

CITY OF UNION CITY
HUDSON COUNTY, NEW JERSEY
PLANNING BOARD

REGULAR MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
:

City Hall
3715 Palisade Avenue
Union City, New Jersey

Tuesday, June 26, 2018
Commencing at 6:03 p.m.

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

YDALIA GENAO, Mayor's Designee
ALICIA MOREJON
FRANKLIN MEDINA, (Arrived at 6:05 p.m.)
ALEJANDRO VELAZQUEZ, Alternate No. 1
JOSE GUARENO, Alternate No. 2
DIANE CAPIZZI, Chairperson

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

BRIAN P. STACK, Mayor
CELIN VALDIVIA, Commissioner
CAROLINA FERNANDEZ
RUDY RIVERO
JEANNE KOEHLER, Vice Chairperson

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

CARLOS VALLEJO, Secretary to the Board

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

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

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

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, Zohastan, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, Christopher Gallo

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, Carlos Silveira

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, 3100 Bergenline Avenue, LLC

ELAINE BERKENWALD, ESQ.,
Attorney for Applicant, PBG Realty Associates, LLC

I N D E X

	<u>PAGE</u>
CALL TO ORDER	5
SALUTE TO FLAG	5
ROLL CALL	6
 ADOPTION OF MINUTES	 8
 HEARINGS	
Zohastan, LLC	85
Christopher Gallo	80
Carlos Silveira	88
3100 Bergenline Avenue, LLC	76
PBG Realty, LLC	12
 RESOLUTIONS	 10
 ADJOURNMENT	 91

I N D E XPBG Realty, LLC - 2207 Summit Avenue

<u>WITNESS</u>	<u>PAGE</u>
Jerry Gippetti	14
Anthony C. Vandermark, Jr.	17
Craig Peregoy	61
 <u>SWORN PUBLIC</u>	
Margaret Laborde	55

E X H I B I T S

<u>NO.</u>	<u>DOCUMENT</u>	<u>PAGE</u>
A-1	Existing Site Photos	21
A-2	Rendering	33
A-3	Sample Material Board	42

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

3 Please take notice that on Tuesday, June
4 26, 2018, at six p.m., a Regular Meeting is
5 scheduled for the City of Union City Planning
6 Board, to be held in the Municipal Chambers of
7 the City Hall, 3715 Palisade Avenue, Union City,
8 New Jersey.

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

12 Notice of this meeting has been 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 available to the public in the
20 Office of the Municipal Clerk.

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

23 CHAIRPERSON CAPIZZI: Yes.

24

25 (Whereupon, the Pledge of Allegiance was

1 said by all.)

2

3 THE SECRETARY: Thank you.

4

5 **ROLL CALL:**

6

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

9 Mayor Brian P. Stack? Absent.

10 Ydalia Genao?

11 MS. GENAO: Yes.

12 THE SECRETARY: Commissioner Celin
13 Valdivia? Absent.

14 Alicia Morejon?

15 MS. MOREJON: Yes.

16 THE SECRETARY: Diane Capizzi?

17 CHAIRPERSON CAPIZZI: Here.

18 THE SECRETARY: Carolina Fernandez?
19 Absent.

20 Rudy Rivero? Absent.

21 Franklin Medina? Absent.

22 Jeanne Koehler? Absent.

23 Alejandro Velazquez?

24 MR. VELAZQUEZ: Here.

25 THE SECRETARY: Jose Guareno?

1 MR. GUARENO: Here.

2

3 (Whereupon, Franklin Medina arrived at 6:05
4 p.m.)

5

6 THE SECRETARY: Mr. -- Mr. Medina's
7 present.

8 MR. MEDINA: Yes. Here.

9 THE SECRETARY: Let the record indicate
10 there are six present.

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

13 * * *

14

15

16

17

18

19

20

21

22

23

24

25

ADOPTION OF MINUTES:

(1) Regular Meeting held on May 22, 2018

THE SECRETARY: We are going to Adoption of
the Minutes.

Regular Meeting held on May 22, 2018.

Can I have a motion to adopt these minutes?

CHAIRPERSON CAPIZZI: I'll make a motion.

THE SECRETARY: Motion by --

MR. VELAZQUEZ: I second.

THE SECRETARY: -- Ms. Capizzi.

Second by Mr. Velazquez?

CHAIRPERSON CAPIZZI: Um hum.

THE SECRETARY: Roll call on the motion.
Ms. Capizzi?

CHAIRPERSON CAPIZZI: Yes.

THE SECRETARY: Ms. Genao?

MS. GENAO: Yes.

THE SECRETARY: Ms. Morejon?

MS. MOREJON: Abstain. I'll abstain.

THE SECRETARY: Mr. Velazquez?

MR. VELAZQUEZ: Yes.

THE SECRETARY: Mr. Guareno?

MR. GUARENO: Yes.

1 THE SECRETARY: Four in favor, one -- one
2 abstained.

3 Motion carries.

4 * * *

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **RESOLUTIONS:**

2

3 (1) 708-718 Summit Ave., LLC - 710 Summit Ave.
4 Block 33, Lots 1-7. The applicant seeks to
5 extend the building forward by 27'. 9", adding
6 840 square feet. Approved

7

8 THE SECRETARY: Adoption of Resolution.
9 708-718 Summit Avenue, LLC, 710 Summit
10 Avenue.

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

13 Motion made by Ms. Capizzi.

14 MR. VELAZQUEZ: Second.

15 THE SECRETARY: Second by?

16 MR. VELAZQUEZ: Alex Velazquez.

17 THE SECRETARY: Mr. Velazquez.

18 Roll call on the motion.

19 Ms. Capizzi?

20 CHAIRPERSON CAPIZZI: Yes.

21 THE SECRETARY: Ms. Genao?

22 MS. GENAO: Yes.

23 THE SECRETARY: Ms. Morejon?

24 MS. MOREJON: Abstain.

25 THE SECRETARY: Mr. Velazquez?

1 MR. VELAZQUEZ: Yes.

2 THE SECRETARY: Mr. Guareno?

3 MR. GUARENO: Yes.

4 THE SECRETARY: Four in favor, one
5 abstained.

6 Motion carries.

7 * * *

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **PBG Realty, LLC - 2207 Summit Avenue:**

2

3 THE SECRETARY: Hearings and Applications.

4 First hearing on tonight's agenda --

5 Okay. We are going -- we are going to
6 change things a little --

7 Mrs. Pereiras is not here. She have four
8 applications.

9 CHAIRPERSON CAPIZZI: Right.

10 MR. ORTIZ: Madam Chairwoman, with your --
11 with your approval, I suggest that we move on to
12 number 5.

13 THE SECRETARY: Five.

14 MR. ORTIZ: Which is PBG, the only -- the
15 only applicant present --

16 CHAIRPERSON CAPIZZI: Right.

17 MR. ORTIZ: -- with their professionals.

18 CHAIRPERSON CAPIZZI: Right.

19 THE SECRETARY: All right. Let me call for
20 the application, please.

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

23 PBG Realty, LLC, 2207 Summit Avenue.

24 Mrs. Berkenwald, please?

25 MS. BERKENWALD: Good evening.

1 I'll give you my card.

2 MR. DILLON: Thank you.

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

5 MS. BERKENWALD: Is there a microphone or
6 this is the microphone?

7 MR. DILLON: Yeah. Stand right there,
8 please.

9 MS. BERKENWALD: Okay.

10 Good evening, ladies and gentlemen.

11 Thank you for taking the time.

12 I have proof of service, which I will hand
13 to Mr. Ortiz. It has been already sent to the
14 Board by email, but these are the originals.

15 MR. ORTIZ: Madam Chairwoman, it was
16 emailed to me, as well. I have reviewed it
17 earlier. It seems everything's in order, giving
18 jurisdiction to the Board.

19 CHAIRPERSON CAPIZZI: Okay.

20 MS. BERKENWALD: This project is over ten
21 years in the making. And those of you who were
22 on this Board three years ago, have actually
23 heard it.

24 We're coming back with about a 20 percent
25 reduction. We originally were approved by this

1 Board for this redevelopment for 260 dwelling
2 units, over one level of commercial and parking.
3 We're now coming in with a 208 dwelling unit
4 project.

5 Mr. Price objected to 260 units and took us
6 to court and we've decided to move forward with a
7 reduced amount that the court believed was
8 permitted of 208 units.

9 So, I'm going to try to do this in an
10 expeditious fashion, but I do have to make a
11 record. But I know some of you have heard this
12 and seen most of these projects.

13 I have Anthony Vandermark, the architect,
14 here. We have a traffic testimony, Craig
15 Peregoy. And Jerry Gippetti is the designated --
16 is -- is the principal of PBG Realty Associates,
17 which is the designated redeveloper.

18 Quite a number of years ago, more than ten
19 years ago, he transferred property to build the
20 high school parking lot for Union City's special
21 high school.

22 And I'll just have him briefly introduce
23 himself.

24 Mr. Gippetti, would you like to --

25 MR. GIPPETTI: Good evening.

1 MS. BERKENWALD: -- come forward?

2 MR. GIPPETTI: Chairman Capizzi, Board
3 members, Mr. Ortiz, and Mr. Spatz, thank you.

4 MS. BERKENWALD: Do you want to swear him
5 in?

6 MR. ORTIZ: If he's -- is he making a
7 statement or testifying?

8 MR. GIPPETTI: No, no, no. Basically, I'm
9 just -- just giving some background for myself.
10 That's all.

11 MR. ORTIZ: Well, I don't know -- no
12 offense, but --

13 MR. GIPPETTI: No, no, no. It's quite all
14 right. That's all.

15 MS. BERKENWALD: I just think it's always
16 safe to swear somebody in.

17 MR. DILLON: Okay.

18 MR. ORTIZ: No, the swearing in part.
19 Okay.

20 MS. BERKENWALD: You could only be
21 criticized for --

22 MR. ORTIZ: Sure.

23 MS. BERKENWALD: -- not doing it.

24 MR. DILLON: Please raise your right hand.
25 Do you swear the testimony you're about to

1 give this Board is the whole truth?

2 MR. GIPPETTI: Yes.

3 MR. DILLON: State your name for the
4 record.

5 MR. GIPPETTI: My name is Jerry Gippetti,
6 PBG Realty, President.

7 MR. DILLON: Thank you.

8 MR. GIPPETTI: I just wanted to thank you.

9 I've been a property owner in Union City
10 since 1980, and an employer, and ran my textile
11 business. And then, through an association with
12 the Redevelopment Board, I sold the property --
13 some of the property that I had to the -- to the
14 City of Union City and then, transferred
15 development rights from that. And that's the
16 project that we're here for.

17 And I want to thank you for the
18 opportunity. I think the people that are right
19 in front of you will answer any and all of your
20 questions. But thank you very much for your time
21 and the opportunity.

