

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, February 27, 2024
Commencing at 6:00 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
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

SUSAN GRUEL, P.P.

SUSAN BISCHOFF CCR CO.
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A P P E A R A N C E S:

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

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PRELIMINARY INVESTIGATION
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VISTA, LLC
2113-2115 Palisade Avenue

WITNESSPAGE

MANUEL PEREIRAS

22

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A-1 plans revised 9/20/23

23

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

3 Please take notice that on Tuesday,
4 February 27, 2024, at 6:00 p.m., a regular meeting
5 is scheduled for the City of Union City Planning
6 Board to be held in Union City High School,
7 located at 2500 John F. Kennedy Boulevard, Union
8 City, New Jersey.

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

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

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

21
22 (Whereupon the Pledge of Allegiance was
23 recited.)

24
25 MR. VALLEJO: Thank you.

ROLL CALL:

MR. VALLEJO: Mayor Brian P. Stack is absent.

MR. VALLEJO: 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. Medina.

MR. MEDINA: Here.

MR. VALLEJO: Mr. Guareno.

MR. GUARENO: Yes.

MR. VALLEJO: Mr. Oseguera.

MR. OSEGUERA: Yes.

MR. VALLEJO: Six present, we have a quorum.

ADOPTION OF MINUTES:

MR. VALLEJO: Now we move to the minutes. Regular meeting held on January 23, 2024, can I have a motion?

CHAIRPERSON VELAZQUEZ: I make a motion.

MS. MOREJON: Second.

MR. VALLEJO: Motion by Mr. Velazquez, seconded by Ms. Morejon. Roll call on the motion. Mr. Velazquez.

CHAIRPERSON VELAZQUEZ: Yes.

MR. VALLEJO: Ms. Genao.

MS. GENAO: Yes.

MR. VALLEJO: Mr. Guareno.

MR. GUARENO: Yes.

MR. VALLEJO: Mr. Medina.

MR. MEDINA: Yes.

MR. VALLEJO: Ms. Morejon.

MS. MOREJON: Yes.

MR. VALLEJO: Mr. Oseguera.

MR. OSEGUERA: Yes.

MR. VALLEJO: Six in favor, motion carries.

* * * *

PRELIMINARY INVESTIGATION -

707 Summit Avenue 710 Paterson Plank, Road, 810
Kennedy Boulevard, 812 Kennedy Boulevard

MR. VALLEJO: Moving to the first
hearing on tonight's agenda. The Board of
Commissioners of the City of Union City adopted a
resolution authorizing the City of Union City
Planning Board to undertake a preliminary
investigation of the property defined as follows:
Block 32.01 Lot 9, 707 Summit Avenue, Block 32.01,
lot 4, 710 Paterson Plank Road; Block 43, Lot 6,
810 Kennedy Boulevard; and Block 43, Lot, 812
Kennedy Boulevard as identified on the official
tax map of the City of Union City to determine if
the property qualifies as a non-condemnation area
in need of redevelopment.

Mr. Chewcaskie, please.

MR. CHEWCASKIE: Yes, thank you, Carlos.
What's the before the board this evening, the
Board of Commissioners have determined to have the
Planning Board review whether this area qualifies
as an area in need of redevelopment. This is the
Teamsters building located on Summit Avenue and
there's also a parking lot located on Kennedy

1 Boulevard. What the City has done, they've
2 actually purchased this property and have engaged
3 Heyer Gruel Associates to prepare a redevelopment
4 study. This redevelopment study is being proposed
5 for the purpose that the City has an intention now
6 to repurpose this building. This building will
7 not be demolished, it's intended to remain in its
8 current state, but to repurpose that. The present
9 intention is that it be utilized for affordable
10 housing, but that has yet to be determined.

11 What is before the board this evening is
12 to make a determination whether based upon the
13 report that we've received and testimony that
14 we'll hear from Ms. Gruel, who is here tonight, as
15 to whether the area qualifies as an area in need
16 of redevelopment. What the planning board does is
17 make a recommendation, the ultimate determination
18 will be made by the Board of Commissioners.

19 So unless there's any questions, Susan,
20 can introduce herself we can have her sworn in.
21 And what I'll do, Susan Bischoff, is we'll mark
22 the report as A-1, so we have it. And I'll have
23 Susan Gruel identify it. So if we can have her
24 sworn, please.

25

1 S U S A N G R U E L, after having been duly
2 sworn or affirmed, did testify as follows:

3
4 MS. GRUEL: My name is Susan Gruel,
5 G-R-U-E-L, I'm a partner in the planning firm of
6 Heyer Gruel and Associates. We are consultants
7 and we've been planning consultants to the City
8 for a number of years. And I think you normally
9 see McKinley Mertz, who is one of our associates.
10 But I had the fortune of being here this evening.
11 So it's good to see you all. And I am a licensed
12 planner in the State of New Jersey.

13 I will kind of highlight our report. I
14 think all of you have a copy of it. It's dated
15 December 1st and it is identified as area in need
16 of redevelopment investigation report, teamsters
17 building and parking lot, Block 32.01, Lots 4 and
18 9, and Block 43, Lots 6 and 7, prepared by our
19 firm.

20 As we -- as your attorney has pointed
21 out, our role in this and the report is to
22 determine whether the properties being
23 investigated meet any one or more of the criteria
24 necessary to designate it as a redevelopment area.
25 We do research in terms of looking at various

1 documents. I have personally, so has McKinley,
2 been in the site and in the building. I think
3 most of you know this as the teamsters building.
4 It's been around since, I believe, 1910, I'm not
5 quite sure. I think 1960 is when the teamsters
6 started using some of the building, but whatever.
7 It's got an interesting history to it.

