

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

REGULAR MEETING : TRANSCRIPT OF RECORDED
 :
 : PROCEEDINGS
 :
 _____ :

City Hall
 3715 Palisade Avenue
 Union City, New Jersey

Thursday, September 14, 2017
 Commencing at 6:14 p.m.

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

VICTOR M. GRULLON
 JOHN MEDINA
 MIGUEL ORTIZ
 DAVID W. PRESSEY
 PETER C. DOUMAS, Alternate No. 4
 JOSEPH D. BONACCI, Vice Chairman

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

MARGARITA GUTIERREZ
 LIBERO MAROTTA, Chairman

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

CARLOS VALLEJO, Secretary to the Board
 TOMAS R. PANEQUE, ESQ., Board Attorney

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

ADOLFO L. LOPEZ, ESQ.,
Attorney for Applicant, 14th Street Associates, LLC

ADOLFO L. LOPEZ, ESQ.,
Attorney for Applicant, 704 8th LLC

ADOLFO L. LOPEZ, ESQ.,
Attorney for Applicant, Cofradia Arquidiocesana
De La Virgen De La Caridad Del Cobre Inc.

ANTHONY BIANCO, ESQ.,
Attorney for Applicant, Sundar Patel,
Kalpana Patel, Vipin Patel & Maya Patel

ANTHONY BIANCO, ESQ.,
Attorney for Applicant, Ankur Patel & Vivek Patel

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William G. Severino

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I N D E X

Cofradia Arquidiocesana De La Virgen De La
Caridad Del Cobre, Inc.
3333 Hudson Avenue

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211 New York Avenue

WITNESSPAGE

Orestes Valella

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Ankur Patel & Vivek Patel
209 New York Avenue

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1 MS. DILLON: On the record.

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

4 Take notice that on Thursday, September 14,
5 at six p.m., a Regular Meeting is scheduled for
6 the City of Union City Zoning Board of
7 Adjustment, to be held in the Municipal Chamber,
8 located on the second floor, 3715 Palisade
9 Avenue, Union City, New Jersey.

10 Can everybody kindly rise to salute the
11 flag, please?

12

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

15

16 THE SECRETARY: Thank you.

17 Notice of this meeting has been provide as
18 follow:

19 Notice of this meeting for the time, date,
20 location and the agenda, to the extent known, was
21 sent to The Jersey Journal, The Record, and The
22 Hudson Reporter, has been posted on the bulletin
23 board in the City Hall, and has been made
24 available to the public in the Office of the
25 Municipal Clerk.

1

2 **ROLL CALL:**

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4 THE SECRETARY: Roll call for tonight's
5 meeting.

6 Libero Marotta? Absent.

7 Joseph Bonacci?

8 VICE CHAIRMAN BONACCI: Here.

9 THE SECRETARY: Victor Grullon?

10 MR. GRULLON: Here.

11 THE SECRETARY: Margarita Gutierrez?
12 Absent.

13 Miguel Ortiz?

14 MR. ORTIZ: Present.

15 THE SECRETARY: David Pressey?

16 MR. PRESSEY: Here.

17 THE SECRETARY: John Medina?

18 MR. MEDINA: Here.

19 THE SECRETARY: Peter Dumas?

20 MR. DOUMAS: Here.

21 THE SECRETARY: Let the record indicate
22 there are six present. We have a full quorum.

23 * * *

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1 **APPROVAL OF PREVIOUS MEETING MINUTES:**

2

3 (1) Special and Regular Meetings held on June
4 29 and July 13, 2017)

5

6 THE SECRETARY: Approval of previous
7 meeting minutes.

8 Special and Regular Meetings held on June
9 29 and July 13, 2017.

10 Can I have a motion to approve the previous
11 meeting meetings (sic) -- minutes?

12 Motion by Mr. Pressey.

13 MR. ORTIZ: Second.

14 THE SECRETARY: Second by Miguel Ortiz.

15 Roll call on the motion.

16 Mr. Bonacci?

17 VICE CHAIRMAN BONACCI: Yes.

18 THE SECRETARY: Mr. Gullon?

19 MR. GRULLON: Yes.

20 THE SECRETARY: Mr. Ortiz?

21 MR. ORTIZ: Yes.

22 THE SECRETARY: Mr. Pressey?

23 MR. PRESSEY: Yes.

24 THE SECRETARY: Mr. Medina?

25 MR. MEDINA: Yes.

1 THE SECRETARY: Mr. Doumas?

2 MR. DOUMAS: Yes.

3 THE SECRETARY: Thank you.

4 Motion carries.

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1 **ADOPTION OF RESOLUTIONS:**

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3 (1) UC 48, LLC, 549 41st Street, Block 234, Lot
4 56. Resolution was memorialized September 28,
5 2006. Applicants are seeking for one (1) year
6 extension. **Approved 6/29/17**

7 (2) 321-323 Union City, LLC, 321-323 38th
8 Street, Block 221, Lot 16. Resolution was
9 memorialized September 12, 2013. Applicants are
10 seeking for one (1) year extension. **Approved**
11 **6/29/17**

12 (3) Centro Cristiano Honchos 29, 2000 West
13 Street, aka 526 Monastery Place, Block 109, Lot
14 26. Proposes worship space in existing
15 office/residential building. **Approved 6/29/17**

16 (4) Rare Enterprise, LLC, 413-419 35th Street,
17 Block 205, Lot 18, 19, 20, 21. New construction
18 of four (4) story mid-rise apartment building
19 consisting of 18 two bedroom apartments and 38
20 parking spaces. **Approved 6/29/17**

21
22 THE SECRETARY: Resolutions.

23 We have a total of ten Resolutions on
24 tonight's agenda.

25 Resolution 1, 2, and 3, and 4, approved

1 June 29, 2017 in a Special Meeting.

2 Resolution number 1.

3 UC 48, LLC, 549 41st Street.

4 Second Resolution.

5 321-323 Union City, LLC, 321-323 38th
6 Street.

7 Resolution number 3.

8 Centro Cristiano Honchos 29, 2000 West
9 Street, aka 526 Monastery Place.

10 Resolution number 4.

11 Rare Enterprise, LLC, 413-419 35th Street.

12 Board members can vote on this Resolution
13 is Mr. Bonacci, Mr. Ortiz, Mrs. Gutierrez who's
14 absent, Mr. Grullon and Mr. Pressey.

15 Can I have a motion to adopt these
16 Resolutions?

17 MR. ORTIZ: Motion.

18 THE SECRETARY: Motion by Mr. Bonacci.

19 MR. GRULLON: Second.

20 THE SECRETARY: Second by Mr. Ortiz.

21 Roll call on the motion to adopt these
22 Resolutions.

23 Mr. Bonacci?

24 VICE CHAIRMAN BONACCI: Yes.

25 THE SECRETARY: Mr. Ortiz?

1 MR. ORTIZ: Yes.

2 THE SECRETARY: Mr. Grullon?

3 MR. GRULLON: Yes.

4 THE SECRETARY: Mr. Pressey?

5 MR. PRESSEY: Yes.

6 THE SECRETARY: Four in favor.

7 Motion carries.

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1 **ADOPTION OF RESOLUTIONS:**

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3 (5) 625 18th Street, LLC, 625 18th Street, Block
4 92, Lot 24. Proposes to convert existing office
5 building into a two family house. **Approved**

6 **7/13/17**

7

8 THE SECRETARY: We have a -- Resolution
9 number 5, approved on July 13, 2017, Regular
10 Meeting.

11 625 18th Street, LLC, 625 18th Street.

12 Members present at the meeting, Mr.
13 Bonacci, Mr. Ortiz, Mrs. Gutierrez and Mr.
14 Grullon.

15 Can I have a motion to adopt this
16 Resolution?

17 Motion by Mr. Bonacci.

18 MR. ORTIZ: Second.

19 THE SECRETARY: Second by Mr. Ortiz.

20 Roll call on the motion.

21 Mr. Bonacci?

22 VICE CHAIRMAN BONACCI: Yes.

23 THE SECRETARY: Mr. Ortiz?

24 MR. ORTIZ: Yes.

25 THE SECRETARY: Mr. Grullon?

1 MR. GRULLON: Yes.

2 THE SECRETARY: Three in favor.

3 Motion carries.

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1 **ADOPTION OF RESOLUTIONS:**

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3 (6) F & G 3710, LLC, 3710 Kennedy Boulevard,
4 Block 219, Lot 58. Proposes to convert an
5 existing mixed use commercial and residential
6 building into an office building. **Approved**

7 **7/13/17**

8 (7) Ashraf Soliman, 3200 Kennedy Boulevard,
9 Block 204, Lot 1, 34-38. Proposed a gas station,
10 auto repair and convenience store. **Approved**

11 **7/13/17**

12

13 THE SECRETARY: Resolution 6 and 7.

14 F & G 3710, LLC, 3710 Kennedy Boulevard,
15 approved on July 13, 2017.

16 And Ashraf Soliman, 32nd -- 3200 Kennedy
17 Boulevard.

18 Member present at this hearing Mr. Bonacci,
19 Mr. Ortiz, Mrs. Gutierrez, Mr. Gullon and Mr.
20 Pressey.

21 Can I have a motion to adopt these
22 Resolutions?

23 Motion by Mr. Pressey.

24 Second by?

25 MR. GRULLON: Second.

1 THE SECRETARY: Second by Mr. Bonacci.

2 Roll call on the motion.

3 Mr. Bonacci?

4 VICE CHAIRMAN BONACCI: Yes.

5 THE SECRETARY: Mr. Ortiz?

6 MR. ORTIZ: Yes.

7 THE SECRETARY: Mr. Grullon?

8 MR. GRULLON: Yes.

9 THE SECRETARY: Mr. Pressey?

10 MR. PRESSEY: Yes.

11 THE SECRETARY: Four in favor.

12 Motion carries.

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1 **ADOPTION OF RESOLUTIONS:**

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3 (8) Mt. Management, LLC, 2416 Central Avenue,
4 Block 136, Lot 7. Proposes to construct four
5 additional apartments to convert a six family to
6 a ten family house. **Denied 7/13/17**

7 (9) Nasa Realty LLC, 4614 Kennedy Boulevard,
8 Block 263, Lots 34-35. Propose to construct a
9 multi-family building consisting of 16
10 residential units, commercial space and 12
11 off-street parking spaces. **Denied 7/13/2017**

12

13 THE SECRETARY: Resolution 8 and 9.

14 These Resolution was denied on July 13,
15 2017 at Regular Meeting.

16 Resolution number 8.

17 Mt. Management, LLC, 2416 Central Avenue.

18 Number 9.

19 Nasa Realty, LLC, 4614 Kennedy Boulevard.

20 Can I have a motion to approve the deny
21 Resolutions, 8 and 9?

22 VICE CHAIRMAN BONACCI: I make a motion.

23 THE SECRETARY: Motion by Mr. Pressey.

24 Second by?

25 Mr. Bonacci.

1 Roll call on the motion.

2 All the Board member -- Board members
3 present at that hearing was Mr. Bonacci, Mr.
4 Ortiz, Mrs. Gutierrez, Mr. Grullon and Mr.
5 Pressey.

6 Mr. Pressey?

7 MR. PRESSEY: Yes.

8 THE SECRETARY: Mr. Grullon?

9 MR. GRULLON: Yes.

10 THE SECRETARY: Mr. Ortiz?

11 MR. ORTIZ: Yes.

12 THE SECRETARY: Mr. Bonacci?

13 VICE CHAIRMAN BONACCI: Yes.

14 THE SECRETARY: Four in favor.

15 Motion carries.

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1 **ADOPTION OF RESOLUTIONS:**

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3 (10) 1208-10 Summit Avenue, LLC, 1208-10 Summit
4 Avenue, Block 58, Lots 24-15. Proposed addition
5 three apartments units in existing second floor
6 mixed use commercial and residential (24
7 apartments) six story building. To bring new
8 total of apartments to 27. **Denied 7/13/2017**

9

10 THE SECRETARY: Resolution number 10,
11 denied on July 13, 2017 at Regular Meeting.

12 1208-10 Summit Avenue, LLC, 1208-10 Summit
13 Avenue.

14 Member can vote on this -- on this deny
15 Resolution, Mr. Bonacci, Mr. Ortiz, Mr. Gullon,
16 Mrs. Gutierrez is absent, and Mr. Pressey. No,
17 Mr. Pressey, he cannot vote on this Resolution.

18 Can I have a motion to adopt this deny
19 Resolution?

20 Motion by Mr. Bonacci.

21 MR. GRULLON: Second.

22 THE SECRETARY: Second by Mr. Ortiz.

23 Roll call on the motion.

24 Mr. Bonacci?

25 VICE CHAIRMAN BONACCI: Yes.

1 THE SECRETARY: Mr. Ortiz?

2 MR. ORTIZ: Yes.

3 THE SECRETARY: Mr. Gullon?

4 MR. GRULLON: Yes.

5 THE SECRETARY: Three in favor.

6 Motion carries.

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1 **Juan Vizqueta - 534 42nd Street:**

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3 THE SECRETARY: All right. We have a few
4 hearings on tonight's agenda.

5 The first hearing, Juan Vizqueta, 534 42nd
6 Street.

7 Mr. Paneque, please?

8 MR. PANEQUE: Yes.

9 For the record, members of the Board, this
10 afternoon we received a letter from the office of
11 Mr. Alvaro Alonso, requesting that the matter,
12 Juan Vizqueta, for the property at 534 42nd Street,
13 be adjourned to the next available hearing date.

