

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, December 14, 2023
Commencing at 6:05 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
ANDRES GARCIA
GERALDINE PEREZ

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

ROSIO PENA
RAYMOND CETINICH
MINDRY WATLEY

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

TOMAS PANEQUE, ESQ.
Board Counsel

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Board Counsel

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

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BIANCA PEREIRAS, ESQ.
Attorney for Applicant, B & V Investment, LLC

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, Monserrat Moran

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, Rehana Latif

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, Marizela Gonzalez

I N D E XPAGE

CALL TO ORDER

7

SALUTE TO FLAG

7

ROLL CALL

7

ADOPTION OF MINUTES

8

HEARINGS

Monty Residences, LLC

10

B & V Investment, LLC

14

Monserrat Moran

19

Rehana Latif

28

Marizela Gonzalez

62

ADOPTION OF RESOLUTIONS

76/78/80/82/85/87

ADJOURNMENT

90

I N D E X

MONSERRAT MORAN
2405 West Street

WITNESSPAGE

MANUEL PEREIRAS

20

E X H I B I T SNO.DOCUMENTPAGE

NO EXHIBITS MARKED

I N D E X

REHANA LATIF
1502 Central Avenue

WITNESSPAGE

MANUEL PEREIRAS

29

E X H I B I T SNO.DOCUMENTPAGE

NO

EXHIBITS

MARKED

I N D E X

MARIZELA GONZALEZ
906 Kennedy Boulevard

WITNESSPAGE

MANUEL PEREIRAS

63

GABE BAILER

67

E X H I B I T SNO.DOCUMENTPAGE

NO

EXHIBITS

MARKED

1 MR. PANEQUE: Meeting called to order.
2 Will everyone rise, please.

3
4 (Whereupon, the Pledge of Allegiance was
5 recited.)

6
7 MR. PANEQUE: Adequate notice of this
8 meeting has been provided as follows: Knows of
9 this meeting setting forth the time, location, and
10 the agenda to the extent known was forwarded to
11 The Jersey Journal, The Record, and The Star
12 Ledger, has been posted on the bulletin board in
13 city hall and has been made available to the
14 public in the office of the municipal clerk.

15
16 **ROLL CALL:**

17
18 MR. PANEQUE: Roll call for tonight's
19 meeting. Victor Grullon.

20 CHAIRPERSON GRULLON: Here.

21 MR. PANEQUE: Margarita Gutierrez.

22 VICE CHAIRPERSON GUTIERREZ: Here.

23 MR. PANEQUE: Miguel Ortiz, absent.
24 Geraldine Perez.

25 MS. PEREZ: Here.

1 MR. PANEQUE: Mindry Watley absent.

2 Ms. O'Dell.

3 MS. O'DELL: Here.

4 MR. PANEQUE: Andres Garcia.

5 MR. GARCIA: Here.

6 MR. PANEQUE: Rosio Pena, absent.

7 Altagracia San Martino.

8 MS. SAN MARTINO: Present.

9 MR. PANEQUE: Raymond Cetinich, absent.

10 Let the record indicate there are six
11 present. Those absent tonight are Miguel Ortiz,
12 Mindry Watley, Rosio Pena, and Raymond Cetinich.
13 So we have a board made up of six members, which
14 constitutes a full quorum to establish decisions.

15

16 **APPROVAL OF MINUTES:**

17

18 MR. PANEQUE: Approval of the previous
19 meeting minutes from the November 9, 2023,
20 meeting. Is there a motion?

21 CHAIRPERSON GRULLON: Motion.

22 MR. PANEQUE: Motion made by Chairman
23 Grullon.

24 VICE CHAIRPERSON GUTIERREZ: Second.

25 MR. PANEQUE: Seconded by Margarita

1 Gutierrez. Roll call.

2 Victor Grullon.

3 CHAIRPERSON GRULLON: Yes.

4 MR. PANEQUE: Ms. Gutierrez.

5 VICE CHAIRPERSON GUTIERREZ: Yes.

6 MR. PANEQUE: Miguel Ortiz, absent.

7 Geraldine Perez.

8 MS. PEREZ: Yes.

9 MR. PANEQUE: Mindry Watley, absent.

10 Vivian O'Dell.

11 MS. O'DELL: Yes.

12 MR. PANEQUE: Andres Garcia.

13 MR. GARCIA: Yes.

14 MR. PANEQUE: Rosio Pena, absent.

15 Altagracia San Martino.

16 MS. SAN MARTINO: I was absent.

17 MR. PANEQUE: She was absent at the last
18 meeting.

19 Raymond Cetinich, absent.

20 Five in favor, motion carries.

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1 **MONTY RESIDENCES, LLC -**

2 **421-427 6TH STREET a/k/a 510-514 BERGENLINE AVE:**

3
4 MR. PANEQUE: Hearings and applications.
5 Mr. Pereiras, are we waiting?

6 MR. PEREIRAS: Bianca is walking over.
7 She's probably going to walk through the door in
8 two or three minutes.

9 MR. PANEQUE: We'll wait.

10 MR. PEREIRAS: Thank you for your
11 patience.

12
13 (Whereupon a short recess was taken.)

14 (Mr. Ortiz arrived.)

15
16 MR. PANEQUE: Back on the record. Let
17 the record reflect that we have Mr. Miguel Ortiz
18 joining us, so we have now a board consisting of
19 seven members.

20 Ms. Pereiras, the first hearing on
21 tonight's agenda is Monty Residences coming in for
22 a one year extension.

23 MS. PEREIRAS: Thank you very much,
24 Counsel. Bianca Pereiras on behalf of Monty
25 Residences, for property at 510-514 Bergenline

1 Avenue. If the board may recall, back in
2 September and October of 2021, we presented an
3 application to construct four two-family homes, it
4 was approved. A resolution was memorialized at
5 the November meeting, November 18, 2021. We have
6 submitted for permits, for sewer, for soil
7 conservation. We've been approved for soil
8 conservation, we're waiting for final sewer and
9 permits from the building department. We are just
10 at the final stage, so we're requesting a one year
11 extension so we can proceed with those permits.

12 CHAIRPERSON GRULLON: Okay. The reason
13 why you did not proceed with the applications?

14 MS. PEREIRAS: This application
15 originally there was a contract-purchaser on it.
16 The purchase went through and that's when the
17 purchaser was able to start getting the
18 construction documents and start pulling the
19 documents. So we're at the final stage, we just
20 need permits from the building department.

21 CHAIRPERSON GRULLON: Does anyone have
22 any questions on this?

23 MR. GARCIA: Is the applicant willing to
24 proceed with the construction as soon as they get
25 approved?

1 MS. PEREIRAS: As soon as we have
2 permits, we're going to break ground.

3 MR. GARCIA: Is the applicant aware that
4 if we grant the extension it's according to the
5 resolution that was approved? No changes.

6 MS. PEREIRAS: They're not proposing any
7 changes.

8 CHAIRPERSON GRULLON: And it's for one
9 year extension?

10 MS. PEREIRAS: One year extension.

11 CHAIRPERSON GRULLON: I make a motion to
12 approve the one year extension on this
13 application.

14 VICE CHAIRPERSON GUTIERREZ: I'll second
15 it.

16 MR. PANEQUE: Roll call on the motion.
17 Victor Grullon.

18 CHAIRPERSON GRULLON: Yes.

19 MR. PANEQUE: Margarita Gutierrez.

20 VICE CHAIRPERSON GUTIERREZ: Yes.

21 MR. PANEQUE: Miguel Ortiz.

22 MR. ORTIZ: Yes.

23 MR. PANEQUE: Geraldine Perez.

24 MS. PEREZ: Yes.

25 MR. PANEQUE: Vivian O'Dell.

1 MS. O'DELL: Yes.

2 MR. PANEQUE: Andres Garcia.

3 MR. GARCIA: Yes.

4 MR. PANEQUE: Altagracia San Martino.

5 MS. SAN MARTINO: Yes.

6 MR. PANEQUE: Seven affirmative votes,
7 motion carries.

8 MS. PEREIRAS: Thank you all very much.

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1 **B & V INVESTMENT, LLC -**
2 **3810-14 32ND STREET:**

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4 MR. PANEQUE: Second matter on tonight's
5 agenda is the application extension for B & V
6 Investment, LLC, 3810-14 32nd Street. The
7 applicant proposes the construction of a new mixed
8 use building consisting of six stories, 18
9 apartments, 33 parking spaces. Previously
10 adjourned May 11, 2023, adjourned on June 8th,
11 July, September 14th, October 14th, and
12 November 9th. Ms. Pereiras.

13 MS. PEREIRAS: Counsel, Bianca Pereiras
14 on behalf of the applicant. On this application,
15 we had heard some comments from the board at the
16 last meeting and we were trying to massage the
17 application just to see if we can improve it. We
18 were overly optimistic, we thought we would have
19 that ready in time for today's meeting, but we
20 were not able to complete that. So we are asking
21 for a one month adjournment on this application.

22 MR. PANEQUE: Ms. Pereiras, provided the
23 board grants your request for adjournment, does
24 your client waive the statutory time period?

25 MS. PEREIRAS: Of course.

1 MR. GARCIA: May I ask a question? Just
2 to recall, I recall that we adjourn a few
3 applications for January, I don't know, how big is
4 the agenda for January? This is the kind of
5 application that probably going have a lot of
6 questions.

7 I mean just to take -- just to take in
8 consideration, I don't know if for January or
9 February, since we carried for January more than
10 three or four.

11 MR. PANEQUE: I understand Mr. Garcia's
12 concern. Unfortunately, our secretary, Mr.
13 Vallejo, is not here tonight and he's really the
14 one who has his finger on the pulse of the agenda
15 for January. My suggestion would be to carry it
16 to January so that if anybody is here, they have
17 notice that it's being carried. If we get to it
18 in January, we'll get to it. If it has to be
19 carried again at that moment, we'll have to
20 address that. But to carry it two months doesn't
21 give notice to anyone who's here tonight for it.
22 So the request is to carry it for 30 days?

23 MS. PEREIRAS: That's correct.

24 MR. PANEQUE: If there's any tweaking
25 done to the application, you have to submit it

1 10 days prior.