22 CHAIRPERSON CAPIZZI: Thank you.

23 MS. MOREJON: Thank you.

24 MS. BERKENWALD: Okay. My next witness is
25 Anthony Vandermark.

1 MR. DILLON: Raise your right hand.

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

4 MR. VANDERMARK: I do.

5 MR. DILLON: State your name and spell it
6 for the record.

7 MR. VANDERMARK: Sure. That is Anthony C.
8 Vandermark, Jr. Vandermark, V as in Victor,
9 A-N-D-E-R-M-A-R-K.

10 MR. DILLON: Thank you.

11 MS. BERKENWALD: And Mr. Vandermark has
12 testified before --

13 CHAIRPERSON CAPIZZI: Yes.

14 MS. BERKENWALD: -- this Board and you are
15 still licensed in the State of New Jersey as an
16 architect.

17 MR. VANDERMARK: I am.

18 MS. BERKENWALD: And could you describe the
19 project at 2207 --

20 MR. ORTIZ: Madam --

21 MS. BERKENWALD: -- Summit Avenue?

22 MR. ORTIZ: Madam Chairwoman -- Madam
23 Chairwoman, you, I guess --

24 CHAIRPERSON CAPIZZI: Yes.

25 MR. ORTIZ: Okay.

1 CHAIRPERSON CAPIZZI: Accepted.

2 MR. VANDERMARK: Thank you very much.

3 MR. ORTIZ: As an expert. Okay.

4 MS. BERKENWALD: Thank you.

5 MR. VANDERMARK: Good evening, everyone.

6 I thank you all for being here this
7 evening.

8 2207 Summit Avenue is at the intersection
9 of 23rd Street and Summit Avenue. It's a
10 southwestern corner.

11 We have a large parcel here, which is
12 26,328 square feet. We have 131 feet of frontage
13 on 23rd Street and 227 feet of linear frontage on
14 Summit Avenue.

15 The project, again, is in the Roosevelt
16 Stadium Redevelopment Plan, Zone D-RS-A. And
17 this is in the mixed use A portion of the
18 Roosevelt -- Roosevelt Stadium Redevelopment
19 Plan.

20 Within the Roosevelt Stadium Redevelopment
21 Plan, with transfer development rights, we are
22 permitted to have 22 stories and the proposed
23 density that we're proposing this evening.

24 However, we are proposing an application of
25 208 residential units, 272 parking spaces, and 18

1 stories, 198 feet in total height.

2 We are proposing a top level amenity space,
3 a 6,000 square foot gym and pool area, which is
4 on the roof. And I'll briefly describe that as I
5 walk through the plans.

6 Of the 272 parking spaces, we have 191
7 standard spaces, we have six handicap spaces and
8 75 compact spaces, which is 27 percent, which is
9 what the Ordinance permits. The Ordinance
10 permits 30 percent, so we are providing 27
11 percent compact, for a grand total of 272.

12 The Ordinance does not require -- we have a
13 mixed use structure. We have commercial,
14 residential lobby and we have residential floors
15 above.

16 The Ordinance wants one-to-one parking.
17 That would be 208 parking spaces for the 208
18 residential units. However, we have 272.

19 The actual Redevelopment Plan does not
20 require any for the retail at the ground floor.
21 If you go back to the Zoning Ordinance, it would
22 require 19 parking spaces.

23 Just by -- if we deduct the 19 parking
24 spaces from the 272, we are providing 253 parking
25 spaces for the residential units, which

1 translates to 1.23 parking spaces per unit, which
2 is more than enough, as part of this proposal.

3 Of the 208 residential, we have 137 one
4 bedrooms, 57 two bedrooms and 14 three bedrooms,
5 which is a nice mixture. We have a 3,139 square
6 foot retail space and a 2,567 square foot retail
7 space, combining to 5,706 commercial/retail at
8 the grade level that's on Summit Avenue.

9 We are proposing a deviation free
10 application. Again, so, the proposed use, which
11 is commercial, parking and residential use above,
12 no deviation. We have 18 stories, again at 198
13 feet is no deviation.

14 We adhere to all the building setbacks,
15 that is a part of the Redevelopment Plan, certain
16 setbacks at different floors. We adhere to all
17 of those, including a 25 foot rear yard, from
18 floors five all the way up to the roof.

19 Went over the parking count and also
20 parking spaces. Again, we fully comply with the
21 Redevelopment Plan.

22 The subject site, and if everyone just
23 briefly wants to -- I have an exhibit here.

24 CHAIRPERSON CAPIZZI: Um hum.

25 MR. VANDERMARK: Elaine, if you want to

1 pass that around to the --

2 MR. ORTIZ: Elaine, do you want --

3 MR. VANDERMARK: -- Board members.

4 MR. ORTIZ: -- that marked? Does the --

5 MS. BERKENWALD: All right. This could be

6 A --

7 MR. ORTIZ: Then, we -- but then, we keep
8 it.

9 MS. BERKENWALD: Applicant's 1.

10 MR. ORTIZ: All right. Then, we -- the
11 Clerk needs to keep that.

12 MS. BERKENWALD: And this is the existing
13 --

14 MR. VANDERMARK: Yes. This is -- the
15 photograph was taken by myself.

16

17 (Whereupon, Existing Site Photos were
18 received and marked as Exhibit A-1.)

19

20 MS. BERKENWALD: I marked it A-1.

21 MR. ORTIZ: Okay. That's fine.

22 MR. VANDERMARK: And this shows the
23 existing site. We have a series of three masonry
24 structures.

25 This is the corner of 23rd that's running,

1 again, east/west, and we have Summit Avenue;
2 that's two way traffic that's running
3 north/south.

4 The corner structure is a masonry structure
5 that is a warehouse, that warehouse textiles.
6 It's approximately 15 feet in height. Couple
7 things to know about this warehouse, we have an
8 existing loading dock here on 23rd Street and we
9 have a loading zone that has no parking that runs
10 down 131 feet of our property.

11 As we run to the south, we have another 18
12 foot high structure, masonry, with another curb
13 cut. And then, what we have is a -- what it is,
14 is a -- a garage repair shop towards the end of
15 our property, to the south.

16 Part of the urban objectives is, is that
17 we want to eliminate a lot of these preexisting
18 nonconforming uses. Well, our building, as
19 proposed, is changing that. Right. We are
20 eliminating these preexisting nonconforming uses
21 and we are bringing a fully conforming, mixed use
22 structure, what is permitted, as part of the
23 Redevelopment Plan.

24 We are bringing just a great pedestrian
25 life here, new street trees, new parking spaces

1 here along 23rd Street. We're adding four new
2 parking spaces along 23rd Street, when we
3 eliminate this loading zone. And we are grabbing
4 one more additional parking space on the street
5 on Summit Avenue, when we eliminate one of these
6 curb cuts.

7 I'll just briefly go over -- here, we have
8 the parking garage, which was part of the
9 development transfer. This, obviously, is a
10 municipal garage that supplies parking for the
11 high school. That's six stories, approximately
12 65 feet.

13 Our proposed structure, again 22 stories,
14 198 feet in height. Excuse me. Eighteen
15 stories, 198 feet in height.

16 Here, in the background, you have the 15
17 story Altessa. This goes back to the urban
18 objectives, as far as that scale of our building
19 stays in scale with The Altessa, which is on 22nd
20 Street. And further to the east, on 22nd Street,
21 we have the Bella Vista, which is 24 stories.

22 So, in scale, we are right in between those
23 two structures that are on 22nd Street.

24 MS. BERKENWALD: We're also eliminating the
25 billboard that exists there.

1 MR. VANDERMARK: Excuse me?

2 MS. BERKENWALD: We're also eliminating the
3 billboard --

4 MR. VANDERMARK: Yes, we are.

5 MS. BERKENWALD: -- as part of this
6 redevelopment.

7 MR. ORTIZ: Counselor, just make sure that
8 anything that you're using as an exhibit gets
9 marked, to give to the Board Clerk.

10 MR. VANDERMARK: Absolutely.

11 MR. ORTIZ: For the record.

12 MS. BERKENWALD: These have been submitted
13 with the --

14 MR. ORTIZ: Not necessarily the plans.

15 MR. VANDERMARK: Yeah.

16 MS. BERKENWALKD: Okay.

17 MR. ORTIZ: I'm talking about --

18 MR. VANDERMARK: So, we're talking --

19 MS. BERKENWALD: The drawings. All right.

20 MR. VANDERMARK: Just directing the Board
21 to Sheet Z2. What you have is a site plan here
22 showing the new street trees, --

23 MR. VELAZQUEZ: Are you allowed to record?

24 MR. VANDERMARK: -- the southern 16 foot
25 curb cut and the building tiers at floors five --

1 MR. VELAZQUEZ: Hold on just for one
2 minute.

3 MR. VANDERMARK: Sure.

4 MR. VELAZQUEZ: Is that being recorded?

5 MR. ORTIZ: What?

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

8 MR. VELAZQUEZ: You're allowed to record?

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

11 MR. ORTIZ: You really can't stop them from
12 a voice recording.

13 MR. VELAZQUEZ: No, voice recording, but
14 she's recording --

15 THE SECRETARY: You don't feel comfortable
16 with it?

17 MR. VELAZQUEZ: -- with a camera.

18 MR. ORTIZ: Really can't do that. Case law
19 is --

20 A CITIZEN: Not supposed to --

21 A CITIZEN: Not -- not supposed to be
22 recording?

23 MR. ORTIZ: Case law says, in a public
24 meeting, people generally can, as long as this
25 doesn't -- it's not disruptive.

1 MR. VELAZQUEZ: Oh, in these chambers, I'm
2 so used to it not recording. So --

3 MR. ORTIZ: Okay.

4 THE SECRETARY: Go ahead, ma'am.

5 MR. VANDERMARK: Okay.

6 THE SECRETARY: Go ahead, sir.

7 MR. VANDERMARK: Sure.

8 Sheet Z2, in the package that you've
9 already received, shows the building tiers that
10 adhere to the Redevelopment Plan. We have
11 setbacks on both street elevations at the fifth
12 floor, tenth floor, 15th floor and then,
13 ultimately at the roof penthouse, where the
14 amenity space is.

15 Again, this shows both street frontages
16 here, with the new street trees along Summit
17 Avenue.

18 Unfortunately, we cannot provide new street
19 trees on 23rd Street. The sidewalk is too narrow.
20 It's at eight feet. With a planter, it wouldn't
21 be ADA compliant. Therefore, we have a new
22 sidewalk, new curbing, new curb cuts and
23 everything else. However, we do not provide
24 street trees on 23rd Street.

25 I direct the Board to Sheet Z5. Part of

1 the original application was that we had basement
2 level parking, we had an abundance of parking,
3 once again, as part of that application.
4 However, since the reduction of density, with the
5 residential, we have then reduced the parking
6 count and eliminated the basement within the
7 footprint of this building.