14 I believe the next available hearing date,
15 Mr. Vallejo --

16 THE SECRETARY: November the 2nd.

17 MR. PANEQUE: November 2nd. Okay.

18 Is there a motion to carry this matter to
19 November 2nd?

20 It's also with the --

21 THE SECRETARY: Can I have a motion?

22 MR. PANEQUE: -- understanding that
23 there'll be requirement to notice for that
24 hearing. There was no notice for this hearing.
25 And that was one of the requirements imposed by

1 the Board at the last meeting, on June 29th, that
2 this application came before.

3 VICE CHAIRMAN BONACCI: I'll make a motion
4 to --

5 THE SECRETARY: Motion by --

6 VICE CHAIRMAN BONACCI: -- adjourn the
7 application.

8 THE SECRETARY: -- Mr. Bonacci.

9 Any second the motion?

10 Mr. Ortiz second the motion.

11 Roll call on the motion.

12 Mr. Bonacci?

13 VICE CHAIRMAN BONACCI: Yes.

14 THE SECRETARY: Mr. Grullon?

15 MR. GRULLON: Yes.

16 THE SECRETARY: Mr. Pressey?

17 MR. PRESSEY: Yes.

18 THE SECRETARY: Mr. Medina?

19 MR. MEDINA: Yes.

20 THE SECRETARY: Mr. Ortiz?

21 MR. ORTIZ: Yes.

22 THE SECRETARY: Mr. Doumas?

23 MR. DOUMAS: Yes.

24 THE SECRETARY: Six in favor.

25 Motion carries.

1 No new notice required.

2 Right, Mr. Paneque?

3 MR. PANEQUE: New notice is required.

4 THE SECRETARY: Okay. New notice is
5 required.

6 MR. PANEQUE: That was --

7 THE SECRETARY: Thank you, sir.

8 MR. PANEQUE: That was a continuation from
9 the last meeting on June 29th.

10 THE SECRETARY: Right, sir. New notice
11 required.

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1 **Franklin Medina, 522 4th Street:**

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3 THE SECRETARY: Application number 2.

4 Franklin Medina, 522 4th Street.

5 Mr. Paneque, please?

6 MR. PANEQUE: Yes. Members of the Board, I
7 was provided with a letter from the office of
8 Alvaro Alonso, today's date, where Mr. Alonso is
9 notifying us that there was a requirement to
10 submit revised plans.

11 This application came before the Board at
12 the July 13th meeting, and during the course of
13 the presentation, it was requested that certain
14 changes be made to the site plan. And the
15 request was made, which Mr. Alonso had indicated
16 that we would have revised plans for tonight's
17 meeting.

18 In his letter, he indicates that the
19 architect was not able to finalize the plans and
20 he's requesting that the matter be carried to the
21 next available meeting.

22 When would that be, Mr. Vallejo?

23 THE SECRETARY: Can I have a motion to
24 adjourn this application for November 2nd?

25 VICE CHAIRMAN BONACCI: I'll make a motion

1 to adjourn.

2 THE SECRETARY: Motion by Mr. Bonacci.

3 Any second?

4 Second --

5 MR. GRULLON: Second.

6 THE SECRETARY: -- the motion by Mr.
7 Grullon.

8 Roll call on the motion to adjourn this
9 application.

10 Mr. Bonacci?

11 VICE CHAIRMAN BONACCI: Yes.

12 THE SECRETARY: Mr. Grullon?

13 MR. GRULLON: Yes.

14 THE SECRETARY: Mr. Pressey?

15 MR. PRESSEY: Yes.

16 THE SECRETARY: Mr. Medina?

17 MR. MEDINA: Yes.

18 THE SECRETARY: Mr. Ortiz?

19 MR. ORTIZ: Yes.

20 THE SECRETARY: Mr. Doumas?

21 MR. DOUMAS: Yes.

22 THE SECRETARY: Six in favor.

23 Motion carries.

24 MR. PANEQUE: Mr. Vallejo, before we
25 proceed, there's not going to be a requirement

1 for new notice on this application. This is a
2 continuation and the continuation will carry till
3 the November 2nd meeting.

4 For anyone in the audience who's here on
5 this application, the application is one by
6 Franklin Medina, with the property in question at
7 522 4th Street.

8 If you're here tonight on that application,
9 it's going to be carried now till November 2nd,
10 with no further notices to the public, and no
11 publication requirement.

12 THE SECRETARY: Thank you, Mr. Paneque.

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1 **14th Street Associates, LLC - 413-415-417 14th**

2 **Street:**

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4 THE SECRETARY: Application number 3, 14
5 Street Association, LLC, 413-415-417 14 Street.

6 Mr. Lopez, please?

7 MR. LOPEZ: Good evening, Mr. Chairman,
8 members of the Board.

9 We were hoping to proceed on this
10 application this evening, but unfortunately, we
11 are going to have to request an adjournment and
12 will advise you that we will require revised
13 plans, new notice and new publication.

14 I think Mr. Diaz was speaking to Mr.
15 Vallejo earlier. That would be for the November
16 meeting, so we can notice?

17 THE SECRETARY: Yes.

18 MR. LOPEZ: So, respectfully, if we could
19 be carried, we would have to re-notice.

20 VICE CHAIRMAN BONACCI: Okay.

21 THE SECRETARY: Can I have a motion to
22 carry this application to November 2nd?

23 VICE CHAIRMAN BONACCI: Motion.

24 THE SECRETARY: Motion by Mr. Bonacci.

25 Any second the motion?

1 By Mr. Ortiz.

2 Roll call on the motion.

3 Mr. Bonacci?

4 VICE CHAIRMAN BONACCI: Yes.

5 THE SECRETARY: Mr. Grullon?

6 MR. GRULLON: Yes.

7 THE SECRETARY: Mr. Pressey?

8 MR. PRESSEY: Yes.

9 THE SECRETARY: Mr. Medina?

10 MR. MEDINA: Yes.

11 THE SECRETARY: Mr. Ortiz?

12 MR. ORTIZ: Yes.

13 THE SECRETARY: Mr. Doumas?

14 MR. DOUMAS: Yes.

15 THE SECRETARY: Six in favor.

16 Motion carries.

17 MR. LOPEZ: Thank you.

18 VICE CHAIRMAN BONACCI: You're welcome.

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1 **Demetrios S. Econopouly/Hudson Foot Holdings, LLC**
2 **1900-1906 Kennedy Boulevard:**

3

4 THE SECRETARY: Okay.

5 Application number 4.

6 Demetrios S. Econopouly/Hudson Foot
7 Holdings, LLC, 1900-1906 Kennedy Boulevard.

8 Mr. Paneque, please?

9 MR. PANEQUE: Thank you, Mr. Vallejo.

10 For -- for the members of the Board, as
11 well as anybody in the audience who's here on
12 this application, by letter dated September 13th,
13 from the office of Bianca Pereiras, who's the
14 attorney for the applicant, Ms. Pereiras notified
15 the Board that they were withdrawing their
16 application and not proceeding with it, to have
17 it removed from the agenda.

18 So, this application is being removed and
19 it's being withdrawn.

20 THE SECRETARY: Thank you, Mr. Paneque.

21 (Applause.)

22 * * *

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1 **704 8th LLC - 704 8th Street:**

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3 THE SECRETARY: Application number 5, 704
4 8th Street, LLC, 704 8th Street.

5 Mr. Lopez, please?

6 MR. LOPEZ: Yes.

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

9 MR. LOPEZ: Ready? When the boss says
10 we're ready.

11 MR. PANEQUE: I'm just the foot soldier.

12 MS. DILLON: Carlos?

13 MR. PANEQUE: Carlos, whenever you're
14 ready.

15 THE SECRETARY: Yes.

16 MR. LOPEZ: We're ready?

17 MS. DILLON: Are we ready to proceed?

18 THE SECRETARY: Go ahead, sir.

19 MR. LOPEZ: Thank you.

20 Mr. Chairman, gentlemen of the Board,
21 Adolfo Lopez, appearing on behalf of the
22 applicant.

23 With your permission, Mr. Paneque, I'd like
24 to submit proposed jurisdictional documents.

25 MR. PANEQUE: Thank you, Mr. Lopez.

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

3 MR. PANEQUE: For the record, I've been
4 provided by Mr. Lopez with the following
5 documentation:

6 I've been provided with a list from the Tax
7 Assessor's Office, with a date of August 23rd,
8 2017, listing all property owners within the 200
9 foot radius of the property located at 704 8th
10 Street, Union City, New Jersey.

11 I've also been provided with an Affidavit
12 of Service, signed by Mr. Lopez, and notarized in
13 his office, which indicates that on August 28th,
14 he did cause to be served by certified mail
15 notices to all property owners within the 200
16 foot radius.

17 I've also been provided with a -- an
18 Affidavit of Publication from The Jersey Journal,
19 which indicates that on August 25th, notice of
20 this application was published in the newspaper,
21 indicating that a meeting would take place
22 tonight with respect to the property located at
23 704 8th Street.

24 I've also been provided with copies of the
25 notices that went out to all owners within the

1 200 foot radius, as well as the certified mail
2 receipts, and the green cards that have come back
3 to date, and the envelopes that have been
4 returned by the post office as marked as
5 unclaimed.

6 Based on the documentation that has been
7 provided by Mr. Lopez, this Board has
8 jurisdiction to proceed and hear this matter.

9 MR. LOPEZ: Thank you, Mr. Paneque.

10 Members of the Board, this is an
11 application for a legalization of an existing
12 unit. It is -- just by brief background, it's --
13 obviously, just by the look of it, it's a very
14 old structure. It's a front and a rear
15 structure. It is, for everyone's reference,
16 immediately next to the public parking lot on 8th
17 Street, between Central and Summit.

18 And to -- to provide us with a description
19 of the project, and provide testimony, the
20 applicant has Mr. William Severino, who is a
21 licensed architect of the State of New Jersey.

22 He has never been qualified before this
23 Board previously, so I would like to call him up
24 and just voir dire him to qualify him, with your
25 permission.

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. SEVERINO: Yes.

5 MS. DILLON: If you could please state your
6 name and spell it for the record.

7 MR. SEVERINO: William G. Severino,
8 W-I-L-L-I-A-M, Severino is S-E-V-E-R-I-N-O.

9 MS. DILLON: Thank you.

10 MR. LOPEZ: The address where your office is
11 located, Mr. Severino.

12 MR. SEVERINO: 104 Summit Circle, Little
13 Ferry, New Jersey.

14 MR. LOPEZ: And your profession is of a --
15 of an architect.

16 MR. SEVERINO: Yes.

17 MR. LOPEZ: Is that correct?

18 Are you a licensed architect of the State
19 of New Jersey?

20 MR. SEVERINO: Been licensed since 1996.

21 MR. LOPEZ: And you practice as an
22 architect in this state?

23 MR. SEVERINO: Yes, I do.

24 MR. LOPEZ: Have you -- have you provided
25 testimony for varying projects in the course of

1 your career?

2 MR. SEVERINO: Yes. I've appeared before
3 Bergen, Hudson, Morris and Essex County townships
4 on various projects throughout my career.

5 MR. LOPEZ: And you have been -- if you can
6 give an estimate, a rough estimate, how many
7 times have you been qualified as an expert, as
8 such? Fifty, 60 times?

9 MR. SEVERINO: About 50 times, easily.

10 MR. LOPEZ: Okay. And you -- your current
11 license is still valid and you're still
12 practicing as of today.

13 Is that correct?

14 MR. SEVERINO: Yes, I am.

15 MR. LOPEZ: I would ask that Mr. Severino
16 be admitted as an expert witness, as an -- as an
17 expert architect to provide testimony in this
18 Board.

19 VICE CHAIRMAN BONACCI: We'll accept your
20 qualifications.

21 Thank you --

22 MR. SEVERINO: Thank you.

23 MR. LOPEZ: Thank you.

24 VICE CHAIRMAN BONACCI: -- for coming.

25 MR. LOPEZ: Thank you.

1 Mr. Severino, can you give a better
2 description than I did as to what the project
3 entails, please?

4 MR. SEVERINO: Okay.

5 So, the existing property has a single
6 story brick building to the front, and a two
7 story masonry building -- actually, frame
8 building to the back.

9 You can see the photograph from the front
10 elevation. Basic brick façade with this long
11 corridor going down the right hand side.

12 As far as the property is concerned, the
13 existing --

14 MR. LOPEZ: I'm going to stop you. I'm
15 sorry.

16 MR. SEVERINO: You don't -- you don't need
17 the property?

18 MR. LOPEZ: Well, yeah. We will. But I'm
19 going to ask you what the composition of the
20 rear, of the out -- exterior walls are in the
21 front property?

22 MR. SEVERINO: All masonry, brick.

23 MR. LOPEZ: And in the rear property?

24 MR. SEVERINO: They're predominantly frame.
25 So, it's wood frame, siding at the rear.

1 MR. LOPEZ: Okay.

2 Is that going to change or is the exterior
3 of the rear portion going to be modified at all?

4 MR. SEVERINO: It's going to be resided.

5 MR. LOPEZ: Okay.

6 Go ahead. Continue with your presentation
7 as to let's go first into the interior layouts of
8 the units.

9 MR. SEVERINO: Okay.

10 So, what we have here, in the -- in the
11 front building, once again, along the right hand
12 side, there's a corridor that runs the full
13 length of the building that leads to the back
14 building. That's their way in and out, from the
15 back.

