

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, May 8, 2025
Commencing at 6:05 p.m.

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

ANDRES GARCIA, Chairperson
VICTOR M. GRULLON, Vice Chairperson
MARGARITA GUTIERREZ
MIGUEL ORTIZ
GERALDINE PEREZ
ALTAGRACIA SAN MARTINO
ROSIO PENA

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

MINDRY WATLEY
VIVIAN O'DELL

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

AUGUSTIN PANEQUE, ESQ.
Board Counsel

CARLOS VALLEJO, Board Secretary

DAVID SPATZ, PP, Consulting City Planner

SUSAN BISCHOFF CCR CO.
201-390-0583 SBischoffccr@yahoo.com

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

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, Oz Holdings, LLC

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, 1601 Palisade
Avenue, LLC

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, 814-816 11th Ave
Investment, LLC

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, Patrick J. Franco

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, 411 10th St UC, LLC

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, 655 39th, LLC

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, Crest Point
Development Union City, LLC

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OZ HOLDINGS, LLC
506 Lincoln Street

WITNESSPAGE

MANUEL PEREIRAS

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NO EXHIBITS MARKED

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1601 PALISADE AVENUE, LLC
1601-1607 Palisade Avenue

WITNESSPAGE

MANUEL PEREIRAS

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NO EXHIBITS MARKED

I N D E X

814-816 11TH AVE INVESTMENT, LLC
814-816 11th Street

WITNESSPAGE

MANUEL PEREIRAS

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NO EXHIBITS MARKED

I N D E X

PATRICK J. FRANCO
208 New York Avenue

WITNESSPAGE

MANUEL PEREIRAS

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I N D E X

655 39TH, LLC
655 39th Street

WITNESSPAGE

MANUEL PEREIRAS

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NO EXHIBITS MARKED

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CREST POINT DEVELOPMENT UNION CITY, LLC
2000 Kennedy Boulevard

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

3 Please take notice that on Thursday, May
4 8, 2025, at 6:00 PM, a regular meeting is
5 scheduled for the City of Union City Zoning Board
6 of Adjustment, to be held in Union City High
7 School, located at 2500 John F. Kennedy Boulevard,
8 Union City, New Jersey.

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

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

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

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

24
25 MR. VALLEJO: Thank you.

1 **ROLL CALL:**

2
3 MR. VALLEJO: Roll call for tonight's
4 meeting.

5 Mr. Garcia.

6 CHAIRPERSON GARCIA: Present.

7 MR. PANEQUE: Mr. Grullon is absent at
8 the time.

9 Ms. Gutierrez.

10 MS. GUTIERREZ: Present.

11 MR. VALLEJO: Mr. Ortiz.

12 MR. ORTIZ: Present.

13 MR. VALLEJO: Ms. Perez.

14 MS. PEREZ: Here.

15 MR. VALLEJO: Ms. Watley is absent.

16 Ms. O'Dell is absent.

17 Ms. Pena is absent.

18 Ms. San Martino.

19 MS. SAN MARTINO: Here.

20 MR. VALLEJO: Let the record indicate
21 there are five present.

22

23

24

25

ADOPTION OF MINUTES:

MR. VALLEJO: We're going to approval of minutes of April 3, 2025. Can I have a motion?

CHAIRPERSON GARCIA: Aye.

MS. GUTIERREZ: Second.

MR. VALLEJO: Motion by Mr. Garcia, seconded by Ms. Gutierrez. Roll call on the motion.

Mr. Garcia.

CHAIRPERSON GARCIA: Yes.

MR. VALLEJO: Ms. Gutierrez.

MS. GUTIERREZ: Yes.

MR. VALLEJO: Mr. Ortiz.

MR. ORTIZ: Yes.

MR. VALLEJO: Ms. Perez.

MS. PEREZ: Yes.

MR. VALLEJO: Ms. San Martino.

MS. SAN MARTINO: Yes.

MR. VALLEJO: Motion carries, five in favor.

* * * *

1 **ADOPTION OF RESOLUTIONS:**

2 1. Sherman Realty, LLC (Medna Builders, LLC) 406
3 Bergenline Avenue Block: 198 Lot: 1 New two (2)
4 family dwelling. The approval resolution was
5 memorialized on November 10, 2022. Requesting 1
6 year extension. **Denied**

7
8 MR. VALLEJO: All right. We're moving
9 now to resolutions. We have ten resolutions on
10 tonight's agenda.

11
12 (Vice Chairperson Grullon arrived.)

13
14 MR. VALLEJO: Resolution number one,
15 Sherman Realty, LLC, this application was denied.
16 Can I have a motion?

17 CHAIRPERSON GARCIA: Aye.

18 MR. VALLEJO: Motion by Mr. Garcia.

19 MS. GUTIERREZ: Second.

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

22 Ms. Gutierrez.

23 MS. GUTIERREZ: Yes.

24 MR. VALLEJO: Mr. Ortiz.

25 MR. ORTIZ: Yes.

1 MR. VALLEJO: Ms. Perez.

2 MS. PEREZ: Yes.

3 MR. VALLEJO: Mr. Garcia.

4 CHAIRPERSON GARCIA: Yes.

5 MR. VALLEJO: Ms. San Martino.

6 MS. SAN MARTINO: Yes.

7 MR. VALLEJO: Five in favor, motion
8 carries.

9 CHAIRPERSON GARCIA: For the record,
10 Victor Gullon is here.

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1 **ADOPTION OF RESOLUTION:**

2 2. Sherman Realty, LLC 406 Bergenline Avenue
3 Block: 15 Lot: 20. The applicant proposes to
4 demolish an existing two-story building, and
5 construct a new two (2) family dwelling; there
6 will be four parking garages, space. **Denied**

7

8 MR. VALLEJO: Resolution number two.

9 Let the record reflect we have six
10 members now, Mr. Gullon joined the meeting.

11 We're moving to resolution number two.
12 Sherman Realty, LLC, 406 Bergenline Avenue, also
13 was denied, the application. Can I have a motion?

14 CHAIRPERSON GARCIA: Motion.

15 MR. VALLEJO: Motion by Mr. Garcia. Any
16 second on the motion?

17 MS. GUTIERREZ: Second.

18 MR. VALLEJO: Seconded by Ms. Gutierrez.

19 CHAIRPERSON GARCIA: Let me ask you
20 question, which one was the first one?

21 MR. VALLEJO: It was the extension that
22 was passed with five in favor, it was requesting a
23 year extension.

24 CHAIRPERSON GARCIA: And this one is?

25 MR. VALLEJO: Sherman Realty.

1 CHAIRPERSON GARCIA: I got you.

2 MR. VALLEJO: Resolution number two,
3 Sherman Realty, 406 Bergenline Avenue.

4 CHAIRPERSON GARCIA: I make my motion.

5 MS. GUTIERREZ: Second.

6 MR. VALLEJO: Motion by Mr. Garcia,
7 seconded by Ms. Gutierrez. Roll call on the
8 motion.

9 Ms. Gutierrez.

10 MS. GUTIERREZ: Yes.

11 MR. VALLEJO: Mr. Grullon.

12 VICE CHAIRPERSON GRULLON: Yes.

13 MR. VALLEJO: I'm sorry, you were absent
14 that day. You abstain?

15 VICE CHAIRPERSON GRULLON: Abstain.

16 MR. VALLEJO: Mr. Ortiz.

17 MR. ORTIZ: Yes.

18 MR. VALLEJO: Ms. Perez.

19 MS. PEREZ: Yes.

20 MR. VALLEJO: Mr. Garcia.

21 CHAIRPERSON GARCIA: Yes.

22 MR. VALLEJO: Ms. San Martino.

23 MS. SAN MARTINO: Yes.

24 MR. VALLEJO: Five in favor, one
25 abstained, motion carries.

ADOPTION OF RESOLUTION:

3. 1700 Manhattan, LLC 1700 Manhattan Avenue.
Block: 179 Lot: 4. The applicant proposes to
expand and modify an existing commercial building;
there will be 3 three-bedroom units. **Approved.**
Revised plans received on March 18, 2025.

MR. VALLEJO: Resolution number three,
1700, LLC, 1700 Manhattan Avenue. Can I have a
motion?

CHAIRPERSON GARCIA: Aye.

MR. VALLEJO: Motion by Mr. Garcia.

MS. GUTIERREZ: Second.

MR. VALLEJO: Seconded by Ms. Gutierrez.

Roll call on the motion.

Ms. Gutierrez.

MS. GUTIERREZ: Yes.

MR. VALLEJO: Mr. Ortiz.

MR. ORTIZ: Yes.

MR. VALLEJO: Ms. Perez.

MS. PEREZ: Yes.

MR. VALLEJO: Mr. Garcia.

CHAIRPERSON GARCIA: Yes.

MR. VALLEJO: Ms. San Martino.

MS. SAN MARTINO: Yes.

1 MR. VALLEJO: Five in favor, motion
2 carries.

3 (Ms. Pena arrived.)

4 CHAIRPERSON GARCIA: Carlos, just a
5 question. The agenda indicates that you received
6 revised plans on March 18th?

7 MR. VALLEJO: Yes, we received.

8 CHAIRPERSON GARCIA: Okay.

9 MR. VALLEJO: Let the record indicate we
10 have seven members now. Ms. Pena joined the
11 meeting.

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1 **ADOPTION OF RESOLUTIONS:**

2 4. 517 7th Street, LLC. 517 7th Street. Block:
3 28 Lot: 15 (previously Alpine Investment Group,
4 LLC) construct a new eight-unit residential
5 building. The approval resolution was
6 memorialized on October 9, 2015. **Counsel for the**
7 **applicant has submitted a request to modify the**
8 **resolution, allowing the substitution of stucco**
9 **for siding on sections of the southwest and**
10 **northwest building elevations. Approved**

11

12 MR. VALLEJO: We're moving to resolution
13 number four, 517 7th Street, LLC. Can I have a
14 motion?

15 CHAIRPERSON GARCIA: Aye.

16 MR. VALLEJO: Motion by Mr. Garcia.

17 MS. GUTIERREZ: Second.

18 MR. VALLEJO: Second by Ms. Gutierrez.

19 Roll call on the motion.

20 Ms. Gutierrez.

21 MS. GUTIERREZ: Yes.

22 MR. VALLEJO: Mr. Ortiz.

23 MR. ORTIZ: Yes.

24 MR. VALLEJO: Ms. Perez.

25 MS. PEREZ: Yes.

1 MR. VALLEJO: Mr. Garcia.

2 CHAIRPERSON GARCIA: Yes.

3 MR. VALLEJO: Ms. San Martino.

4 MS. SAN MARTINO: Yes.

5 MR. VALLEJO: Five in favor, motion
6 carries.

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1 **ADOPTION OF RESOLUTION:**

2 5. Agustin Gonzalez - 1413 New York
3 Avenue Block: 73 Lot: 4. New single-family home
4 on a vacant lot. **Approved**

5
6 MR. VALLEJO: Resolution number five,
7 Agustin Gonzalez, 1413 New York Avenue. Can I
8 have a motion?

9 CHAIRPERSON GARCIA: Aye.

10 MR. VALLEJO: Motion by Mr. Garcia.

11 MS. GUTIERREZ: Second.

12 MR. VALLEJO: Seconded by Ms. Gutierrez.

13 Roll call on the motion.

14 Ms. Gutierrez.

15 MS. GUTIERREZ: Yes.

16 MR. VALLEJO: Mr. Ortiz.

17 MR. ORTIZ: Yes.

18 MR. VALLEJO: Ms. Perez.

19 MS. PEREZ: Yes.

20 MR. VALLEJO: Mr. Garcia.

21 CHAIRPERSON GARCIA: Yes.

22 MR. VALLEJO: Ms. San Martino.

23 MS. SAN MARTINO: Yes.

24 MR. VALLEJO: Five in favor, motion
25 carries.

1 **ADOPTION OF RESOLUTION:**

2 6. 506-508 26th St, LLC - 506-508 26th Street
3 Block: 148 Lots: 3 & 4. Applicant proposes the
4 legalization of two residential units at an
5 existing multifamily building for a total of
6 fifteen units. No parking spaces are provided.

7 **Approved**

8
9 MR. VALLEJO: Resolution number six,
10 506-508 26th Street, LLC. Can I have a motion?

11 CHAIRPERSON GARCIA: Aye.

12 MR. VALLEJO: Motion by Mr. Garcia.

13 MS. GUTIERREZ: Second.

14 MR. VALLEJO: Seconded by Ms. Gutierrez.

15 Roll call on the motion.

16 Mr. Grullon.

17 VICE CHAIRPERSON GRULLON: Yes.

18 MR. VALLEJO: Ms. Gutierrez.

19 MS. GUTIERREZ: Yes.

20 MR. VALLEJO: Ms. Perez.

21 MS. PEREZ: Carlos, which one is that?

22 MR. VALLEJO: 506-508 26th Street,
23 number six.

24 MS. PEREZ: I don't have that on my
25 page.

1 CHAIRPERSON GARCIA: Yes, it's the first
2 one. You made me crazy.

3 MR. VALLEJO: Mr. Ortiz.

4 MR. ORTIZ: Yes.

5 MR. VALLEJO: Ms. Perez.

6 MS. PEREZ: Yes.

7 MR. VALLEJO: Mr. Garcia.

8 CHAIRPERSON GARCIA: Yes.

9 MR. VALLEJO: Ms. Pena.

10 MS. PENA: Yes.

11 MR. VALLEJO: Ms. San Martino.

12 MS. SAN MARTINO: Yes.

13 MR. VALLEJO: Seven in favor, motion
14 carries.

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1 **ADOPTION OF RESOLUTION:**

2 7. 2027 Bergenline, LLC - 2027 Bergenline Avenue
3 Block: 109 Lots: 11 & 12. The applicant proposes
4 to construct three floors over an existing
5 one-story commercial building. One commercial
6 space on the ground floor and a three-bedroom unit
7 each on the second through fourth floors.

8 **Approved 04/03/25. RPR.**

9
10 MR. VALLEJO: Resolution number seven,
11 2027 Bergenline Avenue, LLC. Can I have a motion?

12 CHAIRPERSON GARCIA: Aye.

13 MR. VALLEJO: Motion by Mr. Garcia.

14 MS. GUTIERREZ: Second.

15 MR. VALLEJO: Seconded by Ms. Gutierrez.

16 Roll call on the motion.

17 Mr. Grullon.

18 VICE CHAIRPERSON GRULLON: Yes.

19 MR. VALLEJO: Ms. Gutierrez.

20 MS. GUTIERREZ: Yes.

21 MR. VALLEJO: Mr. Ortiz.

22 MR. ORTIZ: Yes.

23 MR. VALLEJO: Ms. Perez.

24 MS. PEREZ: Yes.

25 MR. VALLEJO: Mr. Garcia.

1 CHAIRPERSON GARCIA: Yes.

2 MR. VALLEJO: Ms. Pena.

3 MS. PENA: Yes.

4 MR. VALLEJO: Ms. San Martino.

5 MS. SAN MARTINO: Yes.

6 MR. VALLEJO: Seven in favor, motion
7 carries.

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1 **ADOPTION OF RESOLUTION:**

2 8. Pedro Castelli and Janina Castelli. 145 37th
3 Street. Block: 217 Lot: 28. Proposed demolition
4 of existing structure and new construction of
5 three family residential. Three total parking
6 space provided. **Approved 04/03/25 RPR.**

7
8 MR. VALLEJO: Resolution number eight,
9 Pedro Castelli and Janina Castelli, 145 37th
10 Street. Can I have a motion?

11 CHAIRPERSON GARCIA: Aye.

12 MR. VALLEJO: Motion by Mr. Garcia.

13 MS. GUTIERREZ: Second.

14 MR. VALLEJO: Seconded by Ms. Gutierrez.

15 Roll call on the motion.

16 Mr. Grullon.

17 VICE CHAIRPERSON GRULLON: Yes.

18 MR. VALLEJO: Ms. Gutierrez.

19 MS. GUTIERREZ: Yes.

20 CHAIRPERSON GARCIA: Question for that
21 one, did they provide?

22 MR. VALLEJO: Yes.

23 MR. SPATZ: Yes, Mr. Chairman, I
24 reviewed that.

25 CHAIRPERSON GARCIA: Thank you.

1 MR. VALLEJO: We have a motion by Mr.
2 Garcia, seconded by Ms. Gutierrez. Roll call on
3 the motion. Mr. Grullon.

4 VICE CHAIRPERSON GRULLON: Yes.

5 MR. VALLEJO: Ms. Gutierrez.

6 MS. GUTIERREZ: Yes.

7 MR. VALLEJO: Mr. Ortiz.

8 MR. ORTIZ: Yes.

9 MR. VALLEJO: Ms. Perez.

10 MS. PEREZ: Yes.

11 MR. VALLEJO: Mr. Garcia.

12 CHAIRPERSON GARCIA: Yes.

13 MR. VALLEJO: Ms. Pena.

14 MS. PENA: Yes.

15 MR. VALLEJO: Ms. San Martino.

16 MS. SAN MARTINO: Yes.

17 MR. VALLEJO: Seven in favor, motion
18 carries.

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1 **ADOPTION OF RESOLUTION:**

2 9. Jersey Property Holding, LLP 1113 Bergenline
3 Avenue Block: 53 Lots: 15 & 16. The applicant
4 proposes to construct a three-story, mixed-use
5 building with commercial space, 12 parking spaces
6 on the ground floor and six residential units on
7 the upper floors **Approved**

8

9 MR. VALLEJO: Jersey Property Holding
10 LLP, 1113 Bergenline Avenue. Can I have a motion?

11 CHAIRPERSON GARCIA: Motion.

12 MR. VALLEJO: Motion by Mr. Garcia.

13 MS. GUTIERREZ: Second.

14 MR. VALLEJO: Seconded by Ms. Gutierrez.

15 Roll call on the motion.

16 Mr. Grullon.

17 VICE CHAIRPERSON GRULLON: Yes.

18 MR. VALLEJO: Ms. Gutierrez.

19 MS. GUTIERREZ: Yes.

20 MR. VALLEJO: Mr. Ortiz.

21 MR. ORTIZ: Yes.

22 MR. VALLEJO: Ms. Perez.

23 MS. PEREZ: Yes.

24 MR. VALLEJO: Mr. Garcia.

25 CHAIRPERSON GARCIA: Yes.

1 MR. VALLEJO: Ms. San Martino.

2 MS. SAN MARTINO: Yes.

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

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1 **ADOPTION OF RESOLUTION:**

2 10. Marcelo Moya 312-314 4th Street Block: 14
3 Lots: 25 & 26. The applicant proposes to demolish
4 an existing three-story building and detached
5 garage and construct two new two-family dwellings;
6 the two buildings will be attached. **Approved**

7
8 MR. VALLEJO: Resolution number ten,
9 Marcelo Moya, 312-314 47th Street. Can I have a
10 motion?

11 CHAIRPERSON GARCIA: Motion.

12 MR. VALLEJO: Motion by Mr. Garcia.

13 MS. GUTIERREZ: Second.

14 MR. VALLEJO: Seconded by Ms. Gutierrez.

15 Roll call on the motion.

16 Mr. Grullon.

17 VICE CHAIRPERSON GRULLON: Yes.

18 MR. VALLEJO: Ms. Gutierrez.

19 MS. GUTIERREZ: Yes.

20 MR. VALLEJO: Mr. Ortiz.

21 MR. ORTIZ: Yes.

22 MR. VALLEJO: Ms. Perez.

23 MS. PEREZ: Yes.

24 MR. VALLEJO: Mr. Garcia.

25 CHAIRPERSON GARCIA: Yes.

1 MR. VALLEJO: Ms. Pena.

2 MS. PENA: Yes.

3 MR. VALLEJO: Ms. San Martino.

4 MS. SAN MARTINO: Yes.

5 MR. VALLEJO: Seven in favor, motion
6 carries.

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PUBLIC HEARING/AMENDMENT:

1. Oz Holdings, LLC -
506 Lincoln Street:

MR. VALLEJO: All right. We're going to the first application on tonight's agenda. Oz Holding, LLC. Ms. Pereiras, please, requesting an amendment of the previous approval.

MS. PEREIRAS: Good evening, Mr. Chairman, Counsel, Board Members, may it please the Board, Bianca Pereiras on behalf of the applicant. This is an application that the Board heard in 2023 for a two-family home. This Board approved this application. The client is now in the process of obtaining permits with the Union City building department and an issue has come relating to code regarding some of the materials that were used on the building.

Because this is a code issue, I'd like to call up our architect, Mr. Pereiras, to really fine tune what the code issue is.

