

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

SPECIAL MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
:
:

Via Zoom Video Conference
Union City, New Jersey

Thursday, May 21, 2020
Commencing at 6:11 p.m.

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

JOHN MEDINA, (Via Remotely, No Audio)
MIGUEL ORTIZ, (Via Remotely)
DAVID W. PRESSEY, (Arrived at 6:18 p.m.,
Via Remotely)
ROSIO PENA, Alternate No. 1, (Via Remotely)
GERALDINE PEREZ, Alternate No. 2, (Via Remotely)
MINDRY WATLEY, Alternate No. 4, (Via Remotely)
VICTOR M. GRULLON, Vice Chairman, (Via Remotely)

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

MARGARITA GUTIERREZ
LIBERO MAROTTA
RAYMOND CETINICH, Alternate No. 3
JOSEPH D. BONACCI, Chairman

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

CARLOS VALLEJO, Secretary to the Board,
(Via Remotely)

TOMAS R. PANEQUE, ESQ., Board Attorney,
(Via Remotely)

DAVID SPATZ, Consultant, (Via Remotely)
Community Housing and Planning Associates

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1 THE SECRETARY: Please take notice that
2 pursuant to Governor Murphy's Order 107 and 108,
3 ordering statewide lockdown and P.L. 2020, c 11
4 permitting public bodies to conduct meeting via
5 electronic means during declared state of
6 emergency a Special Meeting of the Union City
7 Board of Adjustment has been scheduled for
8 Thursday, May 21st, 2020, at six p.m.

9 A Special Meeting will be conduct remotely
10 from electronic meeting platform Zoom USA.

11 Members of the public can join the meeting
12 and participate during the public comments period
13 by joining the meeting using the Zoom model
14 application over a smartphone or tablet, join the
15 meeting by laptop with microphones capabilities
16 or dialing and using telephone to the join
17 meeting Zoom Teleconference system.

18 Information on how to join the meeting
19 electronically appear below.

20 A Special Meeting of the Union City Zoning
21 Board.

22 We are going to Pledge of Allegiance.
23

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

1

2 THE SECRETARY: Thank you.

3 Opening statement.

4 Adequate notice of this meeting has been
5 provided as follow:6 Notice of the meeting -- this meeting,
7 setting forth the time, date, location to the
8 agenda to the extent known was forwarded to The
9 Jersey Journal, The Record, The Hudson Reporter,
10 has been posted on the bulletin board in the City
11 Hall and has been made available to the public in
12 the Office of the Municipal Clerk.13 A copy of the agenda, and all meeting
14 materials is available at the City of Union City
15 website, ucnj.com.

16

17 **ROLL CALL:**

18

19 THE SECRETARY: Roll call for tonight's
20 meeting.

21 Mr. Bonacci?

22 Is absent.

23 Mr. Grullon?

24 VICE CHAIRMAN GRULLON: Present, here.

25 THE SECRETARY: Mr. Marotta?

1 Is absent.

2 Ms. Gutierrez?

3 Margarita Gutierrez?

4 MR. PANEQUE: She's not on, Carlos.

5 THE SECRETARY: She's not on.

6 Okay.

7 Miguel Ortiz?

8 MR. SPATZ: He's muted.

9 MR. PANEQUE: Mr. Ortiz, you have to unmute

10 and answer.

11 MR. ORTIZ: Here.

12 THE SECRETARY: Thank you.

13 MR. ORTIZ: Can you hear me?

14 THE SECRETARY: Yes.

15 MR. PANEQUE: Yes.

16 THE SECRETARY: David Pressey?

17 He's not here?

18 MS. SPATZ: No.

19 MR. PANEQUE: Okay.

20 THE SECRETARY: John Medina?

21 MR. SPATZ: He has to unmute himself, also.

22 THE SECRETARY: John, you have to unmute.

23 John?

24 Right. John Medina? Can you hear me,

25 John?

1 I know he's present, but he cannot hear me
2 anyway.

3 Rosio Pena?

4 MS. PENA: Here.

5 THE SECRETARY: Geraldine Perez?

6 MS. PEREZ: Here.

7 THE SECRETARY: Raymond Cetinich?

8 Raymond?

9 He's absent.

10 Mindry Watley?

11 MS. WATLEY: Here.

12 THE SECRETARY: We have five present.

13 The only person who didn't answer is Mr.
14 Medina. That mean we have a full quorum. We
15 have five -- five present.

16 All right.

17 Let the record indicate that five present,
18 so we have a Board member of five members.

19 We have a full quorum.

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1 **ADOPTION OF MINUTES:**

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3 (1) Regular Meeting held on March 12, 2020

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5 THE SECRETARY: Approval of previous
6 meeting minutes of March 12, 2020.

7 Can I have a motion?

8 VICE CHAIRMAN GRULLON: Motion.

9 THE SECRETARY: Motion by Mr. Grullon.

10 MR. ORTIZ: Second it.

11 THE SECRETARY: By Mr. Ortiz.

12 Roll call on the motion.

13 Mr. Grullon?

14 VICE CHAIRMAN GRULLON: Yes.

15 THE SECRETARY: Ms. Gutierrez, is not
16 present.

17 Right?

18 MR. SPATZ: Right.

19 THE SECRETARY: Mr. Pressey?

20 Is not present.

21 Mr. Medina? Is on audio.

22 Mr. Ortiz?

23 MR. ORTIZ: Yes.

24 THE SECRETARY: Ms. Pena?

25 MS. PENA: Yes.

1 THE SECRETARY: Ms. Perez?

2 MS. PEREZ: Yes.

3 THE SECRETARY: Ms. Watley?

4 MS. WATLEY: Yes.

5 THE SECRETARY: Five in favor.

6 Motion carries.

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ADOPTION OF RESOLUTIONS:

(1) 1015 West Street, LLC, 601 11th Street, Block 46, Lot 18. Legalize three existing basement apartments to create a mixed-use building containing three commercial units and eight residential units. **Withdrawn**

(2) 1401-1407 New York Avenue, Block 73, Lot 24 & 25. The applicant proposes to legalize an existing mixed use building. The number of residential units will increase from five to six, plus the commercial space. **Approved**

(3) Walter and Esther Zurkovsky, 510 26th Street, Block 148, Lot 5. Applicant requests to legalize existing rear carriage house dwelling unit/structure. **Approved**

(4) Victoria Bustos, 543 28th Street, Block 154, Lots 24-25. Conversion of two existing commercial space, into tow4 (sic). Victoria Bustos, 543 28th Street, Block 154, Lots 24-25. Conversion of two existing commercial space, into tow (sic) residential units. **Approved**

(5) 111 35th Street, LLC, 111 35th Street, Block 208, Lots 44-45 & 46. Subdivision into three new lots. Construction of three new three family

1 homes (Order of the court remanding the matter
2 back to Zoning Board of Adjustment for the Board
3 to deliberate and vote again on the existing
4 record, after a sufficient number of members who
5 did not hear one or the other day of testimony
6 have read the transcripts or listened to the
7 tapes and certify to same). **Approved**

8 (6) Monica Riera, 532 42nd Street. Applicant
9 proposes the legalization of an existing
10 apartment in an existing freestanding rear
11 structure. **Approved**

12 (7) Noha Polack, MD, 4110 Kennedy Boulevard &
13 543-547 42nd Street, Block 239 Lots 51, 52, 53 &
14 56. Applicant proposes to convert and renovate
15 existing funeral home space on first floor to
16 medical office space; leave existing residential
17 unit on second floor and utilize existing surface
18 parking lot for the building. **Approved**

19

20 THE SECRETARY: We have seven Resolutions
21 on tonight's agenda.

22 Resolution number 1.

23 1015 West Street, LLC, 601 11th Street.

24 Resolution number 2.

25 1401-1407 New York Avenue.

1 Resolution number 3.

2 Walter and Esther Zurkovsky, 510 26th
3 Street.

4 Resolution number 4.

5 Victoria Bustos, 543 28th Street.

6 Resolution number 5.

7 111 35th Street, LLC, 111 35th Street.

8 Number 6.

9 Monica Riera, 532 42nd Street.

10 Number 7.

11 Noha Polack, MD, 4110 Kennedy Boulevard.

12 Can I have a motion to adopt these

13 Resolutions?

14 VICE CHAIRMAN GRULLON: Motion to adopt the
15 Resolution.

16 THE SECRETARY: Motion by Mr. Grullon.

17 Any second the motion?

18 MR. ORTIZ: I second it.

19 THE SECRETARY: Seconded by Mr. Ortiz.

20 Roll call on the motion.

21 Mr. Ortiz?

22 MR. ORTIZ: Yes.

23 THE SECRETARY: Mr. Grullon?

24 VICE CHAIRMAN GRULLON: Yes.

25 THE SECRETARY: Ms. Pena?

1 MS. PENA: Yes.

2 THE SECRETARY: Ms. Perez?

3 MS. PEREZ: Yes.

4 THE SECRETARY: Ms. Watley?

5 MS. WATLEY: Yes.

6 THE SECRETARY: Five in favor.

7 Motion carries.

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1 **PUBLIC COMMENT:**

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3 THE SECRETARY: Mr. Paneque, do we have to
4 open to the public?

5 MR. PANEQUE: If you want, just for
6 purposes of there are some public members in
7 attendance. If they have anything to bring to
8 the attention of the Board, I would have it open
9 to the public.

10 VICE CHAIRMAN GRULLON: Yeah, at this time,
11 I want to have the meeting open to the public.

12 Any -- any members of the public want to
13 step forward?

14 No members of the public.

15 Closed to the public.

16 MR. PANEQUE: Okay.

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1 **ADJOURNMENT:**

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3 THE SECRETARY: All right.

4 Then there no be other application or any
5 other items on tonight's agenda, can I have a
6 motion to close tonight's meeting?

7 VICE CHAIRMAN GRULLON: Motion.

8 THE SECRETARY: Motion by Mr. Grullon.

9 MR. ORTIZ: Second it.

10 THE SECRETARY: Seconded by Mr. Ortiz.
11 Roll call on the motion.

12 Mr. Grullon?

13 VICE CHAIRMAN GRULLON: Yes.

14 THE SECRETARY: Mr. Ortiz?

15 MR. ORTIZ: Yes.

16 THE SECRETARY: I see Mr. Pressey's here.
17 Mr. Pressey? Anyway.

18 Ms. Pena?

19 MS. PENA: Yes.

20 THE SECRETARY: Ms. Perez?

21 MS. PEREZ: Yes.

22 THE SECRETARY: Ms. Watley?

23 MS. WATLEY: Yes.

24 THE SECRETARY: All in favor.

25 Motion carries.

1 Let the record show that the meeting has
2 ended.

3 Thank you.

4 And have a good night everyone.

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6 (Whereupon, there was a chorus of good
7 night.)

8

9 (Whereupon, the proceedings were concluded
10 at 6:19 p.m.)

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1 STATE OF NEW JERSEY :

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3 COUNTY OF ESSEX :

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5 I, DEBRA A. KASZNIAK, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the SPECIAL
8 MEETING of the UNION CITY ZONING BOARD OF
9 ADJUSTMENT heard on Thursday, May 21, 2020 and
10 digitally recorded.

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24 Monitored by: Kevin Dillon, Jr.

25 Proofread by: Deborah Dillon