8 This is a positive. I think it -- it has
9 less impact on the adjacent neighbors and we
10 still meet need 272 parking spaces for 208 units,
11 more than enough.

12 Working from left to right, which is south
13 to north, we're proposing a 16 foot wide curb cut
14 on Summit Avenue. Both ingress and egress for
15 the residential upper floors here, a 3139 square
16 foot commercial space here on Summit.

17 Our main residential lobby, which is a 20
18 foot high, double high space, 800 square feet is
19 here, centrally located on Summit. And we have a
20 very nice commercial retail space of 2,567.

21 On 23rd Street, we are -- we're proposing
22 one curb cut of 16 feet, which is a loading dock.
23 This serves as a loading dock for packages for
24 the residential units, but it also serves for
25 trash removal and recycling removal. So the

1 truck comes in, and this will be an independent
2 carting service, they load up here at the trash
3 room, and then they remove it through the loading
4 dock and out 23rd Street.

5 One of the deviations we previously asked
6 for --

7 MR. ORTIZ: Can I --

8 MR. VANDERMARK: -- which we eliminated --

9 MR. ORTIZ: On that -- just on that aspect,
10 so then --

11 MR. VANDERMARK: Yes.

12 MR. ORTIZ: -- all garbage and refuge (sic)
13 is going to be internal in the building.

14 MR. VANDERMARK: Yes, it is.

15 MR. ORTIZ: Nothing's going to be outside.

16 MR. VANDERMARK: Nothing's going to be
17 outside on the street.

18 MR. ORTIZ: Okay.

19 MR. VANDERMARK: We have a trash compactor,
20 with a chute. It's going to be stored in the
21 trash room. And then, actually, brought out and
22 carted away through an independent carting
23 service.

24 One of the proposed amendments, which is on
25 your new sheet, Z5, dated 6/5/18, is we are

1 proposing two amenity spaces in replacement of
2 cars that were actually on the exterior wall.
3 The Redevelopment Plan makes it clear that cars
4 cannot be on an exterior wall. We don't want
5 headlights actually flashing -- you know, through
6 these windows and onto the sidewalk. Plus, you
7 don't want to be seeing them from the pedestrian
8 way.

9 So, we figure this amenity space, 465
10 square feet, the lower one here, will be either a
11 package room or some kind of conference room.
12 And then, we have another amenity space of 616
13 square feet. Again, up against the sidewalk
14 line, we think is going to be used for children's
15 playroom.

16 So, the first floor, we are proposing 30
17 parking spaces with a ramp going up and bicycle
18 storage here to the southwestern corner of the
19 property.

20 The Fire Department has reviewed this plan.
21 They requested a three foot setback around the
22 perimeter of the building. So, you'll see here,
23 that runs east/west and back around the property
24 line, a three foot setback, with Fire Department
25 access. This was something that our owner

1 | complied to and the Fire Department reviewed the
2 | plans.

3 | Just taking you up through floors three,
4 | four and two, we are providing 62 parking spaces
5 | on the second floor, a big beautiful double high
6 | lobby space for the residential. Floors three
7 | and four, again, 64 parking spaces per floor, as
8 | the ramp comes back up. Everything is serviced
9 | by three elevator banks and a service elevator,
10 | which -- which totals four elevators, with fully
11 | ADA access to all levels.

12 | Fifth floor, which is the top parking
13 | level, 83 percent lot coverage. The building
14 | starts to now come back in, as per the setback
15 | requirements of the Redevelopment Plan. We are
16 | proposing 52 parking spaces on the upper parking
17 | level.

18 | Floors six through ten, we're complying
19 | fully with the Redevelopment Plan setbacks. We
20 | are proposing 16 units per floor, at a coverage
21 | of 73.3 percent. We are proposing per floor, ten
22 | one bedrooms that range from 700 to 750 square
23 | feet; four two bedrooms at a thousand to 1200
24 | square feet; and two three bedrooms at 1400
25 | square feet. A good unit mix of generous sizes;

1 that's at floors six through ten.

2 Floors 11 through 15, we are proposing 17
3 units per floor, at a 63.8 percent lot coverage.
4 Again, the building is brought back in on the
5 rear and on the side setbacks, as per the
6 Redevelopment Plan. We are proposing 12 one
7 bedrooms that range from 700 to 800 square feet
8 and five two bedrooms from a thousand to 1200
9 square feet.

10 Floors 16 and 17, 13 units per floor, at a
11 54.7 percent lot coverage. Again, the building
12 now is tiering back in, as per the setback
13 requirements. We have eight one bedrooms at 750
14 square feet; four two bedrooms at a thousand to
15 1200; and one three bedroom at 1500 square feet.

16 The top floor, which is the 18th floor, 12
17 units on the top floor. Six one bedrooms at 750;
18 four two bedrooms at a thousand to 1200; and two
19 three bedrooms at 1500. That is at 57.4 percent
20 lot coverage.

21 We have a proposed roof amenity space. We
22 are proposing a 6,000 square foot combined gym
23 and interior pool area on the roof, and a 4,000
24 square foot beautifully landscaped and decked
25 roof deck. The perimeter has perimeter plantings

1 and the perimeter of the whole entire roof has an
2 extensive green roof, which is a moss. Slows
3 down the rain water that actually enters the
4 municipal system.

5 As part of this proposal, as part of the
6 green techniques that this building has -- has in
7 store for you, it -- it has a storm water
8 detention system. We have full civil plans that
9 are filed with that plan set that indicates that.
10 The extensive green roofing system around the
11 perimeter of the project is part and parcel with
12 a LEED principle, and it cuts down on heat island
13 effect here in the city.

14 Going further to that point, the uppermost
15 roof has a full, unaccessible to the public,
16 extensive green roof. This is not to be used by
17 anybody. This is really just a green roofing
18 system. We have one bulkhead here that is going
19 to be accessed for maintenance of the green roof
20 itself.

21 This green roof is not irrigated. This
22 dies in the wintertime, comes back in the
23 summertime and spring. Again, it's just moss and
24 -- you know, it -- it grows by itself.

25 Taking you to the big building exterior.

1 Proposed project is 18 stories, 198 feet to the
2 principal roofline. Part of the urban design
3 objectives was -- very important was the
4 pedestrian streetway here.

5 As you can see, we have a large amount of
6 glazing for both the residential entry,
7 commercial space, commercial space around the
8 corner that's set back in for better sight lines,
9 and the amenity spaces here are fully glazed, so
10 you can actually see in those amenity spaces
11 here.

12 MR. ORTIZ: Elaine, do you want that marked
13 or not necessarily? It's up to you.

14 MS. BERKENWALD: Yeah, the rendering.

15 MR. VANDERMARK: Yes.

16 MS. BERKENWALD: A-2.

17 MR. ORTIZ: All right, then it stays with
18 us, then.

19

20 (Whereupon, Rendering was received and
21 marked as Exhibit A-2.)

22

23 MR. VANDERMARK: Also part of the urban
24 design objectives it that the building has a
25 base, the building has a center or midlevels, and

1 | then the building has a cap.

2 | We chose expansive glass on all corners of
3 | the building, to actually soften the edges of a
4 | taller structure. This carries up, it steps back
5 | for light and air to the adjacent properties and
6 | the adjacent neighborhood. And the building
7 | steps back here at the top three floors, fully
8 | glazed. Really we're trying to make the building
9 | now disappear and also appear lighter.

10 | Part of the urban design objectives was,
11 | was large expanses of glazing and quality
12 | materials. We are providing a modular brick
13 | base, under brick here and here, which is a full
14 | size brick, and composite aluminum in the corner
15 | here that holds the windows together, and cast
16 | stone banding which is a concrete block material.
17 | Actually, a more substantial better material than
18 | concrete block.

19 | And I have another exhibit here which is
20 | the material board.

21 | So, our modular brick will be in the beige
22 | family here, with the mortar above. This is your
23 | cast stone banding which will be here, here and
24 | here. And then, we have a composite aluminum now
25 | that is on the bays on the corners and also the

1 midlevel banding as a cap. All other windows now
2 will be this black composite aluminum material.

3 This concludes my presentation.

4 CHAIRPERSON CAPIZZI: Okay.

5 MR. ORTIZ: Just one question.

6 On that first level, is there going to be
7 an outdoor deck or something, because on -- on
8 the --

9 MR. VANDERMARK: Here?

10 MR. ORTIZ: No, next level up.

11 MR. VANDERMARK: Here.

12 MR. ORTIZ: Yeah.

13 MR. VANDERMARK: Yes. There is a four and
14 a half foot -- really, what it is, is an outdoor
15 space that's kind of a product of the requirement
16 of the setback at that level.

17 So, what we have is a -- like a taller
18 parapet line there, so if there's any furniture
19 or anything, you're not going to be seeing it
20 from the street. So, everything's going to be
21 actually down below this wall line here.

22 MR. ORTIZ: And who will have access to
23 that?

24 MR. VANDERMARK: Those residential units
25 that --

1 CHAIRPERSON CAPIZZI: Um hum.

2 MR. VANDERMARK: -- have proximity to that
3 part of the outdoor space.

4 MR. ORTIZ: So, not the entire building,
5 just --

6 MR. VANDERMARK: Not the entire building,
7 no. The entire building only has access to the
8 two amenity spaces in the parking garage, and
9 obviously, the upper roof deck with the pool.

10 CHAIRPERSON CAPIZZI: Umm. So, same with
11 the level about it. Is that a deck, as well?

12 MR. VANDERMARK: This, also --

13 CHAIRPERSON CAPIZZI: That.

14 MR. VANDERMARK: -- is outdoor space.

15 CHAIRPERSON CAPIZZI: Okay.

16 MR. VANDERMARK: And also, here --

17 CHAIRPERSON CAPIZZI: Um hum.

18 MR. VANDERMARK: -- is outdoor space.

19 CHAIRPERSON CAPIZZI: Okay.

20 MS. MOREJON: If I may, how is going to be
21 the security system in that building?

22 MR. VANDERMARK: Well, this -- we'll
23 probably have a doorman in a building this size,
24 with this many units.

25 And then, also, I'm sure there will be some

1 type of key fob or touch pad system, security
2 that will take you up and down in the building.

3 MR. ORTIZ: 24/7?

4 MR. VANDERMARK: Twenty -- I'm sure, 24/7.

5 MR. VELAZQUEZ: That's --

6 MR. VANDERMARK: Yeah.

7 MR. VELAZQUEZ: -- the Ordinance.

8 MS. MOREJON: You need a doorman. For that
9 building, you need a doorman.

10 MR. VANDERMARK: Yeah.

11 MR. ORTIZ: And is --

12 MS. MOREJON: Beautiful building.

13 MR. ORTIZ: Are the hallways going to be
14 cameraed, that kind of thing?

15 MR. VELAZQUEZ: You need a --

16 MR. ORTIZ: Is there going to be --

17 MR. VELAZQUEZ: -- super, too.

18 MR. ORTIZ: Hmm?

19 MR. VELAZQUEZ: A super.

20 MS. MOREJON: A manager.

21 MR. ORTIZ: Yeah. Super.

22 MS. MOREJON: A manager.

23 MR. VANDERMARK: A building of this size
24 and an investment this large, I would say the
25 hallways and stairwells and everything is going

1 to be cameraed. Yes.

