

CITY OF UNION CITY
HUDSON COUNTY, NEW JERSEY
PLANNING BOARD

SPECIAL MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
_____ :

Union Hill Middle School
3808 Hudson Avenue
Union City, New Jersey

Monday, May 3, 2021
Commencing at 6:02 p.m.

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

BRIAN P. STACK, Mayor
CELIN VALDIVIA, Commissioner
YDALIA GENAO, Mayor's Designee
ALICIA MOREJON
FRANKLIN MEDINA
JEANNE KOEHLER
JOSE GUARENO, Alternate No. 1
HECTOR OSEGUERA, JR., Alternate No. 2
ALEJANDRO VELAZQUEZ, Vice Chairperson
DIANE CAPIZZI, Chairperson

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

CAROLINA FERNANDEZ

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

M. McKINLEY MERTZ, A.I.C.P. P.P., Consultant
Heyer, Gruel & Associates

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I N D E X

Hearing: Adoption of the 2021
Master Plan Reexamination Report and
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1 THE SECRETARY: May I have your attention
2 please?

3 Please take notice that on Monday,
4 May 3rd, 2021, at six p.m., a Special Meeting is
5 scheduled for the City of Union City Planning
6 Board to be held in the Union City (sic) Middle
7 School, 3808 Hudson Avenue, Union City, New
8 Jersey, for the adoption of the 2021 Master Plan
9 Reexamination Report and Land Use Element Update
10 and Amendment.

11 Opening statement.

12 This meeting's called in compliance with
13 Chapter 231, Public Law 1975 of the Open Public
14 Meeting Act.

15 Adequate notice of this meeting as been
16 provided as follow:

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

25 Before we call roll for this evening, can

1 everybody kindly rise to salute the flag please.

2

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

5

6 THE SECRETARY: Thank you.

7

8 **ROLL CALL:**

9

10 THE SECRETARY: Roll call for tonight's
11 meeting.

12 Mayor Brian P. Stack?

13 MAYOR STACK: Here.

14 THE SECRETARY: Miss Capizzi?

15 CHAIRPERSON CAPIZZI: Here.

16 THE SECRETARY: Mr. Velazquez?

17 VICE CHAIRPERSON VELAZQUEZ: Here.

18 THE SECRETARY: Commissioner Celin
19 Valdivia?

20 COMMISSIONER VALDIVIA: Here.

21 THE SECRETARY: Miss Koehler?

22 MS. KOEHLER: Here.

23 THE SECRETARY: Miss Genao?

24 MS. GENAO: Here.

25 THE SECRETARY: Miss Fernandez is absent.

1 Mr. Medina?

2 MR. MEDINA: Here.

3 THE SECRETARY: Miss Morejon?

4 MS. MOREJON: Here.

5 THE SECRETARY: Mr. Guareno?

6 MR. GUARENO: Here.

7 THE SECRETARY: Mr. Oseguera?

8 MR. OSEGUERA: Here.

9 THE SECRETARY: Let the record indicate
10 there are ten present.

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1 **HEARING:**

2

3 (1) Adoption of the 2021 Master Plan
4 Reexamination Report and the Land Use Element
5 Update and Amendment

6

7 THE SECRETARY: We are going to Hearing.

8 Adoption of the 2021 Master Plan
9 Reexamination Report and Land Use Element Updated
10 and Amended.

11 Miss McKinley, please?

12 MR. CHEWCASKIE: Okay.

13 Mr. Vallejo and Mayor, Miss Capizzi, --

14 MAYOR STACK: Just if you could keep your
15 voice up, Brian, because there's --

16 MR. CHEWCASKIE: Okay.

17 MAYOR STACK: -- some type of a, --

18 MR. CHEWCASKIE: Yeah, there's --

19 MAYOR STACK: -- I guess, --

20 MR. CHEWCASKIE: -- there's the hum.

21 MAYOR STACK: -- the air conditioning
22 system.

23 MR. CHEWCASKIE: I'm sorry.

24 Mr. Vallejo previously provided to me the
25 information regarding the notice for this Master

1 Plan Amendment.

2 There was a draft amendment received.
3 Appropriate notice has been provided to all the
4 surrounding communities. Notice also to the
5 Hudson County Planning Board and to the State
6 Planning Office.

7 Also, the Special Meeting notice was
8 published appropriately. We have proofs of all
9 the notices here. So it is appropriate for the
10 Board to consider the Master Plan Amendment this
11 evening.

12 You have two amendments.

13 One is a Master Plan Reexamination Report,
14 prepared by Heyer, Gruel Associates, dated April
15 21st, 2021; and a Land Use Element Update and
16 Amendment, dated April 21st, 2021.

17 Those reports were on file with the City
18 Clerk's Office and Mr. Vallejo and also available
19 for inspection.

20 Board members have received copies of those
21 reports. And we have McKinley Mertz with us this
22 evening on behalf of Heyer, Gruel to address both
23 reports.

24 And that's where we are at.

25 So, Miss Mertz?

1 MS. DILLON: Mr. Chewcaskie, do you want --

2 MAYOR STACK: McKinley, if you could just
3 keep your voice up when you --

4 MR. CHEWCASKIE: Yes.

5 MAYOR STACK: -- speak.
6 I appreciate that.

7 MR. CHEWCASKIE: And, McKinley, we're going
8 to swear you in for the record.

9 MS. DILLON: 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. MERTZ: I do.

13 MS. DILLON: Please state your name for the
14 record.

15 MS. MERTZ: McKinley Mertz, M-E-R-T-Z.

16 MS. DILLON: Thank you.

17 MR. CHEWCASKIE: And just before you start,
18 McKinley, we'll mark the Master Plan Exam--
19 Reexamination Report as A-1 and the Land Use
20 Element Update and Amendment as A-2.

21

22 (Whereupon, Master Plan Reexamination
23 Report, Prepared by Heyer, Gruel & Associates,
24 dated April 21, 2021, was received and marked as
25 Exhibit A-1.)

1
2 (Whereupon, Land Use Element Update and
3 Amendment, Prepared by Heyer, Gruel & Associates,
4 dated April 21, 2021, was received and marked as
5 Exhibit A-2.)

6
7 MS. MERTZ: All right.

8 Thank you.

9 And I will try to keep my voice up,
10 although I've been told I'm not very loud. So,
11 let me know if you really can't hear what I'm
12 saying.

13 As was introduced, our office has prepared
14 a Reexamination Report and a Land Use Element. I
15 will speak to the Reexamination Report first;
16 followed by the Land Use Element.

17 As this Board remembers, I was here in
18 front of you a few years ago. It was -- we've
19 had a whole pandemic since the last time I was
20 here. So it's a pleasure to see you all and
21 healthy and here. So, it's great to -- to see
22 everybody again.

23 Since the last Master Plan Reexamination
24 Report, if you also remember, the City adopted a
25 comprehensive amendment to its Zoning Ordinance.

1 And in that new Zoning Ordinance several new bulk
2 standards and regulations were implemented that
3 had been discussed in that Land Use Element --
4 I'm sorry -- in that Reexamination Report.

5 That was almost two years ago that that new
6 Zoning Ordinance was adopted. And since that
7 time the City has had experience with how that
8 Zoning Ordinance has been implemented in front of
9 -- applications have been presented in front of
10 this Board and -- and I believe the Zoning Board
11 as well.

12 So, we've had some experience with what's
13 happened there.

14 Zoning ordinances are living documents and
15 the great thing about them is we -- we can always
16 amend them if something's not working or tweak
17 them.

18 So when it was brought to our attention
19 that that ordinance might not have been working
20 in the full way it was intended to, a
21 Reorganization Report and a Land Use Element were
22 the best course of action to determine what we
23 can change and how we can make it better.

24 So, if you remember, a Land Use -- I'm
25 sorry -- a Master Plan Element reexamines goals

1 and objectives of previous master plans and
2 whether or not those goals and objectives
3 continue to be valid.

4 This Master Plan Reexamination Report went
5 through the goals and objectives from both the
6 2009 Comprehensive Master Plan that was adopted,
7 as well as the 2019 Reexamination Report that was
8 adopted.

9 The 2021 Reexam also goes through all of
10 the changes that have been experienced at the
11 County level and the State level, touching on the
12 bigger items, such as the COVID Permit Extension
13 Act, as well as changes to the Local
14 Redevelopment and Housing Law.

15 What the -- the Reexamination Report that's
16 in front of you concludes is that the previous
17 goals and objectives from the old Reexamination
18 Report, those continue to remain valid. However,
19 there are ways to enhance them and -- and bring
20 them up to even more current standards based on
21 what the community is experiencing.

22 The Section D of the Reexamination Report
23 is what I like to consider kind of the meat of
24 these reports, where we look at new goals and
25 objectives and recommendations that are designed

1 to help further the community's vision, the
2 City's vision for the future.

3 So as I said before, the 2019 Land
4 Development Ordinance that had previously been
5 adopted and reviewed by this Board, once
6 implemented, there were a few -- I'll say -- I'll
7 say issues that came up in the implementation.

8 Parking in Union City remains a very
9 crucial issue. And while the City has attempted
10 and has made very, very forward outlooking
11 efforts to bring in multimodal transportation
12 options to the City, it just hasn't come to Union
13 City the way it has in some other of New Jersey's
14 urban areas.

15 So your residents and your business owners
16 are still very much dependent on their cars. And
17 being able to park their cars in their home is --
18 is critical for their -- for their happiness and
19 survival within the City.

20 The 2019 Land Development Ordinance
21 provided new standards for three family
22 development, as we were seeing increased demands
23 for this higher level of densification on these
24 smaller residential lots.

25 Those three family dwellings, the bulk

1 standards that were associated with them, were
2 intended to allow for two cars per unit parked
3 on-site in ground floor parking.

4 And, in theory, it was practical and it
5 made sense and we had many, many, many
6 conversations with the City's Building Department
7 who showed us examples of where this had worked.
8 But, when it was implemented across -- citywide
9 across the board, it wasn't being implemented
10 perfectly everywhere.

11 And what the Building Department and the
12 City have found is the actual implementation of
13 that three units/six parking spaces on the ground
14 floor is not realistically being parked.

15 Neighbors maybe aren't necessarily working
16 together or people have larger cars. It's --
17 it's not fitting in the ground floor and the
18 City's infrastructure is limited to be able to
19 handle any overflow parking if someone were to
20 come home, not be able to park, look for a space
21 on the street. There's just not extra
22 infrastructure to support that.

23 So what we're seeing is even though the
24 standards were designed to support six cars on
25 the ground floor, in reality that's just not

1 | what's being parked there.

2 | So the -- the problem has not been solved
3 | by the 2019 Land Development Ordinance. Because
4 | of that we are recommending three new goals and
5 | objectives to be added to -- to the City's list
6 | in -- for furthering the vision for the future.

7 | Those are -- the first one is to maintain
8 | the established historical residential densities
9 | and encourage the preservation of the City's
10 | older housing stock.

11 | And a lot of what that goal is rooted in is
12 | these newer three family buildings that are
13 | coming in, they're demolishing single and two
14 | family buildings to build the three family
15 | buildings because they know that they can build
16 | that and they're going to want to build the
17 | highest density that they're permitted.

18 | So the City is losing some of its older
19 | housing stock and it's not being replaced with
20 | homes of the same -- the same character as the
21 | neighborhood around it.

22 | Now part of that is because the ordinance
23 | allowed for higher -- higher stories and height
24 | and a larger massing, so what's being built is
25 | not fitting in with -- with the older homes.

1 The second goal that we're recommending to
2 be added is to provide for appropriate bulk
3 standards and densities that do not overburden
4 the City's smaller residential lots.

5 And, again, this speaks into what I was
6 speaking about before where the -- the bulk that
7 was allowed previously is just proving to be too
8 much for the site without accomplishing the goal
9 of parking everybody onsite.

10 So you're getting large buildings but
11 people can't park in them the way they were
12 designed for. Or -- or they're not parking in
13 them the way they were designed for.

14 And the third goal that we're proposing to
15 add is to ensure that future development can meet
16 parking demands and requirements onsite so that
17 future development does not result in overflow
18 parking onto the City streets, thereby
19 compounding the City's parking problems.

20 So those three new goals and objectives are
21 in direct response to everything I've been
22 talking about just -- just now.

23 So with that -- with our reexamination of
24 what's been happening, now -- again, now that
25 we've had almost two years to see how this

1 ordinance plays out and see that it -- it is, in
2 fact, not resulting in the outcomes we had
3 envisioned when we wrote the 2019 Reexam and the
4 2019 Ordinance, we are therefore recommending
5 that the City reconsider some of the standards
6 within the 2019 Ordinance.

7 And do that through updating the goals and
8 objectives as I previously listed -- the three
9 new ones, as well as addressing the trend of --
10 of this increased development on these smaller
11 lots through providing more limited bulk
12 standards. So, bringing -- bringing the size of
13 the buildings down.

14 And doing that through bulk changes that
15 would minimalize -- minimize the height to three
16 stories, as opposed to four.

17 Reducing --

18 I'm sorry.

19 Increasing the rear yard setback from five
20 feet to 20 feet.

21 And increasing the front yard setback so
22 that a minimum has been established. Previously
23 it was ten feet or prevailing. But if the
24 prevailing was zero feet, then I think a lot of
25 times developers were making the argument that it

1 was zero feet, even maybe if it wasn't entirely
2 true across the board.

3 So now there will be a minimum in place to
4 make sure that that front setback is there to
5 pull the buildings away from the street and
6 create more of a pedestrian friendly street
7 frontage, sidewalk.

8 Some of the sidewalks in Union City, while
9 a lot of them have been replaced, some are very
10 narrow still. So when you have a 45 foot
11 building up against a six foot wide sidewalk, you
12 start to feel this building wall encroaching in.

13 So, developing standards to -- to keep that
14 from happening and keep -- keep going with the
15 City's initiatives to make the streets more
16 pedestrian friendly by bringing the massing away
17 from the right-of-way.

18 Additionally, -- so what -- what those --
19 those items will do, reduce -- also reducing the
20 lot coverage. What those will do is -- is allow
21 for development for two family homes on these
22 sites that can absolutely park four cars in a
23 ground floor garage because they will have a
24 considerable amount of space. And for two units,
25 each unit gets a tandem space.

1 I've -- I've lived in a residential
2 situation where that was the case and it -- it
3 works -- it works very well in that situation.
4 You won't be competing with two other units, just
5 the one. And two family homes are a much more
6 proven building model for this type of ground
7 floor parking.

8 And we have experience knowing that that
9 parking will work better, allowing residents to
10 bring their cars off the street, providing them
11 with parking for their home. So that they don't
12 come home from work and they're not searching for
13 parking and taking over available street parking.

14 So those -- those are recommended changes
15 to the Zoning Ordinance.

16 The Reexam Report recommends implementing
17 those changes through a Land Use Element Update.
18 Given that these are substantial changes, a Land
19 Use Element Update to your Master Plan was
20 appropriate so that we could take a little more
21 time to evaluate the -- the different land uses
22 and how the City has changed in terms of building
23 -- building trends and densities over -- since
24 the last Land Use Element was adopted in 2009.

25 And that -- that we will be hearing later

1 today.

2 What -- what we have not prepared for today
3 but that we still think would be appropriate for
4 the City to do moving forward, given these
5 ongoing issues of available infrastructure and
6 parking, is to prepare a circulation element that
7 includes a larger parking study.

8 So the City has a better idea of where
9 they're parking -- their public parking is;
10 really what's happening on the streets. And then
11 providing an appropriate course of action for
12 those problems.

13 Again, we're just focusing on the
14 residential lots today but the circulation
15 element and the parking study, we recommend, to
16 help the City get a better understanding of
17 what's happening, as well as where truck traffic
18 is going, bus routes, how people are moving
19 through the City.

20 That could be beneficial in the future.

21 Additionally, this Reexamination Report
22 recommends the preparation down the line of an
23 economic develop plan.

24 The recent trends with COVID have just
25 thrown the market into a complete spiral and

1 haywire and it's -- it's a very unprecedented
2 time.

3 So, we recommend the City taking a look at
4 all of how that has impacted its residents and
5 its business owners through an economic
6 development plan in the future.

7 Additionally, another -- one of the changes
8 to the MLUL that happened since the last
9 Reexamination Report was to provide
10 recommendations regarding electric vehicle
11 charging stations.

12 So that is now -- we have provided a
13 recommendation that they should be -- electric
14 vehicle charging stations should be allowed as
15 accessory uses in your commercial neighborhood,
16 commercial zone, as well as the public -- public
17 zoning district, and the multiple use district.

18 And that would -- that would -- that
19 satisfies the new MLUL requirements. And what
20 that is based in is an attempt to -- sort of
21 bring cities into the more sustainable 2020 and
22 on future to prepare for the eventuality when
23 maybe gas cars aren't around as -- as much.

24 So, with that, that's the summary of the
25 Reexamination Report and what it proposes to do.

1 And I'm happy to take any questions or, if
2 you couldn't hear something I said -- because it
3 is quite loud in here and I'm kind of soft-
4 spoken, so do let me know if you want me to
5 repeat something.

6 MR. CHEWCASKIE: All right.

7 Why don't you move on to A-2 because it
8 sort of segues after A-1. Gives that -- that
9 those recommendations were -- or some of those
10 recommendations were implemented by A-2.

11 The Land Use --

12 MS. MERTZ: I'm sorry, Brian, I -- I really
13 can't hear you.

14 MR. CHEWCASKIE: The Land Use Element
15 Update.

16 MS. MERTZ: Yes. Move onto that?

17 MR. CHEWCASKIE: If you'd move on to A-2
18 because the recommendations that were made in A-1
19 were incorporated here. And perhaps you can tell
20 the Board what those recommend-- well, how they
21 are addressed in A-2.

22 MS. MERTZ: Understood. Okay.

23 So I will move on to A-2, which is the Land
24 Use Elements.

25 So, what our -- what the Land Use Element

1 for the City does is, for one thing, it
2 essentially codifies those goals and objectives
3 that I listed -- those three new goals and
4 objectives that I listed earlier -- to become
5 part of the City's vision for the future.

6 It also evaluates into much further detail
7 the land use of the City, as well as the zoning.

8 There's been trends over the last several
9 decades, -- as I'm sure you're all aware, the
10 City used to have much more robust industrial
11 usage and industrial land area. That has all but
12 disappeared. We're down to, I believe it's 11 --
13 yes, 11.6 acres of industrial. So you're seeing
14 that use come down and commercial and residential
15 uses come up.

16 However, even though those uses are going
17 away, we're -- the City has almost no vacant
18 land. The only vacant land that you really see
19 are patches of infill lots, of small 25 by a
20 hundred foot lot here, or some of the more
21 environmentally constrained properties along the
22 Palisades that are very difficult to build on.

23 So it's important to remember that, as I'm
24 sure you all know very well, Union City is
25 extremely dense.

1 You've moved to the second densest city in
2 the United States but still, it's -- it's
3 extremely dense and there is not vacant land for
4 large development. All of the development you're
5 going to see is going to happen through infill
6 redevelopment or demolition of old buildings to
7 make way for new buildings.

8 So this Land Use Element goes into where
9 we're seeing that happen. It provides you with
10 the status of all of your redevelopment areas.

11 And one of the recommendations from the
12 2019 Reexamination Report that the 2021 report
13 carried forward, was to reevaluate some of your
14 older redevelopment areas.

15 A few of them have been realized and
16 developed but some of them still remain stagnant.
17 So it is -- we do recommend revisiting those to
18 see if there's another use that would be more
19 appropriate or different standards to spur
20 development in those locations.

21 Another component of the Land Use Element
22 is a new component, the Climate Change
23 Vulnerability Assessment. That is so recent it
24 was only signed into law in February of this
25 year.

1 So that is now required for every
2 municipality in the State who develops a Land Use
3 Element; you now have to evaluate your climate
4 vulnerability, moving forward again in an attempt
5 to help municipalities become more aware of -- of
6 climate change and the impacts it could have on
7 your residents.

8 Union City is lucky. You are elevated
9 substantially above the Hudson River.

10 Through our analysis we found that the --
11 the flooding that occurs here is based on -- it's
12 -- it's something called urban flooding. It just
13 means when you get a really, really big
14 rainstorm, wherever that rainstorm is focused,
15 your infrastructure isn't quite capable of
16 absorbing it all in that very quick amount of
17 time. But over time it does end up draining.

18 You are not susceptible to sea level rise
19 or major flooding from the Hudson River because
20 you are so elevated above it.

21 The City does have some risk to extreme
22 temperatures, as I'm sure you've experienced.
23 Our winters seem to be getting more all over the
24 place; either really, really cold or kind of
25 mild. Same with the heatwaves in the summertime

1 | can be extremely dangerous.

2 | So, those are more the vulnerabilities that
3 | -- that the City is -- needs to be aware of.

4 | Flooding and sea level rise is not putting
5 | your residents or business owners at risk.

6 | The build-out analysis trend is another
7 | component of the -- of the Climate Change
8 | Assessment.

9 | Again, this -- the City has no -- pretty
10 | much no vacant land. So with all of -- with the
11 | vacant land that you do have, plus there's a
12 | developable lot in the resident-- I'm sorry --
13 | the Roosevelt Stadium Redevelopment Area.

14 | We estimate, based on existing densities,
15 | that just with the development of vacant lands,
16 | the City could see about 340 units. Which for a
17 | city as dense as you guys, that's pretty much
18 | nothing. But there's just, again, no developable
19 | land left.

20 | So that is -- that is really the bulk of
21 | the Climate Change Assessment.

22 | We do run through all of your facilities in
23 | terms of where your fire stations are;
24 | potentially emergency shelters that the City used
25 | during Sandy when you lost power. That is all

1 included in here. And that does satisfy your
2 requirement with the State to review your
3 vulnerability.

4 So with that we are at the Land Use
5 recommendation section, which as -- as Mr.
6 Chewcaskie had said, this implements the
7 recommendation in the Reexamination Report to
8 provide additional standards to help regulate the
9 massing of these new structures and -- and make
10 sure that residents can actually park in their --
11 in their parking lot -- or, sorry -- in their
12 garage on their ground floor.

13 So much of the narrative in this runs
14 through the same components that I had previously
15 spoken about, making sure that your community is
16 not overburdened in terms of the infrastructure
17 and -- and the parking that's available.
18 Allowing residents to be able to park in their --
19 in their garages.

20 So, the proposal -- the proposed amendment
21 to the Land Use Element, which is expressed in
22 a --

23 I'm sorry.

24 The proposed amendment to the Development
25 Ordinance, which is expressed in more detail in

1 the Land Use Element involves eliminating the
2 three family dwellings as a permitted use.

3 Since these are clearly not -- they're --
4 they're overburdening the sites. The amount of
5 massing and parking that they need to be
6 supported, just does not fit on the 25 by a
7 hundred foot lot.

8 If there were additional parking facilities
9 that residents could rely on, then that would be
10 different, but there -- there just aren't. And
11 we're seeing residents end up driving around on
12 streets looking for parking.

13 So by eliminating them, the two family or
14 single family homes could appropriately park
15 their residents onsite really without problem.

16 By doing that, that would reduce the height
17 of these new buildings from four stories and 45
18 feet to three stories and 38 feet. So, again,
19 bringing down that massing that's -- that's
20 creating these street walls.

21 Parking can still be provided on the ground
22 floor and there's ample room for four cars
23 instead of six.

24 What this also does is it reduced the
25 building coverage that was previously at 90

1 percent; reduces it down to 65 percent. And this
2 still allows for a fairly decent sized footprint.
3 You could still fit a very nice sized three
4 family bedroom in a footprint that would fit on
5 this lot.

6 So, it's not -- it's not reducing -- and
7 that is one of the goals of the City is to allow
8 for three bedroom units. So it's not prohibiting
9 that from happening.

10 What it also does is -- is it changes the
11 setbacks. I had spoken previously to -- we're
12 trying to work with that front setback so that
13 building no longer push directly up to that zero
14 foot setback line.

15 So what it does now is there's an absolute
16 -- you can meet the -- it can be seven feet or
17 prevailing, whichever is greater but in no
18 instance shall you be less than seven feet to the
19 right-of-way line.

20 So no matter what, you're ensured that
21 these buildings are going to be at least seven
22 feet back. But if the prevailing setback --

23 And when I say prevailing, I mean within a
24 hundred feet in each direction on the same side
25 of the street.

1 If the prevailing set back is -- is ten
2 feet or 11 feet, that's what they -- they will
3 have to meet. Whichever standard is greater.

4 The rear yard setback will be increased to
5 20 feet, so that will help pull the buildings
6 away from their rear neighbors and, again, allow
7 for people to actually have a little bit more of
8 a backyard.

9 Previously, the -- the standard was five
10 feet and it was really just enough for HVAC
11 units. Because they needed to fit six cars on
12 the ground floor so it had to be five feet. But
13 now with it being 20 feet, there is room for
14 people to use their yards and increase the
15 impervious -- increase the pervious coverage,
16 which will help with stormwater rain -- drain.

17 And, again, these parking configurations
18 for the ground floor will be able to park four
19 cars. It will still be able to fit three --
20 three bedroom units.

21 So, essentially, what we have at the end of
22 this Land Use Element is a new proposed
23 residential bulk standards charge.

24 That -- that really just goes through
25 everything I just said right there. And you can

1 | see what's underlined is -- is what is proposed
2 | to change from what's existing.

3 | So, again, all of those are proposals to
4 | the Land Use Ordinance that are intended to help
5 | with the massing and the parking problems that
6 | have been associated with the recently
7 | constructed three family units that are proving
8 | not to be efficient on these -- on these sites.

9 | MAYOR STACK: Thank you very much.

10 | MR. CHEWCASKIE: All right.

11 | MAYOR STACK: Thank you.

12 | MR. CHEWCASKIE: Thank you, McKinley.

13 | What the -- what the Board has are the two
14 | documents. I'm sure you reviewed them.

15 | These documents are to implement certain
16 | changes that have come to the attention of the
17 | City and the Climate section is a requirement by
18 | statute today.

19 | There will be additional studies to
20 | determine appropriate neighborhoods for other
21 | types of uses, along with the circulation that
22 | Miss Mertz discussed.

23 | So, it would be appropriate, Mayor, at this
24 | time for any Board questions --

25 | MAYOR STACK: Sure.

1 MR. CHEWCASKIE: -- and then also, too,
2 open to the public after that.

3 MAYOR STACK: Sure.

4 First, I'd just like to thank the Board
5 members for being here this evening and holding
6 our meetings in person and not by virtual.

7 I thank the members of the public that are
8 here.

9 And, McKinley, thank you for providing an
10 excellent report to the Board.

11 We appreciate that.

12 Does any Board members have any questions
13 at this time of so far what's been said by
14 McKinley?

15 Any members of the public have any
16 questions at this time?

17 Please step forward. State your name and
18 address for the record.

19 Anyone with any questions?

20 MR. PRICE: Is this questions or comments?

21 MAYOR STACK: Either/or.

22 MR. PRICE: Either one?

23 MS. DILLON: Please raise your right hand.

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

1 MR. PRICE: I do.

2 Larry Price, --

3 MS. DILLON: State your name and address
4 for the record.

5 State your name and address for the record.

6 MR. PRICE: Larry Price, 1006 Palisade
7 Avenue.

8 For the record, I have not heard a word so
9 far. I heard nothing from Ms. Mertz. You know
10 she's 20 feet away, her back is turned to me,
11 there's no amplification, and there's a heavy
12 noise in the background.

13 I would like to make two comments regarding
14 from her notes.

15 She makes two assertions about the two
16 family --

17 We could --

18 Are you recording okay?

19 MS. DILLON: Yes.

20 MR. PRICE: Okay.

21 MS. DILLON: Just keep your voice up.

22 MR. PRICE: She makes two assertions about
23 the two family house.

24 One, that it's a big enough floor plan to
25 provide for three bedrooms. That's a stretch.

1 The footprint of the apartments will be
2 approximately 1150 feet, if they conform to the
3 site, by whatever.

4 Eleven hundred and fifty feet you could get
5 three bedrooms in but you have to squeeze them.
6 They'll be small and they will be smaller than
7 what the Board's have encouraged developers to
8 do.

9 So, --

10 And -- and that people are comfortable
11 with.

12 So the likelihood is they're going to be
13 two bedroom units, not three bedroom.

14 She also asserts that you can park four
15 cars in the ground floor. That, again, is very
16 much a stretch. Because that means tandem
17 parking. And we know from experience with the
18 three family houses people won't do that.
19 They'll park three cars there and then they'll
20 put the other cars on the street.

21 So, there'll be either two cars or three,
22 depending on the layout that the architect has
23 arranged. But there will never be four cars in
24 that basement.

25 Okay.

1 MAYOR STACK: How -- how do you figure that
2 though, Mr. Price?

3 How do you figure that?

4 Because let's say the first floor occupies
5 the right side of the parking and the second
6 floor occupies -- or the left and the right.

7 How do you figure there wouldn't be four?

8 MR. PRICE: Well then you have tandem
9 parking.

10 MAYOR STACK: Yeah, tandem parking if they
11 did it that way.

12 MR. PRICE: People -- people won't do
13 tandem parking.

14 Walk around and look at the three -- the
15 four story three family houses that we've built
16 at night and look at them. We can say that they
17 can park six cars in there if they use tandem
18 parking.

19 Well then point of fact, if you go around
20 at night and look and see how many cars -- it's
21 always three.

22 Why three?

23 Because with three cars everybody has an
24 independent access to their vehicle. They don't
25 have to move anybody.

1 You can have four against the wall; one on
2 the side. Everybody's got access to their own
3 car. They don't have to bother anybody.

4 And that's what they do. You will not see,
5 in these three family houses, four or five cars
6 parked there or six. It just doesn't happen.
7 People won't do it.

8 MAYOR STACK: Well, --

9 MR. PRICE: They want access to the -- they
10 don't want to have to bother their neighbor.

11 MAYOR STACK: What -- what are you
12 recommending? That we only go with one family
13 houses?

14 MR. PRICE: No, no.

15 MAYOR STACK: No, I'm just --

16 MR. PRICE: No.

17 MAYOR STACK: -- I'm just wondering.

18 MR. PRICE: No, look, two family's better
19 than three.

20 MAYOR STACK: Okay.

21 MR. PRICE: But I do have a suggestion
22 but I said three years ago, three families don't
23 work. They don't work. And they don't work in
24 large major because of the parking. They just --
25 they're just -- they're a scourge on the

1 neighborhood and that's what we found out.

2 Okay?

3 Two families --

4 MAYOR STACK: That's why --

5 MR. PRICE: -- are not a pana--

6 MAYOR STACK: -- that's why we're trying --
7 we're trying our best to correct it.

8 MR. PRICE: Say again, please?

9 MAYOR STACK: We're trying to correct it.

10 MR. PRICE: Yes.

11 This is -- two families are better than
12 three but two -- two families are not a panacea
13 is what I'm saying.

14 Okay.

15 What is the panacea?

16 I'll make the pitch that I made three years
17 ago to no avail but I'll make it again.

18 One of the things that I've learned -- and
19 I think everybody -- all the professionals I've
20 -- you know, in land development will tell you is
21 the bigger the site, the more efficient it is.

22 Okay.

23 If you have a 25 by a hundred size, you're
24 lucky to get two families on there and make it
25 work.

1 But if you have twice that, 5,000 square
2 feet, you could put three units comfortably.

3 And if you have four times that, 10,000
4 square feet -- four lots, you could put a multi-
5 family on there that will comfortably take 15
6 units and provide more than adequate parking.

7 So, my suggestion then and what -- was that
8 we ought to escalate the privilege depending on
9 the size of the lot.

10 MAYOR STACK: Yeah, but that's -- that's
11 the type of thing that I think most of this Board
12 is trying to prevent.

13 We don't want to change the look of the
14 neighborhoods. We don't want to push people out
15 of the City where you have developers coming to
16 them and saying, well I own this lot, so now I'm
17 attempting to buy these three lots and get these
18 families out of here.

19 We want to keep the families that are
20 living here in the City. We don't want to force
21 them out with multi-family structures coming in
22 as an incentive to developers to buy the next
23 lot, the next lot, and the next lot, --

24 MR. PRICE: Well, --

25 MAYOR STACK: -- and push the people that

1 have been living here forever.

2 MR. PRICE: I -- I think that's a straw
3 man. Because --

4 MAYOR STACK: Well, I -- I've seen it
5 happen.

6 MR. PRICE: -- I know -- I know developers.
7 Developers have to be careful about their land
8 costs. So, in fact, yes, they may be buying one
9 and two family house but what are they? They're
10 the crummy one and two family houses that they
11 can buy cheap. They're not going to buy a top of
12 the line, established house because it's too
13 expensive.

14 By the way, we're not going to get that
15 many multi-families if we adopted it. But I'm
16 saying if you got -- if you got four lots and ten
17 -- you've got nice setbacks, you've got good
18 parking access, whatever --

19 My example on this continues to be 801
20 Palisade Avenue.

21 Well, 18 units, great building, good
22 setbacks; 15 feet on the side, ten feet in the
23 front, 25 feet in the back. It -- it does not,
24 you know, dominate its neighbors the way these
25 new three families do. It's a welcome addition

1 to the neighborhood.

2 MAYOR STACK: But that was a welcome
3 addition because it was a factory at one time.

4 MR. PRICE: Correct.

5 MAYOR STACK: It was Weider's factory at
6 one time.

7 MR. PRICE: Correct.

8 And it was, thanks to Mr. Chewcaskie and
9 his industrial redevelopment to -- it slid in.
10 Of course, that died since then.

11 But, yes. But that's what a developer
12 does. A developer doesn't buy nice new houses
13 and tear them down to put up a multi-family. He
14 buys crummy stuff.

15 MAYOR STACK: You had nice -- you had --

16 MR. PRICE: And you're better off that they
17 do it.

18 MAYOR STACK: You had nice houses on
19 Mountain Road and --

20 CHAIRPERSON CAPIZZI: Um-hum.

21 MAYOR STACK: -- Manhattan Avenue and he
22 bought them. He paid a million five for a two
23 family house.

24 CHAIRPERSON CAPIZZI: Um-hum.

25 MAYOR STACK: Brick two family house, he

1 | paid a million five for one of them.

2 | CHAIRPERSON CAPIZZI: Um-hum.

3 | MAYOR STACK: Paid \$30 million for the
4 | property; 16th and Mountain Road; 14 to 16
5 | Mountain Road/Manhattan Avenue, paid over 30
6 | million for that property.

7 | MR. PRICE: Forty-two --

8 | MAYOR STACK: How do you think --

9 | MR. PRICE: Forty-two million --

10 | MAYOR STACK: -- how do you think that
11 | number --

12 | MR. PRICE: -- to be --

13 | MAYOR STACK: -- came up to 30 million?

14 | MR. PRICE: Forty-two million.

15 | MAYOR STACK: Paid big money for nice
16 | houses that were there. Beautiful apartment
17 | building. Took so many families out of the
18 | apartment building, displaced them out of Union
19 | City, and bought the families out. That's not
20 | what we want.

21 | We want it when those families move, --

22 | MR. PRICE: Well, --

23 | MAYOR STACK: -- another family can move
24 | in.

25 | MR. PRICE: But since --

1 MAYOR STACK: I'm not --

2 MR. PRICE: -- since I --

3 MAYOR STACK: -- looking for Union City
4 to --

5 MR. PRICE: -- since I was --

6 MAYOR STACK: -- become Hoboken.

7 MR. PRICE: -- in the litigation on that
8 property for a very long time, a couple of the
9 things that you say are not really correct.

10 The developer who owns it now, who paid \$42
11 million and, you know, -- whatever, did not buy
12 it from families. He bought it from other
13 developers.

14 MAYOR STACK: I'm not sure how he bought
15 it. But I can tell you what some people -- what
16 some people were paid to move out of there.

17 It's --

18 MR. PRICE: But not by the guy who owns it
19 now. They --

20 MAYOR STACK: I --

21 MR. PRICE: -- they were paid --

22 MAYOR STACK: I don't know. That -- the --
23 that's not the point though. Whether the guy
24 that bought it now or another guy before him paid
25 that, the fact is the fact, they paid a lot of

1 money for a two family, three family house to
2 gest the people out, --

3 MR. PRICE: Yes.

4 MAYOR STACK: -- because he thought he was
5 going to come in and build a high-rise on that
6 property. Or whatever they thought at the time.

7 MR. PRICE: Yes.

8 MAYOR STACK: Who knows.

9 MR. PRICE: Yes. Yes.

10 But that -- that is a --

11 Well, at this point he's allowed the
12 property to deteriorate so badly that any
13 construction would probably be welcome. Because,
14 you know, the people in the neighborhood are
15 tired of looking at an eyesore. They've been
16 looking at an eyesore for 15 years. And that's
17 what develop--

18 The point I'm making is that developers
19 don't buy gleaming new properties, tear them
20 down. This isn't, you know, Los Angeles or New
21 York. They buy crummy old stuff because it's
22 cheap. They need to buy cheap. That's the
23 nature of the economics.

24 Okay.

25 Allow me to make a --

1 Anyways, all I'm saying is --

2 By the way, there are a lot of advantages
3 to multi-families.

4 Okay?

5 One of which is one of our goals in,
6 whatever, is to provide a variety of housing for
7 all members of the community.

8 Well, we're building these two families,
9 you have a choice between a two bedroom unit and
10 a three bedroom unit. They'll be no -- no -- no
11 studios, no single whatever -- whatever. Those
12 only come in multi-families.

13 If we're going to provide for single people
14 in this neighborhood or this town, it's going to
15 be in multi-family units. It's not going to be
16 in two family units.

17 You know -- you know 23 year old college
18 graduates --

19 MAYOR STACK: But --

20 MR. PRICE: -- don't --

21 MAYOR STACK: -- but you're looking for a
22 variety of -- of housing units in a two family?

23 MR. PRICE: I'm looking for --

24 MAYOR STACK: Are you looking for --

25 MR. PRICE: -- a variety --

1 MAYOR STACK: -- a variety --

2 MR. PRICE: -- of housing --

3 MAYOR STACK: -- of housing units in a two
4 family?

5 MR. PRICE: -- in multi-family.

6 MAYOR STACK: I'm sorry?

7 MR. PRICE: Not in a two family. A two
8 family you won't get variety. There'll be two
9 bedroom units and three bedroom --

10 MAYOR STACK: I mean --

11 MR. PRICE: A one bedroom or a studio only
12 is going to exist in multi-family units.

13 That -- that's one of our goals.

14 MAYOR STACK: Well, Mr. Price, --

15 MR. PRICE: We can't meet that goal
16 without --

17 MAYOR STACK: But I got to disagree with
18 you on something.

19 I haven't seen many of the buildings that
20 have gone up in the City, multi-family buildings,
21 building studios. You haven't seen that.

22 I haven't seen them building many -- maybe
23 two bedrooms. Beyond that, you're lucky if you
24 can get three bedrooms in many of the multi-
25 family units that have gone up in the City.

1 I -- I look at that all the time. There's
2 not a lot of them in the City.

3 You might see one bedrooms, yeah.

4 MR. PRICE: One bedroom --

5 MAYOR STACK: You won't see many studios.

6 The days of like 1100-1104, where you have
7 40 studios, 22 two bedrooms, 20 one bedrooms,
8 those days are just not happening anymore with
9 developers.

10 Developers want to maximize the bottom
11 line, which is what the profit they're going to
12 make off. And that's what we've seen happening.

13 Occupying 95 percent of a space with a box.

14 MR. PRICE: That's --

15 MAYOR STACK: You know, you see it in Union
16 City, --

17 MR. PRICE: That's a --

18 MAYOR STACK: -- you see it in --

19 MR. PRICE: -- they've enjoyed --

20 MAYOR STACK: -- Jersey City Heights.

21 MR. PRICE: -- and they shouldn't --

22 MAYOR STACK: I don't want that.

23 MR. PRICE: -- have been allowed to do it.

24 Yes, these things that just swell up over
25 the lot and overwhelm it -- and overwhelm the

1 neighborhood. But that's the result of the
2 failing of boards.

3 Not -- you know, a given is that a
4 developer's going to be greedy. That greed has
5 to be restrained by proper board conduct. That's
6 -- that's the solution.

7 Okay.

8 My -- all I'm saying is there will never be
9 a one bedroom unit or a studio in a two family.

10 Okay?

11 Unless -- and I come to my final point.

12 Until ten years ago the standard issue was
13 a two family house.

14 Okay.

15 Except that as we all know, the two family,
16 sort of over time, became a three family as they
17 slipped something behind the garage and whatever.

18 If you adopt this and make the two family
19 -- whatever -- understood, the ground floor will
20 be strictly, you know, utilities and parking,
21 unless it is policed vigorously, unless it is
22 policed more vigorously than it was in the past,
23 it's going to be a three family in due course.
24 Because that's what happened before.

25 And so that's why I'm saying the two family

1 | may not really be the solution --

2 | MAYOR STACK: Well, we'll have to enforce
3 | it like we do with the apartments that are not up
4 | to Code right now. We'll do the same thing; --

5 | MR. PRICE: I'm sorry, --

6 | MAYOR STACK: -- we'll enforce it.

7 | MR. PRICE: -- with the mask, --

8 | MAYOR STACK: It comes to enforcement.

9 | We'll have to do the same thing as we're
10 | doing now, when we find basement units in
11 | apartments that are not up to Code. It comes
12 | down to enforcement.

13 | It's like saying we'll put up the red light
14 | on this corner but people are going to go through
15 | the red light anyway. You have to do
16 | enforcement.

17 | MR. PRICE: Yes.

18 | MAYOR STACK: It's what it's going to come
19 | to.

20 | MR. PRICE: Well, but we know that, you
21 | know, it has to be steady enforcement over time.
22 | And we know that it didn't occur, you know, in
23 | the past.

24 | I mean the boards inherited a horrible
25 | problem, you know, 20 years ago when people kept

1 coming, I -- I got -- I got to have -- the
2 apartment's been there for 20 years, I need the
3 income to pay my mortgage, to pay my taxes. And
4 the boards kind of went along with it because
5 what else were you going to do.

6 But -- but the same temptation is going --

7 You know, you say, you know, developers are
8 greed-- are -- are tempted by money; homeowners
9 are tempted by money, too. And that's -- that's
10 the problem you face.

11 Okay.

12 One last problem.

13 This is the unintended --

14 MAYOR STACK: Hopefully, many of the people
15 -- hopefully, another goal, many of the people
16 that build a two family will owner-occupy that
17 two family. It would be nice if that happened
18 also.

19 I would think in most cases, if I'm
20 building a two family, I would say 80 percent, 70
21 percent of the time --

22 MR. PRICE: It --

23 MAYOR STACK: -- they're going to occupy
24 those homes.

25 MR. PRICE: I -- I would agree.

1 I think, as a -- that's -- I think a very
2 good estimate.

3 Because -- I put my security analyst's hat
4 on.

5 A two family house is a horrible real
6 estate investment. Nobody in their right mind
7 would do it as a -- you know, as an investment.

8 So, yes, to take a -- you know, 80 percent
9 of the time, you know, in fact, about 80 percent
10 of the time the owner's going to live in that
11 property.

12 In fact, there may not be any tenants. It
13 may be, you know, the parents live on the ground
14 floor and the kids live in the apartment
15 upstairs. So, --

16 MAYOR STACK: And maybe you'll have
17 somebody who paints the front of the property
18 when it needs to be painted; if there needs to be
19 a touch-up.

20 Plants, flowers in front of the property.

21 Maintains the garbage when it's being put
22 out.

23 Stores the garbage in a proper place.

24 Maybe you'll have some of that with a newer
25 development like we do with some of the older

1 houses --

2 MR. PRICE: But that --

3 MAYOR STACK: -- in the City.

4 MR. PRICE: -- that's, you know, -- in a
5 choice between a two family or owner-occupied
6 housing and a multi-family with a good -- with a
7 good janitor -- a good superintendent.

8 I don't think it's -- whatever --

9 You know, the -- the fact is, I don't think
10 that's a deciding factor between --

11 A well-maintained multi-family is going to
12 do all of those things and more, so, whatever.

13 One last consideration and this is the
14 unintended consequence.

15 I did a few projections. But if you have a
16 two family with two bedrooms, whatever, on
17 average probably six people will occupy that
18 house; three on each floor. You know, they'll be
19 some --

20 There'll be 17 houses like that, which
21 means the population density is about a hundred
22 people per acre.

23 We have 300 acres of residential usage in
24 Union City; 235 are 1, you know, R-1. A little
25 more in -- in the -- the larger -- larger units.

1 But in any case, 300 units.

2 So, the cap at a hundred units -- a hundred
3 people per acre, by 300 acres, that's 30,000
4 people.

5 Now, in addition to that 30,000 people,
6 you'll have people who live in the commercial
7 district, people who live in public housing. But
8 what I'm saying, today I guess we have 68,000
9 people in this --

10 I haven't seen the latest census but 68 --

11 What I'm saying is that you are going to be
12 reducing the density of the City.

13 It won't happen tomorrow. It won't happen
14 next year. But over time the pressure -- the
15 pressure has been to -- to elevate the density.
16 The pressure will now be to look --

17 But I would say your target population is
18 probably 45 to 50,000 people. It's a substantial
19 deduction.

20 I'm not a demographics expert but back of
21 the envelope, you're going --

22 That's what will happen.

23 I mean do you intend that that's what
24 should happen?

25 MAYOR STACK: That the population will go

1 down?

2 MR. PRICE: Yes. The population will go
3 down.

4 MAYOR STACK: I think that would take a
5 very, very, very, very long time for that to
6 happen.

7 MR. PRICE: Yes, it would.

8 MAYOR STACK: I'm 54 years old.

9 MR. PRICE: You and I wouldn't be here.

10 MAYOR STACK: I won't see it in my
11 lifetime.

12 MR. PRICE: Yeah. Nor -- nor -- nor in
13 mine.

14 MAYOR STACK: I won't see it.

15 My -- my issue isn't getting the population
16 down; it's also providing a level of housing that
17 people can afford.

18 So hopefully over time, it will get better
19 and better.

20 MR. PRICE: Affordable housing is a whole
21 different issue. My feeling is without -- all
22 the affordable housing we have now is, basically,
23 a government --

24 MAYOR STACK: Hopefully, --

25 MR. PRICE: -- action --

1 MAYOR STACK: -- hopefully, --

2 MR. PRICE: -- of some sort.

3 MAYORS TACK: -- we'll be able to build
4 more.

5 MR. PRICE: I mean, you know, just -- these
6 economics are going to change if this gets
7 adopted but --

8 For example, 910 Palisade Avenue.

9 Guy wants to put up a three family. Okay,
10 it's a nice site; it's over-sized at 31 feet by a
11 hundred and sixty, although the last 40 are
12 straight down.

13 MAYOR STACK: Take a look -- take a look at
14 9th Street. Take a look 9th Street.

15 Right?

16 We both have a friend who lives on 9th
17 Street named Libero Marotta.

18 Right?

19 MR. PRICE: Correct.

20 MAYOR STACK: You look at how nice those
21 homes are that are there. Where you have a front
22 yard setback. You have a rear yard setback. Two
23 families over a garage. This is something -- and
24 I should have listened to him; this is something
25 Libero told me to do years ago.

1 Believe me when I tell you, this is
2 something he told me to do long time ago. He
3 said you got to leave some rear yard setback, a
4 front yard setback. And it's something that's --

5 I just feel, Mr. Price, in my heart, it's
6 the right --

7 MR. PRICE: I --

8 MAYOR STACK: -- thing to do.

9 MR. PRICE: -- I agree with that.

10 MAYOR STACK: You know?

11 MR. PRICE: I agree with that.

12 Yeah, the -- the -- yes. But we -- we --
13 the issue is affordable housing.

14 Do you know how much Libero's house is
15 worth in today's market?

16 Probably 550, \$600,000.00.

17 MAYOR STACK: How much?

18 MR. PRICE: Five hundred and fifty to
19 \$600,000.00.

20 MAYOR STACK: Probably more.

21 MR. PRICE: Could be more.

22 MAYOR STACK: Maybe even more.

23 MR. PRICE: It could be more.

24 For two units.

25 I mean, you know, there's no way that you

1 squeeze affordable housing of that. That's --
2 and that's what you're going to be creating
3 elsewhere.

4 You're going to be creating \$600,000.00
5 houses with two units. Poor people need not
6 apply. This is -- this will not -- this will not
7 get you affordable housing.

8 And, in fact, where we do have affordable
9 housing it's multi-family and it's -- it's
10 government inspired. So, --

11 But this -- this will not do a thing for
12 ordinary people in terms of --

13 Okay.

14 So, I -- I -- you know, all I can say is,
15 you know, just as building, multi-family works.
16 There may be other reasons why you reject it but,
17 you know, it just works.

18 You'll -- the parking works better,
19 whatever.

20 That -- that's assuming it --

21 MAYOR STACK: Let the developers -- let the
22 developers of those buildings that they want to
23 put up, -- these multi-family buildings, let them
24 agree to a statewide rent control. So that when
25 the building gets built, the building falls under

1 rent control once the rents are set.

2 That's something I'm going to look into as
3 a legislator. Because exempting those large
4 buildings statewide from rent control, there's no
5 reason for it anymore. There's no reason for it.

6 That was done to spur development in
7 New Jersey and multi-family housing. It's not
8 even worth it anymore. And there's a lot of
9 interest in Trenton right now for that.

10 MR. PRICE: Well, but the -- but the
11 problem -- you know, we have nine million people
12 with 8,000 --

13 MAYOR STACK: See how many of them would be
14 agreeable to have some type of a rent control
15 ordinance on -- on these 10,000 square foot lots.
16 You'll see them run out the door.

17 They want to come in, build a building, --
18 even if it's not in the best condition, not all
19 of them but a lot of them. Even if it's not in
20 the best condition. We get stuck with the
21 product after it's done. Because we find out
22 stuff that's been done in the building by the --
23 by the contractors. That's probably some work
24 that's not up to par; not all but a lot of them.

25 And the City's dealt with dealing with

1 | them. You can't find that developer. They sell
2 | the building immediately. If they don't condo
3 | the building.

4 | That doesn't produce any sense of
5 | affordable housing in any sense of the word. Not
6 | that two families would. But that's not the
7 | solution also.

8 | That artificially raises the rents in
9 | neighborhoods. That does more damage -- the
10 | multi-family that's not under rent control does
11 | more damage to rent control in Union City and
12 | throughout this County than a two family house
13 | does.

14 | MR. PRICE: Why?

15 | MAYOR STACK: And that's a fact.

16 | MR. PRICE: Why?

17 | MAYOR STACK: Because it artificially
18 | raises the rents.

19 | That's when you have developers coming in
20 | trying to buy up tenements and convert them to
21 | condo. Trying to buy up tenements and knock them
22 | down. That's when you have them coming in and
23 | buying two, three lots in a row.

24 | Anybody that doesn't realize that, do you
25 | really know the market then?

1 That's what happens. It artificially
2 raises the rents in the neighborhood.

3 MR. PRICE: Well, --

4 MAYOR STACK: The landlord looks across the
5 street and says if they're getting 3,000 a month,
6 why am I getting a thousand or 1200?

7 That's what happens.

8 That's why we looked at legislation. When
9 I got the Bill I adopted for no further tenements
10 to be converted to condo in Union City. Because
11 the level of rent control we have, we wanted to
12 be able to afford affordable housing to people
13 who live here; not push them out of the City.

14 MR. PRICE: Okay.

15 Well, --

16 MAYOR STACK: Those multi-family raise the
17 rents in the neighborhood artificially. They do.

18 MR. PRICE: Okay.

19 MAYOR STACK: You look at any studies, you
20 talk to anybody who knows anything about
21 development, and they'll tell you that multi-
22 family housing, that's not governed by rent
23 control, artificially raises rents in those
24 areas.

25 MR. PRICE: Well, --

1 Okay. I -- I don't want to -- that's a --

2 As I said, if there's another issue that
3 would militate against multi-family housing, then
4 fine.

5 All I'm saying -- I'm just looking at the
6 very narrow perspective of what housing -- what
7 kind of housing works, you know, for Union City,
8 given our small size, our height density, and our
9 massive, you know, parking problem. You know.

10 And all I'm saying is that multi-family
11 eliminates many of those problems. Because
12 housing is more efficient the larger the site.
13 And --

14 MAYOR STACK: You do agree with us though.
15 Right?

16 The rear yard setback means a lot.

17 MR. PRICE: Oh, it absolutely does.

18 And I was -- you know, I --

19 By the way, I think a rear yard setback
20 means a lot, too, the way you were down to five
21 feet. What happened to backyards? I mean, come
22 on.

23 The -- the -- you know, the fact is that
24 these three families, you know, weren't three
25 family houses; they were mini apartment houses.

1 And they didn't work -- they didn't work for a
2 lot of reasons. And one was they were mini
3 apartments.

4 MAYOR STACK: Mr. Price, I got to tell you.

5 When I drive up Palisade Avenue in the
6 morning, which I do every morning around seven
7 o'clock, and I see what took place on 17th and
8 Palisade, it gives me agita even before I had my
9 coffee.

10 When you see the size of the structure that
11 went up, the rear yard setback on that structure,
12 is disgraceful.

13 MR. PRICE: Yup.

14 MAYOR STACK: Disgraceful.

15 MR. PRICE: I agree.

16 They're -- they lose the whole connotation
17 of --

18 MAYOR STACK: Yes.

19 MR. PRICE: -- being a family house.

20 MAYOR STACK: Yes.

21 MR. PRICE: There's no place to go in the
22 backyard.

23 MAYOR STACK: No.

24 MR. PRICE: There -- you don't have --

25 MAYOR STACK: And then you look --

1 Mr. Price, you look at 17 to 18 on Palisade
2 on the west side. And then you look -- and then
3 you look at 17 --

4 I'm sorry.

5 -- 18 to 19, which is on the front of this
6 cover, --

7 MR. PRICE: Yeah.

8 MAYOR STACK: -- and it's night and day to
9 what the City should look like.

10 You'll lose the whole entire beauty of
11 Union City by that type of construction.

12 And I -- me, personally, -- I can't speak
13 for the Board -- I've had enough of it.

14 CHAIRPERSON CAPIZZI: Me, too.

15 MR. CHEWCASKIE: I --

16 MAYOR STACK: I've had enough of it.

17 CHAIRPERSON CAPIZZI: I agree.

18 MR. CHEWCASKIE: I think, Mr. Price, your
19 -- your points are well taken.

20 MR. PRICE: I'm sorry?

21 MR. CHEWCASKIE: I think your points are
22 well taken. Except we seem to be heading off
23 topic.

24 MAYOR STACK: That was partly my fault
25 though, too.

1 MR. CHEWCASKIE: I'm not blaming -- I'm not
2 blaming you, Mayor. But I think, you know, from
3 what -- the way we began is that the focus was
4 limited here to various aspects of the Master
5 Plan.

6 There are other studies that need to be
7 done. And certain issues that you raised,
8 regarding multi-family and three family, will
9 probably be addressed somehow.

10 But right now it's not going to be blanket
11 throughout the City. And I think that's the
12 intention of what's happened here.

13 MR. PRICE: But you know there's a --
14 whatever -- the -- you -- you strike while the
15 iron is hot.

16 Okay?

17 I mean the fact is that changing a zoning
18 ordinance is, under normal circumstances, a very
19 laborious thing, which everybody avoids.

20 And it's only when it's -- when it's
21 amended in conjunction with a Master Plan
22 revision or a Reexamination Report that it
23 becomes easy and the notice requirements fall
24 away.

25 So, it's -- it's a -- it's an elaborate --

1 | whatever.

2 | So, we're doing -- we're doing a
3 | Reexamination Report and shortly, I assume, you
4 | know, the governing body will adopt, you know, a
5 | new Land Development Ordinance or Amendment to
6 | the Land Development Ordinance in accordance with
7 | what's said here. And then -- and then we're
8 | locked in it for a while.

9 | So, I'm saying well, okay but do you really
10 | want to be locked in to two family houses?

11 | If my --

12 | MR. CHEWCASKIE: I would just say stay
13 | tuned for future events.

14 | MR. PRICE: Okay.

15 | Can I quote you?

16 | MR. CHEWCASKIE: Thank you, Mr. Price.

17 | MR. PRICE: Thank you.

18 | MAYOR STACK: Thank you, Mr. Price.

19 | Thank you --

20 | MR. PRICE: Mr. Mayor, thank you.

21 | MAYOR STACK: -- for the dialogue.

22 | Thank you.

23 | Anyone else wishing to comment at this
24 | time?

25 | Manny?

1 Please step forward.

2 Just state your name and address for the
3 record, Manny.

4 MR. PEREIRAS: Thank you.

5 Manny Pereiras, P-E-R-E-I-R-A-S, 1116
6 Summit Avenue.

7 And I won't speak as a professional.

8 MS. DILLON: I have to swear you in.

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

11 MR. PEREIRAS: I do.

12 MS. DILLON: Thank you.

13 MR. PEREIRAS: Unfortunately, I heard less
14 than five percent of what Mr. Price was saying.
15 I think the acoustics are horrible. And I heard
16 absolutely nothing of what you said; I'm very
17 sorry.

18 MAYOR STACK: What about me?

19 MR. PEREIRAS: You I heard perfectly fine.

20 MAYOR STACK: So you're saying --

21 MR. PEREIRAS: Like I always do.

22 MAYOR STACK: -- I have a big mouth?

23 MR. PEREIRAS: What was that?

24 So I heard your response.

25 I'm -- I'm going to speak not as a

1 professional; as someone who truly loves this
2 City.

3 I think this is a step in the right
4 direction. I think we're moving it the right
5 way. And I -- I was able to look at this online,
6 so I'm -- I'm familiar with what was presented.
7 So I can speak to that.

8 My criticism -- and I hope it's a
9 constructive criticism -- is that we're still
10 looking at really broad strokes where we only
11 have an R zone and a CN zone. And we have a
12 beautiful city with a lot of really beautiful
13 architecture and I think it's too broad a stroke.
14 We're losing a lot of the intricacies of our city
15 and the different neighborhoods.

16 Yes, we have a small city as far as land
17 sizes is but it has very specific neighborhoods
18 that I think everyone here on this Board knows
19 and understands and loves. And there's different
20 characters to these neighborhoods.

21 Yet we have an R zone that describes all of
22 them and we're going to follow the same R zone
23 for every single neighborhood and that just
24 doesn't fit and it doesn't work in our City.

25 I think we need rear yards. I think we

1 need front yards. And I think we need setbacks
2 and it's something that we could work with.

3 I think our ordinance could get expanded.
4 It could talk about these specific neighborhoods;
5 the setbacks, as we're stepping up. The side
6 yard setbacks in some neighborhoods aren't
7 appropriate.

8 There's lots of different things that we
9 could produce and create. A prevailing setback
10 that's -- that's reasonable and works with --
11 with that neighborhood. There's a lot that we
12 could do in that sense.

13 The other thing I want to say is probably a
14 very -- a little bit controversial.

15 I -- I think one of the beautiful things
16 about Union City is the diversity of its people;
17 that we're an immigrant community. It's the
18 people I love. I am the son of immigrants. I
19 think it's very important. And I think we are
20 falling in a dangerous road of gentrification
21 when we're preserving and creating only one
22 housing stock.

23 A two family house --

24 MAYOR STACK: It's my -- my greatest
25 concern.

1 MR. PEREIRAS: I -- I think we're on a -- a
2 highway to that in using this ordinance the way
3 it is.

4 Two family houses could shoot up in price
5 very easily. Specifically if we're retaining
6 that character and that beauty. And that's the
7 only outlet.

8 We have to -- and I think we have to be
9 responsible enough to create different housing
10 stock for different people. And we have to do
11 that through governance. We have to do that by
12 creating development projects where it has
13 different housing stock, from studios to one
14 bedrooms to three bedrooms to four bedrooms, so
15 that they could work for our community and -- and
16 demand that.

17 And also, very importantly, affordable
18 housing. I think our City is in desperate need
19 of affordable housing. We're not addressing
20 that. And there's so much that we could do when
21 it comes to affordable housing.

22 MAYOR STACK: We are trying though. Manny,
23 we're trying very hard to address it.

24 We just went through, you know, a few
25 administrations where there wasn't a lot of

1 funding available for affordable housing. But
2 we're trying very hard.

3 MR. PEREIRAS: I -- I understand that. But
4 there's opportunities in the private sector as
5 well.

6 There's ways that we could create our
7 ordinances that open up and -- maybe the areas of
8 our City that are more permissible to higher
9 density and that we have an ordinance that caters
10 to that. And we could create that in the City.
11 And I think there's developers that are willing
12 to do that, based on different incentives there's
13 things that we could do and through our
14 governance.

15 And -- and another aspect of that that's
16 very important, I have three elderly -- I have my
17 grandmother, my mom, and my aunt, and they live
18 on 12th Street. They can't live in that house
19 anymore. They can't take out the trash. They
20 can't move around. But they're not going to live
21 anywhere else other than within a one square
22 block of where they live. That's where they've
23 -- that -- Union City's their home.

24 We need to create some housing stock for
25 mobility issues; for people who need to be able

1 to get into their house that need to be able to
2 move. The elderly. People with wheelchairs.

3 If we have an ordinance that is so
4 restrictive that this is only what we could do,
5 -- parking below, two floors of apartments --
6 we're eliminating that from our City.

7 So we have to think outside the box. We
8 have to start thinking about these things. And
9 now's the time to do it.

10 So this is a step but I think we need to
11 take our time and work on a real ordinance. Work
12 with people who are local, who know the City,
13 know -- understand the -- the architecture behind
14 it, and we could get to something better.

15 MAYOR STACK: I -- I would be willing -- I
16 would be willing to meet with you, and we could
17 have McKinley there also, any recommendations.

18 But I'm going to tell you something, Manny,
19 I've been Mayor it will be 21 years in October, I
20 haven't had any developers knocking down my door
21 to build affordable housing.

22 MR. PEREIRAS: Because there's nothing
23 available --

24 MAYOR STACK: Ah, --

25 MR. PEREIRAS: -- but we can.

1 MAYOR STACK: -- that's not totally true.
2 That's not totally true.

3 I have had no developers come forward and
4 say I want to build affordable housing. I have
5 had none.

6 We've been out there. We put out even
7 RFPs, RFQs on the 8th Street lot -- the parking
8 lot, --

9 MR. PEREIRAS: Um-hum.

10 MAYOR STACK: -- we're -- we're working on
11 that. We're under appeal right now. We've been
12 dealing with that. I mean we're out there.

13 And what we've done with rent control to
14 keep people in this community, we're making steps
15 in every direction to keep the people that are
16 living here. We've gone out of our way to do
17 that.

18 MR. PEREIRAS: I know that --

19 MAYOR STACK: There hasn't --

20 MR. PEREIRAS: -- very well.

21 MAYOR STACK: -- been many developers
22 coming forward.

23 Everybody talks a good talk --

24 MR. PEREIRAS: Um-hum.

25 MAYOR STACK: -- but when it comes to

1 putting the dollars behind their words it doesn't
2 happen.

3 MR. PEREIRAS: Right.

4 MAYOR STACK: So that I disagree on.

5 MR. PEREIRAS: But we also have ordinances
6 in place that gives them other outlets. You --
7 they could build a massive three family house
8 that's a box and not have to worry about
9 affordable housing.

10 When we create an ordinance that nourishes
11 that it -- it changes the dynamic. It changes
12 what people can do and are willing to do. We
13 have to force their hand a bit.

14 MAYOR STACK: Right. I'll be more than
15 happy to.

16 If we could set something with McKinley,
17 I'll be more than happy to set that up with you.
18 And Brian also.

19 MR. PEREIRAS: Okay.

20 Thank you.

21 CHAIRPERSON CAPIZZI: Thank you.

22 MAYOR STACK: Thank you, Manny.

23 MR. PEREIRAS: Okay.

24 MAYOR STACK: Anyone else wishing to
25 comment at this time?

1 Seeing no other, Brian.

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1 **RESOLUTIONS:**

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3 Adoption of the 2021 Master Plan
4 Reexamination Report and the Land Use Element
5 Update and Amendment

6

7 MR. CHEWCASKIE: All right.

8 So, Board, we have a couple Resolutions.

9 The first Resolution will be for the
10 Adoption of the Reexamination and the Land Use
11 Element Amendment.

12 And then you have -- you will have a second
13 Resolution to Adopt the Resolution Approving
14 that.

15 So, Carlos, if you will?

16 THE SECRETARY: I need a motion to adopt
17 the first Resolution.

18 MAYOR STACK: Motion.

19 THE SECRETARY: Motion by Mayor Stack.

20 CHAIRPERSON CAPIZZI: I'll second.

21 THE SECRETARY: Seconded by Miss Capizzi.

22 Roll call on the motion.

23 Mayor Stack?

24 MAYOR STACK: Yes.

25 THE SECRETARY: Miss Capizzi?

1 CHAIRPERSON CAPIZZI: Yes.

2 THE SECRETARY: Mr. Velazquez?

3 VICE CHAIRPERSON VELAZQUEZ: Yes.

4 THE SECRETARY: Commissioner Valdivia?

5 COMMISSIONER VALDIVIA: Yes.

6 THE SECRETARY: Miss Koehler?

7 MS. KOEHLER: Yes.

8 THE SECRETARY: Miss Genao?

9 MS. GENAO: Yes.

10 THE SECRETARY: Miss Morejon?

11 MS. MOREJON: Yes.

12 THE SECRETARY: Mr. Medina?

13 MR. MEDINA: Yes.

14 THE SECRETARY: Mr. Guareno?

15 MR. GUARENO: Yes.

16 THE SECRETARY: Nine in favor.

17 Motion carries.

18 MR. CHEWCASKIE: You know what, Carlos?

19 I saw that Miss Genao voted on this. She's
20 the Mayor's designee. So since the Mayor is here
21 it would be appropriate for Mr. Oseguera to vote.

22 THE SECRETARY: You want me to roll call,
23 again?

24 MR. CHEWCASKIE: No. You could just call
25 Miss (sic) Oseguera.

1 THE SECRETARY: All right.

2 MR. CHEWCASKIE: And, Miss -- Miss Genao,
3 you will abstain.

4 Correct?

5 MS. GENAO: Yes.

6 THE SECRETARY: All right.

7 Okay.

8 Miss Genao abstained.

9 MR. CHEWCASKIE: Yes.

10 And you could call Mr. Oseguera on this.

11 THE SECRETARY: Mr. Oseguera?

12 MR. OSEGUERA: Yes.

13 THE SECRETARY: Nine in favor.

14 One abstained.

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1 **RESOLUTIONS :**

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3 (1) City of Union City -

4 Planning Board Resolution Number 2021-10 -

5 Resolution Adopting the "2021 Master Plan

6 Reexamination Report for the City of Union City,

7 Hudson County, New Jersey"

8

9 MR. CHEWCASKIE: And now we have the
10 Resolution, which we prepared and circulated
11 today.

12 THE SECRETARY: All right.

13 Can I have a motion to adopt the
14 Resolution?

15 VICE CHAIRPERSON VELAZQUEZ: Motion.

16 THE SECRETARY: Motion by Mayor Stack.

17 VICE CHAIRPERSON VELAZQUEZ: Second.

18 MS. MOREJON: Second, Carlos.

19 THE SECRETARY: Seconded by Miss Capizzi.

20 Roll call on the motion.

21 Mayor Stack?

22 MAYOR STACK: Yes.

23 THE SECRETARY: Miss Capizzi?

24 CHAIRPERSON CAPIZZI: Yes.

25 THE SECRETARY: Mr. Velazquez?

1 VICE CHAIRPERSON VELAZQUEZ: Yes.

2 THE SECRETARY: Mr. Valdivia, Commissioner?

3 COMMISSIONER VALDIVIA: Yes.

4 THE SECRETARY: Miss Koehler?

5 MS. KOEHLER: Yes.

6 THE SECRETARY: Miss Morejon?

7 MS. MOREJON: Yes.

8 THE SECRETARY: Mr. Medina?

9 MR. MEDINA: Yes.

10 THE SECRETARY: Mr. Guareno?

11 MR. GUARENO: Yes.

12 THE SECRETARY: Mr. Oseguera?

13 MR. OSEGUERA: Yes.

14 THE SECRETARY: Nine in favor.

15 Motion -- motion carries.

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1 **RESOLUTIONS:**

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3 (2) Motion for Board Secretary, Carlos Vallejo,
4 to Advise Board of Commissioners that Planning
5 Board has Reviewed and is Recommending
6 Introduction and Adoption of Ordinance Amending
7 Chapter 223 "Land Development" of the Code of the
8 City of Union City

9

10 MR. CHEWCASKIE: Okay.

11 We have --

12 Before adjournment, we have one other item
13 of business.

14 A draft ordinance to implement the
15 recommendations has been prepared and circulated.

16 We do not have a resolution on that but I
17 would like a motion that Mr. Vallejo can advise
18 the Board of Commissioners that the Ordinance has
19 been reviewed and the Board is recommending the
20 introduction and adoption of that Ordinance.

21 So if we could a motion, please?

22 THE SECRETARY: Can I have --

23 VICE CHAIRPERSON VELAZQUEZ: I make a
24 motion.

25 THE SECRETARY: Can I have a motion?

1 CHAIRPERSON CAPIZZI: Alex.

2 THE SECRETARY: Motion by -- by Miss
3 Capizzi.

4 CHAIRPERSON CAPIZZI: Alex.

5 THE SECRETARY: Oh, no, Mr. Velazquez. I'm
6 sorry.

7 Seconded by?

8 CHAIRPERSON CAPIZZI: Second it.

9 THE SECRETARY: Miss Capizzi.

10 Roll call on the motion.

11 Mayor Stack?

12 MAYOR STACK: Yes.

13 THE SECRETARY: Miss Capizzi?

14 CHAIRPERSON CAPIZZI: Yes.

15 THE SECRETARY: Miss Koehler?

16 MS. KOEHLER: Yes.

17 THE SECRETARY: Commissioner Valdivia?

18 COMMISSIONER VALDIVIA: Yes.

19 THE SECRETARY: Mr. Medina?

20 MR. MEDINA: Yes.

21 THE SECRETARY: Miss Morejon?

22 MS. MOREJON: Yes.

23 THE SECRETARY: Mr. Velazquez?

24 VICE CHAIRPERSON VELAZQUEZ: Yes.

25 THE SECRETARY: Mr. Guareno?

1 MR. GUARENO: Yes.

2 THE SECRETARY: Mr. Oseguera?

3 MR. OSEGUERA: Yes.

4 THE SECRETARY: Nine in favor.

5 Motion carries.

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1 **ADJOURNMENT:**

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

6 Motion by Miss Capizzi.

7 MAYOR STACK: So just before we do, I'd
8 just like to thank the members of the Board for
9 being here.

10 Thank the members of the public who
11 commented and for attending the meeting tonight.

12 McKinley will coordinate a meeting, Manny,
13 with us and Brian, to sit down and meet within
14 the next two weeks or so.

15 Okay?

16 You got it.

17 THE SECRETARY: Right.

18 Motion to close the meeting by Miss
19 Capizzi.

20 Any second?

21 Second by Mayor Stack.

22 Roll call on the motion.

23 Mayor Stack?

24 MAYOR STACK: Yes.

25 THE SECRETARY: Miss Capizzi?

1 CHAIRPERSON CAPIZZI: Yes.

2 THE SECRETARY: Miss Koehler?

3 MS. KOEHLER: Yes.

4 THE SECRETARY: Commissioner Valdivia?

5 COMMISSIONER VALDIVIA: Yes.

6 THE SECRETARY: Mr. Medina?

7 MR. MEDINA: Yes.

8 THE SECRETARY: Miss Morejon?

9 MS. MOREJON: Yes.

10 THE SECRETARY: Mr. Velazquez?

11 VICE CHAIRPERSON VELAZQUEZ: Yes.

12 THE SECRETARY: Mr. Guareno?

13 MR. GUARENO: Yes.

14 THE SECRETARY: Mr. Oseguera?

15 MR. OSEGUERA: Yes.

16 THE SECRETARY: Nine in favor.

17 Motion carries.

18 Let the record show that the meeting has

19 ended.

20 CHAIRPERSON CAPIZZI: Okay.

21 THE SECRETARY: Thank you and goodnight,

22 everyone.

23 CHAIRPERSON CAPIZZI: Thank you.

24 (Whereupon, the proceedings were concluded

25 at 7:12 p.m.)

1 STATE OF NEW JERSEY :

2 :

3 COUNTY OF ESSEX :

4

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 SPECIAL
8 MEETING of the UNION CITY PLANNING BOARD heard on
9 Monday, May 3, 2021 and digitally recorded.

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25 Monitored by and proofread by: Deborah Dillon