

CITY OF UNION CITY
HUDSON COUNTY, NEW JERSEY
PLANNING BOARD

REGULAR MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
_____ :

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

Tuesday, March 23, 2021
Commencing at 6:05 p.m.

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

CELIN VALDIVIA, Commissioner,
(Arrived at 6:09 p.m.; Left at 6:32 p.m.)
YDALIA GENAO, Mayor's Designee
ALICIA MOREJON
CAROLINA FERNANDEZ
FRANKLIN MEDINA
JOSE GUARENO, Alternate No. 2
ALEJANDRO VELAZQUEZ, Vice Chairperson
DIANE CAPIZZI, Chairperson

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

RUDY RIVERO
JEANNE KOEHLER
BRIAN P. STACK, Mayor

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

CARLOS VALLEJO, Secretary to the Board

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

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

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

J. ALVARO ALONSO, ESQ.,
Attorney for West 13, LLC

ADOLFO L. LOPEZ, ESQ.,
Attorney for 3605 Bergenline, LLC

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, Michael Szczesny

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

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

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

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409 4th Street

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A-2 Revised Site Plans, Dated 2/12/21

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1 MS. DILLON: On the record.

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

4 Please take notice that on Tuesday, March
5 23rd, 2021, at six p.m., a Regular Meeting is
6 scheduled for the City of Union City Planning
7 Board to be held in the Union City High School
8 located at 2500 John F. Kennedy Boulevard, Union
9 City, New Jersey.

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

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

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

22 Also, it has been posted in the High School
23 front entrance.

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

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ROLL CALL:

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

THE SECRETARY: Thank you.

THE SECRETARY: Roll call for tonight's meeting.

Mayor Brian P. Stack?

Absent.

Diane Capizzi?

CHAIRPERSON CAPIZZI: Here.

THE SECRETARY: Jeanne Koehler is absent.
Ydalia Genao?

MS. GENAO: Yes.

THE SECRETARY: Commissioner Celin Valdivia's absent.

Carolina Fernandez?

MS. FERNANDEZ: Here.

THE SECRETARY: Rudy Rivero's absent.
Franklin Medina?

MR. MEDINA: Here.

THE SECRETARY: Alicia Morejon?

1 MS. MOREJON: Yes.

2 THE SECRETARY: Alejandro Velazquez?

3 VICE CHAIRPERSON VELAZQUEZ: Here.

4 THE SECRETARY: Jose Guareno?

5 MR. GUARENO: Here.

6 THE SECRETARY: Three, four, five, six --

7 We have seven -- one, two, three, four,

8 five, six, seven members.

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

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1 **RATIFICATION OF ALEJANDRO VELAZQUEZ AS VICE**

2 **CHAIRPERSON:**

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4 THE SECRETARY: Now, we're going to ratify
5 the Vice Chairperson.

6 Can I have a motion --

7 Mr. --

8 Before we ratify, we have a Resolution from
9 the --

10 MR. CHEWCASKIE: We -- we have a --

11 Mr. Vallejo, we have a Resolution that Mr.
12 Velazquez has been appointed as the Class II
13 member of the Planning Board. And since his
14 classification has changed, we have a Resolution
15 confirming Mr. Velazquez appointment as Vice
16 Chairman.

17 THE SECRETARY: Thank you.

18 Can I have a motion to ratify Mr. Velazquez
19 as Vice Chairperson?

20 CHAIRPERSON CAPIZZI: I'll make a motion.

21 THE SECRETARY: Motion by Miss Capizzi.

22 MS. GENAO: I second.

23 THE SECRETARY: Seconded by -- seconded by
24 Ms. Genao.

25 Roll call on the motion.

1 Ms. Capizzi?

2 CHAIRPERSON CAPIZZI: Yes.

3 THE SECRETARY: Ms. Genao?

4 MS. GENAO: Yes.

5 THE SECRETARY: Ms. Fernandez?

6 MS. FERNANDEZ: Yes.

7 THE SECRETARY: Mr. Medina?

8 MR. MEDINA: Yes.

9 THE SECRETARY: Ms. Morejon?

10 MS. MOREJON: Yes.

11 THE SECRETARY: Mr. Velazquez?

12 VICE CHAIRPERSON VELAZQUEZ: Abstain.

13 THE SECRETARY: Mr. Guareno?

14 MR. GUARENO: Yes.

15 THE SECRETARY: Seven (sic) in favor.

16 Motion carries.

17 Congratulations, Mr. Velazquez, the Vice
18 Chairperson.

19 VICE CHAIRPERSON VELAZQUEZ: Thank you.

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1 **OTHER BUSINESS:**

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3 MR. CHEWCASKIE: And, Mr. Vallejo, there is
4 one another announcement; if I may?

5 The Regular Board schedule has a meeting
6 scheduled for Tuesday, June 22nd, 2021.

7 It is my understanding that that meeting
8 will be moved to Tuesday, June 15th, the -- 2021,
9 the week before.

10 I believe we should have a motion on that,
11 Ms. Capizzi.

12 CHAIRPERSON CAPIZZI: I'll make a motion.

13 THE SECRETARY: Motion to reschedule June
14 22nd, 2021 meeting to June 15th, 2021 meeting.

15 Second --

16 Motion by Ms. Capizzi.

17 MS. MOREJON: Second.

18 THE SECRETARY: Second by Ms. Morejon.

19 VICE CHAIRPERSON VELAZQUEZ: I second.

20

21 (Whereupon, Commissioner Celin Valdivia
22 arrived at 6:09 p.m.)

23

24 THE SECRETARY: Roll call on the motion.

25 Ms. Capizzi?

1 CHAIRPERSON CAPIZZI: Yes.

2 THE SECRETARY: Mr. Velazquez?

3 VICE CHAIRPERSON VELAZQUEZ: Yes.

4 THE SECRETARY: Ms. Morejon?

5 MS. MOREJON: Yes.

6 THE SECRETARY: Mr. Guareno?

7 MR. GUARENO: Yes.

8 THE SECRETARY: Ms. Genao?

9 MS. GENAO: Yes.

10 THE SECRETARY: Ms. Fernandez?

11 MS. FERNANDEZ: Yes.

12 THE SECRETARY: Mr. Medina?

13 MR. MEDINA: Yes.

14 THE SECRETARY: Seven in favor.

15 The motion carries.

16 The next -- June meeting will be on the

17 15th.

18 MR. CHEWCASKIE: And, Carlos, --

19 CHAIRPERSON CAPIZZI: Carlos?

20 Oh, I'm sorry.

21 MR. SPATZ: The Commissioner is here.

22 CHAIRPERSON CAPIZZI: I just see Celin

23 here.

24 THE SECRETARY: Oh, Commissioner, I'm

25 sorry. I'm sorry.

1 For the record, --

2 CHAIRPERSON CAPIZZI: He snuck in.

3 MR. CHEWCASKIE: Commissioner Valdivia's
4 here.

5 THE SECRETARY: -- reflect that
6 Commissioner Valdivia joined the meeting.

7 We have eight members now.

8 MR. CHEWCASKIE: And just, Carlos, since
9 the meeting was moved to June 15th, if you'd make
10 arrangements for the appropriate publication --

11 THE SECRETARY: I will.

12 MR. CHEWCASKIE: -- changing the date.

13 THE SECRETARY: Yes.

14 Thank you.

15 That will be published on -- also on the
16 website with the City of Union City.

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1 **ADOPTION OF MINUTES:**

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3 (1) Regular Meeting Held on February 23, 2021

4

5 THE SECRETARY: Okay.

6 Adoption of Minutes held on February 23rd,

7 2021.

8 Can I have a motion?

9 CHAIRPERSON CAPIZZI: I'll make a motion.

10 THE SECRETARY: Motion by Ms. Capizzi.

11 VICE CHAIRPERSON VELAZQUEZ: Second.

12 THE SECRETARY: Seconded by Mr. Velazquez.

13 Roll call on the motion.

14 Ms. Capizzi?

15 CHAIRPERSON CAPIZZI: Yes.

16 THE SECRETARY: Ms. Genao?

17 MS. GENAO: Yes.

18 THE SECRETARY: Commissioner Celin

19 Valdivia?

20 COMMISSIONER VALDIVIA: Yes.

21 THE SECRETARY: Mr. Velazquez?

22 VICE CHAIRPERSON VELAZQUEZ: Yes.

23 THE SECRETARY: Ms. Genao?

24 MS. GENAO: Yes.

25 THE SECRETARY: Five in favor.

1 Motion carries.

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1 **West 13, LLC - 409 4th Street:**

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

6 We are going first to West 13 LLC, 409 4th
7 Street.

8 Mr. Alonso, please?

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

11 MR. CHEWCASKIE: Ms. Capizzi, Mr. Alonso
12 did provide me with his affidavit of service, the
13 notices is in an appropriate form.

14 Board has jurisdiction to hear the case.

15 CHAIRPERSON CAPIZZI: Okay.

16 Proceed.

17 MR. ALONSO: Thank you.

18 Good evening, Madam Chair, members of the
19 Board.

20 For the record, Alvaro Alonso, on behalf of
21 the applicant.

22 This is an application to construct a new
23 three family house on 4th Street. It is in the R
24 Zone. It is a permitted use.

25 This application is variance-free. We do

1 need site plan approval.

2 I have one witness this evening, Orestes
3 Vallejo, who I'm going to ask be sworn in at this
4 time.

5 MS. DILLON: Please raise your right hand.

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

8 MR. VALELLA: I do.

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

11 MR. VALELLA: Sure.

12 My name is Orestes Valella, V-A-L-E-L-L-A.

13 And I moved my offices, so now I have my
14 professional offices in Union City, at 507 43rd
15 Street.

16 MR. ALONSO: Thank you.

17 Madam Chair, Mr. Valella's been before this
18 Board in the past.

19 CHAIRPERSON CAPIZZI: Yes.

20 MR. ALONSO: So I'd ask that his
21 qualifications be accepted.

22 CHAIRPERSON CAPIZZI: Of course.

23 MR. VALELLA: Thank you.

24 MR. ALONSO: Thank you.

25 Mr. Valella, I indicated -- represented to

1 the Board that this is an application to
2 construct a new three family house.

3 Is that correct?

4 MR. VALELLA: Yes, it is.

5 MR. ALONSO: Okay.

6 And I'm going to ask you to review it, also
7 the Zoning table, because I also represented that
8 we are variance-free and we just need the site
9 plan approval.

10 MR. VALELLA: Sure.

11 MR. ALONSO: So I'm going to ask you to
12 review the plans at this time with the Board.

13 MR. VALELLA: Absolutely. Be happy to.

14 This is a property on 4th Street, as
15 counsel mentioned. It is on Block 12 in Lot 9.
16 It is a 25 by 100 property. And there is an
17 existing two story frame dwelling there, which
18 we're proposing to -- substandard, which we're
19 proposing to demolish and construct a new three
20 family.

21 You can see a rendering of it here on the
22 easel.

23 It is --

24 MR. CHEWCASKIE: All right.

25 Mr. Vallejo, let -- if I can just interrupt

1 for a minute?

2 We have your drawings, which are dated
3 December 6, 2019, which consists of two sheets.

4 Is that correct?

5 MR. VALELLA: Yes, V-1 and V-2.

6 MR. CHEWCASKIE: Okay.

7 So we'll mark the drawing submitted as part
8 of the application as A-1; and the rendering that
9 you have put on the easel as A-2.

10 MR. VALELLA: Okay. Very --

11 MR. CHEWCASKIE: Is there a date on the
12 rendering, Mr. Valella?

13 MR. VALELLA: No but we can -- I'll give it
14 today's date.

15 MR. CHEWCASKIE: That -- that would be
16 fine.

17 I just -- you know, I didn't know if there
18 was an existing date on it.

19

20 (Whereupon, Drawings, Dated December 6,
21 2019, two (2) pages, were received and marked as
22 Exhibit A-1.)