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

1 MR. PEREIRAS: Manny Pereira,
2 P-E-R-E-I-R-A-S, with Pereira Architects
3 Ubiquitous, located at 1116 Summit Avenue in Union
4 City.

5 MS. PEREIRAS: Mr. Pereira, would you
6 kindly explain to the Board the amendment that is
7 required following your discussion with the Union
8 City building officials?

MR. PEREIRAS: I'd be very happy to. This might be the easiest presentation I've ever done. I'm actually here to correct a typo. When we build foundation walls today, you build them out of block, then you cover the side of it with stucco. When we had our presentation, the drawings -- and these are the drawings that were submitted to the Board back during this presentation, it's a simple two-family house in Union City, actually extremely well designed, very beautiful, simple two-family house. If you look at it on the side, we show brick in the foundation area of that wall. And it's noted as brick. The reality is, that on the side, which is where no one actually sees, that will be block with stucco in that section.

25 Now, I'd like to make several notes that

1 this building actually takes the brick in the
2 front and wraps it around the side. We're still
3 building that, we're still doing that. So from
4 the street, everywhere you look at, it actually
5 looks like brick. The only thing and it's
6 strictly a typo is that foundation. And we would
7 have been happy to add brick, just to get through
8 this, but you can't. Because if you add brick,
9 it's going to take away from the side yard. It's
10 going to make the side yard too small, which
11 doesn't meet code. So we're here today simply
12 instead of the bottom, foundation part of the
13 building being brick as it was called out, it is
14 now stucco.

15 CHAIRPERSON GARCIA: Just for the
16 record, we don't want any consequence for it, we
17 accept your qualifications, and like always a
18 pleasure to have you here.

19 MR. PEREIRAS: Thank you, Mr. Chairman.

20 CHAIRPERSON GARCIA: Mr. Pereiras, how
21 come -- by code, it said has to be no brick, when
22 we most of the time we request -- we prefer it to
23 have brick all sides?

24 MR. PEREIRAS: Well, we do brick in the
25 front facade of the building.

1 CHAIRPERSON GARCIA: No, no, but my
2 question is how come -- this is the first time I'm
3 hearing an application that it's not in code
4 because it's brick and then have to be concrete or
5 block. Why?

6 MR. PEREIRAS: So the code doesn't say
7 we have to do block, that's something that's a
8 choice, which is a typical industry standard. If
9 it were to provide brick there, then we would have
10 to set back the block an additional 5 inches to
11 accommodate for the brick, that makes the house
12 smaller. It's not a typical thing to do and what
13 I thought was -- and very typical, even when we do
14 brick on the sides, the foundation is often just
15 stucco as well. And this is a simple two-family
16 house, the brick wraps around the front. I
17 believe it's 8 feet, then the stucco is just this
18 back portion along the back on both sides of the
19 house.

20 CHAIRPERSON GARCIA: So I mean what I'm
21 understanding from your explanation is that it's
22 not that it's not in code, the problem is that if
23 you put brick there, then you have to come to
24 present it to the Board because you are taking
25 part of the setback, right?

1 MR. PEREIRAS: No. Because if we take
2 part of the setback, then we know longer have 3
3 foot 1 and we need that as an egress corridor --

4 CHAIRPERSON GARCIA: That's what I'm
5 saying. For you in order to have the 3-1, you
6 have to eliminate the brick?

7 MR. PEREIRAS: Correct.

8 CHAIRPERSON GARCIA: Okay. It's not a
9 code issue, it's that you presented --

10 MR. PEREIRAS: Correct.

11 CHAIRPERSON GARCIA: -- in the beginning
12 as the setback of 3-1. However, since you're
13 using brick, then you don't want to have the 3-1?

14 MR. PEREIRAS: Correct. And that was my
15 mistake, my typo in the original presentation.

16 CHAIRPERSON GARCIA: Okay. So this is
17 completely different. So in reality, in reality,
18 Mr. Pereiras, it's not an amendment to the -- it's
19 basically what you're doing is you're presenting
20 now -- I know it's a change that you want, but
21 you're presenting now an application with stucco
22 at the first and all the way up to the first
23 level, right?

24 MR. PEREIRAS: Yeah.

25 CHAIRPERSON GARCIA: And from there,

1 then you're going to have -- you're not going to
2 3-1, you're going to have 3-1 less the width of
3 the brick, correct?

4 MR. PEREIRAS: No. That's not what I'm
5 presenting.

6 CHAIRPERSON GARCIA: How come -- so why,
7 if you -- I'm getting into this just for future
8 amendment, you know what I mean? I know it's
9 simple to tell you, yes, okay, because it's going
10 to impact. However, okay, you have -- what I'm
11 getting is you have --

12 MR. PEREIRAS: The previous setback was
13 3-1, our proposed setback is 3-1. We're not
14 changing the setbacks, that's why it's an
15 amendment and not a new application. We're not
16 changing the setbacks in any way whatsoever.

17 CHAIRPERSON GARCIA: Because it is 3-1
18 because you don't want to use brick?

19 MR. PEREIRAS: Correct.

20 CHAIRPERSON GARCIA: If you're going to
21 use brick, you don't have 3-1, you're going to
22 have less than 3-1.

23 MR. PEREIRAS: Correct.

24 CHAIRPERSON GARCIA: That's what I'm
25 saying. But also the whole side going to be --

1 you're going to eliminate --

2 MR. PEREIRAS: We never had brick on the
3 whole side and I'm not eliminating it. So that we
4 could do a comparison, so it's nice and clear. We
5 always had vinyl siding on top, it was always
6 vinyl siding both sides and in the rear, which is
7 typical of every house we present in Union City.
8 The sides and the rear is vinyl siding. It's only
9 that first level that instead of brick, it will be
10 stucco because it's CMU, you we don't have room
11 for --

12 CHAIRPERSON GARCIA: During the
13 application --

14 MR. PEREIRAS: This is the original
15 application.

16 CHAIRPERSON GARCIA: Back in 2023, you
17 have the first floor, the first story in brick?

18 MR. PEREIRAS: Yes.

19 CHAIRPERSON GARCIA: And above the first
20 floor, you have siding?

21 MR. PEREIRAS: Yes. And it was
22 literally a typo, instead of putting block, they
23 put brick, they copied the wrong word. Just to
24 be -- like, this is actually an extremely
25 beautiful building in the sense that we have brick

1 in the front and that brick is wrapping the side
2 of the building to the side across here. So it's
3 visible everywhere from all sides as brick. And
4 we will continue to do so. We still have that
5 brick on the side.

6 CHAIRPERSON GARCIA: Okay. I'm seeing
7 that you have terrace and everything there?

8 MR. PEREIRAS: Yes, preexisting. That
9 was approved, everything is the same. The only
10 difference is the difference between block and
11 brick, two letters.

12 CHAIRPERSON GARCIA: Okay. Do you have
13 any questions? Any Members of the Board? Any
14 member of the public wants to step forward? Okay.
15 I'm going to make my motion to grant this
16 amendment with the only condition that has to be
17 exactly that the only change from the prior
18 resolution is that you're eliminating or changing
19 the brick for block, that's it. It has to be
20 built exactly how the prior resolution stated.

21 MR. PEREIRAS: Understood.

22 CHAIRPERSON GARCIA: I make my motion to
23 grant this application.

24 MR. VALLEJO: Motion to grant by Mr.
25 Garcia.

1 MS. GUTIERREZ: I'll second it.

2 MR. VALLEJO: Seconded by Ms. Gutierrez.

3 Roll call on the motion to grant.

4 Mr. Garcia.

5 CHAIRPERSON GARCIA: Yes.

6 MR. VALLEJO: Mr. Grullon.

7 VICE CHAIRPERSON GRULLON: Yes.

8 MR. VALLEJO: Ms. Gutierrez.

9 MS. GUTIERREZ: Yes.

10 MR. VALLEJO: Mr. Ortiz.

11 MR. ORTIZ: Yes.

12 MR. VALLEJO: Ms. Perez.

13 MS. PEREZ: Yes.

14 MR. VALLEJO: Ms. Pena.

15 MS. PENA: Yes.

16 MR. VALLEJO: Ms. San Martino.

17 MS. SAN MARTINO: Yes.

18 MR. VALLEJO: Seven in favor, motion
19 carries.

20 MR. PEREIRAS: Thank you very much.

21 MS. PEREIRAS: Thank you very much.

22 * * * *

23

24

25

1 **PUBLIC HEARING:**

2 1601 Palisade Avenue, LLC -

3 1601-1607 Palisade Avenue:

4

5 MR. VALLEJO: We're going to item number
6 two, 1701 Palisade Avenue, LLC. Ms. Pereiras,
7 please.

8 MS. PEREIRAS: Bianca Pereiras on behalf
9 of the applicant. The Board may recall we were in
10 front of you a few months ago proposing a
11 development on what is now an existing vacant lot.
12 We had originally proposed a mixed-use with a
13 coffee shop and two residential units. The Board
14 had asked us to reconsider the coffee shop, so we
15 are here having eliminated the coffee shop. We
16 are proposing a two-family home. We have our
17 architect, Mr. Pereiras, to testify as to the
18 changes to the drawings. Mr. Pereiras.

19

20 M A N N Y P E R E I R A S, previously sworn:

21

22 MR. PEREIRAS: Yes. Counsel described
23 it perfectly.

24 CHAIRPERSON GARCIA: Tell me that you
25 passed by and you saw what I told you about the

1 light, right? And I was right. I was right.

2 MR. PEREIRAS: We measured it.

3 CHAIRPERSON GARCIA: Unbelievable, you
4 have no way to put it without moving.

5 MR. PEREIRAS: We measured it, the light
6 pole is at 13 feet and we're at 12 feet for our
7 driveway. So we're squeezing right by by one
8 foot.

9 CHAIRPERSON GARCIA: I was there the
10 other day.

11 MR. PEREIRAS: So we're squeezing by.
12 If there's any problem, it's on the onus of the
13 applicant to move that light pole. But you're
14 right, it was very, very close right there on that
15 spot.

16 So Counsel spoke exactly correct. We
17 listened to the Board's recommendations, we
18 understood your concerns with the coffee shop, so
19 we eliminated the coffee shop. Now, I kind of
20 fell in love with this building and I didn't want
21 to put a traditional two-family house there. And
22 the applicant was nice enough to -- he also fell
23 in love with the building. So he actually wants
24 to build it as is. And what we did is we made
25 some modifications to the floor plans to make it

1 into a beautiful two-family house, which, by the
2 way, it removed the "D" variance that we had as
3 well. So now there is no use variance, two-family
4 houses are permitted in the neighborhood and we
5 have a two-family house. And it's beautifully set
6 into this corner.

7 So we have -- we're actually set back
8 from the buildings on both sides, so we have more
9 of a set back from both sides. The lot itself is
10 46.15 wide by 50.08 wide. On 16th Street, it's
11 50; on Palisade Avenue, it's 46.15. We're
12 creating a front yard setback of 5 feet along
13 Palisade to the one-story --

14 CHAIRPERSON GARCIA: Excuse me, excuse
15 me. This is not the revised plan. This is the
16 prior one. This is August 1, 2024.

17 MR. PEREIRAS: March 14th should be the
18 last.

19 MR. VALLEJO: March 14th should be here.
20 I don't have it.

21 MS. PEREIRAS: They were submitted.

22 MR. VALLEJO: I don't have plans with
23 me. I have August 1, 2024, that's all I have.

24 MS. PEREIRAS: That was prior to the
25 previous.

1 CHAIRPERSON GARCIA: This is showing the
2 business and everything.

3 MR. PEREIRAS: We removed the business.

4 MS. GUTIERREZ: This is the old one.

5 MR. VALLEJO: I didn't receive any new
6 ones. Otherwise, I mark right away and I send to
7 Mr. Spatz to review it.

8 MR. SPATZ: I did not receive anything
9 to review. I don't know whether they were
10 submitted or not. I just didn't receive them.

11 MR. VALLEJO: I didn't receive.

12 MS. PEREIRAS: If I could have one
13 minute to confirm with the office the date of
14 submission?

15 CHAIRPERSON GARCIA: Two minute break.

16 MS. PEREIRAS: Thank you.

17

18 (Whereupon a short recess was taken.)

19

20 MS. PEREZ: I make a motion to carry it
21 to the next meeting.

22 MR. VALLEJO: Motion to carry.

23 Motion by Ms. Perez.

24 MS. GUTIERREZ: Second.

25 MR. VALLEJO: Seconded by Ms. Gutierrez.

1 Mr. Chairman, time limits?

2 CHAIRPERSON GARCIA: Do you waive the
3 statutory limits?

4 MS. PEREIRAS: Of course.

5 MR. VALLEJO: Motion on the table to
6 carry this application for June 12, 2025, by Ms.
7 Perez, seconded by Ms. Gutierrez. Roll call on
8 the motion.

9 Mr. Garcia.

10 CHAIRPERSON GARCIA: Yes.

11 MR. VALLEJO: Mr. Grullon.

12 VICE CHAIRPERSON GRULLON: Yes.

13 MR. VALLEJO: Ms. Gutierrez.

14 MS. GUTIERREZ: Yes.

15 MR. VALLEJO: Mr. Ortiz.

16 MR. ORTIZ: Yes.

17 MR. VALLEJO: Ms. Perez.

18 MS. PEREZ: Yes.

19 MR. VALLEJO: Ms. Pena.

20 MS. PENA: Yes.

21 MR. VALLEJO: Ms. San Martino.

22 MS. SAN MARTINO: Yes.

23 MR. VALLEJO: Seven in favor, motion
24 carries.

25 * * * *

1 **814-816 11TH AVE INVESTMENT, LLC -**

2 **814-816 11th Street:**

3
4 MR. VALLEJO: Next application on
5 tonight's agenda, 814-816 11th Street Investments,
6 LLC.

7 MS. PEREIRAS: Bianca Pereiras on behalf
8 of the applicant. This is a continuation of a
9 matter to Investments, LLC two two-family homes on
10 what is now currently a vacant lot. There was
11 some comments from the Board at the last meeting,
12 we hope that we've addressed any and all concerns.
13 Mr. Pereiras.

14
15 M A N N Y P E R E I R A S, previously sworn:

16
17 MR. PEREIRAS: Thank you very much.
18 Again, this is a continuation. This is the third
19 scheme that we've come up to try to make this
20 house right. We've done two other very viable
21 schemes, this is the third kind of option. And
22 the idea behind this one because we have a
23 narrowness of the lot is that we have eliminated
24 the ground floor living so that the garage is open
25 from one end of the building all the way to the

1 last end of the building.

2 So this was based on the suggestion of
3 the Board and now we're here today for --

4 CHAIRPERSON GARCIA: Mr. Pereiras, I
5 really want to apologize for like -- but I'm being
6 honest, I think it's not doable like tandem
7 parking like that. Do you have the other plans
8 that you have the open space?

9 MR. PEREIRAS: We definitely have it on
10 file, I don't have it on the board. But I'm
11 hoping our amazing secretary has a copy of the --

12 MR. VALLEJO: What do you need?

13 MR. PEREIRAS: Not the last one, the
14 original.

15 MR. VALLEJO: I have it.

16 CHAIRPERSON GARCIA: Because we were --
17 I was doing my homework at home thinking and it is
18 not fair for whoever has the first two spaces.

19 MR. VALLEJO: March 24th?

20 MR. PEREIRAS: It would have been -- it
21 was 12/5 is the original.

22 MR. VALLEJO: January 2025.

23 MR. PEREIRAS: I don't think that's the
24 original.

25 MR. SPATZ: I have December 5, 2024, as

1 the first one.

2 MR. PEREIRAS: Mr. Chairman, we're in
3 luck.

4 MR. VALLEJO: That's not luck.

5 CHAIRPERSON GARCIA: Just also for the
6 public and the Members of the Board, I don't know
7 if you recall, the original application, it was
8 with four parking spaces, two tandem, on the side
9 with the open space. I recommended to enclose the
10 parking spaces, the garage, but it was too tight
11 for two cars to be parking parallel. And he came
12 back with -- we recommended to go all four tandem
13 parking, however seeing the tandem parking there
14 is chaos. I think that my recommendation will be
15 much better to maintain the original application.
16 However, I want to hear your opinion about that.
17 It's like -- that those four cars straight in line
18 there, parking there, it is chaos. What about
19 emergency for whoever is parking in number three
20 or number four.

21 MS. GUTIERREZ: Not going to be able to
22 get out.

23 CHAIRPERSON GARCIA: Everybody has to
24 get out in order last one to get out.

25 MS. PEREZ: You can't back straight out.

1 You have to maneuver to get out.

2 CHAIRPERSON GARCIA: Right. The first
3 one, you can see Mr. Pereiras has in his hands, is
4 just the open space. This way they have space to
5 open the doors and then going to be like --

6 Mr. Pereiras, my only concern in the
7 beginning is the car that's going to be right
8 close by, behind the stairs?

9 MR. PEREIRAS: Yes. And that's just a
10 matter of how it was drawn because the cars can be
11 drawn -- obviously they're going to pull up all
12 the way, there will be plenty of room to navigate
13 that stair. Also that stair is going up.

14 CHAIRPERSON GARCIA: There's no way you
15 shrink at least one foot the ground floor?

16 MR. PEREIRAS: Yes, I can definitely do
17 that. And one of the Board's concerns when this
18 was actually revised was security. So one of the
19 things that we could do to address the security is
20 have a gate in the front and gate along that
21 opening, so that we could have -- so no one can
22 actually get in there. It will be open air, but a
23 fence to close that.

24 CHAIRPERSON GARCIA: Excellent, good.
25 Any other?

1 MR. GRULLON: And the space will be
2 enough to open the doors?

3 MR. PEREIRAS: It is plenty, it's going
4 to be --

5 MR. GRULLON: Could you repeat the
6 measurements?

7 MR. PEREIRAS: I'll be happy to.

8 MS. PEREZ: We're not looking at this
9 one?

10 CHAIRPERSON GARCIA: We're looking at
11 the original, that was the original one.

12 MR. PEREIRAS: The original application.
13 So it will be actually the width of the lot, less
14 the thickness of the wall. The width of the lot
15 is 21.69, less approximately a foot, so we'll have
16 over 20 feet for two cars, so they have room to --

17 MR. GRULLON: The length?

18 MR. PEREIRAS: Oh, the length. The
19 length is -- I'll tell you in a second, I'm going
20 have to scale it. It is about 45 feet.

21 MR. GRULLON: That's fine, that's enough
22 to have two cars.

23 CHAIRPERSON GARCIA: Because you're
24 going to have like 20.

25 MR. PEREIRAS: Plenty of space.

1 CHAIRPERSON GARCIA: The only thing
2 you're going to have an extra foot deep for the
3 maneuver.

4 MR. PEREIRAS: And keep in mind, the
5 stairs are moving up. So it looks like the wall
6 is there, but it really actually have room under
7 the stairs to maneuver as well.

8 CHAIRPERSON GARCIA: Any member of the
9 public want to step forward? Okay, close to the
10 public. I'm going to make my motion to grant it,
11 but we're going to need the revised plans.

12 MR. VALLEJO: Revised plans.

13 CHAIRPERSON GARCIA: Ten days before.

14 MS. PEREZ: Can we specify what's
15 different from this plan?

16 CHAIRPERSON GARCIA: We're going to --
17 the approval is with the original plans, that open
18 space in the garage. But with the revision of
19 another foot long and also with the fence to the
20 side and the --

21 MR. PANEQUE: The garage is going to be
22 one foot deeper?

23 MR. PEREIRAS: Deeper.

24 MR. GRULLON: Based on the original
25 application.

1 MR. PEREIRAS: Based on the 12/5/24
2 application.

3 MR. SPATZ: Right.

4 MR. PEREIRAS: It's based on the
5 12/5/24.

6 MR. PANEQUE: Revised plans showing the
7 original garage, opening in fence.

8 MR. PEREIRAS: The 12/5 plans.

9 MR. PANEQUE: Yes, I have that.

10 CHAIRPERSON GARCIA: I make my motion to
11 grant the application.

12 MR. VALLEJO: Motion on the table to
13 grant the application by Mr. Garcia. Any second
14 on the motion.

15 VICE CHAIRPERSON GRULLON: Second.

16 MR. VALLEJO: Seconded by Mr. Grullon.
17 Roll call on the motion.

18 Mr. Grullon.

19 VICE CHAIRPERSON GRULLON: Yes.

20 MR. VALLEJO: Ms. Gutierrez.

21 MS. GUTIERREZ: Yes.

22 MR. VALLEJO: Mr. Ortiz.

23 MR. ORTIZ: Yes, with all the condition
24 previously stated by the Chairman.

25 MR. VALLEJO: Ms. Perez.

1 MS. PEREZ: Yes, with the conditions
2 noted.

3 MR. VALLEJO: Mr. Garcia.

4 CHAIRPERSON GARCIA: Yes.

5 MR. VALLEJO: Ms. Pena.

6 MS. PENA: Yes.

7 MR. VALLEJO: Ms. San Martino.

8 MS. SAN MARTINO: Yes.

9 MR. VALLEJO: Seven in favor, motion
10 carries. Revised plans required, at least six,
11 please.

12 MS. PEREIRAS: Okay.

13 MR. VALLEJO: Thank you.

14 CHAIRPERSON GARCIA: Ten days before.

15 MS. PEREIRAS: Yes.

16 * * * *

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1 **PATRICK J. FRANCO -**
2 **208 New York Avenue:**

3
4 MR. VALLEJO: We're going to move to
5 number four, Patrick J. Franco, 208 New York
6 Avenue. Ms. Pereiras, please.

7 Let the record indicate that Ms. Perez
8 is recusing from this application.

9 MR. PANEQUE: Let the record reflect
10 that I've been provided with an affidavit stating
11 that on April 25, 2025, personal notice of
12 tonight's meeting was given to all property owners
13 within a 200-foot radius of 208 New York Avenue,
14 Union City, New Jersey.

15 A legal affidavit from The Record and
16 The Herald News that notice was published on April
17 21, 2025, of today's hearing. Notice given to all
18 property owners, the list of property owners to be
19 served with notice, certified mail receipts
20 postmark dated April 25, 2025.

21 Based on the following documentation,
22 this Board has jurisdiction to hear this matter.

23 MS. PEREIRAS: Thank you very much,
24 Counsel. Bianca Pereiras on behalf of the
25 applicant, Patrick Franco for property located at

1 208 New York Avenue, also known as Lot 21 in Block
2 7. Mr. and Mrs. Franco are here this evening.
3 They have an application to improve what is an
4 existing two-family home, it will remain a
5 two-family home. This couple and their family
6 have deep ties in Union City, they've lived here
7 for quite some time. They love their home, they
8 love their neighborhood. However, the building or
9 the home is not as suitable for the size of their
10 home. They have two boys and they're looking to
11 expand their current living conditions, while
12 maintaining the integrity of the home and of that
13 block.

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

17

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

19

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

22 MS. PEREIRAS: Mr. Pereiras, are you
23 familiar with the property at 208 New York Avenue?

24 MR. PEREIRAS: I am.

25 MS. PEREIRAS: Did you prepare the

1 drawings that are before the Board this evening?

2 MR. PEREIRAS: I have.

3 MS. PEREIRAS: Would you kindly describe
4 the existing conditions as well as the proposed
5 changes that the Francos are requesting?

6 MR. PEREIRAS: I'd be very happy to. We
7 are on the west side of New York Avenue, actually
8 one of my favorite blocks in Union City. It's a
9 block with a lot of beautiful architectural
10 character. I'm happy to say I've worked on like
11 50 percent of the block and designed most of the
12 houses there. And I think that this is particular
13 house and the adjacent houses have a lot of
14 architectural value to it.

15 So we have a design concept for you
16 today that preserves that architectural beauty
17 that was there and yet is able to manipulate the
18 existing building in a way so that the Franco
19 family can continue living in Union City and
20 actually enjoy this home even more.

21 We are dealing with a bit of an
22 undersized lot. A typical lot in Union City
23 2,500 square feet, the lot here is 1,575 square
24 feet, there's no opportunity for the Franco family
25 to make this lot larger in any way. The neighbors

1 are built up to the property line, adjacent to
2 them with a shared wall. There's no way to gain
3 land towards the west and there's no way obviously
4 to move towards New York Avenue either. So
5 they're landlocked and they have the hardship of
6 having this undersized lot that we're presenting
7 to you today.

8 Walking you through what is there
9 currently, we have a building that has a
10 minimal -- well, let's talk about the lot,
11 continue with that. 25 is required as far as
12 width, we're at 15.05, that's a preexisting
13 variance there. And the depth, we do comply at a
14 full 100 feet. The front yard is a preexisting
15 variance, preexisting setback of 11 foot 5, which
16 is actually a little bit more than what our
17 ordinance is requesting. So that's a preexisting
18 variance as well, as far as for front yard depth.

19 The depth of the rear yard, 20 foot is
20 permitted by our ordinance. We are currently at
21 37 feet 6 inches. Our proposal brings it down to
22 30 feet 6 inches, which is still over 5 feet away
23 from the maximum that we could build. So we've
24 retracted another 5 feet from the maximum. So
25 we're not being greedy, we're not going all the

1 way back in the rear yard.

2 The building height is what we'll talk
3 more about in details, three stories is permitted.
4 We're proposing a four-story structure. And our
5 building height 38 feet is permitted and we're
6 actually at 38 feet 7 inches, a de minimus
7 difference change in the height of the building.
8 Our building coverage, 65 percent is permitted,
9 the existing condition is 47 our addition grew
10 that to 59. We're still in compliance. And our
11 lot coverage, 90 percent is permitted, we're at
12 full 100 percent. We're actually reducing it to
13 97 percent, adding a little bit of greenery.

14 And then parking. Four parking spaces
15 would be required as a two-family house, zero are
16 currently there. One of the aspects of our
17 application is we're proposing one parking spaces
18 in front of this house as well to reduce that
19 variance that we have existing.

20 I'd like to get into details starting
21 with the site. Here, we could see that the house
22 is in line with the prevailing setback of the
23 neighborhood. We're not looking to change that in
24 way back and forth. Our front yard setback is
25 exactly the same way. Our rear yard however, we

1 are growing in that rear yard and we're still
2 keeping that rear yard setback of 30 feet 3
3 inches. And we're doing an addition that grows to
4 the property line on both sides, both the north
5 and the south side and comes out another 7 feet
6 4 inches away from the building.

7 In addition to that, we are creating a
8 four-story addition, but we wanted to maintain the
9 character of the neighborhood and how the row
10 houses look next to each other. So we were very
11 deliberate in stopping that before it reached the
12 front yard. So that when you're walking down the
13 street or driving down New York Avenue, you don't
14 see that fourth story from the street. That's why
15 we retracted that top floor. And I'll go into
16 more detail there.

17 We're proposing to remove the fence
18 that's along the front of the property line.
19 We're adding a strip of landscaping to beautify
20 and add some greenery. And then the open space
21 would be a parking space. It is an undersized
22 parking spaces, we admit that, we understand.
23 We're asking this Board to please consider that we
24 have an 11 foot 5 inch front yard with a 9 foot
25 wide parking space. And that would require the

1 movement of a street light. And we're proposing
2 the location of the street light to move 5 feet in
3 the south direction, right in front of the stoop.

4 I'm turning now to Z03 of the same
5 documents that were submitted to the Board. And
6 here we have the existing conditions of the house
7 as well as some photographs so that we could
8 really understand the character of the house and
9 the neighborhood around it. We could see that the
10 lower level, we're calling it a basement, there's
11 four steps in total going down to the basement
12 area. We have one of the apartment units, that
13 apartment unit is kitchen, bathroom, and then
14 bedrooms along the back, actually a rather large
15 bedroom along the back. And then we have the
16 first floor that is accessed from the front stoop
17 and that's their living and kitchen area and then
18 two bedrooms on top. Obviously, a family, a
19 couple with two young boys, there's not enough
20 room for them in this house as it is. And this is
21 the existing conditions of the building, as they
22 are today, as far as front facade and side facades
23 and rear.

24 What we have here are on sheet Z05 is
25 our proposed conditions. We are making that

1 basement apartment into a beautiful apartment that
2 is one bedroom. You walk through the same
3 entryway that we had previously, but you enter
4 into a beautiful kitchen, dining room area.
5 There's a nice sized bathroom with now their own
6 amenities in there. They have their washer and
7 dryer and the mechanical systems in a small
8 closet. They have a beautiful family room that's
9 13-8 by 13-1 and then a bedroom in the back, which
10 opens into the backyard, very lovely, which is 15
11 wide by 13-1. This apartment would be the rental
12 unit for them. The ceiling height is 7 foot 10,
13 it's preexisting, we're matching that. And we're
14 going to continue that with our addition going
15 further back.

16 Then we have our three floors for the
17 proposed residence. You enter off of that front
18 stoop to a beautiful living room area, which is
19 18-7 by 13-1. There's a half bath for guests in
20 that level. The kitchen, the dining room and then
21 what we did is we created a terrace. But instead
22 of having the terrace protrude into the backyard,
23 we actually kept it within the confines of the
24 building and within the side walls of the
25 building. So that terrace is actually over the

1 bedroom and stepped back. So that this is the end
2 of the existing addition. And from that terrace,
3 there are steps into the rear yard where they
4 could enjoy the big 30 foot rear yard.

5 Taking you through the stairs to the
6 bedrooms upstairs, we have two bedrooms on the
7 second floor, one against the front, one along the
8 rear of the property with a storage room, their
9 washer and dryer in between, and a shared bathroom
10 for the boys on that floor. And then finally the
11 proposed addition which we used over the same
12 existing stairwell, we come up and we go to the
13 third floor. And that third floor has the master
14 bedroom. You have the master, which is 16 by 13,
15 modest in size, but nice for this house. And
16 their walk-in closet and master bath. And then a
17 home office so that they can handle Zoom meetings
18 and whatever office work that they have.

19 And then here, we could see that we are
20 set back from the street with a nice terrace that
21 is 10 by 13. So we're the setting back from the
22 front of the building, that edge, 10 feet so you
23 don't see that addition from the street.

24 Going now to the proposed facades, we
25 see the existing building, which we're restoring

1 that facade. We're going to be doing a brick
2 pointing, it's going to be nice and beautiful.
3 And then what you see beyond, which is that small
4 little piece, is our addition. The reason it
5 looks so small, it doesn't look like a big
6 building is because we have a nice large parapet.
7 So the difference in height, in essence, for the
8 building is just this little portion right here,
9 which is about -- a little bit over two feet,
10 really, from the facade at the highest point.

11 We could see this is on the side
12 profiles that the parapet of the building is at
13 this point. So that the proposed addition on the
14 rear is actually not much higher than that
15 parapet. And we created this terrace and what we
16 did is we drew a person so you could understand
17 the relationship. It's not someone facing
18 overhanging the street. I know this Board is very
19 concerned with people and the terrace looking at
20 the street. If you see the feet of the person,
21 they're way down here so that they're not
22 overlooking. The actual parapet wall is about the
23 height of their head, so that there's no overhang
24 or parties or anything that you could see from the
25 street level as well.

1 Also on the side elevations, you can see
2 the stair we're proposing in the rear to the get
3 to the backyard. And you could see the side
4 elevation, you could see the existing door that
5 leads you to the residential apartment on the
6 lower level. And with our rear addition in the
7 back, you could see we're creating beautiful large
8 windows, we're maintaining that brick along the
9 back of the building as well, so that we continue
10 having a brick structure, good for fire and
11 beautiful as well, that matches Union City's
12 requirements. And that concludes my testimony.

13 CHAIRPERSON GARCIA: The rear bedroom in
14 the first floor -- actually the second floor going
15 to be -- going to cover part of the terrace on the
16 first floor?

17 MR. PEREIRAS: That's correct. So that
18 terrace is going to have a wall. If you're facing
19 towards the backyard, it will have a wall behind
20 you, which is the entrance to the living space,
21 the kitchen, dining room. There will be a wall to
22 the left and a wall to the right that covers it
23 from the adjacent properties. Then it's
24 completely open in the front and there will be a
25 roof above it.

1 CHAIRPERSON GARCIA: You're extending an
2 extra like 12 foot?

3 MR. PEREIRAS: 7 feet 4 inches that
4 we're doing as an addition, so...

5 CHAIRPERSON GARCIA: Yes, but in the
6 part that have a setback right now that you're
7 going to open it, that include another 5 foot,
8 right?

9 MR. PEREIRAS: More than 5 feet, it's
10 another about 14 feet more. We're wrapping around
11 the existing addition that's there.

12 CHAIRPERSON GARCIA: And you're
13 converting two bedroom apartment into three
14 apartment and one office, right?

15 MR. PEREIRAS: That's correct.

16 CHAIRPERSON GARCIA: And you're seeking
17 for height and the rest of the variance are
18 preexisting variance?

19 MR. PEREIRAS: That's correct.

20 CHAIRPERSON GARCIA: Okay. Going to
21 Z05 -- sorry, Z06, you have 1 foot 2 inches from
22 top roof to top of parapet, right?

23 MR. PEREIRAS: Yes.

24 CHAIRPERSON GARCIA: How possible it
25 would be to stop everything in the top of the roof

1 and eliminate the foot and 2 inches?

2 MR. PEREIRAS: So there's an exception
3 in the code that allows me to eliminate a parapet.
4 So, yes, we could do that. The applicant will
5 have to do certain other things. For example, he
6 has to fire rate the roof assembly, but the code
7 permits us to do that. So we could do that with
8 the exception that I'd like to have a curb there
9 so that water never overflows on the side. So I
10 would like to have the roof to be flat with a
11 small curb there.

12 CHAIRPERSON GARCIA: Okay. We would
13 reduce one foot --

14 MR. PEREIRAS: Yeah, basically, one foot
15 more.

16 CHAIRPERSON GARCIA: Okay. Also, Mr.
17 Pereira, you know me, right?

18 MR. PEREIRAS: I do.

19 CHAIRPERSON GARCIA: You've been here
20 for few more meetings, right?

21 MR. PEREIRAS: One or two.

22 CHAIRPERSON GARCIA: You know I'm going
23 to ask you, I love the terrace on the front, it's
24 weird, I like a terrace, right? However, again,
25 we go to the -- what little bit of setback for

1 safety issues?

2 MR. PEREIRAS: Yes.

3 CHAIRPERSON GARCIA: That's the only
4 thing that I could make -- comment that I make. I
5 don't know if any other member of the public
6 wants -- any Member of the Board have any
7 questions? Actually -- any questions? Any member
8 of the public want to step forward?

9 MR. PEREIRAS: Just to confirm, we will
10 set back the terrace, too.

11 CHAIRPERSON GARCIA: Okay.

12 MR. CARIDE: Hi, everyone, my name is
13 Angel Caride, I'm a neighbor of Union City, I live
14 in 210 New York Avenue.

15 CHAIRPERSON GARCIA: Okay.

16 MR. CARIDE: I'm neighbor of the Franco
17 family. Just to say quick background, great
18 relationship with them. I'm excited for them to
19 come back into Union City. In fact, I'm
20 renovating currently my house and living in their
21 property as a renter.

22 CHAIRPERSON GARCIA: So they're going to
23 kick you out?

24 MR. CARIDE: In a month, they will kick
25 me out. Hopefully, all the renovation work will

1 be done in the time. So I was coming here because
2 I've been talking to the family and understand
3 kind of like their needs and also kind of like
4 wanted to share my opinion here to the Board.
5 There's like three things that are being asked to
6 do. I want to show my support for the driveway
7 cut of the sidewalk.

8 I am in favor of they want them to raise
9 another floor the property. When it comes to
10 extending the house to the back, that's where I
11 see a problem. Because currently we built --
12 we're renovating the house and we built a sun room
13 right in the back of the house with big sky
14 lights. Obviously, once you get a home that sets
15 back into the backyard and you obviously build
16 another three floors, that sun room becomes a
17 shadow room, like it's going to be, you know, a
18 problem for my family when it comes to, you know,
19 enjoying what we were planning to do during this
20 year of planning the renovation and executing it,
21 et cetera.

22 So I want to come here to say, look, I
23 am in favor and support of the Franco family to
24 gain more space. What I wanted to ask for you to
25 consider is elevating like that extra floor, but

1 not setting it back. In fact, using the current
2 footprint of the building so I don't go out in my
3 backyard and suddenly I have a massive building
4 literally next to me on the right, who is not to
5 say that my other neighbor on the left does the
6 same thing. And then suddenly I'm in a valley.
7 What I thought was going to be a sunny backyard,
8 now it's completely like covered by no air, no
9 sun.

10 So that's my only thing that I wanted to
11 share with this Board for consideration. Again, I
12 think the Franco family is a great family. I'm
13 excited for them to be here and I'm totally
14 supportive of them building above and having that
15 cut in the curb for the family to be able to park.

16 MR. PEREIRAS: Just for clarity, sir,
17 before you sit down, you would like this portion
18 of the building instead of being against the back,
19 this floor just shift forward. So the terrace,
20 instead of being in the front of the building to
21 be towards the back of the building?

22 MR. CARIDE: What I'm saying is that
23 within the existing --

24 MR. PEREIRAS: The existing footprint,
25 the top floor?

1 MR. CARIDE: Exactly, but I think like
2 this would be -- is this an incremental footprint
3 that would --

4 MR. PEREIRAS: 7 foot 4.

5 MR. CARIDE: What I'm saying is ideally
6 my support would be for everything that is already
7 built, to go up, not to setback more.

8 MR. PEREIRAS: So this floor, in
9 essence, would be shifted forward in the existing
10 footprint?

11 MR. CARIDE: Yes, thank you.

12 CHAIRPERSON GARCIA: Any other member?

13 MR. HAMILTON: So my name is Mark
14 Hamilton, I live at 206 New York Avenue. I've
15 lived on New York Avenue since I think 19 -- early
16 '90s. And I at one point owned 214 and 206, now I
17 just own 206 New York Avenue, which is directly
18 next door. I want to go on record that I also
19 think the family is really nice, a great addition
20 to our block. I have two concerns, which I met
21 with Mr. Franco, and I think he's resolved my
22 concerns, but I want to be sure.

23 I have a backyard, which I like. And as
24 I reach into my mid-70s, I like the backyard more
25 than I ever did. I like to plant back there and

1 sit back there. I don't want to have my sun taken
2 away, that's important to me. But it seems to me
3 from speaking to Mr. Franco that -- I have an
4 extension, that his extension will not exceed my
5 extension and I should be okay with that.

6 I was a little concerned with the
7 addition of the parking space because I thought is
8 it going to go into the building. Because if it
9 goes into the building, then I lose my insulation.
10 And at one point, I was getting frozen pipes
11 before that house got rebuilt. And I didn't want
12 that to happen, so. But I'm told it won't, it
13 will not do that.

14 I am a little concerned what's going to
15 happen with the street light. Is it going to be
16 put in front of my house, okay. If it is, I don't
17 object. I have some concern over my tree because
18 I do like my tree. Is my tree going to be cut
19 down? I don't know. Those are my concerns and
20 they're minor concerns. For the most part, I
21 think everything that they're proposing, I can
22 live with. I just would like to be able to ask
23 some questions and to find out what exactly is
24 happening. But it looks to me like it's probably
25 fine. Just to let you know. That's it.

1 CHAIRPERSON GARCIA: Mr. Pereiras, can
2 you answer those concerns of Mr. Hamilton?

3 MR. PEREIRAS: I can. So I think the
4 best way to describe it to you is on the site
5 plan.

6 CHAIRPERSON GARCIA: Tell me you're not
7 touching the tree, I'm with Mark also.

8 MR. PEREIRAS: We're not touching the
9 tree, but there is a light pole that we're looking
10 to relocate. So there's a light pole right now,
11 electric pole and light pole that are in the way
12 of the driveway. We're going to relocate the
13 light pole to right in front of his front stoop,
14 so it's not on your property.

15 MR. HAMILTON: I don't care if it's on
16 my property. I got a light pole, I like that.

17 MR. PEREIRAS: And we were not touching
18 your tree. Your tree is far enough away that
19 we're not touching it. Also the driveway is not
20 penetrating into the building, it's stopping right
21 there.

22 MR. HAMILTON: That's great.

23 MR. PEREIRAS: Was there another one?

24 MR. HAMILTON: My backyard, I didn't
25 want to have it all shady.

1 MR. PEREIRAS: We're going seven foot
2 more to your backyard. So this is the end of the
3 house now, we're going 7 foot 4 more.

4 MR. HAMILTON: So my addition is there.

5 MR. PEREIRAS: Your addition is right
6 here. We were a little bit further than your
7 addition. I would say -- I don't have it
8 dimensioned here, but I would say 2 and a half
9 feet further back than you. And we're permitted
10 to have a rear yard of 20, and we're at 30. So
11 we're -- we're permitted 25, we're at 30, so we're
12 not taking all of the rear yard that we're allowed
13 to do. But yes we're going a little further than
14 your house.

15 MR. HAMILTON: All right. Buy me a new
16 rose bush. All right. I can live with it, I
17 guess. I'm fine. I'm happy, keep the Francos on
18 the block.

19 MR. PEREIRAS: Thank you.

20 MS. PEREIRAS: Thank you.

21 CHAIRPERSON GARCIA: Any other member of
22 the public want to step forward?

23 MR. KAUFMAN: Good evening. My name is
24 Ronan Kaufman, I'm an owner at 212 New York Avenue
25 and I've known the Francos for quite some time.

1 And I know that regardless of getting specific
2 details out to make everybody happy, I know that
3 the way that they approached things is always very
4 cognizant and mindful of community and neighbors
5 and also bringing value. And as an owner,
6 regardless of how the details shake out at the
7 end, I know that as an owner, the value that they
8 are likely to bring through these improvements is
9 going to improve the value of the place that I am.
10 And that's good for me, that's good for everyone
11 on the block, a rising tide. And they're a really
12 nice group of people that will bring a lot of good
13 intangibles to the block by virtue of being able
14 to compromise in the small space they've been
15 giving. So I'm here to voice my support for them,
16 as a neighbor, as a friend, as someone with a
17 financial interest in the value of their home as
18 it pertains to mine.

19 And it's my pleasure to speak up on
20 their behalf at this meeting. That's all I wanted
21 to say.

22 MS. PEREIRAS: Thank you.

23 CHAIRPERSON GARCIA: Thank you.

24 MS. GUTIERREZ: Thank you.

25 CHAIRPERSON GARCIA: Any other member of

1 the public?

2 MR. TREVOR: Hi, good evening, my name
3 is Trevor, I'm actually the downstairs neighbor
4 right now. So right now, like the term I've heard
5 a lot is modest. And, you know, the place is very
6 modest, very modest. So Patrick's -- you know,
7 I'm going to be feeling a lot of the stuff about
8 what they're doing upstairs. And some of the
9 their asks are, I would say, very modest. I mean
10 every time they say they could have went out this
11 far, they're only going this far. And even when
12 the architect actually said the back -- my bedroom
13 right now, like it has cut into for 4 feet. So I
14 could barely fit -- the bedroom right now is very
15 small. Like you could barely fit a bed in there,
16 a queen-sized bed.

17 So this would make it from a sort of one
18 bedroom into like an actual one bedroom. So like,
19 you know, like, it's sort of -- it's very nice,
20 I'm very grateful to be there. But at the same
21 time, you know, the way it's cut right now, this
22 plan would be a lot better for me. Like I said, I
23 know Patrick for a long time, you know, just as a
24 friend, you know. And another thing just about
25 him as a person, like you said, he owns a company

1 in town. It's a company that does yoga and
2 mindfulness. And some of our programs actually
3 service Union City. And so Union City schools and
4 Hoboken schools and all that. So as a community
5 member, like, we want -- I think we should
6 encourage the Francos having a long life here
7 because, you know, I think that's very important.
8 And like I said I'm just here to show my support,
9 show his integrity. The fact he's not overstepped
10 his ask. He's only asking for a height that
11 everyone else has. It's not if for thee, if not
12 for me. All the requests are reasonable and
13 keeping within the neighbor's requests, and like I
14 said very mindful. And I hope that you know
15 things go well and thank you for hearing me.

16 CHAIRPERSON GARCIA: Thank you very
17 much. Any other member of the public wants to
18 step forward? Close to the public. Any
19 questions.

20 MR. GRULLON: I had questions about the
21 facade. Mr. Pereiras, can you like just --

22 CHAIRPERSON GARCIA: I'm going to ask,
23 Mr. Pereiras -- sorry for the interruption, Mr.
24 Grullon. How can we go to a middle point between
25 the owner of 210 and Mr. Franco or Franco family

1 in order to mitigate the impact? And also how
2 going to be because I thought the house is facing
3 west as well as 210 and that the sun doesn't go
4 from south to north, go west to east and east to
5 west. So I don't think that a shadow is going
6 to -- I'm not any expert in light, you know what I
7 mean, but going to come from east, going to sleep
8 in the west.

9 MR. PEREIRAS: That's correct.

10 CHAIRPERSON GARCIA: If they're adjacent
11 from north to south or south to north, I don't
12 know, but how can you mitigate that impact to the
13 resident of 210?

14 MR. PEREIRAS: So you're completely
15 correct, Mr. Chairman, sun rises in the east, sets
16 in the west. There is a little bit of an incline
17 there, so there will be a little bit of shadow.
18 There is basically a compromise between what is of
19 most value. Whether we maintain that front facade
20 so that that top floor is recessed back and it
21 looks -- continues to look uniform on the street
22 level. Or we say it's time for this block to grow
23 a little bit, that the height makes sense, and
24 bring that rear structure towards the front. So
25 that the neighbors are happy, it's not blocking

1 his sun room. The terrace instead of being in the
2 front of the building is now towards the rear of
3 the building.

4 But now the facade changes a little bit.
5 Because instead of seeing that peak coming down,
6 it becomes more the flat along the top. Is it a
7 difference? I think it's de minimus. I think
8 it's totally doable, but that's really...

9 CHAIRPERSON GARCIA: I don't know.
10 Personally, the beauty of that block is to
11 maintain the facade on those houses, okay. This
12 is kind of unique block in Union City and I think
13 unique block, probably in Hudson County. My
14 opinion, I protect the facade as much as I can
15 because it's something like state-of-the-art. It
16 is not -- is there any way like how many foot you
17 said you're going to go back 7?

18 MR. PEREIRAS: 7 feet 4 inches.

19 CHAIRPERSON GARCIA: 7 feet.

20 MR. PEREIRAS: Mr. Chairman, if you let
21 me have two minutes with my client, I'll be --

22 CHAIRPERSON GARCIA: Can you also talk
23 to how is your name, sir?

24 MR. CARIDE: Angel.

25 CHAIRPERSON GARCIA: Because I know that

1 I understand his concern and also we also, like
2 Mark and also the tenant in the first floor said,
3 I mean it's an improvement and we also have to
4 support people who believe in the community. You
5 know what I mean? It's like something -- two
6 minute break.

7 MS. PEREIRAS: Thank you very much.

8 MR. VALLEJO: Off the record.

9

10 (Whereupon a short recess was taken.)

11

12 CHAIRPERSON GARCIA: Back on the record.

13 MS. PEREIRAS: Thank you, Mr. Chairman.
14 We've had an opportunity to speak to our clients
15 as well as the neighbors and I think we've reached
16 a reasonable compromise. Mr. Pereiras, could you
17 please elaborate?

18 MR. PEREIRAS: Be happy to. I love it
19 when neighbors are able to discuss and come to an
20 agreement. What we're proposing to do is really
21 split the difference. And the neighbor's willing
22 to sacrifice a little bit as well. We have a 10
23 foot setback from the front yard on that last
24 floor. We're going to reduce that down to 5 feet,
25 so that front wall is going to come to 5 feet,

1 we're still well set back from the front yard
2 setback. And in the rear, we're -- instead of
3 just going 5 feet, we're going to go 7 feet in so
4 that we could allow the neighbors to have good
5 sunlight coming into the sun room. And what we're
6 going to do is we're going to sacrifice 2 feet
7 within the floor plate of this. More than likely,
8 the bedroom becomes a little bit smaller. I might
9 sacrifice a foot off the home office and then a
10 foot off the bedroom. Because it is a modest
11 sized bedroom, it's only 13 by 16 right now, so
12 that's a good compromise.

13 So in summary, the top floor will be
14 setback from the rear 7 feet, from the front yard
15 5 feet.

16 CHAIRPERSON GARCIA: Seven and five?

17 MR. PEREIRAS: Yes. And we're making it
18 two feet smaller.

19 CHAIRPERSON GARCIA: I'm still -- in
20 front, I recommend to reduce -- to add another two
21 feet in the terrace.

22 MR. PEREIRAS: Seven in the front.

23 CHAIRPERSON GARCIA: Seven in the front.

24 MR. PEREIRAS: We'll lose the two --

25 CHAIRPERSON GARCIA: Like I mentioned

1 before in my statement, it's to maintain the
2 beauty of the block. I don't want any addition to
3 impact the front facade.

4 MR. PEREIRAS: I misunderstood. So let
5 me clarify that and I'll look towards the
6 neighbors to make sure that we're okay. We're
7 setting back from the front yard setback 7 feet.
8 We're setting back from the rear 5 feet, we're
9 sacrificing two feet from within the floor plate
10 of our building.

11 CHAIRPERSON GARCIA: So you're going
12 have to 7?

13 MR. PEREIRAS: 7 in the front.

14 CHAIRPERSON GARCIA: Okay, okay. I'm
15 going to reopen to the public. Any member of the
16 public wants to step forward? Everybody is happy
17 with that presentation? With that application?

18 MR. HAMILTON: Yes.

19 CHAIRPERSON GARCIA: Any Member of the
20 Board have any questions or concerns? I'm going
21 to make my motion to grant this application.
22 First of all, like I mentioned before, we support
23 people that believe in our city, and also respect
24 the beauty of that block. It's not some person,
25 another applicant, like, really person who come

1 and do something different or present something
2 different no matter what, but no. Also it is
3 adding a driveway. I know I mean parking spaces,
4 when it needs four, but at least going to have one
5 parking space. Also, it's maintaining the two
6 units, it's legal two units, it's just to improve
7 the quality of life of that place.

8 I'm going to grant it with the condition
9 of the front terrace and top going to be seven,
10 also with the deal made with the neighbor that
11 it's going to be 5 foot in the back. And also
12 the -- where is that -- also Ms. Pereiras and also
13 Mr. Pereiras, going to decrease, reduce the top of
14 the parapet one foot, right?

15 MR. PEREIRAS: Yes.

16 CHAIRPERSON GARCIA: In reality, you're
17 requesting another story variance, however, you're
18 still under the height variance?

19 MR. PEREIRAS: That is correct, Mr.
20 Chairman.

21 MR. PANEQUE: So reducing the front yard
22 setback on the terrace on top 7 feet.

23 CHAIRPERSON GARCIA: To 7 feet because
24 they have 10 right now.

25 MR. PEREIRAS: Yes.

1 CHAIRPERSON GARCIA: To 7 feet.

2 MR. PANEQUE: Setback on the rear yard
3 5 feet.

4 MR. PEREIRAS: At the top floor.

5 MR. PANEQUE: And reduce the top parapet
6 one foot.

7 CHAIRPERSON GARCIA: One foot, okay.

8 I make my notion to grant this
9 application with the stated conditions.

10 MS. GUTIERREZ: I'll second.

11 CHAIRPERSON GARCIA: We're going to need
12 revised plans ten days before.

13 MR. VALLEJO: Motion on the table to
14 grant application by Mr. Garcia, seconded by Ms.
15 Gutierrez. Roll call on the motion with the
16 conditions.

17 Mr. Garcia.

18 CHAIRPERSON GARCIA: Yes.

19 MR. VALLEJO: Mr. Grullon.

20 VICE CHAIRPERSON GRULLON: Yes.

21 MR. VALLEJO: Ms. Gutierrez.

22 MS. GUTIERREZ: Yes, with the revised
23 plan.

24 MR. VALLEJO: Mr. Ortiz.

25 MR. ORTIZ: Yes.

1 MR. VALLEJO: Ms. Pena.

2 MS. PENA: Yes.

3 MR. VALLEJO: Ms. San Martino.

4 MS. SAN MARTINO: Yes.

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

7 MS. PEREIRAS: Thank you all very much.

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1 **411 10TH ST UC, LLC -**

2 **411 10th Street:**

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4 MR. VALLEJO: Next application on
5 tonight's agenda 411 10th Street UC, LLC. Ms.
6 Pereiras, please.

7

8 (Discussion held off the record.)

9

10 MR. VALLEJO: Back on the record. Ms.
11 Pereiras, please.

12 MR. PANEQUE: Let the record reflect
13 I've been provided with an affidavit stating that
14 on April 28, 2025, personal notice of tonight's
15 meeting was given to all property owners within
16 200-foot radius of 411 10th Street, Union City,
17 New Jersey 07087, a legal affidavit from The
18 Record and The Herald News that notice was
19 published on April 21, 2025, of tonight's meeting.
20 The notice given to all property owners, list of
21 property owners to be served with notice.
22 Certified mail receipts postmarked April 28, 2025.

23 Based on the documentation provided, the
24 Board has jurisdiction to hear this application.

25 MS. PEREIRAS: Mr. Chairman, Board

1 Members, the architect of record on this file was
2 unable to make it to tonight's meeting. So I am
3 respectfully requesting an adjournment. If you
4 could carry this matter to the June meeting, the
5 architect will be present at that time to testify.

6 CHAIRPERSON GARCIA: Okay. Do you waive
7 the statutory time limits?

8 MS. PEREIRAS: Of course I do, Mr.
9 Chairman.

10 CHAIRPERSON GARCIA: I make my notion to
11 adjourn this application to our next meeting.

12 MS. PEREZ: Second.

13 MR. VALLEJO: June 12? Motion on the
14 table to adjourn this application by Mr. Garcia,
15 seconded by Ms. Perez. Roll call on the motion.

16 Mr. Garcia.

17 CHAIRPERSON GARCIA: Yes.

18 MR. VALLEJO: Mr. Grullon.

19 VICE CHAIRPERSON GRULLON: Yes.

20 MR. VALLEJO: Ms. Gutierrez.

21 MS. GUTIERREZ: Yes.

22 MR. VALLEJO: Mr. Ortiz.

23 MR. ORTIZ: Yes.

24 MR. VALLEJO: Ms. Perez.

25 MS. PEREZ: Yes.

1 MR. VALLEJO: Ms. Pena.

2 MS. PENA: Yes.

3 MR. VALLEJO: Ms. San Martino.

4 MS. SAN MARTINO: Yes.

5 MR. VALLEJO: Seven in favor, motion
6 carries.

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1 **655 39TH LLC -**

2 **655 39th Street:**

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4 MR. VALLEJO: Next application on
5 tonight's agenda 655 39th Street, LLC. Ms.
6 Pereira, please.

7 MR. PANEQUE: Let the record reflect
8 I've been provided with an affidavit stating that
9 on April 25, 2025, personal notice of tonight's
10 meeting was given to all property owners within a
11 200-foot radius of 655 39th Street, Union City,
12 New Jersey. A legal affidavit from The Record and
13 The Herald News that notice was published on
14 April 21, 2025, of today's meeting. The notice
15 given to all property owners, a list of property
16 owners to be served with notice. Certified mail
17 receipts postmarked April 25, 2025.

18 Based on the documentation that's been
19 provided to this Board, the Board has jurisdiction
20 to hear this application.

21 MS. PEREIRAS: Thank you, Counsel. Good
22 evening, Board Members. Bianca Pereira on behalf
23 of the applicants for 655 39th Street. This
24 application actually came before this Board back
25 in 2021, at which time, the Board approved to

1 allow the applicant to construct a three-family
2 home. Unfortunately, due to some family
3 situations and some financial constraints, the
4 applicant was unable to secure the permits in
5 time. And lo and behold, we're here before the
6 Board again on this application to demolish an
7 existing one-story commercial building and
8 construct a three-family home.

9 We have two experts to testify and we'll
10 begin our presentation with our architect, Mr.
11 Manuel Pereiras.

12

13 M A N N Y 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 655 39th Street?

19 MR. PEREIRAS: I am.

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: And would you kindly
24 described the proposal for the Board?

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

1 It's important to really understand where we are
2 to really understand the grasp of what we're
3 asking here. We are on the bottom of 39th Street,
4 almost reaching Bergen Turnpike, right across from
5 the Union City Housing Authority buildings. And
6 this is the intersection where we have a
7 four-story building that was approved that's 18
8 units very recently. So the property to the east
9 of this is going to be just as tall, actually a
10 little bit taller, than what we're proposing here.
11 The properties across the street towards the south
12 are a lot taller, they're the Union City Housing
13 Authority buildings. And this is the building
14 that we are proposing, which is the transition
15 between the larger development and the smaller
16 developments down the block, as well as the
17 three-families that are already there adjacent to
18 it.

19 So currently on the site, there is a
20 one-story building that is a complete mess, it's a
21 disaster, it's ready to fall apart. The business
22 itself, it's a small mini market with a lot of
23 illegal additions that were done to it. There's
24 no salvation of that building, we're proposing to
25 demolish that completely. And in so doing, we're

1 improving a lot of the setbacks. That existing
2 building is right on the property line, on both
3 the east and the west. And it's very close to the
4 property line along the south. The building that
5 we're proposing will respect our setbacks of 2
6 feet and 3 foot 1 for side yard setback. It is
7 respecting the front yard setback. So it becomes
8 now in line with the houses next door. So it
9 meets the front stoop of the houses next door.
10 And we are asking for a rear yard variance. We're
11 at 9 foot 4 and that's a function of being able to
12 create three bedrooms within this building and
13 provide ample parking for the project.

14 And so this project, as you see it here,
15 is the same drawings that were submitted and
16 approved by the Board. We have the ground level
17 is dedicated 100 percent with parking. We have
18 four cars parked in tandem along the front and
19 then two cars parked along the side of the drive
20 aisle. And then as you take the stairs, there's
21 two stairwells going up and down the building and
22 an elevator entrance. So you have a small
23 pedestrian vestibule that leads you to the
24 elevator. You have landscaping in the front yard,
25 we created three different landscaping berms to

1 introduce some landscaping there on 39th Street.

2 And then when you take the elevator up,
3 you're open into a big dining room, living room,
4 kitchen area with the two stairwells at the end
5 and then three bedrooms, the last of which being
6 the master bedroom that is 13 by 12-5 with its own
7 master bathroom and walk-in closet. And then we
8 have two bedrooms right next to it with small
9 closets and they share a hall bath.

10 The third and fourth floor are exact
11 duplicates of that second floor. So we have three
12 identical apartments. Each of the apartments is
13 1,404 square feet and they're three-bedroom
14 apartments, perfect for Union City families, that
15 it's hard to find nice three-bedroom apartments in
16 Union City.

17 Finally, there's a roof deck. That roof
18 deck is significantly set back both from the rear
19 yard and the front yard. And on the side yards,
20 it's set back 3 feet with landscaping in between
21 to avoid any interference or any danger of falling
22 over.

23 The facade of the building is a
24 beautiful facade, a combination of brick and
25 stucco. The garage door will be fully compliant

1 with the Union City ordinance. The first three
2 feet on the bottom will be solid. After the three
3 feet, it will be open grate so that you could see
4 in and you'll see the light inside the space. We
5 have brick all the along the sides going to the
6 top. And then for an accent, we have stucco in
7 between. Then we have a metal panel on the side,
8 where it's the entry where we have the main door
9 and the three windows above.

10 The sides of the building are vinyl
11 siding, except for the stucco that wraps along the
12 front of the building on both sides, to add that
13 level of attractiveness. And then on the bottom
14 level is CMU with stucco on it, which is typical
15 in Union City. And I am done with my testimony
16 and open for dialogue on this.

17 CHAIRPERSON GARCIA: Do you have a
18 planner?

19 MS. PEREIRAS: We do have a planner to
20 testify as well.

21
22 (Whereupon a short recess was taken.)

23
24 MR. PEREIRAS: Our planner needs about
25 ten minutes.

1 CHAIRPERSON GARCIA: Okay. Mr.
2 Pereiras, first of all, I'm going to ask you for
3 something. Again, we have an application here
4 with plans that I don't see the measure of the
5 garage. Also, you are proposing 3 and 2, right,
6 setback?

7 MR. PEREIRAS: Yes, on the sides.

8 CHAIRPERSON GARCIA: This is 25 by 100,
9 so you're using 20 for the house.

10 MR. PEREIRAS: Yes.

11 CHAIRPERSON GARCIA: Okay. Honestly, I
12 don't see enclosed garage that you're going to fit
13 those six cars there honestly, honestly.

14 MR. PEREIRAS: Okay.

15 CHAIRPERSON GARCIA: I'm telling you by
16 experience, I used to live in one that was 25 by
17 125, impossible for us in a three-family, that we
18 fit there six. We could put it, yes, park one
19 back to back.

20 However, those people from the back
21 going back, it is not -- no way that you could --
22 oh, yes, you could put a smart car, you know, the
23 small ones. Then you can -- that's the only one
24 you could put there. Normal car, K5, whatever,
25 no, forget about it. So I'm giving the three

1 different scale of cars.

2 I would love to see the dimension. Also
3 I have another, from Mrs. Pereiras, you know, the
4 new ordinance indicate it's only two-family.

5 MS. PEREIRAS: Correct.

6 CHAIRPERSON GARCIA: I think that you
7 can come with probably reduce it to two-family and
8 have there like a family room in the ground floor,
9 whatever, and you could have much better parking
10 spaces. That's my opinion, I don't know what the
11 other Members of the Board have any opinion. But
12 I could tell you right away up front --

13 MR. PEREIRAS: Mr. Chairman, I don't
14 disagree with you in any way. The particulars of
15 this case is that this was a previously approved
16 project, the owner has invested a lot of his time
17 and effort into this and significant financial
18 investments. He's well forward with full
19 construction documents, he's well forward with
20 ready to build this, unfortunately. And it's a
21 huge hardship for him. And I wouldn't push this
22 if I didn't think that the neighborhood actually
23 could support a project like this.

24 Because the height is -- the real
25 question is that additional story and that fits

1 very well with this neighborhood. And I think
2 that I agree with you with the parking situation.
3 However, I think that we could modify the design
4 in a way that we could fit five cars conveniently.
5 And if this Board were to consider five cars for
6 the three bedrooms --

7 CHAIRPERSON GARCIA: It's too big, big
8 variances. You're asking me -- you're asking to
9 the Board a three-family in the two-family zone,
10 plus also parking variance. In an area that, as
11 you recall, because I bring it up because you
12 mentioned it, remember all the issue that we had
13 in the application that is adjacent to that
14 property in the west side, with all the traffic
15 and parking spaces. You know what I mean, it's
16 like it is big, big. Those two variance are huge.

17 MR. PEREIRAS: We understand, Mr.
18 Chairman.

19 MS. PEREIRAS: Mr. Chairman, then if we
20 can -- considering the comments placed on the
21 record, if we can carry this matter, that will
22 give us an opportunity to chat with our client,
23 see what modifications can be made. And if we can
24 do so, we will bring those before the Board at the
25 next meeting.

1 CHAIRPERSON GARCIA: Okay, perfect. You
2 waive the statutory limits?

3 MS. PEREIRAS: Of course.

4 CHAIRPERSON GARCIA: I make my motion --

5 MS. PEREZ: Do we hear the testimony of
6 the planner?

7 CHAIRPERSON GARCIA: No, because if they
8 change, they don't need the planner.

9 MS. GUTIERREZ: Second.

10 CHAIRPERSON GARCIA: I make my motion to
11 adjourn this application for the next meeting,
12 June 12th.

13 MR. VALLEJO: Motion on the table to
14 adjourn the application for June 12th by Mr.
15 Garcia, seconded by Ms. Gutierrez. Roll call on
16 the motion.

17 Mr. Garcia.

18 CHAIRPERSON GARCIA: Yes.

19 MR. VALLEJO: Mr. Grullon.

20 VICE CHAIRPERSON GRULLON: Yes.

21 MR. VALLEJO: Ms. Gutierrez.

22 MS. GUTIERREZ: Yes.

23 MR. VALLEJO: Mr. Ortiz.

24 MR. ORTIZ: Yes.

25 MR. VALLEJO: Ms. Perez.

1 MS. PEREZ: Yes.

2 MR. VALLEJO: Ms. Pena.

3 MS. PENA: Yes.

4 MR. VALLEJO: Ms. San Martino.

5 MS. SAN MARTINO: Yes.

6 MR. VALLEJO: Seven in favor, motion
7 carries.

8 CHAIRPERSON GARCIA: Two minute break.

9

10 * * * *

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12 (Whereupon a short recess was taken.)

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**CREST POINT DEVELOPMENT UNION CITY, LLC -
2000 Kennedy Boulevard:**

MR. VALLEJO: Next application on tonight's agenda, Crest Point Development Union City, LLC, 2000 Kennedy Boulevard. Ms. Pereiras, please.

MR. PANEQUE: Let the record reflect that I've been provided with an affidavit stating that on April 28, 2025, personal notice of tonight's meeting was given to all property owners within a 200-foot radius of 2000 Kennedy Boulevard, Union City, New Jersey. A legal affidavit from The Record and The Herald News stating that notice was published on April 21, 2025. The legal notice given to all property owners. The list of property owners to be served with notice. And in this case as well, companies that must be notified of this application, which we have here certified from the Township of North Bergen and the certified mail receipts postmarked April 28, 2025.

Based on the documentation that's been provided, this Board has jurisdiction to hear this matter.

1 MS. PEREIRAS: Thank you very much.
2 Again, good evening, Bianca Pereiras on behalf of
3 the applicant. And I'm glad we have this
4 application, it's a very good application to wrap
5 up the evening. We have an opportunity to
6 revitalize and reimagine a site in Union City that
7 holds a lot of importance, it's the Lieber Funeral
8 Home site. We're looking to transform it into a
9 thoughtfully designed, high quality multiple
10 family residential building that aligns with the
11 evolving needs of Union City.

12 The project proposes a construction of
13 54 residential units in a four-story building,
14 consisting of six one-bedroom apartments and 48
15 two-bedroom apartments, with one level of on-site
16 parking and additional parking just across the
17 street, totalling 117 conforming parking spaces,
18 which exceeds the RSIS standards.

19 The development will replace a single
20 purpose underutilized facility with much needed
21 modern housing while maintaining a strong parking
22 strategy and minimizing traffic impact.

23 We recognize that this application, we
24 are seeking a (d)(1) use variance and we did not
25 approach this lightly. We have an excellent team

1 of professionals here this evening that will
2 demonstrate through their expert testimony that
3 this proposal advances the public good, aligns
4 with sound planning principles, and presents
5 substantially more benefits than burdens.

6 This site in particular is unusually
7 large, significantly exceeding the minimum lot
8 area, width and depth requirements that are
9 required in the zone. That scale along with the
10 fact that we're on Kennedy Boulevard, which is a
11 major corridor, makes this a unique opportunity
12 for this development in particular.

13 We have three experts that will testify
14 before the Board this evening. You will hear from
15 our architect, Mr. Manuel Pereiras, who will walk
16 you through the building's design, the massing,
17 and its aesthetics. You will hear from our
18 traffic engineer, Mr. Lee Klein, who will provide
19 a comprehensive analysis showing the proposed
20 development does not create significant traffic
21 impact. And you will hear from John McDonough
22 regarding planning and the fact that this is a
23 positive planning alternative to what exists there
24 today.

25 We submit to you this is not simply a

1 request for more density, this is a request to
2 responsibly transition a dated single-use property
3 into a higher quality multiple family building to
4 serve the needs of our community.

5 We'll start our presentation this
6 evening with our architect, Mr. Manuel Pereiras.

7 MR. PANEQUE: Bianca and Manny, if I
8 could have a moment to amend the record? That the
9 notices previously given are for 2000 Kennedy
10 Boulevard, Union City, New Jersey, and 917 20th
11 Street, Union City, just to have that clarified.

12 MS. PEREIRAS: Thank you, Mr. Paneque.

13

14 M A N N Y P E R E I R A S, previously sworn:

15

16 MS. PEREIRAS: Mr. Pereiras, are you
17 familiar witness property in question?

18 MR. PEREIRAS: Yes, I am.

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

21 MR. PEREIRAS: I have.

22 MS. PEREIRAS: And would you kindly
23 describe the proposal for the Board?

24 MR. PEREIRAS: I'd be happy to. And for
25 purposes of the record, I recognize that I am

1 still under oath.

2 I'd also like to clean the record and
3 describe the two easels to my left. The first
4 easel is the same documents that were submitted to
5 the Board, there are some minor modifications I
6 did for my own presentation, which is I added some
7 dimensions so it's easier to present it to the
8 Board here, but the plans do not change in any
9 way. And then the second easel are a series of
10 documents that have been prepared by our planner
11 and by my office to help illustrate the project
12 and I'll mark those as we get to them, if it
13 pleases counsel?

14 MR. PANEQUE: Thank you, Mr. Pereiras.

15 MR. PEREIRAS: Thank you. I'd like to
16 start with sheet T02 of the submitted packet. In
17 T02, we see a tax map showing the exact extent of
18 our property, as well as some photographs so that
19 we could really orient ourselves. And we are on
20 that northeast corner of 20th Street and Kennedy
21 Boulevard. As Counsel said, this is an unusually
22 large site and it actually is divided by 20th
23 Street. Currently, the funeral home sits on this
24 property, on the north side of 20th Street, and
25 there is additional parking on the south side of

1 20th Street in these three lots here.

2 Our proposal today looks to not make any
3 modifications to that existing parking lot.

4 Currently, on that parking lot, there are 18
5 parking spaces, there will continue to be 18
6 parking spaces on that lot. There will continue
7 to be the same curb cut. And the only thing that
8 we're proposing is some beautification. We're
9 adding some landscaping along the front to
10 beautify it, but we're maintaining those 18
11 parking spaces on that lot.

12 Then to describe our lot, I'd like to
13 turn to sheet T01, where we have a site plan. And
14 here, we could really understand the massive
15 aspect of this lot. Along Kennedy Boulevard, we
16 have a frontage of 85.85 feet and along 20th
17 Street, we have a frontage of 243.72 feet, so
18 that's almost two and a half times the length of a
19 typical lot.

20 Our entire square footage, whereas a
21 typical Union City lot is 2,500 square feet, we're
22 at 30,562 square feet. So it's a massive
23 difference and that doesn't even consider the
24 parking lot across the street. The lot is
25 unconventionally sized, we are an L-shape. And

1 just for purposes of the record, I'd like to
2 describe the rest of the boundaries of the lot.
3 The eastern most boundary has a length of
4 149.56 feet, the northern boundary has a length of
5 150.01 feet, and then the L-shape has, along the
6 western side, 62.99 feet and along the northern
7 side, 97.10. And again that is a total square
8 foot age of 30,562 square feet.

9 We approached this building and tried to
10 make it fit into the neighborhood. One of the
11 things that we did is that we wanted to make sure
12 we maintained some landscaping along both Kennedy
13 Boulevard and along 20th Street. So we're
14 introducing an 18-foot berm of small shrubs and
15 landscaping along the edge, along Kennedy
16 Boulevard and along the full end of 20th Street.
17 We also isolated all vehicular entrances off of
18 20th Street, similar and actually reducing the
19 existing curb cuts that were previously there with
20 the funeral home.

21 We're creating a rear yard setback of
22 15 feet at its worst condition. The site is
23 slightly tapered, so at the northeast corner, it's
24 17 feet 11 inches in setback and in its worst
25 condition, it is 15 feet. So we have a full

1 15 feet from a side yard perspective to the next
2 house, our western neighbor. So we're creating
3 ample space between us and the residential
4 neighbor along that side. And then on Kennedy
5 Boulevard, we're creating a side yard setback of 3
6 foot 11 inches, almost 4 feet towards the
7 residential neighbor along Kennedy Boulevard to
8 the north.

9 The back that we're facing along the
10 side yards, there's a zero setback side yard along
11 there. And there is -- maintains the 18 inch side
12 yard setback along 20th Street. And we're
13 proposing two curb cuts into the building. And
14 I'll describe that better with our floor plan.

15 This is our parking level and main
16 residential level. The building is overall an
17 L-shape, so the best way of understanding it is
18 that we're creating an L within the building for
19 circulation. At the two extremes of that L, we
20 have emergency stairwells. And at the
21 intersection of the two branches is the main entry
22 of the building with its circulation elevator.

23 So all the pedestrian entrance is on
24 20th Street, as far away from Kennedy Boulevard as
25 we could. And we've created a nice lobby with a

1 full-sized mail room and a trash room behind that
2 is accessed through the parking area, that has
3 access to the elevator to give you circulation
4 through the building.

5 The two stairwells, emergency
6 stairwells, one exits directly onto Kennedy
7 Boulevard. The other one exits into an exit court
8 that wraps around the building and allows
9 pedestrian exit to 20th Street.

10 The vehicular entrances to the building
11 have been purposefully designed so they're as far
12 away from Kennedy Boulevard as possible to avoid
13 any potential bottlenecking and our traffic
14 engineer is going to speak a lot more on that.
15 And what we're doing here is that we have proposed
16 no parking variance. So we made sure that every
17 single apartment in our building has two full
18 parking spaces. In addition to that, we're
19 granted bonuses by having EV stations. We're not
20 even counting that in our calculation.

21 Every single apartment has two parking
22 spaces. And these are compliant parking spaces
23 with the exceptions that I will describe now. You
24 enter from 20th Street into the main garage. And
25 you have a drive aisle that is over 24 feet wide.

1 You have entrance for cars on both sides, all of
2 these parking spaces are 9-by-18, single along the
3 south end. And along the north end, we have
4 tandem spaces. So that each apartment will have
5 their own tandem spaces. So you never have any
6 coordination between apartments or between
7 different residents. So, for example, space
8 number 088 and space 089, each of those spaces are
9 9-by-18 in size and that would be registered to
10 one apartment. So a husband and wife, two
11 partners, they would be having those two cars in
12 tandem. And, again, our traffic engineer is going
13 to go into a lot more detail and explain how that
14 really works.

15 The traffic aisle continues further into
16 the building. And, again, we have a full 24-foot
17 wide traffic aisle. We have our handicapped
18 accessible spaces all very close to the elevator
19 and the closest spots to the elevator. We have
20 the ones along the southern wall and along behind
21 the elevator banks on the northern wall. So that
22 we're fully compliant with ADA spaces. We also
23 took the concern that the ADA spaces also have EV
24 charging capabilities, which has become a real new
25 issue because people who have ADA spaces also have

1 electric cars. So now we're making sure that
2 that's part of our designs moving forward. And
3 there are ADA EV stations there as well, as well
4 as additional normal ADA spaces.

5 That drive aisle continues again to
6 another east-west portion of the building. And if
7 you go towards the east, again, we have cars on
8 both the south and the north with the same
9 concept. The cars to the south are single stalls,
10 the cars to the north are double stalls. This
11 slightly deviates from the size of the cars. The
12 first spot, and I'll use space 040 as an example,
13 is 9-by-18, the secondary spot which is in tandem
14 is 9-by-16. However, our traffic engineer is
15 going to speak of how two cars in tandem can
16 actually have a reduced car depth as well. So
17 this would be compliant with RSIS standards. And
18 he will talk more along those lines.

19 This drive aisle in moving towards the
20 west gets reduced slightly in size to 20 feet at
21 its closest spot, where again we have some compact
22 spaces. That instead of being 18 feet deep, they
23 are 16 foot deep. Those are in tandem as well so
24 that they work. So in total, they have 32 feet to
25 park two cars, which is very comfortable.

1 So now, taking you -- we spoke about the
2 vehicular traffic through the building. I'd like
3 to walk you through the building as if you were a
4 resident or a visitor. Off of 20th Street, you
5 have the main entryway in a beautiful lobby.

6 CHAIRPERSON GARCIA: Can you go back to
7 the parking layout? Can you give me the dimension
8 of the -- what is the width of the parking space
9 here, where you say 20, you got 24 one place, 24
10 in another, 26 in another.

11 MR. PEREIRAS: Yes. So the drive aisle
12 is -- varies depending on where you are in the
13 building. Almost everywhere, so where I'm
14 indicating, here, the main access, east-west,
15 that's 24 feet 3 inches wide. That's very wide
16 for a multifamily parking aisle. For this main
17 access, from here to here, it is 24 feet wide, it
18 zigzags a little bit, but it's 24 feet wide. The
19 only place that we actually reduce it is at the
20 very end, where we have some compact spaces, which
21 is 20 feet 9 inches. And, again, our traffic
22 engineer is going to speak of how that is still
23 comfortable to turn, particularly because those
24 are compact cars that are going into those spaces.
25 So compact cars are smaller in general and now

1 that's where they're located, where there's the
2 reduced drive aisle.

3 Then the primary drive aisle that is
4 going north-south on the building, this is 24 feet
5 wide as well.

6 CHAIRPERSON GARCIA: How is -- what
7 about here, at the -- to get to the access to the
8 parking 31 -- 30, 31, 32 and 33, I don't have the
9 dimension here?

10 MR. PEREIRAS: Okay.

11 CHAIRPERSON GARCIA: Narrow.

12 MR. PEREIRAS: I have that dimension on
13 my drawings. The drive aisle is 24, we drew the
14 garage door is smaller, there's no reason for
15 that. That could be a full 24 feet wide as well.
16 We're happy to do that.

17 CHAIRPERSON GARCIA: Okay.

18 MR. PEREIRAS: And that's a good point
19 to bring up, Mr. Chairman, because there is access
20 to an additional four cars on the other side of
21 that wall, on the side yard or rear yard,
22 depending on how you look at it. So we could open
23 that wall to a full 24 feet.

24 CHAIRPERSON GARCIA: Okay. Also just to
25 give an example, between parking spaces 57 and --

1 no, 55 and 53, you got a column there?

2 MR. PEREIRAS: Yes, we do.

3 CHAIRPERSON GARCIA: How big are the
4 columns?

5 MR. PEREIRAS: So if you notice, we drew
6 a line on both sides of those columns. So our
7 parking spaces are measured from the face of the
8 column to the line of the parking line. So we're
9 not cheating it in any way, these are true 9-by-18
10 spaces or 9-by-16 spaces, speaking about the
11 compact spaces, so that there's room between them.
12 Yes. And that's true throughout the layout,
13 doesn't matter where you're seeing those columns
14 in the plans.

15 CHAIRPERSON GARCIA: Okay.

16 MR. PEREIRAS: And in order to make that
17 even more clear, we created a dashed line at the
18 face of the column, so that you could legitimately
19 see that column.

20 CHAIRPERSON GARCIA: And you're going to
21 have 89 parking spaces inside, right?

22 MR. PEREIRAS: In this building, plus
23 another 18 across the street.

24 CHAIRPERSON GARCIA: Okay.

25 MR. PEREIRAS: So moving forward, you

1 enter the main lobby. That main lobby, there will
2 be a beautiful mail room and package room. It's
3 really important today to have package rooms in
4 multifamily buildings because we are more and more
5 accustomed to Amazon deliveries. And the last
6 thing you want is the lobby to be covered with
7 packages. So now when we design multifamily
8 buildings, any time we're over 20 units, we have a
9 package room in there. And that room has a keypad
10 in it, so that a delivery person can buzz into
11 that room. There's a series of shelves and they
12 could put the packages on the shelves, so that the
13 residents are then notified that their package is
14 in the mail room. They come with the code and
15 they're able to enter that. That allows so that
16 the Amazon deliveries, it creates a very safe
17 building. Because then you don't have outside
18 people going through the hallways and coming into
19 different rooms. So that package room is an
20 important part to the security of the project.

21 You enter the elevator and I'm going to
22 turn now to the residential floors. And you're
23 left into the main hallway. And as I described
24 earlier, we tried to design buildings to be as
25 simple as possible. And the reason we try to do

1 that simplicity is because we all enter buildings
2 every day, if there's a fire, if there's an
3 emergency, you don't want to be figuring out how
4 do I escape, how do I get out of here, what turns
5 I want to do, as if you're a rat in a maze. This
6 is as clear and as simple as possible. It's an
7 L-shaped corridor across the entire building. And
8 at the end of both of the corridors, there's a
9 fire stair. So there's no place throughout this
10 corridor that you are not within two separate
11 means of egress throughout this building.

12 And the elevator is at the intersection
13 of those two spaces. And we're using that corner,
14 that dark corner within the building to create
15 amenity space. So each floor will have 682 square
16 feet of amenity space. The first one being a
17 small gym. And then a small conference room on
18 the different levels. The owner will distribute
19 that as he sees fit, but that would be right next
20 to the elevator, those 682 square feet. Also in
21 there will be an area of refuge so that someone
22 that has any form of disability will have an area
23 that they could hold there and call for emergency
24 services to pick them up, if there's any need. So
25 they know what floor they are with a communication

1 device. And that is all located next to the
2 elevator.

3 Also next to the elevator is a trash
4 chute room. So there will be a room with a door.
5 That door leads you to a trash chute where every
6 resident throws their garbage out. That's very
7 important because it creates a controlled way of
8 getting rid of their garbage and the waste. And
9 there's one located on each floor, right next to
10 the elevator shaft.

11 And next to that is a utility room.
12 When we're designing buildings of this size, you
13 want to make sure they're kept clean, okay, and
14 that there's good abilities for a maintenance crew
15 to be able to work these buildings. So we took
16 the consideration to work that into our floor plan
17 so we have a space where there will be a mop sink.
18 There will be a place so they could mop the
19 floors, clean the area, and actually keep tidy the
20 building, the super could do that.

21 And then I'd like to describe the actual
22 units themselves. They're all extremely similar
23 and they take a contemporary floor plan design.
24 When you walk into a unit and I'm just taking one
25 as an example. Let's talk about unit number 10,

1 you enter the unit. And you enter into one large
2 open area. You have your kitchen to the right
3 with a beautiful island in the middle, so that you
4 are opening and your groceries are closest to the
5 kitchen, you can drop off the groceries, a very
6 simple design. But what I love about this is once
7 you open that front door to the unit, you're
8 seeing all the way to the back of the unit and the
9 windows along the living room, so that it feels
10 big. It actually feels bigger than what it is
11 because you're opening into one big space. So we
12 have a space, the living room is 12-by-16-5, but
13 then it's adjacent to the kitchen, which is the
14 same size. And it really just makes the space
15 feel twice as big. And then we have a simple,
16 very clean, honest design, where you're in the
17 living room and you have a bedroom to your left
18 and a bedroom to your right, splitting both sides.
19 And that creates a level of privacy, you have
20 parents, the bedroom walls aren't touching each
21 other, so there's a little bit of a sound
22 attenuation. You could have a conversation and
23 not be heard by your children. And what we did is
24 we created one that's a master, which has a
25 walk-in closet and its own bathroom. And then the

1 other one is the secondary bedroom, that has a
2 nice closet. And we created a hall bath as well.
3 And that hall bath, it's important to note, is a
4 handicapped accessible bathroom. So every single
5 one of these units are adaptable units. I cannot
6 stress the importance and the -- that we have a
7 complete lack of adaptable ADA units in Union
8 City. It's hard. There's families that have
9 disabilities, not necessarily things that are
10 obviously, but even just the elderly, and they
11 have restriction. This is a building that every
12 single one of the proposed units that we have
13 complies and is fully adaptable to accommodate
14 this section of our society.

15 And then finally each of the apartments
16 has both a washer and dryer and it has its own
17 utility room. So they have control of their
18 utilities with their hot water heater and heating
19 and cooling within that same unit. And we're
20 providing ample closet space. When you walk into
21 each unit, there's a coat closet to the left, we
22 have a linen closet next to the bathroom. And
23 each bedroom has ample closets. How did we
24 accomplish this? Because we have good sized
25 units. We have 1,093 square feet for example for

1 the one unit that I'm talking about now.

2 Almost every unit along this bay has
3 approximately the same size, some are a little bit
4 bigger. For example, the ones on the north side
5 of this corridor are 1,207, 1,204 square feet.
6 The last one is 1,128 square feet for example.
7 And those are all very typical and it wraps around
8 with the same concept for individual floor plans,
9 as you go further back in the building.

10 The difference becomes over here where
11 we have two one-bedroom apartments per floor. And
12 these are very similar, except they're a little
13 bit smaller. The second bedroom, from what I
14 described on the left-hand side, where you have a
15 bedroom on each side of the living room space is
16 missing on this. Yet, they're still very nice
17 sized units, they're 927 square feet and 940
18 square feet.

19 I'd like to point out that in the first
20 residential floor, on the second floor, we're
21 setting the building back from the property line
22 from everything on the north, it's getting set
23 back. So on the lower level, the building is
24 close to the property line. On the upper levels,
25 we're creating -- we're making sure that the

1 neighbors have plenty of light in their backyard.
2 So we're setting that building further back as
3 well. And since we have that first floor that
4 has -- that comes out a little bit further, we're
5 proposing balconies for the apartments on that
6 second floor. So only that second floor apartment
7 will have balconies along that -- on top of the
8 roof of the first floor. The apartments above
9 will not have that.

10 And just to speak a little bit to the
11 floors. Each floor is identical in nature, so
12 we're creating a series of pancakes, three
13 pancakes on top of each other. And that creates
14 six one-bedroom units and 48 two-bedroom units.
15 So our project proposal again is a total of 54
16 residential units.

17 The following sheets are engineering
18 drawings and there are a few things on the
19 engineering drawings that I would like to point
20 out. We are creating a building that has zero
21 runoff from a water standpoint. When it rains,
22 any water that lands on this property will remain
23 on this property through stormwater management.

24 These are the C sheets, sheet C05, I'm
25 particularly on sheet C05. So going back to my

1 testimony, so there will be 0 percent runoff on
2 the site. Any water that lands on the site will
3 be drained and handled within the site.

4 The other very important aspect from an
5 engineering standpoint is lighting. We wanted to
6 make sure that the site was safe at any time of
7 day. So we're proposing a series of sconces all
8 around the property. As you could see here, the
9 sconces are shown on the floor plan as ellipses,
10 that show the distribution of light. And if you
11 could see, we made sure that every spot on the
12 sidewalk is getting hit by a little bit of light,
13 so it's not an obnoxious flooding light, it's a
14 light that actually lights up the sidewalk so that
15 people feel nice and safe and comfortable. And
16 that happens all around the building and even
17 along the back, along the western side. So these
18 are shielded lights that point to the ground and
19 shine up a little bit on the building facade, but
20 don't shine into neighbors' houses. So that was
21 very purposefully done in that sense.

22 All the utilities are new. We will have
23 new electric lines, new water lines. The building
24 will be fully sprinklered. So fire suppression,
25 deaths by fire in the State of New Jersey in a

1 sprinklered building continues to be zero due to
2 fire. There was one death due to smoke
3 inhalation, but sprinkler buildings are extremely
4 safe. And this is a building that will be fully
5 sprinklered and will fully adhere to all building
6 code requirements.

7 And, finally, I'd like to mention our
8 roof. We are not proposing any roof decks. We're
9 not proposing any roof amenities. The roof is
10 actually a roof. We will be probably using the
11 roof for some stormwater management components, so
12 there will be a component of green roof on the
13 roof. And we have one stairwell that goes up to
14 the roof. And the elevator bulkhead penetrates
15 past the roof because it's a nice tall elevator,
16 but it does not discharge on to the roof. So the
17 roof is strictly a roof, not a roof deck, not any
18 amenities on the roof.

19 And then for the facade of the building.
20 The most important aspect that I'd like to present
21 is that we have agreed to and believe that we
22 should have a fully brick building on the facades
23 that are visible. So on the facade of Kennedy
24 Boulevard and the facade of 20th Street, the
25 drawing submission package that you have shows

1 fully brick so you could see the four-story
2 building. And you could see brick and now the
3 rendering that I have to my left -- and Counsel
4 should I mark this as?

5 MR. PANEQUE: A-1.

6 MR. PEREIRAS: A-1. I'm marking this
7 A-1 with today's date.

8

9 (Rendering marked A-1.)

10

11 MR. PANEQUE: Thank you, Mr. Pereiras.

12 MR. PEREIRAS: Thank you. So the
13 concept that we'd like to portray is that we're
14 providing a brick building. We're providing a
15 series of architectural features to break up the
16 sizing and the mass of the building. Remember we
17 have a building that's -- a lot that's over 240
18 feet in length. So we created a series of
19 vertical bays in order to break that monotony of a
20 large building, to make it feel like they're
21 smaller buildings that fit into the streetscape
22 and fit into the rhythm of 20th Street, when you
23 get to the residential houses further back.

24 We're introducing a pitch to the top
25 floor roof, so that it is adding an element of a

1 residential neighborhood as a token. And then
2 we're also bringing elements that were present in
3 the old Lieber Funeral Home, some columns along
4 the front of the building, and a few touches, to
5 kind of just reminisce what was there, because
6 there are a lot of emotions and heart with the old
7 building. So we wanted to make sure we're not
8 just tearing it out and ripping out. We're
9 keeping a piece of that emotional connection that
10 Union City has with this building and really
11 honoring it with the facade and the building that
12 we're proposing here today.

13 And that concludes my testimony. I know
14 the Board must have a lot of questions and we have
15 other experts that will be presenting as well.

16 CHAIRPERSON GARCIA: How do you prefer
17 to continue or listen and open later for the
18 questions?

19 MR. PEREIRAS: I think we can do
20 questions now.

21 CHAIRPERSON GARCIA: You're going to
22 begin anyway with the questions, okay. Can you go
23 through the setbacks?

24 MR. PEREIRAS: Yes, I'll be happy to.

25 CHAIRPERSON GARCIA: For you, rear is

1 the west side, 20th Street, right?

2 MR. PEREIRAS: Yes.

3 CHAIRPERSON GARCIA: Okay. But the
4 front of the building, it is -- the entrance is on
5 20th, but the front is Kennedy Boulevard.

6 MR. PEREIRAS: Correct. So the way the
7 Union City --

8 CHAIRPERSON GARCIA: For us to
9 understand the setback is my question. So the
10 front is 2000 Kennedy Boulevard.

11 MR. PEREIRAS: Correct. So the way the
12 Union City ordinance is written, the primary road,
13 which would be Kennedy Boulevard, is considered
14 the front yard. It's not considering where the
15 entrance of the building is, that doesn't matter,
16 from the Union City ordinance. There are other
17 ordinances that treat corners differently, many
18 ordinances treat corners as having two front yards
19 and then two side yards on the two sides of the
20 corner, not having a rear yard.

21 Our ordinance does not. Our ordinance
22 says you have to pick the primary street. The
23 primary street here no doubt is Kennedy Boulevard.
24 So our rear yard is the western end of the
25 building.

1 CHAIRPERSON GARCIA: Okay.

2 MR. PEREIRAS: So for purposes of the
3 record -- and I'll walk through all the setbacks.
4 And our planner is going to be more precise on the
5 different setbacks that we're requesting. Along
6 Kennedy Boulevard, that setback is 18 inches. We
7 created 18 inches specifically so that we could
8 have a strip of landscaping along the building and
9 so that we could create some ornamentation to the
10 building like the columns I described earlier.

11 CHAIRPERSON GARCIA: That's what we call
12 front setback?

13 MR. PEREIRAS: Yes.

14 CHAIRPERSON GARCIA: Okay.

15 MR. PEREIRAS: Our side yard setback, we
16 have two. 20th Street is set back 18 inches. And
17 since it's an irregular lot that's L-shaped, we
18 have different setbacks along the northern end of
19 the building. Where the residential houses are on
20 Kennedy Boulevard, it's almost 4 feet. It's
21 actually 3 foot 11 inches set back there to the
22 residential houses. When you get further back to
23 the lots in the rear, we have a zero setback
24 there. Where we have our stair discharge, we want
25 to make sure that it is ample for fire safety, so

1 people could get out. So we increased that to
2 6 feet 6 inches along that portion of the
3 building.

4 CHAIRPERSON GARCIA: Six what?

5 MR. PEREIRAS: 6 feet 6 inches.

6 CHAIRPERSON GARCIA: That's the north
7 end side?

8 MR. PEREIRAS: The northeast corner.

9 CHAIRPERSON GARCIA: The northeast.

10 MR. PEREIRAS: It's the north setback on
11 the easternmost area of the site. And then what
12 we have as our rear yard setback at its minimum
13 point is 15 feet and at its greatest point, it's
14 17 feet 11 inches. And again for purposes of our
15 ordinance, that's a rear yard, but in many
16 respects, it doesn't feel or read from a planning
17 standpoint like a rear yard. Because if you're on
18 20th Street and you're looking at this building,
19 there's more buildings to the side here. So it
20 feels like a side yard setback. So from a side
21 yard setback perspective, we are very large at
22 15 feet, where you expect 3 feet between
23 buildings.

24 CHAIRPERSON GARCIA: Okay. Going inside
25 of the first floor, understand that the second

1 floor, third floor and fourth floor are the same?

2 MR. PEREIRAS: Yes.

3 CHAIRPERSON GARCIA: Can you go through
4 the dimension of the hallway?

5 MR. PEREIRAS: Of the hallways above?

6 CHAIRPERSON GARCIA: Yeah, second floor,
7 where the residential -- the first residential.

8 MR. PEREIRAS: Yeah. All the hallways
9 are 4 foot 4 inches wide.

10 CHAIRPERSON GARCIA: Okay. And you have
11 18 apartment per floor?

12 MR. PEREIRAS: That's correct.

13 CHAIRPERSON GARCIA: And you have one
14 elevator for the whole building?

15 MR. PEREIRAS: We do.

16 CHAIRPERSON GARCIA: Okay. In your
17 facade, Mr. Pereiras, you have like dark brown
18 top?

19 MR. PEREIRAS: Yes.

20 CHAIRPERSON GARCIA: What is that? What
21 material is that?

22 MR. PEREIRAS: That is roofing material,
23 which would be like an asphalt shingle. And by
24 the way, Mr. Chairman, we're so open to working
25 that facade and making changes. That could be a

1 metal seam roof, it could be asphalt shingle.

2 CHAIRPERSON GARCIA: Could be like how
3 you call that, slate or something --

4 MR. PEREIRAS: Yeah, we could do -- not
5 a slate roof because that art form has,
6 unfortunately, kind of disappeared. But we could
7 do a faux slate roof that looks like slate from
8 every perspective.

9 CHAIRPERSON GARCIA: Okay. And how does
10 the mechanical room, also the garbage place, and
11 everything how -- where you have that?

12 MR. PEREIRAS: So we have -- so first
13 from the apartments, there's a trash chute that
14 sends the garbage down to the lower level. And in
15 the lower level, we have our trash room that will
16 have a compactor on-site. So that trash, as it
17 comes down, gets compacted into a long black bag
18 that then gets cut on garbage days and taken out
19 to the street for collection.

20 CHAIRPERSON GARCIA: Okay. Any other
21 questions? We don't have for now, but I know
22 we'll have later.

23 MS. PEREIRAS: We will follow up with
24 our traffic engineer, Mr. Lee Klein.

25

1 L E E D. K L E I N, after having been duly
2 sworn or affirmed, did testify as follows:

3
4 MR. KLEIN: My name is Lee middle
5 initial D as in Daniel, Klein, K-L-E-I-N. I'm a
6 professional engineer in the State of New Jersey.
7 My license is current and in good standing. I'm
8 also a nationally certified professional traffic
9 operations engineer and that national
10 certification is also current and in good
11 standing. I'm the principal of Klein Traffic
12 Consulting and I'm the traffic engineer for this
13 application. And I believe I've been before this
14 Board.

15 CHAIRPERSON GARCIA: Yes.

16 MR. KLEIN: A couple of times.

17 CHAIRPERSON GARCIA: The one on 30th
18 Street -- more than happy to have you here.

19 MS. PEREIRAS: Mr. Klein, if you would
20 be so kind as to report to the Board your findings
21 as to the traffic impact and the parking that this
22 project proposes?

23 MR. KLEIN: Certainly. I prepared a
24 traffic engineering evaluation report dated
25 February 26, 2025. And in that report, I

1 developed the trip generation calculations for the
2 54 units. We consider this a midrise in the
3 Institute of Transportation Engineers Trip
4 Generation, 11th Edition, the current edition.
5 And that development of 54 midrise apartments is
6 expected to generate 18 vehicle trips during the
7 AM peak one hour, an hour between 7 and 9 in the
8 morning, three trips entering, 15 trips exiting.
9 And 14 trips during the PM peak hour, that would
10 be the highest hour between 4 and 6 PM, ten
11 vehicles coming in and four vehicles exiting.

12 This is a very low generator of traffic.
13 And as our aware, we've got the majority of our
14 parking under the building and then there's a
15 small parking area across the street. So the
16 traffic will be coming out and in on 20th from
17 Kennedy, entering, turning either left into the
18 site or right into the remote parking. And then
19 when they're ready to leave, they'll make a turn
20 out to 20th and head towards Kerrigan.

21 My observations were that when you're at
22 the intersection of 20th and Kerrigan, the signal
23 at 19th creates gaps in the northbound direction,
24 so it's very easy for people to make a left turn
25 onto Kerrigan when they're ready to leave.

1 There's also mass transit nearby, about
2 a tenth of a mile, two minutes away at 19th Street
3 and 21st Street. There's several buses that
4 provide service to the Port Authority bus
5 terminal, Journal Square, Hoboken PATH, Hackensack
6 and Ridgefield Park and Bogota.

7 Let's talk about the parking. So as you
8 heard earlier, we've got 107 parking spaces
9 between the two properties and we require 107
10 parking spaces. Based on the Residential Site
11 Improvement Standards, the 1.8 parking spaces for
12 one-bedroom times six is 11, the two parking
13 spaces per unit for the 48 two-bedrooms is 96, add
14 those up and you get 107. We also get credit for
15 proposing 15 percent electric vehicle parking
16 spaces. And in return for proposing those
17 electric vehicle parking spaces, we get a 10
18 percent credit. So the 107 becomes 117, you can
19 add up to 10 percent, which would be 10 more
20 spaces. So we have the equivalent of 117 parking
21 spaces. Again, as Manny had said, we don't need
22 that credit, but we're able to take the credit.
23 So 102 total bedrooms, 107 total parking spaces.
24 So we've got at least one-to-one parking spaces
25 per bedroom.

1 I'll talk a little bit about what Manny
2 had mentioned during his testimony. Yeah, there
3 are some parts of the drive aisle that are less
4 than 24 feet wide. But as he said, the space
5 that's 20 feet 9 inches is where the compact
6 vehicles will back up, so it's not going to be a
7 problem of the compact, the shorter cars being
8 able to maneuver in that 20 foot 9 inch drive
9 aisle.

10 The tandem parking spaces, they'll be
11 treated similar to a person has a single car
12 garage and a single car driveway. So in the
13 morning or the night before, you'll figure out who
14 has to leave first, and that person will park on
15 the outside tandem spot and the person that's
16 leaving second will park on the inside spot. And
17 that will be because each of the two bedrooms or
18 the people that need two cars will share the same
19 pair of tandem spaces.

20 I think that was it. So in general or
21 in conclusion, I guess I'll say, the trip
22 generation is a very low number, again 18 cars in
23 and out during the AM peak hour, 14 cars in and
24 out during the PM peak hour. The one way
25 circulation of coming in off of Kennedy on 20th,

1 coming into the site when you're leaving, leave
2 20th and head to Kerrigan makes the flow work very
3 well.

4 CHAIRPERSON GARCIA: My question to you,
5 Mr. Klein, is you, as a traffic expert, and also
6 handling the inside of the parking layout, how do
7 you feel, in this layout, you know, how to
8 maneuver your car inside of -- I'm a little bit
9 concerned, you know, like when it narrow down, it
10 will be when you go to -- let's say, when you go
11 through the main entry, when you go to, let's say,
12 parking 50 and 51 or, let's say parking 60,
13 there's a compact car.

14 MR. KLEIN: Right, in this area?

15 CHAIRPERSON GARCIA: Yes.

16 MR. KLEIN: There's eight parking spaces
17 in that tandem, but yeah, they're in that narrow
18 spot. But they're the compact spots in the front.
19 So maneuvering, again, don't forget, everybody is
20 going to be assigned a parking spot. So when you
21 drive into your -- when you're at home, you drive
22 into your driveway, you know, the tree, the
23 garbage can, you know exactly how to maneuver. So
24 people become accustomed to maneuvering in and out
25 of those parking spaces.

1 CHAIRPERSON GARCIA: Also --

2 MR. KLEIN: And, again, they're 9 feet
3 wide, so that gives the ability for them to make
4 the swing. Plus they're actually wider than 9
5 foot in some spots with the column.

6 CHAIRPERSON GARCIA: Also, I know that
7 Mr. Pereiras stated that when you have tandem
8 parking with one compact, the other one the
9 regular, it's okay to moderate there, I understand
10 that. However, when you go to parking space 61,
11 60, 59, 58, or going from 58 to 61, all of them,
12 they're not tandem parking, however, they're
13 compact. How big are those parking spaces?

14 MR. KLEIN: 58 through 61 are 9-by-16,
15 compact, and they're single loaded --

16 CHAIRPERSON GARCIA: 9-by-16?

17 MR. KLEIN: 9-by-16, 61, 60, 59, 58.

18 CHAIRPERSON GARCIA: So the regular one
19 is, they are 9-by-18?

20 MR. KLEIN: 9-by-18 are the ones that
21 are in the -- actually in the main aisle that's
22 more than 24 feet wide.

23 CHAIRPERSON GARCIA: Okay.

24 MR. KLEIN: The ones that are across
25 from 58 through 61, number 50 through 56, those

1 are pairs of compact spots. Those are -- so where
2 the aisle width is only 20 feet almost 10 inches
3 wide, the parking -- the cars that are going to
4 maneuver there are only compact cars.

5 CHAIRPERSON GARCIA: Okay. Any other
6 questions?

7 VICE CHAIRPERSON GRULLON: The
8 combination of the two compact spaces, it's going
9 to be 32?

10 MR. KLEIN: Correct, yes. I mean the
11 average car is 16 feet. If you're parking behind
12 the person that's in your house, you'll be able to
13 park easily within those spots.

14 VICE CHAIRPERSON GRULLON: That car to
15 the left of parking 56, is that an emergency exit?

16 MR. KLEIN: That I would have to ask
17 Manny.

18 VICE CHAIRPERSON GRULLON: Most likely
19 that door is going to be blocked.

20 MR. PEREIRAS: That door swings out to a
21 courtyard, that is an emergency exit.

22 VICE CHAIRPERSON GRULLON: Emergency
23 exit.

24 MR. PEREIRAS: We have more emergency
25 exits than we need to have.

1 CHAIRPERSON GARCIA: Any other
2 questions?

3 MS. PEREIRAS: We also have our planner,
4 Mr. McDonough.

5 CHAIRPERSON GARCIA: Thank you, Mr.
6 Klein.

7
8 J O H N M c D O N O U G H, after having been
9 duly sworn or affirmed, did testify as follows:

10
11 MR. McDONOUGH: Hi, everyone, John
12 McDonough, M-C-D-O-N-O-U-G-H, I'm the project
13 planner.

14 MS. PEREIRAS: Mr. McDonough has
15 appeared before this Board on several --

16 CHAIRPERSON GARCIA: Very happy you're
17 here.

18 MR. McDONOUGH: Always nice to be here,
19 Mr. Chairman.

20 MS. PEREIRAS: Mr. McDonough, if you
21 could kindly provide some testimony on the
22 proposed application.

23 MR. McDONOUGH: Sure. For the record,
24 my license is current and in good standing. We've
25 provided some exhibits, which have been given to

1 the Board in the form of large exhibits. I'm
2 going to give you handout versions of the same
3 thing, so you can look at it up close. I think
4 this is a situation where the site and the context
5 will speak to the appropriateness of what the
6 applicant is proposing here. And you'll see that
7 with the visuals that I give you. I'll start
8 here, Mr. Chairman?

9 CHAIRPERSON GARCIA: Thank you.

10 MR. McDONOUGH: There's going to be four
11 pages, so I don't know, Counsel, if you want to
12 mark them as one or four separate exhibits?

13 MR. PANEQUE: I think that we -- is the
14 one we marked already outside of those?

15 MS. PEREIRAS: That's the rendering,
16 that's separate and apart.

17 MR. PEREIRAS: I would mark them as A-2
18 for all four.

19 MR. PANEQUE: We could mark it as a
20 packet as A-2.

21

22 (Planning packet marked A-2.)

23

24 MR. McDONOUGH: So A-2 for the record is
25 going to be a series of drone photographs, aerial

1 drone photographs that were taken actually today,
2 so they're as close to real time as we can
3 imagine. We do have an aerial satellite image
4 that will open up the exhibit here. There are a
5 couple things that jump out on the first page of
6 exhibit A-2. Number one, we've outlined the
7 subject property in yellow, which has that
8 familiar shape, you know it well. As you heard
9 through Manny's testimony, one of the things that
10 is unique about this particular piece of property
11 is that it is supersized in the context of the
12 zoning ordinance. Your zoning ordinance envisions
13 smaller lots here, 2,500 square feet. This is
14 substantially larger at over 30,000 square feet.
15 So there's excellent carrying capacity in the land
16 to accommodate a development of this scale that
17 the applicant is looking to achieve here.
18 Importantly, the overall lot coverage is
19 conforming. The applicant is not asking the Board
20 to move on any relief in that regard.

21 Likewise, the applicant is asking the
22 Board to move on height relief. But as you look
23 at the surrounding images that we've given you,
24 this is an in-fill development that is surrounded
25 by four-story buildings. And the applicant is

1 nicely respecting the mass and scale of the
2 buildings around it by proposing a four-story
3 building. We're not looking at a five or a six or
4 a seven-story building here. So this in-fill
5 development is going to be in scale and on par
6 with the surrounding land use character. It is
7 not going to overpower the neighborhood. And,
8 importantly, if you flip back to that first page
9 under A-2, you look at the surrounding
10 neighborhood pattern or the development pattern as
11 20th starts to approach Kennedy Boulevard. As we
12 get closer, this uniform pattern of small lot
13 residential development starts to break up with
14 much larger massing as we get to Kennedy, which is
15 appropriate when you have a primary road as one of
16 your frontages.

17 So what the applicant is looking to do
18 here is maintain some harmony with those buildings
19 that we see on the opposite side of the street,
20 endline and Kennedy. As we showed you in the
21 vertical photographs, in the birds' eye
22 photographs, on a height scale, we're compatible
23 with the neighborhood as well. So, the overall
24 pattern horizontally and vertically is in scale
25 with what we see as we approach the corner of

1 Kennedy and 20th Street.

2 This site consists of multiple tax lots.
3 As I said, it is supersized at over 30,000 square
4 feet. It is developed with a nonconforming use.
5 There may be some certainly emotional ties to the
6 nature of this use, but from a pure zoning
7 standpoint, we're in your R zone district, which
8 is a residential zone district. And this is a
9 non-residential use existing there now, which is
10 discordant with your zoning. It's not permitted
11 in the zoning district.

12 The applicant is proposing a residential
13 use in a residential area, replacing -- in a
14 residential zone, replacing a non-residential use.
15 So the applicant is bringing the site more into
16 compatibility with both your zoning and your
17 surrounding neighborhood. I think that's a good
18 thing from a planning standpoint as well.

19 The applicant is asking the Board to
20 move on the residential type, there's a use
21 variance here for this multifamily development in
22 what is a one- and two-family zone. But given the
23 pattern of the neighborhood as we show you on the
24 first page of A-2, you can see that there are not
25 a lot of these smaller lot developments that work

1 their way back to Kennedy Boulevard. So we think
2 what the applicant is doing here from a use
3 standpoint is reasonable and appropriate in the
4 context of what's on the ground and what the zone
5 plan contemplates.

6 So in terms of the relief that -- first
7 of all, the proposal that the applicant is seeking
8 here is to demolish everything that you see on the
9 ground now, and to replace it with this beautiful
10 new building that you saw in Manny's exhibits.
11 It's going to rise up to four stories, which will
12 match the four-story buildings that you see around
13 it. And a total of 54 units and a diversified mix
14 of bedroom types.

15 You heard about the creativity that went
16 into the design with the simple corridor, the
17 double loaded fire stairs on either end with the
18 way the units open up to provide for light and air
19 all the way back to the windows when you work your
20 way into the units. So these are going to be very
21 comfortable, spacious, attractive units, a very
22 nice living environment with a highly amenitized
23 setting as well through those amenity spaces on
24 each floor.

25 The parking complies here. The

1 applicant is not asking the Board to move on any
2 parking relief, that's important. We hear it all
3 the time here in your community about the parking
4 problems, so the applicant has responded and
5 respected that by providing for a parking
6 compliant plan. You just heard Mr. Klein's
7 testimony in that regard as well.

8 So moving you through the relief. Mr.
9 Spatz, as always, has given the Board a good road
10 map of what the applicant is asking the Board to
11 move on here in the residential zone district.
12 The primary relief is a (d)(1) use variance for
13 residential type that's not permitted in the zone.
14 Likewise, we do have building height relief that
15 would be a (d)(6) variance where this is going to
16 be a four-story building in a three-story zone.
17 We think that extra story is appropriate for the
18 provision of parking on the bottom and in an
19 appropriately scaled residential mix as well. A
20 residential density that the site can accommodate
21 because the parking supply will be met.

22 So we've got the (d)(1) and the (d)(6).
23 And then you have the setbacks which the Chair had
24 asked about. I'll run through them very quickly
25 here. The front yard setback on Kennedy is

1 1.1 feet where 7 feet is the minimum that's
2 required. This building is going to nicely anchor
3 the corner of 20th and Kennedy and has a setback
4 that's consistent with the four-story building on
5 the other side of 20th Street. So we're looking
6 at good harmony there from a street frontage
7 standpoint with the setback.

8 The rear yard setback of 15 feet, where
9 20 would be the minimum required. Again, as you
10 heard through Manny's testimony, it's mitigated by
11 the fact that this is an effective side yard as
12 you look at the site from 20th, where a two foot
13 setback would be required. The applicant is
14 actually providing 15 feet. It is a technical
15 rear yard based on the frontage of the property
16 being on Kennedy, which triggers that relief for
17 15 feet, where 20 feet would be the minimum that's
18 required for a rear yard setback.

19 So we're got relief for the front yard,
20 we've got relief for the rear yard. And then on
21 the side yards, we're looking at relief to be less
22 than 2 feet, we're zero at one point where we're
23 touching up against the adjacent property line to
24 the north. We're looking at a setback on the
25 combined side of 1.5 feet where 5 feet would be

1 the minimum that's required. Bearing in mind,
2 that pertains to the base or the podium level of
3 the building. As we rise up, as you can see
4 through the floor plans, the upper levels start to
5 get recessed. So we do respect the light and air
6 of the neighbors. It's really only at the ground
7 level where that relief is needed. And again
8 that's to effectuate positive parking on this
9 site. It's only one floor, it's only one-story.
10 And in that regard, we believe that the relief is
11 not going to have substantial impact on the light
12 and air of the neighbors.

13 Lastly, we've got coverage relief for
14 the building at 86.8 percent where 65 percent
15 would be the maximum that's allowed. That's
16 mitigated by the overall lot coverage compliant.
17 So whereas the building does not comply, the
18 overall site does comply. So there will be
19 adequate impervious and adequate pervious coverage
20 on this property.

21 Taking this all the way back to the land
22 use law in terms of the justifications on the
23 positive side, particular suitability, this site
24 is particularly suitable for the use by virtue of
25 its context and its condition. Contextually, as

1 these exhibits show you, we're looking at an
2 in-fill site here surrounded by four-story
3 buildings. There are other buildings in the area,
4 that the diversity of uses and forms is what
5 characterizes your community. But clearly the
6 applicant is not proposing anything here that is
7 out of character with what we see on the corners
8 in the community and particularly in this area.

9 We know it is good planning to
10 accentuate corners. We do that on buildings, we
11 do that from an urban design standpoint as well,
12 that will anchor the corner. We think add to the
13 aesthetic and the ambiance of Kennedy and 20th.

14 The site is also compatible and
15 particularly suitable by virtue of the fact that
16 we have four-story buildings around us, so we're
17 not creating anything that's substantially
18 different than is already in the local landscape.

19 Also on the positive side in terms of
20 the special reasons, we look at the purposes of
21 zoning that are advanced here. We always turn to
22 purpose A, the promotion of the general welfare,
23 which is advanced here with new housing stock.

24 You heard again through Manny's testimony how
25 these are going to be adaptable units to address

1 that shortage here in the community, particularly
2 for mobility-challenged persons or handicapped
3 persons. So that will cater towards that need and
4 we think that's a positive from a planning
5 standpoint. As I said, these are spacious, these
6 are comfortable. They're very creatively designed
7 to create a desirable living environment.

8 Lastly, we look at purpose I, the
9 promotion of a desirable visually environment.
10 The building aesthetic will speak for itself.
11 This is good, context sensitive design, respecting
12 the materials and the vernacular in the area and
13 also the prior use of the funeral home. I think
14 this pays good homage to that as well.

15 Purpose M, the promotion of efficient
16 use of land. Redevelopment is as efficient as it
17 gets, demolishing what's there. It's a developed
18 site, revitalizing it, repurposing it and putting
19 this underutilized land back to functional use.

20 And then finally purpose G to provide
21 for a variety of uses. We talk about this all the
22 time. This is not a monotony of units, but a
23 diversity of units. And that's a good thing from
24 a planning standpoint.

25 Based on all the testimony, you've got

1 good solid architectural and site testimony here.
2 You've got good solid traffic testimony as the
3 predicate to my conclusion that all relief can be
4 granted without any substantially adverse impacts
5 to the public. And certainly without a
6 substantial impairment to your zone plan. We all
7 know that your charge as a Board is to protect
8 your zoning ordinance. This is the R zone
9 district. The applicant is asking the Board to
10 move on relief from the requirements of that
11 district. I do not see the degree of departure
12 here as being substantial, where it will impair
13 the integrity of your R zone. This is a distinct
14 site with distinct characteristics. You can put a
15 rope around it to distinguish it from other
16 properties in the zone district. Therefore, if
17 you grant this relief here, you're not acting in
18 the capacity of the governing body, who only has
19 the authority to zone. This would not be
20 tantamount to a rezone, but exactly what a
21 variance application is supposed to be, relief
22 related to a specific piece of property with
23 distinct characteristics.

24 Based on all of that, my conclusion is
25 that the standard for relief are met, the criteria

1 are met. And approval for the use, the height,
2 and the related "c" relief for setbacks and
3 coverage are all warranted here.

4 Mr. Chairman, that's all I have on
5 direct.

6 CHAIRPERSON GARCIA: So, Mr. McDonough,
7 do you understand that the height required isn't
8 going to impact area?

9 MR. McDONOUGH: Whenever we look at
10 height, we always look at the purposes of height
11 control. One of the main reasons is to control
12 intensity of use and that relates to things like
13 parking, relates to the overall population, and
14 the number of units here. And I think the
15 applicant has done a good job of working within
16 the confines of what the site can support from a
17 density standpoint, adequate water capacity, sewer
18 capacity, and parking capacity. So from an
19 intensity standpoint, I don't see the height as
20 being a problem here. From a form standpoint,
21 again, we're looking at a four-story building in
22 an area that has multiple four-story buildings as
23 well. So I think there's good compatibility there
24 as well.

25 CHAIRPERSON GARCIA: Thank you. Any

1 other questions? I have -- thank you, Mr.
2 McDonough.

3 I have a question, Ms. Pereiras, why in
4 none of the plans showing the drawing for the 18
5 parking spaces in the separate lot?

6 MS. PEREIRAS: Why don't they show the
7 parking?

8 CHAIRPERSON GARCIA: Why they don't
9 show. I don't have any plans showing me.

10 MR. PEREIRAS: I have it.

11 CHAIRPERSON GARCIA: Can I see it?

12 MR. PEREIRAS: So in the architectural
13 drawings, on sheet Z01, we show the proposed
14 building as a full site, showing 20th Street and
15 showing the 18 parking spaces there. We didn't go
16 into more detail because we're not making any
17 changes to that parking lot. It's going to be 18
18 parking spaces, it will continue to be 18 parking
19 spaces. We're not changing that other than
20 cosmetics, add a little landscaping, stripe it
21 nicely, make the blacktop beautiful. But that is
22 shown here and that is showing the 18 spaces on
23 that.

24 CHAIRPERSON GARCIA: They're not
25 planning to enclose that?

1 MR. PEREIRAS: It's not going to be
2 enclosed, it's going to remain the same way it is
3 now.

4 MS. PEREZ: It's part of the building?

5 MR. PEREIRAS: It's part -- under the
6 same ownership. And it is controlled and together
7 with this site and this application. So it's not
8 like they could ever build something separately
9 there. It's 18 parking spaces for this building.

10 MS. PEREZ: But it's not necessarily for
11 the residents, it could be for anybody?

12 CHAIRPERSON GARCIA: It has to be for
13 the residents. It's part of whatever --

14 MS. PEREZ: It has to be for the
15 residents?

16 CHAIRPERSON GARCIA: The don't or
17 visitors, but it's part of the building. But I
18 have my concern -- and let me tell you, your
19 client brought a pretty good application here,
20 really, really going -- like respecting our
21 practice of parking spaces that is so needed in
22 Union City, that everybody knows we have. However
23 I have a -- my concern is with the setbacks. The
24 setback and the north side setback is adjacent --
25 it's wall-to-wall to the commercial property, that

1 it is a fire hazard. It is my concern.

2 Also, also I think the size of the floor
3 for one elevator, I think is just -- one elevator
4 for 54 units, I think is -- I don't think it's a
5 big issue. My main concern is that here, those
6 three -- those attach, it is terrible, terrible.
7 Especially that if you have a fire in your
8 building, okay, or fire in the commercial place,
9 there's no way that the fire department can get in
10 there. That's my concern.

11 I don't know another concerned about it,
12 the other Members of the Board.

13 MR. PEREIRAS: Understood, Mr. Chairman.
14 And there are --

15 CHAIRPERSON GARCIA: If you want to
16 before you go into detail, let me open to the
17 public.

18 MS. PEREIRAS: Sure.

19 CHAIRPERSON GARCIA: Any member of the
20 public wants to step forward?

21 MR. HECTOR: Good evening. My name is
22 Angel Hector, I'm here on behalf of multiple LLCs.
23 Good evening, Members of the Board, Board
24 Chairman.

25 CHAIRPERSON GARCIA: Can you stand in

1 the front, please, sir?

2 MR. HECTOR: Sure. I represent 2007
3 Kerrigan, LLC.

4 CHAIRPERSON GARCIA: Excuse me. He can
5 come as a representative or can he represent
6 himself or he's an attorney?

7 MR. PANEQUE: He's an attorney
8 representing his client on this. Is your client
9 here?

10 MR. HECTOR: No, I'm here on his behalf.

11 MR. PANEQUE: Okay.

12 MR. HECTOR: He's the principal of
13 multiple LLCs that the own the property
14 surrounding the --

15 CHAIRPERSON GARCIA: He doesn't need
16 like any -- telling him to represent, I mean
17 it's --

18 MR. PANEQUE: If he's sent as the envoy
19 of his client to represent their interests, it
20 shouldn't be an issue to speak publicly.

21 CHAIRPERSON GARCIA: Okay. But can I
22 also know the -- because he said multiple LLC. He
23 need to list them.

24 MR. PANEQUE: Could you please list your
25 clients?

1 MR. HECTOR: Just about to do that,
2 sorry about that. So 2000 Kerrigan, LLC, which
3 owns the property on 2000 Kerrigan Avenue.
4 Christopher Kerrigan LLC, which owns the property
5 on 1913-1915 21st Street. Lorja, LLC, that owns
6 the property on 2019 to 2023 Kerrigan Avenue.
7 1919-1921 UC, LLC, that owns the property at 1919
8 21st Street. 907 21st Street, LLC, that owns the
9 property on 907-909 21st Street. And finally
10 Angel's Law, LLC, which owns the property on 1900
11 Kennedy Boulevard.

12 CHAIRPERSON GARCIA: Thank you.

13 MR. HECTOR: So as I listed the
14 properties, they completely surround this
15 application.

16 CHAIRPERSON GARCIA: Are those -- all
17 those property in the 200-foot radius?

18 MR. HECTOR: Yes. And as was stated
19 here, there's multiple variances being applied
20 for. A use variance, for the setbacks, for the
21 coverage, and for the height. We feel that these
22 variances -- my client feels these variances will
23 severely impact his properties that literally
24 surround this application. I was just retained on
25 this matter and we'd also request that if the

1 Board would allow to carry this so we could have
2 our planner evaluate the plans. It seems like
3 there might be two sets, I don't know if these are
4 the ones that are on the podium. But we would
5 like a chance to evaluate that. We share your
6 concerns, Board Chairman, with the parking. There
7 seems to be a lot of tandem parking, people coming
8 back from work at the same time, even if they own
9 both spaces, seems to be a little problematic,
10 although they're not seeking a parking variance,
11 actually I think one may be appropriate for this
12 application.

13 And, lastly, as I said earlier, my
14 clients' properties surround this application.
15 And we appreciate the testimony tonight, but we do
16 feel that it will severely impact, not just
17 because of the height, because of the parking,
18 because of the setbacks, which the Board also
19 noted is an issue. But, yes, it's just
20 nonconforming to the ordinances. Thank you very
21 much.

22 CHAIRPERSON GARCIA: Quick question.
23 The LLC mentioned that you're representing, all of
24 the LLC received the notice?

25 MR. HECTOR: Yes.

1 CHAIRPERSON GARCIA: Okay. Thank you.
2 You don't have any other questions, you're just
3 asking for the courtesy to adjourn it for you to
4 come with your planner?

5 MR. HECTOR: Yes, we engaged a planner.
6 This was a little bit last minute for me in my
7 office. But this was just off my initial review.
8 We'd like some sufficient time to review --

9 CHAIRPERSON GARCIA: Any reason why if
10 the plans were submitted in the secretary, they
11 didn't -- you don't have the opportunity to come
12 to review it?

13 MR. HECTOR: I was just retained on
14 this, so that's why. Also just for a question, is
15 the plans that the Board has now the same ones on
16 the podium?

17 CHAIRPERSON GARCIA: It is the same.

18 MR. HECTOR: It is? Just wanted to
19 double check.

20 CHAIRPERSON GARCIA: That's why we're
21 trying to be really, really strict with the ten
22 days. This way then the 200-foot radius
23 interested person or LLC or whoever is have the
24 opportunity to come to review, make copy, do
25 whatever they have to do. And that's why we're

1 really, really strict with the ten days.

2 I don't understand why -- I mean, Mr.
3 Paneque, if they have been in the ten days -- all
4 those plans -- when was the plans date received?

5 MR. VALLEJO: Let me check. These plans
6 I have with me, according to the stamp, I received
7 this on February 28th, 2025, at 11:48 AM. And
8 according to what Mr. Pereiras mentioned before,
9 that the one he was using have a slightly
10 difference with the ones he drop off in February.

11 CHAIRPERSON GARCIA: And when was the
12 publication?

13 MR. PANEQUE: The publication date was
14 April 21st and mailing date is April 28th.

15 CHAIRPERSON GARCIA: Okay. Because
16 we're going to go to all the public, sir. Your
17 last name?

18 MR. HECTOR: Hector.

19 CHAIRPERSON GARCIA: Mr. Hector, yes.
20 Let me -- that's all your points? That's all your
21 requests?

22 MR. HECTOR: Yes, that's it.

23 CHAIRPERSON GARCIA: Mr. Pereiras, like
24 I mentioned to you before, any other member of the
25 public?

1 MR. GONZALEZ: Yes, actually yes. Thank
2 you, I was waiting patiently.

3 Ray Gonzalez, Union City, 545 39th
4 Street, plus several other properties within the
5 area. I'd like to really just walk over here
6 because I know this area because I moved herein
7 1964, that also dates me some, so easy.

8 I know it so well. This house, I grew
9 up in. I went to grammar school, I went to high
10 school. My best friend lived right here his
11 mother up until they sold this property for Lieber
12 and Ivory. My wife lived right over here. So I
13 know this area very, very well.

14 And what the planner was saying really
15 hits home. And I think it's important that the
16 Board realize the height of this building that's
17 being proposed is surrounded by this large
18 building here, right across the street from where
19 I, which was four-family, mind you. This was a
20 one-family, this was a four-family. There's were
21 all multiples here, multiples here. And this was
22 Acme at first. And before it was Acme, it was
23 Super Saver. So now I know it's various places.
24 But this property here is pretty high. And what I
25 found interesting that the Board brought up was

1 the top, the slate. Because this property over
2 here actually has the real slate that's probably
3 going to fall off it, not be able to be repaired.
4 But I thought it was pretty unique, the way the
5 style of the building was.

6 So I really feel that this -- knowing
7 the area and living there for years, I don't want
8 to say how many years, but years, it really is
9 consistent with the Boulevard because -- I'm going
10 to give you a little history, even one step
11 further. This property here that has the building
12 that's almost on a diagonal, that was always,
13 always there. All of this here, brick layers
14 building, and what was a bank at one time, that
15 was a florist, it got developed. They built this
16 and it was all consistent on that side and it was
17 consistent on this side.

18 So what's being proposed here actually
19 really conforms with everything that's in the
20 area. It's not anything that really would stand
21 out. And I know what Counsel just said about
22 his -- your dad's property, right?

23 MR. HECTOR: I didn't say that, but yes.

24 MR. GONZALEZ: It is your dad's
25 property. He's got all the properties around,

1 they haven't been developed. So those properties
2 actually were embroideries, they were factories.
3 Things that weren't consistent with what the area
4 was. So in making this, from what I would say is
5 a commercial establishment, that's what it is,
6 it's really conforming to what the area and the
7 zoning is, which is residential. And from living
8 here for so long and seeing what's being put up, I
9 can't see how it cannot be consistent with what's
10 already there and what the intent of Union City's
11 zoning ordinance really is.

12 And I was really impressed with the
13 parking, I was surprised. It's really fantastic,
14 I think it's great. And I can say that because
15 I've lived here my whole life. Not only do I own
16 these properties, I develop properties. I know
17 how hard it is to get enough parking for
18 everybody. And every building that I always do, I
19 always make sure that I have enough parking. And
20 it actually turns out that there's more tenants
21 that don't even have cars, so I have a lot of
22 parking spots in my properties all the time. And
23 to have this amount for the proposal is
24 impressive.

25 So I just, as a resident, as an owner of

1 property in the area, it looks like it's going to
2 be something that's actually consistent with the
3 Union City zoning laws. So thank you for taking
4 the time to listen to me and the history lesson.

5 VICE CHAIRPERSON GRULLON: Thank you.

6 CHAIRPERSON GARCIA: Thank you.

7 MS. GUTIERREZ: Thank you very much.

8 MR. PEREIRAS: So before we continue, I
9 just want to clear up something as far as
10 testimony. The drawings on the easel are the same
11 exact drawings that were submitted to the Board.
12 I made a comment earlier that I added some
13 dimensions on it, those were my own personal
14 dimensions so when I'm speaking, I could have a
15 reference as I present. But they're the same
16 documents that were submitted to the Board, they
17 have just have some extra notes for myself for
18 presentation purposes. That's all. Thank you,
19 Mr. Chairman.

20 CHAIRPERSON GARCIA: I concur with the
21 plans that we have.

22 Mr. Pereiras, that's my -- personally, I
23 don't know with the other Members of the Board --
24 my only concern is the setback with the commercial
25 property.

1 MR. PEREIRAS: I hear you, Mr. Chairman.
2 I have a solution for that and I also before I
3 explain a solution, I also want to explain a
4 little bit from a code standpoint that could put
5 you a little bit more at ease as well. We have,
6 for that first story, it is what's considered an
7 S2 from the building code standpoint. An S2 is a
8 parking facility. An S2 use type requires that
9 the building there on that level be what's called
10 Type I or Type II construction. That is
11 significantly different from most other
12 constructions that we see.

13 When we're building upstairs, that's
14 wood frame, there's different materials are used.
15 When it's Type I or Type II construction, it's
16 very similar to a high-rise. You have to build to
17 a higher standard, a different level. All the
18 material on that first floor will be
19 noncombustible. So that parking garage, those
20 wall that are close to the edge, they're made out
21 of concrete, they're made out of block, they're
22 made out of material that will simply not burn.
23 So from a fire standpoint, from a safety
24 standpoint, even being right up against another
25 property, we are holding that safety standard.

1 And Mr. Chairman made a great point. He
2 wants access for fire department to get back
3 there. So we will continue to have that same
4 standard of safety and keep that firewall. And
5 what I propose that we do is if we turn to the
6 parking structure, and Mr. Klein, come up here,
7 just so you could see what I'm going to describe
8 as well as I present.

9 We have four compact parking spaces
10 here. What we could do is the same parking spaces
11 that we have along this side, we could shift this
12 whole parking area down so that it lines up
13 beautifully across here. So now we have the same
14 compact spaces and real sized spaces are slid
15 down. That allows me to have a nice setback along
16 the back of the building.

17 CHAIRPERSON GARCIA: Which one is the
18 setback there?

19 MR. PEREIRAS: So right now it's zero.

20 CHAIRPERSON GARCIA: No, no, the other
21 side.

22 MR. PEREIRAS: On this side, it is
23 5 foot 6.

24 CHAIRPERSON GARCIA: Okay, okay.

25 MR. PEREIRAS: So we'll maintain that

1 same setback, come across here, 5 foot 6 is ample.
2 From a fire standpoint, you want 44 inches, we're
3 more than that. What we'll do is we'll lose these
4 four, but we won't actually lose them because I'll
5 be able to put one feeding from this direction. I
6 actually could fit two. So we're going to put two
7 cars in tandem there, in this direction. And so
8 instead of having four cars like this, we'll have
9 two like this. And these parking spaces will all
10 salvaged, they're shifted down. Our aisle with is
11 actually going to improve. And the only thing
12 we'll have is a deficit of two actual parking
13 spaces, but remember we're well over-parked. We
14 are from a RSIS and everything else well
15 over-parked, so we'll still not need a parking
16 variance.

17 And I think that satisfies your concern,
18 which I think is a very legitimate concern. We'll
19 increase that side yard setback, only required to
20 be 2 feet, we're going to make it 5 foot 6. So
21 that's almost three times as much.

22 CHAIRPERSON GARCIA: Okay.

23 MR. PEREIRAS: It will comply with fire
24 safety. And all we're losing is two physical
25 spaces that we're over-parked anyway. We don't

1 need.

2 CHAIRPERSON GARCIA: That you don't
3 need. What about the elevator?

4 MR. PEREIRAS: The elevator, I'm staring
5 at the owner now to make sure. He's happy to add
6 a second elevator.

7 CHAIRPERSON GARCIA: Okay.

8 MS. PEREZ: Where do you put it?

9 MR. PEREIRAS: That's a great question.
10 Actually since we're in the Board, parking space
11 021, I would like to get rid of that one parking
12 space. Because that one, if I get rid of that
13 parking space, that becomes the trash room. And
14 then the elevator goes where the trash room is.
15 It fits perfectly, it makes sense and we're still
16 over-parked and we're still not ask for a parking
17 variance.

18 CHAIRPERSON GARCIA: So you're reducing
19 the 117 parking spaces to 114, right?

20 MR. PEREIRAS: Correct.

21 CHAIRPERSON GARCIA: 114?

22 MR. PANEQUE: So parking space 021
23 becomes a trash room. The trash room becomes an
24 elevator?

25 MR. PEREIRAS: Correct. And parking

1 spaces 061, 060, 059, and 058 go from being four
2 spaces to two tandem spaces.

3 MR. PANEQUE: 061, 060, 059, 058,
4 they're removed?

5 MR. PEREIRAS: They become two tandem
6 spaces. So from four to two.

7 CHAIRPERSON GARCIA: Just for the
8 record, so we have 102 bedrooms, right?

9 MR. PEREIRAS: 102 bedrooms.

10 CHAIRPERSON GARCIA: And 114 parking
11 spaces, okay.

12 MS. PEREZ: Can I express a concern? So
13 you're going -- the permitted use is one and
14 two-families and we're going to 54 units. I'm not
15 so much concerned about the height of four
16 stories, because it's consistent. Not all of the
17 four stories have 54 units. Why so many?

18 MR. PEREIRAS: Because it makes sense.
19 So from a standpoint of looking at a small
20 property, when you're at 2,500 square feet, two
21 units make sense because you can't park more cars.
22 That's the number one reason we reduced the
23 ordinance to be a two-family because you can't
24 really get more than four cars parked well on a
25 25-by-100. So it is a he relationship that makes

1 sense, the size of the lot to the density of the
2 units.

3 MS. PEREZ: It's multiple lots?

4 MR. PEREIRAS: Exactly.

5 MS. PEREZ: So all broken out, how many
6 would be the most you would be allowed to do in
7 that zone if you had broken it out separately?

8 MR. PEREIRAS: It's different because --
9 and this is why I don't want to make that clear
10 analogy. Once you add lots, the ability to park
11 more cars becomes greater. It creates better
12 urban planning. Now, in a two-family house, you
13 have at least three bedrooms units, sometimes four
14 bedroom units that I present here very often.
15 That's not what we're doing here. Now we're doing
16 two bedroom units and one bedroom units, so it's
17 two very different animals. So because we have
18 30,000 square feet, which is a monstrous
19 difference scale than a 2,500 square feet. It
20 allows us the ability to create more parking and
21 the ability to create more parking allows us that
22 density. So we didn't ask for 55 units or 56
23 units or more, we were consistent with what the
24 site yielded as far as parking. And that
25 extrapolated becomes our density. And that's why

1 we're asking for 54 units because it makes sense
2 for the size of the lot.

3 CHAIRPERSON GARCIA: I have a question
4 to Mr. Spatz related to her point. Because if we
5 break down all the lot, probably would have like
6 ten lots there because you have --

7 VICE CHAIRPERSON GRULLON: Let's say
8 twelve lots.

9 CHAIRPERSON GARCIA: Mr. Spatz, if we
10 said that we come with ten two-family, okay, we're
11 going have twelve, we're going to have 24.
12 However, how going to be the impact regarding the
13 parking? How going to be the impact regarding the
14 off-street parking?

15 MR. SPATZ: Well, you would have cars
16 inside in driveways, but you would also have
17 twelve separate driveways as opposed to just the
18 two driveways that you have here. So the impact
19 on the street would certainly be much greater.
20 You would lose basically the entire block's worth
21 of parking. Because each building would have its
22 own driveway, if you did individual two-family
23 homes.

24 MR. PEREIRAS: And across the street on
25 20th Street, we will have more two-family homes as

1 well. So then we would have driveways facing
2 face to face, we're getting rid of all the parking
3 available to residents on the street. It would be
4 a much less attractive planning alternative.

5 CHAIRPERSON GARCIA: Are we basically
6 going to have almost the same number of bedroom
7 that we have in this one?

8 MR. PEREIRAS: Yes.

9 MS. PEREZ: How many bedrooms would you
10 have if it were all broken out?

11 CHAIRPERSON GARCIA: 102.

12 MS. PEREZ: The most --

13 MR. PEREIRAS: We have 102 now. And
14 with crude math, just doing quick math in my head,
15 we would be able to do about fifteen two-bedroom
16 two-family houses and then fifteen --

17 MS. PEREZ: So 30 bedrooms?

18 MR. PEREIRAS: Times.

19 CHAIRPERSON GARCIA: Around 60 or 70.

20 MR. SPATZ: 60 or so if you did four.

21 MR. PEREIRAS: 90, at three bedrooms.

22 Then if we have four bedrooms, which is completely
23 reasonably, it adds that number past what we're
24 proposing here. So from a bedroom standpoint,
25 making the comparison, it's very comparable.

1 MS. GUTIERREZ: Mr. Pereiras, how many
2 units going to be in each floor?

3 MR. PEREIRAS: 18.

4 MS. GUTIERREZ: 18.

5 MR. PEREIRAS: 18 times three floors.

6 CHAIRPERSON GARCIA: Okay.

7 Any other member -- you said all around
8 brick?

9 MR. PEREIRAS: Yes.

10 CHAIRPERSON GARCIA: What about the top?

11 MR. PEREIRAS: We're willing to do faux
12 slate.

13 MR. PANEQUE: Should we make that a
14 condition?

15 MR. VALLEJO: We're not approving yet.

16 MR. PANEQUE: Just trying to get ahead.

17 CHAIRPERSON GARCIA: Mr. Pereiras, can
18 we combine, like, the top -- let me see if I have
19 some pictures here.

20 Mr. Pereiras, can you do something like
21 this with this combination around --

22 MR. PEREIRAS: Yes, absolutely.

23 CHAIRPERSON GARCIA: I like this. I
24 don't know if it's more movement, not like black,
25 like too dark on the top.

1 MS. GUTIERREZ: Something lighter.

2 MR. PANEQUE: Could we mark that A-3?

3

4 (Rendering marked A-3.)

5

6 MR. PEREIRAS: We'll mark that A-3. For
7 purposes of the record, I marked the back side of
8 the bottom right hand corner with today's date and
9 exhibit A-3.

10 CHAIRPERSON GARCIA: What about the
11 trees on 20th Street?

12 MR. PEREIRAS: We'll be happy to comply
13 with adding trees along 20th Street every 12 feet.

14 CHAIRPERSON GARCIA: How going to be the
15 illumination?

16 MR. PEREIRAS: So we have sconces all
17 around the building and those sconces will shine
18 the sidewalk and shine the facade of the building.
19 And they're located all around so they're spaced
20 properly for the sidewalk lighting.

21 CHAIRPERSON GARCIA: So the solution to
22 our concern in the north side setback, so
23 everything going to have the 5-6? And what you're
24 going to do is eliminate three parking spaces,
25 you're going to accommodate the elevator, did you

1 write that?

2 MR. PEREIRAS: Counsel wrote everything
3 down.

4 MR. PANEQUE: What is the 5-6?

5 CHAIRPERSON GARCIA: The setback on the
6 north side will be -- at the commercial space is
7 going to be 5-6.

8 MR. PEREIRAS: Yes.

9 CHAIRPERSON GARCIA: At the residential
10 going to be 4-1 or 4-9?

11 MR. PEREIRAS: 3-10.

12 CHAIRPERSON GARCIA: 3-10.

13 MR. PANEQUE: What side is the
14 commercial that's 5-6?

15 MR. PEREIRAS: It's the north side.

16 CHAIRPERSON GARCIA: But the thing is,
17 you have two north sides.

18 MR. PEREIRAS: Yes.

19 CHAIRPERSON GARCIA: One that is
20 attached to the commercial, but the one that is
21 residential is going to be --

22 MR. PEREIRAS: 3 foot 10. And the one
23 that's attached to the commercial, which is
24 further north than the other property line, will
25 be 5 foot 6.

1 MR. PEREIRAS: And, Mr. Chairman, just
2 to be abundantly clear. This one parking space
3 024 messes up the drive aisle when we shift that
4 down, so that parking spaces will be gone as well.

5 MR. PANEQUE: What parking spaces is
6 that?

7 MR. PEREIRAS: 024.

8 CHAIRPERSON GARCIA: So we're going to
9 come down to 113?

10 MR. PEREIRAS: Yes, 113.

11 MS. PEREZ: Still more than enough?

12 CHAIRPERSON GARCIA: The requirement is
13 107.

14 MS. PEREZ: When you get to 113, does
15 that include the parking lot?

16 CHAIRPERSON GARCIA: Yes, includes that.
17 Also, Mr. Pereiras, that parking spaces in the
18 lot, the second lot going to be deeded to that
19 building?

20 MR. PEREIRAS: Yes.

21 MS. PEREIRAS: We can do that.

22 MR. PANEQUE: That's one of the --

23 MS. PEREZ: There's no outdoor space.

24 CHAIRPERSON GARCIA: No, they're going
25 to have -- each floor going to have --

1 MS. PEREZ: An amenity room.

2 CHAIRPERSON GARCIA: Also, Mr. Pereiras,
3 you only have balcony on the first floor -- second
4 floor -- first?

5 MR. PEREIRAS: Just the second floor and
6 it's actually going to be eliminated over there
7 because now it's smaller.

8 CHAIRPERSON GARCIA: Okay. No balcony.

9 MR. PANEQUE: No balcony.

10 CHAIRPERSON GARCIA: I'm going to make
11 my motion to grant this application. First of
12 all, I'm going to thank the applicant because he
13 could be more greedy, like we have a lot of
14 applicants that come here. And also it is kind of
15 going to provide necessity of residential, also
16 respect -- with this application, respect all of
17 the concern all the time, that is setback and also
18 parking spaces.

19 With all the condition already stated,
20 I'm going to make my motion to grant this
21 application. And we're going to need the revised
22 plans.

23 MS. PEREZ: Could you summarize the
24 conditions?

25 CHAIRPERSON GARCIA: The second

1 elevator, the trees -- they're already. Tony
2 already took it.

3 MR. PANEQUE: I have them all.

4 CHAIRPERSON GARCIA: With all the
5 condition, I make my motion to grant this
6 application.

7 MR. VALLEJO: Motion on the table to
8 grant the application by Mr. Garcia.

9 VICE CHAIRPERSON GRULLON: Second.

10 MR. VALLEJO: Seconded by Mr. Grullon.
11 Roll call on the motion.

12 Mr. Garcia.

13 CHAIRPERSON GARCIA: Yes.

14 MR. VALLEJO: Mr. Grullon.

15 VICE CHAIRPERSON GRULLON: Yes.

16 MR. VALLEJO: Ms. Gutierrez.

17 MS. GUTIERREZ: Yes.

18 MR. GRULLON: Mr. Ortiz.

19 MR. ORTIZ: Yes.

20 MR. VALLEJO: Ms. Perez.

21 MS. PEREZ: Yes. I think it creates
22 more parking than would be available if it were
23 developed in a different way, and provides the
24 handicapped housing, that's beneficial. And the
25 addition of the extra elevator, I think also it

1 enhances safety. So I vote yes.

2 MR. VALLEJO: Ms. Pena.

3 MS. PENA: Yes.

4 MR. VALLEJO: Ms. San Martino.

5 MS. SAN MARTINO: Definitely, yes.

6 MR. VALLEJO: Seven in favor, motion
7 carries.

8 MS. PEREIRAS: Thank you all very much.

9 MR. VALLEJO: Revised plans required at
10 least ten days before the hearing day. Make sure
11 to send digital to Mr. Spatz.

12 MS. PEREIRAS: Absolutely.

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1 **ADJOURNMENT:**

2
3 MR. VALLEJO: There being no further
4 application on tonight's agenda, can I have a
5 motion to close tonight's meeting?

6 MS. PEREZ: Motion.

7 MS. GUTIERREZ: Second.

8 MR. VALLEJO: All in favor.

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

12
13
14
15 (Whereupon the meeting was adjourned at
16 9:35 PM.)

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