8 But what I'd like to just highlight is
9 why we believe it -- there's substantial evidence
10 to have this designated as a redevelopment area
11 under certain of the criteria, both in terms of --
12 let me just start with the teamsters building,
13 which as Brian has said, it is now in the
14 ownership of the City. But we believe that it
15 meets criterion A. Criterion A states "the
16 generality of the buildings are substandard,
17 unsafe, unsanitary, dilapidated or obsolescent or
18 possess any of such characteristics or are so
19 lacking in light, air or space as to be conducive
20 to unwholesome living or working conditions."

21 I think that the photos speak a thousand
22 words in terms of how the existing conditions
23 shown through the photos and shown through certain
24 permits through the City meet that criteria, and
25 that is part of this report.

1 Block 32.01, Lot 4, which is directly
2 adjacent to the building, it kind of serves as a
3 driveway to the interior parking lot. And in your
4 opinion, this parcel may be designated what's
5 called pursuant to Section 3, which is, it is
6 necessary -- the inclusion of it is necessary for
7 effective and comprehensive redevelopment of the
8 area. It really is an integral component of the
9 building and that's why it can be included.

10 Lots 6 and 7 in Block 43 are parking
11 lots. In our opinion, those meet the criteria
12 under criteria -- both of those under criterion D.
13 And that states, "areas with buildings or
14 improvements, they're parking lots, which by
15 reason of dilapidation, obsolescence,
16 overcrowding, faulty arrangement or design, lack
17 of ventilation, light and sanitary facilities,
18 excessive land coverage, deleterious land use, or
19 obsolete layout or any combination of these or
20 other factors are detrimental to the safety,
21 health, morals or welfare of the community."

22 We have quite a bit of detail on that in
23 terms of the manner in which, it's an obsolete
24 layout, the circulation in and out of the parking
25 lots are inefficient and frankly dangerous for

1 incoming traffic. You have to back the cars --
2 the cars have to back in and out of the lot. And
3 so they certainly are faulty in terms of the
4 design and the obsolescence of the parcels, the
5 parking lots.

6 Those are basically the highlights. I'm
7 happy to meet to answer any specific questions. I
8 know you have other things on the agenda, but I
9 kind of wanted to give you a summary. So
10 basically the teamsters building is criterion --
11 in our opinion meets criterion A. The adjacent
12 parking lot, adjacent to the building, in summary,
13 meets Section 3, which is necessary for the
14 effective redevelopment of the area. And the
15 parking lots on lots 6 and 7, in our opinion, meet
16 criterion D.

17 MR. CHEWCASKIE: So just for the record,
18 Susan, my understanding from what you stated and
19 what's contained in the report is you did both an
20 exterior and interior inspection to reach your
21 conclusions, correct?

22 MS. GRUEL: That's correct and we also
23 reviewed City records.

24 MR. CHEWCASKIE: And your conclusions
25 indicate there are criteria that have been met

1 under A, D, and Section 3 for the necessity, in
2 order to proceed with the redevelopment?

3 MS. GRUEL: That's correct.

4 MR. CHEWCASKIE: Mr. Chairman, I believe
5 it would be appropriate if there were any
6 questions from any of the board members?

7 CHAIRPERSON VELAZQUEZ: Any questions
8 anybody?

9 MR. OSEGUERA: I have a question and you
10 may not know this, but what's the building being
11 used for now?

12 MR. CHEWCASKIE: Go ahead, Susan.

13 MS. GRUEL: Well, when we were there, it
14 was essentially vacant and there was a lot of
15 storage, furniture storage and such. There were a
16 lot of water leaks, but it was essentially vacant.
17 I think since then, I believe that there were a
18 couple of offices there that have since moved out.

19 MR. CHEWCASKIE: I mean, Mr. Oseguera,
20 the City acquired the property, they allowed the
21 teamsters until the end of this month to remain.
22 The teamsters, I believe, purchased another
23 facility in Moonachie. And it's my understanding
24 that they either will have vacated the premises as
25 of today, but no later Thursday. So the City

1 intends to make sure that the facility is secured.
2 And then perhaps, depending how the redevelopment
3 process goes, to look to start converting it to
4 housing.

5 MR. OSEGUERA: Thank you.

6 CHAIRPERSON VELAZQUEZ: Any questions by
7 the public?

8 MR. CHEWCASKIE: Any member of the
9 public have questions on this redevelopment?

10 Before there's any action by the board,
11 I just wanted to indicate that notice to the
12 property owner was provided, which is the City of
13 Union City, and also appropriate notice was
14 published twice in the newspaper by Mr. Vallejo
15 with regard to same. So notices were provided,
16 publication was done, and the study has been
17 presented, and has been on file not only with Mr.
18 Vallejo, but in the office of the city clerk.

19 MR. VALLEJO: Correct.

20 MR. CHEWCASKIE: So basically, if the
21 board is in accord with what they've heard, the
22 motion would be to recommend that the area be an
23 area in need of redevelopment as delineated in the
24 report.

25 MR. VALLEJO: In Mr. Velazquez's folder

1 is a copy of the publication, it's the legal
2 affidavit.

3 MR. CHEWCASKIE: Okay. I think it's
4 appropriate if anyone has a motion?

5 CHAIRPERSON VELAZQUEZ: I make a motion.

6 MS. MOREJON: Second.

7 MR. VALLEJO: Motion to approve by Mr.
8 Velazquez, seconded by Ms. Morejon.

9 Roll call on the motion. Mr. Velazquez.

10 CHAIRPERSON VELAZQUEZ: Yes.

11 MR. VALLEJO: Ms. Genao.

12 MS. GENAO: Yes.

13 MR. VALLEJO: Mr. Guareno.

14 MR. GUARENO: Yes.

15 MR. VALLEJO: Mr. Medina.

16 MR. MEDINA: Yes.

17 MR. VALLEJO: Ms. Morejon.

18 MS. MOREJON: Yes.

19 MR. VALLEJO: Mr. Oseguera.

20 MR. OSEGUERA: Yes.

21 MR. VALLEJO: Six in favor, motion
22 passes.

23 MR. CHEWCASKIE: So what will happen at
24 your next meeting, you'll have a resolution which
25 will encompass the recommendation and then that

1 goes to the Board of Commissioners. The Board of
2 Commissioners decide to accept that and proceed,
3 then there would be a redevelopment plan for this
4 particular property, which would be presented to
5 the board. That redevelopment plan is basically
6 the zoning that would permit whatever uses the
7 Board of Commissioners determine. So we're good.