2 MS. PEREIRAS: Absolutely.

3 MR. PANEQUE: I understand if there's no
4 tweaking, then it's just going to come for a vote?

5 MS. PEREIRAS: That's correct.

6 MR. PANEQUE: Because all the testimony
7 has been presented?

8 MS. PEREIRAS: It has.

9 MR. PANEQUE: Okay.

10 CHAIRPERSON GRULLON: Okay. And you
11 understand that you're going to be at the bottom
12 of the agenda. If at the January meeting, there
13 is no time, we would have to carry it again?

14 MS. PEREIRAS: We'll work with the
15 board.

16 CHAIRPERSON GRULLON: And your client
17 will be willing to waive the statutory rights?

18 MS. PEREIRAS: Of course.

19 CHAIRPERSON GRULLON: With that, I make
20 a motion to carry this application to the January
21 meeting. What date did we say?

22 VICE CHAIRPERSON GUTIERREZ: I'll second
23 it.

24 MR. PANEQUE: The January meeting is
25 scheduled for January 11th.

1 MR. GARCIA: By the way, we still don't
2 know --

3 CHAIRPERSON GRULLON: Location is still
4 to be determined.

5 MR. GARCIA: There was no motion for
6 agenda. However, it's the second Thursday.

7 MR. PANEQUE: We haven't gotten to that.

8 Motion to adjourn to January 11th. Roll
9 call on the motion. First of all, it was made by
10 Chairman Grullon, seconded by Margarita Gutierrez.
11 Roll call.

12 Victor Grullon.

13 CHAIRPERSON GRULLON: Yes.

14 MR. PANEQUE: Margarita Gutierrez.

15 VICE CHAIRPERSON GUTIERREZ: Yes.

16 MR. PANEQUE: Miguel Ortiz.

17 MR. ORTIZ: Yes.

18 MR. PANEQUE: Geraldine Perez.

19 MS. PEREZ: Yes.

20 MR. PANEQUE: Vivian O'Dell.

21 MS. O'DELL: Yes.

22 MR. PANEQUE: Vivian O'Dell.

23 MR. GARCIA: Yes.

24 MR. PANEQUE: Altagracia San Martino.

25 MS. SAN MARTINO: Yes.

1 MR. PANEQUE: Motion carries, seven
2 affirmative votes.

3 * * * *

1 **MONSERRAT MORAN -**

2 **2405 WEST STREET:**

3
4 MR. PANEQUE: Case number three on the
5 calendar is Monserrat Moran, 2405 West Street.
6 It's listed for Alonso, are you covering?

7 MS. PEREIRAS: No, that's my
8 application.

9 MR. PANEQUE: This matter was adjourned
10 on November 9th. At the time, you presented all
11 jurisdictional proofs?

12 MS. PEREIRAS: We did.

13 MR. PANEQUE: Are you ready to proceed
14 this evening?

15 MS. PEREIRAS: Yes. We actually
16 provided significant testimony at the last
17 meeting. There was a question raised by some of
18 the board members regarding the neighboring
19 property. So we adjourned the matter to be able
20 to look at the neighboring property and we also
21 provided revised drawings to the board on
22 December 4th.

23 We have one witness to testify before
24 the board this evening and that is our architect,
25 Mr. Manuel Pereiras.

1

2 M A N U E L P E R E I R A S , after having been
3 duly sworn or affirmed, did testify as follows:

4

5 MR. PEREIRAS: Manny Pereiras,
6 P-E-R-E-I-R-A-S, with Pereiras Architects
7 Ubiquitous, located at 1116 Summit Avenue, Union
8 City, New Jersey.

9 MR. PANEQUE: Before you proceed, let me
10 hand out the packet. Thank you.

11 MS. PEREIRAS: Just to remind the board,
12 this is a continuation. We have an existing
13 two-family home on site and the applicant was
14 proposing a rear addition.

15 Mr. Pereiras, if you can kindly walk the
16 board through the project as well as through the
17 changes that were made?

18 MR. PEREIRAS: I'd be very happy to. I
19 walked the board through the project last time we
20 were here. And there was one question that was
21 brought up, which is that the adjacent structure
22 on the corner of West and 17th has an existing
23 window in the garage in the back. And we wanted
24 to make sure that our building did not conflict
25 with it.

1 We went back to the site, we took
2 measurements. And our building did not conflict
3 with it, however, our deck was right at the
4 window. So in order to be completely safe and
5 pull away from the window, we actually submitted
6 revised drawings and we reduced the size of our
7 deck from 5 feet to 3.5 feet, so 3 feet 6 inches
8 so that we're clear, well clear, of the window.

9 So now our building does not up touch
10 the window in any way, the deck does not touch the
11 window in any way. And our drawings remain the
12 same other than that one change, which is making
13 the deck a little bit smaller.

14 Would you like me to go through the
15 entire project or is that --

16 CHAIRPERSON GRULLON: Just to refresh
17 the board members.

18 MR. PEREIRAS: Sure. So we have a
19 two-family house, we're proposing to keep it a
20 two-family house. It's very poorly configured, so
21 we're demolishing the entire interior of the house
22 and we're proposing a rear addition to the house.
23 The rear addition is 21 feet 5 inches.

24 And what we're creating -- these are the
25 existing conditions and these are the proposed

1 conditions. It's very simple. We're keeping the
2 basement, which is a low ceiling, empty except for
3 a half bathroom down there, as a play room. And
4 then we have two floors and the two floors are
5 identical to each other. We're creating a master
6 bedroom in the back so that there is a reach-in
7 closet and a small bathroom and then a small den.
8 And then the rest of the house is a common
9 bathroom, kitchen, dining room living area and a
10 bedroom in the front of the house. So at the end
11 of the day, you're going have a two bedroom one
12 den on each of the two floors, and completely
13 renovating the house and beautifying it and
14 bringing it back to standards.

15 The facade is actually very beautiful
16 and we're just cleaning it up, we're doing --
17 repointing the brick, power washing it, cleaning
18 it up, cleaning up the details that they have.
19 And it's going to be a beautiful house at the end
20 of the day. That concludes my testimony.

21 CHAIRPERSON GRULLON: Mr. Pereiras, by
22 decreasing it to three and a half feet from the
23 deck, what did that give you for the rear yard
24 now?

25 MR. PEREIRAS: We're decreasing a foot

1 and a half for the deck. So the rear yard is now
2 9 foot 7 inches to the building, and 6 feet 1
3 inches to the deck. And remember we have the
4 hardship of this being an undersized lot. And one
5 of the reasons we thought that was acceptable is
6 that the building to the left of it along West
7 Street was developed all the way to the property
8 line in the back, so it fit well into the
9 neighborhood. And since it's an undersized lot,
10 it made these units into useable apartments that
11 are good for families to live in, makes it a
12 decent two bedroom.

13 And just to remind the board, there is a
14 parking space in the drive in the front of this
15 house as well.

16 MR. PANEQUE: Mr. Pereiras, do you have
17 any photographs of the rear of the property where
18 the window from the neighboring property is?

19 MR. PEREIRAS: So my staff took pictures
20 and they showed it to me and they didn't make it
21 onto these drawings. I did see the pictures and I
22 did see the window.

23 MR. PANEQUE: Okay. And it's your
24 testimony that no part of this addition will be
25 covering or encumbering that window?

1 MR. PEREIRAS: Correct.

2 CHAIRPERSON GRULLON: If I recall, there
3 was testimony about -- neighbors, that they were
4 concerned about blocking the sun in the rear yard?

5 MR. PEREIRAS: Not that I recall.

6 MR. PANEQUE: That was across the
7 street, that was not this application.

8 MR. PEREIRAS: The only concern in this
9 application was actually brought up by board and
10 it was the window.

11 CHAIRPERSON GRULLON: About the adjacent
12 property, it might have windows, but you're only
13 moving the building one foot and a half?

14 MR. PEREIRAS: So we avoid the window.
15 So our deck was touching the edge of the window,
16 so we just wanted to move it a foot and a half
17 back just to be clear of the window.

18 CHAIRPERSON GRULLON: I don't know if
19 that would be sufficient for someone not to like
20 jump into that window?

21 MR. PEREIRAS: Would you like it to --
22 what we could do is right now the deck goes all
23 the way to the edge of the building, we could cut
24 it back three feet from that building as well.
25 And we have no objection to that whatsoever. And

1 we'll just cut the deck three foot.

2 CHAIRPERSON GRULLON: I don't want it to
3 be so close to the window that someone can like
4 climb into the window.

5 MR. PEREIRAS: So if we pull the deck
6 three feet back, we'll be one and a half feet away
7 from the window in this direction and then
8 three feet away from this direction. That's a
9 diagonal of more than five feet, I think that's a
10 safe distance.

11 CHAIRPERSON GRULLON: Any other members
12 of the board have any questions or suggestions?
13 Hearing none --

14 MS. SAN MARTINO: How high is the window
15 from the deck?

16 MR. PEREIRAS: The window is a little
17 bit lower than the deck. So the sill of the
18 window is at about three feet, I would say
19 probably a little bit less from the ground. And
20 the deck is -- I'll tell you exactly how high the
21 deck is -- roughly at the same height. So they're
22 going to be equal in height. The bottom of the
23 window to the floor of the deck.