2 CHAIRPERSON CAPIZZI: Um hum.

3 MR. VELAZQUEZ: And what -- what I notice
4 in a lot -- especially the building on 43rd Street
5 on Park Avenue, the sides are having a lot of
6 issues with the birds, especially on these kind
7 of layers, where the birds actually -- now
8 they're -- the bird feces is all over the side of
9 the paneling. They must power wash it like six
10 -- six times a year now.

11 That's another thing that causes a
12 deterrent.

13 MR. ORTIZ: What could you do in -- in that
14 vein?

15 MR. VELAZQUEZ: Because you don't want to
16 use spikes.

17 MR. ORTIZ: Because those ugly wires are
18 awful.

19 CHAIRPERSON CAPIZZI: Right.

20 MR. VANDERMARK: They're awful.

21 MR. ORTIZ: They're -- they're kind of
22 cruel, too, quite honestly.

23 CHAIRPERSON CAPIZZI: Um hum.

24 MR. VANDERMARK: Yeah.

25 MR. ORTIZ: What can you do to -- is there

1 anything you can do to prevent?

2 MS. MOREJON: They should do something.

3 MR. VELAZQUEZ: And the issue you have is
4 like --

5 MR. ORTIZ: That's humane, of course.

6 MR. VANDERMARK: That's -- that's humane.
7 Yeah.

8 MR. VELAZQUEZ: When we used to have the
9 issue at the parks --

10 MS. MOREJON: We have the noise that --
11 that noise --

12 MR. VELAZQUEZ: -- that --

13 MS. MOREJON: That's --

14 MR. VELAZQUEZ: -- it's a bird deterrent.

15 MS. MOREJON: You can do that --

16 MR. VELAZQUEZ: So that the eagles and some
17 of the --

18 MS. MOREJON: But you can do that to the
19 bird.

20 MR. VELAZQUEZ: -- vultures. You can't do
21 that, to that building --

22 MR. VANDERMARK: I know, we --

23 MR. VELAZQUEZ: -- with the neighbors.

24 MR. VANDERMARK: I -- I was not going to
25 say eagles --

1 MS. MOREJON: You won't solve any --

2 MR. VANDERMARK: -- although I've seen that
3 method used.

4 MR. VELAZQUEZ: You make it sound like a
5 zoo.

6 MS. MOREJON: You won't sell any apartment.
7 No, no, no.

8 I'm pretty sure you will find something.
9 It's a beautiful building.

10 MR. VANDERMARK: Thank you.

11 MS. MOREJON: I just want to say that.
12 Beautiful building.

13 MR. GIPPETTI: Thank you.

14 CHAIRPERSON CAPIZZI: Very nice.

15 MR. ORTIZ: Any questions of the architect
16 from the Board?

17 CHAIRPERSON CAPIZZI: No.

18 MS. BERKENWALD: If I may? I just -- I
19 thought I heard you misspeak for a minute. It's
20 208 dwelling units and 272 parking spaces.

21 MR. VANDERMARK: That's correct.

22 MS. BERKENWALD: I just wanted to be sure
23 that's on the record.

24 MR. VANDERMARK: And if I said any
25 different, I retract it.

1 MS. BERKENWALD: Okay.

2 MR. GUARENO: I do have a question
3 regarding the pickup of the trash.

4 MR. VANDERMARK: Yes.

5 MR. GUARENO: What type of vehicle is going
6 to be picking up the trash?

7 MR. ORTIZ: Elaine, is that staying with
8 us, too? Elaine? Elaine?

9 I'm sorry. Are you marking that?

10 MS. BERKENWALD: I thought I won't mark
11 this because sometimes there are reasons to --

12 MR. ORTIZ: Actually -- actually, I --

13 MS. BERKENWALD: -- exchange materials but
14 --

15 MR. ORTIZ: Oh, okay.

16 MS. BERKENWALD: If you want it, we could.

17 MR. ORTIZ: I -- I think probably the
18 public could view exactly the materials and that
19 it would be actually --

20 MS. BERKENWALD: Because occasionally,
21 there are reasons to change materials later on,
22 when the material is unavailable, a color scheme
23 is changed. That doesn't really effect zoning,
24 but it would be of this quality.

25 So, if you do want it marked, we'll mark

1 it.

2 MR. ORTIZ: Do you want it?

3 MS. MOREJON: But don't change the colors.
4 The colors are beautiful.

5 MR. VANDERMARK: No, no. Won't change the
6 colors.

7 MS. BERKENWALD: No, no.

8 CHAIRPERSON CAPIZZI: It's up to you. Do
9 you think we need it?

10 MR. ORTIZ: I mean, if they use it as an
11 exhibit --

12 MS. BERKENWALD: All right.

13 MR. ORTIZ: If it stays in --

14 MS. BERKENWALD: We'll mark it A-3.

15 CHAIRPERSON CAPIZZI: Yup.

16 MR. ORTIZ: -- the litigation.

17 CHAIRPERSON CAPIZZI: Yup. Yup. Keep it.
18 Let's keep it. We need it. We're going to keep
19 it.

20 MS. BERKENWALD: You must have quite a
21 filing system --

22 CHAIRPERSON CAPIZZI: Right.

23 MS. BERKENWALD: -- in this building.

24

25 (Whereupon, Sample Material Board was

1 received and marked as Exhibit A-3.)

2

3 MR. VANDERMARK: Within this -- within this
4 designated loading dock area -- I mean, you could
5 get a standard -- you know, garbage truck -- you
6 know, backing into this.

7 MR. GUARENO: So, the garbage truck is
8 going to back all the way in?

9 MR. VANDERMARK: Well, it -- it could
10 potentially -- you -- ideally, you do want it
11 backing in. You don't really want it necessarily
12 queuing here on the street, on 23rd Street.

13 MR. GUARENO: That's one -- one --

14 MR. VANDERMARK: Yeah.

15 MR. GUARENO: -- of the concerns that I
16 have.

17 MR. VANDERMARK: Yeah. The garbage truck
18 could back into the loading dock. And we have an
19 elevator there, in here that -- you know, trash
20 comes down and just dumped in the truck itself.

21 MR. GUARENO: Because it's a -- I mean,
22 it's a rather narrow street.

23 MR. VANDERMARK: Yeah.

24 MR. GUARENO: You have the residents that
25 live across the street, you have the school a

1 block away. So, if you do have a truck, let's
2 say, that's not backed all the way in, you do
3 have vehicles that are trying to get to the
4 parking lot for the school --

5 MR. VANDERMARK: Yeah.

6 MR. GUARENO: -- that may not be paying
7 that much attention.

8 MR. VANDERMARK: We also have a large
9 amount of curb cuts on the -- you know, opposite
10 side of the street; you have a series of two
11 families with driveways there. So, you know, you
12 are looking for this truck to actually back in,
13 --

14 MR. GUARENO: Yeah.

15 MR. VANDERMARK: -- whether it's a garbage
16 truck, box truck, or however they're going to
17 remove the trash.

18 CHAIRPERSON CAPIZZI: Hmm.

19 MR. ORTIZ: Huge area that's large enough
20 for a truck -- full track to pull in.

21 MR. GUARENO: Correct.

22 MS. MOREJON: If I may, going back to the
23 building?

24 MR. VANDERMARK: Yes.

25 MS. MOREJON: Lighting outside the

1 building. How is that going to work?

2 MR. VANDERMARK: Outside the building, yes.
3 The lighting will have -- we will have --

4 MS. MOREJON: Can you bring that up,
5 please?

6 MR. VANDERMARK: Sure.

7 We will have a series of wall sconces here,
8 along the whole front of the building here on the
9 first floor that light this sidewalk. And it
10 won't be light that spills to the adjacent
11 neighbors, it will be light that's -- you know,
12 really directed down toward the sidewalk itself.

13 CHAIRPERSON CAPIZZI: Right.

14 MS. MOREJON: So, going up?

15 MR. VANDERMARK: Yeah.

16 MS. MOREJON: To the last floor? The roof?

17 MR. VANDERMARK: At the moment, we're not
18 proposing it, but we certainly could because it
19 would be really nice.

20 MR. VELAZQUEZ: Wasn't --

21 MS. MOREJON: There's a beautiful building
22 like that in Miami Beach. Similar to this. You
23 should see that at night. The most beautiful
24 thing. Beautiful.

25 MR. VANDERMARK: We would like to amend our

1 application to have --

2 MS. MOREJON: Yes.

3 MR. VANDERMARK: -- lighting on the --

4 MS. MOREJON: Yes.

5 MR. VANDERMARK: -- upper floors.

6 MS. MOREJON: That will be beautiful.

7 MR. VELAZQUEZ: When -- before this
8 project, the sidewalks, they were not done until
9 -- until that street. The new sidewalks.

10 MR. ORTIZ: I don't think it's new
11 sidewalks.

12 MS. MOREJON: Uh huh.

13 MR. VELAZQUEZ: That's the only one that
14 doesn't have it, right?

15 MS. MOREJON: On 23rd?

16 MR. VELAZQUEZ: They went up --

17 MR. GUARENO: Yeah. They won't have them
18 --

19 MR. VELAZQUEZ: -- to 22nd.

20 MR. GUARENO: -- on the new project, they
21 don't have them.

22 MS. MOREJON: On 22nd, next to the --

23 MR. VELAZQUEZ: That was ever touched? The
24 sidewalk?

25 MR. VANDERMARK: The sidewalk on Summit is

1 new.

