

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

REGULAR MEETING

:
TRANSCRIPT OF PROCEEDING
:

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

Thursday, September 11, 2025
Commencing at 6:10 p.m.

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

ANDRES GARCIA, Chairperson
MARGARITA GUTIERREZ
GERALDINE PEREZ
ALTAGRACIA SAN MARTINO
MINDRY WATLEY
MIGUEL ORTIZ
ROSIO PENA
VIVIAN O'DELL

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

VICTOR M. GRULLON, Vice Chairperson

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

TOMAS PANEQUE, ESQ. and AGUSTIN PANEQUE, ESQ.
Board Counsel

CARLOS VALLEJO, Board Secretary

DAVID SPATZ, PP, Consulting City Planner

STENOGRAPHICALLY REPORTED BY:
LILIANA THOMAS, CCR, RPR

SUSAN BISCHOFF CCR CO.
449 Columbia Blvd., Wood-Ridge, NJ 07075
201-390-0583 SBischoffccr@yahoo.com

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

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

BIANCA PEREIRAS, ESQ.
Attorney for Applicant,
Sherman Realty, LLC (Medna Builders LLC)

ALVARO ALONSO, ESQ.
Attorney for Applicant,
Gerardo A. Rojas-Nohemi Mandel

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, 3100 Central, LLC

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, Mountain UC, LLC

BIANCA PEREIRAS, ESQ.
Attorney for Applicant,
Anthony Jose Santos & Cindy Nathalie

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, Nazaria Guzman

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TIGHTHEAD, LLC
521 10th Street

WITNESSPAGE

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I N D E X

SHERMAN REALTY, LLC (MEDNA BUILDERS, LLC)
406 Bergenline Avenue

WITNESSPAGE

(None)

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(None)

I N D E X

GERARDO A. ROJAS-NOHEMI MANDIL
407 43rd Street

WITNESSPAGE

ORESTES VALELLA

19

GERARDO A. ROJAS

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(None)

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292 Mountain Rd.

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(None)

I N D E X

ANTHONY JOSE SANTOS & CINDY NATHALIE
318 13th Street

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NAZARIA GUZMAN
308 24th Street

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(None)

1 CALL TO ORDER/SALUTE TO FLAG/
2 STATEMENT-OPEN PUBLIC MEETING ACT/SUNSHINE LAW:

3
4 MR. VALLEJO: May I have your attention,
5 please? Take notice that on Thursday, September 11,
6 2025, 6 p.m., the regular meeting is scheduled for
7 the Union City Zoning Board returning to be held in
8 the Union City High School located at 2500 John F.
9 Kennedy Boulevard, Union City, New Jersey.

10 Adequate notice of this meeting has been
11 provided as follows: Notice of this meeting setting
12 forth the time, date, location, to the agenda to the
13 extent known, was forwarded to The Record, The
14 Star-Ledger, and has also been posted on the bulletin
15 board in City Hall, and has been made available to
16 the public in the Office of the Municipal Clerk. It
17 also has been posted on the website of the City of
18 Union City, ucnj.com.

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

23 * * *

24 (Whereupon the Pledge of Allegiance was
25 recited.)

* * *

CHAIRPERSON GARCIA: Before we continue,
can we stand up and have a moment of silence to
remember September 11th?

(Pause.)

CHAIRPERSON GARCIA: 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. VALLEJO: Mr. Grullon is absent.

8 Ms. Gutierrez.

9 MS. GUTIERREZ: Here.

10 MR. VALLEJO: Mr. Ortiz.

11 MR. ORTIZ: Present.

12 MR. VALLEJO: Ms. Perez.

13 MS. PEREZ: Here.

14 MR. VALLEJO: Ms. Watley is absent.

15 Ms. O'Dell.

16 MS. O'DELL: Here.

17 MR. VALLEJO: Ms. Pena.

18 MS. PENA: Present.

19 MR. VALLEJO: Ms. San Martino.

20 MS. SAN MARTINO: Here.

21 MR. VALLEJO: Let the record indicate that
22 seven are present. We have a quorum for tonight's
23 meeting.

24 * * *

25

1 **ADOPTION OF MINUTES:**

2
3 MR. VALLEJO: Approval of previous meeting
4 minutes from July 10, 2025. Can I have a motion?

5 CHAIRPERSON GARCIA: Motion.

6 MR. VALLEJO: Motion by Mr. Garcia.

7 MS. GUTIERREZ: Second.

8 MR. VALLEJO: Seconded by Ms. Gutierrez.

9 Roll call on the motion.

10 Mr. Garcia.

11 CHAIRPERSON GARCIA: Yes.

12 MR. VALLEJO: Ms. Gutierrez.

13 MS. GUTIERREZ: Yes.

14 MR. VALLEJO: Ms. Perez.

15 MS. PEREZ: Yes.

16 MR. VALLEJO: Ms. O'Dell.

17 MS. O'DELL: Yes.

18 MR. VALLEJO: Ms. Pena.

19 MS. PENA: Yes.

20 MR. VALLEJO: Ms. San Martino.

21 MS. SAN MARTINO: Yes.

22 MR. VALLEJO: Seven in favor. Motion
23 carries.

24 * * *

25

1 **PUBLIC HEARING:**

2 **TIGHTHEAD, LLC**
3 **521 10TH STREET:**
4 **:**

5 MR. VALLEJO: We're moving to item No. 1.
6 521 10th Street.

7 Mr. Paneque.

8 MR. T. PANEQUE: For the record, I've been
9 advised by Ms. Pereiras that notices have not gone
10 out with respect to this application. She will be
11 sending out notices and has requested that this
12 matter be heard at the next meeting.

13 MR. VALLEJO: October 10th.

14 MR. SPATZ: 9th.

15 MR. VALLEJO: October 9th. Thank you.

16 * * *

1 **SHERMAN REALTY, LLC (MEDNA BUILDERS LLC) -**
2 **406 BERGENLINE AVENUE**
3 **BLOCK 198, LOT 1:**

4 MR. VALLEJO: Item No. 2, Sherman Realty,
5 406 Bergenline Avenue.

6 Ms. Pereiras, please.

7 MR. T. PANEQUE: Where did she go?

8 MR. PEREIRAS: Ms. Pereiras took a
9 bathroom break, but we are withdrawing that case.
10 And she submitted letters, I believe, to your office.

11 MR. VALLEJO: Thank you.

12 * * *

1 **GERARDO A. ROJAS-NOHEMI MANDIL**
2 **407 43RD STREET**
3 **BLOCK 245, LOT 23:**

4 MR. VALLEJO: We're moving to Item No. 3,
5 Gerardo A. Rojas -- Nohemi Mandil, 407 43rd Street.

6 Mr. Alonso, please.

7 MR. ALONSO: Good evening, Mr. Chairman,
8 Members of the Board. For the record, Alvaro Alonso
9 on behalf of the applicant.

10 MR. T. PANEQUE: Thank you, Mr. Alonso.

11 Let the record reflect as follows: I've
12 been provided by Mr. Alonso with an affidavit
13 indicating that notice of tonight's meeting was
14 served to all property owners within the 200-foot
15 radius of 407 43rd Street, Union City, New Jersey.
16 This affidavit has a date of September 9, 2025 signed
17 by Mr. Alonso and notarized by Monica Cardenas.

18 I've also been provided with an affidavit
19 of publication indicating that the notice was
20 published in the Herald News and The Record. On
21 August 29, 2025, said notice indicates that on
22 today's date, September 11th, at 6:00 at Union City
23 High School, this board will be presented with the
24 application with respect to the property at
25 407 43rd Street, Block 245, Lot 23.

1 I've also been provided with a copy of the
2 notice giving notice of tonight's hearing for the
3 subject location as well as a list from the Tax
4 Assessor's Office noting all property owners within
5 the 200-foot radius of block 245, lot 23, also known
6 as 407 43rd Street. Said list from the Tax Assessor
7 has a date of August 25, 2025.

8 And, finally, I have the certified mail
9 slips all with a postmark date of August 30, 2025.
10 Based on the information that has been provided by
11 Mr. Alonso, this board has jurisdiction to proceed
12 and hear this matter.

13 MR. ALONSO: Thank you, Mr. Paneque.

14 This is an application to construct a new
15 three-family house. A little history about this
16 property. The property is currently vacant. It's
17 used for parking. Previously it was a five-family
18 house that was on the property. That building burned
19 down. My client intends to reside in the property.
20 He's here this evening and will testify also. But I
21 have one witness this evening in terms of
22 professional witnesses, and that's Mr. Valella. I'll
23 have him sworn in at this time.

24
25 (Continued on following page.)

1 ORESTES VALELLA, after having been duly sworn, did
2 testify as follows:

3 MR. VALELLA: Good evening. My name is
4 Orestes Valella, V-a-l-e-l-l-a. I'm a licensed
5 architect in the State of New Jersey and the State of
6 New York.

7 MR. VALLEJO: I'm sorry to interrupt you.
8 Let the record indicate that Ms. Watley
9 has joined the meeting. We have eight members.

