

CITY OF UNION CITY
HUDSON COUNTY, NEW JERSEY
PLANNING BOARD

REGULAR MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

City Hall
3715 Palisade Avenue
Union City, New Jersey

Tuesday, November 28, 2017
Commencing at 6:06 p.m.

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

YDALIA GENAO, Mayor's Designee
ALICIA MOREJON
RUDY RIVERO
ALEJANDRO VELAZQUEZ, Alternate No. 1
JOSE GUARENO, Alternate No. 2
JEANNE KOEHLER, Vice Chairperson
DIANE CAPIZZI, Chairperson

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

BRIAN P. STACK, Mayor
CELIN VALDIVIA, Commissioner
CAROLINA FERNANDEZ
FRANKLIN MEDINA

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

CARLOS VALLEJO, Secretary to the Board

WILFREDO J. ORTIZ, II, ESQ.
Attorney for the Board

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

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

J. ALVARO ALONSO, ESQ.,
Attorney for Applicant, 410 36th Street Realty, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant,
802 Palisade Avenue Owner, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant,
32nd & 33rd Street, Union City, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, 584 Assoc. Corp.

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

3 Please take notice that on Tuesday,
4 November 28, 2017, at six p.m., a Regular Meeting
5 is scheduled for the City of Union City Planning
6 Board, to be held in the Municipal Chamber of the
7 City Hall, 3715 Palisade Avenue, Union City, New
8 Jersey.

9 This is a meeting called in compliance with
10 Chapter 231, Public Law 1975, of the Open Public
11 Meetings Act.

12 Notice of this meeting has been faxed and
13 provided as follow:

14 Notice of this meeting forward to The
15 Jersey Journal, The Record, and The Hudson
16 Reporter, has been posted on the bulletin board
17 in the City Hall, and has been made available to
18 the public in the Office of the Municipal Clerk.

19 Before we call roll for this evening, will
20 everybody kindly rise to salute the flag, please?

21

22 (Whereupon, the Pledge of Allegiance was
23 said by all.)

24

25 THE SECRETARY: Thank you.

1

2 **ROLL CALL:**

3

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

6 Mayor Brian P. Stack? Absent.

7 Ms. Genao?

8 MS. GENAO: Yes.

9 THE SECRETARY: Commissioner Valdivia?
10 Absent.

11 Ms. Morejon?

12 MR. SPATZ: She went -- she's on the phone.
13 She is here.

14 CHAIRPERSON CAPIZZI: She is here.

15 MR. ORTIZ: She was here.

16 THE SECRETARY: Is here?

17 MR. SPATZ: Yes.

18 CHAIRPERSON CAPIZZI: She is.

19 THE SECRETARY: Thank you.

20 MR. SPATZ: Yeah.

21 THE SECRETARY: Ms. Capizzi?

22 Ms. Capizzi:

23 CHAIRPERSON CAPIZZI: Yes. Here.

24 THE SECRETARY: Thank you.

25 Ms. Fernandez? Absent.

1 Mr. Rivero?

2 MR. RIVERO: Here.

3 THE SECRETARY: Mr. Medina is absent.

4 Ms. Koehler?

5 VICE CHAIRPERSON KOEHLER: Yes.

6 THE SECRETARY: Mr. Velazquez?

7 MR. VELAZQUEZ: Here.

8 THE SECRETARY: Mr. Guareno?

9 MR. GUARENO: Yes.

10 THE SECRETARY: Let the record indicate
11 there are seven present.

12 We have a full quorum for tonight's
13 meeting.

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1 **ADOPTION OF MINUTES:**

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3 (1) Regular meeting held on October 24, 2017

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5 THE SECRETARY: All right.

6 Adoption of the Minutes.

7 Regular Meeting held on October 24, 2017.

8 CHAIRPERSON CAPIZZI: Yes.

9 THE SECRETARY: Can I have a motion to
10 adopt the -- the minutes?

11 CHAIRPERSON CAPIZZI: I'll make a motion.

12 THE SECRETARY: Motion by Ms. Capizzi.

13 MR. VELAZQUEZ: I second.

14 THE SECRETARY: Second by Mr. Velazquez.

15 Roll call on the motion.

16 Ms. Koehler?

17 VICE CHAIRPERSON KOEHLER: Yes.

18 THE SECRETARY: Mr. Capizzi?

19 CHAIRPERSON CAPIZZI: Yes.

20 THE SECRETARY: Ms. Genao?

21 MS. GENAO: Yes.

22 THE SECRETARY: Ms. Morejon?

23 MS. MOREJON: Yes.

24 THE SECRETARY: Ms. -- Mr. Rivero?

25 MR. RIVERO: Yes.

1 THE SECRETARY: Mr. Velazquez?

2 MR. VELAZQUEZ: Yes.

3 THE SECRETARY: Mr. Guareno?

4 MR. GUARENO: Yes.

5 THE SECRETARY: Seven in favor.

6 Motion carries.

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1 **RESOLUTIONS:**

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3 (1) Resolution to approve the Planning Board
4 Schedule for the year 2018.

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6 THE SECRETARY: Resolution.

7 We have two Resolution on tonight's agenda.

8 First Resolution, to approve the Planning
9 Board schedule for the year 2018.

10 Can I have a motion?

11 CHAIRPERSON CAPIZZI: I'll make a motion.

12 THE SECRETARY: Motion by Ms. Capizzi.

13 VICE CHAIRPERSON KOEHLER: I'll second.

14 THE SECRETARY: Second, Mrs. Koehler.

15 Roll call on the motion.

16 Ms. Koehler?

17 VICE CHAIRPERSON KOEHLER: Yes.

18 THE SECRETARY: Ms. Capizzi?

19 CHAIRPERSON CAPIZZI: Yes.

20 THE SECRETARY: Ms. Genao?

21 MS. GENAO: Yes.

22 THE SECRETARY: Ms. Morejon?

23 MS. MOREJON: Yes.

24 THE SECRETARY: Mr. Rivero?

25 MR. RIVERO: Yes.

1 THE SECRETARY: Mr. Velazquez?

2 MR. VELAZQUEZ: Yes.

3 THE SECRETARY: Mr. -- Mr. Guareno?

4 MR. GUARENO: Yes.

5 THE SECRETARY: Seven in favor.

6 Motion carries.

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1 **RESOLUTIONS:**

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3 (2) Luis and Reina Yanqui, Block 139, Lot 5,
4 2408 New York Avenue. Resolution was
5 memorialized November 24, 2015. Applicants are
6 seeking for one year extension.

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8 THE SECRETARY: Resolution number 2.

9 Luis and Reina Yanqui. This was -- this
10 Resolution was memorialized in November 24, 2015.
11 Applicant was seeking for one year extension.

12 Can I have a motion to adopt this
13 Resolution?

14 MR. VELAZQUEZ: I make a motion.

15 THE SECRETARY: Capizzi.

16 Second by Mr. Velazquez?

17 MR. VELAZQUEZ: Yes.

18 THE SECRETARY: Thank you, Mr. Velazquez.

19 Roll call on the motion.

20 Ms. Koehler?

21 VICE CHAIRPERSON KOEHLER: Yes.

22 THE SECRETARY: Ms. Capizzi?

23 CHAIRPERSON CAPIZZI: Yes.

24 THE SECRETARY: Ms. Genao?

25 MS. GENAO: Yes.

1 THE SECRETARY: Ms. Morejon?

2 MS. MOREJON: Yes.

3 THE SECRETARY: Mr. Rivero?

4 MR. RIVERO: Yes.

5 THE SECRETARY: Mr. Velazquez?

6 MR. VELAZQUEZ: Yes.

7 THE SECRETARY: Mr. Guareno?

8 MR. GUARENO: Yes.

9 THE SECRETARY: Seven in favor.

10 Motion carries.

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1 **Thomas Chartier, 913 New York Avenue:**

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3 THE SECRETARY: Tonight, we have the first
4 hearing.