2 MR. VELAZQUEZ: Is new.

3 MR. VANDERMARK: Yeah.

4 MS. MOREJON: Summit. Summit.

5 MR. VELAZQUEZ: Stamped concrete --

6 MR. VANDERMARK: The -- you know --

7 MR. VELAZQUEZ: And lights.

8 MR. VANDERMARK: And you know, we -- we

9 will --

10 MR. ORTIZ: Well, the Ordinance requires
11 that they -- they restore it.

12 MR. VANDERMARK: Yeah. We will restore it

13 --

14 MR. ORTIZ: That right? I mean, if I'm
15 correct.

16 MR. VANDERMARK: -- to the exact
17 specification as is there now.

18 MR. VELAZQUEZ: The trees are there, the
19 lights.

20 MR. ORTIZ: Well, they're not doing trees
21 on 23rd Street. They're only doing trees on
22 Summit.

23 MR. VANDERMARK: That's correct.

24 MR. VELAZQUEZ: I think there's already
25 trees on Summit.

1 MS. MOREJON: (Indiscernible).

2 I don't want to see that.

3 MR. GUARENO: They have to replace them.

4 MR. VELAZQUEZ: They only put the lights on
5 one side.

6 MS. MOREJON: (Indiscernible).

7 MR. ORTIZ: What's that? Put the lights --

8 MS. MOREJON: On the building. When they
9 put the lights, it's going to be beautiful.

10 MR. ORTIZ: On 23rd Street?

11 MS. MOREJON: It's going to be the most
12 beautiful building --

13 MR. ORTIZ: You mean on 23rd Street?

14 MS. MOREJON: -- in Union City.

15 MR. ORTIZ: You mean on 23rd Street or on
16 the building itself?

17 MS. MOREJON: On top of the building.

18 MR. ORTIZ: On the roof?

19 MS. MOREJON: And on the first floor, yeah.

20 MR. ORTIZ: Do you have a -- I work for
21 you. I just didn't know if it would bother the
22 --

23 MS. MOREJON: They can do something else.

24 MR. ORTIZ: -- neighbors. That's the only
25 thing.

1 MR. VELAZQUEZ: The lights?

2 MR. ORTIZ: Yeah.

3 MR. VELAZQUEZ: The neighbors will -- the
4 neighbors across the street, I think there's only
5 --

6 MR. ORTIZ: Isn't there apartment buildings
7 on the other side of --

8 MS. MOREJON: Uh huh.

9 MR. ORTIZ: -- Summit, though?

10 MR. VELAZQUEZ: One.

11 MS. MOREJON: There's two family houses --

12 MR. VELAZQUEZ: The corner.

13 MR. VANDERMARK: Yeah.

14 MS. MOREJON: -- on twenty --

15 MR. VELAZQUEZ: The corner. There's a
16 commercial a -- then there's a house and then
17 there's the beauty salon.

18 MR. VANDERMARK: Yeah.

19 MR. VELAZQUEZ: And then --

20 MR. ORTIZ: I'll write the Resolution as to
21 how you guys want me to.

22 MR. VANDERMARK: On the corner is Nicolosi
23 Fine Foods on the corner there, across the
24 street.

25 MS. MOREJON: Um hum.

1 MR. VELAZQUEZ: Um hum.

2 MR. VANDERMARK: And then there's -- yeah,
3 there's like a two family and then commercial --

4 MS. MOREJON: Two family and --

5 MR. VANDERMARK: -- with residential above
6 it.

7 MR. VELAZQUEZ: And I think, the way that
8 I've already brightened up 22nd Street, looks like
9 Giants Stadium already.

10 CHAIRPERSON CAPIZZI: Hmm.

11 MR. VELAZQUEZ: And they haven't complained
12 yet.

13 MR. ORTIZ: Whatever you guys want, I'll
14 write.

15 MS. MOREJON: Let's do the light. Let's do
16 the light.

17 MR. ORTIZ: I've heard of two conditions
18 coming from different Board members.

19 MS. MOREJON: Can -- can we -- would it be
20 okay if we can -- if everything goes through, to
21 waive all the trees, and tell you what kind of
22 trees we would want there.

23 MR. ORTIZ: The trees --

24 MR. VANDERMARK: Yeah.

25 MR. ORTIZ: The trees are already there.

1 They --

2 MR. VELAZQUEZ: They're already there.

3 MR. ORTIZ: What he said is, in his
4 testimony that he can't put trees on 23rd Street
5 because of the width of the sidewalk.

6 MS. MOREJON: Nothing in the front of the
7 building?

8 MR. VANDERMARK: Not on 23rd, only on
9 Summit. Only because you don't have ADA
10 compliance with the width of the tree pit -- you
11 know, with the building line and everything
12 there.

13 MR. VELAZQUEZ: Because what's going to go
14 there on 22nd Street, would be the installation.
15 I don't know if the lights are installed yet from
16 the City, deco light, and the trees from the City
17 because that's part of the Summit Avenue project,
18 going up to twenty -- 30th Street. That's the 22
19 to 30th Street design.

20 MS. MOREJON: Okay.

21 Can you explain a little bit about the
22 lobby of the building? The front door. How's
23 that?

24 MR. VANDERMARK: Yeah. Okay.

25 So, the lobby is approximately mid-

1 structure on Summit Avenue. We have a large
2 portion of double high glazing at the sidewalk.
3 We also have this steel canopy over the -- you
4 know, that cantilevers over the sidewalk -- you
5 know, for protection of people from the elements
6 as they're entering the building.

7 CHAIRPERSON CAPIZZI: Um hum.

8 MR. VANDERMARK: So, this is a definite
9 focal point in a -- you know, I think a positive
10 structure that identifies this is the residential
11 entry. And it also, again, gives the building
12 pedestrian scale -- you know, and it's part of an
13 urban design objective -- you know, to identify
14 the residential entry here in the building.

15 MS. MOREJON: The floors inside the
16 building, the hallways, what kind of floor?

17 MR. VANDERMARK: We have not gotten that
18 far with the owner.

19 MR. GIPPETTI: I'm sorry. I didn't hear
20 the question.

21 MR. VANDERMARK: The floors inside for the
22 hallways.

23 You know -- you know, there will be some
24 type of porcelain tile -- you know, or -- you
25 know, could be stained concrete or terrazzo or

1 something at the -- at the main lobby.

2 You know, the residential hallways -- you
3 know, typically you would have carpet --

4 MS. MOREJON: Okay.

5 MR. VANDERMARK: -- or you have hardwood.
6 One or the other, depending on -- you know, what
7 the developer's choice is.

8 MS. MOREJON: Is this going to be a rental
9 units or condominiums?

10 MR. VANDERMARK: I don't think you -- have
11 you decided yet?

12 MR. GIPPETTI: Sorry. I didn't hear.

13 MR. VANDERMARK: Is this a -- is this a
14 rental or is it a condominium project?

15 MR. GIPPETTI: I --

16 MR. DILLON: Mr. Gippetti, can you --

17 MR. GIPPETTI: I'm sorry.

18 MR. DILLON: -- can you step forward?

19 MR. GIPPETTI: These could be either/or.

20 MS. MOREJON: Okay.

21 Thank you.

22 MR. VANDERMARK: Yeah. I think market --
23 market will dictate whether it will be a rental
24 or a condominium project.

25 MR. GIPPETTI: And -- and both are

1 permitted in the Redevelopment Zone.

2 MR. VANDERMARK: Yeah.

3 MR. DILLON: Can you have him step --

4 MR. GUARENO: He needs to come up.

5 MR. DILLON: -- come forward if he's going
6 to be speaking?

7 MS. BERKENWALD: I have a very brief
8 testimony of a traffic engineer, Craig Peregoy.

9 MR. ORTIZ: Well, before we do that, --

10 CHAIRPERSON CAPIZZI: Um hum.

11 MR. ORTIZ: -- why don't we see if there's
12 any members of the public that have questions for
13 the architect?

14 CHAIRPERSON CAPIZZI: Um hum.

15 MS. LABORDE: I do.

16 MR. ORTIZ: Sure. Sure. Come on up. No,
17 you got to come up.

18 CHAIRPERSON CAPIZZI: Come forward.

19 MR. DILLON: Come to the mic.

20 MS. LABORDE: This is it here?

21 MR. DILLON: No, no. Go to the mic.

22 MS. LABORDE: Oh, this mic.

23 A VOICE: There's two microphones.

24 MR. DILLON: Yeah.

25 Please raise your right hand.

1 MS. LABORDE: Hi.

2 MR. DILLON: Do you swear the testimony
3 you're about to give this Board is the whole
4 truth?

5 MS. LABORDE: Yes.

6 MR. DILLON: State your name and spell it
7 for the record.

8 MS. LABORDE: It's Margaret Laborde,
9 M-A-R-G-A-R-E-T. My last name is Laborde, L-A-B
10 as in boy, O-R-D as in dog E.

11 MR. DILLON: Thank you.

12 MS. LABORDE: Okay. I live at The Altessa,
13 so this kind of directly affects me, because
14 that's -- I'm right here. So, I'm on the -- I
15 guess, the 13th floor, but technically the 17th
16 floor. I don't know why they did it that way,
17 but whatever.

18 So -- so I have the view of uptown Union
19 City. That -- that part will be blocked for me,
20 so if I ever want to sell it, but I was born and
21 raised in Union City, so I plan to stay there but
22 -- stay here but you just pretty much blocked
23 half my view.

24 And if you live around that town, you'll
25 understand the -- the traffic and the school and

1 to have another high rise is going to be -- is
2 more of a problem, even when you were building
3 the school and all that time, the noise is just
4 -- it's a lot.

5 So I mean, I understand why you're
6 building. I love Union City, too. But that's
7 going to cause a lot of issues for that side of
8 the building, whoever bought on that side.

9 I don't know what Stack's going to do
10 that's going to -- like for taxes, what if they
11 do another high rise? Should I move? Like those
12 are the questions I wanted to bring up. I'm
13 surprised not a lot of people are here but --
14 from that side of the building, but that's my
15 overall concern. And that's it.

16 Sorry. I'm not into public speaking. I'm
17 like a computer engineer and I'm behind a
18 computer all day, but I just talk to people over
19 the phone.

20 So you know, that's pretty much it. Those
21 are my concerns. I don't know if it's legitimate
22 or not, --

23 CHAIRPERSON CAPIZZI: Um hum. Sure.

24 MS. MOREJON: Thank you.

25 MS. LABORDE: -- but the traffic is still

1 -- is the worst. So -- especially in the morning
2 -- you know, and -

3 CHAIRPERSON CAPIZZI: Um hum.

4 MS. LABORDE: -- I have a three year old,
5 and going across the street, just -- just more
6 people. Just -- and the parking.

7 I don't have to tell you that. I've lived
8 here all my life. You can't live in Union City
9 without a parking spot because you can never find
10 parking. And then, when they have more guests
11 here, because they're not -- they going to have
12 just per unit, because that's how it is. And
13 then, the guests have to look for parking and
14 everybody has guests over, especially in the
15 summer. It's more congested. It's just more and
16 more. But I don't know --

17 MR. ORTIZ: One thing that --

18 MS. LABORDE: -- if it's ever going to
19 stop.

20 MR. ORTIZ: -- I can tell you, which is
21 good news, on the -- on the, at least, parking,
22 they fully comply. They're not seeking a parking
23 variance.

24 CHAIRPERSON CAPIZZI: Um hum.

25 MR. VANDERMARK: No, absolutely not.

1 MS. LABORDE: No, it's not that, it's the
2 guests, too, right? Because I have it in my
3 building. We have a hundred -- a hundred units,
4 right? This guy's, how much, 200 or something
5 like that? That's --

6 CHAIRPERSON CAPIZZI: Um hum.

7 MS. LABORDE: -- with guests, it's going to
8 be --

9 MR. VELAZQUEZ: Yeah. But I think there's
10 50 -- like 50 plus parking spaces that are not --

11 MS. LABORDE: I mean, you can park at the
12 high school.

13 MS. MOREJON: They're going to be used.

14 MR. LABORDE: Yeah, but you have to --

15 MR. VELAZQUEZ: No, no. I'm saying, in
16 there, there's 50 --

17 MS. MOREJON: In the building.

18 MR. VELAZQUEZ: -- there's about 50 empty
19 parking spaces.

20 MS. MOREJON: Right.

21 MR. VANDERMARK: Yeah.

22 MS. LABORDE: Oh, for guests?

23 MR. VANDERMARK: Yeah.

24 MS. LABORDE: Okay.

25 MR. VELAZQUEZ: That's not -- I never heard

1 of that in any building.

2 MS. LABORDE: Oh, yeah. I mean --

3 MR. VELAZQUEZ: Yeah.

4 MS. LABORDE: -- we have a hundred spots, a
5 hundred, one per unit, never seen two per unit
6 but I don't know if they're renting it out or
7 whatever but --

8 MR. VANDERMARK: Sixty-six to be exact.
9 That's quite a --

10 MS. LABORDE: So --

11 MR. VANDERMARK: -- surplus.

12 MS. LABORDE: So, yeah. Those are my
13 concerns.

14 This is my first time doing this, so --
15 that's it.

16 Thank you.

17 CHAIRPERSON CAPIZZI: Thank you.

18 MS. MOREJON: Thank you.

19 CHAIRPERSON CAPIZZI: Anyone else?

20 MS. MOREJON: (Indiscernible).

21 CHAIRPERSON CAPIZZI: Okay, on the next.

22 MR. ORTIZ: Now, counselor, your next
23 witness?

24 MS. MOREJON: (Indiscernible).

25 CHAIRPERSON CAPIZZI: What?

1 MS. BERKENWALD: Craig Peregoy.

2 MR. DILLON: Can you just pass him the mic?

3 MR. VANDERMARK: Sure.

4 MR. DILLON: Thank you.

5 CHAIRPERSON CAPIZZI: Willie, do we have to
6 say it in Spanish? Does anyone need to speak?

7 MR. ORTIZ: Well, who's going to -- first
8 of all, I think I spoke to them in English.
9 That's to start with.

10 CHAIRPERSON CAPIZZI: That couple?

11 MR. ORTIZ: If someone wants to say it in
12 Spanish, just to be safe --

13 MS. MOREJON: Excuse me?

14 (Whereupon, Alicia Morejon addressed the
15 audience in Spanish.)

16 A CITIZEN: We here for the --

17 MS. MOREJON: No?

18 CHAIRPERSON CAPIZZI: No?

19 A CITIZEN: The following one.

20 MS. MOREJON: Oh, okay.

21 CHAIRPERSON CAPIZZI: The following one.

22 MS. MOREJON: Gracias.

23 CHAIRPERSON CAPIZZI: Okay.

24 MR. DILLON: Please raise your right hand.
25 Do you swear the testimony you're about to

1 give this Board is the whole truth?

2 MR. PEREGOY: Yes, I do.

3 MR. DILLON: State your name and spell it
4 for the record.

5 MR. PEREGOY: Name's Craig Peregoy,
6 P-E-R-E-G-O-Y.

7 MR. DILLON: Thank you.

8 MR. ORTIZ: Madam Chairwoman, he has been
9 --

10 CHAIRPERSON CAPIZZI: Yes.

11 MR. ORTIZ: -- before this Board numerous
12 times as a traffic expert.

13 MR. PEREGOY: I've bored you to death
14 plenty of times. I won't tonight.

15 CHAIRPERSON CAPIZZI: Proceed.

16 MS. BERKENWALD: Thank you.

17 MR. PEREGOY: Yeah. We, obviously, did a
18 traffic impact study for the original
19 application, which was the 260 units. We looked
20 at 22nd and 23rd Streets and Summit Avenue.

21 That study concluded that we would not have
22 a detrimental impact on the levels of service at
23 those intersections.

24 Obviously, a few things have changed since
25 then. One, time has passed. So, what we did is

1 go out last week at the same two intersections,
2 do spot counts to make sure that the traffic
3 counts that we initially took still made sense,
4 and they do. The traffic volumes are pretty much
5 the same.

6 The second thing that changed, obviously,
7 we have less units now. Less units is less
8 traffic.

9 And lastly, since that last traffic report,
10 the ITE has issued an update to its Trip
11 Generation Manual. So, while we're 20 percent
12 reduction in units, if I look at the latest data,
13 we're about a 40 percent reduction in traffic, as
14 compared to that last report.

15 So, certainly, by all means, if it worked
16 with the 260 and the higher numbers, it's going
17 to work even better as a scaled down project.

18 CHAIRPERSON CAPIZZI: Okay.

19 MR. PEREGOY: And I don't have to talk to
20 you about parking, so --

21 CHAIRPERSON CAPIZZI: Um hum.

22 MR. PEREGOY: -- I'll shut up.

23 CHAIRPERSON CAPIZZI: Any questions.

24 MR. ORTIZ: Any questions from --

25 MS. MOREJON: No.

1 MR. ORTIZ: -- the members of the Board?

2 Any questions from members of the public as
3 to -- as to his brief testimony?

4 CHAIRPERSON CAPIZZI: Thank you.

5 MR. PEREGOY: Don't you wish it was always
6 that quick?

7 MR. ORTIZ: At this point, it's in your
8 hands, Board members, unless counsel wants to say
9 anything further?

10 MS. BERKENWALD: No. I'll submit to the
11 Board.

12 Again, we're here for the same site, minus
13 52 units. So, we made the project less dense,
14 and I think it would be a beautiful building, to
15 replace some nonconforming, old warehouse, car
16 and a billboard.

17 MS. MOREJON: Thank you.

18 MS. BERKENWALD: We're getting rid of that
19 billboard, too.

20 Thank you.

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

23 MS. MOREJON: Make a motion.

24 THE SECRETARY: Motion to?

25 Mrs. Morejon, motion to?

1 MR. VELAZQUEZ: Hold on.

2 CHAIRPERSON CAPIZZI: Yes, approve.

3 MS. MOREJON: Excuse me?

4 MR. VELAZQUEZ: The one -- there's a lot,
5 from 808 22nd Street, that has gravel. Does that
6 belong to the property?

7 MR. GIPPETTI: Yeah. That's all part of
8 the same project.

9 MR. DILLON: Can you come forward, please?

10 MR. GIPPETTI: Yeah. I'm sorry.

11 MR. VELAZQUEZ: That separates the garage
12 and the --

13 MR. ORTIZ: We put him under oath.

14 Right?

15 MR. DILLON: He is under oath.

16 MR. GIPPETTI: Yes. The -- the only thing
17 that will remain is the property that is at the
18 corner of 22nd Street and Summit, which has a four
19 story -- it has a coffee shop in the basement --
20 coffee shop on the ground floor and then it's
21 four stories. That's 25 feet on Summit. That's
22 the only building that will remain. Everything
23 from that building around the corner, to the
24 parking garage, for the high school, that is all
25 going to encompass this building.

1 So, all of that stuff is gone. The gravel,
2 all of the garages, all -- everything that you
3 see there, the billboards, are gone.

4 MR. VELAZQUEZ: Because he was trying to
5 sell that property, I think, on that corner.

6 MR. GIPPETTI: I beg your pardon?

7 MR. VELAZQUEZ: I think the owner of that
8 property, where the coffee shop is --

9 MR. GIPPETTI: No. He's trying to sell it.
10 Yes.

11 MR. VELAZQUEZ: He's trying to sell that.
12 Right?

13 MR. GIPPETTI: That is correct, but he can
14 only put back what's there. It's not in the
15 redevelopment zone, so it can only be what it is.

16 I'm sorry. Are there any other questions?

17 MS. MOREJON: No.

18 MR. ORTIZ: Thank you.

19 CHAIRPERSON CAPIZZI: Thank you.

20 MR. GIPPETTI: Great. Pleasure.

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

23 MS. MOREJON: Okay. So I make the motion
24 to approve the building.

25 THE SECRETARY: Motion to approve the

1 application by Mrs. Morejon.

2 MR. ORTIZ: Are there any conditions?

3 MS. GUARENO: Yes.

4 MS. MOREJON: Yes, the light.

5 MR. VELAZQUEZ: The light.

6 MS. MOREJON: The lights.

7 MR. ORTIZ: Okay. The lights. Let's be
8 clear so I'm -- I write it correctly.

9 The lights on the perimeter of the
10 building?

11 MS. MOREJON: They need lighting.

12 MR. ORTIZ: On every level, though?

13 MS. MOREJON: It's a big building.

14 MR. ORTIZ: I don't know which --

15 MS. MOREJON: They need lighting. They
16 need lighting. On the first floor. They need
17 lighting.

18 MR. ORTIZ: On the first --

19 MS. MOREJON: On top.

20 MR. ORTIZ: On the first, though -- on the
21 first level that is recessed back? Is that what
22 we're talking about?

23 I just want to make sure I'm -- because I
24 got to write a --

25 MR. VELAZQUEZ: Yeah. You have to keep in

1 mind, too, the maintenance. If a light goes off,
2 how you going to get the person there?

3 MS. MOREJON: Well, they're going to have
4 maintenance people in the building, I'm pretty
5 sure.

6 MR. ORTIZ: No, but are we talking about
7 like individual fixtures at a certain interval or
8 --

9 MS. MOREJON: No, I think --

10 MR. ORTIZ: -- are we talking about --

11 MS. MOREJON: I think the --

12 MR. ORTIZ: I just want to --

13 MS. MOREJON: -- architect will be able to
14 come up with --

15 MR. VANDERMARK: I -- I --

16 MS. MOREJON: -- the idea that --

17 MR. VANDERMARK: The original discussion
18 was lights at this setback here, thus --

19 CHAIRPERSON CAPIZZI: Hmm.

20 MR. VANDERMARK: -- up lighting the cap of
21 the building --

22 CHAIRPERSON CAPIZZI: Illuminating it.
23 Right.

24 MR. VANDERMARK: -- very similarly you'll
25 see some buildings --

1 MS. MOREJON: Right.

2 MR. VANDERMARK: -- in New York and so
3 forth --

4 CHAIRPERSON CAPIZZI: Yes.

5 MR. VANDERMARK: -- on the water.

6 MR. ORTIZ: But that wouldn't touch --

7 MS. MOREJON: Right. Right.

8 MR. ORTIZ: -- 23rd Street where she's
9 concerned, that light, because of the recess.

10 MR. VANDERMARK: We already have, as part
11 of your submission --

12 CHAIRPERSON CAPIZZI: Right.

13 MR. VANDERMARK: -- we already have wall
14 scones around --

15 CHAIRPERSON CAPIZZI: They do.

16 MR. VANDERMARK: -- the lower level.

17 MR. ORTIZ: Okay.

18 CHAIRPERSON CAPIZZI: So that space.

19 MR. VANDERMARK: Throughout --

20 MR. ORTIZ: So that --

21 MS. MOREJON: That's going to stay.

22 MR. ORTIZ: So then, that condition isn't
23 necessary because it's already in --

24 MR. VANDERMARK: Yeah.

25 MS. MOREJON: It's going to stay because

1 | it's part of the project.

2 | MR. VANDERMARK: Yeah. That's provided
3 | already.

4 | CHAIRPERSON CAPIZZI: Um hum.

5 | MR. ORTIZ: Okay.

6 | Any other conditions?

7 | MR. GUARENO: The truck for the garbage.

8 | MR. ORTIZ: If it's amenable to you, in the
9 | Board's consideration of approving this, they'd
10 | like a guarantee that, in fact, all loading and
11 | unloading of refuge (sic) would stay entirely
12 | inside the building. If it means -- means you
13 | got to take an inch or two away --

14 | MR. GIPPETTI: Yeah. That's no problem.
15 | We will write that in -- (indiscernible) -- with
16 | you, if you require it, but that's --
17 | (indiscernible).

18 | THE SECRETARY: Sir? Sir, you have to
19 | approach.

20 | MR. GIPPETTI: I'm sorry.

21 | MR. DILLON: You can't testify from the
22 | bench.

23 | MR. GIPPETTI: That was what was envisioned
24 | and that's the way it's designed. It's all done
25 | from the inside. There's nothing to the outside

1 of the building, at all. Zero.

2 CHAIRPERSON CAPIZZI: Okay.

3 MR. ORTIZ: You want it to be on --

4 MR. GIPPETTI: That's in the design.

5 MR. VELAZQUEZ: And also, too, even if the
6 -- I know that they propose a doorman, but you're
7 going to have to have a live in --

8 MR. GUARENO: Superintendent.

9 MR. VELAZQUEZ: -- superintendent in that.
10 Has to be on call, no matter what, for
11 emergencies or something.

12 MR. GIPPETTI: Yes.

13 MR. VELAZQUEZ: Especially that size
14 building.

15 MS. MOREJON: In a building like that, I'm
16 pretty sure they will, too. Sure.

17 MR. GIPPETTI: Yeah. Most definitely.

18 MR. ORTIZ: So, the way I have it, and I'll
19 beef it up a little bit, but as a condition of an
20 approval, all garbage loading to be in the
21 interior of the building, entirely. Is that --
22 like I said, I'll -- I'll change it a little bit
23 to be a little more appropriate, but that's
24 acceptable --

25 CHAIRPERSON CAPIZZI: Um hum.

1 MR. ORTIZ: -- in it's general concept?

2 MS. MOREJON: And just a suggestion,
3 nothing to -- because you know, just rugs, today.
4 You don't want to put rugs in any hallway.

5 MR. GIPPETTI: Okay.

6 MR. ORTIZ: Let me put truck.

7 MS. MOREJON: I'm involved in a lot of
8 maintenance in the city. He knows that. And
9 we're trying to avoid rugs. We're just --
10 there's beautiful floors today.

11 MR. GIPPETTI: Okay.

12 MS. MORJEON: Okay. I want -- you know,
13 clean.

14 MR. VELAZQUEZ: Or at least the mats, like
15 -- you know, when it's a little -- when it's
16 raining.

17 MR. GIPPETTI: Yeah.

18 MR. VELAZQUEZ: Like that. Nobody trips on
19 the floor.

20 MS. MOREJON: Right. You have to have to
21 --

22 MR. VELAZQUEZ: (Indiscernible) -- floors
23 before. You don't want people sliding into those
24 either.

25 MS. MOREJON: But I just want to say, it's

1 a beautiful building.

2 MR. GIPPETTI: Thank you.

3 MR. GUARENO: When the tenants are either
4 moving in or out, they going to use the same
5 loading dock?

6 MR. GIPPETTI: Yes.

7 MR. GUARENO: And the truck -- the moving
8 car, truck, whatever, also going to be backed all
9 the way?

10 MR. GIPPETTI: Correct.

11 MR. ORTIZ: Then, I'm just suggesting, and
12 whatever moving trucks are used need to fit
13 entirely in the building, as well.

14 Remember, they have the concern of it being
15 cross -- half across 23rd Street --

16 MR. VANDERMARK: For sure. Yeah.

17 MR. GIPPETTI: Well, if I can -- if I can
18 just --

19 MR. ORTIZ: I mean, you could always make
20 it a condition of how -- what size truck they're
21 allowed --

22 MR. GIPPETTI: Absolutely.

23 MR. ORTIZ: -- to use.

24 MS. MOREJON: That's part of the lease.

25 MR. GIPPETTI: That will be in the lease.

1 MS. MOREJON: (Indiscernible). In the
2 lease.

3 MR. ORTIZ: Okay. So, would you like that
4 to be a condition that all moving truck must be
5 -- fit entirely in the --

6 MS. MOREJON: It could be part of the
7 condition, but I'm pretty sure, if they sell the
8 property, it's going to be part of the contract,
9 in the property, it's going to be part of the
10 lease.

11 MR. GIPPETTI: Yeah. They can't bring --

12 MS. MOREJON: Right?

13 MR. GIPPETTI: You can't bring a -- you
14 know, an over-the-road type tractor trailer in
15 there. It doesn't make any sense.

16 MR. VELAZQUEZ: Yeah. They don't allow
17 that in the city, anyway.

18 MR. ORTIZ: All right. So, in addition,
19 all moving trucks must fit entirely in the
20 building. Again, I will beef it up and make it a
21 little more professional sounding in the
22 Resolution, but that's the general conditions as
23 the Board sees it?

24 CHAIRPERSON CAPIZZI: Um hum. Yes.

25 MR. ORTIZ: I believe there was only a

1 motion, but I don't think there was a second to
2 that motion.

3 CHAIRPERSON CAPIZZI: I'll make a second.

4 THE SECRETARY: The motion -- motion on the
5 table to approve this application by Ms. Morejon.

6 CHAIRPERSON CAPIZZI: I'll second it.

7 THE SECRETARY: Second by Ms. Capizzi.

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

10 Ms. Capizzi?

11 CHAIRPERSON CAPIZZI: Yes.

12 THE SECRETARY: Ms. Genao?

13 MS. GENAO: Yes.

14 THE SECRETARY: Mr. Medina?

15 MR. MEDINA: Yes.

16 THE SECRETARY: Ms. Morejon?

17 MS. MOREJON: Yes.

18 THE SECRETARY: Mr. Velazquez?

19 MR. VELAZQUEZ: Yes.

20 THE SECRETARY: Mr. Guareno?

21 MR. GUARENO: Yes.

22 THE SECRETARY: Six in favor.

23 Motion carries.

24 Thank you.

25 MR. GIPPETTI: Thank you very much.

1 CHAIRPERSON CAPIZZI: Thank you.

2 MS. MOREJON: Thank you.

3 MR. VANDERMARK: Thank you very much.

4 MS. MOREJON: Thank you.

5 MR. ORTIZ: Thank you.

6 MR. GIPPETTI: Mr. Spatz, thank you.

7 MS. MOREJON: Don't change the color.

8 MR. GIPPETTI: Mr. Ortiz, thank you.

9 MS. MOREJON: Don't change the color.

10 MR. ORTIZ: You're welcome.

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

13 THE SECRETARY: Five minute break, please.
14 Thank you.

15

16 (Whereupon, the Board recessed from 6:57
17 p.m. to 7:09 p.m.)

18

19 * * *

20

21

22

23

24

25

1 **3100 Bergenline Avenue, LLC -**

2 **3100 Bergenline Avenue:**

3

4 THE SECRETARY: Let me -- let me mark here,
5 because I have to mark it. Two seconds.

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

8 THE SECRETARY: All right. We are going --
9 we are -- which one? No. All right.

10 Willie?

11 MR. ORTIZ: Yes.

12 THE SECRETARY: July 24, the next hearing
13 date.

14 MR. ORTIZ: All right. Well, --

15 THE SECRETARY: All right. Let's --

16 MR. ORTIZ: -- I'm going to have to do
17 these resolutions like next --

18 THE SECRETARY: Let's -- let's adjourn --
19 let's go in order, then you can adjourn and
20 number 4 -- you follow what I say?

21 Yeah. Come on.

22 MR. ORTIZ: However -- however you want to
23 do it.

24 THE SECRETARY: All right.

25 May I have your attention, please?

1 Next hearing, Zohastan, LLC, 646 38th
2 Street.

3 Ms. Pereiras, please?

4 MS. PEREIRAS: Thank you.

5 Bianca Pereiras on behalf of 3100
6 Bergenline Avenue, LLC.

7 The Board may recall this application. We
8 were in front of you back in 2016. This is the
9 property where the Rite Aid is, on the corner of
10 32nd and Bergenline Avenue.

11 When we went before the Board that time,
12 what we were addressing, or what we proposed was
13 to convert the offices upstairs to residences.
14 This Board approved that application.

15 For the past year or so, the architect has
16 been working with the Building Department to get
17 those permits issued. Unfortunately, they still
18 have not been issued. There are Code issues as
19 to we have an existing elevator in the building
20 that may be too small, may not fit a gurney. So,
21 we are looking at different options to see how we
22 can make that Code compliant.

23 But everything has been submitted to the
24 Building Department. We're really just working
25 on those last minute details.

1 So, if the Board would be so kind as to
2 grant us an extension on this application, we'd
3 greatly appreciate it.

4 MR. ORTIZ: This is your first.

5 MS. PEREIRAS: It would be our first.

6 MR. ORTIZ: If there's a motion to --

7 CHAIRPERSON CAPIZZI: I'll make a motion.

8 MR. VELAZQUEZ: I second.

9 THE SECRETARY: Mr. Ortiz, just for
10 clarification of the record, Mrs. Pereiras'
11 presentation, extension for 3100 Bergenline
12 Avenue, LLC?

13 MS. PEREIRAS: Correct.

14 THE SECRETARY: Thank you.

15 Motion to approve extension by?

16 MR. ORTIZ: Ms. Capizzi.

17 THE SECRETARY: Mr. Velazquez?

18 CHAIRPERSON CAPIZZI: That's fine.

19 MR. ORTIZ: Second by Ms. Capizzi, then.

20 THE SECRETARY: Second by?

21 CHAIRPERSON CAPIZZI: Um hum.

22 MR. ORTIZ: Ms. Capizzi.

23 THE SECRETARY: Roll call on the motion.

24 Ms. Capizzi?

25 CHAIRPERSON CAPIZZI: Yes.

1 THE SECRETARY: Ms. Genao?

2 MS. GENAO: Yes.

3 THE SECRETARY: Mr. Medina?

4 MR. MEDINA: Yes.

5 THE SECRETARY: Ms. Morejon?

6 MS. MOREJON: Yes.

7 THE SECRETARY: Mr. Velazquez?

8 MR. VELAZQUEZ: Yes.

9 THE SECRETARY: Mr. Guareno?

10 MR. GUARENO: Yes.

11 THE SECRETARY: Six in favor.

12 Motion carries.

13 MS. PEREIRAS: Thank you all very much.

14 * * *

15

16

17

18

19

20

21

22

23

24

25

1 **Christopher Gallo - 206 40th Street:**

2

3 THE SECRETARY: Let's go back now to --
4 okay.

5 MR. ORTIZ: Which one are you here for,
6 ma'am, because let's just skip around because we
7 have some people that are -- are here.

8 MS. PEREIRAS: They're here for number 2,
9 the Christopher Gallo.

10 MR. ORTIZ: Let's go to Christopher Gallo,
11 only because we have --

12 THE SECRETARY: Yes.

13 MR. ORTIZ: -- members of the public.

14 THE SECRETARY: One second, please, sir.

15 MS. PEREIRAS: Of course.

16 MR. ORTIZ: Let them out as soon as
17 possible.

18 THE SECRETARY: One second. Let me
19 announce.

20 All right. Let's go.

21 Next application on tonight's agenda,
22 Christopher Gallo, 206 40th Street.

23 Ms. Pereiras, please?

24 MS. PEREIRAS: Thank you.

25 Again, Bianca Pereiras, on behalf of

1 Christopher Gallo.

2 MR. ORTIZ: Madam Chairwoman, I've had an
3 opportunity to review the submissions by counsel.
4 Everything seems to be in order, giving
5 jurisdiction to the Board.

6 I believe there's a request by the
7 applicant's attorney.

8 MS. PEREIRAS: Yes. Unfortunately, our
9 architect is flying in from Iowa.

10 His flight was delayed and he is about 20
11 minutes away.

12 I understand the Board may not want to --

13 CHAIRPERSON CAPIZZI: Right.

14 MS. PEREIRAS: -- stay any longer, so we
15 have no issue --

16 CHAIRPERSON CAPIZZI: Okay.

17 MS. PEREIRAS: -- with adjourning this
18 matter, and ask if the Board would be so kind to
19 adjourn it.

20 MR. ORTIZ: You're waiving any kind of time
21 requirements?

22 MS. PEREIRAS: Absolutely.

23 THE SECRETARY: Can I have a motion to
24 adjourn this application --

25 CHAIRPERSON CAPIZZI: I'll make a motion.

1 THE SECRETARY: -- for July 24, 2018?

2 CHAIRPERSON CAPIZZI: I'll make a motion.

3 MR. VELAZQUEZ: I second.

4 THE SECRETARY: Motion by Ms. Capizzi.

5 MR. VELAZQUEZ: Second.

6 THE SECRETARY: Second by Mr. Velazquez.

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

9 Ms. Capizzi?

10 CHAIRPERSON CAPIZZI: Yes.

11 THE SECRETARY: Ms. Genao?

12 MS. GENAO: Yes.

13 THE SECRETARY: Ms. Morejon?

14 MS. MOREJON: Yes.

15 THE SECRETARY: Mr. Medina?

16 MR. MEDINA: Yes.

17 THE SECRETARY: Mr. Velazquez?

18 MR. VELAZQUEZ: Yes.

19 THE SECRETARY: Mr. Guareno?

20 MR. GUARENO: Yes.

21 THE SECRETARY: Six in favor.

22 Motion carries.

23 MS. PEREIRAS: Thank you very much.

24 MR. ORTIZ: Just so you understand what
25 happens, or I could explain it to you; is their

1 professional, their architect, is in travel and
2 he's not going to make it.

3 So, the matter is being adjourned to when?

4 MS. PEREIRAS: July --

5 CHAIRPERSON CAPIZZI: July.

6 MS. PEREIRAS: -- 24th.

7 MR. ORTIZ: July 24th.

8 THE SECRETARY: July 24.

9 MR. ORTIZ: Please take a note of that, if
10 -- if you want to be president (sic) --

11 A CITIZEN: Okay.

12 MR. ORTIZ: -- present. Excuse me.

13 President.

14 A CITIZEN: All right.

15 MR. ORTIZ: Because you will not get
16 further notice.

17 A CITIZEN: Okay.

18 MR. ORTIZ: Okay?

19 A CITIZEN: All right.

20 MS. MOREJON: And what are those people in
21 the back?

22 CHAIRPERSON CAPIZZI: Thank you.

23 MS. MOREJON: All those people in the back.

24 MR. VELAZQUEZ: If you want to be president
25 (sic), July 24th, please.

1 MR. ORTIZ: Yeah.

2 That was a Freudian slip.

3 * * *

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **Zohastan, LLC - 646 38th Street:**

2

3 THE SECRETARY: All right.

4 Let's go back to --

5 CHAIRPERSON CAPIZZI: Okay.

6 THE SECRETARY: Let's go back to Zohastan,
7 LLC, 646 38th Street.

8 Ms. Pereiras, please?

9 MS. PEREIRAS: Again, Bianca Pereiras, on
10 behalf of Zohastan, LLC.

11 Again, we are waiting for our architect,
12 who is not available at the moment.

13 We have submitted revised drawings to meet
14 the requirements of the Re-Examination Report and
15 -- and believe we have a great application to
16 present before the Board, but I understand that
17 this matter has to be adjourned. We're happy to
18 do so.

19 MR. ORTIZ: And you are waiving all the
20 time requirements on this --

21 MS. PEREIRAS: Yes.

22 MR. ORTIZ: -- matter, as well.

23 MS. PEREIRAS: That's correct.

24 THE SECRETARY: May I have a motion to
25 adjourn this application --

1 CHAIRPERSON CAPIZZI: I'll make a motion.

2 THE SECRETARY: -- for July 24, 2018?

3 MR. VELAZQUEZ: Second.

4 CHAIRPERSON CAPIZZI: I'll make a motion.

5 THE SECRETARY: Motion by Ms. Capizzi.

6 MR. VELAZQUEZ: Second.

7 THE SECRETARY: Second by Mr. Velazquez.

8 Roll call on the -- on the motion to
9 adjourn this application for July 24, 2018, no
10 new notice required.

11 Ms. Capizzi?

12 CHAIRPERSON CAPIZZI: Yes.

13 THE SECRETARY: Ms. Genao?

14 MS. GENAO: Yes.

15 THE SECRETARY: Mr. Medina?

16 MR. MEDINA: Yes.

17 THE SECRETARY: Mr. (sic) Morejon?

18 Mrs. Morejon?

19 MS. MOREJON: Yes.

20 THE SECRETARY: Mr. Velazquez?

21 MR. VELAZQUEZ: Yes.

22 THE SECRETARY: Mr. Guareno?

23 MR. GUARENO: Yes.

24 THE SECRETARY: Six in favor.

25 Motion carries.

* * *

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 **Carlos Silveira - 310 26th Street:**

2

3 THE SECRETARY: Next application is Carlos
4 Silveira, 310 26th Street.

5 Ms. Pereiras, please?

6 MS. PEREIRAS: Counsel, we are not
7 submitting our jurisdictional submissions on that
8 one, so we would have to notice and publish for
9 the next meeting.

10 CHAIRPERSON CAPIZZI: Um hum.

11 THE SECRETARY: We are going to carry this
12 one.

13 MS. PEREIRAS: There's no -- there's no
14 need for a --

15 THE SECRETARY: Then don't require a vote.

16 MS. PEREIRAS: -- a motion. It's not being
17 carried.

18 MR. ORTIZ: Well, --

19 MS. PEREIRAS: I'll leave it to you.

20 MR. ORTIZ: -- are you seeking to have this
21 put in -- on -- put on in July, or you're not
22 sure?

23 MS. PEREIRAS: It's -- it's a small
24 application. We should be able to have it on
25 July, if it wouldn't be a problem.

1 MR. ORTIZ: I -- I think that everybody's
2 --

3 CHAIRPERSON CAPIZZI: Um hum.

4 MR. ORTIZ: -- agreed that that's not a
5 problem.

6 MS. PEREIRAS: That's fine. Great.

7 MR. ORTIZ: The only thing is, any time
8 requirements, because the application is deemed
9 complete, are you waiving any time requirement?

10 MS. PEREIRAS: Yes, counsel.

11 MR. ORTIZ: Okay.

12 However, and it must be noted that we have
13 not technically taken jurisdiction, because no
14 notice --

15 THE SECRETARY: No notice required.

16 That's correct?

17 MR. ORTIZ: Well, there will be notice
18 required.

19 THE SECRETARY: No, I'm talking about --

20 CHAIRPERSON CAPIZZI: Um hum.

21 THE SECRETARY: -- at the (indiscernible).

22 MR. ORTIZ: Well, it's on the agenda, --

23 THE SECRETARY: Right now.

24 MR. ORTIZ: -- it should be voted to
25 adjourn it.

1 THE SECRETARY: All right.

2 MR. ORTIZ: But --

3 THE SECRETARY: Can I have a motion to
4 adjourn --

5 MR. ORTIZ: You know what? No. You're
6 right. Counselor, you're right. You're right.
7 Now that I think about it. We didn't take
8 jurisdiction so there's no vote required. He's
9 right.

10 THE SECRETARY: All right.

11 But anyway, will be on, Ms. Pereiras, on
12 July 24.

13 MS. PEREIRAS: Thank you very much.

14 THE SECRETARY: You're welcome.

15 MS. PEREIRAS: Again, sorry for the
16 inconvenience.

17 CHAIRPERSON CAPIZZI: That's okay.

18 MS. PEREIRAS: Thank you all very much.

19 CHAIRPERSON CAPIZZI: You're welcome.

20 MS. PEREIRAS: And I'll see you next month.

21 * * *

22

23

24

25

1 **ADJOURNMENT:**

2

3 CHAIRPERSON CAPIZZI: That's it.

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

7 CHAIRPERSON CAPIZZI: Motion.

8 MS. MOREJON: Motion.

9 THE SECRETARY: Motion by Ms. Capizzi.
10 Second by?

11 Mr. Velazquez?

12 MR. VELAZQUEZ: Yes.

13 MR. ORTIZ: All in favor?

14

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

16

17 THE SECRETARY: All in favor?

18

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

20

21 THE SECRETARY: The ayes have it.

22 CHAIRPERSON CAPIZZI: Goodbye.

23 THE SECRETARY: Let the record, the meeting
24 has ended.

25 The meeting has ended.

1 Have a good night, everyone.

2

3 (Whereupon, the proceedings were concluded
4 at 7:16 p.m.)

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

4

5

6

7 I, DEBRA A. KASZNIAK, assigned transcriber,
8 do hereby affirm that the foregoing is a true and
9 accurate transcript in the matter of the REGULAR
10 MEETING of the UNION CITY PLANNING BOARD heard on
11 Tuesday, June 26, 2018 and digitally recorded.

12

13

14

15

16

17

18

19

20

21

22

23

24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon