

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, March 27, 2018
Commencing at 6:08 p.m.

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

YDALIA GENAO, Mayor's Designee
RUDY RIVERO
FRANKLIN MEDINA
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
ALICIA MOREJON
CAROLINA FERNANDEZ

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

CARLOS VALLEJO, Secretary to the Board

REGINA I. RODRIGUEZ, ESQ.
Attorney for the Board

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

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

THOMAS J. WALL, ESQ.,
Attorney for Applicants,
Elizabeth Balbuena & Christian T. Burbano

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, 214 45th Street, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, 315 5th Street, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, 924 17th Street, LLC

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I N D E X214 45th Street, LLC - 214 45th StreetWITNESSPAGE

Manuel Pereiras

19

I N D E X924 17th Street, LLC - 924 17th StreetWITNESSPAGE

Manuel Pereiras

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

3 Please take notice that on Tuesday, March
4 27, 2017 (sic), at six p.m., a Regular Meeting is
5 scheduled for the City of Union City Planning
6 Board, to be held in the Municipal Chambers of
7 the City Hall, 3715 Palisade Avenue, Union City,
8 New Jersey.

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

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

14 Notice of this meeting, setting forth the
15 time, date, location and the agenda, to the
16 extent known, was forward to The Jersey Journal,
17 The Record, and The Hudson Reporter, has been
18 posted on the bulletin board in City Hall, and
19 has been available to the public in the Office of
20 the Municipal Clerk.

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

23

24 (Whereupon, the Pledge of Allegiance was
25 said by all.)

1

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THE SECRETARY: Thank you.

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ROLL CALL:

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THE SECRETARY: Roll call for tonight's meeting.

8

Mayor Brian P. Stack? Absent.

9

Ydalia Genao?

10

MS. GENAO: Yes.

11

12

THE SECRETARY: Commissioner Celin Valdivia? Absent.

13

Alicia Morejon? Absent.

14

Diane Capizzi?

15

CHAIRPERSON CAPIZZI: Here. Here.

16

17

THE SECRETARY: Carolina Fernandez? Absent.

18

Rudy Rivero?

19

MR. RIVERO: Here.

20

THE SECRETARY: Franklin Medina?

21

MR. MEDINA: Here.

22

THE SECRETARY: Jeanne Koehler?

23

VICE CHAIRPERSON KOEHLER: Here.

24

THE SECRETARY: Alejandro Velazquez?

25

MR. VELAZQUEZ: Here.

1 THE SECRETARY: Jose Guareno?

2 MR. GUARENO: Here.

3 THE SECRETARY: Let the record reflect that
4 we have a full quorum for tonight's agenda, seven
5 present.

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1 **ADOPTION OF MINUTES:**

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3 (1) Regular Meeting held on February 27, 2018

4

5 THE SECRETARY: Adoption of Minutes.

6 Regular Meeting held on February 27, 2018.

7 Can I have a motion to -- to approve the
8 previous meeting minutes?

9 CHAIRPERSON CAPIZZI: I'll make --

10 MR. VELAZQUEZ: I make --

11 CHAIRPERSON CAPIZZI: -- a motion.

12 THE SECRETARY: Motion by Ms. Capizzi.

13 MR. VELAZQUEZ: Second.

14 THE SECRETARY: Second by Mr. Velazquez.

15 MR. VELAZQUEZ: Yes.

16 THE SECRETARY: Roll call on the motion.
17 Ms. Koehler?

18 VICE CHAIRPERSON KOEHLER: Abstain.

19 THE SECRETARY: Ms. Capizzi?

20 CHAIRPERSON CAPIZZI: Yes.

21 THE SECRETARY: Ms. Genao?

22 MS. GENAO: Yes.

23 THE SECRETARY: Mr. Medina?

24 MR. MEDINA: Yes.

25 THE SECRETARY: Mr. Rivero?

1 MR. RIVERO: Yes.

2 THE SECRETARY: Mr. Velazquez?

3 MR. VELAZQUEZ: Yes.

4 THE SECRETARY: Mr. Guareno?

5 MR. GUARENO: Yes.

6 THE SECRETARY: Six in favor, one
7 abstained.

8 Motion carries.

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1 **RESOLUTIONS:**

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3 (1) Dominic Turzy, 315 16th Street, Block 75,
4 Lot 15. Applicant proposes to legalize basement
5 apartment

6 (2) 1216 Kennedy Blvd., LLC, 1216 Kennedy Blvd.
7 Block 57, Lot 22. Legalization of basement
8 apartment.

9

10 THE SECRETARY: Adoption of Resolutions.
11 We have two Resolution on tonight's agenda.
12 Resolution number 1.
13 Dominic Turzy, 315 16th Street.
14 Second Resolution.
15 1216 Kennedy Boulevard.
16 Can I have a motion to adopt these
17 Resolutions?

