

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

REGULAR MEETING : TRANSCRIPT OF
: :
: :
-----: PROCEEDINGS

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

THURSDAY, NOVEMBER 10, 2022
Commencing at 6:12 p.m.

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

VICTOR M. GRULLON, Chairperson
MARGARITA GUTIERREZ, Vice Chairperson
MIGUEL ORTIZ (arrive at 6:47 p.m.)
ROSIO PENA, Alternate #1
GERALDINE PEREZ, Alternate #2
MINDRY WATLEY, Alternate #4 (left at 6:57 p.m.)

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

LIBERO MAROTTA
RAYMOND CETINICH

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

TOMAS PANEQUE, ESQ.
Board Counsel

CARLOS VALLEJO, Board Secretary

DAVID SPATZ, PP, Consulting City Planner

SUSAN BISCHOFF, CCR, RPR
449 Columbia Blvd., Wood-Ridge, NJ 07075
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A P P E A R A N C E S:

J. ALVARO ALONSO, ESQ.
Attorney for Applicant, Edward Medina

J. ALVARO ALONSO, ESQ.
Attorney for Applicant, Juan Vizqueta

ADOLFO LOPEZ, ESQ.
Attorney for Applicant, Michael B. Hern

ADOLFO LOPEZ, ESQ.
Attorney for Applicant, 2705 Bergenline
Avenue, LLC

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, 314 37th, LLC

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, J.F.K. Realty, LLC

BIANCA PEREIRAS, ESQ.
Attorney for the Applicant, Christoff
Schluender

BIANCA PEREIRAS, ESQ.
Attorney for the Applicant, Jorge &
Zaida Turbay

BIANCA PEREIRAS, ESQ.
Attorney for the Applicant, Alicia &
Oswaldo Toro

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I N D E X

MICHAEL B. HERN
317 4TH STREET

WITNESS

PAGE

JOSE IZQUIERDO

35

E X H I B I T S

NO.

DOCUMENT

PAGE

NO

EXHIBITS

MARKED

1 MR. VALLEJO: May I have your attention
2 please?

3 Please take notice that on Thursday,
4 November 10, 2022, at 6:00 p.m., a regular meeting
5 is scheduled for the City of Union City Zoning
6 Board of Adjustment, to be held in Union City High
7 School, located at 2500 John F. Kennedy Boulevard,
8 Union City, New Jersey.

9 Adequate notice of this meeting has been
10 provided as follows:

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

18 Before we do roll call for tonight's
19 meeting, can everybody kindly rise to salute the
20 flag, please?

21

22 (Whereupon the Pledge of Allegiance was
23 recited.)

24

25 MR. VALLEJO: Thank you.

ROLL CALL:

MR. VALLEJO: Roll call for tonight's meeting. Mr. Grullon.

CHAIRPERSON GRULLON: Here.

MR. VALLEJO: Mr. Marotta is absent.
Ms. Gutierrez.

VICE CHAIRPERSON GUTIERREZ: Here.

MR. VALLEJO: Mr. Ortiz is absent.
Ms. Watley.

MS. WATLEY: Here.

MR. VALLEJO: Ms. Pena.

MS. PENA: Here.

MR. VALLEJO: Ms. Perez.

MS. PEREZ: Here.

MR. VALLEJO: Mr. Cetinich, absent.

We have five members present. We have a full quorum to tonight's meeting.

* * * *

ADOPTION OF MINUTES:

MR. VALLEJO: Approval of previous meeting minutes of October 13th, 2022. Can I have a motion?

CHAIRPERSON GRULLON: Motion.

MR. VALLEJO: Motion by Mr. Grullon.

VICE CHAIRPERSON GUTIERREZ: Second.

MR. VALLEJO: Seconded by Ms. Gutierrez.
Roll call on the motion.

Mr. Grullon.

CHAIRPERSON GRULLON: Yes.

MR. VALLEJO: Ms. Gutierrez.

VICE CHAIRPERSON GUTIERREZ: Yes.

MR. VALLEJO: Ms. Pena.

MS. PENA: Yes.

MR. VALLEJO: Ms. Perez.

MS. PEREZ: Yes.

MR. VALLEJO: Ms. Watley.

MS. WATLEY: Yes.

MR. VALLEJO: Five in favor, motion carries.

* * * *

1 **EDWARD MEDINA -**
2 **728 SIP STREET:**

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4 MR. VALLEJO: We're going to tonight's
5 first hearing. Edward Medina, 728 Sip Street.
6 Mr. Alonso, please.

7 MR. ALONSO: Good evening, members of
8 the Board. For the record, Al Alonso on behalf of
9 Mr. Medina. The Board may recall that this
10 application was commenced, the Board had requested
11 that we make certain changes to the plans.
12 Revised plans are not ready, so I need to carry
13 this matter, not to December, but to January.

14 CHAIRPERSON GRULLON: Okay. Mr. Alonso,
15 the reason why you wanted to carry it to January,
16 not to December meeting?

17 MR. ALONSO: I'm not available in
18 December.

19 CHAIRPERSON GRULLON: You're going -- to
20 have --

21 MR. ALONSO: Yeah, I'm sorry.

22 CHAIRPERSON GRULLON: I make a motion
23 to --

24 MR. VALLEJO: Motion to carry --

25 CHAIRPERSON GRULLON: -- to January

1 meeting.

2 MR. VALLEJO: -- this application for
3 January 2023 meeting.

4 VICE CHAIRPERSON GUTIERREZ: Second.

5 MR. VALLEJO: -- by Mr. Grullon.
6 Seconded by Ms. Gutierrez. Roll call on the
7 motion.

8 Mr. Grullon.

9 CHAIRPERSON GRULLON: Yes.

10 MR. VALLEJO: Ms. Gutierrez.

11 VICE CHAIRPERSON GUTIERREZ: Yes.

12 MR. VALLEJO: Ms. Pena.

13 MS. PENA: Yes.

14 MR. VALLEJO: Ms. Perez.

15 MS. PEREZ: Yes.

16 MR. VALLEJO: Ms. Watley.

17 MS. WATLEY: Yes.

18 MR. VALLEJO: Five in favor, motion
19 carries. I will let you know the date in January,
20 we're working on the schedule.

21 MR. ALONSO: Okay.

22 MR. PANEQUE: Mr. Vallejo, just one
23 second, just an administrative procedure. Mr.
24 Alonso, you waive the statutory time limits on
25 this application, correct?

1 MR. ALONSO: Yes.

2 MR. PANEQUE: And since the application
3 will be carried to the January meeting, which we
4 believe it's going to be at this location, there
5 will not be a need to renotice.

