

CITY OF UNION CITY
HUDSON COUNTY, NEW JERSEY
PLANNING BOARD

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

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

Tuesday, June 27, 2023
Commencing at 6:03 p.m.

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

ALEJANDRO VELAZQUEZ, Chairperson
YDALIA GENAO
ALICIA MOREJON
FRANKLIN MEDINA
JOSE GUARENO, Alternate #1 (at 6:06 p.m.)
HECTOR OSEGUERA, Alternate #2

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

BRIAN T. STACK, Mayor
CELIN J. VALDIVIA, Commissioner
CAROLINA FERNANDEZ

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

BRIAN CHEWCASKIE, ESQ.
Board Counsel

CARLOS VALLEJO, Board Secretary

DAVID SPATZ, P.P.

SUSAN BISCHOFF, CCR, RPR
449 Columbia Blvd., Wood-Ridge, NJ 07075
201-933-8220 SBischoffccr@yahoo.com

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

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, Shaista, LLC

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, Jersey Property
Holdings, LLP

I N D E XPAGE

CALL TO ORDER

6

SALUTE TO FLAG

6

ROLL CALL

7

ADOPTION OF MINUTES

8

HEARINGS

9/31

ADOPTION OF RESOLUTIONS

--

ADJOURNMENT

46

I N D E X

SHAISTA, LLC
522-524 31st Street

WITNESSPAGE

MANUEL PEREIRAS

9

CRAIG PEREGOY

17

E X H I B I T SNO.DOCUMENTPAGE

NO

EXHIBITS

MARKED

TONIGHT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

JERSEY PROPERTY HOLDINGS, LLP
1113 Bergenline Avenue

<u>WITNESS</u>	<u>PAGE</u>
MANUEL PEREIRAS	32

E X H I B I T S

<u>NO.</u>	<u>DOCUMENT</u>	<u>PAGE</u>
A-1	Colored rendering	37

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

3 Please take notice that on Tuesday,
4 June 27, 2023, at 6:00 p.m., a regular meeting is
5 scheduled for the City of Union City Planning
6 Board to be held in the Union City High School
7 located 2500 John F. Kennedy Boulevard, Union
8 City, New Jersey.

9 Opening statement. This meeting is
10 called in compliance with Chapter 231, public law
11 1975 of the Open Public Meeting Act. Adequate
12 notice of this meeting has been provided as
13 follows: Notice of this meeting setting forth the
14 time, date, location, and the agenda to the extent
15 known was forwarded to The Jersey Journal, also
16 The Record and The Star Ledger and has been posted
17 on the bulletin board in city hall and has been
18 made available to the public in the office of the
19 municipal clerk.

20 Before we call roll for this evening's
21 meeting, can everybody kindly rise to salute the
22 flag, please.

23 (Whereupon, the Pledge of Allegiance was
24 recited.)

25 MR. VALLEJO: Thank you.

ROLL CALL:

MR. VALLEJO: Roll call for tonight's meeting. Mayor Stack is absent.

Mr. Velazquez.

CHAIRPERSON VELAZQUEZ: Here.

MR. VALLEJO: Commissioner Celin Valdivia is absent.

Ms. Genao.

MS. GENAO: Yes.

MR. VALLEJO: Ms. Morejon.

MS. MOREJON: Yes.

MR. VALLEJO: Ms. Fernandez is absent.

Mr. Guareno.

MR. GUARENO: Here.

MR. VALLEJO: Mr. Oseguera.

MR. OSEGUERA: Here.

MR. VALLEJO: We have five present for tonight's hearing.

* * * *

ADOPTION OF MINUTES:

MR. VALLEJO: We're going to adoption of minutes of May 23, 2023.

CHAIRPERSON VELAZQUEZ: I make a motion.

MR. VALLEJO: Motion by Mr. Velazquez.

MR. GUARENO: Second.

MR. VALLEJO: Seconded by Mr. Guareno.

Roll call on the motion. Mr. Velazquez.

CHAIRPERSON VELAZQUEZ: Yes.

MR. VALLEJO: Ms. Genao.

MS. GENAO: Yes.

MR. VALLEJO: Ms. Morejon.

MS. MOREJON: Abstain.

MR. VALLEJO: Mr. Guareno.

MR. GUARENO: Yes.

MR. VALLEJO: Mr. Oseguera.

MR. OSEGUERA: Yes.

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

Five minute break.

(Whereupon a short recess was taken.)

1 **SHAISTA, LLC -**

2 **552-24 31st Street:**

3
4 MR. VALLEJO: Back on the record. Let
5 the record reflect that Mr. Medina joined the
6 meeting as 6:06 p.m., now we have six members.

7 Now, we're going to move item number
8 one, Shaista, LLC, 522-24 31st Street. Ms.
9 Pereiras, please.

10 MS. PEREIRAS: Thank you very much.
11 Good evening, everyone, Bianca Pereiras on behalf
12 the applicant, Shaista, LLC. As you may recall,
13 we were here in April on this matter and also
14 again on May 23rd on this application to construct
15 two mixed use structures. Because there has been
16 some testimony over the course of two meetings,
17 I'd like to begin the presentation this meeting
18 with the recap from our architect, Mr. Manuel
19 Pereiras.

20
21 M A N U E L P E R E I R A S, previously sworn:

22
23 MR. CHEWCASKIE: He's still under oath.

