

CITY OF UNION CITY
HUDSON COUNTY, NEW JERSEY
PLANNING BOARD

REGULAR MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
_____ :

Union City High School
Media Center
2500 Kennedy Boulevard
Union City, New Jersey

Tuesday, January 26, 2021
Commencing at 6:00 p.m.

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

ALICIA MOREJON
FRANKLIN MEDINA
JOSE GUARENO, Alternate No. 2
JEANNE KOEHLER
ALEJANDRO VELAZQUEZ, Alternate No. 1,
Vice Chairperson
DIANE CAPIZZI, Chairperson

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

YDALIA GENAO, Mayor's Designee
CAROLINA FERNANDEZ
RUDY RIVERO
BRIAN P. STACK, Mayor
CELIN VALDIVIA, Commissioner

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

CARLOS VALLEJO, Secretary to the Board

BRIAN M. CHEWCASKIE, ESQ., Attorney for the Board

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

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

SANTO T. ALAMPI, ESQ.,
Attorney for Applicant, Ronmar Realty, LLC

J. ALVARO ALONSO, ESQ.,
Attorney for Applicant,
321 23rd Street Associates, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, Way to Win, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, 616 16th Street, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, 309 10th Street, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, 519 15th Street, LLC

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1 MS. DILLON: On the record.

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

4 Please take notice that on Tuesday, January
5 26, 2021, at six p.m., a Regular Meeting is
6 scheduled for the City of Union City Planning
7 Board to be held at the Union City High School
8 located at 2500 John F. Kennedy Boulevard, Union
9 City, New Jersey.

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

13 Adequate notice of this meeting has been
14 provided as follow:

15 Notice of this meeting, setting forth the
16 time, date, location, and the agenda, to the
17 extent known, was forwarded to The Jersey
18 Journal, The Record, The Hudson Reporter, and has
19 been posted on the bulletin board in City Hall,
20 has been made available to the public in the
21 Office of the Municipal Clerk.

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

25

1 (Whereupon, the Pledge of Allegiance was
2 said by all.)

3

4 THE SECRETARY: Thank you.

5

6 **ROLL CALL:**

7

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

10 Mayor Brian P. Stack?

11 Absent.

12 Ms. Capizzi?

13 MS. CAPIZZI: Here.

14 THE SECRETARY: Ms. Koehler?

15 MS. KOEHLER: Here.

16 THE SECRETARY: Ms. Genao?

17 Is absent.

18 Commissioner Celin Valdivia?

19 Is absent.

20 Carolina Fernandez?

21 Is absent.

22 Rudy Rivero?

23 Is absent.

24 Franklin Medina?

25 MR. MEDINA: Here.

1 THE SECRETARY: Alicia Morejon?

2 MS. MOREJON: Here.

3 THE SECRETARY: Alejandro Velazquez?

4 MR. VELAZQUEZ: Here.

5 THE SECRETARY: Jose Guareno?

6 MR. GUARENO: Here.

7 THE SECRETARY: Let the record indicate
8 there are six present.

9 We have a full quorum for tonight's
10 meeting.

11 * * *

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1 RE-ORGANIZATION TO ELECT CHAIRPERSON

2 AND VICE CHAIRPERSON:

3

4 THE SECRETARY: Item -- item number 1.

5 Re-Organization to elect Chairperson and
6 Vice -- Vice Chairperson.

7 Can I have a motion to nominate a
8 Chairperson?

9 MS. MOREJON: Motion.

10 THE SECRETARY: You -- Ms. Morejon, you
11 want to nominate as a Chairperson?

12 MS. MOREJON: Yes. I nominate Diane
13 Capizzi as the Chairperson.

14 THE SECRETARY: Ms. Capizzi as a
15 nomination.

16 MR. VELAZQUEZ: I second.

17 THE SECRETARY: Nominated by Ms. Capizzi
18 (sic). Ms. Capizzi as a Chairperson.

19 Any other nominations?

20 MS. MOREJON: (Indiscernible).

21 THE SECRETARY: I see no other nominations.

22 Motion to -- as a Chairperson to Ms.
23 Capizzi.

24 Any second?

25 MR. VELAZQUEZ: Second.

1 THE SECRETARY: Seconded by Mr. Velazquez.
2 Roll call on the motion.
3 Ms. Capizzi?
4 MS. CAPIZZI: Yes.
5 THE SECRETARY: Ms. Koehler?
6 MS. KOEHLER: Yes.
7 THE SECRETARY: Mr. Medina?
8 MR. MEDINA: Yes.
9 THE SECRETARY: Ms. Morejon?
10 MS. MOREJON: Yes.
11 THE SECRETARY: Mr. Velazquez?
12 MR. VELAZQUEZ: Yes.
13 THE SECRETARY: Mr. Guareno?
14 MR. GUARENO: Yes.
15 THE SECRETARY: Six in favor.
16 Motion carries.
17 Congratulation, Ms. Capizzi.
18 We're are going -- now we are going for
19 nomination for Vice Chairperson.
20 Can I have a nomination?
21 CHAIRPERSON CAPIZZI: I'll nominate -- I'd
22 like to nominate Mr. Velazquez.
23 THE SECRETARY: Motion to nominate Mr.
24 Velazquez by Ms. Capizzi.
25 Any other nominations?

1 Seeing none.

2 Is a motion on the table by Ms. Capizzi to
3 Mr. Velazquez be the Vice Chairperson.

4 Can I have a second?

5 MS. KOEHLER: I'll second.

6 THE SECRETARY: Second by Ms. Koehler.

7 Roll call on the motion.

8 Ms. Koehler?

9 MS. KOEHLER: Yes.

10 THE SECRETARY: Ms. Capizzi?

11 CHAIRPERSON CAPIZZI: Yes.

12 THE SECRETARY: Mr. Medina?

13 MR. MEDINA: Yes.

14 THE SECRETARY: Ms. Morejon?

15 MS. MOREJON: Yes.

16 THE SECRETARY: Mr. Velazquez?

17 MR. VELAZQUEZ: Yes.

18 THE SECRETARY: Mr. Guareno?

19 MR. GUARENO: Yes.

20 THE SECRETARY: Six in favor.

21 Motion carries.

22 Congratulations, Mr. Velazquez as Vice
23 Chairperson.

24 VICE CHAIRPERSON VELAZQUEZ: Thank you.

25 * * *

1 **ADOPTION OF MINUTES:**

2

3 (1) Special Meeting held on December 15, 2020

4

5 THE SECRETARY: Adoption of Minutes.

6 Special Meeting held on December 15, 2020.

7 VICE CHAIRPERSON VELAZQUEZ: I make a

8 motion.

9 THE SECRETARY: Motion by Mr. Velazquez.

10 Any second the motion?

11 CHAIRPERSON CAPIZZI: I'll second.

12 THE SECRETARY: Seconded by Ms. Koehler.

13 Roll call on the motion.

14 Ms. Capizzi?

15 CHAIRPERSON CAPIZZI: Yes.

16 THE SECRETARY: Ms. Koehler?

17 MS. KOEHLER: Yes.

18 THE SECRETARY: Mr. Velazquez?

19 VICE CHAIRPERSON VELAZQUEZ: Yes.

20 THE SECRETARY: Mr. Guareno?

21 MR. GUARENO: Yes.

22 THE SECRETARY: Four in favor.

23 Motion carries.

24 * * *

25

1 **Ronmar Realty, LLC -**

2 **121 34th Street & 116-120 Peter Street:**

3

4 THE SECRETARY: Hearing/Applications.

5 We have an application to be a site plan
6 amendment.

7 Ronmar Realty, LLC, 121 34th Street and
8 116-120 Peter Street.

9 Mr. Alampi, please?

10 MR. CHEWCASKIE: Good evening, Mr. Alampi.

11 Do you have your notices?

12 MR. ALAMPI: Good evening.

13 I do.

14 MR. CHEWCASKIE: Thank you.

15 While you give your opening, I'll -- I'll
16 look at them.

17 MR. ALAMPI: Thank you, Mr. Chewcaskie.

18 Is this the correct podium?

19 MS. DILLON: That's fine.

20 MR. ALAMPI: Thank you.

21 So, good evening, everybody.

22 My name is Santo Alampi. I represent the
23 applicant, Ronmar Realty, LLC.

24 This is a site plan amendment application
25 here in the city for real property located at 121

1 34th Street and 116-120 Peter Street in the CG
2 Gateway Commercial zone.

3 The application this evening is to amend
4 the previously approved site plan to include a
5 rooftop terrace of about 2,000 square feet, a
6 little over 2,000 square feet. The amendment is
7 permitted within the zone. We have received Mr.
8 Spatz's memorandum. And there are some variances
9 that were granted previously, and those variances
10 will continue.

11 We're approximately 60 days from completion
12 of the building. The façade work is probably
13 about 95 percent complete. The interior is
14 Sheetrocked and finishes are taking place at this
15 time.

16 I do have a representative of the
17 applicant, should we need to hear from him. But
18 again, it is an amendment. The plan was
19 submitted.

20 I have our architect here this evening, who
21 will walk us through the plan. And without
22 further ado, I would like to have him sworn and
23 walk you through the plan.

24 And Mr. Chewcaskie, for the record --

25 MS. DILLON: You can go where -- to any one

1 of the podiums.

2 MR. ALAMPI: Do you want to mark the
3 notices as Exhibit A-1?

4 MR. CHEWCASKIE: That would be fine. The
5 notice is -- is acceptable and in appropriate
6 form, so the Board does have jurisdiction to hear
7 this case.

8
9 (Whereupon, Notices were received and
10 marked as Exhibit A-1.)

11
12 MR. CHEWCASKIE: Mr. Alampi, maybe to
13 streamline the process, I did have an opportunity
14 to look at the application and Mr. Spatz's
15 report. My understanding is, is that the rooftop
16 deck or terrace that is being proposed, does not
17 create a variance, nor does it exacerbate any
18 variances that were granted by this Board as part
19 of the approval in 2015.

20 MR. ALAMPI: That is correct.

21 MR. CHEWCASKIE: All right.

22 Thank you.

23 Please continue. I believe we -- we need
24 your architect sworn.

25 MS. DILLON: Please raise your right hand.

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

3 MR. PEREIRA: I do.

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

6 MR. PEREIRA: Sure.

7 Christiano Pereira, for the firm of CPA
8 Architecture. I'll give you a card, if you want?

9 MS. DILLON: Please.

10 Thank you.

11 MR. PEREIRA: Sure.

12 MR. ALAMPI: Mr. Pereira, you've --

13 MR. PEREIRA: Um hum.

14 MR. ALAMPI: -- testified before this Board
15 and many boards here in the State of New Jersey.

16 MR. PEREIRA: Yes.

17 MR. ALAMPI: Is that correct?

18 MR. PEREIRA: Yes, I have.

19 MR. ALAMPI: And you actually presented
20 this application back in the end of 2015 and
21 2016.

22 Correct?

23 MR. PEREIRA: That's correct.

24 MR. ALAMPI: And up on the easel is the
25 changes that you have to the site plan that we're

1 seeking here this evening.

2 MR. PEREIRA: That's right.

3 MR. ALAMPI: Mr. Chewcaskie, I ask that we
4 accept Mr. Pereira as an expert in the field of
5 architect and proceed with his testimony.

6 MR. CHEWCASKIE: I have no objection to Mr.
7 Pereira being accepted as an expert. He's
8 testified before this Board several times.

9 CHAIRPERSON CAPIZZI: Good. Okay.

10 MR. PEREIRA: Thank you very much.

11 MR. ALAMPI: Mr. Chewcaskie, do you want to
12 mark his plan, even though it was submitted?

13 MR. CHEWCASKIE: Yeah. Why don't we have
14 the complete set of drawings marked as A-2, which
15 I have as -- I guess a date of 12/26/17, revised
16 through 10/6/20.

17 MR. PEREIRA: That's correct.

18

19 (Whereupon, Complete Set of Drawings, Dated
20 12/26/17, revised through 10/6/20 was received
21 and marked as Exhibit A-2.)

22

23 MR. ALAMPI: Mr. Pereira, while it's pretty
24 straightforward, if you could just walk the Board
25 through the -- the changes to the plan.

1 MR. PEREIRA: Sure. And thank you and good
2 evening to all.

3 As Mr. --

4 MS. DILLON: I'm just going to ask you to
5 position yourself so that you're in front of --

6 MR. PEREIRA: One of the -- okay.

7 MS. DILLON: -- behind that mic.

8 MR. PEREIRA: So, I'm just going to move
9 this back a little so I can --

10 MS. DILLON: Thank you.

11 MR. PEREIRA: -- flip pages.

12 So, as mentioned, the application is very
13 simple. You know, we have a building that's
14 almost done through construction. And as we --
15 as the Board is very aware -- you know, this
16 COVID world, there is a lot of demand for outdoor
17 recreation space and you know, the -- the
18 developer -- you know, taken a look at that and
19 the -- and the demands and requests from -- you
20 know, new tenants, we have decided to come back
21 to you and present this roof deck.

22 So, the changes to the building are very
23 minimal. We have a couple modifications to the
24 façade of the building, where the elevator shaft
25 needs to -- you know, bring -- you know, ADA

1 compliance to the upper -- to the roof. So, we
2 have the elevator shaft and one of the stair
3 shafts being extended. One of the other stair
4 shafts that we have there to provide a secondary
5 means of egress was already --

6 Thank you.

7 -- was already extended and -- and did
8 give access to the roof.

9 So you know, the -- the roof deck, as
10 mentioned by Mr. Santo, is about 2,000 square
11 feet. We are proposing a roof -- a roof deck
12 amenity, as mentioned. It's -- it's essentially
13 a wood roof deck, a synthetic wood roof deck with
14 some planters on the perimeter. And if you -- if
15 you go to my sheet A-102, you see a depiction of
16 what we have in mind

17 So, we have a small lounge area in the
18 front. As you get up to -- from the elevator,
19 you have a small lounge area. We have what we
20 call a wet bar, which is a fancy word for --
21 really, for a counter with a sink. You know, we
22 just want a place for people to have -- you know,
23 a sink to be able to wash their hands, if they
24 decide to bring some foods upstairs.

25 And we have a small area that we have a

1 synthetic turf, where we propose to put some
2 lounge chairs.

3 But you know, it's a very small -- you
4 know, it's about 2,000 square feet. And then, we
5 needed to extend the deck up to the rear stair,
6 just to be able to give -- you know, whoever is
7 up there the ability to access a secondary means
8 of egress.

9 So, you know, I mean, that's really the
10 extent of this application. The -- the effect
11 that we have on the elevation or on the façade
12 are very minimal. So the -- the building, where
13 we have the elevator shaft, the elevator shaft
14 already went up almost as much as we're bringing
15 this up now. We're essentially bringing the
16 stair shaft up as well and just -- you know,
17 squaring off that volume.

18 So, there's very little impact to the
19 façade. Virtually no impact to neighbors or --
20 or any of the buildings surrounding the property.
21 So --

22 MR. ALAMPI: While the elevator shaft and
23 the stairwell shaft have to increase in height,
24 there is no height variance triggered. It's all
25 within the permitted zoning schedule.

1 MR. PEREIRA: That's correct.

2 Because those are bulk heads. They're
3 allowed to be extended up. And one of them did
4 extend up already to the roof, so --

5 MR. ALAMPI: With respect to the material
6 on the surface, we're talking about a surface
7 deck that would go on top of the roof membrane.

8 Is that correct?

9 MR. PEREIRA: That's correct.

10 So, it would be a synthetic plank -- you
11 know, that we you see many -- in many decks now,
12 so that it doesn't wear; it takes a good wear and
13 tear, some planters and synthetic turf so --

14 MR. ALAMPI: And it will therefore
15 delineate the area and keep any of the residents
16 in that area.

17 MR. PEREIRA: That's correct.

18 MR. ALAMPI: And the roof deck is an
19 amenity --

20 MS. DILLON: To the microphone, please.

21 Thank you.

22 MR. ALAMPI: I'm a lot louder without this
23 muzzle.

24 MS. DILLON: I know.

25 MR. ALAMPI: So, the roof deck will confine

1 the residents to that area of the roof.

2 MR. PEREIRA: That's right. That's
3 correct.

4 MR. ALAMPI: And the amenity space is for
5 residents of the building.

6 Correct?

7 MR. PEREIRA: That is correct.

8 So I mean, unless you have any questions?

9 MR. ALAMPI: Mr. --

10 CHAIRPERSON CAPIZZI: Is it only for
11 residents in the building?

12 MR. PEREIRA: I'm sorry?

13 CHAIRPERSON CAPIZZI: Is it only for
14 residents in the building?

15 MR. PEREIRA: So, my -- not for the
16 building across the street. You don't need
17 access.

18 Yeah? No?

19 I mean, we can --

20 So, as -- as you probably know, our -- our
21 clients own the building that was completed about
22 two years ago across the street, on Peter Street,
23 you know? And those two buildings are right
24 across from each other.

25 They don't operate as one, but I think if

1 we could leave it open to the use of those
2 tenants, as well, just -- you know, so that they
3 have access to an outdoor amenity space. If the
4 Board doesn't have an objection, I think -- you
5 know, I think it would be helpful if we could do
6 that.

7 CHAIRPERSON CAPIZZI: What is the capacity?
8 What's the number of people that are allowed up
9 there?

10 MR. PEREIRA: So, we do have two means of
11 egress out of that space. So, you know, we would
12 calculate about a hundred occupants max, based on
13 the 200 occupants per square foot. We're just
14 about over 2,000.

15 But I don't think it would ever get to
16 that. I mean, the one building that the deck is
17 on is 72 units. So, you could think about it --
18 you know, if everybody decides to use the deck on
19 the same day, and you have two people -- you
20 know, then -- then you could have 140 people
21 there. But I don't -- we don't expect that to be
22 the case. The building across the street is only
23 40 units. So you know, the deck could
24 accommodate -- you know, if you calculate about
25 20 percent of people using this -- you know --

1 CHAIRPERSON CAPIZZI: There's no bathroom
2 up there?

3 MR. PEREIRA: There's no bathroom up there.

4 CHAIRPERSON CAPIZZI: And -- and around the
5 edge, the perimeter, how high is the --

6 MR. PEREIRA: So the --

7 CHAIRPERSON CAPIZZI: -- the side?

8 MR. PEREIRA: Yeah. So, the parapet for
9 the building, it varies. We have parapets that
10 are four feet high. We have a parapet that's
11 lower. But we do have the area surrounding the
12 deck -- let me flip to that page.

13 So, the deck that's been hatched there,
14 that you see here, and surrounding the entire
15 space, we have a rail. So, there would be a
16 guardrail that -- you know, protects anyone from
17 -- you know, being able to go on the other side
18 --

19 CHAIRPERSON CAPIZZI: Okay.

20 MR. PEREIRA: So much --

21 CHAIRPERSON CAPIZZI: So, I guess that
22 meets all -- that meets all the building
23 requirements and codes? I'm thinking safety if
24 we have people up there or whatever, we have a
25 bar up there.

1 MR. PEREIRA: Right.

2 CHAIRPERSON CAPIZZI: So, --

3 MR. PEREIRA: Yes, it does.

4 CHAIRPERSON CAPIZZI: -- does that meet
5 building code?

6 What he's talking about?

7 MR. SPATZ: Yes. There are codes that --
8 that would require a certain height and a certain
9 of the guardrail or fencing, as well as it's set
10 back from the edge of the property line. And
11 they'd, of course, have to meet those building
12 codes --

13 CHAIRPERSON CAPIZZI: Okay.

14 MR. SPATZ: -- prior to getting their
15 permits.

16 CHAIRPERSON CAPIZZI: Okay.

17 MR. PEREIRA: Correct.

18 CHAIRPERSON CAPIZZI: Okay.

19 MR. ALAMPI: And this is something that's
20 been reviewed by the Building Department.

21 CHAIRPERSON CAPIZZI: Okay.

22 MR. ALAMPI: We've had discussions with
23 them, since we're under construction. And you
24 know, the Building Department instructed us back
25 to this body because they felt it needed to be

1 amended on the plans.

2 VICE CHAIRPERSON VELAZQUEZ: The wet bar,
3 right, that's just going to be if somebody's
4 using it. There's not going to be nothing there.
5 It's just for the main owner.

6 MR. PEREIRA: Yeah. There's nothing
7 there. We -- you know, we're providing a counter
8 so that -- you know, there's some seating there
9 that's also -- you know, during the months that
10 we can have some seating. And then, and just a
11 sink, so people can wash their hands. But
12 there's no barbecue, there's -- you know, there's
13 nothing else up there that -- you know, will be
14 conducive to -- you know --

15 MR. ALAMPI: There won't be an open bar.

16 MR. PEREIRA: -- storing.

17 MR. ALAMPI: There's no stocking --

18 MR. PEREIRA: Yeah.

19 MR. ALAMPI: -- of liquor there, obviously.

20 MR. PEREIRA: Right.

21 VICE CHAIRPERSON VELAZQUEZ: Right.

22 MR. ALAMPI: There's no bartender or
23 anything of that nature.

24 VICE CHAIRPERSON VELAZQUEZ: That --

25 MR. PEREIRA: Right.

1 MR. ALAMPI: It's for the residents, when
2 they go up there.

3 VICE CHAIRPERSON VELAZQUEZ: I don't want
4 to see a mini-club up there.

5 And the sound. Obviously, you're not going
6 to get the whole building to come up there. I --
7 The Thread has the same -- almost the same patio
8 and all that, and they really --

9 MR. PEREIRA: Rarely use it.

10 VICE CHAIRPERSON VELAZQUEZ: -- have
11 nothing.

12 But the -- there's some residential houses
13 all surrounding this, though. If there's a major
14 group of people, what would the sound be? Is
15 there -- do you have a divider, like, towards --

16 MR. PEREIRA: Well, so, the deck is located
17 so -- you know, the address is on 34th Street --

18 VICE CHAIRPERSON VELAZQUEZ: Um hum.

19 MR. PEREIRA: -- but the deck is really
20 located on the Peter Street side and the building
21 -- you know, extends out into Peter Street.

22 So, on the one side on Peter Street, we
23 have CVS, Walgreens, CVS.

24 MS. MOREJON: Walgreens. Walgreens.

25 MR. PEREIRA: I forget. Walgreens.

1 And on the opposite side, we have a big
2 warehouse. So, there's really no residential --
3 you know, buildings on either side of that, where
4 that is.

5 And then, across the street, we have the
6 building that belongs to our -- our clients, as
7 well.

8 VICE CHAIRPERSON VELAZQUEZ: But you --
9 that's 119 Peter Street.

10 Right?

11 MR. PEREIRA: That's right.

12 VICE CHAIRPERSON VELAZQUEZ: But you also
13 have the Veteran housing.

14 MR. PEREIRA: Right. On the corner.

15 VICE CHAIRPERSON VELAZQUEZ: On the side.
16 That's about --

17 MR. PEREIRA: Well --

18 VICE CHAIRPERSON VELAZQUEZ: -- 48 units.

19 MR. PEREIRA: Right.

20 VICE CHAIRPERSON VELAZQUEZ: So, it's not
21 going to affect them at all.

22 MR. PEREIRA: But that's not close. This
23 is not close to them. I wish -- maybe -- so,
24 yeah. I mean, I just don't see it effecting
25 them. It's seven stories high. You know, any

1 | sound coming from there -- and you know, this
2 | will be operated at certain hours, too. I
3 | believe at ten o'clock -- I mean, my clients will
4 | most likely shut it down. You know, you don't
5 | want people there all hours of the night.

6 | VICE CHAIRPERSON VELAZQUEZ: No.

7 | MR. PEREIRA: So you know, there would be
8 | an operating time for it.

9 | VICE CHAIRPERSON VELAZQUEZ: As long as
10 | there's an operating time and all that, because
11 | in the summer --

12 | MR. PEREIRA: Yeah.

13 | VICE CHAIRPERSON VELAZQUEZ: -- we -- we
14 | can't fathom anything now with the pandemic.

15 | MR. PEREIRA: Right.

16 | VICE CHAIRPERSON VELAZQUEZ: But
17 | afterwards, everybody is going to want to come
18 | out and party after that.

19 | MR. PEREIRA: Yeah.

20 | VICE CHAIRPERSON VELAZQUEZ: And I don't
21 | want everybody to be up on that deck like that.

22 | MR. PEREIRA: Um hum.

23 | VICE CHAIRPERSON VELAZQUEZ: Because you
24 | have -- you have residents who have been there
25 | for many, many years, on Peter Street side. And

1 with the -- with the Veteran housing over there.

2 MR. PEREIRA: Right.

3 VICE CHAIRPERSON VELAZQUEZ: That's just a
4 little bit of a concern. Then you got -- on the
5 34th Street side, there's those residential houses
6 across, some buildings and all that.

7 MR. PEREIRA: Right.

8 VICE CHAIRPERSON VELAZQUEZ: That's a
9 concern, too. That's --

10 MR. ALAMPI: Well, I think it's also going
11 to be regulated by the building itself. The
12 residents of the building are not going to want
13 all hour operation up on the roof.

14 VICE CHAIRPERSON VELAZQUEZ: No.

15 MR. ALAMPI: So, that's something that will
16 have to be balanced in and of itself, by the
17 building. My client does own the building across
18 the street. They also own several of the
19 properties of those other homes on the block.
20 So, it's something that we're sensitive to. And
21 we'll make sure, obviously, we don't need other
22 tenants complaining as well as neighbors.

23 MS. KOEHLER: One more --

24 MR. PEREIRA: Yes.

25 MS. KOEHLER: -- question, also.

1 When you first presented, in 2015, was the
2 façade the brick veneer that is mentioned here?

3 MR. PEREIRA: Yeah. Yeah. It was -- it
4 was essentially the same facade. I mean, we --
5 you know, we might have -- you know, when you do
6 construction documents adjusted what the sill
7 moves. But it was all the same materials. We
8 had --

9 MS. KOEHLER: The veneer?

10 MR. PEREIRA: -- the brick veneer. Yeah.
11 I mean, the brick that's there is -- is real
12 brick. When it -- you know, sometimes people say
13 brick veneer, they think it's --

14 MS. KOEHLER: Oh, okay.

15 MR. PEREIRA: -- the thin brick, but it's
16 real brick.

17 MS. KOEHLER: Okay.

18 MR. PEREIRA: It's not a -- it's not a thin
19 brick, if that's the question.

20 Thank you.

21 VICE CHAIRPERSON VELAZQUEZ: And it's
22 already up on the building.

23 MS. KOEHLER: Yeah.

24 CHAIRPERSON CAPIZZI: Um hum.

25 MR. CHEWCASKIE: Yeah.

1 MR. GUARENO: I have -- I have a question.

2 As far as the occupancy, I know you say the
3 max is about 200 people and so forth. But most
4 party -- party will not reach that occupancy?

5 I am familiar with the area, but I'm not
6 that familiar as far as the view into the river
7 or into New York City.

8 MR. PEREIRA: Um hum.

9 MR. GUARENO: But something like Fleet
10 Week, or even with the fireworks, even though
11 right now the fireworks are on the East River.

12 MR. PEREIRA: Right.

13 MR. GUARENO: How would you be able to
14 control people from coming up there to see
15 something like the fireworks?

16 MR. PEREIRA: Um hum.

17 MR. GUARENO: Because you might easily put
18 up more than 200 people.

19 MR. PEREIRA: Right.

20 MR. ALAMPI: So, it is a building that we
21 own and control. And on the weeks that we know
22 something like the fireworks are going to be
23 displayed over the river or from that vantage
24 point, from a safety standpoint and a liability
25 standpoint, we have a duty to make sure that it's

1 not over capacity.

2 So, we'll absolutely have protocol in place
3 for events like that, that we know are going to
4 draw interest, to make sure that it does not
5 exceed capacity. And if necessary, we will put
6 the right procedure in place, whether it's having
7 to reserve a spot up on the roof for such an
8 event. Obviously, these are tenants of the
9 building. So, we have the ability to regulate
10 all of those things.

11 MR. GUARENO: All right.

12 Thank you.

13 CHAIRPERSON CAPIZZI: Any other questions?

14 Anyone from the public have any questions?

15 THE SECRETARY: Anyone from the public have
16 any comments on this application?

17 CHAIRPERSON CAPIZZI: No?

18 Then seeing none, I'll make a motion to
19 approve the application.

20 MR. CHEWCASKIE: And if I may, Ms. Capizzi?

21 CHAIRPERSON CAPIZZI: I'm sorry.

22 MR. CHEWCASKIE: Before --

23 CHAIRPERSON CAPIZZI: Yes.

24 MR. CHEWCASKIE: -- if there's a second,
25 the motion will be subject to the conditions as

1 imposed by the previous Resolution adopted by the
2 Board.

3 And the applicant will impose an operating
4 time to address any noise issues.

5 CHAIRPERSON CAPIZZI: Good.

6 THE SECRETARY: Motion on the table to
7 approve this application amendment by Ms.
8 Capizzi.

9 Any second?

10 VICE CHAIRPERSON VELAZQUEZ: Second.

11 THE SECRETARY: Seconded by Mr. Velazquez.

12 Roll call on the motion.

13 Ms. Capizzi?

14 CHAIRPERSON CAPIZZI: Yes.

15 THE SECRETARY: Ms. Koehler?

16 MS. KOEHLER: Yes.

17 THE SECRETARY: Mr. Medina?

18 MR. MEDINA: Yes.

19 THE SECRETARY: Ms. Morejon?

20 MS. MOREJON: Yes.

21 THE SECRETARY: Mr. Velazquez?

22 VICE CHAIRPERSON VELAZQUEZ: Yes.

23 THE SECRETARY: Mr. Guareno?

24 MR. GUARENO: Yes.

25 THE SECRETARY: Six in favor.

1 Motion carries.

2 MR. PEREIRA: Thank you very much.

3 CHAIRPERSON CAPIZZI: You're welcome.

4 THE SECRETARY: Thank you.

5 And have a good night.

6 MR. ALAMPI: Thank you, everybody.

7 Have a good night.

8 MR. CHEWCASKIE: Good night, all.

9 CHAIRPERSON CAPIZZI: Good night.

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

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1 **321 23rd Street Associates, LLC -**

2 **319-321 23rd Street:**

3

4 THE SECRETARY: The next application on
5 tonight's agenda, 321 23rd Street Associates, LLC,
6 319-321 23rd Street.

7 Mr. Alonso, please?

8 MR. GUARENO: Madam Chair, I need to excuse
9 myself from this -- from this item on the agenda.

10 THE SECRETARY: Let the -- let the record
11 reflect that Mr. Guareno is recusing from this
12 application.

13 Thank you.

14

15 (Whereupon, Jose Guareno, Board Member
16 recused and stepped down from the dais.)

17

18 MR. ALONSO: Mr. Chewcaskie, can I approach
19 and give you my notices?

20 MR. CHEWCASKIE: Yes, if you would, Mr.
21 Alonso.

22 MR. ALONSO: Good evening, everybody.

23 CHAIRPERSON CAPIZZI: Good evening.

24 MR. CHEWCASKIE: Thank you.

25 These were also emailed earlier, I believe.

1 (Whereupon, there was a pause in the
2 proceedings.)

3 MR. CHEWCASKIE: So, the -- the notices
4 provided by Mr. Alonso are appropriate. The
5 Board does have jurisdiction to hear the
6 application.

7 MR. ALONSO: Thank you very much, Mr.
8 Chewcaskie.

9 Good evening, Madam Chair, members of the
10 Board.

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

13 This is an application to subdivide a lot
14 into two lots. The lot contains an existing one
15 family house and the balance would be a 25 by 100
16 vacant lot.

17 The vacant lot is actually not used for
18 parking. It's just like a garden area. There's
19 a little retaining wall in the front and there's
20 a parking space on the street in front. So, this
21 property does not provide any off-street parking
22 at this time.

23 We require a number of variances. The
24 front and rear yard variances are existing
25 conditions. The side yard variance is being

1 created as a -- as a result of the subdivision
2 line, if approved, as well as the parking and the
3 parking is also an existing condition.

4 With that said, I would have Mr. Valella
5 sworn in.

6 MS. DILLON: Please raise your right hand.

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

9 MR. VALELLA: I do.

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

12 MR. VALELLA: Sure. Be happy to.

13 My name is Orestes Valella, V-A-L-E-L-L-A.
14 Licensed architect in the states of New York and
15 New Jersey.

16 And my professional offices have now moved
17 to Union City.

18 I'm at 507 43rd Street.

19 Welcome.

20 CHAIRPERSON CAPIZZI: Good for you.

21 MR. ALONSO: Madam Chair, Mr. Valella has
22 been before --

23 CHAIRPERSON CAPIZZI: Yes.

24 MR. ALONSO: -- this Board and accepted in
25 the past.

1 CHAIRPERSON CAPIZZI: Yes.

2 MR. ALONSO: Thank you very much.

3 Mr. Valella, I gave a -- a brief overview
4 of the proposal.

5 MR. VALELLA: Yes.

6 MR. ALONSO: I would ask you to review the
7 plans with the Board at this time.

8 MR. VALELLA: Sure. Be happy to.

9 Actually, this is a very beautiful, older
10 home, very large.

11 It's on 23rd Street between Palisade and
12 New York Avenue. It's Lots 9 and 8 that are in
13 question. Lot 8 has the home, Lot 9 is a
14 landscaped parcel and counsel also mentioned,
15 there's no parking on it. It's got some knee
16 wall high brick fencing, retaining wall on it.

17 The home is a three story megalith. It's
18 -- it's empty at the moment.

19 On the ground floor, it has a living room,
20 dining room, kitchen; second floor has bedrooms;
21 and likewise, the attic has bedrooms as well.

22 Very large. It's from a different era.
23 And it's quite beautiful and it stays there. The
24 basement is empty as well. There are a bunch of
25 rooms in it, but it's not an apartment. There's

1 no kitchen.

2 The only thing really that needs to be done
3 to this home is, at some point, there was an
4 entranceway built on the side, giving access to
5 the basement. And that is being removed as part
6 of this proposal, because it encroaches on Lot 9,
7 which is the lot that we'd like to separate.

8 Actually, that does two good things or one
9 good thing, which is it prevents the basement
10 from having an entrance that can facilitate an
11 illegal use in the future. So, it's actually a
12 good thing.

13 The basement will then only have access
14 from the ground floor apartment. It has an
15 internal back stair. And that back stair leads
16 directly into the basement. It also has a
17 basement hatch, a Bilco hatch they call, which
18 gives access to the rear yard. But this access
19 from the side, I think at some point, there might
20 have been a doctor or something like that that
21 was using it as a separate entrance for patients
22 or whatever. But that is the only proposal is to
23 remove that so that the two are unencumbered.

