

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

REGULAR MEETING

TRANSCRIPT OF
PROCEEDINGS

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

Thursday, December 11, 2025
Commencing at 6:38 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
MINDRY WATLEY

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

ROSIO PENA
GERALDINE PEREZ
ALTAGRACIA SAN MARTINO
VIVIAN O'DELL

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

TOMAS PANEQUE, ESQ.
AUGUSTIN PANEQUE, ESQ.
Board Counsel

CARLOS VALLEJO, Board Secretary

DAVID SPATZ, PP, Consulting City Planner

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Attorney for Applicant, Mamdouh Mecheal

BIANCA PEREIRAS, ESQ.
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BIANCA PEREIRAS, ESQ.
Attorney for Applicant, Casa Pereiras

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Attorney for Applicant, Jorvel LLC

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, 64464638THUC, LLC

BIANCA PEREIRAS, ESQ.
Attorney for Applicant, Juan Jose &
Elizabeth Correa

I N D E XPAGE

CALL TO ORDER

9

SALUTE TO FLAG

9

ROLL CALL

10

ADOPTION OF MINUTES

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ADOPTION OF RESOLUTIONS
12/14/15/16/18

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512 19th Street

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MAMDOUH MECHEAL
3125 Summit Avenue

WITNESSPAGE

JOHN CORAK

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photo exhibit

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I N D E X

JUAN JOSE & ELIZABETH CORREA
713-715 6th Street

WITNESS

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MANUEL PEREIRAS

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NO.

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NO EXHIBITS MARKED

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NAZARIA GUZMAN
308 24th Street

WITNESSPAGE

MANUEL PEREIRAS

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ALEXANDER DOUGHERTY

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NO

EXHIBITS

MARKED

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CASA PEREIRAS, LLC
2200 Bergenline Avenue

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I N D E X

64464638THUC, LLC
644-646 38th Street

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MANUEL PEREIRAS

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rendering

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

3 Please take notice that on Thursday,
4 December 11, 2025, at 6:00 p.m., a regular meeting
5 is scheduled for the City of Union City Zoning
6 Board 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. Mr. Garcia.

4 CHAIRPERSON GARCIA: Present.

5 MR. VALLEJO: Mr. Grullon is absent at
6 this time.

7 Ms. Gutierrez.

8 MS. GUTIERREZ: Present.

9 MR. VALLEJO: Mr. Ortiz.

10 MR. ORTIZ: Present.

11 MR. VALLEJO: Ms. Perez is absent.

12 Ms. Watley.

13 MS. WATLEY: Here.

14 MR. VALLEJO: Ms. O'Dell is absent.

15 Ms. Pena is absent.

16 Ms. SanMartino is absent.

17 We have four members for tonight's
18 meeting. All right. We're moving to --

19 CHAIRPERSON GARCIA: Before we start,
20 please, I apologize for the delay. We have like
21 two or three members that are sick and couldn't
22 come and another one is on his way from the
23 airport. He cancelled his flight just so -- we
24 were probably not going to have a quorum.

25 * * * *

ADOPTION OF MINUTES:

MR. VALLEJO: Can I have a motion to adopt the previous meeting minutes from November 13, 2025.

CHAIRPERSON GARCIA: Aye.

MS. GUTIERREZ: Second.

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

CHAIRPERSON GARCIA: Yes.

MR. VALLEJO: Ms. Gutierrez.

MS. GUTIERREZ: Yes.

MR. GRULLON: Mr. Ortiz.

MR. ORTIZ: Yes.

MR. VALLEJO: Ms. Watley.

MS. WATLEY: Yes.

MR. VALLEJO: Four in favor, motion carries.

* * * *

1 **ADOPTION OF RESOLUTIONS:**

2 1. Brisas, LLC - 205 48th Street. The applicant
3 proposes to legalize 2 one-bedroom apartments in
4 the basement of an existing six family dwelling:
5 There will be a total of eight units. **Approved**

6
7 MR. VALLEJO: We change a little bit
8 tonight's agenda, we're going to do the
9 resolutions first. Resolution number one, Brisas
10 LLC, 205 48th Street.

11 Can I have a motion to adopt the
12 resolution?

13 CHAIRPERSON GARCIA: What is it, Brisas?
14 Yes, my motion --

15 MR. VALLEJO: 205 48th Street.

16 CHAIRPERSON GARCIA: To adopt.

17 MS. GUTIERREZ: Second.

18 MR. VALLEJO: Motion by Mr. Garcia,
19 second by Ms. Gutierrez. Roll call on the motion.
20 Mr. Garcia.

21 CHAIRPERSON GARCIA: Yes.

22 MR. VALLEJO: Ms. Gutierrez.

23 MS. GUTIERREZ: Yes.

24 MR. VALLEJO: Mr. Ortiz.

25 MR. ORTIZ: Yes.

1 MR. VALLEJO: Ms. Watley.

2 MS. WATLEY: Yes.

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

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1 **ADOPTION OF RESOLUTIONS:**

2 2. Sakiri UC Realty Management, LLC 134 37th
3 Street. Block: 223 Lot: 9. Legalization of ground
4 floor apartment in an existing two (2) family
5 house. **Approved**

6

7 MR. VALLEJO: Resolution number 2,
8 Sakiri UC Realty Management, LLC, 134 37th Street.
9 Can I have a motion.

10 CHAIRPERSON GARCIA: Motion.

11 MR. VALLEJO: Motion by Mr. Garcia.

12 MS. GUTIERREZ: Second.

13 MR. VALLEJO: Seconded by Ms. Gutierrez.
14 Role call on the motion.

15 Mr. Garcia.

16 CHAIRPERSON GARCIA: Yes.

17 MR. VALLEJO: Ms. Gutierrez.

18 MS. GUTIERREZ: Yes.

19 MR. VALLEJO: Mr. Ortiz.

20 MR. ORTIZ: Yes.

21 MR. VALLEJO: Ms. Watley.

22 MS. WATLEY: Yes.

23 MR. VALLEJO: Four in favor, motion pass.

24 MR. PANEQUE: Mr. Vallejo, just give us
25 one second, please.

1 **ADOPTION OF RESOLUTIONS:**

2 3. GSF Holding Realty, LLC. 3710 Kennedy Blvd.
3 Block: 219 Lot: 58. The applicant proposes to
4 legalize an existing building addition and
5 construct additions on the second and third floors
6 to utilize the building for office use. **Approved**

7
8 MR. VALLEJO: We're going to go to
9 resolution number four is GSF Holding Realty, LLC,
10 3710 Kennedy Boulevard. Can I have a motion to
11 adopt this resolution?

12 CHAIRPERSON GARCIA: Motion.

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. Garcia.

18 CHAIRPERSON GARCIA: Yes.

19 MR. VALLEJO: Ms. Gutierrez.

20 MS. GUTIERREZ: Yes.

21 MR. VALLEJO: Mr. Ortiz.

22 MR. ORTIZ: Yes.

23 MR. VALLEJO: Ms. Watley.

24 MS. WATLEY: Yes.

25 MR. VALLEJO: Four in favor, motion pass.

1 **ADOPTION OF RESOLUTION:**

2 4. Resolution to reappoint the zoning board
3 secretary for the year 2026.

4

5 MR. VALLEJO: Going to the next
6 resolution on tonight's agenda, to reappoint the
7 zoning board secretary for the year 2026. Can I
8 have a motion?

9 CHAIRPERSON GARCIA: Who's the person
10 for the record?

11 MR. VALLEJO: Who is the person? To
12 reappoint?

13 CHAIRPERSON GARCIA: Yes, my motion
14 reappoint.

15 MS. GUTIERREZ: Second.

16 MR. VALLEJO: Second 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: Mr. Ortiz.

23 MR. ORTIZ: Yes.

24 MR. VALLEJO: Ms. Watley.

25 MS. WATLEY: Yes.

1 MR. VALLEJO: Four in favor, motion
2 pass.

3 * * * *

ADOPTION OF RESOLUTIONS:

5. Resolution to approve the zoning board's schedule for the year 2026.

MR. VALLEJO: And we're going to the last resolution on tonight's agenda to approve the zoning board schedule for the year 2026. Can I have a motion?

CHAIRPERSON GARCIA: Motion.

MS. GUTIERREZ: Second.

MR. VALLEJO: Motion by Mr. Garcia, second 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. Watley.

MS. WATLEY: Yes.

MR. VALLEJO: Four in favor, motion pass.

* * * *

1 **512 19th Street, LLC -**

2 **512 19th Street:**

3

4 MR. VALLEJO: Now we're going to go to
5 application number one on tonight's agenda, 512
6 19th Street, LLC. Mr. Paneque, please.

7 MR. PANEQUE: Thank you, Mr. Vallejo.

8 Let the record reflect that I have been
9 provided with a letter from the office of Adolfo
10 Lopez dated December 10, 2025, in which Mr. Lopez
11 is requesting that this matter be presented to the
12 Board only for the purpose of establishing
13 jurisdiction. He indicates in his letter that
14 they need to make certain minor changes to the
15 application and the plans and they will be ready
16 to proceed at the next meeting. The applicant
17 waives the statutory jurisdictional time limits
18 for the Board to hear the application.

19 The letter also indicates that the
20 jurisdictional proofs were sent to the Board
21 secretary and those jurisdictional proofs have now
22 been made available to me. They are as follows:

23 We have an affidavit of service which
24 indicates that the notice for tonight's hearing
25 with respect to the property located at 512 19th

1 Street was published at least ten days before the
2 hearing. And notices were sent out to all
3 property owners within the 200-foot radius of said
4 property.

5 I've also been provided with an
6 affidavit of publication from The Record
7 indicating that the notice was published on
8 November 17th. I have a copy of the notice that
9 was published in the paper and that notice
10 indicates that on the 11th day of December at
11 6:00, at this location, the Union City High
12 School, the Board will be presented with an
13 application with respect to the property at 512
14 19th Street.

15 I've also been provided with a list of
16 all the property owners within the 200-foot radius
17 of the property in question. Said list was done
18 by the Union City tax assessor with a date of
19 August 4, 2025.

20 Furthermore, I have been provided with a
21 copy of the notice that went out to all property
22 owners. Said notice indicates the same kind of
23 notification that was published in the newspaper.

24 And I have been finally provided with
25 the certified mail receipts, all with a postmark

1 date of November 20, 2025.

2 Based on the documentation that has been
3 provided by Mr. Lopez, this Board would have
4 jurisdiction to proceed and hear this matter, as
5 well as carry it, pursuant to the request made by
6 Mr. Lopez in his letter dated December 10, 2025.

7 MR. VALLEJO: That would be adjourned to
8 January 8, 2026.

9 CHAIRPERSON GARCIA: Yes. I make my
10 motion to adjourn to the next meeting, January.

11 MS. GUTIERREZ: I'll second it.

12 MR. VALLEJO: January 8th.

13 CHAIRPERSON GARCIA: January 8th.

14 MR. VALLEJO: Motion to adjourn this
15 application to January 8th by Mr. Garcia, seconded
16 by Ms. Gutierrez. Roll call on the motion.

17 Mr. Garcia.

18 CHAIRPERSON GARCIA: Yes.

19 MR. VALLEJO: Ms. Gutierrez.

20 MS. GUTIERREZ: Yes.

21 MR. VALLEJO: Mr. Ortiz.

22 MR. ORTIZ: Yes.

23 MR. VALLEJO: Ms. Watley.

24 MS. WATLEY: Yes.

25 MR. VALLEJO: Four in favor, motion

1 pass. We're going to get a small break, right?

2 MR. PANEQUE: Before we do that, if I
3 may? Ms. Pereiras, do you have any matters that
4 require a use variance and do you want to make an
5 application to carry them or you're going to
6 proceed tonight with them?

7 MS. PEREIRAS: I confirmed with one
8 applicant that he wants to pursue, but I need to
9 speak to the other applicants. We're only getting
10 five members?

11 MR. PANEQUE: So far, we only have four,
12 we're expecting a fifth on the way. And Mr.
13 Alonso is giving me signs --

14 CHAIRPERSON GARCIA: We're going to have
15 a break.

16

17 (Whereupon a short recess was taken.)

18

19

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25

1 **MAMDOUH MECHEAL -**
2 **3125 Summit Avenue:**

3

4 MR. VALLEJO: Back on the record, Mr.
5 Garcia. Let the record reflect that Mr. Grullon
6 joined the meeting at 7:12 p.m. Now we have five
7 members.

8 Next application on tonight's agenda
9 Mamdouh Mecheal, 3125 Summit Avenue. Mr. Alonso,
10 please.

11 MR. ALONSO: Mr. Chairman, if you give
12 me one second, my witness is doing a virtual
13 hearing in the hallway. I'm going to see if he
14 started. If he did, then I'll ask you to go to
15 the next application.

16 MR. PANEQUE: Before we proceed, let the
17 record reflect that I have received a
18 certification of absence signed by Board Member
19 Mindry Watley indicating that although she was not
20 present at the November 13th meeting, she has read
21 all of the complete minutes and transcripts and is
22 prepared to vote tonight on any applications that
23 started as of last month.

24 CHAIRPERSON GARCIA: Before we proceed,
25 I want to mention something to the applicants and

1 also to the member of the public and also thank
2 Victor Gullon, member. Just to show you the
3 level of responsibility that we have to handle.
4 Mr. Gullon was supposed to come back from
5 vacation on the weekend. He cut off the vacation
6 today because we didn't have a quorum because we
7 have three members sick. He decided because he's
8 responsible to cut off the vacation and took a
9 flight this afternoon. And that's the level of
10 the responsibility that we have. And we take
11 decisions -- we try to take the decision for the
12 better of the community. So please -- just thank
13 you very much, Mr. Gullon.

14 MR. ALONSO: Thank you. Good evening,
15 Mr. Chairman, Members of the Board and especially
16 Mr. Gullon, thank you for your courtesies. It's
17 greatly appreciated.

18 Mr. Chairman, the Board may recall that
19 we started this application back on October 9th.
20 At that time, you heard testimony from our
21 architect, our traffic engineer, and our planner,
22 and essentially concluded our presentation. You
23 also heard comments from the public.

24 At that time, the Board had asked us to
25 prepare a traffic impact study, which we did. And

1 just to remind the Board, this is an application
2 for a 142-unit building, with 142 parking spaces.

3 Little brief history. My client
4 purchased the property with the approvals already.
5 He started to work, I gave you the history as to
6 what happened. As a result of Covid and other
7 situations, the project had stopped. He started
8 again after Covid, then got stop work orders from
9 PSE&G. Ultimately, the approvals ran out. So
10 we're back here before the Board.

11 Unfortunately, because of the change in
12 circumstances, my client needed to come back with
13 the proposed project, as it was presented last
14 time. Now with that said, I'm going to call John
15 as the traffic engineer. I'm going recall him and
16 he did prepare the traffic impact study.

17 Mr. Chairman, Mr. Corak was qualified.
18 Do you need him to be sworn?

19 CHAIRPERSON GARCIA: He was qualified
20 last time.

21 MR. CORAK: Still under oath.

22

23 J O H N C O R A K, previously sworn:

24

25 MR. ALONSO: Okay. Mr. Corak, at the

1 last meeting, the Board had asked us to prepare a
2 traffic impact study. Were you able to do that?

3 MR. CORAK: I was, yes.

4 MR. ALONSO: And did you generate a
5 report?

6 MR. CORAK: I did.

7 MR. ALONSO: Okay. And can you please
8 review your findings with the Board?

9 MR. CORAK: Of course. So with the
10 traffic impact study, as we in preparation for the
11 previous hearing and the project as a whole, it
12 includes the visits to the subject site and the
13 surrounding roadway network. What we've added on
14 to that site visit, aside from more site visits,
15 are traffic counts on the roadways that were
16 immediate adjacent to the subject site, so we can
17 understand the turning movements of those vehicles
18 coming in and out of the site itself, as well as
19 the interaction of the intersections in the
20 immediate vicinity.

21 Certainly, as we branch out a little bit
22 further, get to you know JFK and Bergen Turnpike,
23 get to 495 and those ramps, you're seeing
24 congestion. You're seeing lots of traffic and
25 that's not something that's really going to be

1 materially affected by this development. When
2 you're at capacity in those systems, what people
3 do is they look for really three things, they look
4 for a different way to go, different time to go,
5 or different means of going, such as transit,
6 walking, or otherwise.

7 So when we were doing our traffic study,
8 what we did, we went turning movement counts. We
9 counted each individual car that's going through
10 the intersection, whether they make a right turn,
11 left turn, or continue straight. We collected
12 those counts on Thursday, November 20th, from 7
13 a.m. to 9 a.m., and again from 4 p.m. to 7 p.m.
14 And the intent of that is to capture two commuting
15 peaks on the roadway network itself.

16 We did those counts at the intersections
17 adjacent to the building itself, so Summit Avenue
18 and Sip Street, and Summit Avenue and 31st Street.
19 And in doing so, we're able to really get a
20 localized perspective of, you know, the traffic
21 conditions out there today, as well as forecasting
22 future traffic, what those intersections are going
23 to do in the future.

24 We then applied background growth rate
25 for generalized background growth on the roadway,

1 network not related to any specific single
2 project, but in general, population and traffic
3 growth. That rate comes from the NJDOT, it's
4 applied annually. It's a 1.5 percent increase in
5 traffic each year over the course of two years.
6 We then forecast the traffic generated by this
7 project, all right. So we have a 142-unit
8 residential building with 142 parking spaces, but
9 not all those parking spaces are headed in or out
10 at the same time over the course of the peak hour,
11 all right. Those vehicles that are on-site are
12 disbursed amongst more hours, basically due to
13 varying work schedules, you know, just varying
14 traffic conditions, as it relates to residential
15 uses. We don't all leave at once, we don't all
16 come back at once.

17 So the morning forecast, total trips in
18 and out of the site is 52 trips in the weekday
19 morning peak hour. And then weekday evening peak
20 hour, 54 total trips. So just under one trip a
21 minute generated by this project at the 142 units.
22 So you can imagine, if we average it out, right,
23 you have a car arriving or departing site about
24 once a minute. You know, very common to see a
25 couple come in at the same time and then go two

1 minutes and not see another vehicle. But all in
2 all, not a significant traffic burden, if you
3 will, related from this project.

4 When we route those cars on the
5 surrounding roadway network, we conduct a level of
6 service analysis, comparing the existing count to
7 the volumes with the ambient growth, as well as
8 the volumes with the proposed development. And
9 what we find is that the levels of service, the
10 average delay experienced by a motorist does not
11 change in any significant way. We are keeping
12 levels of service relatively the same in terms of
13 increases in delay. It's very much de minimus, in
14 the range of, you know, about one to two seconds
15 at most. Some approaches don't change at all,
16 it's just the nature of the beast. Adding one car
17 a minute does not precipitate a significant
18 traffic change.

19 With that, we would conclude that this
20 project does not have significant adverse impact
21 on the surrounding roadway network. What it does
22 have though is great proximity to transit. I do
23 have an exhibit and some handouts for that.

24
25 (Photo exhibit marked A-2.)

1

2

MR. ALONSO: So we'll mark this A-2.

3

Just explain for the record what A-2 represents.

4

MR. CORAK: So A-2 is a photo exhibit.

5

It shows some of, not all of, the bus stops in the

6

immediate vicinity to the subject property. And

7

I'll talk a little bit about those different

8

routes those buses serve. So I have a legend,

9

this photo exhibit prepared by my office dated

10

with today's date, December 11, 2025. And in the

11

bottom right corner, it has an aerial map with the

12

site as well as a few of, but not all of, the bus

13

stops that are in the vicinity of the site itself.

14

So starting with number one, this is at

15

30th Street and JFK, also you can go a block down

16

at 30th Street and Summit, all the same here.

17

It's essentially that is your stop for all of your

18

inbound New York City buses. So there are a lot

19

of buses that do stop here, 107, 108, 111, 124,

20

129, 160, 161, 190, 192. So those buses are

21

arriving regularly, they're taking traffic into

22

the city, as you all know. I just want to

23

highlight the number of buses that do come through

24

those intersections.

25

Stops number two and number three, we

1 kind of lumped these two together, but this is the
2 more local route and within the vicinity of the
3 site. Travels up to North Bergen, goes down to
4 Journal Square, and, you know, is an important
5 local route, if you will, on the NJ Transit bus
6 system.

7 Number four on this list, 32nd Street
8 and Summit. This is another set of local routes,
9 has the 83 bus and the 85 bus. The 83 going from
10 Journal Square to Hackensack bus terminal,
11 stopping in Ridgefield Park, Bogota, some of those
12 other Bergen County towns. And then the 85 bus
13 going to Hoboken station, as well as American
14 Dream Mall and Meadowlands.