18 CHAIRPERSON CAPIZZI: I make --

19 MR. VELAZQUEZ: I make a motion.

20 CHAIRPERSON CAPIZZI: Oh, Alex.

21 THE SECRETARY: Motion by Mr. Velazquez.

22 Second by Mr. (sic) Capizzi.

23 Ms. Capizzi. Sorry.

24 Roll call on the motion.

25 Ms. Capizzi?

1 CHAIRPERSON CAPIZZI: Yes.

2 THE SECRETARY: Ms. Genao?

3 MS. GENAO: Yes.

4 THE SECRETARY: Mr. Medina?

5 MR. MEDINA: Yes.

6 THE SECRETARY: Mr. Rivero?

7 MR. RIVERO: Yes.

8 THE SECRETARY: Mrs. Koehler?

9 VICE CHAIRPERSON KOEHLER: Abstain.

10 THE SECRETARY: Mr. Velazquez?

11 MR. VELAZQUEZ: Yes.

12 THE SECRETARY: Mr. Guareno?

13 MR. GUARENO: Yes.

14 THE SECRETARY: One (sic) in favor, one
15 abstained.

16 Motion carries.

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1 **Elizabeth Balbuena & Christian T. Burbano -**
2 **814 18th Street:**

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4 THE SECRETARY: We going to hear the
5 applications.

6 First hearing on tonight's agenda,
7 Elizabeth Balbuena and Christian T. Burbano, 814
8 18th Street.

9 Mr. Wall, please?

10 MR. WALL: Good evening.

11 My name's Thomas Wall. I'm the attorney
12 for the applicant, Elizabeth Balbuena, who is
13 standing here next to me.

14 As I had advised the counsel and Secretary,
15 we have a problem in that our architect is
16 suddenly unavailable to us.

17 So, I -- I don't know whether -- and I just
18 wanted to establish jurisdiction.

19 I submitted the notices and the proof of
20 publication. So, for the purposes of
21 establishing jurisdiction, the next step is -- I
22 don't know if the Board wants to take any
23 testimony tonight, or put everything off until
24 the next time that the -- that the Board meets?

25 THE SECRETARY: Next Board meeting will be

1 on April 24.

2 CHAIRPERSON CAPIZZI: Yeah. Let's just
3 wait. I think we should just wait.

4 I'd rather not hear any testimony. They're
5 not prepared, and they don't have their architect
6 here.

7 Are you asking to adjourn it?

8 MR. WALL: I'm asking for an adjournment,
9 yes, without the need to re-notice.

10 CHAIRPERSON CAPIZZI: Is that -- can we do
11 that?

12 MS. RODRIGUEZ: I mean, I'm looking --

13 THE SECRETARY: When you accept
14 jurisdiction, you can --

15 CHAIRPERSON CAPIZZI: In terms of re-
16 noticing, I can't answer that question. I'll
17 give that question to somebody else.

18 MR. SPATZ: No. They would not need to.

19 THE SECRETARY: No, you don't -- you don't
20 need no new notice.

21 MS. RODRIGUEZ: Yeah. I've reviewed the
22 documents and I -- I'm fine with --

23 MR. WALL: Thank you.

24 MS. RODRIGUEZ: -- sufficient for
25 jurisdiction.

1 MR. WALL: Thank you. So --

2 MS. RODRIGUEZ: I don't know if there was
3 anyone here related to this from the public that
4 wanted comment on it.

5 THE SECRETARY: Yes. The only thing you
6 have to --

7 MS. RODRIGUEZ: Other than that, I don't
8 have an issue with it being adjourned.

9 THE SECRETARY: They submitted publication.
10 (Whereupon, there was a pause in the
11 proceedings.)

12 MS. RODRIGUEZ: What's that?

13 CHAIRPERSON CAPIZZI: So, you have reviewed
14 the --

15 MS. RODRIGUEZ: Oh. So, I -- I reviewed
16 the -- the notice of hearing that was posted in
17 The Jersey Journal, on March 17. Also, the
18 notice of hearing that was posted in The Jersey
19 Journal, on March 16, 2018.

20 And I've also reviewed the notices that
21 provided to the residents in the area, that was
22 sent out on March 16th.

23 So, based on what I looked at, I'm
24 comfortable jurisdiction being established.

25 MR. WALL: Thank you.

1 MS. RODRIGUEZ: You're welcome.

2 MR. WALL: So, April 24th?

3 CHAIRPERSON CAPIZZI: So, then, I'll make a
4 motion to adjourn the appli -- hearing the
5 application until --

6 THE SECRETARY: April 24th.

7 CHAIRPERSON CAPIZZI: -- April 24th, and
8 we've established jurisdiction.

9 THE SECRETARY: No new --

10 CHAIRPERSON CAPIZZI: Okay.

11 THE SECRETARY: No new notice required.

12 Any second?

13 Second by Mr. Velazquez.

14 Roll call on the motion to adjourn this
15 application to April 24, 2018.

16 No new notice required.

17 Ms. Koehler?

18 VICE CHAIRPERSON KOEHLER: Yes.

19 THE SECRETARY: Ms. Capizzi?

20 CHAIRPERSON CAPIZZI: Yes.

21 THE SECRETARY: Ms. Genao?

22 MS. GENAO: Yes.

23 THE SECRETARY: Mr. Medina?

24 MR. MEDINA: Yes.

25 THE SECRETARY: Mr. Rivero?

1 MR. RIVERO: Yes.

2 THE SECRETARY: Mr. Velazquez?

3 MR. VELAZQUEZ: Yes.

4 THE SECRETARY: Mr. Guareno?

5 MR. GUARENO: Yes.

6 THE SECRETARY: Seven in favor.

7 Motion carries.

8 Thank you.

9 MR. WALL: Thank you.

10 MS. RODRIGUEZ: You're welcome. Have a
11 good one.

12 CHAIRPERSON CAPIZZI: You're welcome.

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

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1 **214 45th Street, LLC - 214 45th Street:**

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3 THE SECRETARY: Next application on
4 tonight's agenda, 214 45th Street, LLC, 214 45th
5 Street.