24 MR. PEREIRAS: I recognize I am still
25 under oath and I am still Manny Pereiras.

1 MS. PEREIRAS: Mr. Pereiras, would you
2 kindly describe the proposal for the Board,
3 please?

4 MR. PEREIRAS: I'd be very happy to,
5 I'll be very brief. This is an amazing project,
6 just to remind the Board what we have there
7 existing are two lots and it's a nonconforming lot
8 with a nonconforming use. We have a small
9 residential building here that is nonconforming in
10 length and width. And then we have another lot
11 that's like an L-shape coming across here. What
12 we're looking to do is to demolish both those
13 structures and create two conforming lots that
14 meet everything in our ordinance as far as lot
15 width, lot depth, and lot area. So we're simply
16 going to divide them perfectly down the middle and
17 we'll have 100-by-25 foot lots, so that it is in
18 conformance, perfectly what the planning board
19 would like to see.

20 And then on those two lots, we are
21 proposing very simply two -- exactly what the
22 ordinance permits, two four-story structures in
23 compliance with everything. There is one variance
24 that we're seeking and I think it's more of a
25 technical variance. Our ordinance is written in a

1 way so that if we have no side yard setback, we
2 don't need a variance. But if we provide a side
3 yard setback that's less than five feet, we need a
4 variance. And what we're doing, even though we
5 could put the building right up against the
6 property line, we're choosing to pull that back
7 three feet, so the fire safety, people can get in
8 and fight a fire if they had to, firemen, and
9 people could escape through the building as well.
10 That also allows us to have space for windows. So
11 we're electing to create this three foot side yard
12 setback and that triggers a side yard variance.

13 The only other variance that we have is
14 parking. As you can see, our ordinance requires
15 that on the ground floor, we have commercial. So
16 if we didn't have commercial on the ground floor,
17 that would trigger more variances. It would
18 actually be a use variance, which is a higher
19 level and wouldn't even go before this Board, it
20 would go before the Zoning Board of Adjustment.

21 So by following the ordinance and having
22 the commercial on the ground floor, which is what
23 we want in this neighborhood. This is an
24 important -- it's an important neighborhood that
25 we want to keep the ground floor activated during

1 the day because it's an important commercial
2 corridor. So it is critical to have these
3 commercial spaces other ground floor to keep it
4 active. In addition to that, there's an existing
5 Domino's on this location, that Domino's is going
6 to stay. So we're going to work on this in
7 phases. We're going to demolish the one structure
8 on the right-hand side, build that, get the
9 Domino's located into that right-hand section.
10 And then after that's done, demolish the other
11 structure and build that.

12 And then what we have as far as
13 planning, we have ground floor commercial on both
14 sides, one is larger than the other, okay.
15 Because on one side we set back three feet on that
16 side. So we have one commercial space which is
17 Domino's Pizzeria, which is 1,525 square feet.
18 And the second commercial space on the other
19 structure is 1,735 square feet. And we have two
20 stairwells, one along the front and one along the
21 rear. That serves as secondary means of egress
22 for all the apartments in the building.

23 And what we did is exactly what the
24 ordinance prescribes. The ordinance doesn't say
25 two, it doesn't say four, it says that we have

1 three apartments. So we did exactly what the
2 ordinance says and we have one apartment per
3 floor. And those are very simply three bedroom
4 apartments. You have two bedrooms for the kids,
5 and one master bedroom along the back that's a
6 suite with its own bathroom and walk-in closet.
7 Nice sized living, dining room, kitchen are with
8 open concept. It's going to be a beautiful
9 apartment for a great Union City family. We have
10 three on each side, which is exactly what the
11 ordinance prescribes.

12 As far as our facade, we're meeting the
13 height exactly what's prescribed and we're
14 providing brick along the front of the building,
15 which is in context with Union City and it fits
16 well with the urban fabric there. It's the style,
17 the look that we want. And, of course, that
18 ground floor commercial.

19 So I'm open for questions and I know I
20 went through it quickly because I know you guys
21 have heard me talk about this already on two
22 separate meetings, so I'll keep it brief. But
23 it's the right project for the right location and
24 I think it's going to be good for Union City to
25 have this building there.

1 MR. CHEWCASKIE: Mr. Pereiras, just to
2 reorient the Board, I know you were here April and
3 May, if you could just tell us, you know, existing
4 on the site now, is there parking to accommodate
5 the Domino's?

6 MR. PEREIRAS: There is no parking. And
7 the Domino's operates very well. If -- let me go
8 to -- by the way, we have a traffic consultant
9 here today that's going to be a lot more -- is
10 going to talk about the project in depth in
11 regards to parking. However, while we're all
12 familiar with 32nd Street and the great thing
13 about 32nd Street is that there's a lot of
14 commercial parking. If you look at in front of
15 the bank, we have an entire row of head-on parking
16 spaces.

17 Since this application was heard and
18 since this Board was concerned with parking, I've
19 made it a point to drive by there every single day
20 and every single today there's parking. I haven't
21 found a situation where I'm leaving work and I
22 couldn't find a parking space in that area.

23 This is an area that actually, unlike
24 the majority of Union City, it's very heavily
25 commercial with very little residential. You have

1 the banks there, you have buildings that have
2 parking, the new buildings that are coming up all
3 have parking within them. There is, in this
4 little pocket along 32nd Street, all along 31st
5 Street, there is actually plenty of parking there
6 at the time of -- when people come home to live
7 there. So yes, that's part of the application.