16 I'm looking at the demolition plan here on
17 the left hand side of the sheet, and you can see
18 that a majority of the rooms are staying.
19 Actually, all of the rooms are staying to our
20 minor, minor alterations. What we're really
21 adding into these rooms are closets, just to make
22 the rooms as bedrooms, more palatable and more
23 usable for future occupants.

24 Additionally, the front windows and the
25 front façade are just going to be made bigger, so

1 | they're egress and they're legal. So that's
2 | going to be another small change.

3 | The kitchen is going to be renovated; the
4 | bathroom is going to be renovated; the building's
5 | going to be refreshed, essentially, because it's
6 | in need of some refreshment.

7 | And -- and actually, adding a washer/dryer
8 | closet in the first floor, as well for the front.

9 | MR. LOPEZ: And all modifications,
10 | obviously, will be to Code, and Fire Code
11 | especially.

12 | Is that correct?

13 | MR. SEVERINO: Absolutely.

14 | MR. LOPEZ: All right.

15 | MR. SEVERINO: Absolutely.

16 | So, you could see that that's what's going
17 | on for the front building.

18 | The rear building is a duplex. It has an
19 | upper and lower floor.

20 | On the lower floor, we have dining, kitchen
21 | and living room, and a stacked washer/dryer in
22 | the back corner. Utility space under the stairs.

23 | And then, the stair that goes upstairs to
24 | the bedroom level, and there are three bedrooms
25 | -- two bedrooms with closets, master bedroom,

1 adjacent to the upstairs bathroom.

2 MR. LOPEZ: Mr. Severino, let me ask you a
3 question regarding the diagram that you have on
4 the lower left hand corner, as we face the
5 picture.

6 You show a diagram of an existing kitchen.
7 That's what's there right now.

8 Is that correct?

9 MR. SEVERINO: That is what's there. Yes.

10 MR. LOPEZ: All right.

11 And you're proposing to keep the kitchen in
12 the same location.

13 MR. SEVERINO: Same spot, we're just adding
14 basically a peninsula island, just to make a
15 little more counter space, so that, once again,
16 more usable, more modern, refreshed.

17 MR. LOPEZ: So, even -- even in this unit,
18 clearly, the usage was that of an apartment.

19 MR. SEVERINO: It was an apartment before
20 and it will be an apartment when we're done.

21 MR. LOPEZ: Okay.

22 And just describe again on the second floor
23 what the layouts will be. And I notice some
24 walls also on the -- what you show.

25 MR. SEVERINO: In the -- in the demo plan,

1 we had -- there was an array of spaces that were
2 up there. Whether they created four bedrooms or
3 not, I wasn't really sure because they were
4 weird.

5 But what we're creating is three bedrooms
6 with closets in the front of this building.
7 There's going to be two to the front, with a good
8 walk-in closet. And to the rear is the master
9 bedroom. Once again, with a closet, adjacent to
10 a larger, then what's existing bathroom.

11 MR. LOPEZ: Please go over the size of the
12 bedrooms.

13 MR. SEVERINO: Okay.

14 The master bedroom is 13 seven and a half
15 by about 13. Bedroom number two is eight foot
16 ten by approximately 13. And bedroom number
17 three is eight foot ten by 12 foot six and a
18 half.

19 MR. LOPEZ: And to show that we comply with
20 the Ordinance, please tell us the square footage
21 of each of the apartments.

22 MR. SEVERINO: Oh, the apartments? Yes. I
23 could go back to the cover sheet, where it's
24 listed.

25 The rear building apartment is 1,211 square

1 feet. The front bedroom apartment is 825 square
2 feet.

3 MR. LOPEZ: All right.

4 So, let's now go through each of the
5 required variances, keeping in mind that some may
6 be existing, but we are here before the Board and
7 we're seeking those variances, nevertheless.

8 So, in terms of the number of families that
9 we are proposing, it's fair to say that each of
10 these apartments will be --

11 MR. SEVERINO: A single family, yes.

12 MR. LOPEZ: -- a single family apartment.
13 So, two apartments on the lot.

14 Is that correct?

15 MR. SEVERINO: That is correct.

16 MR. LOPEZ: And that's a permitted use in
17 the location.

18 MR. SEVERINO: Yes, it is.

19 MR. LOPEZ: All right.

20 How about the lot area?

21 MR. SEVERINO: We exceed the minimum lot
22 area by 93 square feet; 2500 square feet is the
23 minimum required, we're at 2593 square feet.

24 For the lot width, required is 25. The
25 existing is 24.46. Slightly shy, --

1 MR. LOPEZ: Um hum.

2 MR. SEVERINO: -- but nonetheless.

3 The lot depth is required at a hundred,
4 we're at 106.

5 As for the front yard, ten foot is
6 required. We sit just at the property line, with
7 .1 foot existing.

8 MR. LOPEZ: Are there other properties on
9 the block which have a -- also zero clearance on
10 the front?

11 MR. SEVERINO: I believe so.

12 MR. LOPEZ: Okay. Some are setback
13 slightly.

14 MR. SEVERINO: A little bit.

15 MR. LOPEZ: Is that correct?

16 MR. SEVERINO: Yeah.

17 MR. LOPEZ: All right.

18 Please continue.

19 Side yard.

20 MR. SEVERINO: Side yard, we are required
21 to have five feet, however this property has
22 about eight inches, .66 feet.

23 Side yard total is a total of two feet. We
24 have an existing of .15 feet for -- per side.

25 MR. LOPEZ: Again, nothing new. This is

1 all existing.

2 MR. SEVERINO: All -- all existing --

3 MR. LOPEZ: Is that correct?

4 MR. SEVERINO: -- to remain.

5 MR. LOPEZ: And -- and as you face the
6 property from the street, to the left of that
7 property, there is -- there's an empty space,
8 which is used for a public parking lot.

9 Is that correct?

10 MR. SEVERINO: Currently, it's a parking
11 lot. Yes.

12 MR. LOPEZ: Okay.

13 So, really, the -- the only zero clearance
14 is for a portion of the property to the right.

15 Is that correct?

16 MR. SEVERINO: Yes.

17 MR. LOPEZ: And that --

18 MR. SEVERINO: As it adjoins the side.

19 MR. LOPEZ: Okay.

20 Rear yard, please.

21 MR. SEVERINO: The rear yard, we're
22 required to have 25 percent of the depth, which
23 would be 26.5 feet. We currently have 8.4 feet
24 as shown behind the building here.

25 MR. LOPEZ: All right. So, that's another

1 variance.

2 Building height. Go over that issue.

3 MR. SEVERINO: Building height, we're
4 required to have 24. We currently have about --
5 I'm sorry. Required to have a limit of 40 feet,
6 we're currently at about 24 feet. So, we're well
7 within --

8 MR. LOPEZ: And the twenty --

9 MR. SEVERINO: -- maximum.

10 MR. LOPEZ: I'm sorry.

11 The 24 feet, I'm sorry, would be for the
12 rear building.

13 MR. SEVERINO: That is the --

14 MR. LOPEZ: Right?

15 MR. SEVERINO: -- rear building.

16 MR. LOPEZ: The front is --

17 MR. SEVERINO: Probably somewhere around 12
18 and a half.

19 MR. LOPEZ: Okay.

20 MR. SEVERINO: I didn't -- I didn't measure
21 it, because we're not changing it.

22 MR. LOPEZ: Right.

23 Lot coverage.

24 MR. SEVERINO: Lot coverage --

25 MR. LOPEZ: Oh, I'm sorry. Stories, again

1 --

2 MR. SEVERINO: I'm sorry.

3 MR. LOPEZ: -- I think you said two in the
4 rear --

5 MR. SEVERINO: Two in the rear, one in the
6 front.

7 MR. LOPEZ: Coverage.

8 MR. SEVERINO: Lot coverage, we're required
9 for 60. We currently have 74.4. Once again, all
10 existing. Nothing new.

11 And for -- that was for building coverage.
12 For maximum lot coverage, we're basically a
13 hundred percent impervious on the site.

14 MR. LOPEZ: Can you please go over, then,
15 your calculation as to the required number of
16 parking spaces?

17 MR. SEVERINO: Required number of parking
18 spaces would be basically two per living unit,
19 two per dwelling unit. That would be four. We
20 currently have zero.

21 MR. LOPEZ: And do you feel that the fact
22 that there's a public parking lot in the --
23 obviously --

24 MR. SEVERINO: Adjacent.

25 MR. LOPEZ: -- immediately adjacent lot,

1 | that that's certainly a beneficial alternative
2 | when no parking can be provided?

3 | MR. SEVERINO: Yes.

4 | MR. LOPEZ: And is that actually a correct
5 | statement on my part? Is there any way to really
6 | put any type of parking here?

7 | MR. SEVERINO: I don't see any way you
8 | could put parking on this site.

9 | MR. LOPEZ: Is there --

10 | MR. SEVERINO: While the building stand.

11 | MR. LOPEZ: Is there any side access to
12 | this property?

13 | MR. SEVERINO: Not that I've seen.

14 | MR. LOPEZ: From the side?

15 | MR. SEVERINO: No.

16 | MR. LOPEZ: Okay.

17 | I would have nothing else, if the Board has
18 | any questions of the architect.

19 | VICE CHAIRMAN BONACCI: Thank you.

20 | I do have a few questions.

21 | The space that is in question here, the
22 | application, it was originally commercial in both
23 | buildings?

24 | MR. LOPEZ: We assume that at some point it
25 | was commercial. The usage immediately to my

1 client acquiring it was residential.

2 We're really not sure. As you can see from
3 the layouts, there was an apartment clearly in
4 the back, and there seem to be remnants of an
5 apartment in the front. It's hard for my client
6 to give a representation because it was acquired
7 as a bank foreclosure, and it was in this
8 condition. So, we have no idea what the usage
9 was.

10 VICE CHAIRMAN BONACCI: Okay.

11 I know it's here, but just if you can --
12 you know, explain to me one more time.

13 The square footage of each of the units.

14 MR. SEVERINO: Yes. The square footage of
15 each hasn't changed from what it was. Absolutely
16 not getting any larger or smaller. But the rear
17 building, both first and second floor added,
18 comes up to 1211 square feet.

19 The first floor apartment, interior --
20 interior space is 825 square feet, with a
21 corridor running down the side taking the balance
22 of the square footage.

23 VICE CHAIRMAN BONACCI: Okay.

24 And how about the bedrooms?

25 MR. SEVERINO: Front or rear? Or both?

1 VICE CHAIRMAN BONACCI: All of them.

2 MR. SEVERINO: Okay.

3 For the front building, we have
4 approximately nine by -- I think it's about nine
5 by ten.

6 Let me -- let me grab another sheet of
7 paper. I'll be able to tell you better, if I
8 may?

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

11 MR. SEVERINO: Okay. Bedroom number one we
12 are listing at 13 by 11.4. Square footage, I'm
13 not that sharp, but 143, 144 square feet.

14 Bedroom number two, in the front, we're at
15 about 14 by eight. I think that's 132 or a
16 hundred -- I'm -- I'm --

17 VICE CHAIRMAN BONACCI: Ballparking it.

18 MR. SEVERINO: I'm off the -- off the cuff
19 here.

20 VICE CHAIRMAN BONACCI: Okay.

21 MR. SEVERINO: And bedroom number three, as
22 it stood, was nine by -- 9.1 by 10.7, which is
23 approximately 91 square feet. That's for the
24 front building.

25 VICE CHAIRMAN BONACCI: Okay.

1 MR. SEVERINO: Once again, all those walls
2 existing.

3 And then, for the rear, we have master
4 bedroom's at 13.7 and a half by 12 foot nine.

5 Bedroom number two is eight foot ten by --
6 take the full bedroom, about 15, minus the
7 closet.

8 And bedroom number three is 12.6 by eight
9 foot ten.

10 VICE CHAIRMAN BONACCI: Okay.

11 Thank you so much.

12 MR. SEVERINO: Certainly.

13 VICE CHAIRMAN BONACCI: Just a couple more
14 things.

15 The demolition. Is that just taking place
16 inside?

17 MR. LOPEZ: Just inside.

18 MR. SEVERINO: All demolition is inside.
19 The only exterior work is obviously the
20 enlargement of the masonry opening in the front
21 to put in the new egress windows.

22 VICE CHAIRMAN BONACCI: Okay.

23 MR. LOPEZ: And you said also that you --
24 the -- the client plans to reside the rear
25 building.

1 MR. SEVERINO: The rear. It's in -- in
2 need of residing.

3 MR. LOPEZ: And that would also require
4 minor demolition, if we may call it that?
5 Stripping the old siding, basically.

6 MR. SEVERINO: Yes. Standard.

7 VICE CHAIRMAN BONACCI: Okay.

8 Can you just run down the variances? The
9 relief that you're seeking, like a little bit of
10 a checklist.

11 MR. LOPEZ: So, Mr. Severino, we would
12 require no variances as to the number of -- the
13 number of units, or the lot area. We comply as
14 to both.

15 Is that correct?

16 MR. SEVERINO: Yes.

17 MR. LOPEZ: You would -- we would require
18 an -- an existing variance for the lot width,
19 where you are slightly under. The Ordinance
20 requires 25 and this existing lot is 24.46 feet.

21 Is that correct, so that we need a variance
22 there.

23 MR. SEVERINO: Yes.

24 MR. LOPEZ: Lot depth does not require a
25 variance.

1 And front yard requires a variance, even
2 though it's existing.

3 MR. SEVERINO: Correct.

4 MR. LOPEZ: The side yard also requires
5 variances, even though they are existing.

6 MR. SEVERINO: Yes.

7 MR. LOPEZ: I'm sorry. You -- you put side
8 yard total and side yard --

9 MR. SEVERINO: Per side.

10 MR. LOPEZ: -- per each side --

11 MR. SEVERINO: Yeah.

12 MR. LOPEZ: -- also requires variance.

13 MR. SEVERINO: Right.

14 MR. LOPEZ: The rear yard is only eight
15 feet, requiring a variance for the 26 feet
16 required.

17 MR. SEVERINO: Yes.

18 MR. LOPEZ: The maximum building coverage
19 is at 74.4, where 60 percent is the maximum.

20 MR. SEVERINO: Yes.

21 MR. LOPEZ: And it's an existing variance,
22 also.

23 MR. SEVERINO: Yes. It is existing
24 condition.

25 MR. LOPEZ: As well as maximum lot

1 coverage, where you calculate a hundred percent
2 lot coverage, it's actually slightly less.

3 Is that correct?

4 If we're taking the size of the structures,
5 they don't take a hundred percent of the lot.

6 MR. SEVERINO: The lot -- the building
7 coverage is what it is, at 74.4. The lot
8 coverage is all the impervious coverage.
9 Everything between the buildings and behind the
10 building is paved, so that is --

11 MR. LOPEZ: So --

12 MR. SEVERINO: -- where the 100 percent
13 came from.

14 MR. LOPEZ: Okay. So --

15 MR. SEVERINO: So, it's impervious coverage
16 is up at a hundred percent, because everything is
17 either paved or building.

18 MR. LOPEZ: And we need a parking variance,
19 also, because we don't provide any parking and
20 four spaces are required.

21 MR. SEVERINO: Correct.

22 VICE CHAIRMAN BONACCI: I just have one
23 more question for you guys.

24 Just looking at the width of the hallway,
25 can you guys give me a measurement on that?

1 MR. SEVERINO: Yes, I can.

2 VICE CHAIRMAN BONACCI: All right.

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

5 MR. SEVERINO: Currently, three foot ten
6 and a half inches wide.

7 MR. LOPEZ: And does that qualify as an
8 exit --

9 MR. SEVERINO: As an egress corridor? Yes.

10 MR. LOPEZ: Egress corridor?

11 MR. SEVERINO: Yes.

12 VICE CHAIRMAN BONACCI: Okay.

13 Thank you, guys.

14 MR. LOPEZ: Thank you.

15 VICE CHAIRMAN BONACCI: I don't know if you
16 guys have any?

17 MR. PRESSEY: No.

18 MR. PANEQUE: Open to the public.

19 VICE CHAIRMAN BONACCI: We're going to open
20 it up to the public. If anybody has any
21 questions on this application?

22 None of you guys have any? Okay. All
23 right.

24 MR. PANEQUE: Close it to the public.

25 VICE CHAIRMAN BONACCI: We're going to just

1 close it out to the public, just to make that, so
2 that we can move forward.

3 Okay, with this application, the variances
4 that you guys are seeking for this, they seem
5 pretty reasonable. And as long as -- you know,
6 whatever you're going to do to the outside of the
7 building, the materials used are up to Code, and
8 all that other kind of stuff --

9 MR. LOPEZ: Absolutely.

10 VICE CHAIRMAN BONACCI: -- I don't see any
11 reason to -- you know, the parking variance is
12 something that usually is an issue for us. But
13 being that where it's located is next to a
14 municipal lot, I don't really think that that's
15 going to be too much of an issue, especially with
16 the neighborhood and all the transportation that
17 -- you know, runs through Summit Avenue.

18 MR. LOPEZ: Um hum.

19 VICE CHAIRMAN BONACCI: So, I'm going to
20 make a motion to approve the application.

21 MR. GRULLON: Second the motion.

22 THE SECRETARY: Motion to approve the
23 application by Mr. Bonacci.

24 Second by Mr. Grullon.

25 Roll call on the motion to approve this

1 application.

2 Mr. Bonacci?

3 VICE CHAIRMAN BONACCI: Yes.

4 THE SECRETARY: Mr. Grullon?

5 MR. GRULLON: Yes.

6 THE SECRETARY: Mr. Pressey?

7 MR. PRESSEY: Yes.

8 THE SECRETARY: Mr. Medina?

9 MR. MEDINA: Yes.

10 THE SECRETARY: Mr. Ortiz?

11 MR. ORTIZ: Yes.

12 THE SECRETARY: Mr. Doumas?

13 MR. DOUMAS: Yes.

14 THE SECRETARY: Six in favor.

15 Motion carries.

16 MR. LOPEZ: Thank you very much.

17 THE SECRETARY: You're welcome.

18 (Whereupon, there was a pause in the

19 proceedings.)

20 * * *

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1 **Cofradia Arquidiocesana De La Virgen De La**
2 **Caridad Del Cobre, Inc. -**
3 **3333 Hudson Avenue:**

4
5 THE SECRETARY: Application number 6.
6 Cofradia Arquidiocesana De La Virgen De La
7 Caridad Del Cobre, Inc., 3333 Hudson Avenue.

8 Mr. Lopez, please?

9 MR. LOPEZ: Thank you.

10 Mr. Chairman, gentlemen of the Board,
11 Adolfo Lopez, appearing on behalf of the
12 applicant.

13 Mr. Paneque, I would submit the proposed
14 jurisdictional documents.

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

17 MR. PANEQUE: For the record, I've been
18 provided by Mr. Lopez with the following
19 documentation:

20 I have a list from the Union City Tax
21 Assessor's Office, dated August 11th, 2017,
22 showing all property owners within the 200 foot
23 radius of the property located at 3331-35 Hudson
24 Avenue, Union City, New Jersey.

25 I've also been provided with an Affidavit

1 of Service, signed by Mr. Lopez, and notarized in
2 his office, which indicates that notice of
3 tonight's meeting was sent out by certified mail
4 on August 24th, 2017.

5 I've also been provided with copies of the
6 notices that went out to all property owners
7 within the 200 foot radius, as well as an
8 Affidavit of Publication from The Jersey Journal,
9 dated August 25th, which indicates that on said
10 date of August 25th, notice of tonight's hearing
11 for the property at 3331-35 Hudson Avenue was
12 published in the paper, giving notice of the
13 meeting for tonight, September 14, 2017.

14 I've also been provided with the certified
15 mail receipts, as well as the green cards and
16 envelopes that have come back marked as
17 unclaimed.

18 Based on the documentation that's been
19 provided to this Board, this Board has
20 jurisdiction to proceed and hear this matter.

21 MR. LOPEZ: Thank you, Mr. Paneque.

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

24 MR. LOPEZ: You ready, Mr. Paneque?

25 MR. PANEQUE: Ready, Mr. Lopez.

1 MR. LOPEZ: Mr. Chairman, gentlemen of the
2 Board, many applications I'm here on because it's
3 my job, and I go through this. Some, like this
4 one, the rare occasion, I take great pleasure in
5 presenting something like this.

6 It is a project that has been very, very
7 long in the making. It is being done with great
8 effort and great expense to a group of ladies
9 that have fought for this for many years in their
10 lives. Many of them are here today.

11 It is a -- a chapel to the -- it's a chapel
12 to the patron saint of Cuba. There was -- just
13 for a little bit of history, there was a very old
14 structure, a frame structure, just a house there
15 many, many years ago. The project started, the
16 property was razed and then they ran into one
17 problem after another.

18 They were defrauded on more than one
19 occasion by unscrupulous contractors. And it is
20 the dream of their life to see this project
21 completed.

22 They had a prior approval. Again, for full
23 disclosure, there was a prior approval by this
24 Board which also had to be cut back in size and
25 dimension.

1 And they now have something that they are
2 very happy to propose to you. And to make the
3 presentation, I would call Mr. Fernandez as -- as
4 a witness.

5 MS. DILLON: Please raise your right hand.

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

8 MR. FERNANDEZ: I do.

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

11 MR. FERNANDEZ: Fernando Fernandez.

12 MS. DILLON: Thank you.

13 MR. LOPEZ: Mr. Fernandez, you are a
14 licensed architect of the State of New Jersey.

15 MR. FERNANDEZ: Yes, I am.

16 MR. LOPEZ: Is that correct?

17 MR. FERNANDEZ: Yes.

18 MR. LOPEZ: And you have testified before
19 this Board --

20 MR. FERNANDEZ: Yes.

21 MR. LOPEZ: -- on numerous occasions.

22 MR. FERNANDEZ: On numbers occasions. I
23 believe the first time I testified was 1985.

24 MR. LOPEZ: And --

25 MR. FERNANDEZ: I've been in business for

1 31 years. I own my own firm since 1986.

2 MR. LOPEZ: And you -- obviously, you've
3 been previously qualified as an expert.

4 MR. FERNANDEZ: Yes. In here, and many
5 other jurisdictions.

6 MR. LOPEZ: All right.

7 Can you please give us, first start out
8 with an overall description of the project?
9 Hopefully, better than my description.

10 MR. FERNANDEZ: Okay. I just want to
11 second what Mr. Lopez said.

12 This has been -- for our office, it's a
13 pleasure and basically a part of our legacy to
14 provide services for this chapel.

15 As a young child, I visited the chapel in
16 my home country of Cuba. I remember my parents
17 drove all the way from the western part of Cuba
18 to the eastern part of Cuba to visit the chapel.

19 So, for me, personally, it's been -- it's a
20 matter of pride. I'm sorry if I sound a little
21 emotional. But I -- I'm going to tone it down,
22 but just for that alone, it's -- it's basically a
23 matter of pride.

24 We're very happy that they came to us to
25 assist them with this project.

1 Originally, the project was approved, I
2 believe, about three years ago by the Zoning
3 Board of Union City. And the project that --
4 that was proposed and approved was basically
5 twice the size of this project.

6 When they went out to get proposals for it,
7 it was just out of their budget. They came to us
8 to see if we could help them and assist them in
9 trying to put together a structure that will be
10 suitable for the -- for the saint, and to --
11 suitable for the neighborhood.

12 What we're proposing, basically, is -- it's
13 a chapel, which is a small chapel. It's about
14 1100 square feet. It would sit about 46 people.
15 It's basically a one story high structure. It's
16 about 23 feet wide by 52 feet in width -- in
17 depth.

18 It's -- it sets back from 33rd Avenue ten
19 feet, as far as a front yard. We -- we are
20 proposing basically, in the rear, a garage to
21 enclose the saint and the float, because every
22 year, they -- they bring out the saint and the
23 float around the community, Hudson County.

24 The structure, basically -- the site is
25 located on the west side of Hudson -- of Hudson

1 Avenue, between just north of Peter Street and
2 south of 34th Street. It's on the west side of --
3 of Hudson Avenue.

4 The -- we are proposing, basically -- the
5 lot is 65 by a 150 feet. We're proposing parking
6 area for 18 cars. This is --

7 MR. LOPEZ: Mr. Fernandez, on -- on the
8 size of the lot, could you describe what's there
9 now, please?

10 MR. FERNANDEZ: Basically, it's a -- it's a
11 -- there is no structure there. It's basically
12 used for some parking along the front. And in
13 the rear, where the old structure was, is
14 basically fenced in and no one could get in there
15 because it -- it's just a pit.

16 The -- the structure was never -- was
17 removed, but the -- the basement area was never
18 filled in. So, you basically have a pit in
19 there.

20 MR. LOPEZ: And a large portion of the
21 other stuff is also gravel and dirt.

22 MR. FERNANDEZ: Yes.

23 MR. LOPEZ: Isn't that correct?

24 MR. FERNANDEZ: There -- there's some old
25 gravel, some old pavement still around.

1 What we're proposing to do is basically
2 remove everything that's there, fill in the hole.
3 Basically, we're going to build a structure
4 that's compliant to Code, to the current Code.
5 The site will be properly drained and properly --
6 the rain water will be -- will be picked up. We
7 have an underground tank that will basically
8 collect the water and -- and dissipate the water
9 to the -- to the main lateral line at the street,
10 at a slower pace.

11 MR. LOPEZ: Mr. Fernandez, if I could ask
12 you to please turn to your drawing showing the
13 parking and entry and egress from the parking
14 area, please?

15 MR. FERNANDEZ: Okay. If you are to look
16 at sheet SD-1, the proposed site plan, basically,
17 it shows the -- the entire lot, which is 65 feet
18 by 150 feet long.

19 MR. LOPEZ: Show us where Hudson Avenue is
20 located, please.

21 MR. FERNANDEZ: Hudson Avenue is here,
22 which would be, basically, this street here, if
23 you look at the rendering.

24 The chapel will be entered from the
25 sidewalk through steps, and up into a vestibule,

1 and then enter into the chapel.

2 The parking will be entered toward 24 foot
3 driveway, which will provide parking for 18
4 vehicles, and one of them would be ADA, will be
5 an approved ADA space.

6 MR. LOPEZ: Is the width of the entry area
7 sufficient for entry and exit of vehicles
8 simultaneously, if need be?

9 MR. FERNANDEZ: Yes. The driveway entrance
10 is 24 feet at the entrance, and it will be --
11 remain 24 until it goes to the back. And then,
12 in the back will be 23 feet wide, we basically
13 have to narrow it down so that we provide
14 parking. So, we are providing a buffer of -- of
15 landscaping all around the property, on three
16 sides. And along the front, we will -- we're
17 going to have landscape areas.

18 We're indicating the landscaping in one of
19 our sheets as L-1. We're also going to be
20 providing lights, pole mounted lights which will
21 be basically pointing down to direct the light
22 down into the property, not to overflow into the
23 adjacent properties.

24 We have some lights that will light up the
25 chapel from the ground up. And on this

1 elevation, which will be the south elevation,
2 facing the parking, and the east elevation facing
3 the Hudson Avenue.

4 MR. LOPEZ: Mr. Fernandez, is the lighting
5 that you are proposing, do you believe it to --
6 that it would be intrusive to any residents --

7 MR. FERNANDEZ: No, we don't --

8 MR. LOPEZ: -- in the area?

9 MR. FERNANDEZ: -- believe that. We've
10 done all the photo -- photo calculations and it
11 basically showed that all the lights -- all the
12 illumination will be directed down into our site,
13 and there won't be any overflow into the adjacent
14 properties.

15 MR. LOPEZ: Okay.

16 Now, I'm going to ask you a few questions
17 regarding the usage. Obviously, it's for
18 religious purposes, and it is a chapel, as you
19 describe.

20 Is it fair to say that this is -- it's a
21 chapel and not a church as we know which would
22 have regularly scheduled mass, and an assigned
23 priest. That's not the case here.

24 MR. FERNANDEZ: It's not --

25 MR. LOPEZ: Is that correct?

1 MR. FERNANDEZ: It's not the case.

2 MR. LOPEZ: Could you please --

3 MR. FERNANDEZ: It won't be a regular --

4 MR. LOPEZ: -- describe the usage?

5 MR. FERNANDEZ: The -- the use, basically,
6 it's -- it's to commemorate the saint, to find it
7 a home in this community. And it will -- the --
8 it will -- we will not have regular services,
9 like a typical Catholic church on Sundays.

10 Basically, special events, they will have a
11 mass on -- on day -- on days, regular days, but
12 never on Sundays. It won't have any Sunday
13 churches -- church --

14 MR. LOPEZ: Church service.

15 MR. FERNANDEZ: -- services.

16 MR. LOPEZ: And is it fair to say that it
17 would be open for prayer, if a person wants to
18 access it and -- and reflect, pray, it would be
19 open during typical day hours.

20 Is that correct?

21 MR. FERNANDEZ: That -- that's basically
22 the intent of this, is to basically have it open
23 so that people could go pray.

24 MR. LOPEZ: And from --

25 MR. FERNANDEZ: And worship.

1 MR. LOPEZ: Obviously, it's your design,
2 but do you believe it is an improvement to the
3 neighborhood, from what's existing there now, and
4 even from what was there before?

5 MR. FERNANDEZ: Oh, I -- I believe it's an
6 improvement on the site now. Right now, it's
7 just basically a parking lot. We're proposing a
8 beautiful structure. It will be landscaped, it
9 will be fenced in, the front will have decorative
10 fencing, the sides will be -- basically have a --
11 a fence, four foot high fence and it will have
12 vegetation around it.

13 So, it certainly will be an improvement
14 from what's there now.

15 MR. LOPEZ: And would you compare it to the
16 prior structure that was there? Would you
17 consider this to be also an improvement?

18 MR. FERNANDEZ: The prior structure was in
19 the back of the property. So, it would be -- if
20 you were to look at this picture here, it will be
21 somewhere back here. And that was, basically, a
22 residential structure that was used for religious
23 purposes. But it was not meant to be a church.
24 It was basically a house that was converted into
25 a church.

1 MR. LOPEZ: Could you describe what the
2 proposed use -- how the proposed usage fits in to
3 the Union City Zoning Ordinance?

4 MR. FERNANDEZ: Well, I'm not a planner,
5 but basically, it's a permitted use. It's a
6 church. It's meant for people to walk in, and --
7 and practice their faith, or just come in and
8 worship.

9 MR. LOPEZ: And --

10 MR. FERNANDEZ: And say some words. So,
11 and -- the structure -- as far as the structure,
12 it doesn't overwhelm anything around it. All the
13 structures around it are three stories and -- and
14 higher. Our structure is basically a one story
15 high structure.

16 The top of the roof deck is -- is 18 feet
17 from the grade, at the entrance, and it's 15 feet
18 at the back where you have a handicap access to
19 the church, to the chapel.

20 The highest point of the -- of the steeple
21 below the cross is about 25 feet, which is below
22 the permitted 35 feet height of -- of -- in this
23 zoning district.

24 MR. LOPEZ: Mr. Fernandez, if you don't
25 mind, let's go one by one, through the required

1 | variances.

2 | MR. FERNANDEZ: Sure.

3 | MR. LOPEZ: Start with the lot area,
4 | please.

5 | MR. FERNANDEZ: The lot area is -- the
6 | requirement is 5,000 square feet and we have
7 | 9,742 square feet.

8 | MR. LOPEZ: So, this --

9 | MR. FERNANDEZ: There's no variance
10 | required.

11 | MR. LOPEZ: -- no variance there.

12 | And the front yard?

13 | MR. FERNANDEZ: The front yard is required
14 | ten feet and we're proposing ten feet at the
15 | structure, from the structure to the front yard.

16 | MR. LOPEZ: So no variance --

17 | MR. FERNANDEZ: From property line.

18 | MR. LOPEZ: -- is required there.

19 | MR. FERNANDEZ: None required.

20 | MR. LOPEZ: All right.

21 | Next, front yard setback for parking.

22 | MR. FERNANDEZ: We have -- our parking
23 | area, it's eight foot eight from the front
24 | property line. So, we're requesting a variance
25 | of one foot four inches.

1 MR. LOPEZ: And the reason for this is to
2 try to accommodate as many vehicles as possible
3 in the parking lot.

4 Is that --

5 MR. FERNANDEZ: Yes.

6 MR. LOPEZ: -- correct?

7 MR. FERNANDEZ: And I would say that the
8 old, previously approved site plan included 19
9 cars and no landscaping. We're proposing 18 cars
10 and landscaping.

11 MR. LOPEZ: Let's see.

12 Minimum -- go through the side yard
13 setbacks, please.

14 MR. FERNANDEZ: The side yard, the required
15 is six feet on one side and 12 feet for both
16 sides. We have three foot two along the north
17 side, but only at the pier. The -- there's piers
18 at the -- at the end of the structure. But the
19 bulk of the -- of the structure is three foot six
20 from the property line. That's a -- that is a
21 variance required.

22 The other side yard, which is from this
23 face to the property line, it's 38 feet two
24 inches. So, we don't require a variance for
25 that.

1 MR. LOPEZ: And Mr. Fernandez, fair to say
2 that you -- the church was set to the -- the
3 chapel was set to one side, again to provide as
4 much parking as possible.

5 MR. FERNANDEZ: Yes. Basically, to provide
6 the parking and to provide a driveway, which
7 would comply with the zone.

8 MR. LOPEZ: The rear yard setback, please.

9 MR. FERNANDEZ: The rear yard is 25 percent
10 of the lot depth, which would be 37.5, 37 feet
11 six inches. And our rear yard, from the
12 structure to the rear property line is 88 feet.

13 MR. LOPEZ: So, no variance there.

14 MR. FERNANDEZ: No variance there.

15 MR. LOPEZ: Lot width and depth, please.

16 MR. FERNANDEZ: The lot width is 50 feet is
17 required, we have 65. The lot depth is a
18 hundred, we have 150. No -- no variance is
19 required.

20 MR. LOPEZ: Coverage, please.

21 MR. FERNANDEZ: The building maximum
22 coverage is 50 percent maximum, we have 12
23 percent. So, the structure is really small.

24 MR. LOPEZ: And in terms of lot coverage,
25 could you explain why we need a variance there?

1 MR. FERNANDEZ: The lot coverage is 75
2 percent maximum. We're proposing 85 percent.

3 MR. LOPEZ: And that's also to accommodate
4 the -- the largest number of vehicles possible.
5 Is that --

6 MR. FERNANDEZ: Yes.

7 MR. LOPEZ: -- correct?

8 MR. FERNANDEZ: Yes.

9 MR. LOPEZ: All right.
10 Building height.

11 MR. FERNANDEZ: Building height permitted
12 is three stories, 40 feet. We have one story at
13 15 feet six inches to the top of our roof deck.

14 MR. LOPEZ: Okay.

15 And the next thing that you list is
16 off-street parking spaces.

17 MR. FERNANDEZ: Off-street parking spaces,
18 14 spaces are required, based on the calculation
19 of two feet of bench for every seat. And we're
20 proposing 46 persons in the chapel, and we're
21 required 14 -- 14 spaces, and we're proposing 18.

22 MR. LOPEZ: And then, you are reducing the
23 parking size.

24 Is that correct? And that's one of the --
25 one of the variances that we are requiring.

1 Please go into the required and what you
2 are proposing.

3 MR. FERNANDEZ: The parking size is nine
4 feet by 18 feet, or we're requesting an eight
5 foot six by 18 foot size of parking stall.

6 We also have two parking spaces that are
7 compact, which are in the back.

8 MR. LOPEZ: And the driveway. Go into that
9 --

10 MR. FERNANDEZ: The --

11 MR. LOPEZ: -- the size of that driveway.

12 MR. FERNANDEZ: The driveway is basically
13 23 feet. Once you enter, it's 24 feet. Once you
14 turn towards the back, become -- it becomes 23
15 feet.

16 In here, where we have the -- the garage,
17 and we have two compact cars, these are -- this
18 driveway here is 22 feet, but it's just for one
19 -- basically one space, and it's for a compact
20 car.

21 MR. LOPEZ: Okay.

22 Anything else you'd like to add, Mr.
23 Fernandez?

24 MR. FERNANDEZ: Not really. I -- I mean,
25 the -- basically, the structure is a small

1 structure. It will comply with the current
2 Codes. The -- the exterior basically mimics what
3 the original chapel is in Cuba. The materials,
4 the stucco, the colors.

5 The colors, somehow, here, when we send it
6 out for print, it -- it turns out to be gray, but
7 it's not meant to be gray, it's more -- meant to
8 be more like a whitish -- whitish golden color.
9 But by the time we got the board from the
10 printer, it was too late to basically tell them
11 to rectify it.

12 MR. LOPEZ: I think the Board will forgive
13 you for that, Mr. Fernandez.

14 MR. FERNANDEZ: Well, thank you.

15 MR. LOPEZ: And I have nothing further of
16 him, if the Board members have any questions.

17 VICE CHAIRMAN BONACCI: Thank you for going
18 into detail of what the variances that you guys
19 seek on this application.

20 Mr. Fernandez mentioned the length of the
21 driveway just now, but what about the width of
22 the driveway?

23 MR. FERNANDEZ: The -- the width is 24
24 feet, as you come in.

25 VICE CHAIRMAN BONACCI: Oh. Oh. All

1 right.

2 MR. FERNANDEZ: When you come in, it's 24
3 feet all along the structure. And then, when you
4 turn into the back of the property, it reduces to
5 23 feet. So, it's reduced by one foot.

6 VICE CHAIRMAN BONACCI: Okay. You said
7 that there was prior approval?

8 MR. LOPEZ: We had -- we had prior approval
9 of this Board approximately three years ago.
10 However, the magnitude of the project just made
11 it cost prohibitive. It was also much, much -- a
12 much, much bigger structure, much more intrusive
13 into the neighborhood. We feel that this is both
14 a better project and -- and affordable.

15 VICE CHAIRMAN BONACCI: Okay.

16 And thank you for mentioning -- you know,
17 the character of the neighborhood and what's
18 around it, and how it's going to be effected or
19 not.

20 MR. FERNANDEZ: Yes.

21 VICE CHAIRMAN BONACCI: And also, what kind
22 of traffic flow is going to come in and out with
23 regards to weekends and things like that, so that
24 we get an understanding --

25 MR. LOPEZ: Right.

1 VICE CHAIRMAN BONACCI: -- what's going on
2 there.

3 MR. LOPEZ: I believe Mr. -- Mr. Fernandez,
4 you testified earlier that there really no
5 regularly scheduled masses --

6 MR. FERNANDEZ: No.

7 MR. LOPEZ: -- no regularly scheduled
8 services of any type. It's just special occasion
9 usage.

10 MR. FERNANDEZ: It's special occasions, and
11 never on Sundays, basically.

12 MR. LOPEZ: And how often -- I mean, the --
13 the saint's feast day would obviously --

14 MR. FERNANDEZ: Yes.

15 MR. LOPEZ: -- be one occasion. And -- but
16 the anticipated special occasions really is -- is
17 very, very limited.

18 Is that correct?

19 MR. FERNANDEZ: I would say so.

20 MR. LOPEZ: And it's -- would it be fair to
21 say that this is more a shrine to the saint, more
22 than anything else? It's a permanent location
23 for it.

24 MR. FERNANDEZ: I -- I would say it's meant
25 more as a shrine than -- than a true church.

1 MR. LOPEZ: And --

2 MR. FERNANDEZ: As we --

3 MR. MEDINA: Mr. Fernandez, I have a
4 question.

5 What is exactly the purpose of the chapel?

6 MR. FERNANDEZ: The chapel, basically --

7 MR. MEDINA: Yeah.

8 MR. FERNANDEZ: -- will be a shrine for the
9 -- for the saint. So, the -- there's going to be
10 a statute of -- of the saint here, as it is in
11 the original chapel in Cuba.

12 And it's basically meant to -- people to
13 come and worship, not only that saint, but just
14 to say a prayer to God and -- and to all the
15 saints.

16 MR. LOPEZ: Now, Mr. Fernandez --

17 MR. FERNANDEZ: But I cannot speak, I'm
18 only speaking for myself, I'm not -- I cannot
19 speak --

20 MR. MEDINA: So, there's not going to be
21 mass. No mass.

22 MR. FERNANDEZ: No, no.

23 MR. MEDINA: This is just --

24 MR. FERNANDEZ: There won't be any masses.
25 No, no.

1 MR. MEDINA: Okay.

2 MR. FERNANDEZ: There won't be a -- this is
3 not a church, it's a --

4 MR. MEDINA: This is type of chapel.

5 MR. FERNANDEZ: -- more like a shrine.

6 MR. LOPEZ: And Mr. Fernandez, this is --
7 it's an integral -- would it be fair to say that
8 it's an integral part of the Cuban community?
9 You mentioned one in Cuba. The Cuban community
10 in Miami also has --

11 MR. FERNANDEZ: Yes.

12 MR. LOPEZ: -- a shrine like this in -- in
13 the City of Miami.

14 Isn't that correct?

15 MR. FERNANDEZ: Yeah. This will be the --
16 if it's approved by the Board, this will be the
17 third structure that will be considered a shrine
18 to the saint, in the world.

19 MR. LOPEZ: And each -- the two in the
20 United States are where there has been,
21 traditionally, large congregation of Cuban
22 immigrants.

23 MR. FERNANDEZ: Yes.

24 MR. LOPEZ: Is that correct?

25 MR. FERNANDEZ: The other one, the one in

1 the United States is located in Miami.

2 MR. LOPEZ: And maybe not all Board members
3 have been around as long as I have, or Mr.
4 Paneque has, but just to give you an
5 understanding of the devotion.

6 When the Cuban community first arrived in
7 Union City, on the feast's saint day, which is
8 September 8th, the entire Roosevelt Stadium, that
9 existed before, would be filled to capacity.
10 There would be maybe 20 or 30 priests would say
11 mass there, for the entire community. And it was
12 really a sense of pride for the Cuban community,
13 as well as a procession on Bergenline Avenue from
14 49th Street all the way to the stadium.

15 MR. PANEQUE: Mr. Lopez, and for members of
16 the Board, I've been provided with documentation
17 from Mr. Martinetti's office, and in that
18 documentation, there is the assessment records
19 that were done by the Tax Office.

20 And just for the edification of the Board,
21 this organization that worships the -- the
22 virgin, has owned this property since December
23 30th, 1977.

24 So, when Mr. Fernandez indicated that
25 they're trying to build a home for the virgin,

1 | this has been her home for the last 40 years.

2 | Okay?

3 | And what is being asked is to actually
4 | build the structure. But this location has been,
5 | according to the tax record, under the ownership
6 | of the organization that worships for the last 40
7 | years.

8 | MR. LOPEZ: Thank you for clarifying that.
9 | That's absolutely correct.

10 | VICE CHAIRMAN BONACCI: Do you guys have
11 | any more questions for this?

12 | Okay.

13 | We'd like to open it up to the public.

14 | If anybody would like to say anything, or
15 | speak on behalf of this application, we'd like to
16 | give you guys the floor at this time.

17 | One at a time. Obviously, you can't all
18 | speak at once, but --

19 | (Whereupon, Vice Chairman Bonacci addressed
20 | the public in Spanish.)

21 | VICE CHAIRMAN BONACCI: Or we can translate
22 | or have a translator provide for you.

23 | MS. FEBLES: I don't think my emotions can
24 | allow me to do it, let me tell you.

25 | MR. LOPEZ: Please come forward.

1 VICE CHAIRMAN BONACCI: It's got to be in
2 English.

3 Right?

4 MR. LOPEZ: No, she's good.

5 MS. FEBLES: I do not think my emotions can

6 --

7 MR. LOPEZ: Wait, wait, wait.

8 MS. FEBLES: -- allow me to.

9 MR. LOPEZ: Wait, wait, wait, wait.

10 MS. DILLON: Please raise your right hand.

11 MR. LOPEZ: Raise your right hand.

12 MS. DILLON: Do -- do you affirm the
13 testimony you're about to give this Board is the
14 whole truth?

15 MS. FEBLES: Yes, I do.

16 MS. DILLON: Can you state your name and
17 spell it for me?

18 MS. FEBLES: My name is Zunilda Febles.

19 MS. DILLON: Nilda?

20 MS. FEBLES: Zunilda, Z-U-N-I-L-D-A.

21 MS. DILLON: Z-U-N-I --

22 MS. FEBLES: L-D-A.

23 MS. DILLON: -- L-D-A.

24 And your last name?

25 MS. FEBLES: Febles, F as in Frank,

1 E-B-L-E-S, Febles.

2 MS. DILLON: Okay. And just right in front
3 of that microphone for me, ma'am.

4 Thank you.

5 MS. FEBLES: Okay. I don't know. As I
6 tell you if I have the right words to say.

7 First of all, Miami shrine was mentioned.
8 We are not like that, because Miami does have
9 Sunday masses.

10 We belong to the Archdiocese of Newark. We
11 work for the church. Will be mainly a Marian
12 center, where we have studies about our Blessed
13 Mother, Mary. We will be teaching catechism to
14 kids. We'll be working in any way that we can be
15 of service, not only to the Cubans, but to the
16 whole community.

17 Mainly, we don't have big things unless the
18 ones on September that was just last weekend, and
19 that we end up in a church for the big solemn
20 mass.

21 We've been working for years and years.
22 This house -- the main purpose for this house was
23 when the Cubans started coming, they found
24 themselves very lonely, because there was only
25 English speaking around. They didn't know the

1 language. They -- so, they tried to gather
2 together. And by working extra time, they
3 started to save money to get like a house, and
4 they thought the best thing we could do is to
5 have our Blessed Mother there, to get us
6 together, and then everybody reunited in -- on
7 Sundays, and they'll have like picnics and share
8 everything. And they didn't feel that lonely and
9 that sad.

10 And mainly, that was the -- the purpose.
11 Everything -- you know, it was an old house. It
12 had to be demolished, and a lot of people has
13 died with the hope in their hearts to see this
14 project done.

15 But it couldn't be done because as time
16 passed by, it was more and more money, and it's
17 very difficult. And I tell you, we are trying
18 our best, but this is a very, very important
19 thing for the Cuban community.

20 Not only that, that we'll be helping our
21 brothers that are coming over from other
22 countries, we can help them.

23 We even have teachers among us that we can
24 teach them English, several. We are planning a
25 lot of activities -- you know, but not huge

1 activities, just regular things.

2 MR. LOPEZ: And nothing is to make money on
3 this, right?

4 MS. FEBLES: No. We're nonprofit. This is
5 nothing to make money, because we never do that,
6 and we are nonprofit. We have a 501 permit.

7 So, it's only a matter of keeping our
8 tradition. The shrine for the -- that's the main
9 thing, our Blessed Mother, and that's it.

10 MR. LOPEZ: Thank you.

11 MS. FEBLES: But we don't -- we don't hold
12 masses at all.

13 Sundays is the church time, it's not ours.
14 But I really appreciate your words and their
15 work, because they're giving us something that we
16 never dreamed we were about to do it.

17 I'm sorry.

18 MR. GRULLON: Thank you. Thank you.

19 VICE CHAIRMAN BONACCI: Thank you.

20 MS. DILLON: Hi, sir.

21 Please raise your right hand.

22 No, right in front of the microphone.

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

25 MR. MENENDEZ: Yes.

1 MS. DILLON: Can you state your name and
2 spell it for me?

3 MR. MENENDEZ: Francisco Menendez, F --

4 MS. DILLON: Menendez?

5 MR. MENENDEZ: Menendez, not Senator
6 Menendez. Menendez, M-E-N-E-N-D-E-Z.

7 MS. DILLON: Okay.

8 Thank you.

9 MR. MENENDEZ: As the gentleman stated,
10 1977, I've been in this country since 1967 as --
11 came here.

12 This is as close to Cuba as I get. I've
13 never gone back since my parents came over in
14 1967. And to me, that's Cuba right there.

15 And I will never go back, because of pride.
16 Pride that the Communism took everything from us
17 and again, that is as close as I get to Cuba.

18 And it was there. Now, as the gentleman
19 said, it doesn't exist. It's just a property and
20 we want building and we want a fine building so
21 my kids, who were born here, they see the
22 struggles, and they see that we're still
23 struggling to have something from our homeland.

24 And the only shrine we have is the one in
25 Coconut Grove in Florida, which we visit every

1 time we go there. But our hope is to see that
2 built.

3 MR. LOPEZ: Thank you.

4 MR. MENENDEZ: Thank you.

5 VICE CHAIRMAN BONACCI: Thank you.

6 MR. GRULLON: Thank you.

7 VICE CHAIRMAN BONACCI: Close to the
8 public?

9 MR. PANEQUE: You can close it. Any other
10 members or --

11 VICE CHAIRMAN BONACCI: We're going to just
12 close to the public.

13 Does anybody have anything that they'd like
14 to add?

15 Questions?

16 MR. GRULLON: I just want to say for the
17 record that I think this is not only in the
18 benefit of the Cuban community, for the entire
19 community of Union City. And as --

20 MR. LOPEZ: As was stated.

21 MR. GRULLON: As a resident of Union City
22 -- you know, very proud to see projects like this
23 for -- to enhance the quality of life for the
24 community and help the young people.

25 MR. LOPEZ: Thank you, Mr. Grullon.

1 MR. GRULLON: Thank you.

2 VICE CHAIRMAN BONACCI: Okay. Mr. -- does
3 anybody else?

4 Okay. On -- as you know, Mr. Lopez, we
5 hear lots of applications, and we hear a lot of
6 applications that seek relief for developers,
7 investment purposes, et cetera.

8 But on rare occasions, we might get a
9 chance or an opportunity to help people, make
10 them happy, and help you guys provide a project
11 that can bring people together. And that's
12 something positive. And I think that that's
13 really important for the community, especially
14 during these times.

15 I think it's fair to say that this is not
16 an application that's like the others. This is
17 something different. This is something that
18 obviously, you guys poured your hearts into.

19 For those of you who came here today, we
20 just want to say thank you, or at least I would
21 like to say thank you.

22 (Whereupon, Vice Chairman Bonacci addressed
23 the public in Spanish.)

24 MS. DILLON: Translate.

25 VICE CHAIRMAN BONACCI: So, I'm sorry.

1 MS. DILLON: Translate.

2 VICE CHAIRMAN BONACCI: I just wanted to
3 say that this is something different. It's
4 something very positive for the community, and
5 something that's from the heart.

6 So, with that, I just would like to make a
7 motion to approve the application.

8 MR. LOPEZ: And I -- we thank you for those
9 kind words.

10 VICE CHAIRMAN BONACCI: Sure.

11 THE SECRETARY: Motion to approve the
12 application by Mr. Bonacci.

13 MR. ORTIZ: Second it.

14 THE SECRETARY: Any second on the motion?

15 Second on the motion by Mr. Ortiz.

16 Roll call on the motion to approve this
17 application.

18 Mr. Bonacci?

19 VICE CHAIRMAN BONACCI: Yes.

20 THE SECRETARY: Mr. Gullon?

21 MR. GRULLON: Yes.

22 THE SECRETARY: Mr. Pressey?

23 MR. PRESSEY: Yes.

24 THE SECRETARY: Mr. Medina?

25 MR. MEDINA: Yes.

1 THE SECRETARY: Mr. Ortiz?

2 MR. ORTIZ: Yes.

3 THE SECRETARY: Mr. Doumas?

4 MR. DOUMAS: Yes.

5 THE SECRETARY: Six in favor.

6 Motion carries.

7 MR. LOPEZ: Thank you.

8 (Applause.)

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

11 THE SECRETARY: We are going to have a five
12 -- five minute break.

13 Thank you.

14

15 (Whereupon, the Board recessed from 7:28
16 p.m. to 7:42 p.m.)

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1 **Sundar Patel, Kalpana Patel, Vipin Patel & Maya**
2 **Patel, 211 New York Avenue:**

3

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

6 Application number 7.

7 Sundar Patel, Kalpana Patel, Vipin Patel
8 and Maya Patel, 211 New York Avenue.

9 Mr. Bianco, please?

10 MR. BIANCO: Good evening, Mr. Chairman,
11 and Board members.

12 I do have jurisdictional documents here for
13 counsel.

14 MS. DILLON: Just your appearance, please.

15 MR. BIANCO: Anthony Bianco, for the
16 record, on behalf of the applicants.

17 This application is for a construction of a
18 new single family residence --

19 MR. PANEQUE: Mr. Bianco?

20 MR. BIANCO: -- to replace a demolished --

21 MR. PANEQUE: Mr. Bianco, one second,
22 please.

23 MR. BIANCO: Sure.

24 MR. PANEQUE: We have to establish
25 jurisdiction.

1 MR. BIANCO: No problem.

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

4 MR. PANEQUE: For the record, I've been
5 provided by counsel, Mr. Bianco, with the
6 following documentation:

7 I have a list from the Union City Tax
8 Assessor's Office, with a date of August 11, with
9 all property owners within the 200 foot radius of
10 211 New York Avenue.

11 I've also been provided with an Affidavit
12 of Service indicating that on August 22nd, notice
13 of tonight's hearing was sent to all property
14 owners in that list.

15 I've also been provided with an Affidavit
16 of Publication indicating that notice of the
17 hearing for tonight, September 14, with respect
18 to the property at 211 New York Avenue was
19 published in The Jersey Journal, on August 26,
20 2017.

21 I've also been provided with copies of the
22 notices that went out, as well as the certified
23 mail receipts, and the green cards that have come
24 back to date.

25 Based on the documentation that has been

1 provided, this Board has jurisdiction to proceed
2 and hear this matter.

3 MR. BIANCO: Thank you, counselor.

4 THE SECRETARY: Thank you, Mr. Paneque.

5 MR. BIANCO: This is an application for the
6 construction of a new single family residence.

7 Just by way of brief background, in May
8 2014, a fire spread throughout a portion of New
9 York Avenue in Union City, destroying five
10 residences, the properties, two of which are
11 going to be presented to this Board this evening.

12 The one application right now is 211 New
13 York Avenue.

14 Prior to the fire, the lots consisted
15 primarily of two family, four story buildings,
16 and had been attached to one another.

17 Again, just for some additional background
18 for the Board, this matter did go before the
19 Planning Board to construct a new two family,
20 three story residence at 211 New York Avenue.

21 That was approved by the Planning Board.
22 That decision was appealed and reversed by the
23 Honorable Lisa Rose. And we are here today on an
24 application for a single family residence.

25 And here this evening, as well, to provide

1 testimony is the architect on the project,
2 Orestes Valella.

3 Am I pronouncing that correct?

4 MR. VALELLA: There you go. Yeah. That's
5 fine.

6 MR. BIANCO: Okay. And Mr. Valella, are
7 you a licensed architect in the State of New
8 Jersey?

9 MS. DILLON: Let me --

10 MR. VALELLA: Yes.

11 MS. DILLON: -- swear him in first.

12 MR. BIANCO: Oh, I'm sorry. Please.

13 MS. DILLON: Please raise your right hand.

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

16 MR. VALELLA: I do.

17 MS. DILLON: Name, for the record.

18 MR. VALELLA: Sure. Good evening.

19 My name is Orestes Valella, V-A-L-E-L-L-A.

20 And yes, I'm a registered architect in the
21 states of New York and New Jersey. And my
22 professional offices are at 5809 Madison Street
23 in West New York, New Jersey.

24 MR. BIANCO: And have you appeared and
25 provided testimony before this Board before?

1 MR. VALELLA: Yes, I've had the honor and
2 pleasure of doing so.

3 MR. BIANCO: Great.

4 And approximately how many times?

5 MR. VALELLA: I'm getting a little too old
6 to count, but significant amount.

7 MR. BIANCO: Great.

8 Thank you very much.

9 And did you prepare the plans associated
10 with this particular project?

11 MR. VALELLA: I think they want to --

12 MR. PANEQUE: Yes. Mr. Bianco, we
13 recognize Mr. Valella as an expert witness. He's
14 appeared before this Board numerous times.

15 MR. BIANCO: Thank you.

16 MR. PANEQUE: Thank you, sir.

17 MR. BIANCO: And did you prepare the -- or
18 your office prepare the plans --

19 MR. VALELLA: Yes.

20 MR. BIANCO: -- associated with this
21 project?

22 MR. VALELLA: Yes, I did.

23 MR. BIANCO: So, you're familiar with this
24 site.

25 MR. VALELLA: Yes.

1 MR. BIANCO: And would you mind just
2 explaining what this project entails?

3 MR. VALELLA: Sure.

4 As the Board may remember, this is the
5 result of a catastrophic fire that the property
6 -- the residences, the two family homes that were
7 there were demolished.

8 So, the family would like to come back to
9 their home in the same location.

10 This property before you is 211. It is on
11 New York Avenue between 2nd Street and 3rd Street.
12 It is Block 8 and it's Lot 6.

13 We are now -- originally, we came before
14 you for a two family. We are now -- have reduced
15 that to a single family.

16 The lot is an undersized lot. It is 16
17 feet wide by 79.83 feet. And as I understand it,
18 the client has not been able to purchase any
19 adjoining property to increase their property
20 size.

21 So, what we have done, at this point, is to
22 create a single family home, a two story single
23 family home, where the ground floor consists of
24 the living room, the kitchen and a bedroom. And
25 the second floor, two bedrooms and a family room.

1 And both floors, of course, having bathrooms on
2 each.

3 There is a cellar. It is only about two
4 feet above grade. There's -- the ground floor.
5 So, it's a submerged cellar and it is empty with
6 no provisions for any bedroom, bathrooms,
7 anything that can possibly go wrong. It is
8 completely empty. Just the mechanical equipment
9 and storage for the homeowner.

10 The properties -- the lot is very narrow.
11 It's 16 feet. So, what we're contemplating is to
12 go back to the same bulk that was there, although
13 this one is smaller in height. As counsel
14 rightfully mentioned, the original homes were
15 four stories high. This one is only two stories
16 high.

17 But we are covering the lot, the 16 foot
18 width. We are setting the house back 12 and 16
19 feet at the front yard, and we are proposing a
20 nine foot ten inch rear yard.

21 The house will have a brick façade in the
22 front, and then stucco or siding on the sides and
23 rear.

24 The home is very modest. It is -- has a
25 roof -- at the roof, it's 24 feet in height. And

1 | it will look, should you approve this one, and
2 | 209, they are identical, they will mirror each
3 | other, they would look like row houses are
4 | supposed to look. You know, square, facing the
5 | street, brick, two stories.

6 | The property is located in the R zone, low
7 | density residential. It is currently vacant. A
8 | one family residence is a permitted use, however,
9 | the lot area is deficient; 2500 square feet would
10 | be required. We have 1,277.

11 | Remember, for the life of this property,
12 | two families lived there. So, we're actually
13 | reducing the density.

14 | The lot width is required to be 25. We
15 | have 16. And as was mentioned -- or as I
16 | mentioned, there is no opportunity for additional
17 | property.

18 | The lot depth required is a hundred. We
19 | have 79.83.

20 | The front yard would be ten feet or the
21 | prevailing setback. Our minimum is 12.

22 | Side yards would be two feet. We have
23 | zero. The reason for that is the property width
24 | is 16 feet, so we're going to a party wall
25 | situation.

1 The combined yards required would be five,
2 so that would be two and three. We are proposing
3 zero.

4 The rear yard would be the equivalent of a
5 25 -- 25 percent of the lot depth. We are
6 proposing 9.83.

7 The building coverage would be a maximum of
8 60 percent. We are at 69 percent.

9 The lot coverage would be 86 -- 85. We're
10 at 87.71, for all intents and purposes, at 88
11 percent.

12 The maximum number of stories permitted is
13 three. We are proposing two.

14 The maximum height is 40. We are proposing
15 26. I reference 24 to the roof. There's an
16 additional two feet for a parapet. And that
17 would make it 26.

18 Parking requirement would be two. We have
19 a proposal for one. We have a 16 foot depth that
20 -- on the front yard that can be used as a
21 driveway.

22 Basically, this is an attempt to get the
23 homeowner that was here back into their home.
24 Originally, they owned a two family. That was
25 obviously destroyed by fire. There had been

1 | legal difficulties, so they have reduced now to a
2 | one family. But they would like to come back and
3 | continue their lives in Union City. It's a very
4 | simple application.

5 | That's about it for me.

6 | Counselor?

7 | MR. BIANCO: To the extent that the Board
8 | has any questions, also just by way of note, the
9 | applicant is here as well.

10 | And as the architect did mention, as well,
11 | I know that there were efforts to try to purchase
12 | the adjoining lot, but those efforts were
13 | unsuccessful.

14 | VICE CHAIRMAN BONACCI: Okay. I see here,
15 | from our -- from some of the records that we were
16 | provided with, your applicant has been the owner
17 | of the property since 1987?

18 | MR. BIANCO: Correct.

19 | VICE CHAIRMAN BONACCI: Okay.

20 | And it's the same owner for the one that
21 | we're going to hear, the next application.

22 | MR. BIANCO: Separate owner. They're
23 | actually brothers.

24 | VICE CHAIRMAN BONACCI: Okay.

25 | MR. BIANCO: Same -- same last name.

1 VICE CHAIRMAN BONACCI: Got you. Okay.

2 So, you guys came before us for the --

3 MR. VALELLA: Two family.

4 MR. BIANCO: Two family.

5 VICE CHAIRMAN BONACCI: Okay. Now, you're
6 just --

7 MR. VALELLA: One family.

8 VICE CHAIRMAN BONACCI: -- downsizing it to
9 the one family.

10 MR. VALELLA: Um hum.

11 VICE CHAIRMAN BONACCI: Okay.

12 This is a low density residential zone.

13 MR. VALELLA: Um hum.

14 VICE CHAIRMAN BONACCI: And now, kind of
15 conforms. It's low density residential
16 application.

17 MR. VALELLA: Right.

18 VICE CHAIRMAN BONACCI: So the variances
19 that you guys are seeking, just give me a rundown
20 real quick, just so that I can kind of like --

21 MR. VALELLA: Sure.

22 VICE CHAIRMAN BONACCI: -- check it off.

23 MR. VALELLA: As I understand it, this is a
24 permitted use. However, we are deficient in lot
25 area. That is the primary deficiency. A 2500

1 square foot lot is required. This is an existing
2 lot at 16 by 79.80 -- 16 by 80 feet. And that's
3 all we have.

4 There were -- and of course, decades and
5 decades, there was a two family home here for
6 decades. We're actually decreasing the density.
7 We're proposing to decrease the density of what
8 was here previously located.

9 VICE CHAIRMAN BONACCI: Okay.

10 What's existing there now was, obviously,
11 demolished due to fire, or there's existing --

12 MR. VALELLA: It was demolished -- it was
13 demolished because of the fire, yes.

14 VICE CHAIRMAN BONACCI: Completely.

15 MR. VALELLA: Right.

16 VICE CHAIRMAN BONACCI: Okay.

17 Is this the side of the street where
18 there's -- it's totally gone? Everything was
19 burnt down?

20 MR. VALELLA: A few properties were, yes.

21 VICE CHAIRMAN BONACCI: Okay.

22 MR. VALELLA: Yeah. This is the -- yes.
23 Yes.

24 VICE CHAIRMAN BONACCI: All right. I don't
25 have any questions.

1 MR. PRESSEY: Would your client consider
2 not using stucco?

3 MR. VALELLA: We're not. I misspoke if I
4 -- if I mentioned that. The front of this
5 building is brick.

6 MR. PRESSEY: Um hum. And the side?

7 MR. VALELLA: The sides are going to be
8 party wall situations. We would like to do
9 siding to begin with, and then obviously, the
10 next house will abut to it, I assume, and no --
11 but nothing would be visible. The only thing
12 that would be visible from 209 and 211, which are
13 the two properties that we're representing, is
14 brick from property to property.

15 MR. PRESSEY: Thank you.

16 VICE CHAIRMAN BONACCI: At this time, if --
17 if any members -- if nobody else from the Board
18 has any questions, we'd like to open it up to
19 members of the public.

20 MS. DILLON: Mr. Price, please raise your
21 right hand.

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

24 MR. PRICE: I do.

25 MS. DILLON: Name and address for the

1 record, please.

2 MR. PRICE: Larry Price, 1006 Palisade.

3 MS. DILLON: Thank you.

4 MR. PRICE: You initially -- we're talking
5 about side walls here.

6 MR. VALELLA: Um hum.

7 MR. PRICE: You initially said stucco on
8 the side walls.

9 MR. VALELLA: I misspoke. The side walls
10 would be vinyl siding.

11 But again, that's only temporary. Let's
12 say you approve one and not the other. The sides
13 have to be closed to weather. So, they would be
14 sided in vinyl. But in the future, the most
15 likely is that becomes a non-visible party wall.

16 MR. PRICE: Okay.

17 You know, this was quite a fire. And you
18 know, there have been a number of approvals here.

19 MR. VALELLA: Um hum.

20 MR. PRICE: Which haven't fared too well,
21 but there've been a number of approvals, and all
22 those approvals were based on the -- that it was
23 going to be concrete --

24 First of all, all the approvals to date,
25 until here, have been not party walls, but each

1 house would have its own separate wall.