23

24 (Whereupon, Rendering was received and
25 marked as Exhibit A-2.)

1

2 MR. VALELLA: Very good.

3

4 So, what we are doing here is the classic
5 three over one, which is having the garage on the
6 ground floor and the main entrance and then
7 having an apartment on each floor thereafter.

8

9 The -- the garage or the ground floor is
10 used as the parking space or the garage for the
11 dwelling units.

12

13 The house is setback eight feet from the
14 property line, and five feet from the rear, and
15 three foot eight on the left, and two foot oh on
16 the right.

17

18 The eight feet seems to be prevailing
19 setback along the streetscape.

20

21 The -- on V-2 you can see the parking
22 garage on the ground floor. We have the entrance
23 to the apartments on the left. We have the
24 garage entry to the parking on the right. We
25 have a proposed street tree on the left side. A
ten foot curb cut. A new sidewalk, of course,
and then the property would be paved.

26

27 There is the access to the second fire
28 stair in the rear. And the room for -- or a
29 closet for the garage, which is approximately

1 three feet by six eight, where tenants can put
2 the garbage while it's waiting.

3 On the ground -- on the second floor is
4 apartment number 1 -- we call it apartment A.

5 And that apartment is 1,471 square feet.
6 It is a three bedroom apartment; two children's
7 bedrooms and a master bedroom, master bathroom.
8 There is a second bathroom. There is a kitchen
9 and a living room/dining room to the street. And
10 a utility closet where the washer/dryer and the
11 hot water heater and furnace.

12 On the third and fourth floors are
13 apartments B and C and, again, they're 1,471,
14 with the same layout.

15 The house is 80 feet six inches long and 19
16 feet four inches wide.

17 On the right side of that you can see the
18 exterior elevation that is rendered on the easel.

19 The house has three levels. It has an
20 eight foot ceiling at the garage and then an
21 eight foot four ceiling on the second, third, and
22 fourth floor, with a total height of 38 feet
23 point 33 or 38 feet four to the roof.

24 The exterior materials on the street are
25 brick and cast stone. These are the red brick,

1 the cast stone, and the cast stone over the --

2 MS. DILLON: Mr. Valella?

3 MR. VALELLA: -- windows.

4 MS. DILLON: Can you maybe put that
5 between --

6 MR. VALELLA: Oh, yeah.

7 MS. DILLON: I -- I need you to face the
8 microphone.

9 MR. VALELLA: Okay.

10 MS. DILLON: You're in kind of in no man's
11 land there.

12 MR. VALELLA: Okay.

13 This is the microphone here, right?

14 MS. DILLON: Yeah. I mean if --

15 MR. VALELLA: Yeah, I'll stand right here.

16 MS. DILLON: That's perfect.

17 MR. VALELLA: Okay.

18 So, as I was mentioning before, this -- the
19 façade would be red brick and green painted
20 shutters and cast stone corner treatments and --
21 above the windows and sills as well; those would
22 be cast stone. Double-hung windows. And a brick
23 cornice at the -- at the upper -- at the roof.

24 It's a very traditional looking home.

25 The garage door would be painted the same

1 -- and the entrance door would be painted the
2 same green as the wood shutters.

3 Now I say wood shutters; they most likely
4 they will be some sort of artificial plastic
5 material, which is very common. But they will
6 look like the traditional shutter material.

7 There will be decorative lighting at this
8 point. And then on the side yards there would be
9 light fixtures that would turn on on a -- on a
10 motion sensor in case that anybody walks past the
11 -- the line.

12 With regards to the zoning table, --
13 Bear with me; my glasses fog up a --
14 It's impossible.

15 This is in the R low density residential
16 district where a lot of area -- the existing is a
17 one family; we're proposing a three, which I
18 believe is -- is a permitted use.

19 The lot area required would be 2500 and we
20 have 2500.

21 The lot width that would be required is 25
22 feet. We have 25 feet.

23 The lot depth that would be required is a
24 hundred. We have a hundred.

25 The front yard would be ten feet or the

1 prevailing setback. And if you recall, I
2 mentioned that we have an eight foot setback,
3 which seems to be the prevailing setback.

4 The side yards are two feet one; five feet
5 total. We have two feet on one; three foot eight
6 on the other. And we're eight inches wider than
7 the required and that has to do with the
8 egressing requirements for a side yard.

9 The rear yard requirement is five. We have
10 five.

11 The building coverage, a maximum of 65
12 percent, and we are --

13 I'm sorry.

14 A building maximum of 85 percent and we are
15 at 68 percent.

16 The lot coverage is a hundred. We are at a
17 hundred.

18 The maximum number of stories is four. We
19 are at four.

20 The maximum height is 45 feet. And we are
21 at 38 feet four. So we're a little under the
22 permitted height.

23 And the requirement for parking would be
24 six and we are at six.

25 Basically, what we have done is try to

1 design this home within the spirit of the
2 guidelines of -- of Union City. And, as a
3 result, I don't believe we have any variances
4 that we would require.

5 We are screening the property with a vinyl
6 four foot high fence for privacy and security as
7 well.

8 And that's about it.

9 I'm sure you're very familiar with this
10 house type.

11 And I don't know my colleagues but we are
12 trying to do a more traditional -- because of the
13 lot -- the -- the block that it's in. There is a
14 few traditional apartment buildings across the
15 street from where this property, with brick and
16 window shutters and so on. So we've tried to
17 meet up with them in terms of the look of the
18 proposed house.

19 MR. ALONSO: And -- and in terms of the
20 garage and the six parking spaces that are
21 proposed, you're using the diagram from the
22 Master Plan in the Zoning Ordinance.

23 MR. VALELLA: Yes. Yes.

24 We followed the guidelines as well as
25 possible to meet up with your recommendations.

1 MR. ALONSO: Thank you.

2 I have no further questions.

3 CHAIRPERSON CAPIZZI: On the chart, in --
4 in the middle, there are some blank spaces. So
5 what would go in those as existing?

6 MR. VALELLA: Yes. Those are the -- I did
7 not fill out what the front yard or the side
8 yards of the existing home are because that --
9 our proposal is for it to be demolished.

10 The survey does show that, if you'd like
11 to, they are considerably less.

12 For example, the side yards are smaller
13 than what we are proposing.

14 CHAIRPERSON CAPIZZI: Um-hum.

15 MR. VALELLA: The -- the front yard seems
16 to be the same. The rear yard is considerably
17 greater.

18 But I did not tabulate those because the
19 proposal is to demolish the home.

20 CHAIRPERSON CAPIZZI: Right.

21 But was this the home you're going to
22 demolish? In this picture; is this -- this is
23 409?

24 MR. VALELLA: Yeah.

25 CHAIRPERSON CAPIZZI: This one?

1 MR. VALELLA: Yes. That's exactly it.

2 CHAIRPERSON CAPIZZI: So now it's a -- it's
3 a one family. This is a three family, four
4 story, I guess. So it -- it seems incongruent
5 with what I'm seeing here.

6 So how can you -- how -- how does that fit
7 into the --

8 MR. ALONSO: Well, what -- what happens is,
9 planning is prospective, proactive; it's looking
10 into the future. We can't design too much there
11 to be consistent with what's there.

12 The -- the Board of Commissioners and this
13 Planning Board both approved the Master Plan and
14 the Zoning Ordinance, which basically dictates to
15 us what the requirements are.

16 So, in approving that, this Board has
17 already agreed that that three family house,
18 exactly how it is designed, fits in this
19 location.

20 CHAIRPERSON CAPIZZI: Does it seem
21 congruent to you with the house next to it?

22 MR. ALONSO: It -- it's not -- honestly,
23 with all due respect, it's not relevant.

24 CHAIRPERSON CAPIZZI: Okay.

25 Are there other houses on that block that

1 height?

2 MR. VALELLA: They're -- across the street
3 they're taller. Small --

4 CHAIRPERSON CAPIZZI: Do you have pictures
5 of it?

6 MR. VALELLA: Smaller apartment buildings.

7 CHAIRPERSON CAPIZZI: Do you have any
8 pictures of those houses?

9 MR. ALONSO: We -- we --

10 MR. VALELLA: I don't.

11 MR. ALONSO: -- we submitted photographs.
12 Let me see.

13 VICE CHAIRPERSON VELAZQUEZ: They're all --

14 MR. CHEWCASKIE: Where are the apartments?

15 VICE CHAIRPERSON VELAZQUEZ: -- all -- all
16 of these -- those houses are all pre-existing.

17 MR. VALELLA: I think you're --

18 THE SECRETARY: You have the pictures,
19 right?

20 CHAIRPERSON CAPIZZI: I have these.

21 THE SECRETARY: That's all the pictures.

22 MR. CHEWCASKIE: I didn't see the pictures.

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

25 MR. ALONSO: Now -- now, Mr. Valella, we --

1 we submitted some photographs and I believe that
2 the Chairwoman had shown you the one
3 photograph, which I think we can mark as A-3, Mr.
4 Chewcaskie.

5 And next door to that there's a four story
6 building, --

7 MR. VALELLA: Yes.

8 MR. ALONSO: -- immediately -- immediately
9 next door.

10 MR. VALELLA: And across the street as
11 well, there's some brick multi-families.

12 MR. CHEWCASKIE: And that's what's across
13 the street --

14 CHAIRPERSON CAPIZZI: Oh, okay.

15 MR. CHEWCASKIE: -- the one next to it.
16 So --

17 CHAIRPERSON CAPIZZI: Okay. Yup.

18 Thank you.

19 MR. ALONSO: Yes, I -- I guess the answer
20 would be, yes, it is congruent.

21 CHAIRPERSON CAPIZZI: Not to the house next
22 to it.

23 MR. ALONSO: Well, the --

24 CHAIRPERSON CAPIZZI: To the house -- the
25 other houses.

1 MR. ALONSO: -- the house next door is four
2 stories.

3 CHAIRPERSON CAPIZZI: I understand.

4 That's -- but I had asked about the other
5 house. That's all.

6 I understand.

7 MR. CHEWCASKIE: Just so the record's
8 clear, we have a series of three photographs that
9 we'll mark as A-3.

10 MR. ALONSO: Correct.

11 MR. CHEWCASKIE: And those were the
12 photographs that were submitted with the
13 application, Mr. Alonso?

14 MR. ALONSO: That is correct, Mr.
15 Chewcaskie.

16 MR. CHEWCASKIE: Thank you.

17

18 (Whereupon, Series of (3) Photographs, were
19 received and marked as Exhibit A-3.)

20

21 VICE CHAIRPERSON VELAZQUEZ: I think even
22 with the -- the plans to try to mix it in to look
23 like the rest of the neighborhood there, is going
24 to have a sudden impact on that whole community
25 there.

1 MR. ALONSO: I think, with all due respect,
2 that impact was created when this Board and the
3 Board of Commissioners approved the Zoning
4 Ordinance and the Master Plan.

5 VICE CHAIRPERSON VELAZQUEZ: I feel, Mr.
6 Alonso, --

7 MR. ALONSO: That -- that's -- that's the
8 direction --

9 VICE CHAIRPERSON VELAZQUEZ: Hold on.

10 MR. ALONSO: -- that's the direction that
11 you gave us. We're -- we don't need any
12 variances.

13 There's no neg-- there -- by law, there is
14 no negative impact. Because we meet -- not only
15 do we meet we exceed, what the -- what the zoning
16 requires.

17 And we exceed that because these side yards
18 are greater and, I believe, -- and the --

19 MR. VALELLA: The height is smaller.

20 MR. ALONSO: -- and -- and the height was
21 lower.

22 MR. VALELLA: And the building coverage.

23 MR. ALONSO: And the building coverage is
24 less.

25 VICE CHAIRPERSON VELAZQUEZ: I think

1 sometimes that our own Master Plan bites us when
2 it comes to this. And I want to put that on the
3 record.

4 And, Mr. Alonso, you always see into the
5 future with everything.

6 MR. ALONSO: But, unfortunately, that's not
7 an issue for --

8 VICE CHAIRPERSON VELAZQUEZ: Yup, I know
9 that.

10 MR. ALONSO: -- this Board at this time.

11 VICE CHAIRPERSON VELAZQUEZ: I know.

12 MR. ALONSO: That's an issue for the Board
13 of Commissioners to address.

14 VICE CHAIRPERSON VELAZQUEZ: But the whole
15 -- the characteristics of this neighborhood --

16 And it almost goes for the whole City.

17 -- is --

18 I see this. After these -- after these
19 projects are always approved, then to see them
20 developed, some-- sometimes it becomes an eyesore
21 in a community.

22 And a lot of people don't want to attend
23 these meetings because they figure that it's
24 already a done deal and all that. That's why
25 they don't want to participate -- until the

1 construction starts on some of these.

2 MR. ALONSO: Well, we -- we -- we don't
3 know that.

4 Our obligation is to provide the notice and
5 we did.

6 VICE CHAIRPERSON VELAZQUEZ: Yeah. No, I
7 -- I understand.

8 CHAIRPERSON CAPIZZI: Um-hum.

9 MR. CHEWCASKIE: If -- if I just might give
10 the Board some insight?

11 I know there are some concerns with the
12 impact of the current Ordinance and Master Plan
13 that's being currently evaluated with the Board
14 of Commissioners and the City Planner.

15 However, the characteristics of this
16 application that is here is that it's consistent
17 with our ordinance.

18 VICE CHAIRPERSON VELAZQUEZ: Do we have
19 anybody?

20 CHAIRPERSON CAPIZZI: Any other Board
21 member have anything?

22 Any other comments?

23 MS. MOREJON: You know what I think.
24 Okay, you bring a --

25 MS. DILLON: Can you speak up please?

1 MS. MOREJON: Excuse me?

2 VICE CHAIRPERSON VELAZQUEZ: Just speak up.

3 MS. DILLON: I need you to speak up.

4 MS. MOREJON: Okay.

5 MS. DILLON: It's the mask.

6 MR. CHEWCASKIE: The mask.

7 MS. MOREJON: Thank you for coming.

8 You been with also was commenting
9 beautiful. These times and everything. But
10 there's something here that don't --

11 I don't know if it's the door? It looks
12 like -- to me, it looks like an apartment
13 building. I don't know if the Board feel --

14 MR. ALONSO: Well, un--

15 MS. MOREJON: -- the same way but
16 there's --

17 MR. ALONSO: -- un-- un--

18 MS. MOREJON: -- something that --

19 MR. ALONSO: -- unfortunately, that's the
20 way that it's designed based on the parameters
21 given to us by the City.

22 CHAIRPERSON CAPIZZI: The City doesn't --
23 doesn't set forth a design. The architect does.

24 MS. MOREJON: No.

25 MR. ALONSO: No, exactly. So it's really

1 --

2 MS. MOREJON: So the architect is the one
3 that --

4 MR. ALONSO: -- that -- that's not a
5 criteria for this application. But the
6 parameters that are given to us is four stories,
7 on a 25 by 100 foot lot, --

8 MS. MOREJON: Come on. You have to bring
9 something else.

10 MR. ALONSO: -- with a five foot setback on
11 the side yards, with a front yard setback.

12 So, that's -- that's what you have. That's
13 what the design is.

14 MS. MOREJON: That's what the architect
15 did.

16 CHAIRPERSON CAPIZZI: Any chance they would
17 go down?

18 MR. ALONSO: What's that?

19 CHAIRPERSON CAPIZZI: Go down a story?

20 MR. ALONSO: You could always go down a
21 story but there's no height variance.

22 CHAIRPERSON CAPIZZI: No, we're asking if
23 the -- the owner would, you know, consider that.

24 MR. VALELLA: Then we wouldn't be at -- you
25 would be at a two family.

1 MS. MOREJON: That would be nice, a two
2 family.

3 CHAIRPERSON CAPIZZI: Yeah.

4 MR. VALELLA: But you allow a three.

5 CHAIRPERSON CAPIZZI: We are asking if the
6 owner would consider it.

7 MR. VALELLA: No. The owner would not.

8 CHAIRPERSON CAPIZZI: Oh. Okay.

9 (Indiscernible) -- the applicant.

10 VICE CHAIRPERSON VELAZQUEZ: Anybody else?

11 CHAIRPERSON CAPIZZI: Anyone else have any
12 other comment?

13 Anyone from the public have any comment?

14 VICE CHAIRPERSON VELAZQUEZ: I -- I make a
15 motion to deny it.

16 CHAIRPERSON CAPIZZI: I'll second it.

17 THE SECRETARY: Motion to deny the
18 application by Mr. Velazquez.

19 Seconded by Miss Capizzi.

20 Roll call on the motion to deny this
21 application.

22 Ms. Capizzi?

23 CHAIRPERSON CAPIZZI: Yes.

24 THE SECRETARY: Ms. Genao?

25 MS. GENAO: Yes.

1 THE SECRETARY: Miss Fernandez?

2 MS. FERNANDEZ: Yes.

3 THE SECRETARY: Mr. Medina?

4 MR. MEDINA: Yes.

5 THE SECRETARY: Ms. Morejon?

6 Ms. Morejon?

7 CHAIRPERSON CAPIZZI: You have to vote,
8 Alicia.

9 MS. DILLON: I'm sorry; did she vote?

10 THE SECRETARY: It's a roll call on the
11 motion to deny this application.

12 MR. MOREJON: Yes.

13 THE SECRETARY: Ms. -- Ms. Morejon?

14 MR. MOREJON: Yes.

15 THE SECRETARY: Thank you.

16 Commissioner Celin Valdivia?

17 COMMISSIONER VALDIVIA: Abstain.

18 THE SECRETARY: Mr. Velazquez?

19 VICE CHAIRPERSON VELAZQUEZ: Yes.

20 THE SECRETARY: Mr. Guareno?

21 MR. GUARENO: Yes.

22 THE SECRETARY: Seven in favor to deny this
23 application; one abstained.

24 Motion carries.

25 MR. VALELLA: Good night.

1 CHAIRPERSON CAPIZZI: Good night.

2 MR. ALONSO: Thank you.

3 Have a good evening.

4 THE SECRETARY: Good night.

5 MR. CHEWCASKIE: Good night, Al.

6

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

9

10 THE SECRETARY: Let the record indicate
11 that Commissioner Celin Valdivia is leaving the
12 meeting.

13 Thank you.

14 We have seven members now.

15

16 (Whereupon, Commissioner Celin Valdivia
17 left the meeting at 6:32 p.m.)

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1 **3605 Bergenline, LLC - 3605 Bergenline Avenue:**

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3 THE SECRETARY: Okay.

4 Next application on tonight's agenda 3605

5 Bergenline Avenue, LLC, 3605 Bergenline Avenue.

6 Mr. Lopez, please?

7 (Whereupon, there was a pause in the

8 proceedings.)

9 MR. CHEWCASKIE: Good evening, Mr. Lopez.

10 MR. LOPEZ: Mr. Chewcaskie, good evening.

11 MR. CHEWCASKIE: If you could enter your
12 appearance please when the reporter is ready.

13 MS. DILLON: I'm ready.

14 MR. CHEWCASKIE: You're ready? Okay.

15 MS. DILLON: I'm always ready.

16 MR. LOPEZ: Good evening.

17 Adolfo Lopez, appearing on behalf of the
18 applicant.

19 MR. CHEWCASKIE: All right.

20 And maybe, Mr. Lopez, if I note, you were
21 before the Board February 23rd. We had Mr. Feld
22 testify. We identified his plan as A-1.

23 And it is my understanding that you're back
24 with a revised plan, which shows two one bedroom
25 units.

1 MR. LOPEZ: That is correct.

2 Madam Chairwoman, members of the Board,
3 good evening.

4 If you will please recall, we had made our
5 full presentation last time. We realized that
6 the square footage was short, based upon the
7 ordinance. We've agreed to revise the
8 application.

9 Everything that had been testified to, by
10 Mr. Feld, still applies. Same project, no
11 changes; no modifications to the exterior or the
12 building or footprint.

13 Mr. Feld revised the plans to create two
14 one bedroom units, which I will ask him to
15 describe at this time.

16 Mr. --

17 CHAIRPERSON CAPIZZI: Um-hum.

18 MR. CHEWCASKIE: And just before Mr. Feld
19 testifies, we have a revised drawing, which was
20 the October 8th, 2019 drawing, which was revised
21 March 9th, 2021.

22 So that will be A-2, Mr. Lopez.

23 MR. LOPEZ: Thank you.

24

25 (Whereupon, Revised Drawing, dated 3/9/21,

1 was received and marked as Exhibit A-2.)

2

3 MR. LOPEZ: Mr. Feld, the --

4 If I may, Mr. Chewcaskie?

5 He's been -- he's been previously --

6 CHAIRPERSON CAPIZZI: Yes.

7 MR. LOPEZ: -- sworn as an expert witness.

8 CHAIRPERSON CAPIZZI: Yes.

9 MR. LOPEZ: We'll swear him again this
10 evening. The --

11 We're remitting him as an expert but
12 swearing him again, I guess.

13 MS. DILLON: Please raise your right hand.

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

16 MR. FELD: I do.

17 MS. DILLON: Please just state your name
18 for the record.

19 MR. FELD: Alan Feld.

20 MS. DILLON: Thank you.

21 MR. LOPEZ: Mr. Feld, counsel for the Board
22 indicated that the revised drawing is now to be
23 numbered as A-2, on behalf of the applicant.

24 Can you please tell us if you are familiar
25 with the plan and if you were involved in its

1 preparation?

2 MR. FELD: Yes. I -- my office did create
3 these drawings. Yes.

4 MR. LOPEZ: And these are revisions to our
5 prior presentation last month.

6 MR. FELD: That --

7 MR. LOPEZ: Is that correct?

8 MR. FELD: That's correct.

9 MR. LOPEZ: Can you detail for the Board
10 what changes you made to each of the two units on
11 the second floor.

12 MR. FELD: So in the original drawings
13 these were shown as a two bedroom apartments.

14 One unit was in the front and one unit was
15 in the back. That still remains the same.

16 But now each of these units are one bedroom
17 units with enlarged living area where the second
18 bedroom had been.

19 So now the living room has a window facing
20 the street or the backyard, whereas previously
21 that did not exist.

22 MR. LOPEZ: And other than -- is the
23 kitchen layout the same as it was in the prior
24 apartment?

25 MR. FELD: The kitchen layout's the same.

1 The bathroom layout's the same. The laundry
2 closet -- furnace closet's the same.

3 MR. LOPEZ: And --

4 MR. FELD: Everything else is the same,
5 except we eliminated one bedroom.

6 MR. LOPEZ: The -- and one more question,
7 it's redundant.

8 But the exit and common area, the stairway,
9 that has not been changed at all; that remains
10 the same from your prior testimony?

11 MR. FELD: That -- that's correct.

12 MR. LOPEZ: All right.

13 I really have nothing else. Everything had
14 been previously testified to. I don't want to
15 just belabor this.

16 So, unless the Board has any other
17 questions, I don't have anything for Mr. Feld.

18 CHAIRPERSON CAPIZZI: Does anyone have any
19 questions?

20 VICE CHAIRPERSON VELAZQUEZ: I -- I -- with
21 the storefront, I know -- it's probably
22 irrelevant though, could that ever be changed?

23 MR. FELD: The storefront itself?

24 VICE CHAIRPERSON VELAZQUEZ: Or is the
25 store -- is the store --

1 MR. LOPEZ: The store's occupied right now.

2 VICE CHAIRPERSON VELAZQUEZ: -- obligated
3 to do it?

4 MR. LOPEZ: We would certainly consider --
5 if the Board has cosmetic suggestions, we'd
6 certainly --

7 MS. MOREJON: Oh, yes.

8 MR. LOPEZ: -- certainly consider it.

9 MS. MOREJON: We would like it.

10 MR. LOPEZ: The signage, --

11 MS. MOREJON: Yes.

12 MR. LOPEZ: -- I know --

13 The yellow sign is what you're looking at?

14 MS. MOREJON: Yes.

15 VICE CHAIRPERSON VELAZQUEZ: That
16 doesn't --

17 MS. MOREJON: Very --

18 VICE CHAIRPERSON VELAZQUEZ: -- make you
19 want to say I want to move in type thing.

20 MR. LOPEZ: Understood.

21 My client is certainly open to revising
22 that portion of it.

23 VICE CHAIRPERSON VELAZQUEZ: Yeah, because
24 a lot of the stores I know are responsible for
25 their own signs and awnings --

1 MR. LOPEZ: Yeah.

2 VICE CHAIRPERSON VELAZQUEZ: -- over there.
3 That's why I'm just asking.

4 MR. LOPEZ: I mean we'd certainly -- that's
5 something that he's open to considering.

6 Absolutely.

7 VICE CHAIRPERSON VELAZQUEZ: Yeah.

8 MS. MOREJON: That would be nice.

9 VICE CHAIRPERSON VELAZQUEZ: That would be
10 nice.

11 MR. LOPEZ: Okay.

12 CHAIRPERSON CAPIZZI: Yeah. Good.

13 VICE CHAIRPERSON VELAZQUEZ: And I'm glad
14 you took into consideration the revisions and all
15 that --

16 CHAIRPERSON CAPIZZI: Yes.

17 VICE CHAIRPERSON VELAZQUEZ: -- and working
18 with us when we asked.

19 CHAIRPERSON CAPIZZI: Yes.

20 MR. LOPEZ: Now, Mr. Velazquez, we're going
21 to need a little more than -- you know, we'd
22 certainly take your advice -- or the Board's
23 advice as to what type of revisions on the sign,
24 so I can counsel my client accordingly.

25 But I'm sure it's not a problem.

1 VICE CHAIRPERSON VELAZQUEZ: Anything will
2 be better than that right now.

3 MR. LOPEZ: Okay.

4 VICE CHAIRPERSON VELAZQUEZ: I make a --
5 Well, go ahead.

6 I make a motion --

7 CHAIRPERSON CAPIZZI: Any other -- any
8 other --

9 Anyone from the public?

10 I don't think there's anyone here.

11 No?

12 Okay.

13 I make a motion to approve.

14 THE SECRETARY: Motion to approve the
15 application by Ms. Capizzi.

16 VICE CHAIRPERSON VELAZQUEZ: Second.

17 THE SECRETARY: Seconded by Mr. Velazquez.

18 Roll call on the motion to approve this
19 application.

20 Ms. Capizzi?

21 CHAIRPERSON CAPIZZI: Yes.

22 THE SECRETARY: Ms. Genao?

23 MS. GENAO: Yes.

24 THE SECRETARY: Ms. Fernandez?

25 MS. FERNANDEZ: Yes.

1 THE SECRETARY: Mr. Medina?

2 MR. MEDINA: Yes.

3 THE SECRETARY: Ms. Morejon?

4 MS. MOREJON: Yes.

5 THE SECRETARY: Mr. Velazquez?

6 VICE CHAIRPERSON VELAZQUEZ: Yes.

7 THE SECRETARY: Mr. Guareno?

8 MR. GUARENO: Yes.

9 THE SECRETARY: Seven in favor.

10 Motion carries.

11 MR. LOPEZ: Thank you so much.

12 CHAIRPERSON CAPIZZI: Thank you.

13 THE SECRETARY: Thank you.

14 MR. FELD: Thank you.

15 MR. CHEWCASKIE: Good night, Mr. Lopez.

16 MR. LOPEZ: Thank you, Mr. Chewcaskie.

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

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1 **Michael Szczesny - 912 Palisade Avenue:**

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3 MR. CHEWCASKIE: We -- we could probably do
4 one other on piece of business.

5 CHAIRPERSON CAPIZZI: Um-hum. Sure.

6 MR. CHEWCASKIE: Manny, my understanding is
7 that matter number 4, Michael -- I think it's
8 Szczesny --

9 MR. PEREIRAS: Yes.

10 MR. CHEWCASKIE: -- is going to be
11 adjourned as a result of the survey was not
12 received after March 15th.

13 I just wanted to confirm that with you.

14 I know Ms. Pereiras isn't here. But we
15 could make the announcement now that it's been
16 adjourned to the April meeting, which even though
17 Mr. Vallejo --

18 THE SECRETARY: Twenty-seven.

19 MR. CHEWCASKIE: Right.

20 So, anyone here on application number 4,
21 Michael Szczesny, 912 Palisade Avenue, Block 186,
22 Lot 33, has been adjourned to April 27th.

23 And there will be no further notice
24 required.

25 And then, since we're waiting for Ms.

1 | Pereiras, we might as well do --

2 | CHAIRPERSON CAPIZZI: Um-hum.

3 | MR. CHEWCASKIE: -- the Resolutions.

4 | Ms. Capizzi, if you'd bear with me a
5 | minute.

6 | CHAIRPERSON CAPIZZI: Sure.

7 | THE SECRETARY: You want me to roll call
8 | for -- for the --

9 | CHAIRPERSON CAPIZZI: Adjournment?

10 | MR. CHEWCASKIE: Yes.

11 | THE SECRETARY: All right.

12 | MR. CHEWCASKIE: Yes.

13 | THE SECRETARY: Can I have a motion?

14 | CHAIRPERSON CAPIZZI: I'll make a motion.

15 | THE SECRETARY: Motion by Ms. Capizzi.

16 | VICE CHAIRPERSON VELAZQUEZ: Second.

17 | THE SECRETARY: Seconded by Mr. Velazquez.

18 | Roll call on the motion to adjourn this
19 | application for April 27, 2021, same place, same
20 | loca-- same location, same time.

21 | Roll call on the motion.

22 | Ms. Capizzi?

23 | CHAIRPERSON CAPIZZI: Yes.

24 | THE SECRETARY: Ms. Genao?

25 | MS. GENAO: Yes.

1 THE SECRETARY: Ms. Fernandez?
2 MS. FERNANDEZ: Yes.
3 THE SECRETARY: Mr. Medina?
4 MR. MEDINA: Yes.
5 THE SECRETARY: Ms. Morejon?
6 MS. MOREJON: Yes.
7 THE SECRETARY: Mr. Velazquez?
8 VICE CHAIRPERSON VELAZQUEZ: Yes.
9 THE SECRETARY: Mr. Guareno?
10 MR. GUARENO: Yes.
11 THE SECRETARY: Seven in favor.
12 Motion carries.
13 No new notice required.
14 Right?
15 MR. CHEWCASKIE: Yes, no notice is
16 required.
17 THE SECRETARY: All right.
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1 **RESOLUTIONS:**

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3 (1) 411 Jefferson Street, LLC. 1713 Bergenline
4 Avenue. Block 91 Lot 6&7. Applicant is
5 requesting for a third extension. The Resolution
6 was memorialized on November 2016. A first
7 extension was granted by the Board on October 23,
8 2018. A second extension was approved on
9 November 26, 2019. Approved

10

11 MR. CHEWCASKIE: The first Resolution we
12 have, Board members, is on 411 Jefferson Street,
13 LLC.

14 That application was for an extension. The
15 Board granted a one year extension to expire
16 December 31st of this year.

17 Those members eligible to vote -- I believe
18 there was only five present last time. And I see
19 the Commissioner's not here.

20 We have Ms. Capizzi, Mr. Velazquez, and Ms.
21 Genao, and Mr. Guareno.

22 So, four members are eligible to vote on
23 that Resolution.

24 THE SECRETARY: Can I have -- can I have a
25 motion to memorialize the Resolution?

1 CHAIRPERSON CAPIZZI: I'll make the motion.

2 THE SECRETARY: Motion by Ms. Capizzi.

3 VICE CHAIRPERSON VELAZQUEZ: Second.

4 THE SECRETARY: Seconded by Mr. Velazquez.

5 Roll call on the motion.

6 Ms. Capizzi?

7 CHAIRPERSON CAPIZZI: Yes.

8 THE SECRETARY: Ms. Genao?

9 MS. GENAO: Yes.

10 THE SECRETARY: Mr. Velazquez?

11 VICE CHAIRPERSON VELAZQUEZ: Yes.

12 THE SECRETARY: Mr. Guareno?

13 MR. GUARENO: Yes.

14 THE SECRETARY: Four in favor.

15 Motion carries.

16 MR. CHEWCASKIE: Okay.

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1 **RESOLUTIONS:**

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3 (2) 545 41st Street UC Associates LLC. 543 41st
4 Street. Block 234 Lot 53. Applicant proposes to
5 demolish an existing structure, and construct a
6 new three family house. **Revised plans received**
7 **on March 12, 2021. Approved**; and

8 (3) 545 41st Street UC Associates LLC. 545 41st
9 Street. Block 234 Lot 54. Applicant proposes to
10 demolish an existing structure, and construct a
11 new three family house. **Revised plans received**
12 **on March 12, 2021. Approved**

13
14 MR. CHEWCASKIE: Okay.

15 Next Resolution was 545 41st Street UC
16 Associates. This is 543 41st Street.

17 You will have two Resolutions, one for 543
18 and one for 545.

19 These were the mirror images homes where
20 Mr. Izquierdo testified. And this is the one
21 with the canti-- cantilevers on the side --

22 CHAIRPERSON CAPIZZI: Mmm.

23 MR. CHEWCASKIE: -- of the building.

24 We set forth the conditions, including the
25 Building Department conditions. The four

1 individuals who testified --

2 I'm sorry.

3 -- who voted on the earlier ones, also can
4 vote on this.

5 And Mr. Vallejo confirmed that we did
6 receive the revised drawings because there was an
7 error in the distance on the survey that did not
8 affect the application.

9 CHAIRPERSON CAPIZZI: I'll make a motion --

10 THE SECRETARY: Okay, motion --

11 CHAIRPERSON CAPIZZI: -- to approve.

12 THE SECRETARY: -- is -- is for both --

13 MR. CHEWCASKIE: I --

14 THE SECRETARY: -- for both application.

15 Right?

16 MR. CHEWCASKIE: I would do one at a
17 time, --

18 THE SECRETARY: Okay. Very good.

19 MR. CHEWCASKIE: -- Mr. Chairman.

20 THE SECRETARY: Then we are going to do 543
21 41st Street.

22 MR. CHEWCASKIE: Correct.

23 CHAIRPERSON CAPIZZI: Make a motion.

24 THE SECRETARY: Motion by Ms. Capizzi.

25 VICE CHAIRPERSON VELAZQUEZ: Second.

1 THE SECRETARY: Seconded by Mr. Velazquez.

2 Roll call on the motion.

3 Ms. Capizzi?

4 CHAIRPERSON CAPIZZI: Yes.

5 THE SECRETARY: Ms. Genao?

6 MS. GENAO: Yes.

7 THE SECRETARY: Mr. Velazquez?

8 MR. VELAZQUEZ: Yes.

9 THE SECRETARY: Mr. Guareno?

10 MR. GUARENO: Yes.

11 THE SECRETARY: Four in favor.

12 Motion carries.

13 MR. CHEWCASKIE: All right.

14 And the next Resolution we have is the same
15 as the earlier Resolution, however, it's for the
16 companion property which is 545 41st Street.

17 CHAIRPERSON CAPIZZI: I'll make a motion.

18 THE SECRETARY: Motion on the table to
19 memorialize the Resolution by Ms. Capizzi.

20 VICE CHAIRPERSON VELAZQUEZ: Second.

21 THE SECRETARY: Seconded by Mr. Velazquez.

22 Roll call on the motion to memorialize the
23 Resolution of 545 41st Street.

24 A roll call on the motion.

25 Ms. Capizzi?

1 CHAIRPERSON CAPIZZI: Yes.

2 THE SECRETARY: Ms. Genao?

3 MS. GENAO: Yes.

4 THE SECRETARY: Mr. Velazquez?

5 MR. VELAZQUEZ: Yes.

6 THE SECRETARY: Mr. Guareno?

7 MR. GUARENO: Yes.

8 THE SECRETARY: Four in favor.

9 Motion carries.

10 MR. CHEWCASKIE: Okay.

11 Thank you.

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1 **Michael Szczesny - 912 Palisade Avenue:**

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3 MR. CHEWCASKIE: I see Ms. Pereiras has
4 arrived.

5 Prior to your arrival -- arrival, Bianca,
6 case number 4, Michael Szczesny, 912 Palisade
7 Avenue, was adjourned to April 27th by the Board.

8 No further notices required.

9 MS. PEREIRAS: Great.

10 Thank you very much.

11 MR. CHEWCASKIE: You're welcome.

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

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3 THE SECRETARY: We are going to next
4 application on tonight's agenda.

5 616 16th Street LLC.

6 Ms. Pereiras, please?

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

9 MS. PEREIRAS: Good evening, everyone.

10 First of all, thank you for taking me out
11 of order. I was able to see my little girl do a
12 flamenco performance, then I rushed over here.

13 So thank you all very much.

14 Bianca Pereiras on behalf of the applicant
15 for 616 16th Street, also known as Block 85, Lot
16 8.

17 The Board may recall we were here back in
18 January where we presented a three family home.
19 This is a variance free three family.

20 When we were here the Board had some
21 suggestions, some comments about the façade --
22 about the visual presentation and asked for
23 something to be a little more traditional.

24 So we went back to the drawing board and
25 did some modifications.

1 I'd like to call our architect, Mr. Manuel
2 Pereiras.

3 MS. DILLON: Please raise your right hand.

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

6 MR. PEREIRAS: I do.

7 MS. DILLON: Please state your name for the
8 record.

9 MR. PEREIRAS: Manny Pereiras, P-E-R-E-I-R-
10 A-S, with Pereiras Architects Ubiquitous, 1116
11 Summit Avenue, Union City.

12 MS. DILLON: Thank you.

13 MS. PEREIRAS: Mr. Pereiras, you're
14 familiar with the property at 616 16th Street?

15 MR. PEREIRAS: I am.

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

18 MR. PEREIRAS: I did.

19 MS. PEREIRAS: And would you kindly walk
20 through the modifications that you did?

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

22 Counsel made a good representation of what
23 we did. We did a lot more than just fix the
24 façade; we completely revamped the design. Even
25 though we were fully compliant before and we had

1 no variances, we really want to work with the
2 Board and -- and try to create the vision that
3 you see for Union City and match the existing and
4 adjacent houses as -- as much as possible.

5 And -- and we did this by a few different
6 elements.

7 We -- I -- I'd like to say that we
8 definitely kept within the ordinance as well.
9 And I'm just going to walk through that very
10 quickly.

11 We have a complaint lot; 25 required, 25
12 provided. As existing, a hundred required in
13 depth. We -- we have a hundred foot in depth,
14 which equals a 2500 square foot lot area.

15 And then just going through all the bulk
16 requirements, it is either ten foot or
17 prevailing. We wanted to take the conversative
18 approach and we went to ten feet in setback
19 there.

20 And then what we did on this is, as we went
21 up in our building, we also stepped it back.
22 That's not something we had to do but we wanted
23 to do that to make it fit into the neighborhood
24 even more.

25 The side yards, two feet is required on one

1 side; five feet in total. We have exactly that.
2 Actually, we exceed that a little better. We
3 have two feet on one side and three foot one on
4 the other, for a total of five foot one.

5 So there's no variance there.

6 Maximum building height.

7 Four stories is permitted. That's what we
8 have; four stories, 45 feet in height. That's
9 what we have.

10 And we took the conservative approach. Our
11 building's actually lower than the 45 feet. We
12 put 45 feet to the top of the parapet, even
13 though the parapet is excluded from that.

14 Maximum building coverage.

15 We're permitted up to 85 percent. We're
16 only at 71 percent. So we also exceeded the
17 requirements there.

18 And our lot coverage.

19 We're permitted a hundred percent. Even
20 though we're permitted a hundred percent, I think
21 it's very important to provide some landscaping
22 for our streets. So we reduced that to 98
23 percent and what we created were two planting
24 beds along the front of the building, which I'll
25 describe in more detail in a second.

1 And then finally, our parking.

2 We're required six parking spaces. We're
3 providing six parking spaces with using --
4 utilizing the same layout -- the diagram that's
5 provided in the Union City Master Plan.

6 Going now to the site plan. These are
7 drawings that were revised and submitted to the
8 Board.

9 It's revision number 2, prepared on
10 February 12, 2021. And there -- the comments on
11 the revision is revised for Board.

12 These are the same drawings that were
13 submitted to the Board. I -- I don't believe I
14 need to mark them.

15 MR. CHEWCASKIE: We'll -- just for purposes
16 of the record, Mr. Pereiras, we'll mark the
17 entire set as A-2.

18 MS. PEREIRAS: Okay.

19 MR. CHEWCASKIE: We had A-1 at the last
20 hearing, I believe in January.

21 MR. PEREIRAS: Thank you, counsel.

22

23 (Whereupon, Site Plans, Revised 2-12-21,
24 were received and marked as Exhibit A-2.)

25

1 MR. PEREIRAS: On this sheet, which is
2 sheet Z01, we see the existing site plan on the
3 left and the proposed site plan on the right.

4 As you could see with the existing site
5 plan, there was a garage that went right up
6 against the property line in the front.

7 I think it's a huge benefit to this
8 neighborhood, to this -- to the streetscape that
9 we're demolishing that -- that garage and
10 creating a building that sets back another ten
11 feet.

12 And we kept that as a true ten foot
13 setback. Previously we had some steps there. We
14 removed the steps completely. We put the steps
15 inside the building, which I think is much more
16 attractive and created a more traditional design.
17 So our entire building is ten feet behind the
18 setback.

19 We have three feet and one inches along one
20 side and two feet along the other side yard and
21 we created a clear and unobstructed five foot
22 rear yard setback as it's described in the
23 ordinance.

24 So as you could see, the existing house
25 that I'm tolling out to is here. You could see

1 the adjacent houses, the scale of them, how they
2 kind of fit into the neighborhood. You see that
3 we're demolishing this garage and pushing the
4 house back, which I think is a huge benefit for
5 that neighborhood.

6 I'm turning now to sheet Z02.

7 In sheet Z02 we see the ground floor
8 parking. We see that we have room for all six
9 cars along the depth of the building.

10 We're not providing an elevator in this
11 building, so it actually makes the parking for
12 the garage -- for the cars even better. There's
13 plenty of room to -- to maneuver and get those
14 cars out -- in and out safely, without having any
15 tandem spots here.

16 We have a main staircase along the front of
17 the building and a secondary means of egress
18 along the rear of the building.

19 We have room for trash receptacles. We
20 have room for meters, mailboxes, and all the
21 utilities coming into the building.

22 As you go to the floors above, you take the
23 stairwell in the -- in the front of the building.
24 That leads you to the second floor. And it's the
25 same on every floor. You open into a large

1 dining room/living room/kitchen area. And then
2 the privacy of three bedrooms along the back.

3 There is a shared bathroom for two of the
4 bedrooms and then there's a master suite at the
5 rear of the property.

6 This is the same on all three floors,
7 creating our three family house.

8 The front, first and foremost, we created a
9 brick design. We created a lower canopy so that
10 the entry has a nice human scale. It feels like
11 pedestrian that you could walk in.

12 In the front of the building it feels only
13 like a story and a half, almost two stories at
14 the front; and then it and then it actually steps
15 back, where we see this railing, and that's where
16 you have the additional two floors that fits
17 within the ordinance and within the height that's
18 permitted in our ordinance.

19 And the last page is simply some
20 photographs so that we understand the character
21 of the neighborhood.

22 As you could see, the scale of the existing
23 house is pretty tall. It's elevated above that
24 garage and then it has two stories plus an attic
25 space. We're, basically, almost at the same

1 height. We're just a little bit taller, which is
2 permitted within the ordinance.

3 We hope that these changes are -- you know,
4 it shows are willingness to work with the Board,
5 with -- work with the vision of Union City. And
6 we hope that you feel that this fits into the
7 neighborhood well.

8 And it definitely does fit completely with
9 our ordinance.

10 CHAIRPERSON CAPIZZI: Just looking at the
11 pictures though that you have on 03, --

12 MR. PEREIRAS: Sure.

13 CHAIRPERSON CAPIZZI: -- your -- your house
14 is basically a box -- a square box -- a box and
15 these houses have indentations, different types
16 of shape.

17 MR. PEREIRAS: Every single house on the --
18 on the block is a square box as well.

19 CHAIRPERSON CAPIZZI: No, they're not.

20 MR. PEREIRAS: There are --

21 CHAIRPERSON CAPIZZI: I'm looking --

22 MR. PEREIRAS: -- some --

23 CHAIRPERSON CAPIZZI: -- I'm looking at the
24 pictures --

25 MR. PEREIRAS: -- bays --

1 CHAIRPERSON CAPIZZI: -- and I'm looking at
2 this and they are not the same.

3 MR. PEREIRAS: Okay.

4 CHAIRMAN CAPIZZI: So, I guess we differ on
5 what we think a box is. That's -- that's okay.

6 So what's the benefits of building a box, a
7 square box, on a house -- on a -- on a block that
8 has lots of character on all of these houses that
9 I'm seeing in these pictures that you provided?

10 MR. PEREIRAS: Was that a question?

11 CHAIRPERSON CAPIZZI: Yes, it was.

12 Was it a question?

13 MR. PEREIRAS: What is the benefit --

14 CHAIRPERSON CAPIZZI: I think it was.

15 MR. PEREIRAS: -- of providing this house?

16 The -- there's a very simple benefit. This
17 house complies a hundred percent with the Zoning
18 Ordinance.

19 CHAIRPERSON CAPIZZI: That's not what I
20 asked.

21 MR. PEREIRAS: And by complying with the
22 Zoning Ordinance, we meet the requirements and
23 the recommendations --

24 CHAIRPERSON CAPIZZI: Yes, you do.

25 MR. PEREIRAS: -- of the City.

1 CHAIRPERSON CAPIZZI: However, we have
2 concerns about the character of the neighborhood
3 that we are overseeing and that's why we question
4 the designs that are in front of us.

5 I don't know if any other Board member has
6 any comments.

7 MR. PEREIRAS: So, -- so, Ms. Capizzi,
8 just --

9 CHAIRPERSON CAPIZZI: Yes.

10 MR. PEREIRAS: -- just to -- we want to
11 work with the Board.

12 Okay?

13 So, pardon my question, the form -- the
14 fundamental shape of all these houses on the
15 block are boxes, are squares, are rectangles.

16 Some of them have a bay window along the
17 front. There's very minor vari-- changes to
18 them.

19 We could very easily, on the second floor,
20 instead of this portion being straight, I can
21 make that into a bay so it doesn't look like a
22 box. It's a very simple thing. We'd be very
23 happy, completely willing to do so.

24 And would that satisfy your -- your
25 comment?

1 CHAIRPERSON CAPIZZI: First of all, that's
2 one -- that's one change that you're making. I'm
3 one voice.

4 MR. PEREIRAS: We've made plenty --

5 CHAIRPERSON CAPIZZI: Okay?

6 MR. PEREIRAS: -- of changes.

7 CHAIRPERSON CAPIZZI: I'm looking at the
8 pictures that you provided, I'm -- I'm saying to
9 myself I don't see the benefit of that design on
10 that block.

11 That's my comment. That's -- that's my
12 opinion.

13 MR. PEREIRAS: And I believe we don't need
14 to prove a benefit.

15 What we need to prove is that we comply
16 with the Ordinance.

17 CHAIRPERSON CAPIZZI: Fine.

18 VICE CHAIRPERSON VELAZQUEZ: I -- I -- I
19 look at it -- some of these -- some of these
20 constructions do better in a different kind of
21 neighborhood and to how they look.

22 Just seeing that and that you should
23 understand that you live in almost in that whole
24 neighborhood there.

25 MR. PEREIRAS: Um-hum. This is where I

1 grew up.

2 VICE CHAIRPERSON VELAZQUEZ: You know?

3 MR. PEREIRAS: This is --

4 VICE CHAIRPERSON VELAZQUEZ: So, --

5 MR. PEREIRAS: I played football on that
6 block my entire teenage years.

7 Okay?

8 So this is -- I know this neighborhood. I
9 know the character of the neighborhood.

10 And I might agree with what this Board says
11 and I -- I believe strongly that our Union City
12 is a complicated and intricate city and we should
13 have more than one blanket zone throughout the
14 City. It's a mistake maybe.

15 And I -- I hate to say this but this Board,
16 when we did our Master Plan, when we did our --
17 did our Ordinance, we shouldn't have had one
18 single zone. We should have had a variety of
19 zones that take this into account.

20 That said, this Board created, adopted that
21 plan. We're here before the Board. Applicants
22 have purchased buildings; they put money into
23 place; professionals have worked very hard to try
24 to make things fit and make this work. And we're
25 doing our best, within the confinements of that

1 Zoning Ordinance. And when we do a project and
2 we submit it to the Board with our greatest
3 intentions, our best intentions to make it fit,
4 what the City requested, and we meet all the
5 requirements of the City, you know, I -- I don't
6 know what else could be asked of us.

7 I would love to put my input and -- and
8 change the Ordinance. I think we should
9 completely do that. I think this Board would do
10 that and I would applaud you and I would back you
11 up completely.

12 But that's not what we're doing right now.
13 What we have right now is an existing ordinance
14 and this complies, it fits, it -- it matches all
15 the requirements.

16 MS. MOREJON: Okay.

17 I -- I agree with --

18 If I may, please?

19 I agree with Diane. But I think working
20 with you like we have worked all these years, --

21 MR. PEREIRAS: Um-hum.

22 MS. MOREJON: -- we could come up with
23 something different here. Different.

24 CHAIRPERSON CAPIZZI: Sure.

25 MR. PEREIRAS: And, Ms. Capizzi, --

1 MS. MOREJON: This windows here, --

2 CHAIRPERSON CAPIZZI: Sure.

3 MS. MOREJON: -- this -- this here, is a
4 no, no. Right here. No.

5 MR. PEREIRAS: And I'll be very happy to do
6 so.

7 And if this Board --

8 MS. MOREJON: This here is a no.

9 MR. PEREIRAS: -- approves us, --

10 MS. MOREJON: This look like an apartment
11 building again.

12 MR. PEREIRAS: And I don't want it to
13 look --

14 MS. MOREJON: It happen before.

15 MR. PEREIRAS: -- like an apartment
16 building.

17 MS. MOREJON: So, if we can change this --
18 if we can change this to --

19 No, this is fine; the one in the middle.
20 This one, we can do the same thing. You will do
21 the same thing on the three levels.

22 MR. PEREIRAS: We can do that. And -- and
23 we could --

24 MS. MOREJON: The main door.

25 MR. PEREIRAS: -- work with the Board.

1 That said, I would love it if -- if this
2 Board deems it appropriate, we will --

3 MS. MOREJON: That would look really nice.

4 MR. PEREIRAS: -- work with your planner to
5 make those intricate changes and make those work.
6 Because we want to work. And the -- and the
7 client is here today; he's interested, he's
8 invested. We want to make this work and we'll
9 make whatever changes we have to.

10 CHAIRPERSON CAPIZZI: Um-hum.

11 MR. PEREIRAS: But if we ask that the Board
12 approve us today, we'll work with the Planning
13 Department.

14 MS. MOREJON: No, no, we --

15 CHAIRPERSON CAPIZZI: No, I can't approve
16 it.

17 MR. PEREIRAS: We'll make those changes to
18 the character --

19 MS. MOREJON: Okay.

20 CHAIRPERSON CAPIZZI: I'm not approving
21 that.

22 MS. MOREJON: Okay, no, I know.

23 CHAIRPERSON CAPIZZI: I'm not approving
24 that. No.

25 MS. MOREJON: I know. But let's -- let's

1 -- just -- let's try to come up with something.

2 CHAIRPERSON CAPIZZI: No.

3 MS. MOREJON: Let's see.

4 If you -- you're an architect --

5 MR. PEREIRAS: Um-hum.

6 MS. MOREJON: -- and I know a lot about

7 real estate, you know that. Nineteen years

8 worked --

9 MR. PEREIRAS: Yes, you do.

10 MS. MOREJON: -- in real estate.

11 So if you see the new construction now you

12 see a lot of open windows. You don't see that --

13 that anymore. You see those little windows in

14 apartment buildings.

15 MR. PEREIRAS: Don't -- don't be deceived.

16 Those are actually very big windows. They're

17 very big. They're three foot six wide --

18 MS. MOREJON: The one --

19 MR. PEREIRAS: -- and they're --

20 MS. MOREJON: -- in the middle --

21 MR. PEREIRAS: -- seven feet tall.

22 MS. MOREJON: -- the one in the --

23 MR. PEREIRAS: They're big windows.

24 MS. MOREJON: The one in the middle, let's

25 try to come up with something on the third floor.

1 MR. PEREIRAS: Um-hum.

2 MS. MOREJON: On the first floor, let's do
3 something with the main door.

4 MR. PEREIRAS: And -- and so this Board
5 knows, --

6 MS. MOREJON: And you -- you come back --

7 MR. PEREIRAS: -- I wanted the --

8 MS. MOREJON: -- come back to the Board
9 with --

10 MR. PEREIRAS: -- biggest windows possible.
11 But I also didn't want it to fit out of place
12 with the neighborhood.

13 The neighborhood has typical smaller
14 windows.

15 MS. MOREJON: Listen, --

16 MR. PEREIRAS: So we tried to make it
17 fit --

18 MS. MOREJON: No, no, no.

19 MR. PEREIRAS: -- with the neighborhood.

20 MS. MOREJON: No, no, no, no.

21 CHAIRPERSON CAPIZZI: But that doesn't fit
22 in the neighborhood. That looks like an
23 apartment building.

24 And you're on a block with two family
25 houses, maybe some three family houses, that look

1 | like houses; not like an apartment building. It
2 | does not fit.

3 | MS. PEREIRAS: Ms. Capizzi, if I could just
4 | have a minute to speak --

5 | CHAIRPERSON CAPIZZI: Sure.

6 | MS. PEREIRAS: -- to our architect and to
7 | our client please?

8 | Thank you.

9 | MS. DILLON: Off the record, Mr.
10 | Chewcaskie?

11 | MR. CHEWCASKIE: Yes.

12 | THE SECRETARY: Off the record.

13 |

14 | (Off the record at 7:04 p.m.)

15 | (On the record at 7:06 p.m.)

16 |

17 | MS. DILLON: On the record.

18 | MS. PEREIRAS: Madam Chair, members of the
19 | Board, we've heard your comments. We were hoping
20 | that we made enough modifications to the
21 | satisfaction of the Board for today's meeting.
22 | We have our applicants here. As professionals,
23 | we'd like to continue working with this Board.
24 | My applicant wants to work with this Board.

25 | I think probably the best option for us is

1 to carry this matter. In the meantime, we'll
2 submit the revised drawings to your planner and
3 hopefully we can have a dialogue there so that we
4 know the direction even better.

5 Even though I think we have a -- a good
6 idea so far what the Board is looking for.

7 CHAIRPERSON CAPIZZI: I don't know what
8 you're asking us --

9 MS. PEREIRAS: I'm asking --

10 CHAIRPERSON CAPIZZI: -- to do.

11 MS. PEREIRAS: -- for an adjournment, Ms.
12 Capizzi, so that we can modify these drawings to
13 make it even more traditional for the Board, to
14 make it fit in with the neighborhood even more,
15 and hopefully work with your planner so that we
16 can make the right application.

17 This is one of --

18 CHAIRPERSON CAPIZZI: Are you guys --

19 MS. PEREIRAS: -- many applications --

20 CHAIRPERSON CAPIZZI: -- okay with that?

21 MS. MOREJON: I agree with that. Yes.

22 What about you?

23 MS. PEREIRAS: -- that are going to come
24 before the Board. We want to make sure we're --

25 CHAIRPERSON CAPIZZI: Okay.

1 MS. PEREIRAS: --on the right track.

2 CHAIRPERSON CAPIZZI: I'll make a motion to
3 adjourn.

4 THE SECRETARY: Motion to adjourn the
5 application by Miss Capizzi.

6 MS. MOREJON: Second.

7 THE SECRETARY: Seconded by Ms. Morejon.

8 Roll call on the motion to adjourn this
9 application for April 27, 2021.

10 Roll call on the motion.

11 Ms. Capizzi?

12 CHAIRPERSON CAPIZZI: Yes.

13 THE SECRETARY: Ms. Genao?

14 MS. GENAO: Yes.

15 THE SECRETARY: Miss Fernandez?

16 MS. FERNANDEZ: Yes.

17 THE SECRETARY: Mr. Medina?

18 MR. MEDINA: Yes.

19 THE SECRETARY: Ms. Morejon?

20 MS. MOREJON: Yes.

21 THE SECRETARY: Mr. Velazquez?

22 VICE CHAIRPERSON VELAZQUEZ: Yes.

23 THE SECRETARY: Mr. Guareno?

24 MR. GUARENO: Yes.

25 THE SECRETARY: Seven in favor.

1 Motion carries.

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

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

2

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

5 Ms. Pereiras, please?

6 MS. PEREIRAS: Bianca Pereiras, on behalf
7 of the applicant.

8 The Board may also recall we were here
9 before you in January with our expert, at which
10 time we presented a three family home fully
11 compliant.

12 The Board asked us to make some
13 modifications and we went back to the drawing
14 Board and respectfully submitted a revised
15 drawing to the Board.

16 I'd like to present those modifications and
17 changes to the Board with the help of our expert,
18 Mr. Manuel Pereiras.

19 MR. PEREIRAS: Manny Pereiras, I recognize
20 I am still under oath.

21 MS. PEREIRAS: Mr. Pereiras, are you
22 familiar with the property at 309 10th Street?

23 MR. PEREIRAS: I am.

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

1 MR. PEREIRAS: I did.

2 MS. PEREIRAS: And would you kindly
3 describe the project focusing on the
4 modifications that were done.

5 MR. PEREIRAS: I would be very happy to.

6 Board, I don't want to say the same things
7 I said previously. This is actually a very
8 different neighborhood. It -- it feels very
9 different and there's also quite a few three
10 families in this neighborhood that have already
11 been constructed.

12 So this is actually already in the
13 character of the neighborhood, what we're doing.
14 And what we did is we made some major
15 modifications to this as well.

16 We did a very traditional façade, brick,
17 that matches any typical Union City building,
18 where we did a brick façade. We did a rowlock
19 course around the windows, so that we have some
20 ornamentation. We put a cornice -- additional
21 cornice at the top of the building.

22 This would fit in any location in Union
23 City.

24 Most of our corners are brick larger
25 buildings like this. This fits beautifully and

1 -- and matches -- not only does it match all the
2 requirements of the zoning ordinance, it's in a
3 block that has buildings of the same height, same
4 style, same depth.

5 And -- and we ask -- you know, I'm open for
6 questions.

7 But, again, this is a variance free
8 application. And in this case, it really matches
9 the neighborhood and everything around.

10 Just so that you see, there are some
11 photographs of the buildings across the street.
12 These are three families that we did there.
13 That's all on the same block. They're tall
14 buildings. It fits perfectly within.

15 You could see from the aerial photograph
16 all the buildings next to it. It's on 10th Street
17 between Palisade and New York Avenue.

18 I'd -- I'd like to hear your comments. And
19 if you'd like me to proceed and -- and go into
20 this at depth, I would love to do that. And, if
21 not, we could change it as well.

22 MR. CHEWCASKIE: Just for the record, Mr.
23 Pereiras, we'll mark the revised set as A-2. And
24 I guess this is February 12, 2021.

25 Correct?

1 MR. PEREIRAS: Correct.

2

3 (Whereupon, Revised Site Plans, Dated
4 2-12-21, were received and marked as Exhibit
5 A-2.)

6

7 MR. PEREIRAS: And just for purpose of the
8 record, I'm just going to go through the site
9 plan and the bulk requirements very quickly.

10 We have a minimum lot area of 2500 square
11 feet. We provide that 2500 square feet.

12 Minimum lot width is required at 25. We
13 have 25.

14 Minimum lot depth of a hundred. We have a
15 hundred.

16 A front yard setback of ten feet or
17 prevailing is required. We have a -- a front
18 yard setback of ten feet.

19 We have a minimum rear yard setback
20 requirement of five feet. We have five feet
21 provided.

22 We have minimum side yard of two feet and
23 five for total. We have two feet and the five
24 feet for total -- actually, five foot one for
25 total.

1 Maximum building height, four stories is
2 permitted. We are providing four stories.

3 Maximum building height, 45 feet. We have
4 45 feet.

5 Maximum building coverage, 85 percent is
6 permitted. We are at 68 percent.

7 Maximum building coverage, a hundred
8 percent. We're at 98 percent.

9 Off-street parking, six spaces required.
10 We're providing six spaces.

11 So, again, we meet or exceed all the
12 requirements of the zone, similar to the previous
13 application. And in this case, it's a building
14 that really fits in to the entire surroundings.

15 MS. MOREJON: Okay, can I say something?

16 CHAIRPERSON CAPIZZI: Of course.

17 MS. MOREJON: Okay, can I say something?

18 Okay, this is what you're proposing to do.

19 Right?

20 This here?

21 MR. PEREIRAS: I'm sorry; it's hard to hear
22 you.

23 MS. MOREJON: This is one is the one you
24 propose to do?

25 MR. PEREIRAS: Yes.

1 And it's a brick, simple, nice
2 ornamentation, nice cornice.

3 MS. MOREJON: Why can't we do something
4 similar to this?

5 Why?

6 MR. PEREIRAS: That's across the street
7 right now.

8 MS. MOREJON: Excuse me?

9 MR. PEREIRAS: That's right across the
10 street from this.

11 MS. MOREJON: I know. I know the block. I
12 know the block very well.

13 So why can't we do something similar to
14 this? Look at this.

15 MR. PEREIRAS: You want that? We could do
16 exactly that.

17 MS. MOREJON: Look. Look -- look at this.
18 Look at this.

19 MR. PEREIRAS: I did that. That's one of
20 my buildings.

21 MS. MOREJON: I know you did that. So then
22 let's change it. Let's get out of that box.

23 Okay, look at the railing. Look at the
24 small area for line of spaces. Look at that.

25 MR. PEREIRAS: I am going to -- with all

1 due respect, that is the building we submitted to
2 this Board that you asked us to change.

3 MS. MOREJON: No. No. No.

4 MR. PEREIRAS: That was the same --

5 MS. MOREJON: No, no, no, no, --

6 MR. PEREIRAS: -- footprint of the --

7 MS. MOREJON: -- no.

8 MR. PEREIRAS: -- building that we
9 submitted to this Board in --

10 MS. MOREJON: No.

11 MR. PEREIRAS: -- January that you asked
12 us --

13 MS. MOREJON: No.

14 MR. PEREIRAS: -- to be less like a box.

15 MS. MOREJON: No. No.

16 CHAIRPERSON CAPIZZI: But it is a box.

17 MS. MOREJON: It's a big difference. Look
18 at those windows.

19 CHAIRPERSON CAPIZZI: So, I mean it's --

20 MS. MOREJON: Look at the windows.

21 MR. PEREIRAS: But you just told me --

22 MS. MOREJON: Look at the --

23 MR. PEREIRAS: If you want that, --

24 MS. MOREJON: (Indiscernible) --

25 CHAIRPERSON CAPIZZI: It is a box.

1 MS. MOREJON: -- look at the windows.

2 MR. CHEWCASKIE: It's a different box.

3 CHAIRPERSON CAPIZZI: It's a different box.

4 MS. MOREJON: A different box with more
5 character. We need bigger windows, --

6 MR. PEREIRAS: We could --

7 MS. MOREJON: -- the door looks
8 beautiful --

9 MR. PEREIRAS: -- we could put that exact
10 same building across the street. We'd be happy
11 to. And we'll do that for the Board.

12 If that's what you want, we'll provide
13 exactly that one.

14 MS. MOREJON: Let's -- everybody else if
15 they agree with different color --
16 (indiscernible). We would like --

17 MR. PEREIRAS: We'll agree with it. We'll
18 do exactly that building, all right, --

19 MS. MOREJON: I don't know, something too
20 --

21 MR. PEREIRAS: -- at this location.

22 MS. MOREJON: -- whatever you think.

23 MR. CHEWCASKIE: Just so I'm -- I'm clear,
24 do we have an address of the building --

25 MR. PEREIRAS: That's --

1 MR. CHEWCASKIE: -- across the street?

2 MR. PEREIRAS: -- there's three buildings
3 in total. It's 310, 312 and 314 10th Street.

4 That was a project that I -- we got
5 approvals on that, probably --

6 MS. PEREIRAS: Many, many years ago.

7 MR. PEREIRAS: -- probably nine years ago,
8 at this point --

9 MS. MOREJON: Nine years ago? Yes?

10 MS. PEREIRAS: Yeah.

11 MR. PEREIRAS: -- and they were
12 constructed.

13 MS. PEREIRAS: Um-hum.

14 MR. PEREIRAS: Yeah.

15 Beautiful. Nice little buildings. We
16 could build exactly that here.

17 MS. MOREJON: The elevation.

18 The windows.

19 MR. PEREIRAS: I'd be happy to do that.

20 MS. MOREJON: Get out of the box.

21 VICE CHAIRPERSON VELAZQUEZ: That one house
22 across the street, three stories, probably -- if
23 the Building Department takes a look at it,
24 probably illegal attic.

25 MR. PEREIRAS: Yeah.

1 Yeah, I -- I think that this building fits
2 in to this neighborhood very well.

3 CHAIRPERSON CAPIZZI: Did you say illegal?
4 Is that what you said?

5 VICE CHAIRPERSON VELAZQUEZ: Illegal. You
6 find everything illegal.

7 MS. MOREJON: Okay.

8 You know what it is, when you see the --
9 the first one, the one that you build, --

10 MS. DILLON: Can you please speak up?
11 You've got to speak up.

12 MS. MOREJON: Okay.

13 MS. DILLON: The mask.

14 MS. MOREJON: With this door -- with the
15 door next -- close to the sidewalk, it doesn't
16 look --

17 MR. PEREIRAS: You don't want that? You
18 want the steps in the front?

19 MS. MOREJON: It looks -- (indiscernible).

20 MR. PEREIRAS: We -- we could --

21 MS. MOREJON: This looks like --

22 MR. PEREIRAS: -- happily --

23 MS. MOREJON: -- like a little bit more --
24 more classic, more -- something --

25 MR. PEREIRAS: We would happily do that.

1 MS. MOREJON: -- that bring to the
2 neighborhood.

3 MS. PEREIRAS: Okay.

4 MR. PEREIRAS: That's not a problem.

5 MS. MOREJON: The -- the box looks like an
6 apartment building. Little apartment building.

7 CHAIRPERSON CAPIZZI: So do they -- if
8 that's what you want, --

9 MS. MOREJON: Excuse me?

10 CHAIRPERSON CAPIZZI: -- do they have to
11 submit new plans?

12 MR. CHEWCASKIE: If --

13 MS. MOREJON: (Indiscernible).

14 MR. CHEWCASKIE: -- if it's clear enough
15 for the Board that a revised drawing will be
16 submitted that will be similar in design to what
17 was just testified to by Mr. Pereiras, --

18 MS. MOREJON: Right, -- (indiscernible).

19 MR. CHEWCASKIE: -- 310, 312 and 314, this
20 Board can move forward.

21 That's why I asked the question.

22 Because if that's the design you want, then
23 we have a standard to be met.

24 MS. MOREJON: Well, for this property, we
25 want that design.

1 VICE CHAIRPERSON VELAZQUEZ: Yeah, I know
2 that.

3 MS. MOREJON: For this property.

4 No?

5 VICE CHAIRPERSON VELAZQUEZ: I don't know
6 -- I don't think --

7 MS. MOREJON: No?

8 VICE CHAIRPERSON VELAZQUEZ:
9 (Indiscernible).

10 MS. MOREJON: It's okay if you want to --
11 (indiscernible).

12 VICE CHAIRPERSON VELAZQUEZ: We talked
13 about that attached -- it belongs to the other
14 house at 915.

15 Right?

16 Where the door is.

17 MS. MOREJON: That's 915 --

18 VICE CHAIRPERSON VELAZQUEZ: Or is that the
19 single one that's going to be knocked down also?

20 MS. MOREJON: Um-hum. That's next to
21 the -- (indiscernible).

22 VICE CHAIRPERSON VELAZQUEZ: At the 309
23 site.

24 MR. PEREIRAS: That's not part of this.

25 VICE CHAIRPERSON VELAZQUEZ: It belongs to

1 915.

2 Right?

3 MR. PEREIRAS: That's the next door house.

4 CHAIRPERSON CAPIZZI: What are you talking
5 about? This, Alex?

6 VICE CHAIRPERSON VELAZQUEZ: Yeah.

7 CHAIRPERSON CAPIZZI: Is that part of it?

8 VICE CHAIRPERSON VELAZQUEZ: It's not, --
9 (indiscernible).

10 MR. PEREIRAS: It's the next door house.

11 CHAIRPERSON CAPIZZI: It's their house?

12 MR. PEREIRAS: It has nothing to do with
13 this property.

14 CHAIRPERSON CAPIZZI: So this is the house?

15 MR. PEREIRAS: Yeah, the smaller one.

16 CHAIRPERSON CAPIZZI: Right here?

17 MR. PEREIRAS: Yeah.

18 This one.

19 CHAIRPERSON CAPIZZI: What kind of backyard
20 is it?

21 MR. PEREIRAS: For this?

22 CHAIRPERSON CAPIZZI: Um-hum.

23 MR. PEREIRAS: Or for the 310 10th Street?

24 CHAIRPERSON CAPIZZI: No, for the --

25 VICE CHAIRPERSON VELAZQUEZ: No.

1 CHAIRPERSON CAPIZZI: -- proj-- this --
2 this subject.

3 MR. PEREIRAS: For this subject?

4 CHAIRPERSON CAPIZZI: Um-hum.

5 MR. PEREIRAS: We have what's required of
6 the ordinance, which is a five foot rear yard
7 setback.

8 CHAIRPERSON CAPIZZI: And what -- what kind
9 of a backyard is it?

10 MR. PEREIRAS: Right now we have it as
11 concrete. But we'd do whatever you'd like.

12 If you like grass there, we'd be happy to
13 provide grass.

14 MS. MOREJON: (Indiscernible).

15 CHAIRPERSON CAPIZZI: What's there now?

16 MR. PEREIRAS: What's there now?

17 CHAIRPERSON CAPIZZI: Um-hum.

18 MR. PEREIRAS: There's -- there's concrete
19 for about 50 percent of it and then the rest of
20 it is like dirt and gravel.

21 VICE CHAIRPERSON VELAZQUEZ: I think we
22 need to go to the -- back to the drawing board
23 with these --

24 MR. GUARENO: Alicia, which building were
25 you referring to?

1 Which building you were referring to?

2 MS. MOREJON: Are you speaking to me?

3 MR. CHEWCASKIE: Yes.

4 MR. PEREIRAS: She was referring to

5 these --

6 MR. CHEWCASKIE: The buildings --

7 MR. SPATZ: I think -- I think these.

8 MR. CHEWCASKIE: -- across the street.

9 MR. GUARENO: Okay.

10 MR. PEREIRAS: These buildings across the

11 street.

12 MR. GUARENO: She -- she agrees with those.

13 MS. MOREJON: I was referring to this one.

14 VICE CHAIRPERSON VELAZQUEZ: I just -- I
15 would like to see just a real -- really -- whole
16 different change.

17 I respect -- I respect you as an architect.
18 I think you do phenomenal work and all that. But
19 sometimes -- like these almost --

20 And I'm going to be totally honest.

21 -- almost look like same things from last
22 month.

23 CHAIRPERSON CAPIZZI: Um-hum.

24 VICE CHAIRPERSON VELAZQUEZ: Just tweaked a
25 little bit.

1 CHAIRPERSON CAPIZZI: Right.

2 VICE CHAIRPERSON VELAZQUEZ: And I think we
3 should just go back to the drawing board with
4 that.

5 CHAIRPERSON CAPIZZI: Right.

6 VICE CHAIRPERSON VELAZQUEZ: For this
7 project, and I'm going to be hypocritical if I --
8 when we had the other application before us --

9 CHAIRPERSON CAPIZZI: Right.

10 VICE CHAIRPERSON VELAZQUEZ: -- on 4th
11 Street, so I have to make a motion to deny it.

12 CHAIRPERSON CAPIZZI: I will second the
13 motion.

14 MR. PEREIRAS: We -- we haven't even --
15 Okay.

16 CHAIRPERSON CAPIZZI: I'll second the
17 motion.

18 THE SECRETARY: What is the motion?

19 CHAIRPERSON CAPIZZI: To -- to deny it.

20 VICE CHAIRPERSON VELAZQUEZ: To deny it.

21 THE SECRETARY: Oh.

22 Motion on the table to deny the
23 application by Ms. Capizzi?

24 VICE CHAIRPERSON VELAZQUEZ: Mr. Velazquez.

25 CHAIRPERSON CAPIZZI: Yes.

1 THE SECRETARY: By Mr. Velazquez.

2 CHAIRPERSON CAPIZZI: Velazquez.

3 MS. MOREJON: You didn't like the other
4 one?

5 VICE CHAIRPERSON VELASQUEZ: No.

6 MS. MOREJON: Why not?

7 What do you think they're going to do?

8 THE SECRETARY: Seconded by Ms. Capizzi.

9 VICE CHAIRPERSON VELAZQUEZ: Hmm?

10 MS. MOREJON: (Indiscernible).

11 THE SECRETARY: Roll call on the motion to
12 deny this application.

13 Ms. Capizzi?

14 CHAIRPERSON CAPIZZI: Yes.

15 THE SECRETARY: Ms. Genao?

16 MS. GENAO: Yes.

17 THE SECRETARY: Ms. Fernandez?

18 MS. FERNANDEZ: Yes.

19 THE SECRETARY: Ms. Morejon?

20 MS. MOREJON: Yes.

21 THE SECRETARY: Mr. Medina?

22 MR. MEDINA: Yes.

23 THE SECRETARY: Mr. Velazquez?

24 VICE CHAIRPERSON VELAZQUEZ: Yes.

25 THE SECRETARY: Mr. Guareno?

1 MR. GUARENO: Yes.

2 THE SECRETARY: Seven in favor.

3 Motion carries.

4 Application has been denied.

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

7 MS. PEREIRAS: And counsel, if I may on
8 that last one, --

9 MR. CHEWCASKIE: Yes.

10 MS. PEREIRAS: -- I -- I think we were in
11 the middle of a dialogue, so to have a motion
12 when we're hearing from one member of the Board
13 giving a -- a very thoughtful suggestion, to make
14 a motion I think is very unheard of, especially
15 from this Board, and unkind to my client.

16 MR. CHEWCASKIE: Let's take a break, if we
17 may, for five minutes?

18 CHAIRPERSON CAPIZZI: Sure.

19 MR. CHEWCASKIE: So I could do a little
20 research.

21 CHAIRPERSON CAPIZZI: Sure.

22

23 (Off the record at 7:22 p.m.)

24 (On the record at 7:31 p.m.)

25

1 THE SECRETARY: Can I have your attention
2 please.

3 MS. DILLON: On the record.

4 THE SECRETARY: On the record.

5 VICE CHAIRPERSON VELAZQUEZ: Hang on. One
6 minute.

7 THE SECRETARY: Oh, one minute.

8 Off the record.

9

10 (Off the record at 7:31:28 p.m.)

11 (On the record at 7:31:52 p.m.)

12

13 MR. CHEWCASKIE: Although I had the
14 opportunity to -- to review Robert's Rules, the
15 motion was on the table and acted appropriately.

16 However, I was advised that the Board would
17 reconsider the motion, if the applicant wishes to
18 withdraw the application at this time, the Board
19 would withdraw its motion and then the applicant
20 can proceed with a new application.

21 MR. PEREIRAS: Withdraw or adjourn?

22 MS. PEREIRAS: Counsel, if -- if --

23 VICE CHAIRPERSON VELAZQUEZ: Hold on. Hold
24 on.

25 MR. CHEWCASKIE: To withdraw.

1 MS. MOREJON: (Indiscernible).

2 MS. PEREIRAS: It -- it would be very
3 difficult to withdraw it because then we're
4 submitting all the fees again, as well as getting
5 back in the queue to get this --

6 MR. CHEWCASKIE: I -- I --

7 MS. PEREIRAS: -- back in front of the
8 Board.

9 MR. CHEWCASKIE: -- I think what I would
10 suggest to the Board that the withdrawal you
11 would not have to submit revised -- new fees.

12 VICE CHAIRPERSON VELAZQUEZ: Mr.
13 Chewcaskie, --

14 MR. CHEWCASKIE: I would recommend that.

15 VICE CHAIRPERSON VELAZQUEZ: -- just real
16 quick.

17 No, with that -- with this I want to keep
18 it denied.

19 MR. CHEWCASKIE: Okay.

20 CHAIRPERSON CAPIZZI: Um-hum.

21 VICE CHAIRPERSON VELAZQUEZ: I want to keep
22 it denied.

23 MR. CHEWCASKIE: All right.

24 So, the motion was on --

25 VICE CHAIRPERSON VELAZQUEZ: Because I

1 would feel --

2 And -- and I don't mean to cut you off.

3 Like I said, with the other application I'd
4 be really hypocritical with the whole thing.

5 MR. CHEWCASKIE: I mean that -- that's
6 fine.

7 VICE CHAIRPERSON VELAZQUEZ: Okay.

8 MR. CHEWCASKIE: You know, so -- I mean
9 there was -- there was a suggestion. The motion
10 was made and voted on, so the motion will stand.

11 THE SECRETARY: All right.

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1 **519 15th Street, LLC - 519 15th Street:**

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3 THE SECRETARY: Next application on
4 tonight's agenda 519 15th Street LLC.

5 Ms. Pereiras, please?

6 MS. PEREIRAS: Again, Bianca Pereiras, on
7 behalf of the applicant.

8 At this time the applicant will
9 respectfully request that this matter be carried
10 to next month's meeting, so that we can revise
11 the drawings accordingly based on the comments
12 previously made by this Board.

13 CHAIRPERSON CAPIZZI: Are we good with
14 that?

15 VICE CHAIRPERSON VELAZQUEZ: Yeah.

16 CHAIRPERSON CAPIZZI: Okay.

17 I'll make a motion to adjourn.

18 MS. MOREJON: Second.

19 THE SECRETARY: Motion on the table to
20 adjourn this application for April 27, 2021, same
21 place, same location, same time, by Ms. Capizzi.

22 Any second the motion to adjourn this --

23 MS. MOREJON: Second.

24 THE SECRETARY: -- application?

25 Seconded by Ms. Morejon.

1 Roll call on the motion to adjourn this
2 application.

3 Ms. Capizzi?

4 CHAIRPERSON CAPIZZI: Yes.

5 THE SECRETARY: Ms. Genao?

6 MS. GENAO: Yes.

7 THE SECRETARY: Ms. Fernandez?

8 MS. FERNANDEZ: Yes.

9 THE SECRETARY: Mr. Medina?

10 MR. MEDINA: Yes.

11 THE SECRETARY: Ms. Morejon?

12 MS. MOREJON: Yes.

13 THE SECRETARY: Mr. Velazquez?

14 VICE CHAIRPERSON VELAZQUEZ: Yes.

15 THE SECRETARY: Mr. Guareno?

16 MR. GUARENO: Yes.

17 THE SECRETARY: Seven in favor.

18 Motion carries.

19 This application has been adjourned for
20 April 27, 2021.

21 Thank you, Ms. Pereiras.

22 MS. PEREIRAS: Good night, everybody.

23 See you next month.

24 MS. MOREJON: Good night.

25 MR. CHEWCASKIE: Good night, all.

1 MR. PEREIRAS: Good night, everyone.

2 CHAIRPERSON CAPIZZI: Good night.

3 MS. GENAO: Good night.

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1 **ADJOURNMENT:**

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

6 CHAIRPERSON CAPIZZI: Make a motion.

7 THE SECRETARY: Motion by Ms. Capizzi.

8 Second by?

9 VICE CHAIRPERSON VELAZQUEZ: Second.

10 THE SECRETARY: Mr. Velazquez.

11 Roll call on the motion to adjourn this
12 application.

13 Ms. Capizzi?

14 CHAIRPERSON CAPIZZI: Yes.

15 THE SECRETARY: Ms. Genao?

16 MS. GENAO: Yes.

17 THE SECRETARY: Ms. Fernandez?

18 MS. FERNANDEZ: Yes.

19 THE SECRETARY: Mr. Medina?

20 MR. MEDINA: Yes.

21 THE SECRETARY: Ms. Morejon?

22 MS. MOREJON: Yes.

23 THE SECRETARY: Ms. Morejon?

24 MS. MOREJON: Yes.

25 THE SECRETARY: Mr. Velazquez?

1 VICE CHAIRPERSON VELAZQUEZ: Yes.

2 THE SECRETARY: Mr. Guareno?

3 MR. GUARENO: Yes.

4 THE SECRETARY: Seven in favor.

5 Motion carries.

6 Let the record show that the meeting has
7 ended.

8 Thank you and goodnight, everyone.

9

10 (Whereupon, the proceedings were concluded
11 at 7:31 p.m.)

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1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

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5 I, KAREN A. MARINO, assigned transcriber,
6 do hereby affirm that the foregoing is a true and
7 accurate transcript in the matter of the REGULAR
8 MEETING of the UNION CITY PLANNING BOARD heard on
9 Tuesday, March 23, 2021 and digitally recorded.

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25 Monitored by and proofread by: Deborah Dillon