

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

REGULAR MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
: _____ :
:

Union City High School
Media Room and Theater
2500 Kennedy Boulevard
Union City, New Jersey

Thursday, February 11, 2021
Commencing at 6:30 p.m.

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

MIGUEL ORTIZ
GERALDINE PEREZ, Alternate No. 2
RAYMOND CETINICH, Alternate No. 3
MARGARITA GUTIERREZ, Vice Chairperson
VICTOR M. GRULLON, Chairperson

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

LIBERO MAROTTA
JOHN MEDINA
DAVID W. PRESSEY
ROSIO PENA, Alternate No. 1
MINDRY WATLEY, Alternate No. 4

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

CARLOS VALLEJO, Secretary to the Board

TOMAS R. PANEQUE, ESQ., Board Attorney

DAVID SPATZ, Consultant
Community Housing and Planning Associates

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

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, Equity Trust Co Fbo
Baruch Gadot & Denise Gadot

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, 527 39th Street, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, 391 Mountain Road, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, 815 13th Street, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant,
Park Avenue Investments, LLC

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123 20th Street

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1 THE SECRETARY: Opening statement.

2 Adequate notice of this meeting has been
3 provided as follow:

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

11 Please take notice that on Thursday,
12 February 11, 2021, six p.m., a Regular Meeting is
13 scheduled for the Union City Board of Adjustment,
14 to be held in the Union City High School, located
15 at 2500 John F. Kennedy Boulevard.

16 Can everybody kindly rise to salute the
17 flag, please?

18

19 (Whereupon, the Pledge of Allegiance was
20 said by all.)

21

22 THE SECRETARY: Thank you.

23

24 **ROLL CALL:**

25

1 THE SECRETARY: Roll call for tonight's
2 meeting.

3 Mr. Grullon?

4 MS. DILLON: Excuse me?

5 Carlos is not clear.

6 CHAIRPERSON GRULLON: Here.

7 Present.

8 THE SECRETARY: Mr. Marotta?

9 Is absent.

10 Ms. Gutierrez?

11 VICE CHAIRPERSON GUTIERREZ: Here.

12 THE SECRETARY: Mr. Ortiz?

13 MR. ORTIZ: Present.

14 THE SECRETARY: Mr. Pressey?

15 Is absent.

16 Mr. Medina?

17 Is absent.

18 Ms. Pena?

19 Is absent.

20 Ms. Perez?

21 MS. PEREZ: Here.

22 THE SECRETARY: Mr. Cetinich?

23 MR. CETINICH: Here.

24 THE SECRETARY: Ms. Watley?

25 Is absent.

1 Let the record indicate there are five
2 present for tonight's --

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1 **ADOPTION OF MINUTES:**

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3 (1) Regular Meeting Held on January 14, 2021

4

5 THE SECRETARY: Approval of previous
6 meeting minutes on January 14, 2021.

7 Can I have a motion?

8 CHAIRPERSON GRULLON: Motion.

9 THE SECRETARY: Motion by Mr. Grullon.

10 VICE CHAIRPERSON GUTIERREZ: Second.

11 THE SECRETARY: Seconded by Mr. Ortiz.

12 Roll call on the motion.

13 Mr. Grullon?

14 CHAIRPERSON GRULLON: Yes.

15 THE SECRETARY: Ms. Gutierrez?

16 VICE CHAIRPERSON GUTIERREZ: Yes.

17 THE SECRETARY: Mr. Ortiz?

18 MR. ORTIZ: Yes.

19 THE SECRETARY: Ms. Perez?

20 MS. PEREZ: Yes.

21 THE SECRETARY: Mr. Cetinich?

22 MR. CETINICH: Yes.

23 THE SECRETARY: Five in favor.

24 Motion carries.

25

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

3 * * *

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1 **Equity Trust Co Fbo Baruch Gadot &**

2 **Denise Gadot - 123 20th Street:**

3

4 THE SECRETARY: First application on
5 tonight's agenda, Equity Trust, Co., Fbo Baruch
6 Gadot and Denise Gadot, 123 20th Street.

7 Ms. Pereiras, please?

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

10 MR. PANEQUE: Let the record reflect the
11 following:

12 I've been provided by Ms. Pereiras with a
13 certification as to publication and service
14 indicating that notice of tonight's hearing was
15 published in the local newspaper, The Jersey
16 Journal, on January 30th, 2021. Said notice
17 indicates that there will be a meeting tonight at
18 the Union City High School, at this address, with
19 respect to the property located at 123 20th
20 Street, Union City, New Jersey.

21 I've also been provided with a copy of the
22 actual article that was published in the
23 newspaper on January 30, 2021, and an Affidavit
24 of Publication from The Jersey Journal.

25 I've also been provided with a list from

1 the Union City Tax Assessor's Office with a date
2 of January 21st, 2021, listing all property owners
3 within the 200 foot radius of 123 20th Street.

4 I've also been provided with the certified
5 mail receipts with a postmark date stamp of
6 January 30th, 2021.

7 Based on the documentation that has been
8 provided to this Board, this Board has
9 jurisdiction to proceed and hear this matter.

10 MS. PEREIRAS: Thank you, counsel.

11 CHAIRPERSON GRULLON: You may proceed.

12 MS. PEREIRAS: Thank you.

13 Good evening, counsel, Mr. Chairman,
14 members of the Board.

15 Members of the public, good evening.

16 May it please the Board, Bianca Pereiras on
17 behalf of the applicant, for property located at
18 123 20th Street, also known as Block 175, Lot 40.

19 The Board often sees applications from
20 developers coming to develop, build, sell and
21 move on. I'm sure the Board can appreciate this
22 application because we have someone coming in who
23 wants to reside in Union City, who fell in love
24 with Union City and found the perfect street to
25 live in retirement years, on 20th Street across

1 from the reservoir.

2 There is a little bit of history to this
3 application. Mr. and Mrs. Gadot had previously
4 appeared pro se in front of the Planning Board,
5 on an application to construct a three family
6 home. At that meeting, there was opposition from
7 some of the neighbors and since Mr. Gadot wants
8 to live here he wants to have a happy neighbor
9 and he withdrew that application.

10 He came to our office and we revised the
11 application to a two family home.

12 We have two variances, simply because of
13 our lot dimension. This is a permitted use in
14 the zone. We are -- (indiscernible).

15 We have one expert to testify, and that is
16 our architect, Mr. Manuel Pereiras.

17 MS. DILLON: Please raise your right hand.

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

20 MR. PEREIRAS: I do.

21 MS. DILLON: Please state your name for the
22 record.

23 MR. PEREIRAS: Manny Pereiras,
24 P-E-R-E-I-R-A-S, with Pereiras Architects
25 Ubiquitous, 1116 Summit Avenue, Union City.

1 MS. DILLON: And I'm going to ask you to
2 keep your voice up more than usual because of the
3 circumstances.

4 MR. PEREIRAS: I'll try my best.

5 MS. DILLON: Thank you.

6 MS. PEREIRAS: And for purposes of the
7 record, Mr. Pereiras has testified before this
8 Board in the past. I ask that he be accepted as
9 an expert in the field of architecture.

10 CHAIRPERSON GRULLON: We accept your
11 qualifications.

12 MS. PEREIRAS: Mr. Pereiras, are you
13 familiar with the property at 123 20th Street?

14 MR. PEREIRAS: I am.

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

17 MR. PEREIRAS: I have.

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

20 MR. PEREIRAS: I'd be very happy to.

21 Mr. Chairman, counsel, members of the
22 Board, -- (indiscernible background noise) --
23 very happy to walk you through.

24 Counsel -- (indiscernible, background
25 noise) -- what's going on here.

1 We have a typical -- (indiscernible,
2 background noise) -- however --

3 Can she hear me?

4 MR. PANEQUE: One second.

5 There seems to be somebody saying something
6 from the theater. I can't make it out.

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

9 CHAIRPERSON GRULLON: Mr. Paneque?

10 MR. PANEQUE: Yes.

11 CHAIRPERSON GRULLON: Mr. Paneque?

12 MR. PANEQUE: Yes, I'm hearing you.

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

15 CHAIRPERSON GRULLON: Sorry about that.

16 Technical difficulty. First time that we
17 do two rooms.

18 Okay.

19 You may continue.

20 THE SECRETARY: All right.

21 Go ahead, Mr. Pereiras.

22 MR. PEREIRAS: Thank you.

23 As I was saying, we have a typical 25 foot
24 wide lot, which is the permitted and required
25 dimension.

1 However, on the east side of the property,
2 the depth of the lot is 87.91 feet, and on the
3 west side of the property, the depth is 87.83.
4 That triggers the first --

5 CHAIRPERSON GRULLON: Let me just see.
6 (Indiscernible).

7 Sorry.

8 MR. PEREIRAS: Keep going?

9 So, that triggers the first of our
10 variances, which is lot depth.

11 The second one is just a condition of the
12 first one, which is lot area. Lot area, whereas
13 2500 square feet are required for a typical 25 by
14 100 lot, we are 2,196, because we don't have that
15 distance in the rear.

16 Those are the only two variances.

17 Is that better?

18 Those are the only two variances we have
19 before this Board. They are a function of the
20 land that we have, that -- and we can't do
21 anything about that. We can't add more land to
22 it, we can't extend the property lines. There is
23 no property for sale that we can modify around
24 us, because if we modify their property, a
25 different property, we're going to make the other

1 | lots nonconforming. So, this is a condition that
2 | we're stuck with and that's the reason we're
3 | before this Board.

4 | The applicant understands that this is a
5 | little bit undersized lot. We have 304 square
6 | feet less than the typical lot, slightly less
7 | than a typical lot. And as a condition of that,
8 | they have decided to come before this Board with
9 | a two family house, simply because they want good
10 | neighbors. They want to live there, they want to
11 | -- they want to be a good neighbor to the -- to
12 | the -- a good neighbor. So, they have a two
13 | family house instead of a three family house,
14 | which is permitted in this zone.

15 | Beyond that, we're not asking for any
16 | additional variances. Our building conforms
17 | completely to the Zoning Ordinance, and I want to
18 | walk you through them.

19 | I have several presentation materials.

20 | To my left, I have an easel with the
21 | construction -- with the zoning documents. They
22 | are the same zoning documents that were submitted
23 | to the city and available to you. They have --
24 | the latest revision date was November 16th of
25 | 2020. And it's starts with Sheet Z01 and it

1 continues to Sheet Z05.

2 In addition to that, I have another easel
3 and I will -- with an image. It's a computer
4 rendering of what this two family house is going
5 to look at -- look like when it's completed.

6 And I have another image that I'm going to
7 use. It's an aerial photograph of the
8 neighborhood, so that we could see the
9 neighborhood and understand how this building
10 fits into the rest of the block.

11 Should I mark those as exhibits?

12 For the record, I am marking the rear of
13 the documents as A-1, with today's date.

14

15 (Whereupon, Sheets Z01-Z05 and Computer
16 Rendering, was received and marked as Exhibit A-
17 1.)

18

19 MR. PEREIRAS: And the aerial photograph as
20 A-2 with today's date.

21

22 (Whereupon, Aerial Photograph was received
23 and marked as Exhibit A-2.)

24

25 MR. PANEQUE: Mr. Pereiras, if I could ask

1 | you to bring those exhibits to this easel so that
2 | individuals that are in the other room can also
3 | see them?

4 | MR. PEREIRAS: I'd be happy to. I'll be
5 | going into them in depth.

6 | And these are the two exhibits I marked
7 | into record and I will be going over them
8 | individually in more depth.

9 | Starting with Sheet -- Sheet Z01, we see
10 | the existing site plan and the proposed site
11 | plan. The first thing that you could see is in
12 | the existing building, there is currently parking
13 | in front of the building. However, there was no
14 | sufficient space to adequately park a vehicle
15 | inside the property. The car would overlap over
16 | the sidewalk. Our application completely
17 | eliminates that. We are parking four vehicles
18 | inside the property and removing that curb cut --
19 | (indiscernible).

20 | We are constructing our new building ten
21 | feet back from the property line. This is in
22 | line with the house to the immediate west of our
23 | property. And it conforms with the Zoning
24 | Ordinance of ten feet. And that allows us to do
25 | several things.

1 One of the best things is that it allows us
2 to create some landscaping beds. So, we have
3 four landscaping beds proposed in the front of
4 the property. Each of these landscaping beds is
5 seven feet four -- seven feet four inches in
6 depth, and three -- and three feet, or two foot
7 six -- two foot six and two feet wide. So, they
8 flank the pedestrian entry and they flank the --
9 the vehicle entry into the site.

10 The driveway entrance is in the middle of
11 the property and we created a curb cut for that
12 driveway entrance. And the curb cut and the
13 sidewalk will meet all of Union City standards
14 and stay just as beautiful as it is -- it is --
15 it currently is.

16 Our side yards are respectively three feet
17 and two feet. That's specifically what the
18 Ordinance requires and we're conforming with
19 those requirements.

20 The existing house had two feet and change
21 on the east side and zero on the west side. It
22 was abutting the adjacent house. We're making
23 that situation significantly better by adding two
24 feet away, and creating all the fire requirements
25 necessary to make that a safe fire barrier. And

1 I'll expand on that, as well.

2 So, our house is set back three feet on one
3 side and two feet on the other.

4 Then, our rear yard is set back five feet
5 from the rear, which again is in conformance
6 completely with the Zoning Ordinance.

7 So, what we did is we basically took the
8 Zoning Ordinance, did exactly what it prescribes
9 to us, and we're building exactly that and
10 creating this volume. And within that volume,
11 we're creating a two family house.

12 I'm turning now to Sheet Z02, and we can
13 see the first three levels. The ground level has
14 what we described earlier, which is the driveway
15 entrance and the entrance -- the pedestrian
16 entrance on both sides.

17 What we did is we created, and this is in
18 accordance with Code, a two family house.
19 Technically, the State of New Jersey now requires
20 two separate individual entrances. We have
21 entrance on the west side and an entrance on the
22 east side. So, each of the apartments in this
23 two family house has its own individual entrance.
24 You have the entrance to the first apartment on
25 the left and the entrance to the second apartment

1 on the right.

2 In between those two is the driveway
3 entrance and that driveway leads you to four
4 parking spaces. We have two in tandem for
5 apartment unit A, and two in tandem for apartment
6 unit 3 -- unit B. And we have plenty of room for
7 them to back out as a typical residential
8 situation.

9 This is actually a lot better than a normal
10 three family. Remember, in three families, we
11 normally have six parking spaces in this space.
12 It's actually a lot more comfortable, we have a
13 two family, we're only fitting four cars in this
14 space. They maneuver very well. And now, each
15 of the two units have two parking spaces that
16 work beautifully.

17 The second entrance for the upstairs
18 apartment is actually through the rear. And we
19 have garbage receptacles and a trash room along
20 the rear of the property.

21 The other small rooms that you see here in
22 the garage is the electric service and the water
23 meters that are all contained within the
24 building, and not ugly on the outside of the
25 building that we often see in other properties.

1 The entrance to apartment unit A is on the
2 left hand side, as I mentioned, and unit B on the
3 right hand side. Unit A has steps going up.
4 Unit B has an elevator. And since unit B has an
5 elevator in the front, we created the steps for
6 unit B along the rear of the property. Just in
7 case there's some type of power outage and
8 there's a problem, they have access to their
9 apartment through the stairs along the back of
10 the property.

11 If you go on the unit A side and you take
12 the steps up, it leads you to this floor. This
13 is the first living residence. And in this
14 floor, you enter the apartment. Immediately as
15 you walk up the -- the -- open the front door, it
16 opens here, leading to a large living room,
17 dining room, kitchen area, very modern design.
18 And this whole area is actually double height so
19 that it is two stories in height.

20 The kitchen area, and then you have the
21 bedrooms. And it's -- what we created was a
22 junior suite long the back, so it -- by that, we
23 mean it has its own bathroom and walk-in closet,
24 a smaller bedroom that is a perfect size for a
25 small den or a home office, a -- a small half

1 bath for the -- the living area.

2 And then, there are steps along here, where
3 I'm pointing, that take you to that second floor
4 of unit A. And that is -- this whole area is
5 open to below. So when you lounge on this floor,
6 you could actually see the living room down below
7 and that's where the master suite is.

8 So what we have in the end is an apartment
9 that is three bedrooms, typical in Union City.
10 However, it's using this space, this volume in
11 order to have this double height space and have a
12 nice interaction between the two floors.

13 If we go to unit B, let's go back to the
14 ground floor, we enter the elevator, and that
15 elevator bypasses the second floor, the third
16 floor, and it takes you to the second apartment,
17 unit B.

18 In that second apartment, the elevator
19 opens, and it opens to the living room, dining
20 room area. And then, we have two bedrooms behind
21 that; a master suite. That's where the -- those
22 who would like to reside, this is their
23 apartment, so we have a beautiful master suite
24 where we have a nice large bathroom with double
25 sinks, shower, they have double closets. And

1 | then, they have a second bedroom really for their
2 | guests.

3 | And then, you could take, from that floor,
4 | you could take steps up to a small mezzanine.

5 | Now, a mezzanine, by Code, is only a third
6 | of the floor plan. So, this is all open to
7 | below. This is all open to below. And there's a
8 | small section here which is basically like a hang
9 | out lounge that has its own bathroom and they
10 | overlook the living space below that.

11 | From there, let's talk about the volume of
12 | the building. Our Code -- our Building Code
13 | allows us to have a height of 45 feet to the
14 | roof. And that's what we did. We met the
15 | Building Ordinance exactly with what we have. We
16 | have roughly very flat site and we have a volume
17 | of that height.

18 | And as you can see here, what we did is we
19 | wanted to introduce brick. We always --
20 | (indiscernible) -- putting brick in Union City as
21 | much as possible. So, we did the whole ground
22 | floor as brick. And actually, it's better to use
23 | the rendering to describe it.

24 | And then, what I'm very glad to do, since
25 | this is an owner occupied building, I'm very glad

1 to have these tall windows, floor to ceiling
2 windows. Normally, we -- we don't have the
3 ability to put that on project because it's very
4 expensive. However, since they want to live
5 here, they're spoiling themselves a little bit
6 and they're doing floor to ceiling windows, which
7 is gorgeous.

8 We have fiber cement panels and metal
9 panels over on the perimeter. We have these wood
10 accents to really divide the materials. And we
11 have a small canopy over the garage and entryway,
12 just to add that touch and have a little bit of
13 protection from the elements.

14 Now, the question is, does this fit into
15 the neighborhood?

16 We took a lot of care into this, and we
17 also spent time looking at the neighborhood, and
18 seeing what really is the character of the
19 neighborhood.

20 This is an aerial photograph looking south,
21 I would say, towards this block. Our property is
22 right here, 123 20th Street. And what we did is
23 we basically describe each of the -- first, you
24 could see the -- the setbacks on the building
25 vary a lot. They go from zero to ten to a little

1 bit more, to -- all the way back to zero.

2 The construction materials is very random
3 on this block. You have every different type of
4 style of architecture that you could imagine,
5 from one end to the other.

6 And then, one of the things I wanted to
7 really look at is if it fit in height wise.

8 This is our property. As you could see, we
9 have four story buildings, both on the west and
10 on the east side, multiple four story buildings
11 on both sides of the property. So, this building
12 really does fit in with the character of the
13 neighborhood. And it's not larger than any other
14 structure in the neighborhood. It actually
15 complies a hundred percent with our Zoning
16 Ordinance. It's not a three family house, which
17 is permitted. We're only providing a two family
18 house.

19 And I think that concludes my testimony.

20 I'm very -- I'm open to the public, and to
21 the Board for your questions.

22 CHAIRPERSON GRULLON: Mr. Pereiras, I'm
23 going to apologize, but I -- I would like you to
24 review again the -- the setback for the property
25 --

1 MR. PEREIRAS: I'd be very happy to.

2 CHAIRPERSON GRULLON: -- in beginning,
3 existing and proposed. If you can do a
4 comparison again.

5 MR. PEREIRAS: I'd be very happy to.

6 So, we're maintaining the existing setback
7 for the property to the building.

8 However, the existing property had steps
9 along the front. Those steps will no longer be
10 there. Those steps were on the zero property
11 line.

12 We're doing a true ten foot front yard
13 setback. There are no buildings in those ten
14 feet, there are no steps. There is nothing
15 except landscaping and pavers on the ground. So,
16 we have a true ten foot front yard setback. In
17 that setback, we have landscaping there.

18 On the side yards, the existing was two
19 feet and change. I think it's -- at the best
20 spot, it's two feet ten; at the worst spot is
21 about two foot eight. It's slightly slanted.
22 We're creating a clear full three feet one inches
23 on -- on the east side yard.

24 On the west side yard, it's one zero. Now,
25 we're creating two feet on that side yard. So,

1 again, another improvement.

2 In the rear yard, we had multiple
3 structures there. We had this one story -- this
4 two story frame. We had concrete on the ground.
5 We're demoing all that concrete, and what we're
6 doing is we're creating a five foot rear yard.
7 That's further than the existing house. But it's
8 completely in conformance with our Ordinance.
9 We're not asking for a variance there. So, we
10 comply with the five foot rear yard setback
11 there.

12 And those are my setbacks.

13 CHAIRPERSON GRULLON: Thank you, Mr.
14 Pereiras.

15 Do you have any other witness, Ms.
16 Pereiras?

17 MS. PEREIRAS: We do not.

18 CHAIRPERSON GRULLON: And before we do any
19 comments, I know we anticipate, you know,
20 comments from the Board, I hear the testimony of
21 the professional, but it would like to open it to
22 the public, to start getting the public.

23 If there's anyone from the public that
24 wants to have any comment on this application,
25 you want to step forward, raise your hand.

