

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 23, 2020
Commencing at 6:10 p.m.

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

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

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

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

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

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

BRIAN M. CHEWCASKIE, ESQ., (Via Remotely)
Attorney for the Board

DAVID SPATZ, Consultant, (Via Remotely)
Community Housing & Planning Associates, Inc.

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

J. ALVARO ALONSO, ESQ., (Via remotely)
Attorney for Applicant, Leonard J. Altamura

BIANCA P. PEREIRAS, ESQ., (Via remotely)
Attorney for Applicant, 2712 NY, LLC

BIANCA P. PEREIRAS, ESQ., (Via remotely)
Attorney for Applicant, 814 15th Street

I N D E X

	<u>PAGE</u>
CALL TO ORDER	6
SALUTE TO FLAG	7
ROLL CALL	7
 ADOPTION OF MINUTES	 10
 CORRECTIVE RESOLUTIONS	 69
 HEARINGS/APPLICATIONS	
Leonard J. Altamura	17
2712 NY, LLC	33
814 15 th Street	12
 ADJOURNMENT	 72

I N D E XLeonard J. Altamura - 4000 Bergenline Avenue

<u>WITNESS</u>	<u>PAGE</u>
Robert Zaccone	19
<u>PUBLIC</u>	
Angelo Impoco	29

I N D E X2712 NY LLC, 2712 New York Avenue

<u>WITNESS</u>	<u>PAGE</u>
Manuel Pereiras	41
 <u>PUBLIC</u>	
Angelo Impoco (Previously Sworn)	34
Marcia Lema	36
Judith Rodriguez (Not Sworn)	37
John Calderaro	61

1 MS. DILLON: On the record.

2 THE SECRETARY: All right.

3 Please take notice that pursuant to
4 Governor Murphy Executive Order 107 and 108,
5 ordering statewide lockdown and P.L. 2020, c. 11
6 permitting public bodies to conduct meetings via
7 electronic means during the declared state of
8 emergency, a Regular Meeting of the City of Union
9 City Planning Board has been scheduled for
10 Tuesday, June 23rd, 2020, six p.m.

11 The Regular Meeting will be conducted
12 remotely from the electronic meeting platform
13 Zoom US.

14 Members of the public can join the meeting
15 and participate during the public comment period
16 by join the meeting using the Zoom mobile
17 application or a smartphone or tablet join the
18 meeting, by laptop with microphone capable and
19 dialing through using the telephone through the
20 Zoom teleconference system.

21 Information on how to join meeting
22 electronic appears below on the public notice
23 that was posted on the bulletin board of the City
24 of Union City and also on the website of the City
25 of Union City.

1 Opening statement.

2 This is a meeting called in compliance with
3 Chapter 231, Public Law 1975 of the Open Public
4 Meeting Act.

5 Notice of this meeting has been provided as
6 follow:

7 Notice of this meeting, setting forth the
8 time, date, location, and to the agenda, to the
9 extent known, was forwarded to The Jersey
10 Journal, The Record, and The Hudson Reporter, has
11 been posted on the bulletin board in City Hall,
12 and has been made available to the public in the
13 Office of the Municipal Clerk.

14 Before we call roll for tonight's meeting,
15 can everybody kindly rise to salute the flag?

16

17 (Whereupon, the Pledge of Allegiance was
18 said by all.)

19

20 THE SECRETARY: Thank you.

21

22 **ROLL CALL:**

23

24 THE SECRETARY: Roll call for tonight's
25 meeting.

1 Mayor Brian P. Stack is absent.

2 Diane Capizzi?

3 Ms. Capizzi?

4 Can you please, everybody, unmute them
5 self?

6 CHAIRPERSON CAPIZZI: I'm here.

7 THE SECRETARY: Ms. Koehler?

8 MS. KOEHLER: Here.

9 THE SECRETARY: Ms. Genao?

10 MS. GENAO: Yes.

11 THE SECRETARY: Commissioner Valdivia is
12 absent.

13 Carolina Fernandez is absent.

14 Rudy Rivero?

15 MR. RIVERO: Here.

16 THE SECRETARY: Franklin Medina is absent.

17 Alicia Morejon is absent.

18 Alejandro Velazquez?

19 MR. VELAZQUEZ: Here.

20 THE SECRETARY: Jose Guareno?

21 MR. GUARENO: Here.

22 THE SECRETARY: Let the record indicate
23 there are six present.

24 Those absent tonight are Mayor Brian P.
25 Stack, Commissioner Celin Valdivia, Carolina

1 Fernandez, Franklin Medina and Alicia Morejon.

2 So we have a Board made up of six members.

3 We have a full quorum to establish any
4 decision in tonight's meeting.

5 We're going to the agenda.

6 * * *

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **ADOPTION OF MINUTES:**

2

3 (1) Regular Meeting held on May 26, 2020

4

5 THE SECRETARY: Adoption of Minutes.

6 Regular Meeting held on May 26, 2020.

7 Can I have a motion?

8 CHAIRPERSON CAPIZZI: Make a motion.

9 MR. VELAZQUEZ: I make --

10 I second.

11 THE SECRETARY: Motion by Ms. Capizzi.

12 Seconded by Mr. Velazquez.

13 Roll call on the motion.

14 Ms. Capizzi?

15 CHAIRPERSON CAPIZZI: Yes.

16 THE SECRETARY: Ms. Koehler?

17 VICE CHAIRPERSON KOEHLER: Yes.

18 THE SECRETARY: Ms. Genao?

19 MS. GENAO: Yes.

20 THE SECRETARY: Mr. Rivero?

21 MR. RIVERO: Yes.

22 THE SECRETARY: Mr. Velazquez?

23 Mr. Velazquez?

24 You mute, Mr. Velazquez, probably.

25 MR. GUARENO: Alex?

1 THE SECRETARY: Alex?

2 MR. VELAZQUEZ: Yes.

3 THE SECRETARY: Thank you.

4 MR. VELAZQUEZ: Yes.

5 THE SECRETARY: Mr. Guareno?

6 MR. GUARENO: Yes.

7 THE SECRETARY: Six in favor.

8 Motion carries.

9 * * *

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **814 15th Street - Block 80, Lot 10:**

2

3 MR. CHEWCASKIE: If I may, Ms. Capizzi, I
4 believe there is one adjournment tonight.

5 It's the last case on the agenda, 814 15th
6 Street.

7 Their attorney is present, Ms. Pereiras. I
8 just wanted to confirm that it will be adjourned
9 to the July meeting.

10 And Bianca is muted.

11 THE SECRETARY: Bianca?

12 MS. PEREIRAS: Good evening, everyone.

13 How are you?

14 THE SECRETARY: Hi.

15 MS. GENAO: Good evening.

16 MS. PEREIRAS: Yes. I understand this
17 matter is being adjourned. And I have no
18 objection to it being adjourned to the July
19 meeting.

20 THE SECRETARY: Right.

21 MR. CHEWCASKIE: And I believe -- what --
22 what's the July meeting date, Carlos?

23 THE SECRETARY: Let me see.

24 One second.

25 If I don't mistake, the 9th. Let me make

1 sure.

2 MS. DILLON: July 9th, Carlos.

3 THE SECRETARY: July 9, right?

4 MS. DILLON: Yes.

5 THE SECRETARY: Thank you.

6 July 9. That will be at the high school.

7 All right? We are going to have regular meetings
8 at the high school.

9 CHAIRPERSON CAPIZZI: That's our Regular
10 Meeting on July 9th?

11 MS. DILLON: Oh I'm sorry.

12 I'm sorry.

13 I'm sorry.

14 That's the Board of Adjustment.

15 THE SECRETARY: Twenty-eighth.

16 MS. DILLON: Wrong board.

17 CHAIRPERSON CAPIZZI: Yeah.

18 MS. DILLON: Sorry.

19 THE SECRETARY: Twenty-eighth. The 28th.

20 CHAIRPERSON CAPIZZI: Okay.

21 MR. CHEWCASKIE: Yeah. Don't -- don't
22 confuse us.

23 Okay.

24 MS. DILLON: I'm sorry.

25 MR. CHEWCASKIE: So, if -- if the Board is

1 inclined to adjourn this hearing, it will be
2 adjourned to July 28th at the high school.

3 Unfortunately, not realizing we would be
4 doing an in person meeting, if you could
5 re-notice, Bianca, on this one, because
6 everything was with Zoom. I think we should tell
7 them that it's in the high school.

8 CHAIRPERSON CAPIZZI: Um hum.

9 MR. CHEWCASKIE: So, if you would do that.
10 And as I indicated, I will have a form Resolution
11 at that meeting.

12 MS. PEREIRAS: I appreciate that, Counsel.
13 We will re-notice them.

14 MR. CHEWCASKIE: Okay.

15 Is it the Board's pleasure, Ms. Capizzi, to
16 adjourn this to July 28th?

17 CHAIRPERSON CAPIZZI: Yes.

18 MR. CHEWCASKIE: Okay.

19 All right. That's -- that's all I have.

20 I just wanted to make sure if anybody was
21 on with regard to that application, that they
22 were aware that it was being adjourned.

23 THE SECRETARY: Can I have a motion to
24 adjourn the application of 814 15th Street for
25 July 28?

1 CHAIRPERSON CAPIZZI: I'll make a motion.

2 THE SECRETARY: At the high school.

3 Motion by Ms. Capizzi.

4 MS. GENAO: I second.

5 THE SECRETARY: Seconded by Ms. Genao.

6 Roll call on the motion.

7 Ms. -- Ms. Capizzi?

8 CHAIRPERSON CAPIZZI: Yes.

9 THE SECRETARY: Ms. Koehler?

10 VICE CHAIRPERSON KOEHLER: Yes.

11 THE SECRETARY: Ms. Genao?

12 MS. GENAO: Yes.

13 THE SECRETARY: Mr. Rivero?

14 MR. RIVERO: Yes.

15 THE SECRETARY: Mr. Velazquez?

16 MR. VELAZQUEZ: Yes.

17 THE SECRETARY: Mr. Guareno?

18 MR. GUARENO: Yes.

19 THE SECRETARY: Six in favor.

20 Motion carries.

21 They need to re-notice, Ms. Pereiras.

22 MR. CHEWCASKIE: Right.

23 THE SECRETARY: Thank you.

24 MR. CHEWCASKIE: And Carlos, if you could

25 let Ms. Pereiras know exactly where in the high

1 school the meeting will be scheduled, so her
2 notice can be a little more specific?

3 THE SECRETARY: If I don't mistake, the
4 address is 2500 Kennedy Boulevard.

5 MR. CHEWCASKIE: Right. But what -- what
6 room --

7 CHAIRPERSON CAPIZZI: Right.

8 MR. CHEWCASKIE: -- will we be in?

9 THE SECRETARY: All right.

10 Sometimes, we don't want to have a conflict
11 with other meetings, maybe they will be at the
12 same time. Maybe we can use the theater or maybe
13 we can use the library or maybe we can use the
14 cafeteria. We're going to post at the doors --

15 MR. CHEWCASKIE: Okay.

16 THE SECRETARY: -- the location.

17 MR. CHEWCASKIE: So, then, I thought we had
18 a specific room that was assigned. If that's --

19 THE SECRETARY: I am going -- I am going to
20 find out this week. I will notify -- you know,
21 with the notice the specific location then.

22 MR. CHEWCASKIE: Okay.

23 THE SECRETARY: Thank you.

24 * * *

25

1 **Leonard J. Altamura - 4000 Bergenline Avenue:**

2

3 THE SECRETARY: Okay.

4 We are going back to -- to Mr. Alonso
5 application.

6 Leonard J. Altamura, 4000 Bergenline
7 Avenue.

8 Mr. Alonso, please?

9 MR. ALONSO: Yes, thank you, Mr. Vallejo.

10 Good evening, members of the Board.

11 For the record, Alvaro Alonso on behalf of
12 Mr. Altamura, the applicant.

13 I believe that notices were previously
14 submitted. However, my client had filed the
15 application as a pro se applicant. After
16 reviewing the application, I -- I thought that it
17 was deficient, so I submitted a revised
18 application, along with new notices. And I
19 submitted those notices for jurisdiction, as of
20 this evening.

21 THE SECRETARY: Yes. I forward the mail to
22 -- to the Board Attorney.

23 MR. CHEWCASKIE: Right.

24 I've -- I've received the notices that Mr.
25 Alonso has provided, both the publication, along

1 with the certified mails. The notices were in
2 appropriate form and the Board has jurisdiction
3 to proceed.

4 MR. ALONSO: Thank you very much.

5 Members of the Board, this is an
6 application to legalize two existing units, at
7 4000 Bergenline Avenue.

8 For those who -- those of you who do not
9 know who my client is, my client is Leonard
10 Altamura. He's an -- he's an attorney who has
11 been practicing in Union City for a very long
12 time, probably since the late '60s and he's still
13 at that same location on Bergenline Avenue. His
14 office is up on the top floor and the property is
15 located in the CN zone, where the mixed use use
16 is a -- is permitted. There's commercial on the
17 ground floor. He has his law offices on the top
18 floor and there are a total of three residential
19 units, one of which is recognized by the Building
20 Department, and two which have been there for
21 quite some time and we're looking to legalize
22 those.

23 With that said, I need a couple of C or
24 bulk variances. I have one witness this evening,
25 Mr. Zaccone, Robert Zaccone, who is our

1 architect. I see him waving his hand. I'm just
2 going to ask him to unmute himself.

3 MR. CHEWCASKIE: Just one question, Mr.
4 Alonso, and I know Mr. Spatz is also on. My --
5 my understanding is, is that these two units
6 already exist.

7 Correct?

8 MR. ALONSO: That's correct.

9 MR. CHEWCASKIE: And that there are no
10 alterations, or any renovations planned for this
11 -- for the structure.

12 MR. ALONSO: That's correct.

13 MR. CHEWCASKIE: Thank you.

14 MS. DILLON: Sir, please raise your right
15 hand.

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

18 MR. ZACCONE: Yes, I do.

19 MS. DILLON: Could you please state your
20 name and spell it for the record?

21 MR. ZACCONE: Robert Zaccone,
22 (indiscernible) C-O-N-E.

23 MS. DILLON: I'm sorry, sir. You cut out.

24 MR. ZACCONE: Z-A-C-C-O-N-E.

25 MS. DILLON: Thank you, Mr. Zaccone. I

1 appreciate it.

2 MR. ALONSO: Mr. Zaccone, can you just give
3 us a brief review of your qualifications in the
4 field of architecture?

5 MR. ZACCONE: Yes. I have undergraduate
6 degree from Pratt Institute. I've got a Masters
7 from Columbia University. I'm licensed in New
8 Jersey as well as New York State and Georgia.

9 MR. ALONSO: Thank you.

10 And you've been qualified as an -- as an
11 expert in the field of architecture in the past?

12 MR. ZACCONE: Yes, I have.

13 MR. ALONSO: Okay.

14 Madam Chair, I would submit Mr. Zaccone as
15 an expert in the field of architecture.

16 CHAIRPERSON CAPIZZI: Yes. Absolutely.

17 MR. ALONSO: Thank you very much.

18 Mr. Zaccone, I just gave the Board a brief
19 overview as to what this application entails.
20 So, I'm going to ask you to go, review the -- the
21 project with the -- with the Board, address to --
22 to the extent that they already exist, some of
23 the uses in the building, and then specifically
24 address the two units that we're seeking to -- to
25 legalize.

1 MR. ZACCONE: Yes. As Mr. Alonso had
2 testified, the first floor, the grade level is
3 exclusively retail. There is one set of steps to
4 the second floor, whereby there is one legal
5 apartment and Mr. Altamura's office, as well as
6 two residential units that need to be legalized.
7 That's why we're here.

8 MR. ALONSO: Right.

9 Is there a third residential unit?

10 MR. ZACCONE: There's one existing, which
11 is where the Altamuras reside, and two additional
12 residential units.

13 MR. ALONSO: That's correct.

14 Mr. Altamura's not only, he has his office
15 there, but he also resides in the building.

16 MR. ZACCONE: That's correct.

17 MR. ALONSO: Okay.

18 So, with respect to the two units that
19 we're looking to legalize, I'm just going to have
20 you go through them a little bit more.

21 THE SECRETARY: I am going, Mr. Alonso, I
22 think he's going to share the blueprints. Share?

23 MR. ALONSO: Sure.

24 THE SECRETARY: All right.

25 This is going to -- I don't know what

1 | happened with the system again. I can share my
2 | screen, but I -- I'm trying to give you screen
3 | share to the architect, but I can -- can you
4 | share the screen through the -- through the
5 | screen of the software?

6 | MR. ZACCONE: I'm afraid that's beyond my
7 | technology and expertise.

8 | THE SECRETARY: All right. We are on the
9 | same page.

10 | MR. ZACCONE: The documents submitted do
11 | indicate two proposed residential units.

12 | We will call them number -- apartment
13 | number 2 and apartment number 3, which is located
14 | on the south end of the building.

15 | MR. CHEWCASKIE: So may -- maybe if we look
16 | at this, Mr. Zacccone, looking at what previously
17 | was approved, is that it appears that the
18 | existing apartment number 1 is where the
19 | Altamuras reside.

20 | Correct?

21 | MR. ZACCONE: That's correct.

22 | MR. CHEWCASKIE: And then, all the office
23 | spaces, except for what was designated on the
24 | approved plan of office 5 and office 6 are now
25 | used by Mr. Altamura's law office.

1 MR. ZACCONE: That's correct; offices 1, 2
2 and 3 --

3 MR. CHEWCASKIE: Okay.

4 MR. ZACCONE: -- are currently Mr.
5 Altamura's office.

6 MR. CHEWCASKIE: Right.

7 And office 4, it says existing office,
8 conference/library. I also assume that's his --

9 MR. ZACCONE: That -- that's his, as well,
10 and it is a conference/library use.

11 MR. CHEWCASKIE: Okay.

12 So, office 5 and office 6 were converted to
13 two apartments, which are delineated on your
14 drawing.

15 MR. ZACCONE: That's correct, sir.

16 MR. CHEWCASKIE: And just so that the
17 record is clear, the drawing we're referring to
18 is a drawing that's identified as ZD-1, with a
19 date of October 15, 2019.

20 Is that correct?

21 MR. ZACCONE: That's correct, sir.

22 MR. CHEWCASKIE: All right.

23 Thank you.

24 Al, if you want to continue, I just want it
25 to be clear on the record.

1 MR. ALONSO: Very good.

2 So, if you can, just please finish up your
3 testimony with respect to the existing
4 apartments.

5 MR. ZACCONE: The -- the existing apartment
6 is, of course, apartment number 1, for Mr. and
7 Mrs. Altamura.

8 Apartment number 2 is currently occupied by
9 the son of Mr. and Mrs. Altamura, Len, Junior.
10 That's apartment number 2.

11 Apartment number 3, I originally did plans
12 for, I would think about three years ago, if I'm
13 not mistaken. And in attempting to acquire a
14 Certificate of Occupancy, the town noted that we
15 do not have approval, since it is currently not a
16 -- a legalized apartment. That would be
17 apartment number 3. It's built out, but to my
18 knowledge, we do not have a C of O.

19 MR. ALONSO: And that's the reason why
20 we're here.

21 MR. ZACCONE: That's correct, sir.

22 MR. ALONSO: Okay.

23 Can you describe the layout of those two
24 apartments that we are seeking to legalize?

25 MR. ZACCONE: Yes.

1 MR. ALONSO: How many bedrooms and --

2 MR. ZACCONE: Apartment number 2, currently
3 occupied by Mr. Altamura, Junior, is a two
4 bedroom apartment, with a kitchenette and a
5 modest living space, along with a full bath.

6 Apartment number 3, most recently built
7 out, has a living space, an eat in kitchen and
8 two bedrooms, with two full baths connected to
9 it.

10 MR. ALONSO: Okay.

11 Is there any proposed construction or
12 renovations on any of these -- those two units?

13 MR. ZACCONE: No. My understanding is that
14 they're totally built out. Apartment number 3 is
15 built out. Apartment number 2 is currently
16 occupied.

17 MR. ALONSO: Okay.

18 And to the extent that when we, assuming an
19 approval by this Board, we'll then have to apply
20 for a Certificate of Occupancy for those two
21 units. And to the extent that the Building
22 Department requires, any additional work in order
23 to meet Code, then obviously, we would do that.

24 MR. ZACCONE: That's correct.

25 And my understanding is that Mr. Altamura

1 | did invest in a sprinkler system for the second
2 | floor apartments, as well as some requirements
3 | for rated doors and rated partitions, in order to
4 | comply with Code.

5 | MR. ALONSO: Okay.

6 | And with respect to the exterior of the
7 | building, there's no proposed work.

8 | Is that correct?

9 | MR. ZACCONE: No -- no changes to the
10 | building footprint or the envelope, as well.

11 | MR. ALONSO: Okay.

12 | So, with respect to the -- the footprint,
13 | there are a series of requirements that we do not
14 | meet from the Zoning Ordinance.

15 | Now, one of them is lot depth. In Mr.
16 | Spatz's report to the Board, he indicates that a
17 | lot depth variance is not required, but I had
18 | noticed it because I believe that we have a 55
19 | foot lot depth.

20 | Is that correct?

21 | MR. ZACCONE: I believe it is. Yes, sir.

22 | MR. ALONSO: And the requirement is 100
23 | feet. So, I just wanted to clear that up for the
24 | record, so we would be requesting a variance for
25 | lot depth, which is an existing condition.

1 MR. ZACCONE: That's correct, sir.

2 MR. ALONSO: Okay.

3 We would also need variances for minimum
4 rear yard, lot coverage and parking, all of which
5 are existing conditions.

6 Is that correct?

7 MR. ZACCONE: That's correct.

8 MR. ALONSO: Now, with respect to the
9 parking, are there are any parking spaces onsite?

10 MR. ZACCONE: There are none that I know
11 of, no.

12 MR. ALONSO: Okay.

13 Is there any opportunity to introduce
14 parking onsite?

15 MR. ZACCONE: No, the building footprint
16 occupies the entire lot area and I don't see any
17 opportunity to provide a parking space.

18 MR. ALONSO: Okay.

19 So, we would need the parking variance, the
20 maximum lot coverage, the rear yard and the lot
21 depth, is the extent of the relief that we're
22 requesting.

23 MR. ZACCONE: That's correct, sir.

24 MR. ALONSO: Okay.

25 Madam Chair, I have no further questions.

1 CHAIRPERSON CAPIZZI: Okay.

2 Thank you.

3 Does anyone have questions?

4 Carlos, do we open it up to the public?

5 THE SECRETARY: Yeah.

6 CHAIRPERSON CAPIZZI: Does the Board have
7 any questions?

8 MR. VELAZQUEZ: No, no questions.

9 VICE CHAIRPERSON KOEHLER: No.

10 CHAIRPERSON CAPIZZI: Okay.

11 What about are there any members of the
12 public?

13 No?

14 THE SECRETARY: I think one -- one member
15 of the public was sending a private text -- text,
16 asked me -- you know, they asking for request --
17 they request to adjourn the application, but I
18 tell him that he can -- he can -- you know, the
19 person of the public -- he can -- you know, give
20 his opinion and he can request whatever he thinks
21 right for his opinion.

22 MR. IMPOCO: Yes. Correct.

23 Hi.

24 Can you -- can everyone hear me?

25 CHAIRPERSON CAPIZZI: Yes.

1 VICE CHAIRPERSON KOEHLER: Yes.

2 MR. IMPOCO: Okay. So, my name is Angelo
3 Impoco and I --

4 MS. DILLON: Okay.

5 Sir, I --

6 MR. IMPOCO: -- am speaking --
7 I'm sorry?

8 MS. DILLON: Mr. Chewcaskie, you want me to
9 swear him in?

10 MR. CHEWCASKIE: Yes, please.

11 MS. DILLON: Please raise your right hand,
12 sir.

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

15 MR. IMPOCO: Yes.

16 MS. DILLON: Okay.

17 And I need you to state your name and spell
18 it for the record.

19 MR. IMPOCO: Angelo Impoco, A-N-G-E-L-O,
20 Impoco, I-M-P-O-C-O.

21 MS. DILLON: Thank you.

22 MR. CHEWCASKIE: And what's your address,
23 Mr. Impoco?

24 MR. IMPOCO: I live at 305 North Mountain
25 Avenue, Montclair, New Jersey.

1 MR. CHEWCASKIE: Okay.

2 Please continue.

3 MR. IMPOCO: I'm speaking on behalf of
4 Josephine Impoco-Calderaro, who's also on this
5 call, as well. She's my mother, 85 years old and
6 not -- not fluent in -- not -- not literate in
7 English to understand notices and notification.
8 What we'd like to request is an adjournment to
9 understand what -- what our rights are, what the
10 request is about, and just to get clarification.

11 MR. ALONSO: If I may?

12 Are you requesting an adjournment for 4000
13 Bergenline Avenue?

14 MR. IMPOCO: No.

15 MR. ALONSO: Or are you looking for the New
16 York Avenue case?

17 MR. IMPOCO: 2712 --

18 I'm sorry.

19 MR. CHEWCASKIE: Oh.

20 MR. IMPOCO: Just allow me to clarify; 2712
21 New York Avenue.

22 MR. CHEWCASKIE: We're going to get to that
23 case next. So, this is only with respect to 4000
24 Bergenline.

25 MR. IMPOCO: I apologize.

1 I only entered -- I only -- I'm entering
2 because Carlos mentioned it, that's all.

3 MR. CHEWCASKIE: That's fine.

4 MR. IMPOCO: Yeah.

5 MR. CHEWCASKIE: But I think we'll deal
6 with your request first.

7 MR. IMPOCO: Okay.

8 MR. CHEWCASKIE: The Board understands,
9 you'll be requesting an adjournment so that they
10 can make a determination.

11 MR. IMPOCO: Okay.

12 Apologize. Did not have the agenda in
13 front of me to know how the flow is.

14 MR. CHEWCASKIE: That's fine.

15 MR. IMPOCO: Okay.

16 CHAIRPERSON CAPIZZI: Okay.

17 So, if there are no other questions or
18 comments?

19 None?

20 Okay.

21 I'll make a motion to approve the
22 application.

23 THE SECRETARY: Motion on the table to
24 approve the application by Ms. Capizzi.

25 MR. VELAZQUEZ: I second.

1 THE SECRETARY: Seconded by Mr. Velazquez.

2 Roll call on the motion to approve this
3 application.

4 Ms. Capizzi?

5 CHAIRPERSON CAPIZZI: Yes.

6 THE SECRETARY: Ms. Koehler?

7 VICE CHAIRPERSON KOEHLER: Yes.

8 THE SECRETARY: Ms. Genao?

9 MS. GENAO: Yes.

10 THE SECRETARY: Mr. Rivero?

11 MR. RIVERO: Yes.

12 THE SECRETARY: Mr. Velazquez?

13 MR. VELAZQUEZ: Yes.

14 THE SECRETARY: Mr. Guareno?

15 MR. GUARENO: Yes.

16 THE SECRETARY: Six in favor.

17 Motion carries.

18 MR. ALONSO: Thank you very much.

19 Have a good evening.

20 THE SECRETARY: Thank you, Mr. Alonso.

21 CHAIRPERSON CAPIZZI: Thank you.

22 MR. ZACCONE: Thank you, Board members.

23 CHAIRPERSON CAPIZZI: Thank you.

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

1 **2712 NY LLC, 2712 New York Avenue:**

2

3 THE SECRETARY: All right.

4 Next -- next application on tonight's

5 agenda, 2712 NY, LLC, 2712 New York Avenue.

6 Ms. Pereiras, please?

7 MS. PEREIRAS: Good evening, Madam Chair,

8 Counsel, members of the Board.

9 May it please the Board, Bianca Pereiras on

10 behalf of 2712 NY LLC, for property at 2712 New

11 York Avenue, also known as Block 151, Lot 7.

12 And for purposes of the record, I

13 previously submitted my jurisdictional

14 submissions to counsel.

15 MR. CHEWCASKIE: Yes. I've had the

16 opportunity to review, between yesterday and

17 today, the notices and the publication that Ms.

18 Pereiras has provided on -- for 27 --

19 Make sure I get it right.

20 -- 2712 New York Avenue. The notices were

21 in appropriate form and timely. The Board does

22 have jurisdiction.

23 What I would ask the Board to do is Mr.

24 Impoco, on behalf of his family, requested an

25 adjournment, so I'd like the Board to explore

1 | that first, before we proceed with -- with the
2 | case.

3 | CHAIRPERSON CAPIZZI: Okay.

4 | MR. CHEWCASKI: And I would ask just ask
5 | Mr. Impoco, for this case, to state his request
6 | and the reasons for same, so that we could allow
7 | Ms. Pereiras to respond and then the Board can
8 | make a determination.

9 | CHAIRPERSON CAPIZZI: Um hum.

10 | MR. CHEWCASKIE: All right.

11 | Mr. Impoco?

12 | MR. IMPOCO: Yes. Hi.

13 | MR. CHEWCASKIE: And just state your name
14 | and address for the record, and since you were
15 | sworn earlier by Ms. Dillon, you're still under
16 | oath.

17 | MR. IMPOCO: Okay.

18 | Thank you.

19 | Good evening, everyone.

20 | My name is Angelo Impoco and I reside at
21 | 305 North Mountain Avenue in Montclair, New
22 | Jersey.

23 | I am speaking on behalf of Josephine
24 | Impoco-Calderaro, who is the property owner at
25 | 2710 New York Avenue, who also is my mother, 85

1 years old and not literate in English.

2 Requesting an adjournment so that we have
3 more time, so that she can properly understand
4 her rights, the request and be able to validly
5 participate in any consent that she would be
6 giving.

7 MR. CHEWCASKIE: Just before we proceed,
8 Mr. Impoco, and I've had the opportunity to
9 review the application, I've also reviewed Mr.
10 Spatz's report. David Spatz is the planner for
11 the City of Union City.

12 This application is for site plan approval
13 for a three family dwelling. And looking at Mr.
14 Spatz's report, the proposed construction
15 conforms entirely with the City Zoning Ordinance
16 requirements.

17 The City adopted a new Zoning Ordinance in
18 November of 2019. And this application conforms
19 with those requirements.

20 Certainly, I understand what you're saying
21 on behalf of your mother, but I wanted to make
22 clear that there is no variance relief being
23 requested as part of this application. So, the
24 Board would have limited ability to take any
25 action that would either, A, deny the

1 application; or B, substantially modify the
2 application. So, I just wanted to make that
3 clear.

4 I also had the opportunity today, as I've
5 indicated, to review the notices. The notices
6 were in appropriate form and it was also an
7 appropriate publication. So, the notice
8 requirement is that they be mailed, via certified
9 mail, ten days in advance of the hearing and that
10 a publication also occur ten days in advance of
11 the hearing. Both was accomplished and an
12 Affidavit of Service was provided.

13 I would like to hear from Ms. Pereiras, and
14 then I would request the Board to make a
15 determination considering your request.

16 THE SECRETARY: Allow me one second.

17 Also, somebody else is -- would like to
18 adjourn this application, that's Kathy Torres.

19 Go ahead, Ms. Torres.

20 You -- you mute. Unmute yourself. Unmute
21 yourself. You mute.

22 Now you can. Go ahead.

23 MS. LEMA: I use the computer my daughter.

24 THE SECRETARY: One second. One second.

25 You have to swear in.

1 MS. LEMA: (Indiscernible).

2 THE SECRETARY: One second, Ms. Torres.

3 MS. LEMA: No, I'm not Torres.

4 THE SECRETARY: Wait. Wait. This says
5 Kathy Torres on -- on your screen.

6 MS. LEMA: I'm using my daughter computer.

7 THE SECRETARY: All right. You can say
8 your name, then.

9 Go ahead, Deborah.

10 MS. DILLON: Okay.

11 Please raise your right hand.

12 Do you affirm that the testimony you're
13 about to give this Board is the whole truth?

14 MS. LEMA: Yes.

15 MS. DILLON: I need you to state your name
16 and spell it for the record and give your
17 address.

18 MS. LEMA: 2714 New York Avenue, 2714 New
19 York Avenue. You got it? My -- Marcia Lema, L-
20 E-M-A and my sister, because both of us the owner
21 of the house. That's -- she's here.

22 MS. DILLON: And your sister's name?

23 MS. RODRIGUEZ: Judith Rodriguez.

24 MS. DILLON: Judy Rodriguez?

25 MS. RODRIGUEZ: Correct.

1 MS. LEMA: Judith.

2 MS. RODRIGUEZ: Judith.

3 MS. DILLON: Judith, J-U-D-I-T-H?

4 MS. RODRIGUEZ: Yes.

5 MS. DILLON: Okay.

6 Thank you.

7 MR. CHEWCASKIE: Okay.

8 You can proceed.

9 MS. LEMA: We objecting because it's going
10 to be blocking my view, and also not only that,
11 but it's too small, three -- three floors is too
12 much. In Union City, we don't even have a
13 parking space or anything, and they want to have
14 all that. I'm not agree with that. Ah-ha.

15 MR. CHEWCASKIE: All right.

16 Just so that you're aware, this was on the
17 request for adjournment. If the matter proceeds,
18 you can certainly state your opinion on the
19 record. But as I indicated to Mr. Impoco, it
20 appears that what is being proposed conforms with
21 the City's Ordinance requirements.

22 But I think it would be appropriate, Ms.
23 Capizzi, to hear from Ms. Pereiras now on the
24 request for adjournment.

25 CHAIRPERSON CAPIZZI: Sure.

1 MS. PEREIRAS: Thank you, counsel and Board
2 members.

3 As you can see --

4 MS. LEMA: (Indiscernible).

5 MS. PEREIRAS: -- we also have the
6 architect on this Zoom. We also have the
7 architect on the Zoom call and we are prepared to
8 proceed on this this evening.

9 As Mr. Chewcaskie mentioned, this is a
10 fully conforming application. We are not seeking
11 any variances whatsoever.

12 And I ask that the neighbors hear our
13 application, see our presentation, and if there
14 are any questions, we're happy to address them.
15 But we'd like to proceed this evening.

16 MR. CHEWCASKIE: All right.

17 There would be -- since there was an
18 adjournment request, Ms. Capizzi, the Board
19 should make a determination whether to -- to
20 grant that adjournment based upon what you've
21 heard so far.

22 CHAIRPERSON CAPIZZI: I think we should
23 hear the application and -- and let everyone at
24 least hear the facts, including the people that
25 would like the adjournment. And we can make a

1 determination at the end of the presentation if
2 we think it should be adjourned or not. At least
3 we should hear it, I think.

4 MR. CHEWCASKIE: So -- so just so that
5 everyone -- you know, if the Board is in accord
6 with your determination, Ms. Capizzi, I just want
7 to advise everyone that the Board will in all
8 likelihood hear the evidence. Once that evidence
9 is heard, the Board will make a determination
10 whether to continue the hearing to a future date.
11 We will hear -- if we proceed, we will hear the
12 presentation. Anyone who wishes to speak on the
13 application can be heard. And then, the Board
14 will determine either to proceed or continue the
15 case to the July meeting.

16 Did I state that correctly, Ms. Capizzi?

17 CHAIRPERSON CAPIZZI: Yes, you did.

18 Thank you.

19 MR. CHEWCASKIE: Okay.

20 MS. PEREIRAS: Thank you all very much.

21 The application before the Board this
22 evening is to construct a three family in what is
23 now a vacant lot. We are proposing a three
24 family that is fully consistent with our Master
25 Plan and our Zoning Ordinance. In fact, we are

1 not seeking any variances whatsoever.

2 We have one expert to testify before the
3 Board this evening, and that is our architect,
4 Mr. Manuel Pereiras.

5 MS. DILLON: Please raise your right hand.

6 THE SECRETARY: Go ahead, Debbie.

7 MS. DILLON: Do affirm the testimony you're
8 about to give this Board is the whole truth?

9 MR. PEREIRAS: I do.

10 MS. DILLON: Please state your name for the
11 record.

12 MR. PEREIRAS: Manny Pereiras,
13 P-E-R-E-I-R-A-S, with Pereiras Architects
14 Ubiquitous, 1116 Summit Avenue, Union City.

15 MS. DILLON: Thank you.

16 MS. PEREIRAS: And Mr. Pereiras has
17 testified before this Board in the past as an
18 expert in the field of architecture.

19 CHAIRPERSON CAPIZZI: Yes.

20 MS. PEREIRAS: Thank you very much.

21 Mr. Pereiras, are you familiar with the
22 property located at 2712 New York Avenue?

23 MR. PEREIRAS: I am.

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

1 MR. PEREIRAS: I did, and if this Board
2 allows me, and I think Carlos already gave me
3 permission, I will be sharing my screen so that
4 we can go over the drawings together.

5 Can everyone see the drawings?

6 MR. CHEWCASKIE: The drawings are up, Mr.
7 Pereiras.

8 A VOICE: Now.

9 MR. PEREIRAS: Fantastic.

10 All right.

11 So, the drawings that you see before you on
12 your screen are the same drawings that were
13 submitted to the town in paper format and digital
14 format.

15 As you could see, I am starting with Sheet
16 Z01, it's noted on the bottom right hand corner.
17 And on this drawing, we have the existing
18 condition, which is just the parking lot on my
19 left. And on the right over here, we have the
20 proposed condition.

21 On the bottom of the page, we have New York
22 Avenue, we have New York City towards the rear on
23 the east, and we have frontage 25 feet, fully
24 conforming, and a depth of the lot of a hundred
25 feet, meaning we have a total of 2,500 square

1 feet, which is also conforming.

2 The rear yard of our property is five feet,
3 which is fully conforming. Our side yards to the
4 north is two feet and the side yard to the south
5 is three feet. Actually, three feet one inch to
6 be precise, which conforms with both the three
7 foot minimum and the five foot total minimum.

8 Our front yard is at seven feet, which is
9 in conformance with the prevailing front yard
10 along the neighborhood.

11 In addition to that, we created two grass
12 landscaping berms. We have our garage entry,
13 this, and our residential entry to our stairwell
14 and elevator at this point.

15 There is an existing curb cut on the site,
16 which right now, we just have a curb that we left
17 it as is. If this Board wants it, for any
18 reason, we could also reduce the --
19 (indiscernible) -- curb cut, if required.

20 So, as you could see, in all the bulk
21 dimensions, this is fully conforming. And -- and
22 I'm going to walk you through the rest of the
23 building.

24 What you have here in Sheet Z02 is our
25 floor -- our floor plans, our typical floor

1 plans. We actually took the -- the template that
2 the Master Plan and the Ordinance gives us for
3 parking on the ground floor, and we created that
4 so that we could fit six cars; two in tandem for
5 each of the two apartments in the back, and two
6 side-by-side here. And that's our garage. We
7 have an emergency egress from the garage along
8 the side here. And we created an emergency
9 egress there along the rear.

10 We have the mechanical systems in that rear
11 corner, in that spot.

12 And we have our garbage area located here
13 behind the elevator on the side.

14 Our main entrance is through the front of
15 the building, where you have a small lobby and
16 you enter the elevator that takes you up to the
17 floors above.

18 The floors above are typical; three floors
19 where you come out of the elevator into a small
20 vestibule and you have your kitchen and living
21 room/dining room, big open space, all open. And
22 then, we have three bedrooms each with their own
23 bathroom. One, two, three, and they're all
24 decent size bedrooms, the smallest of which, just
25 so you get an understanding, is 12 by 14.8. So,

1 | they're all comfortable size bedrooms, with their
2 | own bathrooms and closets.

3 | And then, that's pretty much it.

4 | The façade of the building, as we like it
5 | here in Union City, we did a brick façade all
6 | along the front. So, we have a brick façade and
7 | for -- to give it a little bit of an accent, we
8 | did a small trim around these windows, with fiber
9 | cement of two different colors. And large
10 | windows, the top being a Juliet balcony. We're
11 | wrapping that brick along the side of the
12 | building for almost four feet on both sides. And
13 | then, the rest of the building, we're cladding
14 | with fiber cement. And the reason I use fiber
15 | cement, is because it performs amazingly in
16 | fires. It's an extremely, extremely safe
17 | material and it's very beautiful and it's
18 | permitted in our Ordinance along the sides and
19 | the rear of the building.

20 | The height of our building is in
21 | conformance. We are at 43.2 to the top of the
22 | parapet and -- which is fully in conformance.
23 | We're allowed to go up to 45 feet. So, we're --
24 | we're below that, as well.

25 | So, in conclusion, I -- I typically like to

1 state that we have a building that is literally
2 exactly what the Ordinance permits and allows;
3 fully conforming. And we're here before this
4 Board just for site plan approval.

5 That concludes my testimony for now and I'm
6 open for questions from the Board.

7 CHAIRPERSON CAPIZZI: What kind of a door
8 will the garage be?

9 MR. PEREIRAS: The door? Honestly,
10 whichever door -- whatever type of door you like.
11 We do solid doors, are specified in all our
12 drawings. We don't want, like the overhead
13 grates. These are like the pulled back, solid
14 wood doors or fiber cement -- fiberglass doors.
15 So, they're solid, no openings too.

16 And if there's something that the Board
17 wants differently, we'll be happy to comply with
18 that.

19 CHAIRPERSON CAPIZZI: Is there a backyard?

20 MR. PEREIRAS: The backyard is five foot by
21 25, as specified in the Ordinance.

22 CHAIRPERSON CAPIZZI: Any other questions
23 or --

24 MR. SPATZ: Yes.

25 Madam Chairperson, can I ask a question?

1 CHAIRPERSON CAPIZZI: Sure.

2 MR. SPATZ: Okay.

3 Manny, could you please go to the floor
4 plan?

5 MR. PEREIRAS: Okay.

6 MR. SPATZ: All right.

7 The elevators open up into a vestibule, not
8 -- which is not closed. There's no door from
9 that in the -- what is the system for each floor?
10 Does each tenant have a separate key for their
11 floor or how does that work, so that people are
12 not visiting their neighbors constantly.

13 CHAIRPERSON CAPIZZI: Hmm.

14 MR. PEREIRAS: Yeah. So, we've had the
15 pleasure of actually designing a lot of very
16 similar buildings in Union City now. And we're
17 in the process of construction in a lot of them.
18 And what we're doing in all of them, and we will
19 do the same here, is that the elevator will have
20 a fob. And your door does not open, unless it --
21 you present your fob to the elevator key panel,
22 so that other neighbors can't walk into your
23 apartment. So, you basically swipe your fob,
24 press your number, and it opens at your
25 apartment.

1 MR. SPATZ: Thank you.

2 That was my question.

3 Also --

4 Excuse me?

5 I do have one more.

6 The land -- are you proposing some
7 landscaping in the front, or just grass area?

8 MR. PEREIRAS: We are. We -- we left those
9 two pads so that we could have some landscaping
10 there.

11 MR. SPATZ: Okay.

12 I think just some shrubbery rather than
13 just simply grass. Something low, so that it
14 doesn't block sight distances. Perhaps you can
15 even -- even maybe pull them back just a little
16 bit from -- I agree -- (indiscernible).

17 MR. PEREIRAS: And we could even add
18 another piece of -- another shrub over here in
19 this corner, as well.

20 MR. SPATZ: Yeah, that -- that'd be good.

21 So, a little bit of landscaping in the
22 front. But if you pull the planters back a
23 little bit from the property line, then you won't
24 block views and you can have some low growing
25 shrubs.

1 MR. PEREIRAS: We will do that.

2 MR. SPATZ: Good.

3 CHAIRPERSON CAPIZZI: And what's the
4 backyard?

5 Is it cement, grass?

6 MR. PEREIRAS: Concrete.

7 CHAIRPERSON CAPIZZI: Excuse me?

8 MR. PEREIRAS: It's concrete. So, our
9 Ordinance permits a hundred percent lot coverage.
10 And I found that already in experience, if we do
11 grass it doesn't really grow back there very
12 well. It doesn't get enough light. So, we -- we
13 are -- it's just concrete paving.

14 MS. LEMA: I -- I -- could I ask a
15 question? I'm the owner of the next house.

16 Why you guys is talking and never mind
17 about us? So you don't care for the people that
18 live 40 years in Union City. What is going on,
19 you people? You already speak already. I'm --
20 (indiscernible) -- wait a minute. I -- you
21 already -- (indiscernible).

22 MR. CHEWCASKIE: We're not open to the
23 public.

24 THE SECRETARY: Ma'am? Ma'am? It's not
25 open to the public.

1 MS. LEMA: I live in Union City --
2 (indiscernible).

3 THE SECRETARY: One second.

4 MS. LEMA: There's two houses. Safety
5 concerns. Windows. The people will look to my
6 house. If I'm walking in shorts or whatever I
7 want to walk, it's concern to me. I'm 40 years
8 in here. You know that. And so I would like to
9 know how you guys is just going to pick there's
10 going to be three family house and nobody cares.
11 You guys talking, talking and that's it. You
12 ignore us. That's not right. That's not right.

13 CHAIRPERSON CAPIZZI: Have you had
14 conversations with them?

15 MS. LEMA: No. I just -- I just want to
16 say now. But I --

17 MR. CHEWCASKIE: Ma'am? Ma'am?

18 MS. LEMA: -- you guys talking and talking
19 and talking.

20 MS. DILLON: Excuse me?

21 There can only be one speaker at a time.
22 Please follow the attorney.

23 MS. PEREIRAS: Ma'am, the application will
24 be open to the public. There will be a public
25 portion where you can pose any question, or make

1 any comments that you'd like to make as well.

2 So, if you would just let us finish our
3 presentation, and then I'm sure the Board will
4 open it to you, and we'll be happy to answer your
5 question.

6 Thank you.

7 MR. PEREIRAS: And Ms. Lema, I know you for
8 many, many years. You know you could always
9 approach me. I was the architect for your house.

10 MS. LEMA: Yes.

11 MR. PEREIRAS: And we built a three family
12 on your property right next door. So, we're
13 asking for exactly the same thing.

14 MS. LEMA: But three families is a lot.

15 MR. PEREIRAS: And you'll be able to talk
16 and you'll be able to ask your questions. One
17 second.

18 MS. LEMA: Three families is a lot. It's
19 big all the way to the top.

20 MR. PEREIRAS: So, just to conclude a
21 little bit, recap.

22 This is fully conforming. It's a three
23 family. It meets all the bulk requirements and
24 we're not asking for any variances.

25 VICE CHAIRPERSON KOEHLER: Before we open

1 | it up to the public, I have a question about the
2 | elevator bank.

3 | Could you back to the drawing that has the
4 | elevators?

5 | MR. PEREIRAS: Yes.

6 | VICE CHAIRPERSON KOEHLER: Being the doors
7 | open into that private -- assuming it's a private
8 | foyer for each apartment --

9 | MR. PEREIRAS: Um hum.

10 | VICE CHAIRPERSON KOEHLER: -- could you
11 | have automatic lighting because if someone opens
12 | that door, even if it's by accident, and it's --
13 | and then that foyer's completely dark. Let's say
14 | the elevator door closes behind them. That's
15 | something intimidating. Would -- would that be
16 | possible to have automatic lighting in there?

17 | MR. PEREIRAS: We could definitely do that.
18 | The elevator itself is always lit. It's part of
19 | a Code requirement that the elevator is a hundred
20 | percent of the time is going to be lit. So, as
21 | long as the elevator door is open, it's going to
22 | flood some light into that vestibule, as well.

23 | VICE CHAIRPERSON KOEHLER: Right.

24 | But I'm saying the foyer. Once the
25 | elevator door closes, and if the owner hasn't

1 opened the door yet.

2 MR. PEREIRAS: And didn't turn their light
3 on? Yeah. We could definitely do an automatic
4 light.

5 VICE CHAIRPERSON KOEHLER: Automatic. For
6 safety.

7 MR. PEREIRAS: We could do that.

8 VICE CHAIRPERSON KOEHLER: Thank you.

9 MR. PEREIRAS: Good idea.

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

12 CHAIRPERSON CAPIZZI: Are there any other
13 questions or comments?

14 MS. GENAO: I have a question.

15 Is this property for renting?

16 A VOICE: Of course.

17 MR. PEREIRAS: More than likely, it will
18 be. They haven't made that determination yet.
19 They have the ability to sell it as a condo, but
20 more than likely it will be a rental property.

21 MS. GENAO: Okay.

22 MR. VELAZQUEZ: I also, too, with the other
23 two property owners and then -- (indiscernible)
24 -- I'd rather see this, maybe there could be more
25 participation. People don't always can use the

1 Zoom, especially elderly people and all that. I
2 would rather see them, if they had the
3 opportunity to see this, the July meeting.

4 CHAIRPERSON CAPIZZI: Okay.

5 MR. PEREIRAS: Alex, you know that we have
6 no variances here.

7 MR. VELAZQUEZ: I understand.

8 MR. PEREIRAS: Okay.

9 MR. VELAZQUEZ: But that -- it's not like
10 everyday we get people --

11 CHAIRPERSON CAPIZZI: Right.

12 MR. VELAZQUEZ: -- fighting it, especially
13 with no variances. And I think more people could
14 participate. Obviously, you could see that you
15 have a -- his mother has property here and
16 doesn't even understand what's being built there.

17 MR. IMPOCO: I -- I just want to say, if I
18 may say something?

19 It's not necessarily to be pro or against
20 the project. But exactly as Alex Velazquez is
21 saying, it's just for -- you know, my mother or
22 the neighbors at 2714, who are elderly people who
23 have lived there for -- I mean my mother's lived
24 there, it's their first home, from the 1970s,
25 just to understand what's going on and to be a

1 part of the decision making process. I realize
2 the communication protocols were followed. I
3 acknowledge all that. But the -- they don't have
4 the same access to information and advantages
5 that we all do.

6 MS. PEREIRAS: And I'd like to remind the
7 Board, we had previously noticed for the meeting
8 back in March. And then, obviously, the pandemic
9 hit and that meeting was cancelled. But this was
10 noticed months ago. Our office always makes
11 ourselves available to neighbors, if they have
12 any questions or any concerns. We are a Union
13 City firm. We cater to this municipality and we
14 cater to all neighbors.

15 This is, again, and I cannot reiterate this
16 enough, this -- we are seeking only site plan
17 approval. We have made every effort to make sure
18 that this project conforms with all the setbacks,
19 with all the requirements of the City and of the
20 Ordinance. And we are not seeking any variance
21 whatsoever; simply site plan approval, as many of
22 our three families have been approved in the
23 past. We're simply asking for the same exact
24 project to be built here on this empty lot.

25 MR. PEREIRAS: And I just want the Board to

1 understand one thing. And first and foremost, if
2 you want to adjourn it, I understand. That's
3 your prerogative and we're -- you'll have no
4 argument on my end.

5 However, I want you to understand that this
6 was going before the Board in March; April, May,
7 June, that's three months already and another
8 fourth month. The applicant, that costs him
9 money, a lot of money. We're talking four more
10 months of delayed, stopped project. And we're
11 asking to extend it another time for a situation
12 in which nothing is going to change. We have an
13 as-of-right project. It conforms in every way
14 whatsoever. And I understand neighbors might
15 have questions. We're here to answer their
16 questions now. We'll be here to answer their
17 questions tomorrow, next week, next month. We
18 can sit down with them and go over the drawings
19 in any way. But our application's not going to
20 change in any way because it's fully conforming.
21 And this Board's isn't going to change in any
22 way. So, we should --

23 MR. VELAZQUEZ: (Indiscernible).

24 MR. PEREIRAS: We could sit with anybody,
25 we could talk with them, but nothing's going to

1 change as far as an application.

2 MR. VELAZQUEZ: And with all due respect,
3 though, we know what happened during March until
4 now, things change. I don't think they were
5 worried about 2712 being built, especially with
6 the COVID happening, to even ask questions and
7 all that, when they're trying to protect
8 themselves.

9 MR. IMPOCO: I -- I totally agree and thank
10 you for making that. That was what I was going
11 to say, is that -- you know, look at the
12 situation of my -- my mom or the neighbors.
13 They're well in their 80s.

14 Okay?

15 And they had other concerns at the time
16 going on during the outbreak of COVID, that there
17 was a lot of uncertainty. So, we are who we are.
18 Look, we -- we want to find a way to work
19 forward, to make everybody happy. But all we're
20 asking for is just some time so that we
21 understand -- not we, my mother and my parents,
22 the owners, understand what's going on properly
23 and can be happy with the decision. They've been
24 there their entire life. I also lived in the
25 house, too.

1 MR. VELAZQUEZ: But the fact --
2 (indiscernible) -- and all that, especially after
3 our first meeting since March. And I do
4 apologize to -- to the applicant for -- you know,
5 but we didn't expect this to happen.

6 CHAIRPERSON CAPIZZI: Right.

7 MS. GENAO: I agree with you, Alex.

8 CHAIRPERSON CAPIZZI: Yeah. I -- I agree
9 with Alex. It's not a matter that the
10 application isn't good, I think I feel that since
11 the neighbors have come forth, and they are long
12 time Union City residents, and there was an
13 unfortunate occurrence that happened the last
14 three months, where we were all in a lockdown,
15 including them, I think that we owe it to them to
16 adjourn the application, even though it may not
17 change, and let them, hopefully, come to the next
18 meeting and review the plans, ask questions, feel
19 more at ease.

20 And maybe between now and then, they will
21 reach out to you and have some questions and it
22 will be clarified. But I'd feel more comfortable
23 adjourning the application.

24 MR. CHEWCASKIE: If I may, Ms. Capizzi --

25 CHAIRPERSON CAPIZZI: Yes.

1 MR. CHEWCASKIE: -- before we proceed?

2 I understand what the Board wants to do.
3 From what I heard from Mr. Pereiras, I don't
4 believe his plan will change. I think the public
5 hearing should be continued until the July
6 meeting. And that is for the specific purpose of
7 additional public comment. And then, the Board
8 can take appropriate action.

9 CHAIRPERSON CAPIZZI: Yes.

10 MR. CHEWCASKI: Since we are up-to-date on
11 Resolutions, I may provide the Board with a form
12 Resolution to consider at that meeting. That
13 allows the adjoining property owners to address
14 their concerns. We can certainly modify that
15 Resolution if necessary. But it will also
16 address some of the concerns raised by the
17 applicant's professionals.

18 CHAIRPERSON CAPIZZI: Good.

19 MR. CHEWCASKIE: So, if that's -- if that's
20 the case, I think the public hearing should be
21 continued to July 28th, if I have the date
22 correct, Carlos. And then, there should be a
23 motion to continue without further notice.

24 THE SECRETARY: Allow me one second to
25 check exactly date on month of July.

1 Yes, July 28, six p.m. will be at the high
2 school.

3 MR. CHEWCASKIE: Right.

4 So, the motion would be to adjourn the
5 public hearing to Tuesday, July 28th, at Union
6 City High School. No further notice will be
7 required, and that's at six p.m.

8 CHAIRPERSON CAPIZZI: I'll make that
9 motion.

10 THE SECRETARY: Motion to adjourn --

11 MS. GENAO: Second.

12 THE SECRETARY: -- this application by Ms.
13 Capizzi.

14 Seconded by?

15 MS. GENAO: Ydalia.

16 THE SECRETARY: Ydalia. Seconded by Ms.
17 Genao.

18 Roll call on the motion to adjourn this
19 application, the public section of the meeting
20 for July 28, 2020 at the Union City High School.
21 It's on Kennedy Boulevard between 24 and 26th
22 Street.

23 Roll call on the motion.

24 Ms. Capizzi?

25 CHAIRPERSON CAPIZZI: Yes.

1 THE SECRETARY: Ms. Koehler?

2 VICE CHAIRPERSON KOEHLER: Yes.

3 THE SECRETARY: Ms. Genao?

4 MS. GENAO: Yes.

5 THE SECRETARY: That's Rudy

6 Mr. Rivero?

7 MR. RIVERO: Yes.

8 THE SECRETARY: Mr. Velazquez?

9 MR. VELAZQUEZ: Yes.

10 THE SECRETARY: Mr. Guareno?

11 MR. GUARENO: Yes.

12 THE SECRETARY: Six in favor.

13 Motion carries.

14 The next continuation will be portion --
15 public hearing of this application will be July
16 28, 2020.

17 No new notice required.

18 And thank you, Ms. Pereiras.

19 MS. PEREIRAS: Thank you all.

20 I'll see you next month.

21 MR. CALDERARO: Excuse me?

22 Can I make a comment?

23 I'd like to make a comment into the --

24 MS. DILLON: I'm sorry.

25 MR. CALDERARO: -- (indiscernible) -- heard

1 about --

2 MS. DILLON: Who -- who are you, for the
3 record?

4 MR. CALDERARO: -- nothing is going to
5 change.

6 MS. DILLON: Sir? Sir?

7 MR. CALDERARO: Well the --

8 MR. CHEWCASKIE: If -- if I --

9 THE SECRETARY: Sir, one second.

10 Sir, you have to give your name, your home
11 address and you have to swear in.

12 Go ahead, Debbie.

13 MS. DILLON: Please raise your right hand.

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

16 MR. CALDERARO: Yes.

17 MS. DILLON: Okay.

18 Can you please state your name and spell it
19 for the record, and give your address? Slowly.

20 MR. CALDERARO: John -- John Calderaro.
21 John Calderaro.

22 MS. DILLON: Spell your last name.

23 MR. CALDERARO: C-A-L-D-E-R-A-R-O.

24 MS. DILLON: And your address?

25 MR. CALDERARO: 2710 New York Avenue.

1 MS. DILLON: Thank you.

2 MR. CHEWCASKIE: Okay.

3 MR. CALDERARO: I heard something about if
4 you adjourn it, everything is just going to be
5 rehashed at the next meeting. What I'd like to
6 just mention is that if they're looking for a low
7 density residential zoning, I don't -- I don't
8 believe -- I believe our zoning now is
9 commercial.

10 Does this building change the zoning for
11 the area?

12 Is there a demand for building?

13 Are these -- are these units sold already?

14 It seems like Union City has a lot of
15 unoccupied buildings. Right on 30th Street, for
16 example. So, if it's possible, Mr. Pereiras or
17 the attorney, Bianca Pereiras, to provide or if
18 they don't have to, I don't know what the
19 procedure is, evidence that -- you know, these
20 buildings -- this building is necessary, will be
21 occupied, it won't be abandoned. And we need to
22 know about the zoning in this area, because we
23 have the bus garage across the street. And this
24 was never a residential area, from what I
25 understand.

1 MS. PEREIRAS: Mr. Calderaro, this is in
2 the R zone, which is the residential zone. But
3 on that letter that I sent you, you have my
4 contact information. Please give me a call.
5 We'll be happy to go through the application more
6 in depth with you, so that you're comfortable
7 with it.

8 Okay?

9 MR. CALDERARO: Okay.

10 I didn't know. I wanted to mention that
11 because if that building gets built and it's not
12 occupied, it's just going to be another abandoned
13 building in Union City. And if it changes the
14 residential zoning, I don't know. I'm just
15 repeating myself now. But I wanted to make -- I
16 wanted to comment on -- reply to Mr. Pereiras'
17 comment that nothing is going to change. Just
18 going to rehash this argument in July, so I
19 wanted to throw that in there in case that is
20 some concern that the building won't be occupied
21 and the zoning is going to change and that's it.
22 I don't know if I make any sense.

23 MR. VELAZQUEZ: I -- I just want -- I just
24 want to add in there, more than likely, I think
25 about a hundred percent that it would be

1 occupied. The one that you're talking about on
2 28th Street, and some of these unoccupied
3 buildings, is not because -- it's not because we
4 want them to be occupied (sic) -- unoccupied,
5 being the landlords and owners are up to date on
6 their taxes and everything and choose to keep it
7 unoccupied because of rent control laws and that.
8 I've been trying everything in my power, and so
9 has the City to have 28th Street, in the 300
10 block, have the owner build the units there. And
11 it's just -- we can't force his hand like that.

12 MR. CALDERARO: Yeah. That's been empty
13 for 45 years now. No, I'm -- I'm referring to
14 the buildings on 30th Street, between Bergenline
15 and Central.

16 MR. VELAZQUEZ: I know what you're talking
17 about.

18 MR. CALDERARO: Yeah.

19 MR. PEREIRAS: No one -- this building is
20 going to be a very big investment for the -- the
21 person who is building it. No one's going to do
22 that to throw their money down the drain. They
23 want it occupied. They want it to be fruitful.
24 That's everyone's goal and intention.

25 So, you know, no one's going to build a

1 building to let it be vacant. When that happens,
2 it's that something went seriously wrong. And it
3 does happen and there are buildings in Union City
4 like that. But in general, that's never the
5 goal.

6 So, and -- and this is an R zone. And
7 we're not changing the zoning of this building.
8 We're not changing any zone. We -- this is the R
9 zone and we're conforming to the requirements of
10 that zone.

11 So, we're before this Board not because we
12 want to change anything, but simply for something
13 called a site plan approval, basically letting
14 them know what we're doing.

15 MR. CALDERARO: I see. I see.

16 That building will change the whole
17 dynamics of this block.

18 MR. PEREIRAS: I think so and for the
19 better.

20 Right now, it looks like it's missing a
21 tooth. You have a beautiful façade, series of
22 facades, and now you have this big opening in
23 between the two -- in between the buildings.
24 This is going to fill that in, so that we don't
25 have a missing tooth. I -- I really believe it's

1 going to be the best thing for this block.

2 MR. CALDERARO: Well, I didn't mean it like
3 that. I meant it in the sense that depending on
4 what they do with the bus garage across the
5 street, it's going to change the whole financial
6 situation of the neighborhood.

7 MR. PEREIRAS: Sure.

8 MR. CALDERARO: And then, when my mother
9 goes outside, she's got to make sure no car comes
10 out of the driveway and runs her over.

11 MR. PEREIRAS: There'll be -- there'll be a
12 driveway there, yes.

13 MR. CALDERARO: Yeah. I don't know.

14 No -- no further comments.

15 MR. PEREIRAS: There's a driveway there
16 now. (Indiscernible) -- now with a lot of cars
17 coming in and out.

18 MR. CALDERARO: On Sunday only, and church
19 has been closed for three months, so it has been
20 unused.

21 THE SECRETARY: You are welcome to review
22 the application, the City Clerk's Office. We
23 open at nine to three p.m. And give us now a
24 call and let -- we can set it up a time, like
25 that you can review the application --

1 CHAIRPERSON CAPIZZI: Right.

2 THE SECRETARY: -- or any reports.

3 Right.

4 Call 201-348-5731, that the City Clerk's
5 Office.

6 Right.

7 Now, we are going to continue with the
8 meeting.

9 MR. CALDERARO: Thank you for your time.

10 CHAIRPERSON CAPIZZI: Thank you.

11 MR. PEREIRAS: Thank you, everyone.

12 * * *

13

14

15

16

17

18

19

20

21

22

23

24

25

1 **CORRECTIVE RESOLUTIONS:**

2

3 (1) 14th Street Associates, LLC, 413-417 14th
4 Street, Block 64, Lots 22, 23, 24. Applicants
5 propose to construct a new three family dwelling
6 on each of the above noted vacant lots.
7 Resolution was memorialized on November 27, 2018.

8

9 THE SECRETARY: We have -- we have one
10 Corrective Resolution in tonight's agenda.

11 MR. CHEWCASKIE: Carlos, can you hear me,
12 because my screen went blank?

13 THE SECRETARY: Yes. I can hear you.

14 CHAIRPERSON CAPIZZI: Yes.

15 MR. IMPOCO: Are -- are we able to -- to
16 disconnect from now?

17 MR. VELAZQUEZ: Yes.

18 CHAIRPERSON CAPIZZI: Yes.

19 MR. IMPOCO: Okay.

20 CHAIRPERSON CAPIZZI: Thank you.

21 MR. IMPOCO: All right.

22 Thank you very much, everybody.

23 CHAIRPERSON CAPIZZI: Thank you.

24 MR. IMPOCO: Please be safe.

25 Bye-bye.

1 MS. GENAO: Thank you.

2 MR. VELAZQUEZ: Bye.

3 Be safe.

4 MR. IMPOCO: Night.

5 MR. CHEWCASKIE: Last -- the last business
6 you have is I was contacted by Ms. Pereiras.
7 There was an error in a Resolution that was
8 adopted regarding 413 to 417 14th Street.

9 The original Resolution was adopted by the
10 Board on November 27, 2018. There was a hearing
11 on September 25th, 2018. This was an application
12 that incorporated three separate lots, for three
13 three family homes. The side yard setback was
14 incorrect for each of the lots, so we did a
15 Corrective Resolution and we're requesting the
16 Board to adopt that Resolution this evening so
17 construction can continue on these properties.

18 CHAIRPERSON CAPIZZI: So, I'll make a
19 motion to approve the adoption of the Resolution.

20 THE SECRETARY: The Corrective Resolution,
21 motion to approve by Ms. Capizzi.

22 MR. VELAZQUEZ: I second.

23 THE SECRETARY: Seconded by Mr. Velazquez?

24 MR. VELAZQUEZ: That's me.

25 THE SECRETARY: Roll call on the motion to

1 approve this Corrective Resolution.

2 Ms. Capizzi?

3 CHAIRPERSON CAPIZZI: Yes.

4 THE SECRETARY: Ms. Koehler?

5 VICE CHAIRPERSON KOEHLER: Yes.

6 THE SECRETARY: Ms. Genao?

7 MS. GENAO: Yes.

8 THE SECRETARY: Mr. Rivero?

9 MR. RIVERO: Yes.

10 THE SECRETARY: Mr. Velazquez?

11 MR. VELAZQUEZ: Yes.

12 THE SECRETARY: Mr. Guareno?

13 MR. GUARENO: Yes.

14 THE SECRETARY: Six in favor.

15 Motion carries.

16 * * *

17

18

19

20

21

22

23

24

25

1 **ADJOURNMENT :**

2

3 THE SECRETARY: All right.

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

7 CHAIRPERSON CAPIZZI: Motion.

8 MS. GENAO: Motion.

9 MR. VELAZQUEZ: Motion.

10 THE SECRETARY: Motion by Ms. Capizzi.
11 Seconded by?

12 By Mr. Guareno?

13 MR. VELAZQUEZ: Alex.

14 THE SECRETARY: Alex?

15 Okay.

16 All in favor to adjourn this meeting?

17

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

19

20 THE SECRETARY: Ayes. The ayes have it.
21 Let the record show that the meeting has
22 ended.

23 Thank you.

24 Good night, everyone.

25

1 (Whereupon, there was a chorus of good
2 night.)

3

4 THE SECRETARY: The next meeting will be
5 Thursday (sic), November (sic) -- July 28, high
6 school.

7

8 (Whereupon, the proceedings were concluded
9 at 7:15 p.m.)

10

11

12

13 u

14

15

16

17

18

19

20

21

22

23

24

25

1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

4

5 I, DEBRA A. KASZNIAK, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY PLANNING BOARD heard on
9 Tuesday, June 23, 2020 and digitally recorded.

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25 Monitored by and proofread by: Deborah Dillon