8 MR. VALLEJO: Thank you.

9 MS. GRUEL: Mr. Chairman, may I be
10 excused?

11 CHAIRPERSON VELAZQUEZ: Yes, thank you
12 very much.

13 MR. CHEWCASKIE: You're welcome to stay.

14 MS. GRUEL: Thank you very much. I
15 appreciate it. I'm happy to meet everybody and
16 see everyone, but I think I'm going to pass on
17 staying any longer. So have a good rest of the
18 meeting. Thank you.

19 * * * *

20

21

22

23

24

25

1 **VISTA, LLC -**

2 **2113-2115 PALISADE AVENUE:**

3
4 MR. VALLEJO: We're going to item number
5 two, Vista, LLC, 2113-2115 Palisade Avenue. Ms.
6 Pereiras, please.

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

8 MR. CHEWCASKIE: I do have a statement
9 for the board, but I'll allow Ms. Pereiras to
10 introduce herself.

11 MS. PEREIRAS: Good evening, Counsel,
12 Mr. Chairman, members of the board. May it please
13 the board, Bianca Pereiras on behalf of Palisades
14 Vista, LLC.

15 MR. CHEWCASKIE: Thank you, Ms.
16 Pereiras. Just for the board's edification, what
17 we have in front of us is the planning board
18 denied the application for Palisade Vista in 2021.
19 It was for a subdivision of the property to create
20 two three-family homes, the board denied that.
21 There was an action in lieu of prerogative writs
22 that was filed with the Superior Court in Hudson
23 County.

24 Since the time that complaint was filed,
25 there have been a series of settlement discussions

1 with Ms. Pereiras on behalf of the owner of the
2 property. And also included in those discussions
3 was Mr. Spatz, the City's planner. And what was
4 agreed to in the form of the settlement agreement
5 is that there would be a subdivision of the
6 property. The existing structure, the existing
7 house would remain and that it would be utilized
8 as a three-family dwelling. And then the other
9 lot, the subdivided lot would be a two-family
10 home, which would meet all zoning criteria for
11 two-family homes in the area.

12 What was critical in terms of settling
13 this case was the preservation of the existing
14 structure. So there was language that was put
15 into the settlement agreement that any change of
16 use for the three-family dwelling would require
17 all appropriate land use approvals. And this
18 provision is binding not only on the present
19 owner, but all future owners. Document will be
20 dealt with appropriately, if it is approved.

21 So now what do we have here this
22 evening. We have the settlement agreement, which
23 has to be approved by the board. And then we have
24 a hearing as to what the settlement agreement
25 provides. This is not a rehash of what occurred

1 in the past of the previous hearing. This is
2 basically a continuation of that hearing with the
3 modification to the plan. So as I said, there
4 will be two aspects with regard -- first would be
5 is does the planning board wish to settle the case
6 and authorize me to enter into the settlement
7 agreement, that's part one. And part two would be
8 then to hear what the changes were that merit the
9 settlement.

10 So at the end of the presentation, we
11 will go through those two steps. If the planning
12 board chooses not to resolve this case, we will go
13 back to court. But at the time that the board
14 denied the application, the three-family uses were
15 permitted uses under our ordinance.

16 So for the record, I did get, via email,
17 the notices that were required, because this
18 hearing requires a public notice, both publication
19 and to the surrounding property owners. So unless
20 there are any questions of me, I will ask Ms.
21 Pereiras to present what the revisions were so the
22 board understands what we hopefully have resolved.
23 Bianca?

24 MS. PEREIRAS: Thank you very much,
25 Counsel. I'd like to call our architect, Mr.

1 Manuel Pereiras, so he can walk us through the
2 changes or modifications that are being proposed
3 this evening.

4

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

7

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

12 MS. PEREIRAS: Mr. Pereiras, are you
13 familiar with the property at 2113-2115 Palisade
14 Avenue?

15 MR. PEREIRAS: I am.

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

18 MR. PEREIRAS: I have.

19 MS. PEREIRAS: Would you kindly describe
20 the proposed application for the board?

21 MR. CHEWCASKIE: Manny, why don't we
22 mark that A-1 and just identify what it is for me
23 by the last revision date.

24 MR. PEREIRAS: Will do. I'm marking the
25 top right hand corner A-1 with today's date,

1 2/27/24. These are the same drawings that were
2 submitted to the board. The last revision date on
3 these drawings is September 20, 2023.

4 MR. CHEWCASKIE: Thank you, please
5 continue.

6 MR. PEREIRAS: As counsel said, we have
7 been working with Mr. Spatz, the town planner,
8 back and forth and we've gone through many
9 iterations of the drawings. And this, what I'm
10 going to present to you, is the following:
11 Currently there is a 100 foot lot by 50 feet and
12 there's a three-family house located in that spot.
13 We're looking to maintain that house exactly how
14 it is and only rehab it. So we're fixing it up,
15 cleaning it up. Currently in that house, there
16 are four stories in total. What we're doing is on
17 the first floor -- there are multiple apartments
18 on each story, we're cleaning this up and creating
19 one apartment per floor on three of the floors.
20 So the first floor has a one, two, three, four
21 bedroom apartment. The second floor has a three
22 bedroom apartment that we're proposing. And then
23 the third floor is duplex with the attic, in the
24 attic there's two bedrooms. And on the third
25 floor, there's one bedroom.

1 And like I said, before we're not
2 proposing to grow this building in any way, it's
3 the existing building and three units. It was a
4 three-family legally, it will continue to be a
5 three-family.