1 Please, yeah, one at a time.

2 Come forward.

3 THE SECRETARY: Sir?

4 MR. GRIFFO: (Indiscernible).

5 MR. PEREIRAS: I'm sorry. Step -- step
6 forward, sir. You're going to have to --

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

9 MR. GRIFFO: I just --

10 MS. DILLON: Sir?

11 MR. GRIFFO: -- want a few questions.

12 MS. DILLON: Sir?

13 Please wait.

14 Sir?

15 MR. GRIFFO: Okay.

16 MS. DILLON: I need to swear you in.

17 MR. GRIFFO: (Indiscernible).

18 MR. PEREIRAS: Sir, your -- your name.

19 MR. GRIFFO: Oh, I'm sorry.

20 Is she talking?

21 A VOICE: She is.

22 MR. GRIFFO: I can.

23 MS. DILLON: Okay. Sir, please raise your
24 right hand.

25 Do you affirm the testimony you're about to

1 give this Board is the whole truth?

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

4 MS. DILLON: Can he not hear me?

5 MR. PEREIRAS: The whole testimony you're
6 about to give this Board is the whole truth?

7 MR. GRIFFO: Yes.

8 MS. DILLON: Okay.

9 Now, I need you to state your name and
10 spell it for me.

11 MR. GRIFFO: Joseph, J-O-S-E-P-H, Griffo,
12 G-R-I-F-F-O.

13 MS. DILLON: And what is your address, Mr.
14 Griffo?

15 MR. GRIFFO: 123 19th.

16 MS. DILLON: Thank you very much.

17 Go ahead.

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

20 MR. GRIFFO: I -- I actually just want -- I
21 did have something to say, but first one.

22 I'm not sure I understood exactly what
23 you're saying about why the variance is required.

24 I guess, two questions.

25 One, would you -- if this was a -- a 100

1 foot lot, like most, would you require the same
2 variance?

3 MR. PEREIRAS: Yeah.

4 No, the variances are only for the depth of
5 the lot. So, we're not asking for more variances
6 other than the lot.

7 So, one of the requirements is that every
8 lot in Union City should have a hundred foot
9 depth. And every lot should be 2500 square feet.

10 MR. GRIFFO: Um hum.

11 MR. PEREIRAS: We don't have either of
12 those two. Those are each a variance and those
13 are the only variances we're asking for tonight.

14 MR. GRIFFO: What would a --

15 MR. PEREIRAS: So, in other words, no
16 matter what I build on this lot, if I built a one
17 family house, if I built a doghouse, whatever it
18 is I build would have to come before this Board
19 for the same variances.

20 MR. GRIFFO: All right.

21 So, just because it's not -- no matter what
22 you do on a lot that size.

23 MR. PEREIRAS: Correct.

24 MR. GRIFFO: The houses that were built,
25 they were built before this --

1 MR. PEREIRAS: Correct.

2 MR. GRIFFO: All right.

3 I'm going to -- I'm going to see -- I'm
4 going to have some more questions later.

5 CHAIRPERSON GRULLON: Any other member of
6 the public?

7 Any other member of the public want to step
8 forward?

9 Please come forward.

10 MS. RINALDO: Hi.

11 MS. DILLON: All right.

12 Please raise your right hand.

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

15 MS. RINALDO: Yes.

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

18 MS. RINALDO: Patricia Rinaldo,
19 R-I-N-A-L-D-O.

20 MS. DILLON: And Miss Rinaldo, what is your
21 address?

22 MS. RINALDO: 336 Mountain Road.

23 MS. DILLON: Thank you so much.

24 Please go ahead.

25 MS. RINALDO: Thank you.

1 Can I just see this for a second?

2 MR. PEREIRAS: Very happy to.

3 MS. RINALDO: (Indiscernible) -- sees
4 everything.

5 MR. PEREIRAS: I know, but the Board needs
6 to see it too.

7 MS. RINALDO: Okay.

8 I have a question.

9 MR. PEREIRAS: Sure.

10 MS. RINALDO: Because I know the property
11 there. You are separating --

12 MR. PEREIRAS: Understand.

13 MS. RINALDO: You're separating detached
14 houses.

15 MS. DILLON: Can you please speak up, Miss
16 Rinaldo?

17 MS. RINALDO: What are you doing --

18 MR. PEREIRAS: She needs to hear us.

19 MS. RINALDO: Okay. Sorry.

20 I asked since it appears that he is
21 detaching the attached houses by two feet, are
22 you responsible with residing that side of the
23 house?

24 MR. PEREIRAS: So, we are removing the
25 detached house --

1 MS. RINALDO: Right.

2 MR. PEREIRAS: -- on the west, it's not
3 attached there.

4 I'm sorry. Backward.

5 MS. RINALDO: Yeah. I know.

6 MR. PEREIRAS: On the west it's currently
7 attached on the east it's not.

8 MS. RINALDO: Correct.

9 MR. PEREIRAS: We are setting that back two
10 feet. Yes, we're responsible for siding the
11 existing house.

12 MS. RINALDO: Yeah. Because two feet is
13 going to be really difficult --

14 MR. PEREIRAS: Yeah.

15 MS. RINALDO: -- to get in there and do any
16 work.

17 Okay. That was number one.

18 I didn't understand the elevator. The
19 elevator services the second and the third, or
20 fourth floor.

21 MR. PEREIRAS: So, there's only two units.

22 MS. RINALDO: Right.

23 MR. PEREIRAS: The elevator only services
24 unit B.

25 MS. RINALDO: It does? It doesn't service

1 the second floor?

2 MR. PEREIRAS: It does not service the unit
3 A.

4 MS. RINALDO: Hmm. Not -- not a good idea.
5 No flexibility.

6 MR. PEREIRAS: Well --

7 MS. RINALDO: Okay.

8 MR. PEREIRAS: There's actually a -- a--

9 MS. RINALDO: Privacy.

10 MR. PEREIRAS: -- because of Code,
11 unfortunately.

12 MS. RINALDO: Oh, really? I didn't know
13 that.

14 Okay.

15 Thank you.

16 MR. PEREIRAS: You're welcome.

17 MS. RINALDO: Bye-bye.

18 CHAIRPERSON GRULLON: Any other member of
19 the public wants to step forward?

20 Please?

21 MS. LANE: Hi there.

22 MS. DILLON: Please raise your right hand.

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

25 MS. LANE: Yes.

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

3 MS. LANE: Sure.

4 My name is May, M-A-Y, Lane, L-A-N-E.

5 MS. DILLON: And what is your address, Miss
6 Lane?

7 MS. LANE: I currently live at 179 20th
8 Street. I also own 155 20th Street.

9 MS. DILLON: Thank you.

10 MS. LANE: So, I think what was really
11 highlighted tonight by the architect are issues
12 with the existing variances. It is true that on
13 20th Street we have the Regency buildings which
14 are slightly to the west of this property, and
15 one other building slightly to the east of the
16 building that both were built within the last ten
17 years, both four stories tall and both falling
18 apart.

19 They also really don't fit the
20 neighborhood. Prior to this new variance, the
21 buildings on 20th Street were two stories high.
22 And there had -- it was aesthetically pleasing.

23 The new construction buildings that are
24 coming in are being thrown up really quickly. My
25 heart goes out to the people who have bought in

1 | them. As a person who lived in the neighborhood
2 | for ten years, we had befriended the lovely
3 | people who have bought in these quick
4 | construction condos, and as the buildings fall
5 | apart, as the roofs leak every time it rains, as
6 | the quick flashings flood, we see our children's
7 | friends move away because it is so draining
8 | financially and emotionally for these families in
9 | these quick new construction projects.

10 | They buy them. They fall in love, and the
11 | quality is so bad that the people end up leaving.

12 | I can say as somebody who's bought on 20th
13 | Street and lovingly, gently restored these
14 | wonderful hundred year old homes, that there is a
15 | market for just maintaining the properties,
16 | updating and lovingly restoring them. House is
17 | bound. It has share the party wall with a member
18 | of our community who's been a wonderful member of
19 | our community for 40 years I think Sharon has
20 | lived here.

21 | The idea that her house is going to be
22 | affected in this way, I just -- it's unfathomable
23 | to me that a party wall that has existed for a
24 | hundred years, that they will be able to detach
25 | her house without causing structural issues.

1 And I feel like as a kind of father of the
2 community, you should really be protecting a
3 constituent and a taxpayer who's been a member of
4 the community for 40 years. The idea that her
5 party wall is going to be separated, and she has
6 -- what's her security going to be, five years
7 from now, when a long term consequence might come
8 up in terms of her foundation?

9 Beyond that, this idea of allowing these
10 homes to be bought up individually, and each one
11 that has full lot coverage, we're having an issue
12 with, those of us who have backyards on the
13 block, the backyards are flooding. We're having
14 issues with standing water in the summertime
15 because with everybody and all of these
16 interruptions in the flow of water.

17 So, in the suburbs, when you see large
18 planned communities, they are required to have a
19 reservoir cut out. You need someplace for water
20 to go. Backyards are flooding terribly because
21 of all of these full -- full lot coverage. It's
22 going to be an issue.

23 Like I said, as somebody who's been on 20th
24 Street for a long time, has been in Union City
25 for a long time, as these big construction

1 projects go up around us, dealt with having
2 flooding for the first time in the last couple of
3 years.

4 And it's because the water needs someplace
5 to go and we have to stop -- we have to -- just
6 because there's a precedent for something doesn't
7 make it right. Maybe we need to look at our
8 history, and say, oops, I made a mistake. And
9 just because I did something one way in the past,
10 I can learn from it.

11 Is there anything we can learn from the
12 Trump presidency? We need to be able to
13 acknowledge making a mistake, interrupt the
14 mistake and make it better now.

15 So, just because we've allowed these four
16 story, full lot coverage monstrosities --
17 (indiscernible) -- justify allowing it to happen.
18 It's going to have a negative consequence. It's
19 going to have a negative health consequence.
20 Standing water, mosquitoes bring West Nile, they
21 up the tick population.

22 We need to be more responsible.

23 And in terms of this family wanting to live
24 here, theoretically, they bought a one family
25 house. Why not restore that one family house?

1 If you actually want to be a part of the
2 neighborhood, because this -- although it is
3 beautiful, and congratulations to you, it is not
4 -- it doesn't jibe with our neighborhood. This
5 doesn't look like anything in the neighborhood.

6 And if we look at neighborhoods that are
7 pleasing, it's because there is continuity.
8 Think about the blocks surrounding Ellsworth
9 Park. Why are they so pleasing? Because there's
10 continuity to the construction.

11 This, although congratulations --
12 (indiscernible) -- it's not Union City, it's not
13 20th Street. And it's going to have a negative
14 affect on those of us who live there, like I
15 said.

16 Perhaps, theoretically, you could park
17 those cars there, but what I see happen in these
18 tandem parking situations is that people don't
19 have compact cars. They drive SUVs, they can't
20 get them in, they can't coordinate whose parking
21 where, and they end up parking in the street.
22 Our street is already -- because we have half of
23 it shared with Weehawken, and Weehawken doesn't
24 do street sweeping, people have -- have like
25 abandoned 30 year old cars that just sit there.

1 So, it's already hard to park on 20th. And
2 you're going to create a more -- changing it from
3 one family to two family is really going to make
4 it more challenging for all of us who live there
5 and share this space already.

6 Hopefully, if this project can be
7 interrupted, the house can either be updated and
8 restored and turned into a beautiful one family.

9 And like I said, as a landlord, and can be
10 invested in Union City, I promise that you can
11 make a solvent living lovingly restoring a house
12 with a backyard, especially during COVID. There
13 is an active market of people looking for one
14 family homes with a backyard.

15 So, I -- I believe that the people who
16 bought are investors, a quick realtor -- sold
17 lots of primary residences in the last two years.
18 And it's fine if you want to buy houses and flip
19 houses, but not with a negative consequence for
20 the neighborhood. If they want to buy and
21 invest, flip -- flip the house lovingly as a one
22 unit. Update the hardwood flooring, put in an
23 adult kitchen. You'll make money. It might not
24 be gangbanger money. But you can still make
25 money lovingly restoring this and selling it to a

1 family that actually wants to raise their kids in
2 our town.

3 Also, just it would be great -- we had a
4 lot of people show up the first three times this
5 house came up. And each time that we have to
6 come -- you know, you have to find babysitters
7 and everything else. There is a -- there are a
8 lot of people that wanted to advocate, like I
9 said, for Sharon, who's been part of our
10 neighborhood for 40 years. There are a lot of
11 people who wanted to come and say, please learn
12 from the mistakes of the Regency; please learn
13 from the mistakes of these other four unit
14 buildings.

15 And they're not here, and this meeting was
16 not available -- if you have Zoom right here,
17 right now with each other, it seems unreasonable
18 that those -- we had neighbors that wanted the
19 Zoom call to be open to the general public.
20 Perhaps that's something that you all could look
21 into.

22 Anyway, that's it for me.

23 MR. PEREIRAS: I want to try to answer all
24 your comments as best as I can. You made a lot
25 of statements and I'm going to try to go over

1 | them one by one.

2 | First and foremost, started by saying that
3 | we're taking down a party wall to the adjacent
4 | house. There's no party wall. The neighbor has
5 | an independent house and currently --
6 | (indiscernible) -- independent house. There are
7 | two walls right up against each other. They do
8 | not effect each other structurally. They could
9 | be taken down safely.

10 | MS. LANE: (Indiscernible).

11 | MR. PEREIRAS: (Indiscernible) -- let me
12 | finish.

13 | MS. LANE: Sure. But can I interrupt?

14 | MR. PEREIRAS: (Indiscernible).

15 | MS. DILLON: Excuse me?

16 | You have to speak one at a time. You're
17 | canceling each other out.

18 | MS. LANE: You're on bedrock and it just --
19 | based on my general knowledge about vibration and
20 | construction and heavy machinery, if you have big
21 | heavy construction stuff happening right next to
22 | an existing structure, there's going to be
23 | negative consequences.

24 | MR. PEREIRAS: You have knowledge --

25 | I'm sorry, ma'am.

1 And I don't want to be rude in any way.

2 MS. LANE: Um hum.

3 MR. PEREIRAS: Do you have knowledge in
4 construction? You have a degree in the -- in the
5 construction field?

6 MS. LANE: No. I'm just a simple
7 housewife.

8 MR. PEREIRAS: No. I'm asking you. If
9 you -- you could be an architect. I don't know.
10 Are you an architect? Are you an engineer?

11 MS. LANE: I'm not an architect or an
12 engineer. I'm just --

13 MR. PEREIRAS: Okay.

14 MS. LANE: -- somebody who has made --

15 MR. PEREIRAS: Ma'am, I am.

16 MS. LANE: -- my living in real estate in
17 Union City for the last ten years.

18 MR. PEREIRAS: And I appreciate that. But
19 I am an architect. And not only am I an
20 architect, we also had an engineer look at this
21 house.

22 MS. LANE: Um hum.

23 MR. PEREIRAS: A structural engineer. Not
24 only that, I'm born and raised in Union City. I
25 know Union City very well. I've probably lived

1 | in Union City a lot longer than you have.

2 | MS. LANE: And you've seen lots of
3 | buildings like this.

4 | MR. PEREIRAS: No. I hope to make a lot
5 | more like this. And I will continue to do so.

6 | I love Union City and I love the
7 | architecture of Union City and I love working
8 | here. I understand the bedrock. I went to
9 | school and I studied for many years, I interned
10 | for many years. I --

11 | MS. LANE: Congratulations.

12 | MR. PEREIRAS: -- took many exams in order
13 | to be an architect. And this house is
14 | structurally independent from the next.

15 | In addition to that, we have a Building
16 | Department which is top notch and they're going
17 | to be reviewing this, as we build this. They're
18 | going to be conducting inspection. We're going
19 | to have their neighbor's insurance company on us
20 | very tightly. We're going to make sure that that
21 | house is sound and good. And we are responsible
22 | for it in case something happens. That's the
23 | first step. And you mentioned about structural.
24 | Okay.

25 | Number two, you mentioned a lot about water

1 and pooling water into neighborhood and some
2 floods and things of that nature.

3 MS. LANE: Yes.

4 MR. PEREIRAS: If that's the case, and I
5 know it is --

6 MS. LANE: It is.

7 MR. PEREIRAS: -- especially in that
8 neighborhood, I know it very well. I've done --

9 MS. LANE: Um hum.

10 MR. PEREIRAS: I've probably worked on a
11 majority of the houses in that neighborhood.
12 There -- it's a significant problem.

13 MS. LANE: Yes.

14 MR. PEREIRAS: And you should welcome new
15 construction --

16 MS. LANE: No. That's not the case.

17 MR. PEREIRAS: You're going to interrupt me
18 again?

19 MS. LANE: Yes. Because --

20 MR. PEREIRAS: Okay.

21 MS. LANE: The issues have arisen with --
22 when -- when the full lot coverage stuff started
23 to happen.

24 Where's the water going to go? Thanks to
25 climate change, we're having flash floods. It's

1 no longer the case that you can slowly allow
2 things to have -- to use regular drains. Those
3 of us with backyards are dealing with flooding,
4 thanks to the houses -- by owning houses next to
5 full lot coverage houses.

6 It just is what it is. He can say whatever
7 he wants, but the reality is that we live in a
8 neighborhood is that when you put up these --
9 these buildings, no matter what the intention of
10 the architect is, no matter how magnanimous he
11 might be, global climate change is a reality,
12 flash flooding is a reality.

13 I turned 40 this year, and I can say in my
14 40 years, as a child living in New Jersey, the
15 rainfall in the summer is not what it is right
16 now. We have consequences that are changing.
17 The -- the way rain and snow are falling is
18 different now than it was previously.

19 MR. PEREIRAS: Ma'am, let's talk climate --

20 MS. LANE: I have --

21 MR. PEREIRAS: -- and let's talk --

22 (indiscernible).

23 Global climate change is real. It's a very
24 real thing.

25 MS. LANE: Um hum.

1 MR. PEREIRAS: That's why our Codes have
2 really protected the environment.

3 And right now, what we have on that house,
4 if it rains on that roof, you know where that
5 water goes? Into the neighborhood and into the
6 sewer system, which is a combined sewer and
7 overflows.

8 When we build this, when it rains, do you
9 know where the water is going to go? It's not
10 going to go into the neighborhood and it's not
11 going to go into the sewer system. It's going to
12 go into a storm water retention tank that we're
13 going to install and put on this property. It is
14 a tank that's going to hold water for any
15 rainfall.

16 So, and then --

17 MS. LANE: (Indiscernible).

18 MR. PEREIRAS: -- it's going to seep it
19 slowly into the ground over time.

20 That is a condition that is signifi -- not
21 even slightly better, not equal to what it is
22 now. It's significantly better for the
23 neighborhood, for you, for everyone in that
24 neighborhood. It's significantly better and it's
25 significantly better for our environment to have

1 a -- (indiscernible) -- like this and it's going
2 to protect all the things that you're mentioning.

3 And I know it's your neighborhood. I love
4 that. It's great. But this storm water
5 management is -- and -- (indiscernible) -- it's
6 going to be much better than what currently it
7 is.

8 Okay?

9 Let's go through the other statements that
10 you said.

11 You said that it doesn't fit into the
12 character of the neighborhood, because the
13 character before the prior houses were built.
14 The reality is --

15 MS. LANE: We have --

16 MR. PEREIRAS: -- those other houses were
17 built.

18 MS. LANE: We have three, yes.

19 MR. PEREIRAS: And there's several of them.

20 MS. LANE: No. There's three total, my
21 friend. There's three -- one on -- there's one
22 on 19th Street, and there are three on -- on our
23 block.

24 MR. PEREIRAS: There's a four story project
25 right here, on the west.

1 MS. LANE: Falling apart.

2 MR. PEREIRAS: And there's --

3 MS. LANE: Falling apart. And then there's
4 one, again, the --

5 MR. PEREIRAS: There's a lot. There's
6 several buildings that are --

7 MS. LANE: There are three.

8 MR. PEREIRAS: -- four stories.

9 MS. LANE: Three.

10 MR. PEREIRAS: There are --

11 MS. LANE: (Indiscernible) -- several --

12 MR. PEREIRAS: There's four on the same
13 block. On one block, ma'am.

14 MS. LANE: Three.

15 MR. PEREIRAS: So, the very -- fits the
16 character of the neighborhood. Fundamentally, it
17 is.

18 MS. LANE: I --

19 MR. PEREIRAS: It's a fact.

20 MS. LANE: I disagree with you, my friend.

21 MR. PEREIRAS: Now, --

22 MS. LANE: A three --

23 MR. PEREIRAS: -- shoddy construction.

24 MS. LANE: Yeah.

25 MR. PEREIRAS: None of my buildings are

1 shoddy construction.

2 MS. LANE: I'm sure they aren't.

3 MR. PEREIRAS: Homeowners want to live
4 there. They're not going to build something
5 that's -- someone's not going to spend money on
6 a façade that looks like this and it's going to
7 be shoddy construction.

8 This is not a cheap building. This is not
9 a cheap façade. In order to have all that glass,
10 I need a significant amount of structure.

11 MS. LANE: (Indiscernible).

12 MR. PEREIRAS: (Indiscernible) -- it is not
13 shoddy construction.

14 MS. LANE: And they're going to be -- is
15 this -- is this going to be a variance for it to
16 be condo or are they going to be rental?

17 MR. PEREIRAS: That's another point.

18 You said variances based on what's existing
19 and what we did.

20 MS. LANE: Well, what's existing --

21 MR. PEREIRAS: (Indiscernible).

22 MS. LANE: I mean, you don't have a hundred
23 feet --

24 MS. DILLON: Excuse me?

25 Mr. Pereiras, can you please move closer to

1 the laptop?

2 MR. PEREIRAS: Be very happy to.

3 MS. DILLON: Thank you.

4 MR. PEREIRAS: You mentioned that we
5 shouldn't approve this because we've done it
6 before in the past.

7 MS. LANE: We need to learn from mistakes.

8 MR. PEREIRAS: That's right. But we didn't
9 -- we're not approving this because what else is
10 there. We're not approving this because of what
11 other buildings are there.

