. FRENZEL: There is a wall along that
25 edge of -- a partial wall along that edge of the

1 property. The wall itself, not a terribly high
2 wall. It's only a drop off of a couple feet in
3 that area.

4 MR. ALAMPI: Chairman, I'd like to
5 represent counsel -- I've had discussion with the
6 city attorneys for Union City. There has been a
7 water runoff condition that we were made aware
8 of.

9 My clients purchased this property from
10 Union City Mirror and Glass, out of a bankruptcy
11 auction only a few months ago.

12 I met with attorneys from Scarinci and
13 Hollenbeck, and we are committed, with this
14 development, should it be approved, to address
15 that issue.

16 We're aware of it. We haven't caused it,
17 but the neighbors are experiencing some water
18 penetration. We will eliminate that condition.

19 ACTING CHAIRPERSON GRULLON: Okay. Please.

20 MR. ALAMPI: Go on, Perry.

21 MR. FRENZEL: That's really what's shown on
22 Sheet --

23 MR. ALAMPI: Now, Perry --

24 MR. FRENZEL: -- Sheet number 2.

25 MR. ALAMPI: I don't mean to interrupt you.

1 The area of the property, according to the
2 plans, is it, 31,260 square feet?

3 MR. FRENZEL: That's correct.

4 MR. ALAMPI: Okay. You want to move on to
5 your next sheet?

6 MR. FRENZEL: Sheet number 3 is the Site
7 Grading, Drainage and Utility Plan.

8 This plan showing the first floor level, or
9 this is actually the upper parking level.

10 It shows the entrance coming in at the
11 westerly --

12 MR. ALAMPI: Perry, could you just keep
13 your voice up a little bit, please?

14 MR. FRENZEL: Sure.

15 It shows the entrance and the porte cochere
16 that Mr. Arencibia described at the westerly end
17 of the property, on the 34th Street side, as well
18 as the internal layout of the parking spaces and
19 the aisles.

20 Underneath all that, we can still see where
21 the existing building is. That building
22 extending past where the new building would be.

23 MR. ALAMPI: So, the existing building does
24 not respect any of the setbacks.

25 MR. FRENZEL: No, it doesn't.

1 MR. ALAMPI: Whereas the new building will
2 have a ten foot setback.

3 MR. FRENZEL: Yes. It will.

4 MR. ALAMPI: Perry, on the bottom of the
5 plan, what's depicted as Peter Street, I see a
6 notation; remove existing depressed curb.
7 Concrete curb. Replace with full height.

8 Will that be part and parcel of closing off
9 vehicular access from this building to Peter
10 Street?

11 MR. FRENZEL: Yes, it will.

12 MR. ALAMPI: Thank you.

13 Anything else from an engineering point of
14 view?

15 What about your drainage? How do you --
16 how are you handling the roof water runoff and
17 such?

18 MR. FRENZEL: That's best shown on the next
19 sheet.

20 MR. ALAMPI: Okay.

21 MR. FRENZEL: We're now going to look at
22 Sheet number 4.

23 And this sheet is also titled Grading Plan.
24 But this is the grading plan for the basement
25 parking level and drainage plan.

1 This plan shows, of course, the interior
2 layout of parking spaces. The entrance to the
3 lower level parking garage, at the easterly end
4 of the site, the downhill side of the site, if
5 you want to call it that, on 34th Street.

6 In blue lines, in this particular area of
7 the garage, there are 220 feet of 36 inch
8 diameter pipe, proposed to be installed, for the
9 purposes of capturing the runoff water from the
10 roof, and reducing the rate of flow of that water
11 into the -- into the municipal system in the
12 street, after a significant storm event.

13 MR. ALAMPI: So, it's planned that this be
14 constructed and that would be underneath the slab
15 of the lower level basement?

16 MR. FRENZEL: That's correct.

17 MR. ALAMPI: And these chambers will
18 capture the water and release it slowly?

19 MR. FRENZEL: Yes, they will. It will be
20 connected to the roof leaders.

21 MR. ALAMPI: And as a result of this, you
22 will actually retard or slow the rate of runoff,
23 as is required by the new storm water
24 regulations?

25 MR. FRENZEL: Yes. And by the regulations

1 of the North Hudson Sewer Authority, as well,
2 since this is a combined sewer system.

3 MR. ALAMPI: And now, besides the drainage
4 system that you've designed, you also have a
5 sanitary sewer connection for the --

6 MR. FRENZEL: Yes.

7 MR. ALAMPI: -- building?

8 MR. FRENZEL: We do.

9 MR. ALAMPI: And just show us where that
10 would be?

11 MR. FRENZEL: That's right here. That
12 connects to the sanitary main in 34th Street.

13 MR. ALAMPI: And the water that's collected
14 in these water chambers, where will it go to?
15 Where will it discharge eventually?

16 MR. FRENZEL: That will discharge into the
17 pipe shown here in the middle of 34th Street,
18 leading downhill.

19 MR. ALAMPI: Regarding the other features
20 of the engineering, can you verify the dimension
21 distance of the main building from the property
22 line?

23 That is to say that residential lot, that
24 serves as a buffer, can you verify that's going
25 to be 25 feet?

1 MR. FRENZEL: That is shown on the plan as
2 being 30.7 feet at the back end of that piece,
3 and 31.2 feet at the street line.

4 MR. ALAMPI: So, in fact, even though the
5 lot is 25 by a hundred, the building is yet
6 another five feet in from the lot line.

7 MR. FRENZEL: That's correct.

8 MR. ALAMPI: So, we will achieve a 30 foot
9 setback from the nearest residential property?

10 MR. FRENZEL: Yes, we will.

11 MR. ALAMPI: Now, Perry, we could go on to
12 any other features of the engineering.

13 Your next sheet is the Soil Erosion,
14 Sediment Control.

15 This is something that you will deal with
16 the engineers for the City of Union City, and for
17 the County, or the -- the Soil Conservation
18 District?

19 MR. FRENZEL: Yeah. This is a plan that
20 we're required to submit to the Hudson, Essex,
21 Passaic Soil Conservation District.

22 Any lot where more than 5,000 square feet
23 is disturbed is required to file a plan to show
24 how erosion from the site would be managed and
25 minimized.

1 And that's the purpose of this plan.

2 MR. ALAMPI: And lastly, the Landscape
3 Plan.

4 MR. FRENZEL: Sheet number 6 is the
5 Landscape Plan.

6 What it shows are two things, basically.
7 It shows three new tree pits along the curb line
8 of 34th Street. Those to be planted with an
9 ornamental tree, Callery pear, which has a nice
10 white blossom in the spring.

11 It's actually almost a lollipop shaped
12 tree.

13 MR. ALAMPI: And Perry, the detail which
14 show that this would be inserted into the ground,
15 and there'd be a steel or iron grate around the
16 truck of the tree?

17 MR. FRENZEL: Yes, there would, so no one
18 could fall into the tree pit.

19 MR. ALAMPI: And that would be in the
20 sidewalk in the front of the building?

21 MR. FRENZEL: It would.

22 MR. ALAMPI: And these other plantings that
23 are in the rear perimeter area, these are also
24 plantings that will be there?

25 MR. FRENZEL: Yeah. These are also

1 ornamental trees. These are called European
2 Hornbeam. I believe there are 16 of them in the
3 wider portions of the setback around the back,
4 and over on this corner of the -- the building.

5 European Hornbeam is a columnar -- columnar
6 shaped tree. It grows vertically. It doesn't
7 spread to any great extent, and it's an ideal --
8 it's an ideal species for a situation like this,
9 where we have limited setbacks.

10 MR. ALAMPI: Now, Perry, all this busy
11 material -- the dark gray that's in the area, the
12 ten foot setback between the property line and
13 the building, where those plantings are, what --
14 what do you plan for that?

15 MR. FRENZEL: That's required to be a
16 specified soil material, topped by three inches
17 -- a minimum of three inches of cedar mulch.

18 MR. ALAMPI: And I would just like to go
19 back to, I think, Sheet -- might be Sheet 3,
20 which is the Zoning Chart on your site -- main
21 site plan, very briefly.

22 MR. FRENZEL: Okay.

23 MR. ALAMPI: Let's talk about the height of
24 the building.

25 You calculate that the -- the Ordinance

1 allows a 60 foot height, and this building is 59
2 and a half feet in height.

3 Did you follow the formula for calculating
4 the height, pursuant to the Union City Ordinance?

5 MR. FRENZEL: Yes, we have.

6 That's calculated by taking the elevations
7 at the corners of the building, averaging those
8 elevations, and using that as the base point from
9 which the -- the distance to the roof is
10 measured, and compared against the -- the maximum
11 standard.

12 MR. ALAMPI: Now, with regard to the
13 coverage, even though you have a landscaping trim
14 around the property, you are staying just
15 slightly below the maximum permitted coverage,
16 both for impervious coverage and for the building
17 coverage.

18 Correct?

19 MR. FRENZEL: That is correct.

20 MR. ALAMPI: So, let's concentrate on the
21 parking.

22 Did you calculate the parking according to
23 the Union City Ordinance directives?

24 MR. FRENZEL: Yes, we did.

25 MR. ALAMPI: And could you just tell us --

1 | there's a variance now that we're asking for with
2 | regard to the number of parking spaces.

3 | Correct?

4 | MR. FRENZEL: Yes.

5 | MR. ALAMPI: Just outline what we're asking
6 | for.

7 | MR. FRENZEL: The Ordinance requires two
8 | spaces per residential unit, plus one space for
9 | every 300 square feet of commercial space.

10 | Seventy-two units in this building times
11 | two is 144 spaces for the residential units.

12 | The commercial space, approximately 900
13 | square feet divided by 300, three more spaces.

14 | So, 147 spaces are required. There are a
15 | total of 103 spaces proposed.

16 | MR. ALAMPI: Now, we have a traffic
17 | consultant that will deal with the sufficiency of
18 | parking. I'm not going to ask you any of those
19 | questions.

20 | But the parking is situated on two levels
21 | of parking?

22 | MR. FRENZEL: Yes.

23 | MR. ALAMPI: And the ingress/egress is
24 | handled directly on 34th Street, using the road
25 | profile to get to each level.

1 MR. FRENZEL: Yes.

2 MR. ALAMPI: Okay.

3 Is there anything else you'd like to add to
4 your testimony?

5 MR. FRENZEL: No, I wouldn't.

6 MR. ALAMPI: Thank you.

7 Chairman, that concludes the direct
8 examination of our site engineer.

9 ACTING CHAIRPERSON GRULLON: Thank you, Mr.
10 Frenzel.

11 MS. DILLON: Sir, microphone.

12 MR. FRENZEL: I was going to take it home.

13 MR. ALAMPI: Everybody wants to take it
14 home.

15 MS. DILLON: I haven't lost it yet.

16 MR. FRENZEL: No?

17 MS. DILLON: I've come close a couple
18 times.

19 MR. ALAMPI: Thanks, Perry.

20 Chairman, we have our traffic consultant,
21 Mr. Lou Luglio, aficionado of the bow tie.

22 MS. DILLON: Do you have a card, Mr.
23 Luglio?

24 MR. LUGLIO: I do, but it's over there.
25 You want me to get it now? Later.

1 I promise to give this back.

2 MR. ALAMPI: Not everyone could wear a bow
3 tie.

4 But you can, Lou.

5 MS. DILLON: Sir, please --

6 MR. LUGLIO: I can.

7 MS. DILLON: -- please raise your right
8 hand.

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

11 MR. LUGLIO: Yes, I do.

12 MS. DILLON: If you can please state your
13 name and spell it for the record.

14 MR. LUGLIO: Name is Louis, L-O-U-I-S,
15 Luglio. It's L-U-G-L-I-O.

16 MS. DILLON: Thank you.

17 MR. ALAMPI: Mr. Luglio, please give us the
18 benefit of your extensive education and
19 experience?

20 MR. LUGLIO: Sure.

21 MR. ALAMPI: Give us the shorter version.

22 MR. LUGLIO: Shorter version?

23 ACTING CHAIRPERSON GRULLON: Yes, please.
24 The shorter version.

25 MR. LUGLIO: I am here.

1 I've been practicing for 28 years in the
2 area of traffic engineering and transportation
3 planning.

4 I have a bachelor of science from NJIT in
5 civil engineering, a masters degree in
6 transportation planning.

7 I have served as an expert witness for
8 NJDOT, Bergen County. I have served as a -- as a
9 traffic and transportation planner for a number
10 of municipalities, including Paramus, Woodcliff
11 Lake, North Bergen.

12 And I've also served as a traffic expert on
13 various applications.

14 MR. ALAMPI: Now, Lou, you're also an
15 adjunct professor at NJ --

16 MR. LUGLIO: Yes, I am.

17 MR. ALAMPI: -- IT.

18 Correct?

19 MR. LUGLIO: Teaching traffic engineering.
20 Yes.

21 MR. ALAMPI: And you're licensed as a civil
22 engineer in the State of New Jersey?

23 MR. LUGLIO: Yes. In the state of New
24 Jersey, New York, Pennsylvania, and a few other
25 states.

1 MR. ALAMPI: Thank you.

2 Chairman, I offer --

3 ACTING CHAIRPERSON GRULLON: It's our
4 pleasure, Mr. Luglio --

5 MR. ALAMPI: -- Mr. Luglio's credentials.

6 ACTING CHAIRPERSON GRULLON: -- to accept
7 your qualifications.

8 MR. ALAMPI: Thank you.

9 MR. LUGLIO: Thank you.

10 MR. ALAMPI: Lou, we reviewed this plan
11 with you earlier in the week, and you had an
12 opportunity to look at the parking garages, the
13 two levels.

14 MR. LUGLIO: Yes.

15 MR. ALAMPI: And the number of units being
16 proposed?

17 MR. LUGLIO: Yes.

18 MR. ALAMPI: Are you also generally
19 familiar with the Union City area?

20 MR. LUGLIO: Yes, I am.

21 MR. ALAMPI: Could you just outline for us,
22 briefly, your -- your experience in this area
23 with development and the development pattern that
24 are in Union City?

25 MR. LUGLIO: I have worked on a number of

1 projects in the Union City area, in Hoboken, in
2 Jersey City, West New York. And predominantly,
3 they've been residential projects. Probably, I
4 would say over the last -- definitely over the
5 last ten years, have been predominantly
6 residential projects.

7 As far as the -- the number of parking
8 spaces for -- for a requirement in this area, in
9 an urban area, and also in an area that has a lot
10 of public transportation access, certainly Jersey
11 City and Hoboken, and as you get up the coast, in
12 addition, it changes a little bit, as you get
13 into Edgewater, and then up into Fort Lee, as far
14 as the number of vehicles that are owned, in
15 general, by people that are living in the various
16 towns.

17 MR. ALAMPI: Now, does the -- your
18 observations and your experiences bring you into
19 the ability to study the mass transit system that
20 services Union City in the immediate area?

21 MR. LUGLIO: Yes.

22 MR. ALAMPI: How does that impact your
23 analysis when you deal with parking capacity and
24 parking demand?

25 MR. LUGLIO: Well, it definitely impacts it

1 | in looking at the number of real vehicles that
2 | are owned by the -- by the citizens, by the
3 | population.

4 | Based on the latest census information,
5 | approximately 45 percent of the people that live
6 | in Union City do take public transportation, or
7 | they walk to work, which is realistic. It may be
8 | even higher, but basically 45 percent are taking
9 | public transportation or are walking, and 40
10 | percent don't even own a vehicle. That's been
11 | reported.

12 | MR. ALAMPI: Now, would that hold true for
13 | younger people, upwardly mobile people, et
14 | cetera, in a new building, or a modern building?

15 | MR. LUGLIO: I think it's even higher in --
16 | in that type of demographic. And the -- the idea
17 | here is to have a brand new building, have a
18 | place that is close to New York City, have a
19 | place that's close to mass transit, in a city
20 | environment.