10 Thank you.

11 MR. VALELLA: My professional offices are
12 at 507 43rd Street in Union City, New Jersey. And my
13 licenses are in good standing.

14 MR. ALONSO: Mr. Chairman, Mr. Valella has
15 been before this board in the past. I would ask that
16 his qualifications be accepted in the field of
17 architecture.

18 CHAIRPERSON GARCIA: Our pleasure to have
19 you here, Mr. Valella.

20 MR. VALELLA: Thank you.

21 MR. ALONSO: Thank you, Mr. Chairman.

22 Mr. Valella, I briefly told the board that
23 it used to be a five-family house.

24 MR. VALELLA: Yes.

25 MR. ALONSO: This property is currently

1 used as parking, and we intend to -- or proposing to
2 build a three-family house --

3 MR. VALELLA: Right.

4 MR. T. PANEQUE: -- for our client's
5 occupancy. So I'm going to ask you just to review
6 the plans for the board.

7 MR. VALELLA: Actually, I know this
8 property very, very well. My offices are on the
9 corner of Bergenline and 43rd Street over here, and I
10 normally park on New York Avenue by the public
11 library. So I get to walk on a daily basis 43rd
12 between New York and Bergenline where this property
13 is located. We're on the south side of the street.

14 Next, as counsel mentioned, this is an
15 empty lot that's used for parking. And adjacent to
16 it are all rather substantial apartment buildings
17 with retail on the ground floor, comparable or bigger
18 in volume or in bulk than we were proposing here.
19 You know, it's not 3rd Street, downtown, or something
20 like that where the scale becomes much more
21 residential, where you have the more traditional
22 house under 25 by 100. This is urban. This is
23 really the heart of Union City, and that's why I took
24 the project on. I think it fits there. It doesn't
25 fit everywhere, but I think in this location it's

1 suitable.

2 The property is 37 and a half feet wide by
3 100 feet deep with buildings on either side. There's
4 a four-story apartment building on the right and a
5 three- on the left. Both buildings are built to the
6 property line, to the sidewalk creating that urban
7 facade.

8 What we're proposing is a three-family.
9 And I think I want to jump to the renderings first.
10 And you can see it here, the building. We're
11 proposing an urban building much like what would have
12 been built there previously. The only difference,
13 instead of a store on the ground floor, which would
14 have been the traditional layout, we have parking to
15 accommodate the vehicles for the building. Given
16 that the building -- the property is wider than
17 normal -- and, remember, all of these buildings go
18 wall to wall. There's no side yards created. There
19 are no two-family gables. This is an urban area. We
20 try to go -- we are respecting side yard, but we are
21 trying to fill in the site so that we can continue
22 the buildings and provide a brick facade. And then
23 we will have parking on the ground one-, two-, and
24 three-dwelling units.

25 So that gives you a feel for why and how

1 we are -- how and why we're designing this building.
2 The building, because we have the extra width, we
3 don't need to go so long, so we have a 25-foot rear
4 yard. Although we are proposing a deck that reduces
5 that to 15. But, effectively, we have a 25-foot rear
6 yard to the building. We have 3-foot-1 and 3-foot-1
7 on the sides and we're at the property line.

8 The way the building lays out, the
9 building is 31 feet 4 inches wide, and the length is
10 75 feet. That gives us a very handsome dwelling unit
11 of almost 2,000 square feet per floor.

12 Now, what we've done here -- and you must
13 have had this kind of -- we call them 3-over-1, where
14 you have an apartment on each floor. This one is a
15 little different. What we're doing is we are -- the
16 ground -- the first apartment on the second floor is
17 one apartment. But then once you go above that
18 floor, you have the apartment divides into two
19 dwelling units. We have an apartment, we basically
20 split the building in half. The front is one
21 dwelling unit, and the back is a second dwelling unit
22 where we have the kitchen, powder room, and living
23 areas on that floor with a private staircase inside
24 the dwelling unit to go up to the bedrooms. So we
25 are creating a duplex apartment. We're creating --

1 the bedroom is on the third floor.

2 So what we're creating is we're creating a
3 duplex apartment. Two benefits to that. It feels
4 like a home. The bedrooms are on the upper floor.
5 The living room is below. But, also, you don't have
6 to walk up with your groceries to the fourth floor.
7 You walk up to the third floor and that's about it.
8 You know, that's where the kitchen is. And then you
9 have the private stair inside your home to go up to
10 the upper floor. So that's how this is developed,
11 close to 2,000 square feet. We have a three-bedroom
12 apartment, living room, dining area, kitchen. Then
13 you have up here, these dwellings units are 2,000
14 again, 2,033, but for practical purposes,
15 2,000-square-foot apartments. And they have the
16 living room, kitchen, stair, powder room. Going up
17 you have three bedrooms and the necessary bathrooms
18 and so on.

19 Given that we have the 31 feet available
20 to us, we have a much wider parking garage. And,
21 again, these are all enclosed in the building. We
22 have a garage door. We have that bourbon wall. And
23 then the cars are tucked away. We're not creating a
24 new curb cut. There's a curb cut there already, the
25 full width of the property. So it's not like we're

1 taking parking space away from the street. That's
2 already been done. We're just creating three, four,
3 five, six parking spaces within -- actually, you can
4 fit a little bit more than six, but six for the
5 three-family.

6 The height of the building is 38 feet.
7 And the building to the right, which is a four-story,
8 is actually taller than this building would be. But
9 it's very much in scale with the rest of 43rd Street,
10 especially on the south side of the street.

11 MR. ALONSO: And that concludes
12 Mr. Valella's presentation if the board has any
13 questions.

14 CHAIRPERSON GARCIA: Yes, I do have
15 questions.

16 When you show here the -- how high is
17 going to be the building?

18 MR. VALELLA: 38 feet.

19 CHAIRPERSON GARCIA: If you go to V-3,
20 Drawing No. 4, you have other buildings high.

21 MR. VALELLA: I'm sorry?

22 CHAIRPERSON GARCIA: You said average
23 buildings.

24 MR. VALELLA: Yes.

25 THE COURT: Can you explain to me that --

1 I don't know. I mean, because you have 38. But as
2 per the drawing, you're going to be higher than the
3 38.

4 MR. VALELLA: 38 is to the roof. When you
5 have a flat roof -- from a zoning standpoint, you
6 measure to the roof. After that you normally have a
7 parapet to protect anybody going up to the roof to
8 service any equipment. But the 38 is to the roof.
9 Generally, that note should be down here, which is to
10 the average grade plane, meaning, the topography
11 around the four corners of the building. If there's
12 higher or lower, you average it out and then you
13 measure from that. But it's 38 feet to the roof.

14 CHAIRPERSON GARCIA: And the adjacent
15 property, how high are they, the east to the west?

16 MR. VALELLA: I would say to the west it's
17 closer to -- and I want to be as accurate as I can.
18 I would say 45 at best, around 45. I think to the
19 left or east is probably around 35, 30 feet.

20 CHAIRPERSON GARCIA: Go to V-2, Drawing
21 No. 1.

22 MR. VALELLA: The garage?

23 CHAIRPERSON GARCIA: The garage. The
24 door, is it 22-8?

25 MR. VALELLA: 22-8, yes.

1 CHAIRPERSON GARCIA: How deep is the
2 garage?

3 MR. VALELLA: The garage is 75 feet.

4 CHAIRPERSON GARCIA: Can you show me where
5 it's 75 feet?

6 MR. VALELLA: Yes. It's 75 feet from the
7 doors to the back wall.

8 CHAIRPERSON GARCIA: Yes. But are you --
9 those 75 feet, I don't know if you agree with me, is
10 from the door. Right?

11 MR. VALELLA: Yes.

12 CHAIRPERSON GARCIA: Not from the parking
13 itself?

14 MR. VALELLA: Well, you could --

15 CHAIRPERSON GARCIA: Because you have a
16 door after that.

17 MR. VALELLA: You could take away -- if
18 you take away the thickness of the rear wall and you
19 take away the thickness of the door --

20 CHAIRPERSON GARCIA: No. Mr. Valella, if
21 you see the first car to the left --

22 MR. VALELLA: Yes.

23 CHAIRPERSON GARCIA: -- you cannot park
24 the car right as soon as you enter. You have to park
25 after the door. So you're talking about that there

1 you will have around --

2 MR. VALELLA: 70.

3 CHAIRPERSON GARCIA: Okay.

4 Mr. Spatz, I have a question for you. Can
5 you give me the standard size for the parking spaces?
6 Is it what --

7 MR. SPATZ: 9 by 18.

8 CHAIRPERSON GARCIA: 9 by 18.

9 So if you say that you have three cars --

10 MR. VALELLA: 36.

11 CHAIRPERSON GARCIA: You have three
12 cars --

13 MR. VALELLA: Yes.

14 CHAIRPERSON GARCIA: -- by 18, you're
15 talking about 54 feet. Right?

16 MR. VALELLA: Yes.

17 CHAIRPERSON GARCIA: Minus 70, you're
18 talking about 16?

19 MR. VALELLA: Right.

20 CHAIRPERSON GARCIA: So you think that you
21 can handle the cars in there and managing the car
22 there?

23 MR. VALELLA: Yes.

24 CHAIRPERSON GARCIA: And, also, in the
25 statement you mentioned, Mr. Valella, that you

1 probably could put more than six. I don't know how.

2 MR. VALELLA: In the real word, you can,
3 Mr. Chairman. You can park another vehicle over
4 here. This garage is exceptionally larger than what
5 we have done. And I have seen five cars in the
6 typical 20 by 70 garage. This door also, by the way,
7 can be put in the middle or wherever. But these cars
8 fit perfectly in here.

9 CHAIRPERSON GARCIA: Okay. I have no
10 further questions. I don't know if any other members
11 of the board have any other questions.

12 (No response.)

13 CHAIRPERSON GARCIA: Do you have
14 another --

15 MR. ALONSO: Yes. Mr. Rojas.

16 MR. VALELLA: Thank you.

17 CHAIRPERSON GARCIA: Thank you,
18 Mr. Valella.

19 (Witness excused.)

20 MR. ROJAS: Good evening, Members of the
21 Board, ladies and gentlemen.

22 * * *

23 GERARDO A. ROJAS, after having been duly sworn, did
24 testify as follows:

25 MR. ALONSO: Thank you.

1 Mr. Rojas, you're the owner of the
2 property, correct?

3 MR. ROJAS: That's correct.

4 MR. ALONSO: And you're the applicant?

5 MR. ROJAS: Yes.

6 MR. ALONSO: Can you tell the board --

7 MR. T. PANEQUE: Mr. Alonso.

8 MR. ALONSO: Yes.

9 MR. T. PANEQUE: Are you done with your
10 experts?

11 MR. ALONSO: Yes.

12 MR. T. PANEQUE: Okay. Off the record.

13 (Discussion was held off the record.)

14 MR. T. PANEQUE: Back on the record,
15 please.

16 MR. ALONSO: Mr. Rojas, briefly, can you
17 just give the board a little bit of your history in
18 the area in Hudson County?

19 MR. ROJAS: Yes.

20 MR. ALONSO: And why is it that you're
21 proposing a three-family.

22 MR. ROJAS: Okay. The reason wanting to
23 proposing three-family is because I have lived in
24 Hudson County for the last 50 years. Initially, when
25 I moved into Hudson County, I lived in Union City,

1 specifically at 4522 Hudson Avenue. From there I
2 moved to West New York. And I'm planning to this
3 house to move back to Union City. Why do I plan to
4 live in Union City? Because I can see New Jersey
5 Board of Adjustment like you, also the mayor, he's
6 been working very tireless beautifying the city, and
7 today Union City is the envy, okay, from all other
8 towns. Why I would like to build three-family
9 instead of two? Because I think that this was my
10 dream. Okay? We live in America and we all have the
11 American dream of building a house and reside where
12 we feel comfortable. Okay?

13 It's going to cost me, at least based on
14 the estimate size request from contractor, it's going
15 to cost me between 1 and 1.2 million, you know, to
16 build a three-family house. And, basically, I'm
17 retired, on a fixed income. I saved a lot of money
18 over the years to accomplish my dream. So, instead
19 of going around, you know what I mean, to build a
20 two-family house and then build something illegal in
21 the ground level, I wouldn't do that. I like to -- I
22 want to be abiding citizen. I would rather have
23 three units, you know, living there and compromise,
24 and I can use two incomes and live on a fixed income
25 with my wife and myself.

1 I'm really proud to live in Union City and
2 say to you I could see all the hard work that you
3 guys have been doing. The mayor from Union City,
4 they help people who need. People who are sick, they
5 give them rides. And I feel proud to be here, and I
6 want to be again neighbor from Union City.

7 I appreciate your time. And, again, I'm
8 not asking you things out of the way. I want to
9 point out again, like our architect, we have an
10 oversized lot, 37 and a half by 100. And before they
11 will allow three-family to be built in a 25 by 100,
12 and I think we're all going to take the benefit.
13 Why? I will tell you why. The real estate taxes is
14 going to be no less than \$21,000, okay, in a
15 building. So you're going to feel proud to approve a
16 beautiful three-building -- I mean three-story
17 building. You know, it's not going to be ugly, ugly
18 lot, you know, where you have all cars. So I think
19 that we will get benefit, you know, about everything.

20 I appreciate your time. I would really
21 like you to consider my proposal. Thank you very
22 much for your time.

23 MR. T. PANEQUE: Thank you.

24 CHAIRPERSON GARCIA: Thank you.

25 MS. GUTIERREZ: Thank you, sir.

1 MR. ALONSO: Mr. Chairman, that concludes
2 our presentation. If the board has any questions or
3 comments, we'd be willing to address them.

4 CHAIRPERSON GARCIA: Let me open to the
5 public.

6 MR. ALONSO: Sure.

7 CHAIRPERSON GARCIA: Any member of the
8 public want to step forward?

9 (No response.)

10 CHAIRPERSON GARCIA: Seeing none, closed
11 to the public.

12 Okay. Two things. First of all is in
13 R zone three-family is not permitted. I know it's
14 going to 38 feet tall or high. However, it's three
15 stories permitted; they're going to four stories. I
16 don't know if any other members of the board have a
17 comment. But my recommendation is going to be go to
18 the two-family with the three-story. That's going to
19 be my recommendation. I don't know if you want to
20 talk to your client. Because that's what is allowed
21 in R zone and, also, that's going to allow them to go
22 also with a three-story.

23 Do you want to take a break?

24 MR. ALONSO: If no other board members
25 have any comments, then I would ask just for a brief

1 recess, and I'll speak with my client. Thank you.

2 CHAIRPERSON GARCIA: Two-minute break.

3 (A brief recess was taken.)

4 CHAIRPERSON GARCIA: Back on the record.

5 MR. ALONSO: Mr. Chairman, I've had an
6 opportunity to review this with my client as well as
7 with Mr. Valella, and we're going to request that
8 this matter be carried so we can come back and submit
9 plans for a two-family house for the board's
10 consideration.

11 CHAIRPERSON GARCIA: Okay. Do they need
12 for a two-family, they have to come back to the Board
13 of Adjustment?

14 MR. ALONSO: Yes.

15 CHAIRPERSON GARCIA: Oh, yeah?

16 MR. ALONSO: It goes to the Planning Board
17 if you need site plan approval. But two-family
18 doesn't require site plan approval, so it comes over
19 here.

20 MR. SPATZ: Right. If they need
21 variances, they have to come back here.

22 CHAIRPERSON GARCIA: What variance is it
23 going to need?

24 MR. SPATZ: I don't know. It depends on
25 how they design it.

1 MR. ALONSO: That's one of the things I
2 was discussing with my client. We may not need
3 variances.

4 MR. SPATZ: If they do they have to come
5 back here.

6 MR. T. PANEQUE: If you are going to come
7 back with variances, plans to be submitted no less
8 than 10 days before the next meeting. If not, if we
9 don't need them, let us know so we don't take up the
10 space on the agenda.

11 MR. VALELLA: On just a side note, because
12 I've had this happen before, I've submitted plans to
13 the Building Department that I was a thousand percent
14 sure did not need any variances. And they out of
15 extra caution sent us to the board anyway. Is there
16 a vehicle for signing off on zoning before we file
17 with the Building Department?

18 MR. T. PANEQUE: Not that I'm aware of.
19 We would need to know -- I mean, for example, right
20 now on your current plans, you're showing 3 feet and
21 3 feet side yards. So you're within the ordinance
22 requirements, which is 5. If you change one of those
23 side yards, then a variance will be triggered. But
24 if you chop down one floor, you're going to be below
25 38.

1 MR. ALONSO: Yeah. I think what
2 Mr. Valella is saying is if we were to submit revised
3 plans which do not require variances, if we get a
4 letter from the board indicating that we reviewed the
5 revised plans and from your point of view, no
6 variances are required.

7 MR. VALELLA: That would help at the
8 Building Department, from past experience.

9 MR. T. PANEQUE: I mean, it's really
10 creating a slippery slope for the board to undertake
11 this.

12 MR. VALELLA: Okay. All right.

13 MR. T. PANEQUE: I mean if you don't have
14 any variances, they cannot make them up.

15 UNIDENTIFIED SPEAKER: Yes, they can.

16 MR. VALELLA: They're very cautious.

17 MR. T. PANEQUE: I understand that. And
18 they do a very thorough job.

19 MR. VALELLA: They do that.

20 MR. T. PANEQUE: But the variances are as
21 plain as the hand in front of my face.

22 MR. ALONSO: Sure. All right. So we're
23 going to review that. And when's the next available
24 date?

25 MR. VALLEJO: October 9th.

1 MR. ALONSO: October 9th. And then I'll
2 reach out to your board secretary and indicate as to
3 whether or not we need to proceed or withdraw the
4 application.

5 MR. T. PANEQUE: Thank you very much.

6 CHAIRPERSON GARCIA: So I'll make my
7 motion to adjourn this application for October 9th.

8 MR. VALLEJO: Motion to adjourn.

9 MS. GUTIERREZ: I second.

10 MR. VALLEJO: Motion by Mr. Garcia.

11 Seconded by Ms. Gutierrez.

12 Roll call on the motion.

13 MR. VALLEJO: Mr. Garcia.

14 CHAIRPERSON GARCIA: Yes.

15 MR. VALLEJO: Ms. Gutierrez.

16 MS. GUTIERREZ: Yes.

17 MR. VALLEJO: Mr. Ortiz.

18 MR. ORTIZ: Yes.

19 MR. VALLEJO: Ms. Perez.

20 MS. PEREZ: Yes.

21 MR. VALLEJO: Ms. Watley.

22 MS. WATLEY: Yes.

23 MR. VALLEJO: Ms. O'Dell.

24 MS. O'DELL: Yes.

25 MR. VALLEJO: Ms. Pena.

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MS. PENA: Yes.

MR. VALLEJO: Seven in favor. Motion
carries.

MR. ALONSO: Thank you very much. Have a
good evening.

* * *

1 **3100 CENTRAL, LLC**
2 **3100 CENTRAL AVENUE**
3 **BLOCK 170, LOT 1:**

4 MR. VALLEJO: We're moving onto
5 3100 Central, LLC, 3100 Central Avenue.

6 Ms. Pereiras, please.

7 (Ms. San Martino leaves room.)

8 MR. VALLEJO: Let the record reflect that
9 Ms. San Martino left the meeting. We have seven
10 members now.

11 MR. T. PANEQUE: Let the record reflect as
12 follows: I've been provided by Ms. Pereiras with a
13 certification as to publication and service
14 indicating that notice of tonight's hearing with
15 respect to the property located at 3100 Central
16 Avenue, Block 170, Lot 1 was sent out to all property
17 owners within a 200-foot radius on August 29th.

18 I've also been provided with an affidavit
19 of publication from The Record and Herald News. Copy
20 of the notice indicates that at this location on
21 today's date at 6:00 p.m., the board will be
22 presented with the application with respect to
23 3100 Central Avenue.

24 I've also been provided with a list from
25 the Tax Assessor's Office listing all property owners

1 within a 200-foot radius of block 170, lot 1, also
2 known as 3100 Central Avenue, and a copy of the
3 notice that was sent out to all property owners.
4 Said notice indicates that the matter will be heard
5 tonight at the Union City High School at 6 p.m.

6 And, finally, I've been provided with the
7 certified mail receipt with a postmark date of
8 August 29, 2025.

9 Based on the information that has been
10 provided, this board has jurisdiction to proceed and
11 hear this matter.

12 MS. PEREIRAS: Thank you very much.

13 Good evening, Counsel, Mr. Chairman,
14 Members of the Board. May it please the board,
15 Bianca Pereiras on behalf of the applicant for the
16 property at 3100 Central Avenue, also known as lot 1
17 in block 170.

18 This property is located in the CN,
19 neighborhood commercial zone, and currently we have a
20 legal five-unit residential building. The
21 application before the board this evening is to
22 construct an addition to the home as well as legalize
23 a sixth unit.

24 We have two experts to testify. And we'll
25 begin our presentation this evening with our

1 architect, Mr. Manuel Pereiras.

2 * * *

3 MANUEL PEREIRAS, after having been duly sworn, did
4 testify as follows:

5 MR. PEREIRAS: Manny Pereiras,
6 P-e-r-e-i-r-a-s with Pereiras Architects Ubiquitous
7 located at 1116 Summit Avenue, Union City, New
8 Jersey.

9 CHAIRPERSON GARCIA: Our pleasure,
10 Mr. Pereiras, to have you here.

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

12 MS. PEREIRAS: Mr. Pereiras, are you
13 familiar with the property in question?

14 MR. PEREIRAS: I am.

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

17 MR. PEREIRAS: I have.

18 MS. PEREIRAS: And would you kindly
19 describe the proposal for the board.

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

21 To give a little bit of history on this,
22 the first time I went into this property, I walked
23 in. I got to the second floor, and all of a sudden I
24 had flashlights and guns on me. The Union City
25 Police were already there to see what was going on in

1 this property. That's because this has been an
2 abandoned property. It's a dilapidated building. If
3 you look at the photograph -- and, by the way, for
4 the record, these are the same documents that were
5 submitted to the board. They're simply on this
6 easel.

7 And then I have a new exhibit that I will
8 label. Maybe we should label it now. This is a
9 three-dimensional color rendering of our proposal for
10 the facade. And for purposes of the record, I am
11 marking the back right-hand corner of the rendering
12 as A-1, and I'm putting today's date on it.

13 * * *

14 (Exhibit was marked A-1 for
15 identification.)

16 * * *

17 MR. PEREIRAS: So, starting with this
18 sheet, which is Sheet Z-00, you see the existing
19 condition. We have an extremely dilapidated
20 building. It is dangerous. The reality of it is it's
21 dangerous. It's been boarded up. It is structurally
22 unsound within it. The exterior is sound. We
23 actually -- the applicant has gone to real long
24 extents to go in and make sure that it's secure so
25 the building won't fall. He's done his due diligence

1 and done that. But the interior needs a full rehab.

2 And what we have there existing are six
3 units. Only five are recognized at the Building
4 Department. Of the six units -- and I'm just going
5 to walk you through it -- there is a basement, a full
6 basement there. On the ground floor off of
7 31st Street, you enter and there is Unit No. 1 which
8 is a 380-square-foot two-bedroom unit with a tiny
9 kitchen.

10 There is Unit No. 2, which is 514 square
11 feet, and that's also a two-bedroom shotgun
12 apartment, walk through one to get to the next unit.

13 You go up the stairs and you have Unit 3,
14 which is 685 square feet, and it's a three-bedroom
15 unit, and it's a shotgun apartment. You have to get
16 through one bedroom to get to the next.

17 You go up the stairs to level three, and
18 then you have another two units, a 344-square-foot
19 unit and a 342-square-foot. And those are all legal
20 units, undersized but completely legal. They predate
21 the Uniform Construction Code. They predate zoning.
22 And they had been there, and they are there.

23 And then we have onto the attic level,
24 there was another unit there that was there prior to
25 the applicant purchasing this, and that was a sixth

1 unit that was 595 square feet, and it's a two-bedroom
2 unit as well. That one is not recognized by the
3 Building Department.

4 So what we wanted to do here is much more
5 than rehab, much more than clean out. We wanted to
6 really -- and, by the way, this is an important
7 corner in Union City. This is right on 31st Street,
8 right on Central Avenue. There is a lot of
9 visibility to this corner. So we wanted to bring an
10 application before this board that made a lot of
11 sense and, first and foremost, really beautify the
12 area and make this into an attractive safe building
13 and have consideration with parking as well.

14 So I'd like to turn back to Sheet Z-01.
15 Sheet Z-01, we see the existing conditions of the
16 site. You have the rear of the site that is
17 unimproved. There is a small one-story building that
18 is ready to fall down. And then you have the
19 building that I described at three-and-a-half stories
20 in the front.

21 What we're proposing to do is create an
22 addition towards this direction. That addition is
23 24 feet 3 inches. And you'll understand why we're
24 making the addition and exactly that size when I get
25 to the floor plans. And then what we're looking to

1 do is utilize an existing curb cut that's already
2 there and create parking, but not just create
3 parking, create a lot of landscaping. So the back 5
4 feet, since we have 18 feet for the cars, we're
5 creating the back 5 feet, really beautifying it with
6 very nice landscaping, have some shrubs and grass in
7 that area to really make that attractive. We're
8 cutting -- because the building has about 18 inches
9 to 20 inches of property before the property line --
10 we're soft-cutting that and providing landscaping
11 around the entire building. We're going to take the
12 existing trees that are there and replant them to
13 make them beautiful and really establish so that we
14 can fit the street parking the way we have it here.

15 And our proposal makes a lot of sense --
16 and, by the way, look at this, like, Halloween-style
17 house that we have there currently. And then this is
18 what we're proposing to do. With our addition what
19 we could do is create a new stairwell. The existing
20 stairwell is very narrow. It's 30 inches. It's very
21 unsafe. So what we're doing is we're creating a
22 stairwell that's 44 inches wide. Okay? And it's a
23 scissor stairwell so that people could move in and
24 out of these apartments. It's going to be a rated
25 stairwell. So it's one-hour fire-rated stairwell, so

1 it's extremely safe, and have good access throughout
2 all the building.

3 So you enter. You have that beautiful new
4 stairwell that's constructed throughout the three
5 floors that we're proposing. We are creating
6 apartments on each side. But instead of the tiny
7 300-square-foot apartments, now they are decent,
8 comfortable apartments at 555 square feet and
9 525 square feet. And instead of having two and three
10 bedrooms that are shotgun apartments, these are
11 one-bedroom apartments. So they're a reasonable
12 size. They meet the density requirements of Union
13 City, and they just makes sense.

14 So you walk into this apartment and you
15 have an open living room, dining room, kitchen area.
16 And then you could walk further back and you have
17 your bathroom and bedroom. Apartment No. 1 is
18 also -- Apartment 1 and 2 are also very important
19 because since we're rehabbing this entire building,
20 we have to meet today's codes. So that means that
21 both of those apartments are going to be handicap
22 accessible apartments. So somebody that's in a
23 wheelchair, someone that has mobility issues are
24 going to be able to use these two apartments which
25 previously was not an option either.

1 You take the stair up to the second floor
2 and we have the mirror. Now they're not handicap
3 apartments, they're regular apartments. So that
4 means that the bathrooms become a little bit smaller.
5 The bedrooms become a little bit bigger. But the
6 square footage of the apartments remains the same,
7 and it remains the same concept.

8 You enter the apartment, it's an open
9 living room, dining room, kitchen area, nice size.
10 Just to make a reference here, it is 12 feet in width
11 by the entire length of the house that's 23, and then
12 you have the bedroom, which is 13-8 by 11-11, almost
13 12 feet wide, and then the bathroom. So it's the
14 same mirror, and then we have this repeated on the
15 third floor as well.

16 We're cutting off that big turn that was
17 up on the corner and we're making the roof a straight
18 roof so that we're actually reducing the height of
19 the building. We're extending the building a little
20 bit and we're providing brick all around. So on the
21 two facades of the building on 31st Street and on
22 Central Avenue, now all of that is brick. And this
23 section that currently exists and sticks out, we
24 can't do brick there because of the heaviness of the
25 brick. So what we're proposing is to do panels in

1 that one section which is an attractive kind of
2 difference, and we have two different color bricks,
3 two tones to create this illusion of a rhythm on the
4 facade.

5 Also, you notice that the windows are nice
6 and big so that nice air and light could come in.
7 They're operable windows so that people can get fresh
8 air, and there's a beautiful trim around the windows
9 to create an architectural accent.

10 And we're proposing also, for the record,
11 a canopy. So now the entry point is going to be well
12 lit. There is lights underneath the canopy. The
13 numbers are very well-shown. There is glass lights
14 on both sides of the door. So it's nice. It's
15 inviting. There's landscaping all around. We're
16 providing parking. We're providing five parking
17 spaces on the site. And we're basically rehabbing a
18 building that was in disrepair.

19 And that concludes my testimony.

20 CHAIRPERSON GARCIA: Mr. Pereiras, so
21 you're going to use the same foundation?

22 MR. PEREIRAS: For the building that
23 exists, for the one-story piece that's in the back,
24 so this section of the building, the foundation is
25 not adequate. So this is all going to be a new

1 foundation through here. But this existing
2 foundation is in very good shape and we're keeping
3 that foundation. So what we have where the existing
4 basement is, that stays. This whole area will be a
5 new addition to the building.

6 CHAIRPERSON GARCIA: And how many feet are
7 you adding to the building, 24?

8 MR. PEREIRAS: 24 feet 3 inches. But
9 that's measured -- on the upper levels, it's very
10 clear, 20-foot-3. On the lower level, remember that
11 the building sticks out.

12 CHAIRPERSON GARCIA: Yeah, the lower
13 level, how many feet are you adding?

14 MR. PEREIRAS: On the lower level, the
15 lower level, we don't have that dimension precisely.
16 But this is where the old building ends. The new
17 building ends over here. So we're adding maybe
18 another 10 feet of building.

19 CHAIRPERSON GARCIA: So, I need your
20 opinion, Mr. Spatz, or the board needs an opinion
21 from you. And that is just I recall on a few
22 applications and a few meetings ago on 11th Street
23 they had an issue with the foundation and it was not
24 considered as a regular apartment. It was considered
25 as a renovation, not a new construction -- I mean,

1 can you give us your opinion as a planner based on
2 that, the percentage of what they are maintaining as
3 a current foundation and the percentage they're going
4 to add, if you could consider as a renovation or that
5 percentage is going to convert it into new
6 construction?

7 MR. SPATZ: I think this would be
8 considered as a renovation because they're including
9 and retaining enough of the existing foundation that
10 they're then going back up on. So according to our
11 zoning ordinance, this would be a renovation as
12 opposed to new construction, which would mean a host
13 of other variances.

14 CHAIRPERSON GARCIA: Okay. Perfect.
15 Thank you very much. Thank you.

16 Any other questions?

17 (No response.)

18 CHAIRPERSON GARCIA: Basically, you're
19 going to -- also, that's another question for you,
20 Mr. Spatz. Based on that are they going to redesign
21 the complete interior --

22 MR. SPATZ: Right.

23 CHAIRPERSON GARCIA: -- it still is a
24 renovation. Because they are basically demolishing
25 everything inside and it's not the same layout, and

1 they're going to have -- as per my understanding, as
2 per the explanation, is that it's going to be like a
3 mirror, one and one. So that's not the way that it
4 is right now?

5 MR. SPATZ: It would still be considered
6 renovation as opposed to new construction. But, you
7 know, it's the board's determination as the work is
8 taking place whether, you know, those units and that
9 size is appropriate for it.

10 CHAIRPERSON GARCIA: Okay.

11 MR. SPATZ: That's still part of your
12 determination. But it is still renovation as opposed
13 to new construction.

14 MR. PEREIRAS: And, Mr. Chairman, just so
15 also we have the record clear, remember, we're
16 dealing in almost, like, two worlds. So this is the
17 zoning world, and this is a renovation. When we get
18 to the Building Department and we're asking for
19 permits, the language is very clear as to what this
20 is.

21 So, the Uniform Construction Code of New
22 Jersey has very clear delineations of different
23 categories. So at the Building Department level,
24 this is going to be considered an alteration and
25 rehabilitation. It's actually both and as well an

1 addition because we're adding to the building as
2 well. So it will be clearly an addition. It will be
3 a rehabilitation. And it is an alteration because
4 we're changing the location of walls. We're changing
5 the location of the stairs.

6 CHAIRPERSON GARCIA: Thank you.

7 No more questions?

8 (No response.)

9 CHAIRPERSON GARCIA: You have another
10 witness, right?

11 MS. PEREIRAS: We do. We have a planner.

12 * * *

13 ALEXANDER DOUGHERTY, after having been duly sworn,
14 did testify as follows:

15 MR. DOUGHERTY: Alexander Dougherty. Last
16 name is D-o-u-g-h-e-r-t-y, professional planner. My
17 licenses are good and current. I testify in this
18 capacity on a weekly and daily basis.

19 CHAIRPERSON GARCIA: It's our pleasure to
20 have you here.

21 MR. DOUGHERTY: Good to be back.

22 So this evening, as always, I've prepared
23 some visual exhibits. This is the five slides, maps
24 and photographs.

25 For purposes of this application, I think

1 when we talk about it, on paper it may seem like a
2 lot. I wanted to just kind of circle back before we
3 begin.

4 When the architect described the existing
5 bedroom count, and if you total them up of what's
6 there, what existed there, you're going to get 12
7 bedrooms. This project is a lot. But, in theory,
8 what we're doing is we're actually making it less
9 intense. Though there is that added unit, each of
10 these units are just one-bedroom units. So the
11 amount of people that would otherwise come out of
12 this property if it were existing in its historical
13 glory days and versus what we're proposing now, in
14 theory, it would be substantially less. So I do want
15 to point that out.

16 The current makeup is, essentially, more
17 bedrooms. Slide 1 on the exhibit gives you an
18 orientation of where we are. I think what's really
19 important and distinctive here is the proximity to
20 the highway. We're right on that edge, that border,
21 if you will. And we are in that red zone, your CN,
22 commercial neighborhood zone.

23 Slide 2, NJDEP-GeoWeb gives you a little
24 bit better of an understanding. I like this lens on
25 NJDEP-GeoWeb because it really does show you what's

1 around, open space, highways, parks, parking lots and
2 that kind of stuff, stores. But most importantly, I
3 like it because it shows you the bus routes that are
4 in proximity.

5 Given its location to the highway, this
6 site is very unique because nearly all the buses
7 converge here at some point or another. It's like a
8 bottleneck for the bus routes.

9 So when we talk about the buses here --
10 because one of the variances here is parking. We
11 have quite a bit of bus stops right here at the
12 corner of Bergen and on 31st, Lines No. 22, 83, 84,
13 85, 86, 121, 127, 154, and 159. So I say that
14 because it is a unique site. It's right here off the
15 highway. You got mass transit in excess at your
16 doorstep. And we are seeking a parking variance.

17 When you flip the pages -- the next couple
18 of slides I took myself this past weekend as I always
19 like to visit every site I testify to -- it's a
20 prominent corner. And the house, as Manny described
21 is, I think, very accurate, it's kind of like a
22 Halloween house. It's all boarded up. It's kind of
23 got these, you know, older architectural features.
24 It's definitely seen better days. It's certainly not
25 helping the community at large.

1 And being on a prominent corner, it's
2 certainly taking away. And I say that because if you
3 flip the page to Slide 4, you pull the drone back a
4 little bit and you could see that there's been some
5 positive investment in the area. Just up the street
6 here on Central we have some newer housing there in
7 the gray and brown. But most importantly when you
8 look around, there is density at the scale. There is
9 a lot of larger buildings here. We are not, I would
10 say, the largest by any comparison here. And what's
11 unique about this is, generally speaking, for the
12 most part, we are standing within that existing
13 building footprint. There's a minor addition to the
14 rear.

15 But, also, this area is fairly unique
16 because across the street it was more auto-based. So
17 when we talk about parking in that regard, I want to
18 emphasize that Central crosses the highway. There's
19 no stores there either. So on a Sunday, I had no
20 problem finding parking, which generally everybody is
21 typically home or if they're just getting home from
22 church. But there is a good amount of parking in the
23 area. I never really have an issue here. And
24 there's not that much of a, I'd say, immediate
25 residential use directly across the street, which is,

1 you know, unique as well for Union City.

2 So when you look at the next slide, we
3 kind of bring that in, see what's around us a little
4 bit. I think when we talk about what we're doing,
5 chopping that attic will kind of come more into the
6 profile of the existing streetscape, which you'll see
7 on Slide 5 going off to the left of the property down
8 Central will be more in comparison to the public
9 realm in that streetscape.

10 But for purposes of the property, it is
11 fairly weathered, to say it politely and nicely. But
12 for purposes of this application, we are in that CN,
13 neighborhood commercial zone. Three units permitted;
14 we're asking for six. Currently there, as you heard,
15 there's five.

16 This is what we call a d(2), an expansion
17 of a preexisting nonconforming use. The use itself
18 does not conform to an underlying zoning. The
19 essence of a d(2) is site betterment. There's a case
20 out there called *Burbridge v. Mine Hill*. And the
21 courts really looked upon this favorably when you
22 talk about positive aesthetics can be a reason a
23 board justifies an expansion of a preexisting
24 nonconforming use. I think when you see what's here
25 today versus the rendering, we could certainly say we

1 are going to advance that purpose I for desirable
2 visual environment. But most importantly, I think
3 the architect testified, which is really important
4 from a planning standpoint, is our ADA members in our
5 community, unfortunately, are overlooked quite often
6 in development. This project not only calms this
7 site down from an intensity and a density standpoint,
8 from the physical warm bodies that otherwise reside
9 in the building, but it also provides housing
10 opportunities for those that, you know,
11 unfortunately, are sometimes overlooked, with those
12 two additional ADA units.

13 With that, I think these units are
14 comfortably sized for a one-bedroom apartment.
15 They're in a great location with mass transit
16 accessibility. We are providing parking on site,
17 but, unfortunately, we are seeking a variance. We
18 have 5 where otherwise 11 would be required.

19 But what makes this site unique when we
20 talk about can it handle the additional bedrooms --
21 which I believe we can because we are lowering that
22 intensity -- the maximum lot coverage by buildings
23 allowed in the zone is 80 percent; this is at 46. So
24 nowhere are we actually overdeveloping this site.
25 And the maximum impervious coverage allowed is 100

1 percent, and we're at 80 percent. So there's still
2 room to develop this site further. But I think this
3 strikes a healthy balance of what's existed there and
4 the benefits it can bring back, you know, by way of
5 housing and choices for a growing community. I think
6 when you look at this application, we can advance
7 purpose A for the safety and the general welfare of
8 the community. This will have to go to the Building
9 Department, as the architect testified to, and be
10 built to all applicable codes and fire regulations.

11 When you talk about purpose I, desirable
12 visual environment, as well, I think we can say
13 that's more a visual desirable environment than what
14 currently exists there, and it's on a prominent
15 corner in the community. So it's good planning to
16 accentuate and accent these corners with premium
17 buildings and housing choices.

18 When we talk about more efficient use of
19 land, to provide that additional unit I think is more
20 efficient, again, we can certainly have more
21 development on this by underlying zoning. From a
22 planning standpoint, I really don't see a negative
23 effect here given what's across the street is
24 predominantly auto use. There's not a mixed-use
25 component there in those later evening hours. And

1 with the bridge coming over the highway on Central
2 and not having storefronts there, I do think there's
3 ample on-street parking as well as the mass transit.
4 I do not think this additional unit would otherwise
5 exacerbate the underlying issue in Union City. And,
6 again, these units have substantially been toned down
7 to just one bedroom. So, from that, I do think we've
8 advanced the purpose of the d(2), and I would
9 otherwise conclude that approval would be warranted.

10 (Discussion was held off the record.)

11 CHAIRPERSON GARCIA: Any member have any
12 questions for the planner?

13 (No response.)

14 CHAIRPERSON GARCIA: Any member of the
15 public want to step forward for this application?

16 (No response.)

17 CHAIRPERSON GARCIA: Seeing none, closed
18 to the public.

19 I have a few questions for the architect.

20 Thank you, Mr. Dougherty.

21 Mr. Pereiras, do you have any setback
22 that's north side of the building?

23 MR. PEREIRAS: No. It's zero. It's on
24 the property line.

25 CHAIRPERSON GARCIA: It's on the property

1 line?

2 MR. PEREIRAS: Yeah.

3 CHAIRPERSON GARCIA: Okay.

4 MR. PEREIRAS: And it's not a variance
5 because we're in the CN zone and we're permitted to
6 be zero on the site --

7 CHAIRPERSON GARCIA: And, also, you're
8 going to use that foundation too?

9 MR. PEREIRAS: Correct.

10 CHAIRPERSON GARCIA: I have a question for
11 you, Mr. Pereira. The units are going to be like
12 555, 560, right?

13 MR. PEREIRAS: Yes.

14 CHAIRPERSON GARCIA: Is there any
15 possibility that you could accommodate --

16 Mr. Spatz, what do you think to have the
17 parking spaces 8.5 and it creates six parking spaces.
18 I know that you have one ADA in a parking space. But
19 if you step -- if you shrink the building on at least
20 one in expansion, you're probably going to --

21 MR. PEREIRAS: So we need for an ADA
22 parking space 16 feet wide. So I've played with this
23 in every way making the spaces even 8 feet, we would
24 have to shrink the building significantly more.
25 Because right now what we did is we did it to the

1 exact limit. From the property line these are 9
2 feet, and then what's required for ADA, which is
3 16 feet. That means that if we make the parking
4 spots 8-foot-6 we gain only 2 feet. I'm going to
5 need another 6-foot-6 in order to be able to fit
6 another car. And 6-foot-6 we're back to where the
7 building was, which was like 300-and-change square
8 foot apartments, which I didn't think was
9 appropriate.

10 CHAIRPERSON GARCIA: Mr. Spatz, is an ADA
11 parking space required in this application?

12 MR. SPATZ: It would be, yes, given the
13 number of parking spaces.

14 MR. PEREIRAS: It's a federal standard.
15 We can't get around it.

16 MR. SPATZ: Right.

17 MR. PEREIRAS: I'm going to make one
18 suggestion. There has been precedent studies where
19 the city allows, creates a handicap space on the
20 sidewalk so that we could squeeze another space in
21 here. And that allows that -- that satisfies the
22 handicap spot that's there because a handicap spot
23 doesn't necessarily have to be assigned to the
24 building. It's whoever needs a handicap spot in that
25 area. So that has been something that has happened

1 before in the past in other sites across the state.
2 But that handicap spot would have to be assigned by
3 the city. But that creates an additional parking
4 space.

5 CHAIRPERSON GARCIA: But the thing is we
6 don't have authority.

7 MR. SPATZ: Right. Right. It would take
8 away a spot in the street. Typically, it's never
9 used.

10 MR. T. PANEQUE: Mr. Pereiras, have you
11 given thought to an elevator parking for like two
12 cars?

13 MR. PEREIRAS: The applicant has no
14 objection to that.

15 MR. T. PANEQUE: No? You don't need to
16 make them all double. You can just make --

17 MR. SPATZ: I think given the size of the
18 units and the fact that you have all of the mass
19 transit around, this probably -- I mean, it's almost
20 one per unit.

21 CHAIRPERSON GARCIA: Right. Oh, no,
22 basically -- I mean, it's just to have at least one
23 to one. We don't ever approve one to one. It's
24 always two to one.

25 MR. SPATZ: Right.

1 CHAIRPERSON GARCIA: I think given the
2 location, that is basically -- I don't think, like,
3 if I lived there, I mean, I don't think they're going
4 to use a car.

5 MR. SPATZ: Right. I think that's the
6 situation given its location.

7 CHAIRPERSON GARCIA: Yes. I have another
8 point, Mr. -- go ahead.

9 MR. PEREIRAS: I'm going to throw out one
10 other idea. Considering this location, I really have
11 no objection to height. If the board were to
12 consider having -- allowing us another story, I could
13 fit parking on that. Where the apartment is on that
14 ground floor, I could add spaces, but now we're one
15 story taller. So the apartment we lose on the ground
16 floor goes up to the top floor, and it would be one
17 additional apartment. So instead of six, we would
18 have seven apartments. But we'd be adding two
19 parking spaces at least, maybe even three.

20 MS. PEREZ: Would you lose the handicap?

21 MR. PEREIRAS: We would have one handicap,
22 and then we would lose one handicap.

23 MS. O'DELL: And how would they get up to
24 that second -- oh, on the bottom. Got it.

25 MR. PEREIRAS: The handicap will stay on

1 the ground floor.

2 MS. PEREZ: I'd rather have the handicap
3 apartment than the parking spot.

4 CHAIRPERSON GARCIA: I think that, I mean,
5 since the current condition is five, five, legalizing
6 one is, I think, going to be more accurate to
7 maintain as six and five than go seven and seven.

8 MR. PEREIRAS: Yeah.

9 CHAIRPERSON GARCIA: Okay. Another
10 question for you. I understand that the brick is
11 going to be more heavy than metal; however, that
12 design with that part, the brick is going to be much,
13 much better. And I know -- I trust you, and I know
14 you can do it with brick.

15 MR. PEREIRAS: Okay. We'll make that
16 happen. So we'll remove the metal panel in the
17 corner, and that will be brick as well.

18 CHAIRPERSON GARCIA: Any other question?

19 (No response.)

20 CHAIRPERSON GARCIA: Understanding the
21 condition, the location of the application, also
22 understanding that it is an expansion, a
23 rehabilitation of the dilapidated condition it is
24 right now, and I also want to thank the applicant for
25 a great idea to beautify that corner. I'm going to

1 make my motion to grant this application with the
2 changing of the facade, everything brick.

3 Also, I know that you have it there, but I
4 want to state on the record lights, also the trees,
5 and, also, how are you going to protect that area
6 from the -- you have there the bus stop. Remember,
7 on 32nd -- 30th and Bergenline Avenue, you have a lot
8 of people crossing there. And I drive through there
9 every morning. A lot of people tend to throw garbage
10 there, you know, it's like -- I will recommend you to
11 do something with a fence or whatever, I don't know.

12 MR. PEREIRAS: Yeah.

13 CHAIRPERSON GARCIA: Because, I mean, I'd
14 take a lot of pictures and send it to people saying
15 they need to clean up what's there so I'm going to
16 make my motion to grant this application, and with
17 that condition stated about the bricks. And I
18 motivate to do something with the parking space to
19 try to avoid garbage and also a safety issue for the
20 building.

21 MS. GUTIERREZ: I second.

22 MR. VALLEJO: Motion on the table to grant
23 the application by Mr. Garcia. Seconded by
24 Ms. Gutierrez.

25 Roll call on the motion to grant this

1 application.

2 MR. VALLEJO: Mr. Garcia.

3 CHAIRPERSON GARCIA: Yes.

4 MR. VALLEJO: Ms. Gutierrez.

5 MS. GUTIERREZ: Yes.

6 MR. VALLEJO: Mr. Ortiz.

7 MR. ORTIZ: Yes. With all the stated

8 conditions.

9 MR. VALLEJO: Ms. Perez.

10 MS. PEREZ: Yes.

11 MR. VALLEJO: Ms. Watley.

12 MS. WATLEY: Yes.

13 MR. VALLEJO: Ms. O'Dell.

14 MS. O'DELL: Yes.

15 MR. VALLEJO: Ms. Pena.

16 MS. PENA: Yes.

17 MR. VALLEJO: Seven in favor. Motion

18 carries.

19 MS. PEREIRAS: Thank you all very much.

20

21 MR. PEREIRAS: Thank you, everyone.

22 CHAIRPERSON GARCIA: You need to present
23 the revised plans for the facade.

24 MS. PEREIRAS: The facade. Okay.

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1 MOUNTAIN UC, LLC
2 292 MOUNTAIN RD.
3 BLOCK 185, LOT 41:

4 MR. VALLEJO: Next application on
5 tonight's agenda, Mountain UC, LLC, 292 Mountain
6 Road.

7 Ms. Pereiras, please.

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

10 As the board may recall, we were in front
11 of you in July at which time this board asked for a
12 few modifications to the drawings. Those have just
13 been finalized. We'll be submitting those to the
14 board. So, respectfully, if this matter could be
15 carried to the next month's agenda, we'll make sure
16 that those drawings are submitted to the board for
17 your review.

18 CHAIRPERSON GARCIA: Okay. There was the
19 revised plans and also was the -- photographs, that
20 was submitted 10 days before?

21 MS. PEREIRAS: It was not. That's why
22 we'd like to get them to you in time for the next
23 board's meeting.

24 CHAIRPERSON GARCIA: I make my motion
25 to grant this -- wait.

1 MR. T. PANEQUE: Statutory time limits are
2 waived, Ms. Pereiras?

3 MS. PEREIRAS: Of course, Counsel.

4 MR. T. PANEQUE: Okay.

5 CHAIRPERSON GARCIA: I make my motion to
6 adjourn this application to the next meeting.

7 MR. VALLEJO: To October 9, 2025, same
8 place.

9 MS. GUTIERREZ: Seconded.

10 MR. VALLEJO: Seconded by Ms. Gutierrez.

11 Roll call on the motion.

12 Mr. Garcia.

13 CHAIRPERSON GARCIA: Yes.

14 MR. VALLEJO: 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: Ms. Watley.

21 MS. WATLEY: Yes.

22 MR. VALLEJO: Ms. O'Dell.

23 MS. O'DELL: Yes.

24 MR. VALLEJO: Ms. Pena.

25 MS. PENA: Yes.

1 MR. VALLEJO: Seven in favor. Motion
2 carries.

3 Next date will be October 9, 2025.
4 Revised plans at least 10 days before the next
5 hearing date.

6 * * *

1 **ANTHONY JOSE SANTOS & CINDY NATHALIE**
2 **318 13TH STREET**
3 **BLOCK 63, LOT 9:**

4 MR. VALLEJO: Next application on
5 tonight's agenda, Anthony Jose Santos and Cindy
6 Nathalie, 318 13th Street.

7 Ms. Pereiras.

8 MR. T. PANEQUE: Let the record reflect as
9 follows: I've been provided by Ms. Pereiras as to
10 publication and service noting that the 200-foot
11 radius property owners of the property located at
12 318 13th Street, Block 63, Lot 9 were provided with
13 notice on August 21st of tonight's hearing.

14 I've also been provided with an affidavit
15 of publication from The Record and Herald News as
16 well as the copy of the notice that was published on
17 August 28, 2025. Said notice indicates that on
18 tonight's date at 6:00 p.m. at this location the
19 board will be presented with the application for
20 property located at 318 13th Street.

21 Furthermore, I've been provided with the
22 tax list from the Union City Tax Assessor's Office
23 listing all property owners within the 200-foot
24 radius of 13th Street, Block 63, Lot 9. Said list
25 has a date of August 31, 2025, and also a copy of the

1 notice that went out to all property owners. The
2 notice indicates that on today's date at 6:00 p.m. at
3 this location the application with respect to the
4 318 13th Street will be heard by the board. And,
5 finally, certified mail receipts with a postmark date
6 August 29, 2025.

7 Based on the documentation provided, this
8 board has jurisdiction to proceed and hear this
9 matter.

10 MS. PEREIRAS: Bianca Pereiras on behalf
11 of Anthony Jose Santos and Cindy Nathalie, the
12 applicant for property at 318 13th Street, Block 63,
13 Lot 9.

14 Respectfully, we are seeking a d(1) use
15 variance on this application and we do not have our
16 planner to testify this evening, so we are requesting
17 that this matter be carried.

18 MR. T. PANEQUE: Ms. Pereiras, would you
19 and your client waive the statutory time limits for
20 the board to hear this matter?

21 MS. PEREIRAS: We do, Counsel.

22 CHAIRPERSON GARCIA: November what?

23 MR. VALLEJO: 13.

24 CHAIRPERSON GARCIA: I make my motion to
25 adjourn this application to the November 13th date.

1 MS. GUTIERREZ: Second.

2 MR. VALLEJO: Motion to carry this
3 application by Mr. Garcia.

4 MS. GUTIERREZ: Second.

5 MR. VALLEJO: Seconded by Ms. Gutierrez.
6 Roll call on the motion to carry this
7 application.

8 Mr. Garcia.

9 CHAIRPERSON GARCIA: Yes.

10 MR. VALLEJO: Ms. Gutierrez.

11 MS. GUTIERREZ: Yes.

12 MR. VALLEJO: Mr. Ortiz.

13 MS. ORTIZ: Yes.

14 MR. VALLEJO: Ms. Perez.

15 MS. PEREZ: Yes.

16 MR. VALLEJO: Ms. Watley.

17 MS. WATLEY: Yes.

18 MR. VALLEJO: Ms. O'Dell.

19 MS. O'DELL: Yes.

20 MR. VALLEJO: Ms. Pena.

21 MS. PENA: Yes. Seven in favor. Motion
22 carries.

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1 **NAZARIA GUZMAN**
2 **308 24TH STREET**
3 **BLOCK 139, LOT 23:**

4 MR. VALLEJO: Next application on
5 tonight's agenda, Nazaria Guzman, 308 24th Street.

6 Ms. Pereiras, please.

7 MR. T. PANEQUE: Let the record reflect
8 I've been provided by Ms. Pereiras certification of
9 service indicating that notice of tonight's hearing
10 with respect to the property at 308 24th Street,
11 Block 139, Lot 23 was provided to all property owners
12 within a 200-foot radius August 25, 2025.

13 I also have a copy of the notice that went
14 out to all property owners indicating that on today's
15 date at 6:00 p.m. this location, Union City High
16 School, the application for 308 24th Street will be
17 heard by the board. And I have an affidavit of
18 publication from The Record and Herald News as well
19 as a copy of the notice that was published in the
20 newspaper on August 28, 2025. Said notice indicates
21 that September 11th at 6:00 p.m. at the Union City
22 High School the application for 308 24th Street will
23 be presented to the board.

24 I also have a copy of the tax list from
25 the Union City Tax Assessor's Office listing all

1 property owners within the 200-foot radius of Block
2 139, Lot 23, also known as, 308 24th Street. This
3 list was promulgated by the Tax Assessor's Office on
4 August 22, 2025. Finally, the certified mail
5 receipts from this applicant with a postmark date of
6 August 29th 2025.

7 Based on the documentation provided by
8 Ms. Pereiras, this board has jurisdiction to proceed
9 and hear this matter.

10 MS. PEREIRAS: Bianca Pereiras on behalf
11 of Nazaria Guzman for property at 308 24th Street
12 simply we are using for a (d)1 use variance and would
13 we do not have a planner to testify this evening so
14 we are respectfully requesting that this matter be
15 carried I believe to the November hearing date.

16 MR. T. PANEQUE: Ms. Pereiras, do you and
17 your client waive the statutory time limits in which
18 this board can hear the application?

19 MS. PEREIRAS: We do, Counsel.

20 CHAIRPERSON GARCIA: Motion to carry this
21 application to the November meeting.

22 MS. GUTIERREZ: Second.

23 MR. VALLEJO: Motion by Mr. Garcia.
24 Second by Ms. Gutierrez.

25 Roll call on the motion to carry

1 application to November 13, 2025.

2 CHAIRPERSON GARCIA: Yes.

3 MR. VALLEJO: Ms. Gutierrez.

4 MS. GUTIERREZ: Yes.

5 MR. VALLEJO: Mr. Ortiz.

6 MR. ORTIZ: Yes.

7 MR. VALLEJO: Ms. Perez.

8 MS. PEREZ: Yes.

9 MR. VALLEJO: Ms. Watley.

10 MS. WATLEY: Yes.

11 MR. VALLEJO: Ms. O'Dell.

12 MS. O'DELL: Yes.

13 MR. VALLEJO: Ms. Pena.

14 MS. PENA: Yes.

15 MR. VALLEJO: Seven in favor. Motion
16 carries.

17 MS. PEREIRAS: Thank you all. Have a good
18 night.

19 MR. T. PANEQUE: Thank you.

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1 **ADOPTION OF RESOLUTIONS:**

2 1. Lilian Leon, 1608-1610 New York Avenue,
3 Block: 88, Lot: 22. The applicant proposes a new
4 building with 30 parking spaces on the ground floor
5 and 15 apartments above. Approved.

6 Requesting an amendment to the resolution
7 memorialized on 02-08-2024 (rooftop lounge). Approved.

8
9 MR. VALLEJO: Moving now to adoption of
10 resolution. We have four resolutions tonight.

11 Lilian Leon, 1608-1610 New York Avenue.
12 Can I have a motion?

13 CHAIRPERSON GARCIA: Aye.

14 MR. VALLEJO: Motion by Mr. Garcia.

15 MS. GUTIERREZ: Second.

16 MR. VALLEJO: Seconded by Ms. Gutierrez.

17 Roll call on the motion.

18 Mr. Garcia.

19 CHAIRPERSON GARCIA: Yes.

20 MR. VALLEJO: Ms. Gutierrez.

21 MS. GUTIERREZ: Yes.

22 MR. VALLEJO: Ms. Perez.

23 MS. PEREZ: Yes.

24 MR. VALLEJO: Ms. Watley.

25 MS. WATLEY: Yes.

1 MR. VALLEJO: Ms. O'Dell.

2 MS. O'DELL: Yes.

3 MR. VALLEJO: Ms. Pena.

4 MS. PENA: Yes.

5 MR. VALLEJO: Six in favor. Motion

6 carries.

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1 **ADOPTION OF RESOLUTIONS:**

2 1. Mohammed Abu Ali, 133 19th Street, Block: 260,
3 Lot: 55. Legalization of two residential unit in an
4 existing mixed-use building. Approved on 02-09-2023
5 and the resolution was memorialized on March 9, 2023.
6 Requesting a one-year extension. Approved.

7
8 MR. VALLEJO: Resolution No. 2, Mohammed
9 Abu Ali, 133 19th Street.

10 Can I have a motion?

11 MS. PENA: Motion.

12 MR. VALLEJO: Motion by Ms. Pena.

13 (Ms. Watley raises hand.)

14 MR. VALLEJO: Seconded by Ms. Watley.

15 Roll call on the motion.

16 Mr. Garcia.

17 CHAIRPERSON GARCIA: Yes.

18 MR. VALLEJO: Ms. Gutierrez.

19 MS. GUTIERREZ: Yes.

20 MR. VALLEJO: Ms. Perez.

21 MS. PEREZ: Yes.

22 MR. VALLEJO: Ms. Watley.

23 MS. WATLEY: Yes.

24 MR. VALLEJO: Ms. O'Dell.

25 MS. O'DELL: Yes.

1 MR. VALLEJO: Ms. Pena.

2 MS. PENA: Yes.

3 MR. VALLEJO: Six in favor. Motion
4 carries.

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1 **ADOPTION OF RESOLUTIONS:**

2 1. 411 10th St. UC, LLC, 411 10th Street,
3 Block: 39.02, Lot: 9. The applicant proposes to
4 construct a rear addition and a third-floor addition
5 on an existing two-family dwelling. Approved.

6
7 MR. VALLEJO: Resolution No. 3, 411 10th
8 St., LLC.

9 May I have a motion?

10 MS. GUTIERREZ: Motion.

11 MR. VALLEJO: Motion by Ms. Gutierrez.

12 MS. PENA: Second.

13 MR. VALLEJO: Seconded by Ms. Pena.

14 Roll call on the motion.

15 CHAIRPERSON GARCIA: Yes.

16 MR. VALLEJO: Ms. Gutierrez.

17 MS. GUTIERREZ: Yes.

18 MR. VALLEJO: Ms. Perez.

19 MS. PEREZ: Yes.

20 MR. VALLEJO: Ms. Watley.

21 MS. WATLEY: Yes.

22 MR. VALLEJO: Ms. O'Dell.

23 MS. O'DELL: Yes.

24 MR. VALLEJO: Ms. Pena.

25 MS. PENA: Yes.

1 MR. VALLEJO: Six in favor. Motion
2 carries.

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1 **ADOPTION OF RESOLUTIONS:**

2 1. 722 11th Street, LLC, 722 11th Street, Block: 55,
3 Lot: 16. The applicant proposes to construct a rear
4 addition to the rear of an existing six-unit
5 building. Approved. Revised plans received on
6 07/31/2025.

7
8 MR. VALLEJO: And Resolution No. 4,
9 722 11th Street, LLC.

10 May I have a motion?

11 MS. WATLEY: Yes.

12 MR. VALLEJO: Motion by Ms. Watley.

13 MS. GUTIERREZ: Second.

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

16 MR. VALLEJO: Mr. Garcia.

17 CHAIRPERSON GARCIA: Yes.

18 MR. VALLEJO: Ms. Gutierrez.

19 MS. GUTIERREZ: Yes.

20 MR. VALLEJO: Ms. Perez.

21 MS. PEREZ: Yes.

22 MR. VALLEJO: Ms. Watley.

23 MS. WATLEY: Yes.

24 MR. VALLEJO: Ms. O'Dell.

25 MS. O'DELL: Yes.

1 MR. VALLEJO: Ms. Pena.

2 MS. PENA: Yes.

3 MR. VALLEJO: Six in favor. Motion
4 carries.

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1 **ADJOURNMENT:**

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

6 MS. GUTIERREZ: Motion.

7 MR. VALLEJO: Motion by Ms. Gutierrez.

8 MS. WATLEY: Second.

9 MR. VALLEJO: Seconded by Ms. Watley.

10 All in favor.

11 (Whereupon, all board members indicate in
12 the affirmative.)

13 MR. VALLEJO: The ayes have it. Let the
14 record show the meeting has ended.

15 Thank you and good night, everybody.

16 (Whereupon, the meeting concluded at
17 7:37 p.m.)

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CERTIFICATE

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.

LILIANA THOMAS, CCR, RPR
LICENSE NO. 30XI00238800