15 Lastly, in terms of diverse
16 transportation options as we're headed out to work
17 in the morning, number five is sort of basically
18 the opposite of number one. This is the outbound
19 from the city stop, with all of those buses that I
20 covered before, but the variety of destinations
21 within your commute is impressive. Running
22 through it quickly as I can, South Orange, Newark,
23 Maplewood, Elizabeth, Secaucus, Fair Lawn,
24 Paramus, Saddle Brook, Hackensack, Elmwood Park,
25 Garfield, Meadowlands, Paterson, Lodi, Moonachie,

1 on and on and on, Clifton, Wayne, Nutley.
2 Excellent service, and you'll see that that is --
3 even though it's not what you consider inbound
4 directional peak, still is a very important
5 component of this transit system.

6 This location, this project, very well
7 suited to capture that multimodal transit. And
8 that providing the parking at one parking space
9 per unit while blending in with that transit use
10 in the area, you know, makes this project a right
11 sized fit with that parking supply, that's really
12 already built and existing.

13 MR. ALONSO: And just to remind the
14 Board, you testified that the parking requirement
15 was 123 parking spaces and we're providing 142; is
16 that correct?

17 MR. CORAK: That's correct.

18 MR. ALONSO: So we exceed the parking
19 requirement without taking any credits for the EV?

20 MR. CORAK: That's not including any of
21 the EV credit that is allowed under the statewide
22 model ordinance.

23 MR. ALONSO: And so given the amount of
24 parking that we're providing, the availability of
25 the mass transit in the immediate vicinity, and

1 your traffic impact study, did you form an opinion
2 that there is no degradation in the levels of
3 service and there's sufficient capacity for any
4 additional vehicles that make generated from this
5 project?

6 MR. CORAK: Correct.

7 MR. ALONSO: I have no further
8 questions, Mr. Chairman.

9 CHAIRPERSON GARCIA: Based on what --
10 how did you calculate it's only 123? I mean you
11 have 18 two-bedrooms, right?

12 MR. ALONSO: We have 124 one-bedrooms.

13 CHAIRPERSON GARCIA: And 18.

14 MR. ALONSO: And 18 two-bedrooms.

15 CHAIRPERSON GARCIA: That's 142, right?

16 MR. ALONSO: Correct.

17 CHAIRPERSON GARCIA: How come you come
18 to 123 parking space?

19 MR. CORAK: So that is based on the
20 Residential Site Improvement Standards.

21 CHAIRPERSON GARCIA: But I say it's like
22 how do you calculate, how many per one bedroom and
23 how many per two bedroom?

24 MR. CORAK: 0.8 per one-bedroom, per the
25 RSIS. And 1.3 for two-bedroom.

1 CHAIRPERSON GARCIA: 1.3.

2 MR. CORAK: Yes.

3 CHAIRPERSON GARCIA: So 1.3 times 18?

4 MR. CORAK: Yes.

5 CHAIRPERSON GARCIA: Okay. And 124, by
6 Mr. Spatz, in your memo, you indicate that they
7 don't conform with the parking spaces, I'm
8 assuming that you probably -- it was based not on
9 high-rise?

10 MR. SPATZ: Correct. This is greater
11 than ten stories, so it's a high-rise. So the
12 lower parking standard would be applicable.

13 CHAIRPERSON GARCIA: You concur with the
14 expert in that RSIS, one bedroom requires .8?

15 MR. SPATZ: Correct.

16 CHAIRPERSON GARCIA: And two bedroom
17 require 1.3?

18 MR. SPATZ: That's correct, for a
19 high-rise apartment.

20 CHAIRPERSON GARCIA: Can you do the math
21 for me, the 124 times .8 and the 18 by 1.3,
22 please.

23 MR. SPATZ: Their numbers are accurate.

24 CHAIRPERSON GARCIA: Just for -- I could
25 interpret that we could make the correction to --

1 MR. SPATZ: Correct.

2 CHAIRPERSON GARCIA: Say that they don't
3 require a parking --

4 MR. SPATZ: That's correct. In my
5 report, I had asked them for the bedroom mix,
6 which wasn't clear on the application. But they
7 confirmed that and with those parking standards,
8 they have a conforming amount of parking.

9 CHAIRPERSON GARCIA: Okay. So you agree
10 that doesn't require a parking variance as per
11 RSIS?

12 MR. SPATZ: That's correct.

13 CHAIRPERSON GARCIA: Okay, thank you.
14 Any other questions to the traffic expert?

15 VICE CHAIRPERSON GRULLON: I think I
16 missed the day when you performed the study, the
17 traffic study, what day of the week was that?

18 MR. CORAK: It was on a Thursday, I
19 believe, let me just double check. Yeah, Thursday
20 November 20th.

21 VICE CHAIRPERSON GRULLON: Was the
22 school in session?

23 MR. CORAK: Yes.

24 VICE CHAIRPERSON GRULLON: What time?

25 MR. CORAK: We counted from 7 a.m. to 9

1 a.m. and then 4 to 7.

2 VICE CHAIRPERSON GRULLON: That's fair.

3 MR. CORAK: November is a tough month
4 with election, teachers convention, Thanksgiving
5 holidays, but we were able to --

6 CHAIRPERSON GARCIA: Basically that week
7 was a school week, it was between election and
8 Thanksgiving, so that week was busy.

9 MR. CORAK: It is a school week.

10 CHAIRPERSON GARCIA: Before Thanksgiving
11 and after the school convention.

12 VICE CHAIRPERSON GRULLON: Thank you.

13 CHAIRPERSON GARCIA: I have no further
14 questions for the traffic expert. Do you have
15 another witness?

16 MR. ALONSO: We do not, that's the only
17 additional information that --

18 VICE CHAIRPERSON GRULLON: One more
19 question, I know you have also EV parking spaces.

20 MR. ALONSO: Correct. We do, but we did
21 not take a credit for those.

22 VICE CHAIRPERSON GRULLON: But those are
23 going to continue?

24 MR. CORAK: Yeah.

25 MR. ALONSO: That's correct.

1 VICE CHAIRPERSON GRULLON: Thank you.

2 CHAIRPERSON GARCIA: Mr. Alonso, we
3 mentioned something about the design, remember
4 that, in the prior meeting?

5 MR. ALONSO: The design?

6 CHAIRPERSON GARCIA: Something like try
7 to -- okay, no problem, it's okay. Can you go to
8 the breakdown of the units, you have you mentioned
9 that you have one --

10 MR. ALONSO: Yes, I can tell you.

11 CHAIRPERSON GARCIA: You have 124
12 one-bedroom with -- I saw that you have den?

13 MR. ALONSO: Yes. We have 61
14 one-bedrooms, we have 63 one-bedrooms with a den.
15 We have nine two-bedrooms and we have nine
16 two-bedrooms plus a den.

17 CHAIRPERSON GARCIA: Do you have the
18 size of those units?

19 MR. ALONSO: Mr. Carballo,
20 unfortunately, is not available tonight. He
21 provided his testimony last time. There should be
22 a breakdown on the plans.

23 CHAIRPERSON GARCIA: So it's a chart
24 here, if it's accurate.

25 MR. CORAK: The one beds with no den

1 range from 658 square feet to 1,051 square feet.
2 The one beds with den range from 739 square feet
3 to 1,150 square feet in size. The two bedrooms
4 are, depending which one you get, is either 1,001
5 square feet or 1,383 square feet.

6 CHAIRPERSON GARCIA: Okay. I'm trying
7 to figure out the den, that's why. I understand
8 that as per -- our planner concur with your
9 traffic expert, also with your application, that
10 as per RSIS, doesn't require parking variance;
11 however, it's a concern about the den later on
12 converted into bedroom.

13 MR. ALONSO: Understood.

14 CHAIRPERSON GARCIA: I don't know how is
15 your client able to sacrifice the den, but I mean
16 because those one later on, you know, are going
17 have the den going to come back right away to a
18 room. And this is just human nature by necessity.
19 If I get married and I have kids, what I going to
20 do, have the space.

21 MR. ALONSO: Understood.

22 CHAIRPERSON GARCIA: Then it's like --

23 MR. ALONSO: Quite honestly, we proposed
24 them because we felt it was more reflective of the
25 current requirements and conditions out there,

1 people are working from home. But it was just
2 part of the proposal. If the Board sees fit to
3 remove the dens because of that concern, I'm sure
4 my client will have no problem in removing all the
5 dens.

6 CHAIRPERSON GARCIA: That's one of my
7 concern.

8 MR. ALONSO: We have no problem with
9 that.

10 VICE CHAIRPERSON GRULLON: I know you
11 don't have Mr. Carballo here, but on the previous
12 meeting I asked about the materials of the facade
13 of the building, and also if there was a way to
14 make it look more different colors, so it doesn't
15 look like one massed building. I don't know if he
16 was able to add anything?

17 MR. ALONSO: Are you talking colors or
18 material?

19 VICE CHAIRPERSON GRULLON: Both.
20 Sometimes you use different material to make it
21 look more nice to the area.

22 MR. ALONSO: Right. And I believe Mr.
23 Carballo had testified that we would be willing to
24 work with the Board.

25 CHAIRPERSON GARCIA: Yeah, that's why.

1 That's why we're asking you.

2 MR. ALONSO: Oh, I'm sorry, yeah. He
3 did not prepare a design to change the materials,
4 but we definitely --

5 VICE CHAIRPERSON GRULLON: I understand
6 the footprint is already there, but maybe
7 something that fits more into the area. It's a
8 really busy area, I mean as we hear from the
9 traffic expert, if people moving into an
10 apartment, if this is approved they're not going
11 to come with two cars because they know they're
12 not going to be able to move out. If they come,
13 they're going to be taking public transportation,
14 mainly. If they have a car, they're going to use
15 it for weekends and holidays. But I mean that's
16 my opinion.

17 MR. ALONSO: Yeah.

18 VICE CHAIRPERSON GRULLON: My concern is
19 the facade, the appearance of the building.

20 MR. ALONSO: And I apologize we didn't
21 bring any plans with that, but I believe he did
22 say that he would design it to be consistent with
23 the neighborhood. But we just -- I don't have
24 that material information here.

25 CHAIRPERSON GARCIA: The facade is what,

1 it's brick? I understand it's brick?

2 MR. ALONSO: I believe there was a
3 combination of material. And I don't recall --
4 let me see. I don't have that information in
5 front of me.

6 MR. CORAK: The current illustration has
7 brick up until the top two floors, which then
8 changes.

9 CHAIRPERSON GARCIA: The current
10 construction is brick all the way up, the whole
11 facade, I know.

12 MR. ALONSO: Right.

13 CHAIRPERSON GARCIA: On top of that --

14 MR. ALONSO: There's a rendering which
15 is the white. And I believe he said there was
16 some type of cement board that was going to be up
17 there.