24 CHAIRPERSON GRULLON: Okay. At this
25 time, I want to open to the public. Any member of

1 the public that want to step forward on this
2 application? Hearing none, taking in
3 consideration that the building is going to remain
4 two-family, you're going to have the opportunity
5 to make it up to code and make it safer for the
6 residents of the units, I make a motion to grant
7 the application with the condition to set it off
8 five feet from the adjacent --

9 MR. PEREIRAS: I had said three feet
10 from the adjacent property in one direction, the
11 diagonal will be five.

12 CHAIRPERSON GRULLON: Okay. That's what
13 I meant, the diagonal five feet.

14 VICE CHAIRPERSON GUTIERREZ: I'll second
15 it.

16 MR. PANEQUE: So the condition is it
17 will be three feet from the wall of the neighbor?

18 MR. PEREIRAS: Yes.

19 CHAIRPERSON GRULLON: Take the deck and
20 set it back from the property.

21 MR. PEREIRAS: Yes.

22 MR. PANEQUE: Motion by Mr. Grullon,
23 seconded by?

24 VICE CHAIRPERSON GUTIERREZ: Second.

25 MR. PANEQUE: By Margarita Gutierrez.

1 Roll call on the motion.

2 Victor Grullon.

3 CHAIRPERSON GRULLON: Yes.

4 MR. PANEQUE: Margarita Gutierrez.

5 VICE CHAIRPERSON GUTIERREZ: Yes.

6 MR. PANEQUE: Miguel Ortiz.

7 MR. ORTIZ: Yes.

8 MR. PANEQUE: Geraldine Perez.

9 MS. PEREZ: Yes.

10 MR. PANEQUE: Vivian O'Dell.

11 MS. O'DELL: Yes.

12 MR. PANEQUE: Andres Garcia.

13 MR. GARCIA: Yes.

14 MR. PANEQUE: Altagracia San Martino.

15 MS. SAN MARTINO: Yes.

16 MR. PANEQUE: Seven positive votes,
17 motion carries.

18 MS. PEREIRAS: Thank you.

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1 **REHANA LATIF -**

2 **1502 CENTRAL AVENUE:**

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4 MR. PANEQUE: Next application is case
5 number four, Rehana Latif, 1502 Central Avenue.
6 The applicant proposes to renovate an existing
7 single family dwelling and convert it to two
8 units, no parking provided.

9 MR. A. PANEQUE: Let the record reflect
10 I've been provided with an affidavit stating that
11 on November 30, 2023, personal notice was given to
12 all property owners within 200 feet of tonight's
13 meeting.

14 Legal affidavit from The Jersey Journal
15 that notice was published on December 4, 2023, of
16 today's hearing.

17 The notice given to all property owners,
18 certified mail receipts marked December 1, 2023.

19 A list of property owners served with
20 notice.

21 Based on the documentation that's been
22 provided, this board has jurisdiction to hear this
23 matter.

24 MS. PEREIRAS: Thank you, Counsel.
25 Bianca Pereira on behalf of Rehana Latif for

1 property at 1502 Central Avenue, also known as Lot
2 23 in Block 78. The property is located in the R
3 low density residential zone on Central Avenue
4 between 15th and 16th Street.

5 Currently, we have a one-family home
6 that has been vacant for quite some time. The
7 application before the board this evening is to
8 renovate that home and convert it into a
9 two-family. We have one expert to testify this
10 evening and that is our architect, Mr. Manuel
11 Pereiras.

12
13 M A N U E L P E R E I R A S, previously sworn:

14
15 MR. PEREIRAS: Manny Pereiras, I
16 recognize I am still under oath.

17 MS. PEREIRAS: Mr. Pereiras, are you
18 familiar with the property at 1502 Central Avenue?

19 MR. PEREIRAS: Very, very familiar.

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

22 MR. PEREIRAS: I have.

23 MS. PEREIRAS: Would you kindly describe
24 the project for the board?

25 MR. PEREIRAS: I'd be happy to. I was

1 speaking to one of the neighbors earlier, he. Let
2 me know that this house has been vacant for
3 17 years, so it's well overdue that this house
4 finally gets some love, gets renovated. And it's,
5 I think one of the most beautiful neighborhoods in
6 Union City, it's one of the highest points on
7 Central Avenue, nice wide street, really beautiful
8 neighborhood. And this house is an eyesore. And
9 hopefully with the approval of this board, we
10 could really do something beautiful here, that I
11 think all the neighbors will be very happy about.

12 We have an undersized lot. The depth of
13 this lot is 85 feet, whereas 100 is the minimum
14 depth in this zone. And we have a width of
15 20 feet, whereas the minimum width is 25. And
16 that comes out to 1,700 square feet, whereas the
17 minimum lot area is 2,500 square feet. So those
18 are three preexisting nonconformities that we're
19 dealing with and that really triggers the
20 variances and the hardships that we have on this
21 project. The existing house is on the property
22 lines, since it's at 20 feet wide. And we're not
23 looking to change that in any way, so we have a
24 preexisting nonconformity for side yard as well.
25 Now, in every other way, we are improving this

1 house and making it beautiful.

2 I'm turning now to the next sheet on the
3 drawings. What we see is the existing site plan
4 along the left-hand side and the proposed site
5 plan on the right-hand side. The biggest
6 difference is the front of the house. The house
7 currently has an enclosed porch in the front.
8 When I walked in there the first time, I almost
9 fell right through to below. It is completely
10 dilapidated, it's in really poor condition. It
11 looks really ugly and when I ask the owner if we
12 could remove it, obviously, owners don't want to
13 lose square footage. But when I explained that by
14 removing that, that really beautifies the facade
15 and allows us to bring more light into the house
16 because, remember, we're on the property line, I
17 convinced the owner to allow us to do that. She
18 was very gracious and said, yes, go ahead,
19 demolish that front structure. So we're
20 demolishing that entire front structure.

21 That does a lot. It really opens up
22 that house, brings light in. And it allows us to
23 bring landscaping in, so that's going to be a
24 significantly beautiful aspect. This entire
25 corner is going to be landscaped and we're

1 providing pavers across. And what we're doing is
2 we're creating a stair to go up one floor and a
3 door, so that you enter the garden apartment
4 below.

5 So turning now to the next page, we see
6 the garden apartment on the lower level, that is
7 at the street level. So you walk in from the
8 street, no steps to go down, it's at the street
9 level. And we have a beautiful studio apartment,
10 it's an open layout. So all the windows in the
11 front, we're increasing the size, we're making
12 them a lot taller than they were before to bring
13 light in. And that becomes a studio apartment
14 with its own washer/dryer, full bath, utility room
15 in the back, and a beautiful kitchen along the
16 rear wall. That's a very simple apartment, it's
17 574 square feet, so it's oversized for a typical
18 Union City studio. It works very nicely.

19 And then we have a beautiful house for
20 the main house. And you enter through the steps
21 going up one story and you enter into the main
22 living room, dining room, and kitchen floor. So
23 there are no bedrooms on that floor. It's just a
24 large living room, large dining room, and a
25 kitchen along the back. And that kitchen has a

1 door that opens up to a rear deck and steps into
2 the rear yard.

3 And then if you go upstairs, you have
4 the three bedrooms to the house. You have a
5 master along the front, which has its master bath
6 and a nice walk-in closet over the stair. And
7 then you have the washer/dryer at the top of the
8 steps. And you have two bedrooms for the kids
9 along the rear of the structure. And each of
10 those have large windows in the back.

11 So as you could see, this is a very
12 small house. We're not looking to make any
13 additions to it in any way. We're actually
14 reducing it, making it smaller, but making it
15 significantly more beautiful. And we're
16 increasing the size of all the windows along the
17 rear of the house and the front of the house.
18 It's the ideal situation for this house it's the
19 ideal situation for this neighborhood. And I hope
20 that the board looks favorably upon it.

21 Just to touch a little bit on the
22 facade. As you could see here, we're doing a
23 beautiful, what is traditionally and very
24 typically Union City, we're restoring the brick
25 facade. We're putting a new cornice along the

1 top, we're taking the bay window, bringing it out
2 with a different material, putting a cornice along
3 the top of the bay window and opening up those
4 stairs. So we're taking something that was
5 extremely ugly and making it into a very beautiful
6 building. And I hope you vote favorably on it.

7 CHAIRPERSON GRULLON: Does that conclude
8 your testimony, Mr. Pereiras?

9 MR. PEREIRAS: It does.

10 CHAIRPERSON GRULLON: Do you have any
11 other witnesses?

12 MS. PEREIRAS: We do not, Mr. Grullon.

13 CHAIRPERSON GRULLON: Mr. Pereiras, I
14 know that you mentioned how ugly is the lot right
15 now and how beautiful this house is going to be.

16 MR. PEREIRAS: Yes.

17 CHAIRPERSON GRULLON: But you didn't
18 mention anything about parking. This is
19 increasing the lot by one apartment and not
20 providing parking. What I see, I see a beautiful
21 apartment here that you could have with parking
22 space at the ground level. It's an opportunity to
23 do that in this application.

24 MR. PEREIRAS: So we thought about that
25 a lot.

1 CHAIRPERSON GRULLON: Because that
2 neighborhood, parking conditions are terrible.

3 MS. SAN MARTINO: Horrible.

4 MR. PEREIRAS: Parking is absolutely
5 horrible in this neighborhood. So I'll walk you a
6 little bit through the process, it helps you
7 understand also where we're coming from. The
8 original idea for this was to build a garage on
9 the ground floor with an apartment -- a full
10 apartment that has a typical, with addition into
11 the back with bedrooms and then another floor with
12 bedrooms. We didn't think that was appropriate
13 because of the density. We didn't want to
14 infringe on the neighbors in the rear yard. And
15 we didn't think it was a great spot for a driveway
16 because number one, there's a beautiful tree right
17 in front of this property and number two, it's
18 only 20 feet wide. It's not like we have a
19 typical lot that's 25 feet and you have room for a
20 car and then room for stairs to pull up. This is
21 only 20 feet wide. So a car just doesn't fit
22 there and we understood that.

23 And we understood that that was a
24 significant -- not having parking is not something
25 we wanted to come to this board with and have this

1 big apartment. That's why we chose very
2 carefully. We have an entire floor here that we
3 have no bedrooms, it is just living space and then
4 three bedrooms on top, so that a family could live
5 here. But a family needs to supplement their
6 income, they need a little extra help in today's
7 world. So what we're proposing is only a studio
8 apartment. This is a very simple apartment.
9 It's, you know, a low rent apartment that's only
10 574 square feet. And that we think is a fair
11 request to provide this house in that situation.

12 CHAIRPERSON GRULLON: That doesn't
13 promote the quality of life for the owners of the
14 building because they're not going to have parking
15 and also for the neighborhood.

16 My opinion, I believe parking is more
17 important than having a studio apartment on the
18 ground floor. Any members of the board, do you
19 have any -- I'm okay with the apartment, the
20 layout that you have. I don't believe we need to
21 increase the rear yard or we need to change the
22 building in any way, just for the parking.

23 MS. PEREZ: I agree. Any opportunity
24 you have to have parking would be --

25 MR. PEREIRAS: We don't have the

1 opportunity.

2 CHAIRPERSON GRULLON: 15th Street and
3 Central, most of the houses have driveways.
4 There's no parking in that area.

5 MR. PEREIRAS: Mr. Chairman, usually I
6 agree with you. However, if we were to do a curb
7 cut here, we would create a parking spot for this
8 house and we would take one away from the
9 neighborhood. So remember it's only a 20-foot
10 wide lot. So by creating parking on this lot,
11 we're actually hurting the neighbors.

12 MR. GARCIA: Let me ask a question. In
13 your testimony, you said that that's going to be
14 better for the neighborhood. However, how can you
15 consider it increase the requirement of parking
16 from two to four going to be a benefit of the
17 neighborhood? That's my question. Because I
18 understand your point it's a beautiful tree. If
19 there's a curb cut there, you're going to
20 eliminate one parking space outside, to get just
21 one in there.

22 However, bringing a two-family house
23 there, because two units, you're going to need
24 four parking spaces. So why instead of to
25 increase, okay, you can do a beautiful one-family

1 house and maintain the same condition with the
2 parking, not increase the condition.

3 MR. PEREIRAS: That's a very simple and
4 direct question and there's a very simple and
5 direct answer to that. This house has been
6 abandoned for 17 years and every neighbor on that
7 block, I'm sure, would rather see that house
8 repaired than have -- actually, I can't speak for
9 the neighbors, but if I was a neighbor on that
10 block I would rather see this construction done
11 than keep it abandoned. And the hassle or the
12 potential risk of someone with a studio apartment
13 having an additional car that would take away from
14 me, I think is minimal. And I would prefer a
15 million times over to have a house that's
16 completed.

17 There's a problem here. There's a
18 reason why this house is abandoned for 17 years.
19 The economics of a one-family are very hard to
20 work in Union City. Having a supplemental income
21 allows this to be able to be built, to be able to
22 be developed, and fixed in a beautiful way that's
23 going to improve the neighborhood. So in my
24 opinion, we're weighing things. Nothing is
25 absolutely perfect. Yes, we're asking for a

1 greater variance for parking, but the value that
2 we're getting by fixing a dilapidated building
3 that's been abandoned. And I'm sure the neighbor
4 could testify as to problems from raccoons to
5 humans trying to break in there. I think there's
6 a value to it.

7 CHAIRPERSON GRULLON: We understand
8 that, Mr. Pereiras. But you know our concern, we
9 respect the applicant, it's not that we go to the
10 financial benefit for the application or not. We
11 have to consider the neighborhood, how it's going
12 to impact the neighborhood. And by -- in this
13 case, you have an opportunity to provide parking
14 and not affect the neighborhood in any way. I
15 think it would be fair just to provide parking.

16 MR. PEREIRAS: I can't provide parking
17 and not affect the neighborhood. It's going to be
18 a negative impact --

19 CHAIRPERSON GRULLON: It would not
20 affect the neighborhood. If a family is moving
21 into the neighborhood with three bedrooms, they're
22 going to have a minimum of two cars that are going
23 to go on the street. By taking one driveway is
24 not -- it's affecting less. The effect is less
25 than putting up a house without parking in that

1 neighborhood. That's my opinion.

2 MS. O'DELL: On that block, there's no
3 other house with a driveway except for that really
4 pretty --

5 MR. PEREIRAS: The beautiful stone
6 house. It doesn't actually have a driveway, they
7 have the driveway next to the house.

8 MS. O'DELL: But there's no other
9 driveway there except for the corner on the side.
10 So, technically, there's no other driveway on that
11 block, except for that stone house, which is
12 like -- on another lot almost that they have.

13 MR. GARCIA: Also you have like really,
14 really small -- I mean it's like increasing the
15 parking. Also, you have like really small lot,
16 right? It's only 80-by-20, right?

17 MR. PEREIRAS: And the building is
18 reduced in size to compensate for the small lot.

19 MR. GARCIA: Yeah, but it's like -- also
20 I feel like kind of with all due respect to you,
21 Mr. Pereira, and nothing personal. It's like
22 okay, we have 17 years with a house dilapidated
23 there, if you don't accept the two, they don't
24 want to come.

25 MR. PEREIRAS: I didn't say that in any

1 way.

2 MR. GARCIA: I'm not telling you -- like
3 I said, it's with all due respect. That's all
4 this -- every time that one application similar
5 application comes here, that's what they come
6 with, it's dilapidated. I mean it's going to be a
7 benefit because it's going to be -- going to be
8 gorgeous. If they do the entire just one family,
9 I would love to live in a one -- I will love to
10 live in that one-family house in that block.

11 So I think it's a great opportunity, but
12 we understand couldn't do another parking or can
13 we do parking -- it doesn't have parking.
14 However, to increase, I'm completely agree with
15 Mr. Chairman, that I mean it's like increasing
16 the -- we are here to mitigate the parking
17 situation.

18 MR. PEREIRAS: Okay.

19 MR. GARCIA: Not to increase.

20 MS. PEREZ: The owner plans to live in
21 the house?

22 MR. PEREIRAS: Right now, she does not.

23 MR. PANEQUE: Mr. Pereiras, is there an
24 opportunity to do a tandem parking on that ground
25 floor?

1 MR. PEREIRAS: I don't see how I could
2 fit even one car on the ground floor.

3 MR. PANEQUE: Where is the 20 feet?

4 MR. PEREIRAS: The 20 feet is from
5 property line to property line.

6 MR. PANEQUE: I mean how does -- a
7 regular parking space is 9-by-18?

8 MR. PEREIRAS: Correct.

9 MR. PANEQUE: So don't you have 9 feet
10 of space there?

11 MR. PEREIRAS: In between here, I
12 probably have very close to 9 feet, probably about
13 10 feet, but people need to be able to get in and
14 out of their cars. We could put it there, I just
15 don't --

16 CHAIRPERSON GRULLON: You say it's
17 20 feet.

18 MR. PANEQUE: 20 feet is the width of
19 the house, but you have 10 feet of that open space
20 in the basement that you could fit two tandem
21 cars?

22 MR. PEREIRAS: Yes.

23 CHAIRPERSON GRULLON: What about the
24 rest, you mean to maintain the --

25 MR. PANEQUE: No, no, no studio

1 apartment.

2 MR. PEREIRAS: We'll put a car in there.

3 CHAIRPERSON GRULLON: With no studio
4 apartment, it would be 20 feet open there.

5 MR. PANEQUE: I'm saying --

6 MR. PEREIRAS: I'll replace the studio
7 as a garage.

8 MR. PANEQUE: -- to do a garage where
9 the studio --

10 CHAIRPERSON GRULLON: You would fit four
11 cars.

12 MR. PEREIRAS: I don't think it's the
13 right thing. I don't think it's the appropriate
14 thing to do, but if the board thinks it's the
15 appropriate thing to do, we'll replace the studio
16 with a garage.

17 CHAIRPERSON GRULLON: Let me open it to
18 the public. Anybody from the public want to step
19 forward?

20 MR. FREZZO: Yes, I'd like to. I have a
21 couple concerns --

22 MR. PANEQUE: Hold on, sir.

23 MR. FREZZO: I'm Daniel Frezzo.

24 MR. PANEQUE: State your name?

25 MR. FREZZO: Daniel Frezzo, 1500 Central

1 Avenue.

2 MR. PANEQUE: Thank you, Mr. Frezzo.

3 MR. FREZZO: I know the house personally
4 for over 50 years, it's been abandoned for
5 17 years. Now, in the course of its abandonment,
6 not only have there been issues with rodents and
7 outsiders that have been trying to get into the
8 two alleys. Like he said, it's 20 feet, but on
9 both sides, they don't have the alley, the alleys
10 belong to 1500 and 1504. So working on the house,
11 recognizing that its got size constrictions about
12 it.

13 I believe that putting another family in
14 is going to put a burden on the parking. I'm more
15 concerned, even more concerned about the fact that
16 I know over the years, I've seen in Union City,
17 experiences quite a lot of infrastructure damage
18 when it comes to sewerage. The foundation of this
19 house has been compromised over the years. I've
20 watched the water as it slides down the house.
21 I'm concerned about the retaining walls on both
22 sides of our property.

23 These are really concerns that I'd like
24 to have put into the record, so that when -- I
25 look forward to it being addressed. But when it

1 is addressed, recognize the foundational issues,
2 the infrastructure issue, coming into the sewerage
3 system that hasn't been touched and I'm sure has
4 collapsed over the years. I'm positive. I see
5 the water percolating from the ground. I know the
6 water, as it comes off the building, as it sits
7 into the foundation. I spent a considerable
8 amount of money trying to caulk off my side of the
9 property on my alley. I can't attest to what the
10 other building is doing, but I'm sure they had the
11 same thing.

12 So my concern in the record is that --
13 not only the parking, but more so, the retaining
14 walls. And I need to know that when the
15 contractors come in, that they're bonded, they're
16 insured. Because they're going to have to use my
17 alley to address the work on that house. And
18 understandably, I have to give them access. But
19 to give them access, I have to be assured that in
20 the process of them renovating something that's
21 been abandoned so many years, they realize the
22 structural damage that's taken place over the
23 years.

24 So to take a walk at the property, I
25 don't really need to see the plans, but to take a

1 walk around the property, you will see that the
2 backyard has collapsed in certain parts because of
3 its abandonment. So that you have on all sides of
4 it, there are retention issues. So I'd like that
5 in the record as well.

6 CHAIRPERSON GRULLON: Thank you, Mr.
7 Frezzo.

8 MR. FREZZO: But to say I wouldn't want
9 this renovated and cleaned up, yes. But you could
10 probably say that about any house now in Union
11 City, that we'd like to have the neighborhood
12 freshened up and renovated.

13 CHAIRPERSON GRULLON: Thank you, Mr.
14 Frezzo.

15 VICE CHAIRPERSON GUTIERREZ: Thank you.

16 MR. PEREIRAS: So, Mr. Chairman, I
17 understand your concern. And if this board feels
18 that that's a condition that has to be met, then
19 we'll replace the studio with a garage.

20 MR. PANEQUE: We have one more.

21 MS. NATALE: Good evening, my name is
22 Lorraine Natale, we own the house 1504, right next
23 to this property. We've been there about a year.
24 And so we definitely welcome the change. But to
25 your point, you've been there longer, we --

1 insurance was tricky. Our house is 1893, it
2 belonged to Mr. Kerrigan, if I'm not mistaken. It
3 has a long history, it's a beautiful home as it
4 is.

5 We do have in the alley next to the
6 house, there are stones, pavers that are falling
7 through. We don't know where they're going. So
8 to your point about things sinking. Rodents and
9 raccoons and skunks is typical. Some of the
10 windows are falling out. Rehana has been great,
11 she's very cordial and we stay in touch. We're
12 concerned if it's going to be okay, but I didn't
13 realize it was 17 years. So that says a lot.

14 But we do have a driveway and our
15 carport is right up against the bricks of that
16 home. And so I haven't seen any drawings, so it
17 would be great to see what the drawings are to
18 kind of be engaged and know what's happening. But
19 there is -- the lot in the back seems longer, so
20 there's a way to go back as opposed to going
21 forward, I don't know. But I think our concern is
22 the substructure --

23 MR. FREZZO: The foundation structure
24 and sewerage because there's --

25 MS. NATALE: The fact the pavers are

1 falling down. I try to buy gravel and fill it in.
2 I don't even know how much the damage done, but
3 Rehana said they were working on it and you're
4 going to head some place with it. But because
5 it's so old and so much damage who knows what
6 happens when they start to uncover and start to do
7 the work. I think being in the know of how we
8 could just...

9 As far as the parking spots, I know it's
10 a small space. Our car, I know we can't kind of
11 get in. When I go to get in the car, I'm big of
12 course, but when I get out, the carport I think is
13 standard, you might know because it's right there.
14 But I think it's 10 feet, it's hard to me to get
15 out. I have to turn and get my body out, though
16 we're grateful for the spot. And we did pay a
17 substantial amount for the home.

18 So, again, the insurance is always still
19 comes up as an issue because the state that's in.
20 So it has not been an easy task for us to get the
21 insurance for the home.

22 Other than that, just to be engaged and
23 know how the process is unfolding. As far as
24 parking, there is a spot there. There is already
25 a spot for the city for anyone to park there. So

1 is that not considered -- it wouldn't belong to
2 the owner, but it doesn't make -- I know it's
3 small, but there's always cars parked to the left
4 and right side of us, for sure.

5 But we are grateful for the spot if that
6 helps at all. But mostly it's the condition of
7 the building. And there was some talk, I don't
8 know if it's drawn -- I haven't seen the drawings.
9 The entrance of the house faces our driveway and
10 there was some talk that that might be switched.

11 MR. PEREIRAS: It faces Central now.

12 MS. NATALE: If that comes down, how
13 does that affect our driveway and all that
14 retaining stuff that's holding our driveway?

15 MR. PEREIRAS: All that is brought down
16 to the ground. The concept that we had, even if
17 we do a garage, it would be brought down to ground
18 level. So some work would have to be done to the
19 retaining wall to make sure it doesn't affect you
20 in any way.

21 MS. NATALE: And the alleyway with all
22 the stones falling through, you had a chance to --

23 MR. PEREIRAS: I've walked it all, I
24 know it very well. I know your house very well.
25 The previous owners were friends of mine since I

1 was a little kid, so I know both structures very
2 well.

3 We have a very good building department
4 in town, extremely, extremely thorough. So we're
5 going to be providing drawings for this
6 construction. And when we excavate and bring that
7 down, we have to do what's called supportive
8 excavation drawings that protects your building.
9 So we have to make sure that if we're affecting
10 your building in any way, we'll have to get a
11 permit on your building to protect and fix those
12 things as we go through.

13 And so the building department's going
14 to be part of the entire process. There are
15 controlled inspections, both by me as the
16 architect and the building department to make sure
17 it's built and properly and correct. If we could
18 get through this process and get the approvals,
19 we'll be starting the building department process.

20 MS. NATALE: Kind of like Jenga, you
21 move one stone and everything else comes tumbling
22 down --

23 MR. PEREIRAS: That's exactly right.

24 MS. NATALE: How about radon, we had to
25 install the radon pump --

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1 office.

2 MS. NATALE: I think they mentioned that
3 in the letter. Mostly I'm working and anything
4 online where you can access --

5 MR. PANEQUE: No.

6 MS. NATALE: -- you have to go in
7 person.

8 MR. PANEQUE: And to your concerns and
9 to Mr. Frezzo's concern, as Mr. Pereiras
10 indicated, if this board deems fit to approve this
11 application, any and all of your concerns will
12 really shift over to supervision by the building
13 department. We have a great building department.
14 They would make sure that all the contractors are
15 bonded, that insurances are in place. If there's
16 any damage to your property, those bonds and those
17 insurances will cover. And you could always be
18 engaged with the building department of any
19 concerns that you have, they're very attentive and
20 responsive.

21 MS. NATALE: Great. We also hear there
22 might be some construction to the right of us from
23 Henry, him and his wife. We've heard a great deal
24 about you, talking great, a lot of history about
25 you, Manny, you seem to be salt of the earth, from

1 the community, and know the ins and outs. I'm
2 sure that's helpful. But thank you, I appreciate
3 that.

4 CHAIRPERSON GRULLON: Thank you.

5 Any other members of the public wanted
6 to step forward?

7 MR. PEREIRAS: So, Mr. Chairman, in
8 consideration of your recommendation, we'd like to
9 replace the studio with a garage, we could do
10 that. We request this board grant us a curb cut
11 in front of this property. That would be an
12 addition to our current application. And it would
13 be -- technically we don't need your approval as a
14 one-family house, it is approved as is. It
15 already is a one-family house, so I don't need the
16 board's approval. However, just for purposes of
17 the resolution, I'd like to request that we have a
18 curb cut, that the ground floor could be used as a
19 garage, that this is a three bedroom house. And
20 that that be -- if the board feels that that's
21 appropriate.

22 MR. GARCIA: Can I give my suggestion?

23 CHAIRPERSON GRULLON: For that, Mr.
24 Pereira, I would say yes. But I would like to
25 see revised plans.

1 MR. PEREIRAS: Absolutely.

2 CHAIRPERSON GRULLON: For the building.

3 MR. PEREIRAS: For review by the
4 planner?

5 CHAIRPERSON GRULLON: Before we vote.

6 MR. GARCIA: Can I make my suggestion?
7 Can I recommend you? Can you get together with
8 the neighbor? And because you -- it's like you
9 mentioned in your testimony, it's 1500 block and
10 1600 block of Central Avenue is kind of -- it's a
11 paradise. I mean it's gorgeous. And also you
12 have a lot of residents for a long time there that
13 they're going to -- they're going to give the best
14 recommendation to you and your client.

15 If you get a meeting with them, listen
16 to their suggestion. And it's just a
17 recommendation from my side, I don't know what the
18 other members of the board think about that. But
19 I think it's going to be great if you get together
20 and meet with them, okay.

21 CHAIRPERSON GRULLON: We're not going to
22 make a vote tonight. Just bring it back for a
23 vote only. We already heard the recommendation.
24 I think everyone agrees to our recommendation.

25 MS. SAN MARTINO: Can I say something?

1 Just to be in the same page, when you said when
2 you give him the recommendation to go and talk to
3 the neighbor, what that means? Do we consider the
4 studio or talking about the parking?

5 MR. GARCIA: The thing is talking about
6 parking, talking about everything, because not
7 only that, it's like they said, they're going to
8 need both property on the side in order to -- in
9 the moment of the construction, you know what I
10 mean? They need to feel comfortable, they need to
11 feel safe.

12 MS. SAN MARTINO: And what happens if
13 he's talking with three or four of the neighbors,
14 they give them the approve to build the studio,
15 and then here, we're talking about parking. What
16 can happen in that situation?

17 MR. GARCIA: It is something -- that's
18 why they have to -- the applicant needs to hire
19 professionals. Because then they have to come
20 with the common sense and the knowledge and
21 explain to them what is acceptable, what is not
22 acceptable, and then they completes them and also
23 going to comply with all the requirements. That's
24 my opinion.

25 Mr. Chairman, are we closed?

1 MR. PANEQUE: Mr. Frezzo.

2 MR. FREZZO: The two adjoining neighbors
3 that are most -- not that we're the most
4 important, but we're the ones most affected by
5 this construction. I don't know how you could
6 turn around and say you're requesting for
7 two-family and then without conferring with the
8 owner saying, okay, we'll make it a one-family
9 without resubmitting plans. Because now you're
10 going in to a carport to accommodate that. That's
11 going to be, you know, however the board wants to
12 deal with that. But the two neighbors -- the two
13 neighbors are going to be directly affected and
14 impacted by this construction because of the
15 unique size and shape of the building. Both of
16 our alleys have to be utilized and we have to give
17 access to that property. But we do have
18 foundational issues. There are -- there will be
19 some issues when it comes to the substrata of the
20 building.

21 I'm -- I've been in the building many
22 times over the years. I've been in the building,
23 you know, with the previous owner and there have
24 been so many attempts to try to renovate that
25 building over the years and try to reflip it. But

1 we're more than open and I think it's a good idea
2 for us to have a good understanding and a
3 relationship because we're the ones directly
4 impacted.

5 CHAIRPERSON GRULLON: Definitely.
6 That's the reason why Mr. Garcia --

7 MR. FREZZO: I appreciate that.

8 CHAIRPERSON GRULLON: -- made the
9 suggestion.

10 MR. FREZZO: Not to stop progress, but
11 to move it along, but to understand the impact
12 because of the constrictions the property
13 constrictions.

14 MR. GARCIA: Yes, we're requiring them
15 to do parking in the ground floor. But what about
16 when Mr. Pereiras finds out about the foundation,
17 they couldn't do the parking, what is going to
18 happen? They have to come --

19 MR. FREZZO: Will they pin --

20 MR. GARCIA: We don't know.

21 MR. FREZZO: Her carport is right
22 adjacent to the stairway. So it's really
23 important to look at the revised plan to see how
24 they are going to enter. You know, if they're
25 going to dig a carport, they're going to enter

1 under the carport. She does have -- her carport
2 is right adjacent to the building because
3 everything is right on the building lines. But
4 there is room in the back, but then that would be
5 part -- you'd have to resubmit that plan.

6 CHAIRPERSON GRULLON: We will revisit
7 the application. You're going to have the
8 opportunity to meet with them and just express
9 your concerns.

10 MR. PANEQUE: Mr. Frezzo, the revised
11 plans, by statute, have to be submitted to the
12 board at least ten days before the next hearing.
13 So the next hearing is scheduled for January 11th,
14 that means that by January 2nd, those plans must
15 have been presented to the secretary of the board.

16 You have the opportunity between
17 January 2nd and the meeting to go to the clerk's
18 office ask for the plans and review them. And
19 then if you have any questions, you could always
20 reach out to Mr. Pereiras.

21 MR. FREZZO: Thank you.

22 MR. PANEQUE: Okay.

23 MR. FREZZO: Thank you for your time.

24 MR. PANEQUE: I have a question for you.
25 Did you teach in Emerson?

1 MR. FREZZO: Yes, I did. I looked
2 around the room, I had several people.

3 MS. PEREZ: Can I ask one more question.
4 If the proposal is to include a garage for
5 parking, then there's no variance needed anymore
6 for parking?

7 MR. PANEQUE: Let's see. They're going
8 to need a curb cut and there's not going to be any
9 variances because it's -- well it's a --

10 MR. PEREIRAS: There's a lot of
11 preexisting nonconformities, but technically I
12 wouldn't even have to come before this board.

13 CHAIRPERSON GRULLON: It will be
14 one-family.

15 MR. PEREIRAS: If it's a one-family,
16 we're not asking for any additions, we don't have
17 to come before the board. What we're doing is
18 removing from this building, demoing it. The only
19 thing that is a little bit -- simply because the
20 process to get a curb cut in Union City isn't very
21 well defined, since we're here before this board,
22 since the applicant spent the money to come before
23 this board, I'd like that to be clear and on the
24 record that we could get a curb cut there, so that
25 we could get a driveway.

1 But and that's why I speak with such
2 confidence because I know the two-family is not
3 going to get approved. That way I could speak for
4 my client because it's either a denial or what
5 we're going to get, which is a one-family, which
6 we don't need you for. So the only thing that I
7 would like to request from this board is to have
8 that curb cut. And we'll do that with new
9 drawings that we'll provide for the next board
10 meeting and we'll present again.

11 MR. GARCIA: Thank you very much.

12 CHAIRPERSON GRULLON: Close to the
13 public.

14 With that I make a motion to adjourn
15 this application to the next board meeting of
16 January 11th. You have to present revised plans
17 ten days before the meeting.

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

20 MR. PANEQUE: Motion by Mr. Grullon to
21 adjourn, seconded by Margarita Gutierrez. Roll
22 call.

23 Victor Grullon.

24 CHAIRPERSON GRULLON: Yes.

25 MR. PANEQUE: Margarita Gutierrez.

1 VICE CHAIRPERSON GUTIERREZ: Yes.
2 MR. PANEQUE: Miguel Ortiz.
3 MR. ORTIZ: Yes.
4 MR. PANEQUE: Geraldine Perez.
5 MS. PEREZ: Yes.
6 MR. PANEQUE: Vivian O'Dell.
7 MS. O'DELL: Yes.
8 MR. PANEQUE: Andres Garcia.
9 MR. GARCIA: Yes.
10 MR. PANEQUE: Altagracia San Martino.
11 MS. SAN MARTINO: Yes.
12 MR. PANEQUE: Seven members voted
13 affirmatively, motion carries. Off the record for
14 a minute.

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16 (Discussion held off the record.)

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1 **MARIZELA GONZALEZ -**

2 **906 KENNEDY BOULEVARD:**

3
4 MR. PANEQUE: We're now proceeding to
5 case number five, Marizela Gonzalez. The
6 applicant is proposing to legalize an existing two
7 bedroom apartment in the basement of a
8 three-family dwelling.

9 MR. A. PANEQUE: Let the record reflect
10 I've been provided with an affidavit stating that
11 on December 1, 2023, personal notice was given to
12 all property owners within 200 feet of 906 Kennedy
13 Boulevard, Union City, New Jersey 07087.

14 Legal affidavit from The Jersey Journal
15 that that notice was published on December 4,
16 2023.

17 The notice given to all property owners,
18 the certified mail receipts postmarked December 1,
19 2023, and the list of all property owners that
20 were served with the notice.

21 Based on the documentation that's been
22 provided, the board has jurisdiction to hear this
23 matter.

24 MS. PEREIRAS: Thank you very much,
25 Counsel. Bianca Pereira on behalf of Marizela

1 Gonzalez, who's here this evening in the audience.
2 This property is adjacent to what was the
3 Salvation Army on Kennedy Boulevard. As you know,
4 about a year ago, that property went up in flames
5 and there was significant damage to Ms. Gonzalez's
6 property. When she went in to try to renovate
7 this building, it was discovered that the unit in
8 the basement was not legally recognized by
9 building department. So as she was renovating,
10 she came before -- or she's applying before this
11 board to make sure that that unit in the basement
12 is legalized for a total of four units on the
13 site.

14 This is an owner-occupied unit. This
15 was occupied by Ms. Gonzalez prior to the fire and
16 she's very eager to get back in there. We have
17 two experts to testify before the board this
18 evening and we'll begin our presentation with our
19 architect, Mr. Pereiras.

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

22
23 MR. PEREIRAS: Manny Pereiras, I
24 recognize I am still under oath.

25 MS. PEREIRAS: Mr. Pereiras, are you

1 familiar with 906 Kennedy Boulevard?

2 MR. PEREIRAS: I am.

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

5 MR. PEREIRAS: I have.

6 MS. PEREIRAS: Would you kindly describe
7 the project for the board?

8 MR. PEREIRAS: I'd be very happy to. As
9 counsel explained, this property suffered a lot of
10 fire damage and water damage. So the first thing
11 that we did in order to correct the building, we
12 went to the building department. We tried to take
13 out permits for all four units, at that point, we
14 discovered that the basement unit was not
15 recognized, so we retracted our permit request, we
16 removed that unit and did the permanent request
17 for three units, so she could get started on the
18 renovations. And we prepared drawings immediately
19 to come before this board to legalize. And here
20 we are, finally to do that.

21 We have a conforming lot, actually a
22 slightly better than conforming lot, it's
23 104.7 feet at one end and 25 feet wide for a total
24 of 2,511 square feet in lot area. So we're
25 conforming in width, depth and lot area. The

1 front yard is conforming, it is prevailing. The
2 adjacent properties stick out to the property line
3 further and the Salvation Army did at one point.
4 Currently, it's a vacant lot. The rear yard is at
5 37.11 feet. So we're conforming in rear yard as
6 well. Our building height is conforming, it is
7 three stories. It is slightly higher in height.
8 We're at 40.7 feet in height, whereas 38 is
9 permitted, that's a preexisting nonconformity.
10 Our building coverage is only 53 when 65 is
11 permitted, so no variance there. And the lot
12 coverage is at 96, again, that's a preexisting
13 nonconformity. We have a preexisting
14 nonconformity for parking, which we're technically
15 expanding on because the building department
16 doesn't recognize that fourth unit. Technically,
17 we're adding a requirement of two more spaces to
18 this. However, this is a preexisting condition
19 for an owner occupied building.

20 I'd like to walk you through the
21 apartment. These are the apartments on the floors
22 above. The three floors above are identical
23 layouts. The basement apartment is the one that's
24 slightly different because it has one less
25 bedroom. The basement apartment is a two bedroom

1 unit. And the living space is along the front of
2 the house because the access to it is through the
3 main stairs going down. The entire apartment size
4 is 905 square feet. There are egress windows from
5 the side of the building to the aisle that she
6 has, the setback that she has on the side. And
7 the living space is an open layout, kitchen,
8 dining room, and living space.

9 The existing structure is prevalent
10 throughout the basement, you can see the columns
11 there. And we are modifying the bathroom that's
12 there to be an ADA bathroom. That's a requirement
13 of the law since we're triggered four units. We
14 had to -- we were going to have breakdown the
15 bathroom and make it an ADA compliant bathroom as
16 well as an ADA compliant kitchen.

17 By doing this, we're improving the life
18 and safety of the building. We're providing a low
19 voltage alarm system throughout the entire
20 building, providing a sprinkler system for this
21 unit. It will be a domestic line sprinkler system
22 to protect that unit. And there's a two hour fire
23 separation between this unit and the units above.
24 And since we're renovating the entire building,
25 the entire building is being protected. There is

1 a one hour fire rating in all the stairwells and
2 between each of the apartments.

3 So at the end, you're going to have a
4 building that's compliant to all the codes of
5 today. It's going to be practically a new
6 building. That conclude my testimony and I'm open
7 for questions.

8 CHAIRPERSON GRULLON: Ms. Pereiras, you
9 mentioned you have another witness?

10 MS. PEREIRAS: We do. We have a planner
11 to testify.

12

13 G A B E B A I L E R, after having been duly
14 sworn or affirmed, did testify as follows:

15

16 MR. BAILER: Gabe Bailer, B-A-I-L-E-R.

17 MS. PEREIRAS: Mr. Bailer, I think it's
18 been awhile --

19 MR. BAILER: It's been awhile.

20 CHAIRPERSON GRULLON: Yes.

21 MS. PEREIRAS: If you wouldn't mind
22 giving your qualifications?

23 MR. BAILER: Sure. I have a master's in
24 urban planning from Hunter College in New York
25 City. I'm a licensed professional planner since

1 2007 and I'm a member of the American Institute of
2 Certified Planners since 2000.

3 CHAIRPERSON GRULLON: We accept your
4 qualifications.

5 MR. BAILER: Thank you.

6 Good evening, Mr. Chairman, members of
7 the board. As Ms. Pereiras mentioned, this is
8 here tonight to legalize an existing basement
9 apartment. This basement apartment has been
10 existing for, I was told, approximately 40 years.
11 So this is an existing condition, we're just here
12 tonight to legalize it because it's existing
13 three-family in the R zone, which is not
14 permitted. And what's being proposed is now it's
15 going to be a four-family. So based on Municipal
16 Land Use Law, this is an expansion of a
17 nonconforming use, it's a (d) (2) variance. So
18 Municipal Land Use Law requires a planner to
19 provide testimony showing the positive criteria
20 and the negative criteria for converting this --
21 legalizing this existing basement apartment.

22 So what is the positive criteria? The
23 positive criteria must be shown that either the
24 proposed basement apartment inherently benefits
25 the neighborhood and general welfare or it's

1 particularly suited. As well, the negative
2 criteria has to show that the proposed basement
3 apartment does not impair the intent of the master
4 plan and the zoning ordinance.

5 I will say tonight for the positive
6 criteria that the site is particularly suited.
7 Because as mentioned, this has been an existing
8 two-bedroom basement apartment for approximately
9 40 years. There's been no negative criteria for
10 the surrounding area. And as well as Mr. Pereiras
11 mentioned, this is an opportunity for a (d) (2)
12 variance to legalize it and also make it up to
13 code. So what does that mean? It makes the
14 building code, fire code, makes it up to the
15 applicable building codes and protects the public
16 health and safety.

17 There's no other -- besides the --
18 there's no additions, there's this interior
19 renovations as Mr. Pereiras mentioned for the
20 basement apartment to legalize it, but also the
21 renovations for the three other families. It's
22 also an efficient use of land. As mentioned, it's
23 an existing two-bedroom basement apartment. It
24 provides housing opportunities. It was mentioned
25 that it's owner occupied, that the owner will

1 actually will occupy that unit.

2 It's an opportunity to, as mentioned,
3 make a public health and safety. And that
4 promotes the condition of general purpose of A, to
5 encourage municipal action to guide appropriate
6 use or development of lands that would promote the
7 public health, safety, morals and general welfare.
8 This promotes the public health and safety because
9 we're legalizing a basement apartment. This is an
10 existing condition, but we're legalizing it.

11 As well as there is a parking variance
12 required as mentioned. It's going to be four
13 families, so there's eight parking spaces
14 required. There's none proposed. But this is an
15 existing condition. This existing condition for
16 no on-site parking has been existing for 40 years.
17 And there is available public transportation,
18 there's a bus right on Kennedy Boulevard, you're a
19 block away from Summit Avenue, commercial
20 corridor. So there's available walking and public
21 transportations that offsets the requirement for
22 the parking.

23 As mentioned this is existing. This is
24 existing two-bedroom basement apartment. And I'm
25 here tonight just to show that to legalize this

1 basement apartment meets the positive criteria and
2 also meets the negative criteria, where there's no
3 substantial detriment to the public good and
4 impair the intent of the master plan or the zoning
5 ordinance.

6 So based on that, I respectfully request
7 the board to consider the (d) (2) variance required
8 to legalize the existing basement apartment and
9 the required parking variance for this basement
10 apartment. Happy to answer any questions.

11 CHAIRPERSON GRULLON: Thank you, Mr.
12 Bailer. My question will be for Mr. Pereiras.
13 Thank you, Mr. Bailer.

14 MR. BAILER: Thank you.

15 CHAIRPERSON GRULLON: Mr. Pereiras, you
16 say the renovations that you're going to be
17 performing -- you are proposing to perform in this
18 building are only the basement apartment or are
19 you doing the other floors?

20 MR. PEREIRAS: We already are doing the
21 renovations to all the other floors, that's
22 underway. They're well -- they're probably
23 80 percent complete with the renovations.

24 CHAIRPERSON GRULLON: Can you go over
25 one more time what kind of renovations you're

1 making? Are you increasing the amount of
2 bedrooms?

3 MR. PEREIRAS: No, we're not. And
4 it's -- all the renovations that we're doing to
5 the above floors does not affect this board. We
6 already had a zoning determination done and that
7 was approved and the building department issued
8 permits for it. The reason there's a renovation
9 of the upper floors are for fire and water damage.
10 And that's the only reason for those renovations,
11 everything is staying as is.

12 And the basement apartment also suffered
13 water and fire -- really, water damage. The fire
14 didn't affect the basement. It affected more the
15 upper floors, but there was a lot of water damage
16 and it's being renovated for that.

17 CHAIRPERSON GRULLON: Okay. By doing
18 all this, you're going to bring this building up
19 to codes. As you mentioned you're going to have
20 an ADA bathroom?

21 MR. PEREIRAS: Correct.

22 CHAIRPERSON GRULLON: You're going to
23 have ADA kitchen as well?

24 MR. PEREIRAS: Correct.

25 CHAIRPERSON GRULLON: Your opinion is,

1 you know, the building, that unit was there, you
2 know, prior to the fire?

3 MR. PEREIRAS: It was definitely there
4 well prior to the fire. The planner said
5 40 years. If I had to guess, I would have said
6 50 years. It's been there for a long time.

7 CHAIRPERSON GRULLON: I live in Union
8 City for over 20 years and I've seen that building
9 on the same shape, in very good shape. I don't
10 know if the owner is here, but --

11 MR. PEREIRAS: The owners are here and
12 they're wonderful people, they take a lot of care.
13 They live there themselves and take a lot of care
14 to the building. So it's been a pleasure to work
15 with them and they're very happy to move forward.

16 CHAIRPERSON GRULLON: Any members of the
17 board have any questions?

18 MR. GARCIA: Just for the record, this
19 situation is completely different than the
20 situation before. So it's a preexisting
21 condition, it is everything going to be done
22 inside. And I think it has nothing to do with
23 parking, it's an existing parking situation. So,
24 that's the only comment.

25 CHAIRPERSON GRULLON: At this time, I

1 want to open to the public. Any member of the
2 public want to step forward?

3 Hearing none, taking in consideration
4 that this renovation in this -- first of all, this
5 unit has been there for over 40 years, as stated
6 by the planner, and the renovation is going to
7 bring the building up to code, I make a motion to
8 grant this application to increase from
9 three units to four units.

10 VICE CHAIRPERSON GUTIERREZ: Second it.

11 MR. PANEQUE: Motion by Victor Grullon,
12 seconded by Margarita Gutierrez. Roll call on the
13 motion.

14 Victor Grullon.

15 CHAIRPERSON GRULLON: Yes.

16 MR. PANEQUE: Miguel Ortiz.

17 MR. ORTIZ: Yes.

18 MR. PANEQUE: Geraldine Perez.

19 MS. PEREZ: Yes.

20 MR. PANEQUE: Vivian O'Dell.

21 MS. O'DELL: Yes.

22 MR. PANEQUE: Andres Garcia.

23 MR. GARCIA: Yes.

24 MR. PANEQUE: Altagracia San Martino.

25 MS. SAN MARTINO: Yes.

1 MR. PANEQUE: Ms. Gutierrez.

2 VICE CHAIRPERSON GUTIERREZ: Yes.

3 MR. PANEQUE: Seven affirmative votes,
4 motion carries.

5 MS. PEREIRAS: Thank you all very much.
6 Thank you.

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ADOPTION OF RESOLUTIONS:

1. Hung Fat, Inc. 1212-1216 Summit Avenue. Lot: 58 Lots: 26, 27 & 28. The applicant proposes to modify an existing two-story, mixed-use building, by the construction of one additional floor, for a total of 10 residential units and 2 commercial spaces and 17 parking spaces. **Approved**

MR. PANEQUE: Moving on to the adoption of resolutions. First adoption before the board is the matter of Hung Fat, Inc., 1212-1216 Summit Avenue. The applicant proposes to modify an existing two-story, mixed-use building by the construction of one additional floor for a total of 9 units, one studio, and two commercial spaces. Matter was approved at the last hearing. Motion to adopt resolution?

CHAIRPERSON GRULLON: Motion.

MR. PANEQUE: Victor Grullon.

VICE CHAIRPERSON GUTIERREZ: Second.

MR. PANEQUE: Seconded by Margarita Gutierrez. Roll call.

Victor Grullon.

CHAIRPERSON GRULLON: Yes.

MR. PANEQUE: Margarita Gutierrez.

1 VICE CHAIRPERSON GUTIERREZ: Yes.

2 MR. PANEQUE: Miguel Ortiz.

3 MR. ORTIZ: Abstain, I wasn't present at
4 the last meeting.

5 MR. PANEQUE: Geraldine Perez.

6 MS. PEREZ: Yes.

7 MR. PANEQUE: Andres Garcia.

8 MR. GARCIA: Yes.

9 MR. PANEQUE: Vivian O'Dell.

10 MS. O'DELL: Yes.

11 MR. PANEQUE: Ms. San Martino was absent
12 at the last meeting. Five affirmative votes, two
13 abstentions.

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ADOPTION OF RESOLUTIONS:

2. Patricia Villaruel. 208 43rd Street. Block:
252 Lot: 7. The applicant proposes legalization
of a basement apartment in an existing
multifamily. **Approved**

MR. PANEQUE: Moving on adoption of
resolution number two. Patricia Villaruel, 208
43rd Street. The applicant proposes the
legalization of a basement apartment in an
existing multifamily. Motion to adopt resolution.

CHAIRPERSON GRULLON: Motion.

VICE CHAIRPERSON GUTIERREZ: Second.

MR. PANEQUE: Victor Grullon, seconded
by Margarita Gutierrez. Roll call on the motion.
Margarita Gutierrez.

VICE CHAIRPERSON GUTIERREZ: Yes.

MR. PANEQUE: Miguel Ortiz was absent,
abstain.

MR. PANEQUE: Geraldine Perez.

MS. PEREZ: Yes.

MR. PANEQUE: Andres Garcia.

MR. GARCIA: Yes.

MR. PANEQUE: Vivian O'Dell.

MS. O'DELL: Yes.

1 MR. PANEQUE: Ms. San Martino was
2 absent.

3 Victor Grullon.

4 CHAIRPERSON GRULLON: Yes.

5 MR. PANEQUE: Five affirmative votes,
6 two abstentions. Motion carries.

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ADOPTION OF RESOLUTIONS:

3. 2109 West Union City, LLC - 2109 West Street.
Block: 115, Lot: 5. The applicant proposes to
construct a two-story addition to the rear of an
existing building that contains two units.

**Approved on 10-12-2023. Revised drawings received
on 12-04-23.**

MR. PANEQUE: Moving onto number three,
adoption of resolution for 2109 West Union City,
LLC, for property at 2109 West Street. The
applicant proposes to construct a two-story
addition to the rear of an existing building that
contains two units. Approved on October 12, 2023,
revised drawings received December 4, 2023.
Motion to adopt resolution.

CHAIRPERSON GRULLON: Motion.

MR. PANEQUE: Victor Grullon. Second?

VICE CHAIRPERSON GUTIERREZ: Second.

MR. PANEQUE: Seconded by Margarita
Gutierrez. Roll call on the motion.

Victor Grullon.

CHAIRPERSON GRULLON: Yes.

MR. PANEQUE: Margarita Gutierrez.

VICE CHAIRPERSON GUTIERREZ: Yes.

1 MR. PANEQUE: Miguel Ortiz.

2 MR. ORTIZ: Abstain.

3 MR. PANEQUE: Abstains. Actually, Mr.
4 Ortiz, you were present, because this goes back
5 two meetings. So your vote is?

6 MR. ORTIZ: Yes.

7 MR. PANEQUE: Thank you.

8 Geraldine Perez.

9 MS. PEREZ: Yes.

10 MR. PANEQUE: Andres Garcia.

11 MR. GARCIA: Yes.

12 MR. PANEQUE: Vivian O'Dell was absent
13 at that meeting, abstain.

14 And Altagracia San Martino.

15 MS. SAN MARTINO: Yes.

16 MR. PANEQUE: Six affirmative votes, one
17 abstention. Motion carries.

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1 **ADOPTION OF RESOLUTIONS:**

2 **Revised Resolutions.**

3 4. Bernardino Saavedra 3806 New York Avenue.
4 Lot: 2, Block: 226. The applicant proposes to
5 construct a second story addition over an existing
6 one-story commercial structure to create one
7 apartment. The approval resolution was
8 memorialized on 09-08-22.

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10 MR. PANEQUE: Number four, adoption of
11 resolution -- strike that.

12 Well, it's revised resolution for
13 Bernardino Saavedra, 3806 New York Avenue. The
14 applicant proposes to construct a second story
15 addition over an existing one-story commercial
16 structure to create one apartment. The approval
17 resolution was memorialized on September 8, 2022.

18 What this resolution is about is the
19 building department had an issue with the
20 resolution in that the resolution did not specify
21 that the one apartment above the flower shop that
22 this board approved was actually a duplex
23 apartment consisting of two floors. I reviewed
24 the resolution, I also reviewed the transcripts.
25 The testimony during the hearing, both from the

1 architect as well as the expert witnesses, were
2 that it was a two-story addition encompassing the
3 second floor and the third floor.

4 Based on that, the resolution has been
5 revived to clearly state that the one apartment
6 that's being added to this building above the
7 flower shop is a two-story addition. And that's
8 what we have before the board tonight, which is
9 the revised resolution. Is there a motion to
10 adopt?

11 CHAIRPERSON GRULLON: Motion.

12 MR. PANEQUE: Motion by Victor Grullon.

13 VICE CHAIRPERSON GUTIERREZ: Second.

14 MR. PANEQUE: Seconded by Margarita
15 Gutierrez.

16 Victor Grullon.

17 CHAIRPERSON GRULLON: Yes.

18 MR. PANEQUE: Margarita Gutierrez.

19 VICE CHAIRPERSON GUTIERREZ: Yes.

20 MR. PANEQUE: Miguel Ortiz was absent,
21 abstain?

22 MR. ORTIZ: Yes.

23 MR. PANEQUE: Geraldine Perez.

24 MS. PEREZ: Yes.

25 MR. PANEQUE: Andres Garcia was not part

1 of that meeting. Mr. Garcia, did you have a
2 chance to review the prior transcripts?

3 MR. GARCIA: No.

4 MR. PANEQUE: Okay, abstain. Vivian
5 O'Dell was not part of the meeting either. Ms.
6 O'Dell, you have not read the transcripts either?

7 MS. O'DELL: No. I was trying to open
8 them before and I couldn't.

9 MR. PANEQUE: Abstain. And Altagracia
10 San Martino was also not part of that. So you
11 haven't read the transcripts either?

12 MS. SAN MARTINO: No.

13 MR. PANEQUE: Abstain. Three members
14 voting in the affirmative, motion carries.

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ADOPTION OF RESOLUTIONS:

5. Resolution appointing the Zoning Board of Adjustment secretary for the year 2024.

MR. PANEQUE: Adoption of resolution appointing the Zoning Board of Adjustment secretary for the year 2024.

MR. SPATZ: Don't you want to do it?

MR. PANEQUE: Is there a motion to adopt?

CHAIRPERSON GRULLON: Motion.

VICE CHAIRPERSON GUTIERREZ: Second.

MR. PANEQUE: Motion by Victor Grullon. Seconded by Margarita Gutierrez. Roll call on the motion.

Victor Grullon.

CHAIRPERSON GRULLON: Yes.

MR. PANEQUE: Margarita Gutierrez.

VICE CHAIRPERSON GUTIERREZ: Yes.

MR. PANEQUE: Miguel Ortiz.

MR. ORTIZ: Yes.

MR. GARCIA: For the record, its says appoint, not reappointing. We didn't say who got appointed.

MR. SPATZ: It could be Tomas.

1 MR. PANEQUE: I'm only reading. It's
2 above my pay grade here.

3 Geraldine Perez.

4 MS. PEREZ: Yes.

5 MR. PANEQUE: Andres Garcia.

6 MR. GARCIA: Yes.

7 MR. PANEQUE: Vivian O'Dell.

8 MS. O'DELL: Yes.

9 MR. PANEQUE: Altagracia San Martino.

10 MS. SAN MARTINO: Yes.

11 MR. PANEQUE: Seven affirmative votes,
12 motion carries.

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1 **ADOPTION OF RESOLUTIONS:**

2 6. Resolution to approve the Zoning Board of
3 Adjustment schedule for the year 2024.

4

5 MR. PANEQUE: And then we go to number
6 6, adoption of resolution. Resolution to approve
7 the Zoning Board of Adjustment schedule for the
8 year 2024.

9 CHAIRPERSON GRULLON: I have a concern
10 with the location that I would like to discuss to
11 the secretary. Can we hold off on the motion?

12 MR. PANEQUE: Yes.

13 MR. GARCIA: We need January's.

14 MR. PANEQUE: Let's vote on approving
15 the first meeting for January 11th.

16 CHAIRPERSON GRULLON: All right.

17 VICE CHAIRPERSON GUTIERREZ: Because you
18 have to --

19 MR. PANEQUE: We need to meet at least
20 one time and we don't have any meeting scheduled.

21 CHAIRPERSON GRULLON: We might be doing
22 them at Gilmore, but we have to wait until --

23 VICE CHAIRPERSON GUTIERREZ: Next
24 meeting at Gilmore.

25 MR. PANEQUE: No, January --

1 MR. GARCIA: Entire 2024.

2 CHAIRPERSON GRULLON: With that, if it's
3 okay, I could vote just to approve the meeting for
4 January 11th at this location.

5 MR. PANEQUE: Okay. So the vote on the
6 floor is to approve the January 11th meeting at
7 the Union City High School.

8 CHAIRPERSON GRULLON: Yes.

9 MR. PANEQUE: Not the rest of the agenda
10 until further discussion takes place.

11 CHAIRPERSON GRULLON: Not the rest of
12 the schedule.

13 MS. PEREZ: Can we get a copy of when
14 the dates are?

15 MR. PANEQUE: We had it, except our
16 chairman has an issue with some of the dates and
17 we can't go any further than January.

18 MS. PEREZ: That's fine.

19 MR. PANEQUE: We're going to limit it to
20 January 11th and then we'll get.

21 CHAIRPERSON GRULLON: We'll review it
22 again.

23 MS. PEREZ: Beautiful.

24 VICE CHAIRPERSON GUTIERREZ: Are you
25 okay with Gilmore?

1 MS. PEREZ: Of course.

2 MR. PANEQUE: Motion to adopt the
3 revised resolution for only January 11, 2024, at
4 this location the Union City High School. Motion?

5 CHAIRPERSON GRULLON: Motion.

6 VICE CHAIRPERSON GUTIERREZ: Second.

7 MR. PANEQUE: Motion by Victor Grullon,
8 second by Margarita Gutierrez. Roll call on the
9 motion.

10 Victor Grullon.

11 CHAIRPERSON GRULLON: Yes.

12 MR. PANEQUE: Margarita Gutierrez.

13 VICE CHAIRPERSON GUTIERREZ: Yes.

14 MR. PANEQUE: Miguel Ortiz.

15 MR. ORTIZ: Yes.

16 MR. PANEQUE: Geraldine Perez.

17 MS. PEREZ: Yes.

18 MR. PANEQUE: Andres Garcia.

19 MR. GARCIA: Yes.

20 MR. PANEQUE: Vivian O'Dell.

21 MS. O'DELL: Yes.

22 MR. PANEQUE: Altagracia San Martino.

23 MS. SAN MARTINO: Yes.

24 MR. PANEQUE: Motion carries, seven.

25 * * * *

ADJOURNMENT :

MR. PANEQUE: There being no other applications on tonight's agenda, can I have a motion to close or end tonight's meeting?

VICE CHAIRPERSON GUTIERREZ: Motion.

MR. PANEQUE: Motion by Margarita Gutierrez, seconded by everybody else.

All in favor?

(All Board Members indicate in the affirmative.)

(Whereupon the meeting was adjourned at 7:41 p.m.)

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