6 MR. ALONSO: Thank you.

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1 **JUAN VIZUETA -**

2 **534 42ND STREET:**

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4 MR. VALLEJO: All right. We're going
5 now to Juan Vizqueta, 534 32nd Street. Mr. Alonso,
6 please.

7 MR. ALONSO: Good evening, members of
8 the Board. For the record, Al Alonso on behalf of
9 Mr. Vizqueta.

10 This is a request to request an
11 extension of the prior approvals and those
12 approvals have expired. This was an application
13 where my client purchased a piece of property, it
14 was three units in the front, there was a separate
15 building in the back with two units for a total of
16 five units.

17 The building department had indicated
18 that two of the units were not legal units and
19 those were the basement units. The Board approved
20 the application. When my client went to start the
21 construction drawings, it was determined that
22 there were a number of fire safety issues that
23 could not be addressed through the construction
24 and it would be too expensive. So he decided to
25 abandon the approvals at that time.

1 Sometime later, he gets a call from the
2 fire department -- fire prevention saying that it
3 is a five unit, he needs to comply with fire
4 prevention. He spends the money to gets the
5 permits, the building department issues the
6 permits, does all the work, gets the approvals.
7 And he's told it's five units, he goes and he
8 re-rents the apartments. So now he's got five
9 apartments rented, two of which are illegal. But
10 he was under the impression that they were somehow
11 legalized, based on the process.

12 Building department comes in and says,
13 what are you doing, you have two illegal
14 apartments, why are you renting them. So I got
15 involved again with Mr. Vizueta and I've been
16 working with Ron Batelho from Scarinci Hollenbeck,
17 the attorney who represents the building
18 department.

19 As a result of that whole incident, he
20 has had an issue with the relocation assistance
21 program through the City that we've been working
22 through. He has summonses that are pending in
23 municipal court, he has violations that are
24 currently pending at the Hudson County
25 Construction Board of Appeals. And I did meet

1 with Mr. Batelho and with Felicia from the
2 building department, at the property, in order to
3 resolve all the issues.

4 It was determined that certain
5 variations could be issued for one of the
6 apartments, but not for the others. My client
7 went ahead, as part of a global settlement, to
8 apply for permits to do the work that was
9 necessary. The building department says your
10 approvals have expired, you need to go back to get
11 an extension.

12 So all that is fully documented in terms
13 of all the settlements, the global settlement. My
14 client -- although the Board will be extending the
15 prior approvals, okay, one of those apartments
16 will be abandoned as part of the settlement with
17 the City and the building department.

18 I do have an email from Mr. Batelho that
19 says the building department does support our
20 application for the extension. We will only be
21 proceeding with the one apartment, to legalize it.
22 And the other apartment will be abandoned, but
23 they just need a resolution from the Board
24 extending the approval so they can issue the
25 permits.

1 CHAIRMAN GRULLON: Mr. Alonso, based on
2 what you just mentioned, and the history that you
3 have with the fire department and building
4 department and all that, don't you think it would
5 be better for you just to come up and present the
6 application again and try to clear all the issues?
7 I don't want to, you know, allow an extension now
8 and then you go back there and the building
9 department has issues with the extension, which it
10 will probably be the case.

11 I will suggest that you carry this
12 matter, present the drawings again. I'm not sure
13 if that will be a new application. But giving you
14 an extension for something based on what you just
15 explained to me, you have a lot of issues with the
16 fire department. They're probably resolved, but I
17 don't have that in front of me. And you also have
18 issues with building department that now you're
19 saying instead of five, there are going to be four
20 apartments. But I don't have any of the
21 recommendation in front of us here in order for us
22 to advise and give you an extension.

23 MR. ALONSO: But all I'm asking for is
24 just an extension of the prior approvals. All
25 those other issues are within the jurisdiction of

1 the building department. And, again, as I
2 indicated, we are currently before the
3 Construction Board of Appeals and those matters
4 have been carried pending a final resolution here.
5 We're currently pending before the municipal
6 court, so all these issues will be resolved with
7 the proper venues that have jurisdiction. I just
8 need an extension.

9 CHAIRMAN GRULLON: When did you say the
10 approval expired?

11 MR. ALONSO: Well, it was approved in
12 September of 2018.

13 CHAIRPERSON GRULLON: For two years.

14 MR. ALONSO: Correct.

15 CHAIRPERSON GRULLON: So it expired in
16 2020?

17 MR. ALONSO: Yes.

18 CHAIRPERSON GRULLON: Here we are, two
19 years after the expiration of the approval.

20 MR. ALONSO: Yes.

21 CHAIRPERSON GRULLON: Again, I would
22 feel better if we review the application again.
23 And I don't think we would have any issues. You
24 want to adjourn and request the extension, for
25 us -- to give us time to review the application, I

1 think it would be better.

2 MR. ALONSO: I mean I'll --

3 CHAIRPERSON GRULLON: I don't want to
4 make a motion to --

5 MR. ALONSO: I'll always defer to the
6 Board. So if that's what the Board wants me to
7 do, then I have no problem.

8 CHAIRPERSON GRULLON: Mr. Paneque --

9 MR. ALONSO: I think rather than request
10 for an --

11 CHAIRPERSON GRULLON: It's a lot of
12 history right now on the application. It's not an
13 application that was not constructed because of
14 funding or because of -- it was because of
15 violations with fire prevention, building
16 department, and it has quite a history. Now I
17 would like to review it before making a motion to
18 extend it.

19 MR. PANEQUE: I understand the
20 Chairman's concerns and they're very legitimate
21 concerns, Mr. Alonso. The legal issues that I see
22 here are a couple. One you're asking for an
23 extension on something that the Board approved,
24 but on your presentation, you're saying that that
25 approval is being modified. For whatever reason,

1 it's going now from a five to a four. So it's not
2 what the Board approved that we would be extending
3 here today.

4 The other issue that I see here is that
5 if your resolution was adopted in September of
6 2018, your two period September 2020. Now, there
7 is case law that says that you can come in on an
8 extension application, post the expiration date.
9 But then you only get what's left over for that
10 one year extension. So if you can come in, let's
11 say, November, you would only get ten months
12 through the end of the first year. And then the
13 second extension is also subject to that.

14 MR. ALONSO: Correct.

15 MR. PANEQUE: We're beyond the two year
16 extension. So I don't think that this Board even
17 has the legal authority to extend a resolution
18 which is past two years from the time it expired,
19 legally. And I was trying to look up --

20 MR. ALONSO: Yeah I didn't look it up.
21 My understanding was that you did. I didn't look
22 it up, so I don't have any legal citation.