12 We're approving this because this is
13 permitted in the zone.

14 MS. LANE: Yeah. And I opened by saying --

15 MR. PEREIRAS: The setback, rear yard --

16 MS. LANE: -- we need to learn --

17 MR. PEREIRAS: -- front yard setbacks --

18 MS. LANE: We need to learn from mistakes.

19 MR. PEREIRAS: Um hum.

20 MS. LANE: When you look at -- when you
21 look at mistakes, you need to say, oh, my
22 goodness, perhaps this should be an example of
23 why this construction project should not proceed,
24 because it had a deleterious effect on the
25 neighborhood.

1 MR. PEREIRAS: Um hum. And if you feel
2 that way -- and I understand, and -- and I might
3 even share some of your opinions.

4 This is not the venue to do it. This is an
5 application that conforms with the house. Union
6 City went through a Master Plan --

7 MS. LANE: Wonderful.

8 MR. PEREIRAS: -- review.

9 MS. LANE: (Indiscernible) -- enough of
10 this neighborhood. We've come to meeting after
11 meeting, and I'm sorry, it's hard to stay on top
12 of things. I understand that this antiquated
13 system of publishing stuff in a newspaper that no
14 one reads, publishing today on a website that no
15 one can go to, sending letters to people who live
16 within spitting distance.

17 I -- I want -- (indiscernible) -- very hard
18 to stay abreast when these meetings happen.

19 So, we're coming when we can, when we know
20 it's direct -- the neighborhood. And we had to
21 come multiple times to deal with just this
22 property. How are we -- how as neighborhood
23 members are we supposed to know when these grand
24 choices were made? You know what I mean? But
25 that's why we're here today.

1 MR. PEREIRAS: I appreciate that you're
2 here today.

3 And just so you understand a little bit of
4 the history and understand why.

5 The applicants came before this Board pro
6 se, and they came for a three family house.

7 MS. LANE: Yeah.

8 MR. PEREIRAS: He heard the neighborhood.
9 You guys did not want it. So, what he did is, he
10 came -- went back, he hired us. We recommended
11 and we talked and we discussed this at length.
12 We went through many meetings.

13 MS. LANE: It's hard.

14 MR. PEREIRAS: And we came back with a two
15 family house --

16 MS. LANE: Harder --

17 MR. PEREIRAS: -- that conforms --

18 MS. LANE: (Indiscernible).

19 MR. PEREIRAS: You keep interrupting me,
20 ma'am.

21 MS. LANE: Well, because we knew the
22 people, the lovely man who passed away, was part
23 of our neighborhood. And when his kids sold to
24 this -- to this buyer, they said how much they
25 wanted to -- to -- you know, -- (indiscernible)

1 -- house as it was. They wanted to be part of
2 the neighborhood. And then, boom. The next
3 thing you know, we're actually -- (indiscernible)
4 -- oh, oh, oh, -- (indiscernible).

5 When somebody opens with a mistruth, it's
6 been hard to take --

7 MR. PEREIRAS: They promised you.

8 MS. LANE: -- (indiscernible).

9 MR. PEREIRAS: They have every right to
10 provide a three family house in --
11 (indiscernible). It's permitted, ma'am. It's
12 what you're allowed to do.

13 MS. LANE: But they don't -- I mean,
14 permitted.

15 MR. PEREIRAS: No.

16 MS. LANE: (Indiscernible).

17 MR. PEREIRAS: (Indiscernible) --
18 additional variances involved --

19 Go ahead.

20 MS. LANE: They don't have a hundred feet.
21 You don't have a hundred feet.

22 MS. DILLON: Please speak one at a time.

23 MR. PEREIRAS: (Indiscernible) --
24 variances.

25 MS. LANE: Yes. I'm --

1 MR. PEREIRAS: Once --

2 MS. LANE: -- sure that it doesn't have the
3 hundred feet. And I hope that the members vote
4 on this, see that the building doesn't have the
5 requisite hundred feet. And so, it shouldn't be
6 a two family building. It shouldn't be anything
7 other than what it is, which is a very sweet
8 profitable, lovely little home.

9 Okay.

10 Thank you.

11 CHAIRPERSON GRULLON: Thank you.

12 Thank you.

13 VICE CHAIRPERSON GUTIERREZ: Thank you.

14 CHAIRPERSON GRULLON: Any other member of
15 the public want to step forward?

16 Sir, please come forward.

17 MR. KEOUGHAN: Is this only questions or am
18 I going to be able to speak again?

19 Or is this it?

20 MR. PANEQUE: These are your questions,
21 sir.

22 MR. KEOUGHAN: These are questions of the
23 architect.

24 MS. DILLON: Sir, please raise your right
25 hand.

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

3 MR. KEOUGHAN: I do.

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

6 MR. KEOUGHAN: Tom Keoughan,
7 K-E-O-U-G-H-A-N.

8 MS. DILLON: G-H?

9 MR. KEOUGHAN: A-N.

10 MS. DILLON: And your address, sir?

11 MR. KEOUGHAN: 125 20th Street.

12 MS. DILLON: Thank you very much.

13 MR. KEOUGHAN: Okay?

14 MS. DILLON: Yes. Go ahead.

15 MR. KEOUGHAN: Unit B, that's the second
16 and third floor, the first and second floor?

17 MR. PEREIRAS: So, it's the third -- the
18 fourth floor mezzanine.

19 MR. KEOUGHAN: So unit A is what I want --
20 wanted to talk about.

21 You have a living room. Is that a
22 mezzanine over that, so it's sort of open?

23 MR. PEREIRAS: It's a two story space
24 completely open.

25 MR. KEOUGHAN: Okay. All right. Good.

1 Secondly -- (indiscernible) -- it seems to me
2 that -- (indiscernible) -- the lot.

3 MR. PEREIRAS: They actually completely
4 conform. The -- the side yards, front yard and
5 rear yard.

6 MR. KEOUGHAN: Oh, no, no. The -- the
7 spaces between the -- between the edge of the lot
8 and the building, those are correct. But the
9 lot's not big enough to build what you want to
10 build.

11 MR. PEREIRAS: Actually it's exactly --

12 MR. KEOUGHAN: Unless --

13 MR. PEREIRAS: -- the right size.

14 MR. KEOUGHAN: Unless -- isn't there
15 something about the hundred feet?

16 MS. LANE: With a variance.

17 MR. KEOUGHAN: With a -- with a variance.

18 MS. LANE: (Indiscernible).

19 MR. PEREIRAS: It's not what I want to
20 build. The lot is existing. I can't make the
21 lot bigger. I can't stretch it out in any way.
22 I can't take from another -- the lot is there.

23 MR. KEOUGHAN: You could build a smaller
24 building.

25 MR. PEREIRAS: But it doesn't change my

1 variance, it doesn't change the lot size.

2 MR. KEOUGHAN: You don't want to build a
3 smaller building.

4 MR. PEREIRAS: No. That's not the case,
5 sir.

6 The -- the variance is for the lot size.
7 It doesn't matter what I build. If I build a two
8 foot by two foot dollhouse, my lot is still going
9 to be the same size.

10 MR. KEOUGHAN: Yeah.

11 MR. PEREIRAS: Now, the requirements, the
12 bulk requirements of the zone are that I have two
13 feet from one side, three from the other, five in
14 the rear and ten in the front.

15 If I had a bigger lot, my building would
16 get bigger. If I had a smaller lot, my building
17 would get smaller. But the dimensions for my
18 building to a lot ranges would remain the same no
19 matter what it is.

20 MR. KEOUGHAN: I understand.

21 MR. PEREIRAS: No matter what I build. So,
22 I'm not asking for variances on anything other
23 than what is existing, and it's the lot size.
24 And because of that, normally, my building would
25 be 85 feet long in every other project that we do

1 in Union City now.

2 MR. KEOUGHAN: Um hum.

3 MR. PEREIRAS: This is significantly
4 smaller because we're only adding seven foot lot
5 but we're reducing ten feet in bulk. Now, we're
6 reducing five feet in the back.

7 So, I can't build the same type building.
8 I'm building a smaller building because the lot
9 is smaller. And I'm permitted to do so.

10 MR. KEOUGHAN: Yeah, but you -- you said in
11 your -- in your statements, your opening, that
12 the volume of the building, it was like -- was it
13 304 feet that you needed extra?

14 MR. PEREIRAS: Not the volume of the
15 building. There is a lot area of 2500 square
16 feet.

17 MR. KEOUGHAN: Yeah.

18 MR. PEREIRAS: That's the typical lot in
19 Union City, because typical lots are supposed to
20 be 25 wide by a hundred deep. That's what this
21 should have been. The reality is, land is
22 different and it has different dimensions.

23 Because this is not a hundred feet long,
24 it's 87 and change -- 88 feet, because of that,
25 we have a lot depth variance and we have a lot

1 area variance.

2 MR. KEOUGHAN: Right.

3 So, the lot size is in reality. In
4 reality, it's short.

5 Right?

6 It's in reality. This building you're
7 proposing, it's going to be, in reality, too.
8 And it doesn't really fit the lot size.

9 MR. PEREIRAS: Yes, it does fit.

10 MR. KEOUGHAN: No. It fits the areas
11 around it.

12 MR. PEREIRAS: No, sir. You're
13 misunderstanding.

14 MR. KEOUGHAN: I don't think I am.

15 MR. PEREIRAS: Completely you are sir.
16 Let's look at -- talk about --

17 MR. KEOUGHAN: It seems to me that the
18 building that's currently there is grandfathered
19 in --

20 MR. PEREIRAS: And the building that's
21 actually there does not conform with the Zoning
22 Ordinance, by the way.

23 MR. KEOUGHAN: But it's there, in reality.

24 MR. PEREIRAS: Um hum. And it's
25 grandfathered in.

1 MR. KEOUGHAN: But it is there.

2 MR. PEREIRAS: It's what called pre-
3 existing --

4 MR. KEOUGHAN: And --

5 MR. PEREIRAS: -- nonconforming use.

6 MR. KEOUGHAN: -- you need variances --
7 (indiscernible) -- another building, a bigger
8 building.

9 Is that true?

10 MR. PEREIRAS: We need a variance for
11 whatever we do on that property.

12 MR. KEOUGHAN: Including a bigger building.

13 MR. PEREIRAS: Including a bigger building.

14 MR. KEOUGHAN: Which this building is.

15 MR. PEREIRAS: This will be bigger than the
16 existing. Yes.

17 MR. KEOUGHAN: Right. Okay.

18 Those are my questions.

19 CHAIRPERSON GRULLON: Thank you, sir.

20 Any member of the public want to step
21 forward?

22 Please come forward.

23 MS. JOLLY: Hello.

24 MR. PEREIRAS: Hi.

25 MS. DILLON: Hello.

1 Please raise your right hand.

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

4 MS. JOLLY: Yes.

5 MS. DILLON: Could you please state your
6 name and spell it for me?

7 MS. JOLLY: Caroline, C-A-R-O-L-I-N-E,
8 Jolly, J-O-L-L-Y.

9 MS. DILLON: And your -- what is your
10 address, please?

11 MS. JOLLY: 389 Mountain Road.

12 MS. DILLON: Thank you.

13 MS. JOLLY: Thank you.

14 So, I have a question.

15 I was under the impression at one point,
16 that there was a lot divvying up, if you will,
17 60/40.

18 Does that no longer exist?

19 MR. PEREIRAS: I'm not sure where you got
20 that.

21 MS. JOLLY: Meaning -- meaning you could
22 build on 60 percent of your lot and 40 would
23 remain unbuilt on.

24 Has anyone heard of --

25 MR. PEREIRAS: No.

1 MS. JOLLY: This is something no one's ever
2 heard of.

3 Okay. So, that -- that was one question.

4 So, now, I get to actually see it, and it
5 is very outsized. And I really hate to agree
6 with all my neighbors, but the two or three
7 buildings that have been built that are very
8 large are an absolute eyesore. I step out --

9 MR. PEREIRAS: They're very ugly. They're
10 very --

11 MS. JOLLY: They are very ugly.

12 MR. PEREIRAS: -- ugly buildings. Yup.

13 MS. JOLLY: And this is love --

14 MR. PEREIRAS: This is not. This is not.

15 MS. JOLLY: This is not, but it is not also
16 character with the neighborhood, I would have you
17 sort of maybe acknowledge that. It's not in
18 character with the neighborhood. It is lovely.
19 Trust me. I would much rather look out my back
20 door and see this than what I see right now.

21 MR. PEREIRAS: Okay.

22 Thank you.

23 MS. JOLLY: Okay?

24 MR. PEREIRAS: Thank you for that.

25 MS. JOLLY: So, I am in the position of

1 | being in the house next door to the next one that
2 | you're bringing up.

3 | See, there are multiple of these on the
4 | table today. And all of them are asking to go
5 | all the way back in that lot. And it is
6 | offensive to live next to them.

7 | Okay?

8 | It means that when I come outside, I am
9 | right up in a brick wall.

10 | Okay?

11 | And it means that they have to build in the
12 | side alley. If they don't, then they -- they
13 | don't have to put windows there. But if they do
14 | want windows there, then they're put in the side
15 | alley, if someone opens that window then their
16 | head's in my lot.

17 | Okay?

18 | This past year, we've seen an abundance --
19 | all of my neighbors have victory gardens.
20 | They're growing tomatoes, they're doing this,
21 | they're doing that. And why? Because we've come
22 | to understand how incredibly valuable outdoor
23 | space is.

24 | I do not want to live in a tract. I don't
25 | want the person next to me to be here. I don't

1 want Sharon to live next to this.

2 All of us should be considering the fact
3 that this is open green space. And you can say
4 -- you know, oh it's just one building. But it's
5 like the chocolate cake in the fridge. It's just
6 one more little bite, and all of a sudden, I've
7 eaten a whole Entenmann's. You know, I'm the --
8 I'm like, ooh, whoops. And in the end, it
9 becomes a problem because if you start looking
10 down at that aerial view, and every single
11 property butts up to the property behind it, and
12 on either side, all of a sudden, it is a hot
13 cement filled mess. There is no outdoor space.

14 I would really appreciate that we all
15 consider that because you can always build more.
16 Trust me. It's real hard to take it back. And I
17 would really like to see that that's being
18 considered with all of these properties. We're
19 all in the same position essentially. We're all
20 saying the same thing. You are infringing on my
21 space.

22 It's not a question of whether you are
23 allowed to do it, it's a question of are you
24 being a good neighbor by doing it? You know? I
25 can tell you when I go outside, and I want some

1 | peace and quiet, and four stories walks out on
2 | his deck, hello, in his bathing suit, I'm not a
3 | happy camper.

4 | Okay?

5 | A CITIZEN: Hopefully in his bathing suit.

6 | MS. JOLLY: When we're lucky when he is.
7 | We're all happy.

8 | But you see my point.

9 | MR. PEREIRAS: I completely see your point.
10 | I understand your point. I actually appreciate
11 | your point.

12 | Now, I'm going to give you a simple analogy
13 | and -- and I hope -- on the highway, it allows us
14 | to go 55 miles per hour.

15 | MS. JOLLY: Um hum.

16 | MR. PEREIRAS: It might not be safe to go
17 | 55 miles per hour. It might be -- you might have
18 | a teenager and you tell him, no, I want you to
19 | drive slower. Because you know what? Your
20 | reaction time is not that great. You should
21 | drive at 50 miles an hour, or you should drive at
22 | 45 miles per hour.

23 | MS. JOLLY: Um hum.

24 | MR. PEREIRAS: However, a policeman cannot
25 | ticket somebody for going less than 55 miles per

1 hour in speed.

2 MS. JOLLY: They actually can ticket you
3 for going less than 55.

4 MR. PEREIRAS: But they --

5 MS. JOLLY: (Indiscernible).

6 MR. PEREIRAS: -- can't give you --

7 MS. JOLLY: Yes, they can.

8 MR. PEREIRAS: They can't give you a
9 speeding ticket for being under 55.

10 So, the -- unfortunately, and I understand
11 you completely here, they're permitted to go --
12 to have a building of this size. It's what the
13 Ordinance says.

14 And maybe there's a problem with the
15 Ordinance. Okay?

16 MS. JOLLY: Um hum.

17 MR. PEREIRAS: I'm not saying there is.
18 I'm not saying there isn't. Maybe there is a
19 problem with the Ordinance. But that's what
20 they're permitted to do. And it's -- we're not
21 asking for variances on any of these things. And
22 these -- these -- this couple purchased the
23 property understanding the Ordinance,
24 understanding what they could do. And it's their
25 right to do it.

1 MS. JOLLY: Whether it's their right or
2 not, then you know, if the law is the law, the
3 law is the law.

4 But I want it real clear that the
5 neighborhood is not happy. The neighborhood does
6 not appreciate it and you are destroying
7 neighborhoods.

8 Now, you are the messenger. I'm sorry
9 you're getting the arrow.

10 Okay?

11 But at the end of the day, if they really
12 want to be part of this neighborhood, then be
13 part of the neighborhood.

14 I've been there 20 years. Sharon's been
15 there, what 40 years? May's been here ten.
16 Everyone here has been ten, 20, 30 years.

17 A VOICE: Or more.

18 MS. JOLLY: Okay?

19 This is not just about we're not going to
20 invite you to the next block party or bake sale,
21 you will not be happy in that neighborhood. We
22 will not like you there. That's not a threat.
23 I'm just saying that because that's the natural
24 consequence.

25 You can tell how I feel about a big house

1 behind me.

2 MR. PEREIRAS: Very sad.

3 MS. JOLLY: Well, no. What I mean is, you
4 can see how I feel. I want to accept my
5 neighbors, but every time I -- it's in my face,
6 it's a problem.

7 So, we're asking that people maybe
8 reconsider, and think about not what they're
9 allowed to do, but what they should do, what's
10 the right thing to do in these situations.
11 That's all we're asking.

12 If we can't -- if we can't change the law,
13 we're asking that they join the neighborhood and
14 consider that.

15 Okay?

16 That's -- that's where we stand.

17 MR. PEREIRAS: Thank you for that.

18 MS. JOLLY: Okay.

19 CHAIRPERSON GRULLON: Thank you, miss.

20 Any other member of the public want to step
21 forward?

22 Please?

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

25 A CITIZEN: Joe, go ahead.

1 MS. DILLON: Sir, please raise your right
2 hand.

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

5 MR. GRIFFO: Yes.

6 MS. DILLON: Your name for the record.

7 MR. GRIFFO: Joseph Griffo.

8 MS. DILLON: Oh, I apologize. You were
9 previously sworn.

10 So sorry, Mr. Griffo.

11 MR. GRIFFO: Yeah. Thanks for having me
12 back.

13 I just -- I wanted to ask the architect
14 some questions, so I could understand better and
15 I didn't say what I wanted to say.

16 You know, and further my -- my statement
17 now that I know more about what's going on.

18 I know there's a lot of emotion about this
19 issue. In particular, the people who are right
20 nearby, how this is going to affect their quality
21 of life.

22 But I want to address the Board, I guess,
23 sort of a different way.

24 What concerns me is the -- the word
25 variance. And I understand what you're saying

1 about this because of the lot size, you have to
2 have a variance to do anything. I get it.

3 But I'm very concerned about precedence and
4 here's why.

5 I'm relatively new to the neighborhood. I
6 lived in Hoboken for 27 years and what they've
7 done to that city is absolutely criminal.

8 And I -- I am thrilled to be here in Union
9 City around the block from this house. And what
10 I did was I bought a dilapidated property and I
11 did a full gut renovation on it. And none of you
12 would know me because I didn't need a variance.
13 I was able to do what I wanted to do. I left a
14 large space in the backyard. I -- I don't know
15 off the top of my head, but I believe I have
16 about 40 feet between the back of my house and --
17 and my fence. So, there's plenty of open space.

18 And what really concerns me is, since I've
19 been living here, I moved in -- I bought the
20 house in 2015, I moved in 2019. And I get text
21 messages, phone calls, notes on my door from
22 people who want to buy my house for cash, which
23 is offensive to me. But I get it. It's real
24 estate. People like to speculate. They -- they
25 want to make money. That's fine.

1 What concerns me in general is the word
2 variance being applied, that we can give a
3 variance in this case, which is a very reasonable
4 argument you're making that it's just because of
5 the grandfathered lot size, which is why you even
6 need it. If you had a hundred foot lot, we
7 wouldn't be having this discussion. You just go
8 ahead and do it.

9 Am I right about that?

10 Okay.

11 But by giving a variance, I'm very worried
12 about precedence and what's going to happen. I'm
13 worried that other neighbors are going to get a
14 cash offer they can't refuse and the next thing I
15 know is that I get a house right next door to me
16 that's only five feet from my yard. And it just
17 -- the woman -- the woman -- I don't know your
18 name, I'm sorry, but -- but she said that -- is
19 that --

20 MS. JOLLY: Caroline.

21 MR. GRIFFO: Yeah. Caroline.

22 That we're -- we're going to lose space
23 that we have, any free space we have, and then
24 I'm back in Hoboken. I might as well have stayed
25 there.

1 So, really that's what concerns me is that
2 giving a variance of any kind sets a precedent.
3 And then you know, even giving the gentleman the
4 benefit of the doubt, that he wants to live
5 there, he's not a developer, just assuming that,
6 there's other -- there's other developers that
7 might come in and say, oh, great, and get a
8 variance, cash offer on your house, and then,
9 boom. Something -- they ask for a variance, they
10 get it. Something big comes in and then that
11 really, really does -- you know, really destroy
12 the quality of the whole block.

13 That's my objection is just that we have to
14 give a variance here at all and what precedence
15 it's going to set going forward.

16 Thank you.

17 (Applause.)

18 CHAIRPERSON GRULLON: Any other member of
19 the public?

20 Come forward.

21 MS. DILLON: Please raise your right hand.

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

24 I can't hear you, ma'am.

25 MS. STONE: Yes.

1 MS. DILLON: I need you to state your name
2 and spell it for me.

3 MS. STONE: Sharon Stone, S-H-A-R-O-N,
4 S-T-O-N-E.

5 MS. DILLON: And your address, Miss Stone?

6 MS. STONE: 125 20th Street, Union City,
7 New Jersey.

8 MS. DILLON: Thank you so much.

9 MS. STONE: Thank you.

10 Hi, Manny.

11 MR. PEREIRAS: Hello.

12 MS. STONE: So, I'm not nearly as
13 articulate as my neighbors are.

14 But I can tell you what a boon my little
15 backyard has been to me, even more so in times of
16 COVID, but on any day. I grow much needed food
17 back there and I consume it. And I need that
18 help.

19 The sunlight, it comes into my backyard --
20 Sorry.

21 The sunlight that comes into my backyard,
22 and into my windows, will be cut off if the build
23 -- building that you created here is built.
24 That's where the sun comes in for me. It's like
25 putting a shroud on my house.

1 I'm not suggesting that the Gadots don't
2 have a right to live here. But do I have to pay
3 that great a price? It is a great price to no
4 longer live with sunlight.

5 I'm sorry.

6 I'm not very good at public speaking. And
7 I'm very, very upset.

8 MR. PEREIRAS: Take your time.

9 MS. STONE: I'm not good at public speaking
10 on a good day.

11 But as careful as I believe your builders
12 are going to be, I'm super duper concerned about
13 the safety of my home as far as separating the
14 buildings.

15 I'm a modest person. I live a modest life
16 in a modest home. I appreciate your assurances
17 that you'll work with my insurance company and
18 everything will be taken care of. I've heard
19 plenty of stories. Plenty of stories. I'm
20 trying to say this without cursing.

21 I -- one story that's going on at Jefferson
22 Street in Hoboken, I don't want to hear we're not
23 Hoboken. (Indiscernible) -- brick buildings.
24 Mine's just a little wood frame, which is much
25 more fragile. In the middle -- in the middle of

1 the peeling away of the two buildings -- I'm
2 sorry, want to say it right, standing building
3 got damaged. And then, the people who were doing
4 the work sold it. Now, it's a mess.

5 I'm not saying you're going to do that, but
6 I'm concerned to the point of getting sick. This
7 is making me ill and you haven't even started
8 using jackhammers on the earth yet next to my
9 little house. And it is a little, modest, wood
10 frame house, without a big fancy basement. I
11 think it's actually a cellar. And it's all I've
12 got.

13 My 88 year old mother --

14 Oh, you should meet her, Manny, she is
15 really, really tough.

16 -- and she's finally, finally said, I'm
17 going to come live again with you permanently.
18 She's part owner of the house. And when she
19 heard this was going to go -- going to go on, it
20 looks like she's changing her mind. And you have
21 no idea what I've gone through to get her to come
22 here.

23 I -- I don't mean to bring my personal
24 stuff into everybody, but she shouldn't be living
25 alone, and I don't want her to die far away from

1 me. She moved away to be with the man she
2 married. She fell in love later. It's actually
3 a very sweet story.

4 This is what a neighborhood is about and I
5 don't mind airing my dirty laundry and talking
6 about my family, but you guys are really messing
7 me up. You're messing with my food. You're
8 messing with our -- (indiscernible) -- light --
9 (indiscernible) -- aerial view. I'm schooling
10 you, right? You know this, Manny.

11 There is an inner-flow and a circulation.
12 I did in my --(indiscernible, papers rustling)--
13 house -- (indiscernible, papers rustling) --
14 yeah, maybe your house is not as pretty as mine,
15 -- (indiscernible, papers rustling) -- sunlight
16 (indiscernible, papers rustling)-- extending
17 back.

18 It makes a big difference and taking that
19 into consideration is joining a neighborhood.
20 We're open to new people coming in. We are open
21 to new people coming in. We want to be friends,
22 but not like this.

23 And I think we all know it. I think you
24 all know it if you're really honest.

25 Oh, was there anything else I was going to

1 cover?

2 I just don't want to get too verklempt --
3 verklempt. Verklempt.

4 I don't want to cast aspersions on anybody,
5 but when we talk about being good neighbor, if
6 they want to buy a home, let's say, 123 20th
7 Street, which is next to my home, and I see
8 spring is coming and I know the grass is going to
9 grow up really, really fast and they contact you,
10 and I'm speaking to the people, of course, who
11 bought the house, and they say there's a really
12 inexpensive, really fairly priced, really honest
13 landscaper who will come, cut my grass, and he'll
14 do yours really quick, too, what do you say?
15 When I get back the answer, well, we'll come and
16 -- thanks for the information, we'll come and
17 assess it, and several months later the grass is
18 up to here, and I end up with a bunch of feral
19 cats living in my backyard, and this starts a
20 cycle, one feral cat comes, they all come --
21 sorry, guys, but they do -- they poo. This is a
22 health issue. I'm dealing with Lyme, again. I'm
23 dealing with parasites again.

24 I have a little dog. And sometimes, late
25 at night, I can't get up to walk him. He hits me

1 up every time at two and three in the morning.
2 It's like clockwork. And I can't get up. It's
3 too much for me.

4 I do let him out and I promise you guys, I
5 clean up my backyard, I do. But the dog gets it
6 all, the cat poop. That's what dogs do. They
7 track it in, because I wash his paws. He eats
8 it. It's making me sick over and over again.

9 This is what it means to be a good
10 neighbor. It's not that I want to set a goal, I
11 don't want these people to move because I know
12 they're going to be bad neighbors, but we already
13 have an impression there.

14 They did finally cut the grass, but it's
15 only because I called the city and asked them to.
16 And I didn't want -- I said to them, please don't
17 fine them. You're not going -- you're not going
18 to necessarily listen to me. We're just a little
19 bit uncomfortable with each other right now -- I
20 didn't want to make it worse.

21 Thanks for listening, guys. I know I think
22 I'm going on.

23 I'm also concerned about the parking and
24 the building mechanism. (Indiscernible). I
25 don't know how long because it goes --

1 (indiscernible) -- going to live here.

2 I don't want to call anybody -- this is
3 hard -- it's not necessarily credible to me. I
4 want to believe it. I like to believe the best
5 of people.

6 Ask anybody who knows me here. I want to
7 believe the best in people. But when -- I -- I
8 meet a new neighbor and I want to greet them, you
9 just closed on house next door, hi, neighbor.
10 And they tell me that they're going to modify the
11 house.

12 And then -- and then, the next thing I hear
13 is getting that shocking, for me, communication
14 that the house that's right up against mine, that
15 I call attached, is going to be demolished. Wow.

16 And then, people bring to my attention,
17 hey, look at this internet search. Your new next
18 door neighbors have lived here and here and here
19 and here and here, in a really short amount of
20 time, I'm not so bright, and I go, well, what
21 does that mean? And they say, Sharon, they're
22 developers. That's what they do. From place to
23 place to place. How can they do that?

24 MS. PEREIRAS: Counsel, for the record, I'm
25 going to object to the classification --

1 (indiscernible).

2 MS. STONE: Okay. I'm only saying what was
3 said to me, because you do see I'm not -- I'm not
4 the sharpest tack in the box.

5 But it speaks to credibility.

6 So, is there a law -- you're an attorney.
7 You do that. Is there a law that -- that if a
8 person gets variances and builds something that
9 they have to live there a certain amount of time?

10 MS. PEREIRAS: No, ma'am.

11 MS. STONE: Okay.

12 MS. DILLON: Can you please address the --
13 the -- forward.

14 MS. STONE: I'm sorry?

15 MS. DILLON: Please address forward so I
16 can get your comments.

17 MS. STONE: Okay.

18 Should I repeat that?

19 MS. DILLON: Yes.

20 MS. STONE: Okay.

21 I was just speaking about credibility
22 because my new neighbors are talking about really
23 wanting to build and stay here. There is a
24 question of credibility. I don't think that
25 they've been as honest and forthcoming as they

1 | could be, because I was told that they wanted to
2 | renovate 123 20th Street and it was a great shock
3 | to me that they wanted to tear it down.

4 | What else about credibility?

5 | A CITIZEN: Sixteen address -- recent
6 | addresses they've had.

7 | MS. STONE: Sixteen -- the 16 recent
8 | addresses that people -- that the neighborhood
9 | has pulled up on the internet.

10 | A VOICE: And the internet is just --

11 | MS. PEREIRAS: We're going to have all --
12 | (indiscernible).

13 | MS. STONE: Okay. But to speak to
14 | credibility, I just don't -- I just don't know.

15 | Is there anything else we were going to
16 | cover?

17 | A CITIZEN: I think you're doing great.

18 | MS. STONE: I -- I just don't want you guys
19 | to take away my sun. It's -- in my little
20 | backyard, it's really, really important to me.
21 | What will I have then? Really? What will I have
22 | and what will my neighbors have as well? It's
23 | not just me. I mean, we all wake up in the
24 | morning, we don't think about brushing somebody
25 | else's teeth, we think about our own first.

1 These people are all my neighbors and we
2 have -- we want something that's going to fit
3 into our neighborhood, and not make us feel
4 really bad because we can no longer get sun or
5 air.

6 Thank you.

7 Thank you very much.

8 VICE CHAIRPERSON GUTIERREZ: Thank you.

9 CHAIRPERSON GRULLON: Thank you.

10 MR. PEREIRAS: And -- and my heart goes out
11 to you. And -- and I'm just responding.

12 I would completely understand if we were
13 asking for rear yard variance or side yard
14 variance. We are not.

15 A CITIZEN: You are asking for that.

16 MR. PEREIRAS: We are not asking for rear
17 yard variance. We are not asking for side yard
18 variance.

19 A CITIZEN: (Indiscernible) -- maybe we
20 don't see eye to eye on this point.

21 A CITIZEN: But it seems like to we need
22 attorneys --

23 MR. PEREIRAS: I don't disagree with
24 anything you're saying, ma'am.

25 CHAIRPERSON GRULLON: Mr. Pereiras?

1 Let's continue with the meeting.

2 Any other members of the public want to
3 step forward?

4 Please, can come forward.

5 MS. SPARROW: Hi.

6 MS. DILLON: Hi. Please raise your right
7 hand.

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

10 MS. SPARROW: Yes.

11 MS. DILLON: Okay.

12 Could you state your name and spell it for
13 me?

14 MS. SPARROW: Kate Sparrow, like a bird,
15 S-P-A-R-R-O-W.

16 MS. DILLON: And your address, Miss
17 Sparrow?

18 MS. SPARROW: Union City.

19 MS. DILLON: Go ahead.

20 MS. SPARROW: I have a question about, I
21 guess, the need to switch to a two family house.
22 This brings up a couple of questions.

23 One is that I have lived here for Union
24 City, 20 years. And I have seen a preponderance
25 of Airbnb listings go up. I pulled some up today

1 | for entire apartments.

2 | Here's a list of over 300 brand new condos,
3 | brand new apartments, rare finds. Of these 300,
4 | at least, it says 300 plus, is only how many came
5 | up on one listing, about a third of them are in
6 | Union City. So, that's over a hundred apartments
7 | just in Airbnb.

8 | Here are private rooms in Union City.
9 | Again, over a hundred with private rooms.

10 | So, this means that there are hundreds and
11 | hundreds of Airbnb facilities. And of course,
12 | this makes it much more lucrative to build and
13 | develop and to rent out at these very high
14 | prices, which would justify having two families
15 | instead of one.

16 | So, I really don't --

17 | MS. PEREIRAS: Counsel, simply for the
18 | record, I object to the use of -- (indiscernible)

19 | MS. DILLON: I'm sorry.

20 | Who's speaking?

21 | MS. PEREIRAS: This is Bianca speaking,
22 | Debbie. Could you hear me?

23 | I just raised an objection to the use of
24 | these printouts that she's using regarding
25 | Airbnb's in the City of Union City.

1 MS. SPARROW: Anyone --

2 MS. DILLON: Thank you.

3 MS. SPARROW: -- can pull them up
4 themselves. Can I submit them to someone for
5 evidence?

6 MR. PANEQUE: If I may, Ms. Sparrow?

7 I just want to bring to your attention, the
8 City of Union City has an Ordinance that
9 prohibits Airbnb. The City of Union City is
10 constantly prosecuting these cases.

11 So, there might be people advertising
12 Airbnb, but the City is on top of this. It's not
13 allowed in the City. It will never be allowed
14 under the current Ordinance.

15 So, that is really not an issue for this
16 Board to address at this time.

17 MS. SPARROW: Okay.

18 Well, I'm glad but I constantly see people
19 at the bus stop with roller suitcases. Not now
20 with COVID, but previously.

21 And you can see, because of COVID, now the
22 rates have gone down about 50 percent.

23 Okay. The next question I have is for the
24 architect.

25 I mean, I think it's a wonderful building.

1 I think it's just a little too big. But the main
2 structural question I have is you say you're
3 going to put storm water retention tanks under
4 the house.

5 MR. PEREIRAS: That is correct.

6 MS. SPARROW: Okay.

7 Now, does that mean you're going to have to
8 excavate? Where do these tanks seep? Where do
9 they seep?

10 MR. PEREIRAS: They seep into the ground.

11 MS. SPARROW: Okay. Now, isn't this on
12 bedrock?

13 A CITIZEN: Yes.

14 MR. PEREIRAS: There is a lot of bedrock --

15 MS. SPARROW: Well, how is the water going
16 to seep into a bedrock?

17 MR. PEREIRAS: There's actually pretty even
18 percolation there. We -- one of the things that
19 we do is a percolation test. In a percolation is
20 -- (indiscernible) -- the storm water detention
21 tanks simply hold water and seep into the sewer
22 system slowly.

23 MS. SPARROW: All right. Because that's
24 what they did across the street, they're
25 connected to the sewer.

1 MR. PEREIRAS: They're always connected to
2 the sewer.

3 MS. SPARROW: Yeah. Okay. So it's going
4 down to the sewer. So, the sewers could still
5 potentially backup with this.

6 A CITIZEN: Yes.

7 MS. SPARROW: Instead of going into the
8 groundwater.

9 MR. PEREIRAS: There's always a potential
10 for backup. This is simply significantly better
11 than what's there now.

12 MS. SPARROW: I think right now it's into
13 the ground, except it doesn't because of the high
14 --

15 MR. PEREIRAS: Right. You can't have it
16 both ways.

17 MS. SPARROW: Okay. How far down is -- how
18 are you going to remove the bedrock?

19 MR. PEREIRAS: Well, hopefully we have very
20 limited excavation. I don't expect much at all
21 of bedrock excavation.

22 MS. SPARROW: I think my neighbors had to
23 do about four feet, I think, down below there.

24 MR. PEREIRAS: So, we don't have a
25 basement. That's -- (indiscernible, background

1 noise). We're going three foot six down, so I
2 believe -- (indiscernible, background noise) --
3 and in that three foot six is where we put our
4 storm water retention tank. And in -- just is
5 typical and -- (indiscernible, background noise)
6 -- right there. (Indiscernible). You never
7 know, sometimes you could dig an entire lot and
8 not have rock, and then find one boulder in one
9 location. You never know. But I don't expect it
10 in this location.

11 MS. SPARROW: Well, how are you going to be
12 removing it?

13 MR. PEREIRAS: How I'm going to remove it?
14 There's a lot of different methods to remove.
15 Sometimes -- (indiscernible) -- sometimes you hit
16 the same rock a hundred times and it doesn't --
17 (indiscernible). There are different forms of --
18 (indiscernible) -- what we typically do in Union
19 City, if it doesn't break easily by hitting it,
20 we typically use chemicals where we drill into
21 the rock, we put a chemical in it, and then it
22 splits the rock.

23 However, you're talking a very hypothetical
24 and I don't think there's -- (indiscernible) --
25 case in this. We probably will not be breaking

1 rock in this location.

2 MS. SPARROW: I think that's what they said
3 about the high school and they had to spend
4 millions of dollars to excavate the bedrock, here
5 in this building. Okay. Because I remember
6 hearing about that one.

7 The next question I have is, what are you
8 going to be doing for the side of Sharon's house
9 to protect it, assuming this might pass?

10 MR. PEREIRAS: To protect it? We need to
11 sheath it and we'll sheath it in a -- in a
12 responsible way.

13 MS. SPARROW: What kind of guarantee could
14 you provide her?

15 MR. PEREIRAS: Any and every guarantee
16 necessary.

17 MS. SPARROW: Would it be bonded, like 25
18 year guarantee?

19 MR. PEREIRAS: It can be.

20 A CITIZEN: Will it be?

21 MR. PEREIRAS: It can be.

22 A CITIZEN: Yes, what does that mean?

23 MS. SPARROW: Do you have a contract with
24 her on this?

25 MR. PEREIRAS: It means that if they want

1 to be good neighbors and give her a bond, they
2 can. They don't need to. It's not required in
3 any way whatsoever.

4 MS. SPARROW: Well --

5 A CITIZEN: It can be means --
6 (indiscernible).

7 MR. PEREIRAS: What I can say is that the
8 Building Department is going to ensure that it's
9 done and done properly.

10 MS. SPARROW: I'm unfortunately familiar
11 with how the Building Department works in Union
12 City.

13 Let's -- at least -- (indiscernible).

14 So, another question I have is, so, I
15 guess, there isn't an open area and what kind of
16 guarantees do you have, if necessary, to protect
17 her, protect her foundation? Because if it is
18 bedrock, and it's the same bedrock and put
19 jackhammers on this, then her house would
20 definitely be impacted seriously.

21 So, I guess in conclusion, I just think
22 that we should stick with one family houses in
23 this neighborhood, please.

24 And that's all I have to say.

25 Thank you very much.

1 CHAIRPERSON GRULLON: Thank you.

2 Thank you.

3 (Applause.)

4 CHAIRPERSON GRULLON: Any other member of
5 the public want to step forward?

6 Please come forward.

7 MS. SCIARRA: Hello.

8 MS. DILLON: Hello.

9 Please raise your right hand.

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

12 MS. SCIARRA: I do.

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

15 MS. SCIARRA: Maureen Sciarra,
16 S-C-I-A-R-R-A.

17 MS. DILLON: I'm sorry. S-C?

18 MS. SCIARRA: I-A-R-R-A.

19 MS. DILLON: And your address?

20 MS. SCIARRA: 131 20th Street.

21 MS. DILLON: Thank you.

22 MS. SCIARRA: I'm here to address the Board
23 because what his job is, I don't know, I can't
24 say is right or wrong. I'm not a contractor. I
25 can't say what should or shouldn't be done as far

1 as this is concerned. But I do know my
2 neighborhood.

3 What I do know is I live there for over 30
4 years. What I do know is that everybody in my
5 neighborhood has come here several times to tell
6 the Board that we do not want all of these big
7 buildings in our neighborhood, pushing us out,
8 closing us off, and making us sell out.

9 And that is what's happening. So, your
10 city is the next step in the line of Hoboken,
11 Jersey City, West New York. We're all being
12 pushed out because we can't have a small home
13 with a backyard and a family, because our
14 property is worth too much money being so close
15 to New York and people are moving into this area,
16 because they want out of the big building.

17 But that's what we're becoming, these big
18 buildings. And if we don't stop it, we're going
19 to be the next Hoboken. And the next Hoboken is
20 people on top of people, with problems and houses
21 and water problem and foundation problems and
22 overcrowd and everything that you're trying to
23 vent in our small neighborhood.

24 We don't have all these people come out for
25 nothing. We come out to let you know that we're

1 | trying to protect the small neighborhood --
2 | (indiscernible) -- that we have invested our life
3 | savings in, that we work and live in this
4 | neighborhood.

5 | It's not a matter of his right, it's a
6 | matter of everyone's right. We know he has the
7 | ability to building this. We also know that he
8 | has a right to build his house. But at what cost
9 | to the neighbors and the people who live there
10 | and have their lives in this neighborhood?

11 | This is the question that we are trying to
12 | present to the Board so that we can keep our
13 | home. And it is a problem. It is a huge
14 | building. We've had several being built.

15 | I'm there over 30 years. None of these
16 | were there when I moved in. It was the best
17 | little neighborhood in Union City to live in.
18 | One, two family homes, family home. It's
19 | changing. Our landscape is changing and it's
20 | changing the people that are in the neighborhood
21 | and our life.

22 | Sharon has the right to have sunlight. She
23 | has the right to have a backyard. If we continue
24 | to do this, we will have big buildings all along
25 | and there will be no open space. Even my own

1 | backyard will be a little box that I can look up
2 | to the sky to see if I can have any sunlight at
3 | all. This is what we're trying to prevent.

4 | The parking situation was another thing.
5 | Everybody says, well it has four parking space
6 | spots by law. But who do you know is going to
7 | come and move their car to let the other person
8 | out? We know they're parking on the street,
9 | especially with a three bedroom in a two family
10 | duplex. Okay. It's -- and everybody knows that.
11 | I mean, we live in the neighborhood. We know
12 | that.

13 | That's the reason why Union City gave
14 | variance to these people to pull into driveway,
15 | even though there wasn't enough a room, was
16 | because there is no parking.

17 | So, I understand he has the right to build
18 | what he wants. And I'm not fighting that. What
19 | I'm fighting and what I'm trying to let the Board
20 | know is that what you're creating is a
21 | neighborhood of these big buildings, duplex or
22 | not, there's two duplexes in this home, whether
23 | he's renting it out or whatever, he's a
24 | developer. Look at the beautiful home he's
25 | building. He has money to do so. God bless him.

1 No problem.

2 However, does that infringe on our right to
3 have our space, to have people put a brick wall?
4 I come out my backyard and there's a brick wall
5 there, brick wall there, where am I going? What
6 kind of space do I have?

7 And this is the issue that we have. The
8 neighborhood would not come unless it was an
9 issue of the fact that we're losing our neighbors
10 and our neighborhood.

11 The open space across the street is
12 wonderful. Everybody in Union City can use it,
13 and there's a lot of outsiders that come and walk
14 around. It's beautiful. But is that all we're
15 going to have, walk across the street and walk
16 around, because we can't sit in our backyards?

17 This is our issue and this is why we're
18 here tonight. It's not that we do not want him
19 in our neighborhood, not that we don't think he
20 has the right to build, we just don't want to
21 have another Hoboken so we have to move again.
22 That's our problem. That's our issue with all of
23 these things that are coming across your desk.

24 I think that we have three just around our
25 block. Right. So that means soon enough, I'm

1 going to be boxed in. And I will have to sell my
2 home to move on so that I could sit in my
3 backyard to have a cup of coffee.

4 This is our issue. And that is the reason
5 why we're here today. It's not to stop him from
6 building what he wants. It's not to say that
7 it's illegal or the variances are a tremendous
8 loss, because he's saying, well, we did it
9 before. Yeah, we did it before because this is
10 what happened. We came to complain and we
11 weren't heard. So, it continues to happen.

12 All we're asking is that the building
13 doesn't go from the sidewalk where you have your
14 ability to pass, to the end of the property where
15 there is no room for anything, and everything is
16 blocked off.

17 Our houses don't grow. I have a backyard.
18 I have a patio. My building does not extend out
19 to the -- the far fence, to my neighbor's
20 backyard. It doesn't do that. This is what
21 we're trying to prevent.

22 I don't -- I know that everybody's been up
23 here and everybody has given their -- their peace
24 on this. But I think the problem is, is that
25 there's a lot of feelings and a lot of people in

1 | this neighborhood who don't want to be pushed
2 | out. They want to stay in their neighborhood,
3 | and they want their neighborhood to be a
4 | neighborhood, not where they're renting out
5 | apartments and have people coming in and out and
6 | don't know who's next door. We're not tenement
7 | buildings. This is not a tenement building
8 | place. This is small one and two family home.
9 | And this is what we're trying to be. Our one and
10 | two family home, not our four, five, six -- if
11 | you give all these four, and they build around
12 | me, I will literally be in a box. There will be
13 | no space. I'll have brick walls all around me.

14 | This is not what we think is acceptable for
15 | our town. That's all we're trying to say. We're
16 | trying to say that we not necessarily are against
17 | the fact of people coming in to make our better
18 | -- our neighborhood better. By all means, I
19 | would love our neighborhood to be better. I
20 | would love my house to be worth more. No
21 | problem. I'm a homeowner; we'd love it. At what
22 | cost? And to whom? To people who have been
23 | living there for 30 years. This is what's
24 | happening. You're pushing people out of the
25 | neighborhood. And we don't have a choice because

1 we're being built around and through.

2 So, I'm sorry, but I think that it's not an
3 issue of your variance, it's not an issue of
4 their house, it's an issue of the quality of life
5 that everybody expects to have and we're not
6 getting the quality of life when we're being
7 boxed in by big buildings. That's my issue.

8 So parking is a problem.

9 Space is a problem.

10 Sunlight, whatever.

11 The fact that we can't sit in our backyard
12 is a problem. And this is what we're trying to
13 prevent.

14 If the City says across the street was a
15 good idea for open space, then how could you not
16 allow us to have our open space in our backyard?

17 (Applause.)

18 MS. SCIARRA: So, I'm here to support my
19 neighborhood that I lived in for over 30 years,
20 that I like the fact that I can go into my
21 backyard and see a tree or breathe fresh air and
22 see sunlight. I don't think I would enjoy it if
23 I had walls around.

24 (Applause.)

25 CHAIRPERSON GRULLON: Thank you.

1 Let me see if there's someone else from the
2 public, because you came already.

3 MR. KEOUGHAN: I got two sentences.

4 CHAIRPERSON GRULLON: Come forward, please.

5 MR. KEOUGHAN: So you heard --

6 MS. DILLON: State your name again for the
7 record, please.

8 MR. KEOUGHAN: Tom Keoughan.

9 MS. DILLON: Please state your name.

10 MR. KEOUGHAN: I was here before.

11 You've heard the people in the
12 neighborhood. You don't have to do anything to
13 make them happy. All you have to do is not give
14 special dispensation, not give a variance to
15 build, which you have to do for them to build,
16 which you have to do for them to take away the
17 green space, take away the light, take away the
18 space. You are act -- you have to actively do
19 something for that to happen. You can do
20 nothing; everyone will be happy.

21 A CITIZEN: That's right.

22 MR. KEOUGHAN: Thank you.

23 (Applause.)

24 CHAIRPERSON GRULLON: Any other member of
25 the public want to step forward?

1 Carlos, can you check the other room to see
2 if the microphone is on?

3 THE SECRETARY: Yes. Just let me --

4 CHAIRPERSON GRULLON: Please. Let me just
5 make sure that we give the opportunity to all the
6 members of the public.

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

9 THE SECRETARY: Mr. Grullon, they say no --
10 no comments.

11 MR. PANEQUE: You hear that, Mr. Grullon?

12 CHAIRPERSON GRULLON: He put it mute. He
13 put it on mute here.

14 MS. DILLON: He said there's no comments
15 from the theater.

16 CHAIRPERSON GRULLON: Debbie -- Debbie,
17 just one minute, please.

18 MS. DILLON: Absolutely.

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

21 CHAIRPERSON GRULLON: Okay. Debbie, we
22 back?

23 MS. DILLON: Yes.

24 THE SECRETARY: Back in record.

25 CHAIRPERSON GRULLON: Okay.

1 Hear no one from the public, at this -- at
2 this moment, I'm closing to the public.

3 Mr. (sic) Pereiras, do you want to make any
4 closing statement?

5 MS. PEREIRAS: We do, afterward. I don't
6 know if there are any questions from the Board.

7 MS. DILLON: Ms. Pereiras, please go to a
8 microphone.

9 CHAIRPERSON GRULLON: I --

10 MS. PEREIRAS: Sorry. I was just asking
11 the Board if there were any questions.

12 CHAIRPERSON GRULLON: Yes. Yes. And
13 actually I do have a few questions. I do have a
14 few questions and I know you went through the
15 variances, and looking at the site plans, could
16 you explain me the height of the building?
17 Stories?

18 MR. PEREIRAS: I'd be very happy to.

19 CHAIRPERSON GRULLON: Floor by floor,
20 because when I count the height of the building,
21 I'm counting five floors, not a four floors.

22 MR. PEREIRAS: Stories?

23 CHAIRPERSON GRULLON: Stories.

24 MR. PEREIRAS: So, we only have four
25 stories. There's a mezzanine story. So the

1 apartment B has a mezzanine area. That doesn't
2 count as a floor because it's only a third of the
3 space. It's not really pretty big. It's just
4 steps and it's like a small square in between the
5 entire building.

6 And just to be clear, also, the height of
7 the building conforms as well. The height in --
8 in feet conforms. And then stories, we do have
9 that mezzanine level, but that conforms because
10 it's only a third of the building.

11 CHAIRPERSON GRULLON: Yes. I -- Mr.
12 Pereiras -- you know, by looking at the prints,
13 the measurements that you have, you have 45 feet
14 and it's pointing to maybe like -- it's about
15 additional ten feet on the building height, after
16 the 45 feet.

17 MR. PEREIRAS: So, the 45 feet as defined
18 to our Ordinance is to the top of the roof. On
19 top of that roof, you're allowed to have a
20 parapet. You're allowed to have your stair
21 bulkhead. And your planner can conform (sic) --
22 confirm that.

23 CHAIRPERSON GRULLON: And on that -- on
24 that mezzanine, are you -- is your building
25 proposing to have any like open space, like --

1 | like a deck or something?

2 | MR. PEREIRAS: No. I don't have any decks.

3 | CHAIRPERSON GRULLON: Okay.

4 | MR. PEREIRAS: Well, I have a balcony on --
5 | and if you can see the rendering, this is a
6 | balcony right here on the -- on the first living
7 | space.

8 | A CITIZEN: We can't see.

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

11 | CHAIRPERSON GRULLON: Before I make my
12 | closing I just want to know if any other members
13 | of the Board has any question or comments?

14 | Any members of the Board?

15 | Hear none.

16 | You know, first I want to -- you know,
17 | thank the residents for coming out for this
18 | application. And I know -- I know the concern,
19 | but for the record, I just want to say that we're
20 | here -- we are here, as a Board, to hear
21 | variances and also to hear the public.

22 | We are -- we do this job as volunteers and
23 | we are residents of Union City, as well. And we
24 | are very proud the way Union City is.

25 | And you know, recently -- actually, not

1 | recently, in 2012, the Union -- Union City
2 | created a new master plan to -- just to divide
3 | the area. And you know, part of the area -- the
4 | area where you live is -- even though that is
5 | permitted 45 feet high, sometime it doesn't
6 | necessarily mean that we are here to allow.

7 | And I have concerns with the height of the
8 | building, even though that is permitted. That's
9 | something that I think by looking at the
10 | neighborhood, one and two family house, and
11 | knowing that some of the other buildings that are
12 | in that height range, they may not be fitting
13 | into the neighborhood.

14 | Also, the type of design is -- again, is
15 | more like a building. We will be more
16 | comfortable seeing like a family house type,
17 | could be a two family, maybe a little bit more
18 | set back not to -- not to front. And I know you
19 | removing the stairs, you making the conditions
20 | better for the neighbor. But we are not -- are
21 | not okay with the height of the building.

22 | And, after hearing all the concern of the
23 | neighbors, covering the zone and --

24 | MS. PEREIRAS: (Indiscernible) -- vote or
25 | recommendation --

1 MS. DILLON: I can't hear you, Ms.
2 Pereiras. Please.

3 CHAIRPERSON GRULLON: Oh, okay. Could you
4 please?

5 MR. PEREIRAS: Can't hear you.

6 MS. PEREIRAS: Oh, I'm sorry.

7 I didn't know if they were making their
8 vote or posing additional questions. I still
9 have a closing to make.

10 There were quite a few characterizations
11 made of my client and my client would like an
12 opportunity to -- (indiscernible) -- this Board
13 -- (indiscernible).

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

16 MS. GADOT: Denise Gadot.

17 MS. DILLON: Please raise your right hand.

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

20 MS. GADOT: I do.

21 MS. DILLON: Could you please spell your
22 first name for me?

23 MS. GADOT: D-E-N-I-S-E.

24 MS. DILLON: And your last name?

25 MS. GADOT: G-A-D-O-T.

1 MS. DILLON: Thank you.

2 Go ahead.

3 MS. GADOT: Okay.

4 Thank you.

5 So, good evening, everybody.

6 Thank you very much for your time. Pleased
7 to meet my future neighbors.

8 I would like to start just by telling you a
9 little bit about myself and about my husband.

10 In three days, I will be 65 years old and
11 my husband is around the same age. We decided to
12 move for various private issues that were
13 important to us. And we decided that Union City,
14 it's the place where we would like to end our
15 life, because I hope we don't have to move after
16 that.

17 When we first looked at the property that
18 is discussed tonight, my husband and I, before we
19 closed on the deal, we took a trip to Union City
20 and we asked to meet with the representatives of
21 the Zoning and Planning Board.

22 We explained -- Mr. Carlos was extremely,
23 extremely nice. He took his time. He sat us
24 down in his office, we express concerns that we
25 are buying a one family house. Because of

1 various health issues that I have, I will have to
2 have my daughter being next to me. We ask
3 upfront is it possible to do a two family house
4 in Union City in this neighborhood?

5 Carlos explained to us that the variance
6 allows for two families and even for three
7 families, if we would like to do that.

8 We took an architect. We closed the
9 property based on the information that we
10 received.

11 Okay?

12 We basically laymen people that do -- make
13 their decision based on the information that we
14 receiving.

15 So, based on that information, first we
16 thought we will go for a three family, and at
17 that hearing, where nobody was able to talk
18 because there was some technicality, but people
19 were able to explain to my husband what their
20 concern was. And we did understand that the
21 three family is a -- it's a concern to the
22 neighborhood, it would be too crowded, it would
23 be -- whatever concerns, we listened and so we
24 approached the Pereiras' to -- to help us to
25 bring before the Board just a two family.

1 So, in this time that past, we sold our
2 house in Fair Lawn in February of last year.
3 Since then, we live with one of our daughters in
4 a small house.

5 I never imagine in my life that to us this
6 -- something like this can happen. Not only
7 we're not criminals, but we're trying to do the
8 right thing, to get the right information, to
9 understand what we can and what we can't do, and
10 we will just never even dream to do something
11 like that to upset the neighborhood and to upset
12 our own lives at 65 years old, not to have a
13 house.

14 I'm very, very sorry that I'm emotional. I
15 want to apologize, but this has been a very, very
16 difficult night for me and for my husband.

17 That being said, I also took offense and
18 being characterized a liar or as being
19 untruthful.

20 When we first met our neighbor, Sharon, we
21 were so excited. She was so happy. She heard
22 that Baruch, his name is a Jewish name. She
23 said, I'm Jewish. My God, I'm going to have
24 Jewish neighbors. We were so excited. It's not
25 that I was looking for a Jewish neighborhood, but

1 we were excited. People are welcoming us.

2 We don't understand what happened from that
3 moment to this moment.

4 Sharon knew that I wanted my daughter to be
5 next to me. The -- the reason for the elevator,
6 is because, unfortunately, time will come when I
7 will not be able to climb the stairs. And that's
8 why we putting an elevator. Not to have a fancy
9 elevator in the house. I would say not be able
10 to do it. And you need to understand, we are
11 people too. We want to continue with our lives,
12 too. Our lives have been interrupted since
13 September that the -- (indiscernible).

14 And if you think that this doesn't take a
15 toll on my health, you are wrong. I didn't think
16 I should come tonight with papers from my
17 doctors. You have no idea what situation I am.
18 I'm not literally homeless, but I feel homeless.
19 That's what I feel. That means that.

20 And I want to apologize again for being so
21 emotional.

22 Very sorry about that.

23 But I want to close by a letter that Brian
24 -- the Mayor, Brian Stack, received two days ago.
25 This letter has been written by Councilwoman Lisa

1 Swain, who serves together with Mr. Stack in many
2 positions.

3 She writes:

4 Dear Mayor Stack:

5 I understand that Denise and Baruch Gadot
6 will be appearing before the Zoning Board of
7 Union City on Thursday for their two family home
8 development.

9 I have known the Gadots and their family
10 for almost 20 years, and I know they will be an
11 asset to your community, and they have been -- as
12 they have been in Fair Lawn for many, many years.
13 They were active in the school community while
14 their children were growing up, and active in
15 their temple, as well as other communities (sic)
16 in town -- committees in town. In fact, one of
17 their daughters has had a leadership role in the
18 schools her son attends, a second generation
19 giving back to our community.

20 I met the Gadots when Baruch and I served
21 on the Executive Board of our temple, and Denise
22 was active with program management. Shortly
23 after that, I was elected to the Fair Lawn
24 Council, where I also served as mayor. During
25 that time, knowing Baruch was an architect, I

1 took the opportunity to appoint Baruch to the
2 Planning Board, where he served for several
3 years. He has continued to give back to Fair
4 Lawn by being a member of our Economic
5 Development Corporation, volunteering many hours
6 to help bring positive change to our downtown
7 corridors.

8 As Mayor, I sat on the EDC as well, and
9 continue to serve with Baruch, and the other
10 members in my role as Assemblywoman, helping with
11 any state issues that arise.

12 Gadots leave Fair Lawn and establish their
13 new home in Union City. However, I am certain
14 that once they establish roots in their new
15 community, Baruch and Denise will be contributing
16 to the town in many different ways.

17 Union City will be fortunate to have them
18 as new residents.

19 Thank you.

20 CHAIRPERSON GRULLON: Thank you, Ms. Gadot.

21 THE SECRETARY: Mr. Paneque?

22 MR. PANEQUE: I just want to make the
23 record clear that comments that were made by Ms.
24 Gadot, with respect to conversations that
25 allegedly took place between herself, her husband

1 and Mr. Carlos Vallejo, are to be stricken, due
2 to the fact that the information that Ms. Gadot
3 was referring to is public information that's in
4 the website.

5 Mr. -- Mr. Vallejo does not give any advice
6 as to whether a zoning application that comes
7 before the Board will be approved or not. And it
8 is solely the determination of this Board whether
9 the zoning application is approved.

10 Mr. Vallejo, anything else you want to add?

11 THE SECRETARY: Yes.

12 For clarification of the record, also to
13 mention to them that all the public information
14 is in the website of the City of Union City.

15 And you can see on the main page is the
16 icon where it says reexamination report 2019 that
17 was approved by the City of Union City. And like
18 usually, people will ask me what is the first
19 step? I say, the first step, you have to apply
20 for zoning determination with the Zoning Officer.
21 And -- and the public information in the website
22 of the City of Union City. And the Board is the
23 one make determination with any application.

24 Thank you.

25 CHAIRPERSON GRULLON: Thank you, Mr.

1 Vallejo.

2 Ms. Pereiras, you have anything else?

3 MR. PEREIRAS: I do. Just to wrap up.

4 As I mentioned, when we opened --

5 MS. DILLON: Please come forward, Ms.
6 Pereiras.

7 MS. PEREIRAS: Let me move over to the
8 other podium.

9 MS. DILLON: I cannot hear her.

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

12 MS. DILLON: Thank you.

13 MS. PEREIRAS: Of course.

14 As I mentioned in my opening, the
15 applicants, Mr. and Mrs. Gadot, had appeared
16 before the Planning Board to construct a three
17 family on this site.

18 A three family is a permitted use. These
19 members of the public, their neighbors, were
20 there. They voiced their concerns. And guess
21 what? Mr. and Mrs. Gadot did not push the issue,
22 did not continue in front of the Planning Board,
23 did not wait for a vote. They withdrew that
24 application, came to other professionals, to try
25 to make a building that not only worked for them,

1 but also worked for the neighbors.

2 Ideally, they were looking for that third
3 unit, to offset some of their cost. They gave
4 that up.

5 Why?

6 Because of the neighbors, because they
7 wanted to work with that community.

8 I appreciate the neighbors coming out for
9 tonight. I come before this Board very often,
10 and it's very rare to see the community come,
11 either in opposition or in favor of a project.

12 But I also know that this Board maybe is
13 not the venue for them to voice their concerns.
14 This isn't really a concern with this two family,
15 the permitted two family in the site. They have
16 concerns with our existing Ordinance. This is
17 not the venue for that.

18 When the City recently adopted a new Master
19 Plan, they realized that this neighborhood was R
20 low density residential, permitting one, two and
21 three family homes. Maybe that was the
22 opportunity where these public members could go
23 and voice those concerns.

24 These members also had an issue with
25 construction and safety. And I appreciate those

1 | concerns. Those are -- they are valid concerns.
2 | And these -- these public members may not know
3 | the Union City Building Department. But you do.
4 | And the Union City Building Department is
5 | excellent and will oversee this work.

6 | Mr. and Mrs. Gadot, as you met -- you met
7 | Mrs. Gadot. They're a lovely couple. They fell
8 | in love in Union City, found a great neighborhood
9 | to live in. And I would hate to refuse them an
10 | opportunity to build their dream home, their
11 | retirement home where they can enjoy the rest of
12 | their lives along with their daughter.

13 | And I hope this Board votes in favor of
14 | this application.

15 | CHAIRPERSON GRULLON: Thank you, Ms.
16 | Pereiras.

17 | And for the record, let me just continue
18 | with what I was saying before.

19 | We are -- we are -- we all members of the
20 | Board do this job as volunteer here. And we're
21 | here to listen to request for variance all the
22 | time. Whether we accept the variance or not, we
23 | have to outweigh -- you know, the benefit and the
24 | detriments of the variance.

25 | In this case, one of the concerns that I

1 have, if Mr. Pereiras could come back --

2 Mr. Pereiras?

3 -- is the height of the building. Is
4 anything that we can do with the height of the
5 building?

6 Because I know that you are making the
7 application better in some way by reducing it
8 from three family to two family, you having the
9 proper setbacks and all that.

10 And I understand that we -- 45 feet is
11 permitted. You have a parapet. You have an
12 elevator. Is anything that you can do to lower
13 the height of the building?

14 MR. PEREIRAS: I -- the first thing I would
15 like to say is that the building is no taller
16 than the adjacent structures.

17 CHAIRPERSON GRULLON: I understand that.

18 I -- I'm concerned with the two adjacent
19 properties and we also have -- at the same time
20 that we're here, to outweigh the -- the benefit
21 and the detriment of the variances.

22 We also have -- we have -- we are residents
23 of Union City. We have to see each neighborhood
24 as our neighborhood. And one of the concerns
25 that I have, and I hear it from the public, is

1 | that the adjacent properties has concern with the
2 | -- like the light and sun.

3 | If you lower the building a little bit
4 | more, that will give extra lighting to the -- to
5 | the adjacent property.

6 | MR. PEREIRAS: If you would allow me three
7 | minutes, no more, to speak with my --

8 | CHAIRPERSON GRULLON: And another request
9 | that I have is during construction, if you could
10 | have bonds -- you know, insurance bonds created
11 | for the adjacent property.

12 | Would you take a moment, discuss it with --
13 | with the owners and let us know?

14 | MS. PEREIRAS: Thank you, Mr. Chair.

15 | THE SECRETARY: Off the record.

16 | CHAIRPERSON GRULLON: Off the record.

17 |

18 | (Whereupon, the Board recessed from 8:32
19 | p.m. to 8:42 p.m.)

20 |

21 | MS. DILLON: Okay.

22 | On the record.

23 | THE SECRETARY: Okay.

24 | Debbie, back in record?

25 | MS. DILLON: Yes.

1 MR. PEREIRAS: Mr. Chairman, thank you so
2 much for the opportunity to let me speak with the
3 applicants.

4 Again, they want to work with the
5 neighborhood. They want to work with this Board.
6 They want to make the Board happy. And we came
7 up with a few ideas that I think significantly
8 improves the project even further.

9 First and foremost, we're willing to
10 concede eliminating the parapet.

11 MS. DILLON: Mr. Pereiras, I -- I need you
12 to address the Board. You're too distant.

13 THE SECRETARY: Could you hear, Debbie?

14 MS. DILLON: I need Mr. Pereiras to be
15 closer.

16 Thank you.

17 MR. PEREIRAS: Okay.

18 THE SECRETARY: All right.

19 Go ahead.

20 Go ahead, Manny.

21 MR. PEREIRAS: I'll do that.

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

24 MR. PEREIRAS: So right now, I'm on Sheet
25 Z04.

1 In Z04, we can see that we have a very tall
2 parapet in the front of the building. We'd like
3 to eliminate that parapet first and foremost.

4 In addition to that, we'd like to eliminate
5 the bulkheads that bring the stairs up to --
6 stairs up to the roof. We could do that by means
7 of a roof hatch and we'll climb up a ladder in
8 order to do that for maintenance.

9 Furthermore, as you could see on the top
10 multi-floors, in the mezzanine area, the rear
11 portion is really an empty void. It's an empty
12 box there. I think it's going to really improve
13 light and air for the neighborhood if we just
14 drop that down completely and eliminate that.

15 So, the seven feet that we have of empty
16 void air is just going to be dropped down, is
17 going to reduce the height of our building in the
18 rear yard, which is really going to improve the
19 light to the neighborhood there.

20 In addition to that, this bulk portion here
21 which is the double story space, we'd like to
22 present the three additional feet to drop that
23 front area two feet away from the railing, drop
24 this three feet to reduce the front elevation as
25 well.

1 So, we're reducing the parapet, reducing
2 another three feet in the front and the rear,
3 we're removing the stair bulkhead and we're
4 remove -- bringing it down an additional seven
5 feet.

6 And I think that concession is a
7 significant one.

8 And I hope the Board and the neighbors
9 appreciate that.

10 CHAIRPERSON GRULLON: And the -- then that
11 will bring the height of the building from 45 to
12 -- be fair to say to like 38 feet?

13 MR. PEREIRAS: So, in that sensor portion,
14 in between where the buildings are, that it
15 doesn't really affect anybody, will stay 45.

16 In the front, it's going to drop down to
17 42. In the rear, it's going to drop down to 38.

18 CHAIRPERSON GRULLON: Okay.

19 Mr. Pereira, thank you for -- you know,
20 hearing our concerns.

21 And again, I just want to say that we are
22 here to -- as member -- as member of the -- of
23 Board, but we are also residents of Union City.
24 And we're here to hear concerns for the
25 residents, as well.

1 After hearing all the -- you know, concerns
2 for the residents, we want them to continue
3 living in a neighborhood where they can -- you
4 know, be neighbors to each other, to be -- to
5 live in a -- in a good community, to live as a
6 good neighbor.

7 And I appreciate Miss Gadot -- the Gadot
8 couple that are really -- are choosing Union City
9 to be their retired city -- you know, the
10 retirement city for them to live -- you know, all
11 this year after.

12 We make a motion --

13 MR. PANEQUE: Mr. Gullon?

14 CHAIRPERSON GRULLON: Yes?

15 MR. PANEQUE: Chairman Gullon -- excuse
16 me?

17 Chairman Gullon, before the motion is made
18 one way or the other, I would suggest that based
19 on the modifications that are being presented, if
20 you want to open it to the floor, with a
21 limitation on time limit to no more than two
22 minutes, of any comment that they could make,
23 only related to the modifications that were
24 suggested.

25 CHAIRPERSON GRULLON: Thank you, Mr.

1 | Paneque.

2 | I think that's fair to the public. If
3 | after the review that Mr. -- Mr. Pereiras made,
4 | if anyone wants to come forward.

5 | But please try to be brief. I think one or
6 | two minutes for any of your comments before I
7 | make my final -- my final motion.

8 | Any member of the public wants to come
9 | forward?

10 | MS. SPARROW: Hi.

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

13 | MS. SPARROW: Sparrow, again.

14 | MS. DILLON: Go ahead.

15 | MS. SPARROW: Yeah. I forgot to mention in
16 | my previous comments about I think there should
17 | also be an extra allowance of -- of two --
18 | instead of two feet between the building -- I
19 | mean two feet --

20 | MR. PANEQUE: Miss Sparrow, I'm sorry to
21 | interrupt, but the comment now is only towards
22 | the accommodations that were made to the plan,
23 | not to reopen up the meeting again.

24 | So, do you have any comments -- do you have
25 | any -- do you have any comments, ma'am, on the

1 | concessions that were just suggested by the
2 | architect?

3 | MS. SPARROW: I think there should be
4 | additional concessions.

5 | That's all.

6 | MR. PANEQUE: Okay.

7 | Thank you, ma'am.

8 | MS. SPARROW: Um hum.

9 | MS. LANE: Hi.

10 | It's May.

11 | MS. DILLON: Just state your full name for
12 | the record.

13 | MS. LANE: May Lane, L-A-N-E.

14 | MS. DILLON: Thank you.

15 | MS. LANE: When the first house was
16 | proposed, it was -- the issue I think that we all
17 | have, in terms of trying to protect our block and
18 | our neighborhood is this idea of light and air
19 | movement and all of the rest of it. And
20 | aesthetics. Not having a block that goes like
21 | this.

22 | Why we all came out in such numbers for the
23 | original three family building was, again, this
24 | huge jump in height, this huge jump in covered
25 | land.

1 Although these little -- the parapet, knock
2 up and knock down, are concessions, they still
3 don't really change the issue which is, again,
4 the fact that this building is not going to do
5 anything for the public good of our block. It's
6 not going to add -- it's going to take away from
7 light and air flow and everything else.

8 You know?

9 It would be wonderful if there was a way
10 that this house that is existing could be updated
11 in its current footprint, at its current height.
12 It was able -- a lovely family lived there and
13 raised kids there. It's able to be enjoyed by a
14 similar family. People have lived there happily
15 for a hundred plus years. Hopefully, the house
16 can be honored as it stands in the neighborhood
17 as it stands.

18 CHAIRPERSON GRULLON: Thank you.

19 I appreciate your comment, Ms. May.

20 MS. SCIARRA: Hi.

21 It's Maureen Sciarra again.

22 I think the concessions that they made is
23 very nice, so that they're -- they're trying to
24 work with the neighborhood. I appreciate that.

25 I do think, though, that the length of the

1 building is the problem, coming out to the
2 backyard and seeing a brick wall. I think that's
3 the issue, the blocking of -- okay, is maybe, I
4 don't know. I'm not -- like I said, I'm not an
5 architect, but maybe that space that they have in
6 front, that's supposed to be for their garden or
7 their -- where they're going to put their plants
8 and things, if they were to move the building up
9 a little, maybe could leave space in the backyard
10 so that there is at least some kind of easeway,
11 some kind of -- not to the backyard of a brick
12 wall, facing everyone.

13 I -- it's a suggestion. It's just -- you
14 know --

15 MR. PANEQUE: Yes.

16 MS. SCIARRA: And we appreciate the fact
17 that they are working with us. And I think that
18 it was a good idea. At least some sunlight will
19 get in, but we're still faced with that brick
20 wall.

21 MR. PANEQUE: Okay.

22 So, for purposes of expediency, Ms.
23 Sciarra, I'm just going to answer your question,
24 instead of having the architect answer it.

25 If you move the building up, you're thereby

1 creating a new variance, which is they -- they
2 have to have a ten foot setback under the
3 Ordinance.

4 MS. SCIARRA: Okay.

5 MR. PANEQUE: Okay?

6 So, even though your suggestion, from a
7 layman's perspective, makes sense, thereby
8 creating a new variance which --

9 MS. SCIARRA: I understand.

10 MR. PANEQUE: -- they won't -- the ten foot
11 setback.

12 MS. SCIARRA: I understand.

13 MR. PANEQUE: Okay?

14 MS. SCIARRA: Yes.

15 MR. PANEQUE: Thank you.

16 MS. SCIARRA: Thank you.

17 CHAIRPERSON GRULLON: Any other member of
18 the public?

19 MS. DILLON: Yes. Just state your name
20 again please.

21 MS. STONE: Sharon Stone.

22 MS. DILLON: Thank you.

23 MS. STONE: I just want to say that I
24 appreciate all the attempts that are being made
25 to come to a good agreement, but maybe I haven't

1 explained how my house is because I'm the one who
2 lives there.

3 If the footprint of the house is going to
4 change from what it is now, to all the way back
5 into the backyard, you're cutting off my sun.
6 How do I know that? Because I've lived there a
7 long time and I've gardened there a long time.
8 I've grown my food there a long time. And I know
9 the angle of the sun; summer, winter, spring,
10 fall. You're still going to put my garden and my
11 house in darkness this way.

12 And it's -- it's unacceptable.

13 What did you say?

14 A CITIZEN: And that's it. The sun will --
15 (indiscernible).

16 MS. STONE: Yeah. Thank you.

17 The sun will always -- with changing with
18 the seasons and you're going to make my house
19 dark. I don't understand why I have to make that
20 concession.

21 The way I understand it, that if -- if we,
22 the public, are giving variances, we have to get
23 something back.

24 I'm getting the opposite of getting
25 something back. I'm giving a lot. That's the

1 main feature of my little home; amazing sun. I
2 love plaster walls and I love old wood floors.

3 Again, we all know how I have the most
4 modest house on the block. It's the sun. It's
5 the light. It's the air.

6 I don't know why I'm being asked to give
7 that up. I truly feel like I'm being put in a
8 shroud.

9 And I think that's all I want to say.

10 Thank you for your time.

11 MR. PANEQUE: Thank you.

12 CHAIRPERSON GRULLON: Thank you.

13 Any other member of the public want to step
14 forward?

15 Please.

16 MR. KEOUGHAN: Am I correct in --

17 MS. DILLON: Name, again, for the record.

18 MR. KEOUGHAN: Tom Keoughan.

19 Thank you.

20 Am I correct -- am I correct in -- in
21 understanding that part of the decision to give
22 variances and special dispensations is that there
23 should be some sort of public benefit?

24 I don't see any public benefit here at all.
25 You have the public. You heard the public.

1 The -- instead of a public benefit, what I
2 see is -- you know, someone who's lived in a
3 house for 40 years. If you're two feet away,
4 whether it's 38 feet or 45 feet, the sun's not
5 coming in. The sun's not coming in.

6 So, in feet, it might sound good. But it
7 makes no difference.

8 Front parapet. That's a giveaway. No one
9 cares about the front parapet. That will make
10 head -- (indiscernible).

11 So it's really the -- how far the -- the
12 thing is built and how high into the backyard.
13 That is the problem, not just in this specific
14 instance, but in four instances -- three or four
15 instances going up around the neighborhood right
16 now. It's happening all over.

17 And I guess, you know, Mrs. Gadot was very
18 eloquent -- eloquent about talking about her
19 husband is an architect and is a member of the
20 Planning Board. She did neglect to say, though,
21 that he has made a living as a developer. The
22 president of developer's company for about 20
23 years. And that they do have about 16 addresses
24 that you can look up on the internet, rapid fire,
25 over the last several years, including two in

1 Miami. I would imagine they might spend winters
2 down there.

3 So, and -- and I would say that they --
4 they did go to the Planning Board. The reason
5 they pulled back was because they did not have
6 enough viable parking spaces for a three family
7 house. It was not because of their graciousness.
8 And the reason that they sought a lawyer,
9 attorneys, local attorneys who know their way
10 around very well, who then advised them to go to
11 the Zoning Board because the Planning Board has
12 more room in it for community outreach and
13 community opinion. And the Zoning Board is a
14 little bit more about rules.

15 And so, they're here talking about rules
16 and there is -- and you guys generally focus and
17 give a greater weight to strictly rules.

18 What I can -- what I would just close with
19 is, the public -- there's no public benefit here.
20 The public has made itself clear, as of their --
21 their antipathy to this -- this project. And you
22 don't have to do anything to please them. You
23 have to give special dispensation to basically an
24 outside developer who claims that he's -- you
25 know, despite all of his history, that he's going

1 to settle down here forever, rather than go to
2 one of the addresses in Florida.

3 And all you have to do to please the public
4 is do nothing, rather than actively do something.

5 Thank you.

6 CHAIRPERSON GRULLON: Thank you.

7 Any other member of the public want to step
8 forward?

9 No one else from the public?

10 Closed to the public.

11 After hearing all the comments from the
12 public, and also from Miss Gadot, the Gadot
13 couple, and the presentation of the architect,
14 first I want to thank you for hearing the Board
15 concern of -- of the height of the building and
16 trying to bring it down, even though that the
17 building complies with the permitted height.

18 And also, agreeing, and I want to put this
19 as a condition, if any construction is made, to
20 make sure that you have bonds -- insurance for
21 the adjacent properties.

22 And see, with -- and another condition that
23 I want to do before we move forward with anything
24 -- actually, with a resolution, we want to see
25 revised plans.

1 I want to make a motion to grant the
2 variances.

3 THE SECRETARY: Motion on the table to
4 grant this application by Mr. Grullon.

5 VICE CHAIRPERSON GUTIERREZ: I'm seconding.

6 THE SECRETARY: Seconded by Ms. Gutierrez.

7 Roll call on the motion to approve this
8 application with the conditions and new revised
9 plan requires.

10 Roll call on the motion.

11 Mr. Grullon?

12 CHAIRPERSON GRULLON: Yes.

13 THE SECRETARY: Ms. Gutierrez?

14 VICE CHAIRPERSON GUTIERREZ: Yes.

15 THE SECRETARY: Mr. Ortiz?

16 MR. ORTIZ: Yes.

17 THE SECRETARY: Ms. Perez?

18 MS. PEREZ: Yes.

19 THE SECRETARY: Mr. Cetinich?

20 MR. CETINICH: Yes.

21 THE SECRETARY: Five in favor.

22 Motion carries.

23 MS. PEREIRAS: Thank you all very much.

24 THE SECRETARY: Thank you and good night.

25 (Whereupon, there was a pause in the

1 proceedings.)

2 CHAIRPERSON GRULLON: Debbie, one minute,
3 off the record.

4 MS. DILLON: Okay.

5 THE SECRETARY: One minute off the record.

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7 (Whereupon, the Board recessed from 8:59
8 p.m. to 9:00 p.m.)

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1 **527 39th Street, LLC - 527 39th Street:**

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3 MS. DILLON: Okay, Carlos.

4 On the record.

5 THE SECRETARY: Debbie?

6 MS. DILLON: Yes.

7 On the record, Carlos.

8 THE SECRETARY: Ready?

9 MS. DILLON: On the record, Carlos.

10 THE SECRETARY: On the record.

11 MS. DILLON: What?

12 THE SECRETARY: May I have your attention,
13 please?

14 Next -- next item on tonight's agenda, 527
15 39th Street, LLC, 327 (sic) 39th Street.

16 Ms. Pereiras, please?

17 MS. PEREIRAS: Thank you, Mr. Vallejo.

18 Again, Bianca Pereiras, on behalf of the
19 applicant for 527 39th Street.

20 This applicant was here before this Board
21 back on April 11th, 2019 to construct a two
22 family.

23 Unfortunately, they've seen many delays,
24 and have not been able to pull for a permit, so
25 we're coming before this Board on an extension.

1 I will mention that I know there is a stay
2 regarding the Permit Extension Act. And I will
3 ask that if the Board grants an extension on this
4 approval, that that one year extension begin when
5 that Permit Extension Act is no longer in effect.

6 The other thing I'd like to mention, there
7 is one minor difference on the drawings that the
8 Board has in front of them.

9 We had an overhang that was approved by
10 this Board. However, in our experience in
11 dealing with the Building Department, they've
12 asked us to remove those overhangs. So, on the
13 drawings that we submitted to the city, we've
14 removed that overhang.

15 There is no -- there is no other change and
16 it doesn't effect any of the approvals or
17 variances be granted by this Board.

18 CHAIRPERSON GRULLON: Okay, Ms. Pereiras.

19 Ms. Pereiras, is this for the -- to the
20 extension?

21 MS. PEREIRAS: This is for an extension.
22 Yes.

23 CHAIRPERSON GRULLON: For an extension.

24 And you're looking for one -- for one year
25 extension.

1 MS. PEREIRAS: For one year extension.
2 Technically, their time would up in April. There
3 is a current stay, because of the Permit
4 Extension Act.

5 So, I would ask for that one year to begin
6 when that extension is lifted.

7 CHAIRPERSON GRULLON: And -- and this will
8 be the first extension on this --

9 MS. PEREIRAS: It is.

10 CHAIRPERSON GRULLON: -- application.

11 MS. PEREIRAS: This is our first.

12 CHAIRPERSON GRULLON: Okay.

13 I don't have any objection.

14 Any member of the Board wants to have any
15 question regarding to the extension?

16 You just mentioned something about the
17 plans that it has some changes on the plan?

18 MS. PEREIRAS: There is a minor
19 modification.

20 Originally, our drawing had an overhang on
21 one of the side yards that was approved by this
22 Board.

23 However, the Building Department has asked
24 us to remove overhangs on other projects that are
25 similar. So, we're looking to comply with --

1 CHAIRPERSON GRULLON: Okay.

2 MS. PEREIRAS: -- with their requirement
3 and removing it at this time.

4 CHAIRPERSON GRULLON: By a request of
5 Building Department.

6 MS. PEREIRAS: Correct.

7 CHAIRPERSON GRULLON: Okay.

8 With that, I will make a motion to grant
9 the one year extension for this application.

10 THE SECRETARY: Motion on the table to
11 grant the extension for one year --

12 VICE CHAIRPERSON GUTIERREZ: I'm seconding.

13 THE SECRETARY: -- by Mr. Grullon.

14 Seconded by Ms. Gutierrez.

15 Roll call on the motion.

16 Mr. Grullon?

17 CHAIRPERSON GRULLON: Yes.

18 THE SECRETARY: Ms. Gutierrez?

19 VICE CHAIRPERSON GUTIERREZ: Yes.

20 THE SECRETARY: Mr. Ortiz?

21 MR. ORTIZ: Yes.

22 THE SECRETARY: Ms. Perez?

23 MS. PEREZ: Yes.

24 THE SECRETARY: Mr. Cetinich?

25 MR. CETINICH: Yes.

1 THE SECRETARY: Five in favor.

2 Motion carries.

3 MS. PEREIRAS: Thank you all very much.

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

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1 **391 Mountain Road, LLC - 391 Mountain Road:**

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3 THE SECRETARY: Next application on
4 tonight's agenda, 391 Mountain Road, LLC.

5 Ms. Pereiras, please?

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

8 MR. PANEQUE: Let the record reflect the
9 following:

10 I've been provided by Ms. Pereiras with the
11 certification as to publication and --

12 MS. DILLON: Your microphone, Mr. Paneque,
13 please.

14 MR. PANEQUE: Sorry, Debbie.

15 MS. DILLON: Thank you.

16 MR. PANEQUE: I keep on forgetting to
17 unmute myself.

18 MS. DILLON: I'm sorry.

19 I'm sorry.

20 MR. PANEQUE: I'm so used to it. All
21 right.

22 Let's start all over.

23 Let the record reflect, I've been provided
24 by Ms. Pereiras with a certification as to
25 publication and service with respect to property

1 | located at 391 Mountain Road, Union City, New
2 | Jersey.

3 | Said certification provides that notice was
4 | given to all property owners within the 200 foot
5 | radius by certified mail. And the notice was
6 | published in The Jersey Journal on January 30th,
7 | 2021.

8 | I've also been provided with an affidavit
9 | from The Jersey Journal with a copy of the
10 | article that was published. Said article does
11 | note that tonight's hearing here in the high
12 | school this application will be presented.

13 | I've also been provided with a list from
14 | the Union City Tax Assessor's Office, with a date
15 | of January 21st, 2021, for all property owners
16 | within the 200 foot radius of 391 Mountain Road.

17 | I've also been provided with the U.S.
18 | Postal Service certified mail receipts, with a
19 | postmark date of January 30th, 2021, sending
20 | notice to all property owners.

21 | Based on the information that has been
22 | provided by Ms. Pereiras, this Board does have
23 | jurisdiction to proceed and hear this matter.

24 | MS. PEREIRAS: Thank you, counsel.

25 | May it please the Board, Bianca Pereiras on

1 | behalf of 391 Mountain Road, LLC, in regards to
2 | their property located at 391 Mountain Road,
3 | Block 224, Lot 48.

4 | Onsite, we currently have an existing one
5 | family home. The applicant is seeking an
6 | addition to allow for two duplex apartments. So,
7 | we're converting from a one to a two.

8 | The property is located in the R low
9 | density residential zone, where two families are
10 | a permitted use and come for site plan review,
11 | and therefore, the reason before this Board.

12 | We have a few variances related to our lot
13 | dimension, an existing structure that we are
14 | trying to preserve.

15 | We have one expert, and that is our
16 | architect, Mr. Manuel Pereiras.

17 | MR. PEREIRAS: Manny Pereiras.

18 | I recognize I am still under oath.

19 | MS. PEREIRAS: Mr. Pereiras, did you
20 | prepare the drawings for 391 --

21 | MS. DILLON: I'm sorry.

22 | I can't hear Ms. Pereiras.

23 | MS. PEREIRAS: Mr. Pereiras, did you
24 | prepare the drawings for 391 Mountain Road?

25 | MR. PEREIRAS: I did.

1 MS. PEREIRAS: And are those the drawings
2 that are before the Board this evening?

3 MR. PEREIRAS: They are.

4 MS. PEREIRAS: And would you kindly
5 describe the proposal for the Board?

6 MR. PEREIRAS: I'd be very happy to.

7 The Board -- the drawing to my left is the
8 same drawing that was submitted to the Board. It
9 has the last revision date of September --
10 September 16, 2020. And it has the -- the date
11 of today's present --

12 What we have, and starting at Sheet Z01, we
13 have the existing site on the left and the
14 proposed on the right. This is really in the
15 same neighborhood, it's around the corner on
16 Mountain Road.

17 THE SECRETARY: For sake of the record,
18 those are the same blueprints that was dropped
19 off yesterday?

20 MS. DILLON: I'm sorry.

21 Carlos?

22 THE SECRETARY: (Indiscernible).

23 MR. PEREIRAS: What was dropped off? When
24 was it dropped off?

25 THE SECRETARY: The day before yesterday, I

1 stamped it I have revised plans --

2 CHAIRPERSON GRULLON: How's Debbie?

3 MS. DILLON: I can -- I can't hear Mr.
4 Vallejo.

5 THE SECRETARY: Let me go back there.

6 Mr. Pereiras, those are the blueprints --
7 the original blueprints from the initial
8 application.

9 Right?

10 MR. PEREIRAS: These blueprints, just to be
11 clear, it has a revision date of -- a
12 presentation date of 2/10/21.

13 THE SECRETARY: All right.

14 I received it yes -- the day before
15 yesterday, these revised plans --

16 MR. PEREIRAS: Okay.

17 THE SECRETARY: -- of the same application.
18 I just want to put in the record. I have it
19 right here.

20 I don't know if you want to have it now.

21 CHAIRPERSON GRULLON: These were revised
22 yesterday.

23 MR. PANEQUE: Yeah.

24 CHAIRPERSON GRULLON: It has to be
25 submitted ten days prior to the meeting.

1 THE SECRETARY: Okay.

2 MR. PANEQUE: Ms. Pereiras?

3 MS. PEREIRAS: Yes. My notes, we submitted
4 an application January 15th were the revised
5 drawings. Carlos was saying he received
6 something yesterday.

7 MR. PANEQUE: Okay.

8 THE SECRETARY: The day before yesterday.
9 Sorry.

10 They dropped it off these revised plans the
11 day before yesterday.

12 CHAIRPERSON GRULLON: Could you look at it,
13 Mr. Pereiras, and see if they are yours?

14 MR. PEREIRAS: (Indiscernible). Okay.
15 (Indiscernible) not my signature. These are the
16 correct drawings.

17 MR. PANEQUE: Okay.

18 Ms. Pereiras, the -- the revised drawings,
19 which are called revised plans, have a revision
20 date of February 10, 2021, which would have made
21 it yesterday.

22 So, if they were just revised yesterday,
23 how could they have been presented to the Board
24 ten days prior?

25 MS. PEREIRAS: (Indiscernible).

1 MS. DILLON: I'm sorry. I cannot hear Ms.
2 Pereiras.

3 A VOICE: She can't hear you.

4 VICE CHAIRPERSON GUTIERREZ: She can't hear
5 you.

6 MS. PEREIRAS: I'm sorry. I'm sorry. I'm
7 sorry, I apologize, counsel. That's news to me.
8 I submitted an application on the 15th with the
9 drawings.

10 MR. PANEQUE: No. Your application was
11 submitted timely.

12 MS. PEREIRAS: Right.

13 MR. PANEQUE: But I'm only referring now to
14 what your architect is relying on, which are
15 these revised plans which were just dated
16 yesterday. So my comment says --

17 MS. PEREIRAS: (Indiscernible) -- counsel,
18 I will concede that that wasn't submitted ten
19 days before the meeting.

20 And I'll defer to the Board as far as
21 carrying this to the next month.

22 MR. PANEQUE: Okay.

23 Yeah, the -- the rule is very clear. Any
24 plans that you intend to rely on during your
25 presentation must be submitted to the Board at

1 | least ten days prior, so the public has an
2 | opportunity to review them --

3 | MS. PEREIRAS: Absolutely.

4 | MR. PANEQUE: -- prior to the meeting.

5 | MS. PEREIRAS: Absolutely.

6 | MR. PANEQUE: Okay.

7 | So, we know these were just submitted
8 | yesterday because they're dated yesterday.

9 | That being the case, are you asking this
10 | Board --

11 | Strike that.

12 | -- this Board -- yeah.

13 | Are you asking this Board to carry this
14 | matter to the next hearing?

15 | MS. PEREIRAS: Absolutely.

16 | MR. PANEQUE: Mr. Grullon?

17 | CHAIRPERSON GRULLON: So, they acquire --
18 | they acquire jurisdiction for the application?

19 | MR. PANEQUE: It -- the Chairman can make a
20 | judgement call as to whether new notices should
21 | be required, based on the fact that -- you know,
22 | some members of the public --

23 | CHAIRPERSON GRULLON: Yeah.

24 | MR. PANEQUE: -- may not --

25 | CHAIRPERSON GRULLON: That -- that's my

1 concern.

2 If there were changes made on the plans --

3 MS. PEREIRAS: Mr. Chairman, if I could
4 just have a minute to figure what these changes
5 are?

6 CHAIRPERSON GRULLON: Okay.

7 Please, go ahead.

8 MS. PEREIRAS: I'll address the Board
9 accordingly.

10 CHAIRPERSON GRULLON: Or if you want to
11 proceed with the old plans. It's up to you.

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

14 MS. PEREIRAS: Counsel, I will defer to the
15 Board. It doesn't seem that the changes would
16 affect anything on my notice. So, I ask that
17 that -- renoticing would not be required. But I
18 have no problem, obviously, carrying it to next
19 month.

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

22 CHAIRPERSON GRULLON: Mr. Pereiras, could
23 you explain, more or less, what the changes were,
24 just to --

25 MR. PEREIRAS: So --

1 CHAIRPERSON GRULLON: -- make a judgment,
2 whether we would need renotice or not.

3 MR. PEREIRAS: Yeah. The adjustment and
4 the change was basically the -- there was a
5 duplex apartment and then there was another
6 apartment. Instead of just it being one
7 apartment, it became a duplex apartment, as well.
8 So, we have a duplex and a duplex.

9 We're within the height. Well, actually
10 well below the height. We're at 36 feet. But
11 we're adding a story to the building.

12 CHAIRPERSON GRULLON: In that case, I would
13 definitely recommend to re-notice, because now we
14 going to -- instead of one and one duplex, we're
15 going back for two duplex apartment.

16 See, with that, I would make a motion to
17 adjourn the meet -- this case to the next
18 meeting, which is --

19 THE SECRETARY: March 11.

20 CHAIRPERSON GRULLON: -- March 11.

21 VICE CHAIRPERSON GUTIERREZ: I'm seconding.

22 CHAIRPERSON GRULLON: March 11.

23 And please submit new notice to the
24 residents.

25 THE SECRETARY: Motion on the table to

1 carry this application for March 11 by Mr.
2 Grullon.

3 Seconded by Ms. Gutierrez.

4 Roll call on the motion.

5 Mr. Grullon?

6 CHAIRPERSON GRULLON: Yes.

7 THE SECRETARY: Ms. Gutierrez?

8 VICE CHAIRPERSON GUTIERREZ: Yes.

9 THE SECRETARY: Mr. Ortiz?

10 MR. ORTIZ: Yes.

11 THE SECRETARY: Ms. Perez?

12 MS. PEREZ: Yes.

13 THE SECRETARY: Mr. Cetinich?

14 MR. CETINICH: Yes.

15 THE SECRETARY: Let the record reflect the
16 motion carries.

17 Also, new notice required.

18 Thank you.

19 MR. PANEQUE: I'll just make announcement.

20 For members of the public that were here
21 for 391 Mountain Road, in case you did not hear
22 what just transpired, this matter is being
23 carried to the March 11th meeting. You will be
24 receiving new notices.
25

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

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1 **815 13th Street, LLC - 1218 Kennedy Boulevard:**

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3 THE SECRETARY: Next application on
4 tonight's agenda, 815 13th -- 13th Street, LLC.

5 Ms. Pereiras, please?

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

8 MR. PANEQUE: Are we back on the record,
9 Debbie?

10 MS. DILLON: I didn't go off.

11 MR. PANEQUE: Okay.

12 MS. DILLON: I've been waiting.

13 MR. PANEQUE: Let the record reflect the
14 following:

15 I've been provided by Ms. Pereiras with a
16 certification as to publication and service with
17 respect to the property located at 815 --

18 Strike that.

19 -- 1218 Kennedy Boulevard.

20 The notice indicates that the publication
21 took place in the local Jersey Journal paper on
22 January 30th, 2021.

23 I've also been provided with an affidavit
24 of publication from The Jersey Journal indicating
25 that notice of tonight's hearing is -- was given

1 and was to take place here at the high school.

2 I've also been provided with a list of all
3 property owners from the Union City Tax Assessor,
4 dated January 21st, 2021.

5 And I've also been provided with the
6 certified mail receipts, with a postmark date of
7 January 28th.

8 Based on the documentation provided, this
9 Board has jurisdiction to proceed and hear the
10 matter.

11 MS. PEREIRAS: Thank you, counsel.

12 May it please the Board, Bianca Pereiras on
13 behalf of the applicant, 815 13th Street for their
14 property located at 1218 Kennedy Boulevard, also
15 known as Block 57, Lot 24.

16 Currently, onsite, we have a mixed use
17 building consisting of four residential
18 apartments and a restaurant.

19 The application before the Board this
20 evening is to convert part of that restaurant
21 area into a daycare facility.

22 We have two experts to testify before the
23 Board this evening. I'd like to begin the
24 presentation with our architect, Mr. Manuel
25 Pereiras.

1 MR. PEREIRAS: Manny Pereiras.

2 I recognize I am still under oath.

3 MS. PEREIRAS: Mr. Pereiras, did you
4 prepare the drawings for 1218 Kennedy Boulevard?

5 MR. PEREIRAS: I did.

6 MS. PEREIRAS: And are those the drawings
7 that are before the Board this evening?

8 MR. PEREIRAS: They are.

9 MS. PEREIRAS: And would you kindly
10 describe the project to the Board?

11 MR. PEREIRAS: I'd be very happy to.

12 We are dealing with a -- an existing
13 building. It's actually a few existing
14 structures together that you see here on the site
15 plan. The site plan is the same drawings that I
16 -- that were submitted to the Board. They're
17 here on my left.

18 And I'm starting with Sheet Z01.

19 In this drawing, we can see that there were
20 two story frame here and a two story frame here.
21 There is -- the main building is along here, --
22 (indiscernible) -- known as 815 13th Street.
23 Right now, we know that building as Conga Café.
24 It is a restaurant, the ground floor. It is a
25 banquet hall on the second floor, and then there

1 are residences above that.

2 Needless to say, a banquet hall was a very
3 intense use for this site. It demanded a lot of
4 parking and created a lot of -- it's just a
5 difficult use for this site. It's a preexisting
6 site that was inherited.

7 We're looking to make this site
8 significantly better, and filling a need that we
9 have in our neighborhood, a significant need for
10 child daycare. And we're -- what we're proposing
11 to do is to take the restaurant that is on the
12 ground floor and reduce the size of that
13 significantly, and make the rest of it a daycare,
14 and have that second floor as a daycare, as well.

15 Let me talk a little bit about the site.
16 On the site plan now -- (indiscernible).

17 MS. DILLON: Mr. Pereiras, I'm sorry. Your
18 back is to the microphone.

19 MR. PEREIRAS: Sorry.

20 I'll present this way, hopefully. Maybe I
21 can make this work.

22 Off of Kennedy Boulevard, there is a curb
23 cut with parking along the front of the building
24 there, there's parking along the -- behind the
25 building, along 13th Street along here.

1 What we're proposing to do is having all
2 the daycare facility drop off and pickup areas
3 completely isolated to 13th Street. It allows us
4 to be off of Kennedy Boulevard, which is very
5 busy. It allows us to stop the cars coming in
6 and out at peak hours, often in the morning and
7 at pickup off of Kennedy Boulevard, and allows
8 plenty -- and we have plenty of room to drop off
9 and pickup kids.

10 The operators of this daycare have another
11 daycare in Union City. They have a daycare on
12 45th and New York Avenue, with a lot less space
13 and a lot -- no driveway whatsoever, with no
14 parking whatsoever. So, they have become experts
15 in the pickup and drop off situation.

16 So, you have an example already here in
17 Union City of how they make it successful. This
18 makes their situation even better because now
19 they do have parking. Teachers can park along
20 the Kennedy Boulevard side. They have drop off
21 and pickup parking, when necessary, behind the
22 building, on 13th Street. And they could drop off
23 and pickup from the curb along 13th Street.

24 Let's walk to the inside of the building
25 and see what we have and what we're actually

1 changing.

2 On Sheet Z02, we have the existing
3 conditions on the left hand side. The proposed
4 conditions on the right hand side.

5 On the ground floor, or the first floor, I
6 should say, because it is elevated a bit, we have
7 what is the existing restaurant. There are two
8 bars along here. There's a large kitchen right
9 in the middle.

10 What we're proposing to do is put a wall to
11 divide the space right across it and that's a
12 complete tenant separation wall. It will be a
13 two hour wall that separates the uses so it's
14 very safe in case of a fire. And what we're
15 doing is, there's no connection between the two
16 spaces.

17 The -- the restaurant -- (indiscernible,
18 background noise) -- small space and as you could
19 see, it's a small restaurant/café. In post-COVID
20 times, restaurants have changed drastically. The
21 in -- the dine-in seating has been reduced
22 significantly. What we do is mostly carryout,
23 takeout. You can Grubhub and -- (indiscernible).
24 That's basically what this is becoming, a small
25 kitchen, so that they can make delivery foods,

1 with a very small dining area.

2 So, that's what becomes of the restaurant.
3 The rest of the space becomes a daycare facility.

4 This room that we see here is for infants.
5 We're going to have what's called an I4, which is
6 a fully sprinklered building, that allows for
7 infant care.

8 We have lots of daycares in Union City.
9 Very few of them have the ability to take care of
10 infants. There is a huge demand in -- in infant
11 care. This is going to be able to satisfy that
12 demand, which is very important.

13 And one of the reasons there's very few
14 daycares that comply with that is because the
15 Code requirements are pretty strict. You need to
16 be able to roll up and down into the daycare
17 without having any steps.

18 We're able to do that along the rear of the
19 property, where the kids get dropped off --
20 (indiscernible) -- these main doors along the
21 back. In the proposed layout, we ramp up and the
22 infants, families with strollers could roll right
23 up and then they -- (indiscernible) -- the space,
24 in addition to it being fully sprinklered and
25 very safe.

1 There's another classroom right next to
2 that, that's -- that has the capacity of 25 more
3 kids. And then, we have the second floor. There
4 are multiple means of egress all throughout the
5 building in different points. Inside staircases
6 and -- and the fire escapes existing on the
7 outside.

8 And upstairs, you have three more
9 classrooms for the children.

10 The space -- the floor above that is
11 completely unchanged. Those are the existing
12 residential. And they have their own isolated
13 staircase to access the residential off the main
14 doors on 13th Street.

15 So, what we're proposing is no changes to
16 the exterior of the building, except for changing
17 the lighting. We're going to add some lighting
18 to the infant area. We're going to add some
19 signage for the daycare, to change it from Conga
20 Café to the daycare.

21 And we are going to add 600 square feet of
22 outdoor play area. So, this becomes a new
23 playground. We are fencing that in completely so
24 that the children have a place to play outside.
25 There's plenty of space behind the parking lot.

1 We have curb stops to stop any cars from coming
2 over there. And we have it all fenced in for
3 their privacy. And the access is direct from the
4 -- from the building straight out. So, all the
5 children will have access to that -- to that
6 playground.

7 That concludes my testimony.

8 I raced through it, so if you have any
9 questions, I'd be very happy to -- to address
10 them.

11 CHAIRPERSON GRULLON: Mr. Pereiras, could
12 you explain the entrance to the daycare facility?
13 I see the -- is the entrance through the
14 restaurant?

15 MR. PEREIRAS: So, no.

16 Let me -- let me walk through.

17 There are multiple entrances to this
18 building.

19 CHAIRPERSON GRULLON: Yes. For the first
20 floor. I see a door going from the restaurant to
21 the daycare.

22 MR. PEREIRAS: Oh, no.

23 So, there is no connection between the
24 restaurant and the daycare. There's a door to an
25 HVAC closet.

1 CHAIRPERSON GRULLON: Okay.

2 MR. PEREIRAS: But nothing that connects
3 the two. The separation between --

4 MS. DILLON: I'm sorry, Mr. Pereiras. I
5 apologize. But --

6 MR. PEREIRAS: I'm sorry.

7 MS. DILLON: -- you're really --

8 MR. PEREIRAS: The separation --

9 MS. DILLON: -- drifting away.

10 MR. PEREIRAS: -- between the restaurant
11 and the daycare is the dark solid gray wall. If
12 you follow that gray wall, it zigzags back and
13 forth. It zigzags in this direction to allow for
14 a restaurant, for the kitchen to be as part of
15 the restaurant, and a small portion in the
16 kitchen to be part of the daycare, so that the
17 daycare could have a small kitchen to heat food
18 for the -- for the children.

19 But there's no connection between the
20 restaurant and the daycare.

21 CHAIRPERSON GRULLON: Okay.

22 Can you tell us the hour of operation for
23 the restaurant and for the daycare?

24 Do you know that?

25 MR. PEREIRAS: Be very happy to.

1 Daycare is going to operate normal daycare
2 hours. I think we have, in the other room, the
3 operators of the daycare. They're able to go at
4 it at a lot much greater length, if you'd like
5 them to -- to present.

6 However, it's typical morning hours. They
7 start at 6:30, seven, daycare facility. And
8 typically, they -- they wrap up around six
9 o'clock in the afternoon, sometimes up to seven.
10 But they could expand on that much bigger than I
11 can.

12 Restaurant runs restaurant hours. During
13 COVID right now, we have the -- the curfew. But
14 it's -- they operate normal hours. I think
15 previously they closed at midnight. I don't know
16 if they're going to continue doing that right
17 now.

18 CHAIRPERSON GRULLON: You -- you're
19 requesting variance for parking.

20 Could you explain that? You know like --

21 MR. PEREIRAS: I'd be very happy to.

22 We also have a planner here that could --
23 that's going to testify about the variance.

24 CHAIRPERSON GRULLON: I mean, that's okay.

25 MR. PEREIRAS: With that said we actually

1 have significant amount of parking compared to
2 normal daycares in the neighborhood.

3 And I've designed a lot of the daycares in
4 this neighborhood, and a lot of the daycares in
5 Union City. We're very lucky if we have one or
6 two parking spaces for pickup and drop off.

7 In this situation, we have 17 parking
8 spaces, both in the front of the building and in
9 the rear of the building. That said, those
10 parking spaces are also -- there are no
11 additional parking spaces for the residential
12 apartments upstairs. That's an existing
13 condition.

14 What we're doing is we're really reducing
15 the demand on parking. We had a banquet hall
16 facility. And just imagine how many people go
17 there. They had a very large capacity. They
18 could have 400 people in the entire building as a
19 banquet hall. Imagine all those people with
20 cars.

21 Our proposal, with having a daycare, very
22 few children drive, which is a very good thing.
23 They get picked up and they get dropped off.

24 So, our actual demand for parking is
25 greatly reduced here. We really need to talk

1 about employees and where they park.

2 And the operator of this facility actually
3 is going -- the manager of this location actually
4 lives around the corner, so she's going to walk
5 to work. She has less than a block -- a block
6 and a half distance that she has to walk to this
7 facility, and most of the -- most of the workers,
8 and they know this from experience, from their
9 other facility, are local to -- to the
10 neighborhood. So, they'll be employing local
11 workers, childcare facilitators.

12 CHAIRPERSON GRULLON: I see that you have
13 numbers by classroom. Do you know the total --
14 the total amount of children they are planning to
15 serve, with the daycare just in capacity?

16 MR. PEREIRAS: So, full capacity is 95
17 children and we have 15 -- 15 plus employees.
18 So, the daycare facility will have an occupancy
19 of about 110 people.

20 That is the occupancy of the building.
21 It's very rare that all the classrooms are at
22 full occupancy, as well as classrooms may become
23 Abbott and get restricted more to reduce like 16
24 units.

25 So, the Building Code capacity is 110. The

1 reality is more than likely, it's going to be a
2 much lower actual capacity of children in the --
3 in the facility.

4 CHAIRPERSON GRULLON: Okay.

5 And the daycare facility will be in
6 compliance with all the Codes for the -- for
7 childcare?

8 MR. PEREIRAS: Yes.

9 So, we have a State Licensing Board that we
10 get approvals from. We submit drawings to them.
11 They review everything. And they come and do
12 inspections.

13 They're the ones that give the final count
14 of how many children have the capacity there, as
15 well as our local Building Department. We submit
16 drawings to them and we have to be in compliance
17 with all Code and regulations. Any work that has
18 to be done will be inspected and meet all the
19 standards of the International Building Code, New
20 Jersey edition.

21 CHAIRPERSON GRULLON: Thank you, Mr.
22 Pereiras.

23 Do you have any other witness?

24 MS. PEREIRAS: We do. We have our planner,
25 Mr. Eben.

1 MS. DILLON: Please raise your right hand.

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

4 MR. EBEN: Yes.

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

7 MR. EBEN: Sure.

8 Jerome, J-E-R-O-M-E, Eben, E-B-E-N.

9 MS. PEREIRAS: Mr. Eben has testified
10 before this Board as a planner in the past. I
11 hope the Board remembers him and will accept him
12 as an expert in the field of planning.

13 CHAIRPERSON GRULLON: Yeah. We accept you
14 as an expert.

15 MR. EBEN: You remember me. That's a good
16 thing. Okay.

17 Like Manny, I'm an architect also, and I'm
18 -- I've worked on probably the plus side of 150
19 daycare centers. So, I will tell you that I
20 visited the site. I drove around the surrounding
21 area. I walked the area. And I also read your
22 planner's report, and I also took a -- took some
23 time to read your reexamination report,
24 specifically with the goals and the -- and the
25 object -- objectives and how they might relate to

1 | this particular project.

2 | Certainly, some of the goals in your -- in
3 | your reexamination talk about adaptive reuse and
4 | the architect just talked about that, and how --
5 | how this building can meet the Code. Separation
6 | of the two uses, complete separation, no access
7 | to our -- to our tenant wall, sprinklered
8 | building, on and on and on.

9 | Architect also took some of my thunder
10 | away. Talked about the reduction of traffic.
11 | The drop off, the fact that also -- most of the
12 | teaching staff, as well as the students will
13 | probably be coming -- walking to this -- to the
14 | -- to the center, if -- if it's approved.

15 | This is, again, going to help in terms of a
16 | goal. The family -- the family relationship
17 | mentioned in the goals of -- of having a family
18 | -- family unit here. Family -- you know,
19 | something that's good for the family.

20 | Some of the objectives also talk about the
21 | improvement of -- of the quality of life. We
22 | know from a lot of experience and a lot of talk
23 | that the education of young children gives them
24 | that head start and gives them that -- encourages
25 | them to start their learning as early as

1 possible.

2 I know that from my grandchildren and I --
3 I can vouch for that wholly. Some of my --
4 couple of my older grandchildren are much smarter
5 than I am.

6 The -- to get approval here, we need some
7 special -- we need some special reasons for the
8 positive criteria that's required for the
9 variance. And the subsection of D.

10 I would -- I would talk about, or will talk
11 about consideration also to satisfy the negative
12 criteria, so that there's a balance between the
13 two.

14 We -- we want to make sure that we're
15 carrying out the purpose of zoning and I think --
16 I think in this particular project, we've
17 accomplished that.

18 We encourage municipal action to guide
19 appropriate use for this renovation, which is a
20 lesser use than the banquet hall which was there,
21 as Manny said so.

22 One of the things that I -- I've worked
23 with Manny before, and one of the things that as
24 an architect myself, I enjoy working and seeing
25 that a design of a space, in this particular

1 case, will be pleasant, practical and pretty when
2 we're done. Those three Ps.

3 The interior environment for children,
4 preschoolers, and their teachers will be safe
5 based on the Building Code. And that the
6 Building Code is the main reason of health,
7 safety and welfare will be addressed.

8 There will be adequate light and air.
9 There's consistent huge windows in the front,
10 playground in the rear, be plenty of exercise for
11 the children.

12 The spaces actually will provide for the
13 children in this neighborhood, beginning their
14 educational process. And in this zone, I think
15 it's perfect -- it's a transitional zone right
16 now, R zone, transitional commercial and
17 residential in there. And I think this is one of
18 the positive things.

19 Absolutely in my opinion that the negative
20 criteria can -- will be established here. The
21 variance can be granted without any -- causing
22 any substantial detriment to the public good.
23 And it will not -- it will not substantially
24 impair the intent and purpose of the Municipal
25 Zoning plan.

1 That's a -- that really is my testimony.

2 Any questions, I'll be more than happy to
3 answer.

4 CHAIRPERSON GRULLON: Thank you, Mr. Eben.
5 Thank you.

6 Any members of the Board has any questions?

7 I have a few question regarding the parking
8 area.

9 Are you proposing any drop zone or handicap
10 parking space?

11 MR. PEREIRAS: So, technically, it's a
12 preexisting parking lot. That said, I think it's
13 totally reasonable to add a parking -- a handicap
14 parking spot. And we could do that right here at
15 this first parking spot. It works very well
16 because the access to the -- to the entrance
17 without handicap accessibility can be done from
18 the sidewalk and along the back here, without
19 sacrificing any additional parking spaces.

20 In addition to that, I think the ideal
21 location for a drop zone is right here in the
22 front on 13th Street, so that they could drop off
23 and walk through.

24 Now, that is subject to approval by the
25 Board of Commissioners. However, knowing the

1 Board of Commissioners and how well they work,
2 and the extreme need for a daycare that we have
3 right now, I think that would be a reasonable
4 thing to get and a -- it could be subject to that
5 -- that drop zone, if you deem it worthy of
6 approval.

7 CHAIRPERSON GRULLON: Especially for the
8 safety of the children as they get dropped off.

9 MR. PEREIRAS: Absolutely.

10 VICE CHAIRPERSON GUTIERREZ: Mr. Pereiras,
11 did you know the age for the kids --

12 MS. DILLON: Please put your microphone on.

13 MR. PEREIRAS: They're going to be -- I'm
14 sorry.

15 MS. DILLON: I'm -- Ms. Gutierrez's
16 question, if she could turn on her mic?

17 CHAIRPERSON GRULLON: Margarita?

18 MS. DILLON: Unmute?

19 CHAIRPERSON GRULLON: Margarita?

20 MS. DILLON: Unmute.

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

23 VICE CHAIRPERSON GUTIERREZ: You hear me
24 now?

25 MS. DILLON: Yes.

1 VICE CHAIRPERSON GUTIERREZ: Okay.

2 I just asked Mr. Pereiras all the age of
3 the kids that are going to be in the facility?
4 The daycare?

5 MR. PEREIRAS: Excellent question.

6 So, this facility will accommodate all
7 ages, meaning it will start at infant, will be
8 typically -- (indiscernible) -- starts at five
9 weeks. And they will be transferred to different
10 rooms, depending on their age group. And they'll
11 even have the opportunity for aftercare. And
12 this computer just shut off.

13 MS. PEREZ: I think they're dying. I think
14 the battery is just --

15 VICE CHAIRPERSON GUTIERREZ: Yeah.

16 MS. PEREZ: -- (Indiscernible).

17 VICE CHAIRPERSON GUTIERREZ: All right.

18 Thank you, Mr. Pereiras.

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

21 MS. PEREZ: I'm not giving it to you. I'm
22 lending it to you.

23 MR. PEREIRAS: Okay.

24 Thanks.

25 CHAIRPERSON GRULLON: No, no, no. Let's

1 switch with this.

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

4 CHAIRPERSON GRULLON: All right. Debbie,
5 I'm switching. Don't mind the name of the
6 computer.

7 MS. DILLON: That's fine. It doesn't
8 matter what name is -- I can see you, so I know
9 what's --

10 MR. PEREIRAS: I'm not sure if my answer
11 was recorded.

12 MS. DILLON: So --

13 MR. PEREIRAS: But the daycare will
14 accommodate all children, from infants, which
15 typically starts at five weeks onto even after
16 school care.

17 MS. PEREZ: Can I -- can I just ask a
18 question?

19 Anywhere in the daycare is there an area if
20 anybody's ill, I didn't see like a nurse's -- and
21 I don't know if there's going to be a nurse
22 onsite, but COVID on the brain, there should be
23 like an isolation area if anybody should be ill.
24 And I know and I hope this goes away, but people
25 are going to have illnesses. And if you are

1 going to have older kids in after school --

2 MR. PEREIRAS: That's a great idea and
3 luckily, we have very large rooms. So, we have
4 enough room that we can isolate there and create
5 a space for --

6 MS. PEREZ: Because I would strongly
7 recommend --

8 MR. PEREIRAS: -- privacy.

9 MS. PEREZ: -- there be something there to
10 take care of any medical issues that would come
11 up.

12 MR. PEREIRAS: I think that's a great idea.

13 MS. PEREZ: Okay.

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

16 CHAIRPERSON GRULLON: Mr. Pereiras?

17 MR. PEREIRAS: Yes.

18 CHAIRPERSON GRULLON: I don't think Debbie
19 could hear me. Give me one second, let me just
20 see if I can get back.

21 Off the record, please.

22 THE SECRETARY: Off the record.

23

24 (Whereupon, the Board recessed from 9:45
25 p.m. to 9:46 p.m.)

1

2 CHAIRPERSON GRULLON: Mr. -- Mr. Pereiras?

3

MR. PEREIRAS: Yes.

4

CHAIRPERSON GRULLON: I'm looking at your
5 site plan, Z01, and on the parking area, I see --
6 you know, many trees there. Are you proposing to
7 plant trees, because when I look at the picture,
8 I don't see any trees along Kennedy Boulevard or
9 13th Street.

10

MR. PEREIRAS: That's a great question.

11

That is something that I pulled out of our
12 survey. I guess at some point those trees were
13 demolished.

14

MR. EBEN: I didn't see any trees there.

15

MR. PEREIRAS: Yeah. There are -- there
16 are no trees currently. They -- they must have
17 been demolished at some point in the history of
18 the property.

19

We'll be happy to plant a tree on 13th
20 Street. I don't think it would be appropriate to
21 plant trees on Kennedy Boulevard.

22

CHAIRPERSON GRULLON: I was going to say,
23 maybe you can plant some trees on 13th Street
24 side.

25

MR. PEREIRAS: Um hum.

1 MS. DILLON: Please unmute.

2 MS. PEREZ: Unmute.

3 MR. PEREIRAS: I actually -- my opinion is,
4 I actually don't think it's a great idea to plant
5 a tree. Visibility is very important, especially
6 with dropping kids off and picking them up. I
7 actually think that it would be best not to plant
8 a tree at all.

9 That said, if the Board thinks that it's
10 appropriate, we'd be happy to do so.

11 CHAIRPERSON GRULLON: I mean, especially
12 because on that side, you will be --

13 MS. DILLON: Please unmute.

14 CHAIRPERSON GRULLON: -- (indiscernible).

15 MR. PEREIRAS: Um hum.

16 MR. PANEQUE: Victor, you're mute.

17 MS. DILLON: You're muted.

18 CHAIRPERSON GRULLON: I'm muted again.

19 Sorry. I'm back.

20 MS. DILLON: That's okay.

21 CHAIRPERSON GRULLON: I agree, Mr.
22 Pereira, because especially on 13th Street side,
23 you are proposing to create a -- to request to
24 the Commissioners for a loading zone, which you
25 have to put there, will block some visibilities

1 | when they -- you know, dropping off the -- the
2 | kids.

3 | Yeah. Please make a note on your -- on
4 | your site plans to review it, whether you going
5 | to continue proposing the trees. I don't think
6 | it's a good idea and I'm not going to request you
7 | to do that either.

8 | MR. PEREIRAS: I'd formally like to request
9 | removing any trees -- proposed trees.

10 | CHAIRPERSON GRULLON: Yes.

11 | And since this is going to be something
12 | that, I guess, I've never seen before, having a
13 | restaurant and a daycare facility, is that
14 | restaurant holding a liquor license right now?

15 | MR. PEREIRAS: It currently is, yes. It's
16 | a preexisting liquor license to the restaurant.

17 | CHAIRPERSON GRULLON: Okay.

18 | And --

19 | MR. PANEQUE: Are there any legal
20 | ramifications --

21 | MS. DILLON: Please unmute, Mr. Paneque.

22 | MR. PANEQUE: Sorry, Debbie.

23 | MS. DILLON: I'm sorry. I know. It's
24 | getting late, guys.

25 | MR. PANEQUE: And this is for Ms. Pereira.

1 Have you looked into whether there are
2 restrictions of having a daycare facility for
3 children in close proximity to a facility that
4 sells liquor?

5 MS. PEREIRAS: (Indiscernible).

6 MR. PANEQUE: Okay.

7 Because my understanding, and this is going
8 back years ago, was that a daycare facility had
9 to be within so many feet from a liquor license
10 establishment. So that's something that --

11 MR. PEREIRAS: That's something licensing
12 is going to -- to address.

13 I know that if we were to want to put a
14 bar, we would not be able to do that, or a liquor
15 license, because there's a daycare facility
16 there.

17 In the inverse, I -- I believe that those
18 laws do not govern because the daycare facility
19 is permitted to go. But that's something we're
20 going to clarify with licensing, and ownership is
21 going to have to make a decision whether they
22 want a daycare or whether they want a liquor
23 license, if there's a conflict there.

24 But I don't think -- you know, it -- it's
25 something that license -- you know, childcare

1 | licensing is going to address with that.

2 | MR. PANEQUE: Okay.

3 | MR. PEREIRAS: And just -- and -- and I
4 | think I could testify here as a resident and not
5 | as an architect.

6 | My office is literally around the corner.
7 | This is 13th Street. My office is on 12th and
8 | Summit right there. And as someone who spends a
9 | lot of time there, and grew up in that
10 | neighborhood, and at least knows the operations
11 | of that restaurant, it has never had a problem
12 | with what you would -- you know, normal problems
13 | that you associate with a liquor license;
14 | gatherings.

15 | As far as I know, I have not seen that or
16 | witnessed that personally. It's a different type
17 | of establishment.

18 | And today, it's going to be more of a
19 | takeout than an actual restaurant.

20 | CHAIRPERSON GRULLON: I don't have any more
21 | question.

22 | Any member of the Board have any more
23 | question?

24 | At this time, I want to open to the public
25 | for question, comments with regard to this

1 application. Any members of the -- of the
2 public?

3 Hear none.

4 Closed to the public.

5 Mr. Pereiras, you just mentioned that the
6 issues with the liquor license that would have to
7 be approved by the daycare board -- you know,
8 before they give you permission. That mean that
9 you will not fall into our jurisdiction to decide
10 whether we will allow a daycare facility in a
11 restaurant establishment.

12 With that -- you know, taking in
13 consideration that this is a beneficial for the
14 community, beneficial service for the community
15 to provide daycare facilities for the resident, I
16 make a motion to grant this application.

17 THE SECRETARY: Motion on the table to
18 grant this application by Mr. Grullon.

19 VICE CHAIRPERSON GUTIERREZ: I'm seconding.

20 THE SECRETARY: Seconded by Ms. Gutierrez.

21 Roll call on the motion to grant this
22 application.

23 Mr. Grullon?

24 CHAIRPERSON GRULLON: Yes.

25 THE SECRETARY: Ms. Gutierrez?

1 VICE CHAIRPERSON GUTIERREZ: Yes.

2 THE SECRETARY: Mr. Ortiz?

3 MR. ORTIZ: Yes.

4 THE SECRETARY: Ms. Perez?

5 MS. PEREZ: Yes.

6 THE SECRETARY: Mr. Cetinich?

7 MR. CETINICH: Yes.

8 THE SECRETARY: Five in favor.

9 Motion carries.

10 MS. PEREIRAS: Thank you all very much.

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1 **Park Avenue Investments, LLC - 3801 Park Avenue:**

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3 THE SECRETARY: All right.

4 Next -- next application --

5 All right. That's it.

6 Let's --

7 MR. PANEQUE: Okay. Let's establish

8 jurisdiction on the next case.

9 THE SECRETARY: Yes.

10 MR. PANEQUE: Ms. Pereiras, we're going to
11 carry it.

12 THE SECRETARY: Next application on
13 tonight's agenda, Park Avenue Investments, LLC,
14 3801 Park Avenue.

15 Ms. Pereiras, please?

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

18 MR. PANEQUE: Let the record reflect that
19 I've been provided by Ms. Pereiras with a
20 certification as to publication and service with
21 respect to the property located at 3801 Park
22 Avenue, Union City, New Jersey.

23 Said certification indicates that notice
24 was sent to all property owners within the 200
25 foot radius for the meeting here in the Union

1 City High School, and it was published in the
2 local newspaper, Jersey Journal, on 1/30/21 and
3 an affidavit of publication is provided, as well.

4 I've been provided with a list from the Tax
5 Assessor's Office, with a date of 1/21/21, noting
6 for all property owners within the 200 foot
7 radius of 3801 Park Avenue.

8 And I've been provided with the certified
9 mail receipts, with a postmark date of February
10 1st -- just made it -- within the ten days.

11 So, this Board does have jurisdiction to
12 hear this matter.

13 Mr. Grullon, is there anything you want to
14 say about this at this time, with respect to the
15 curfew?

16 CHAIRPERSON GRULLON: We -- last year we --
17 we made a motion to be in agreement to conclude
18 our meeting at ten p.m. And seeing that the time
19 is now 9:55 p.m., only have five minutes, we
20 won't have time to hear this application.

21 MS. PEREIRAS: Mr. Chairman, I completely
22 understand. It's been a long --

23 MS. DILLON: I can't hear Ms. Pereiras.
24 I'm sorry.

25 CHAIRPERSON GRULLON: Thank you, Ms.

1 | Pereiras, for understanding.

2 | MS. PEREIRAS: Hear me?

3 | CHAIRPERSON GRULLON: Then you agree to
4 | carry this application to the next available
5 | meeting?

6 | MS. PEREIRAS: Of course.

7 | THE SECRETARY: March 11, 2021; same place.

8 | CHAIRPERSON GRULLON: It will be for March
9 | 11.

10 | MR. PANEQUE: No further --

11 | CHAIRPERSON GRULLON: No new notice
12 | required.

13 | MS. PEREIRAS: Thank you all very much.

14 | THE SECRETARY: Can I have a motion?

15 | CHAIRPERSON GRULLON: Motion to adjourn
16 | this application.

17 | THE SECRETARY: Motion to --

18 | CHAIRPERSON GRULLON: Motion.

19 | THE SECRETARY: -- adjourn this application
20 | by Mr. Grullon.

21 | VICE CHAIRPERSON GUTIERREZ: I'm seconding.

22 | THE SECRETARY: Seconded by Ms. Gutierrez.

23 | Roll call on the motion to adjourn this
24 | application; no new notice required.

25 | Mr. Grullon?

1 CHAIRPERSON GRULLON: Yes.

2 THE SECRETARY: Ms. Gutierrez?

3 VICE CHAIRPERSON GUTIERREZ: Yes.

4 THE SECRETARY: Mr. Ortiz?

5 MR. ORTIZ: Yes.

6 THE SECRETARY: Ms. Perez?

7 MS. PEREZ: Yes.

8 THE SECRETARY: Mr. Cetinich?

9 MR. CETINICH: Yes.

10 THE SECRETARY: Five in favor.

11 Motion carries.

12 MS. PEREIRAS: Thank you all.

13 THE SECRETARY: Thank you, Ms. Pereiras.

14 MS. PEREIRAS: Have a good night.

15 See you next month.

16 MR. PEREIRAS: Thank you, everyone.

17 Good night.

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1 **ADOPTION OF MINUTES:**

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3 (1) Regular Meeting Held on January 14, 2021

4

5 THE SECRETARY: Okay.

6 We are going to redo the -- the minutes.

7 All right. Because was --

8 Can you hear me, Debbie?

9 MS. DILLON: Yes, I can.

10 THE SECRETARY: All right.

11 Approval of previous meeting minutes of
12 January 14, 2021.

13 Motion by Mr. Grullon.

14 Seconded by -- by Mr. Ortiz.

15 Roll call on the motion.

16 Mr. Grullon?

17 CHAIRPERSON GRULLON: Yes.

18 THE SECRETARY: Ms. Gutierrez?

19 VICE CHAIRPERSON GUTIERREZ: Yes.

20 THE SECRETARY: Mr. Ortiz?

21 MR. ORTIZ: Yes.

22 THE SECRETARY: Ms. Perez?

23 MS. PEREZ: Yes.

24 THE SECRETARY: Mr. Cetinich?

25 MR. CETINICH: Yes.

1 THE SECRETARY: Five in favor.

2 Motion carries.

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RESOLUTIONS:

(1) 1410 Palisade Avenue, LLC, 1410-1418 Palisade Avenue, Block 181, Lots 12 13, 14, & 15. The applicant request a revision of drawings including removal of PTAC units for high efficiency heating/cooling system, exterior brick & façade adjustments, lobby layout, rooftop convenience toilet and minor apartment layout adjustments. The approval resolution was memorialized on September 10, 2009. The matter was litigated to the Supreme Court of New Jersey whose opinion on June 25, 2013 affirmed the grant of variance relief by the Board. **Approved**

(2) Agustin Gonzalez, 824 28th Street, Block 157, Lot 39. Applicant proposes the legalization of driveway at existing three family dwelling. **Approved**

THE SECRETARY: We are going to Resolution now.

We have two Resolution on tonight's agenda. Resolution number 1.

1410 Palisade Avenue, LLC, 1410-1418 Palisade Avenue.

1 Resolution number 2.

2 Agustin Gonzalez, 824 28th Street.

3 Can I have a motion to adopt these
4 Resolutions?

5 CHAIRPERSON GRULLON: Motion.

6 THE SECRETARY: Motion by Mr. Grullon.

7 VICE CHAIRPERSON GUTIERREZ: Second.

8 THE SECRETARY: Seconded by Ms. Gutierrez.

9 Roll call on the motion to memorialize
10 these Resolutions.

11 Mr. Grullon?

12 CHAIRPERSON GRULLON: Yes.

13 THE SECRETARY: Ms. Gutierrez?

14 VICE CHAIRPERSON GUTIERREZ: Yes.

15 THE SECRETARY: Mr. Ortiz?

16 MR. ORTIZ: Yes.

17 THE SECRETARY: Ms. Perez?

18 MS. PEREZ: Yes.

19 THE SECRETARY: Mr. Cetinich?

20 MR. CETINICH: Yes.

21 THE SECRETARY: Five in favor.

22 Motion carries.

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1 **ADJOURNMENT :**

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3 THE SECRETARY: Let the record reflect
4 there being no other application on tonight's
5 agenda, can I have a motion to end tonight's
6 meeting?

7 Motion by Ms. Perez.

8 VICE CHAIRPERSON GUTIERREZ: Second.

9 THE SECRETARY: Seconded by Ms. Gutierrez.

10 Roll call on the motion to close tonight's
11 meeting.

12 Mr. Grullon?

13 CHAIRPERSON GRULLON: Yes.

14 THE SECRETARY: Ms. Gutierrez?

15 VICE CHAIRPERSON GUTIERREZ: Yes.

16 THE SECRETARY: Mr. Ortiz?

17 MR. ORTIZ: Yes.

18 THE SECRETARY: Ms. Perez?

19 MS. PEREZ: Yes.

20 THE SECRETARY: Mr. Cetinich?

21 MR. CETINICH: Yes.

22 THE SECRETARY: Five in favor.

23 Motion carries.

24 Let the record show that the meeting has
25 ended.

1 Thank you.

2 And good night, everyone.

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4 (Whereupon, the proceedings were concluded
5 at 9:58 p.m.)

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1 STATE OF NEW JERSEY :

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3 COUNTY OF ESSEX :

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5 I, DEBRA A. KASZNIAK, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY ZONING BOARD OF
9 ADJUSTMENT heard on Thursday, FEBRUARY 11, 2021,
10 and digitally recorded via Zoom video conference.

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25 Monitored and proofread by: Deborah Dillon