

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

REGULAR MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
:
_____ :

Union City High School
2500 John F. Kennedy Boulevard
Union City, New Jersey

Thursday, July 9, 2020
Commencing at 6:04 p.m.

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

MARGARITA GUTIERREZ
MIGUEL ORTIZ
ROSIO PENA, Alternate No. 1
GERALDINE PEREZ, Alternate No. 2
RAYMOND CETINICH, Alternate No. 3
VICTOR M. GRULLON, Vice Chairman

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

LIBERO MAROTTA
JOHN MEDINA
DAVID W. PRESSEY
MINDRY WATLEY, Alternate No. 4

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

CARLOS VALLEJO, Secretary to the Board

TOMAS R. PANEQUE, ESQ., Board Attorney

DAVID SPATZ, Consultant
Community Housing and Planning Associates

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

J. ALVARO ALONSO, ESQ.
Attorney for Applicant, 203 Union, LLC

EMILY J. WEINER, ESQ.,
Attorney for Applicant, 720 8th Street
Union City Renewal Associates, LP

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I N D E X203 Union, LLC - 203 34th StreetWITNESSPAGE

Orestes Valella

20

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

3 Please take notice that on Thursday, July
4 9, 2020, six p.m. a Regular Meeting is scheduled
5 for the Union City Zoning Board of Adjustment to
6 be held in the Union City High School located at
7 2500 John F. Kennedy Boulevard, Union City, New
8 Jersey

9 Adequate notice of this meeting has been
10 provided as follow:

11 Notice of this meeting, setting forth the
12 time, location, the agenda, to the extent known,
13 was forwarded to The Jersey Journal, The Record,
14 and The Hudson Reporter, has been posted on the
15 bulletin board in the City Hall, and has been
16 made available to the public in the office of the
17 Municipal Clerk, also has been posted in the high
18 school front door.

19 Before we call for tonight's meeting, can
20 everybody rise to salute the flag, please?

21

22 (Whereupon, the Pledge of Allegiance was
23 said by all.)

24

25 THE SECRETARY: Thank you.

1

2 **ROLL CALL:**

3

4 THE SECRETARY: Roll call for tonight's
5 meeting.

6

Mr. Grullon?

7

VICE CHAIRMAN GRULLON: Here.

8

Present.

9

THE SECRETARY: Mr. Marotta is absent.

10

Ms. Gutierrez?

11

MS. GUTIERREZ: Here.

12

THE SECRETARY: Mr. Ortiz?

13

MR. ORTIZ: Here.

14

THE SECRETARY: Mr. Pressey is absent.

15

Mr. Medina is absent.

16

Ms. Pena?

17

MS. PENA: Here.

18

THE SECRETARY: Ms. Perez?

19

MS. PEREZ: Here.

20

THE SECRETARY: Mr. Cetinich?

21

MR. CETINICH: Here.

22

THE SECRETARY: Ms. Watley is absent.

23

Let the record indicate there are six

24

present.

25

We have a full quorum for tonight's agenda.

1
2 **COMMUNICATION:**

3
4 THE SECRETARY: We go first to
5 communication, Mr. Attorney.

6 MR. PANEQUE: Thank you, Mr. Vallejo.

7 Ladies and gentlemen of the Board, as well
8 as the public, you may already have heard that
9 Mr. Bonacci has submitted his resignation, due to
10 the fact that he has relocated outside the City
11 of Union City.

12 He wrote this letter, and I'm going to read
13 it on the record, and it's meant for the Board,
14 as well as the public.

15 It's dated June of 2020.

16 "Dearest members of the Union City Zoning
17 Board,

18 "It has been an honor and privilege to
19 serve on the Zoning Board of Adjustment with all
20 of you. I consider you to be not only
21 colleagues, but friends. I took a great deal of
22 pride in serving as your Chairman. Throughout
23 each and every meeting, I tried to show patience
24 and diligence with each and every application. I
25 did my very best to lead our meeting with genuine

1 kindness and respect".

2 It's hard to read with a mask on.

3 I'm sorry.

4 I'm breathing my own oxygen.

5 "Overall, my goal was to make decisions
6 that were in the best interest for the people of
7 Union City, while following the guidelines of the
8 Zoning Ordinance and Master Plan.

9 "Unfortunately, I must take this
10 opportunity to resign from my duties as the
11 Chairman of the Union City Zoning Board of
12 Adjustment. It is with a heavy heart that I
13 write this letter of resignation. My wife and I
14 have become fortunate enough to purchase a home
15 for ourselves beyond the city limits. I am as
16 grateful for this as I am to have had the
17 opportunity to serve as your Chairman.

18 "They say that home is where the heart is.
19 If this is true, Union City will always be my
20 home. I would like to thank Mr. David Spatz, Mr.
21 Tomas Paneque, Mr. Carlos Vallejo, members of our
22 Board, as well as our Mayor Brian P. Stack and
23 Commissioners' for allowing me the chance to
24 serve our great city. I would also like to thank
25 all of the Attorneys, Planners, Architects and

1 Applicants who I have been blessed to have
2 encountered over the years. Last, but certainly
3 least, I would like to thank the members of our
4 Public, like Mr. Price, who have been brave and
5 kind enough to share their comments and concerns
6 with our Board. I always tried my best to treat
7 them with kindness and respect that they deserve.

8 "Love and respect,

9 "Mr. Joseph Bonacci".

10

11 MS GUTIERREZ: Wow.

12 MR. VALELLA: Very nice.

13 THE SECRETARY: Thank you, Mr. Paneque.

14 (Applause.)

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1 **ADOPTION OF MINUTES:**

2

3 (1) Special Meeting held on May 21, 2020 and
4 Regular Meeting held on June 11, 2020

5

6 THE SECRETARY: All right.

7 We are going to move to the agenda, now.

8 Approval of previous meeting minutes from
9 the Special Meeting on May 21st and June --
10 Regular Meeting June 11, 2020.

11 VICE CHAIRMAN GRULLON: Motion.

12 THE SECRETARY: May I have a motion?

13 Motion by Mr. Grullon.

14 Any second?

15 Second the motion?

16 MR. ORTIZ: Second.

17 THE SECRETARY: Seconded by Mr. Ortiz.

18 Two seconds.

19 Roll call on the motion.

20 Mr. Grullon?

21 VICE CHAIRMAN GRULLON: Yes.

22 THE SECRETARY: Ms. Gutierrez?

23 MS. GUTIERREZ: Abstain.

24 THE SECRETARY: Mr. Ortiz?

25 MR. ORTIZ: Yes.

1 THE SECRETARY: Ms. Pena?

2 MS. PENA: Yes.

3 THE SECRETARY: Ms. Perez?

4 MS. PEREZ: Yes.

5 THE SECRETARY: Mr. Cetinich?

6 MR. CETINICH: Abstain.

7 THE SECRETARY: Four in favor, two
8 abstained.

9 Motion carries.

10 * * *

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1 **720 8th Street Union City Renewal Associates, LP -**

2 **720 8th Street:**

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

6 We are going first to 720 8th Street Union
7 City Renewal Association (sic) LP.

8 Ms. Weiner, please?

9 MS. WEINER: Thank you.

10 MS. DILLON: Just right here.

11 MS. WEINER: Good evening.

12 If you can't hear me, let me know, I'll try
13 to yell a little bit louder.

14 I'm Emily Weiner from Weiner Law Group on
15 behalf of the applicant, 720 8th Street Union City
16 Urban Renewal Associates, LP.

17 As you may or may not remember, they were
18 granted preliminary and final site plan approval
19 along with some other variances for the property
20 at 720 8th Street in September of 2018.

21 Since that time, they've been diligently
22 pursuing the financing. This project is unique
23 in that it is 100 percent affordable housing.

24 It's all age restricted senior housing with
25 resident parking, public parking, as well as a

1 small retail component for the post office that
2 is currently on the site there, knocking down
3 that small building, putting up a big building
4 and giving the post office some space on the
5 first floor.

6 Due to some delays in the financing back in
7 2018, they got a little bit of a later start than
8 they anticipated or hoped for, and then, of
9 course, the last few months, everything kind of
10 came to a screeching halt. That said, they are
11 still diligently pursuing all of their
12 construction drawings, and getting everything in
13 place so that as soon as their financing is all
14 set, which they anticipate to be hopefully in the
15 next two to three months, they're ready to submit
16 for building permit approvals and they can get
17 started.