24 The -- nothing else is being done.
25 Everything stays intact. And -- and as counsel

1 mentioned, it's a very limited application.

2 MR. ALONSO: In terms of the variance
3 relief that we are requesting, three of them are
4 actually existing conditions, the front yard, the
5 rear yard and the parking.

6 Is that correct?

7 MR. VALELLA: Yes.

8 We're not altering the bulk or the zoning
9 yards of this building. Everything stays intact.
10 If we are permitted to subdivide, the new one --
11 the existing one family would be located on a 25
12 by 100 parcel, which is a permitted lot area.
13 The only thing that is problematic are the yards,
14 and those are preexisting.

15 And I'm going to try to read them, with
16 this mask, my glasses get foggy. I can't see
17 without the glasses, or with them now so, we'll
18 try.

19 Lot A, so if we go through with the
20 subdivision, the lot area would be 2500 and 2500
21 is a permitted lot area.

22 The lot width will be 25 and again, 25 is
23 permitted.

24 The lot depth will be 100, and 100 is
25 permitted.

1 The front yard is existing at 7.83 feet,
2 where ten feet or the prevailing setback is
3 required. And again, this is a home that's been
4 there for a good hundred years.

5 The side yards, one has to be a minimum of
6 two feet. There is one at 2.2. And the combined
7 have to be a minimum of five, and it's at the
8 property line at that point. So, there's a
9 deficiency in the side yard. The total side yard
10 from 2.2 to three -- well, 1.8.

11 The rear yard requirement is 25 percent of
12 the lot depth. The lot is a hundred, so it would
13 be 25 required, we're at 18.91.

14 Building coverage has a maximum of 60
15 percent and we are at 59. So, we're very close
16 with building coverage.

17 Lot coverage would be 85 percent and we're
18 83.

19 The maximum stories is three. We have
20 three.

21 Height is 40, we're approximately 40.

22 And parking required for a one family would
23 be two and we are at zero. And there is really
24 no opportunity to increase that.

25 The adjacent property would then be blank.

1 It would be a 25 by 100 empty parcel.

2 MR. ALONSO: Thank you.

3 Madam Chair, I have no further questions of
4 Mr. Valella.

5 CHAIRPERSON CAPIZZI: Do you have any other
6 witnesses?

7 MR. ALONSO: No.

8 CHAIRPERSON CAPIZZI: What is the future
9 use of the vacant lot?

10 MR. ALONSO: The -- the lot is being sold.
11 And then, the prospective buyer would come in and
12 do the application.

13 MR. VALELLA: Or not. He may come in for a
14 -- he may decide to build a one family which is
15 as of right, and -- and not go to any board.

16 MS. MOREJON: If I may?

17 That's the most beautiful neighborhood that
18 we have in Union City. I'm in Union City 55
19 years. The street, of that block, is very
20 narrow. There's parking on both sides. And if
21 you're selling that lot, who knows what's going
22 to happen?

23 CHAIRPERSON CAPIZZI: Um hum.

24 MS. MOREJON: That's the most beautiful
25 neighborhood in Union City. There's a park

1 across the street, that you have to see, they
2 come from Weehawken to enjoy that park. The most
3 beautiful houses are in that block.

4 MR. ALONSO: Well, I understand. There's
5 no development proposed at this time.

6 MS. MOREJON: How can you promise that? If
7 you sell that lot --

8 MR. ALONSO: No, at this time, there's no
9 development proposed on that lot. I don't --

10 MS. MOREJON: So, you sell, you want to
11 sell that --

12 MR. ALONSO: I don't know what's going to
13 happen in the future.

14 MS. MOREJON: Mr. Alonso?

15 Mr. Alonso, please.

16 You're going to sell that lot and you're
17 going to put in that contract that there's no
18 development in that lot.

19 MR. ALONSO: No, no, no. I didn't say
20 that. I'm not saying that. I'm saying for this
21 application, we're requesting a subdivision.
22 It's all permitted, but for the one side yard
23 that we're creating because we're deficient on
24 the one side yard. Other than that, this
25 application completely complies with your zoning.

1 What happens with that other lot will be
2 based on your zoning. If something is permitted,
3 they could build it as of right. If not, they
4 would have to go to the Board, whether it's the
5 Planning Board or the Zoning Board. And then you
6 would have a certain amount of control as to
7 whether or not you grant or deny an application.

8 But this application is not -- does not
9 have any development attached to it. It's just a
10 subdivision.

11 VICE CHAIRPERSON VELAZQUEZ: We'd like to
12 keep it like that and no development there.

13 CHAIRPERSON CAPIZZI: Right.

14 MR. CHEWCASKIE: So, if I may?

15 CHAIRPERSON CAPIZZI: Um hum.

16 MR. CHEWCASKIE: Just a couple questions,
17 Mr. Vallejo (sic).

18 How are you this evening?

19 MR. VALELLA: Good. Thank you.

20 How are you?

21 MR. CHEWCASKIE: Good to see you.

22 MR. VALELLA: Thank you.

23 MR. CHEWCASKIE: I took a look at your
24 drawings, I see there's a bump out to the south,
25 to the rear of the property. And looked at the

1 existing, and it seems that the existing dining
2 room and bedroom there's a -- there's a bump out
3 as it goes through the building. And that --
4 does that create a zero side yard in that area?

5 MR. VALELLA: That's exactly -- well,
6 there's two conditions that bring us -- and I'm
7 not the attorney, but the -- the add on basement
8 entrance that somebody created, and the bay
9 window to the rear, that is the second condition
10 that brings to a zero side yard. Yes.

11 MR. CHEWCASKIE: Then, when I look at your
12 attic floor plan, it doesn't -- it doesn't look
13 like it carries through with the bow out. It
14 looks like a square.

15 MR. VALELLA: Yes.

16 MR. CHEWCASKIE: Now, does that square
17 extend over the lot line?

18 MR. VALELLA: No. The square does not
19 extend over the lot line. It's at the lot line,
20 as well.

21 MR. CHEWCASKIE: All right.

22 And then, I -- I took a look at Mr.
23 Caulfield's survey. And when I look at Mr.
24 Caulfield's survey, Lot 10 to, I guess it's the
25 west, if I have my directions correct, there's a

1 three story frame, it indicates. But that looks
2 like it's right on the lot line also.

3 Is that correct?

4 MR. VALELLA: It seems to be. That's my
5 impression as well.

6 MR. CHEWCASKIE: All right.

7 So, I guess my question is, is that do
8 those constraints -- are those significant
9 constraints for the development of what's
10 proposed on Lot 9?

11 MR. VALELLA: Well, there's nothing
12 proposed on --

13 MR. CHEWCASKIE: I know, but if something
14 is proposed, you now have structures right on the
15 lot line between --

16 MR. VALELLA: Yes. Yes.

17 The answer would be no. Your Ordinance --
18 let's say a client came to me for this empty lot.
19 I see it as a 25 by 100. I can ask my client, do
20 you want to go to a Board or do you want to go to
21 the Building Department as of right? I can
22 easily design a one family home here without any
23 deficient -- zoning deficiencies because you
24 require side yards. So, we would have our side
25 yards two and three, and we could be -- you know,

1 happily, design a one family here and -- and get
2 a building permit.

3 CHAIRPERSON CAPIZZI: But the side yard
4 doesn't conform.

5 Correct?

6 MR. VALELLA: No. No, no. If we -- if you
7 --

8 CHAIRPERSON CAPIZZI: Right here --

9 MR. VALELLA: If you grant this application
10 and someone comes to me to design a home for the
11 empty lot, I can easily design it because the lot
12 is a conforming lot.

13 CHAIRPERSON CAPIZZI: But I'm looking at
14 number 7, it doesn't -- minimum side yards at the
15 end -- does not conform to the side lots.

16 MR. VALELLA: That's the existing home.
17 The existing home has a deficiency. The bay
18 window is at the property line.

19 VICE CHAIRPERSON VELAZQUEZ: But nobody
20 would say anything now because that house is
21 empty.

22 CHAIRPERSON CAPIZZI: What does number 12
23 mean? The zoning schedule. What does that mean?

24 VICE CHAIRPERSON VELAZQUEZ: But the house
25 next door to it, 317, is -- people living there.

1 MR. VALELLA: Yes.

2 MR. CHEWCASKIE: In Dave's report?

3 CHAIRPERSON CAPIZZI: Yeah.

4 MR. ALONSO: Right. They -- they received
5 notices.

6 MR. VALELLA: Well, I can't -- I can't
7 defend a project that hasn't occurred.

8 MR. CHEWCASKIE: Well he says there should
9 be current zoning, so you better ask.

10 CHAIRPERSON CAPIZZI: Um hum.

11 MR. VALELLA: We're not designing -- we
12 haven't been retained -- I can't anticipate what
13 somebody's going to want to do with that lot.
14 And whatever they wish to do, if it's more than
15 what is as of right, they will have to come
16 before you and you have every right to deny it if
17 you wish.

18 CHAIRPERSON CAPIZZI: Should I ask him?

19 MR. CHEWCASKIE: Yeah.

20 CHAIRPERSON CAPIZZI: Could you explain
21 number 12 to me?

22 MR. SPATZ: Yes. The zoning schedule shown
23 on the site plan is using the -- the standards
24 from the prior Zoning Ordinance. It was amended
25 last year and the standards are a little bit

1 different. And actually, there's less variances
2 than are pointed out there because the rear yard
3 is conforming now. But the one new variance
4 being created is that side yard, where it's now
5 zero lot line, right now it's 25 feet. But
6 because of the lot line that's being created
7 there, it now has a zero lot line. All the other
8 variances are preexisting conditions.

9 MR. ALONSO: Madam Chair, if I could have
10 two minutes just to talk to my client real quick?

11 CHAIRPERSON CAPIZZI: Sure.

12 MR. VALELLA: Thank you.

13 MS. DILLON: Off the record?

14 MR. CHEWCASKIE: Off the record.

15

16 (Whereupon, the Board recessed from 6:42
17 p.m. to 6:45 p.m.)

18

19 MS. DILLON: On the record.

20 MR. ALONSO: I reviewed this with my client
21 and with Mr. Valella. We can eliminate that bay
22 window, which would eliminate the -- the
23 variance.

24 MS. MOREJON: I can't hear what he said. I
25 can't hear.

1 MR. ALONSO: If we eliminate that bay
2 window, then that eliminates that variance. Site
3 plan is not required on a one family house. And
4 it's just subdivision.

5 VICE CHAIRPERSON VELAZQUEZ: How do we not
6 know, down the line, that this owner, he has a
7 vacant property --

8 CHAIRPERSON CAPIZZI: Um hum.

9 VICE CHAIRPERSON VELAZQUEZ: -- nobody
10 lives there, then he doesn't sell that --

11 CHAIRPERSON CAPIZZI: Um hum.

12 VICE CHAIRPERSON VELAZQUEZ: -- to a --
13 (indiscernible)?

14 CHAIRPERSON CAPIZZI: Yup.

15 MR. ALONSO: Well, then that's -- everybody
16 has the right to do whatever they want with their
17 property, as long as you comply with the Zoning
18 Ordinance, or you come before this Board.

19 I don't know what's going to happen to that
20 property, like I don't know what's going to
21 happen to any property once you sell it. The
22 intention is to maintain it as a one family
23 house, and sell the vacant lot. The vacant lot
24 fully conforms; no variances are required for
25 that.

1 VICE CHAIRPERSON VELAZQUEZ: But I find --

2 MR. ALONSO: By eliminating this -- the
3 side yard variance here, they essentially, we
4 comply also.

5 VICE CHAIRPERSON VELAZQUEZ: What I find
6 interesting is that the owner already put a for
7 sale sign that's been there for awhile.

8 MR. ALONSO: Right. I made that
9 representation from the beginning. It's being
10 sold.

11 VICE CHAIRPERSON VELAZQUEZ: Yeah, but it
12 hasn't been approved yet for a subdivision.

13 MR. ALONSO: Well, you could sell it with
14 or without a subdivision. You it put up for sale
15 and you see what the interest is. I don't know.
16 I don't represent him in the transaction.
17 There's a for sale sign. Well, that's consistent
18 what I -- what I told the Board. If approved,
19 the vacant lot is going to be sold.

20 CHAIRPERSON CAPIZZI: So, I think at this
21 time, we -- we would like to hear from the
22 neighbors, because there's another element. And
23 maybe what you're saying is true, that it
24 conforms and it meets all the standards. And --
25 but there's another element to what we do and

1 | it's called the community and the people that
2 | live in the neighborhood. So, we'd like to hear
3 | from them because --

4 | MR. ALONSO: Absolutely.

5 | CHAIRPERSON CAPIZZI: -- that's part of how
6 | we feel, our responsibility is on this Board, as
7 | well.

8 | MR. ALONSO: Absolutely.

9 | And as long as we comply with the Zoning
10 | Ordinance then --

11 | CHAIRPERSON CAPIZZI: Right.

12 | MR. ALONSO: -- you're doing your job.

13 | CHAIRPERSON CAPIZZI: Is there anyone that
14 | would like to come up?

15 | MR. GUARENO: Yes, I would.

16 | MS. DILLON: Right there in front of the
17 | microphone.

18 | Please raise your right hand.

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

21 | MR. GUARENO: Yes, I do.

22 | MS. DILLON: Please state your name and
23 | address for the record.

24 | MR. GUARENO: Jose Guareno, 317 23rd
25 | Street.

1 MS. DILLON: Thank you.

2 MR. GUARENO: Okay?

3 MS. DILLON: Yes.

4 MR. GUARENO: Now, you're requesting a
5 variance for parking, which I do not understand
6 why when obviously you do have the property to
7 provide parking.

8 MR. ALONSO: We're requesting it because
9 there is no parking.

10 MR. GUARENO: But you could provide parking
11 for the resident that would be living in the
12 house.

13 MR. ALONSO: My client attempted to obtain
14 parking for the property and was denied.

15 MR. GUARENO: Okay, that I wasn't aware.

16 MR. CHEWCASKIE: Mr. Alonso, I don't know
17 what that means, attempted to --

18 CHAIRPERSON CAPIZZI: Hmm.

19 MR. CHEWCASKIE: -- obtain?

20 MR. ALONSO: My client, and I could -- I
21 could proffer this. My client is here, if you
22 want to hear from him.

23 My client applied to the Building
24 Department for permits to create a curb cut. He
25 wanted to provide parking on the vacant lot. He

1 | was denied and was referred to the Zoning Board.
2 | He was communicating with -- with the Building
3 | Department for approximately a year, to try to
4 | get some -- some documentation that he needed to
5 | get to the Board and was never able to get a
6 | resolution from the Building Department.

7 | So, he did attempt to get the parking.

8 | CHAIRPERSON CAPIZZI: In the lot.

9 | MS. MOREJON: Can I also --

10 | MR. ALONSO: Yeah. He could only put it in
11 | the lot, yes.

12 | CHAIRPERSON CAPIZZI: Yeah, in the lot.

13 | MS. MOREJON: If I may?

14 | If you go to 23rd Street from Palisade to
15 | New York Avenue, there's no houses there that
16 | have a driveway or a garage. If you go around
17 | the corner, down to 24th Street, maybe one or two.
18 | So --

19 | MR. ALONSO: Well, then, I don't understand
20 | where the -- there's some conflict there because
21 | the resident is saying we should have parking.
22 | And you're indicating that we shouldn't provide
23 | parking because --

24 | MS. MOREJON: I'm not indicating that.

25 | MR. ALONSO: -- nobody else has parking.

1 MS. MOREJON: I'm just telling you, it's a
2 narrow street. It has parking on both sides. If
3 he's planning to do in that lot, you're saying in
4 that lot he want to do parking --

5 MR. ALONSO: No. He had a plan. He had
6 requested over a year ago --

7 MS. MOREJON: Oh, he had the plan and
8 hasn't been approved.

9 MR. ALONSO: Correct.

10 And that was just in response to the
11 gentleman's question as to why don't we provide
12 parking. We tried; were denied.

13 VICE CHAIRPERSON VELAZQUEZ: You weren't
14 denied. He just stopped because there was no --

15 MR. ALONSO: No. He was denied.

16 VICE CHAIRPERSON VELAZQUEZ: He was denied.

17 MR. ALONSO: And was referred to the Board.
18 And then, he -- he filed with the -- again, and
19 he couldn't get a resolution. I didn't represent
20 him in that. But that's what he tells me. I
21 could have him testify if you like.

22 MR. CHEWCASKIE: All right.

23 I'm a little confused.

24 CHAIRPERSON CAPIZZI: Um hum.

25 MR. CHEWCASKIE: But I guess the only way

1 | that I -- I would get unconfused is the -- if
2 | there was a letter of denial issued by the Zoning
3 | Officer or the Construction Official.

4 | Is that something you have with you this
5 | evening?

6 | MR. ALONSO: That is not.

7 | But again, for purposes of this
8 | application, I don't believe it's relevant. It's
9 | -- I understand the question. There is no
10 | parking. We have a parking variance, because we
11 | do not have parking.

12 | MR. CHEWCASKIE: There's currently no park
13 | --

14 | MR. ALONSO: It's an existing condition.