6 Mrs. Pereiras, please?

7 MS. PEREIRAS: Thank you.

8 Good evening, counsel, Madam Chair, members
9 of the Board.

10 May it please the Board, Bianca Pereiras on
11 behalf of 214 45th Street, LLC.

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

14 MS. RODRIGUEZ: So, Ms. Pereiras, I -- I've
15 reviewed the documents you gave me, and I notice
16 that the -- the public notice was posted in The
17 Jersey -- Jersey Journal on March 16th of 2018.

18 And I also received receipts for proofs
19 that the notices were sent to residents in the
20 area on March 16, 2018.

21 And I find this information sufficient to
22 establish jurisdiction.

23 MS. PEREIRAS: Thank you very much,
24 counsel.

25 This is an application before the Board to

1 | legalize a ground floor apartment. We have a few
2 | existing nonconformities -- but just go back to
3 | properties at 214 45th Street, also known as Block
4 | 270, Lot 6. We are in the R low density
5 | residential zone.

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

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

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

12 | MR. PEREIRAS: I do.

13 | Manny Pereiras, P-E-R-E-I-R-A-S, with
14 | Pereiras Architects Ubiquitous, 1116 Summit
15 | Avenue, Union City.

16 | MR. DILLON: Thank you.

17 | MS. PEREIRAS: And for purposes of the
18 | record, Mr. Pereiras --

19 | CHAIRPERSON CAPIZZI: Yes.

20 | MS. PEREIRAS: -- is accepted?

21 | Thank you very much.

22 | MR. PEREIRAS: Thank you.

23 | Nice to be here.

24 | CHAIRPERSON CAPIZZI: You're welcome.

25 | MS. PEREIRAS: Mr. Pereiras, are you

1 familiar with the property located at 214 45th
2 Street?

3 MR. PEREIRAS: I am.

4 MS. PEREIRAS: And did you prepare the
5 drawings that are before the Board?

6 MR. PEREIRAS: I have.

7 MS. PEREIRAS: And would you kindly walk us
8 through the application?

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

10 For purposes of the presentation, the same
11 drawings that were submitted to you are on the
12 easel to my right.

13 This is an application, you've actually
14 seen several of these or very similar. I think
15 almost every house on this -- on this
16 development, we've come before this Board
17 legalizing it into a three family. It's
18 something that has typically been done illegally
19 in these units, and we've been going through and
20 legalizing all of them.

21 This applicant purchased the property
22 recently, and he's doing the right thing, and
23 realized that it was illegal and coming before
24 this Board to legalize it, which opens a great
25 opportunity to make everything meet Code.

1 This application's actually even better
2 than all the other ones that we presented on this
3 block, because this is the end unit, in which
4 case it's a larger lot. It's actually 34.5 feet
5 wide.

6 And what that does, it allows us to create
7 additional parking.

8 So, we are proposing to enlarge the curb
9 cut, which really makes no difference on the
10 streetscape, but that enlarges the curb -- by
11 enlarging that curb cut, it allows us to fit two
12 more cars on the apron.

13 So, on our proposed site plan, we're simply
14 enlarging the curb cut slightly and putting two
15 more cars on the apron, on the side of the house.

16 So, we're creating two parking spaces for
17 this unit, making it so that we're not effecting
18 the parking -- we're not seeking for a variance
19 on expanding parking. So that makes this
20 application really good.

21 There's a few existing nonconformities on
22 this aspect, on -- on this drawing.

23 The depth of the lot is only 87.25 feet,
24 whereas a hundred is required.

25 The minimum rear yard, 25 percent of the

1 lot is required. We are at 19 feet nine inches.

2 The side yards, it's a party wall on one
3 side, so there is no side yard on that -- along
4 that side.

5 And this is -- on the safe side, I'm
6 considering this a height variance, as far as
7 stories, because there's an attic portion to it.

8 These are all preexisting nonconformities.
9 We're not seeking to make any changes to the
10 exterior of the building, other than providing
11 additional parking.

12 The unit themselves.

13 We're making a two bedroom unit. As you
14 could see, they're nice sized bedrooms; 17 foot
15 four by ten foot is one bedroom. The other
16 bedroom is 13.6 by 9.10.

17 And then, a contemporary open floor plan;
18 living, dining, kitchen area, open here.

19 We're creating -- moving the mechanical
20 room so that the access to that mechanical room
21 is through the outside of the building. So, all
22 the tenants, if there's ever a problem, they have
23 access to it through the outside of the building.

24 And we're going to be in conformance with
25 all Code issues. In order to make this a legal

1 unit, we're going to make a two hour fire
2 separation on the ceiling. We're going to
3 provide a domestic line sprinkler system for that
4 unit. We're going to upgrade the alarm system
5 for the entire building, so that there's going to
6 be a low voltage alarm system, as well as a 110
7 volt for -- within the apartments.

8 So, it's -- by approving this application,
9 we're actually going to make it a lot safer for
10 the inhabitants of this building, as well as the
11 neighbors. We're taking two cars off the street
12 and providing parking on that apron.

13 And in my opinion, those are all great
14 benefits for this neighborhood.

15 CHAIRPERSON CAPIZZI: Um hum.

16 MR. VELAZQUEZ: Now, if I'm not mistaken,
17 please tell me that this was the property that
18 had -- the prior owner had a garbage truck.

19 MR. PEREIRAS: I don't know, actually.

20 MR. VELAZQUEZ: Because this is what the
21 picture --

22 MR. PEREIRAS: Is the picture on there?
23 Yeah. I'm not sure what the prior owner did. I
24 have no idea.

25 MR. VELAZQUEZ: Because I -- I could tell

1 | you. I -- these are new owners and I -- you know
2 | --

3 | MR. PEREIRAS: Yes.

4 | MR. VELAZQUEZ: -- and I wish them the best
5 | with it. But the problems that I've had here --

6 | CHAIRPERSON CAPIZZI: Hmm.

7 | MR. VELAZQUEZ: -- has been astronomical.
8 | This --

9 | MR. PEREIRAS: I could imagine.

10 | MR. VELAZQUEZ: -- has been the -- I mean
11 | --

12 | MR. PEREIRAS: The new owners discovered
13 | work that was done without permit. The sewer
14 | actually collapsed. They had to get an emergency
15 | permit to repair the sewer.

16 | They've, actually, in the past two, three
17 | months, these owners have invested so much money
18 | into this property, just fixing problems that
19 | they were not aware of.

20 | The -- the new owners are clients of mine.
21 | They're applicants that are wonderful landlords,
22 | actually. I could speak very highly of them.

23 | So, they'll do everything right for this
24 | building.

25 | MR. VELAZQUEZ: And these -- these are

1 beautiful houses.

2 MR. PEREIRAS: They are.

3 MR. VELAZQUEZ: And to see some of them the
4 way that have been --

5 MR. PEREIRAS: Yeah.

6 MR. VELAZQUEZ: -- how they've been
7 treated, is a shame. And this is one of them
8 that's been neglected really bad.

9 MR. PEREIRAS: Yeah.

10 MR. VELAZQUEZ: This -- the prior owner
11 used to park a garbage truck and dump -- and dump
12 the garbage, and not thinking that he had
13 neighbors on -- on Roosevelt side made it worse.

14 CHAIRPERSON CAPIZZI: Hmm.

15 MR. VELAZQUEZ: I'm glad to see that
16 because that painting of that white door -- I
17 asked him to replace it and all he did was paint
18 it white.

19 When I see the garbage, you just imagine.

20 CHAIRPERSON CAPIZZI: Hmm.

21 MR. PEREIRAS: Yeah.

22 MR. VELAZQUEZ: Yeah. It's --

23 VICE CHAIRPERSON KOEHLER: A quick
24 question.

25 Under use in the appraisal survey, it says

1 commercial.

2 Is that the past use?

3 MR. PEREIRAS: Not that I know of.

4 Appraisal surveys -- is that the tax assessment?

5 I --

6 MR. VELAZQUEZ: That's why he probably
7 parked the truck there.

8 MR. PEREIRAS: Yeah. Who knows --

9 VICE CHAIRPERSON KOEHLER: Does that --

10 MR. PEREIRAS: -- what happened there,
11 yeah, previously.

12 MR. VELAZQUEZ: That's probably why he
13 parked his garbage truck there.

14 MS. PEREIRAS: My understanding, it's a
15 legal two family. And we're --

16 VICE CHAIRPERSON KOEHLER: So, there's no
17 commercial --

18 MS. PEREIRAS: -- looking to make it a
19 three.

20 VICE CHAIRPERSON KOEHLER: -- component to
21 this.

22 MS. PEREIRAS: There is no commercial
23 component as part of our application.

24 VICE CHAIRPERSON KOEHLER: Okay.

25 CHAIRPERSON CAPIZZI: Okay.

1 Anyone have any question or comments?

2 VICE CHAIRPERSON KOEHLER: No. Just I like
3 the brick --

4 CHAIRPERSON CAPIZZI: Um hum.

5 VICE CHAIRPERSON KOEHLER: -- front in
6 front of the garage.

7 MR. PEREIRAS: Yes.

8 CHAIRPERSON CAPIZZI: Absolutely.

9 VICE CHAIRPERSON KOEHLER: Love it.

10 MR. PEREIRAS: I think it's going to be
11 very attractive --

12 CHAIRPERSON CAPIZZI: Yeah.

13 MR. PEREIRAS: -- when done.

14 VICE CHAIRPERSON KOEHLER: It's more
15 neighborly.

16 MR. PEREIRAS: Yes.

17 CHAIRPERSON CAPIZZI: Um hum.

18 Anyone from the public have any questions
19 or comments?

20 Anyone here?

21 MR. VELAZQUEZ: What they're really going
22 to be doing is the asphalt and a lot of fixing up
23 and all that.

24 MR. PEREIRAS: They are. They'll continue
25 to clean it up and fix the house --

1 MR. VELAZQUEZ: Because you could tell like

2 --

3 MR. PEREIRAS: -- as necessary.

4 MR. VELAZQUEZ: -- if you go -- if you move
5 up to, I would say 224, almost the houses by
6 Palisade Avenue, you see the difference of how --
7 they're really supposed to really look like that.