6 The last 31 feet of the site will be
7 subdivided. And in that site, we're going to have
8 a new two-family house. The entrance to the
9 driveway will be a new curb cut along 22nd Street.
10 And that curb cut is going to provide for four
11 cars parked on the ground floor level, two cars
12 for apartment one and two cars for apartment two
13 in tandem. There's also an entrance from 22nd
14 Street that introduces you into a small foyer.
15 You take that foyer, up the stairs, apartment one
16 is a two bedroom apartment. That apartment is
17 821 square feet and you continue the stairs up to
18 the third floor and you have the second apartment,
19 which is 821 square feet, also a two bedroom
20 apartment.

21 The stairs also lead you to the roof to
22 access mechanical equipment on the roof. The
23 house design is a very simple design. It is
24 majority brick, as we try to do in most new small
25 scale structures in Union City. And we do provide

1 a panel system just for artistic articulation.
2 Beyond that, there's nothing more to this project.
3 And I'm open to any questions the board may have.

4 CHAIRPERSON VELAZQUEZ: Do any members
5 have any questions?

6 MR. OSEGUERA: I have a question, maybe
7 not a question but a point about the parking. You
8 know, you're anticipating four cars in tandem and
9 you know --

10 MR. PEREIRAS: Two cars in tandem. So
11 this is extremely typical. Every single house we
12 design in Union City tends to be exactly this
13 parking layout, which is four cars, two in tandem
14 each.

15 MR. OSEGUERA: How realistic is that,
16 you know, like --

17 MR. PEREIRAS: Extremely realistic.
18 It's normal all across the state, really all
19 across the country. Most people, whether they
20 have a driveway -- a typical driveway is a narrow
21 driveway, you have two cars parked in front of it.
22 Just two cars parked --

23 SECURITY GUARD: Sir, you can't be
24 walking --

25 AUDIENCE MEMBER: I'm a journalist.

1 SECURITY GUARD: You're disturbing
2 everybody here. Sit down over there, you can
3 record whatever you want from your place. Sir,
4 I'm not going to repeat myself twice.

5 AUDIENCE MEMBER: You're not going to
6 let me take pictures of --

7 SECURITY GUARD: You can --

8 AUDIENCE MEMBER: He can't photograph
9 backwards. We can't see a thing.

10 MR. CHEWCASKIE: Hold on. We will allow
11 this individual to take as many photographs as he
12 wants at the appropriate time. So it's not
13 walking in front of everybody and the like. We'll
14 ask the questions, any photographs of any plans or
15 the like, certainly he's permitted to take.

16 SECURITY GUARD: Of course, yes.

17 MR. CHEWCASKIE: But we will allow that.
18 You were answering Mr. Oseguera's questions about
19 the adequacy of the parking in tandem?

20 MR. PEREIRAS: So what we make sure is
21 that each apartment has cars in line with each
22 other. So you're not negotiating or working with
23 another neighbor on the house. So it's within the
24 same house. You have one person leave and then
25 the next person can leave. Most -- and it's a

1 very -- in Union City, it's 100 percent the
2 typical. Every single new house that you have in
3 Union City, as per ordinance, has exactly the same
4 parking layout.

5 MR. OSEGUERA: Okay, thank you.

6 MR. CHEWCASKIE: And just for
7 clarification, again, I know I stated this and you
8 also stated this, the plans that you are
9 presenting to the board have been reviewed by Mr.
10 Spatz?

11 MR. PEREIRAS: They have.

12 MR. CHEWCASKIE: And I will not tell the
13 board how many iterations we've gone through, but
14 we've worked the better part of the year to try to
15 get to the point where we thought it was
16 sufficient to address the City's intention to
17 maintain that existing building. So that's pretty
18 much where we're at.

19 Does any other board member have any
20 questions?

21 MR. GUARENO: Regarding the existing
22 structure, the basement, what's going to happen
23 with that?

24 MR. PEREIRAS: It's going to be empty
25 and used for storage right now.

1 MR. GUARENO: I think there was a fourth
2 level?

3 MR. PEREIRAS: There's a fourth level,
4 that's duplex with the third floor. So those are
5 going to be two bedrooms for the third floor.

6 MR. GUARENO: Thank you.

7 MS. GENAO: I have a question, is this
8 for renting or the owner is going to live in the
9 property?

10 MR. PEREIRAS: The original intent was
11 for the owner to live in the property. He's no
12 longer able to do the design he wanted, so he
13 hasn't made the decision yet. He's probably going
14 to rent it, but no decision has been made yet.

15 MS. GENAO: Okay.

16 CHAIRPERSON VELAZQUEZ: Does the public
17 have any questions?

18 MS. IACOVELLI: Oh, yeah. Do we stay or
19 come up?

20 MR. CHEWCASKIE: Just come forward a
21 bit, so we can get your name and address.

22 MS. IACOVELLI: I'm Michelle Iacovelli,
23 I reside at 2203 Palisade Avenue, Union City,
24 I-A-C-O-V-E-L-L-I.

25 Are we allowed to ask a question because

1 I did have a question?

2 MR. CHEWCASKIE: Certainly. If you have
3 a question of Mr. Pereiras, go right ahead.

4 MS. IACOVELLI: First of all, thank you
5 for allowing us to be part of this hearing
6 tonight. I know Mayor Stack is not here, but we
7 appreciate his ongoing the support of us as the
8 community that's sitting here behind me. And I'm
9 delighted that you're keeping the structure
10 because that was definitely a big issue for us.
11 The one thing though, if you could explain.
12 Because you were saying that each floor now is
13 going to be -- some work is going to be done. How
14 many bedrooms in total will that existing
15 structure have?

16 MR. PEREIRAS: I'll be happy to count
17 them for you.

18 MS. IACOVELLI: Because it sounds like
19 it's about ten from what you were saying.

20 MR. PEREIRAS: Sounds about right.

21 MS. IACOVELLI: Four on the first, three
22 on the second floor, and then I lost count after
23 that.

24 MR. PEREIRAS: It's a huge house. And
25 we're not making the house any bigger.

1 MS. IACOVELLI: No, no, believe me. I
2 spent 25 years inside this house, so I know it
3 intimately.

4 MR. PEREIRAS: The first floor has four
5 bedrooms.

6 MS. IACOVELLI: Four bedrooms on the
7 first floor.

8 MR. PEREIRAS: The second floor has
9 three bedrooms, that's seven so far. The third is
10 one bedroom, that's eight. And then the attic has
11 two bedrooms, that's ten.

12 MS. IACOVELLI: Ten exactly. So getting
13 to your point, sir, about the parking spaces where
14 do those ten people park?

15 MR. PEREIRAS: Those ten bedrooms have
16 nothing to do with the house that we're proposing
17 on the back. There are -- keep in mind, this is
18 an existing three-family structure.

19 MS. IACOVELLI: Totally understand.

20 MR. PEREIRAS: We're not growing, we're
21 not asking for additional units on this house.
22 This is an existing condition.

23 MS. IACOVELLI: But the place that
24 you're putting the new structure in is the
25 existing park space for that home?

1 MR. PEREIRAS: And there are two parking
2 spaces along the side of that existing house for
3 that house.

4 MS. IACOVELLI: Which I personally don't
5 even understand how it's legal because when you go
6 to open the door, you hit the house. So that was
7 just a lane, that was an alley for years. And
8 then somehow they decided to park cars in there,
9 that's their business, obviously, if the board
10 approved it, so be it, but we're not here to
11 debate that point.

12 MR. PEREIRAS: There's an existing curb
13 cut there and it's been used as a driveway.

14 MS. IACOVELLI: That's fine. My
15 concern -- so I'll move forward in terms of the
16 comments that I had. Is the owner here by the
17 way?

18 MR. PEREIRAS: He's not.

19 MS. IACOVELLI: Okay. So this has kind
20 of been our issue all along. This has been going
21 on for three years and he's never had the courtesy
22 to sit with us, even after the meeting we had back
23 in July of 2021, we all gathered in the hallway
24 with him and said, please sit with us. We respect
25 that you bought the house, but it's our

1 neighborhood together, can we work out a solution.
2 We've never heard from him in the three years that
3 this has been going on. And obviously he doesn't
4 care enough to be here tonight. Why? Because he
5 doesn't live there, nor does he intend to live
6 there. So this headache of construction, of a new
7 home is our problem, but it's not going to be his
8 problem because he's sitting in Sayreville or
9 wherever it is he lives. And this is just a real
10 estate development project for him and that's all
11 it is.

12 So the thing that kind of is fascinating
13 to me -- and I know you guys represent him, so
14 maybe you can take this back to him in terms of
15 feedback -- he probably has one of the most
16 beautiful homes in all of Union City, that's why
17 we felt so strongly about maintaining the
18 integrity of the house. So for him to take away
19 the lot that exists there now, which is a small
20 lot, I don't know what the dimension was. Because
21 you had said the primary house is 50 by 100, I
22 don't know what the second lot is, if that's 20 by
23 20? It's so small. It's a parking lot right now.
24 It's what was the backyard of the existing house.
25 To me, he's going to devalue his own house because

1 he now will have a structure that literally goes
2 right up against all the windows that are there.
3 So if any of you walk on 22nd Street, you'll see
4 all windows on the side of the house are there.
5 They'll be completely blocked outside. Never mind
6 what it's going to do the property value of the
7 house at 309. Now, we saw the tenants of 309, but
8 they informed us that the owner of 309 lives in
9 Texas, that's why they're not here tonight.

10 So I would hope before you guys make a
11 final decision on all this, you also get the
12 perspective of the person who's literally going to
13 be impacted the most, which is the neighbor next
14 door. Because once they start busting up the
15 sidewalk and everything else, they have the right
16 to know this is happening because she doesn't live
17 in the state. So that's another point.

18 So obviously the light and the whole
19 neighborhood gets affected. All of our homes, all
20 of us that live here live directly across the
21 street. So that's obviously why we're here
22 tonight because we're concerned about the value of
23 our own houses, never mind the light.

24 The issue of parking, I think we said
25 enough. 22nd Street as you know is a very highly

1 trafficked street. So to now have this going on,
2 plus these ten bedrooms that I'm assuming some of
3 them will drive a car. Where are they going to
4 put their cars if the side holds two, right?

5 Obviously, construction noise,
6 construction dust, construction dirt is going to
7 be a major problem for all of us. Never mind any
8 rodents that are going to come out of the earth
9 from busting up the earth.

10 The other thing is has anyone spoken to
11 the environmental impact of the reservoir? The
12 reservoir is literally within steps of this
13 building that's going to be built. You have, you
14 know, what is it four blocks of water that's
15 sitting there that's going to have all this
16 pollution being thrown on to it. If I was the
17 water company, I would probably have something to
18 say about it because why is this happening so
19 close.

20 And I guess the issue that I really have
21 is that what's the point of all this? He has this
22 beautiful house, if he really wants and -- again,
23 I'm only making a comment here. If his goal is to
24 make more money from the existing house, turn the
25 existing house into condos. Like you're saying,

1 you're going to redo to make each unit its own
2 separate unit. With the way property values are
3 in Union City, he could probably get a million
4 dollars a floor. That's a wonderful thing to walk
5 away with three million bucks, right, or just to
6 have that money to reinvest. But what is the
7 point of this second structure? That's what we
8 don't understand. It's like you have this, why
9 just not focus on what you have, why have to have
10 this additional unit when it's only going to
11 actually devalue your own home. Never mind all of
12 our homes.

13 And the other thing is New Jersey
14 Transit. Good luck getting them to approve this
15 because the bus, number 22 goes up and down 22nd
16 Street multiple times a day. Grace could probably
17 tell you how many times better than I can. And to
18 have that bus always diverting because you've got
19 trucks going in and out with cement, trucks going
20 in and out with lumber, that's going to become a
21 huge issue for New Jersey Transit. So I just kind
22 of put that point out there.

23 Like I said, you know, if he really
24 cared, he should have been here tonight. And if
25 he really cared, he could have had a meeting with

1 all of us, we gladly would have gotten together
2 with him prior to this. So, unfortunately, you
3 know, it's kind of one of these things where you
4 know his property, he thinks he's maximizing, but
5 I actually think the opposite is going to happen.
6 And all of us are going to suffer in the process.

7 So that's the conclusion of my comments.
8 I also have a letter from the Taylor family, which
9 lives in Weehawken, at 2202 Palisade Avenue. I
10 don't know if I'm allowed to read it or submit it?

11 MR. CHEWCASKIE: Unfortunately, at the
12 hearing, we can't accept letters or hearsay
13 testimony. But we can note that you appeared on
14 behalf of the owner, who had concerns.

15 MS. IACOVELLI: Exactly. So it's the
16 Taylor family at 2202 Palisade Avenue in
17 Weehawken. And they had to work tonight, that's
18 why they couldn't come. Thank you for your time.

19 MS. GENAO: Thank you.

20 MR. CHEWCASKIE: Thank you.

21 MR. OSEGUERA: Thank you.

22 MR. CHEWCASKIE: Ma'am, did you have?

23 MS. BECKER: Yes. Grace Becker, 314
24 22nd Street, B-E-C-K-E-R.

25 MR. CHEWCASKIE: If you could -- Susan,

1 did you swear her in?

2 THE COURT REPORTER: I thought it was
3 questions, so I didn't.

4

5 G R A C E B E C K E R, after having been duly
6 sworn or affirmed, did testify as follows:

7

8 MS. BECKER: Okay. So a lot of -- and I
9 have not conferred with Michelle before tonight.
10 A lot of what she said is also my thoughts, my
11 feelings, my words. So I'm not going to take too
12 much of your time. But the big thing that's --
13 you know, I'm so happy about keeping that
14 structure. But I look at that lot, that parking
15 space and I even tried to measure it out before,
16 what's the dimensions on the width on the --

17 MR. PEREIRAS: It's 50 foot deep by
18 31 feet wide.

19 MS. BECKER: 31 feet wide. And how
20 about like on the existing structure right now,
21 how close are they going to be?

22 MR. PEREIRAS: I can tell you exactly
23 how close they'll be.

24 MS. BECKER: Three feet?

25 MR. PEREIRAS: Five feet seven inches.

1 MS. BECKER: Where is that? Okay. But
2 here's the house, what's this?

3 MR. PEREIRAS: It's five foot seven.

4 MS. BECKER: This is -- okay. This is
5 the existing structure and this is the structure.
6 I don't get the five foot seven?

7 MR. PEREIRAS: So the distance from this
8 wall to this wall is five feet seven inches.

9 MS. BECKER: So what's the three foot?

10 MR. PEREIRAS: The distance between the
11 house and the landscaping.

12 MS. BECKER: Okay.

13 MR. CHEWCASKIE: The three -- just,
14 ma'am, so that I'm reading it correctly, Manny,
15 the three foot two inches is to the property line,
16 correct?

17 MR. PEREIRAS: It's actually to the
18 landscaping.

19 MR. CHEWCASKIE: The landscaped area.

20 MS. BECKER: Yeah, because now there's
21 fire escapes along here, so will those still be --
22 they'll still be there?

23 MR. PEREIRAS: I don't know yet. They
24 may or may not be actually.

25 MS. BECKER: Okay.

1 AUDIENCE MEMBER: But it's the fire
2 escape, it's the egress for ten humans?

3 MR. CHEWCASKIE: Just one person at a
4 time.

5 MR. PEREIRAS: They may not be there.

6 MS. BECKER: Excuse me?

7 MR. CHEWCASKIE: I just said one person
8 at a time. Certainly, you can --

9 MR. PEREIRAS: Just to edify why I say
10 they may or may not be there. We may elect to
11 sprinkler the building, in which case we would not
12 need the fire escapes. Because the client wants a
13 beautiful building, beautiful for the entire
14 neighborhood. So he may choose to do that, he may
15 not and the fire escapes will remain.

16 MS. BECKER: And when a car door opens,
17 how much space will they have? Because that was
18 my question too because I walk past there all the
19 time. And I'm you know, I can't -- I even said to
20 you did you ever see a car parked there. I can't
21 fathom a car, especially a -- you know what
22 everybody is driving these days. But anyway car
23 doors can open?

24 MR. PEREIRAS: So right now the driveway
25 entrance is eight foot two. The place where you

1 park is about eleven feet wide. A typical parking
2 space is nine feet wide. So we actually have two
3 feet more than a typical parking space there. So,
4 yes, a car can fit there.

5 MS. BECKER: Okay.

6 MR. PEREIRAS: Two cars can fit there,
7 in fact.

8 MS. BECKER: Okay. And then where are
9 the cars for this dwelling?

10 MR. PEREIRAS: They're on the ground
11 floor of the dwelling.

12 MS. BECKER: Okay.

13 MR. PEREIRAS: I'll show you on the
14 plan.

15 MS. BECKER: We couldn't see.

16 MR. PEREIRAS: So this is the footprint,
17 this is the garage door. You have --

18 MS. BECKER: So where's the front door
19 for the new structure?

20 MR. PEREIRAS: On 22nd Street.

21 MS. BECKER: So why is the address on
22 here Palisade Avenue?

23 MR. PEREIRAS: Because that's still the
24 application that we have before the board.

25 MS. BECKER: So the address is going to

1 be on 22nd?

2 MR. PEREIRAS: The post office will
3 determine -- the postmaster will determine that
4 address.

5 MS. BECKER: So as I said, I pretty much
6 have a lot of the same concerns that Michelle had.
7 And my feeling is -- well, first of all, too,
8 because she did bring up the environmental and
9 that's what I was going to. Has this been --
10 because it's going to change not only what she
11 said about the reservoir, but I'm concerned about
12 the water table that's going to change. Because
13 right now, water just goes into the ground and is
14 absorbed, but with this house there, where is the
15 water going to go? Okay. So I'd like to know
16 what kind of environmental studies were done.

17 Also to have all -- we are -- correct me
18 if I'm wrong, but aren't we one of the most
19 densely populated cities? I am all for renovating
20 and making the city more beautiful, but I am so
21 against using every little square inch to put up a
22 structure, even if it wasn't right across the
23 street from me. And even if it didn't have
24 anything, it's just what it does, it's just wrong.
25 What about the environmental footprint? I have

1 grandkids, do you have kids? Do you have
2 grandkids? What is it doing? We're going to have
3 this many more people here, I mean come on, when
4 is enough enough. I'm done. I'm done. This is
5 like -- this is disgusting.

6 And like Michelle said, I mean is this
7 greed, like why? Why do we need to have -- the
8 house across the street from me, a few doors down
9 on the other side of Borden's house, they kept the
10 same space, they built a structure. I'm not crazy
11 about it, but they took the house and rebuilt it.
12 And it's, you know -- at least -- but to squeeze
13 in this with four more cars, are you kidding me?
14 I'm -- you know what, if this happens, it's
15 disgusting, that's all. And I'm glad I'm on
16 record saying it. I'm so done with what this is
17 doing. The pollution, the water table, our water
18 supply, cars, more cars coming in. Anyway I'm
19 done. Thank you.

20 MR. CHEWCASKIE: Does anyone else have
21 any questions or comments?

22 MS. VALDEZ: My name is Nelsa Valdez,
23 2205 Palisade Avenue.

24

25 N E L S A V A L D E Z, after having been duly

1 sworn or affirmed, did testify as follows:

2

3 MS. VALDEZ: I'm agree to every single
4 word they said. It's disgusting, it's going to be
5 very crowded that block. Our block is one of the
6 best in Union City, quiet neighborhood. Why this
7 person has to build another building or two-family
8 house in the backyard? Why? Money, okay, number
9 one.

10 Number two, why they don't do it in
11 their own town because for sure he doesn't live
12 here. I don't know him, but it's a shame that the
13 board accept this -- another building in the
14 backyard in a beautiful neighborhood. I'm against
15 everything that was proposed today. Should be the
16 way it is. They want to do -- renovate the
17 apartments, okay, but four, three, two, one. How
18 many people is going to live in the house for only
19 four parking lot? I don't understand.

20 I'm against everything they said over
21 here about this proposal. So I hope this can be
22 stopped. That's everything I can say.

23 MS. BECKER: Can I say one more thing.

24 MR. CHEWCASKIE: So it's clear for the
25 record, Ms. Becker is --

1 MS. BECKER: I'm still the same and I'm
2 still telling the truth. I ride the 123, usually
3 five times a week for various reasons. And that
4 is in -- and I don't even have to ring the bell, I
5 am never the only one getting off. And I ride it
6 different times of the day and the night and it
7 always stops. And you know how I know? Because I
8 always have my windows open and I can hear, they
9 will announce that the bus is there, you can hear
10 it outside.

11 That is another issue we're going to
12 have. You know, we already have bus pollution
13 going up and down -- we have the fire engines
14 going up and down, we have the sirens, that's --
15 we can't have anymore noise pollution, anymore air
16 pollution. It's already enough. I think I said
17 it all. Thank you.

18 MR. CHEWCASKIE: Anyone else? Any board
19 members have any follow-up questions? Maybe, you
20 know, thank you, everyone, for your comments, but
21 maybe I can --

22 CHAIRPERSON VELAZQUEZ: Can I, real
23 quick? I would just like to let the public know,
24 this was denied the first time because of that
25 monstrous thing they were building. If there's a

1 gamble and this is denied, that can take place,
2 that building would be taken apart and the
3 original plans can go into effect. We already
4 lost in Superior Court when we denied the first
5 one. I got to let everybody know that, too. This
6 is a settlement that they tried to work with.

7 I would rather talk to the board members
8 and see then take a gamble with this and taking it
9 back and turning it into the hideous building that
10 was proposed the first time. That's what I'm
11 trying to say.

12 MR. CHEWCASKIE: And maybe to put it in
13 perspective, listen to all the comments, and in
14 dealing with these cases before, several years
15 back, what was permitted in these zones were
16 three-family homes. The application that was
17 submitted was to subdivide the property and create
18 two three-family homes on this property. That
19 would require demolition of the structure. That
20 application was denied by the board in 2021. A
21 Superior Court complaint was filed.

22 The board, in the past, when there were
23 three-family homes proposed and denied, when the
24 ordinance was changed to two-family homes, has
25 lost several cases in the Superior Court because

1 it was conforming with zoning. There was certain
2 number of proposals with respect to this property,
3 which resulted in a proposed settlement, which has
4 been reviewed by my office in consultation with
5 David Spatz, the planner, and also with keeping
6 the mayor advised of the progress of the
7 litigation.

8 The paramount view of the city in
9 approaching the settlement was the preservation of
10 the existing house, which the applicant agreed to.
11 As the chairman indicated that there was, you
12 know, a gamble or a trade off, unfortunately, the
13 prior application was conforming. It's a risky
14 prospect that the court would not reverse the
15 board and wind up with the two three-family homes,
16 which would be proposed, and the loss of the
17 existing dwelling. So our instructions were to
18 try to work out a settlement.

19 Now, what happens is is that the notice
20 that everyone received is that we have a proposed
21 settlement. This board can't settle the case
22 until it has a public hearing. So at the
23 conclusion of this hearing, it could authorize me
24 to enter into the settlement and approve the
25 drawings that we have. Or if they vote to deny,

1 then it goes back to court and that's the gamble
2 we would take. The court could make a
3 determination as to whether the prior
4 determination of the board can be sustained based
5 upon the ordinance in effect at the time of that
6 application, which did permit the two three-family
7 homes. So that's really where we're at with the
8 board.

9 I hope that responds to certain
10 questions, both that we've heard tonight and what
11 the board may have. So unless there's any other
12 questions, Mr. Velazquez, I would suggest board
13 discussion on the application.

14 CHAIRPERSON VELAZQUEZ: Anybody else
15 have any questions? I make a motion then to
16 approve the application.

17 MR. VALLEJO: Motion on the table by Mr.
18 Velazquez to approve. Any second on the motion?

19 MR. OSEGUERA: Second.

20 MR. VALLEJO: Seconded by Mr. Oseguera.

21 Roll call on the motion to approve. Mr.
22 Velazquez.

23 CHAIRPERSON VELAZQUEZ: Yes.

24 MR. VALLEJO: Ms. Genao.

25 MS. GENAO: Yes.

1 MR. VALLEJO: Mr. Guareno.

2 MR. GUARENO: Yes.

3 MR. VALLEJO: Mr. Medina.

4 MR. MEDINA: Yes.

5 MR. VALLEJO: Ms. Morejon.

6 MS. MOREJON: Yes.

7 MR. VALLEJO: Mr. Oseguera.

8 MR. OSEGUERA: Yes.

9 MR. VALLEJO: Six in favor, motion
10 carries.

11 MS. PEREIRAS: Thank you all very much.

12 MR. PEREIRAS: Thank you, everyone.

13 MR. CHEWCASKIE: Carlos, you laid out
14 some drawings over there?

15 MR. VALLEJO: Yes.

16 MR. CHEWCASKIE: Sir, if you wanted to
17 take some pictures, there is a set of drawings
18 over there. We do have some additional business
19 to do. We have some resolutions to adopt.

20 * * * *

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ADOPTION OF RESOLUTIONS:

1. 2107 Bergenline Avenue. Block: 114 Lot: 4.
New mixed-use building with three residential
units and commercial space. Approved

MR. VALLEJO: We're moving now to
resolutions. We have two resolutions on tonight's
agenda. 2107 Bergenline Avenue. This application
was approved at the previous meeting. Can I have
a motion?

MR. OSEGUERA: Motion.

CHAIRPERSON VELAZQUEZ: I make a motion.

MR. VALLEJO: We have a motion by Mr.
Oseguera, seconded by Mr. Velazquez.

Roll call on the motion. Mr. Velazquez.

CHAIRPERSON VELAZQUEZ: Yes.

MR. VALLEJO: Ms. Genao.

MS. GENAO: Yes.

MR. VALLEJO: Mr. Guareno.

MR. GUARENO: Yes.

MR. VALLEJO: Mr. Medina.

MR. MEDINA: Yes.

MR. VALLEJO: Ms. Morejon.

MS. MOREJON: Yes.

MR. VALLEJO: Mr. Oseguera.

1 MR. OSEGUERA: Yes.

2 MR. VALLEJO: Six in favor, motion

3 carries.

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1 **AMENDED RESOLUTION:**

2 2. Michael Szczesny. 912 Palisade Avenue. Block:
3 186 Lot: 33. Applicant proposes to demolish an
4 existing two-story frame dwelling, and construct a
5 new three family home. **The approval resolution**
6 **was adopted on 05-25-2021.**

7
8 MR. VALLEJO: Moving to resolution
9 number two, it's an amendment. Michael Szczesny,
10 912 Palisade Avenue.

11 MR. CHEWCASKIE: Just for the
12 explanation, we added that resolution today.
13 There was an error in the date on an extension.
14 It went to '23, it should have gone to '24, we
15 heard this in '23. That's the only change, we
16 corrected the date.

17 MR. VALLEJO: Thank you. Can I have a
18 motion to adopt this resolution.

19 CHAIRPERSON VELAZQUEZ: I make a motion.

20 MR. VALLEJO: Motion by Mr. Velazquez.
21 Seconded by Mr. Oseguera.

22 Roll call on the motion. Mr. Velazquez.

23 CHAIRPERSON VELAZQUEZ: Yes.

24 MR. VALLEJO: Ms. Genao.

25 MS. GENAO: Yes.

1 MR. VALLEJO: Mr. Guareno.

2 MR. GUARENO: Yes.

3 MR. VALLEJO: Mr. Medina.

4 MR. MEDINA: Yes.

5 MR. VALLEJO: Ms. Morejon.

6 MS. MOREJON: Yes.

7 MR. VALLEJO: Mr. Oseguera.

8 MR. OSEGUERA: Yes.

9 MR. VALLEJO: Six in favor, motion
10 carries.

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1 **ADJOURNMENT:**

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3 MR. VALLEJO: There being no further
4 application on tonight's agenda, can I have a
5 motion to close tonight's hearing?

6 CHAIRPERSON VELAZQUEZ: Motion.

7 MR. VALLEJO: Motion by Mr. Velazquez,
8 seconded by Mr. Guareno. All in favor?

9
10 (All Board Members indicate in the
11 affirmative.)

12
13 MR. VALLEJO: The ayes have it. Let the
14 record show the meeting has ended. Thank you,
15 good night.

16 MR. CHEWCASKIE: In March, we'll have
17 another redevelopment. Carlos, have you gotten
18 the study yet?

19 MR. VALLEJO: No.

20 MR. CHEWCASKIE: I'll send you the study
21 tomorrow.

22 MR. VALLEJO: Thank you.

23
24 (Whereupon the meeting was adjourned at
25 6:53 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