15 | MR. CHEWCASKIE: I -- I understand. I --
16 | I'm just trying to clarify, I guess, for -- for
17 | my edification, Mr. Alonso, that there is no
18 | existing parking to service this house. And at
19 | --

20 | MR. ALONSO: There -- there is none. There
21 | is a -- a knee wall, that was testified to by the
22 | architect. You cannot access -- it's --

23 | MR. CHEWCASKIE: Right.

24 | MR. ALONSO: So it's a little higher than
25 | the grade from the street. You can't access it.

1 MR. CHEWCASKIE: And then you're -- and
2 you're proffering that at one point in time,
3 there was some form of application to create a
4 curb cut on the adjacent lot.

5 MR. ALONSO: That's correct.

6 MR. CHEWCASKIE: Okay. I understand.

7 MR. ALONSO: So, now we're left with this
8 property, with no parking. The application
9 effectively complies with the zoning.

10 MR. CHEWCASKIE: All right.

11 A VOICE: Here's the letter of denial.

12 MR. ALONSO: Oh, well there's --

13 MR. CHEWCASKIE: Well, I think we're --

14 MR. ALONSO: Mr. Chewcaskie, just for the
15 record, there is a letter of denial. And just
16 for the record, it's on his phone, so it's dated
17 August 19, 2019.

18 CHAIRPERSON CAPIZZI: That was for parking
19 in the lot?

20 MR. ALONSO: Correct.

21 CHAIRPERSON CAPIZZI: The vacant lot?

22 MR. ALONSO: Correct.

23 VICE CHAIRPERSON VELAZQUEZ: That was from
24 a Board, or was that from the Building
25 Department?

1 MR. ALONSO: That's from the Building
2 Department.

3 MR. CHEWCASKIE: Well, I think we cut into
4 Mr. Guareno's time. I don't know if he has
5 anything else?

6 MR. GUARENO: I don't have much right now,
7 but the -- I mean, you have two properties that
8 are right on the property line. That's -- that's
9 tight.

10 MR. ALONSO: Well, they're not on the
11 property line. We have seven feet plus on the
12 house, and the vacant lot, it's not on the
13 property line at all.

14 CHAIRPERSON CAPIZZI: Doesn't this come to
15 the property line? Am I not understanding that,
16 on the side?

17 MR. GUARENO: They both come to the
18 property line.

19 MR. ALONSO: I believe Mr. -- Mr. Valella
20 --

21 Where is he?

22 MR. CHEWCASKIE: Well, at the present --

23 MR. ALONSO: -- testified that the front
24 yard setback is seven feet.

25 CHAIRPERSON CAPIZZI: The side -- but the

1 side --

2 MR. GUARENO: No, no. The side. On the
3 sides.

4 MR. CHEWCASKIE: The side yard setback is
5 at zero where the window is --

6 MR. ALONSO: Correct. And we're proposing
7 to eliminate that.

8 MR. CHEWCASKIE: -- as it goes up the side
9 of that building. Yeah.

10 MR. ALONSO: That was -- appears to be a
11 concern with the Board. We're proposing to
12 eliminate that and eliminate that variance.

13 MR. VALELLA: The home is 7.83 from the
14 property line, street line.

15 MR. CHEWCASKIE: Right. But the side yard,
16 if -- if the window was eliminated, as you said,
17 Mr. Vallejo (sic), what -- what's the distance,
18 because it's not on the drawings.

19 MR. VALELLA: It would be approximately
20 close to three feet.

21 MR. GUARENO: What do you mean, eliminating
22 the windows?

23 MR. ALONSO: There's a -- there's a bay
24 window.

25 MR. GUARENO: Correct.

1 MR. ALONSO: If you eliminate the bay
2 window, and just make it a pane --

3 MR. VALELLA: Straight.

4 MR. ALONSO: -- a flat glass window --

5 MR. GUARENO: So, you're going to get rid
6 of all the bricks, everything else that's there
7 --

8 MR. ALONSO: No.

9 MR. GUARENO: -- or just a window?

10 MR. ALONSO: Just the window.

11 MR. VALELLA: It's on the side to the rear.

12 MR. GUARENO: But it still remains on the
13 property line.

14 MR. ALONSO: No, it doesn't. The --

15 MR. GUARENO: The bay, still, it's on the
16 property line.

17 MR. ALONSO: It's eliminated. If this is
18 the wall to the house, I'm not an architect, this
19 is the bay window, this is the part that's on the
20 property line.

21 MR. GUARENO: Yes.

22 MR. ALONSO: We're going to remove this and
23 bring it back to the house.

24 MR. GUARENO: That's what I suggested.
25 You're going to -- you're going to remove all the

1 bricks, everything that's on -- on the house.

2 Or you just -- or you're just closing up
3 the windows?

4 MR. VALELLA: No, no, no, no. There is --
5 if you look at the house from the street, the
6 house is on the right, the empty lot is on the
7 left. If you look to the back, there's a bay
8 window that comes out, and that's at the property
9 line. We would demolish that bay window and then
10 the house would be separated from the property
11 line.

12 MR. GUARENO: And that would be from pretty
13 much the ground level, basement, all the way --

14 MR. VALELLA: Ground level to the -- yes.

15 MR. GUARENO: -- all the way to the attic.

16 MR. VALELLA: Yes. That's correct.

17 MR. GUARENO: I still have a few issues
18 that I don't -- I'm not quite comfortable with.

19 MS. DILLON: I'm sorry.

20 I can't hear you.

21 MR. GUARENO: I'm sorry.

22 I just feel -- I still have a few issues
23 that I'm not quite comfortable with.

24 MR. ALONSO: Well, if you -- if you address
25 them, we can answer them.

1 MR. GUARENO: I mean you have the parking
2 issues, which you're saying that it was denied.
3 But then if you -- and I know you're not saying
4 you cannot look in the future what's going to
5 happen to that property, but nobody's going to
6 have a property to keep it empty. And pay taxes
7 on an empty property, that's what I'm --

8 MR. ALONSO: I understand that. But future
9 --

10 MR. GUARENO: Something will be built and
11 then what's going to happen with the house?

12 MR. ALONSO: I understand that, but for
13 purposes of the analysis that the Board has to go
14 through on this application, that's not relevant.

15 MR. GUARENO: I have nothing else to say.
16 Thank you.

17 CHAIRPERSON CAPIZZI: Anyone else from the
18 public?

19 MS. DILLON: Right over here, sir.

20 Please raise your right hand.

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

23 MR. CONSTANTINIDES: Yes.

24 MS. DILLON: And could you please state
25 your name and address, and spell your name for

1 the record?

2 MR. CONSTANTINIDES: Nick, N-I-C-K,
3 Constantinides, C-O-N-S-T-A-N-T-I-N-I-D-E-S.

4 MS. DILLON: T-I --

5 MR. CONSTANTINIDES: N-I-D-E-S,
6 Constantinides.

7 MS. DILLON: And your address?

8 MR. CONSTANTINIDES: 2204 New York Avenue.

9 MS. DILLON: Thank you.

10 MR. CONSTANTINIDES: Just a couple quick
11 questions.

12 I know you spoke at length to the 3.1 feet,
13 whatever, to the side yard on the one side of the
14 house, for the side variance.

15 MR. ALONSO: The requirement is two feet.

16 MR. CONSTANTINIDES: Right. I know.

17 MR. ALONSO: And a total of five feet.

18 MR. CONSTANTINIDES: Okay.

19 So, on one side, where you're going to get
20 rid of the bay window, you're going to have three
21 feet.

22 Correct?

23 How about on the other side?

24 MR. ALONSO: It's 2.2, as testified by the
25 architect.

1 MR. CONSTANTINIDES: I know. I'm just -- I
2 need to get that. So, 2.2 feet; 2.2 feet you
3 said?

4 MR. ALONSO: Correct.

5 MR. CONSTANTINIDES: And what's the --

6 MR. VALELLA: Two feet, 2.2.

7 MR. CONSTANTINIDES: What's the zoning
8 requirement?

9 MR. CHEWCASKIE: The requirement is a total
10 of five feet, sir. So, it's minimum of -- I'm
11 sorry. Minimum of five feet of both sides, three
12 feet and two feet.

13 MR. CONSTANTINIDES: Oh. So, in other
14 words, it can be five feet on one side and none
15 on the other?

16 MR. CHEWCASKIE: Well, it has to be a
17 minimum of two feet.

18 MR. CONSTANTINIDES: Minimum of two feet?

19 MR. CHEWCASKIE: Am I right, Dave?

20 MR. SPATZ: That's correct. Yes.

21 MR. CONSTANTINIDES: Okay. No, I just
22 wanted to clarify that because -- you know, this
23 raises a safety concern today, because you have
24 an existing house on one side, the other house
25 which is three stories high, in case if there's a

1 fire or something, access to those upper floors.
2 You have -- you know, in case of emergency, a
3 ladder through -- you know, getting up to those
4 apartments, or those bedrooms.

5 So, that was my main concern there, I want
6 to -- that I want to raise here, as a safety
7 issue. Because in case this lot, when it gets
8 developed, that's going to have to be taken into
9 consideration. But of course, if they stay to
10 the minimum -- I mean, we've seen houses -- rows
11 of houses go up in smoke, when one goes on fire,
12 and all the rest go on fire and -- because of the
13 close proximity.

14 So, today, we have an existing buffer right
15 there on that area that serves that neighborhood
16 of homes. So, that's one of my main concerns
17 here, as well as -- you know, parking is also an
18 issue in that area.

19 By subdividing this lot, whoever buys it,
20 depending upon whatever they put there, it will
21 impact existing parking inventory in the
22 neighborhood. I don't care if somebody puts a
23 shed there, that they're going to store stuff,
24 they're still going to have to park to get into
25 that shed.

1 So, whether it's a shed or it's a home,
2 we're still looking at parking, quality of life
3 being impacted by subdividing, now making another
4 buildable lot in that area. So, as a lifelong
5 resident of Union City, I've seen parking go from
6 park any time you want, anywhere you want on the
7 street, to driving around in circles for an hour
8 -- you know, and after six o'clock, trying to
9 find a parking spot.

10 So, that's one of my closing issues I want
11 to raise here.

12 Thank you.

13 CHAIRPERSON CAPIZZI: Thank you.

14 MR. ALONSO: If I can just address that
15 real quickly?

16 With respect to the two feet that he's
17 referring to, if he's referring to the existing
18 condition, it's an existing condition. Whether
19 this application gets denied or approved, that
20 condition is going to stay.

21 More importantly, the Board of
22 Commissioners, in adopting the Zoning Ordinance,
23 acknowledged that two feet is sufficient. So,
24 that's the rules that we have to comply with and
25 we appear before this Board. We're not

1 requesting the side yard variance. In fact,
2 we're withdrawing that portion of the application
3 for a side yard variance.

4 In terms of, again, any future possible
5 development, there's a Zoning Ordinance that
6 would have to be complied with. So --

7 MR. CONSTANTINIDES: But --

8 MR. ALONSO: And there's nothing --

9 MR. CONSTANTINIDES: -- I addressed that
10 already. Doesn't matter what you put there. You
11 could put a shed there. Someone's going to drive
12 to put stuff in and out of their shed, they're
13 going to take up a parking spot.

14 MR. ALONSO: I understand that.

15 MR. CONSTANTINIDES: Just to go there. So
16 --

17 MR. ALONSO: But again, that's not --
18 that's not proper consideration for this
19 application today.

20 MR. CONSTANTINIDES: Well, it all depends
21 on how you look at it. But anyway --

22 MR. ALONSO: Well, under the Municipal Land
23 Use Law, it's not proper.

24 MR. CONSTANTINIDES: Well, no, I
25 understand.

1 But you know, today, there's a lot there.
2 It's green. It's open space. We don't have
3 enough of it -- you know, there's an air flow
4 issue for the whole area -- you know, you know,
5 air issue. You know, you can have a flow of air.
6 Now, you're putting a -- another something else
7 gets put there eventually. It's going to be
8 blocking that free flow of air. And that's
9 basically it.

10 Thank you.

11 CHAIRPERSON CAPIZZI: Thank you.

12 Anyone else?

13 THE SECRETARY: Any other -- any other
14 comment?

15 CHAIRPERSON CAPIZZI: Does the owner live
16 there?

17 MR. ALONSO: No, it's vacant.

18 MS. KOEHLER: Does the owner live in the
19 house next door? In the house?

20 MR. ALONSO: No, it's vacant.

21 MS. KOEHLER: The whole thing's vacant?

22 MR. ALONSO: Yeah.

23 MS. KOEHLER: And the owner owns the --

24 MR. ALONSO: He owns the property. Nobody
25 lives in there.

1 MS. KOEHLER: -- entire lot. And the --

2 MS. MOREJON: And the lot.

3 MS. KOEHLER: -- the lot -- the empty lot
4 is for sale.

5 MR. ALONSO: Correct.

6 MS. KOEHLER: And it's been for sale for
7 how long?

8 MR. ALONSO: I don't know.

9 MS. KOEHLER: Over a year.
10 Right?

11 MR. ALONSO: I don't know.

12 MS. KOEHLER: In my memory, it's -- I think
13 it's around a year, --

14 MS. MOREJON: Over a year.

15 MS. KOEHLER: -- or more.

16 I -- I personally, I know that this is not
17 the consideration right now, but because the
18 applicant did not discuss future use, I'm
19 uncomfortable with the subdivision, since it's --
20 one area has been for sale for awhile, and the
21 other -- and the house is vacant. So, it -- I'm
22 uncomfortable with that.

23 CHAIRPERSON CAPIZZI: Any other comments?

24 I agree with Ms. Koehler. I -- I am also
25 uncomfortable with the fact that he's not willing

1 to discuss future activity with this project.

2 I appreciate the comments from the
3 neighbors, who have lived in that neighborhood
4 for a very long time.

5 I also appreciate the fact that there is a
6 parking variance and that that area is -- there
7 is a narrow street, parking is an issue.

8 Based on those issues, my motion is to deny
9 the application.

10 THE SECRETARY: Motion on the table to deny
11 the application by Ms. Capizzi.

12 VICE CHAIRPERSON VELAZQUEZ: Second.

13 THE SECRETARY: Seconded by Mr. Velazquez.

14 Roll call on the motion to deny this
15 application.

16 Ms. Capizzi?

17 MS. CAPIZZI: Yes.

18 THE SECRETARY: Ms. Koehler?

19 MS. KOEHLER: Yes.

20 THE SECRETARY: Mr. Medina?

21 MR. MEDINA: Yes.

22 THE SECRETARY: Ms. Morejon?

23 MS. MOREJON: Yes.

24 THE SECRETARY: Mr. Velazquez?

25 VICE CHAIRPERSON VELAZQUEZ: Yes.

1 THE SECRETARY: Five in favor to deny the
2 application.

3 Motion carries.

4 MR. ALONSO: Thank you very much.

5 Mr. Chewcaskie, as a matter of
6 housekeeping, I'm going to forward to the Board
7 Secretary a copy of that letter, dated April 19,
8 2019, just for the record, just so we have it.

9 If you like, we can mark it as A-1, but it
10 --

11 MR. CHEWCASKIE: Just send it to me and
12 then, we'll decide how to handle it. You did
13 mention it. I just want to see what it says
14 before we mark it for any identification.

15 MR. ALONSO: Absolutely.

16 Have a good evening.

17 MR. CHEWCASKIE: Good night.

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

20 * * *

21

22

23

24

25

1 **Way to Win, LLC - 1802 Kerrigan Avenue:**

2

3 (Whereupon, Jose Guareno, Board Member,
4 returned to the dais at 7:04 p.m.)

5

6 THE SECRETARY: Next application on
7 tonight's agenda, Way to Win, LLC, 1802 Kerrigan
8 Avenue.

9 Ms. Pereiras, please?

10 MS. PEREIRAS: Good evening, counselor,
11 Madam Chair, members of the Board.

12 May it please the Board, Bianca Pereiras,
13 on behalf of Way to Win, LLC.

14 I have to say, it's nice to see you all of
15 you.

16 Happy New Year.

17 It's been awhile.

18 The property in question before the Board
19 this evening is for 1802 Kerrigan Avenue, also
20 known as Block 97, Lot 2.

21 And I'll confirm with counsel just to make
22 sure my jurisdictional submissions are in order.

23 MR. CHEWCASKIE: Yes, thank you, Ms.
24 Pereiras.

25 I had the opportunity to review the notices

1 and the notices are in appropriate form, both in
2 publication and mail. Board has jurisdiction to
3 hear the application.

4 CHAIRPERSON CAPIZZI: Okay.

5 MS. PEREIRAS: Thank you very much.

6 Onsite, we currently have a two family
7 home. The application before the Board this
8 evening is to legalize that basement unit to
9 create the third unit in this existing property.

10 We have one expert to testify before the
11 Board this evening. That is our architect, Mr.
12 Orestes Valella.

13 Mr. Valella?

14 MS. DILLON: Mr. Valella was previously
15 sworn.

16 MR. CHEWCASKIE: Yes.

17 MS. PEREIRAS: Thank you very much.

18 Mr. Valella, are you familiar with the
19 property at 1802 Kerrigan Avenue?

20 MR. VALELLA: Yes.

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

23 MR. VALELLA: My office did, yes.

24 MS. PEREIRAS: And would you kindly
25 describe the proposed project for the Board?

1 MR. VALELLA: Sure. I'd be happy to.

2 This is a 25 by 100 lot. It's Lot number
3 2, Block 97. It's on Kerrigan, between 18th and
4 19th. It's a two and a half story home. It's a
5 two family with an apartment on the ground, and a
6 second apartment on the second floor.

7 Our proposal is to add a third unit on the
8 basement, it's a new 937 square foot apartment.
9 There's presently an existing bathroom, full
10 bathroom, laundry and a boiler room. And we'd
11 like to finish it as a dwelling unit, a two
12 bedroom, with access from the rear yard. And new
13 kitchen, new bedroom, new living room.

14 The unit can be accessed from either the
15 rear or also from the ground floor. You can go
16 in and walk down, and you have access to the
17 living room, kitchen.

18 So, none of the yards are affected. The
19 house stays the same size. The appearance of the
20 home remains. There's really very little work.
21 There's one new window in the rear that is being
22 added. And a new window that is going to be
23 enlarged in the bedroom number two. But
24 everything else is intact.

25 Upstairs, we have an 880 square foot three

1 bedroom. And on the second floor, we have a 962
2 square foot three bedroom, as well.

3 The apart -- the house is in good
4 condition, it seems to be responsibly up --
5 maintained.

6 And that's really it. There's no -- no
7 modifications really needed, except for the
8 finishing of the apartment on the basement level.
9 There's really not much else besides that.

10 MS. PEREIRAS: And Mr. Valella, if you
11 could please clarify the variances that we're
12 seeking, or the existing conformities that will
13 remain?

14 MR. VALELLA: Yeah. The -- the property is
15 in the R, low density residential.

16 The -- the required lot area would be 2500.
17 We have 2500.

18 The lot width would be 25, we have 25.

19 The lot depth is a hundred, we have a
20 hundred.

21 The front yard requirement would be ten
22 feet or the prevailing. We're at 16.91.

23 The side yard requirement, one would be
24 two. We have one is 2.6. The combined would be
25 five. And we are at the property line there, so

1 we remain at 2.6. So, there's a deficiency in
2 one of the existing side yards.

3 The rear yard would be 25 feet, given that
4 the lot is a hundred feet. And we have 36.5. So
5 that's fine.

6 The maximum building coverage would be 60
7 percent, and we're at 45 percent.

8 The lot coverage, maximum would be 85.
9 We're at 89.8. So we satisfy that.

10 The maximum number of floors is three.
11 We're at two and a half.

12 Maximum height is 40. We're approximately
13 at 33.

14 Parking required would be five and a half.
15 And we presently don't have parking, although the
16 -- the front yard is paved, but 13 foot three is
17 a deficiency that that would not meet. So, the
18 existing is zero.

19 Nothing really would change here from a
20 neighborhood standpoint. Everything would remain
21 intact, but we are adding a third dwelling unit.

22 CHAIRPERSON CAPIZZI: Is anyone living
23 there now?

24 MR. VALELLA: No.

25 CHAIRPERSON CAPIZZI: In the basement?

1 MR. VALELLA: No.

2 VICE CHAIRPERSON VELAZQUEZ: There's --
3 there's six existing windows right now, right, in
4 the basement? And then, the one is going to be
5 added in the back?

6 MR. VALELLA: Yes. There are existing
7 windows in the front. And that window would be
8 an increase for a fireman's access. And then,
9 there's one, two -- there's four existing windows
10 on the side that remains. And then, I'd like to
11 add an additional window in the rear, again, to
12 provide fireman's access so that we could have
13 access from the front and the back.

14 CHAIRPERSON CAPIZZI: So, the existing
15 windows, are they big enough?

16 MR. VALELLA: The existing windows are not
17 big enough for fireman's access. The one that is
18 in the front, I would be enlarging to make it to
19 accommodate a fire -- an egress condition. So,
20 the other four would remain as is.

21 CHAIRPERSON CAPIZZI: And the Building
22 Department would approve that?

23 MR. SPATZ: Yes. I think as long as they
24 have two windows, two means of -- of egress from
25 it that meet the standards -- you know, for --

1 CHAIRPERSON CAPIZZI: Okay.

2 MR. SPATZ: -- for that and --

3 MR. VALELLA: Actually --

4 I'm sorry. I didn't mean to cut you off.

5 MR. SPATZ: No.

6 MR. VALELLA: This is actually much safer
7 condition than our normal legalizations, because
8 we have a stair coming down from the ground
9 floor, we have a stair that someone go out to the
10 rear yard. And we will -- we have five windows,
11 and then a sixth window. Two of those are
12 emergency egress and rescue windows. So, from
13 that standpoint, this is far superior to 90
14 percent of the basement apartments that I've
15 done.

16 Now, also, it's not just egress windows.
17 There are certain requirements that your Building
18 Department rightly has. For example, there's
19 fire safing (sic) for the fire separation of the
20 -- of the floor between this unit --

21 CHAIRPERSON CAPIZZI: Um hum.

22 MR. VALELLA: -- and the upstairs.

23 And also, there's a sprinkler system that
24 you require, a domestic sprinkler system, that
25 would also be added.

1 So, this -- it'd be safer than -- than the
2 existing units for sure.

3 CHAIRPERSON CAPIZZI: Anyone has any
4 questions?

5 Does anyone in the public have any
6 questions?

7 MS. CASANOVA: Do you have to be an
8 immediate neighbor?

9 MR. CHEWCASKIE: No.

10 CHAIRPERSON CAPIZZI: I don't believe so.
11 Come on up.

12 MS. CASANOVA: The secondary means --

13 MS. DILLON: Wait. Wait. Wait.

14 CHAIRPERSON CAPIZZI: You have to come up.

15 MR. CHEWCASKIE: Wait. You have to --

16 MS. CASANOVA: I'm sorry.

17 MR. CHEWCASKIE: You have to give us your
18 name, please.

19 MS. CASANOVA: Sorry.

20 MS. DILLON: Come right over here.

21 MS. CASANOVA: Thank you.

22 CHAIRPERSON CAPIZZI: Sure.

23 MS. DILLON: I need you to --

24 MS. CASANOVA: Hi.

25 MS. DILLON: Please raise your right hand.

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

3 MS. CASANOVA: Yes.

4 MS. DILLON: Okay.

5 Could you please state your name, spell it
6 for the record, slowly, and give your address?

7 MS. CASANOVA: Martha Casanova,
8 M-A-R-T-H-A, C-A-S-A-N-O-V-A, 1604 West Street.

9 MS. DILLON: Thank you.

10 MS. CASANOVA: Resident of 27 years here in
11 Union City. I just have a question regarding the
12 secondary egress that was mentioned.

13 MR. VALELLA: Yes.

14 MS. DILLON: Just step one step closer to
15 the microphone for me.

16 MS. CASANOVA: My question is in regard to
17 the secondary egress that was mentioned with the
18 stairwell.

19 Is that a private entrance/exit -- exit,
20 egress, or is that specifically for the first
21 floor residence, because what if there's a lock
22 or something on it?

23 MR. VALELLA: Yes. Good question.

24 When you come up the steps, the stoop up to
25 the ground floor, then you have doors that are a

1 common hallway to the second floor and to the
2 basement. And then you open the door into the
3 ground floor apartment.

4 So, no, the egressing does not impact the
5 security or privacy of any of the dwelling units.

6 MS. CASANOVA: My question is mostly in
7 regards to it being locked. Is it like a push --

8 CHAIRPERSON CAPIZZI: I think the opposite
9 is what she's asking.

10 MS. CASANOVA: -- bar or is it locked from
11 the opposite side --

12 CHAIRPERSON CAPIZZI: Right.

13 MR. VALELLA: No, no, no.

14 MS. CASANOVA: -- that it would --

15 MR. VALELLA: No, no. The -- the apartment
16 -- the door leading down, the owner of the
17 apartment, the tenant, would have a key to go
18 into his dwelling unit, just like everywhere
19 else.

20 MS. CASANOVA: Yeah, I wouldn't consider
21 that a secondary -- a full secondary egress.

22 MR. VALELLA: Well, no. I said that's the
23 main entrance. The second means of --

24 MS. CASANOVA: Well, my question was for
25 the secondary, not the main.

1 MR. VALELLA: The -- the second one would
2 have a panic bar that they could push and go out
3 to the backyard.

4 MS. CASANOVA: Okay.

5 Mine was with regard specifically for the
6 stairwell that leads into --

7 CHAIRPERSON CAPIZZI: Um hum.

8 MS. CASANOVA: -- the first --

9 MR. VALELLA: Well, that's the --

10 MS. CASANOVA: -- floor residence.

11 MR. VALELLA: No, no, no. Okay. No,
12 that's -- that's your entrance to the apartment.
13 And that has a key so somebody can go into their
14 dwelling unit.

15 CHAIRPERSON CAPIZZI: That what?

16 I'm sorry. I didn't hear that.

17 MR. VALELLA: Okay.

18 When you go into an apartment, you have a
19 front door and you have a key to get into your --

20 CHAIRPERSON CAPIZZI: Yes.

21 MR. VALELLA: -- apartment. That's the
22 condition here.

23 CHAIRPERSON CAPIZZI: So, the question is,
24 what if they lock that door?

25 Correct?

1 MS. CASANOVA: Correct.

2 CHAIRPERSON CAPIZZI: What if the people on
3 the first floor lock the door?

4 MS. MOREJON: How they going to get out?

5 MR. VALELLA: No, no, no, no.

6 MS. CASANOVA: Is their --

7 MR. VALELLA: No, no.

8 MS. CASANOVA: -- their main entrance --

9 MR. VALELLA: No.

10 MS. CASANOVA: -- is the backyard door?

11 MR. VALELLA: No. No.

12 MR. CHEWCASKIE: Orestes?

13 MS. DILLON: One at a time.

14 MR. CHEWCASKIE: Orestes, I think there's
15 some confusion.

16 CHAIRPERSON CAPIZZI: Um hum.

17 MR. CHEWCASKIE: So --

18 MR. VALELLA: Okay.

19 Thank you.

20 MR. CHEWCASKIE: I -- I understand it.

21 There are two means of ingress and egress.
22 So, let's call it the primary and secondary. So,
23 please describe first the primary means of
24 ingress and egress to the apartment.

25 MR. VALELLA: Okay.

1 You come up the steps, the stoop, and you
2 enter the house through the front door. You're
3 in a common hallway. That hallway leads to three
4 doors; the ground floor apartment, the second
5 floor apartment, and the basement. Each of those
6 tenants would have a key to their dwelling unit.
7 That's the first one.

8 MR. CHEWCASKIE: That's the first one.
9 So, the secondary one is what?

10 MR. VALELLA: The second one -- the
11 secondary one is a private egress from the
12 basement apartment only. Once you're in the
13 basement apartment, you can egress out through
14 that door if you need to or wish to.

15 MR. CHEWCASKIE: Now that door you
16 indicated had a panic bar. So, that is -- that
17 could easily be utilized solely by the occupant
18 of the ground floor.

19 MR. VALELLA: Absolutely.

20 MR. CHEWCASKIE: And can you get into the
21 unit from the secondary means of egress?

22 MR. VALELLA: You could put a lock outside,
23 but we -- we would not have one.

24 MR. CHEWCASKIE: Okay.

25 MR. VALELLA: Now, there's a third and a

1 fourth means of egress, which is we're putting in
2 two emergency exit windows, so that a fireman has
3 four ways to get into this apartment, the two
4 doors or the two windows.

5 MR. CHEWCASKIE: Thank you.

6 MR. VALELLA: You're welcome.

7 MR. CHEWCASKIE: I -- I hope that answered
8 your question.

9 MS. CASANOVA: Well, he clarified it more
10 now, but I'm -- I'm just not sure about -- I
11 don't have like a layout of how it is.

12 Again, how would you make sure that that
13 stairwell, whether you're indicating it to be the
14 primary or the secondary, that -- that other
15 egress will not be blocked by one of the other
16 tenants with a bicycle, a stroller, a shopping
17 cart and things of that nature?

18 So, I leave it at that.

19 Thank you.

20 MR. CHEWCASKIE: Okay.

21 Thank you.

22 MR. VALELLA: And last thing, I'll shut up.

23 This is a permitted use. It's going from a
24 two to a three, but a three is a permitted use in
25 the zone.

1 CHAIRPERSON CAPIZZI: Is this -- is this
2 what you're talking about? This one right here?
3 Is this the primary?

4 MR. CHEWCASKIE: Let me take a -- let me
5 stand up so I can get a better look.

6 CHAIRPERSON CAPIZZI: Okay.

7 Is that what you --

8 MR. CHEWCASKIE: This one goes up.

9 CHAIRPERSON CAPIZZI: One?

10 MR. CHEWCASKIE: Yeah. And basement -- so
11 here is the basement.

12 CHAIRPERSON CAPIZZI: Right.

13 MR. CHEWCASKIE: Right.

14 So, this one's going up. So, this is the
15 basement that you go into the first floor, where
16 this is all common. So, this is the first
17 primary means. And then, this is going to be the
18 way out. You're going to go up -- you're going
19 to have a panic bar. So this --

20 CHAIRPERSON CAPIZZI: Right.

21 MR. CHEWCASKIE: This one goes to the
22 common area.

23 CHAIRPERSON CAPIZZI: Yeah.

24 MR. CHEWCASKIE: This one goes out the
25 back.

1 CHAIRPERSON CAPIZZI: Okay. Okay.

2 Does anyone else have any other questions
3 or comments?

4 MS. MOREJON: Mr. Valella, please?

5 CHAIRPERSON CAPIZZI: Yes. Go ahead.

6 MS. PEREIRAS: Mr. Valella?

7 MR. VALELLA: I'm sorry.

8 MS. PEREIRAS: There's another question
9 from the Board members.

10 MS. MOREJON: What's the size of the
11 window? The ones in the front?

12 MR. VALELLA: The window in the front --

13 MS. MOREJON: The one that you're going to
14 replace.

15 MR. VALELLA: The window is two and a half
16 feet by one foot eight. And then, that would be
17 increased to two and a half by three feet.

18 MS. MOREJON: So the -- the window going to
19 be -- going to be two and a half high?

20 MR. VALELLA: Three feet high. And that
21 would satisfy emergency egress and access.

22 MS. MOREJON: So, you're saying these
23 windows at the front of the house --

24 MR. VALELLA: The one in the -- yes.

25 MS. MOREJON: The one in the front of the

1 house?

2 MR. VALELLA: The one in the bottom would
3 be increased.

4 VICE CHAIRPERSON VELAZQUEZ: I used to live
5 in a basement apartment, so I know what they're
6 talking about with that.

7 CHAIRPERSON CAPIZZI: Okay.

8 Any other comments?

9 Questions?

10 No?

11 The public?

12 Do you have any comment?

13 MR. CHEWCASKIE: No. I'm -- I'm good.

14 CHAIRPERSON CAPIZZI: Okay.

15 Okay, seeing no other comment, I'll make a
16 motion to approve the application.

17 THE SECRETARY: Motion on the table to
18 approve the application by Ms. Capizzi.

19 VICE CHAIRPERSON VELAZQUEZ: Second.

20 THE SECRETARY: Seconded by Mr. Velazquez.

21 Roll call on the motion.

22 Ms. Capizzi?

23 CHAIRPERSON CAPIZZI: Yes.

24 THE SECRETARY: Ms. Koehler?

25 MS. KOEHLER: Yes.

1 THE SECRETARY: Mr. Medina?

2 MR. MEDINA: Yes.

3 THE SECRETARY: Ms. Morejon?

4 MS. MOREJON: Yes.

5 THE SECRETARY: Mr. Velazquez?

6 VICE CHAIRPERSON VELAZQUEZ: Yes.

7 THE SECRETARY: Mr. Guareno?

8 MR. GUARENO: Yes.

9 THE SECRETARY: Six in favor.

10 Motion carries.

11 MS. PEREIRAS: Thank you all very much.

12 MR. VALELLA: Thank you.

13 And have a good night.

14 THE SECRETARY: Thank you.

15 MS. PEREIRAS: Thank you.

16 CHAIRPERSON CAPIZZI: You, too.

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

19 MR. VALELLA: Stay safe, everyone.

20 MR. CHEWCASKIE: Good night, Orestes.

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

23 * * *

24

25

1 **616 16th Street, LLC - 616 16th Street:**

2

3 THE SECRETARY: Next application on
4 tonight's agenda, 616 16th Street, LLC.

5 MS. PEREIRAS: Again, Bianca Pereiras --

6 THE SECRETARY: Ms. Pereiras?

7 MS. PEREIRAS: -- on behalf of the
8 applicant for 616 16th Street, also known as Block
9 85, Lot 8.

10 I have submitted my jurisdictional
11 submissions to counsel.

12 MR. CHEWCASKIE: And the -- I had the
13 opportunity to review the notice and the
14 publications; same is in appropriate form.

15 CHAIRPERSON CAPIZZI: Okay.

16 MR. CHEWCASKIE: And the Board does have
17 jurisdiction.

18 CHAIRPERSON CAPIZZI: Okay.

19 MS. PEREIRAS: Thank you very much.

20 The application before the Board this
21 evening is to construct a new three family
22 property. This proposed project is completely
23 conforming with the Zoning Ordinance. We are not
24 seeking any variances whatsoever. We are seeking
25 site plan approval from this Board.

1 We have one expert to testify before the
2 Board this evening, and that is our architect,
3 Ms. Pripal Shukla.

4 MS. DILLON: Please raise your right hand.

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

7 MS. SHUKLA: I do.

8 MS. DILLON: Could you please state your
9 name and spell it for me slowly?

10 MS. SHUKLA: My name is Pripal,
11 P-R-I-P-A-L. Last name Shukla, S-H-U-K-L-A.

12 MS. DILLON: Thank you.

13 MS. SHUKLA: No problem.

14 MS. PEREIRAS: And this is Ms. Shukla's
15 first time appearing before this Board, so I ask
16 that she states her qualifications for the Board.

17 MS. SHUKLA: Yes.

18 I did my bachelors in architecture from
19 Mumbai, India, and I did my masters in
20 architecture from Pratt Institute in New York. I
21 graduated in 2011 and I've been working in New
22 York, New Jersey in design and construction
23 industry for the past ten years.

24 I am a licensed architect in New York and
25 New Jersey. And my license is active and in good

1 standing in New Jersey.

2 MS. PEREIRAS: And Ms. Shukla, you've been
3 working with Pereiras Architects Ubiquitous for
4 about the last year.

5 Correct?

6 MS. SHUKLA: Yes.

7 MS. PEREIRAS: And this is your first time
8 appearing before a Board.

9 Is that correct?

10 MS. SHUKLA: Yes.

11 MS. PEREIRAS: I ask that Ms. Shukla be
12 accepted as an expert in the field of
13 architecture.

14 MR. CHEWCASKIE: There -- there always has
15 to be a first time.

16 MS. PEREIRAS: Right?

17 MR. CHEWCASKIE: And she -- she --

18 MS. PEREIRAS: I told her this was the best
19 board to go before.

20 MR. CHEWCASKIE: She -- she certainly does
21 have the requisite qualifications.

22 CHAIRPERSON CAPIZZI: Yes.

23 MS. PEREIRAS: Exactly.

24 MR. CHEWCASKIE: So, welcome.

25 CHAIRPERSON CAPIZZI: Welcome.

1 MS. SHUKLA: Thank you.

2 Thank you so much.

3 MS. PEREIRAS: Ms. Shukla, have you had an
4 opportunity to review the drawings prepared by
5 Pereiras Architects Ubiquitous?

6 MS. SHUKLA: Yes. I did.

7 MS. PEREIRAS: And are you familiar with
8 the Zoning Ordinance of the City of Union City?

9 MS. SHUKLA: Yes.

10 MS. PEREIRAS: And would you kindly walk us
11 through the proposal?

12 MS. SHUKLA: Sure.

13 So, this is as of right proposal. And we
14 are not requiring any variance or deviation for
15 this project. We are proposing a new three
16 family dwelling on this project.

17 And the property is located on the southern
18 side of 16th Street, between Central Avenue and
19 West Street. It is in R, low density residential
20 zone.

21 We are proposing a four story, 45 feet
22 building. The lot area is 30.54 by hundred feet,
23 which complies to the minimum lot area size of
24 2500 square feet.

25 The building footprint is 25 feet five

1 inches by 85 feet. The -- it complies with the
2 front yard regulations of ten feet, the side yard
3 regulation of five feet together. So, one side
4 we have a two feet side yard and the other side
5 we have three feet five -- three feet one inch
6 side yard. It also complies with the rear yard
7 regulations.

8 I would like to now walk through the floor
9 plan.

10 We have -- we are proposing two designs
11 here. What I'm referring --

12 MS. DILLON: Ms. Shukla, we just need to
13 kind of reposition you. Can you put the easel
14 maybe in between these two podiums?

15 MS. SHUKLA: Sure.

16 MS. DILLON: And maybe Ms. Pereiras could
17 move to the side?

18 MS. PEREIRAS: Um hum. Not a problem.

19 MR. CHEWCASKIE: And just for purposes of
20 the record, we'll mark this as A-1, which are the
21 drawings that are dated, it looks as though
22 they're October 28, 2020, consisting of, I
23 believe, three -- four sheets.

24 MS. SHUKLA: Yes.

25 MR. CHEWCASKIE: Am I correct?

1 MS. SHUKLA: You're correct.

2

3 (Whereupon, Architectural Drawings, Dated
4 10/28/2020, Four Sheets, was received and marked
5 as Exhibit A-1.)

6

7 MS. SHUKLA: So, we are looking at Z02
8 sheet. So, on the first floor, we are proposing
9 the parking. And as of -- it requires six
10 parking spots and which is what we are proposing
11 here.

12 On the second floor, we have a three
13 bedroom, two bath unit. And on the third floor
14 and fourth floor, also we have a three bed, two
15 bath unit.

16 Each apartment -- the apartment on the
17 second floor is around 1900 square feet, three --
18 three bed, two bath unit. And the apartment on
19 the third floor -- the third floor and fourth
20 floor as the first option that you are looking at
21 on Z02, is a duplex unit, where the front of the
22 third floor and fourth floor is one unit, and the
23 back of the third floor and fourth floor is
24 another unit. So, the duplex unit total area
25 including both the floors is around 1795 square

1 feet.

2 And so, the duplex unit is three bed, two
3 and a half bath. And the single unit on the
4 second floor is 1900 square feet, which is a
5 three bed, two bath.

6 Now, I would like to walk through the third
7 sheet, which is Z03. This is another option that
8 we are proposing, where again, the first floor
9 has parking for six cars. And the second floor,
10 third floor and fourth floor each have individual
11 three bed, two bath units, and approximate area
12 is around 1700 -- ranges from 1700 to 1800 square
13 feet.

14 All -- all the units have washer/dryer,
15 within the apartment. And the bedroom sizes
16 range between seven -- 17 and a half to 12 feet
17 in size. The layouts are -- it's an open
18 apartment, pretty spacious with a -- with a
19 generous kitchen area of around ten feet to 21
20 feet.

21 And in terms of the elevation, materials
22 for -- for this project, the front is going to be
23 with beautiful brick façade, actual brick. As
24 you can see on -- on the sheet, on the front,
25 northwest elevation, and the side elevations,

1 | which is southeast and northeast, are going to
2 | have vinyl siding. The brick façade -- the front
3 | brick façade is going to wrap around the sides of
4 | the building to like five feet on both sides.
5 | And the back and the side facades are going to
6 | have vinyl siding material.

7 | Sheet Z04, which is the last sheet, gives
8 | an idea of the neighborhood, the location of the
9 | house and the street neighboring the house.

10 | I'll be happy to answer any questions.

11 | MS. PEREIRAS: As you can tell from Sheet
12 | Z03, that's what we're typically accustomed to,
13 | was the pancake apartment. Following COVID, I
14 | think we've tried to explore a different use of
15 | our space. And creating the duplexes, as on
16 | Sheet Z02, just gives the appearance of a little
17 | more space, a little more privacy for different
18 | members of the family. But we're open to your --
19 | we'd like to have a dialogue with the Board as to
20 | those two proposals and see what the Board would
21 | prefer.

22 | MR. CHEWCASKIE: Well, I guess, you know,
23 | just my question, when I -- when I heard the
24 | testimony was, there's no difference in the
25 | structure, in terms of its façade, the way it's

1 | located on the lot, whether there's option one or
2 | two. The only difference is, the upper floors
3 | are duplexes, or you have three traditional
4 | straight floors, with apartment.

5 | MS. PEREIRAS: That's correct.

6 | MS. SHUKLA: Right.

7 | MR. CHEWCASKIE: Okay.

8 | MS. SHUKLA: So -- so the bulk of the
9 | building, the look of the building would still
10 | remain the same. The layout is what we are
11 | trying to explore options of like a straight one
12 | floor apartment versus a duplex apartment, which
13 | will -- like from inside, it would still give you
14 | a feeling of a penthouse, when -- when we use the
15 | space up to a level. But again, it's -- it's not
16 | something from outside, but in terms of layout,
17 | it would give that feeling.

18 | MR. CHEWCASKIE: So, just so the -- and I'm
19 | sure the Board is well aware of the Union City
20 | Building Department, they -- they like
21 | specificity in resolutions, so if the Board is
22 | inclined to approve the application, it should
23 | select an option so that the applicant would not
24 | have to return to the Board.

25 | CHAIRPERSON CAPIZZI: So, this setback

1 would no longer be.

2 Correct?

3 The way that this building is now, the --

4 MS. SHUKLA: Yeah. We -- we are
5 demolishing the existing building and we are --
6 the new building still complies with the setback
7 regulation. So -- so --

8 CHAIRPERSON CAPIZZI: Is there a
9 possibility that you can take the existing
10 building and build on it?

11 MS. PEREIRAS: Build an extra floor?

12 CHAIRPERSON CAPIZZI: Yeah.

13 MS. PEREIRAS: I mean, that's something to
14 explore. I know they were looking to rehab it
15 originally, and it made more sense for them to
16 create this new building as far as providing
17 parking. I know that was the biggest concern of
18 the applicant.

19 VICE CHAIRPERSON VELAZQUEZ: Is anybody
20 living there right now?

21 MS. PEREIRAS: No.

22 MS. SHUKLA: No.

23 MS. KOEHLER: What is the height of the
24 existing building?

25 MS. SHUKLA: The height of the existing

1 building? It's -- it's a two frame building, so
2 it's -- it ranges like 18 -- 18 feet and six
3 inches to 20 feet.

4 MS. KOEHLER: The height?

5 MS. SHUKLA: Height.

6 MS. KOEHLER: I didn't hear.

7 I'm sorry.

8 MS. SHUKLA: Yeah.

9 CHAIRPERSON CAPIZZI: Eighty?

10 MR. CHEWCASKIE: Eighteen.

11 MS. SHUKLA: Eighteen. Eighteen.

12 CHAIRPERSON CAPIZZI: Eighteen?

13 MS. SHUKLA: Eighteen feet six inches.

14 MS. KOEHLER: Eighteen?

15 MS. SHUKLA: To 20 -- 20 feet.

16 CHAIRPERSON CAPIZZI: And what are you
17 proposing?

18 MS. SHUKLA: It's 45 feet, four story
19 building. And the zoning --

20 CHAIRPERSON CAPIZZI: Does that fit into
21 the neighborhood? Does that fit into the -- to
22 the --

23 MS. SHUKLA: The --

24 A CITIZEN: No, no. I'm sorry, not at all.

25 MS. SHUKLA: For zoning, four story, 45

1 feet is what is allowed.

2 CHAIRPERSON CAPIZZI: I didn't ask if it
3 was allowed. I said, does it fit into the -- to
4 the character of the street? The existing
5 buildings? That's what I asked.

6 MS. SHUKLA: So -- so -- I mean, the
7 neighborhood has -- it's existing houses are
8 somewhere two -- two story, two and a half story
9 building. So, this -- this is a little taller,
10 but it gives extra unit, extra residential space.
11 It gives parking, which is unusual to have.
12 Within the development there are six -- six --
13 the whole idea of going to four story is to
14 provide parking for six cars on the first floor.
15 So, in order to accommodate the parking
16 requirements and why we have to -- comply with
17 the zoning and make it a little taller.

18 VICE CHAIRPERSON VELAZQUEZ: The building
19 is going to really make it stick out like a sore
20 thumb.

21 MS. SHUKLA: Sorry.

22 Say that again.

23 VICE CHAIRPERSON VELAZQUEZ: Building --
24 that's a beautiful structure.

25 MS. SHUKLA: Yeah.

1 VICE CHAIRPERSON VELAZQUEZ: To knock that
2 down and -- and have that, is really going to be
3 like a big, big difference, it's not a little
4 difference.

5 MS. KOEHLER: Yes. I -- I share the view
6 of my members here, that the entire street has --
7 the houses are all turn-of-the-century, --

8 MS. SHUKLA: Yes.

9 MS. KOEHLER: -- regardless of style. And
10 then, to -- height, et cetera, and that -- your
11 proposed building, in and of itself, is
12 beautiful, but on that street, in that lot there,
13 --

14 CHAIRPERSON CAPIZZI: It doesn't fit.

15 MS. KOEHLER: -- it -- it doesn't fit in.
16 And I feel like to demolish that story, which
17 fits in a lot more than -- than those, would be
18 detrimental, I think, to the street and the
19 neighborhood.

20 MS. PEREIRAS: Is the height the concern or
21 the style?

22 MS. KOEHLER: It's -- it's the height, the
23 -- the design style, in that it's block.

24 CHAIRPERSON CAPIZZI: Um hum.

25 MS. KOEHLER: You know, that it's modern,

1 block front, very modern. Whereas the entire
2 street, the entire street, 19th century, initially
3 one family buildings -- you know, over time,
4 they've been converted to maybe two families, but
5 still 19th century.

6 So, if the proposed building had a similar
7 look and the setback matched that --

8 CHAIRPERSON CAPIZZI: Um hum.

9 MS. KOEHLER: -- of the others --

10 CHAIRPERSON CAPIZZI: Um hum.

11 MS. KOEHLER: -- and the height, then I
12 think it would be easier to accommodate the --

13 MS. PEREIRAS: Understood.

14 CHAIRPERSON CAPIZZI: Um hum. I agree.

15 MS. PEREIRAS: Okay.

16 So -- and just so I can question on -- are
17 all of you here for this project?

18 A CITIZEN: Yes.

19 MS. PEREIRAS: Okay.

20 A CITIZEN: We live on the block.

21 MS. PEREIRAS: Okay.

22 So, what I'll ask the Board to do, if you
23 don't mind, if we could carry this matter? Maybe
24 we can have an opportunity to speak to the
25 neighbors and see if we can find a middle ground,

1 and maybe redesign or make this fit in a little
2 better.

3 MS. KOEHLER: A lot more. Yeah.

4 MS. PEREIRAS: Okay.

5 MS. KOEHLER: Sorry.

6 CHAIRPERSON CAPIZZI: Right.

7 MR. CHEWCASKIE: A lot more.

8 All right.

9 So --

10 MS. KOEHLER: It's a beautiful building, in
11 and of itself.

12 MR. CHEWCASKIE: All right.

13 So, the request, Ms. Pereiras, would be to
14 carry this application to the next meeting of the
15 Board?

16 MS. PEREIRAS: Yes.

17 THE SECRETARY: February 23rd?

18 MR. CHEWCASKIE: February 23rd?

19 THE SECRETARY: Yes.

20 MR. CHEWCASKIE: So, I would need a motion,
21 to adjourn this application --

22 CHAIRPERSON CAPIZZI: I make a motion.

23 THE SECRETARY: Motion by Ms. Capizzi.

24 MR. CHEWCASKIE: -- to February 23rd.

25 CHAIRPERSON CAPIZZI: Yes.

1 THE SECRETARY: Any second the motion?

2 MS. MOREJON: Second.

3 THE SECRETARY: Seconded by Ms. Morejon.

4 Roll call on the motion to adjourn this

5 application for February 23.

6 No new notice required.

7 Ms. Capizzi?

8 CHAIRPERSON CAPIZZI: Yes.

9 THE SECRETARY: Ms. Koehler?

10 MS. KOEHLER: Yes.

11 THE SECRETARY: Mr. Medina?

12 MR. MEDINA: Yes.

13 THE SECRETARY: Ms. Morejon?

14 MS. MOREJON: Yes.

15 THE SECRETARY: Mr. Velazquez?

16 VICE CHAIRPERSON VELAZQUEZ: Yes.

17 THE SECRETARY: Mr. Guareno?

18 MR. GUARENO: Yes.

19 THE SECRETARY: Six in favor.

20 Motion carries.

21 MS. PEREIRAS: Thank you all.

22 MR. CHEWCASKIE: Okay.

23 So, just for the members of the public that

24 are here, this application has been adjourned to

25 February 23rd at six p.m.

1 You won't receive any further notice,
2 either in the newspaper or a mailing. So, this
3 is your notice.

4 So, just write down the date.

5 And also, if this matter is not going to be
6 on the agenda, please contact Mr. Vallejo's
7 office before the 23rd, if for some reason we are
8 not proceeding on that date.

9 And Ms. Pereiras, if we need an extension
10 of time, do we have it to the 23rd?

11 MS. PEREIRAS: Absolutely.

12 MR. CHEWCASKIE: Thank you.

13 MS. KOEHLER: And will it be here, also,
14 for the public's notice? Will the meeting be
15 held here?

16 MR. CHEWCASKIE: Yes. It's presently to be
17 held here, based upon what Mr. Vallejo has been
18 telling me.

19 THE SECRETARY: Yes.

20 MS. KOEHLER: Okay.

21 THE SECRETARY: It will be here.

22 MS. PEREIRAS: And if I could just have a
23 minute so I can make sure that the public members
24 have my contact information?

25 MR. CHEWCASKIE: Certainly.

1 MS. DILLON: Off the record?

2 MR. CHEWCASKIE: Yes.

3

4 (Whereupon, the Board recessed from 7:40
5 p.m. to 7:43 p.m.)

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1 **309 10th Street, LLC - 309 10th Street:**

2

3 THE SECRETARY: Next application on
4 tonight's agenda, 309 10th Street, LLC.

5 Ms. Pereiras, please?

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

8 MS. PEREIRAS: Again, Bianca Pereiras, on
9 behalf of the applicant, 309 10th Street, LLC, for
10 property located at 309 10th Street, also known as
11 Block 49, Lot 8.

12 I will wait for counsel to review my
13 submission.

14 MR. CHEWCASKIE: Yes. I've had the
15 opportunity to review the Affidavit of Service,
16 the notices that I've been provided are in
17 appropriate form. The Board does have
18 jurisdiction.

19 MS. PEREIRAS: Thank you very much.

20 This property is located in the R, low
21 density residential zone. We are looking to
22 construct a brand new three family property,
23 completely within the -- and conforming with the
24 Zoning Ordinance. We are not seeking any
25 variances whatsoever.

1 We have one expert to testify before the
2 Board, and that is our architect, Ms. Shukla.

3 Ms. Shukla?

4 MR. CHEWCASKIE: And Ms. Shukla has
5 testified before this Board before, so I think we
6 could accept her qualifications.

7 (Whereupon, Pripal Shukla, previously
8 sworn, testified.)

9 MS. SHUKLA: Thank you. I'm not new
10 anymore.

11 MS. PEREIRAS: Ms. Shukla, are you familiar
12 with the property at 309 10th Street?

13 MS. SHUKLA: Yes.

14 MS. PEREIRAS: And have you had an
15 opportunity to review the drawings prepared by
16 Pereiras Architects?

17 MS. SHUKLA: Yes.

18 MS. PEREIRAS: And would you kindly
19 describe the project for the Board?

20 MS. SHUKLA: Yes.

21 So, it -- it's a similar project. It's an
22 existing two story dwelling house and we are
23 proposing a three family unit. Again, this is as
24 of right proposal and it -- it -- we are not
25 seeking for any variance or deviation from Zoning

1 Ordinance.

2 The property is located on the southern
3 side of 10th Street, between Palisade Avenue and
4 New York Avenue. It is an R, low density
5 residential zone.

6 I am referring to Z01 sheet, the first
7 sheet. And you can see there's an existing site
8 plan and proposed site plan.

9 The proposed site plan complies with the
10 front yard regulation of ten feet, the side yard
11 regulation of five feet. So, we have two feet
12 side yard on one side and three feet one side
13 yard on the other side. We do comply with five
14 feet rear -- rear yard setback also.

15 The lot area is -- the lot size is 25 by a
16 hundred, 2500 square feet. And the total
17 building area is 6,700 square feet. Each floor
18 is around 1,618 square feet.

19 I would like to go on second sheet. So I'm
20 referring to Z02 and we have the similar design
21 here, where the first floor accommodates the
22 parking for the building. We have six parking
23 spaces here. And the second floor has one
24 dwelling unit. It's a three bed, two bath unit
25 and -- which is around 1450 square feet in floor

1 area. It has washer/dryer within the apartment.
2 And the third and fourth floor are duplex
3 apartments. The front of the third and fourth is
4 one unit and the back of the third and fourth is
5 the other unit.

6 The duplex apartment also is the three bed,
7 two and a half bath unit. And the floor area
8 ranges around 1400 square feet for each duplex.

9 I would like to go on Sheet 3, which is
10 Z03. This is the second design option, where
11 it's a more simplistic version of one apartment
12 on each floor. Again, with three bed, two bath
13 unit on each floor and has parking on the first
14 floor.

15 The façade material, elevation material is
16 going to be brick for the front elevation. And
17 the side elevations will have vinyl siding, and
18 the rear elevation is going to have vinyl siding
19 also.

20 And the fourth sheet, Z04, gives an idea of
21 the neighborhood. And as we can see, there --
22 there's already a four story building in the
23 neighborhood here. So, here it ranges somewhere
24 around three to four story buildings; two and a
25 half, four story building. So, the proposal that

1 we have here seems to fit within the area.

2

3 (Whereupon, Architectural Drawings, Dated
4 10/28/2020, Four Sheets, was received and marked
5 as Exhibit A-1.)

6

7 MR. CHEWCASKIE: So what I've done is I've
8 marked as A-1 the architectural drawings, that
9 consist of four sheets and they are dated October
10 28, 2020.

11 Am I correct, Ms. Shukla?

12 MS. SHUKLA: Yes.

13 MR. CHEWCASKIE: And this also has the two
14 options?

15 MS. SHUKLA: Yes.

16 MS. PEREIRAS: It does.

17 VICE CHAIRPERSON VELAZQUEZ: And this
18 property is vacant, too?

19 MS. SHUKLA: Yes.

20 VICE CHAIRPERSON VELAZQUEZ: These property
21 owners are hitting home runs.

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

24 VICE CHAIRPERSON VELAZQUEZ: That
25 photograph taken from the 10th Street side of the

1 front, that's the attached house that belongs to
2 19 -- I mean 915, or is that with the house. The
3 door and the window.

4 MS. PEREIRAS: I'm sorry, Mr. Velazquez.
5 Which one are you referring to?

6 VICE CHAIRPERSON VELAZQUEZ: Z04.

7 MS. PEREIRAS: Um hum.

8 MS. SHUKLA: Yes.

9 VICE CHAIRPERSON VELAZQUEZ: The first
10 picture.

11 MS. PEREIRAS: The first one.

12 MS. SHUKLA: Yes.

13 VICE CHAIRPERSON VELAZQUEZ: That's the
14 house that's connected, 915 Palisade, or is that
15 connected to the house with the door and the
16 window?

17 MS. PEREIRAS: That's not connected to
18 either one of ours.

19 Correct?

20 VICE CHAIRPERSON VELAZQUEZ: Separate
21 structure.

22 MS. PEREIRAS: Our property is --
23 Oh, I apologize.

24 He's referring to this one. Okay.

25 MS. SHUKLA: Oh, this one, okay.

1 MS. PEREIRAS: Ms. Shukla, that looks like
2 it's connected, the building to the side. Can
3 you confirm whether that building to the left of
4 the building is connected?

5 MS. SHUKLA: It is connected. It is
6 connected.

7 CHAIRPERSON CAPIZZI: To the other
8 building?

9 MS. SHUKLA: To -- to this building, yes.

10 MS. KOEHLER: And is this the one being
11 demolished?

12 MS. SHUKLA: This -- let me see the site
13 plan.

14 (Whereupon, there was a pause in the
15 proceedings.)

16 CHAIRPERSON CAPIZZI: Is there a chart
17 somewhere --

18 MS. SHUKLA: Yes.

19 CHAIRPERSON CAPIZZI: -- that shows what's
20 existing right now?

21 MS. SHUKLA: Yes. It -- it --

22 MS. MOREJON: It's a few feet from Palisade
23 Avenue.

24 MS. SHUKLA: Yes. It is connected. The
25 two story, if you -- if you see, the existing

1 site plan on --

2 CHAIRPERSON CAPIZZI: Oh.

3 MS. SHUKLA: -- Z01.

4 CHAIRPERSON CAPIZZI: I got it. There.

5 MS. SHUKLA: It is connected and it's a two
6 story building. The proposed story, we are
7 proposing a two feet setback there for the side
8 yard.

9 MS. PEREIRAS: And Ms. Shukla, you can
10 confirm that all necessary precautions will be
11 taken --

12 MS. SHUKLA: Yes.

13 MS. PEREIRAS: -- when demolishing and
14 constructing.

15 Correct?

16 MS. SHUKLA: Correct.

17 MS. PEREIRAS: And, in fact, this new
18 proposal will actually be a safer alternative to
19 what is existing now.

20 MS. SHUKLA: Yes.

21 CHAIRPERSON CAPIZZI: How is it safer?

22 MS. SHUKLA: It's -- it's going to be a
23 fire wall. The exterior walls will be fire wall
24 and it's -- it won't be connected. Both the
25 buildings won't be connected together.

1 And so, in -- in terms of safety, there
2 would be a passageway to get out from the rear
3 yard to -- and lead to the -- to the street.

4 VICE CHAIRPERSON VELAZQUEZ: I notice
5 there's two properties on Palisade Avenue, across
6 the street from almost Fire -- Memorial Pool.

7 MS. MOREJON: Firefighter's Memorial.

8 VICE CHAIRPERSON VELAZQUEZ: It's vacant
9 right now. I know they demolished the property
10 and this owner doesn't have nothing to do with
11 the Palisade Avenue.

12 MS. PEREIRAS: What's the other property?

13 MS. MOREJON: With the one in the corner.
14 The one in the corner.

15 MS. PEREIRAS: And I can --

16 VICE CHAIRPERSON VELAZQUEZ: At 915. The
17 one in the middle.

18 MS. MOREJON: The one in the middle. The
19 one -- the one in the corner --

20 VICE CHAIRPERSON VELAZQUEZ: I think it's
21 907 and 913 Palisade.

22 MS. PEREIRAS: On Palisade?

23 CHAIRPERSON CAPIZZI: Um hum.

24 MS. PEREIRAS: No, that's a different --
25 that's a different client altogether.

1 VICE CHAIRPERSON VELAZQUEZ: Because a lot
2 of these residents are going to be subjected --
3 to a lot of construction there.

4 MS. PEREIRAS: Sure.

5 CHAIRPERSON CAPIZZI: How much of a
6 backyard is in there?

7 VICE CHAIRPERSON VELAZQUEZ: I don't think
8 there is.

9 MS. SHUKLA: The backyard is five feet by
10 25 feet.

11 Five feet by 25 feet.

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

14 MS. KOEHLER: I'm sorry for my confusion.

15 On the -- on Z1 --

16 MS. PEREIRAS: Um hum.

17 MS. KOEHLER: -- the -- the middle one
18 story house that's attached --

19 MS. PEREIRAS: This right here?

20 Um hum.

21 MS. KOEHLER: -- is -- is that part of
22 what's being demolished?

23 MS. SHUKLA: I don't see it here in the
24 site plan. That's something I will have to
25 verify.

1 CHAIRPERSON CAPIZZI: So how can we approve
2 it? How can we even consider it?

3 MR. CHEWCASKIE: I -- yeah, are you
4 referring to where I see the little door and
5 window?

6 MS. KOEHLER: Yes. That --

7 MR. CHEWCASKIE: Right. I don't think
8 that's included because if I look at the existing
9 site plan --

10 MS. KOEHLER: That's not there. Right.

11 MR. CHEWCASKIE: Right. You -- you'll see
12 the two trees.

13 MS. KOEHLER: Um hum.

14 MR. CHEWCASKIE: And the telephone pole.

15 CHAIRPERSON CAPIZZI: Um hum.

16 MR. CHEWCASKIE: And then that -- that's
17 what's next to it. So I don't believe that's
18 included in this application.

19 MS. KOEHLER: So that's staying. And then,
20 in -- and then next to that little --

21 MS. SHUKLA: Correct.

22 MS. KOEHLER: -- structure will be --

23 CHAIRPERSON CAPIZZI: Is it staying or is
24 it going?

25 MS. KOEHLER: It's staying.

1 MS. PEREIRAS: That's not part of our
2 application.

3 MS. SHUKLA: This --

4 MR. CHEWCASKIE: It's not.

5 CHAIRPERSON CAPIZZI: That little house?

6 MS. PEREIRAS: Correct.

7 CHAIRPERSON CAPIZZI: Is not part --

8 MS. SHUKLA: Yes.

9 CHAIRPERSON CAPIZZI: -- of your
10 application?

11 MS. PEREIRAS: So that should remain and
12 then this --

13 MS. SHUKLA: This is what is being
14 demolished, the two story building.

15 MS. MOREJON: Alex?

16 VICE CHAIRPERSON VELAZQUEZ: That's a --

17 MS. MOREJON: Was this Congera's (phonetic)
18 house? The one that they're going to demolish is
19 Congera's.

20 Right?

21 MS. KOEHLER: And then, instead of the two
22 story, above that little frame there will be a
23 four story.

24 MS. MOREJON: The block has -- across the
25 street from there that they're going to demolish,

1 | there's new houses there. They're really nice,
2 | very nice. It's a -- it's a nice block. You're
3 | close to Palisade Avenue, Palisade is beautiful.
4 | There's a lot of money there that the Mayor is
5 | doing a beautiful renovation on that avenue.

6 | So, I think looking at the new properties
7 | that we have on 10th Street, the new building that
8 | we have on 8th Street, it's a beautiful building.
9 | The condominium across the street from the pool,
10 | beautiful.

11 | I would like to see if you will be able to
12 | change a little bit the front of the house,
13 | please.

14 | MS. SHUKLA: Okay.

15 | MS. PEREIRAS: As far as our proposed --
16 | let me just make sure --

17 | MS. SHUKLA: The -- the front of the house
18 | -- you mean the -- the front look of the
19 | building.

20 | Right? Yeah.

21 | MS. MOREJON: It looks too --
22 | (indiscernible). Maybe something more --

23 | MS. PEREIRAS: You would like it to look a
24 | little more traditional?

25 | MS. MOREJON: Look around the neighborhood.

1 MS. SHUKLA: Okay. Sure.

2 MS. MOREJON: You're going to see beautiful
3 properties there.

4 MS. SHUKLA: Okay.

5 CHAIRPERSON CAPIZZI: So, I think like what
6 you're seeing is that we're trying to -- we
7 understand that you want to have two or three
8 family houses.

9 MS. SHUKLA: Yes.

10 CHAIRPERSON CAPIZZI: Okay.

11 But we don't want boxes --

12 MS. SHUKLA: Right.

13 CHAIRPERSON CAPIZZI: -- and I know it --
14 aesthetics shouldn't be discussed, but we're
15 trying also to build new houses --

16 MS. SHUKLA: Right.

17 CHAIRPERSON CAPIZZI: -- and make them fit
18 into what we have.

19 MS. SHUKLA: Right.

20 CHAIRPERSON CAPIZZI: Complying with all
21 the regulations and so forth.

22 MS. SHUKLA: Right.

23 MS. MOREJON: If you look at Palisade
24 Avenue, too --

25 CHAIRPERSON CAPIZZI: Right.

1 MS. MOREJON: -- you're going to see new
2 fixtures. You're going to see over 3,000 trees
3 that are going to be planted.

4 MS. SHUKLA: Um hum.

5 MS. MOREJON: You're going to see that we
6 already have --

7 How many?

8 Maybe like 34 new planters are going to go
9 to Palisade Avenue.

10 MS. SHUKLA: Right.

11 MS. MOREJON: So, you might want to do
12 something in the front of the property, with like
13 a little tree, a little place to -- to plant
14 something.

15 MS. SHUKLA: Sure.

16 MS. MOREJON: That makes a neighborhood
17 beautiful.

18 MS. SHUKLA: Yeah.

19 MS. PEREIRAS: If we have the space to
20 include it, we'd be happy to include a -- a tree.

21 MS. MOREJON: I'll be honest with you, just
22 take in consideration to change the front of the
23 property please.

24 MS. SHUKLA: Um hum.

25 VICE CHAIRPERSON VELAZQUEZ: We're just

1 | trying to see that everything stays with the
2 | characteristic of the neighborhood.

3 | MS. PEREIRAS: Yes.

4 | VICE CHAIRPERSON VELAZQUEZ: That's the
5 | main thing.

6 | MS. PEREIRAS: And I think in particular,
7 | this area, as mentioned, across the street you
8 | have very similar buildings already --

9 | MS. MOREJON: The value of the property
10 | there is unbelievable.

11 | MS. PEREIRAS: -- constructed. And I think
12 | this is a much nicer alternative to what we have
13 | there at the moment.

14 | MS. MOREJON: Definitely, yes.

15 | CHAIRPERSON CAPIZZI: But we don't want
16 | this design.

17 | MS. MOREJON: Huh?

18 | CHAIRPERSON CAPIZZI: (Indiscernible).

19 | MS. MOREJON: You don't -- (indiscernible).

20 | CHAIRPERSON CAPIZZI: (Indiscernible) --
21 | come back or --

22 | MS. MOREJON: (Indiscernible).

23 | MS. PEREIRAS: If you tell us what the
24 | Board is looking for. I mean, that's something
25 | that we can address. If it's aesthetics, again,

1 we're working within the confines of our
2 Ordinance. And we're making sure that we don't
3 have any variances and address it as best we can.
4 But if the Board has a suggestion as to what we
5 can modify to make it more appealing to the Board
6 --

7 MS. MOREJON: The front of the building.

8 MS. PEREIRAS: -- we're happy to do that.

9 MS. MOREJON: The front of the property,
10 yes.

11 MS. PEREIRAS: The front? We're happy to
12 provide a street tree.

13 MS. MOREJON: Be honest with you, walk
14 Palisade Avenue. Go through there. Look at the
15 houses in front of that, beautiful houses, two
16 family houses.

17 MS. PEREIRAS: Um hum.

18 MS. MOREJON: Any place you go now in Union
19 City you're going to see a lot of construction
20 going on.

21 MS. PEREIRAS: Sure.

22 MS. MOREJON: The building on 8th and
23 Palisade Avenue, beautiful.

24 MS. PEREIRAS: Yes, it is.

25 MS. MOREJON: The one across the street

1 from the pool, they kept the building --

2 MS. PEREIRAS: Um hum.

3 MS. MOREJON: -- and they did a beautiful
4 renovation. Three condominiums they sold. They
5 sold.

6 MS. PEREIRAS: I'm familiar with that one.
7 Um hum.

8 MS. MOREJON: That's what they want.
9 Welcome to Union City.

10 MR. CHEWCASKIE: So, I guess what's the
11 Board's pleasure?

12 CHAIRPERSON CAPIZZI: I think they should
13 look at the design and come up with a better
14 design.

15 MR. CHEWCASKIE: So, if --

16 CHAIRPERSON CAPIZZI: If possible.

17 MR. CHEWCASKIE: Just so, if they're
18 looking to carry the application by direction, if
19 I get from aesthetics, both the façade of the
20 building on the front and provide some form of
21 streetscape or street tree.

22 All right.

23 CHAIRPERSON CAPIZZI: But I think it's more
24 than a tree, though. I mean, it looks like a
25 box.

1 MS. MOREJON: It looks like a box.

2 MR. CHEWCASKIE: Right.

3 CHAIRPERSON CAPIZZI: I mean, if that's
4 what you want to be known for, okay.

5 MS. MOREJON: No.

6 CHAIRPERSON CAPIZZI: It's a dull box.

7 MS. MOREJON: We don't want that.

8 CHAIRPERSON CAPIZZI: I mean, I'm going to
9 say it. Just there's not much to it.

10 MS. PEREIRAS: I think we're -- we're happy
11 to play around with --

12 CHAIRPERSON CAPIZZI: Okay.

13 MS. PEREIRAS: -- the aesthetics.

14 Is it possible to -- if the use itself is
15 fine, if we can work with Mr. Spatz's office as
16 far as design?

17 CHAIRPERSON CAPIZZI: Well, we have to see
18 the application, though. I don't want to say
19 that we would approve an application that we
20 haven't seen. I mean, that's --

21 MS. PEREIRAS: Again, the only thing I'm
22 modifying or that you're asking me to modify is
23 the aesthetic, or the look of the building.

24 Correct?

25 MR. CHEWCASKIE: Correct.

1 MS. PEREIRAS: Okay.

2 And again that --

3 MS. MOREJON: You need lights in the back,
4 you don't have lights in the back, lights up
5 front, lights on the side.

6 MS. PEREIRAS: Um hum. Happy to do that.

7 MS. MOREJON: The house on the corner --

8 VICE CHAIRPERSON VELAZQUEZ: Can we get
9 something that's modern, but old at the same
10 time?

11 MS. MOREJON: Right? Right?

12 VICE CHAIRPERSON VELAZQUEZ:
13 (Indiscernible).

14 MR. CHEWCASKIE: Well, I -- I was going to
15 make a suggestion is that perhaps -- you know,
16 without going to great expense, a rendering with
17 -- you know, materials and the like, because
18 although this -- this may -- may be a box, you
19 may be able to make it look better than a box.

20 MS. KOEHLER: Um hum.

21 I -- and I know that this would bring about
22 a variance, but also, it looks like the houses on
23 that street, the older ones, they -- they don't
24 have -- the first floor is not a garage.

25 MS. PEREIRAS: Um hum.

1 MS. KOEHLER: And I, often times, even
2 though -- and I understand parking is very
3 important, but what happens when you build a --
4 and I see it all the time in new construction,
5 the first floor is a garage and then the
6 residential units above it. So, you lose -- you
7 lose the character of the neighborhood, the
8 walkability, people looking out their windows,
9 the community aspect of the neighborhood, where -
10 - you know, eyes on the street, the first floor,
11 is more welcoming as opposed to walking down the
12 street, garage, garage, garage.

13 But then -- so, yeah. If -- if you --

14 MS. PEREIRAS: I think, Ms. Koehler --

15 MS. KOEHLER: -- can also take into
16 consideration warming up the garage part of it,
17 as well. And I don't -- I don't know how to do
18 that.

19 MS. PEREIRAS: I think in one of our recent
20 applications, you made a similar suggestion.

21 MS. KOEHLER: Yeah.

22 MS. PEREIRAS: And we played around with
23 the actual garage doors to make them look a
24 little less industrial and more residential.
25 We're happy to do that again.

1 MS. MOREJON: We would like to have
2 something like in the -- (indiscernible) -- like
3 you see down in Florida. But I'll be honest with
4 you we have to keep in mind the neighborhood.
5 You don't want to get rid of all these beautiful
6 houses that we have in Union City. You want
7 people to come and build, yes. But also -- you
8 know, to blend with what we have now in Union
9 City. It's very important. Very, very important
10 for the community, for the people that live here
11 many years.

12 VICE CHAIRPERSON VELAZQUEZ: It would be.
13 Yeah.

14 MS. MOREJON: I mean, going to look
15 beautiful.

16 VICE CHAIRPERSON VELAZQUEZ: It would be
17 nice that people are buying houses instead of
18 condos. And I've seen that flip over on that 10th
19 Street across the street.

20 MS. KOEHLER: Um hum.

21 VICE CHAIRPERSON VELAZQUEZ: They're never
22 the same people.

23 MS. KOEHLER: Um hum.

24 VICE CHAIRPERSON VELAZQUEZ: You want to
25 get a sense of the community there. Especially

1 | there. That's a beautiful part of --

2 | MS. PEREIRAS: I -- I can say on behalf of
3 | this applicant, because I've worked with him in
4 | the past quite a bit, he's never condoed. He
5 | sells them as three families or two families.
6 | That's what he's done in the past.

7 | MS. MOREJON: Is -- is going to be owner
8 | occupied? It's going to go for sale?

9 | MS. PEREIRAS: It's probably going to go up
10 | for sale.

11 | MS. MOREJON: For sale.

12 | MS. PEREIRAS: This -- this client already
13 | lives --

14 | MS. MOREJON: Also, by the way --

15 | MS. PEREIRAS: He actually lives on
16 | Palisade Avenue. So, this is his neighborhood.

17 | MR. CHEWCASKIE: All right.

18 | So --

19 | CHAIRPERSON CAPIZZI: Okay.

20 | MR. CHEWCASKIE: -- perhaps we can have a
21 | motion to carry it to February 23rd --

22 | MS. MOREJON: That would be nice.

23 | MR. CHEWCASKIE: -- for a revised, I guess,
24 | plan or rendering, so the Board can consider it
25 | without future notice.

1 CHAIRPERSON CAPIZZI: Okay.

2 I'll make a motion.

3 THE SECRETARY: Motion -- motion to adjourn
4 this application to February 23rd, 2021, same
5 location, same time --

6 MS. MOREJON: Second.

7 THE SECRETARY: -- by Ms. Capizzi.

8 Seconded by Ms. Morejon.

9 Roll call on the motion to adjourn this
10 application.

11 Ms. Capizzi?

12 CHAIRPERSON CAPIZZI: Yes.

13 THE SECRETARY: Ms. Koehler?

14 MS. KOEHLER: Yes.

15 THE SECRETARY: Ms. Morejon?

16 Ms. Morejon?

17 MS. MOREJON: Yes.

18 THE SECRETARY: Thank you.

19 Mr. Medina?

20 MR. MEDINA: Yes.

21 THE SECRETARY: Mr. Velazquez?

22 VICE CHAIRPERSON VELAZQUEZ: Yes.

23 THE SECRETARY: Mr. Guareno?

24 MR. GUARENO: Yes.

25 THE SECRETARY: Six in favor.

1 Carries.

2 The application has been adjourned for
3 February 23rd.

4 No new notice required.

5 Thank you.

6 MR. CHEWCASKIE: You're welcome.

7 THE SECRETARY: Two seconds.

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

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1 **519 15th Street, LLC - 519 15th Street:**

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3 THE SECRETARY: Next application on
4 tonight's agenda, 519 15th Street, LLC.

5 Ms. Pereiras, please?

6 MS. PEREIRAS: Bianca Pereiras on behalf of
7 the applicant, 519 15th Street, LLC, for property
8 at 519 5th (sic) Street -- 15th Street, also known
9 as Block 72, Lot 10.

10 MR. CHEWCASKIE: I've had the opportunity
11 to review the notices provided and they're in
12 appropriate form. The Board does have
13 jurisdiction to hear the application.

14 MS. PEREIRAS: Thank you, counsel.

15 This property is located in the R, low
16 density residential. We are proposing a new,
17 brand new, three family home, as consistent --
18 consistent with the Ordinance and Master Plan of
19 the City of Union City, where we are not
20 requiring any variances whatsoever. We are
21 seeking site plan approval.

22 We have one expert to testify before the
23 Board, and that is Ms. Shukla.

24 (Whereupon, Pripal Shukla, previously
25 sworn, testified.)

1 MS. PEREIRAS: Ms. Shukla, are you familiar
2 with the property at 519 15th Street?

3 MS. SHUKLA: Yes.

4 MS. PEREIRAS: And have you had an
5 opportunity to review the drawings prepared?

6 MS. SHUKLA: Yes.

7 MS. PEREIRAS: And would you kindly
8 describe the proposed project for the Board?

9 MS. SHUKLA: Yes. Sure.

10 So, this is an existing two and a half
11 story building and we are proposing to construct
12 a new three family dwelling.

13 The property is located on the southern
14 side of 15th Street between Bergenline Avenue and
15 West Street. It is in R, low density residential
16 zone.

17 I'm referring to Z01 sheet where we can see
18 the existing site plan and proposed site plan.
19 The lot area -- the lot size is 25 by hundred,
20 2500 square feet. And the total building area is
21 6,700 square feet. The largest floor is around
22 1618 square feet.

23 So it complies with the proposed front yard
24 of ten feet; proposed rear yard of five feet;
25 proposed side yard of total five feet. The one

1 side you have two feet and the other side is
2 three feet one inch.

3 I'm referring to Z02, sheet number two.
4 Here, too, we have two options here.

5 The -- the first option that we are seeing
6 on this sheet is the similar duplex unit option
7 where the first floor is the parking, second
8 floor is a three bed, two bath unit with
9 approximate 1450 feet. And the third and the
10 fourth floor has two duplex units in the front
11 and the back, with three bed, two and a half bath
12 units, with an approximately area of 1315 square
13 feet.

14 The next design option, which is in Sheet
15 Z03, is simple one unit per floor option, where
16 again, the first floor is parking and the second,
17 both, each floor is a three bed, two bath unit
18 with approximate 1320 square feet.

19 The elevation is similar to the previous
20 project, where it's a brick façade in the front
21 and the side facades have vinyl siding, and the
22 rear façade has vinyl siding.

23 The fourth sheet, Z04, gives an idea of the
24 neighborhood where the buildings are -- range
25 between three to four stories. And we do see a

1 basement and garage area here along the street.

2 The photograph taken from the 15th Street
3 has a garage there at the -- at the side. So,
4 it's -- it's something -- the -- the design what
5 we are proposing and the elevation is similar to
6 what the neighborhood character is, of three to
7 four story buildings.

8

9 (Whereupon, Architectural Drawings, Dated
10 10/28/2020, Four Sheets, was received and marked
11 as Exhibit A-1.)

12

13 MR. CHEWCASKIE: I've marked as A-1, the
14 drawings dated October 28, 2020, consisting of
15 four sheets.

16 MS. SHUKLA: Yes.

17 CHAIRPERSON CAPIZZI: Which building do you
18 think it's similar to?

19 MS. SHUKLA: No. I'm talking -- I'm
20 talking about the garage. The garage on the
21 first floor. The photograph taken from the 15th
22 Street has a garage.

23 VICE CHAIRPERSON VELAZQUEZ: It's empty,
24 too.

25 Right?

1 MS. SHUKLA: Yeah.

2 VICE CHAIRPERSON VELAZQUEZ: This is why we
3 have no apartments.

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

6 VICE CHAIRPERSON VELAZQUEZ: That arch,
7 that arch brick. That belongs to -- this used to
8 be the Menendez property.

9 Right?

10 MS. PEREIRAS: Yes.

11 MS. MOREJON: That's right.

12 MS. KOEHLER: So, it looks like it's
13 identical to the previous buildings that you
14 proposed.

15 And I feel so bad it's your first time
16 here, I -- I have the same thing to say --

17 MS. SHUKLA: Yeah.

18 MS. KOEHLER: -- about this one as the
19 others. I promise you we're nicer.

20 But yeah, it's my same concern in that
21 we're -- we're changing the character of the
22 street; 19th century homes and then -- you know,
23 demolishing an existing 19th century home and
24 putting up a modern four story block.

25 So, that's my concern again.

1 CHAIRPERSON CAPIZZI: I agree with those
2 concerns.

3 MS. KOEHLER: As -- as was the same --

4 MS. MOREJON: If I may?

5 I agree with those concern, but I think
6 that an architect -- I have a daughter who could
7 be your age, honestly, she's an attorney. But I
8 want to see, if you are coming to Union City,
9 work with the Board. Take a -- take to the --
10 travel around Union City. You're going to see
11 everything you don't like it. You're going to
12 see beautiful area.

13 MS. SHUKLA: Yeah.

14 MS. MOREJON: Fifteenth Street, I remember
15 I used to own the house on 15 and Summit Avenue,
16 right on the corner years ago. It's not for this
17 façade. It's not for this, it's not. It's not.

18 Please, work with us. We want you here in
19 Union City, with new people. You know, --
20 (indiscernible) -- people -- (indiscernible) --
21 but not this. No, no.

22 MS. PEREIRAS: Again, the look.

23 MS. MOREJON: The look.

24 MS. PEREIRAS: The look is the issue.

25 MS. MOREJON: And even -- even if you know,

1 an architect, I think -- I don't know maybe I'm
2 -- too much -- you don't want to charge if you
3 come to a town, that all the houses are the same,
4 the front. You don't want that. Because if I
5 want to build a house, I don't want the same
6 front of the other house. I don't want that.

7 But listen, come back. Give us something
8 beautiful. I know you can do it.

9 Right, Pereiras?

10 MS. PEREIRAS: I think you know from our
11 office, this is our town. My brother and I grew
12 up in this town.

13 MS. MOREJON: I know.

14 MS. PEREIRAS: We love it.

15 MS. MOREJON: I know that. We know you for
16 many years.

17 MS. PEREIRAS: So -- and we're always open
18 to dialoguing with this Board and to creating
19 something that not only the applicant is proud
20 of, but that the City is proud of as well.

21 Again, we're working within the confines of
22 what we normally present and what is approved in
23 this town. But if the Board would like to see
24 something with a different appeal --

25 MS. MOREJON: I know it's expensive. But

1 the brick --

2 MS. PEREIRAS: -- we're happy to do that.

3 CHAIRPERSON CAPIZZI: Is it possible, maybe
4 to work with the existing house? I don't know if
5 it is. If that's something you can explore so
6 that you're -- the façade looks --

7 MS. MOREJON: Well --

8 CHAIRPERSON CAPIZZI: The front is the same
9 inviting. And then, in the back, you're
10 expanding, and perhaps because on that block,
11 with that picture, the houses are all the same
12 height. So, if you're going to go up, maybe it's
13 back and then you're going up. So it's not so
14 evident that same big, same. That's not
15 congruent. So --

16 MS. PEREIRAS: One of the biggest goals of
17 our application is to try to include parking
18 within the site, so if we're working with what we
19 have, we -- we will have a significant parking
20 variance.

21 So, would the Board rather see variances
22 than a non-variance application?

23 CHAIRPERSON CAPIZZI: I don't know. I see
24 your point.

25 I don't know.

1 VICE CHAIRPERSON VELAZQUEZ: As long as
2 you're willing to see what we can do with it,
3 that's -- that's the main thing, because we're
4 open for dialogue, too. You got lucky, two
5 mayors right next door, houses.

6 MS. PEREIRAS: Right?

7 VICE CHAIRPERSON VELAZQUEZ: What do you
8 want to do? You want to adjourn it?

9 CHAIRPERSON CAPIZZI: Yeah, let's adjourn
10 it.

11 MS. MOREJON: And she can come for the 21st
12 (sic)? No? Going to be done, Diane?

13 CHAIRPERSON CAPIZZI: Excuse me?

14 MS. MOREJON: Can she come back the 21st
15 (sic)?

16 MR. CHEWCASKIE: Yes.

17 CHAIRPERSON CAPIZZI: Um hum.

18 MR. CHEWCASKIE: So, we need a motion to
19 carry it to the 21st (sic).

20 CHAIRPERSON CAPIZZI: I'll make a motion.

21 THE SECRETARY: Motion to adjourn this
22 application for February 23rd, 2021, no new notice
23 required, by Ms. Capizzi.

24 MS. MOREJON: Second.

25 THE SECRETARY: Seconded by Ms. Morejon.

1 Roll call on the motion.

2 Ms. Capizzi?

3 CHAIRPERSON CAPIZZI: Yes.

4 THE SECRETARY: Ms. Koehler?

5 MS. KOEHLER: Yes.

6 THE SECRETARY: Mr. Medina?

7 MR. MEDINA: Yes.

8 THE SECRETARY: Ms. Morejon?

9 MS. MOREJON: Yes.

10 THE SECRETARY: Mr. Velazquez?

11 VICE CHAIRPERSON VELAZQUEZ: Yes.

12 THE SECRETARY: Mr. Guareno?

13 MR. GUARENO: Yes.

14 THE SECRETARY: Six in favor.

15 The motion has been adjourned for February

16 23rd, 2021.

17 Same place, same location, same time.

18 MS. PEREIRAS: See you all next month.

19 THE SECRETARY: Thank you, Ms. Pereiras.

20 MS. PEREIRAS: Thank you all.

21 MS. SHUKLA: Thank you.

22 Thank you so much.

23 MR. CHEWCASKIE: Good night.

24 MS. KOEHLER: Thank you.

25 Good night.

1 THE SECRETARY: Revised plans required.

2 We don't have Resolution for tonight's
3 agenda.

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1 **ADJOURNMENT :**

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

6 Motion by Ms. Capizzi.

7 Seconded by Ms. Morejon.

8 All in favor?

9

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

11

12 THE SECRETARY: The ayes have it.

13 Let the record show that the meeting has
14 ended.

15 Thank you and good night everyone.

16

17 (Whereupon, the proceedings were concluded
18 at 8:14 p.m.)

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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, January 26, 2021 and digitally recorded.

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25 Monitored by and proofread by: Deborah Dillon