8 MR. PEREIRAS: Um hum.

9 MR. VELAZQUEZ: That garbage that guy --
10 you know, had it on the side, had it -- you know.
11 That can't be like that.

12 Was a shame. I'm glad that there is --

13 CHAIRPERSON CAPIZZI: Yeah.

14 MR. VELAZQUEZ: -- new owners there.

15 Even the satellite dishes look disgusting
16 on there.

17 CHAIRPERSON CAPIZZI: Hmm.

18 MR. VELAZQUEZ: But that's not the new
19 owner's fault.

20 CHAIRPERSON CAPIZZI: Okay.

21 That's it?

22 MR. PEREIRAS: That concludes my testimony.

23 CHAIRPERSON CAPIZZI: Okay.

24 MR. PEREIRAS: Yes.

25 CHAIRPERSON CAPIZZI: Okay.

1 So, I'll make a motion to approve the
2 application.

3 THE SECRETARY: Motion to approve the
4 application by Chairwoman Capizzi.

5 MR. VELAZQUEZ: I second it.

6 THE SECRETARY: Any second the motion?
7 Mr. Velazquez.

8 Thank you, Mr. Velazquez.

9 MR. VELAZQUEZ: Just Bianca, just let them
10 know, please. Garbage and all --

11 THE SECRETARY: Roll call on the motion to
12 approve this application.

13 Ms. Koehler?

14 VICE CHAIRPERSON KOEHLER: Yes.

15 THE SECRETARY: Ms. Capizzi?

16 CHAIRPERSON CAPIZZI: Yes.

17 THE SECRETARY: Ms. Genao?

18 MS. GENAO: Yes.

19 THE SECRETARY: Mr. Medina?

20 MR. MEDINA: Yes.

21 THE SECRETARY: Mr. Rivero?

22 MR. RIVERO: Yes.

23 THE SECRETARY: Mr. Velazquez?

24 MR. VELAZQUEZ: Yes.

25 THE SECRETARY: Mr. Guareno?

1 MR. GUARENO: Yes.

2 THE SECRETARY: Seven in favor.

3 Motion carries.

4 Thank you, --

5 MS. PEREIRAS: Thank you very much.

6 THE SECRETARY: -- Mrs. Pereira.

7 CHAIRPERSON CAPIZZI: You're welcome.

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

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1 **315 5th Street, LLC - 315 5th Street:**

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3 MS. PEREIRAS: Carlos, I'm going to request
4 an adjournment on that next one, so you don't
5 have to pass --

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

8 MR. VELAZQUEZ: Is that the same -- is this
9 the same owner for that 315 5th Street?

10 THE SECRETARY: You're talking about the --

11 CHAIRPERSON CAPIZZI: The second one.

12 THE SECRETARY: Ms. Pereiras?

13 MS. PEREIRAS: No, not for 315 5th Street.

14 THE SECRETARY: You're talking about the
15 last one.

16 Right?

17 MS. PEREIRAS: No, 315 --

18 MR. VELAZQUEZ: The one that they're
19 adjourning.

20 MS. PEREIRAS: -- 5th Street, the three
21 family. That's the one I need to request an
22 adjournment.

23 I'm sorry.

24 THE SECRETARY: Give me two seconds.

25 MS. PEREIRAS: Sure.

1 MR. VELAZQUEZ: Being that he sold that,
2 the previous landlord. That's the new landlord.

3 MS. PEREIRAS: Who? I'm sorry?

4 MR. VELAZQUEZ: The previous landlord sold
5 it to somebody else.

6 Right?

7 MS. PEREIRAS: Yes.

8 THE SECRETARY: Next application on
9 tonight's agenda, 315 5th Street, LLC, 315 5th
10 Street.

11 Ms. Pereiras, please?

12 MS. PEREIRAS: Thank you.

13 Again, Bianca Pereiras on behalf of the
14 applicants.

15 I did submit my jurisdictional --

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

18 MR. VELAZQUEZ: Is the people in there for
19 this address, or do they know what's going on?

20 CHAIRPERSON CAPIZZI: I don't know. Do you
21 know why they're here?

22 MS. PEREIRAS: I think they were here for
23 the last one.

24 CHAIRPERSON CAPIZZI: Yeah.

25 MS. PEREIRAS: It was the last one.

1 Right?

2 CHAIRPERSON CAPIZZI: Okay.

3 MS. RODRIGUEZ: Ms. Pereiras, I looked at
4 your -- your notice in the public notice, in The
5 Jersey Journal, dated March 17, 2018, as well as
6 the notices provided to the local residents. And
7 I find that they're sufficient to establish
8 jurisdiction.

9 MS. PEREIRAS: Thank you very much.

10 Madam Chair, members of the Board, we are
11 requesting that this matter be adjourned to the
12 next possible meeting.

13 The client had to travel out-of-state and
14 was hoping to be here present at the meeting.
15 So, if this Board would be so kind as to carry
16 this matter to the next month's meeting, without
17 the need to re-notice or republish.

18 THE SECRETARY: Next meeting will be April
19 24.

20 CHAIRPERSON CAPIZZI: And how many
21 applications do we have so far?

22 THE SECRETARY: I think you can put this
23 one, too.

24 CHAIRPERSON CAPIZZI: Okay.

25 I mean, I'll do it, but in a way -- you

1 know, it is unfair to the neighbors, if -- if
2 anyone wanted to come tonight.

3 MS. PEREIRAS: I don't -- I don't think
4 there's anybody here.

5 CHAIRPERSON CAPIZZI: No, I know that
6 there's no one here. But --

7 MS. PEREIRAS: Right.

8 CHAIRPERSON CAPIZZI: And there definitely
9 won't be anybody here the next time, because they
10 don't know that you've moved it. So, maybe they
11 couldn't make it either, maybe they're
12 out-of-state tonight too.

13 MS. PEREIRAS: That will give them an
14 opportunity to come next time.

15 CHAIRPERSON CAPIZZI: How would they know?
16 You're not --

17 MS. PEREIRAS: Well, they would --

18 CHAIRPERSON CAPIZZI: -- noticing again.

19 MS. PEREIRAS: -- call the City Clerk's
20 Office.

21 CHAIRPERSON CAPIZZI: Oh.

22 MS. PEREIRAS: All the records are there,
23 and they can ask and I'm sure Mr. Vallejo would
24 provide the information of the new meeting.

25 Thank you.

1 CHAIRPERSON CAPIZZI: Who wants to make a
2 motion to adjourn it?

3 THE SECRETARY: Motion to adjourn the
4 application by Ms. Koehler.

5 MR. VELAZQUEZ: I second.

6 THE SECRETARY: Second by Mr. Velazquez.

7 Motion on the table to -- motion -- motion
8 and second on the table to adjourn this
9 application for April 24, 2018.

10 No new notice required.

11 Roll call on the motion.

12 Ms. Koehler?

13 VICE CHAIRPERSON KOEHLER: Yes.

14 THE SECRETARY: Ms. Capizzi?

15 CHAIRPERSON CAPIZZI: Yes.

16 THE SECRETARY: Ms. Genao?

17 MS. GENAO: Yes.

18 THE SECRETARY: Mr. Medina?

19 MR. MEDINA: Yes.

20 THE SECRETARY: Mr. Rivero?

21 MR. RIVERO: Yes.

22 THE SECRETARY: Mr. Velazquez?

23 MR. VELAZQUEZ: Yes.

24 THE SECRETARY: Mr. Guareno?

25 MR. GUARENO: Yes.

1 THE SECRETARY: Seven in favor.

2 Motion carries.

3 MS. PEREIRAS: Thank you very much.

4 THE SECRETARY: No new notice required.

5 MS. PEREIRAS: Thank you.

6 THE SECRETARY: Thank you.

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

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1 **924 17th Street, LLC - 924 17th Street:**

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3 THE SECRETARY: Application number 4.

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

6 THE SECRETARY: All right. Next
7 application, 924 17 Street, LLC, 924 17 Street.

8 Ms. Pereiras, please?

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

11 MS. RODRIGUEZ: Ms. Pereiras -- Pereiras.
12 I'm sorry.

13 MS. PEREIRAS: That's okay.

14 MS. RODRIGUEZ: I have had an opportunity
15 to review the ad placed in The Jersey Journal on
16 March 16th, as well as the notifications to the
17 property owners in the area dated March 16th and
18 they're sufficient to establish jurisdiction.

19 MS. PEREIRAS: Thank you very much,
20 counsel.

21 MS. RODRIGUEZ: You're welcome.

22 MS. PEREIRAS: The property in question is
23 924 17th Street, also known as Block 95, Lot 37.
24 We're located in the R low density residential.
25 The application before the Board this evening is

1 to legalize a basement apartment.

2 We have one expert, Mr. Manuel Pereiras.

3 MR. PEREIRAS: Members of the Board, I
4 recognize that I am still under oath.

5 MS. PEREIRAS: Mr. Pereiras, are you
6 familiar with 924 17th Street?

7 MR. PEREIRAS: I am.

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

10 MR. PEREIRAS: I have.

11 MS. PEREIRAS: And would you kindly
12 describe the project for the Board?

13 MR. PEREIRAS: Very similar to the last
14 application. We are legalizing an existing
15 basement unit. However --

16 MR. VELAZQUEZ: This is not it.

17 VICE CHAIRPERSON KOEHLER: This is not it.

18 CHAIRPERSON CAPIZZI: Hold it. Hold it.

19 MS. RODRIGUEZ: Yeah.

20 CHAIRPERSON CAPIZZI: Hold it.

21 MR. VELAZQUEZ: Hold on. This is not it.

22 MS. PEREIRAS: No.

23 MR. PEREIRAS: Nope. Definitely not it.

24 VICE CHAIRPERSON KOEHLER: We have 18th
25 Street here.

1 THE SECRETARY: Uh oh.

2 VICE CHAIRPERSON KOEHLER: This is someone
3 else.

4 THE SECRETARY: You need it back?

5 VICE CHAIRPERSON KOEHLER: Yeah.

6 CHAIRPERSON CAPIZZI: That was the first
7 one.

8 MS. RODRIGUEZ: This is the one. This was
9 the first one.

10 CHAIRPERSON CAPIZZI: That was the first
11 one.

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

14 THE SECRETARY: 924 17th Street. Right
15 here.

16 Thank you for your time.

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

19 THE SECRETARY: Go ahead, Mrs. Pereiras, --

20 MR. PEREIRAS: Okay.

21 THE SECRETARY: -- please.

22 MR. PEREIRAS: So, we have -- this is on
23 the north side of 17th Street. All the houses are
24 very similar. You have a lot of what used to be
25 two families that are now three families. This

1 had that same situation. We're legalizing the
2 unit below. There's some really nice advantages
3 to this property, one being the size.

4 It's actually 134 feet in length.
5 Actually, let me correct myself, 131 feet in
6 length.

7 So, we have an oversized lot. So, it's 25
8 by 131.

9 There is only one existing nonconformity --
10 well two. One for minimum side yard. We have
11 two foot six on one side and zero on the other.

12 And then, for maximum lot coverage, it is
13 all -- unfortunately, all concrete, so there's a
14 hundred percent lot coverage.

15 However, we're not making any changes to
16 the exterior of the building. But we're making
17 very significant changes to the apartment itself.
18 We're basically ripping it all out from the --
19 we're gutting it and redesigning it in order to
20 make this into a much better living space and to
21 meet all Code requirements.

22 We're demolishing the bedroom from where it
23 is, and we're creating the bedroom elsewhere at
24 ten foot four by 12 foot four. We're creating a
25 new window well for emergency escape. If ever

1 | there's a disaster here, they could escape
2 | through this new emergency egress well.

3 | There's another two means of egress from
4 | this apartment. One through the back there and
5 | one through the main stairwell that accesses the
6 | rest of the house.

7 | The -- the rest of it is an open layout;
8 | kitchen, living room, dining room space. And
9 | then, the bathroom along the -- the front of the
10 | house.

11 | We will be bringing this up to Code. That
12 | means that we're going to have a domestic line
13 | fire suppression system on this unit. The entire
14 | house is going to have a low voltage alarm
15 | system. There's going to be 110 volt alarm
16 | system within each apartment. There's going to
17 | be a two hour fire separation in the ceiling.
18 | There's going to be a two hour fire separation in
19 | the common area.

20 | What I'm pointing to right here, that's all
21 | going to be a two hour fire separation, as well.

22 | So, we're bringing it up to Code.

23 | Beyond that, there's no additional
24 | intervention that we're requesting to do.
25 | Nothing on the exterior.

1 But it's going to make the building a lot
2 safer for the inhabitants of this structure, as
3 well as all the structures along the -- the
4 street.

5 CHAIRPERSON CAPIZZI: Is it this house,
6 right here? This one right -- like front and
7 center?

8 MR. PEREIRAS: It is the one -- yeah --
9 right -- the one in the middle of that
10 photograph.

11 CHAIRPERSON CAPIZZI: Okay.

12 MR. GUARENO: In the center photograph, is
13 the house the one that has the structure in the
14 back? No, in the middle. No, I'm sorry.
15 Towards the center of the drawing.

16 MR. PEREIRAS: This one?

17 MR. GUARENO: To the right. That --

18 MR. PEREIRAS: There is -- no. This -- the
19 house is this one. The one with the little shed
20 in the back. Not the large --

21 The house next to it has a -- has a house.
22 This house here. It has another dwelling unit in
23 the back. This is next to it. It's a -- a small
24 shed in the back.

25 CHAIRPERSON CAPIZZI: Does someone live

1 | there now?

2 | MR. PEREIRAS: No. In that basement
3 | apartment?

4 | CHAIRPERSON CAPIZZI: Yes.

5 | MR. PEREIRAS: It's empty.

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

8 | CHAIRPERSON CAPIZZI: Any lighting in the
9 | back?

10 | MR. PEREIRAS: In the back of the house?
11 | This --

12 | CHAIRPERSON CAPIZZI: There will be people
13 | living down here now, so when they go out in the
14 | back.

15 | MR. PEREIRAS: There is a Code requirement,
16 | light fixture in top of the egress window there.
17 | So, we will have a light right above that -- that
18 | door.

19 | And if you'd like additional lighting, we
20 | could provide any additional lighting you may
21 | want.

22 | This is the same applicant as the one
23 | before that.

24 | CHAIRPERSON CAPIZZI: Correct.

25 | MR. PEREIRAS: Very great landlord.

1 | Whatever the Board thinks that -- you know,
2 | suggests, they'll be happy to do it.

3 | CHAIRPERSON CAPIZZI: Any suggestions or
4 | comments from the Board?

5 | No?

6 | From the public?

7 | MR. VELAZQUEZ: I'm just trying to see if
8 | those -- are those -- there was new sidewalks
9 | installed.

10 | CHAIRPERSON CAPIZZI: On that street?

11 | MR. VELAZQUEZ: On that street.

12 | MR. PEREIRAS: Luckily, whether there were
13 | or aren't, it doesn't impact this --

14 | MR. VELAZQUEZ: The fire suppression system
15 | doesn't effect it?

16 | MR. PEREIRAS: It doesn't because we're
17 | doing a domestic line fire suppression system.

18 | MR. VELAZQUEZ: Okay.

19 | MR. PEREIRAS: And we already checked for
20 | the hydrant -- we did a hydrant flow test and we
21 | know the pressure on that location. So, we do
22 | not have to break the street.

23 | MR. VELAZQUEZ: Okay.

24 | CHAIRPERSON CAPIZZI: So, in the event that
25 | something happens, is this client responsible for

1 repairing the street?

2 MR. PEREIRAS: Just like everyone else in
3 Union City, they do.

4 CHAIRPERSON CAPIZZI: Just to make it --

5 MR. PEREIRAS: They are.

6 CHAIRPERSON CAPIZZI: Okay.

7 MR. PEREIRAS: And if they cut the street,
8 they have to repair the street from corner to
9 corner.

10 CHAIRPERSON CAPIZZI: Okay.

11 MR. PEREIRAS: It's -- it's an Ordinance.
12 Everyone does it. Yes.

13 MR. VELAZQUEZ: Yeah, they got to bond.
14 They would go to City Engineer and --

15 CHAIRPERSON CAPIZZI: Anything else, Alex?

16 MR. GUARENO: On this -- on the next page?
17 This here. This a window bay?

18 MR. PEREIRAS: That's correct. So, we
19 create emergency egress windows out of the --
20 every bedroom, so that if there's ever an
21 emergency, and you're in a bedroom, you have
22 another escape out. Hopefully, it will never be
23 used, but it's there.

24 And there are certain requirements that
25 that has. It has to be nine square feet, the

1 size of the -- the window well. So, typically,
2 we do it three by three. And then -- and there
3 has to be clear access out.

4 So, the sill can't be any more than 44
5 inches. So, that's why we create the well,
6 because if the outside is higher than 44 inches,
7 we need to break it, bring it down, so that
8 anybody could escape and get out of the window.

9 CHAIRPERSON CAPIZZI: And the backyard, is
10 it concrete?

11 MR. PEREIRAS: It's all concrete right now.

12 CHAIRPERSON CAPIZZI: Is that what they
13 plan to keep it as? Concrete?

14 MR. PEREIRAS: We didn't really talk about
15 any changes there.

16 CHAIRPERSON CAPIZZI: Okay.

17 MR. PEREIRAS: It's simply the existing
18 condition.

19 CHAIRPERSON CAPIZZI: Right. Right.

20 VICE CHAIRPERSON KOEHLER: I have no
21 questions.

22 CHAIRPERSON CAPIZZI: Okay.

23 If there's no other comments or questions,
24 I'll make the motion to approve the application.

25 Motion to approve the application by

1 Chairperson Capizzi.

2 MR. VELAZQUEZ: I second.

3 THE SECRETARY: Second by Mr. Velazquez.

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

6 Ms. Koehler?

7 VICE CHAIRPERSON KOEHLER: Yes.

8 THE SECRETARY: Ms. Capizzi?

9 CHAIRPERSON CAPIZZI: Yes.

10 THE SECRETARY: Ms. Genao?

11 MS. GENAO: Yes.

12 THE SECRETARY: Mr. Medina?

13 MR. MEDINA: Yes.

14 THE SECRETARY: Mr. Rivero?

15 MR. RIVERO: Yes.

16 THE SECRETARY: Mr. Velazquez?

17 MR. VELAZQUEZ: Yes.

18 THE SECRETARY: Mr. Guareno?

19 MR. GUARENO: Yes.

20 THE SECRETARY: Seven in favor.

21 Motion carries.

22 Thank you, Mrs. Pereiras.

23 MS. PEREIRAS: Thank you all very much.

24 CHAIRPERSON CAPIZZI: Thanks.

25 MS. PEREIRAS: Have a good night. See you

1 next month.

2 CHAIRPERSON CAPIZZI: Good night.

3 MR. PEREIRAS: Thank you, everyone.

4 Good night.

5 CHAIRPERSON CAPIZZI: Bye-bye.

6 MR. PEREIRAS: Have a Happy Easter.

7 CHAIRPERSON CAPIZZI: Thank you.

8 You, too.

9 THE SECRETARY: 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 close tonight's meeting?

6 MR. VELAZQUEZ: I make a motion.

7 THE SECRETARY: Motion by Mrs. Koehler.
8 Second by Ms. Capizzi?

9 MR. VELAZQUEZ: I said.

10 THE SECRETARY: Roll call on the motion.
11 Everybody in favor, say aye.

12

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

14

15 THE SECRETARY: The ayes have it.

16 Thank you.

17 Have a good night everyone.

18 Let the record show that the meeting has
19 ended.

20 Good night.

21

22 (Whereupon, the proceedings were concluded
23 at 6:43 p.m.)

24

25

1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

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6 I, DEBRA A. KASZNIAK, assigned transcriber,
7 do hereby affirm that the foregoing is a true and
8 accurate transcript in the matter of the REGULAR
9 MEETING of the UNION CITY PLANNING BOARD heard on
10 Tuesday, March 27, 2018 and digitally recorded.

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon