

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

REGULAR MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
:
:

City Hall
3715 Palisade Avenue
Union City, New Jersey

Thursday, April 12, 2018
Commencing at 6:18 p.m.

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

MARGARITA GUTIERREZ
JOHN MEDINA
MIGUEL ORTIZ, (Arrived at 6:29 p.m.)
DAVID W. PRESSEY
JOSEPH D. BONACCI, Vice Chairman

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

VICTOR M. GRULLON
PETER C. DOUMAS, Alternate No. 4
LIBERO MAROTTA, Chairman

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

CARLOS VALLEJO, Secretary to the Board

TOMAS R. PANEQUE, ESQ., Board Attorney

DAVID SPATZ, Consultant
Community Housing and Planning Associates,
(Left at 7:36 p.m.)

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

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, 509-513 Bergenline, LLC

PATRICK ASCOLESE, ESQ.,
Attorney for Applicant, 513 NY, LLC

I N D E X

	<u>PAGE</u>
CALL TO ORDER	5
SALUTE TO FLAG	5
ROLL CALL	6
APPROVAL OF PREVIOUS MEETING MINUTES	97
RESOLUTIONS	98/100/102
CORRECTIVE RESOLUTION	104
HEARINGS	
509-513 Bergenline, LLC	30
513 NY, LLC	7
Storage Blue	11/95
Yesenia Bonilla	22
Juan Vizueta	26
ADJOURNMENT	106

I N D E X509-513 Bergenline, LLCWITNESSPAGE

Manuel Pereiras

32/59

Michael F. Kauker

47

SWORN PUBLIC

Larry Price

85

E X H I B I T SNO. DOCUMENTPAGE

A-1 Sheet Z05

35

A-2 Sheet Z06

35

A-3 Five Photographs, A through E

50

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

3 Ready?

4 MS. DILLON: Yes.

5 On the record.

6 THE SECRETARY: Please take notice that on
7 Thursday, April 12, 2018, at six p.m., a Regular
8 Meeting is scheduled for the Union City Zoning
9 Board of Adjustment, to be held in the Municipal
10 Chambers, located on the Second Floor, 3715
11 Palisade Avenue, Union City, New Jersey.

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 forwarded to The Jersey
17 Journal, The Record, and The Hudson Reporter, has
18 been posted on the bulletin board in City Hall,
19 and has been made available to the public in the
20 Office of the Municipal Clerk.

21 Can everybody, before we start the meeting,
22 rise to salute the flag?

23

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

1

2 THE SECRETARY: Thank you.

3

4 **ROLL CALL:**

5

6 THE SECRETARY: Roll call for tonight's
7 meeting.

8 Libero Marotta?

9 Chairman Marotta's absent.

10 Joseph Bonacci?

11 VICE CHAIRMAN BONACCI: Here.

12 THE SECRETARY: Victor Grullon is absent.

13 Margarita Gutierrez?

14 MS. GUTIERREZ: Here.

15 THE SECRETARY: Miguel Ortiz is absent, but
16 he's on his way. This moment, he's absent.

17 David Pressey?

18 MR. PRESSEY: Here.

19 THE SECRETARY: John Medina?

20 MR. MEDINA: Here.

21 THE SECRETARY: Let the record, there are
22 four present.

23 * * *

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25

1 **513 NY, LLC - 513-515 New York Avenue:**

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3 THE SECRETARY: Okay.

4 We are going to change a little bit the
5 order of tonight's agenda.

6 We are going to go first to 513 NY, LLC,
7 513-515 New York Avenue.

8 Mr. -- Mr. Ascolese, please?

9 MR. ASCOLESE: Good evening, ladies and
10 gentlemen of the Board.

11 My name is Patrick Ascolese, counsel for
12 the applicant, 513 NY, LLC, relative to the
13 application number 2018-014, property location
14 513-515 New York Avenue, to request an
15 adjournment and preserve notices already issued.

16 MR. PANEQUE: Thank you, Mr. Ascolese.

17 For the record, I've been provided with
18 copies of the following documentation:

19 I have an Affidavit of Proof of Service,
20 indicating that notice of tonight's hearing was
21 provided on -- to all property owners within the
22 200 foot radius of the property in question.
23 Said property being 513-515 New York Avenue. And
24 that Affidavit is signed by Mr. Ascolese.

25 I've also been provided with the certified

1 mail receipts that have come back to date, the
2 receipts themselves, with a postmark date of
3 April 2nd, which puts them right on the ten day
4 mark. Others have a postmark date of March 31st.

5 I've also been provided with a copy of the
6 notice that went out indicating that notice of
7 tonight's hearing for April 12, 2018, at six
8 p.m., at 3715 Palisade Avenue, Union City, with
9 respect to the property in question, 513-515 New
10 York Avenue.

11 I've also been provided with an Affidavit
12 of Publication from The Star-Ledger. The
13 Affidavit indicates that is a newspaper
14 circulating in the several counties, including
15 Hudson County.

16 Mr. Ascolese, do you have one that's
17 notarized?

18 MR. ASCOLESE: That is the issue. That's
19 the basis for the adjournment request.

20 MR. PANEQUE: Okay.

21 I just realized that they failed to
22 notarize it.

23 I mean, you -- the copy of the actual
24 notice that was published is here, but it's
25 missing the notarization, so that will be

1 something that we'll carry over in the checklist
2 for the June meeting.

3 MR. ASCOLESE: Yes.

4 MR. PANEQUE: I also have a copy of the 200
5 foot list, which has a date of March 13th, 2018,
6 that was promulgated by the Union City Tax
7 Assessor's Office, consisting of six pages.

8 Based on the documentation that's been
9 provided, this Board has jurisdiction to proceed
10 with this matter.

11 Mr. Vice Chairman Bonacci, the request is
12 for an adjournment to address the issue of the
13 Affidavit, among other things.

14 The agenda for the May meeting is
15 completely booked, so the next available agenda
16 --

17 VICE CHAIRMAN BONACCI: June 14.

18 MR. PANEQUE: -- June 14th.

19 MR. ASCOLESE: Thank you.

20 MR. PANEQUE: Okay?

21 Thank you, sir.

22 If we --

23 THE SECRETARY: Can I have a motion to
24 adjourn this meeting for June 14?

25 MS. GUTIERREZ: I make a motion.

1 THE SECRETARY: Motion by Margarita
2 Gutierrez.

3 Second the motion by Mr. Bonacci.

4 Roll call on the motion to adjourn this
5 application for June 14, 2018. No new -- no new
6 notice required.

7 Mr. Bonacci?

8 VICE CHAIRMAN BONACCI: Yes.

9 THE SECRETARY: Ms. Gutierrez?

10 MS. GUTIERREZ: Yes.

11 THE SECRETARY: Mr. Pressey?

12 MR. PRESSEY: Yes.

13 THE SECRETARY: Mr. Medina?

14 MR. MEDINA: Yes.

15 THE SECRETARY: Four in favor.

16 Motion carries.

17 Thank you.

18 MR. ASCOLESE: Thank you.

19 MR. PANEQUE: Thank you, sir.

20 MS. GUTIERREZ: You're welcome.

21 * * *

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1 **Storage Blue - 3330-3336 Hudson Avenue**
2 **and 122 Peter Street:**

3

4 THE SECRETARY: All right.

5 We are going now to go to the number 2.

6 Storage Blue, 3330-3336 Hudson Avenue and
7 122 Peter Street.

8 Mr. Steinhagen, please?

9 MR. PANEQUE: No one in response?

10 THE SECRETARY: We got -- you have a
11 letter?

12 MR. PANEQUE: I have a letter dated April
13 12th from Daniel Steinhagen, which indicates the
14 following:

15 "Dear Mr. Vallejo:

16 "As you know, this firm represents the
17 applicant in connection with the above referenced
18 properties. I'd like to request that the hearing
19 scheduled for this evening, April 12, 2018, be
20 carried until the Board's next available date,
21 which I understand is May 10th.

22 "Please announce that the applicant's
23 notice is being carried at the meeting.

24 "To the extent necessary, please consider
25 this letter as an extension of the Board's time

1 to act. If you should require anything further,
2 please do not hesitate to contact me."

3 And it's signed by Mr. Steinhagen.

4 THE SECRETARY: It's here. This one.

5 MR. PANEQUE: All right.

6 VICE CHAIRMAN BONACCI: Is that it? Okay.

7 You want to carry this one to June, too?

8 MR. PANEQUE: It's got to be carried to
9 June.

10 All right. Let's establish jurisdiction,
11 then.

12 For the record, I've been provided with the
13 following documentation:

14 I have an Affidavit of Public Notice, which
15 is signed by Mr. Steinhagen, and it's notarized
16 by Karin Magala, indicating that notices were
17 sent out to all property owners within the 200
18 foot radius of the property in question. Said
19 property being 3330-3336 Hudson Avenue and 122
20 Peter Street, in the City of Union City.

21 Notices were sent out by certified mail on
22 March 29th, as per the Affidavit.

23 I've also been provided with a list of
24 property owners, from the City of Union City,
25 with a date of February 22nd.

1 I've been provided with a copy of the
2 notice that went out, indicating that notice of
3 tonight's hearing for April 12 was given, with
4 respect to the two properties previously
5 mentioned. And it lists the location for the
6 meeting as 3715 Palisade Avenue in Union City.

7 The next exhibit is an Affidavit of
8 Mailing, signed by a Johnny Karajian.

9 The next exhibit is the actual certified
10 mail receipts, with a postmark date of April 3rd
11 on one, and March 29th on the other.

12 With respect to the one that is -- let me
13 just see because one of the receipts has a
14 postmark date of April 3rd, which would not be
15 within the ten day statutory requirement.

16 The other receipts have a postmark date of
17 March 29th. They all appear to be postmarked
18 March 29th, which the exception of the one that
19 went to Hudson Yards West, LLC.

20 All the other certified mail receipts are
21 dated March 29th, which would put them within the
22 ten day statutory period.

23 With reservation as to that one receipt for
24 an explanation by the applicant's attorney --
25 we'll have to address that at the next meeting

1 with him as to why that one certified mail
2 receipt went out with a much later date. As I
3 stated, all the other ones appear to be after
4 that.

5 Mr. Price?

6

7 (Whereupon, Miguel Ortiz arrived at 6:29
8 p.m.)

9

10 MR. PRICE: The public announce --

11 THE SECRETARY: Mr. Price, allow me one
12 second, please.

13 Let the record indicate that Mr. Ortiz
14 arrived to the meeting. We have five Board
15 members now.

16 MR. ORTIZ: Good evening.

17 THE SECRETARY: Thank you.

18 Go ahead, Mr. Price.

19 MR. PANEQUE: Mr. Price, before you -- you
20 state anything, let me just look at the -- I just
21 want to state, for the proofs of jurisdiction,
22 that the Notice of Publication, I have an
23 Affidavit from The Jersey Journal indicating that
24 notice was published on 3/31, although the copy
25 that I have is illegible.

1 Mr. Price, you have any comment?

2 MR. PRICE: I have a paper copy which is
3 the same date, that the -- it's a small problem,
4 but they said on Thursday, April 12th, public
5 hearing -- I have --

6 Oop, wait a minute. Sorry.

7 Let's try this one again. Okay.

8 At 6:30 p.m. rather than -- versus six
9 o'clock. So, I think if you make an announcement
10 -- you know, in two minutes here, you're okay.
11 But -- but theoretically, somebody could show up
12 in two minutes, and say, hey, I'm here for the
13 Storage Blue meeting.

14 MR. PANEQUE: Okay.

15 MR. PRICE: And it said 6:30, and here I
16 am.

17 MR. PANEQUE: Yeah. I'm unable to read the
18 copy that -- that's here. Let me just take a
19 look at what we have.

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

22 MR. PANEQUE: Yes, this does indicate that
23 they gave notice for a 6:30 p.m. meeting.

24 That being said, we will make another
25 announcement towards seven o'clock this evening,

1 with respect to this application that is being
2 carried.

3 Mr. Vallejo, if you can make a note that
4 there's two issues that we need to address. The
5 one certified mail receipt to Hudson Yards West,
6 LLC is out of time, statutorily. Based on a
7 plausible explanation as to why that took place,
8 he may have already served it and this was just a
9 back up, or he may have served it in person.
10 Then, we will address the jurisdictional issue
11 when Mr. Steinhagen is here. Okay?

12 THE SECRETARY: Okay.

13 MR. PANEQUE: So --

14 THE SECRETARY: Also, the -- also, the --
15 what about 6:30?

16 MR. PANEQUE: The 6:30 issue also will be
17 addressed.

18 We'll make the announcement at seven
19 o'clock, in case anybody is here. But what I'll
20 do is this application had probably over a
21 hundred certified mails. So, it's -- it's a
22 substantial amount of certified mails and expense
23 that -- that have taken place.

24 The notice being given for 6:30 p.m.,
25 although it is an error, okay, as long as we

1 don't break before 6:30 and -- and close out the
2 meeting, anybody can come in and we'll address
3 them at that point.

4 MS. GUTIERREZ: Um hum.

5 MR. PANEQUE: So, I don't think it's a
6 fatal error. It's half hour off and we'll address
7 it at seven o'clock, and even at eight o'clock,
8 we'll still be here, in case anybody comes in
9 thinking that it was a 6:30 meeting.

10 MR. PRESSEY: Um hum.

11 MR. PANEQUE: I'd hate to have the
12 applicant have to go through the expense, as the
13 Board can take notice, there's probably over a
14 hundred certified mails that -- that went out.

15 So, the -- ultimately, Mr. Vice Chairman
16 Bonacci, it's your call, but --

17 VICE CHAIRMAN BONACCI: No. I -- I agree
18 with your suggestion. We'll wait until seven to
19 make a motion, or eight.

20 MR. PANEQUE: Well, we'll -- it wouldn't be
21 a motion, it would be an announcement to the
22 public, in case anybody --

23 VICE CHAIRMAN BONACCI: Comes.

24 MS. GUTIERREZ: Yeah, for the application.

25 MR. PANEQUE: -- comes in and they would be

1 | advised that the application is being carried to
2 | the June 14th meeting.

3 | VICE CHAIRMAN BONACCI: Okay.

4 | MR. PANEQUE: Okay?

5 | VICE CHAIRMAN BONACCI: We'll wait.

6 | MR. SPATZ: It's 6:30 now.

7 | THE SECRETARY: It's 6:30 now.

8 | Right?

9 | MR. PANEQUE: It's 6:30 now, but I mean, I
10 | think we have to give a window of at least half
11 | an hour before we announce it.

12 | THE SECRETARY: You want to wait to
13 | announce the adjournment, or do you want to
14 | adjourn it now?

15 | MR. PANEQUE: No. We'll --

16 | VICE CHAIRMAN BONACCI: We'll wait.

17 | MR. PANEQUE: -- wait until seven o'clock
18 | to officially adjourn it.

19 | I'll also contact Mr. Steinhagen, the
20 | attorney, and advise them of the minor mistakes
21 | in the notice. And it'll be up to him whether he
22 | wants to undertake the expense of another mass
23 | mailing and certified mail.

24 | Okay?

25 | MS. GUTIERREZ: You going to see if

1 anybody's here for that application?

2 MR. PANEQUE: Is anybody here on the
3 application for 3330 Hudson Avenue?

4 MS. ARMAGHAN: Yes.

5 MR. PANEQUE: Okay. We have to -- okay.

6 MS. GUTIERREZ: Um hum.

7 MR. PANEQUE: Nothing's going to happen
8 tonight. It's going to be carried to the June
9 14th meeting, at the request of the applicant.

10 The -- the notice that you received in the
11 mail -- did you get a notice or you saw it in the
12 paper?

13 MS. ARMAGHAN: I got a notice in the mail.

14 MR. PANEQUE: And did your notice say 6:30?

15 MS. DILLON: Just come forward.

16 MR. PANEQUE: If you have -- do you have it
17 there?

18 You have it? Yeah. Let me see what the
19 notice says.

20 MS. DILLON: If you could state your name
21 and spell it for the record?

22 MS. ARMAGHAN: Sarah Armaghan,
23 A-R-M-A-G-H-A-N.

24 MS. DILLON: A-R --

25 MS. ARMAGHAN: M-A-G-H -

1 MR. PANEQUE: Okay.

2 MS. ARMAGHAN: -- A-N.

3 MS. DILLON: And spell your first name,
4 Sarah.

5 MS. ARMAGHAN: Sarah, S-A-R-A-H.

6 MS. DILLON: Okay.

7 And what is your address?

8 MS. ARMAGHAN: 3312 Hudson Avenue.

9 MR. PANEQUE: Okay.

10 I have a copy of the notice, Ms. Armaghan,
11 and it does say 6:30 on it.

12 As I stated, that's not really a fatal
13 error, but I'll have to bring it to the
14 attorney's attention that filed this application.
15 Okay?

16 In any case, nothing is going to be heard
17 tonight. Whether you get a new notice or not,
18 you should know that the matter will be heard
19 again on June 14th.

20 MS. ARMAGHAN: Okay.

21 MR. PANEQUE: Okay?

22 And that will be six o'clock, our starting
23 time. Although, as you can tell, by the time
24 everybody gets set up, we usually don't start
25 until a little bit past six.

1 MS. ARMAGHAN: Okay.

2 MR. PANEQUE: Okay?

3 Thank you.

4 Have a good night.

5 Anybody else here on this matter?

6 All right.

7 We'll make the announcement again at seven
8 o'clock, just in case somebody comes in late.
9 And at that time, we'll address the adjournment
10 issue.

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

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1 **Yesenia Bonilla - 424 6th Street:**

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3 THE SECRETARY: Next application on
4 tonight's agenda, 509-513 Bergenline Avenue.

5 MR. PANEQUE: No, that's not it.

6 THE SECRETARY: I'm sorry. Sorry. I
7 apologize for that. Sorry.

8 Yes. It will be Yesenia Bonilla, 424 6th
9 Street.

10 Mr. Alonso?

11 MR. PANEQUE: Mr. Vallejo, I've been
12 provided with a letter from Mr. Alonso's office.

13 The letter indicates as follows:

14 It's dated today, April 12 and it says:

15 "Dear Mr. Vallejo,

16 "This office represents Yesenia Bonilla in
17 connection with the above referenced matter
18 currently scheduled for April 12, 2018."

19 "This letter is respectfully submitted as a
20 formal request to adjourn the above referenced
21 hearing."

22 "Kindly place the application on the next
23 available hearing date of May 10, 2018. Please
24 announce the date of the next hearing to the
25 public, in order to avoid the need to renotice."

1 "Please feel free to contact my office
2 should there be any problems."

3 Mr. Alonso's requesting an adjournment.
4 Normally, as we've done with the previous cases,
5 we would establish jurisdiction. However, we
6 have not received any jurisdictional
7 documentation from Mr. Alonso's office.

8 We can adjourn the matter and take
9 jurisdiction at the next meeting, which will be
10 the June 14th meeting.

11 But we just have to make a note, Mr.
12 Vallejo, that jurisdictional has not been
13 established, and if it's lacking in any aspect of
14 it, then it will not be able to be heard at that
15 meeting.

16 THE SECRETARY: Okay.

17 MR. PANEQUE: All right. So, the
18 application for the Board should be to adjourn
19 the matter and to establish jurisdiction at the
20 June 14th meeting -- meeting.

21 Is anyone here on an application for 424
22 6th Street, Yesenia Bonilla's application?

23 No?

24 Okay.

25 Vice Chairman?

1 THE SECRETARY: We are going to carry this,
2 then, to -- to June 14.

3 MR. PANEQUE: Yes.

4 Is there a motion?

5 VICE CHAIRMAN BONACCI: I'm going to make a
6 motion to adjourn this application for the June
7 14th meeting.

8 MS. GUTIERREZ: And I'm seconding.

9 THE SECRETARY: Motion to Mr. Bonacci.

10 MR. PANEQUE: Adjourn it with the subject
11 to submitting jurisdictional --

12 VICE CHAIRMAN BONACCI: He needs --

13 MR. PANEQUE: -- proofs.

14 VICE CHAIRMAN BONACCI: He needs establish
15 to --

16 THE SECRETARY: With a notice.

17 VICE CHAIRMAN BONACCI: -- jurisdiction.

18 MS. GUTIERREZ: Um hum.

19 THE SECRETARY: Second by Ms. Gutierrez.

20 Roll call on the motion, with the condition
21 I have to -- you know, obtain jurisdiction on
22 this application by the attorney's applicant, Mr.
23 Alonso.

24 Roll call on the motion.

25 Mr. Bonacci?

1 VICE CHAIRMAN BONACCI: Yes.

2 THE SECRETARY: Ms. Gutierrez?

3 MS. GUTIERREZ: Yes.

4 THE SECRETARY: Mr. Pressey?

5 MR. PRESSEY: Yes.

6 THE SECRETARY: Mr. Medina?

7 MR. MEDINA: Yes.

8 THE SECRETARY: Mr. Ortiz?

9 MR. ORTIZ: Yes.

10 THE SECRETARY: Five in favor.

11 Motion carries.

12 Next meeting for this application will be
13 June 14, 2018.

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

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3 THE SECRETARY: Now, next application is
4 Juan Vizqueta, 534 42nd Street.

5 Mr. Alonso, please?

6 Mr. Paneque, --

7 MR. PANEQUE: Is there a letter on that
8 one, Mr. Vallejo?

9 THE SECRETARY: Is -- is an email also, she
10 mentioned to be carried over.

11 MR. PANEQUE: Oh, oh, I see.

12 THE SECRETARY: But the problem in this --

13 MR. PANEQUE: Okay.

14 THE SECRETARY: -- application, need a
15 planner.

16 MR. PANEQUE: Okay. This application was
17 actually -- this is the application of 534 42nd
18 Street.

19 On this application, the application came
20 and was heard by the Board back in 2017, in the
21 last few months. At the last presentation, Mr.
22 Alonso requested the matter to be carried in
23 order to come back and present his planner,
24 because he was asking for a D-1 use variance.

25 The Board adjourned the application at that

1 time to give him the opportunity to come back
2 with his planner.

3 He then came back to the Board, I believe
4 it was 60 days later, it was two -- two hearings
5 in between, because he had adjourned it, and as a
6 result of the amount of work that the Board was
7 handling at the time, the Board took a vote and
8 actually approved the application without the
9 planner ever having testified.

10 When I was preparing the Resolution, and I
11 was reviewing the transcripts, I came to the
12 realization that a planner's testimony had never
13 been submitted or presented to the Board.

14 At that point, I advised Mr. Alonso that
15 even though the Board had approved the
16 application, that approval was not going to be
17 valid because of the fact that he had indicated
18 that a planner had -- was going to be presented,
19 and it had not been presented.

20 Mr. Alonso's explanation was that his
21 client decided not to proceed with the planner at
22 that time, and that's why he submitted it to a
23 vote.

24 However, in later conversation, he agreed
25 that a planner would be necessary, and he was

1 | supposed to come back with a planner tonight's
2 | meeting.

3 | Apparently, he's asking for an adjournment,
4 | so it's going to be carried now to the June
5 | meeting?

6 | THE SECRETARY: Yes, --

7 | MR. PANEQUE: All right.

8 | THE SECRETARY: -- Mr. Paneque.

9 | MR. PANEQUE: So, my suggestion is to have
10 | a -- a motion to carry it to the June 14th meeting
11 | for Mr. Alonso to come back with his planner.

12 | This Board can then take the planning
13 | testimony, and based on that testimony, have a
14 | revote either to approve the application or deny
15 | it.

16 | VICE CHAIRMAN BONACCI: Okay.

17 | So, I'm going to make a motion to adjourn
18 | this application for June 14th, with the exception
19 | that we need the planner and his testimony --

20 | THE SECRETARY: Motion on the table --

21 | VICE CHAIRMAN BONACCI: -- to give the
22 | application --

23 | THE SECRETARY: -- to adjourn this
24 | application for June 14, 2018 by Mr. Bonacci.

25 | Second by Ms. Gutierrez.

1 Roll call on the motion.

2 Mr. Bonacci?

3 VICE CHAIRMAN BONACCI: Yes.

4 THE SECRETARY: Ms. Gutierrez?

5 MS. GUTIERREZ: Yes.

6 THE SECRETARY: Mr. Pressey?

7 MR. PRESSEY: Yes.

8 THE SECRETARY: Mr. Medina?

9 MR. MEDINA: Yes.

10 THE SECRETARY: Mr. Ortiz?

11 MR. ORTIZ: Yes.

12 THE SECRETARY: Motion carries, five in
13 favor.

14 Next meeting for this application, meeting
15 date June 14, 2018.

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

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1 **509-513 Bergenline, LLC 507 -**

2 **509-513 Bergenline Avenue:**

3

4 THE SECRETARY: Okay.

5 Okay. Here we are.

6 Next application on tonight's agenda, 509-
7 513 Bergenline, LLC, 507, 509-513 Bergenline
8 Avenue.

9 Mrs. Pereiras, please?

10 MS. PEREIRAS: Thank you.

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

13 MR. PANEQUE: For the record, I've been
14 provided with the following documentation by Ms.
15 Pereiras:

16 I have a certification as to publication
17 and service, which indicates that notice of
18 tonight's hearing was given to all property
19 owners of the property located at 509-513
20 Bergenline Avenue on March 30th, 2018, as well as
21 published in the local paper, The Jersey Journal,
22 on March 31st.

23 I also have an Affidavit of Publication
24 from The Jersey Journal, which indicates that
25 notice was published on March 31st, and the notice

1 specifically says that a meeting is to take place
2 with respect to the property in question on
3 Thursday, the 12th of April, at six p.m., with a
4 location of 3715 Palisade Avenue, Union City, New
5 Jersey.

6 I've also been provided with copies of the
7 certified mail receipts, with a postmark date of
8 March 30th, 2018.

9 I've also been provided with a list of
10 property owners from the Union City Tax
11 Assessor's Office. Said list is dated March 27
12 and it consists of five pages.

13 I've also been provided with the certified
14 mail receipts that have come back to date, as
15 well as the envelopes that have come back to date
16 as unclaimed.

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

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

22 Good evening, Mr. Chairman, members of the
23 Board.

24 May it please the Board, Bianca Pereiras on
25 behalf of the applicant, 509-513 Bergenline, LLC,

1 in regards to property located at 509-513
2 Bergenline Avenue, also known as Lots 28 through
3 31, in Block 23.

4 The application before the Board this
5 evening is to construct a multi-family building,
6 consisting of 12 residential units plus parking
7 on-site.

8 The applicant has taken very much care to
9 present a project that we think is the best.

10 We have two experts to testify before the
11 Board this evening. I'd like to begin tonight's
12 presentation with our architect, Mr. Manuel
13 Pereiras.

14 MS. DILLON: Please raise your right hand.

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

17 MR. PEREIRAS: I do.

18 MS. DILLON: Please state your name for the
19 record.

20 MR. PEREIRAS: Manny Pereiras,
21 P-E-R-E-I-R-A-S, with Pereiras Architects
22 Ubiquitous, 1116 Summit Avenue, Union City.

23 MS. DILLON: Thank you.

24 MS. PEREIRAS: And just for purposes of the
25 record, Mr. Pereiras has been accepted as an

1 expert in the field of architecture in the past.

2 VICE CHAIRMAN BONACCI: Mr. Pereiras, we
3 accept your qualifications.

4 MS. PEREIRAS: Thank you.

5 MR. PEREIRAS: Thank you, Mr. Chairman.

6 MS. PEREIRAS: Mr. Pereiras, are you
7 familiar with the property located at 509-513
8 Bergenline Avenue?

9 MR. PEREIRAS: I am.

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

12 MR. PEREIRAS: I have.

13 MS. PEREIRAS: And would you kindly walk us
14 through the application?

15 MR. PEREIRAS: I'd be very happy to.

16 Hello, everyone.

17 MS. GUTIERREZ: Hello.

18 MR. PEREIRAS: It's good to be here.

19 We have an application for you tonight, and
20 in the world of architecture, things move a
21 little slowly. Okay? We designed this building
22 months ago. Since then, a lot has happened in
23 Union City.

24 We had the reexamination of our Master
25 Plan. We still feel that even after this

1 reexamination, that we have a great project for
2 you, but because we have this introduction of the
3 reexamination plan, I'd like to talk about what
4 is asked of us in this new reexamination plan.
5 What does -- what impact does that have on our
6 site? Even though the Ordinance hasn't been
7 written, and that's coming up, but I want to have
8 an understanding what that is.

9 And I want to present our building to you,
10 and I want to explain what our thoughts are
11 behind it, and hopefully, we could have a
12 dialogue and come to a building that will make
13 you proud to approve and make the City a better
14 place to live, and that everyone could be happy
15 with. Our -- our client definitely wants to do
16 something that the City is happy with and
17 something that would be good for all of us.

18 So, to begin with that, for the
19 presentation, I took the same drawings that were
20 presented to you and I put them on an easel.

21 However, I am adding two documents for an
22 exhibit. I'm going to mark those documents.

23 Counsel, should I mark them A-1?

24 MR. PANEQUE: A-1, Mr. Pereiras.

25 MR. PEREIRAS: All right.

1 I am marking a sheet called Z05. It's
2 called Z05 on the bottom right hand corner, and
3 I'm marking the top corner as A-1.

4

5 (Whereupon, Sheet Z05 was received and
6 marked as Exhibit A-1.)

7

8 MR. PEREIRAS: And there is a new sheet,
9 called Z06. And I'm marking that sheet as A-2.

10

11 (Whereupon, Sheet Z06 was received and
12 marked as Exhibit A-2.)

13

14 MR. PEREIRAS: So, in this new Master Plan
15 that -- the reexamination of the Master Plan,
16 most of Union City's divided into two zones.
17 It's going to be an R zone and a CN zone. We're
18 landing in the R zone, and the R zone, what it
19 does, it contemplates lots that are 2500 square
20 feet, 25 wide by 100 feet.

21 So, what I did is, I took our large site,
22 which is of this configuration. It is 75 wide
23 across here, it is a hundred deep in this
24 direction. It's 125 deep in that direction and
25 another 26 point -- point five five feet there.

1 And what I did is I chopped it up the way our new
2 Master Plan wants it to be.

3 So, we have three sites that are 2500
4 square feet each, 25 by 100. This is what the --
5 the new Master Plan's requesting.

6 It's also requesting to keep prevailing
7 front yard. So, we're matching the prevailing
8 front yard of the building next to us, which is a
9 little bit under ten feet.

10 Now, it's asking for us to have three feet
11 on one side of the property and two feet on the
12 other side of the property. It's also asking for
13 us to have a five foot rear yard setback.

14 So, if I were, based on this future
15 Ordinance that we're going to have, present a
16 project, this is exactly what the Ordinance says
17 with no variance required. This is what it would
18 be an as of right application and I would have
19 three buildings that would look exactly like
20 this.

21 Now, I have a lot of concerns with what
22 that would bring. First and foremost, as you
23 could see, along Bergenline Avenue, having three
24 buildings is going to introduce three big curb
25 cuts. That means that there are no cars that are

1 going to be able to park there, which is actually
2 the current condition. It will continue to be
3 that way.

4 There would be no parking on Bergenline
5 Avenue. That's a big deal, especially in
6 downtown Union City. I mean, this is my home
7 area. It's really difficult to find parking.
8 So, we would be removing all those cars from the
9 street along there.

10 In addition to that, we would have three
11 families on each of these lots. And each of
12 those three families would be three bedrooms
13 each.

14 The parking configuration would be like
15 this. This is the best possible parking in a
16 building of this size. And what we have is four
17 cars in the back is tandem, and then two along
18 the side. And then, you try to drive across this
19 way.

20 As you could see, you can't get these cars
21 out unless you move this car. So, it's a
22 configuration that getting those six parking
23 spaces, it's -- you need to coordinate with
24 neighbors in order to move cars out of the way.
25 And even after you coordinate with neighbors, you

1 need to back out over 50 feet at the least point
2 to get out and back out backwards into the
3 street, along Bergenline Avenue, to escape.
4 Okay?

5 So, this is what our Ordinance is going to
6 be. This is what our Master Plan is suggesting
7 that we should do. And this would be approved
8 without any questions.

9 We understand that and we're ready to
10 present a building like this, and we're ready to
11 get a building like this approved.

12 However, we have what I believe is a much,
13 much better plan alternative. Okay? It is
14 something that we're presenting to you tonight,
15 which is to, instead of -- it's a huge difference
16 and I think it makes a lot of sense.

17 So, instead of having three separate
18 structures, we would consolidate that into one
19 structure and that -- what it does, since we have
20 a corner lot that extends to the side, first and
21 foremost, instead of having all these curb cuts,
22 they're replaced. And not only are they
23 replaced, guess what they're replaced with?
24 Landscaping. Beautiful greenery. I'm providing
25 ten feet -- ten feet front yard, more than what

1 we even require in the Ordinance, of beautiful
2 garden landscaping.

3 So, along Bergenline Avenue, instead of
4 seeing curb cuts and concrete, you're going to
5 see beautiful landscaping. Well, guess what else
6 that does? When we remove those driveway cuts,
7 now we have a full regular sidewalk. And guess
8 what? We could park cars along that.

9 So, now, we created parking for the City.
10 So, all the neighbors are now going to have
11 parking along Bergenline Avenue. And we created
12 the entrance for the parking along 6th Street, so
13 that the traffic is removed completely from
14 Bergenline Avenue, and it's taken to 6th Street,
15 walking -- going into the building. And we did a
16 beautiful residential entrance here.

17 Now, also, since we did a mass of the
18 building and we brought it in, instead of only a
19 five foot rear yard, we're making it almost 20
20 feet. We're at 12 feet -- well, actually, I
21 repeat myself. This will be a side yard, because
22 you're looking at it from this side.

23 So, this side yard, would be 12 feet seven
24 inches. So, instead of having like a three foot
25 side yard, squeezing the building, or a five foot

1 rear yard for the other building, now we're
2 pushing this building back 12 feet seven inches
3 there.

4 So, we have ten feet in the front, 12 foot
5 seven, a lot less than if we were to do three
6 family houses.

7 And then, on the side, we're giving an
8 entire four feet on that side, and an entire four
9 feet on this side. So, we're pushing it back.
10 So, if we built three family houses, we would be
11 closer, we would be taller, and we would be
12 there. So, we're pulling our building back, so
13 it's even better for the neighbors there to have
14 a larger building of this scale.

15 Now, parking. Before, in the other
16 alternative where we had the parking that didn't
17 work that you had to call neighbors up when you
18 wanted to leave your house because their car's in
19 the way, and there were only six spots, we have
20 an alternate here that we have 24 parking spaces.
21 All of them individual parking spaces that you
22 could go right into and pull out.

23 You have a turning space, where you have a
24 full 24 foot drive aisle, where you could back
25 out, come out head first, instead of going

1 backwards, instead of backing out 50 feet, like
2 the other plan.

3 You have a full parking garage that we
4 created a two level parking garage, and we're
5 able to do that because of the topography of the
6 site, and the way the site is, one portion goes
7 down, one portion goes up a little bit. And we
8 have 24 parking spaces; 24 parking spaces,
9 including two that are handicap accessible
10 parking spaces.

11 So, we're providing a significant amount of
12 more parking by doing a building like this. And
13 we're providing 12 units and each of those units
14 will have two parking spaces, a total of 24
15 parking spaces. That means that we're coming
16 before you with a zero parking variance. We're
17 not asking for a parking variance. Everything is
18 in compliance as far as parking.

19 So, what our biggest problem is in downtown
20 Union City is parking. This is the solution.
21 Having a building like this that occupies and
22 controls all the parking.

23 Now, there's also another big difference
24 with this building to the other one. In this
25 one, we're designing two bedroom units.

1 And I'm going to turn to the next page.

2 This is the second floor parking that we have.

3 And this is a typical floor plan layout.

4 We have four apartments per floor. All of
5 them being two bedroom, and they range in size
6 from 913 square feet to about 1,092 square feet.
7 And all of them, the design is very similar.

8 You enter into a contemporary open floor
9 plan of kitchen, living room and dining room.
10 And then, you have a more private sector, where
11 you have the bedrooms and the bathrooms.

12 Now, these bedrooms are going to be
13 handicap accessible. Why? Because we have an
14 elevator building and federal law requires that
15 when you have more -- four or more, you're
16 required to have handicap accessibility.

17 So, for this building, if you're old, if
18 you're disabled, if you have bad knees, if --
19 anyone can live here comfortably.

20 In the alternate plan of the Master Plan
21 that we -- that we were looking at before, it's a
22 walkup. You're going up to the fourth story.
23 So, it limits the people, from the residents of
24 Union City, who could live there, significantly.

25 Now, another big difference between the two

1 is that in the reconsideration Master Plan
2 proposal, you have three units that are three
3 bedrooms each. That's nine bedrooms per 25 by
4 100 lot, times three lots, that's 27 bedrooms.

5 Our proposal is four units per floor, 12
6 units total, times two bedrooms, that's 24. So,
7 we actually have a lesser density in this
8 building. We have three bedrooms less than the
9 other version.

10 So, in my professional opinion, and we have
11 a planner that's going to speak from the planning
12 standpoint, but simply from an architectural
13 standpoint, from a resident of Union City my
14 entire life, I'd much, much rather see a building
15 like this happen than what our Master Plan is now
16 asking to do.

17 And understand that -- you know, the
18 applicant wants to get something approved. So,
19 if you think the other way's better, I understand
20 your opinions, and I -- I'm willing to listen to
21 them, and we'll do whatever you allow us to do.
22 However, it is in our opinion that this is such a
23 better solution.

24 And to just talk about the scale of the
25 building a little bit.

1 We have a little bit of a height variance,
2 because we have a four story. However, our new
3 Master Plan is going to allow four stories. So,
4 it's a height variance now, but in a few months,
5 it won't be a height variance.

6 And it's a height variance in height, but
7 in a few months, it won't be a height variance in
8 height.

9 There's a few other variances that we have,
10 including building coverage. Only 60 percent is
11 allowed. But the new Master Plan allows 80
12 percent. So, in a few months, this won't be a
13 variance for height either.

14 And then, we're not asking for any other
15 variances, except for a D-1, which is a use
16 variance, which is really what's in question
17 here.

18 Is it appropriate to do this?

19 And I feel that it really is, for all the
20 reasons I stated. For less density, better
21 parking, more landscaping, diverse housing stock
22 that people with needs can actually live in
23 there. For all these reasons, I think that this
24 is a much better application.

25 And the last reason that I'd like to

1 present to you that makes it really important is
2 the aesthetics of this. Okay?

3 This building, I believe, is a lot more
4 attractive than if we were to split up three big,
5 four story, three family houses. You'd have
6 awkward spaces between them. It's just a
7 collection of garbage, it's a collection --

8 You know, how do you collect garbage in a
9 big three family? With this, we have a garbage
10 room. We have a full driveway. We -- it makes
11 it accessible, it makes it comfortable to have
12 it. We have a lobby that has access and control
13 and safeguards.

14 We don't have three driveway entrance
15 points. We have one that controls the traffic in
16 and out, less danger for a child to get hurt or
17 hit by a car with this alternative. And I think
18 it's beautiful. I think it's simple. It's --
19 it's a building that breaks down the scale. So,
20 it doesn't read like a big mass.

21 What I did is, I broke it down vertically
22 so that it reads like separate little buildings
23 almost. Okay? It really breaks down that
24 rhythm. It's brick. It's an endurable material,
25 and it's broken down to different scales. As you

1 | could see, I have all these planters here, where
2 | we could plant flowers. We can make it really
3 | nice. We have a beautiful entrance for the --
4 | for the lobby.

5 | It really makes it -- I think it improves
6 | the neighborhood significantly.

7 | And that's what we propose to you.

8 | The other exhibit I have is other ideas
9 | that we have to make it work in other ways, if
10 | this Board thought that this wasn't the right way
11 | -- direction to take it. And -- and I'd like to
12 | be open to your questions, and I'd like to have a
13 | dialogue and get something that makes sense for
14 | Union City.

15 | VICE CHAIRMAN BONACCI: Ms. Pereiras?

16 | MS. PEREIRAS: Yes?

17 | VICE CHAIRMAN BONACCI: You have another --

18 | MS. PEREIRAS: We have a planner to
19 | testify, as well.

20 | VICE CHAIRMAN BONACCI: Okay. Hold on one
21 | second.

22 | Do you guys have any questions for Mr.
23 | Pereiras at the moment, right now? Okay.

24 | MS. PEREIRAS: Okay.

25 | We'll proceed with our planner, Mr. Michael

1 Kauker.

2 MS. DILLON: Mr. Kauker, just right in
3 front of that microphone for me. Right there.
4 Um hum.

5 Please raise your right hand.

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

8 MR. KAUKER: I do.

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

11 MR. KAUKER: Michael F. Kauker, the firm
12 Kauker and Kauker. Business located at 356
13 Franklin Avenue in Wyckoff, New Jersey.

14 MS. DILLON: Thank you.

15 MS. PEREIRAS: And Mr. Kauker has also
16 testified in the past as an expert.

17 VICE CHAIRMAN BONACCI: Mr. Kauker, we
18 accept your qualifications.

19 MR. KAUKER: Thank you, Mr. Chairman.

20 VICE CHAIRMAN BONACCI: Thanks for being
21 here.

22 MS. PEREIRAS: Mr. Kauker, are you familiar
23 with the property at 509-513 Bergenline Avenue?

24 MR. KAUKER: Yes, I am.

25 MS. PEREIRAS: And have you had an

1 opportunity to review the drawings, as prepared
2 by Pereiras Architects?

3 MR. KAUKER: I have.

4 MS. PEREIRAS: And would you kindly
5 describe this project from a planning
6 perspective?

7 MR. KAUKER: I'd -- I'd be pleased to.

8 I also reviewed David Spatz's recent report
9 on this application.

10 First of all, the thrust of Mr. Pereiras'
11 testimony, from a planning and zoning point of
12 view, as it relates to my discipline, he
13 essentially provided the basis for me to conclude
14 that, in truth, the design that he presented is a
15 better planning alternative for the neighborhood.

16 One of the reasons I feel that way, and
17 another way of putting it is that I feel that
18 because of its location within the context of
19 this particular neighborhood, that the site in
20 question is particularly suited to accommodate
21 the proposed use.

22 Firstly, it's -- it's extremely flat, is
23 without any environmental constraints, a fully
24 developable.

25 Secondly, the site is occupied by a

1 nonconforming use. When I show you the photos of
2 the site, the surrounding area, you'll be able to
3 see that there are two garages right at the
4 streetscape, violating the front yard setback.
5 And there is a sufficient amount of parking on
6 about 60 percent of the site area.

7 The parking garages is permitted as a
8 principal use, are not permitted as a principal
9 use in this R low density zone.

10 The added benefit of this application is
11 that that -- the application will be brought much
12 closer to the intent and purpose of the Master
13 Plan, i.e., going from a commercial parking
14 garage to residential, which is certainly
15 compatible with the Master Plan and the current
16 Zoning Ordinance, but for the additional number
17 of three units that we're proposing, which gives
18 rise to the D-1 use variance.

19 When I talk about the site itself and the
20 surrounding neighborhood context, I've got five
21 photos that I'd like to present for the Board to
22 review, as I describe each photo.

23 I have one set, and what I intend to do is
24 -- is to start with members of the Board, you
25 could -- as I describe them --

1 VICE CHAIRMAN BONACCI: You going to mark
2 that?

3 MS. DILLON: Mark this set as --

4 MR. KAUKER: -- you could pass them in
5 front of each member.

6 VICE CHAIRMAN BONACCI: We just have to
7 mark that.

8 MS. DILLON: You want me to mark it as a
9 set?

10 MR. PANEQUE: Mark it as a set, one through
11 five.

12

13 (Whereupon, Five Photographs, A through E,
14 were received and marked as Exhibit A-3.)

15

16 MR. KAUKER: I'm not quite as adept at --
17 as Manny is, relative to marking up exhibits.

18 Thank you.

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

21 MR. KAUKER: The first photo shows the
22 subject site, from a frontal point of view. The
23 blur on the bottom happens to be my thumb. I
24 apologize for that. I can't seem to get my
25 fingers out of the way when I take these photos.

1 The second photo is also an angle view of
2 the subject site. You can see the parking on the
3 south side, with the garage itself.

4 I had them numbered, from one to five, on
5 the upper left corner.

6 Could you turn that -- that one around for
7 me?

8 Well, actually, we're doing them in
9 reverse, so I'll start over, which won't -- won't
10 confuse the matters.

11 What you are looking at is a four story
12 building, one block to the south of the subject
13 site, on the same side of the street. That is a
14 classic four story building with three
15 residential floors and -- four residential floors
16 and a commercial, a retail use on -- on the
17 corner.

18 The one -- the next one you're looking at
19 is the -- is a photo of two buildings to the
20 northeast of the subject site, one block to the
21 northeast. It shows a relatively new four story
22 building, with parking underneath, and be --
23 shows an old classic four story building, to the
24 rear of that building, further north. So, that's
25 the third four story building within one block of

1 the subject site.

2 The next photo shows an angular view of the
3 subject site.

4 And the next one that you have there shows
5 the subject site itself, with my finger in it.

6 The next one you have is a -- another four
7 story building on the block, the same block of
8 the subject site, two doors to the north of the
9 subject site.

10 So, we have, essentially, four examples of
11 older, well kept classic four story buildings
12 with related commercial, as well as one new more
13 contemporary, probably about ten years old, four
14 story building with parking underneath, which is
15 the same conceptual design that Mr. Pereiras just
16 presented to you.

17 The point being is that the character of
18 this neighborhood is substantially characterized
19 by the four story buildings, more so than the
20 three story building concept that is contemplated
21 in the Master Plan, which certainly, that Master
22 Plan relates not only to this neighborhood, but
23 many, many other neighborhoods within Union City,
24 for which, in terms of the actual surrounding
25 characteristics in those other neighborhoods, the

1 Master Plan certainly is very appropriate and a
2 good thing that the Planning Board and the City
3 and this Board, with your guidance, have
4 encouraged over the years.

5 But this particular block area, within a
6 block or two of the subject site, is absolutely
7 of a different character, so that the proposed
8 use that we're -- we're providing, which is less
9 impactful and more publicly serving, both in
10 terms of the general public, i.e., maintaining
11 and -- and preserving more parking on the
12 streetscape, all the way over to elevator type
13 service, all the way over to having parking
14 that's available on an independently used basis,
15 without any preconditions attached to it, like
16 asking your neighbor if they could back out of
17 the driveway so you can get your car out.

18 So, in that context, on balance, I feel
19 that this application, in terms of the context of
20 the site, is particularly suited to accommodate
21 the use.

22 And in terms of the negative criteria, I
23 feel that this is a much better planning
24 alternative -- planning and zoning alternative
25 for this particular neighborhood, one which would

1 | essentially legitimatize, moving forward, this
2 | neighborhood as an appropriate place for the kind
3 | of development that we have placed before you.

4 | That concludes my testimony.

5 | I'd be happy to answer any questions you
6 | may have.

7 | VICE CHAIRMAN BONACCI: Mr. Kauker, since
8 | you're up there, I'm going to ask you some
9 | questions, since you're already up here.

10 | MR. KAUKER: Yes, sir.

11 | VICE CHAIRMAN BONACCI: Rather than make
12 | you come back up.

13 | MR. KAUKER: Thank you.

14 | VICE CHAIRMAN BONACCI: Okay. You stated
15 | about the previous use of this location.

16 | MR. KAUKER: The current use.

17 | VICE CHAIRMAN BONACCI: Right. Can you go
18 | into a little bit more detail of what's going on
19 | there?

20 | MR. KAUKER: It looks to be difficult to
21 | tell because the two main garage doors facing the
22 | street really don't give any indication, unless I
23 | were able to get inside. But they appear to be
24 | commercial garage use.

25 | VICE CHAIRMAN BONACCI: Okay.

1 MR. KAUKER: And on the left side of the
2 property, as you face it, is a fairly large
3 parking area, probably accommodating eight to ten
4 vehicles. And they look to be passenger
5 vehicles, not -- it's not trucking. They look to
6 be maybe vehicles that maybe people left space.
7 That's a -- that's a possibility.

8 But on balance, from a -- purely from a
9 zoning point of view, that use as it's now
10 constituted is not permitted as a principal use
11 in the zone.

12 VICE CHAIRMAN BONACCI: Okay.

13 Just have another question --

14 MR. KAUKER: Sure.

15 VICE CHAIRMAN BONACCI: -- for you.

16 The photos, the exhibits that we just
17 looked at --

18 MR. KAUKER: Yes, sir.

19 VICE CHAIRMAN BONACCI: So, in, I guess,
20 it's photo two, there's two four story buildings.

21 MR. KAUKER: That's correct, to the north.

22 VICE CHAIRMAN BONACCI: Now, in those two
23 four story buildings, those both have commercial,
24 too, on the ground floor?

25 MR. KAUKER: The one in the foreground is

1 the newer one, and that one is -- is a full four
2 story residential, with apparently garages on the
3 first floor. Three stories are residential and
4 garages on the first floor.

5 The building -- and if I could blow the
6 building to the rear, further up the street,
7 that's a classic older four story building.

8 VICE CHAIRMAN BONACCI: And is that --

9 MR. KAUKER: Right next to it.

10 VICE CHAIRMAN BONACCI: Is that on the same
11 block?

12 MR. KAUKER: Yes, it is.

13 VICE CHAIRMAN BONACCI: Same block?

14 MR. KAUKER: No. It's a block north of the
15 subject site, not the same block.

16 VICE CHAIRMAN BONACCI: Okay.

17 MR. KAUKER: The yellow, the last one that
18 we talked about is two doors removed to the
19 north, on the same block of the subject site.

20 And the -- the other one to the south, on
21 the other side of 5th Street, on the corner, with
22 this small area of commercial on the corner, is a
23 classic four story. That's the yellow cast
24 building. That one, essentially, is one property
25 removed.

1 If -- in other words, there's one property
2 between the subject site and that particular
3 building.

4 VICE CHAIRMAN BONACCI: Okay.

5 I guess, really, what I'm trying to
6 establish here --

7 MR. KAUKER: Sure.

8 VICE CHAIRMAN BONACCI: -- is out of the
9 four story buildings that are in this area, how
10 many of them have commercial in them?

11 MR. KAUKER: Two.

12 VICE CHAIRMAN BONACCI: Okay.

13 MR. KAUKER: And they are corner -- like a
14 corner grocery store, something of that nature.

15 VICE CHAIRMAN BONACCI: And this --

16 MR. KAUKER: Retail service.

17 VICE CHAIRMAN BONACCI: And the proposed
18 site --

19 MR. KAUKER: Yes. Yes, sir.

20 VICE CHAIRMAN BONACCI: -- also used for
21 commercial.

22 MR. KAUKER: Oh, the current site.

23 VICE CHAIRMAN BONACCI: Yeah. Where --

24 MR. KAUKER: Currently, used for --

25 VICE CHAIRMAN BONACCI: Where you guys want

1 to --

2 MR. KAUKER: -- commercial.

3 VICE CHAIRMAN BONACCI: Okay.

4 MR. KAUKER: Yes, sir, it is.

5 VICE CHAIRMAN BONACCI: Okay.

6 Thanks.

7 MR. KAUKER: You're welcome.

8 VICE CHAIRMAN BONACCI: Any questions for
9 Mr. Kauker?

10 Okay.

11 I guess we'll switch to Mr. Pereiras, --

12 MR. PANEQUE: Yes.

13 VICE CHAIRMAN BONACCI: -- to come up.

14 MR. KAUKER: Thank you.

15 VICE CHAIRMAN BONACCI: Thanks, Mr. Kauker.
16 Thank you.

17 MS. GUTIERREZ: Thank you.

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

20 VICE CHAIRMAN BONACCI: Okay.

21 Hang on a second. Where's your questions?
22 Sorry. I'm a little unorganized.

23 Okay. Your concerns, Mr. Pereiras, about
24 the three separate buildings that's permitted in
25 the R zone. It conforms with the Zoning

1 Ordinance.

2 MR. PEREIRAS: Yes, a hundred percent, it
3 would be in conformance of the Zoning Ordinance.

4 VICE CHAIRMAN BONACCI: Three --

5 I'm sorry.

6 MR. PEREIRAS: I can make those buildings
7 --

8 VICE CHAIRMAN BONACCI: I'm sorry.

9 So, three, three family houses. That's
10 what you said.

11 Right?

12 MR. PEREIRAS: Yes.

13 VICE CHAIRMAN BONACCI: Okay.

14 MR. PEREIRAS: Yes.

15 VICE CHAIRMAN BONACCI: That conforms.

16 MR. PEREIRAS: That conforms.

17 VICE CHAIRMAN BONACCI: Okay. Now --

18 MR. PEREIRAS: And we would be happy to do
19 that if you thought that we should. We'll revise
20 our application. We'll present it to you next
21 month, if you adjourn us. We'd be happy to do
22 that.

23 We're -- we'll -- we want to make the Board
24 happy. We want to get this project approved, but
25 I think that this is just so much better.

1 VICE CHAIRMAN BONACCI: Yeah. I was going
2 to get to that.

3 Okay. So, the one building alternative,
4 that does not conform currently in the R zone,
5 according to the Zoning Ordinance.

6 MR. PEREIRAS: It doesn't conform with our
7 current Zoning Ordinance, and it doesn't conform
8 with the future --

9 VICE CHAIRMAN BONACCI: Right.

10 MR. PEREIRAS: -- potential Ordinance,
11 because they only recognize three family houses.
12 So, anything more than the three family would be
13 considered a use variance.

14 However, it conforms in every other aspect,
15 meaning we conform in parking, we'll conform in
16 -- in lot coverage, and everything else for the
17 new Ordinance, and rear yard setback, and side
18 yard setback, in every other aspect possible.
19 So, it's only the aspect of use and we would be
20 presenting less density, better parking, all
21 those things that I just mentioned.

22 VICE CHAIRMAN BONACCI: While we're on the
23 parking --

24 MR. PEREIRAS: Um hum.

25 VICE CHAIRMAN BONACCI: -- I just want to

1 make sure that we have one thing correct here.

2 So, you're -- you're saying that the 24
3 parking spaces that you guys propose, you don't
4 need a variance for that.

5 MR. PEREIRAS: I don't believe we need a
6 variance for that. And I'll defer to your
7 planner, Mr. Spatz --

8 VICE CHAIRMAN BONACCI: Yeah. That --
9 that's --

10 MR. PEREIRAS: -- if he has any questions
11 on that.

12 VICE CHAIRMAN BONACCI: That's what I
13 wanted to check with, because according to the
14 memo here, you'd only be off by one. So, you'd
15 need a variance for one, because it would be 25,
16 because it's 2.1 for each three bedroom unit.

17 MR. PEREIRAS: We don't have any three
18 bedrooms.

19 MR. SPATZ: Right. I --

20 VICE CHAIRMAN BONACCI: Okay.

21 MR. PEREIRAS: So --

22 MR. SPATZ: Just --

23 VICE CHAIRMAN BONACCI: Yeah.

24 MR. SPATZ: Let me --

25 VICE CHAIRMAN BONACCI: I just wanted to --

1 MR. SPATZ: -- respond.

2 VICE CHAIRMAN BONACCI: Yeah.

3 MR. SPATZ: I incorrectly read the plan --

4 VICE CHAIRMAN BONACCI: Okay.

5 MR. SPATZ: -- and saw them as three

6 bedroom units.

7 They are two bedroom units, and they would
8 only need 24 parking spaces.

9 VICE CHAIRMAN BONACCI: I just wanted to
10 make sure that your --

11 MR. SPATZ: That's correct.

12 VICE CHAIRMAN BONACCI: -- testimony was
13 right.

14 MR. PEREIRAS: Thank you.

15 MR. SPATZ: That's right.

16 VICE CHAIRMAN BONACCI: Yeah.

17 MR. SPATZ: I was going to put that on the
18 record, as well --

19 MR. PEREIRAS: Yeah.

20 MR. SPATZ: -- afterwards. But yes, they
21 --

22 MR. PEREIRAS: Yeah.

23 MR. SPATZ: -- they --

24 VICE CHAIRMAN BONACCI: Okay.

25 MR. SPATZ: -- do conform in terms of

1 parking.

2 VICE CHAIRMAN BONACCI: All right.

3 MR. PEREIRAS: And I think it's not only
4 about quantity, okay, because we could talk about
5 quantity of parking. But it's really about the
6 quality of parking. These are 24 real spaces
7 that you drive in, drive out, fully conforming.
8 We have nine by 18. I believe there may be a
9 couple that are off, but they're close to nine by
10 18. There's a 24 foot wide aisle. There's no
11 backing up. There's no issues like that.

12 MS. PEREIRAS: And we're able to provide
13 two ADA compliant space --

14 MR. PEREIRAS: And --

15 MS. PEREIRAS: -- as well.

16 MR. PEREIRAS: -- two ADA compliant spots.
17 I mean, this is a better planning alternative,
18 hands down. You know? It's --

19 VICE CHAIRMAN BONACCI: I understand your
20 -- you know, testimony that you feel it's a
21 better planning alternative.

22 MR. PEREIRAS: And something that the Board
23 should understand --

24 VICE CHAIRMAN BONACCI: The only thing,
25 from our end, is that it doesn't conform. But if

1 | your client, as you testified, is willing to
2 | amend, or change the application to something
3 | that does conform, that would be a different
4 | matter.

5 | MR. PEREIRAS: You would prefer the three,
6 | three families?

7 | VICE CHAIRMAN BONACCI: But before we get
8 | to that, let me just state the concerns that I
9 | have with the alter -- the one building
10 | alternative.

11 | I don't see the four story, 12 residential
12 | units as low density residential. So, from here,
13 | I'm reading R zone, low density residential. It
14 | doesn't --

15 | How many units do you have total again?
16 | I'm sorry.

17 | MS. PEREIRAS: Twelve total.

18 | MS. GUTIERREZ: Twelve.

19 | VICE CHAIRMAN BONACCI: Twelve total.

20 | MR. PEREIRAS: Twelve total units.

21 | VICE CHAIRMAN BONACCI: So, that doesn't
22 | constitute necessarily as low density
23 | residential.

24 | And the reason that I bring up that point
25 | is in the one building alternative, with that

1 many units, the way I see it is that the more
2 families that we have in the one single building,
3 even though it's got the elevator, even though it
4 has all that parking, and you did a great job
5 with the plan -- with the -- you know, your
6 design and everything. You're great at what you
7 do.

8 But I just see the -- it increases the --
9 the likelihood of fire hazards, congestion, stuff
10 of that nature. So many people in one building,
11 as opposed to spacing it out three separate
12 buildings.

13 And that conforms and then we don't have to
14 worry about granting a variance for something
15 that puts so many people in one building, and
16 then we have all this -- all these hazards.

17 MR. PEREIRAS: May I respond to that?

18 VICE CHAIRMAN BONACCI: Sure.

19 MR. PEREIRAS: Okay. So, we're talking
20 about fire safety, a little bit. If we were to
21 build three, three family houses, we would be
22 doing what's called 5A construction. That means
23 it's going to be made out of wood. We're going
24 to have four -- three wood stick buildings that
25 are less scrutinized as a building that will have

1 a concrete first floor level, that is going to be
2 built equally to the fire safety, that's going to
3 have two means of egress, that's going to have an
4 elevator for emergencies.

5 So, from a safety standpoint, it is much
6 safer to have a 12 unit building than a three,
7 three unit buildings.

8 It is also important to know that the --
9 the density of this, even it's low density, it's
10 -- we're asking for 24 bedrooms instead of 27
11 bedrooms. So, the density is actually lower than
12 three, three families.

13 So, I make the argument, and I understand
14 your point, Chairman, it's a good point that you
15 made. It's important and I understand it.

16 But when it's -- we're concerned with
17 density, this is less dense than the three, three
18 families.

19 And I think that it -- the Board should
20 also understand a little bit of what we're
21 proposing here.

22 It is -- and one of the reasons I like this
23 building is because it's more suitable for Union
24 City residents to be able to rent in this
25 building than to afford a condo that's going to

1 be 1400 square feet, that is going to sell in
2 these three, three family houses.

3 So, for my people to -- for like who we
4 are, it's a better solution to have 12 units that
5 are going to be rented to Union City residents,
6 and then we're not gentrifying the neighborhood
7 by creating three, three family houses, that are
8 going to be nine condos on the market, that are
9 going to sell for over \$650,000.00 each. You
10 know?

11 I think that that's why I think this is so
12 much better. It doesn't gentrify the
13 neighborhood. It makes it a safe, good building.

14 But Mr. Chairman, if you tell me no,
15 adjourn us, tell us, look, we'd like to
16 reconsider. We'll redo this design. And you'll
17 -- we'll come before the same Board, we'll come
18 right before you with the three, three families.
19 And the reason we won't go before the Planning
20 Board, we'll go before your Board, is because the
21 new -- the reexamination of the Master Plan is
22 for -- it has four stories and 45 feet permitted.
23 So, we would present to you a 45 foot building,
24 which is in excess of ten percent of the
25 permitted currently on today's Ordinance, so that

1 we would have a D variance for height.

2 So, we would maintain within the same
3 Board. We'll notice again, just so that you --
4 you feel comfortable, because it's a little
5 different of a building.

6 And we'll come before the same Board with
7 three, three families, if that's what the Board
8 wants. You know? We just want to -- we want to
9 play nice.

10 VICE CHAIRMAN BONACCI: That's -- you know,
11 that -- that was one thing -- you know, that
12 concerned me was how many people that are in
13 there, and the likelihood of -- and -- and the
14 comparisons of the other four story buildings
15 that are within proximity to this site are a
16 little different.

17 MR. PEREIRAS: Yeah. This is much better.

18 VICE CHAIRMAN BONACCI: Being that -- you
19 know, there's commercial involved. That's a
20 little --

21 MR. PEREIRAS: Only two of the four --

22 VICE CHAIRMAN BONACCI: That's a little
23 different.

24 MR. PEREIRAS: -- have commercial. Two of
25 them are the same residential. And however,

1 | they're a lot worse because none of those have
2 | parking. This is a building that has parking. I
3 | mean, it's and -- and the scale, it's less big
4 | than the other ones. It's -- it's a better
5 | building.

6 | VICE CHAIRMAN BONACCI: And then, just to
7 | my last concern, is with the parking garage that
8 | you guys are going to have. You're going to have
9 | 24 spots.

10 | MR. PEREIRAS: Yes.

11 | VICE CHAIRMAN BONACCI: Wouldn't really
12 | feel comfortable giving you the green light
13 | without some sort of -- you know, congestion,
14 | traffic testimony.

15 | MS. PEREIRAS: We're happy to return with
16 | traffic testimony, if the Board would feel more
17 | comfortable with that application.

18 | VICE CHAIRMAN BONACCI: That's --

19 | MS. PEREIRAS: We're happy to --

20 | VICE CHAIRMAN BONACCI: That's something --

21 | MS. PEREIRAS: -- present that.

22 | VICE CHAIRMAN BONACCI: -- that concerned
23 | me, but --

24 | MS. PEREIRAS: Okay.

25 | VICE CHAIRMAN BONACCI: -- if you're

1 | telling me that your client is willing to change
2 | his application to something that conforms to the
3 | R zone, I would rather go in that direction.

4 | MR. PEREIRAS: You'd rather go in that
5 | direction.

6 | Okay. So, I'd like to talk about how we
7 | could go in that direction.

8 | So, like I said before, I'm very, very
9 | uncomfortable with the three, three families.
10 | So, my brain has been wrapping around how to make
11 | these not as bad. Okay?

12 | So, I have an idea that I'd like to present
13 | to you of how to make them not as bad.

14 | VICE CHAIRMAN BONACCI: I just need to --

15 | MR. PEREIRAS: Okay?

16 | VICE CHAIRMAN BONACCI: I just -- I just
17 | need to check with Mr. Paneque to see if that
18 | would be considered a different application,
19 | because obviously, you can tell me the plan, and
20 | you can tell me what it's going to look like and
21 | everything, but that's -- it's a different
22 | project now.

23 | MR. PEREIRAS: So, I -- I propose one
24 | thing. Let's talk, because this is an open
25 | discussion and we would like to know what would

1 | come before -- before this Board.

2 | And then, Mr. Paneque could also make his
3 | judgement, as -- as your legal counsel, as to
4 | whether we could go forward or not.

5 | But I still want to have, in this open
6 | discussion portion, talk about what you like,
7 | because I don't want to waste your time. I don't
8 | want to waste my client's time. I want to get
9 | something approved that everyone's happy with.

10 | So, if I could present the idea to you, and
11 | you could say, you know what, Manny, that's the
12 | right track. Or say, no, Manny, you know what?
13 | Stick with the three, three families the same
14 | exact way, then I'll do that.

15 | But I -- I kind of want to get your
16 | feedback.

17 | VICE CHAIRMAN BONACCI: Fair enough.

18 | MR. PEREIRAS: Is that okay?

19 | VICE CHAIRMAN BONACCI: Let me just check
20 | with Mr. Paneque to see if that's something that
21 | we can -- you know, the --

22 | MR. PANEQUE: Yes. We can entertain,
23 | during the discussion period, what the other
24 | project may be.

25 | THE SECRETARY: Can I -- (indiscernible) --

1 for a second?

2 MR. PANEQUE: Yes. One second.

3 Off the record.

4 MS. DILLON: Off the record.

5

6 (Whereupon, the Board recessed from 7:26
7 p.m. to 7:28 p.m.)

8

9 MS. DILLON: Okay.

10 On the record.

11 MR. PANEQUE: All right. For purposes of
12 discussion and -- and trying to have some idea of
13 what it would be as an alternative presentation,
14 I would suggest that we allow Mr. Pereiras to
15 enlighten this Board with what else they have in
16 mind.

17 MS. PEREIRAS: Thank you, counsel.

18 MR. PEREIRAS: Thank you, counsel.

19 VICE CHAIRMAN BONACCI: Hold on one second.

20 Mr. Paneque, so we can hear out what he has
21 in mind.

22 MR. PANEQUE: Yes.

23 VICE CHAIRMAN BONACCI: However, if it gets
24 presented, it get -- gets presented at a later
25 date, as a separate application?

1 MR. PANEQUE: Correct.

2 VICE CHAIRMAN BONACCI: Okay.

3 MR. PANEQUE: And you can act on this
4 application tonight, also.

5 VICE CHAIRMAN BONACCI: Okay.

6 MR. PANEQUE: So, on -- we have an
7 application tonight which the Board can take an
8 action on, either --

9 VICE CHAIRMAN BONACCI: This --

10 MR. PANEQUE: -- an approval or a denial.

11 VICE CHAIRMAN BONACCI: This application?

12 MR. PANEQUE: Or carry it. Yes.

13 VICE CHAIRMAN BONACCI: Okay.

14 MR. PANEQUE: Okay.

15 So, for purposes of discussion, we're just
16 entertaining what other suggestions Mr. Pereiras
17 has brilliantly come up with.

18 VICE CHAIRMAN BONACCI: So for
19 clarification, so that you guys -- you know, if
20 Mr. Paneque is saying that a motion -- if we can
21 hear out your alternative idea. However, this
22 application, even if it gets denied, that doesn't
23 mean we haven't entertained what it's going to
24 sound like when you come back with your next
25 application.

1 MR. PEREIRAS: Yes, sir.

2 VICE CHAIRMAN BONACCI: We're -- we're
3 clear with that?

4 MR. PEREIRAS: We are.

5 VICE CHAIRMAN BONACCI: Okay.

6 MR. PEREIRAS: All right.

7 Before I go into that explanation of what I
8 wanted to propose, my client asked me to -- urged
9 me to please make these last two statements, and
10 I understand, is that number one, with traffic
11 safety, we're removing three garages from
12 Bergenline Avenue that are backing up, and we're
13 now entering one single garage on 6th Street. So,
14 it's a lot safer solution.

15 And that entertain -- imagine the horrible
16 notion that if a car went on fire in the three
17 family version, that would be disastrous for the
18 whole building. In our building, it's contained
19 with a concrete structure that is much safer and
20 would protect the residents.

21 That said, I'd like to continue.

22 VICE CHAIRMAN BONACCI: No problem. I'm
23 going to let you move on to the next thing.

24 MR. PEREIRAS: Thank you, sir.

25 VICE CHAIRMAN BONACCI: Just with the --

1 with the last point.

2 My thinking is, 5th Street, Edison School,
3 downtown, and twenty-something cars coming out of
4 the garage in the morning at the same time, to
5 leave for work.

6 So you know, just to counter your point,
7 that's --

8 MR. PRESSEY: Um hum.

9 VICE CHAIRMAN BONACCI: -- what I -- where
10 my head was at.

11 MS. GUTIERREZ: Yeah, that's true.

12 VICE CHAIRMAN BONACCI: But you know, go
13 ahead with your next thing, of the other
14 alternative.

15 MR. PEREIRAS: It's the same amount of
16 people, just more parking spaces, not -- not more
17 cars.

18 We are -- so, I'm turning to the -- the
19 exhibit that I marked earlier, which is page Z06.

20 And so -- you know, I -- I don't want to
21 build that architecture. I -- I really hate to
22 be kind of tied into it. So, what I -- we're
23 looking at an alternative that is a little bit
24 better. Okay?

25 So, since we have this interesting site

1 | that is this strange configuration, we wanted to
2 | chop it up differently, a little bit more
3 | creative. Okay?

4 | So, instead of making them three long ones,
5 | we were going to make one fully compliant.
6 | Actually, a little bit more than compliant,
7 | because it's going to be 26.5 feet wide by a
8 | hundred feet in depth, and we'll build a three
9 | family the way the three families that you want
10 | are. Okay? Along the top.

11 | But then take on the front, we're not going
12 | to have a conforming site, because we're not
13 | going to have a depth of a hundred. We're only
14 | going to have a depth of 63 feet. Okay? Of
15 | actually 73 feet.

16 | But we'll do the same setbacks. We'll
17 | setback on the sides. We'll actually do more.
18 | We'll do three feet on each side. We'll do five
19 | feet in the rear. We'll match prevailing in the
20 | front.

21 | But what that does is, it makes my building
22 | wider, so now I have parking that even though
23 | it's still uncomfortable, and you're still
24 | backing out onto Bergenline Avenue, at least it
25 | actually -- you're not asking your neighbors to

1 move their car, and we could design a better
2 building that isn't such a long thing. We have
3 more housing there, and it's still a three family
4 house, and we're going to have still three, three
5 families. Okay?

6 So, it's -- we need more variances. Okay?
7 We're ask -- we're going to be asking for lot
8 depth. Really, it's just going to be lot depth.
9 But -- but it's going to work, I think, a lot
10 better.

11 Would this Board consider that? And we are
12 doing three, three family houses.

13 MR. PANEQUE: Yes.

14 VICE CHAIRMAN BONACCI: On your next -- you
15 know, for the -- what we're talking about is when
16 you design the three, three --

17 MR. PEREIRAS: Yeah.

18 VICE CHAIRMAN BONACCI: I'm just looking
19 for something that's going to conform in the R
20 zone.

21 MR. PEREIRAS: So --

22 VICE CHAIRMAN BONACCI: And then, all
23 you're going to really need is a use variance.

24 MR. PEREIRAS: No.

25 Counsel?

1 MR. PANEQUE: No. If it's a conforming --
2 based on the upcoming modifications, you won't
3 need a use variance.

4 MR. PEREIRAS: Correct.

5 VICE CHAIRMAN BONACCI: Okay. Won't even
6 need that. All right.

7 MR. PANEQUE: My concern with the previous
8 application, and Mr. Pereiras, if you can turn to
9 that --

10 MR. PEREIRAS: So --

11 MR. PANEQUE: -- page?

12 MR. PEREIRAS: So, this is a hundred
13 percent conforming.

14 MR. PANEQUE: Yes.

15 MR. PEREIRAS: This would not be conforming
16 because of lot depth, because we're chopping it
17 up differently.

18 But I think it's a better --

19 MR. PANEQUE: You'd also need a minor
20 subdivision.

21 MR. PEREIRAS: We would.

22 MS. PEREIRAS: You would.

23 MR. PANEQUE: Yeah. And you would be
24 creating nonconforming lots, because then you'd
25 be outside the 25 by a hundred.

1 MR. PEREIRAS: Correct.

2 MS. PEREIRAS: That's correct.

3 MR. PANEQUE: And you'd be creating two
4 nonconforming lots.

5 From a legal perspective, this last
6 presentation, where you're conforming a lot
7 that's only 63 feet in depth, it's not really
8 what the town should be considering, or what the
9 City should be considering. Okay? Because
10 you'll have two lots on Bergenline Avenue that do
11 not go a hundred feet deep, as the rest of the
12 lots should be going. And -- and as they should
13 be meant.

14 Mr. Spatz, any comment on that?

15 MR. SPATZ: Yes. You would be creating two
16 nonconforming lots, and you'd have to provide
17 justification as to why that would be -- you
18 know, valid.

19 VICE CHAIRMAN BONACCI: That's for the
20 alternative --

21 MR. PANEQUE: That's for that application.

22 MR. SPATZ: Right.

23 MR. PANEQUE: With the 63 foot depth --

24 VICE CHAIRMAN BONACCI: Okay.

25 MR. SPATZ: Right.

1 MR. PANEQUE: -- of the lots.

2 MR. PEREIRAS: So, I'm going to be very
3 frank with you.

4 MR. SPATZ: Right.

5 MR. PEREIRAS: If the Board doesn't feel
6 that this is the right path, what you're going to
7 get would be fully conforming in our new future
8 Ordinance, potentially. This is exactly what the
9 reexamination requires.

10 And we'd be coming before you, the same
11 Board, for that presentation.

12 VICE CHAIRMAN BONACCI: Okay.

13 So they would be coming with something that
14 conforms.

15 MR. SPATZ: If you're --

16 MR. PEREIRAS: Because of the height.

17 MR. SPATZ: Because you're proposing the
18 height --

19 MR. PEREIRAS: Because we're going to match
20 --

21 MR. SPATZ: Right.

22 MR. PEREIRAS: -- the 45 feet that is --

23 MR. SPATZ: Right.

24 MR. PEREIRAS: -- will be permitted.

25 MR. SPATZ: Right. Right. So, then they

1 | would come back, still would be before this
2 | Board.

3 | VICE CHAIRMAN BONACCI: (Indiscernible) --
4 | the first one.

5 | MR. SPATZ: Right.

6 | VICE CHAIRMAN BONACCI: So, with the
7 | understanding -- you know, we're willing to --
8 | you know, work with you and hear you out on the
9 | next proposed design, but we just got to make
10 | sure that -- you know, for housekeeping, that --
11 | you know, we're going to have to make a motion on
12 | this application that you guys presented tonight.

13 | MR. PEREIRAS: Is it worth --

14 | MS. PEREIRAS: Can you just give me one
15 | moment --

16 | VICE CHAIRMAN BONACCI: Yeah.

17 | MS. GUTIERREZ: Yeah, yeah.

18 | MS. PEREIRAS: -- to speak to my client --

19 | MS. GUTIERREZ: Take your time.

20 | MS. PEREIRAS: -- just to confirm?

21 | MS. GUTIERREZ: We can take five minute
22 | break.

23 | MR. PRESSEY: No.

24 | VICE CHAIRMAN BONACCI: No yet.

25 | MS. GUTIERREZ: No?

1 MS. PEREIRAS: I'll be quick.

2 VICE CHAIRMAN BONACCI: I think we're
3 getting close.

4 MR. PRESSEY: Continue. Continue. Yeah.
5 Continue.

6 No breaks. No breaks.

7 VICE CHAIRMAN BONACCI: I think we're
8 almost there.

9 MS. DILLON: Tell me to go off the record.

10 MR. PANEQUE: Off the record, please.

11

12 (Whereupon, David Spatz left the meeting at
13 7:36 p.m.)

14

15 (Whereupon, the Board recessed from 7:36
16 p.m. to 7:39 p.m.)

17

18 MS. DILLON: Okay.

19 VICE CHAIRMAN BONACCI: Before --

20 MS. DILLON: On the record.

21 VICE CHAIRMAN BONACCI: Before we go
22 further, I just want to make sure.

23 Members of the Board, do you guys have any
24 questions for Mr. Pereiras, Mr. --

25 MS. PEREIRAS: Kauker?

1 VICE CHAIRMAN BONACCI: -- Kauker?

2 MR. MEDINA: I have a question.

3 Right now, what is this -- Mr. Pereiras,
4 right now, the existing -- what is exactly this
5 place? It's just only parking right there?

6 MR. PEREIRAS: There's parking garages.
7 The back portion has a house. So, the -- this
8 portion over here, there's a little house there.

9 MR. MEDINA: So, there's nothing there
10 right now.

11 MS. GUTIERREZ: There's a house.

12 MR. MEDINA: Okay.

13 MR. ORTIZ: Second question, Mr. Pereiras.
14 I need a clarification.

15 On the last person -- model presentation,
16 has your cars are going to be coming into
17 Bergenline.

18 MR. PEREIRAS: So, in the last
19 presentation?

20 MR. ORTIZ: Yeah.

21 MR. PEREIRAS: They're backing up into
22 Bergenline.

23 MR. ORTIZ: They're backing up.

24 MR. PEREIRAS: That's the problem. So,
25 that's why I wanted -- that's why I had the other

1 -- the building. It just makes a lot of sense.

2 You know, it's safe, it's good.

3 MS. PEREIRAS: Bergenline is technically R
4 low density in this area.

5 MR. PEREIRAS: Yeah.

6 MS. PEREIRAS: But Bergenline, for us, is a
7 commercial avenue.

8 MR. PEREIRAS: Yeah.

9 MS. PEREIRAS: So, we're hoping to avoid
10 the curb cuts.

11 MR. PEREIRAS: Yeah.

12 MS. PEREIRAS: And that's why we presented
13 it that way.

14 MR. PEREIRAS: And it's busy, you know? We
15 wanted to take the traffic off Bergenline, put it
16 on 6th Street. It made a lot of sense.

17 MR. MEDINA: No further question.

18 MR. ORTIZ: Thank you.

19 MS. PEREIRAS: Thank you.

20 VICE CHAIRMAN BONACCI: Members of the
21 public, any questions?

22 Okay.

23 MS. PEREIRAS: Of course.

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

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

3 MR. PRICE: I do.

4 MS. DILLON: Name and address for the
5 record.

6 MR. PRICE: Larry Price, 1006 Palisade
7 Avenue.

8 MS. DILLON: Thank you.

9 MR. PRICE: I'll come back to that.

10 Actually, I have a question, first, about
11 the parking.

12 On the -- on the 12 unit one, you -- you
13 said there were two parking spots in every space.
14 I didn't quite --

15 MR. PEREIRAS: No, no. There's two parking
16 spots for every apartment.

17 MS. GUTIERREZ: Apartment. Apartment.

18 MR. PEREIRAS: So, we have a total of 24.

19 MR. PRICE: Okay. I counted --

20 MR. PEREIRAS: So --

21 MR. PRICE: Do you want to put through --

22 MR. PEREIRAS: I'll walk you through it.

23 MS. GUTIERREZ: For the apartment. For the
24 apartment.

25 MR. PEREIRAS: So, off of --

1 MR. PRICE: Yeah.

2 MR. PEREIRAS: -- 6th Street, we created a
3 driveway, one that goes down and one that goes
4 up. So, we have two levels of parking.

5 MR. PRICE: Oh, two levels of --

6 MR. PEREIRAS: Two levels of parking.

7 MR. PRICE: Okay. Twelve -- okay. Twelve
8 spots --

9 MR. PEREIRAS: Yeah.

10 MR. PRICE: -- on each one. Okay.

11 MR. PEREIRAS: One underneath and one
12 above.

13 MR. PRICE: Got it.

14 Okay. Very good.

15 Now, can we flip to the --

16 MR. PEREIRAS: To where?

17 MR. PRICE: -- to the three family thing?

18 Okay. First of all, I've been in the
19 parking business for 45 years, and the first
20 observation I'll make about that is it shows six
21 cars in every garage. Well, we have four story,
22 three family houses around Union City right now.
23 Parking on the first deck.

24 MS. GUTIERREZ: Um hum.

25 MR. PRICE: Three -- three residential

1 floors above. Go around -- walk around at night.
2 You will not see six cars, you will see three
3 cars, because the -- let's say the guy in the
4 front to the right, in order for him to get his
5 car out, he has to move four cars. And it --
6 with two cars parked on the side.

7 Those three cars have to back out into the
8 street for him to get out. People won't do that.
9 They don't do that.

10 So, you walk around at night and look in
11 those garages, there are three cars. Three cars,
12 each person can get out independently. But the
13 result is that on this lot, you will not have
14 parking for 18 cars, you'll have parking for nine
15 cars, versus 24 cars.

16 The second one is, I had been offered the
17 opportunity over the years to buy a parking
18 situation similar to this. I declined in every
19 -- every time, because even with good insurance,
20 you're taking a horrible risk.

21 The person who -- first of all -- first of
22 all, they're backing out of the garage. They're
23 not coming out head first. They don't -- they're
24 backing out. They're backing out across a
25 sidewalk for the first thing. And then, they're

1 backing into a very busy street.

2 And you know, you, as the owner of the
3 property, just created a hazardous situation.
4 You know, I wouldn't go close to a situation like
5 that, because as I say, even with good insurance,
6 you're threatening your net worth in some -- you
7 know, one of your tenants backs off over the
8 sidewalk -- you know, and runs over some young
9 kids, and the next thing you know, you're
10 visiting a bankruptcy court.

11 So, it is a -- it's a very bad situation.
12 Those kind of thing -- whatever.

13 So, you're going -- basically, you know,
14 three families seem to be the way we're going,
15 but it's not -- you know, given an alternative
16 between that and the 12 unit building, with the
17 24 parking spots, where I come from, that -- and
18 that's the application before you. I would go
19 with the 12 units and the 24 parking spots,
20 because that's one of the things --

21 I saw -- I saw a remark the other day about
22 three family houses. And they said, they're
23 great on the inside, and they're horrible on the
24 outside.

25 And that's kind of what we've got here.

1 You know, this is a horrible -- you know, this is
2 a three family, whatever, with a parking
3 situation that is a danger to the community.

4 You have an applica -- if I were in your
5 position, I would approve it. And you know --

6 Well, thank you.

7 MS. PEREIRAS: Thank you.

8 MR. PANEQUE: Thank you, Mr. Price.

9 MS. GUTIERREZ: Thank you.

10 MR. PRICE: You can ask questions of me
11 now. You're entitled to cross examine.

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

14 VICE CHAIRMAN BONACCI: Okay. Ms.
15 Pereiras, --

16 MS. PEREIRAS: Yes.

17 VICE CHAIRMAN BONACCI: -- so the
18 application that's before us -- you know, we have
19 concerns about the parking, we have concerns
20 about the traffic, we have concerns about the
21 safety issues.

22 I can see -- you know, a lot of people
23 coming out in the morning, all at the same time,
24 and creating a lot of traffic things. And we --
25 we're looking for something more that conforms.

1 So, we entertain the idea of an alternative
2 plan. Three separate, or I don't know if you
3 would entertain the idea of maybe cutting off a
4 story going two stories, eight units.

5 MS. GUTIERREZ: Exactly.

6 VICE CHAIRMAN BONACCI: Lessening the
7 units, lessening the amount of parking spaces.

8 I don't know if you want to consider that
9 for the future, but as far as the application
10 that's before us, now --

11 MS. PEREIRAS: Mr. Chairman, if that's even
12 something that the Board would consider and allow
13 us to entertain, I'd rather, if this Board would
14 be so kind --

15 VICE CHAIRMAN BONACCI: Right.

16 MS. PEREIRAS: -- to adjourn that, just so
17 we can explore that. And if we can't --

18 VICE CHAIRMAN BONACCI: I can't --

19 MS. PEREIRAS: -- I'm happy to withdraw it
20 even before --

21 VICE CHAIRMAN BONACCI: I can't adjourn --

22 MS. PEREIRAS: -- that meeting.

23 VICE CHAIRMAN BONACCI: I can't adjourn
24 this application.

25 MR. PEREIRAS: It would be the same

1 application.

2 MS. PEREIRAS: Right.

3 MR. PEREIRAS: It'll be a multi-family
4 building. It'd be very different.

5 VICE CHAIRMAN BONACCI: I'm not --

6 MS. PEREIRAS: We would just remove some
7 units.

8 MR. PEREIRAS: It would be --

9 VICE CHAIRMAN BONACCI: I'm not even saying
10 that --

11 MS. PEREIRAS: That would be --

12 VICE CHAIRMAN BONACCI: -- that's -- you
13 know? I don't know. It's just something that
14 I'm throwing out there that wasn't discussed.

15 But this one that's before us now, I have
16 to make a motion to deny the application. But
17 I'm glad that we got a chance to talk about the
18 fact that your client is willing to amend this
19 application and maybe we can work together on a
20 different project.