21 | And then, at that point, there's really no
22 | need to have a personal vehicle, especially now,
23 | with Uber and other types of service, where you
24 | do not need to have a vehicle. That's something
25 | that people are -- are leaning towards, at this

1 point.

2 MR. ALAMPI: Are you familiar with the bus
3 routes and mass transportation opportunities
4 offered in this immediate neighborhood?

5 MR. LUGLIO: Yes. Certainly.

6 MR. ALAMPI: Where -- where's the nearest
7 bus to the --

8 MR. LUGLIO: For our project, it'd be right
9 off of Park -- Park Avenue, and basically getting
10 access in and out of the city.

11 MR. ALAMPI: Is it a few hundred feet from
12 this property?

13 MR. LUGLIO: Yes. Yes. Very close.

14 MR. ALAMPI: Is it likely that people would
15 go to the bus by foot power, as opposed to by
16 car?

17 MR. LUGLIO: Yes.

18 MR. ALAMPI: Now, let's talk about the
19 existing conditions.

20 MR. LUGLIO: Yup.

21 MR. ALAMPI: Have you made yourself
22 familiar with the existing industrial buildings
23 on the site?

24 MR. LUGLIO: Yes. I have.

25 MR. ALAMPI: And what does that tell you?

1 MR. LUGLIO: Well, I mean, as far as the
2 industrial building is concerned, in the past,
3 when it was in operation, the frontage along 34th
4 Street, there was a very long, almost took up the
5 entire frontage of -- of the building, along 34th
6 Street, as a loading zone.

7 MR. ALAMPI: And what does that do to a
8 road -- a street like 34th Street, if you have 180
9 feet -- linear feet of loading zone? What does
10 that do?

11 MR. LUGLIO: Well -- well, first of all, it
12 reduces the number of parking -- on-street
13 parking spaces that you can have.

14 So, obviously, that -- that's a detriment,
15 in terms of parking on the street.

16 But secondly, having a loading zone there,
17 and it's a narrow street, really prohibits some
18 activity of traveling down the street.

19 Even though there are -- there are speed
20 tables, or speed humps along 34th Street,
21 primarily to reduce the speed, and basically keep
22 it safe, having a warehouse facility, or a
23 facility that would have trucks and a loading
24 zone is definitely not as safe as having a
25 residential building, in terms of activity along

1 the frontage on 34th Street.

2 MR. ALAMPI: Now, regarding the conversion
3 of this property, if it's redeveloped as a
4 residential, what improvement would you see
5 immediately with regard to the curbside -- 34th
6 Street curbside parking.

7 MR. LUGLIO: Well, definitely, as a result
8 of the project, and even now, as the -- the
9 building itself is not operational, those parking
10 spaces are put back on the street.

11 So, there's upwards of seven parking spaces
12 in the frontage of the building, minus the
13 existing driveways that are there. And most
14 likely, the driveway for the porte cochere and
15 for the actual garage that's at the lower level,
16 would probably still have eight or seven parking
17 spaces that would be on-street, as opposed to
18 operating it as a warehousing facility, where all
19 of those spaces would be eliminated again.

20 MR. ALAMPI: Now, were you able to -- to
21 preliminarily study, in the ITE manual, with
22 regard to this development?

23 MR. LUGLIO: Yes.

24 MR. ALAMPI: Just explain to the Board what
25 is the ITE manual, and why would you consult it?

1 MR. LUGLIO: The ITE, or the Institute of
2 Transportation Engineers manual is a compendium
3 of data that's been collected by different land
4 uses. It's probably about a little under a
5 thousand different land uses.

6 So, particularly, let's say for
7 residential, for the residential land use,
8 there's probably 2,000 studies that have been
9 done across the country that look at how many
10 vehicles come in and out during the a.m. peak
11 hour, roughly 7:30 to 8:30 here; and the p.m.
12 peak hour, 5:30 to 6:30 in the p.m. How many
13 vehicles come in and how many vehicles leave.

14 And obviously, that's just during that 60
15 minute period. There might be people that leave
16 earlier, people that come in later. But we
17 really look at the 60 minute period in the
18 morning and in the afternoon.

19 MR. ALAMPI: So, basically, residential
20 property, people commuting to work, there's a
21 certain time in the morning where you have the
22 heightened activity, and a certain time in the
23 early evening.

24 Correct?

25 MR. LUGLIO: Right.

1 MR. ALAMPI: And in Union City, because
2 it's more proximate to Manhattan, that might be
3 maybe a half hour later than it would be, let's
4 say, in Paramus, New Jersey or Mahwah, New
5 Jersey?

6 MR. LUGLIO: Be a half hour earlier.

7 MR. ALAMPI: Or earlier?

8 MR. LUGLIO: Yeah. Yeah.

9 So, here, more of it is 7:30 to 8:30, where
10 that's the peak time. Whereas, in Paramus or
11 other places that are north of here, that are
12 predominantly vehicle based, it's closer to the
13 nine o'clock hour. So, it's eight to nine.

14 MR. ALAMPI: And so, you use those studies
15 in order to project what you would see with this
16 development, as far as ingress and egress
17 activity on 34th Street?

18 MR. LUGLIO: Yes.

19 MR. ALAMPI: What did your studies --

20 MR. LUGLIO: We looked at that --

21 MR. ALAMPI: -- project?

22 MR. LUGLIO: -- and -- and so, basically,
23 for the 72 units of residential development, we
24 would have, in the a.m. peak hour, five vehicles
25 that are coming in. There's -- there's always

1 | someone that's coming in during that hour, even
2 | though it's a lower -- a low amount. And 26
3 | vehicles that would be leaving the site, for a
4 | total of 32.

5 | In the p.m. peak hour, 25 vehicles that
6 | would be coming in. They're returning during the
7 | day, at the end of the day. And 12 vehicles that
8 | go out.

9 | And norm -- total of 37.

10 | So, normally, during the a.m. peak hour,
11 | everyone's leaving to go to work. But during the
12 | p.m. peak hour, you have multiple trips. Some
13 | people are coming home. They come home and they
14 | leave again. Other people are leaving.

15 | So, it is somewhat a little bit higher in
16 | the p.m. peak hour, and not as directional, as
17 | people are coming in and out.

18 | MR. ALAMPI: Now, these figures that you've
19 | given are based upon the number of units and the
20 | configuration of two bedroom units versus one
21 | bedroom, and what the studies tell you.

22 | Correct?

23 | MR. LUGLIO: Yes. It's based on the
24 | residential mix that we have.

25 | And the last thing to comment on is that

1 | this is based on -- these numbers are based on
2 | vehicles that are coming in and out. It's a
3 | combination of people that live there, visitors,
4 | any deliveries, any kind of vehicle that came in
5 | and out were calculated and -- and put into the
6 | study.

7 | And this is also based on there's no public
8 | transportation provided. All right? So, they
9 | basically -- this is a pure number of vehicles
10 | that are coming in and out of the site.

11 | And so, the next step would be well, if
12 | these are the vehicles that are coming in and
13 | out, but we have a certain percentage of public
14 | transit that's available, then the number of
15 | vehicles, then, would have to be reduced, because
16 | they're not coming in and out. They're using the
17 | public transportation system.

18 | MR. ALAMPI: So, is it your opinion that
19 | because of the ready access to public
20 | transportation, these numbers would be even
21 | lower?

22 | MR. LUGLIO: Yes. Approximately, 45
23 | percent we would take off, basically, to say that
24 | public transportation, in various forms, are
25 | here, along the entire coast.

1 And so, that -- these numbers, even though
2 they are low numbers, and predominantly
3 residential development is a low intense land
4 use, when we're looking at number of vehicles
5 that are coming in and out, versus an office
6 building or a Home Depot, some kind of big retail
7 building.

8 MR. ALAMPI: Now --

9 MR. LUGLIO: So, these numbers would
10 roughly be cut in half the number of vehicles
11 that are actually coming in and out.

12 MR. ALAMPI: Now, Lou, notwithstanding your
13 testimony, there's no way that we're going to
14 relieve the chronic traffic congestion around the
15 Lincoln Tunnel access, is there?

16 MR. LUGLIO: No.

17 MR. ALAMPI: I mean, this traffic is
18 everywhere.

19 MR. LUGLIO: That's correct.

20 MR. ALAMPI: And there's backup traffic
21 around this neighborhood, as well.

22 Correct?

23 MR. LUGLIO: That is correct.

24 MR. ALAMPI: But is it your position that
25 we are not going to have a substantial negative

1 impact on that traffic?

2 MR. LUGLIO: We -- we would not have a
3 substantial negative impact, just by the nature
4 of it's a residential property, and half of the
5 people that would live -- live here, and maybe
6 even more, given the proximity of this building,
7 would not even own a vehicle, and would take mass
8 transportation to get to work.

9 So, with those factors in mind, and
10 understanding that we're in a tight congested
11 network that's in this area, there's no
12 additional detriment that could come to the
13 intersections and the roadway network, nor is
14 there anything that you could do right now to
15 alleviate the current situation that we have.

16 MR. ALAMPI: Well, maybe the governors
17 could build that, too.

18 Right?

19 MR. LUGLIO: Could build another tunnel.

20 MR. ALAMPI: Yeah.

21 MR. LUGLIO: Yes.

22 MR. ALAMPI: With regard to all this, what
23 I'd like is your input with regard to the number
24 of parking spaces that the applicant is
25 providing, notwithstanding the Ordinance. And

1 | what your feeling is, as far as whether or not we
2 | have sufficient parking on-site, as proposed.

3 | MR. LUGLIO: So, another way to look at
4 | this, if we -- first way was to look at the
5 | percentage of public transportation.

6 | The other way to look at it is, again,
7 | going back to the census data, and looking at
8 | vehicle ownership here.

9 | And based on that information, 40 percent
10 | of the population owned -- well, first of all, 40
11 | percent of the population didn't own a vehicle at
12 | all. Right? So, 40 percent, no vehicle.

13 | Another 40 percent had one vehicle. Twelve
14 | percent had two vehicles. And three percent of
15 | the population, basically, had three or more
16 | vehicles.

17 | MR. ALAMPI: So, assuming nobody believes
18 | you, where are you getting those facts?

19 | MR. LUGLIO: This -- this is from the 2010
20 | U.S. Census. So, this is census tract
21 | information. And this is for all of Union City.

22 | I think it would even be higher as we get
23 | closer to Park Avenue, and closer to mass
24 | transportation that's in walking distance. But I
25 | took it as an entire average.

1 So, when we look at that, if we apply the
2 72 units, we would assume that 29 -- 29 of those
3 units, or 29 vehicles would have one vehicle.
4 So, 72 units times 40 percent. We have 29
5 vehicles.

6 Two vehicles, for the 72 units, would end
7 up with another 18 vehicles.

8 And then, the three or more, at three
9 percent times the 72, another six vehicles.

10 So, in total, we would have 53 parking
11 spaces that would be required, based on this
12 ownership data for Union City that would be
13 applied to these 72 units.

14 MR. ALAMPI: And if your number was too
15 aggressive, what would -- what would you say
16 would be reasonable, given the data that you've
17 studied?

18 MR. LUGLIO: I mean, even -- even based on
19 this, even if you double that, we'd be at 106,
20 which is very close to the 103 parking spaces
21 that we're providing for on the site itself.

22 MR. ALAMPI: And so, the question is, do
23 you have an opinion, a professional opinion,
24 based upon these studies, and your experience,
25 has to whether 104 or 103 parking spaces for a 72

1 unit building in this zone, is adequate?

2 MR. LUGLIO: In my opinion, given the
3 location, the location of public transportation,
4 the number of units that are here, knowing the
5 area and you, Board members, understand your
6 area, as well, as having a high percentage of
7 transportation that you could take that you don't
8 even need to own a vehicle, based on all of that,
9 even probably 80 vehicles that -- that could be
10 parked there would be sufficient.

11 So, at 103, for the 72 units, I'm very
12 comfortable with that parking ratio.

13 MR. ALAMPI: Now, Lou, let's talk about the
14 actual design of the parking spaces.

15 MR. LUGLIO: Um hum.

16 MR. ALAMPI: The size of the spaces, the
17 location, the drive aisle.

18 We are requesting some relief from the
19 minimum standards of the Union City Ordinance,
20 aren't we?

21 MR. LUGLIO: Yes.

22 MR. ALAMPI: Could you just explain on the
23 record where we're asking for relaxation of the
24 Ordinance?

25 MR. LUGLIO: So, I think the first part is

1 on the Site Grading and Drainage Plan.

2 As you come into the -- the lower level, we
3 have a 22 foot drive aisle, in the very -- very
4 beginning part, as you come in. And in that
5 area, the standard is 24. Your Ordinance is 24.

6 But 22 feet, 11 feet in each direction, is
7 also an industry standard minimum. You can go
8 down to 11 feet. You could even go down to ten
9 feet in each direction.

10 I wouldn't go down to ten, but 11 certainly
11 is something that is an industry standard and
12 acceptable.

13 MR. ALAMPI: Now, Lou, the length of the
14 drive aisle, is that also a factor as to whether
15 a 22 foot drive aisle is a safe and adequate
16 standard?

17 MR. LUGLIO: The actual length of the drive
18 aisle is not really the question. It's really
19 the -- the number of parking spaces and the
20 configuration of parking spaces on either side of
21 that drive aisle.

22 So, having a 90 degree parking space is --
23 lends itself to a narrower drive aisle. If we
24 had angled parking on either side, it's a little
25 bit more complicated to get in and out of that

1 space.

2 And so, you would definitely want a larger
3 drive aisle for that.

4 MR. ALAMPI: And how many spaces, then,
5 when you have double loaded parking, how many
6 spaces are traversed with the drive aisle?

7 MR. LUGLIO: In this case, two, four --
8 it's probably about 20, 25 parking spaces in the
9 area where we have 22 feet, as a driveway aisle
10 width. And in the other locations, we actually
11 have the 24 foot drive aisle.

12 MR. ALAMPI: Right. The L --

13 MR. LUGLIO: So, it's really in that --

14 MR. ALAMPI: The L shaped configuration.
15 That -- that provides a 24 foot drive aisle.

16 MR. LUGLIO: That's right. That's right.

17 MR. ALAMPI: So, your concern is the --
18 where we have, what we call double loaded parking
19 spaces?

20 MR. LUGLIO: Yes. The double loaded, in
21 terms of we have the handicapped parking spaces,
22 and even in some -- some of this area, we don't
23 have a lot of parking spaces on one side. Some
24 of it is cross hatched, because of the visitor's
25 spot that's here. There's a column that comes

1 down. The -- the ADA spaces, access to the
2 lobby, or the elevator bank on one side.

3 So, on one side of this 22 foot aisle,
4 there aren't many parking spaces that would be
5 coming in and out, because of the features of the
6 building itself.

7 MR. ALAMPI: What about the size of the
8 parking spaces? Some of them are smaller than
9 others?

10 MR. LUGLIO: Yes.

11 MR. ALAMPI: Could you just point those out
12 to the Board?

13 MR. LUGLIO: Some of those parking spaces,
14 and some of them are intermittent. On this -- on
15 this plan, you could see that this -- this one
16 parking space is eight by 18. Another one that's
17 down in the -- in the bottom corner, near Peter
18 Street. Another space that's eight by 18.

19 Some of these are mixed in with a
20 traditional nine by 18 -- nine foot by 18 foot
21 parking space. And that's really going according
22 to where the columns are, and how much room you
23 have between columns or between the column and
24 the exterior wall.

25 And so, if we can -- if we can fit in two

1 | traditional nine by 18 parking spaces, and get
2 | that additional parking space, even though it
3 | might only be eight feet in width, that is the
4 | prudent thing to do.

5 | In a residential parking structure, we
6 | could even go down to seven and a half feet, in
7 | terms of the width, in a compact space. It's a
8 | little tight, but traditionally, the industry
9 | standard is eight. You could even go eight by
10 | 16, if you had an issue with the depth of the
11 | parking space.

12 | But what we're providing here -- proposing
13 | is eight by 18, which is reasonable, especially
14 | if they're intermixed with the other parking
15 | spaces.

16 | MR. ALAMPI: Thank you, Lou.

17 | Regarding some of these spaces, at the very
18 | end of the L configuration there, you have tandem
19 | parking.

20 | MR. LUGLIO: Yes.

21 | MR. ALAMPI: Could you just address the
22 | commonality of tandem parking in this type of
23 | building?

24 | MR. LUGLIO: Well, this -- this type of
25 | building and it's been very effective in --

1 again, in areas north of here, along the coast,
2 in Edgewater, in North Bergen, as far as having
3 tandem parking spaces.

4 It allows you, obviously, the ability to
5 fit in additional parking spaces, with the only
6 caveat that these parking spaces are now somehow
7 connected to each other. Right?

8 So, depending on the number of units that
9 we have, number of two bedroom units that we
10 have, there has to be some connection between the
11 -- the unit or the parking spaces that are
12 covered, and the parking spaces that are on the
13 outer side.

14 MR. ALAMPI: Right. Management --
15 management would have to guarantee --

16 MR. LUGLIO: Absolutely.

17 MR. ALAMPI: -- the space inside is
18 controlled with the space outside.

19 MR. LUGLIO: That's right.

20 MR. ALAMPI: Correct?

21 MR. LUGLIO: In some way. And there have
22 been various ways of -- of connecting those
23 spaces.

24 MR. ISA: Would you be considered -- you
25 know, kind of deeding the -- the space together

1 with --

2 MR. ALAMPI: It could be. It depends if
3 it's a --

4 MR. ISA: -- with the unit?

5 MR. ALAMPI: -- a condo or rental. If it's
6 a rental, it would be management agreement.

7 MR. ISA: Yeah.

8 MR. ALAMPI: If it was a condominium, it
9 would be in the unit deed.

10 But yes, they would be controlled by
11 management.

12 MR. LUGLIO: And so, for that reason, what
13 we tried to do, especially here, is to keep that
14 to a minimum so that that can be accomplished for
15 the 72 units that we have proposed.

16 MR. ISA: How many total tandem spots --
17 units do you have? I mean are --

18 MR. LUGLIO: We have eight -- we have a
19 total of eight spaces, or four tandem unit
20 spaces.

21 MR. ALAMPI: Are there any on the other
22 level?

23 Lou, there's two levels of parking.

24 MR. LUGLIO: Yes.

25 Is it this way or that way? The other way.

1 Actually, we don't have any tandem on the
2 other level.

3 MR. ALAMPI: So, only on one level there's
4 --

5 MR. ISA: Eight units.

6 MR. ALAMPI: -- the eight tandem spaces.

7 MR. LUGLIO: Yup.

8 MR. ISA: Which is four --

9 MR. ALAMPI: Four.

10 MR. ISA: -- aisles.

11 MR. ALAMPI: Four. Four unit --

12 MR. LUGLIO: Right. Four.

13 MR. ALAMPI: Four apartments.

14 MR. LUGLIO: Yeah.

15 MR. ISA: Okay. So I guess --

16 MR. LUGLIO: That would be four units.

17 Right. Four apartment units.

18 MR. ISA: Well, you'd have to determine how
19 -- how many two --

20 MR. ALAMPI: Two bedrooms.

21 MR. ISA: How many two bedrooms you have
22 and --

23 MR. ALAMPI: We would always do it with the
24 two bedroom.

25 MR. ISA: Yeah.

1 MR. LUGLIO: Right. And in the total, we
2 have 56 two bedrooms.

3 Right?

4 Yeah.

5 MR. ISA: So it's --

6 MR. LUGLIO: We have -- we definitely have
7 --

8 MR. ISA: It wouldn't be a problem.

9 MR. ALAMPI: So, four of those two bedrooms
10 --

11 MR. LUGLIO: -- the ability to do that.
12 Yes.

13 MR. ALAMPI: -- somebody would be rewarded
14 with the double space.

15 MR. LUGLIO: That's right.

16 MR. ISA: Yup. Lucky guy.

17 MR. ALAMPI: Who would be that lucky
18 person?

19 MR. LUGLIO: Sometimes we could have a
20 lottery for that.

21 MR. ALAMPI: No. It depends on how good
22 their lawyer is to me in the closings.

23 The -- and Lou, so can you just wrap this
24 up, please?

25 MR. LUGLIO: Sure.

1 Again, from a parking standpoint, we know
2 the location and we know where we are. We know
3 the demographics of having a car here, and -- and
4 quite frankly, the headache of having a vehicle.

5 But more importantly, the ability not to
6 own a car, especially in this area, is growing.
7 And -- and it has been growing.

8 Secondly, from an access standpoint, having
9 the turnaround, or the porte cochere. It's on
10 34th Street, allows the vehicle to come off of the
11 street, being able to either unload, unload
12 passengers, small groceries, so that it doesn't
13 clog up or be a nuisance to vehicles that are
14 traveling in the eastbound direction on 34th
15 Street.

16 That's safe and efficient, in terms of the
17 turning radius coming in and out. And we have
18 another access point to the lower level garage
19 structure, further to the east on 34th Street.
20 And that -- again, that provides for -- I thought
21 it was on that page -- and that provides for
22 access to the lower level of the parking
23 facility, where we have a total of 48 parking
24 spaces.

25 So, everything that has been designed, both

1 on the architectural and the engineering plan,
2 has been designed to industry standards. Safe
3 and efficient.

4 MR. ALAMPI: Thank you.

5 Chairman, that concludes the direct
6 testimony of this witness.

7 ACTING CHAIRPERSON GRULLON: Thank you.

8 MR. LUGLIO: Thank you.

9 MR. ALAMPI: Chairman, my final witness is
10 Michael Kauker, a planning consultant and master
11 planner.

12 MR. ISA: He's been here many occasions.

13 ACTING CHAIRPERSON GRULLON: Many
14 occasions.

15 MR. ISA: Mr. Kauker's been here on many
16 occasions, so the Board is more than happy to
17 accept his qualifications as a planner.

18 MR. ALAMPI: Thank you.

19 MR. KAUKER: Thank you.

20 MR. ALAMPI: Thank you for the courtesy.

21 MS. DILLON: Mr. Kauker, please raise your
22 right hand.

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

25 MR. KAUKER: I do.

1 MS. DILLON: Please state your name for the
2 record.

3 MR. KAUKER: Michael D. Kauker, K-A-U-K-E-R.

4 MS. DILLON: Thank you.

5 MR. ALAMPI: Michael, you've been
6 qualified, so let's go right to it.

7 MR. KAUKER: Sure.

8 MR. ALAMPI: This application is for a 72
9 unit multiple dwelling, with a component of
10 commercial development.

11 Is that consistent with the gateway
12 commercial development plan?

13 MR. KAUKER: Yes. It's completely
14 consistent with the CG district. It's actually a
15 permitted use in the CG -- C -- excuse me -- CG
16 district itself.

17 So, yes, it is.

18 MR. ALAMPI: However, one section of the
19 subject property is a 25 by 100 lot that extends
20 into the low density residential zone.

21 Correct?

22 MR. KAUKER: That is correct. There are 11
23 lots that are -- make up the assemblage of this
24 property. Ten of the lots are located within the
25 CG district. One of the lots, as identified on

1 the -- all the way to the west of the subject
2 property, I believe it's identified as Lot number
3 27, is located in the R residential zone.

4 MR. ALAMPI: And that, Lot 27, then, that's
5 what we call the split lot dichotomy in the -- in
6 the parlance of use variances.

7 MR. KAUKER: Yes. That's correct.

8 MR. ALAMPI: And with that, it triggers a
9 request to come before this Board, as opposed to
10 the Planning Board for a relief from the D type
11 of use variance.

12 Correct?

13 MR. KAUKER: That's correct. Because that
14 property contains a use -- essentially the
15 driveway and parking area, that serves a use
16 that's not permitted in that zone, the applicant
17 is required to seek a D-1 use variance from the
18 Zoning Board.

19 MR. ALAMPI: Now, if we had taken the
20 building itself, and had extended it to the full
21 property line, enveloping that Lot 27, would that
22 be a problem, from a zoning point of view, to
23 justify?

24 MR. KAUKER: Well, I mean, it -- it would
25 still require a D-1 use variance.

1 MR. ALAMPI: But do you believe that --

2 MR. KAUKER: But --

3 MR. ALAMPI: -- would be good planning?

4 MR. KAUKER: Obviously, and I'll go over my
5 testimony, for a number of reasons, I believe
6 that is better to limit the building itself that
7 contains the mixed use development, which is
8 permitted in the CG zone, not permitted in the
9 residential zone, within the confines of the CG
10 district itself.

11 MR. ALAMPI: Now, the plan to leave that
12 parcel without a building improvement, and use it
13 for the access point, porte cochere, and the
14 garage, as well as the setback from the building,
15 does that fall within the spirit and intent of
16 the 30 foot buffer requirement?

17 MR. KAUKER: It does. It actually -- the
18 fact that we're leaving that property free of a
19 building, and -- and only utilizing it for
20 parking and a driveway access to the site, it
21 does meet the spirit and intent of the Ordinance
22 in terms of providing the 30 foot buffer.

23 There's actually -- the buffer requirement
24 is half the height of the building, or I believe
25 it's 20 feet, whichever is greater.

1 Here, the building is almost 60 feet. It's
2 59 feet and change.

3 So, essentially, we're required to have a
4 building setback, or buffer in between a building
5 and a residential zone, or residential use of 30
6 feet.

7 One of the things I -- I would point out is
8 that with respect -- one of the advantages to
9 doing it this way, if you look at the existing
10 condition of the property, you have an existing
11 building that's located pretty much property line
12 to property line.

13 And on this property, currently, there's an
14 existing residential unit.

15 So, you don't have any buffer or any area
16 provided between the existing warehouse
17 industrial building, and that existing
18 residential use.

19 What we're essentially doing is we're
20 building this mixed use building strictly on the
21 lots that are located in the CG district, and
22 we're removing this residential development, or
23 residential building, and we're leaving that open
24 with respect to the parking and the driveway, to
25 serve as the buffer between the two uses.

1 MR. ALAMPI: Now, Michael, I kind of jumped
2 through the conclusion --

3 MR. KAUKER: That's okay.

4 MR. ALAMPI: -- before I let you lay the
5 foundation.

6 Tell us about the existing conditions, the
7 nonconformities, and why those existing
8 conditions should be removed as good planning.

9 MR. KAUKER: Certainly.

10 Just -- just to step back. The Board's
11 familiar with the location. We're located
12 primarily along 34th Street. There is a small
13 portion of the building that is located along
14 Peter Street itself.

15 There is an existing nonconforming
16 industrial warehouse building that's currently
17 located on this portion of the property, along
18 34th Street.

19 The property that's located and fronting on
20 Peter Street is currently occupied by a macadam
21 parking area.

22 With respect to the building itself, the
23 warehouse use, or the industrial use is a
24 nonconforming use in the CG district.

25 So, we're going to be eliminating a

1 nonconforming use in the CG -- CG district, and
2 developing a brand new, five story building,
3 modern type construction, on the property, with
4 a permitted use in the zone.

5 The building itself is going to be also
6 more aesthetically pleasing to the surrounding
7 area than the existing building that's located --

8 MR. ALAMPI: What's the condition of this
9 existing building?

10 MR. KAUKER: The condition -- it's an --
11 it's an older building. It's a one story brick -
12 - not brick, but kind of masonry building, I
13 believe.

14 It's in somewhat poor condition from the
15 exterior. Obviously, I haven't been in the
16 interior of the building, so I don't know
17 structurally how the building is.

18 But from the outside, the appearance is not
19 that --

20 MR. ALAMPI: Is it a new building?

21 MR. KAUKER: Is not that nice.

22 MR. ALAMPI: A newer building?

23 MR. KAUKER: It's not a new building. It's
24 a very old building.

25 MR. ALAMPI: And in any event, it also

1 | doesn't have any setback from the property line.

2 | MR. KAUKER: That's correct.

3 | With respect to the building, it's also
4 | nonconforming with respect to setbacks. If you
5 | look at the existing building on the rear
6 | property line -- I don't have the survey, but
7 | essentially, the rear portion of the building is
8 | approximately, maybe one to two to three inches
9 | from the property line.

10 | In addition to that, there is a portion
11 | that's located along three lots in the rear,
12 | where this building actually encroaches onto an
13 | adjoining property.

14 | And obviously, as a result of this
15 | application and proposed development, we'd be
16 | eliminating those conditions, or the existing
17 | nonconforming conditions of the building.

18 | MR. ALAMPI: Now, with regard to the
19 | surrounding properties, there are some larger
20 | residential buildings in the immediate vicinity.

21 | MR. KAUKER: That is correct.

22 | With respect to the existing surrounding
23 | land uses, 34th Street itself is primarily
24 | characterized by two to three, even four story
25 | buildings. There are a mix of uses in terms of

1 residential uses. They're one, two, three
2 family, and some multiple family homes in the
3 area.

4 Peter Street is a very, kind of unique
5 area. To the west, all the way at the end of
6 Peter Street and Hudson Avenue, is the Swiss Town
7 Redevelopment Area. And I believe there's about
8 a 13 story building that's located on that
9 property.

10 The street itself, although has access to
11 Hudson, it's one way, and goes all the way down
12 to Park Avenue.

13 Also, adjacent to the existing parking
14 area, along Peter Street, to the west is an
15 existing storage facility. It's about a five
16 story building. It's a -- self-storage facility.

17 And to the east is the Walgreens Pharmacy.

18 MR. ALAMPI: And so, constructing this
19 building in this zone, even though it's a
20 permitted use --

21 MR. KAUKER: Yes.

22 MR. ALAMPI: -- would it be compatible to
23 the development pattern of the neighborhood?

24 MR. KAUKER: It would be. I think that the
25 building would be a nice addition to the

1 neighborhood. And I think that it's something,
2 not withstanding it's consistent with the Zoning
3 Ordinance and the Master Plan, which I'll also
4 get into later, but it's -- it's really
5 consistent with the existing types of buildings,
6 in terms of use and also, height and mass that
7 exists in the area.

8 MR. ALAMPI: Now, Michael, when you were
9 engaged, you were asked to look at the Union City
10 Master Plan, and any updates and reexaminations
11 of the Master Plan.

12 MR. KAUKER: That is correct.

13 In addition to reviewing the Zoning
14 Ordinance of Union City, I had an opportunity to
15 review the 2009 Master Plan, as well.

16 MR. ALAMPI: And you reviewed the
17 Ordinances and Master Plan many times before this
18 application.

19 MR. KAUKER: I have. That's correct.

20 MR. ALAMPI: You're very familiar with it.

21 MR. KAUKER: Yes.

22 MR. ALAMPI: And with the Master Plan, is
23 there anything in the Master Plan that indicates,
24 either by way of its stated goals, or objectives,
25 that this application would actually support?

1 MR. KAUKER: Yeah. There are a number of
2 elements of the Master Plan that this application
3 would support.

4 There are goals and objectives, and -- and
5 also, there -- in terms of the proposed land use
6 for these areas, it's consistent with those, as
7 well.

8 So, I'll go over those.

9 With respect to the goals and objectives,
10 there are a number that are contained in the 2009
11 Master Plan. It's my opinion that we do promote
12 a number of those, including to provide a balance
13 of land uses, and balanced development patterns
14 in appropriate locations; to protect and preserve
15 established residential character of Union City;
16 provide a broad range of housing choices; to
17 promote and reinforce the city as a desirable
18 residential location; and to improve the quality
19 of life of the residents of Union City.

20 And obviously, the demolition of a much
21 older, substandard building, which is not
22 permitted in the zone, and the construction of a
23 brand new modern building, that's more
24 aesthetically pleasing, does help and support a
25 number of those goals.

1 Obviously, we're providing one and two
2 bedroom units on the property. And also, a mixed
3 -- there's a mixed use component, with a
4 commercial unit on the ground floor.

5 The units themselves, as described by the
6 architect, are pretty large. You know, so I
7 think that that's something that does support
8 those goals, especially providing the balanced
9 mixed of housing opportunities within Union City.
10 Something that's consistent with the Zoning
11 Ordinance and Master Plan.

12 One of the other things that I just also
13 looked at with respect to the Master Plan and
14 just did want to go over with the Board,
15 interestingly enough, it appears that when the
16 zoning was changed, the zoning stopped at Lot --
17 I believe 26. Didn't continue onto Lot 27,
18 further on the lots to Hudson Avenue.

19 One of the interesting things, if you look
20 at the recommendations in the Land Use Plan, of
21 the Master Plan, and actually the recommendation
22 was to rezone the entire portion of 34th Street,
23 from Park Avenue through Hudson and beyond, on
24 the south side of 34th Street.

25 So, those properties, although they're not

1 | currently included in the CG district, there was
2 | a recommendation in the Land Use Plan element of
3 | the Master Plan that those uses be included
4 | within that zone.

5 | And they do recommend -- even though we're
6 | requesting a use variance, they do recommend that
7 | those properties be used for those types of uses.

8 | So, it's my opinion that the -- that this
9 | project is -- is substantially consistent with
10 | the goals and the recommendations of the Master
11 | Plan document.

12 | MR. ALAMPI: Now, when you talk about a D
13 | variance --

14 | MR. KAUKER: Um hum.

15 | MR. ALAMPI: -- especially Lot 27, the low
16 | density residential parcel, you're required to
17 | not only promote the purposes of the Municipal
18 | Land Use statute, but you're also required to
19 | reconcile the plan with the Master Plan.

20 | MR. KAUKER: That is correct.

21 | MR. ALAMPI: Do you think that based on
22 | your review, and these exhibits, and those
23 | recommendations, that this -- this building does
24 | reconcile with the Master Plan objectives?

25 | MR. KAUKER: Yeah. Based upon my review

1 and my findings of the Master Plan, it is my
2 opinion that the application does meet the
3 enhanced quality of proof, reconciling the
4 omission of this use from the Zoning Ordinance or
5 zone plan.

6 MR. ALAMPI: Now, let's talk briefly about
7 the two prong negative criteria.

8 MR. KAUKER: Sure.

9 MR. ALAMPI: That is to say, is there a
10 substantial negative impact in removing an
11 industrial warehouse, with no setbacks, and
12 replacing it with a building designed to meet the
13 requirements of the zone?

14 MR. KAUKER: With respect to the first part
15 of the negative criteria, in terms of the
16 substantial detriment to the surrounding
17 neighborhood and the scenario you just described,
18 obviously, it would be a benefit.

19 We're removing a use that is nonconforming.
20 We're removing a building that is nonconforming
21 in many respects, with respect to rear yard
22 setback itself.

23 And we're -- and as I mentioned before,
24 we're proposing to construct a brand new building
25 that's more consistent with the Zoning Ordinance.

1 In terms of any impacts itself, the
2 building itself meets height requirements, it
3 meets all the setback requirements, with the
4 exception of the rear yard setback from -- but
5 only for the second story and above.

6 Your Ordinance has a requirement that there
7 be a ten foot rear yard setback for the first
8 story. And then, the -- the second floor be set
9 back an additional ten feet, for a total of 20
10 feet.

11 That's the only variance that we're
12 required with respect to the setbacks of the
13 buildings, other than that buffer variance, which
14 we talked about.

15 MR. ALAMPI: So, we request a variance for
16 the tiered setback.

17 Correct?

18 MR. KAUKER: That is correct.

19 MR. ALAMPI: What would be the purpose of
20 providing that tiered setback, when there's a
21 five story, self-storage building in the elbow of
22 the -- of the property, if you know what I mean?
23 Peter Street property.

24 MR. KAUKER: Right. Well, obviously,
25 there's really one -- one of the purposes of

1 | doing that is to really benefit and reduce the
2 | impact on the adjoining property owner.

3 | Given the fact that you have a self-storage
4 | facility located on that property, that this --
5 | this building is adjacent to, there is no benefit
6 | to that building or property owner.

7 | MR. ALAMPI: And that self-storage building
8 | is in this area?

9 | MR. KAUKER: That is correct. The self-
10 | storage building is -- if you look at the L
11 | portion, it goes from that L portion to the west,
12 | toward Hudson Avenue.

13 | MR. ALAMPI: So, would there be any purpose
14 | in having the tiered setback, considering the
15 | position of the self-storage building?

16 | MR. KAUKER: In this -- in this instance,
17 | there would not be. There'd --

18 | MR. ALAMPI: Now, going --

19 | MR. KAUKER: -- be no benefit.

20 | MR. ALAMPI: Going to the east of the
21 | subject property, would there be any detriment to
22 | those properties by not having a 20 foot tiered
23 | setback?

24 | MR. KAUKER: No. Again, if you look at the
25 | properties that are located to the rear, that

1 portion of the building, and it's only a small
2 portion, it's the pharmacy, the Walgreens
3 Pharmacy that's located there.

4 MR. ALAMPI: And again, when we talked
5 about the rear setback, we're talking about this
6 element, this element, and this element of the
7 building.

8 Correct?

9 MR. KAUKER: Well, we're talking -- just --
10 we're actually talking about this element and
11 this element. This element would be considered a
12 front yard, along --

13 MR. ALAMPI: And do we --

14 MR. KAUKER: -- Peter Street.

15 MR. ALAMPI: And do we meet that standard?

16 MR. KAUKER: We do meet that standard.

17 MR. ALAMPI: So, and those two elements
18 that I just pointed out, inartfully, would there
19 be any zoning purpose in achieving, or in being
20 required to have that tiered setback?

21 MR. KAUKER: In my opinion, there wouldn't
22 be, given the existing uses that are on those
23 adjacent properties.

24 MR. ALAMPI: Now, finally, Michael, this --
25 no project is perfect. We are asking for a

1 variance from the required parking on-site.

2 Correct?

3 MR. KAUKER: That is correct.

4 MR. ALAMPI: You listened to the testimony
5 of the traffic consultant, Mr. Luglio?

6 MR. KAUKER: I did. Yes.

7 MR. ALAMPI: And based upon his testimony,
8 and that of the other two witnesses, have you an
9 opinion as to whether or not this property, as
10 developed and designed, can accommodate the
11 reduced parking from the required Ordinance?

12 MR. KAUKER: Yes. Based upon Mr. Luglio's
13 testimony, I do think that there is sufficient
14 parking that's provided on-site to meet the needs
15 of the number of units that are proposed.

16 In addition, by allowing the reduction in
17 parking on this property, it helps to achieve the
18 redevelopment of the site for the proposed use
19 itself.

20 MR. ALAMPI: How so?

21 MR. KAUKER: Essentially, it -- well, what
22 we're doing, in this instance, is we're providing
23 a number of parking spaces that are sufficient
24 for the proposed use.

25 But, essentially, by allowing that

1 deviation, it allows this building to be
2 constructed in the manner that's proposed.

3 MR. ALAMPI: Thank you.

4 I have nothing further of this witness,
5 Chairman.

6 ACTING CHAIRPERSON GRULLON: Thank you.

7 Thank you, Mr. Kauker.

8 MR. ALAMPI: Chairman, that actually
9 concludes our presentation of plans.

10 We have marked in A-1 and A-2, the
11 architectural and engineering plans.

12 We had four expert witnesses.

13 I have no further proofs to offer to you.

14 ACTING CHAIRPERSON GRULLON: Sure. Okay.

15 Thank you to -- to all of you, expert
16 testimony.

17 Before we call the expert, we'll start
18 calling to ask questions, could you please refer
19 -- refresh the memo to the Board, with the
20 variance that you're requesting.

21 MR. ALAMPI: The variances are, first and
22 foremost, Lot 27 is in the residential, low
23 density zone. And since it's part of the
24 property, it's what we call a split lot.

25 ACTING CHAIRPERSON GRULLON: Split lot.

1 MR. ALAMPI: D variance for this element.

2 The second variance is this part of the
3 building, in the rear, has the ten foot setback
4 required on the grade, but when you go to the
5 second level, we have to pull back another ten
6 feet. We do not. We have ten feet straight up
7 and down.

8 Lastly, the number of parking spaces on the
9 two levels of 144 required under the Ordinance,
10 103 are being provided.

11 ACTING CHAIRPERSON GRULLON: Okay.

12 MR. ALAMPI: Those are the variances.

13 There were some design waivers regarding
14 there were four tandem spaces, and the size of
15 some spaces, and the aisle width. But those are
16 design features of your parking requirement.

17 ACTING CHAIRPERSON GRULLON: For the
18 application, my -- our main concern is the
19 parking.

20 MR. ALAMPI: Yes.

21 ACTING CHAIRPERSON GRULLON: What I would
22 like to -- to ask you to bring your traffic
23 expert.

24 MR. ALAMPI: Mr. Luglio?

25 ACTING CHAIRPERSON GRULLON: Mr. Luglio, I

1 have a question.

2 First, the park -- the parking is two level
3 of parking.

4 MR. LUGLIO: Two levels.

5 ACTING CHAIRPERSON GRULLON: And are they
6 connected, or they independent?

7 MR. LUGLIO: They are independent.

8 ACTING CHAIRPERSON GRULLON: Independent.
9 Okay.

10 And each driveway is going to be a two way
11 driveway, for egress and exit?

12 MR. LUGLIO: Yes.

13 ACTING CHAIRPERSON GRULLON: And how -- how
14 wide is the -- the entrance for that? For both -
15 - for both parking.

16 MR. LUGLIO: Roughly, it's 20 -- 24 feet
17 for the entrance to the garage itself. The drop
18 curb is -- no, I'm sorry. The drop curb is 22
19 feet for the drop curb on the eastern side; 22
20 feet also for the two drop curbs that we have, so
21 that it's extra wide for vehicles to come in and
22 then go back out from 34th Street.

23 MR. ISA: So, there's two separate
24 entrances. One on 34th Street and one on --

25 MR. LUGLIO: That's right.

1 So, you have a separate entrance that's to
2 the west, of course, to Hudson, that's 22 foot
3 dropped curb, so you can come in here, and you
4 could access the top level of the parking. Or
5 you could use the turnaround, drop off, lobby's
6 here, and you can go back out onto 34th Street.

7 The other access point that's to the east
8 also has a dropped curb of 22 feet. And you
9 basically come in the lower level, you could
10 circulate through the parking -- well, on the
11 parking level itself, and then go back out.

12 ACTING CHAIRPERSON GRULLON: And are those
13 garage entrance, are they set back from the
14 building?

15 MR. LUGLIO: They are in-line with the
16 building itself. So, it's basically at the
17 building façade is where you have the garage.
18 And I could bring up the architectural plan. I
19 think on the elevation, to the left side of the
20 A-200, the elevation, you could see the parking
21 garage door on the -- on the east side.

22 ACTING CHAIRPERSON GRULLON: East side.
23 Yes.

24 MR. LUGLIO: And you could see where the
25 two dropped curbs, there's two depictions of

1 vehicle -- vehicles. One that's going into the
2 page, and one that's coming out of the page,
3 basically creating that turnaround, so vehicles
4 can get off of 34th Street, if they're dropping
5 off or picking up something, so that they don't
6 block the street itself.

7 ACTING CHAIRPERSON GRULLON: Okay.

8 The size of the parking, or the spaces. Do
9 you have a breakdown of how many are nine by 18,
10 and how many are no less than that?

11 MR. LUGLIO: I think it's probably easier
12 to do the -- the ones that are less than the nine
13 by 18.

14 I think -- I don't know if we have -- we
15 only have four.

16 ACTING CHAIRPERSON GRULLON: There are only
17 two sizes.

18 MR. LUGLIO: Yeah. We only have -- we have
19 four spaces that are narrower, or the eight by
20 18. We have four of those spaces.

21 And all of the other spaces are nine by 18,
22 regular, standard space.

23 MR. ISA: What's considered a compact
24 space? You know, you'll see that sometimes,
25 compact for compact cars. What size is that?

1 MR. LUGLIO: The compact is really the
2 length of the space --

3 MR. ISA: Okay.

4 MR. LUGLIO: -- not necessarily the width.

5 So, that could be anything that's under 18
6 feet. So, you can go down to 14 feet and -- I
7 could put a Mini in my pocket, if I wanted to. I
8 was just kidding.

9 You can go down to 14 feet. I wouldn't go
10 down --

11 MR. ISA: Yeah.

12 MR. LUGLIO: You know --

13 MR. ISA: But you don't have that.

14 MR. LUGLIO: We don't have that. We still
15 have -- what we are calling compact space is
16 really because of the width. The length is still
17 the same at 18 feet.

18 ACTING CHAIRPERSON GRULLON: And as per
19 your testimony, you say that eight by 16 is
20 sufficient space?

21 MR. LUGLIO: Yes. So, we basically have a
22 one foot narrower parking stall. But in a
23 residential building, you're basically either
24 leaving the car there all week, or you're only
25 moving it once or twice a day.

1 If this were a retail building, then I
2 would definitely want to go with the nine, or
3 even a nine and a half by 18 space.

4 MR. ISA: What's the standard width of a --
5 you know --

6 MR. LUGLIO: Car?

7 MR. ISA: -- a standard car? I mean, it
8 varies.

9 MR. LUGLIO: Six feet, seven feet.

10 MR. ISA: Yeah.

11 MR. LUGLIO: That's the -- that's the
12 width. Even -- even an SUV, a bigger SUV is
13 still only seven feet in its width.

14 The mirrors might stick out a little bit
15 more.

16 MR. ISA: Yeah.

17 ACTING CHAIRPERSON GRULLON: I mean, like
18 being this a residential building, is your
19 opinion, all the parking spaces will be like
20 eight and a half. Would you be getting more
21 spaces --

22 MR. LUGLIO: No. Not necessarily --

23 ACTING CHAIRPERSON GRULLON: -- if it is
24 required?

25 MR. LUGLIO: Not really because of the way

1 | that the columns come through --

2 | ACTING CHAIRPERSON GRULLON: Oh.

3 | MR. LUGLIO: -- from the building on top
4 | into the parking area.

5 | And the -- and the architect and the
6 | engineer took that into account, by trying to fit
7 | as many parking spaces in here, with the four
8 | that are only eight feet wide.

9 | But there's really, just based on the way
10 | that the columns are spaced out, and they have to
11 | be spaced out that way, even if we went to all of
12 | the spaces at eight feet, we probably wouldn't
13 | gain more than three or four parking spaces, if
14 | that.

15 | ACTING CHAIRPERSON GRULLON: My last
16 | question to you, I know that it's not going to
17 | alleviate the traffic at the Lincoln Tunnel, but
18 | did you get a chance to make a study on that
19 | intersection of 34 and Park Avenue?

20 | MR. LUGLIO: It's a tough intersection.

21 | ACTING CHAIRPERSON GRULLON: Yeah. I know.

22 | MR. LUGLIO: During --

23 | ACTING CHAIRPERSON GRULLON: I know, but
24 | did you -- did you get a chance to make --

25 | MR. LUGLIO: No. We -- we did not do

1 counts or an analysis of the intersection.

2 MR. ISA: During rush hour.

3 MR. LUGLIO: Just by looking at it,
4 obviously, there's police activity in the
5 afternoon hours so that you're basically
6 diverting vehicles to the local roadway, at some
7 point, so that they don't get onto 495.

8 And so, all of that causes that backup to
9 occur on Park Avenue --

10 ACTING CHAIRPERSON GRULLON: That means
11 that --

12 MR. LUGLIO: -- and then down towards
13 Hoboken.

14 ACTING CHAIRPERSON GRULLON: -- that will
15 be the -- the worst number, and that would be
16 like on the F --

17 MR. LUGLIO: It's on a level of service F.
18 And our range is from A to F, F being failing.
19 So, there's not much more that you could do to
20 the intersection to -- to really make it worse.

21 And there's not much more you could make it
22 better. I mean, you're in a -- you're in a
23 position here where I guess fortunately, or
24 unfortunately --

25 ACTING CHAIRPERSON GRULLON: Yes. Yes.

1 MR. LUGLIO: -- we're right next to the --

2 ACTING CHAIRPERSON GRULLON: You know --

3 MR. LUGLIO: -- the Lincoln Tunnel.

4 ACTING CHAIRPERSON GRULLON: All the
5 traffic movement on -- from the building will be
6 going east.

7 MR. LUGLIO: Yes.

8 ACTING CHAIRPERSON GRULLON: Yes.

9 MR. LUGLIO: And when they come down to
10 Hudson -- when they come down to Park, they could
11 make the left, or obviously, they could make the
12 right.

13 Trying to keep that intersection clear is
14 one thing that the police officers are trying to
15 do during the peak hours of operation.

16 But yes, it is a -- it is a tough congested
17 area. There's no doubt.

18 ACTING CHAIRPERSON GRULLON: Thank you.

19 I don't have any more question for you.

20 Do you guys?

21 Thank you.

22 MR. LUGLIO: Thank you.

23 ACTING CHAIRPERSON GRULLON: Mr. Arencibia,
24 can I -- can I ask you a few questions?

25 MS. DILLON: Microphone.

1 MR. LUGLIO: I knew I would walk away with
2 it. I almost got away with it.

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

5 ACTING CHAIRPERSON GRULLON: I'm not sure
6 if it's for the architect or for the engineer,
7 but could you explain me how the landscaping and
8 lighting, if you're going to provide any in the
9 building?

10 MR. ARENCIBIA: Well, we're going to have
11 some lighting on the actual building itself.

12 I don't know. Did you do any
13 photo metrics at all? We didn't do that. No.

14 Yeah. We didn't do any photo metrics, but
15 we're actually going to have lighting on the
16 actual building and we show it on our elevation.

17 In the center entrance of the -- of the
18 enter the building, we have lighting, wall
19 sconces on the building itself. And as you could
20 see, this two storefront areas are for the -- for
21 the commercial spaces, as well.

22 So, in between the actual storefront, we'll
23 also have the detailed -- the brick column piers.
24 We have lighting along those, as well, too.

25 And that continues also on the main lobby

1 entrance to the east side of the building.

2 Again, we have the same arched detailing that we
3 have, with the brick piers in between, with the
4 wall lighting sconces above.

5 ACTING CHAIRPERSON GRULLON: And it's all
6 -- it's all the lighting there?

7 MR. ARENCIBIA: Yes, it does.

8 ACTING CHAIRPERSON GRULLON: Okay.

9 MR. ARENCIBIA: It's -- those little
10 rectangles that you see in those locations.

11 ACTING CHAIRPERSON GRULLON: I see that
12 you're also showing some trees there. Are they
13 -- are they to the building or they're on the
14 sidewalk?

15 MR. ARENCIBIA: They're mounted on the
16 building itself.

17 ACTING CHAIRPERSON GRULLON: The -- no. I
18 mean the trees, the landscaping.

19 MR. ARENCIBIA: The trees? No, the trees
20 will be on the -- on the sidewalk. Tree -- tree
21 grates on the sidewalk. I'm proposing, I believe
22 three on the -- on the front of the building
23 itself.

24 ACTING CHAIRPERSON GRULLON: And again, one
25 more time. Could you go over the material of the

1 building, and also the size of the building, or
2 the back of the building?

3 MR. ARENCIBIA: Yes.

4 ACTING CHAIRPERSON GRULLON: I believe you
5 say it's going to be uniform.

6 MR. ARENCIBIA: It's going to be uniform
7 throughout. Correct.

8 And just if you take a look at this, you
9 see this whole -- this horizontal line that you
10 see here.

11 ACTING CHAIRPERSON GRULLON: Yes.

12 MR. ARENCIBIA: Separating, basically, the
13 ground floor and parking area from the
14 residential level.

15 That's all going to be hard stucco
16 detailing, with crown molding. Everything below
17 that's going to be all brick. Some of it's going
18 to have a horizontal detailing, in order to
19 create sort of this block work type detail.

20 But it's all going to be -- the entire base
21 of the building is going to be brick. Different
22 combinations, with the detail and some without
23 the detail itself.

24 So, the entrance will not have the detail,
25 but -- but around the perimeter, there will have

1 the detail.

2 We're also extending the brick up to the
3 fourth level at certain areas of the building.
4 On the eastern end of the building, also on the
5 western end of the building. We're bringing that
6 up, all the way up to the bottom of the fifth
7 floor, and we're capping, again, with a nice
8 crown detail of a hard stucco.

9 And then, from there on up is where we're
10 going to have the actual hard stucco areas above.
11 Again, though, with some nice architectural
12 detailing and coping cornice on the very top of
13 the building itself.

14 And in the middle of the section of the
15 building, we're actually continue that brick all
16 the way up to the actual roof of the building
17 itself, and then capping it off with a hard
18 coping there, as well.

19 And that will be consistent throughout the
20 -- the entire sides of the building, all
21 throughout.

22 ACTING CHAIRPERSON GRULLON: And see, from
23 the design standpoint, it's a beautiful building.
24 But could you achieve the same design having only
25 brick, different type of brick color? Brick,

1 without using stucco?

2 MR. ARENCIBIA: Well, I just want to show
3 you. It's not stucco as you're familiar with
4 stucco. This is the hard -- this is basically
5 cement.

6 So, it's not going to be the -- the acrylic
7 stucco that you see, and this EIFS stuff that you
8 see throughout.

9 ACTING CHAIRPERSON GRULLON: Yes.

10 MR. ARENCIBIA: This is going to be --

11 ACTING CHAIRPERSON GRULLON: So --

12 MR. ARENCIBIA: It's going to be --
13 basically, what it's going to look like in the --
14 I mean, we only have small areas where we're
15 actually using it. So, it would be on --

16 ACTING CHAIRPERSON GRULLON: But you're --
17 you're using the entire top floor --

18 MR. ISA: Is stucco.

19 MS. GUTIERREZ: Yeah. The whole top floor.

20 MR. ARENCIBIA: No. Not -- not the entire
21 top floor.

22 The section in the middle is going to be
23 broken up with that brick banding all the way up
24 --

25 MS. GUTIERREZ: Right.

1 MR. ARENCIBIA: -- to the upper floor.

2 MR. ISA: Would you -- would you be able to
3 achieve that with different color bricks, or
4 stone, or some other material?

5 MR. ARENCIBIA: I'm sorry?

6 MR. ISA: Would you be able to achieve the
7 same objective with something like stone or a
8 different color brick, or anything other than
9 stucco?

10 MR. ARENCIBIA: We could, but we -- we felt
11 that basically using that, because we have such
12 nice -- we already have the detail of the brick
13 along the base, we have the additional brick
14 detailing that we have going up to the fifth
15 floor, that you soften it up a little bit with
16 us, basically, a flat surface.

17 I know that our client built a building on
18 36th Street here, which he used that hard stucco -
19 - that hard stucco. I don't know if anybody has
20 been to it.

21 But it's -- it basically looks like a
22 cement. Just it looks like a cement panel. So,
23 it's a nice clean finished building.

24 So, it's a lot different, I think than what
25 you're -- you're thinking of, as far as the

1 stucco is concerned.

2 ACTING CHAIRPERSON GRULLON: Yes. But our
3 -- I mean, experience with stucco --

4 MR. ISA: Very bad experience.

5 ACTING CHAIRPERSON GRULLON: -- with the
6 time, they -- you know, deteriorate quickly, and
7 they damage.

8 MR. ARENCIBIA: Again, that's the acrylic
9 stucco, I think you're talking about. That
10 doesn't happen with the cement stucco.

11 MR. ISA: I believe Mr. Spatz had a --

12 MR. SPATZ: Yeah. Just a comment on that.

13 MR. ARENCIBIA: Sure.

14 MR. SPATZ: In January of this year, I
15 think you may have a copy, if not, I can provide
16 it to you, the Board of Commissioners amended the
17 Zoning Ordinance, as it relates to construction
18 requirements that prohibits certain types of
19 materials on the building façade.

20 MR. ARENCIBIA: Um hum.

21 MR. SPATZ: So, if you'll take a look at
22 that, and then -- you know, it prohibits thin
23 brick, tile, synthetic stucco and Hardy plank is
24 prohibited on a street façade.

25 MR. ARENCIBIA: Correct.

1 MR. SPATZ: So --

2 MR. ARENCIBIA: And this is none of those.

3 MR. SPATZ: Okay. That's --

4 MR. ARENCIBIA: Absolutely.

5 MR. SPATZ: So --

6 MR. ARENCIBIA: And -- and we understand
7 the synthetic stucco. That's what --

8 MR. SPATZ: Right.

9 MR. ARENCIBIA: -- Mr. Spatz is speaking
10 about. And that is not what we propose here.

11 This is going to look like a complete --

12 MR. SPATZ: Right. So that -- you know,
13 and you'll deal with the Building Department at
14 that point, if the project is approved.

15 MR. ARENCIBIA: Yes.

16 MR. SPATZ: And you've dealt with them
17 before.

18 MR. ARENCIBIA: Yes, we will.

19 MR. SPATZ: Right.

20 MR. ALAMPI: Chairman, we have no problem
21 spending our client's money, and the quality
22 material.

23 I think, though, that the witness is trying
24 to express, this is a very high -- high grade
25 quality concrete application.

1 But David, if you send me --

2 MR. SPATZ: Sure.

3 MR. ALAMPI: I wasn't familiar with that.
4 If you just could send it to me.

5 MR. SPATZ: I'll scan it and send it to
6 you.

7 MR. ALAMPI: I'll double check with our
8 people.

9 MR. SPATZ: Yup.

10 MR. ISA: I mean, yeah. If -- I mean, if
11 you want to review that with -- with your -- with
12 your client, and see -- you know, make sure that
13 you're --

14 MR. ALAMPI: We will, counsel.

15 MR. ISA: Perhaps --

16 MR. ALAMPI: We'll take a look at it.

17 MR. ARENCIBIA: We'll --

18 MR. ISA: -- consider --

19 MR. ARENCIBIA: Do you want us to discuss
20 it now or --

21 MR. ISA: Yeah.

22 ACTING CHAIRPERSON GRULLON: It's up to
23 you. Yeah. I mean, I like to feel that you're
24 going to be using a good material.

25 MR. PRESSEY: Yeah. Discuss it now.

1 MR. ARENCIBIA: Well, yeah. That's why I
2 mentioned that project he did on 36th Street,
3 because I know -- I know Mr. Stack had seen it,
4 and he -- he liked it. He thought it was very
5 well done, so --

6 MS. GUTIERREZ: Got to feel comfortable
7 with this.

8 MR. ALAMPI: Hey, Mark?

9 Yes? Yes?

10 MR. MALAS: We want to build a nice
11 product, so I mean, I don't -- I don't know if --

12 MR. ISA: If you want him to -- if you want
13 him to testify --

14 MR. ALAMPI: Come on up.

15 MR. ISA: -- bring him up to the --

16 MR. ALAMPI: We'll swear you in.

17 MR. ISA: -- mic and swear him in.

18 MR. MALAS: Sorry.

19 MR. ALAMPI: We'll put you under pressure.

20 MS. DILLON: Just right -- right in front
21 of that --

22 MR. ALAMPI: Right here, Mark.

23 MS. DILLON: -- microphone there.

24 MR. ALAMPI: Don't be nervous. Raise your
25 right hand.

1 MS. DILLON: Please raise your right hand.

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

4 MR. MALAS: Yes.

5 MS. DILLON: State your name and spell it
6 for the record.

7 MR. MALAS: Mark Malas, M-A-R-K, M-A-L-A-S.

8 MS. DILLON: Thank you.

9 MR. ALAMPI: Mr. Malas, you're a principal
10 of the developer of this property?

11 MR. MALAS: Yes.

12 MR. ALAMPI: And you've develop --

13 MS. DILLON: You have to speak up.

14 MR. ALAMPI: You've developed other
15 properties in Union City.

16 MR. MALAS: Yes.

17 MR. ALAMPI: You heard the questions from
18 the Chairman and other Board members talking
19 about the quality of the exterior material. And
20 you heard your architect indicate this is not the
21 EIFS type of stucco. You're familiar with that.

22 Right?

23 MR. MALAS: Yes.

24 MR. ALAMPI: And this is a higher grade
25 concrete. But would you consider more brick in

1 the upper tier of the building?

2 MR. MALAS: I don't -- I don't think we
3 have a problem doing a complete stone or brick on
4 the front elevation --

5 ACTING CHAIRPERSON GRULLON: Yeah.

6 MR. MALAS: -- or whatever's -- you know,
7 on the building.

8 MR. ISA: I think the --

9 MS. GUTIERREZ: Going to feel more --

10 MR. ISA: Yes.

11 MS. GUTIERREZ: -- comfortable with brick.

12 MR. ISA: I know my Board here. They tend
13 to shy --

14 MS. GUTIERREZ: Yes.

15 MR. ISA: I mean, even before the change in
16 -- in the Ordinance, we've steered away from --
17 from stucco.

18 And I realize this is different material,
19 so you want to -- you know -- you know, make an
20 amendment to that to include --

21 MR. ALAMPI: What we'll do, counsel,
22 sometimes they ask the architect to do a -- the
23 elevation, and he puts a designation, like a key
24 -- a key here on what the materials are. Then,
25 he shows it here, like A, B, C, D. A, B, C, D,

1 and what we call a key composite of the
2 materials.

3 If you would like that, we will submit
4 such.

5 ACTING CHAIRPERSON GRULLON: Yes. Please.

6 MR. ALAMPI: Okay.

7 ACTING CHAIRPERSON GRULLON: Yes. Mr.
8 Arencibia --

9 MR. ARENCIBIA: Yes. We can --

10 ACTING CHAIRPERSON GRULLON: -- will you --

11 MR. ARENCIBIA: -- definitely take a look
12 at that. Make an amendment and show -- show you
13 that so that everybody could see that.

14 MS. GUTIERREZ: Exactly.

15 MR. ARENCIBIA: But just for the Board's
16 edification, we are not using any of those
17 materials that have been prohibited from --

18 MS. GUTIERREZ: Exactly.

19 MR. ARENCIBIA: -- from being used, so --

20 ACTING CHAIRPERSON GRULLON: Yeah. We just
21 want something that looks good, and lasts --
22 lasts forever.

23 MR. ALAMPI: Chairman, we think that we --
24 what we already planned exceeds beyond what the
25 Ordinance and you would be satisfied. But given

1 | that the Board is -- is emphasizing it, we'll go
2 | back to look at even a higher upgrade of the
3 | material.

4 | ACTING CHAIRPERSON GRULLON: Thank you.
5 | Thank you.

6 | MR. ISA: Appreciate it.

7 | MS. GUTIERREZ: Thank you very much.

8 | MR. ARENCIBIA: Okay.

9 | ACTING CHAIRPERSON GRULLON: No more
10 | question.

11 | MR. ISA: Open to the public?

12 | MS. GUTIERREZ: Do you have a question? Go
13 | ahead.

14 | MR. PRESSEY: In reference to the parking
15 | area, is there a certain -- are you having like a
16 | light where if people walking by don't know that
17 | a car's coming out?

18 | MR. ARENCIBIA: Yes. Yes.

19 | Typically, what we -- I mean, I know it's a
20 | traffic thing, but we're always -- we always use
21 | the -- we always put the mirror in there, and
22 | also --

23 | MS. GUTIERREZ: The mirror. Yeah.