8 MR. CHEWCASKIE: And the only other
9 question I have is, I guess, the Domino's is
10 existing, the other commercial that's being
11 proposed, there's no particular tenant at this
12 time?

13 MR. PEREIRAS: Correct. It will be
14 created as a vanilla box, maybe by the time that
15 it's built, there will be a tenant there, but it's
16 going to be a future tenant.

17 MR. CHEWCASKIE: And the Domino's does
18 delivery and pick up at that location?

19 MR. PEREIRAS: That's correct.

20 MR. CHEWCASKIE: Thanks. Anybody else
21 have questions? Chairman asked that perhaps you
22 send us the colored version of the renderings and
23 the like. So, Bianca, if you want to email it to
24 either Carlos or me, we'll make sure they get
25 distributed.

1 MS. PEREIRAS: I'll be happy to do that.

2 MR. PEREIRAS: And I did mark this at a
3 previous meeting.

4 MR. CHEWCASKIE: Didn't we mark the
5 whole set A-1?

6 MR. PEREIRAS: We did. And the only
7 difference between this set and the set given to
8 the Board are the color renderings.

9 MR. CHEWCASKIE: And the Chinese balloon
10 in the corner. I just wanted to add a little
11 levity.

12 CHAIRPERSON VELAZQUEZ: I only see the
13 birds.

14 MR. CHEWCASKIE: I don't think there are
15 any questions for Mr. Pereiras. I think that was
16 a good recap, I just wanted to reorient myself as
17 to what was there, what's being proposed. And I
18 believe you have another witness now?

19 MS. PEREIRAS: We do.

20 MR. CHEWCASKIE: I see Mr. Peregoy
21 sitting back there, I don't know if he prepared a
22 written report or is just testifying?

23 MS. PEREIRAS: He's going to testify.

24 MR. CHEWCASKIE: Thank you.

25

1 C R A I G P E R E G O Y, after having been duly
2 sworn or affirmed, did testify as follows:

3

4 MR. PEREGOY: Craig Peregoy,
5 P-E-R-E-G-O-Y.

6 MS. PEREIRAS: Mr. Peregoy, you've had a
7 chance -- I apologize, Mr. Peregoy is accepted as
8 an expert in the field of traffic engineering?

9 MR. CHEWCASKIE: Well, I believe Mr.
10 Peregoy has testified before this Board in the
11 past. I've seen Mr. Peregoy's reports and
12 testimony, you know, I would recommend that he be
13 accepted as an expert in the field of
14 transportation, parking, traffic.

15 MS. PEREIRAS: Thank you very much.

16 Mr. Peregoy, are you familiar and have
17 you had an opportunity to review the drawings
18 prepared by Pereiras Architects?

19 MR. PEREGOY: Yes.

20 MS. PEREIRAS: And have you had an
21 opportunity to visit the site in question?

22 MR. PEREGOY: Yes.

23 MS. PEREIRAS: And would you kindly
24 describe your findings for the Board?

25 MR. PEREGOY: Sure. I'll briefly touch

1 on the traffic side of things, I know that's not
2 really as critical in this case. But basically
3 what you have on the sight today is the Domino's
4 and then three additional residential units, two
5 in the building next door and one above. So what
6 we're really adding and the difference is going to
7 be the additional retail space plus three more
8 units. So if I look at the traffic projections in
9 the ITE, the Institute of Transportation
10 Engineers, puts out there, looking at the morning
11 and evening peak hours, the busiest times of day,
12 the delta I guess between what's there now and
13 what we're proposing is an additional four vehicle
14 trips in the morning peak hour and seven in the
15 evening peak hour, that's very low. Generally 100
16 or more is when you're considered a significant
17 increase in traffic, so we're at 10 percent of
18 that. So this is certainly not going to be
19 something that's going to bring a lot of traffic
20 into the area.

21 Obviously the primary focus is the
22 parking, there's none there today and practically,
23 we really couldn't put any on the site as it's
24 proposed. And as you heard from the prior
25 testimony, it would be a conforming property.

1 Your ordinance requires for the six residential
2 units, 12 parking spaces. And then for the
3 commercial units, 11 parking spaces. So the total
4 there would be 23 parking spaces based on the
5 ordinance requirements. But again, we're looking
6 at a site that is currently occupied by the
7 Domino's that's staying. So anything that's going
8 on in terms of its parking is going to stay
9 exactly as it is today.

10 So if you look at the difference in
11 demand based on your ordinance, it would be an
12 additional 12 parking spaces based on the
13 ordinance requirements. There's a couple things
14 to keep in mind, that's just the addition of the
15 requirements for the commercial space and the
16 requirements for the residential space, but they
17 don't really have the peak parking at the same
18 time. Residential parking demand is overnight
19 when people are home sleeping, they go out for
20 work during the day and that's when you see the
21 retail demand. So just because the extra amount
22 of spaces the ordinance requires is 12, you're
23 unlikely to see 12 additional cars parked at any
24 one time.

25 The other thing to keep in mind is this

1 is not really exactly the greatest residential
2 space for somebody who has multiple cars or is
3 going to commute. People that have two cars
4 probably are going to look for some place that has
5 on-site parking. This is a commuters' heaven.
6 There's 22 bus lines within a quarter mile of
7 here. So it's ideal to get to any number of
8 transit hubs in the area. It's definitely going
9 to cater to people who don't want to drive,
10 especially since they're not giving parking
11 spaces.