18 VICE CHAIRPERSON GRULLON: Let me see
19 that color picture, please. All that is glass?

20 MR. ALONSO: Everything is glass and you
21 got brick.

22 VICE CHAIRPERSON GRULLON: The black and
23 white picture is not as clear.

24 CHAIRPERSON GARCIA: Let me go to the
25 public, any step forward? Any member of the

1 public wants to step forward?

2 MS. MARCHI: Yes. My name is Maria
3 Marchi, M-A-R-C-H-I, 827 Sip Street. My first
4 question is actually to the traffic consultant.
5 So typically schools let out around 2:30 or so, so
6 there is heavy traffic from, like, I'm going to
7 say probably 2:30 onward. So you started at 4:00
8 and by then most of the schools and teachers are
9 out of town. So I feel that might be a little
10 skewed. Anybody that lives or is around the area
11 knows how busy it is getting on to 495 from 31st
12 Street when the schools let out. So I kind of
13 figure maybe that number might be a little off.

14 Then the next question is for you, Mr.
15 Alonso.

16 MR. ALONSO: Well, before we leave the
17 traffic engineer, I'm going to ask him why did you
18 do the counts in the morning peak hour and the
19 afternoon peak hour and not in the middle of the
20 day?

21 MR. CORAK: So we have a project that
22 has 120 one-bedroom --

23 MR. ALONSO: 124.

24 MR. CORAK: 124 one-bedrooms and 18
25 two-bedrooms. This configuration, in and of

1 itself, traditionally does not lend to a lot, if
2 any, school children living within these types of
3 buildings. So while the streets do get busier
4 early with school traffic, the project itself does
5 not generate any sort of substantial amount of
6 traffic that's going to have an impact on those
7 streets.

8 So it becomes just a matter of how much
9 is out there that needs to be counted. We want to
10 focus on the parts where the project is going to
11 impact the street network the most. That ends up
12 being the morning and evening commuting periods.
13 That's why we didn't slide that time period
14 earlier.

15 MS. MARCHI: All right. Just to let you
16 know, the traffic is bad.

17 MR. CORAK: I understand, it's
18 commonplace in many areas near schools, you have
19 the pickup lines and all that.

20 MS. MARCHI: But it's not the just the
21 school, it's the traffic coming in -- I'm sorry --
22 it's the city, too. So, again, going back to the
23 buses going outbound to Secaucus, Moonachie.
24 Well, I worked in Nutley, I used my car, I did not
25 use the bus system. So I am sure if people move

1 into that building that, you know, have the
2 ability and can afford to have a car and work out
3 that way will most likely affect traffic in the
4 morning, just saying.

5 MR. ALONSO: Now, is that calculated
6 into your analysis?

7 MR. CORAK: Absolutely. So, sure, a
8 unit may have a car, but that doesn't necessarily
9 mean that all the commuters living within that
10 unit, say a husband and wife combination, they may
11 only have one car because transit serves the needs
12 of one and then the other can drive.

13 So I resonate with driving to Nutley
14 because taking the bus to Nutley is a long
15 journey, I can appreciate that. Quite frankly, I
16 could take the bus to work without transferring
17 and I still drive. So because it is quicker, I
18 understand that. But there are plenty of
19 applications where being able to not have the
20 burden of car ownership -- a lot of it is a
21 financial burden -- that's appealing to some
22 people. And convenience of the transit options is
23 something that I definitely don't want the Board
24 to forget, but also is very critical in terms of
25 the way that people move, you know, in this area.

1 MR. ALONSO: And your analysis included
2 I believe it was 54 trips generated in the morning
3 leaving the site, so that's already --

4 MR. CORAK: Within that busiest hour.

5 MR. ALONSO: That's part of your
6 analysis?

7 MR. CORAK: Correct.

8 MR. ALONSO: So it's counted for.

9 MR. CORAK: We're not trying to say that
10 everybody is going to take the bus into the city
11 and then come back and we're not going to add any
12 vehicles. It's that the vehicles generated to the
13 roadway network do not cause a significant adverse
14 impact to the roadways.

15 MS. MARCHI: Okay. I don't believe it,
16 but that's okay.

17 MR. CORAK: I understand. It's not the
18 first time I've heard that, but I understand.

19 MS. MARCHI: Now, I have a question for
20 you or maybe it might be someone else here. So
21 last time, in -- October, yes, thank you -- one of
22 the things that was put forth was that the
23 building is never going to be at full capacity,
24 it's typically going to be like 80 percent rented,
25 like that's a statistic.

1 MR. ALONSO: No, I believe we were
2 talking about parking spaces. I think the parking
3 spaces, based on census data as well as anecdotal
4 information that we have from other like buildings
5 in the area, about 80 percent of the parking
6 spaces are actually used. And that's why I
7 believe I was offering to the Board that if
8 permitted, once the building is fully occupied and
9 we have available vacant spaces, that they can be
10 made available to the neighbors to help alleviate
11 their parking concerns. Because we don't believe
12 we're going to add to the parking problem. If
13 anything, we'll help alleviate it, if somebody
14 wants to rent spaces from us.

15 MS. MARCHI: Okay. But then my next
16 question -- and I don't know who this should go
17 to -- why does it need to be so big? Why can't it
18 be within scope of all the other buildings? I'm
19 not talking about the two-families, I'm talking
20 about like Vista Common, which is across the
21 street and maybe --

22 MR. ALONSO: That's a fair question. As
23 I indicated at the last meeting, my client
24 purchased the property and he started to build the
25 building. Typically, somebody comes in and gets a

1 construction loan and it's financed. My client
2 actually self-financed, he paid for everything
3 that you see out-of-pocket, purchased the
4 property, with the construction. He's about 18
5 and a half million dollars out of his pocket into
6 this project.

7 That was based on numbers before Covid.
8 And if you follow the news, you see that
9 everything has gone crazy. During Covid, you had
10 the supply chain issues, the labor issues,
11 inflation interest rates, kind of -- builders work
12 with what are called proformas, the numbers and
13 that's how they financially pencil out.

14 The reality is and I believe that I
15 indicated that my client was partially the victim
16 of the circumstances. Right in the middle of
17 Covid, everything stopped because we couldn't
18 work. And then PSE&G stopped us for awhile and
19 then those approvals expired. If they didn't
20 expire, we would have continued to work on the old
21 project. Now, because of the new financial
22 reality, we need the additional units in order to
23 get the financing to finish the project. Now
24 typically, the finances is not the responsibility
25 of the Board and it's not something that's

1 considered. But this is something that helps
2 mitigate the concerns and why is it that we need
3 to do this.

4 You have all these parking spaces, you
5 have a deck that's already built. We need to
6 finish it. Financially, we can't finish it based
7 on the prior approvals, so we need the additional
8 units.

9 MS. MARCHI: Okay. So basically, we
10 that have lived there have to pay the price to
11 have a taller building put in, so they can get
12 financed.

13 MR. ALONSO: We don't believe you're
14 paying the price because we believe, based on the
15 testimony of our witnesses, the architect, the
16 planner, and the traffic engineer, that you will
17 not have a measurable difference between what was
18 previously approved and what's currently approved.

19 Now, I know -- I've lived in this area
20 since 1968 -- I don't look that old, but I have.
21 I went to school here, I grew up here, my office
22 is still in North Bergen. I've done hundreds, if
23 not thousands of applications, I know traffic and
24 parking are the two major considerations.

25 In this case, we are over parked. We

1 have more parking than is required, okay. And in
2 terms of the traffic, there is no impact in
3 traffic. In terms of all the other issues, we
4 believe that based on the testimony of those
5 witnesses, it's not going to be a substantial
6 impact compared to what was previously approved.

7 MS. MARCHI: Okay. Getting back to
8 parking, the only -- I might be misstating now,
9 so --

10 MR. ALONSO: It's okay.

11 MS. MARCHI: The only reason why you're
12 getting the parking allowance is because it's a
13 skyscraper or a high-rise or whatever you want to
14 call it. If it was a regular apartment building,
15 not as tall, I believe it's two parking spots per
16 unit is the requirement, by the master plan, if
17 I'm not mistaken.

18 MR. ALONSO: There's a different parking
19 standard.

20 MS. MARCHI: Right. So --

21 MR. ALONSO: But that's not what we
22 have. We have this project. And that's what we
23 have to apply.

24 MS. MARCHI: Okay. Not for me to decide
25 whether it's okay or not. But anyway, how will

1 this improve my quality of life?

2 MR. ALONSO: I don't know if it will.
3 It's not for me to decide, I'm just the attorney
4 presenting. I'm trying to answer your questions
5 the best I can. But there was testimony from the
6 planner that addresses that as part of the proofs.
7 So that testimony was provided at the last
8 hearing.

9 MS. MARCHI: Okay. Maybe I didn't hear
10 it then. And how is this going to affect my
11 property value?

12 MR. ALONSO: Again, I'm not testifying,
13 I'm just an attorney. And based on my experience,
14 that's a common concern that a lot of people have
15 in all of the towns. But as development continues
16 to go on, what's happening to property values?

17 MS. MARCHI: Well, that's because New
18 Yorkers are moving to New Jersey.

19 MR. ALONSO: Property values are going
20 up. So I can only speculate that the property
21 values will go up.

22 MS. MARCHI: Okay. That's all I got.
23 Thank you very much. Thank you to the Board.

24 VICE CHAIRPERSON GRULLON: Thank you.

25 MS. GUTIERREZ: Thank you.

1 MS. SCARAFILE: Hi, everybody, happy
2 holidays. Soraya Scarafile, 817 Sip Street. When
3 we were here in October, the question of parking
4 came up from the man in charge asking if you would
5 do the two parking spots as opposed to the one
6 point whatever, because the person from the county
7 or the state that was here, the lady that was here
8 said that it shouldn't be a high-rise or you
9 shouldn't have a high-rise here. So I thought
10 that's what the issue was and that's what we were
11 talking about with the zoning.

12 MR. ALONSO: The lady you're referring
13 to was a planner who was sitting in for Mr. Spatz,
14 who was not available.

15 MS. SCARAFILE: Okay. She was lovely,
16 by the way.

17 MR. ALONSO: She was very lovely.
18 That's the requirement --

19 MR. SPATZ: I think she said I'm not.

20 MS. SCARAFILE: I believe he was the one
21 that asked you to see if we could do two parking
22 spaces. Now, I pay taxes in Union City and I
23 don't want to pay for a parking spot in the
24 parking garage of this building because I should
25 be able to park on my street, I shouldn't have to

1 pay on top of everything else I pay to have a
2 parking. Because you want to build an apartment
3 that your studio with or without the den is bigger
4 than my apartment that I live in and I raised four
5 kids and I had three bedrooms.

6 So you're looking at a huge thing and
7 it's very -- I don't feel that you're looking at
8 this from a realistic point of view. I was an
9 educator in this town, we had to build new schools
10 because we've got so many kids. We had to build a
11 high school that we're in, change our high schools
12 into grammar schools. We had to rent in Weehawken
13 so that we could use the space to educate the kids
14 that were coming in.

15 We're a small town that's overly
16 populated already. And you're going to build
17 something that's going to burst at the seams and
18 you think that no one there is going to have a
19 child or an extra car or a dog or anything else?
20 I'm sorry, I'm pointing to you because you're --
21 it's not you.

22 MR. ALONSO: Yell at him.

23 MS. SCARAFILE: That's what you think
24 and that's unrealistic that's why we're just
25 looking for something that's size adequate because

1 it's lovely. I wish him all the luck in the world
2 that he can build and get his money back, I'm sure
3 he lost a lot of it. But the real story here is
4 that this is going to turn into something that
5 becomes an albatross with a lot of people and a
6 lot of children. And they come from New York and
7 they're going to get married and they're going to
8 want a family and it's going to end up there's no
9 place for all this --

10 MR. ALONSO: Let me just --

11 MS. SCARAFILE: If you believe honestly
12 that that's not going to affect my parking or my
13 traveling, traffic wise or anything else, I
14 don't -- that's not realistic.

15 MR. ALONSO: You came full circle, it's
16 great. You started with the parking and ended
17 with the parking. The reality with the parking is
18 since we're over parking, since we're providing
19 more parking than is required by law, that means
20 we have available parking. In addition to that,
21 there was testimony that about 80 percent of the
22 parking spaces are actually used, so that's based
23 on the required parking. So we have excess
24 parking. And then the other one, it's only 80
25 percent, so it's even more parking. This building

1 is not going to add or contribute to the existing
2 parking problem, that's number one.

3 Number two is the reality is while you
4 may not pay for the parking in the building, I can
5 tell you from my experience that your neighbors
6 will pay for the parking in the building. So by
7 doing that, those spaces become available. And it
8 reduces the parking problem in your neighborhood.

9 In terms of the school-age children,
10 there's plenty of studies that are done that we
11 rely upon, okay, in terms of the school-age
12 children generation. And we also have actual
13 anecdotal evidence from all the other properties
14 that are built that we're really not generating
15 the amount of children that people feel they will.

16 So while you have valid concerns, I
17 believe that everything is covered in the
18 application.

19 MS. SCARAFIELD: Is there a way I can see
20 the front part of this building?

21 MR. ALONSO: Sure.

22 MS. SCARAFIELD: Because when you showed
23 your -- so what's there now, what's there now is
24 this part here.

25 MR. ALONSO: The parking deck.

1 MS. SCARAFILE: This looks like you're
2 building into the parking deck to make your lobby,
3 which is taking way from the parking that you keep
4 saying we have so much of. And then what else
5 aesthetically is going to be? Because now I got
6 to look out and I got to see this.

7 MR. ALONSO: Mr. Carballo went through
8 the plans at great detail at the last meeting and
9 explained --

10 MS. SCARAFILE: No, I was there. But
11 this is taking away from the parking that you're
12 talking because this is now the lobby, which means
13 people -- so there's no access in to drive in to
14 park from Summit, which means all of the parking
15 in and out comes in through Henry Street, which
16 means people are going to have to drive down the
17 hill into Sears's old parking spot or drive up to
18 Sip Street -- no, you can't even drive up, you
19 have to go down that hill because Henry is a one
20 way. So the only way into this building is going
21 to be down that hill, which is going -- so there's
22 no traffic or blockage there, correct? Is that
23 what you're telling me?

24 MR. CORAK: Correct. Generated by this
25 building, so traffic impact from this building --

1 MS. SCARAFIELD: So between everybody
2 that goes there for the healthcare and Unique, now
3 that parking lot is filled every day, I live
4 across from it, it's filled. I hop -- it's all
5 filled. So there's traffic in that parking lot.
6 Now you're adding all the people that you say are
7 going to live here, they can only go in to there
8 and get into this building through the hill that
9 goes into the parking lot that's on Summit.

10 MR. CORAK: From the Summit --

11 MS. SCARAFIELD: Come through Henry
12 Street to get in there, so you're taking away
13 spots on Henry Street to make the turn into the
14 driveway, plus what's in the driveway. So you're
15 taking away spots there. So two on Henry Street.
16 So is there an in and an out on Henry Street for
17 the parking lot?

18 MR. CORAK: Yes, there's a driveway.

19 MS. SCARAFIELD: There's an entrance and
20 an exit.

21 MR. CORAK: It's a single.

22 MS. SCARAFIELD: It's one opening?

23 MR. CORAK: One wide opening.

24 MS. SCARAFIELD: So that means you're
25 going to take -- so if you're coming into Henry

1 Street, you're going to need the spot in front of
2 the lace and the spot on the exit spot, so that's
3 two, plus two on --

4 MR. CORAK: As would --

5 MS. SCARAFIELD: We're losing four spots
6 on Henry Street for this. Plus, you've already --
7 because of a variance -- had to take five spots
8 from the upper part of Sip Street because, you
9 know, you needed that half -- you needed so much
10 to make the sidewalk, the building needed to be
11 bigger, you put took all the upper part of Sip
12 Street parking away.

13 MR. ALONSO: That was in the prior
14 application.

15 MS. SCARAFIELD: When you built the
16 parking deck.

17 MR. ALONSO: That was in the prior.

18 MS. SCARAFIELD: But you took that away.
19 So now you're taking three or four parking spots
20 more on Henry.

21 MR. CORAK: Well, no, the driveways that
22 are part of this application are also in the prior
23 application.

24 MS. SCARAFIELD: I know but there's no
25 driveway, it is a parking spot. Somebody parks

1 there, somebody parks in front of it, somebody
2 parks behind it. When you actually open it up and
3 you use it, you can't park there any more because
4 you can't make the turn to get out.

5 CHAIRPERSON GARCIA: Mrs. Scarafile, let
6 me ask you a question.

7 MS. SCARAFILE: You're taking away --

8 CHAIRPERSON GARCIA: Mrs. Scarafile, let
9 me ask you a question. I recall that I mentioned
10 that the parking permit is a special permit, has
11 to be red and white. The parking permit there is
12 only for the resident of Sip Street, right?

13 MS. SCARAFILE: Our residential parking,
14 we get two two-hour parkings that are written in
15 black. Then if you want, you can pay for a \$50
16 one in red so that you can stay there longer time.
17 So that means that they'll be entitled to two
18 parking passes and if they want to pay for the red
19 one because I pay for my red one, so my daughter
20 can park there. You pay for them as well because
21 you have clients.

22 CHAIRPERSON GARCIA: In the case the
23 application is granted, one of the condition is
24 that with parking authority that they not allow it
25 to have a parking permit in Sip Street. Just a

1 question, I'm thinking.

2 MS. SCARAFIELD: If they take it away?

3 MR. PANEQUE: The question of the
4 Chairman is if you think that placing a condition
5 on the approval for this project, such as that the
6 residents of this project would not be allowed,
7 under the parking authority, to apply for the red
8 permit, that will -- since they've come in with an
9 application that has ample parking, they don't
10 need to go and park on Sip Street.

11 MS. SCARAFIELD: Correct.

12 MR. PANEQUE: Your concern and the
13 residents of Sip Street's concerns is that these
14 new residents in this one-hundred-something units
15 will be parking on Sip Street as well?

16 MS. SCARAFIELD: And Henry street.

17 MR. PANEQUE: If as a condition of the
18 approval, it is stipulated that they -- those
19 residents will not be allowed to request a red
20 parking permit, therefore --

21 MS. SCARAFIELD: Yes, but they still will
22 have the black ones and they will still have
23 company.

24 MR. PANEQUE: The black ones do not
25 allow you to park.

1 MS. SCARAFIELD: Yes, they do. You're
2 allowed there for two hours.

3 MR. PANEQUE: No.

4 MS. SCARAFIELD: Yes, you are because the
5 traffic people do not ticket.

6 CHAIRPERSON GARCIA: Let me tell you. I
7 get two tickets there already, that's why I came
8 with the question.

9 MS. SCARAFIELD: They are not following
10 that rule because I know for a fact that there are
11 people that park on that block.

12 MR. PANEQUE: If you read the signs, the
13 signs said you must have a red parking sticker to
14 park here, there's no mention of a black parking
15 sticker.

16 MS. SCARAFIELD: A resident it says the
17 resident sticker, which people have. But as an
18 owner, I get two parking passes for someone who
19 wants to come visit. So if Victor wants to
20 come to --

21 CHAIRPERSON GARCIA: That's the point.

22 MS. SCARAFIELD: That's two hours --

23 CHAIRPERSON GARCIA: If we take out the
24 3125 Summit and parking authority will not allow
25 it to get the permit to that area.

1 MS. SCARAFILE: So then --

2 MR. ALONSO: Black or red.

3 MS. SCARAFILE: So then what happens is
4 when my children come to visit because I have
5 four, which means that's four cars, they get -- I
6 buy the red tickets so that they don't get
7 ticketed and they could come and visit and they
8 park. And I tell them park on Henry Street
9 because people live on Sip Street, so they'll park
10 there. But people are still using --

11 CHAIRPERSON GARCIA: But if the parking
12 authority says 3125 is not allowed to have a
13 permit there, it's like if I give you my visitor
14 parking from 380 Mountain Road, you're not allowed
15 to park in 711 Sip Street, you know what I mean --

16 MS. SCARAFILE: I understand that --

17 CHAIRPERSON GARCIA: -- that area. So I
18 pull out 3125 from that area, it's not allowed to
19 park on Sip Street, then the permit isn't going to
20 be valid.

21 MS. SCARAFILE: So you're only allowed
22 to have what? How can my kids park on the block?

23 CHAIRPERSON GARCIA: You don't live on
24 3125 Summit.

25 MS. SCARAFILE: But that's Summit,

1 they're going to park on Henry Street and they're
2 going to park on Sip Street because it's right
3 there.

4 CHAIRPERSON GARCIA: But they don't
5 live -- I'm talking about 3125 Summit Street, they
6 won't be allowed --

7 MS. SCARAFIELD: To park on --

8 CHAIRPERSON GARCIA: On Sip Street and
9 Henry Street, that's fair.

10 MR. PANEQUE: They will not be allowed
11 to request a parking permit to park on Sip Street,
12 which will address your concerns of having these
13 residents park on what you have now.

14 MS. SCARAFIELD: That's fine. But
15 they're still going to take away spots because
16 they have -- you have to remove the parking spots
17 so that people can make the turn to go in and
18 out --

19 CHAIRPERSON GARCIA: If you put, let's
20 say, forget about the application there, Ms.
21 Scarafield. And we put there 20 two-family houses,
22 you're going to have 20 driveways and then you're
23 going pull out 40 spaces from the street.

24 MS. SCARAFIELD: Right. But right now
25 there isn't that there.

1 CHAIRPERSON GARCIA: I mean it's like
2 what is allowed there, Mr. Spatz?

3 MR. SPATZ: It's a two-family zone, but
4 you know, that you could subdivide it and create a
5 series of two-family homes without needing
6 approvals.

7 CHAIRPERSON GARCIA: And then --

8 MR. SPATZ: Each one --

9 MS. SCARAFIELD: How many homes would
10 that be? Think about how many homes. As it was
11 through a house there before that used to be a
12 bridal shop. And then there was the factory. So
13 you're look at three houses, I'd even go to five,
14 you could stick five houses there.

15 CHAIRPERSON GARCIA: How big is the lot?

16 MS. SCARAFIELD: Because originally there
17 was the bridal shop that was there, that was right
18 next to the parking lot. Then there was the
19 factory, the factory, so you could possibly fit
20 two houses, even three houses. So maybe four
21 houses on that corner.

22 MR. SPATZ: It's about 130 by 130.

23 CHAIRPERSON GARCIA: 130 by 130.

24 MR. SPATZ: It's a little more than
25 19,000 square feet.

1 CHAIRPERSON GARCIA: So you have --

2 MR. SPATZ: But I think the question you
3 were raising is no matter how many were built
4 there, each one would have its own driveway.

5 CHAIRPERSON GARCIA: And going --

6 MS. SCARAFIELD: So that's four.

7 MR. SPATZ: That would eliminate all of
8 the parking on the street.

9 MS. SCARAFIELD: On Summit Avenue because
10 the houses would face Summit, they wouldn't face
11 the parking lot.

12 CHAIRPERSON GARCIA: If you subdivide
13 Henry, they also have allowed to get into Henry.

14 MS. SCARAFIELD: You can get into Henry.

15 CHAIRPERSON GARCIA: What about if they
16 do it through Sip Street, the way that you live on
17 Sip. How -- I mean which is the distance between
18 Henry and Summit? What about if they decide to
19 build through Sip and not through Summit?

20 MS. SCARAFIELD: What do you mean open
21 up?

22 CHAIRPERSON GARCIA: Of course.

23 MS. SCARAFIELD: If there's more of a
24 turn there because you already have Vista Commons
25 across the street that took the parking away from

1 the corner. So Vista Commons took the corner all
2 the way to their driveway, so that's open. So you
3 want to put it on the Sip Street side, knock
4 yourself out because then those parking spaces are
5 already gone.

6 MR. PANEQUE: That's not --

7 MS. SCARAFIELD: You wouldn't leave --

8 MR. PANEQUE: Mr. Alonso.

9 MS. SCARAFIELD: Henry Street would still
10 have parking, Sip Street already took away
11 parking.

12 MR. ALONSO: The two families are also
13 going to have three bedroom apartments, which are
14 school-age children. And you were concerned about
15 two-family houses also going to be conducive to --

16 MS. SCARAFIELD: But you're talking about
17 over 100 people, I'm talking about --

18 MR. ALONSO: I don't interrupt you, hold
19 on.

20 MS. SCARAFIELD: -- five families.

21 MR. ALONSO: That becomes conducive to
22 illegal three families. So it is more kids, more
23 parking, more cars.

24 MS. SCARAFIELD: You're talking oranges
25 and apples because the five or six houses that you

1 could build there to bring the families that have
2 even six kids and go to schools, it's not going to
3 be as much parking and congestion and traffic and
4 all that.

5 MR. ALONSO: It's --

6 MS. SCARAFILE: I get it, you're going
7 build it, I get it.

8 MR. ALONSO: No, it's just
9 unrealistic --

10 MS. SCARAFILE: It's going to --

11 MR. ALONSO: -- the cost to tear down a
12 four-story to build two-family houses --

13 MS. SCARAFILE: That's not my problem.
14 I didn't build it. I didn't -- that wasn't my
15 vision.

16 MR. ALONSO: You're saying it's a better
17 alternative, it's not a realistic --

18 MS. SCARAFILE: I never said it was a
19 better alternative. He said what if and I said
20 what if, it's a smaller set of people, what if.
21 There's less people, what if. The parking is
22 different, what if. If they do the parking lot
23 from the Sip Street side, you don't lose the
24 parking on Henry Street. Because Sip Street has
25 already lost its parking because of the variances.

1 And that's another thing. If you have
2 to do all of these variances -- how many red flags
3 do you have to have before somebody says wait a
4 minute, there are so many variances to this
5 building that had to be done and you only have a
6 parking lot and there's all these variances.

7 So like how many more have to go and how
8 many --

9 MR. ALONSO: Technically there's only
10 two variances, there's a (d)(1) variance --

11 MS. SCARAFILE: Right now.

12 MR. ALONSO: You're saying there's a lot
13 of variances on this application, there's only
14 two. There's a (d)(1) and (d)(6).

15 MS. SCARAFILE: So that was for right
16 now because you went --

17 MR. ALONSO: No --

18 MS. SCARAFILE: -- it was before and he
19 had it, there was variances because you had to
20 take the parking away and you had to change
21 the stuff in the front.

22 MR. ALONSO: There was a different zone
23 back then. The zoning has changed since the first
24 application was approved.

25 MS. SCARAFILE: And that --

1 MR. ALONSO: You say there's a lot of
2 variances, there's not. There's two.

3 MS. SCARAFILE: Okay. There are
4 variances, how many variances have to go? Doesn't
5 matter, they're variances. Every time you turn
6 around, there's another variance or we wouldn't be
7 here.

8 MR. ALONSO: Mr. Chairman, I think you
9 made a good point in terms of eliminating the
10 ability of residents of 3125, assuming an
11 approval, to be restricted from parking in and
12 obtaining parking permits, we would stipulate to
13 that. I think it's a good idea.

14 CHAIRPERSON GARCIA: Before we continue,
15 I want to clarify to Mrs. Scarafile, she stated
16 something, like -- just for the record, I want to
17 clarify. She said, you're going to build. We're
18 here. When I make my points, I try to be fair for
19 both --

20 MS. SCARAFILE: And I appreciate it.

21 CHAIRPERSON GARCIA: I don't come here
22 with idea to approve or deny applications, just to
23 hear the applicants and hear the concerns of the
24 public.

25 MS. SCARAFILE: And I appreciate it.

1 CHAIRPERSON GARCIA: One of the reasons
2 when I started the meeting about the
3 responsibility that we handle this, I mentioned
4 Mr. Grullon. Because if -- for us, it's easy to
5 say we have no quorum, so we're going to adjourn
6 everything to next month and it's easy, okay.

7 So I please request you guys that don't
8 come here like with idea that already that the
9 Board is set up that they're going to grant the
10 application.

11 MS. SCARAFIELD: I didn't mean it that
12 way.

13 CHAIRPERSON GARCIA: That's the way that
14 you, sarcastic --

15 MS. SCARAFIELD: I apologize.

16 CHAIRPERSON GARCIA: Just for the
17 record.

18 MS. SCARAFIELD: I didn't mean it and I
19 didn't want to direct that toward the Board, I
20 meant it toward like him. But it wasn't in that
21 manner.

22 CHAIRPERSON GARCIA: I want to clarify
23 because if it's granted, I don't want to have any
24 like prejudice or something.

25 MS. SCARAFIELD: I didn't mean it in that

1 manner. I appreciate everything because I think
2 you're being very fair about listening about
3 everything that's going on.

4 I know that he's building something is
5 more what I meant. But if it were more
6 aesthetically pleasing, Mr. Grullon was saying,
7 you know, what's it going to look like. Right
8 now, it's big brick and the front still -- the
9 lobby in the front, it's still going to be big
10 brick and that's all we see is the big brick. The
11 windows, they're all the way around the building?
12 The windows are all the way around?

13 MR. ALONSO: Yes.

14 MS. SCARAFI: All right.

15 CHAIRPERSON GARCIA: Any other member of
16 the public?

17

18 MS. MARCHI: I actually just have one
19 more question, Maria Marchi. Henry Street, is
20 that going to remain a one way or is that going to
21 turn into a two way?

22 MR. ALONSO: That would be up to the
23 Board of Commissioners to make that determination.

24 MS. MARCHI: Okay.

25 MR. ALONSO: And typically what happens

1 is they do what's called a warrant study. So
2 they'll refer it to the police department. The
3 police department does a study to make the
4 determinations, they make a recommendation back to
5 the Board of Commissioners and then they decide
6 that.

7 MS. MARCHI: And to the ingress and
8 egress from the garage, is that going to be all on
9 Henry Street or will it also be on Sip?

10 MR. ALONSO: I'll ask the traffic
11 engineer.

12 MR. CORAK: The garage is entirely
13 interconnected. So the two driveways on Summit
14 provide access and the driveway on Henry provides
15 access. And if you enter or exit from either
16 one -- or any of the three, you can get to
17 anywhere within the garage.

18 MS. MARCHI: Okay. Can I see where the
19 Summit Avenue entrance, is it up there.

20 CHAIRPERSON GARCIA: This one is smaller
21 but better. Can you explain --

22 MR. ALONSO: Ms. Marchi, we have the
23 traffic engineer.

24 MS. MARCHI: Is that one and that's one?

25 MR. CORAK: Yes. These are the two

1 facing Summit.

2 MS. MARCHI: Perfect.

3 MR. CORAK: And then in the rear is
4 Henry.

5 MS. MARCHI: So they can enter and exit
6 through Summit?

7 MR. CORAK: Yes.

8 MS. MARCHI: That's all I needed to
9 know. Thank you.

10 CHAIRPERSON GARCIA: Any other member of
11 the public wants to step forward? Okay, close to
12 the public. Any comments?

13 MR. GRULLON: I mean I just want to make
14 a comment from the -- when we hear applications,
15 we try to come up for the best for the City, for
16 the neighbors. We are also residents of Union
17 City and we know how construction could impact the
18 quality of life of the residents.

19 Knowing that this is already built -- I
20 mean we already have a structure there and it's a
21 big lot, it's in an area where it provides plenty
22 public transportation, and by experience being in
23 the Board, every time that we see a building -- I
24 mean I'm not going to call it a high-rise, but
25 those type of buildings, typically they don't

1 bring that many cars to the neighborhood. And
2 people that come to either rent or buy in those
3 buildings, they're not looking to either have a
4 car to put them outside on the street, they're
5 looking to put them inside.

6 But, you know, I live in the area
7 uptown, by Park Avenue and see those buildings
8 every time they open the gate, half of the garages
9 are empty. And sometimes we take things into
10 consideration, when it comes to a two-family house
11 that easily become three-family house, sometimes,
12 we see some kind of issues with that as well. But
13 bringing -- like, sometimes it brings a lot of
14 school-age children to the area. Sometimes, our
15 schools, they don't hold that amount of children.
16 All those kinds of things, we take in
17 consideration. That's the reason we have to have
18 this type of hearings here to listen to the
19 applicants and also listen to the public. And
20 also by our experience, we try to come up with,
21 you know, the best decision and recommendation
22 that, you know, most of the time we try to find
23 common grounds with the applicant and the
24 neighbors and ourselves, you know. That's just my
25 comment.

1 CHAIRPERSON GARCIA: Sometimes people
2 see me kind of emotional when I'm here. It's
3 because I take this one like I feel Union City
4 like part of me. I'm not from Union City, I'm
5 from the Dominican Republic. And since last
6 meeting, I took my time going to 515 and 531 32nd
7 Street, you know, the two new buildings, probably
8 around 120 units there. My family has building in
9 711 Sip Street. And I could tell you 30 percent
10 of the parking spaces are empty, it's only 20
11 units, it's probably only twelve cars parking
12 there.

13 I took the time to go, like I said, to
14 mention to 515 and 531 32nd Street. And probably
15 like 50 percent is empty parking spaces. Because
16 I don't -- it's sad for me when I drive around.
17 When I can't sleep, I take my car, I drive around
18 Union City, seeing like whatever 17th Street and
19 New York Avenue blocking all the crosswalks and
20 everything and I say come on. And that's why
21 always my concern about the parking spaces.

22 But that's why I took my time before I
23 come here to this meeting to -- I know
24 concentrating on the area, that's why I requested
25 the parking study to see because, yes, sure I live

1 also in a building with over 300 units and
2 probably 50, 70 percent of the people leave the
3 car there. They go to take New Jersey Transit.

4 But at the same token, I don't want to
5 like be part of the approval that I didn't do my
6 due diligence to find out if it's going to
7 increase the problem that we have or going to
8 mitigate it or it's going to -- isn't going to
9 have that big impact. That's why I request that
10 study. And I also went beyond that, I check it
11 out with the County. I know they're going to come
12 with a project to redo 32nd Street. I think
13 they're going to add a few inches to the street
14 and they're going to go all the way from Pleasant
15 Road all the way to Kennedy Boulevard, so going to
16 be more spaces. I think they're going to readjust
17 the parking spaces to add it.

18 And also checking that we have most of
19 the units, they're one-bedroom apartment. By
20 RSIS, that's not going to have an impact on the
21 school district, right, Mr. Spatz?

22 MR. SPATZ: That is correct.

23 CHAIRPERSON GARCIA: I understand. And
24 also we, as a resident of an old town like Union
25 City, we have to understand that one of the main

1 crisis was created because back in the time, you
2 have building there with no parking. I don't know
3 how come Jersey City is allowing building with no
4 parking spaces, okay. And as per RSIS, this
5 one -- and as stated corroborated by Mr. Spatz --
6 doesn't require parking variance. I'm kind of
7 relieved, it's a relief for me. Me, personally, I
8 don't know about the other Members of the Board.

9 Also with my question that I asked to
10 Mrs. Scarafile, that Mr. Paneque explained to her
11 and allowing to -- for that condition to pull it
12 out for parking authority permit on Sip Street,
13 for 3125 Summit Avenue. My concern is now is,
14 like, if that building is granted, this is a
15 place -- this is like a iconic building there,
16 that has to be more kind of detailed in the
17 facade. We mentioned that before in the prior
18 meeting and, sadly, I don't have any different
19 layout here. But at least if we could get
20 bricks -- you have bricks the first, you know what
21 is right now, you have brick. On top of that
22 going to be bricks, I'm assuming. And you said
23 that you have a cement panel --

24 MR. ALONSO: Yeah, that's what it
25 appears, based on the rendering there.

1 CHAIRPERSON GARCIA: If one
2 recommendation is to grant the application, it is
3 willing -- is your client willing to sacrifice at
4 least let's say, five, six two units? First of
5 all we talk about the den, sacrifice the den.
6 That's leave it for one bedroom. And let's say
7 from the 18 units, two-bedroom units, is your
8 client willing to sacrifice five or six units and
9 you're going to have more parking than one to one?
10 And you have less impact. The impact that the
11 school district is minimum, but going to be less
12 if you sacrifice at leasts five two-bedroom units.

13 MR. ALONSO: If you give me two seconds,
14 I can ask him really quick because that affects
15 the finances of the project. Give me to two
16 seconds and I'll have an answer.

17 CHAIRPERSON GARCIA: Two minute break.

18 MR. ALONSO: Thank you.

19

20 (Whereupon a short recess was taken.)

21

22 MR. VALLEJO: Mr. Chairman, back on the
23 record.

24 MR. ALONSO: Mr. Chairman, I had an
25 opportunity to speak with my client. Fortunately,

1 we have part of his finance team with him. We can
2 afford to give up four two-bedroom units. And
3 then since we have the square footage, there will
4 be amenity spaces, gyms, offices, whatever. But
5 they're amenity spaces, not apartments within the
6 building.

7 CHAIRPERSON GARCIA: And he's also
8 willing to sacrifice the den?

9 MR. ALONSO: And the dens, yes.

10 CHAIRPERSON GARCIA: If it's granted, we
11 could say like going to be 124 one-bedroom, no den
12 with 14 two-bedroom?

13 MR. ALONSO: Correct.

14 CHAIRPERSON GARCIA: Mr. Spatz, can you
15 do the math about the parking spaces? I know --
16 don't worry about it, still doesn't -- but we're
17 going to have at least --

18 MR. SPATZ: If I could do it while
19 you're talking.

20 CHAIRPERSON GARCIA: Like six parking
21 spaces available, it's about five a little bit
22 more than five spaces will be saved.

23 MR. PANEQUE: As a condition, we can
24 have a rendering of the design for the facade and
25 revised plans. They have to revise IT for the

1 bedroom counts and remove all the dens.

2 CHAIRPERSON GARCIA: Okay. I'm going TO
3 make my motion and I'm going TO make my motion,
4 yes, to grant the application that mention that
5 124 one-bedroom units without den, as stated by --
6 and also corroborated by Mr. Spatz our planner --
7 as per RSIS, one bedroom apartment doesn't have an
8 impact on the Board of Education, so we're only
9 going to have 14 units with two bedrooms and that
10 no parking variance per RSIS is required. This is
11 one of the reasons I am making my motion.

12 Also taking in consideration that also
13 the applicant is willing to request that no
14 privilege to park in Sip Street area, so that's
15 not going to have an impact to the current
16 residents of Sip Street. One of the condition
17 also that I want to put it, I want to recommend
18 it, I know that City of Union City doesn't allow
19 Airbnb, however, however, I don't know, Mr.
20 Paneque, if we have any jurisdiction to include in
21 the resolution, it's not going to be for Airbnb
22 services?

23 MR. PANEQUE: This Board doesn't have
24 the authority to make that recommendation. As
25 rightfully stated by the Chairman, the City of

1 Union City right now has an ordinance which
2 prohibits Airbnb rentals and it's within the
3 purview of the City to either modify it or change
4 that ordinance in the future. But we cannot make
5 it part of a condition of a zoning approval
6 because that really falls outside of the purviews
7 of zoning.

8 CHAIRPERSON GARCIA: But use of the
9 application is for residential, so and also if
10 they do it for Airbnb, that's going to enter into
11 hospitality services?

12 MR. PANEQUE: The approval is for 124
13 one-bedrooms and 14 two-bedrooms residential
14 units.

15 CHAIRPERSON GARCIA: Residential units,
16 residential units, okay.

17 MR. PANEQUE: Mr. Alonso, you mentioned
18 that the four units which your client agrees to
19 remove, the four two-bedrooms will be changed to
20 amenities, such as gymnasiums, cafeterias,
21 whatever --

22 MR. ALONSO: Meeting rooms, whatever
23 amenities for the building.

24 MR. PANEQUE: Can we have that shown in
25 the plans please?

1 MR. ALONSO: Absolutely.

2 MR. PANEQUE: So as a condition, we also
3 have revised plans ten days prior to the next
4 meeting.

5 MR. ALONSO: And do you require us to be
6 present and present the plans?

7 MR. PANEQUE: I think, based on the fact
8 that there's a rendering that needs to be
9 provided, it would be prudent to have your
10 architect here to testify as to the changes that
11 are being made, as some of the concerns stated
12 specifically by Mrs. Scarafile, was that she
13 doesn't want to come out and see a, you know, ten
14 story, twelve story brick wall facing her.

15 MR. ALONSO: Correct.

16 MR. PANEQUE: So doing it -- impact on
17 your architect to address that and try to come up
18 with an aesthetically pleasing facade on at least
19 the sides facing Sip Street, as well as Summit
20 Avenue. Although we don't have any Summit Avenue
21 residents here tonight, I'm sure that you know
22 they will also express the same concerns.

23 CHAIRPERSON GARCIA: And I understand
24 that we mentioned to Mr. Carballo that going to be
25 brick all the way to, like, how many stories?

1 Like one, two, so the last -- only the last two
2 top one going to be cement --

3 MR. ALONSO: Could be cement panels.

4 CHAIRPERSON GARCIA: But from there to
5 the bottom, going to be all bricks?

6 MR. ALONSO: Yes.

7 CHAIRPERSON GARCIA: No balcony, no
8 balcony. So we're going to what, vote now?

9 MR. PANEQUE: You can have a vote now,
10 subject to the conditions and to the revised plans
11 being submitted. The revised plans will be
12 provided prior to ten days. And then if we can
13 have Mr. Alonso's application be the first
14 application at the next meeting, and then we can
15 take the vote on the resolution.

16 CHAIRPERSON GARCIA: Okay. So I make my
17 motion to grant.

18 MR. VALLEJO: Motion on the table to
19 grant the application by Mr. Garcia. Any second?

20 MS. GUTIERREZ: Second.

21 MR. VALLEJO: Second by Ms. Gutierrez.

22 MS. GUTIERREZ: With all the condition.

23 MR. VALLEJO: By Ms. Gutierrez. Roll
24 call on the motion.

25 Mr. Garcia.

1 CHAIRPERSON GARCIA: Yes.

2 MR. VALLEJO: Mr. Grullon.

3 VICE CHAIRPERSON GRULLON: Yes.

4 MR. VALLEJO: Ms. Gutierrez.

5 MS. GUTIERREZ: Yes.

6 MR. VALLEJO: Mr. Ortiz.

7 MR. ORTIZ: Yes.

8 MR. VALLEJO: Ms. Watley.

9 MS. WATLEY: Yes.

10 MR. VALLEJO: Five in favor, motion
11 pass.

12 MR. ALONSO: Thank you.

13 MR. VALLEJO: Revised plans required.

14 MR. ALONSO: Thank you very much for
15 your courtesies and attention to this matter.
16 Thank you, Mr. Grullon, for cutting your vacation
17 short.