21 THE SECRETARY: Motion on the table to deny
22 this application by Mr. Bonacci.

23 Any second the motion?

24 Motion on the table to deny the application
25 by Mr. Bonacci.

1 Any second the motion?

2 See no second.

3 MS. GUTIERREZ: Second.

4 THE SECRETARY: Second by Ms. Gutierrez.

5 Roll call on the motion to deny this
6 application by Mr. Bonacci.

7 Second by Ms. Gutierrez.

8 Roll call on the motion.

9 Mr. Bonacci?

10 VICE CHAIRMAN BONACCI: Yes.

11 THE SECRETARY: Ms. Gutierrez?

12 MS. GUTIERREZ: Yes.

13 THE SECRETARY: Mr. Pressey?

14 MR. PRESSEY: No.

15 THE SECRETARY: Mr. Medina?

16 MR. MEDINA: No.

17 THE SECRETARY: Mr. Ortiz?

18 MR. ORTIZ: No.

19 THE SECRETARY: Mr. Paneque?

20 MR. PANEQUE: The -- the motion to deny
21 fails to pass because it's a three to two vote.

22 Is there any other motion on the floor?

23 THE SECRETARY: Any other motion on the
24 floor?

25 MR. ORTIZ: Motion.

1 MR. PANEQUE: There's got to be a motion.

2 Mr. Ortiz, what is your motion?

3 THE SECRETARY: Motion to -- Mr. -- Mr.
4 Ortiz?

5 MR. ORTIZ: Uh huh, for the original
6 application.

7 MR. PANEQUE: On the application, yes.
8 What's your motion?

9 MR. ORTIZ: Is --

10 MR. PANEQUE: To approve?

11 MR. ORTIZ: Yes.

12 MR. PANEQUE: Okay.

13 THE SECRETARY: Motion on the table to
14 approve this application by Mr. Ortiz.

15 Any second -- any -- anyone second the
16 motion to approve?

17 Mr. Pressey.

18 All right. Roll call on the motion to
19 approve this application.

20 Mr. Bonacci?

21 VICE CHAIRMAN BONACCI: No.

22 THE SECRETARY: Ms. Gutierrez?

23 MS. GUTIERREZ: No.

24 THE SECRETARY: Mr. Pressey?

25 MR. PRESSEY: Yes.

1 THE SECRETARY: Mr. Medina?

2 MR. MEDINA: Yes.

3 THE SECRETARY: Mr. Ortiz?

4 MR. ORTIZ: Yes.

5 THE SECRETARY: Three in favor, two
6 against.

7 Motion --

8 MR. PANEQUE: Motion fails, Mr. Vallejo.
9 It's a D-1 use variance, which requires a super-
10 majority. As such, the motion failed.

11 THE SECRETARY: Motion fails.

12 Thank you everyone.

13 MR. PEREIRAS: Thank you, everyone.

14 THE SECRETARY: Right. Next -- motion
15 fails. Let me put here.

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1 **Storage Blue - 3330-3336 Hudson Avenue**
2 **and 122 Peter Street:**

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4 MR. PANEQUE: Mr. Vallejo, before we
5 proceed with the resolutions, let's just go back
6 with respect to the matter that has to be
7 adjourned, and we put it off.

8 And that's on the application by --

9 THE SECRETARY: That's on --

10 MR. PANEQUE: -- Mr. Steinhagen.

11 THE SECRETARY: For Storage Blue?

12 MR. PANEQUE: Yes.

13 THE SECRETARY: All right.

14 We are going to -- who has a motion to
15 adjourn this application for Storage Blue, 3330-
16 3336 Hudson Avenue and 122 Peter Street?

17 MR. PANEQUE: Yes. Before that --

18 THE SECRETARY: Motion --

19 Oh, go ahead, Mr. --

20 MR. PANEQUE: Is there anybody in the
21 public with respect to the application for 3330
22 Hudson Avenue?

23 Seeing none.

24 Vote on the motion.

25 THE SECRETARY: Motion by Mr. Bonacci.

1 Any second the motion to adjourn the
2 Storage Blue?

3 By Mr. Pressey.

4 Roll call on the motion to adjourn this
5 application to June 14, 2018.

6 Mr. Bonacci?

7 VICE CHAIRMAN BONACCI: Yes.

8 THE SECRETARY: Mr. -- Mrs. Gutierrez?

9 MS. GUTIERREZ: Yes.

10 THE SECRETARY: Mr. Pressey?

11 MR. PRESSEY: Yes.

12 THE SECRETARY: Mr. Pressey?

13 MR. PRESSEY: Yes.

14 THE SECRETARY: Thank you.

15 Mr. Medina?

16 MR. MEDINA: Yes.

17 THE SECRETARY: Mr. Ortiz?

18 MR. ORTIZ: Yes.

19 THE SECRETARY: Motion carries.

20 Now, we are going to go to the beginning of
21 the application.

22 * * *

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1 **APPROVAL OF PREVIOUS MEETING MINUTES:**

2

3 (1) Regular Meetings held on March 8, 2018.

4

5 THE SECRETARY: Approval of Previous
6 Meeting Minutes from March 8, 2018.

7 Can I have a motion to approve this --

8 Mr. Pressey. Motion by Mr. Pressey.

9 Any second?

10 By Ms. Gutierrez.

11 Roll call on the motion.

12 Mr. Bonacci?

13 VICE CHAIRMAN BONACCI: Yes.

14 THE SECRETARY: Ms. Gutierrez?

15 MS. GUTIERREZ: Yes.

16 THE SECRETARY: Mr. Pressey?

17 MR. PRESSEY: Yes.

18 THE SECRETARY: Mr. Medina?

19 MR. MEDINA: Yes.

20 THE SECRETARY: Mr. Ortiz?

21 MR. ORTIZ: Yes.

22 THE SECRETARY: Five in favor.

23 Motion carries.

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1 **RESOLUTIONS:**

2
3 (1) Miyoko Idrissi 317 33rd Street, Block 195,
4 Lot 20. Proposing two apartments located in a
5 rear structure and to use the basement of the
6 front structure for a dog grooming business.

7 **Approved 02-08-2018 (W. Ortiz)**

8 (2) Mirta Sosa 3609 New York Avenue, Blok (sic)
9 214, Lot 15. Legalization of two residential
10 units. **Approved 02-082018 (sic) (W. Ortiz)**

11

12 THE SECRETARY: We are going to Resolutions
13 now.

14 We have in total on tonight's agenda --

15 MR. PANEQUE: Five.

16 THE SECRETARY: -- five Resolutions and one
17 Corrective Resolution.

18 Resolution 1 and 2.

19 Resolution number 1.

20 Miyoko Idrissi, 37 -- I'm sorry -- 317 33rd
21 Street. This application was approved February
22 8, 2018.

23 Second Resolution.

24 Mirta Sosa, 3609 New York Avenue. This was
25 approved February 8, 2018.

1 Can I have a motion to adopt these
2 Resolutions?

3 MS. GUTIERREZ: I make a motion.

4 THE SECRETARY: Motion by Mr. Ortiz.

5 MS. GUTIERREZ: Second.

6 THE SECRETARY: Second by Mrs. Gutierrez.

7 Roll call on the motion.

8 Mr. Bonacci?

9 VICE CHAIRMAN BONACCI: Yes.

10 THE SECRETARY: Ms. Gutierrez?

11 MS. GUTIERREZ: Yes.

12 THE SECRETARY: Mr. Pressey?

13 MR. PRESSEY: Yes.

14 THE SECRETARY: Mr. Medina?

15 MR. MEDINA: Yes.

16 THE SECRETARY: Mr. Ortiz?

17 MR. ORTIZ: Yes.

18 THE SECRETARY: Five in favor.

19 Motion carries.

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1 **RESOLUTIONS:**

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3 (3) My Lovely Days LLC, 156-160 19th Street,
4 Block 175, Lot 7. Propose tenant fit-out office
5 space. Office and uses ancillary thereto,
6 including kitchenette and associate storage.

7 **Approved 03-08-2018**

8 (4) Kuenzle Realty, LLC 3804 32nd Street Block
9 261, Lot 3. Applicant seeks to add parking lot
10 for adjacent business. **Approved 03-08-2018**

11

12 THE SECRETARY: Now, we are going to
13 adoption of Resolution 3 and 4.

14 Number 3.

15 My Lovely Days LLC, 156-160 19th Street.
16 This was approved on March 8, 2018.

17 Resolution number 4.

18 Kuenzle Realty, LLC, 3804 32nd Street.
19 This was approved on March 8, 2018.

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

22 MS. GUTIERREZ: I make a motion.

23 THE SECRETARY: Motion by Ms. Gutierrez.

24 Second by Mr. Pressey?

25 MR. PRESSEY: Yes.

1 THE SECRETARY: Roll call on the motion.

2 Mr. Bonacci?

3 VICE CHAIRMAN BONACCI: Yes.

4 THE SECRETARY: Ms. Gutierrez?

5 MS. GUTIERREZ: Yes.

6 THE SECRETARY: Mr. Pressey?

7 MR. PRESSEY: Yes.

8 THE SECRETARY: Mr. Medina?

9 MR. MEDINA: Yes.

10 THE SECRETARY: Mr. Ortiz?

11 MR. ORTIZ: Yes.

12 THE SECRETARY: Mr. Ortiz?

13 MR. ORTIZ: Yes.

14 THE SECRETARY: Thank you, sir.

15 Five in favor.

16 Motion carries.

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1 **RESOLUTIONS:**

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3 (5) Hung Fat, INC. 1212-1216 Summit Avenue
4 Bloc (sic) 58, Lot 26, 27, 28. Applicant
5 proposing a basketball gymnasium and addition of
6 two stories and new apartments, from five to ten
7 residential units. **Application was denied on**
8 **03-08-2018**

9

10 THE SECRETARY: We are going now to
11 Resolution number 5.

12 Adoption of deny Resolution.

13 Hung Fat, Inc., 1212-1216 Summit Avenue.
14 The application was denied on March 8, 2018.

15 Roll call on the motion.

16 Sorry.

17 Roll call to adopt this Resolution.

18 The only persons can act on this Resolution
19 is Mr. Bonacci, Ms. Gutierrez and Mr. Grullon,
20 who's absent.

21 Can I have a motion to adopt this
22 Resolution?

23 MS. GUTIERREZ: I make a motion.

24 THE SECRETARY: Motion by Ms. Gutierrez.

25 MS. GUTIERREZ: Second?

1 VICE CHAIRMAN BONACCI: Second.

2 THE SECRETARY: Second by Mr. Bonacci.

3 Roll call on the motion.

4 Mr. Bonacci?

5 VICE CHAIRMAN BONACCI: Yes.

6 THE SECRETARY: Ms. Gutierrez?

7 MS. GUTIERREZ: Yes.

8 THE SECRETARY: Two in favor.

9 Motion carries.

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1 **CORRECTIVE RESOLUTION:**

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3 (1) Navin Joshi - 520 New York Avenue -
4 Amending original application reducing it to
5 three stories, four residential units.

6 Resolution was memorialized on March 19, 2015

7

8 THE SECRETARY: Now we have number 6.

9 A Corrective Resolution, Navin Joshi, 520
10 New York Avenue.

11 Mr. Paneque, please?

12 MR. PANEQUE: This is a Resolution to
13 correct certain typographical errors and mistakes
14 that were made on a Resolution that was
15 memorialized on March 19th, 2015.

16 The mistakes were brought to the attention
17 of the applicant, by the Building Department.
18 And I had the opportunity to read the transcripts
19 from the three meetings, and definitely mistakes
20 were made in the Resolution. Those mistakes have
21 been corrected, by way of this Resolution.

22 THE SECRETARY: Can I have a motion to
23 adopt this -- the Corrective Resolution?

24 MS. GUTIERREZ: I make a motion.

25 THE SECRETARY: By Ms. Gutierrez.

1 Can I have a second on the motion?

2 Mr. Ortiz.

3 Roll call on the motion.

4 Mr. Bonacci?

5 VICE CHAIRMAN BONACCI: Yes.

6 THE SECRETARY: Ms. Gutierrez?

7 MS. GUTIERREZ: Yes.

8 THE SECRETARY: Mr. Pressey?

9 MR. PRESSEY: Yes.

10 THE SECRETARY: Mr. Medina?

11 MR. MEDINA: Yes.

12 THE SECRETARY: Mr. Ortiz?

13 MR. ORTIZ: Yes.

14 THE SECRETARY: Five in favor.

15 Motion carries.

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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. PRESSEY: There you go.

7 THE SECRETARY: By Mr. --

8 MS. GUTIERREZ: There you go.

9 THE SECRETARY: -- Ms. Gutierrez.

10 Second by Mr. Bonacci.

11 No, I'm sorry.

12 Mr. Pressey.

13 MR. PRESSEY: There you go.

14 THE SECRETARY: All in favor, say aye.

15

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

17

18 THE SECRETARY: The ayes have it.

19 Thank you.

20 Have a good night.

21 Let the record show up the meeting has

22 ended.

23

24 (Whereupon, the proceedings were concluded
25 at 7:58 p.m.)

1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

4

5

6 I, DEBRA A. KASZNIAK, assigned transcriber,
7 do hereby affirm that the foregoing is a true and
8 accurate transcript in the matter of the REGULAR
9 MEETING of the UNION CITY ZONING BOARD OF
10 ADJUSTMENT heard on Thursday, April 12, 2018 and
11 digitally recorded.

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25 Monitored and proofread by: Deborah Dillon