5 Thomas Chartier, 913 New York Avenue.

6 Mr. Ortiz, please?

7 MR. ORTIZ: It's my understanding, pursuant
8 to an email received, I believe by the Board
9 Clerk, that that matter is going to be withdrawn
10 at this time.

11 With that being said, there's really not
12 much more for the Board to do, it's been
13 withdrawn by the applicant, as to that one. So
14 we can move on to the next one.

15 CHAIRPERSON CAPIZZI: Okay.

16 THE SECRETARY: Thank you.

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1 **802 Palisade Avenue Owner, LLC -**

2 **802 Palisade Avenue:**

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4 THE SECRETARY: We are going to change a
5 little bit the order of the meeting -- of
6 tonight's agenda. Sorry. We're going to go to
7 the first hearing tonight.

8 802 Palisade Avenue Owner, LLC, 802
9 Palisade Avenue.

10 Ms. Pereiras, please?

11 MS. PEREIRAS: Thank you.

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

14 MR. ORTIZ: Madam Chairwoman, I reviewed
15 the submissions by counsel. Everything seems to
16 be in order, --

17 CHAIRPERSON CAPIZZI: Okay.

18 MR. ORTIZ: -- giving jurisdiction to the
19 Board.

20 MS. PEREIRAS: Thank you, counsel.

21 Good evening, Madam Chair, members of the
22 Board.

23 May it please the Board, Bianca Pereiras,
24 on behalf of the applicant.

25 This application before the Board this

1 evening is to legalize a basement apartment. We
2 have currently on-site a legal two family. We
3 are looking to add this additional unit, to make
4 it a legal three family.

5 We have one expert to testify before the
6 Board this evening, and that is Mr. Manuel
7 Pereiras.

8 MR. ORTIZ: Madam Chairwoman?

9 CHAIRPERSON CAPIZZI: Yes.

10 MR. ORTIZ: I think Mr. Pereiras is quali
11 --

12 CHAIRPERSON CAPIZZI: Yes, he is.

13 MR. ORTIZ: -- has been before this Board a
14 few times.

15 MS. PEREIRAS: Thank you.

16 MR. PEREIRAS: Thank you everyone. It's a
17 pleasure to be here.

18 MS. PEREIRAS: And Mr. Pereiras, you did
19 not --

20 MR. PEREIRAS: Oh, wait.

21 MS. PEREIRAS: I apologize.

22 MR. DILLON: Please raise your right hand.
23 Do you swear the testimony you're about to
24 give this Board is the whole truth?

25 MR. PEREIRAS: I do.

1 MR. DILLON: State your name and spell it
2 for the record.

3 MR. PEREIRAS: Manny Pereiras,
4 P-E-R-E-I-R-A-S, with Pereiras Architects
5 Ubiquitous, 1116 Summit Avenue, Union City.

6 MR. DILLON: Thank you.

7 MR. PEREIRAS: Thanks.

8 MS. PEREIRAS: Now, Mr. Pereiras, you did
9 not prepare the drawings that are before the
10 Board this evening.

11 Is that correct?

12 MR. PEREIRAS: I did not, but they were
13 prepared by a licensed architect in the State of
14 New Jersey.

15 MS. PEREIRAS: And you had an opportunity
16 to review the drawings?

17 MR. PEREIRAS: I have. I've thoroughly
18 reviewed the drawings, I've visited the site, and
19 I'm ready to testify with my expert in the field
20 of architecture.

21 MS. PEREIRAS: Fantastic.

22 So, Mr. Pereiras, if you could kindly walk
23 us through the application before the Board?

24 MR. PEREIRAS: Be very, very happy to.

25 We have an existing wood frame house. It's

1 a -- it's a two story house. The second story --
2 the first floor is actually above grade, and what
3 we're looking to do is to legalize the unit
4 that's in the basement, that is partially above
5 grade.

6 We're not making any changes to the
7 exterior of the house. Everything's remaining.
8 We're simply looking to legalize that one unit.

9 The drawings you have before you show both
10 the existing condition and the proposed condition
11 of the house.

12 As you could see from the comparison of the
13 two, they're extremely similar. The only real
14 differences is adding a closet to the bedroom on
15 the lower level of the basement.

16 Each of the units -- the basement unit that
17 we're legalizing is 554 square feet in dimension,
18 and it's a one bedroom unit. Living room space,
19 bedroom and kitchen all remain the same. And the
20 floors above all remain the same; the two stories
21 above.

22 There are a series of existing
23 nonconformities on this project. One being the
24 width of the lot.

25 The width of the lot is 18.95 feet. That's

1 a preexisting nonconformity, and that triggers
2 most of the other variances. One being the
3 minimum lot size. The total lot size is 1,895
4 square feet. The lot width being 18.95 square
5 feet.

6 There is an existing nonconformity for side
7 yard. One, it's zero on both sides. It's
8 touching both properties on the north and on the
9 south, which is actually pretty typical there.

10 And then, we're expanding on the parking
11 variance, because this is a preexisting
12 structure. We have the -- the technical
13 difficulty that we cannot provide additional
14 parking in this space. It's a preexisting house,
15 with this preexisting unit that we're legalizing
16 for the Board. So, we're expanding on that
17 parking variance.

18 As always, I see this as an opportunity to
19 really better the property. We're going to make
20 it comply with all current codes; fire codes and
21 building codes. So that unit that we're
22 legalizing is going to have a domestic line
23 sprinkler system for it, it's going to have a
24 fire separation ratings between floors, in the
25 common areas, smoke alarms, with current Code.

1 That pretty much concludes my testimony.
2 I'm open for all your questions.

3 CHAIRPERSON CAPIZZI: So, they go in -- do
4 they enter here? Back here?

5 MR. PEREIRAS: So, I don't have the -- the
6 easel to present it, but there's two ways of
7 entrance into this apartment. One -- for the --
8 the proposed basement apartment. One is through
9 the rear yard, but that's only access to the rear
10 yard. That's not the primary entrance to the
11 apartment. The primary entrance is the same as
12 everyone else.

13 So, you walk onto the -- to the front
14 porch, there's a small foyer, and you could take
15 the stairs down into the unit on the lower level.

16 CHAIRPERSON CAPIZZI: And what's -- and
17 where do they enter in the back?

18 MR. ORTIZ: They can't --

19 CHAIRPERSON CAPIZZI: I don't see it.

20 MR. ORTIZ: They're --

21 MR. PEREIRAS: It's --

22 CHAIRPERSON CAPIZZI: There is no --

23 MR. PEREIRAS: You open out to -- you go
24 into the backyard.

25 So, the door in the back --

1 CHAIRPERSON CAPIZZI: So they can't walk --

2 MR. PEREIRAS: -- leads you to the
3 backyard.

4 CHAIRPERSON CAPIZZI: -- to the back, I
5 guess.

6 MR. ORTIZ: No.

7 MR. PEREIRAS: No. You're on the property
8 line on both sides.

9 CHAIRPERSON CAPIZZI: They're attached. I
10 understand.

11 MR. PEREIRAS: North and south.

12 CHAIRPERSON CAPIZZI: And are there stairs
13 in this spot right here?

14 MR. PEREIRAS: I don't see what you're --

15 CHAIRPERSON CAPIZZI: To go down?

16 MR. PEREIRAS: -- pointing to.

17 CHAIRPERSON CAPIZZI: I don't know. You
18 have those pictures, too.

19 MR. PEREIRAS: Yeah, but I can't see what
20 you're pointing to.

21 CHAIRPERSON CAPIZZI: Here.

22 MR. PEREIRAS: You're looking at the --

23 MR. ORTIZ: That's your rear yard.

24 Correct?

25 MS. PEREIRAS: That's the rear --

1 MR. PEREIRAS: You're -- that's the
2 photograph of the rear yard. Those are the
3 stairs that lead to the basement.

4 MR. ORTIZ: This might sound like a silly
5 question, but the cellar versus the basement.

6 MR. PEREIRAS: So, yeah. So, this is a
7 technical term from the Building Department. And
8 the way this architect presented it is a little
9 different than way I normally present to this
10 Board.

11 A basement is defined when the first floor
12 is -- is less than six feet above grade. So,
13 when that first floor is less than six feet,
14 that's considered a basement, even though it's
15 above grade.

16 And then, whatever is below that will be
17 considered a cellar.

18 So, the cellar is not being used. It's not
19 habitable. It's got mechanical equipment.

20 CHAIRPERSON CAPIZZI: Um hum.

21 MR. PEREIRAS: We propose to keep it that
22 way. That unit that is practically ground, but
23 it's a couple of steps down, that's considered a
24 basement. That's what we're legalizing. And
25 then, you have the -- the two floors above it,

1 | which are existing to remain.

2 | MR. ORTIZ: You're not going to do anything
3 | in the cellar at all?

4 | MR. PEREIRAS: Nothing in the cellar at
5 | all.

6 | MR. ORTIZ: And there wouldn't be any
7 | objection to that being in the Resolution, just
8 | in case?

9 | MS. PEREIRAS: That's fine.

10 | MR. PEREIRAS: Not at all.

11 | MS. PEREIRAS: Not a problem.

12 | VICE CHAIRPERSON KOEHLER: I'm sorry.
13 | Maybe I'm misreading this.

14 | MR. ORTIZ: So you have --

15 | VICE CHAIRPERSON KOEHLER: I see three
16 | floors above the -- the lower entrance.

17 | MR. PEREIRAS: Nope. There's the basement
18 | --

19 | VICE CHAIRPERSON KOEHLER: Right.

20 | MR. PEREIRAS: -- the first floor, and the
21 | second floor.

22 | MR. ORTIZ: And then there's --

23 | MR. PEREIRAS: And there's an apartment on
24 | each of those levels. And then, there's a cellar
25 | below all that.

1 MR. GUARENO: Below the basement.

2 MR. PEREIRAS: That's well below grade.

3 CHAIRPERSON CAPIZZI: So this is --

4 So these --

5 MS. PEREIRAS: Mr. Pereira, I think
6 they're focusing on the picture in the rear, that
7 --

8 MR. PEREIRAS: Oh.

9 MS. PEREIRAS: -- I think you can see three
10 stories from the rear, and I believe this is
11 because it's Palisade Avenue and it slopes.

12 MR. PEREIRAS: Right. So, in -- on
13 Palisade Avenue, Palisade is a lot higher than
14 the rear of the property.

15 CHAIRPERSON CAPIZZI: Right.

16 MR. PEREIRAS: It all slopes -- all the
17 properties slope to that. Mr. Price could
18 testify to that.

19 So, what's at grade in the front, that's
20 slightly below. That apartment that is
21 considered a basement is actually well above
22 grade on the rear. So, it's not a basement at
23 all on the rear of the property.

24 CHAIRPERSON CAPIZZI: So, these are the
25 stairs.

1 VICE CHAIRPERSON KOEHLER: Um hum.

2 CHAIRPERSON CAPIZZI: So, these are the
3 stairs.

4 VICE CHAIRPERSON KOEHLER: But that's the
5 back. The entrance --

6 CHAIRPERSON CAPIZZI: Yeah. No, no, I
7 understand. This is the front. I understand.
8 And these stairs go in. The stairs going up --

9 MR. GUARENO: In order to get to the
10 basement --

11 CHAIRPERSON CAPIZZI: -- go in?

12 MS. PEREIRAS: To that basement apartment.

13 MR. GUARENO: -- from the rear, for
14 example, --

15 MS. PEREIRAS: That's correct.

16 CHAIRPERSON CAPIZZI: Okay.

17 MR. GUARENO: -- you have to go up the
18 steps.

19 MR. PEREIRAS: So, that's correct.

20 MR. GUARENO: Okay.

21 MR. PEREIRAS: There's steps up, even
22 though it's a basement.

23 I know it's strange, but yeah.

24 MR. ORTIZ: Just by technical definition.

25 MR. PEREIRAS: Yes.

1 CHAIRPERSON CAPIZZI: Right.

2 MR. ORTIZ: All right.

3 Obviously, any kind of buildings code would
4 be complied with, because he's talking about the
5 fire, sprinkler and what have you.

6 CHAIRPERSON CAPIZZI: My only concern is
7 these stairs look a little dilapidated, I have to
8 say.

9 MR. PEREIRAS: They have to comply with all
10 Codes. So, that's actually going to be
11 definitely looked upon --

12 CHAIRPERSON CAPIZZI: Okay.

13 MR. PEREIRAS: -- by the Building
14 Department.

15 CHAIRPERSON CAPIZZI: Because if you're
16 legalizing it, I'm going to assume --

17 MR. PEREIRAS: Yeah. Yeah.

18 CHAIRPERSON CAPIZZI: -- that there's more
19 use, and it just looks a little unsafe.

20 MR. PEREIRAS: I -- I agree with that.

21 CHAIRPERSON CAPIZZI: Okay. So --

22 MR. ORTIZ: Would you feel comfortable if I
23 actually --

24 CHAIRPERSON CAPIZZI: Yeah. That needs to
25 be --

1 MR. ORTIZ: Stairs need to --

2 CHAIRPERSON CAPIZZI: -- part of the whole.

3 MR. ORTIZ: -- be replaced.

4 CHAIRPERSON CAPIZZI: Absolutely.

5 MS. PEREIRAS: No objection.

6 Not replaced but --

7 MR. PEREIRAS: Not replaced but repaired --

8 CHAIRPERSON CAPIZZI: Repaired.

9 MR. PEREIRAS: -- as necessary. Yeah.

10 CHAIRPERSON CAPIZZI: Repaired.

11 MR. ORTIZ: Rear stairs to be repaired.

12 CHAIRPERSON CAPIZZI: Yes.

13 MR. GUARENO: I have a question.

14 I'm looking at the two drawings, the one on
15 the first page, the other one on the second -- on
16 the second.

17 MR. PEREIRAS: Yes.

18 MR. GUARENO: As far as the square footage,
19 one says 747, the other one 554.

20 Why the difference?

21 MR. PEREIRAS: Yes, because they considered
22 -- it's a little strange, 747 will be the entire
23 space, which includes -- my assumption is it
24 includes that laundry room and that common
25 vestibule area in their count.

1 Whereas, in the second page, where it's
2 proposed, he's defining it and calling it just --
3 that -- that apartment. But that apartment is
4 554 square feet.

5 MR. GUARENO: Okay.

6 CHAIRPERSON CAPIZZI: Does any Board member
7 have any questions or comments?

8 Anyone in the public?

9 Sure.

10 MR. DILLON: Please raise your right hand.

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

13 MR. PRICE: I do.

14 MR. DILLON: State your name and spell it
15 for the record.

16 MR. PRICE: Larry Price, 1006 Palisade
17 Avenue.

18 I would just confirm what Mr. Pereiras
19 said. This building is about two blocks from
20 where I live. And it's on the east side of
21 Palisade Avenue, which means -- this is actually
22 a two story house from the Palisade Avenue side,
23 and more than a three story house from the cliff
24 side, I guess you would call it.

25 CHAIRPERSON CAPIZZI: Yup.

1 MR. PRICE: So, it's -- you know, in the
2 rear, it's -- you actually have to step down to
3 go into the yard.

4 MS. PEREIRAS: Thank you, Mr. Price.

5 CHAIRPERSON CAPIZZI: Thank you.

6 MR. ORTIZ: Any other member?

7 CHAIRPERSON CAPIZZI: Any other member?

8 Questions, comments?

9 No?

10 Okay.

11 Seeing none.

12 I'll make a motion to approve the
13 application.

14 THE SECRETARY: Motion to approve the
15 application --

16 CHAIRPERSON CAPIZZI: With --

17 MR. ORTIZ: With the --

18 THE SECRETARY: -- by Ms. --

19 CHAIRPERSON CAPIZZI: With the --

20 THE SECRETARY: -- Capizzi.

21 MR. ORTIZ: With the conditions -- just so
22 I'm clear.

23 Rear stairs to be repaired, no change in
24 the use of the cellar.

25 MR. PEREIRAS: Yes.

1 MS. PEREIRAS: That's fine.

2 THE SECRETARY: Motion on the table to

3 approve the application.

4 Second by Ms. Koehler.

5 Roll call on the motion.

6 Ms. Genao?

7 MS. GENAO: Yes.

8 THE SECRETARY: Ms. Morejon?

9 MS. MOREJON: Yes.

10 THE SECRETARY: Ma'am?

11 MS. MOREJON: Yes.

12 CHAIRPERSON CAPIZZI: She said yes.

13 THE SECRETARY: Thank you.

14 THE SECRETARY: Ms. Capizzi?

15 CHAIRPERSON CAPIZZI: Yes.

16 THE SECRETARY: Mr. Rivero?

17 MR. RIVERO: Yes.

18 THE SECRETARY: Ms. Koehler?

19 VICE CHAIRPERSON KOEHLER: Yes.

20 A VOICE: Yes.

21 THE SECRETARY: Mr. Velazquez?

22 MR. VELAZQUEZ: Yes.

23 THE SECRETARY: Mr. Guareno?

24 MR. GUARENO: Yes.

25 THE SECRETARY: Seven in favor.

1 Motion carries.

2 MS. PEREIRAS: Thank you very much.

3 MR. PEREIRAS: Thank you.

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

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1 **410 36th Street Realty, LLC -**

2 **410 36th Street:**

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4 THE SECRETARY: Next application on
5 tonight's agenda, 410 36th Street Realty, LLC,
6 416 36th Street.

7 Mr. Alonso, please?

8 MR. ALONSO: Good evening, Madam Chair,
9 members of the Board.

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

12 I'm providing counsel with my proof of
13 publication and notices for jurisdictional
14 purposes.

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

17 MR. ORTIZ: Madam Chairwoman, I've reviewed
18 submissions by counsel; everything seems to be in
19 order, giving jurisdiction to the Board.

20 MR. ALONSO: Thank you.

21 Members of the Board, this is an
22 application to legalize an existing unit. This
23 is currently a two family house and we're going
24 to legalize it to a three family house, which is
25 a permitted use in the zone.

1 We need site plan approval, as well as some
2 C variances, all preexisting conditions.

3 I have one witness this evening, Mr.
4 Valella, who I would ask to be sworn in. He
5 hasn't been resworn.

6 MR. DILLON: Please raise your right hand.

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

9 MR. VALELLA: I do.

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

12 MR. VALELLA: My name is Orestes Valella,
13 V-A-L-E-L-L-A. Registered architect in the State
14 of New York and New Jersey.

15 MR. ORTIZ: Madam Chairwoman?

16 CHAIRPERSON CAPIZZI: Yes.

17 MR. VALELLA: Thank you.

18 MR. ORTIZ: As an expert?

19 MR. ALONSO: Thank you.

20 CHAIRPERSON CAPIZZI: He's an expert.

21 MR. ALONSO: Thank you very much.

22 Mr. Valella, you prepared the plans that
23 are before the Board.

24 Correct?

25 MR. VALELLA: Yes.

1 MR. ALONSO: Okay.

2 I'm going to ask you to please review, what
3 are the existing conditions and what do we
4 propose to legalize?

5 MR. VALELLA: Sure.

6 Well, this is an existing structure on 36,
7 between Bergenline and New York Avenue. It's a
8 25 by 100 foot two story property, with a
9 basement on -- below grade.

10 This has two apartments on the second floor
11 and an existing apartment on the ground floor.
12 Now, the ground floor is the one that we're
13 before you. The reason for that is the ground
14 floor used to be a doctor's office. And it
15 functioned as a doctor's practice, and
16 apparently, the two apartments upstairs. But we
17 are -- the -- I think the doctor, I'm not quite
18 sure on the chronology, when he gave up his
19 practices, became an apartment. And that is the
20 dwelling unit that is before you.

21 Everything is existing. We are proposing
22 some modifications to bring the units up to Code.
23 But -- but this is what it is. It's -- it's an
24 existing apartment on the ground floor. At one
25 point, it had been a doctor's office and now,

1 | it's going back to its original function as a
2 | dwelling unit.

3 | The ground floor apartment in question is
4 | what I call apartment number one. It is a three
5 | bedroom, 1,240 square foot apartment, where the
6 | minimum required in your Ordinance is 900 square
7 | feet.

8 | There is a room here that we're taking the
9 | walls out, so that it is a three bedroom
10 | apartment. And then, on the second floor, and on
11 | the third floor, we have -- I'm sorry -- on the
12 | second floor, we have two units; a studio
13 | apartment, which is 413 square feet, where 400
14 | square feet is the minimum, and a one bedroom
15 | apartment, which is 820 square feet, where 550
16 | square feet is the minimum.

17 | We are in the -- for example, in the
18 | studio, we're removing a wall and a door so that
19 | there's no potential for a bedroom to be -- to be
20 | used, so it becomes one open space as a studio.

21 | In the second apartment, apartment number
22 | three, we're removing a curious wall in there so
23 | that the bedroom is complete.

24 | We're taking a door out. So, you can see,
25 | there's minor little cleanup that we've done to

1 | ensure that the apartments meet life safety.

2 | There's no -- so that there's no bedroom without
3 | a window, things like that.

4 | But in essence, these are existing
5 | apartments in this structure. We're not making
6 | it any bigger or any smaller. There was a
7 | doctor's office at some point in the ground
8 | floor. And it's converted back to a dwelling
9 | unit.

10 | MR. ALONSO: And now, there's also a
11 | diagram with respect to the basement. What is
12 | the basement used for?

13 | MR. VALELLA: The basement has a crawl
14 | space and it's an unfinished space. It has a
15 | powder room. I think the doctor used it for
16 | medical records, but it's not being -- there's no
17 | kitchen, there's no living space there. It's
18 | empty.

19 | MR. ALONSO: Okay.

20 | MR. VALELLA: It's got the furnace and the
21 | hot water heater.

22 | MR. ALONSO: Okay.

23 | And in the zone, the mixed use would be a
24 | not permitted use, so we're actually bringing it
25 | to a conforming use --

1 MR. VALELLA: Right.

2 MR. ALONSO: -- by going from a non-
3 permitted use to a -- a conforming.

4 MR. VALELLA: Yeah.

5 MR. ALONSO: This is a three family.

6 MR. VALELLA: I mean, I'm not a historian,
7 but I suspect this was a two or a three family,
8 with the doctor buying the property, making his
9 medical practice on the ground floor. And then,
10 it went back to -- it's a -- its original/normal
11 use.

12 MR. ALONSO: And now, you indicated there's
13 some minor interior renovations that are going to
14 be required. With respect to the exterior of the
15 property, is there any additions?

16 MR. VALELLA: No. There's nothing that
17 needs to be done. All, as I said, is remove the
18 potential for additional bedrooms, without
19 windows, and those kinds of things. I -- I think
20 that brought it up to would be Code.

21 MR. ALONSO: Okay.

22 So, then, with respect to the -- the bulk
23 requirements, everything's preexisting. I'm just
24 going to ask you what variances, if any, would be
25 required.

1 MR. VALELLA: Sure.

2 This property is in the R, low density
3 residential zone. The lot is 2500 square feet,
4 where 2500 would be required. It's 25 feet wide,
5 where 25 is required. It's a hundred, where a
6 hundred is required. The front yard is zero.
7 The side yards are zero, where zero and five
8 feet, if provided.

9 So, the rear yard is 40.25 feet, where 20
10 is required. Building coverage is 60 percent,
11 where 80 is required. It's two stories, where
12 four is permitted. It's 20 feet, where 50 is
13 permitted in height. Sixty-five percent lot
14 coverage and a hundred is permitted.

15 There is no parking. So, really, the only
16 bulk variance -- the only variance really that is
17 being sought is the parking. A car -- a
18 tabulation of six cars would be required and zero
19 are provided. There is no parking. That
20 structure has never -- that property has never
21 had a garage. These are row houses, one next to
22 the other.

23 As I'm reading it, I think the only thing
24 here is the parking.

25 MR. ALONSO: All right.

1 And anything else that may not be
2 conforming is all preexisting.

3 MR. VALELLA: Yes, sir.

4 MR. ALONSO: Okay.

5 MR. ORTIZ: But that -- the parking is --
6 just so the record's clear, that is a change,
7 though.

8 MR. ALONSO: That's correct. There was a
9 parking --

10 MR. ORTIZ: Because it's listed as no
11 change, though.

12 MR. ALONSO: Correct. There's a parking
13 requirement for the doctor's office.

14 CHAIRPERSON CAPIZZI: Right.

15 MR. ALONSO: Which now there's a parking
16 requirement for the -- for the apartments.

17 MR. ORTIZ: Is it an increase or a --

18 MR. ALONSO: So whatever the difference is
19 we're --

20 MR. ORTIZ: Is it an increase or a
21 decrease?

22 MR. VALELLA: Actually, it's a decrease in
23 -- in requirement, because the -- the
24 professional office would have a greater -- a
25 greater number of vehicles.

1 CHAIRPERSON CAPIZZI: Um hum.

2 MR. VALELLA: So, it's actually a decrease
3 in the -- in the variance.

4 MR. ALONSO: Yeah.

5 CHAIRPERSON CAPIZZI: Okay.

6 Any Board member have any questions?

7 Comments?

8 Anyone from the public have any questions
9 or comments?

10 No?

11 Okay. Seeing none.

12 Carlos, I make a motion to approve the
13 application.

14 THE SECRETARY: Motion on the table to
15 approve the application by Mrs. Capizzi.

16 MR. VELAZQUEZ: Second.

17 THE SECRETARY: Second by Mr. Velazquez.

18 Roll call on the motion.

19 Ms. Genao?

20 MS. GENAO: Yes.

21 THE SECRETARY: Ms. Morejon?

22 MS. MOREJON: Yes. Yes.

23 THE SECRETARY: Ms. Capizzi?

24 CHAIRPERSON CAPIZZI: Yes.

25 THE SECRETARY: Mr. Rivero?

1 MR. RIVERO: Yes.

2 THE SECRETARY: Ms. Koehler?

3 VICE CHAIRPERSON KOEHLER: Yes.

4 THE SECRETARY: Mr. Velazquez?

5 MR. VELAZQUEZ: Yes.

6 THE SECRETARY: Mr. Guareno?

7 MR. GUARENO: Yes.

8 THE SECRETARY: Seven in favor.

9 Motion carries.

10 MR. ALONSO: Thank you very much.

11 Have a good evening.

12 THE SECRETARY: Thank you.

13 Good evening.

14 MR. VALELLA: If I don't see you have a good
15 holiday.

16 CHAIRPERSON CAPIZZI: Thank you.

17 MR. ALONSO: Yes. Have a good holiday, if
18 I don't see you.

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

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1 **32nd & 33rd Street Union City, LLC -**
2 **412-418 32nd Street & 407-413 33rd Street:**

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4 THE SECRETARY: Next application on
5 tonight's agenda, 32nd and 33rd Street Union City,
6 LLC, 412-418 32nd Street and 407-413 33rd Street.

7 Ms. Pereiras, please?

8 MS. PEREIRAS: Thank you.

9 Again, Bianca Pereiras, on behalf of the
10 applicant.

11 This is a matter that has been continued
12 and we're actually going to ask this Board, if
13 you would be so kind, to have this matter carried
14 to the next meeting, if possible.

15 MR. ORTIZ: Carlos, what's the next meeting
16 like, agenda-wise?

17 MS. MOREJON: January? January? No?

18 THE SECRETARY: Oh, is the agenda --

19 MS. MOREJON: January 22nd.

20 MR. ORTIZ: No, no, no. As far as the next
21 meeting would be January.

22 MS. PEREIRAS: Understood. I know you're
23 not meeting in December.

24 MR. ORTIZ: I'm just asking what's on
25 already because --

1 THE SECRETARY: January. It's a good
2 question. I think we have three already.

3 MR. ORTIZ: And they're large three, I
4 think, aren't they?

5 THE SECRETARY: No. I think we have --

6 MR. ORTIZ: Well --

7 MS. PEREIRAS: You have one of mine, that's
8 a little larger.

9 MR. ORTIZ: That's a -- that's a large one.

10 MS. PEREIRAS: Okay.

11 MR. ORTIZ: I think we have -- I mean --

12 THE SECRETARY: We could put whatever we
13 can -- you guys can hear.

14 MS. PEREIRAS: I have the same
15 professionals on those two cases, so it'd be
16 great if they were on the same night. But again,
17 it's up to this Board.

18 MR. ORTIZ: It's up to the Board. I mean
19 --

20 MS. PEREIRAS: Okay.

21 CHAIRPERSON CAPIZZI: Up to the Board.

22 MR. ORTIZ: I mean, it's my understanding
23 there's at least one -- this is a relatively
24 large project.

25 CHAIRPERSON CAPIZZI: Right.

1 MR. ORTIZ: And there's at least one other
2 large one. Carlos can't recall what the other
3 two are. I have no idea.

4 So, that's what you're looking at. You're
5 -- you're looking at two large projects, at very
6 least, and then potentially the other two we
7 don't -- we're not sure what they are.

8 So, does the Board want to hear this one in
9 January? Or do we want to hear it in February?
10 That's -- that's your -- the options that --
11 she's asking that it be carried either way.

12 MS. MOREJON: See, all depends how many
13 meetings we have for January.

14 MR. ORTIZ: We only have one for January.

15 MS. MOREJON: Only have one?

16 MR. ORTIZ: Meeting, yes.

17 CHAIRPERSON CAPIZZI: We have a big
18 application, two smaller ones, we think. And
19 then they're asking to put this one also on.

20 MS. MOREJON: I would leave it for
21 February, because the big one is going to take at
22 least --

23 CHAIRPERSON CAPIZZI: Long time.

24 MR. ORTIZ: Okay.

25 MS. MOREJON: -- maybe three hours.

1 MR. ORTIZ: It's the Board's purview.

2 MS. MOREJON: Don't you think so, Alex?

3 CHAIRPERSON CAPIZZI: Yeah.

4 MS. MOREJON: We agree to that.

5 You agree to that?

6 CHAIRPERSON CAPIZZI: February.

7 MS. MOREJON: February.

8 Please.

9 MR. ORTIZ: All right. So, we need a
10 motion --

11 MS. MOREJON: Thank you.

12 MR. ORTIZ: -- to adjourn this to February,
13 then.

14 CHAIRPERSON CAPIZZI: I'll make the motion
15 to adjourn it to February.

16 THE SECRETARY: Which day?

17 CHAIRPERSON CAPIZZI: February.

18 THE SECRETARY: February 27, --

19 MS. MOREJON: That's right.

20 THE SECRETARY: -- 2018.

21 MS. MOREJON: February 27.

22 THE SECRETARY: I have a motion on the
23 table to adjourn this application to February 27,
24 2018.

25 Motion by Ms. Capizzi.

1 Any second on the motion?

2 MR. VELAZQUEZ: Second.

3 THE SECRETARY: Second by Ms. Koehler.

4 Roll call on the -- roll call on the motion
5 to adjourn this application for February 27,
6 2018.

7 Ms. Genao?

8 MS. GENAO: Yes.

9 THE SECRETARY: Ms. Morejon?

10 MS. MOREJON: Yes.

11 THE SECRETARY: Ms. Capizzi?

12 CHAIRPERSON CAPIZZI: Yes.

13 THE SECRETARY: Mr. Rivero?

14 MR. RIVERO: Yes.

15 THE SECRETARY: Ms. Koehler?

16 VICE CHAIRPERSON KOEHLER: Yes.

17 THE SECRETARY: Mr. Velazquez?

18 MR. VELAZQUEZ: Yes.

19 THE SECRETARY: Mr. Guareno?

20 MR. GUARENO: Yes.

21 THE SECRETARY: Seven in favor.

22 Motion carries.

23 MS. PEREIRAS: Thank you.

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25 (Whereupon, there was a pause in the

1 proceedings.)

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1 **584 Assoc. Corp.-**

2 **415 19th Street:**

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4 THE SECRETARY: Next application on
5 tonight's agenda, 584 Association Corp., 415 19th
6 Street.

7 Mrs. Pereiras, please?

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

10 MR. ORTIZ: Madam Chairman, I had an
11 opportunity to review submissions by counsel;
12 everything seems to be in order, giving
13 jurisdiction to the Board.

14 CHAIRPERSON CAPIZZI: Thank you. Yes.

15 MS. PEREIRAS: Again, Bianca Pereiras, on
16 behalf of the applicant.

17 This is for property located at 415 19th
18 Street in Union City. Currently, on-site,
19 there's a two family home.

20 What the applicant's proposing to do is to
21 demolish that existing building and create a
22 brand new three family home, which is permitted
23 in this district.

24 We have one expert to testify before the
25 Board this evening, and that is Mr. Manuel

1 Pereiras.

2 MR. PEREIRAS: I recognize that I am still
3 under oath.

4 CHAIRPERSON CAPIZZI: Yes.

5 MR. ORTIZ: You're taking my line.

6 MR. PEREIRAS: Sorry.

7 CHAIRPERSON CAPIZZI: Stealing your
8 thunder.

9 MS. PEREIRAS: Mr. Pereiras, are you
10 familiar with the property in question?

11 MR. PEREIRAS: I am.

12 MS. PEREIRAS: And did you prepare the
13 drawings that are before the Board this evening?

14 MR. PEREIRAS: I have.

15 MS. PEREIRAS: And would you kindly walk us
16 through the application?

17 MR. PEREIRAS: Be very happy to.

18 We're on 19th Street, between Bergenline
19 and New York Avenue.

20 We have a typical 25 by 100 lot and what
21 we're proposing to do is a typical three family,
22 with a few tweaks that we think makes the project
23 even better.

24 Let me start by situating you on the -- on
25 the site itself.

1 The drawings that were submitted to the
2 Board are the same drawings that we have before
3 you on this easel right here.

4 As you could see, we have the existing
5 condition of the building on the left hand side,
6 which we're tearing down, and the proposed
7 conditions on the right hand side.

8 Starting with the front yard, we have a
9 prevailing setback of the buildings on both sides
10 of the -- of the building that are at zero. And
11 we're looking to continue that prevailing, as per
12 allowance in the Ordinance, at zero.

13 So, we have an existing zero that we're
14 proposing to be zero there.

15 We have a rear yard of 15 feet that we're
16 proposing. We have side yards of three foot and
17 two feet, with one exception to those side yards.
18 We're looking to protrude into the side yards,
19 with columns on each side, in order to allow the
20 possibility of more parking underneath the
21 building, so that we have a three family with the
22 ability of having three individual parking spaces
23 within, which solves the greatest problem we have
24 in Union City, which is parking. I think this
25 helps define and to -- and to reduce that problem

1 | that we have.

2 | In addition to that, we have a couple more
3 | variances. The -- the building coverage is at
4 | 67.4 percent, whereas 60 percent is permitted.
5 | And that's really a function of that front yard.
6 | Since we don't want to set the building back,
7 | because it will look like a missing tooth on the
8 | -- on the street, and we want to match the
9 | prevailing, it adds more coverage, which triggers
10 | that variance as well for building coverage.

11 | And the -- we're in complete compliance
12 | with maximum lot coverage. We're permitted 85
13 | percent, however, we're at 72.1 percent. And
14 | even though we are able to fit a lot more parking
15 | on this site, because of this new design, we're
16 | still having a parking variance because seven
17 | parking spaces would be required in total, and we
18 | have four parking spaces proposed.

19 | Let me show you how --

20 | CHAIRPERSON CAPIZZI: Is the current house
21 | in disrepair? Is that why you're knocking it
22 | down?

23 | MR. PEREIRAS: It's in -- it's in real --
24 | it's in bad shape. Yes.

25 | CHAIRPERSON CAPIZZI: Okay. And I'm going

1 to have Carlos just remind all the applicants,
2 not only you, that we need pictures of the
3 individual --

4 MR. PEREIRAS: Even when we're tearing it
5 down; the house?

6 CHAIRPERSON CAPIZZI: Yeah. I want to see
7 what's there. Yes.

8 MR. PEREIRAS: Yes, ma'am.

9 CHAIRPERSON CAPIZZI: So, I'm going to ask
10 Carlos --

11 MR. PEREIRAS: We'll make sure that we do
12 that.

13 CHAIRPERSON CAPIZZI: -- from now on to ask
14 all applicants to have pictures of the actual
15 site.

16 MR. PEREIRAS: Okay.

17 THE SECRETARY: Around the area or inside?

18 CHAIRPERSON CAPIZZI: Well, no. What we're
19 looking at.

20 MR. SPATZ: Just the building -- the
21 building itself.

22 CHAIRPERSON CAPIZZI: I don't know what
23 building we're looking at.

24 THE SECRETARY: Oh, the -- the requirements
25 -- you know, mandate that they --

1 CHAIRPERSON CAPIZZI: No, I know, but --

2 THE SECRETARY: -- have to provide photos.

3 CHAIRPERSON CAPIZZI: And there was another
4 applicant --

5 THE SECRETARY: With the 200 --

6 CHAIRPERSON CAPIZZI: -- that didn't have
7 it.

8 THE SECRETARY: -- radius.

9 CHAIRPERSON CAPIZZI: So, tonight, let's
10 just go through with it. But in the -- in the
11 future, we need to see what we're looking at.

12 THE SECRETARY: Yes, ma'am.

13 MS. PEREIRAS: Not a problem.

14 CHAIRPERSON CAPIZZI: What we're -- what
15 we're voting on.

16 THE SECRETARY: Yes.

17 MR. PEREIRAS: Yes, ma'am.

18 MS. PEREIRAS: We will do that.

19 Thank you.

20 MR. PEREIRAS: Yes, ma'am.

21 CHAIRPERSON CAPIZZI: Not only you,
22 everyone.

23 MS. PEREIRAS: I understand.

24 MR. PEREIRAS: Yes, ma'am.

25 MR. ORTIZ: I guess it's going to be eye on

1 three family, you have a porch and a garage.

2 MR. PEREIRAS: It's -- it's really funny.
3 What the -- the project manager, architect that
4 put the cars -- they're hilarious cars.

5 One of the cars he actually put in there is
6 like a huge van, which is nice because it shows
7 that a van fits in there, but it's kind of
8 ridiculous that we have a van and a Porsche.

9 But those are the -- the free CAD software
10 things that they give us.

11 Turning now to page Z02. In Z02, we have
12 the proposed plans.

13 First and foremost, you can see it's a
14 three story building. So, we're maintaining what
15 the requirement in the district is of three
16 stories.

17 On the ground floor, we have the ability to
18 create a parking for four cars. But what's
19 different from other three families that I
20 propose is that we are trying to provide three
21 cars, side-by-side. Which means that each of the
22 units is going to have individual parking
23 afforded to them, which I think is a really big
24 deal.

25 But in order to make that happen, we're

1 providing -- we're proposing these columns at
2 these points, in order to give the clearance of
3 those cars, and we're making it an aesthetically
4 pleasing way, I think is very nice.

5 So, the building is set back three feet and
6 two feet, except for those columns there. But it
7 gives us the opportunity to have three cars
8 parked here, and two cars in tandem along the
9 side for a total of four cars.

10 The main entrance to the building is
11 through this singular tower -- stair tower. And
12 that leads you to the two apartments above. And
13 on the building to the -- and something important
14 to explain about the site, the site pitches in
15 the opposite direction of the site that we just
16 spoke about a little bit earlier. This actually
17 pitches up.

18 So, this apartment is a little bit higher.
19 It's three steps higher than the garage, which is
20 actually very aesthetically pleasing, because
21 you're defining it a little bit nicer and higher
22 up than where the parking level is.

23 So, you take those three steps up and you
24 enter the building on the side. And you have a
25 three bedroom unit. Enter into a kitchen, dining

1 room, living room, a master bedroom with its
2 master bath, and -- and closet, and then, a
3 secondary bath that's shared by two bedrooms
4 along the back of the property.

5 The master is 12 by 13 and the other two
6 bedrooms are nine foot two by ten. So, they're
7 smaller bedrooms, but they're perfect size for
8 kids or for home study or something of that
9 nature.

10 The two floors above that are exact
11 pancakes of each other. They're the exact same
12 floor plan.

13 You enter from the main stairwell, enter a
14 large living room, dining room space, that's open
15 into a modern design kitchen area. And then, you
16 have the three bedroom design in the back, with a
17 ten by 13 bedroom, ten by 15 bedroom, and a nice
18 master along the back that has its own bathroom
19 and walk-in closet, and secondary closet, as
20 well.

21 The floor above that is exactly the same.

22 Turning now to the elevations. You could
23 see what we accomplished in the front façade,
24 we're proposing a beautiful brick façade. This
25 is a true brick façade with a lot of

1 ornamentation, and a nice cornice along the top.
2 And we created those columns along the side that
3 allows for the three cars to be parked underneath
4 the house, so every apartment has its own
5 parking.

6 You can see the profile. What's important
7 here is you could see the open space in the front
8 of the house that allows for that parking and the
9 three steps that lead you up to a higher level of
10 that ground level, and the two floors above that.

11 The other three sides of the house, other
12 than the front, is proposed vinyl siding.

13 We're in conformance with the height of the
14 -- of the Ordinance height and everything else in
15 the Ordinance I didn't mention that we needed a
16 variance for.

17 So, what we're proposing to do, I think
18 it's a great little building, and I'm open for
19 all your questions.

20 CHAIRPERSON CAPIZZI: What's the height of
21 the buildings on either side?

22 MR. PEREIRAS: The height of the ones on
23 either side?

24 CHAIRPERSON CAPIZZI: Yes.

25 MR. PEREIRAS: I actually don't know. I

1 | could give you an estimate of what they are.

2 | CHAIRPERSON CAPIZZI: I just -- I'm only
3 | asking just to make sure it kind of looks
4 | consistent. That's the only --

5 | MR. PEREIRAS: Well, we're consistent --

6 | CHAIRPERSON CAPIZZI: -- reason.

7 | MR. PEREIRAS: -- completely with the
8 | Ordinance.

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

11 | MR. PEREIRAS: Bear with me.

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

14 | MR. PEREIRAS: There is no --

15 | CHAIRPERSON CAPIZZI: This is between --
16 | this is 19th Street, between --

17 | MS. PEREIRAS: Between Bergenline and New
18 | York.

19 | MR. PEREIRAS: It's on Bergenline and New
20 | York.

21 | CHAIRPERSON CAPIZZI: Bergenline and New
22 | York.

23 | MR. PEREIRAS: It's 415 19th Street.

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

1 MR. ORTIZ: Maybe this will help.

2 How much -- how much higher is it than the
3 building that exists there?

4 CHAIRPERSON CAPIZZI: Right.

5 MR. ORTIZ: Because that you probably know.

6 MR. PEREIRAS: Yeah, I do know. It's -- we
7 have an existing two story, it's a two and a half
8 story, it has an attic to it. And so, this is
9 less than ten feet taller. This is a -- this is
10 a three story building.

11 If you compare it to the peak of the roof,
12 we're probably maybe a foot higher than the
13 existing building, if you compare it to the peak.

14 MR. ORTIZ: And all the buildings are
15 relatively the same height?

16 MR. PEREIRAS: Yeah. They are. They're
17 relatively the same.

18 MR. VELAZQUEZ: This is not that blue
19 house, right? That abandoned one?

20 CHAIRPERSON CAPIZZI: I don't know.

21 MR. ORTIZ: Is it currently abandoned?

22 MR. PEREIRAS: It's not in use. I don't
23 know how long it's not been in use.

24 CHAIRPERSON CAPIZZI: Is it by the church?

25 MR. PEREIRAS: It's across the street --

1 MR. VELAZQUEZ: Across the street.

2 MR. PEREIRAS: -- from the church.

3 MS. MOREJON: That's the one -- the one
4 they're going to knock down.

5 MR. PEREIRAS: I'm looking at a 3D version
6 of it right now.

7 MR. VELAZQUEZ: Yeah. Because we boarded
8 it up a couple of times.

9 CHAIRPERSON CAPIZZI: I think -- I think I
10 know the house.

11 MR. ORTIZ: I think I know which one he's
12 talking about.

13 CHAIRPERSON CAPIZZI: Right. It's in bad
14 shape.

15 MR. PEREIRAS: Yeah. It's -- it's in
16 pretty bad condition.

17 MR. VELAZQUEZ: It is.

18 CHAIRPERSON CAPIZZI: It's in bad shape.

19 MR. PEREIRAS: And boarded up right now.

20 CHAIRPERSON CAPIZZI: Right. It is.

21 Okay.

22 MR. PEREIRAS: So, the building exactly
23 adjacent to it is the same height as the building
24 we have now.

25 And the building to -- so this building is

1 exactly the same height, which ours might be a
2 foot taller.

3 CHAIRPERSON CAPIZZI: Right.

4 MR. PEREIRAS: The building to the right of
5 it is actually strange, because it continues
6 further down. Over here, it's tall. It's a lot
7 taller than our building. It looks like three
8 and a half stories tall. But over here, it's a
9 garage only.

10 So, in this portion right here, it's a
11 single story. Then it goes to a taller single
12 story, and then there's a three story portion
13 over here.

14 CHAIRPERSON CAPIZZI: Okay.

15 Thank you.

16 MR. PEREIRAS: So, it fits into the
17 neighborhood very well. The lot -- one further
18 down, the building is set back significantly,
19 further down, but it's a three and a half story
20 building, with a pitched roof.

21 The next one is on the property line,
22 again. And it's a three and a half story. So,
23 the first story is six steps up.

24 The one next to that is a two and a half
25 story, so they're all pretty much equal in size.

1 MR. GUARENO: Walk -- walk me through the
2 -- where the cars are going to be -- the vehicles
3 are going to be parked.

4 MR. PEREIRAS: Um hum.

5 MR. GUARENO: That's wide open.

6 MR. PEREIRAS: It's -- yes. It's wide
7 open. It's like a carport.

8 MR. GUARENO: All right.

9 And where is the main -- the entrance for
10 the --

11 MR. PEREIRAS: It's behind those cars. So,
12 you walk through the cars, and you're at the main
13 door.

14 MR. GUARENO: You're going to walk through
15 the vehicles that are parked, to get to the
16 front.

17 MR. PEREIRAS: Correct.

18 MR. GUARENO: This is a side door, on the
19 -- this picture?

20 MR. PEREIRAS: And that's a side door for
21 the apartment.

22 CHAIRPERSON CAPIZZI: So, where's the
23 garbage, the trash and the garbage?

24 MR. PEREIRAS: We have it --

25 (Whereupon, there was a pause in the

1 proceedings.)

2 MR. PEREIRAS: So, the water and gas room
3 is also the garbage room. The water and gas is
4 actually a very small component of that, along
5 the edge of it. And that's more than big enough
6 for the garbage.

7 MR. ORTIZ: Alex, you need -- you seem to
8 know capacity, just because of your role with the
9 City, as far as waste and garbage.

10 Does that look like that would be big
11 enough for three units?

12 MR. GUARENO: What's the size?

13 MR. ORTIZ: I don't know. And that's a
14 pure question. I have no idea.

15 MR. GUARENO: What's the size of it?

16 MR. PEREIRAS: It's three and a half feet
17 in width, and it's about ten feet in -- in
18 length.

19 MR. ORTIZ: But there's going to be
20 equipment in there, too.

21 Right?

22 MR. PEREIRAS: Yeah, but it's going to be
23 the water meter and the sprinkler manifold, which
24 occupies about two feet in -- horizontally.

25 MR. GUARENO: Three by ten?

1 MR. PEREIRAS: And we could actually make
2 it a little bit bigger. Right now, we have this
3 closet here. We could shift that over and make
4 that room bigger, if the Board sees fit.

5 There's -- but that's ample size for
6 garbage. I mean, it's three units. They each
7 have one garbage bin --

8 MR. ORTIZ: I'm just --

9 MR. PEREIRAS: -- and one recycling bin.

10 MR. ORTIZ: You know this better than I do,
11 with the Health Department.

12 MR. VELAZQUEZ: Even better when it's
13 inside than it's outside.

14 I'd rather it be inside than outside.

15 MR. PEREIRAS: Yeah. And it's very nice,
16 because even though it's contained and indoors,
17 it's accessed through the exterior.

18 CHAIRPERSON CAPIZZI: Right.

19 MR. PEREIRAS: So, you're removing all that
20 smell from inside the house --

21 CHAIRPERSON CAPIZZI: Right.

22 MR. PEREIRAS: -- yet removing all the
23 smell from the neighbors, too. It works very
24 nicely.

25 CHAIRPERSON CAPIZZI: Anybody have any

1 other questions on the Board?

2 Questions or comments?

3 Anyone from the public?

4 MR. ORTIZ: I -- I have one thing.

5 CHAIRPERSON CAPIZZI: Yes.

6 MR. ORTIZ: Since it's going to be an open
7 carport, how -- what's the lighting?

8 CHAIRPERSON CAPIZZI: Yeah. I was just
9 going to ask that. Right.

10 Thank you, Willie.

11 We're starting to finish each other's
12 sentences.

13 MR. PEREIRAS: Yes. Yes.

14 So, since it's --

15 CHAIRPERSON CAPIZZI: I guess there's no
16 tree. There's no room for a tree or anything.

17 MR. PEREIRAS: Well, on the -- not really.
18 No.

19 CHAIRPERSON CAPIZZI: No.

20 MR. PEREIRAS: No.

21 But for lighting, the great thing is that
22 since it's a -- it's basically an open ceiling,
23 it's going to be soffit (indiscernible) ceiling,
24 we could put in as many lights as necessary.

25 What I would do there, just to make this

1 nice and attractive, I would basically put two
2 lights between each of the cars, so that it
3 lights up that whole area very nicely.

4 So, if you're looking in plan, there would
5 be a light fixture here, and a light fixture
6 there. And that would light it well and you
7 don't have polluting light because it's --

8 CHAIRPERSON CAPIZZI: Um hum.

9 MR. PEREIRAS: -- basically, completely
10 down light. So, there's no light that filters
11 into the neighbor's property, which is very nice.

12 CHAIRPERSON CAPIZZI: That's good.

13 Okay?

14 MR. ORTIZ: Just one -- (indiscernible)--
15 that's all.

16 CHAIRPERSON CAPIZZI: Right. I'll make a
17 motion to approve the application.

18 THE SECRETARY: Motion to approve the
19 application by Ms. Capizzi.

20 Any second on the motion?

21 MR. PEREIRAS: Open to public.

22 VICE CHAIRPERSON KOEHLER: Second.

23 THE SECRETARY: Second by Mrs. Koehler.

24 MR. PEREIRAS: Open to public.

25 CHAIRPERSON CAPIZZI: We did.

1 MR. ORTIZ: Public. Public. Public.

2 No one has any questions from the public?

3 CHAIRPERSON CAPIZZI: I did ask.

4 THE SECRETARY: Roll call on the motion to
5 approve this application.

6 CHAIRPERSON CAPIZZI: I did. Oh, I asked.

7 MR. ORTIZ: Okay. No.

8 CHAIRPERSON CAPIZZI: Didn't I ask?

9 THE SECRETARY: Ms. Genao?

10 CHAIRPERSON CAPIZZI: Do you have any?

11 MS. PEREIRAS: Yeah.

12 MR. PEREIRAS: Oh, you asked. I'm sorry.

13 I missed it.

14 CHAIRPERSON CAPIZZI: That's okay.

15 Who second it?

16 THE SECRETARY: Motion by Ms. Capizzi.

17 Second by Ms. Koehler.

18 Roll call on the motion.

19 Ms. Genao?

20 MS. GENAO: Yes.

21 THE SECRETARY: Ms. Morejon?

22 MS. MOREJON: Yes.

23 THE SECRETARY: Ms. Capizzi?

24 CHAIRPERSON CAPIZZI: Yes.

25 THE SECRETARY: Mr. Rivero?

1 MR. RIVERO: Yes.

2 THE SECRETARY: Ms. Koehler?

3 VICE CHAIRPERSON KOEHLER: Yes.

4 THE SECRETARY: Mr. Velazquez?

5 MR. VELAZQUEZ: Yes.

6 THE SECRETARY: Mr. Guareno?

7 MR. GUARENO: Yes.

8 THE SECRETARY: Seven in favor.

9 Motion carries.

10 Thank you.

11 MS. PEREIRAS: Thank you so much.

12 MR. PEREIRAS: Thank you.

13 CHAIRPERSON CAPIZZI: You're welcome.

14 MS. PEREIRAS: And behalf of Manny and
15 myself, Merry Christmas.

16 CHAIRPERSON CAPIZZI: Merry Christmas.

17 MS. PEREIRAS: Happy New Year.

18 CHAIRPERSON CAPIZZI: Happy New Year.

19 MR. PEREIRAS: Merry Christmas.

20 MS. PEREIRAS: See you in January.

21 CHAIRPERSON CAPIZZI: Thank you.

22 You, too.

23 MS. PEREIRAS: Thank you.

24 * * *

25

1 **ADJOURNMENT:**

2

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

6 Motion by Ms. Capizzi.

7 By Mrs. Koehler, second.

8 All in favor?

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.

15 CHAIRPERSON CAPIZZI: Merry Christmas.

16 Happy New Year.

17 THE SECRETARY: Let the record show up that
18 the meeting has ended.

19 CHAIRPERSON CAPIZZI: Happy holidays.

20 Happy --

21 THE SECRETARY: Good night everyone.

22

23 (Whereupon, the proceedings were concluded
24 at 6:53 p.m.)

25

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 PLANNING BOARD heard on
9 Tuesday, November 28, 2017 and digitally
10 recorded.

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon