

CITY OF UNION CITY
HUDSON COUNTY, NEW JERSEY
PLANNING BOARD

REGULAR MEETING : TRANSCRIPT OF RECORDED
: PROCEEDINGS
_____ :

Union City High School
Gymnasium
2500 Kennedy Boulevard
Union City, New Jersey

Tuesday, May 25, 2021
Commencing at 6:02 p.m.

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

CELIN VALDIVIA, Commissioner
YDALIA GENAO, Mayor's Designee
ALICIA MOREJON
CAROLINA FERNANDEZ
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:

BRIAN P. STACK, Mayor
FRANKLIN MEDINA
JEANNE KOEHLER

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

CARLOS VALLEJO, Secretary to the Board

JOSEPH A. GARCIA, ESQ., Attorney for the Board

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

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

ADOLFO L. LOPEZ, ESQ.,
Attorney for Applicant, Cesar Cespedes

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

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

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

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, 208 18th Street

BIANCA P. PEREIRAS, ESQ.,
Attorney for Applicant, Purnima & Rasesh Chauhan

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I N D E XCesar Cespedes
316 6th StreetWITNESSPAGE

Jose Izquierdo

12

Cesar Cespedes

20

I N D E X

Purnima & Rasesh Chauhan
208 35th Street

WITNESSPAGE

Manuel Pereiras

45

1 MS. DILLON: Okay.

2 On the record.

3 THE SECRETARY: May I have your attention
4 please?

5 Please take notice that on Tuesday, May
6 25th, 2021, at six p.m., a Regular Meeting is
7 scheduled for the City of Union City Planning
8 Board to be held in the Union City -- in the
9 Union City High School, located at 2500 John F.
10 Kennedy Boulevard, Union City, New Jersey.

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

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

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

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

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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 is absent.

Miss Capizzi?

CHAIRPERSON CAPIZZI: Here.

THE SECRETARY: Mr. Velazquez?

VICE CHAIRPERSON VELAZQUEZ: Here.

THE SECRETARY: Commissioner Celin Valdivia's absent.

Miss Genao?

MS. GENAO: Yes.

THE SECRETARY: Miss Koehler's absent.

MR. SPATZ: The Commissioner just --

THE SECRETARY: I'm sorry.

Commissioner Valdivia?

COMMISSIONER VALDIVIA: Here.

THE SECRETARY: Is present.

1 Miss Koehler is absent.

2 Miss Morejon?

3 MS. MOREJON: Yes.

4 THE SECRETARY: Miss Fernandez?

5 MS. FERNANDEZ: Here.

6 THE SECRETARY: Mr. Medina's absent.

7 Mr. Guareno?

8 MR. GUARENO: Here.

9 THE SECRETARY: Mr. Oseguera?

10 MR. OSEGUERA: Here.

11 THE SECRETARY: Let the record indicate
12 there are eight presents (sic).

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1 **ADOPTION OF MINUTES:**

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3 (1) Regular Meeting Held on April 27, 2021

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5 THE SECRETARY: Adoption of Minutes.

6 Regular Meeting held on April 27, 2021.

7 Can I have a motion?

8 CHAIRPERSON CAPIZZI: I'll motion.

9 VICE CHAIRPERSON VELAZQUEZ: I make a
10 motion.

11 THE SECRETARY: Motion by Mr. Velazquez.

12 Seconded by Miss Capizzi.

13 Roll call on the motion.

14 Miss Capizzi?

15 CHAIRPERSON CAPIZZI: Yes.

16 THE SECRETARY: Mr. Velazquez?

17 VICE CHAIRPERSON VELAZQUEZ: Yes.

18 THE SECRETARY: Miss Genao?

19 MS. GENAO: Yes.

20 THE SECRETARY: Miss Morejon?

21 MS. MOREJON: Yes.

22 THE SECRETARY: Miss Fernandez?

23 MS. FERNANDEZ: Yes.

24 THE SECRETARY: Mr. Guareno?

25 MR. GUARENO: Yes.

1 THE SECRETARY: Mr. Oseguera?

2 MR. OSEGUERA: Yes.

3 THE SECRETARY: Eight in favor.

4 Motion carries.

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1 **Cesar Cespedes - 316 6th Street:**

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3 THE SECRETARY: First application on
4 tonight's agenda, Cesar Cespedes, 316 6th Street.

5 Mr. Lopez, please?

6 MR. LOPEZ: Ready, Mr. Vallejo?

7 May I proceed?

8 THE SECRETARY: Please.

9 MR. LOPEZ: Madam Chairwoman, counsel, I
10 represent the property owner making this current
11 application.

12 I would like to provide counsel with the
13 jurisdictional documents for today's meeting.

14 MR. GARCIA: Sure.

15 Thank you.

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

18 MR. GARCIA: Notice looks good to me, Madam
19 Chairman.

20 CHAIRPERSON CAPIZZI: Excellent.

21 Okay.

22 MR. GARCIA: Who -- who keeps the notice?

23 CHAIRPERSON CAPIZZI: I think -- I don't
24 know if Carlos -- Carlos. Yeah.

25 THE SECRETARY: I got. I got. I got.

1 Thank you.

2 MR. LOPEZ: Documents are acceptable,
3 counsel?

4 CHAIRPERSON CAPIZZI: Yes.

5 MR. GARCIA: Yes, --

6 CHAIRPERSON CAPIZZI: Thank you.

7 MR. GARCIA: -- notice is good.

8 MR. LOPEZ: Thank you.

9 Once again, good evening.

10 This is an application for a property at
11 316 6th Street. It is for the legalization of an
12 existing apartment.

13 It is listed as a basement; it's not a
14 basement apartment, as you can see from the
15 photograph on the front of the plans.

16 It is a ground level apartment. It's
17 existing. No work at all is proposed inside or
18 outside.

19 And I have my architect, Mr. Izquierdo, who
20 we would ask to come up and provide his
21 testimony.

22 MS. DILLON: Please raise your right hand.

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

25 MR. IZQUIERDO: I do.

1 MS. DILLON: Name for the record?

2 MR. IZQUIERDO: Jose Izquierdo, Architect.
3 New Jersey License 09143.

4 MR. LOPEZ: Madam Chairwoman, Mr. Izquierdo
5 has testified --

6 CHAIRPERSON CAPIZZI: Yes.

7 MR. LOPEZ: -- before this Board many
8 times.

9 We'd -- we'd ask that you'd admit him as an
10 expert witness.

11 CHAIRPERSON CAPIZZI: Yes. Yeah.

12 MR. LOPEZ: Thank you.

13 Mr. Izquierdo, are you familiar with the
14 plans in front of you and in front of this Board
15 this evening for 316 6th Street?

16 MR. IZQUIERDO: Yes.

17 MR. LOPEZ: Did you have an opportunity to
18 prepare these plans?

19 MR. IZQUIERDO: I did.

20 MR. LOPEZ: And did you examine this
21 property prior to their preparation?

22 MR. IZQUIERDO: Yes.

23 MR. LOPEZ: Could you describe what the
24 proposed project entails?

25 MR. IZQUIERDO: Certainly.

1 Good evening members --

2 MR. LOPEZ: Oh.

3 MR. IZQUIERDO: -- of the Board.

4 MR. SPATZ: Yeah.

5 MR. LOPEZ: I'm sorry.

6 Hold on.

7 MR. SPATZ: Yeah, Madam --

8 MR. LOPEZ: I had asked Mr. Spatz
9 previously to explain to this Board a
10 clarification as to the law in the presentation.

11 MR. SPATZ: Right.

12 Madam Chair and -- and Board, the Board of
13 Commissioners adopted an ordinance which
14 eliminated three family homes as a permitted use.
15 In other cases this would have to go to the Board
16 of Adjustment.

17 However, this application was declared
18 complete prior to the adoption of the ordinance.
19 And that's why it's being reviewed under the old
20 ordinance.

21 MR. GARCIA: Right.

22 MR. SPATZ: So it is appropriately before
23 this Board.

24 CHAIRPERSON CAPIZZI: Thank you.

25 MR. LOPEZ: Go ahead, Mr. Izquierdo.

1 MR. IZQUIERDO: Yes.

2 The property 316 6th Street is Block 86
3 (sic) -- Block 26, Lot 25.

4 Presently, there are three apartments in
5 that building.

6 Unit 1 is a two bedroom.

7 Unit 2 is a two bedroom.

8 And the basement is a two bedroom.

9 The application entails changing the inside
10 of the building because otherwise it would
11 require a density variance.

12 So the -- unit 1 on the ground level is
13 being converted to a one bedroom.

14 Unit 2 is being converted to a one bedroom.

15 And unit 3 is being converted to a one
16 bedroom.

17 The drawings -- the -- the drawings on A-2
18 show that there's some interior walls and some
19 doors that have to be removed in order to have
20 only one sleeping bedroom in each apartment.

21 As such, the variances for the project for
22 lot area, for lot width, and for lot depth, it's
23 a 25 by a hundred; it conforms.

24 The front yard and the side yard are
25 preexisting conditions and there's no change.

1 | There's no new construction outside of the
2 | existing building.

3 | The rear yard is five feet and we have 41
4 | feet six inches.

5 | The building height is four stories and we
6 | have a two story building. That table is wrong
7 | because it says three stories.

8 | And I refer to the definitions in the
9 | International Building Code, 2018, and I did a
10 | quick calculation of the reference plane and the
11 | height of the building.

12 | The height of the building makes this a
13 | true basement. Because the only condition that
14 | it would need to meet for that basement to be a
15 | story would be that the floor above the basement
16 | be six feet above the reference plane.

17 | Assuming a datum of a hundred, the -- the
18 | reference plane is a hundred and two feet seven
19 | inches. The floor above is a hundred and six
20 | feet four inches.

21 | So it's only three feet nine inches
22 | difference. So it doesn't meet any of the
23 | criteria.

24 | The basement is a basement.

25 | Actually, the rear of -- in -- in the rear

1 of the building you go up seven steps; and even
2 further in the back of the building there's
3 another elevation.

4 And it's difficult to breathe with this.

5 So the -- the building height is actually a
6 two story with a basement. The building coverage
7 remains the same; it's actually very low. I'm
8 allowed to have 85 percent and this is 39
9 percent.

10 The lot coverage, it's allowed to be a
11 hundred percent. And we're at 80.6 percent. And
12 that's because of the pavement that I have in the
13 back. There's a big, landscaped area in the
14 back.

15 MR. LOPEZ: And it's --

16 MR. IZQUIERDO: So, --

17 MR. LOPEZ: -- shown on the survey that's
18 part of your site plan.

19 Is that correct?

20 MR. IZQUIERDO: It's shown in my drawings;
21 not in the survey.

22 MR. LOPEZ: Okay.

23 MR. IZQUIERDO: Yes.

24 So the only variance that we're requesting
25 is when we have no one bedrooms and we have -- we

1 have two two bed-- three two bedrooms. We had a
2 total of six parking spaces required, with the
3 basement being counted as a legal unit, if I were
4 to count it.

5 However, in calculating the new parking
6 requirements, I have three one bedrooms at 1.8 --
7 5.4.

8 So even though I have only one parking
9 spaces and legally I need to have the request for
10 a variance, we're actually having the requirement
11 for one less. Because right now I have six
12 bedrooms and I'm going to end up with three.

13 The minimum unit sizes all meets.

14 And the apartment is very nice. I mean
15 it's just -- the bedrooms face the front, which
16 is good for -- for fire department.

17 However, even though this is a two story,
18 according to the definitions in terms of the
19 Building Code, because of the elevation of the --
20 of the last floor, this building either has to be
21 sprinklered or it has be sprinklered. Because
22 otherwise we need to have a fire escape in the
23 front and that's not going to happen.

24 So the first floor, the basement, has a
25 seven feet four inches ceiling height, which

1 | conforms.

2 | The second floor is ten feet high.

3 | And the third floor is nine feet high.

4 | I have nothing further.

5 | MR. LOPEZ: Mr. Izquierdo, there is no
6 | expansion at all to the -- to the footprint of
7 | this building?

8 | MR. IZQUIERDO: None.

9 | MR. LOPEZ: All work would be internal and
10 | it would be merely to remove doors, --

11 | MR. IZQUIERDO: To remove bedrooms.

12 | MR. LOPEZ: To remove bedrooms.

13 | MR. IZQUIERDO: Correct.

14 | MR. LOPEZ: And no other work; the
15 | apartments are already there?

16 | MR. IZQUIERDO: Yes.

17 | MR. LOPEZ: I have nothing further of Mr.
18 | Izquierdo.

19 | I have my client here, who I'd like to ask
20 | just a couple of questions for the Board's
21 | edification.

22 | Mr. Cespedes, if you can come up?

23 | MS. DILLON: Right in front of that
24 | microphone please.

25 | MR. CESPEDES: Hello, everyone.

1 MS. DILLON: Please raise your right hand.

2 MR. CESPEDES: Yes.

3 MS. DILLON: Do you affirm the testimony
4 you're about to give this Board is the whole
5 truth?

6 MR. CESPEDES: Yes.

7 MS. DILLON: Okay.

8 I need you to state your name and spell it
9 for the record.

10 MR. CESPEDES: Yeah.

11 My name is Cesar Cespedes. C-E-S-A-R.
12 C-E-S-P-E-D-E-S.

13 MS. DILLON: P like Peter, E --

14 MR. CESPEDES: Like Peter.

15 MS. DILLON: Okay.

16 MR. CESPEDES: E-D-E-S.

17 MS. DILLON: Thank you so much.

18 MR. CESPEDES: Okay.

19 MS. DILLON: Just keep your voice up. The
20 mask.

21 MR. CESPEDES: I know, is a --

22 MR. LOPEZ: Mr. Cespedes, you're the owner
23 of this property.

24 Right?

25 MR. CESPEDES: That's correct.

1 MR. LOPEZ: And when did you buy it?

2 MR. CESPEDES: I bought this property in
3 2003.

4 MR. LOPEZ: And in 2003, when you bought
5 the property, what was there?

6 MR. CESPEDES: The previous owner used to
7 live in the basement, in the -- in the ground
8 floor. And he was renting upstairs.

9 MR. LOPEZ: And is that what's there at the
10 current time?

11 MR. CESPEDES: That's what everything has
12 been the same. I haven't touched anything --

13 MR. LOPEZ: Well, except that what used to
14 be occupied by the owner --

15 MR. CESPEDES: Is empty.

16 MR. LOPEZ: -- is completely empty.

17 Right?

18 MR. CESPEDES: That's -- that's correct.

19 MR. LOPEZ: You use it only for storage --

20 MR. CESPEDES: For storage.

21 MR. LOPEZ: -- at this time?

22 MR. CESPEDES: Yes, just for storage right
23 now.

24 MR. LOPEZ: And that's because you were
25 advised by the Building Department that that

1 apartment did not appear on the records of --

2 MR. CESPEDES: That's -- that's correct.

3 MR. LOPEZ: -- of -- on their records?

4 MR. CESPEDES: That's correct.

5 MR. LOPEZ: And if the Board approves this
6 project this evening, what is your intention for
7 that ground floor apartment?

8 MR. CESPEDES: I'm planning to live there.

9 MR. LOPEZ: Okay.

10 MR. CESPEDES: I'm planning to move in the
11 base-- in there.

12 MR. LOPEZ: So that will be your apartment?

13 MR. CESPEDES: That's correct.

14 MR. LOPEZ: Okay.

15 MR. CESPEDES: Yeah.

16 MR. LOPEZ: All right.

17 Anything else that you'd like to mention to
18 the Board?

19 MR. CESPEDES: I mean --

20 MR. LOPEZ: Nothing?

21 MR. CESPEDES: -- whatever they want to ask
22 me.

23 MR. LOPEZ: Okay.

24 MR. CESPEDES: Yeah.

25 MR. LOPEZ: Nothing else of the witness.

1 If the Board has any questions of him,
2 gladly.

3 VICE CHAIRPERSON VELAZQUEZ: So that's the
4 only empty spaces, on the basement level, that's
5 it; the other ones are occupied?

6 MR. CESPEDES: Excuse me?

7 VICE CHAIRPERSON VELAZQUEZ: It's empty on
8 that basement space where you're going to occupy
9 it?

10 MR. CESPEDES: It's empty right now.

11 VICE CHAIRPERSON VELAZQUEZ: There's --
12 And is the whole structure?

13 Or there's families living in the other
14 two?

15 MR. CESPEDES: No, the apartment upstairs
16 are rented.

17 VICE CHAIRPERSON VELAZQUEZ: Okay.

18 MR. CESPEDES: Only the -- the ground floor
19 apartment is empty complete. I use it as a
20 storage like he say.

21 CHAIRPERSON CAPIZZI: Did you need to
22 upgrade the windows?

23 MR. CESPEDES: I'm sorry?

24 CHAIRPERSON CAPIZZI: Did the windows need
25 to be upgraded --

1 MR. CESPEDES: No, --

2 CHAIRPERSON CAPIZZI: -- since someone will
3 now --

4 MR. CESPEDES: -- I got vinyl windows.

5 CHAIRPERSON CAPIZZI: -- live in the
6 basement?

7 MR. CESPEDES: The -- I have vinyl windows.
8 I mean --

9 CHAIRPERSON CAPIZZI: No, I -- I don't -- I
10 think maybe the architect or someone should
11 answer that --

12 MR. CESPEDES: Oh.

13 CHAIRPERSON CAPIZZI: -- in terms of a
14 safety issue.

15 MR. IZQUIERDO: Yes?

16 CHAIRPERSON CAPIZZI: The windows.

17 MR. IZQUIERDO: The windows in the --

18 CHAIRPERSON CAPIZZI: Okay.

19 Did they need to be upgraded in terms of
20 safety, since he's going to be living down there
21 and --

22 I don't know what the Building
23 Department --

24 MR. CESPEDES: They're new windows.

25 MR. IZQUIERDO: We have a change of use.

1 The requirement for the change of use is
2 that those windows meet the egress. Those
3 windows are new. They do meet the egress right
4 now.

5 The only requirement for the change of use
6 for this building is to sprinkler the building
7 and a couple of -- a -- a couple of items
8 required by Code.

9 But other than that, no, the windows meet.

10 And all the bedrooms face the front. So in
11 terms of fire department, they're very easy to
12 access.

13 CHAIRPERSON CAPIZZI: Okay.

14 Is the Building Department going to review
15 this though?

16 MR. SPATZ: The Building Department --
17 Excuse me.

18 CHAIRPERSON CAPIZZI: Because I -- you know
19 my concern is someone living in the basement. I
20 just want to make sure that if there's an issue
21 and they can't get to a door, that -- if they
22 have to get out a window, they can.

23 MR. CESPEDES: Yes, --

24 MR. IZQUIERDO: They can.

25 Actually, they're -- I think that the

1 building --

2 Oh, okay, I -- I know. I know where you're
3 going.

4 There is a bedroom in the basement that has
5 a window that faces another wall because it's
6 right on the property line. And that window does
7 not meet Code. But that is a bedroom that is
8 being eliminated.

9 So we're eliminating that window, which is
10 the one that didn't comply, and that's one of the
11 bedrooms that's being eliminated.

12 The other bedrooms all meet the egress. It
13 was that specific bedroom that was in violation
14 because it didn't have an access to the outside.

15 MR. LOPEZ: But all the proposed bedrooms
16 for this project would all have egress windows?

17 MR. IZQUIERDO: Yes.

18 MR. LOPEZ: Okay.

19 MR. SPATZ: Yeah, the Building Department
20 would be reviewing this if this Board approved it
21 and they would make sure that all of the safety

22 --

23 CHAIRPERSON CAPIZZI: Perfect.

24 MR. SPATZ: -- features are -- are in there
25 before they issue permits.

1 CHAIRPERSON CAPIZZI: Good.

2 MR. IZQUIERDO: But there is one bedroom
3 that has an --

4 CHAIRPERSON CAPIZZI: Okay.

5 MR. IZQUIERDO: -- illegal window. That's
6 the bed-- that's the bedroom that --

7 CHAIRPERSON CAPIZZI: Okay.

8 MR. IZQUIERDO: -- illegal. It's already
9 identified.

10 CHAIRPERSON CAPIZZI: Okay.

11 Does anyone have any questions?

12 Anyone?

13 Anyone from the public have any questions
14 or comments?

15 No?

16 Okay.

17 Is there a light in the back?

18 MR. IZQUIERDO: Excuse me?

19 CHAIRPERSON CAPIZZI: Is there a light -- a
20 light in the back, so when he --

21 MR. LOPEZ: A light in the back.

22 CHAIRPERSON CAPIZZI: -- when they
23 leave, --

24 MR. LOPEZ: Is -- do you know if there's
25 a --

1 CHAIRPERSON CAPIZZI: Is there --

2 MR. LOPEZ: -- light in the back?

3 CHAIRPERSON CAPIZZI: -- a little light or
4 something?

5 MR. CESPEDES: Where? In the backyard?

6 MR. LOPEZ: A light in the back --

7 MR. IZQUIERDO: A backyard light?

8 MR. CESPEDES: Yes.

9 CHAIRPERSON CAPIZZI: I'm just saying
10 when --

11 MR. LOPEZ: You have one now?

12 CHAIRPERSON CAPIZZI: -- for his doorway,
13 if he's coming in at night, just as a safety
14 feature.

15 There's someone living now --

16 MR. IZQUIERDO: Yeah.

17 CHAIRPERSON CAPIZZI: -- in the basement.

18 MR. IZQUIERDO: Yeah, the --

19 CHAIRPERSON CAPIZZI: Maybe a --

20 MR. IZQUIERDO: -- the building --

21 CHAIRPERSON CAPIZZI: -- little light.

22 MR. IZQUIERDO: -- as it is, -- the
23 building as it is, you have a front door.

24 CHAIRPERSON CAPIZZI: I understand.

25 MR. IZQUIERDO: And it has all the

1 | mailboxes and everything. And there's a -- a
2 | light outside and there's a light inside.

3 | CHAIRPERSON CAPIZZI: That's in the front.

4 | MR. IZQUIERDO: When you're inside the
5 | foyer, you go up some stairs to the --

6 | CHAIRPERSON CAPIZZI: I understand.

7 | MR. IZQUIERDO: -- first floor unit. And
8 | then you have an interior stairway, which is
9 | going to be the --

10 | CHAIRPERSON CAPIZZI: Um-hum.

11 | MR. IZQUIERDO: -- means of egress because
12 | it -- this is going to be a single exit building.
13 | Because I have no access from --

14 | CHAIRPERSON CAPIZZI: Doesn't it go out the
15 | back?

16 | MR. CESPEDES: No.

17 | MR. IZQUIERDO: Not from 6th Street.

18 | From 6th Street --

19 | CHAIRPERSON CAPIZZI: How many means of
20 | egress are there?

21 | MR. GARCIA: He said one.

22 | MR. IZQUIERDO: There's going to be only
23 | one.

24 | MR. CESPEDES: Wait.

25 | CHAIRPERSON CAPIZZI: Is that allowable?

1 MR. IZQUIERDO: Yes.

2 MR. CESPEDES: Two.

3 MR. SPATZ: It would -- it would be
4 reviewed by the Building Department.

5 CHAIRPERSON CAPIZZI: Okay.

6 MR. SPATZ: And if they don't -- if it's
7 not acceptable to them, --

8 MR. GARCIA: A con-- a condition --

9 MR. SPATZ: -- then they wouldn't --

10 MR. GARCIA: -- of approval would, --

11 MR. SPATZ: -- give the permits.

12 MR. GARCIA: -- obviously, be that they
13 satisfy all the --

14 CHAIRPERSON CAPIZZI: Okay.

15 MR. GARCIA: -- town's --

16 CHAIRPERSON CAPIZZI: Okay.

17 Okay. It --

18 MR. CESPEDES: The -- the basement has two
19 doors.

20 MR. IZQUIERDO: Because what happens is the
21 building is right on the property line. So in
22 case somebody --

23 The -- the rear yard can only be used by
24 the basement unit.

25 CHAIRPERSON CAPIZZI: Right.

1 MR. IZQUIERDO: The second -- the ground
2 floor, the second and the --

3 CHAIRPERSON CAPIZZI: Yes.

4 MR. IZQUIERDO: -- not the third but, you
5 know, can only exit the front. This is a single
6 exit building.

7 CHAIRPERSON CAPIZZI: Okay.

8 MR. GARCIA: Mr. -- Mr. Lopez, you
9 understand that a condition of approval will be
10 that you satisfy and comply with all --

11 MR. LOPEZ: Absolutely.

12 MR. GARCIA: -- all City -- City Codes --

13 MR. LOPEZ: It has to be Code compliant.

14 MR. GARCIA: -- City Codes.

15 MR. LOPEZ: Yeah.

16 MR. IZQUIERDO: Yes.

17 CHAIRPERSON CAPIZZI: That's fine.

18 Okay.

19 Any other comments?

20 Questions?

21 Then I'll make a motion to approve.

22 MR. LOPEZ: Thank you.

23 MR. IZQUIERDO: Thank you.

24 CHAIRPERSON CAPIZZI: You're welcome.

25 THE SECRETARY: Motion on the table to

1 approve the application by Miss Capizzi.

2 VICE CHAIRPERSON VELAZQUEZ: I second.

3 THE SECRETARY: Seconded by Mr. Velazquez.

4 Roll call on the motion to approve this
5 application.

6 Miss Capizzi?

7 Miss Capizzi, to app--

8 CHAIRPERSON CAPIZZI: Yes.

9 THE SECRETARY: Yes. Okay.

10 Mr. Velazquez?

11 VICE CHAIRPERSON VELAZQUEZ: Yes.

12 THE SECRETARY: Commissioner Valdivia?

13 COMMISSIONER VALDIVIA: Yes.

14 THE SECRETARY: Miss Genao?

15 MS. GENAO: Yes.

16 THE SECRETARY: Miss Morejon?

17 MS. MOREJON: Yes.

18 THE SECRETARY: Miss Fernandez?

19 MS. FERNANDEZ: Yes.

20 THE SECRETARY: Mr. Guareno?

21 MR. GUARENO: Yes.

22 THE SECRETARY: Mr. Oseguera?

23 MR. OSEGUERA: Yes.

24 THE SECRETARY: Eight in favor.

25 Motion carries.

1 MR. LOPEZ: Thank you so much.

2 THE SECRETARY: Thank you.

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1 616 16th Street, LLC - 616 16th Street;
2 519 15th Street, LLC - 519 15th Street;
3 309 10th Street, LLC. - 309 10th Street; and
4 208 18th Street, LLC. - 208 18th Street:

5
6 THE SECRETARY: I am going to call to --
7 the next four hearings.

8 Number 2.

9 616 16th Street.

10 Number 3 is 519 15th Street.

11 Number 4 is a reconsideration of 309 10th
12 Street.

13 And, number 5th, 208 18 Street.

14 Miss Pereiras, please?

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

16 We required additional notices on 309 10th
17 Street and 208 18th Street.

18 So let me hand those to counsel.

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

21 MR. GARCIA: If you want to, just --

22 I think they're just logistical matters
23 that need to be addressed.

24 While I look at the notice, if you want to
25 get a head start while I --

1 MS. PEREIRAS: Oh, sure.

2 So the four applications --

3 THE SECRETARY: Go ahead.

4 MR. SPATZ: Yeah.

5 THE SECRETARY: One sec--

6 MS. PEREIRAS: Sure.

7 MR. SPATZ: Yeah.

8 I was just going to say, at the last
9 meeting the Board had asked Mr. Chewcaskie and
10 myself to meet with Mr. Pereiras to discuss these
11 projects to do a technical review prior to that.

12 We were unable to get together to set that
13 up, so -- but we do have something set up for
14 Thursday of this week. And Mr. Chewcaskie and
15 myself would be meeting with them on -- on
16 Thursday.

17 And I will assume that we will have
18 everything put together so that they could be
19 heard on the June meeting.

20 And I would recommend that all four of
21 these projects be carried to the June meeting and
22 then we'll have -- you know, they'll submit
23 revised plans, we'll have reviews and full
24 hearings.

25 And similar to the previous case, these are

1 all three families but they were all deemed
2 complete and actually heard by the Board prior to
3 the adoption of the ordinance. So it is
4 appropriate that they are before the Planning
5 Board. They will be reviewed under the standards
6 from the prior zoning ordinance.

7 But I would recommend that they be carried
8 until June 15th I believe is your next meeting.

9 CHAIRPERSON CAPIZZI: With a new notice.

10 MR. SPATZ: I don't --

11 Well, -- well, you --

12 MR. GARCIA: Yeah, --

13 MR. SPATZ: -- you have notices. I don't
14 think you need further notice if they're
15 acceptable but I will certainly leave that to the
16 attorney.

17 MR. GARCIA: Yeah. I'm -- I'm going to
18 defer to Brian. Brian did say that he thought
19 that there needed to be new notices.

20 So, if we're going to carry this, why don't
21 you have a conversation with Brian when he
22 returns. You can -- Brian can review these
23 notices.

24 If Brian thinks these are sufficient and
25 you don't have to re-notice, you don't have to

1 re-notice.

2 MS. PEREIRAS: Okay.

3 I -- I --

4 MR. GARCIA: If he doesn't, then --

5 MS. PEREIRAS: -- I did forward one of
6 those to Mr. Chewcaskie already --

7 MR. GARCIA: Yeah.

8 MS. PEREIRAS: -- for his approval and he
9 did approve it.

10 MR. GARCIA: Unfortunately, Mr.
11 Chewcaskie's out-of-state --

12 MS. PEREIRAS: So, --

13 CHAIRPERSON CAPIZZI: He's not here, so --

14 MR. GARCIA: -- out-of-state today and I
15 can't really talk to him right now. So, for
16 the --

17 MS. PEREIRAS: I understand.

18 So for purpose --

19 MR. GARCIA: -- for the time being I would
20 suggest -- I would suggest that you -- you get in
21 touch with Mr. Chewcaskie --

22 CHAIRPERSON CAPIZZI: Yup.

23 MR. GARCIA: -- as soon as possible to
24 discuss whether or not new notices is -- is
25 required.

1 MS. PEREIRAS: I will confirm with him.

2 However, for tonight's purposes, I would
3 need it to be carried without notices.

4 If our discussion, after tonight, he
5 believes that we need to notice, then I will
6 re-notice.

7 MR. GARCIA: I -- I would --

8 MS. PEREIRAS: If we don't address that at
9 this meeting, then I obviously have to re-notice.
10 And I don't --

11 MR. GARCIA: I would suggest --

12 MS. PEREIRAS: -- believe there's a need
13 for that.

14 MR. GARCIA: -- the opposite.

15 I would suggest we can go on the record,
16 that -- that the next meeting is going to be
17 June --

18 THE SECRETARY: June 15.

19 MR. SPATZ: June --

20 MS. PEREIRAS: Correct.

21 MR. SPATZ: June 15th.

22 THE SECRETARY: June 15.

23 MR. GARCIA: -- June 15th, operating under
24 the assumption that you do need to provide new
25 notice. If you don't, --

1 CHAIRPERSON CAPIZZI: Um-hum.

2 MR. GARCIA: -- then -- then you won't.

3 We'll talk --

4 CHAIRPERSON CAPIZZI: Um-hum.

5 MR. GARCIA: -- we'll -- we'll talk to Mr.

6 Chewcaskie about that and --

7 MS. PEREIRAS: However, that -- I think

8 that's a little unclear.

9 If we're carrying, either with the need to
10 re-notice or without the need.

11 MR. GARCIA: I think --

12 CHAIRPERSON CAPIZZI: I say re-notice.

13 MR. GARCIA: I think you should leave
14 here --

15 CHAIRPERSON CAPIZZI: Correct?

16 MR. GARCIA: -- assuming that you need to
17 re-notice.

18 MS. PEREIRAS: For which ones?

19 I'm sorry.

20 MR. GARCIA: For all four --

21 CHAIRPERSON CAPIZZI: The four.

22 MR. GARCIA: -- of them.

23 MS. PEREIRAS: Even though I noticed for
24 tonight on 208 and for 309 10th Street?

25 MR. GARCIA: Again, I apologize to you. I

1 -- I have not been privy to the conversations
2 that -- that you've had up to this date.

3 My understanding -- my understanding,
4 speaking with Mr. Chewcaskie, is that all four of
5 them need to be re-noticed.

6 MS. PEREIRAS: Right.

7 And as an officer of the court I'm
8 representing to the Board that I did have that
9 conversation with Mr. Chewcaskie.

10 MR. GARCIA: And --

11 MS. PEREIRAS: In fact, I sent it for his
12 approval prior to publishing and noticing.

13 MR. GARCIA: I -- I appreciate that.

14 In an abundance of caution I am going to
15 advise you that you -- you should leave here
16 tonight assuming you need to re-notice, unless
17 you speak to Mr. Chewcaskie and he tells you that
18 those notices are sufficient.

19 MS. PEREIRAS: I think that makes it
20 unclear.

21 I would rather that this Board carry the
22 matter. If Mr. Chewcaskie --

23 MR. GARCIA: We can --

24 MS. PEREIRAS: -- deems --

25 MR. GARCIA: We -- we --

1 MS. PEREIRAS: -- that I do have to
2 re-notice, then I'm happy to re-notice.

3 MR. GARCIA: Sure, I respect your opinion.
4 It's duly noted for the record. I disagree.

5 So, again, I think that the best way to
6 proceed is that you should leave here assuming
7 that you need to re-notice.

8 If you don't, -- you don't have to, we're
9 going to go on the record and just tell everybody
10 that the next --

11 Anybody that's here, anybody that's --

12 Is this being streamed live?

13 It's being -- is this streamed?

14 CHAIRPERSON CAPIZZI: Um, I don't think so.

15 MR. GARCIA: Okay.

16 Well, anybody who's here live will know the
17 next date.

18 If you don't need to notice, you don't need
19 to notice. But I think that you should leave
20 here operating under the assumption that you do.

21 MS. PEREIRAS: My apologies and with all
22 due respect, I don't believe that's the correct
23 way --

24 MR. GARCIA: Miss --

25 MS. PEREIRAS: -- to proceed.

1 MR. GARCIA: -- Pereiras, we can sit here
2 all day and argue this.

3 MS. PEREIRAS: Sure.

4 MR. GARCIA: The decision's been made.

5 MS. PEREIRAS: Sure.

6 MR. GARCIA: Okay.

7 Thank you.

8 MS. PEREIRAS: As I mentioned, with all due
9 respect, I think it's --

10 MR. GARCIA: Okay.

11 MS. PEREIRAS: -- the wrong choice.

12 MR. GARCIA: Great. Then you have a
13 grounds for appeal if you'd like.

14 CHAIRPERSON CAPIZZI: Right.

15 THE SECRETARY: Is a motion to carry these
16 four applications to June 15?

17 CHAIRPERSON CAPIZZI: Motion.

18 THE SECRETARY: Motion by Miss Capizzi.

19 Any second the motion?

20 VICE CHAIRPERSON VELAZQUEZ: Second.

21 THE SECRETARY: Seconded by Mr. Velazquez.

22 Roll call on the motion to carry these
23 applications to June 15.

24 Miss Capizzi?

25 CHAIRPERSON CAPIZZI: Yes.

1 THE SECRETARY: Mr. Velazquez?
2 VICE CHAIRPERSON VELAZQUEZ: Yes.
3 THE SECRETARY: Mr. Valdivia?
4 COMMISSIONER VALDIVIA: Yes.
5 THE SECRETARY: Miss Genao?
6 MS. GENAO: Yes.
7 THE SECRETARY: Miss Morejon?
8 MS. MOREJON: Yes.
9 THE SECRETARY: Miss Fernandez?
10 MS. FERNANDEZ: Yes.
11 THE SECRETARY: Mr. Guareno?
12 MR. GUARENO: Yes.
13 THE SECRETARY: Mr. Oseguera?
14 MR. OSEGUERA: Yes.
15 THE SECRETARY: Eight in favor.
16 Motion carries.
17 Next meeting June 15.
18 Same place.
19 Same location.
20 Same time.
21 * * *
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23
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1 **Purnima & Rasesh Chauhan. - 208 35th Street:**

2

3 THE SECRETARY: All right.

4 We are going now to move to number 5 (sic).

5 Purnima and Rasesh Chauhan, 208-210 35th
6 Street.

7 Miss Pereiras, please?

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

10 MR. GARCIA: Notice looks good to me.

11 MS. PEREIRAS: Thank you, counsel.

12 Good evening, members of the Board.

13 May it please the Board, Bianca Pereiras,
14 on behalf of the applicant, for property located
15 at 208-210 35th Street, also known as Lots 6 and 7
16 in Block 211.

17 The property in question is located in the
18 R low density/residential zone.

19 Currently and existing we have a two family
20 home.

21 The application before the Board this
22 evening is to legalize a third unit and to also
23 square off our existing roof.

24 Arguably, we have one variance regarding
25 our front yard setback and we'll provide

1 additional details regarding that with the
2 testimony of our architect, Mr. Manuel Pereiras.

3 MS. DILLON: Please raise your right.

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: Name for the record please?

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

11 MS. PEREIRAS: And Mr. Pereiras has
12 testified before the Board in the past and for
13 purposes of the record, I'd just like to confirm
14 that he is accepted as an expert in the field of
15 architecture.

16 CHAIRPERSON CAPIZZI: Yes.

17 MS. PEREIRAS: Thank you.

18 Mr. Pereiras, are you familiar with the
19 property at 208-210 35th Street?

20 MR. PEREIRAS: I am.

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

23 MR. PEREIRAS: I have.

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

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

2 For purposes of the presentation, the
3 drawings that were submitted to the Board are on
4 the easel to my right. They are the same
5 drawings that you have in front of you and that
6 were submitted prior.

7 Just -- on a -- on the larger explanation
8 of the site, we were retained by the applicant a
9 while back and we did work on the first floor; we
10 did work on the second floor. At the Building
11 Department everything went smooth.

12 When we were working on the top floor, the
13 Building Department discovered that there was an
14 illegality issue with one of the apartments. And
15 therefore, they sent us to the Board here today
16 and that's why we're here.

17 It -- this project has kind of two
18 components.

19 One is that we're legalizing the unit
20 that's in the basement that they've been using
21 and they thought that was legal when they
22 purchased this thing.

23 And the other component is the top floor
24 has a pitched roof. It's -- they're hitting
25 their head on there when they're using the room.

1 We're basically going to increase the sidewalks
2 so that it becomes a flat roof with good
3 headroom.

4 This project was submitted, as Mr. Spatz
5 explained on the previous applications, was
6 submitted prior to the ordinance change. So this
7 was submitted as -- when three families were
8 permitted.

9 And we have a variance-free application.
10 We're not asking for any variances here today.
11 We're dealing with an existing structure. We'd
12 like to keep the majority of the structure
13 exactly the way it is.

14 And what is very important to understand
15 here is that we have a huge lot. This is a
16 double lot. It is 50 feet wide by a hundred feet
17 deep.

18 So at the time of this application we could
19 have torn this down, put two three families next
20 to each other. That's not what we're looking to
21 do. We're looking to keep the three families
22 that are there and fix this building as it is.

23 So, just to walk a little bit about the
24 setbacks on the site. They're all existing
25 setbacks. We're not looking to change any of

1 | them.

2 | We have over seven feet on one side. We
3 | have over 20 feet on the other side.

4 | The front is less than two feet; however,
5 | that's prevailing.

6 | If you look at the site photographs,
7 | showing the satellite, every single other
8 | structure on the entire block actually has less
9 | of a setback. It's at zero feet.

10 | You have two large structures at each
11 | corner and then there's two more structures are
12 | within the same block. So a total of four other
13 | structures and all of them have zero front yard
14 | setback.

15 | Therefore, we have a prevailing setback and
16 | we are not requesting a variance for that either.

17 | So we are a completely variance free
18 | application, both in use and in all the setbacks.

19 | The rear yard, as you could see, is pretty
20 | large; it's over 40 feet.

21 | And from here you could see how much
22 | parking we have on the site. We have a small
23 | structure there on the site and we have the
24 | entire double lot.

25 | So we have one, two, three, four, five,

1 six, seven, eight cars parked with ample space to
2 move around.

3 So, for the first time ever, I don't need
4 to ask for a parking variance when we're
5 legalizing an existing basement.

6 I -- I think this is a first for the 15
7 years I've been presenting here.

8 Turning out to sheet Z02, we see all the
9 existing floorplans.

10 The first unit over here is the existing
11 basement that we're legalizing. We're not
12 looking to move any walls. We're not looking to
13 change anything.

14 What we have there is an existing one
15 bedroom. It's currently being used. They have
16 their living room, they have their dining room,
17 they have their bedroom and kitchen and the
18 existing bathroom. No changes are proposed other
19 than changes for Code.

20 So we're going to increase the fire
21 separations on the ceiling. We're going to
22 increase the fire separations at the stairs.
23 We're going to put an alarm system that's
24 compliant with current Code. We're putting a
25 domestic line sprinkler system into that unit.

1 So, it's the same unit except it's going to
2 be a lot safer. It's going to be safer for the
3 inhabitants of that unit and it's going to be
4 safer for the rest of the building.

5 The windows in the bedroom, we're going to
6 increase the size to make sure that it's an
7 emergency escape window. We have ample room.
8 There's over 20 feet on the side yard. The
9 window's large enough that all we have to do is
10 change it to a casement window and someone could
11 escape in case of an emergency.

12 So it's going to be a very safe unit, both
13 for the inhabitants, for the rest of the
14 building, and for the neighborhood.

15 The other unit that we're talking about is
16 a duplex unit on the top floor.

17 You have the main living room/dining room/
18 kitchen area. And this is where the family that
19 is the applicant resides. They live in this
20 place.

21 And they live here and right now, to get to
22 the bedroom, they go up the stairs and it's
23 tight. They actually -- I hit my head when I was
24 going up those stairs. It's extremely tight
25 space. And then they have their bedrooms on the

1 top.

2 We're looking to take the ceiling --

3 And it's best shown in the elevation, so
4 let me change to sheet Z03.

5 This is the existing condition with the
6 pitched roof. And we're looking to bringing the
7 sides up. We're not increasing the height of the
8 building in any way. We're just bringing the
9 sides up so that it's square and no one's hitting
10 their head.

11 And what we have at the end is a family
12 room for them. A nice new bathroom that's -- has
13 a double sink. That they really wanted a double
14 sink for their family. And then there's their
15 master bedroom with a nice walk-in closet.

16 The space you see to the back, it's an
17 existing roof deck; that's staying.

18 And another beautiful aspect of this is
19 that that roof deck has a stair that brings you
20 all the way down to the ground. It's an existing
21 metal stair; so now we have two means of egress
22 for this space. And it's not something we have
23 to do; it's already there.

24 So this will be fully compliant. And what
25 we're looking to this Board to do is if you -- if

1 | you deem this favorably, we would take this to
2 | the Building Department and do all those Code
3 | things that we said and make sure that this gets
4 | built beautifully and in good -- in good shape.

5 | And I am open for your questions.

6 | MS. PEREIRAS: Mr. Pereiras, just to
7 | clarify one item.

8 | In Mr. Spatz memorandum dated April 27th,
9 | he does reference a front yard setback and he
10 | questioned whether the setback was prevailing.

11 | Could you please address that please?

12 | MR. PEREIRAS: Absolutely.

13 | I -- first and foremost, I defer to Mr.
14 | Spatz. If he believes that we need a -- a
15 | variance, I -- I'd very happily request one.

16 | I don't believe it's necessary because the
17 | prevailing setback on that block is zero; and we
18 | have a two foot setback. So we're within the --
19 | we're aligned with the prevailing setback. I
20 | don't think it's necessary.

21 | MR. SPATZ: Yes, I -- I don't believe a
22 | variance is needed either. We just wanted
23 | testimony put on the record that it was the
24 | prevailing, which Mr. Pereiras has.

25 | So it is variance free at this point.

1 MR. PEREIRAS: I know the Board is always
2 concerned with lighting. It actually has some
3 existing lights there.

4 When we're doing the upstairs and we're
5 putting that door in the rear, we're going to
6 have a light at that door. And we're going to
7 have a light on the side so that it just lights
8 up that. And it's -- it's no light pollution; it
9 just hits the ground.

10 Beyond that, there's really no real
11 intervention to the outside other than popping up
12 that ceiling.

13 VICE CHAIRPERSON VELAZQUEZ: And I got to
14 say I've -- I've been to this property because
15 the owners, they had an issue. And they're very,
16 very good landlords. Because they actually let a
17 utility pole languish in their house for almost
18 six months --

19 CHAIRPERSON CAPIZZI: Hmm.

20 VICE CHAIRPERSON VELAZQUEZ: -- and they
21 called up the office and we got that removed for
22 them.

23 And they were really, really appreciative
24 and really kind about the whole thing.

25 The lighting is probably going to be no

1 | issue because of the school across the street and
2 | they're -- we're upgrading with all the
3 | floodlights. So, they're probably going to be
4 | calling me up to say that there's too much light
5 | then.

6 | MR. PEREIRAS: True.

7 | VICE CHAIRPERSON VELAZQUEZ: But I like
8 | this project.

9 | CHAIRPERSON CAPIZZI: Good.

10 | MS. PEREIRAS: Thank you.

11 | MR. PEREIRAS: And this is owner occupied.
12 | That makes a big difference.

13 | They live there. They want to make sure
14 | it's a good property. This is good for them so
15 | that they could have their family and grow within
16 | the property here in Union City.

17 | That's what we want to see.

18 | CHAIRPERSON CAPIZZI: Um-hum.

19 | MR. PEREIRAS: And that's why we're here
20 | before this Board.

21 | CHAIRPERSON CAPIZZI: Does anyone have any
22 | other questions or comments on the Board?

23 | Anyone in the public have any questions or
24 | comments?

25 | Okay.

1 Seeing none.

2 I'll make a motion to approve the
3 application.

4 THE SECRETARY: Motion on the table to
5 approve the application by Miss Capizzi.

6 MS. GENAO: I second.

7 MR. OSEGUERA: Second.

8 THE SECRETARY: Seconded by Mr. Velazquez
9 (sic).

10 Roll call on the motion to approve this
11 application.

12 Miss Capizzi?

13 CHAIRPERSON CAPIZZI: Yes.

14 THE SECRETARY: Mr. Velazquez?

15 VICE CHAIRPERSON VELAZQUEZ: Mr. Secretary,
16 Mr. Oseguera second it.

17 THE SECRETARY: Again, roll call on the
18 motion.

19 VICE CHAIRPERSON VELAZQUEZ: Yes.

20 MR. OSEGUERA: Thank you.

21 VICE CHAIRPERSON VELAZQUEZ: You're
22 welcome.

23 THE SECRETARY: Commissioner Valdivia?

24 COMMISSIONER VALDIVIA: Yes.

25 THE SECRETARY: Miss Genao?

1 MS. GENAO: Yes.

2 THE SECRETARY: Miss Morejon?

3 MS. MOREJON: Yes.

4 THE SECRETARY: Miss Morejon?

5 MS. MOREJON: Yes.

6 THE SECRETARY: Sorry; didn't hear you.

7 Miss Fernandez?

8 MS. FERNANDEZ: Yes.

9 THE SECRETARY: Mr. Guareno?

10 MR. GUARENO: Yes.

11 THE SECRETARY: Mr. Oseguera?

12 MR. OSEGUERA: Yes.

13 THE SECRETARY: Eight in favor.

14 Motion carries.

15 MS. PEREIRAS: Thank you very much, Board
16 members.

17 I'll see you next month.

18 MR. PEREIRAS: Thank you, everyone.

19 CHAIRPERSON CAPIZZI: Okay.

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1 **ADOPTION OF RESOLUTIONS:**

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3 (1) Michael Szczesny, 912 Palisade Avenue.
4 Block 186 Lot 33. Applicant proposes to demolish
5 an existing two story frame dwelling, and
6 construct a new three family home. Approved

7

8 THE SECRETARY: We're moving to Resolutions
9 now.

10 First -- first Resolution is Michael
11 Szczesny, 912 Palisade Avenue.

12 This Resolution -- this application was
13 approved at the previous meeting.

14 Can I have a motion to memorialize the
15 Resolution?

16 VICE CHAIRPERSON VELAZQUEZ: I make a
17 motion.

18 THE SECRETARY: Motion by Mr. Velazquez.

19 MS. GENAO: I second.

20 THE SECRETARY: Seconded by Miss Genao.
21 Roll call on the motion.

22 Miss Capizzi?

23 CHAIRPERSON CAPIZZI: Yes.

24 THE SECRETARY: Mr. Velazquez?

25 VICE CHAIRPERSON VELAZQUEZ: Yes.

1 THE SECRETARY: Commissioner Valdivia?

2 COMMISSIONER VALDIVIA: Yes.

3 THE SECRETARY: Miss Genao?

4 MS. GENAO: Yes.

5 THE SECRETARY: Miss Morejon?

6 MS. MOREJON: Yes.

7 THE SECRETARY: Miss Fernandez?

8 MS. FERNANDEZ: Yes.

9 THE SECRETARY: Mr. Guareno?

10 MR. GUARENO: Yes.

11 THE SECRETARY: Mr. Oseguera?

12 MR. OSEGUERA: Yes.

13 THE SECRETARY: Eight in favor.

14 Motion carries.

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1 **ADOPTION OF RESOLUTIONS:**

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3 (2) 135 JPM Properties, LLC, 135 44th Street.
4 Block 253 Lot 22. Applicant proposes a new (3)
5 family dwelling. Approved Revised Plans
6 received on 5/14/21.

7

8 THE SECRETARY: Next Resolution is 135 JPM
9 Properties, LLC, 135 44th Street.

10 This application was approved at the
11 previous meeting minutes. Revised plans received
12 on May 14, 2021.

13 MR. SPATZ: Yes. We reviewed the revised
14 plans and they meet the conditions of the Board.

15 So, it would be ready to adopt the
16 Resolution.

17 CHAIRPERSON CAPIZZI: Okay.

18 THE SECRETARY: Can I have a motion to
19 adopt --

20 CHAIRPERSON CAPIZZI: All right.

21 THE SECRETARY: -- the Resolution by Miss
22 Capizzi?

23 VICE CHAIRPERSON VELAZQUEZ: Second.

24 THE SECRETARY: Second -- seconded by Mr.
25 Velazquez.

1 Roll call on the motion.

2 Miss Capizzi?

3 CHAIRPERSON CAPIZZI: Yes.

4 THE SECRETARY: Mr. Velazquez?

5 VICE CHAIRPERSON VELAZQUEZ: Yes.

6 THE SECRETARY: Commissioner Valdivia?

7 COMMISSIONER VALDIVIA: Yes.

8 THE SECRETARY: Miss Genao?

9 MS. GENAO: Yes.

10 THE SECRETARY: Miss Morejon?

11 MS. MOREJON: Yes.

12 THE SECRETARY: Miss Fernandez?

13 MS. FERNANDEZ: Yes.

14 THE SECRETARY: Mr. Guareno?

15 MR. GUARENO: Yes.

16 THE SECRETARY: Mr. Oseguera?

17 MR. OSEGUERA: Yes.

18 THE SECRETARY: Eight in favor.

19 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 VICE CHAIRPERSON VELAZQUEZ: Second.

8 THE SECRETARY: Seconded by Mayor Mr.
9 Velazquez.

10 All in favor?

11

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

13

14 THE SECRETARY: The ayes have it.

15 Thank you.

16 CHAIRPERSON CAPIZZI: Thank you.

17 THE SECRETARY: Let the record show that
18 the meeting has ended.

19 Goodnight, everyone.

20 CHAIRPERSON CAPIZZI: Woo-hoo!

21 THE SECRETARY: See you June 15.

22

23 (Whereupon, the proceedings were concluded
24 at 6:40 p.m.)

25

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 REGULAR
8 MEETING of the UNION CITY PLANNING BOARD heard on
9 Tuesday, May 25, 2021 and digitally recorded.

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25 Monitored by and proofread by: Deborah Dillon