2 MR. VALELLA: Yes.

3 MR. PRICE: And it would be block.

4 MR. VALELLA: Oh, yes. This would be the
5 case here, as well. These would be self-
6 sustaining, independent structurally homes, and
7 they would be of 3A construction, meaning it
8 would be a block shell and wood framing inside,
9 so --

10 But the wood block would be covered for
11 appearances on the side.

12 MR. PRICE: Wood -- wood block. Wait a
13 minute. Concrete --

14 MR. VALELLA: Concrete block.

15 MR. PRICE: Okay.

16 MR. VALELLA: Concrete block.

17 MR. PRICE: Okay. So, it -- any -- and you
18 refer to a party wall, but is it a party wall or
19 would it be --

20 MR. VALELLA: A lot line -- it's
21 technically a lot line wall. There would be two
22 walls side by side.

23 MR. PRICE: They abut, but they're not
24 strictly speaking --

25 MR. VALELLA: They're not sharing.

1 MR. PRICE: They're --

2 MR. VALELLA: They're not sharing.

3 MR. PRICE: They're not sharing --

4 MR. VALELLA: No.

5 MR. PRICE: -- a wall.

6 MR. VALELLA: They're not sharing.

7 MR. PRICE: Okay. So, it's the same --

8 MR. VALELLA: Yeah.

9 MR. PRICE: -- same approval.

10 MR. VALELLA: Yeah. Yeah. This would be a
11 concrete shell. Concrete block shell and wood
12 interiors.

13 MR. PRICE: Okay. Okay. I make just one
14 comment, by way of gossip to the --

15 Obviously, I've been involved in these
16 things. There was a two family approved before.
17 Now a one family.

18 Believe it or not, I talked to all the real
19 estate types -- you know, in town, the one
20 family, when it's constructed, will be worth more
21 than the two family would have been worth. And I
22 said, wait a minute, one family, two family. Why
23 would a two family be worth less?

24 And they said because if you build a two
25 family, it's got to compete with all the other

1 two families in town. He said, there are no one
2 family -- whatever. So, a one family, if you
3 build it, has to compete with the two bedroom or
4 three bedroom condos that sell for half a million
5 dollars.

6 So, this will be worth more than -- I'm
7 talk -- I'm not a realtor. But this is actually
8 worth more than the two family they would have
9 gotten originally. So, go figure. That's --
10 that's the market for you.

11 I like the project. Need -- and -- and the
12 Patels are good people, so --

13 MR. PRESSEY: Thank you.

14 VICE CHAIRMAN BONACCI: Thank you, Mr.
15 Price.

16 MR. PRICE: By the -- okay.

17 VICE CHAIRMAN BONACCI: Guys?

18 MR. PRESSEY: No.

19 VICE CHAIRMAN BONACCI: Okay. It seems as
20 though the application is going to maintain --
21 I'm sorry.

22 We were going to close it to the public
23 first.

24 Sorry about that.

25 All right. Let me try this again.

1 All right, so with that, it seems though
2 the application is going to maintain the same
3 sort of tradition, integrity that was already
4 existing there in the neighborhood.

5 MR. VALELLA: Actually, I think it would be
6 better now, because I think these are going to be
7 more attractive homes. And also, better quality
8 of life homes than previously. So, it's actually
9 an improvement.

10 VICE CHAIRMAN BONACCI: And it's -- and --
11 and with that, it stays -- you know, low
12 residential.

13 MR. VALELLA: Um hum.

14 VICE CHAIRMAN BONACCI: It doesn't house
15 too many occupants or anything like that.

16 MR. VALELLA: Single family.

17 VICE CHAIRMAN BONACCI: As -- as far as --
18 you know, Mr. Price said -- you know, with the
19 market, and stuff like that -- you know, we're
20 not really here -- I'm not really here to judge
21 whether the applicant is going to be more wealthy
22 or less wealthy, if it's two or one, or whatever.
23 But I just think that -- you know, it's been
24 three years now since the fire, so with that,
25 it's probably best for everybody to start moving

1 on with their life and -- you know, some
2 construction to get started instead of having
3 empty lots laying around, especially in that part
4 of town.

5 So, with that, I'd like to make the motion
6 to grant the application, approve the
7 application.

8 THE SECRETARY: Motion on the -- on the
9 table to grant the application by Mr. Bonacci.

10 MR. GRULLON: Second.

11 THE SECRETARY: Second by?

12 Mr. Grullon.

13 Roll call on the motion to approve this
14 application.

15 Mr. Bonacci?

16 VICE CHAIRMAN BONACCI: Yes.

17 THE SECRETARY: Mr. Grullon?

18 MR. GRULLON: Yes.

19 THE SECRETARY: Mr. Pressey?

20 MR. PRESSEY: Yes.

21 THE SECRETARY: Mr. Medina?

22 MR. MEDINA: Yes.

23 THE SECRETARY: Mr. Ortiz?

24 MR. ORTIZ: Yes.

25 THE SECRETARY: Mr. Doumas?

1 MR. DOUMAS: Yes.

2 THE SECRETARY: Six in favor.

3 Motion carries.

4 MR. VALELLA: Thank you.

5 THE SECRETARY: You're welcome, sir.

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1 Ankur Patel & Vivek Patel, 209 New York Avenue:

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3 THE SECRETARY: Application number 8.

4 Ankur Patel and Vivek Patel, 209 New York
5 Avenue.

6 Mr. Bianco, please?

7 MR. BIANCO: Anthony Bianco, for the
8 record, appearing on behalf of the applicants.

9 For the record, I have handed Board Counsel
10 the jurisdictional documents.

11 MR. PANEQUE: Let the record reflect that
12 I've been provided with the following
13 documentation:

14 I have a list from the Tax Assessor's
15 Office, with respect to the property located at
16 209 New York Avenue. This list was done on
17 August 11 of this year.

18 I've also been provided with an Affidavit
19 of Service, indicating that on August 22nd, 2017,
20 notices were sent to all property owners in that
21 200 foot list.

22 I've also been provided with an Affidavit
23 of Publication from The Jersey Journal,
24 indicating that on August 26, notice of tonight's
25 hearing with respect to the property at 209 New

1 York Avenue, was published in the paper.

2 I've also been provided with the certified
3 mail receipts, as well as the green cards that
4 have come back to date and the actual notices
5 that went out.

6 Based on the documentation that's been
7 provided, this Board has jurisdiction to hear
8 this matter.

9 THE SECRETARY: Thank you, Mr. Paneque.

10 MR. PANEQUE: Thank you, Mr. Vallejo.

11 THE SECRETARY: Mr. Bianco, please?

12 MR. BIANCO: Thank you, Mr. Chairman and
13 members of the Board.

14 We would like to have the owner speak
15 first, if that's okay with the Board?

16 MR. PANEQUE: Sure. Is that your first --
17 first witness?

18 MR. BIANCO: Yes.

19 MR. PANEQUE: Okay.

20 MS. DILLON: Sir, please raise your right
21 hand.

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

24 MR. S. PATEL: Yes.

25 MS. DILLON: Could you please state your

1 name and spell it for the record?

2 MR. S. PATEL: My name is Sundar Patel,
3 S-U-N-D-A-R, P-A-T-E-L.

4 MS. DILLON: I'm sorry. Spell your first
5 name again.

6 MR. S. PATEL: S-U-N-D-A-R. Last name,
7 Patel.

8 MS. DILLON: Thank you.

9 MR. S. PATEL: Yeah. I would just mention
10 this two names. They've been born here and
11 they've been living the house probably 30 years.
12 So, just consider that. Right?

13 VICE CHAIRMAN BONACCI: Thank you.

14 MR. S. PATEL: Thank you.

15 Thank you.

16 VICE CHAIRMAN BONACCI: Thank you.

17 MR. BIANCO: This comes before the Board as
18 a construction for a single family residence.
19 The same history and background apply to this
20 lot, 209 New York Avenue, as to the previous
21 application for 211 New York Avenue.

22 And I believe, as well, the same details in
23 terms of some of the issues with respect to the
24 lot.

25 MR. VALELLA: Yeah. I just have a --

1 MS. DILLON: Mr. Valella was previously
2 sworn.

3 MR. VALELLA: Yes. I appreciate that.
4 I have a legal question of counsel.

5 The testimony that I can give this Board
6 will be identical to the testimony previously
7 given.

8 I had spoken about Lot 6, this is the
9 adjoining Lot 5.

10 Is it possible -- I don't want to waste the
11 Board's time, it's precious. Is there some way I
12 can say that ditto for the testimony? Is there a
13 legal way of doing that?

14 MR. PANEQUE: Mr. Valella, are you stating
15 to this Board that the testimony that you would
16 give with respect to this application is a mirror
17 image testimony of what you provided to this
18 Board, with respect to the previous application
19 for 211 New York Avenue?

20 MR. VALELLA: Yes, this -- counselor, this
21 is the identical design. All physical
22 parameters, all architectural parameters, all
23 testimony that I gave would be -- I can give it
24 again, but it would be the same, and I don't wish
25 to waste the Board's time.

1 MR. PANEQUE: Okay.

2 Mr. Chairman, since we have mirror
3 applications of each other, it's really your
4 call. I don't see that there's a need to once
5 again have Mr. Valella give the same testimony.
6 We just heard it. We have the benefit that it
7 was the -- the immediately preceding application.

8 So, if the Board wishes to hear it again,
9 we can, but it's up to the Board.

10 VICE CHAIRMAN BONACCI: I don't see -- I
11 don't want to say I speak on behalf of the Board,
12 because I don't want to do that. But I don't see
13 why we would approve the same application and not
14 this one.

15 So, with that, I'll make a motion to
16 approve --

17 THE SECRETARY: You want to open to the
18 public first?

19 MR. PANEQUE: You have to open it to the
20 public.

21 All we're doing at this point, Vice
22 Chairman Bonacci, is accepting what Mr. Valella
23 has requested, which is his testimony on this
24 application would be identical as the testimony
25 for the previous application, due to the fact

1 | that this house is a mirror image of the one, and
2 | it's adjacent to the other one that he just
3 | testified, as well. So --

4 | MR. VALELLA: Yes.

5 | VICE CHAIRMAN BONACCI: So, we'll accept
6 | that testimony.

7 | MR. PANEQUE: We'll accept it.

8 | MR. VALELLA: Thank you.

9 | MR. PANEQUE: Thank you.

10 | VICE CHAIRMAN BONACCI: Okay. We'll open
11 | this to the public.

12 | Mr. Price?

13 | MR. PRICE: Yes. And I'm still sworn, too.

14 | I just make a comment -- you know, about
15 | our roles, your role, my role, which are somewhat
16 | different, but a lot of times, it's not too
17 | interesting, whatever.

18 | But -- and sometimes, you think you're kind
19 | of walking uphill a lot.

20 | This site and the previous one, as well as
21 | four other sites, by now are weed filled, weed
22 | infested vacant lot. But what these two projects
23 | and one other one that's already been approved,
24 | and probably a few others that are in the
25 | pipeline, this has the potential of being one of

1 the most attractive blocks in Union City.

2 It's a great location. You know, the park
3 is right there. And the City spent a lot of
4 money on streets and whatever. I mean, it's a --
5 potentially, whatever.

6 And when they fill that weed infested lot
7 with attractive houses like this, it's going to
8 be a real, I think, asset to the City.

9 And I had a part in that, and you had a
10 part in it. And I think we can sort of take some
11 satisfaction -- to see us over the rough spots,
12 we can take some satisfaction when we see that --
13 you know, in two years or whenever they build it.

14 MR. VALELLA: Thank you.

15 MR. PRICE: Thank you.

16 VICE CHAIRMAN BONACCI: Thank you.

17 MR. PANEQUE: Any other members of the
18 public?

19 VICE CHAIRMAN BONACCI: Is there any other
20 members from the public that would like to speak
21 for this application?

22 MR. PANEQUE: Close.

23 VICE CHAIRMAN BONACCI: Okay. Closed to
24 the public.

25 It's always great when we can agree with

1 Mr. Price and work together with him on
2 something. And if we can better the town, that's
3 fantastic.

4 I'd like to make a motion to accept this
5 application.

6 THE SECRETARY: Motion on the table to
7 accept the application by Mr. Bonacci.

8 Second by Mr. Ortiz.

9 Roll call on the motion to approve this
10 application.

11 Mr. Bonacci?

12 VICE CHAIRMAN BONACCI: Yes.

13 THE SECRETARY: Mr. Grullon?

14 MR. GRULLON: Yes.

15 THE SECRETARY: Mr. Pressey?

16 MR. PRESSEY: Yes.

17 THE SECRETARY: Mr. Medina?

18 MR. MEDINA: Yes.

19 THE SECRETARY: Mr. Ortiz?

20 MR. ORTIZ: Yes.

21 THE SECRETARY: Mr. Doumas?

22 MR. DOUMAS: Yes.

23 THE SECRETARY: Six in favor.

24 Motion carries.

25 Thank you.

1 MR. VALELLA: Thank you, and good night.

2 MR. BIANCO: Thank you.

3 MR. PRESSEY: Thank you.

4 Thank you.

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1 **ADJOURNMENT:**

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3 THE SECRETARY: There being no other
4 application on tonight's agenda, can I have a
5 motion to end tonight's meeting?

6 Motion by Mr. Pressey.

7 Second by Mr. Ortiz.

8 All in favor, say aye?

9

10 (Whereupon, there was a chorus of ayes.)

11

12 THE SECRETARY: The ayes have it.

13 Thank you.

14 Have a good night, everybody.

15 Let the record show up that the meeting has
16 ended.

17 Thank you.

18

19 (Whereupon, the proceedings were concluded
20 at 8:11 p.m.)

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1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

4

5 I, DEBRA A. KASZNIAK, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY ZONING BOARD OF
9 ADJUSTMENT heard on Thursday, September 14, 2017
10 and digitally recorded.

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25 Monitored and proofread by: Deborah Dillon