12 And when it comes to the retail space,
13 again that's probably going to be more of a
14 neighborhood oriented retail space and not
15 something somebody is going to travel there and go
16 oh, I have to go to see this. It's 1,700 square
17 feet of whatever it happens to be. The intent is
18 to be in the local neighborhood. So the parking
19 numbers that your ordinance requires are certainly
20 a little bit elevated based on the reality.

21 In fact, if I look at the census data
22 for this particular tract, it indicates a vehicle
23 ownership of 0.76 vehicles per residential unit.
24 So you're talking about five cars for the
25 six units as opposed to the ordinance requiring

1 twelve. So certainly less parking than, I would
2 say, your ordinance is going to require.

3 With that being said, we did undertake a
4 parking study. We wanted to take a look at how
5 many parking spaces were available and I focused
6 on about a 500 foot walk around the property,
7 there's about 250 on street parking spaces, many
8 of them metered, which helps -- I'll get into that
9 in a minute -- within that close 500 foot walking
10 distance in the area. And we wanted to take a
11 look at the times when you're going to see that
12 commercial space start to fill up and the
13 residents leaving in the morning and then the
14 reverse in the evening, where the residents are
15 returning home and the commercial is getting a
16 little bit less active.

17 So drove the streets from seven to --
18 from 8 to 10 in the morning and 7 to 10 in the
19 evening counting empty parking spaces and figuring
20 out how many parking spaces are available within
21 that 500 foot walk. And certainly parking, as we
22 know in Union City, is at a premium. But we did
23 find in this particular area in that zone a
24 minimum at any one time of 19 parking spaces
25 available. And the reason I think that happens is

1 here the meters. So you have a higher turnover of
2 parking. Somebody's not leaving their car just
3 sitting there all week on the side streets, where
4 they're just waiting for the street cleaning day,
5 then they move and move back. You've got the
6 meters that have one or two hour limits. And then
7 overnight parking is by residential permit only.

8 So that sort of forces the turnover of
9 the parking spaces and makes this a really a great
10 spot for an application like this, where you
11 really can't put parking, but trying to do the
12 right thing and really improve an aging property.
13 It makes perfect sense in this area and that's
14 borne out by the parking counts that we did. And
15 as I mentioned the fact that you have different
16 peaks between the commercial uses and the
17 residential uses.

18 So from a parking perspective and
19 obviously a traffic perspective, this fits in just
20 fine.

21 CHAIRPERSON VELAZQUEZ: For those 19
22 spaces, that was from 8 to 10 a.m. and then 7 to
23 10 p.m.?

24 MR. PEREGOY: Yeah. And it's
25 interesting, the 19 is the minimum, at the lowest

1 was 8:30, 9:00 at night. And again that's because
2 residents are starting to come home from work, if
3 you do the math, you can park two hours till
4 10 p.m. at the meter, then leave your car
5 overnight. So that's probably some of the
6 residents taking that up. And then you have the
7 retail active. At 9:30, that 19 jumped up to 28.
8 So as the commercial starts to die out and close
9 out, it goes back up. So we really captured that
10 overlap minimum time period.

11 MR. CHEWCASKIE: Mr. Peregoy, just a
12 couple questions. I guess you indicated you were
13 at the site, were you there more than once or what
14 day were you there?

15 MR. PEREGOY: We were there -- we did
16 the parking counts on June 21st of this year. And
17 obviously I have been to Union City a million
18 times, I've been through that area plenty of
19 times. But my specific site visits were that
20 today and then today on the way here, took a ride
21 through.

22 MR. CHEWCASKIE: So what I guess --
23 well, what are the hours of Domino's? Does the
24 Domino's stop operating 9, 10:00 at night?

25 MR. OSEGUERA: Open to 1 a.m. I order

1 from there all the time.

2 CHAIRPERSON VELAZQUEZ: I didn't want to
3 say it.

4 MR. CHEWCASKIE: So in that regard, does
5 that affect your analysis with the parking that,
6 you know, there's not that turn over, you know --

7 MR. PEREGOY: Well, theoretically, the
8 Domino's is there today, so any parking that it's
9 taking up is accounted for in the occupied spaces
10 that we counted, so that's not changing. Really
11 the delta is three units of people, who I would
12 hope wouldn't have multiple cars in that location
13 without parking. And then the commercial space,
14 which is a small -- I mean 1,700 square feet, it's
15 not going to be a big attraction.

16 MR. CHEWCASKIE: When you said you went
17 basically 250 feet in either direction for your
18 parking count?

19 MR. PEREGOY: About a 500 foot walk, you
20 know, you round off in blocks because it's easier
21 to count, but approximately a 500 foot walk.

22 MR. CHEWCASKIE: And then maybe it's
23 unfair to ask this, but is the majority -- or can
24 you tell us the number of spaces that were metered
25 when you did your analysis?

1 MR. PEREGOY: Yeah, give me one second.

2 MR. OSEGUERA: Should be most of them.

3 MR. CHEWCASKIE: Well --

4 MR. PEREGOY: A lot of them are metered.
5 Which like I said, that is helpful. We counted on
6 31st Street, 30th Street, Central Avenue, 32nd
7 Street, Bergenline Avenue and Sip Street. So
8 those basically in that area and obviously along
9 the frontage on 31st is metered, 32nd is metered,
10 Bergenline is metered. But as far as the number,
11 I guess I could get the calculator out. I'd say
12 probably 70 percent are metered. And, again,
13 that's what makes it work. That's what makes the
14 parking in that area work better than in other
15 parts of town.

16 MR. CHEWCASKIE: June 21st, what day of
17 the week was that? That was few days ago, today's
18 the 27th.

19 MR. PEREGOY: I want to say Tuesday or
20 Wednesday.

21 MR. OSEGUERA: It was my sister's
22 birthday.

23 CHAIRPERSON VELAZQUEZ: Graduation was
24 on Wednesday.

25 MR. PEREGOY: Wednesday. It says it

1 right in front of me. Wednesday, June 21st, it's
2 right on the page I'm looking at. The phone
3 usually holds all the answers, not the paper.

4 MR. CHEWCASKIE: Now, you also indicated
5 I guess there were 22 bus stops bus lines or
6 that --

7 MR. PEREGOY: 22 bus lines within a
8 quarter mile walk.

9 MR. CHEWCASKIE: Within a quarter mile.

10 MR. PEREGOY: Usually I print this out
11 and it's one or two pages, this is all the buses
12 lines, very saturated area.

13 CHAIRPERSON VELAZQUEZ: You gave me all
14 my information. Any kind of further research down
15 the line besides this project now, I'll be a
16 scientist now about 31st Street.

17 Anybody have any other questions? Thank
18 you. It was an excellent presentation.

19 MR. PEREGOY: Thank you.

20 MR. CHEWCASKIE: So, Ms. Pereiras, just
21 having a conversation with the Chairman, he
22 indicated that he just wants to go out and take
23 another look and would defer --

24 CHAIRPERSON VELAZQUEZ: This is going to
25 be the last time.

1 MR. CHEWCASKIE: -- to the following
2 month. I believe we're within the time periods,
3 when I checked with Mr. Spatz or Mr. Vallejo
4 regarding completion. This would be it, right,
5 Alex? There would be -- we wouldn't request any
6 further extension of time? I believe we're still
7 within that time period, but, you know, we'd
8 render a decision at the July meeting.

9 MS. PEREIRAS: Counsel, if you could
10 just give me one minute, my client is here, I'd
11 like to explain to him what's going on.

12 MR. CHEWCASKIE: Sure.

13 MR. VALLEJO: July 25th.

14 MR. CHEWCASKIE: When was this deemed
15 complete?

16 MR. SPATZ: Carlos does the completion
17 dates --

18 MR. CHEWCASKIE: I know we had heard
19 this April and May, I'm sure we needed one
20 extension at least.

21 MR. SPATZ: Right. And it probably pays
22 to get an extension to the next meeting, just to
23 cover ourselves.

24 MR. CHEWCASKIE: April 12th, you were
25 deemed complete. So I believe we're within the

1 95 days, which would probably make it tight, so we
2 would just request an extension to the July
3 meeting.

4 MS. PEREIRAS: That's fine, Counsel. We
5 wouldn't have an issue with that. I just wanted
6 to address that with my client, so that he
7 understands that this would be our fourth meeting
8 on this application. And I do hope that, you
9 know, we've addressed the concerns that the Board
10 had.

11 The only request I will make is if
12 possible -- and again I don't know how the Board
13 is going to vote that evening, but in case -- in
14 the event that there is a favorable vote, we'd
15 like to see if it's at least possible to have a
16 resolution memorialized that same evening, that
17 way he doesn't lose any time and could potentially
18 pull permits. This would be the fourth hearing.

19 MR. VALLEJO: Can she waive the time
20 limits?

21 MS. PEREIRAS: Yes, I waive those.

22 MR. CHEWCASKIE: I'll discuss with the
23 Chairman, I have no problem having a resolution
24 ready for the Board.

25 MS. PEREIRAS: Thank you, Counsel.

1 MR. CHEWCASKIE: It's hard to say --

2 MS. PEREIRAS: I understand.

3 MR. CHEWCASKIE: We have six members
4 here, hopefully we have six members at the July
5 meeting. I will be here.

6 So we're going to carry this matter to
7 July 25th, we have the corresponding extension of
8 time for the Board to act at that point in time.
9 And I will discuss with the Chairman, between now
10 and July 25th, a resolution. Otherwise we can
11 also -- yes, we do not have an August meeting, so
12 I'll probably suggest that we do a resolution.

13 MS. PEREIRAS: I would appreciate that,
14 Counsel. I would appreciate that, Board, thank
15 you.

16 MR. CHEWCASKIE: Any member of the
17 member wish to be heard? Seeing none, the record
18 will reflect that no member of the public is here.

19 MR. VALLEJO: Can I have a motion?

20 CHAIRPERSON VELAZQUEZ: I make a motion.

21 MR. VALLEJO: Motion by Mr. Velazquez.

22 MR. GUARENO: Second.

23 MR. VALLEJO: Seconded by Mr. Guareno to
24 adjourn this applications to July 25, 2023, same
25 place, same location.

1 Roll call on the motion. Mr. Velazquez.

2 CHAIRMAN VELAZQUEZ: Yes.

3 MR. VALLEJO: Ms. Genao.

4 MS. GENAO: Yes.

5 MR. VALLEJO: Ms. Morejon.

6 MS. MOREJON: Yes.

7 MR. VALLEJO: Mr. Guareno.

8 MR. GUARENO: Yes.

9 MR. VALLEJO: Mr. Medina.

10 MR. MEDINA: Yes.

11 MR. VALLEJO: Mr. Oseguera.

12 MR. OSEGUERA: Yes.

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

15 * * * *

16

17

18

19

20

21

22

23

24

25

1 **JERSEY PROPERTY HOLDINGS, LLP -**
2 **1113 BERGENLINE AVENUE:**

3
4 MR. VALLEJO: Now, we're moving to
5 hearing number two, Jersey Property Holdings, LLP.

6 MR. CHEWCASKIE: Carlos, just -- I'm
7 sorry to interrupt. Just, please email the
8 colored renderings to Carlos or myself.

9 MS. PEREIRAS: Absolutely. We will send
10 those in the morning.

11 MR. CHEWCASKIE: Thank you.

12 MR. VALLEJO: Thank you. Next
13 application on tonight's agenda, Jersey Property
14 Holdings, LLP, 1113 Bergenline Avenue. Ms.
15 Pereiras, please.

16 MR. CHEWCASKIE: So, Mr. Chairman, as
17 Mr. Vallejo is landing out the drawings, I had the
18 opportunity to review the affidavit of service
19 that was provided by Ms. Pereiras, affidavit of
20 publication and affidavit of service. It is
21 appropriate, so the Board does have jurisdiction
22 to hear this matter.

23 MS. PEREIRAS: Thank you very much,
24 Counsel. Bianca Pereiras on behalf of the
25 applicant for 1113 Bergenline Avenue, also known

1 as Lots 15 and 16 in Block 215. I'm very happy to
2 be here on this application because this property
3 in particular has been vacant for over 30 years,
4 so it's about time we finally develop this site.
5 And we're developing it with what we think is the
6 proper application here. This is to construct two
7 mixed use buildings with commercial on the ground
8 floor and three residential units above, since we
9 are in the CN zone.

10 We trigger two minor variances because
11 of -- we're slightly less than 25-by-100 on one of
12 the lots. Other than that, we do trigger a
13 variance for parking.

14 We have one expert to testify before the
15 Board this evening and that is our architect, Mr.
16 Manuel Pereiras.

17

18 M A N U E L P E R E I R A S, previously sworn:

19

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

22 MS. PEREIRAS: Mr. Pereiras, are you
23 familiar with the property at 1113 Bergenline
24 Avenue?

25 MR. PEREIRAS: I am very familiar with

1 it.

2 MS. PEREIRAS: Did you prepare the
3 drawings that are before the Board this evening?

4 MR. PEREIRAS: I did.

5 MS. PEREIRAS: Would you kindly describe
6 the proposal for the Board?

7 MR. PEREIRAS: I'd be very happy to.
8 Just so the Board understands how familiar I am
9 with this site, my family had a hardware store it
10 was where my office is now. And before that, it
11 was on the corner of 12th and Bergenline, this
12 site. So as a little kid, I used to hide behind
13 the counter over there, so it's at this exact site
14 and there was --

15 MR. VALLEJO: That was you?

16 MR. PEREIRAS: There was a fire in 1989,
17 I remember it very well. I think I was 10 years
18 old and since then, this thing has been vacant.
19 So it's been vacant 35 years, this thing has been
20 vacant. And I grew up across the street at 406
21 12th Street. So basically my whole life, I've
22 been looking at this vacant lot. I am so excited
23 and happy that something is finally going to go
24 there. And I'm honored to be the designer to put
25 something together. And my family continues to

1 live there, so I wanted to make sure it was the
2 right project for this location.

3 So first and foremost, we followed the
4 ordinance as much as possible. As counsel said,
5 one of the sites is slightly undersized and I'll
6 tell you how slightly undersized. We need 2,500
7 square feet, we're at 2,498 square feet. So it's
8 two square feet, this much on a big site that
9 doesn't comply with.

10 The other thing that triggers a variance
11 is similar what I mentioned in the previous
12 application. For side yard setback, our ordinance
13 says that you're allowed to have zero feet or if
14 you provide one, five feet. Well, we want to
15 provide one because we want window access, we
16 wanted firemen access, we want escape from both
17 buildings. So we're providing three feet on one
18 side. So we have a side yard variance just for
19 that reason.

20 And then we have a parking variance.
21 However, different from the previous application,
22 here we have the opportunity to create parking
23 because we have a corner. So along Bergenline
24 Avenue, we're providing the commercial along the
25 front as per our ordinance. So we're complying

1 with the use requirements of our ordinance, we're
2 complying with the three units above, as per our
3 ordinance. And since we're on 12th Street, we're
4 able to fit five additional cars along 12th
5 Street. So we have parking, three within the
6 building and two outside of the building. So that
7 we're providing sufficient parking for the
8 building. Now, that's still a variance, but in
9 this type of location, and again with all the
10 public transportation that we have, five parking
11 spaces really is sufficient for this building
12 type.

13 And just moving forward, you could see
14 the two floor plans, we have one store that's
15 1,150 square feet and the other store that's
16 773 square feet. So these are modest stores,
17 they're not going to bring outside traffic in.
18 These are really what the zone is meant to be,
19 which is neighborhood convenience. So we're
20 creating those stores there. And then in the back
21 of the building on the corner, on the corner of
22 12th and Bergenline, we have the three parking
23 spaces inside, garage, and additional parking
24 spaces in the outside.

25 And then we have two entrances, two

1 stairwells, one at each end of the building. And
2 we created three bedroom apartments on each of the
3 floors of each of the two buildings. So you have
4 an open dining room, living room, kitchen area.
5 You have the stairwell and then you have two kids
6 bedrooms and then the master bedroom for the
7 parents along the back. And the same thing on the
8 other building.

9 And if you notice, we elected to give
10 more of a setback along the front so that we could
11 create some beautiful characteristics to the
12 building. We wanted to make sure this was
13 gorgeous for that neighborhood. I think it's
14 critically important for that neighborhood. It's
15 a changing neighborhood, it needs that beauty
16 there to fill that missing tooth.

17 And then on the top floor, we have a
18 rooftop terrace. Because there's parking on the
19 rear yard, we wanted to make sure that there was
20 outdoor space for the families to enjoy, for kids
21 to play in. So we created a rooftop terrace.
22 There's two stairs that lead you up to the rooftop
23 terrace.

24 We created landscaping all along the
25 perimeter for multiple reasons. Number one, we

1 wanted to look very beautiful from the outside, so
2 you see the landscaping from the street level.
3 And second, it creates a nice buffer. So if kids
4 are playing up there and if someone is trying to
5 climb a fence, they're not going to fall over the
6 side of the building, they have the planters that
7 protect them. So that was very important and it
8 also creates a screen. So if people are up on the
9 roof, you don't see them from around the
10 neighborhood. And it screens the people from
11 looking over and looking down onto other
12 properties as well.

13 Then the facade, what we propose, very
14 simple, very beautiful. The majority of it is
15 brick. The ground floor is -- along the
16 storefront, majority glass, and then brick above
17 that. And then some beautiful metal siding. We
18 did a color version of that, that I'd like to show
19 the Board. And I guess I should label this as
20 A-1?

21 MR. CHEWCASKIE: Yes. That is the
22 colored version?

23 MR. PEREIRAS: It's a colored version of
24 the facades. And for the record, I'm marking the
25 top right-hand corner A-1 with today's date.

1 MR. CHEWCASKIE: Are you handing that
2 out, Manny?

3 MR. PEREIRAS: I can pass it around, I
4 only have one copy.

5 MR. CHEWCASKIE: All right. Same thing,
6 if you could have it transmitted.

7 MS. PEREIRAS: Absolutely.

8 MR. PEREIRAS: Absolutely.

9 MR. CHEWCASKIE: So we can get every
10 Board Member a copy.

11 MR. PEREIRAS: Just to recap, this is
12 basically what the CN zone is, it is critical for
13 here, it's going to fill in that missing tooth.
14 And we hope that the Board looks favorably upon
15 this.

16 MR. VALLEJO: Want me to keep it?

17 MR. PEREIRAS: Yes, you can. The
18 neighborhood is looking forward to this. I was
19 talking to the bodega owner across the street,
20 times are rough. He's very happy to have six
21 families coming in here. There are going to be
22 six patrons that are going to patronize his store,
23 so the neighborhood is very excited about this.
24 It's something we need.

25 CHAIRPERSON VELAZQUEZ: Everybody, you

1 know, I like everybody to start visiting the
2 sites, I just don't want you to vote on things
3 without people visiting it. I know that's been
4 abandoned for a long time, maybe some people don't
5 pay attention to it. But that's been abandoned
6 for a very, very long time. It does need that,
7 but I would like everybody to go and visit that
8 first, get everything, digest that over there.
9 Sounds like a project that's really needed,
10 especially with the fires that happened there. It
11 would be great to have that kind of -- those units
12 there, especially three bedrooms is like having a
13 diamond in the rough in Union City.

14 MR. PEREIRAS: We need it.

15 CHAIRPERSON VELAZQUEZ: I wear the hats.
16 I like the board members to digest these things.

17 MR. PEREIRAS: And I want the Board to
18 also understand something that's kind of very
19 important with these projects. You see a lot of
20 condo three bedrooms in Union City. This very,
21 very different, okay. Those condos have
22 elevators, they're designed in a different way.
23 This is made for Union City families, it's a
24 walkup. It means that it is going to be low on
25 the rent level, so it's something that is

1 desperately needed in this neighborhood. And like
2 Alex said, Mr. Chairman said, this neighborhood
3 suffered those fires in that whole area, all the
4 businesses are suffering because of that. We need
5 families to move in there.

6 CHAIRPERSON VELAZQUEZ: I would
7 recommend that everybody -- maybe we could all
8 make a date and go together --

9 MR. CHEWCASKIE: No, don't go together.
10 You can go in groups of three.

11 CHAIRMAN VELAZQUEZ: I want everybody to
12 go --

13 MR. CHEWCASKIE: I guess just a
14 follow-up question because there was a concern
15 with the prior application, based upon your
16 familiarity with the City, parking for the
17 commercial and residential use in that vicinity,
18 different, same from what we've heard?

19 MR. PEREIRAS: It's very different. The
20 parking in this neighborhood is extremely
21 difficult. It's very hard to find parking in this
22 neighborhood in general. That's why we thought it
23 was critical to have five parking spaces on there.
24 Obviously, the applicant wanted to have as much
25 commercial space as possible, grow it. We

1 sacrificed more than 50 percent of that commercial
2 space to create only 700 square feet, so we could
3 have parking. So we're fitting five cars in here.
4 And five cars statistically is more than enough
5 for this type of building type. These are working
6 class families, not multiple cars. This is
7 exactly what would fit there and work well.

8 MR. CHEWCASKIE: It's the intention that
9 that parking be devoted to the residential use?

10 MR. PEREIRAS: Strictly residential use.
11 These commercial spaces tend to be commercial
12 neighborhood, it's more about the barber shops,
13 the bodegas, the neighborhood convenience, which
14 is exactly what our ordinance says. So they don't
15 generate a lot of traffic there or foot traffic.

16 MR. CHEWCASKIE: Anybody have any
17 questions?

18 MR. GUARENO: This is three levels of
19 apartments?

20 MR. PEREIRAS: Yes.

21 MR. GUARENO: Second, third and fourth
22 floor?

23 MR. PEREIRAS: Yes.

24 MR. GUARENO: I only see the drawings
25 for the second and the third and I'm going to

1 guess that they're all the same layout?

2 MR. PEREIRAS: It's the same layout.
3 They're slightly different because of the stairs.
4 So if you look at the -- the third floor is
5 exactly the same as the fourth floor. They're
6 identical.

7 MR. GUARENO: That's not --

8 MS. MOREJON: It's going to be four
9 floors?

10 MR. PEREIRAS: Yes.

11 MS. MOREJON: How much do you think is
12 going to be the rent?

13 MR. PEREIRAS: I don't know.

14 MS. MOREJON: \$3,000?

15 MR. PEREIRAS: Probably no. That's what
16 the rents go for in the nicer buildings. This is
17 going to be significantly less.

18 MS. MOREJON: The one on Central Avenue,
19 one of my employees is renting \$2,800 now.

20 MR. PEREIRAS: This is a lot.

21 MS. MOREJON: It's going to be low rent?

22 MR. PEREIRAS: Lower rent.

23 MS. MOREJON: Much lower, not rent
24 control?

25 MR. PEREIRAS: No, it will be rent

1 controlled eventually, but not now.

2 MR. CHEWCASKIE: Do any other Board
3 Members have questions? So I think the suggestion
4 that was made by the Chairman was to visit the
5 site, same requirement as I indicated, just don't
6 go all together because that would be considered a
7 quorum. Certainly, what you see we can discuss
8 here at the next meeting which is July 25th. So
9 unless there's anything further from Ms. Pereiras,
10 I would suggest that someone makes a motion to
11 carry this matter --

12 MR. VALLEJO: Open to the public.

13 MR. CHEWCASKIE: Any member of the
14 member wish to be heard? Seeing none, the record
15 will reflect that no member of the public is here.
16 Mr. Pereiras, one of the Board Members asked that
17 we update the drawings to include the fourth
18 floor.

19 MR. PEREIRAS: I would be happy to.

20 MR. CHEWCASKIE: Based upon the building
21 department, I would suggest that you do that.

22 MR. PEREIRAS: I think it's a great
23 idea.

24 MR. CHEWCASKIE: Also please submit them
25 ten days in advance of the next hearing, so no

1 later than July 15th, if that is a day of the week
2 that is not a weekend. And then I would suggest
3 there be a motion by the Board to carry this
4 matter to July 25th. And, Ms. Pereiras, if we
5 need an extension of time to that date, do we have
6 it?

7 MS. PEREIRAS: Of course.

8 MR. VALLEJO: Thank you. Can I have a
9 motion?

10 CHAIRPERSON VELAZQUEZ: I make a motion.

11 MR. VALLEJO: Motion by Mr. Velazquez to
12 adjourn this application for July 25th.

13 MR. GUARENO: Second.

14 MR. VALLEJO: Seconded by Mr. Guareno.

15 Roll call on the motion to carry this
16 application for July 25th, 2023, no new notice
17 required. Mr. Velazquez.

18 CHAIRMAN VELAZQUEZ: Yes.

19 MR. VALLEJO: Ms. Genao.

20 MS. GENAO: Yes.

21 MR. VALLEJO: Ms. Morejon.

22 MS. MOREJON: Yes.

23 MR. VALLEJO: Mr. Guareno.

24 MR. GUARENO: Yes.

25 MR. VALLEJO: Mr. Medina.

1 MR. MEDINA: Yes.

2 MR. VALLEJO: Mr. Oseguera.

3 MR. OSEGUERA: Yes.

4 MR. VALLEJO: Six in favor, motion
5 carries.

6 MS. PEREIRAS: Thank you all. Have a
7 good night.

8 MR. CHEWCASKIE: And also the colored
9 rendering, I think that would be helpful.

10 MS. PEREIRAS: We will be sending that
11 as well.

12 MR. CHEWCASKIE: Get that to Carlos,
13 he'll make sure everyone gets it.

14 MR. VALLEJO: Thank you.

15 * * * *

16

17

18

19

20

21

22

23

24

25

1 **ADJOURNMENT:**

2
3 MR. VALLEJO: We don't have any
4 resolutions on tonight's agenda. There being no
5 other application on tonight's agenda, can I have
6 a motion to close tonight's meeting?

7 CHAIRMAN VELAZQUEZ: I'll make a motion.

8 MR. VALLEJO: Motion by Mr. Velazquez.

9 MR. GUARENO: Second.

10 MR. VALLEJO: Seconded by Mr. Guareno.
11 All in favor?

12
13 (All Board Members indicate in the
14 affirmative.)

15
16 MR. VALLEJO: The ayes have it. Let the
17 record indicate that the meeting has ended. Thank
18 you.

19
20 (Whereupon the meeting was adjourned at
21 6:49 p.m.)

22
23
24
25

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