18 They are eager to do this project. They
19 are eager to get it under way. It's just been
20 kind of one thing after another with the
21 financing. And while they think they may be in
22 time for the September 13th expiration, they
23 wanted to come in here and get a one year
24 extension, under Municipal Land Use Law Section
25 52a, for one year, just to be safe.

1 Unfortunately, I couldn't have a
2 representative of the applicant with me tonight
3 due to their various schedules and personal
4 desire to not be in public. But if you have any
5 questions, I will do my best to answer them.
6 Otherwise, we simply request a one year
7 extension.

8 VICE CHAIRMAN GRULLON: Thank you for the
9 explanation and I know this is a great project
10 that will benefit the community. And we are
11 looking forward to see this -- you know,
12 construction move forward and -- and it will be
13 constructed to help the residents and the needy
14 people of Union City.

15 If any other member of the Board have any
16 comments?

17 I just want to make a motion to grant the
18 one year extension.

19 THE SECRETARY: Did you open to the public?

20 MS. GUTIERREZ: Open to the public.

21 MR. PANEQUE: Open it to the public.

22 MR. SPATZ: Yeah.

23 VICE CHAIRMAN GRULLON: Oh, at this point,
24 I want to open it to the public.

25 Anybody -- any members of the public want

1 to step forward for this application?

2 No?

3 Closed to the public.

4 Again, it's a great project that will
5 benefit the community. And it's an honor for me
6 to grant the extension to see if we can finance
7 this project -- you know, complete it.

8 I make a motion to grant the extension for
9 one year.

10 MS. GUTIERREZ: And --

11 THE SECRETARY: Motion on the table to
12 grant the --

13 MS. GUTIERREZ: And I'm seconding.

14 THE SECRETARY: -- application by Mr.
15 Grullon.

16 Seconded by Ms. Gutierrez.

17 Roll call on the motion.

18 Mr. Grullon?

19 VICE CHAIRMAN GRULLON: Yes.

20 THE SECRETARY: Ms. Gutierrez?

21 MS. GUTIERREZ: Yes.

22 THE SECRETARY: 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: Mr. Cetinich?

4 MR. CETINICH: Yes.

5 THE SECRETARY: Six in favor.

6 Motion carries.

7 Thank you.

8 MS. WEINER: Great.

9 Thank you so much.

10 MS. GUTIERREZ: All right.

11 MR. PANEQUE: You're welcome.

12 Thank you.

13 MS. GUTIERREZ: Thank you.

14 MS. WEINER: Thank you for accommodating
15 us.

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

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1 **203 Union, LLC - 203 34th Street:**

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3 THE SECRETARY: All right.

4 We now going to -- we going to 203 Union,
5 LLC, 203 34th Street.

6 Mr. Alonso, please?

7 MR. ALONSO: Thank you, Mr. Vallejo.

8 Good evening, members of the Board.

9 For the record, Alvaro Alonso on behalf of
10 the applicant.

11 Where's Mr. Paneque?

12 I'm going to provide Mr. Paneque with a
13 copy of my notices and proof of publication.

14 MR. PANEQUE: Let the record reflect that
15 I've been provided by Mr. Alonso with the
16 following documentation:

17 I have an Affidavit signed by Mr. Alonso
18 indicating that notice of the hearing for tonight
19 with respect to the property at 203 34th Street
20 was given on June 27, 2020.

21 I have the copy of the notice that went out
22 indicating that there will be a hearing on
23 Thursday, July 9th, at this location of the Union
24 City High School.

25 I have a copy of the 200 foot list

1 promulgated by the Union City Tax Assessor with a
2 date of March 25th, 2020 with respect to all 200
3 feet property owners regarding the property at
4 203 34th Street.

5 I've also been provided with copies of the
6 certified mail receipts, with a postmark date of
7 June 27, 2020.

8 Mr. Alonso, proof --

9 MR. ALONSO: Yes.

10 MR. PANEQUE: -- of publication?

11 MR. ALONSO: For the -- for the record, the
12 proof of publication for the newspaper is about
13 four weeks behind.

14 MR. PANEQUE: Okay.

15 MR. ALONSO: Under the circumstances I can
16 make a representation that it was published at
17 least ten days prior to the hearing. And I'll
18 provide a copy as soon as I receive it from the
19 -- the newspaper.

20 MR. PANEQUE: Okay.

21 That will be placed as a condition for the
22 Resolution to be passed on at the next meeting.

23 If you could, once you have that proof of
24 publication, make sure you get it to Mr. Vallejo.

25 MR. ALONSO: Absolutely.

1 MR. PANEQUE: Thank you, sir.

2 THE SECRETARY: Thank you.

3 MR. ALONSO: And so, before we begin with
4 the -- with the hearing, on behalf of myself, the
5 attorneys on this side of the aisle, architects,
6 other witnesses and applicants, I also want to
7 thank Mr. Bonacci for his service.

8 He's always been professional and
9 courteous, as with all the Board members, to --
10 to all the applicants. So, sad to see him go.
11 But you know, we all move on.

12 So, I want to thank him to -- to the extent
13 that at least it's on the record.

14 With that said, we have an application. My
15 client owns a property which contains seven
16 residential units and one commercial unit. The
17 application is to convert the existing commercial
18 unit into two residential units, for a total of
19 nine.

20 I received today a memo from the Building
21 Department indicating that their records reflect
22 six residential units and one commercial. To the
23 extent that they may be right, we're not going to
24 dispute it at this point. One of the things that
25 we do with this application is the seventh unit,

1 | which is on the ground floor, contains two
2 | bedrooms.

3 | And part of this application is to convert
4 | it to a one bedroom, because it's just not too
5 | large. So, we're going to rework it anyway. So,
6 | as part of the application, you'll hear testimony
7 | with respect to that seventh apartment, as well
8 | as the commercial space which is hopefully to be
9 | subdivided into two residential units.

10 | With that said, I have Orestes Valella, the
11 | architect, who will be my witness this evening.

12 | MS. DILLON: Please raise your right hand.

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

15 | MR. VALELLA: I do.

16 | MS. DILLON: Please state your name for the
17 | record.

18 | MR. VALELLA: Sure.

19 | Orestes Valella, V-A-L-E-L-L-A, with
20 | professional offices at 5809 Madison Street in
21 | West New York, New Jersey.

22 | MR. ALONSO: Thank you.

23 | Mr. Chairman, Mr. Valella has been accepted
24 | as an --

25 | VICE CHAIRMAN GRULLON: Yes.

1 MR. ALONSO: -- architect.

2 VICE CHAIRMAN GRULLON: It's our pleasure
3 to have you back, Mr. Valella. We accept your
4 qualifications.

5 MR. VALELLA: Thank you.

6 MR. ALONSO: Thank you very much.

7 Mr. Valella, I've made an overview, in
8 terms of what we're proposing to do with this
9 project. There is no issue with respect to the
10 six units on the second and third floor. The
11 Building Department, for some reason, does not
12 recognize the seventh unit on the ground floor,
13 which we're looking to revise -- amend anyway.

14 MR. VALELLA: Yes.

15 MR. ALONSO: So, I'm going to ask you to go
16 through the proposal with the Board.

17 MR. VALELLA: Sure. Be happy to.

18 So, as you know, this is a property on the
19 corner of Hudson and 34th Street. It is Block 200
20 and it is Lot 35. The building is a three story
21 existing structure. It has an empty --
22 Valparaiso was the name of the last tenant,
23 restaurant. And then, above that are the
24 residential units.

25 And there is an existing residential unit

1 on the ground floor, which we call apartment
2 number 7, but as Mr. Alonso has indicated, that
3 would be before you as well for legalization.

4 Upstairs are existing dwelling units and
5 we're not proposing any work to be done in that.

6 We're not proposing to modify whatsoever
7 the building in terms of bulk -- bulk dimensions,
8 meaning the front yard, the side yards, the rear
9 yards, the height, the number of stories. All of
10 that remains in place. What does -- what our
11 client would like to do is to eliminate the
12 retail on the ground level and then bring that to
13 residential.