23 MR. PANEQUE: I know it's in here. And
24 I know for a fact that if you had come in, let's
25 say, October 2020, two years and two months or a

1 month after, we would have been able to give you
2 an extension for the remainder of that year. And
3 then you still had a right to come in --

4 MR. ALONSO: Correct.

5 MR. PANEQUE: -- not necessarily be
6 granted, but a right to come in and request a
7 second extension, which would have taken you into
8 two years past the expiration of 2020.

9 At this time, we're in November of 2022.
10 So you are well beyond the two years period, which
11 you would have been entitled to, had you come in
12 for those extensions. So not only do we have a
13 request for an extension that doesn't match what
14 was approved, we also have a time period that has
15 expired.

16 MR. ALONSO: The request for the
17 extension is exactly what was approved. I'm
18 saying by way of settlement with the building
19 department, ultimately one of those apartments is
20 going to be abandoned. So we are working on the
21 approved resolution, it's just like a lot of times
22 you get approval here, you can do field changes or
23 other changes during the construction. And it's
24 not exactly what was approved. In this case, by
25 way of settlement, because of all the different

1 pending matters, by way of global settlement, it
2 was agreed we would abandon one and retain the
3 other. But, again, I'll defer to the Board.

4 MR. PANEQUE: The Chairman's
5 recommendation is a sound one. Have your client
6 come in with his application, with what has been
7 agreed to by the construction department and him
8 and yourself. And this Board can give you the
9 approval on that. Going forward, there shouldn't
10 be anymore issues.

11 MR. ALONSO: Fair enough. So then at
12 this time, I'll withdraw the request for the
13 extension, so the Board doesn't have to take an
14 action. And then I'll refile with Mr. Vallejo and
15 I'll see you guys next year. I won't see you in
16 December, so happy Thanksgiving, Merry Christmas,
17 happy new year. And I apologize for not wearing a
18 suit today, I wasn't aware I was going to be here
19 this evening. Have a good night.

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1 **314 37TH, LLC -**

2 **314 317TH STREET:**

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4 MR. VALLEJO: We're going to move now to
5 314 37th Street. Ms. Pereiras, please.

6 MS. PEREIRAS: Good evening, Members of
7 the Board. Bianca Pereiras on behalf of the
8 applicant for 314 37th Street, LLC.

9 Board Members, unfortunately, this
10 evening our architect is ill and was unable to
11 come this evening to testify. He is our only
12 expert on this matter, so we won't be able to
13 proceed this evening.

14 MR. PANEQUE: Ms. Pereiras, are you
15 asking that this matter be carried?

16 MS. PEREIRAS: Yes, please.

17 MR. PANEQUE: As this matter has been
18 previously carried a number of times, it looks
19 like it started back in July and we are having a
20 change of venue for the next hearing, which will
21 take place at the Gilmore School, it's going to be
22 a condition that you renote with a revised tax
23 list.

24 MS. PEREIRAS: That's fine.

25 MR. PANEQUE: And the statutory time

1 period in which the Board may hear this case is
2 being waived?

3 MS. PEREIRAS: That is waived, of
4 course.

5 MR. PANEQUE: Thank you.

6 MR. VALLEJO: Can I have a motion.

7 CHAIRPERSON GRULLON: Motion to carry
8 this application --

9 MR. VALLEJO: For December 8, 2022, at
10 Sara Gilmore Academy; located 1600 Kerrigan
11 Avenue.

12 VICE CHAIRPERSON GUTIERREZ: Second.

13 MR. VALLEJO: Motion by Mr. Grullon.

14 MR. PANEQUE: If anybody here is in the
15 public with respect to the application for 314
16 37th Street, this application is being carried to
17 the December meeting at the Gilmore School.

18 CHAIRPERSON GRULLON: With new notice.

19 MR. VALLEJO: Motion on the table by Mr.
20 Grullon, seconded by Ms. Gutierrez. Roll call on
21 the motion. Mr. Grullon.

22 CHAIRPERSON GRULLON: Yes.

23 MR. VALLEJO: Ms. Gutierrez.

24 VICE CHAIRPERSON GUTIERREZ: Yes.

25 MR. VALLEJO: Ms. Pena.

1 MS. PENA: Yes.

2 MR. VALLEJO: Ms. Perez.

3 MS. PEREZ: Yes.

4 MR. VALLEJO: Ms. Watley.

5 MS. WATLEY: Yes.

6 MR. VALLEJO: Five in favor, motion
7 carries. Renotice required.

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1 **J.F.K. REALTY, LLC -**

2 **4614 KENNEDY BOULEVARD:**

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4 MR. VALLEJO: Moving now to number five,
5 JFK Realty, LLC, 4614 Kennedy Boulevard. Ms.
6 Pereiras, please.

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

9 Board Members, on this matter, we
10 actually noticed and published and then late last
11 week, we received an email from the tax assessor's
12 office explaining that the list that was provided
13 to us was done so in error. There were actually
14 several public members missing from the list. As
15 such, it's our position that we need to renotice
16 and republish on that one as well.

17 So I'm asking for that matter to please
18 be carried to December 8.

19 CHAIRPERSON GRULLON: On the rennotice,
20 you have to mention it's going to be at Sara
21 Gilmore School.

22 MS. PEREIRAS: Absolutely, thank you.

23 MR. PANEQUE: You waive also the
24 statutory time period?

25 MS. PEREIRAS: Of course, counsel.

1 CHAIRMAN GRULLON: Make a motion to
2 adjourn this matter to the next Board meeting.

3 VICE CHAIRPERSON GUTIERREZ: I'll second
4 it.

5 MR. VALLEJO: Motion on the table by Mr.
6 Grullon to adjourn this application for December
7 8, 2022 at the Sara Gilmore School, 1600 Kerrigan
8 Avenue; seconded by Ms. Gutierrez. Roll call on
9 the motion. Mr. Grullon.

10 CHAIRPERSON GRULLON: Yes.

11 MR. VALLEJO: Ms. Gutierrez.

12 VICE CHAIRPERSON GUTIERREZ: Yes.

13 MR. VALLEJO: Ms. Pena.

14 MS. PENA: Yes.

15 MR. VALLEJO: Ms. Perez.

16 MS. PEREZ: Yes.

17 MR. VALLEJO: Ms. Watley.

18 MS. WATLEY: Yes.

19 MR. VALLEJO: Five in favor, motion
20 carries. Renotice required, right?

21 MS. PEREIRAS: Yes.

22 MR. PANEQUE: Yes.

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1 **CHRISTOFF SCHLUENDER -**
2 **1801-1803 CLIFF STREET:**

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4 MR. VALLEJO: Next application on
5 tonight's agenda, Christoff Schluender, 1801-1803
6 Cliff Street, Ms. Pereiras please.