24 | MR. ARENCIBIA: -- the little buzzer so
25 | when the doors are up that people who are on the

1 sidewalk will be able to hear, audibly hear, and
2 also visually see a light, just in case --

3 MS. GUTIERREZ: The light.

4 MR. PRESSEY: Okay.

5 MR. ARENCIBIA: -- for all safety.

6 MS. GUTIERREZ: Um hum.

7 MR. ARENCIBIA: We do that standard on all
8 the buildings that we do.

9 MR. PRESSEY: Okay. I just had to ask.

10 MR. ARENCIBIA: Yes.

11 MR. PRESSEY: And I was also wondering like
12 for the building, is there any type of -- like
13 security, as a camera or something?

14 MR. ARENCIBIA: Oh, sure. There will be
15 security throughout all the four corners of the
16 building, outside and inside, as well.

17 MR. PRESSEY: Okay.

18 Thanks.

19 MR. ARENCIBIA: Yes.

20 ACTING CHAIRPERSON GRULLON: Thank you, Mr.
21 Arencibia.

22 MR. ARENCIBIA: Fine.

23 Thank you.

24 ACTING CHAIRPERSON GRULLON: Would you call
25 your planner, Mr. Kauker?

1 MR. ALAMPI: Mr. Kauker?

2 ACTING CHAIRPERSON GRULLON: Mr. Kauker,
3 for this 72 units --

4 MR. KAUKER: Um hum.

5 ACTING CHAIRPERSON GRULLON: -- do you --
6 could you tell -- could you tell the Board how
7 many school aged children will this building --
8 you know, bring into the school system?

9 MR. KAUKER: Well, one and two bedroom
10 units typically do not generate a lot of school
11 children. It's usually a fraction per unit. I
12 can't give you an exact number, I didn't do the
13 analysis, but I can just tell you from experience
14 that typically one and two bedroom units do not
15 generate a -- a significant number of school
16 children.

17 You know, those come statistics that are
18 provided. There is actually, Rutgers University
19 did a study and the Center for Urban Policy
20 researched that, looks at the number of school
21 children that are generated from these units.

22 So, one and two bedroom units would
23 generate a fraction -- you know, per unit.

24 ACTING CHAIRPERSON GRULLON: Okay. But is
25 that -- is it possible to make a -- to submit a

1 number --

2 MR. KAUKER: I could. I could. If --

3 ACTING CHAIRPERSON GRULLON: -- to attach
4 to the application?

5 MR. KAUKER: If the Board would like, I
6 could go back and look at -- and that, and submit
7 a specific number to the Board.

8 ACTING CHAIRPERSON GRULLON: Yeah. I think
9 we would like.

10 MR. ALAMPI: So, you'd like an impact
11 report?

12 ACTING CHAIRPERSON GRULLON: Yes.

13 MR. KAUKER: Just looking at the number of
14 school children.

15 Correct?

16 MS. GUTIERREZ: Um hum.

17 MR. KAUKER: Limited to the number of
18 school children?

19 ACTING CHAIRPERSON GRULLON: Yes.

20 MR. KAUKER: Yeah.

21 MR. ISA: That's a good idea.

22 MR. ALAMPI: What we'll do is ask Mr.
23 Kauker to give the reference and the link to the
24 Rutgers report that he's referring to, and we'll
25 make a -- a written report for you.

1 MR. ISA: Mr. Chairman?

2 Mr. Chairman, you mentioned before the
3 traffic around 34th --

4 ACTING CHAIRPERSON GRULLON: Yes.

5 MR. ISA: -- and -- and Park Avenue.

6 I'm not sure -- I mean, I'm not speaking
7 for you but --

8 ACTING CHAIRPERSON GRULLON: Yes.

9 MR. ISA: -- I'm not sure if you wanted,
10 perhaps, an impact analysis --

11 ACTING CHAIRPERSON GRULLON: Again --

12 MR. ISA: -- of the traffic there.

13 ACTING CHAIRPERSON GRULLON: I would like
14 to show on the application. Well, I know -- I
15 know he expressed that is going to be made to a
16 level of service F, fails, service.

17 But I want to know how many -- how many --
18 currently, how many trips is going to generate to
19 that -- to the intersection.

20 And what's the delay on the intersection
21 right now, at the peak hours.

22 MR. ALAMPI: I think that his testimony
23 gave you the numbers, but we will provide the
24 data that --

25 ACTING CHAIRPERSON GRULLON: The data.

1 Yes.

2 MR. ALAMPI: -- supports that.

3 We'll provide that.

4 ACTING CHAIRPERSON GRULLON: Yes, please.

5 MR. ALAMPI: Yes.

6 MS. GUTIERREZ: Um hum.

7 ACTING CHAIRPERSON GRULLON: That was my
8 only question, Mr. Kauker.

9 Do you have any question for the planner?

10 MR. PRESSEY: And how old would this --
11 like, survey be of like how many children out of
12 one and two bedroom?

13 MR. KAUKER: Yeah. The study that was done
14 was pretty recently. I think it's within the
15 last ten years they've done the study.

16 MR. PRESSEY: Ten years?

17 MR. KAUKER: Yeah.

18 ACTING CHAIRPERSON GRULLON: The reason why
19 we ask is there are two schools on the -- in the
20 vicinity.

21 MS. GUTIERREZ: In the area.

22 ACTING CHAIRPERSON GRULLON: In the
23 vicinity of the building.

24 MR. KAUKER: Right.

25 ACTING CHAIRPERSON GRULLON: And we want to

1 know what they have to be prepared for.

2 MR. KAUKER: Yeah. The -- the data looks
3 at the number of school children that are
4 generated from these type developments.

5 You know, it basically looks at data
6 throughout the State of New Jersey. And that's
7 -- you know, that's what they analyze to come up
8 with the figures.

9 But I'll -- I'll take a look at it. I can
10 give you a specific number in terms of what this
11 project would generate.

12 ACTING CHAIRPERSON GRULLON: Okay.

13 MR. ALAMPI: So, Chairman, we owe you three
14 things.

15 The architect will have to code the
16 exterior material with a key reference.

17 This witness will produce the analysis of
18 the impact to the school aged children and give
19 you the link into the Rutgers report, so you
20 could verify it.

21 And lastly, we will have our traffic
22 consultant -- he's not going to run a full
23 traffic study, but he will analyze the impact to
24 the intersection of 34th and --

25 ACTING CHAIRPERSON GRULLON: And Park.

1 MR. ALAMPI: -- and Park Avenue.

2 ACTING CHAIRPERSON GRULLON: Yes. Correct.

3 Thank you.

4 MR. ALAMPI: We can provide those -- that
5 information to you.

6 ACTING CHAIRPERSON GRULLON: I don't have
7 any more question for any of your witness.

8 Do you guys?

9 MS. GUTIERREZ: No.

10 MR. BONACCI: No, thank you.

11 ACTING CHAIRPERSON GRULLON: At this point,
12 I just want to open it to the public.

13 MR. ALAMPI: Thank you.

14 ACTING CHAIRPERSON GRULLON: Open to the
15 public.

16 Mr. Price?

17 Mr. Price?

18 MS. DILLON: Mr. Price, please raise your
19 right hand.

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

22 MR. PRICE: I do.

23 MS. DILLON: Name and address for the
24 record.

25 MR. PRICE: Larry Price, 1006 Palisade

1 Avenue, Union City.

2 By the way, I make one comment first about
3 any traffic study; 34th Street is very tricky
4 during the rush hour.

5 If you come down 34th Street, if you're
6 going left, north, that should be no problem.

7 If you're going to the right and going down
8 to Hoboken, that should be no problem.

9 If you're going right and trying to get on
10 495, forget it.

11 I don't know how a traffic study is going
12 to differentiate between those three flows of
13 traffic. I mean, two of them --

14 ACTING CHAIRPERSON GRULLON: Be just the
15 movement on -- on the 34th Street --

16 MR. PRICE: But 34 --

17 ACTING CHAIRPERSON GRULLON: Because --

18 MR. PRICE: But movement which way? If
19 you're going north, there's no problem. You pull
20 through, assuming the traffic --

21 ACTING CHAIRPERSON GRULLON: But --

22 MR. PRICE: -- will let you through and you
23 go --

24 ACTING CHAIRPERSON GRULLON: Sometime I've
25 seen the traffic backed up at the traffic light.

1 It's not even moving there because --

2 MR. PRICE: Going which direction?

3 ACTING CHAIRPERSON GRULLON: It can go any
4 direction because it's not passing the traffic
5 light.

6 MR. ISA: You're talking about going
7 towards Park Avenue.

8 ACTING CHAIRPERSON GRULLON: Well, you're
9 going toward Park Avenue --

10 MS. GUTIERREZ: Park Avenue.

11 MR. PRICE: Well, no. You come down 34th
12 Street, you go to Park Avenue.

13 ACTING CHAIRPERSON GRULLON: Yes.

14 MR. PRICE: Okay. If you go --

15 MS. GUTIERREZ: Make a right.

16 MR. PRICE: -- left on Park Avenue, which
17 is to say north --

18 ACTING CHAIRPERSON GRULLON: If you're able
19 to go left, you're okay.

20 MR. PRICE: Yeah. You're okay.

21 ACTING CHAIRPERSON GRULLON: But sometimes
22 the traffic back up -

23 MR. PRESSEY: Sometimes.

24 MR. PRICE: If you go --

25 MS. DILLON: One at a time.

1 MS. FLORES: Not all the time.

2 MS. DILLON: Mr. Price, all him to finish.

3 MR. PRICE: Oh. Why? Why?

4 ACTING CHAIRPERSON GRULLON: No, no, no.

5 MR. PRICE: But if you're going -- and if
6 you're going right, which you're going to go to
7 Hoboken, down past the -- that's -- that's no
8 problem either.

9 But if you're going right to go on 495,
10 forget it. You may not even get there. I'm told
11 they divert traffic -- you're trying to get on
12 495, and the Weehawken cops divert you to onto
13 whatever this street is.

14 ACTING CHAIRPERSON GRULLON: Yes. So, what
15 I'm --

16 MS. GUTIERREZ: They divide the traffic.

17 ACTING CHAIRPERSON GRULLON: What I'm
18 trying to see, if they're going to be able to get
19 out of the building.

20 MR. ISA: That's the problem.

21 ACTING CHAIRPERSON GRULLON: That's my --
22 that's my only concern, because I know there's a
23 lot of traffic there.

24 MR. PRICE: What I could see as a problem,
25 and I don't know how a traffic guy would

1 anticipate that.

2 Thirty-Fourth Street is one way down. So,
3 if you get somebody who's determined to get --
4 go to 495, and he's trying to work his way --
5 turn right and get in that line, and now he's
6 blocking 34th Street --

7 ACTING CHAIRPERSON GRULLON: Yes.

8 MR. PRICE: So, the guys who want to go
9 left, and want to go to Hoboken can't do it,
10 either.

11 That's going to be -- all I'm saying, it's
12 going to be a very tricky traffic survey.

13 ACTING CHAIRPERSON GRULLON: Yes.

14 MR. PRICE: That's --

15 MR. ISA: It will be interesting.

16 MR. PRICE: Mr. Luglio is an expert, so
17 I'll leave that to him.

18 ACTING CHAIRPERSON GRULLON: We leave it to
19 him.

20 MR. PRICE: Leave it to him. Yeah.

21 I have a question, first, of Mr. Kauker.

22 MS. DILLON: Where are you going to
23 question him?

24 MR. PRICE: What?

25 MS. DILLON: Where are you going to

1 question him?

2 MR. PRICE: Oh, I'm going to question him
3 from there, I guess.

4 MR. KAUKER: I could stand here, too. Make
5 it easy.

6 We'll stand close together, Larry.

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

9 MR. PRICE: Okay.

10 Lot number 27 --

11 MR. KAUKER: Correct.

12 MR. PRICE: -- is a residential lot.

13 MR. KAUKER: That's correct.

14 MR. PRICE: Okay. Which has been
15 incorporated in the overall scheme of things.

16 Okay. It's going to have a driveway that
17 will have a turnaround. A driveway into the
18 upper level of parking.

19 MR. KAUKER: Yeah. It will have a driveway
20 that accesses. Yes. Correct.

21 MR. PRICE: Okay.

22 MS. DILLON: One step closer, Mr. Kauker.

23 MR. KAUKER: Sorry.

24 MR. PRICE: Okay. If I understand the
25 Nuckel versus --

1 MR. ALAMPI: Put your arms around each
2 other.

3 MR. PRICE: Nuckel versus Little Ferry
4 decision, you have a driveway through a
5 residential area, going to a commercial area,
6 that requires a D-1 use variance.

7 MR. KAUKER: That is correct.

8 MR. PRICE: Okay. If you planted all of
9 this Lot 27 in Petunias, or something, where it
10 wouldn't have a driveway to a commercial area,
11 would you still require a D-1 use variance?

12 MR. KAUKER: Would I? Probably not.

13 MR. PRICE: Probably not.

14 MR. KAUKER: Yeah. I don't -- I don't
15 think you would, because typically, the -- it
16 would -- I know it talks about a driveway over an
17 adjoining lot that's not in the same zone, and I
18 think it needs to be something that specifically
19 serves that use, such as a driveway or parking
20 area.

21 You know, a garden area is something that's
22 passive, so I don't think that it would.

23 MR. ALAMPI: I'll disagree with my own
24 witness. You --

25 MS. DILLON: You can't speak from there,

1 sir.

2 MR. PRICE: Okay.

3 MR. ALAMPI: It would be a variance.

4 MR. PRICE: By the way, this is just --

5 MR. ALAMPI: Either way it goes, it would
6 always be a variance.

7 MR. PRICE: That's -- that's because he's
8 an attorney looking to -- attorneys.

9 Okay. Okay. That -- I don't have --

10 Okay. I have a question for Mr. Frenzel.

11 MR. ALAMPI: Okay.

12 MR. PRICE: Could you find the elevation?

13 MR. FRENZEL: The architectural elevation?

14 MR. PRICE: Yeah. Exterior.

15 MR. FRENZEL: You want to talk to the
16 architect, then.

17 MR. PRICE: No. No. I want to talk to
18 you.

19 MS. DILLON: Let me just connect you with
20 the wireless.

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

23 MR. PRICE: Okay. From left to right, I
24 guess it's supposed to be 180 feet, or whatever.

25 MR. FRENZEL: From this point -- from one

1 end of the tract to the other is 256 feet.

2 MR. PRICE: Okay. In terms of the -- oh,
3 sorry.

4 MS. GUTIERREZ: Mr. Price?

5 MR. PRICE: Mrs. Dillon is going to --

6 MR. ISA: Dress him up, but you can't take
7 him anywhere.

8 MS. DILLON: Really, Mr. Price --

9 MR. PRICE: Okay.

10 MS. DILLON: -- calm yourself.

11 MR. PRICE: In terms of the building, how
12 -- how wide is the building?

13 MR. FRENZEL: Hundred eighty-one feet.

14 MR. PRICE: What?

15 MR. FRENZEL: One eighty-one.

16 MR. PRICE: One eighty-one. What --
17 where's the center point?

18 MR. FRENZEL: I would assume the -- the
19 lobby is the focal center point of the building.

20 MR. PRICE: Okay.

21 And from the curb at that center point, to
22 the highest roof beam, what -- what's the
23 distance?

24 MR. FRENZEL: This is your -- your
25 question.

1 MR. ARENCIBIA: I don't think we have that
2 dimension. Hold on.

3 Fifty-nine feet to the roof structure.

4 MR. PRICE: From the center point?

5 MR. ARENCIBIA: Correct.

6 MR. PRICE: Okay. Very good.

7 The -- Mr. Frenzel, the Land Development
8 Ordinance -- you took the four points and
9 averaged them and said that's the -- the height.

10 The reference point that the Land
11 Development Ordinance requires is that center
12 point to the -- to the roof beam.

13 Now that's how you would calculate whether
14 a height variance was required.

15 You're 59 feet, you're entitled to 60, so
16 they don't need a D-6 height variance.

17 Thank you.

18 MR. FRENZEL: Thank you.

19 MS. DILLON: Microphone?

20 ACTING CHAIRPERSON GRULLON: Any other
21 member of the public wants to step forward?

22 MS. DILLON: Sir, please raise your right
23 hand.

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

1 MR. CHITTUM: Yes.

2 MS. DILLON: I need you just state your
3 name, spell it for the record, and give your
4 address.

5 MR. CHITTUM: David Chittum.

6 MS. DILLON: I'm sorry?

7 MR. CHITTUM: David Chittum, C-H --

8 MS. DILLON: Spell it.

9 MR. CHITTUM: C-H-I-T-T-U-M.

10 MS. DILLON: C-H-I-T-T --

11 MR. CHITTUM: T-T-U-M.

12 MS. DILLON: You have to speak up.

13 MR. CHITTUM: C-H-I-T-T-U-M.

14 MS. DILLON: And your address?

15 MR. CHITTUM: 725 Jefferson Street,
16 Hoboken.

17 MR. ALAMPI: I can't hear you, so I'll
18 stand next to you, because I can't hear.

19 MR. CHITTUM: That works.

20 MR. ALAMPI: Did you say you're from
21 Hoboken?

22 MR. CHITTUM: Yes.

23 MR. ALAMPI: A resident of Hoboken?

24 MR. CHITTUM: Yes.

25 MR. ALAMPI: He has a right to speak to an

1 issue.

2 A VOICE: He owns also.

3 MR. CHITTUM: I own a unit at 3315 Pleasant
4 Avenue. She asked my address.

5 MR. ALAMPI: Maybe you should volunteer
6 that.

7 MR. CHITTUM: I wasn't getting there, yet.

8 MR. ALAMPI: Go ahead.

9 MR. ISA: Please.

10 MR. CHITTUM: I wanted to ask a couple
11 questions.

12 I didn't see a back elevation picture of
13 the building, the Peter Street.

14 Is there one?

15 MR. ARENCIBIA: We don't have one.

16 MR. ALAMPI: No.

17 MR. CHITTUM: But you said it's going to be
18 conforming to the front.

19 MR. ARENCIBIA: That's right.

20 MR. CHITTUM: And you're talking about
21 trees in the --

22 MS. DILLON: Mr. Arencibia, you've got --

23 MS. GUTIERREZ: You have to come --

24 MS. DILLON: -- to come forward, please.

25 MR. CHITTUM: Talking about trees in the

1 front of the building.

2 Are they putting any trees in the back of
3 the building?

4 MR. ARENCIBIA: We're going to have mulch
5 in the back of the building. We're also going to
6 have some conifer trees in the back of the
7 building, as well. Yes.

8 MR. CHITTUM: I mean, on the -- on the
9 sidewalk.

10 MR. ARENCIBIA: On the sidewalk --

11 MR. CHITTUM: With the grates.

12 MR. ARENCIBIA: -- there's going to be tree
13 grates. Yes. Absolutely.

14 MR. CHITTUM: And then, on the Peter Street
15 side?

16 MR. ARENCIBIA: On the Peter Street side,
17 I don't believe we have them on the Peter Street
18 side. I have -- we have them on 34th Street.

19 MR. CHITTUM: Okay.

20 I mean, to be consistent, shouldn't that
21 also be on Peter Street side?

22 MR. ARENCIBIA: Well, you asked me if we
23 have them. We don't have them.

24 MR. CHITTUM: Well, but you said you're
25 consistent in the front and in the back.

1 MR. ARENCIBIA: We're talking about the
2 building material.

3 MR. CHITTUM: The aesthetics, you said.

4 MR. ARENCIBIA: Yes.

5 MR. CHITTUM: Okay. I would think that the
6 -- all right.

7 MS. DILLON: You have to speak up, sir.

8 MR. CHITTUM: No. I was just thinking --

9 MS. DILLON: I know, but --

10 MR. CHITTUM: -- that the trees in the
11 front --

12 MS. DILLON: -- the Board can't hear you.

13 MR. CHITTUM: -- was part of the aesthetic
14 that would -- and are there any entrances on the
15 Peter Street side, or exits?

16 MR. ARENCIBIA: Only for pedestrians. No
17 -- no traffic.

18 MR. CHITTUM: There is -- there is a door
19 there.

20 MR. ARENCIBIA: Yes.

21 MR. CHITTUM: Okay.

22 Elevator there --

23 MR. ARENCIBIA: Yes.

24 MR. CHITTUM: -- as well?

25 MR. ARENCIBIA: Correct.

1 MR. CHITTUM: Okay.

2 I would request -- I mean, if it's -- I
3 don't know how wide that is, or if it would help
4 the aesthetic, but to be conforming with the
5 front, if they're looking to keep that aesthetic,
6 then they should probably do that in what they're
7 calling the other front, which faces our
8 building, or our side.

9 ACTING CHAIRPERSON GRULLON: Your concern
10 is because, David, your concern is because you
11 own the building behind the property?

12 MR. CHITTUM: Well, our building faces
13 Peter Street partly. But I mean, if that's --
14 they're doing it on 34th, why wouldn't they be
15 doing it on --

16 ACTING CHAIRPERSON GRULLON: What's the
17 address --

18 MR. CHITTUM: -- Peter?

19 ACTING CHAIRPERSON GRULLON: -- of your
20 building?

21 MR. CHITTUM: 3315 Pleasant Avenue.

22 MR. ISA: And you're talking about planting
23 of trees in --

24 MR. CHITTUM: Yeah. The sidewalk. They
25 said they were keeping the sidewalk --

1 MS. GUTIERREZ: In the sidewalk.

2 MR. CHITTUM: -- nice with -- you know,
3 they got the lights with the --

4 MR. ISA: Yeah.

5 MR. CHITTUM: And they said they're doing
6 the same façade in the back. So, you would think
7 --

8 ACTING CHAIRPERSON GRULLON: Yes.

9 MS. GUTIERREZ: Um hum.

10 MR. CHITTUM: -- the grate. I mean,
11 there's trees on Peter Street now currently from
12 the City.

13 MS. GUTIERREZ: Um hum.

14 MR. CHITTUM: On certain parts of the
15 sidewalk. And that is not on that side, where --
16 behind Walgreens, it's kind of barren and it's
17 still kind of a warehouse area. If they're going
18 to be putting in a nice building, that would be a
19 nice addition to the neighborhood.

20 MS. GUTIERREZ: Um hum.

21 ACTING CHAIRPERSON GRULLON: Is that part
22 of the project, Mr. Arencibia?

23 MR. ARENCIBIA: We could plant a tree on
24 that side, yes.

25 MR. CHITTUM: If it's possible. I mean, I

1 | don't know how large the area needs to be or
2 | whatever. I just would ask you to consider it.

3 | MR. ARENCIBIA: As long as the sidewalk --
4 | you know, allows us to be able to put a tree
5 | there, we'll do that.

6 | MR. CHITTUM: Yeah.

7 | MS. GUTIERREZ: So, everybody could be
8 | happy.

9 | MR. CHITTUM: You were talking about
10 | loading zones in the front of the building that
11 | were being removed for -- because it was a
12 | warehouse building, there was loading zone, and
13 | that is not a parking zone. I mean, that is a
14 | parking zone at night.

15 | But, typically, what is going to be used
16 | now with the commercial for loading or unloading?

17 | Will there be a loading zone there now?

18 | MR. ARENCIBIA: Well, they'll be doing it
19 | on the street, basically and I guess they'll have
20 | a set type of delivery or some -- you know,
21 | basically somebody's going to be in and out of
22 | the building, whatever it is, I'm sure they'll
23 | arrange that with the police, be able to have a
24 | temporary area to be able to -- like, do the --
25 | bring your furniture in and take your furniture

1 out.

2 MR. CHITTUM: No. I'm talking about the
3 commercial space. The --

4 MR. ARENCIBIA: Oh.

5 MR. CHITTUM: I mean, I'm assuming it's
6 retail. Is it --

7 MR. ARENCIBIA: We -- you don't -- it's
8 just a commercial space right now. We have no
9 tenant or anything, per se, right now.

10 MR. CHITTUM: Okay. So, then, I know you
11 were doing that to make the zoning for the --

12 MR. ARENCIBIA: Correct, because the zoning
13 requires that. The zoning requires a commercial
14 --

15 MR. CHITTUM: Space.

16 MR. ARENCIBIA: Yes.

17 MR. CHITTUM: And parking for commercial
18 space and commercial generally has loading.

19 MR. ARENCIBIA: Yes.

20 MR. CHITTUM: So it's just --

21 MR. ARENCIBIA: Sometimes they do.

22 Sometimes on the street.

23 MR. CHITTUM: If you're having --

24 MR. ARENCIBIA: Sometimes off the street,
25 but it's only 900 and some odd square feet. It's

1 not a very large space, so you're not going to
2 have -- it's not going to be where you're going
3 to have these trucks that are going to be
4 dropping off merchandising and things like that.
5 It's a very small space.

6 MR. CHITTUM: Okay.

7 And then, the three parking spaces that are
8 required for that are going to be inside the
9 building?

10 MR. ARENCIBIA: Yes.

11 MR. CHITTUM: Is that going to be for use
12 by outside patrons?

13 MR. ARENCIBIA: I don't know how the -- how
14 the details of that works out, but three will --
15 three will be associated for that --

16 MR. CHITTUM: For that --

17 MR. ARENCIBIA: -- use. Correct.

18 MR. CHITTUM: For that use.

19 MR. ARENCIBIA: Um hum.

20 MR. ISA: Is that -- is that factored into
21 the -- to your parking --

22 MR. ARENCIBIA: Yes, it is.

23 MR. ISA: -- numbers?

24 MR. ARENCIBIA: Yes.

25 MR. CHITTUM: And I just wanted to speak to

1 the -- the traffic, because as you were
2 mentioning on 34th Street and such, I mean that
3 very much affects our building, getting in,
4 getting out, and getting around.

5 As Mr. Price mentioned, it is -- it seems
6 to be Weehawken Police that are diverting Union
7 City traffic along Union City streets. And it
8 really backs that up. And I don't know if that's
9 a -- a hazard for emergency vehicles and such.

10 But it would seem to be, as I know I've
11 been stuck in it many times, just trying to get
12 out or around. It's very difficult.

13 And I don't think that's the fault of this
14 building. I think that's something that the City
15 needs to address, just on a larger scale.

16 ACTING CHAIRPERSON GRULLON: Does your
17 building provide parking?

18 MR. CHITTUM: No. We're -- we're a 1910
19 building that was built with no parking. So, we
20 have 125 units with zero parking. Followed by
21 the VA, which was also built with zero parking.
22 And then, Thread building, which was supposed to
23 have one and a half per unit, and they ended up
24 with one. So, that's another 150 units.

25 So, there's a lot of no parking on that

1 block, or less parking. So, we've typically been
2 using the lots of this that are being displaced
3 for this building. So, kind of -- we're looking
4 for parking.

5 That's not to say that this might not be a
6 very welcome addition to the -- to the
7 neighborhood, because looking at the aesthetic
8 and the -- the building materials and everything
9 else, it looks pretty amazing to me.

10 And -- and I've seen their building on 36th
11 Street. It actually is -- is fantastic.

12 So, definitely kudos to these guys.

13 MR. ISA: All right.

14 Thank you.

15 ACTING CHAIRPERSON GRULLON: Thank you for
16 --

17 MR. CHITTUM: Thank you.

18 MS. GUTIERREZ: Thank you.

19 MR. ISA: Any other member of the public?

20 ACTING CHAIRPERSON GRULLON: Any other
21 member of the public want to step forward?

22 MS. DILLON: Sir, please raise your right
23 hand.

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

1 MR. NEGRON: Yes, I do.

2 MS. DILLON: And your name?

3 MR. NEGRON: Ricardo Negrón.

4 MS. DILLON: I'm sorry?

5 MR. NEGRON: Ricardo Negrón.

6 MS. DILLON: And spell your last name.

7 MR. NEGRON: N-E-G-R-O-N.

8 MS. DILLON: And your address?

9 MR. NEGRON: 3315 Pleasant Avenue.

10 MS. DILLON: Thank you.

11 MR. NEGRON: Again, like everybody else
12 here was saying, our concern is the traffic in
13 that area.

14 Just like anybody who's -- who's been into
15 my building, and I'm sure I see some people who
16 know my building very well --

17 MS. GUTIERREZ: Um hum.

18 MR. NEGRON: -- the traffic there -- like
19 they was saying, on 34th Street -- 34th Street
20 comes down, Peter comes down. When those two
21 lanes come down, if Park Avenue is not moving, or
22 people are not merging correctly on 495, or
23 they're being held up because they do put the
24 cones down and hold everybody up, that becomes a
25 standstill.

1 My building is on Pleasant, with Peter on
2 one side and Cantello on the other. It can take
3 you anywhere from ten to 15 minutes, if you get
4 there, just to get to Cantello, so you can get to
5 our area.

6 Now, again, just like David said, it's --
7 it's -- the building looks beautiful on paper and
8 everything. Everything looks very nice -- you
9 know, will be a nice addition to what's there
10 now.

11 But I don't agree with the 40 percent --
12 you know, that people don't own cars. I mean, it
13 all depends on how your pockets are, but I'm a
14 family of five. We have two cars. If our
15 pockets were a little fatter, there would be four
16 cars.

17 So, it all depends. And I'm sure the
18 people that are coming to this type of building,
19 with the way it's being constructed, are not
20 going to be -- you know, light pocket people.

21 So, most likely, it's going to have two
22 cars on the average.

23 Again, it's not -- it's not that I'm
24 against it, but I think the traffic study that
25 they're referencing seems kind of old. The

1 numbers they're referencing seems kind of old.

2 I think we should just take a peek at the
3 traffic on fresh -- something fresh before we
4 move on. And then, maybe they can make an
5 adjustment, if they have to.

6 I mean, again, it's not that I'm trying to
7 stop this from going up, by no means. But I
8 would just like to see it done properly.

9 And you know, Union City, we need things to
10 go properly today, because a lot of mistakes were
11 made back -- back then -- you know? But we need
12 to make things better now. And let's take care
13 of them now and not wait until after the fact,
14 and then -- you know?

15 That's all I'm asking, is that we do it
16 properly.

17 And again, traffic -- anybody knows traffic
18 is bad. I mean, and this is during rush hour.
19 That's what they said -- you know, during peak
20 hours. A half hour.

21 You know, traffic there starts from seven
22 o'clock till at least nine o'clock in that area.
23 And it starts at three o'clock in the afternoon
24 to at least well after six.

25 Anybody who knows Union City and knows that

1 area knows that I'm not exaggerating.

2 I understand the way they want to use their
3 numbers. They're there for businesses. They all
4 want to make money. I'm not here to make money.

5 I live here. This is my home.

6 Right?

7 ACTING CHAIRPERSON GRULLON: Yes. We live
8 here, too.

9 MR. NEGRON: Thank you.

10 MS. GUTIERREZ: That's why --

11 ACTING CHAIRPERSON GRULLON: Thank you.

12 MS. GUTIERREZ: That's why Mr. Negron --

13 ACTING CHAIRPERSON GRULLON: Thank you, Mr.
14 Negron.

15 MS. GUTIERREZ: -- all the applicant, they
16 come to this Board, that's why we ask now, when
17 we ask for parking.

18 MR. NEGRON: Yeah.

19 MS. GUTIERREZ: Because there's no parking
20 around.

21 MR. NEGRON: No. I mean, and you see my
22 building. My building has --

23 MS. GUTIERREZ: Like he's saying --

24 MR. NEGRON: -- 125 units.

25 MS. GUTIERREZ: -- he have a building of

1 150 units. I mean you know, and you don't have
2 no parking around.

3 MR. NEGRON: We have no parking in that
4 building. But you know, our building goes back a
5 long --

6 MS. GUTIERREZ: I know. I know. I know.

7 MR. NEGRON: -- a long way.

8 MS. GUTIERREZ: I know.

9 MR. NEGRON: And then -- you know, we have
10 a lot of handicap people in our area --

11 MS. GUTIERREZ: Um hum.

12 MR. NEGRON: -- which takes a lot of parking
13 away.

14 You know, we were -- just to bring the
15 Board up to -- in that area, we were promised a
16 lot of things. You know?

17 When they took down the machine shop that
18 used to be on 3333, which is now Walgreens --

19 MS. GUTIERREZ: Um hum.

20 MR. NEGRON: -- they promised us the back
21 of that lot, which is going to become part of
22 theirs, they were supposed to give that to us to
23 -- you know, to our building for parking, because
24 they took away all of our parking on Peter.

25 We used to be able to park on my building

1 from one end of the building to the other end of
2 the building.

3 And on Peter, on the other side of the
4 street, we would be able to park.

5 When they made the Walgreens, and they cut
6 up half the block to come into Walgreens, to
7 allow them to go in there, we had to give up
8 those spots, and we gave up the whole spots of
9 our 100 or whatever feet that we have there.

10 We had to give up all of those spots. They
11 took them away.

12 We were promised that -- Walgreens promised
13 us that lot in the back. Something didn't go
14 through. Union City Mirror and Table came from
15 underneath and they wound up taking it from us
16 and buying it.

17 And we were promised that Walgreen would
18 allow us to overnight park --

19 MS. GUTIERREZ: Overnight.

20 MR. NEGRON: -- in that area. And long as
21 everybody was out on-time, or whatever.

22 MS. GUTIERREZ: Um hum.

23 MR. NEGRON: My son, the other day, maybe
24 less than a month or so, he came home -- you
25 know, twenty-something year old, came home late.

1 | Parked in Walgreens. Got up at 5:30 to go get
2 | his car. His car was towed around three o'clock
3 | in the morning. Towed and a ticket.

4 | Now, I went to complain to Walgreens about
5 | it, and they said, no, we didn't do it.

6 | If they didn't do it, how is it a police
7 | officer went there to give at ticket, a three-
8 | something in the morning, and it's not only my
9 | son, I heard that it happened to quite a few
10 | people there. You know?

11 | ACTING CHAIRPERSON GRULLON: Thank you.

12 | MR. NEGRON: Okay.

13 | ACTING CHAIRPERSON GRULLON: Thank you, Mr.
14 | Negron for --

15 | MR. NEGRON: Thank you.

16 | ACTING CHAIRPERSON GRULLON: -- your
17 | concern.

18 | MS. GUTIERREZ: Thank you.

19 | ACTING CHAIRPERSON GRULLON: We're going to
20 | --

21 | I have -- I have a question.

22 | Mr. Kauker, could you come forward?

23 | MR. ISA: Close to the public?

24 | ACTING CHAIRPERSON GRULLON: No, I just
25 | want to ask Mr. Kauker a question.

1 MS. GUTIERREZ: Close to the public. You
2 have to close to the public.

3 ACTING CHAIRPERSON GRULLON: Oh, no.
4 Because it's related to -- to what he -- his
5 comments.

6 MR. KAUKER: Sure.

7 ACTING CHAIRPERSON GRULLON: Could you tell
8 me more or less if you -- if you have an idea, at
9 this type of project, when they -- whether
10 they're condominium or renting, what type -- what
11 type of resident are going to come into those
12 buildings?

13 Are they going to be couples, or people
14 from New York? Or what's the target population
15 for the -- for the project?

16 MR. KAUKER: That -- that I could not
17 answer. I don't know where the individuals will
18 come from that will --

19 ACTING CHAIRPERSON GRULLON: Yeah.

20 MR. KAUKER: -- reside in the building.

21 ACTING CHAIRPERSON GRULLON: Do you have an
22 idea?

23 MR. KAUKER: I don't -

24 MR. ALAMPI: I do.

25 ACTING CHAIRPERSON GRULLON: Could you

1 please answer, Mr. --

2 MR. ALAMPI: Well, we do --

3 ACTING CHAIRPERSON GRULLON: -- DeMarrais
4 (sic)?

5 MR. ALAMPI: We do a lot of the closings
6 from these units, and rentals.

7 They're usually young couples, single.
8 Mostly single people, 28 to 35. Not -- not 22 or
9 23, because they don't make enough money.

10 These are people already finished with
11 their education and working.

12 Twenty-eight to 38 years of age. Usually
13 single people. Alone. Even in the two bedroom,
14 one person.

15 That's our experience.

16 ACTING CHAIRPERSON GRULLON: And a lot of
17 them, you just say they like recent graduates?

18 MR. ALAMPI: Yeah.

19 ACTING CHAIRPERSON GRULLON: They were
20 probably --

21 MR. ALAMPI: Graduates, working in New
22 York, work in Wall Street.

23 ACTING CHAIRPERSON GRULLON: Most --

24 MR. ALAMPI: A lot of people in financial.

25 ACTING CHAIRPERSON GRULLON: Using public

1 transportation, most of them.

2 MR. ALAMPI: Yes. Most exclusively.

3 That's what they -- they're so close to Park
4 Avenue, that's -- that's the magnet to this area.

5 ACTING CHAIRPERSON GRULLON: Thank you, Mr.
6 Kauker.

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

9 MR. ALAMPI: Chairman, I'm not sure if you
10 were closing the public session.

11 ACTING CHAIRPERSON GRULLON: No, no. Not
12 yet.

13 Any -- anybody else from the public wants
14 to step forward?

15 Anyone else?

16 Now it's closed to the public.

17 MR. ALAMPI: Thank you.

18 Chairman, you've asked us and the Board for
19 one or two reports and exhibits, which we'd be
20 happy to produce.

21 Is it your intent to continue the hearing
22 until you get the report?

23 Is what that you're --

24 ACTING CHAIRPERSON GRULLON: There will be
25 one more request that I'm going to have.

1 MR. ALAMPI: Okay.

2 ACTING CHAIRPERSON GRULLON: Beside the
3 three that you mentioned, the traffic, the school
4 impact, and the breakdown of the building
5 material --

6 MR. ALAMPI: Yes.

7 ACTING CHAIRPERSON GRULLON: -- I would
8 like also to see if you can submit a revised plan
9 with the rear -- with the back elevation.

10 MR. ALAMPI: Yes. That's no problem. Yes.

11 ACTING CHAIRPERSON GRULLON: Okay? With
12 the back elevation.

13 MR. ALAMPI: You want to confirm --

14 ACTING CHAIRPERSON GRULLON: Yes.

15 MR. ALAMPI: -- the materials.

16 ACTING CHAIRPERSON GRULLON: Yes.

17 MR. ALAMPI: We will do that.

18 ACTING CHAIRPERSON GRULLON: And if you
19 don't mind, when we get all this revised, maybe
20 we can put into another meeting and --

21 MR. ALAMPI: I was going to ask you for an
22 updated meeting.

23 Tonight is a Special Meeting, which I
24 understand.

25 ACTING CHAIRPERSON GRULLON: Yes.

1 MR. ALAMPI: Do you have any meetings in
2 August?

3 MR. PRESSEY: Uh huh.

4 MR. ISA: We don't --

5 ACTING CHAIRPERSON GRULLON: We have a
6 meeting --

7 MR. ISA: -- have any in August.

8 ACTING CHAIRPERSON GRULLON: -- September
9 10.

10 MR. SPATZ: No. No. They already turned
11 one down.

12 MR. ISA: We already --

13 MR. ALAMPI: September 10th.

14 ACTING CHAIRPERSON GRULLON: Yes.

15 MR. ISA: September 10.

16 MR. ALAMPI: And I'm asking you if you
17 would schedule a special meeting, because we
18 anticipate that we would present these -- the
19 revised elevation for you, and the other reports,
20 but we're concluding the testimony principally.

21 I don't expect it to be a long meeting, but
22 is it possible we can have a special meeting
23 scheduled?

24 MR. ISA: One of -- I mean, one of the --
25 we -- one of the problems we face often with even

1 regular meetings in August is that -- you know,
2 people want to go on vacation.

3 I'm -- I'm away on vacation from -- I mean,
4 someone could cover for me but I'm away on
5 vacation for a couple weeks. I know members of
6 the Board are away on vacation.

7 So, it's difficult. I'm not sure, Carlos,
8 if you -- I mean, if you're --

9 THE SECRETARY: This one special request by
10 the applicant, on this application, for this
11 special hearing.

12 ACTING CHAIRPERSON GRULLON: Could we have
13 --

14 THE SECRETARY: And also we have another --
15 another request from another applicant for a
16 special hearing, also, in August.

17 MR. ISA: I mean --

18 THE SECRETARY: The tentative date the
19 20th. But most of the members already plan
20 vacation time, and it's a discretion of them,
21 they decide what they're going to do.

22 MR. ISA: You know what -- what we -- what
23 we could consider doing is -- I mean, typically,
24 you -- you know, the approval or denial is done
25 at one meeting. And then it's memorialized at

1 the next.

2 Since the majority of your testimony is
3 done, perhaps what we can do is -- and you'll
4 have those exhibits in before -- you know, I can
5 -- I can produce -- you know, two Resolutions,
6 one approving, one denying.

7 And then, when you conclude your testimony,
8 since I've seen the exhibits, before and -- you
9 know, maybe we can have the -- the hearing and
10 the Resolution in the September meeting and --
11 you know, that way --

12 MR. ALAMPI: I would appreciate that.

13 MR. ISA: -- you don't waste any time.

14 ACTING CHAIRPERSON GRULLON: And you -- you
15 don't have to bring back your witnesses.

16 MR. ISA: Unless -- unless you prefer to.

17 MR. ALAMPI: No, no. I think what we'll do
18 is submit what you requested.

19 ACTING CHAIRPERSON GRULLON: Yes.

20 MR. ALAMPI: My witnesses will be
21 available, but your counsel is very gracious to
22 offer, if the Board authorizes him, to prepare
23 two forms of the Resolution, because the proofs
24 and -- and we'll expedite a transcript so it's
25 help --

1 MR. ISA: Yeah.

2 MR. ALAMPI: -- helpful.

3 The transcript will allow you to work the
4 Resolutions and the fine points.

5 And I think that would work very well for
6 us. We'd be very appreciative if you authorize
7 your attorney that way.

8 And I'd be happy to order a transcript.

9 MS. DILLON: Yes, sir.

10 ACTING CHAIRPERSON GRULLON: Thank you.

11 So, I want to make a motion to adjourn it
12 to the next meeting of September 10, with the
13 condition of providing revised plans with the
14 rear yard -- with the --

15 MR. ALAMPI: Everything will --

16 ACTING CHAIRPERSON GRULLON: -- rear
17 elevation.

18 MR. ALAMPI: -- be provided more than ten
19 days before the September 10th hearing.

20 And we will order -- and we're ordering the
21 transcript, as well.

22 ACTING CHAIRPERSON GRULLON: Yes. I make a
23 motion to adjourn.

24 MS. GUTIERREZ: I'm seconding.

25 THE SECRETARY: Motion to adjourn this

1 application for September 10, 2015 --

2 ACTING CHAIRPERSON GRULLON: Thank you very
3 much.

4 THE SECRETARY: -- no new notice required
5 by --

6 MR. ALAMPI: Thank you.

7 THE SECRETARY: -- Acting Chairman --

8 MR. ALAMPI: Pleasure to be here tonight.

9 THE SECRETARY: -- Victor Grullon.

10 Second by Margarita Gutierrez.

11 All in favor to adjourn this application.

12 Victor Grullon?

13 ACTING CHAIRPERSON GRULLON: Yes.

14 THE SECRETARY: Margarita Gutierrez?

15 MS. GUTIERREZ: Yes.

16 THE SECRETARY: David Pressey?

17 MR. PRESSEY: Yes.

18 THE SECRETARY: Harlenny Javier?

19 MS. JAVIER: Yes.

20 THE SECRETARY: Joseph Bonacci?

21 MR. BONACCI: Yes.

22 THE SECRETARY: Elisa Flores?

23 MS. FLORES: Yes.

24 THE SECRETARY: Motion carries. This

25 application will be -- will be heard on September

1 10, 2015.

2 No further notice required.

3

4 * * *

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **OTHER BUSINESS:**

2

3 THE SECRETARY: And allow me one second.

4 We have -- we have -- I give it to everyone
5 the email we received from Alonso, Navarrete, LLC
6 in reference 1901 Summit Avenue, requesting a
7 special hearing.

8 MS. DILLON: Carlos --

9 THE SECRETARY: I would like to --

10 MS. DILLON: -- please step forward so
11 you're on a microphone.

12 THE SECRETARY: I would like to hear the
13 consensus of the Board to see if you guys agree.

14 We -- we have set up for the 20th, but I
15 don't know if you can --

16 MS. GUTIERREZ: I'll be here.

17 THE SECRETARY: That's --

18 ACTING CHAIRPERSON GRULLON: I -- I be
19 here, but I just don't -- if you're not going to
20 have a quorum, it's better to set a date --

21 THE SECRETARY: It's already set up for the
22 10th.

23 ACTING CHAIRPERSON GRULLON: For the 10th?

24 THE SECRETARY: The applicant.

25 ACTING CHAIRPERSON GRULLON: Yeah. I could

1 | be here, but I don't know about --

2 | MR. BONACCI: September 10th?

3 | THE SECRETARY: Is already set up for
4 | September 10, but there going to be special
5 | hearing at the August --

6 | ACTING CHAIRPERSON GRULLON: August 20.

7 | THE SECRETARY: -- I believe the 20th.

8 | ACTING CHAIRPERSON GRULLON: Can you make
9 | it for August 20?

10 | THE SECRETARY: We're going to carry this
11 | for the non -- regular meeting on September 10?

12 | MR. ISA: Yeah.

13 | THE SECRETARY: That means won't be a
14 | special hearing then in August.

15 | Thank you.

16 |

17 |

18 |

19 |

20 |

21 |

22 |

23 |

24 |

25 |

1 **ADJOURNMENT:**

2

3 THE SECRETARY: Seeing -- seeing that we
4 don't have another application on tonight's
5 agenda, can I have a motion to end tonight's --
6 tonight's meeting?

7 MS. GUTIERREZ: Motion.

8 THE SECRETARY: Motion.

9 MS. GUTIERREZ: Aye.

10 THE SECRETARY: By Margarita Gutierrez.
11 Margarita Gutierrez.

12 Second by?

13 David?

14 MS. GUTIERREZ: Mr. Pressey?

15 THE SECRETARY: Roll call to adjourn this
16 application.

17 Victor Grullon?

18 ACTING CHAIRPERSON GRULLON: Yes.

19 THE SECRETARY: Margarita Gutierrez?

20 MS. GUTIERREZ: Yes.

21 THE SECRETARY: David Pressey?

22 MR. PRESSEY: Yes.

23 THE SECRETARY: Harlenny Javier?

24 MS. JAVIER: Yes.

25 THE SECRETARY: Joseph Bonacci?

1 MR. BONACCI: Yes.

2 THE SECRETARY: Elisa Flores?

3 MS. FLORES: Yes.

4 THE SECRETARY: Motion carries.

5 Let the record show that the meeting has
6 ended.

7 Thank you, everyone.

8 MS. GUTIERREZ: Good night. Good night.

9 THE SECRETARY: And enjoy the summer.

10

11 (Whereupon, the proceedings were concluded
12 at 9:55 p.m.)

13

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

4

5

6 I, DEBRA A. KASZNIAK, assigned transcriber,
7 do hereby affirm that the foregoing is a true and
8 accurate transcript in the matter of the SPECIAL
9 MEETING of the UNION CITY ZONING BOARD OF
10 ADJUSTMENT held on Thursday, July 30, 2015 and
11 digitally recorded.

12

13

14

15

16

17

18

19

20

21

22

23

24

25 Monitored and proofread by: Deborah Dillon