14 Now, I don't want to get into a
15 socioeconomic discussion, but I've seen -- that
16 pattern is very recurring with a lot of my
17 clients. I just went through a legalization in
18 Passaic, where there was retail on the ground
19 floor, which was just not commercially viable any
20 longer. The socioeconomic movement away from
21 brick and mortar to online, as I understand it,
22 my client was saying, just I can't rent these
23 spaces out any longer. You know, people are
24 shopping online. So, we brought that to
25 residential. And the response from the city was

1 -- you know, we're sad that a retail component is
2 going, but the alternative is to have a vacant
3 space. Let's put residential in and keep the
4 property in good condition and safe. These empty
5 stores start attracting -- you know, vagrants and
6 a lot of bad things happen.

7 So, in that case, they opted to -- to
8 accept our proposal and bring that to
9 residential. And I -- I've had that now more and
10 more. West New York I had it, and it's before
11 you as well.

12 So, what we have here is an existing
13 commercial space. And that is 1,196 square feet.
14 And that's where we would like to propose the two
15 dwelling units.

16 There is also an existing apartment number
17 7 on the ground floor, which is currently a two
18 bedroom apartment, and we thought that that was
19 too many bedrooms for too small a space. Your
20 Ordinance for a two bedroom is 750 square feet.
21 So, what we -- and this is 488. So, what we
22 recommended to our client and what we have before
23 you is to rebuild that apartment as a studio.
24 And you'll be seeing that on our proposed first
25 floor plan. So, we're -- would like to modify

1 that from a two bedroom to a studio.

2 Upstairs, we have the rest of the six
3 dwelling units. And those remain as they are.

4 Apartment number 1 is a 430 square foot one
5 bedroom.

6 Apartment number 2 is a 685 square foot two
7 bedroom.

8 Apartment number 3 is 511 square foot one
9 bedroom.

10 On the third floor, we have apartment
11 number 4. Apartment number 4 is a one bedroom,
12 494.

13 Apartment number 5 is a one bedroom, 461.

14 And apartment number 6 is a one bedroom,
15 547.

16 So, for reference, I've given you a zoning
17 table of the minimum requirements for different
18 -- for apartments. So, for a two bedroom, 750
19 square feet is the minimum. Our two bedroom is
20 756. And for the one bedrooms, I believe it's
21 500. We're just -- some of them are 500, some
22 are 494, 461. But for a studio, it's maximum --
23 minimum of 400 and we'd like to bring apartment
24 number 7 to a studio at 488.

25 The proposal for the two new apartments is,

1 we call them A and B, which are on the ground
2 floor. Apartment A is seven -- would be 756.
3 And that would have access from 34th Street and
4 that would 756, two bedroom, living room,
5 kitchen, et cetera.

6 And apartment 2 -- apartment B in the rear
7 would be a studio again, and that would be 432
8 square feet with a bedroom area in the rear,
9 bathroom and kitchen, living area towards the
10 front.

11 Apartment A is accessed directly from
12 ground level on the corner of 34th and Hudson.
13 And apartment B would be accessible from the side
14 yard of Hudson, where there is a side yard there
15 that would give access to this proposed dwelling
16 unit.

17 That's about it.

18 The -- the area's in the R residential low
19 density.

20 The required lot area would be 5,000; the
21 existing is 2,709.

22 Lot width would be 50; this was 49.25.

23 Lot depth would be a hundred; this is 55.

24 The front yard, ten feet prevailing, or --
25 ten feet or the prevailing setback, and the

1 existing condition is zero.

2 The side yards are six and six, and we have
3 one foot on one side and zero on the other.

4 And the rear yard would be 25 percent and
5 we have 5.8 feet.

6 Building coverage, max -- minimum is 60
7 percent.

8 I'm sorry.

9 Maximum is 60 percent; we're at 81 percent.

10 Maximum number of stories is three; we're
11 at three.

12 Maximum height is 49; we're close to 30.

13 Lot coverage is 75 percent; we're at 98.

14 And if we do the tabulation for parking,
15 the overall required would be 17 and the property
16 has no parking. I don't believe it ever has had.
17 And there is no opportunity for parking.

18 That's about it.

19 The -- this is an opportunity to reclaim a
20 use that may not be viable any longer and
21 introduce two dwelling units.

22 MR. ALONSO: In addition to the variances
23 that were just listed, and the zoning table,
24 those are all preexisting. They're not going to
25 change; with an approval or denial, doesn't

1 matter, they are what they are.

2 The two variances that we are requesting as
3 a result of this application is a D-2 variance
4 for the expansion of the use.

5 And again, we're going to -- the restaurant
6 is not a permitted use and the multi-family is
7 not a permitted use. So, it's an expansion. So,
8 we're swapping one out for the other.

9 In terms of the parking, we do need a
10 parking variance, because we are adding the two
11 units. But we're subtracting the restaurant,
12 which also has a -- a demand for parking. So,
13 again, we're just swapping out -- one out for the
14 other. So, in our opinion, in terms of the
15 intensity of the use, it stays the same as -- as
16 it is today.

17 With that said, those are really the only
18 two variances that are required. I believe
19 they're technical variances.

20 And I have no further questions of Mr.
21 Valella, and I would open up to the Board, at
22 this time.

23 VICE CHAIRMAN GRULLON: Thank you, Mr.
24 Alonso.

25 Mr. Valella?

1 Mr. Valella, on the -- the application that
2 we have in front of us, it's mainly to do the
3 construction on the ground floor, in the first
4 floor. And you're going to be removing a
5 commercial space and adding three units; one two
6 bedroom and two studio.

7 Is that correct?

8 MR. ALONSO: No.

9 MR. VALELLA: No. No. Want me to answer
10 that?

11 MR. ALONSO: You -- go ahead.

12 VICE CHAIRMAN GRULLON: Yeah.

13 MR. VALELLA: Okay.

14 No, no. There is an existing apartment in
15 the ground floor, that's a two bedroom. We are
16 then rebuilding that to a studio.

17 VICE CHAIRMAN GRULLON: Yes. But --

18 MR. VALELLA: So, it's an existing.

19 VICE CHAIRMAN GRULLON: -- technically,
20 that -- that's not -- according to the memo that
21 we got from the Building Department, there are
22 six units. That's not a legal unit at this
23 moment. Are we considering that to be as part of
24 the commercial? Maybe on -- on the tax, it was
25 part of the commercial?

1 MR. ALONSO: I -- I don't know. I just
2 found out about that today --

3 VICE CHAIRMAN GRULLON: Yes.

4 MR. ALONSO: -- with respect to the -- the
5 issue on the apartment. So, that's why I
6 indicated at my opening that we would, for
7 purposes of this evening, we would accept that we
8 needed that apartment to be legalized. So, to
9 the extent we do, the Board, hopefully, would
10 legalize it. And then, we could satisfy the
11 Building Department and correct their records.

12 So, the Board can consider the entire first
13 floor as a commercial space.

14 VICE CHAIRMAN GRULLON: Yes.

15 MR. ALONSO: But the reality is, is that
16 there is a restaurant in the commercial space and
17 there is an apartment, reducing the two bedrooms
18 to a studio and then the other two, so --

19 VICE CHAIRMAN GRULLON: Yeah, you've got to
20 understand that whether we going from six to nine
21 or from seven to nine. And legalizing one. But
22 I -- I think would be better if we -- if we take
23 this application and see it as a one unit, as
24 Building Department say, and we're trying to
25 legalize three units.

1 MR. ALONSO: Correct.

2 And again, I'm not waiving any rights that
3 I may have with the Building Department to try to
4 -- you know, argue with them that it's a legal
5 unit. But for purposes of this evening, should
6 the Board see favorably on this and approve this
7 application, I would like any Resolution to
8 indicate that we are legalizing the seventh unit,
9 so the Building Department can correct their
10 records. And as well as what other -- whatever
11 other actions the Board takes with respect to the
12 commercial space.

13 VICE CHAIRMAN GRULLON: Okay.

14 We're looking at legalize one unit on the
15 ground floor and convert the -- the commercial
16 space to two residential units.

17 MR. ALONSO: Correct.

18 MR. VALELLA: Yes.

19 VICE CHAIRMAN GRULLON: I see.

20 And again, the bedroom count for each of
21 the units? Is it one two bedroom and one studio
22 that you're proposing?

23 MR. VALELLA: We are proposing one two
24 bedroom and two studios.

25 VICE CHAIRMAN GRULLON: Two studios. Okay.

1 That's including the one that is --

2 MR. VALELLA: Yes.

3 VICE CHAIRMAN GRULLON: -- that we're
4 legalizing.

5 MR. VALELLA: That's -- we're modifying
6 one. Yes. We're taking a two bedroom and we're
7 proposing a studio.

8 VICE CHAIRMAN GRULLON: And this -- this
9 application is on the low residential zone.

10 MR. ALONSO: Yes, that's correct. The R
11 zone.

12 VICE CHAIRMAN GRULLON: Yes, the R zone.

13 MR. VALELLA: You know, one -- one thing
14 that you may consider in your analysis is we're
15 taking away a two bedroom and we're asking for a
16 two bedroom.

17 VICE CHAIRMAN GRULLON: Yes.

18 MR. VALELLA: And then, we are -- so, in --
19 you could see that maybe what we're doing here is
20 asking for two new studios to replace the
21 restaurant.

22 VICE CHAIRMAN GRULLON: Yes.

23 MR. VALELLA: In real life.

24 VICE CHAIRMAN GRULLON: Yeah, you have to
25 calculate the math -- you know, for the parking

1 variance, to see whether this is going to be a
2 detriment to the community or -- or less.

3 And Mr. Spatz, could you tell me on that?
4 How many parking spaces --

5 MR. SPATZ: Yes.

6 VICE CHAIRMAN GRULLON: -- is required?

7 MS. DILLON: Microphone, Mr. Spatz.

8 MR. SPATZ: Oh, I'm sorry.

9 MS. DILLON: Closer to you, please.

10 MR. SPATZ: Yeah.

11 The parking actually stays the same. The
12 commercial space would have required four unit --
13 four parking spaces. And the one bedroom -- the
14 studio and the two bedroom taking up that space
15 also require four parking. So, there's no
16 increase in the amount of parking.

17 VICE CHAIRMAN GRULLON: Yes.

18 And it could be less because the existing
19 unit they have, that they have it as a two
20 bedroom.

21 MR. SPATZ: Right.

22 The two bedroom, it goes from requiring two
23 parking spaces to requiring 1.8 parking spaces.
24 So, there's actually a slight deduction in that.

25 And just one more thing is that this

1 application was submitted prior to the adoption
2 of the new Zoning Ordinance. So, it was reviewed
3 against the standards for the old Ordinance. So,
4 that's why the variances are a little different
5 than what we require now. But they were as
6 described by Mr. Valella.

7 VICE CHAIRMAN GRULLON: Thank you, Mr.
8 Spatz.

9 Mr. Valella, are you proposing any
10 renovation outside of the building or just
11 inside?

12 MR. VALELLA: Well, it would need some
13 renovation, yes.

14 Right now, there's signage on the -- on the
15 façade and the storefront. So, there -- there
16 will need to be alterations to quiet down the
17 building and make it residential, yes.

18 VICE CHAIRMAN GRULLON: In compliance with
19 safety and --

20 MR. VALELLA: And in addition to that, if
21 you allow us to proceed to the Building
22 Department, normally this kind of application
23 would require a sprinkler system, fire ratings to
24 separate the apartments upstairs. So, a
25 substantial amount of improving of --

1 improvements of the life safety of the building.
2 Substantial.

3 VICE CHAIRMAN GRULLON: Thank you, Mr.
4 Valella.

5 I don't have any more questions.

6 Any member of the Board here? No one from
7 the Board.

8 Any members of the public want to step
9 forward for this application? I'm sorry.

10 Do you have any other witness, Mr. --

11 MR. ALONSO: I do not. That concludes my
12 presentation.

13 VICE CHAIRMAN GRULLON: Okay.

14 Any members of the public want to step
15 forward on this application?

16 No one from the public.

17 Taking in consideration that this is going
18 to remove -- it's a D-2 that it's going to remove
19 -- it's going to remain to be a D-2 request, that
20 it's removing a commercial space that is not
21 permitted in that area and replacing it with
22 something that is more inline with the area, I
23 will make a motion to grant the application.

24 THE SECRETARY: Motion on the table to
25 grant the application.

1 MS. GUTIERREZ: And I'm seconding.

2 THE SECRETARY: Second by Ms. Gutierrez.

3 Roll call on the motion to grant this
4 application.

5 Mr. Grullon?

6 VICE CHAIRMAN GRULLON: Yes.

7 THE SECRETARY: Ms. Gutierrez?

8 MS. GUTIERREZ: Yes.

9 THE SECRETARY: Mr. Ortiz?

10 MR. ORTIZ: Yes.

11 THE SECRETARY: Ms. Pena?

12 MS. PENA: Yes.

13 THE SECRETARY: Ms. Perez?

14 MS. PEREZ: Yes.

15 THE SECRETARY: Mr. Cetinich?

16 MR. CETINICH: Yes.

17 THE SECRETARY: Six in favor -- in favor.
18 Motion carries.

19 MR. VALELLA: Thank you.

20 MR. ALONSO: Thank you very much.

21 Have a good evening.

22 THE SECRETARY: Good evening.

23 VICE CHAIRMAN GRULLON: Thank you.

24 MS. GUTIERREZ: Thank you.

25 MR. VALELLA: By the way, just thank you

1 | for coming out to do the -- you know, the town's
2 | business.

3 | That's appreciated.

4 | MR. ALONSO: Absolutely.

5 | I second that.

6 | MS. GUTIERREZ: No problem.

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

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1 **ADOPTION OF RESOLUTIONS:**

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3 (1) Jorge Garcia, 614 10th Street, Block 46, Lot
4 31. Legalization of an existing basement
5 apartment to convert the existing building into a
6 seven-unit residential multi-family building.

7 Adjourned on 3/12/2020. **Approved**

8 (2) 813 10th Street, LLC, 813 10th Street, Block
9 43, Lots 16 & 71. Applicant is seeking for a one
10 year extension. The Resolution was memorialized
11 on October 11, 2018. **Approved**

12

13 THE SECRETARY: All right.

14 We're moving to Resolutions now. We have
15 two Resolutions on tonight's agenda.

16 Number 1.

17 Jorge Garcia, 614 10th Street.

18 Resolution number 2.

19 813 10th Street, LLC, 813 10th Street.

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

22 VICE CHAIRMAN GRULLON: Motion.

23 THE SECRETARY: Motion by Mr. Grullon.

24 Seconded by Mr. Ortiz.

25 Roll call on the motion.

1 Mr. Grullon?

2 VICE CHAIRMAN GRULLON: Yes.

3 THE SECRETARY: Ms. Gutierrez?

4 MS. GUTIERREZ: That was at June meeting or
5 no?

6 THE SECRETARY: Ms. Gutierrez?

7 MR. PANEQUE: She's asking if that was from
8 the June meeting?

9 THE SECRETARY: Okay.

10 MS. GUTIERREZ: That was the June meeting?
11 It was the June meeting?

12 Okay.

13 THE SECRETARY: All right.

14 (Indiscernible).

15 Mr. Ortiz?

16 MR. ORTIZ: Yes.

17 THE SECRETARY: Ms. Pena?

18 MS. PENA: Yes.

19 THE SECRETARY: Ms. Perez?

20 MS. PEREZ: Yes.

21 THE SECRETARY: Five in favor.

22 Motion carries.

23 * * *

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1 **ADJOURNMENT:**

2

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

6 Motion by Mr. -- Ms. Gutierrez.

7 MR. ORTIZ: Second.

8 THE SECRETARY: Seconded by Mr. Ortiz.
9 All in favor?

10

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

12

13 THE SECRETARY: The ayes have it.

14 Thank you.

15 Motion carries.

16 Let the record show that the meeting has
17 ended.

18 Thank you and good night, everyone.

19

20 (Whereupon, the proceedings were concluded
21 at 6:36 p.m.)

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 ZONING BOARD OF
9 ADJUSTMENT heard on Thursday, July 9, 2020 and
10 digitally recorded.

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25 Monitored and proofread by: Deborah Dillon