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

9 Similarly on this matter, the only
10 expert is unavailable this evening due to illness.
11 So I will ask for the Board to carry this matter
12 to the December 8th meeting date.

13 CHAIRPERSON GRULLON: Again, Ms.
14 Pereiras, are we going to renotice?

15 MS. PEREIRAS: We will renotice.

16 CHAIRPERSON GRULLON: With the condition
17 to renotice and to waive the statutory time limit?

18 MS. PEREIRAS: Of course, Mr. Chairman.

19 CHAIRPERSON GRULLON: I make a motion to
20 carry this application.

21 MR. VALLEJO: Are we going to open to
22 the public?

23 CHAIRPERSON GRULLON: Is any member of
24 the public here for 1801-1803 Cliff Street?

25 MR. VALLEJO: Motion to adjourn this

1 application.

2 CHAIRPERSON GRULLON: Hearing none,
3 close to the public. Motion to adjourn the
4 application.

5 MR. VALLEJO: Motion by Mr. Grullon,
6 seconded by?

7 VICE CHAIRPERSON GUTIERREZ: I'll second.

8 MR. VALLEJO: Seconded by Ms. Gutierrez.
9 Roll call on the motion. Mr. Grullon.

10 CHAIRMAN GRULLON: Yes.

11 MR. VALLEJO: Ms. Gutierrez.

12 VICE CHAIRPERSON GUTIERREZ: Yes.

13 MR. VALLEJO: Ms. Pena.

14 MS. PENA: Yes.

15 MR. VALLEJO: Ms. Perez.

16 MS. PEREZ: Yes.

17 MR. VALLEJO: Ms. Watley.

18 MS. WATLEY: Yes.

19 MR. VALLEJO: Five in favor, motion
20 carries. Renotice required.

21 MR. PANEQUE: Ms. Pereiras, just so the
22 record is clear, you waive the statutory
23 requirement?

24 MS. PEREIRAS: Yes, I do.

25 MR. PANEQUE: Thank you.

1 **JORGE & ZAIDA TURBAY -**
2 **731-733 30TH STREET:**

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4 MR. VALLEJO: We're moving to the next
5 application on tonight's agenda, 731-73330th
6 Street, Jorge and Zaida Turbay. Ms. Pereiras,
7 please.

8 MR. PANEQUE: Let the record reflect
9 that I've been provided by Ms. Pereiras with a
10 certification as to publication of service,
11 indicating that notice of tonight's hearing was
12 going to be held at this location at Union City
13 High School with respect to the property at
14 731-733 30th Street.

15 I've also been provided with a copy of
16 the affidavit from The Jersey Journal indicating
17 that notice was published on October 29th, giving
18 notice of the application of this property at this
19 location.

20 I've also been provided with a tax list
21 from October 31, 2022, as well as the certified
22 mail slips with a postmark date of October 31,
23 2022.

24 Let the record also reflect that these
25 documents were previously emailed to my office and

1 the Board has jurisdiction to proceed and hear
2 this matter.

3 MS. PEREIRAS: Thank you. Bianca
4 Pereiras on behalf of the applicant. Again, Mr.
5 Pereiras, our architect, is unavailable this
6 evening. So I'm respectfully requesting that this
7 matter be carried to December 8th, without new
8 notice.

9 MR. PANEQUE: Ms. Pereiras, you waive
10 the statutory time limits for this Board to hear
11 the application?

12 MS. PEREIRAS: Yes.

13 MR. PANEQUE: And since this is the
14 first time that this matter is going to be heard,
15 as a condition of the matter being carried, there
16 will not be a need to renote.

17 MS. PEREIRAS: Thank you very much.

18 MR. PANEQUE: Even though we all
19 understand it's going to be at the Sara Gilmore
20 School.

21 CHAIRPERSON GRULLON: Any member of the
22 public here for this application of 731-733 30th
23 Street? Hearing none, close to the public.

24 With that, I make a motion to grant the
25 adjournment of this application to the next Board

1 meeting.

2 VICE CHAIRPERSON GUTIERREZ: I'll second
3 it.

4 MR. VALLEJO: Motion by Mr. Grullon,
5 seconded by Ms. Gutierrez to adjourn this
6 application to the Sara Gilmore School, 1600
7 Kerrigan Avenue on December 8, 2022. Roll call on
8 the motion. Mr. Grullon.

9 CHAIRPERSON GRULLON: Yes.

10 MR. VALLEJO: Ms. Gutierrez.

11 VICE CHAIRPERSON GUTIERREZ: Yes.

12 MR. VALLEJO: Ms. Pena.

13 MS. PENA: Yes.

14 MR. VALLEJO: Ms. Perez.

15 MS. PEREZ: Yes.

16 MR. VALLEJO: Ms. Watley.

17 MS. WATLEY: Yes.

18 MR. VALLEJO: Five in favor, motion
19 carries. No new notice required.

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1 **ALICIA & OSWALDO TORO -**
2 **537 27TH STREET:**

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4 MR. VALLEJO: We moving now to 537 27th
5 Street, Alicia and Oswaldo Toro. Ms. Pereiras,
6 please.

7 MR. PANEQUE: For the record, I've been
8 provided by Ms. Pereiras with a certification as
9 to a certification and service, giving notice of
10 this meeting with respect to the property at 537
11 27th Street. The notice indicates that the place
12 where the meeting will be held will be the Union
13 City High School.

14 I've also been provided with a copy of
15 The Jersey Journal legal affidavit with a
16 certification date of October 29, 2022, giving
17 notice this location of the meeting as well as the
18 tax list from the tax assessor's office listing
19 all property owners with the 200 foot radius of
20 the property located at 537 27th Street, and that
21 tax list has a date of October 26, 2022. As well
22 as the certified mail slips with a postmark date
23 of October 29, 2022. Based on the documentation
24 provided, this Board has jurisdiction to proceed
25 and hear this matter.

1 MS. PEREIRAS: Thank you, Counsel.
2 Bianca Pereiras on behalf of Alicia and Oswaldo
3 Toro. As mentioned earlier, our architect and
4 only expert on this matter is ill and unable to
5 present this evening. So we are asking
6 respectfully that this matter be carried to
7 December 8, with no need to renotice.

8 MR. PANEQUE: And you waive your
9 statutory time periods?

10 MS. PEREIRAS: Yes, counsel.

11 MR. PANEQUE: Thank you.

12 CHAIRPERSON GRULLON: Any member of the
13 public here for this application, 537 27th Street?
14 Hearing none, I make a motion to carry this
15 application to December 8 at Sara Gilmore School
16 without new notice.

17 VICE CHAIRPERSON GUTIERREZ: I'll second
18 it.

19 MR. VALLEJO: Motion by Mr. Grullon to
20 carry this application to December 8, 2022 at Sara
21 Gilmore Academy located at 1600 Kerrigan Avenue,
22 seconded by Ms. Gutierrez. Roll call on the
23 motion. Mr. Grullon.

24 CHAIRPERSON GRULLON: Yes.

25 MR. VALLEJO: Ms. Gutierrez.

1 VICE CHAIRPERSON GUTIERREZ: Yes.

2 MR. VALLEJO: Ms. Pena.

3 MS. PENA: Yes.

4 MR. VALLEJO: Ms. Perez.

5 MS. PEREZ: Yes.

6 MR. VALLEJO: Ms. Watley.

7 MS. WATLEY: Yes.

8 MR. VALLEJO: Five in favor, motion
9 carries. No new notice required.

10 MS. PEREIRAS: Thank you all very much.
11 I wish you all very happy and healthy thanksgiving
12 and see you in December.

13 VICE CHAIRPERSON GUTIERREZ: Thank you,
14 you, too.

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1 **MICHAEL B. HERN -**

2 **317 4TH STREET:**

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4 MR. VALLEJO: Next application on
5 tonight's agenda, Michael B. Hern 317 4th Street.
6 Mr. Lopez, please.

7 MR. LOPEZ: Good evening, members of the
8 Board, Adolfo Lopez, appearing on behalf of the
9 applicant, Michael Hern.

10 MR. PANEQUE: For record, I've been
11 provided by Mr. Lopez with an affidavit of service
12 indicating that notice of tonight's hearing with
13 respect to this property located at 317 4th Street
14 was provided to all property owners within the 200
15 foot radius.

16 I've also been provided with an
17 affidavit of publication from The Jersey Journal
18 with a publication date of October 22, 2022,
19 giving notice of this application with respect to
20 this property at 317 4th Street at this location
21 the Union City High School.

22 I've also been provided with a copy of
23 the notice that went out to the property owners.

24 I've also been provided with a tax list
25 from the tax assessor's office noting all property

1 owners within 200 foot radius of 317 4th Street,
2 the tax list is dated September 12, 2022. As well
3 as the certified mail receipts with a postmark
4 date of October 19, 2022.

5 Let the record reflect that based on the
6 documentation that has been provided, this Board
7 has jurisdiction to proceed and hear this matter.

8 CHAIRPERSON GRULLON: Mr. Lopez.

9 MR. LOPEZ: Thank you, Mr. Chairman,
10 thank you, Counsel.

11 Just before we get started, I would
12 point out to the Board -- I would call attention
13 to the Board the memorandum from the building
14 department which indicates that this was
15 originally a three-family structure. So that's
16 important, based upon what we're seeking.

17 CHAIRPERSON GRULLON: I do have it.

18 MR. LOPEZ: I would call my architect
19 and planner, Jose Izquierdo. And, Mr. Chairman,
20 Mr. Izquierdo has testified many, many times
21 before this Board and has been previously
22 qualified.

23 CHAIRPERSON GRULLON: Yes, we accept his
24 qualifications.

25 MR. IZQUIERDO: Hi, thank you.

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J O S E I Z Q U I E R D O, after having been
duly sworn or affirmed, did testify as follows:

MR. IZQUIERDO: My name is Jose
Izquierdo, New Jersey architect 09143, New Jersey
planner 03385. My address is 391 Nelson Avenue in
Cliffside Park, New Jersey.

MR. LOPEZ: Mr. Izquierdo, are you
familiar with the plans that are before the Board
this evening?

MR. IZQUIERDO: Yes, I am.

MR. LOPEZ: Was your -- were these plans
prepared by you and your office?

MR. IZQUIERDO: Yes.

MR. LOPEZ: Can you give a general
description of what is proposed tonight?

MR. IZQUIERDO: Yes. Good evening,
Members of the Board. There were two drawings
filed in conjunction with the application T01 that
shows the site plan, the existing and the proposed
condition, also shows conformance to the zoning,
and what gives jurisdiction to this body, shows
the zoning maps, shows some aerial pictures, shows
the front of house, and has the project

1 description. The second sheet has the floor
2 plans, existing and proposed.

3 In the first sheet, one of the elements
4 of the application is that we have the opportunity
5 here to create two parking spaces. There's only
6 one parking space now with a curb cut that is
7 12 feet 8 inches wide. And if we JUST make it
8 about 3 feet 10 inches more, we're able to
9 accommodate another car.

10 The existing house is a two-family house
11 in a two-story structure because the basement is
12 not a story above grade. So the rear of the
13 property is very high, but the front of the house
14 allows access into that basement apartment
15 directly. So the stairs right now have an
16 L-shaped configuration. What we're doing is we're
17 taking the stairs -- and that's shown in the first
18 sheet, that's part of the first portion of the
19 application -- is to make the stairs come straight
20 down, so that we have space for two cars. And
21 those spaces would be conforming in width, not
22 conforming in length because they would be
23 overextending into the public right-of-way.

24 And by just adding 3 feet 10 inches to
25 the curb cut, which is right now 12, 8 and making

1 that 16, 6, we're able to provide two parking
2 spaces.

3 MR. LOPEZ: Let me stop you one second,
4 Mr. Izquierdo. Relating to the additional
5 three feet approximately of curb cut, would it be
6 fair to say that that would not reduce or
7 eliminate an on-street parking space?

8 MR. IZQUIERDO: Yes, it would. Yes, it
9 would.

10 MR. LOPEZ: Please explain to the Board.

11 MR. IZQUIERDO: Yes. What happens is
12 right now the two-family house, the two units have
13 one parking space. So if we add the basement
14 apartment, we would be required to have 1.8
15 parking spaces. So when you see the variance
16 table, the total number of parking spaces required
17 is 5.8 for three-family, four for two-family. But
18 in providing one additional space, we would be
19 alleviating that condition.

20 This Board gains jurisdiction of this
21 application because this property is located in
22 the R zone, a three-family house is not an allowed
23 use in the R zone, so as such this is a straight
24 D1 building use variance.

25 The lot size required is 2,500 square

1 feet, the proposed is 2,500 square feet, which
2 conforms. The lot is 25 feet, we have 25 feet,
3 which conforms. The lot depth is 100 feet, we
4 have 100 feet, which conforms. The minimum front
5 yard is 10 feet, we have 12 feet, 3 inches, which
6 exceeds, but that is also the size of the parking
7 space that we have in the front. The minimum side
8 yard is one side 2 feet and both sides 5. We have
9 on one side 0 feet because that's a property line
10 wall with the neighbor to the east, going closer
11 to Palisade. And on the other side, we have
12 2.9 feet, which is just shy of the 3 feet required
13 for exit of this property.

14 MR. LOPEZ: Those are existing
15 conditions that are not being changed?

16 MR. IZQUIERDO: They're all existing
17 conditions, we're not adding anything to the
18 building. Actually the layout of the apartment,
19 the inside of the existing apartment is like a one
20 bedroom and we're turning it into one bedroom
21 studio, because the meters and the boilers and
22 everything is all within one space. So what we're
23 doing is we're taking the front window of the
24 octagonal projection and turning that into a door.

25 So as you come into -- straight from the

1 street from that door, you're going to have the
2 meters to the left, that's shown on the second
3 sheet. And you're going have your mechanical
4 rooms and all your equipment to the right, that
5 being a common area. And from there on, you go to
6 the second door which is the apartment. So the
7 apartment is actually being reduced in size.

8 MR. LOPEZ: Keep going, finish.

9 MR. IZQUIERDO: Exactly. So the rear
10 yard is 25 feet or 25 percent or 25 feet, and we
11 have 32 feet. The lot coverage is 85 percent, we
12 have 80 percent, which conforms. The building
13 height is two stories or 40 feet and we have two
14 stories or 40 feet, which conforms. The parking
15 space, which is the only variance that we have,
16 we're required to have four spaces for the
17 two-family where we have one. And we're required
18 to have 5.8 parking spaces for the three-family
19 house, which we're proposing to have two. The
20 only variance that we're requesting other than the
21 use variance as a three-family house is the
22 parking.

23 On the second sheet, you see there's
24 some details for the curb cut and for the drainage
25 of the property. And you have also the existing

1 floor plan, which shows the configuration where
2 the meter rooms and the storage and all that
3 nonsense with the boilers and everything is right
4 within --

5 MR. LOPEZ: On the left of the plan?

6 MR. IZQUIERDO: On the center of the
7 plan, you have the existing conditions. So what
8 we're proposing to do is to create -- take the
9 window in the front of the octagon and turn it
10 into a door, so you can enter into there and then
11 it becomes a common area.

12 PSE&G and the other tenants have access
13 to their boiler, have access to their water
14 heaters, have access to the meter, electric, gas,
15 and water, and whatnot, and they don't have to go
16 into the other unit. That door also allows the
17 unit to have two means of egress. The kitchen is
18 existing, will remain where it is. It's going to
19 be nice because Michael Hern does very nice
20 apartments, actually his company is called Luxury
21 Homes or something like that and he sells very
22 high scale apartments. So when he renovates
23 units -- and we did one on 5th Street for him,
24 they're always high scale.

25 So the kitchen remains where it is,

1 albeit in a more fashionable condition. The
2 dining room, living room remains where it is, the
3 bathroom remains where it is. And essentially
4 there's no changes to the property other than
5 relocating all the entrances and making that a
6 common area for the meters and the parking spaces
7 in the front.

8 MR. PANEQUE: Mr. Izquierdo, allow me
9 one second please. Let the record reflect that
10 Mr. Ortiz has joined the meeting. We have six
11 members right now, it's 6:47.

12 MR. LOPEZ: Mr. Izquierdo, the proposed
13 changes that you described at the front, at the
14 new entrance to the apartment, does it offer
15 improved fire security given the new layout?

16 MR. IZQUIERDO: That's one of the
17 positive criteria. In order to meet the Medici
18 standard, we have to do the positive and the
19 negative criteria, it's in particular cases and
20 for special reasons. By providing the door where
21 the window is in the front, that unit will have
22 two means of egress, which will conform to code.
23 The basement apartment is going to be sprinklered
24 on a limited area, it's going to be fire
25 separated. These are all positive criteria.

1 The positive criteria is also that we
2 have the additional parking spaces were created.
3 The negative criteria is basically that the two
4 parking spaces in the front don't meet the minimum
5 16 feet of Municipal Land Use Law of the
6 Residential Site Improvements Standards, but all
7 the others houses on that block have that same
8 condition. Because all those houses are pretty
9 much in the same line.

10 This is 4th Street that lies between
11 Palisade Avenue and New York Avenue. And there
12 are a number of the four-story, the more elaborate
13 three-family house with the ground floor parking
14 and the elevators and everything on the street.
15 The street is in need of, you know, making it
16 nicer and this would be -- Michael has actually
17 owned this property for a number of years. And he
18 was waiting for the opportunity to present this
19 project to the Board.

20 MR. LOPEZ: That area that you
21 described, Mr. Izquierdo, also has numerous
22 multiple dwellings?

23 MR. IZQUIERDO: Yes.

24 MR. LOPEZ: There's a nine unit
25 building --

1 MR. IZQUIERDO: Yes.

2 MR. LOPEZ: -- one house away and also
3 on the corner, is there not, as well as well as
4 others midblock?

5 MR. IZQUIERDO: It's becoming one of the
6 better areas of the City of Union City, it's a
7 very nice area. I have nothing further.

8 MR. LOPEZ: We have no additional
9 testimony on our part, certainly open to questions
10 from the Board?

11 CHAIRPERSON GRULLON: Mr. Lopez, in your
12 opening statement, you mentioned that building
13 department recognized this as three units.

14 MR. LOPEZ: No, the building department
15 in their memo indicates that this house was
16 originally a three unit. Mr. Hern purchased it
17 thinking that it was in fact a three unit.
18 Apparently, currently the building department
19 deems that that use was abandoned and that's why
20 we're here. But clearly their memo says it was
21 originally a three-family.

22 CHAIRPERSON GRULLON: Your request is to
23 go from two to three?

24 MR. LOPEZ: From two to three, correct.

25 MR. IZQUIERDO: In terms of the theory

1 of abandonment, nothing was abandoned. I mean the
2 kitchen is there, none of the pertinences of the
3 three family house were abandoned, the bathroom is
4 there, the kitchen is there. So I don't know what
5 happened, but it was originally a three-family
6 house and that's exactly what I saw. I visited
7 this house personally and I know exactly what I
8 saw.

9 MR. LOPEZ: If the building department
10 didn't get in the way, we wouldn't be here today.
11 But, unfortunately, they asked that we apply for a
12 variance.

13 CHAIRPERSON GRULLON: Again, you're
14 going to be doing construction inside?

15 MR. LOPEZ: Yes.

16 CHAIRPERSON GRULLON: Renovation in all
17 the apartments?

18 MR. IZQUIERDO: Yeah.

19 MR. LOPEZ: No, no, only on the
20 basement.

21 CHAIRPERSON GRULLON: Only basement.

22 MR. IZQUIERDO: The two units on the top
23 are in very good condition. The basement is
24 vacant and has been vacant, so there's humidity
25 and everything. We're going to have new flooring,

1 new walls, new insulation, new lighting. It's
2 going to be a very nice unit.

3 CHAIRMAN GRULLON: Okay. And I know
4 that zone, that only two-families are permitted,
5 that's the reason why you're here to request to go
6 from two to three. Also the variance that you are
7 requesting are for side yard and it's a
8 preexisting?

9 MR. LOPEZ: It's an existing condition
10 now, it's not being changed.

11 CHAIRPERSON GRULLON: And the parking
12 variance that you are also seeking, you're
13 actually going from one to two?

14 MR. LOPEZ: That's correct.

15 CHAIRPERSON GRULLON: The requirement is
16 5.8?

17 MR. IZQUIERDO: Yes.

18 CHAIRPERSON GRULLON: You're not in
19 compliance with that, with the 5.8, but you will
20 be adding an additional parking space?

21 MR. LOPEZ: That's correct.

22 CHAIRPERSON GRULLON: Just to alleviate
23 the --

24 MR. LOPEZ: And, Mr. Chairman, again to
25 clarify, we're adding one off-street parking

1 without removing any street parking space.

2 CHAIRPERSON GRULLON: Can you explain
3 how is that because the curb cut is going from 12,
4 8 to 16, 8.

5 MR. IZQUIERDO: To 16, 6, it's only
6 three feet. And the way it's being laid out, it
7 actually moves because what happens is when you
8 stand in front of the house, you have the parking
9 space. And then you have that monumental stairs
10 that comes down. So when we take that stair and
11 we bring it all the way straight, it's actually
12 within the front of our property that we're
13 extending that curb cut, where we're going from
14 the 12, 8 to 16, 6. So we're maintaining the
15 right hand side of the curb and then we're
16 extending it to the other side.

17 MR. LOPEZ: And, Mr. Chairman, I would
18 also point the Board's attention to the photograph
19 on the front of these plans. The house, as you
20 face the house, the property to the right is now a
21 parking garage, so there's nothing there, there's
22 not a parking space that we would be taking away.

23 MR. IZQUIERDO: Yes. And there's not
24 sufficient space between the curb and the other
25 property where another parking space -- we're not

1 taking any cars off the street.

2 CHAIRPERSON GRULLON: The increase is
3 going to be increasing to the side of the parking
4 garage?

5 MR. IZQUIERDO: Yes.

6 CHAIRPERSON GRULLON: There's no space
7 for another car?

8 MR. LOPEZ: Correct.

9 MR. IZQUIERDO: No, there isn't.

10 CHAIRPERSON GRULLON: I have nothing
11 further. Any members of the Board has any
12 questions for this? Do you have any other
13 witness?

14 MR. LOPEZ: Nothing else, Mr. Chairman.

15 MR. PANEQUE: Before we proceed, Mr.
16 Lopez, Mr. Ortiz, the Board Member came in in the
17 middle of the presentation of your architect, Mr.
18 Izquierdo. I just want to ask him a couple of
19 questions.

20 Mr. Ortiz, have you had an opportunity
21 to familiarize yourself with the site plan?

22 MR. ORTIZ: Yes.

23 MR. PANEQUE: And did you happen to pay
24 attention to the remainder of the presentation
25 that Mr. Izquierdo did?

1 MR. ORTIZ: Yes, I did.

2 MR. PANEQUE: Do you have any questions?

3 MR. ORTIZ: No, not at this time.

4 MR. PANEQUE: You feel comfortable with
5 the application at this time where you're willing
6 to make a vote on it?

7 MR. ORTIZ: Yes.

8 MR. LOPEZ: And I have no objection to
9 his vote.

10 MR. PANEQUE: Thank you.

11 CHAIRMAN GRULLON: Hearing none from the
12 Board Members, at this time, I want to open it to
13 the public. Any member of the public want to step
14 forward? Hearing none, close to the public.

15 Taking in consideration that this
16 application is going to enhance the apartments
17 that have been requested for addition, I make a
18 motion to grant this application to go from two to
19 three-family house.

20 VICE CHAIRPERSON GUTIERREZ: I'll second
21 it.

22 MR. VALLEJO: Motion on the table to
23 grant this application by Mr. Grullon, seconded by
24 Ms. Gutierrez. Roll call on the motion to approve
25 this application. Mr. Grullon.

1 CHAIRPERSON GRULLON: Yes.
2 MR. VALLEJO: Ms. Gutierrez.
3 VICE CHAIRPERSON GUTIERREZ: Yes.
4 MR. VALLEJO: Mr. Ortiz.
5 MR. ORTIZ: Yes.
6 MR. VALLEJO: Ms. Pena.
7 MS. PENA: Yes.
8 MR. VALLEJO: Ms. Perez.
9 MS. PEREZ: Yes.
10 MR. VALLEJO: Ms. Watley.
11 MS. WATLEY: Yes.
12 MR. VALLEJO: Six in favor, motion
13 carries.
14 MR. IZQUIERDO: Thank you very much,
15 happy Thanksgiving.
16 MR. VALLEJO: Off the record.
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18 (Discussion held off the record.)
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1 **2705 BERGENLINE AVENUE, LLC -**

2 **2705 BERGENLINE AVENUE:**

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4 MR. VALLEJO: Let the record reflect
5 that Ms. Watley left the meeting at 6:57.

6 MR. PANEQUE: Let the record reflect as
7 follows, I've been provided by Mr. Lopez with an
8 affidavit of service indicating that notice of
9 tonight's hearing with respect to the application
10 at 2705 Bergenline Avenue was provided to all
11 property owners within 200 foot radius.

12 I've also been provided with an
13 affidavit of publication from The Jersey Journal,
14 with a publication date of October 25th, listing
15 the hearing for tonight's matter on this case at
16 this location.

17 I've also been provided with copies of
18 the notice as well as the tax list from the tax
19 assessor's office, with a date of September 12,
20 2022, listing all property owners within the 200
21 foot radius of 2705 Bergenline Avenue.

22 I've been provided with the certified
23 mail slips with a postmark date of October 21,
24 2022.

25 Based on the documentation that has been

1 provided by Mr. Lopez, which was previously also
2 emailed to my office, thank you, Mr. Lopez --

3 MR. LOPEZ: Thank you, Counsel.

4 MR. PANEQUE: -- this Board has
5 jurisdiction to proceed and hear this matter.

6 MR. LOPEZ: Thank you. Mr. Chairman,
7 we're going to request an adjournment this
8 evening. We don't have a planner, which may be
9 useful. So we would respectfully ask that you
10 allow us to carry this to the next meeting.

11 CHAIRPERSON GRULLON: Okay. Mr. Lopez,
12 you agree to waive the statutory rights?

13 MR. LOPEZ: I do, I do.

14 CHAIRPERSON GRULLON: Time limits. With
15 that, you want the adjournment to the next Board
16 meeting?

17 MR. LOPEZ: If possible, yes.

18 CHAIRPERSON GRULLON: I make a motion to
19 adjourn this application to the next Board
20 meeting, no further notice.

21 VICE CHAIRPERSON GUTIERREZ: I'll
22 second.

23 MR. VALLEJO: Motion on the table to
24 adjourn this application for December 8 meeting at
25 the Sara Gilmore Academy at 1600 Kerrigan Avenue,

1 no new notice required. Motion by Mr. Grullon,
2 seconded by Ms. Gutierrez. Roll call on the
3 motion. Mr. Grullon.

4 CHAIRPERSON GRULLON: Yes.

5 MR. VALLEJO: Ms. Gutierrez.

6 VICE CHAIRPERSON GUTIERREZ: Yes.

7 MR. VALLEJO: Mr. Ortiz.

8 MR. ORTIZ: Yes.

9 MR. VALLEJO: Ms. Pena.

10 MS. PENA: Yes.

11 MR. VALLEJO: Ms. Perez.

12 MS. PEREZ: Yes.

13 MR. VALLEJO: Five in favor, motion
14 carries. No new notice required.

15 MR. LOPEZ: Thank you, all. See you at
16 the next meeting. Happy Thanksgiving.

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ADOPTION OF RESOLUTIONS:

(1.) Julio Moncayo 1109 New York Avenue, Block: 52 Lot: 3 legalize an existing apartment to go from 2 units to 3 units. **Approved**

(2.) Joseph Shannawi 602 11th Street Block: 54 Lot: 23 legalized existing second floor unit to convert the property from a one family to a 2-family structure. **Approved**

(3.) Sheila Balasa & Janice Treubig 1105 new York Avenue, Block: 52 Lot: 2. Legalization of existing two-family dwelling **Approved**

(4.) Kelsey Adamy & Paul Chang. 512 Monastery Place Block: 109 Lot: 36 legalization of rear house. **Approved**

(5.) Geoffrey Williams 321 5th Street Block: 139 Lot: 20 addition and alterations to existing three family building **Approved**

(6.) Medna Builders, LLC 406 Bergenline Avenue Block: 198 Lot: 1 new two (2) family dwelling. **Approved**

(7.) German Monsalve & Miryam Jaramillo. 306 A 40th Street Block: 236 Lots: 12.5 & 13.5 legalization of a ground floor apartment. Converting from a two family to a three family. **Approved**

1 (8.) Michelle Needham 505 Palisade Avenue Block:
2 25 Lot: 3 the applicant proposes to legalize a
3 unit in a single-family dwelling to create a
4 two-family structure **Approved**

5
6 MR. VALLEJO: Thank you. Moving to
7 resolutions now. We have eight resolutions on
8 tonight's agenda.

9 Resolution number one, Julio Moncayo,
10 1101 New York Avenue, was approved at the previous
11 meeting.

12 Joseph Shannawi, 602 11th Street was
13 approved at the previous meeting.

14 Number three Sheila Balasa and Janice
15 Treubig 1105 New York Avenue was approved at the
16 previous meeting.

17 Number four, Kelsey Adamy and Paul
18 Chang, 512 Monastery Place was approved at the
19 previous meeting.

20 Geoffrey Williams, 321 5th Street,
21 approved at the previous meeting.

22 Number six, Medna Builders, LLC, 406
23 Bergenline Avenue, approved at the previous
24 meeting.

25 Number seven, German Monsalve and Miryam

1 Jaramillo, 306 A 340th Street, approved at the
2 previous meeting.

3 Number eight, Michelle Needham, 505
4 Palisade Avenue, approved at the previous meeting.

5 Can I have a motion to adopt these
6 resolutions.

7 CHAIRPERSON GRULLON: Motion to adopt
8 the eight resolutions.

9 VICE CHAIRPERSON GUTIERREZ: Seconded.

10 MR. VALLEJO: Motion by Mr. Grullon,
11 seconded by Ms. Gutierrez. Roll call on the
12 motion. Mr. Grullon.

13 CHAIRPERSON GRULLON: Yes.

14 MR. VALLEJO: Ms. Gutierrez.

15 VICE CHAIRPERSON GUTIERREZ: Yes.

16 MR. VALLEJO: Mr. Ortiz.

17 MR. ORTIZ: I was not at the meeting, I
18 abstain.

19 MR. VALLEJO: Ms. Pena.

20 MS. PENA: Yes.

21 MR. VALLEJO: Ms. Perez.

22 MS. PEREZ: Yes.

23 MR. VALLEJO: Four in favor, one
24 abstained, motion carries.

25 * * * *

ADJOURNMENT:

MR. VALLEJO: All right. There being no other applications on tonight's agenda, can I have a motion to close tonight's meeting? Motion by Ms. Gutierrez, seconded by Ms. Pena. All in favor?

(All Board Members indicate in the affirmative.)

MR. VALLEJO: The ayes have it.

Thank you. Good night, everyone. Let the record show that the meeting has ended. Thank you and good night, everyone.

(Whereupon the meeting was adjourned.)

C E R T I F I C A T E

I HEREBY CERTIFY that the foregoing is a true and accurate transcript of the testimony and proceedings as taken stenographically by me at the time, place, and on the date hereinbefore set forth.

SUSAN BISCHOFF, CCR, RPR
LICENSE NO. 30XI00233700