18 * * * *

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1 **JUAN JOSE & ELIZABETH CORREA -**
2 **713-715 6TH STREET:**

3

4 MR. VALLEJO: Next application on
5 tonight's agenda --

6 MS. PEREIRAS: May I ask just a simple
7 favor, if we can go out of order? I have a family
8 that's here on the last application and they have
9 school-aged kids that need to get home, if that's
10 at all possible, Mr. Chairman?

11 MR. VALLEJO: We're going to change the
12 order of tonight's agenda. We're going to Juan
13 Jose and Elizabeth Correa, 713-715 6th Street.
14 Ms. Pereiras, please.

15 MR. A. PANEQUE: Let the record reflect
16 I've been provided with an affidavit stating that
17 on December 1st, personal notice of tonight's
18 meeting was given to property owners within a
19 200-foot radius of 713-715 6th Street, Union City,
20 New Jersey, notice given to all property owners.

21 An affidavit of publication that notice
22 was published on November 30th in The Record and
23 The Herald News.

24 A list of property owners within the
25 200-foot radius.

1 Certified mail receipts postmarked
2 December 1, 2025.

3 Based on the documentation that's been
4 provided, the Board has jurisdiction to hear this
5 application.

6 MS. PEREIRAS: Thank you very much,
7 Counsel.

8 First of all, thank you, Mr. Grullon,
9 for being here this evening and cutting your
10 vacation short to be with us, we appreciate your
11 time and your effort.

12 Good evening, everyone. Bianca Pereiras
13 on behalf of the applicant, Mr. and Mrs. Correa,
14 who are here this evening along with their three
15 children. Currently, on-site what we have is an
16 existing two-family home. We're hoping to
17 subdivide the lot, maintain the two-family home
18 and construct a new single-family home on the
19 existing vacant side of the lot.

20 The reason for this request is that the
21 Correa family lives on-site with their extended
22 family. Their kids have to share a room, there
23 really just isn't enough room for their family to
24 enjoy. And their goal is really to stay here in
25 town, don't want to go far away. In fact they

1 want to go right next door and build a one-family
2 and have their extended family living right next
3 door.

4 We have one expert to testify before the
5 Board this evening, that is our architect, Mr.
6 Manuel Pereiras.

7
8 M A N U E L P E R E I R A S, after having been
9 duly sworn or affirmed, did testify as follows:

10
11 MR. PEREIRAS: Manny Pereiras,
12 P-E-R-E-I-R-A-S, with Pereiras Architects
13 Ubiquitous, 1116 Summit Avenue, Union City, New
14 Jersey.

15 MS. PEREIRAS: And for purposes of the
16 record, I ask that Mr. Pereiras be accepted as an
17 expert in the field of architecture?

18 CHAIRPERSON GARCIA: My pleasure to have
19 you here, Mr. Pereiras.

20 MR. PEREIRAS: Thank you, Mr. Chairman.
21 Thank you, everyone.

22 MS. PEREIRAS: Mr. Pereiras, are you
23 familiar with the property at 713-715 6th Street?

24 MR. PEREIRAS: I am.

25 MS. PEREIRAS: And did you prepare the

1 drawings before the Board this evening?

2 MR. PEREIRAS: I have.

3 MS. PEREIRAS: And would you kindly
4 describe the proposal for the Board?

5 MR. PEREIRAS: Very happy to. So I've
6 had the extreme pleasure of working with the
7 Correa family very closely to design their dream
8 home so they can stay here in Union City. Counsel
9 already explained their story, but they don't fit
10 where they are now. It's their extended family in
11 the one house and we're looking to make room for
12 them.

13 We have one of the oddest-sized lots
14 that I've ever seen. It is completely irregular,
15 it steps in and out. They currently live on Lot 5
16 and what we're looking to do is to build a Lot 4
17 and what we will have is an undersized lot,
18 slightly undersized 1,851 square feet, and the
19 other one is 1,896 square feet that we're
20 proposing, with nonconformities for lot depth and
21 lot width. We are at 24 feet 6 inches for one lot
22 and 25 feet on the another, so we're just missing
23 6 inches on one. And the depth is an irregular
24 depth. One lot is at 80 and the other one is
25 74 feet 3 inches.

1 The drawings that are on this easel are
2 the same drawings submitted to the Board,
3 including the subdivision plat plan. And now I'd
4 like to direct you to sheet Z04, we have a lot
5 that has lot of topography. It drops down in the
6 backyard, so we're taking advantage of creating a
7 foundation in the back of the house and we're
8 providing a small storage room for them so that
9 they can have their rear yard and have maintenance
10 things in that storage room and creating steps on
11 both sides.

12 On the ground floor, we see how we're
13 designing this house. We're creating a seven foot
14 front yard setback, which is conforming. The rear
15 yard, we need to ask for a variance. It is at 16
16 feet, 10 inches on one corner. It is 20 feet,
17 6 inches at the greatest length, but we're asking
18 for a rear yard variance of only 2 foot 6 inches
19 because of the irregularity of the lot. The house
20 itself is only 59 feet 8 inches in depth and the
21 width is -- we have a side yard setback of 3 feet
22 on one side and a two foot side yard setback on
23 the other, on the west side.

24 So it is, at the end of the day, a very
25 modest, simple house. However, we were able to

1 put in here everything that the family needs.
2 First and foremost, our ground floor has a two car
3 garage that fits two parking spaces comfortably.
4 We have 719 square feet total in that garage area
5 and a small storage and mechanical room in the
6 back of that.

7 You take the stairs up to the first
8 floor and it is their living floor, you have an
9 open living room, dining room, and kitchen. And
10 then in the back is their fourth bedroom, their
11 master bedroom. As I said before, they have three
12 children and so it is a four-bedroom house that
13 we're designing. One master bedroom for the
14 parents and then one bedroom for each of the kids.
15 We take the stairs up to the third floor and the
16 third floor has three bedrooms with a shared
17 bathroom and one suite in the back. The parents
18 plan on living on that top master bedroom at
19 first. And as they get older, they're thinking
20 they're going to be moving down to the second
21 floor master bedroom in the future. But for now,
22 they want to enjoy the third floor master bedroom.

23 And then they have, since the rear yard
24 is a very small and awkward, irregular space,
25 they're proposing a roof deck. That roof deck has

1 a nice setback from 24 feet from the property line
2 in the front. It has 15 foot 7 setback from the
3 edge of the building on the rear. And the deck
4 itself is only 19 feet 9 inches in depth. It's a
5 total of 272 square feet and it just has the
6 storage room and the stair bulkhead as one piece
7 that comes out. And we created a setback off the
8 side yard as well of two feet that we're going to
9 provide landscaping, so that we have safety as the
10 utmost care. If someone were to fall off of that
11 rail, they're still falling on the roof of the
12 building and not on the pavement.

13 For the facade of the building, we have
14 a very simple facade with a mixture of materials,
15 brick, fiber cement panels, and a little bit of
16 stucco on that facade. There are nice large
17 windows both for the living space on the ground
18 floor and for the bedroom on the top that has a
19 small balcony. The rear of the house has two
20 Juliette balconies, one on each floor. One off of
21 the living room and one off of the master bedroom.

22 And as you can you could see here, you
23 can see the topography of the site on the side
24 elevation. And that concludes my testimony.

25 CHAIRPERSON GARCIA: Mr. Pereiras, you

1 have here that the minimum lot, the existing
2 condition is 3,747, right?

3 MR. PEREIRAS: Um-hum.

4 CHAIRPERSON GARCIA: But that's for two
5 lots or one lot?

6 MR. PEREIRAS: So we have two lots on
7 this site. We have Lot Number 5 and Lot Number 4.
8 Union City, when they have two lots that are
9 adjoined to each other, under the same ownership,
10 they consolidate them. So part of our application
11 is to again subdivide the two lots, so we have
12 one-family house and a two-family house and these
13 are kept separate. So we are asking for variances
14 on the nonconformity of lot size, both depth and
15 width because one is 24-6 inches instead of 25.
16 And the total lot area for each is 1,896 and
17 1,851.

18 CHAIRPERSON GARCIA: If you go to Z02,
19 you have tax Lot Number 4, tax Lot Number 5?

20 MR. PEREIRAS: Yes.

21 CHAIRPERSON GARCIA: You have tax Lot 4
22 indicating 25 foot wide?

23 MR. PEREIRAS: Yes.

24 CHAIRPERSON GARCIA: What about the
25 other one, the 713?

1 MR. PEREIRAS: 24 feet 6 inches.

2 CHAIRPERSON GARCIA: Where do you show
3 that?

4 MR. PEREIRAS: It doesn't show it, but I
5 have it referenced on my title block in the front.

6 CHAIRPERSON GARCIA: So you have 49, 6,
7 right?

8 MR. PEREIRAS: Correct.

9 CHAIRPERSON GARCIA: -- between both?

10 MR. PEREIRAS: Between both, correct.
11 In the front.

12 CHAIRPERSON GARCIA: And then you said
13 that the depth is 80?

14 MR. PEREIRAS: The depth of the lot
15 varies. As you can see here, the lot is
16 completely irregular. So from a lot dimension
17 size, we take the longest depth. It's 80 feet on
18 Lot Number 5. And on Lot Number 4, it is 74 feet
19 3 inches, Lot Number 5 is 80 feet. But it's
20 completely irregular, so it's less depending on
21 where you measure from.

22 CHAIRPERSON GARCIA: And the intention
23 is to build attached?

24 MR. PEREIRAS: No, we're leaving three
25 feet off the property -- so this lot that is 25

1 wide, we're leaving 3 feet on one side and 2 feet
2 on the other. It's a completely independent
3 house.

4 CHAIRPERSON GARCIA: And you eliminated
5 the parking spaces for the Number 4 -- for Lot
6 Number 5?

7 MR. PEREIRAS: So lot Number 5, it's one
8 family that lives in the entire structure, that
9 house will no longer have parking.

10 CHAIRPERSON GARCIA: But this is
11 two-family house, not one?

12 MR. PEREIRAS: Correct, it's a
13 two-family house. So right now, on the lot,
14 there's three parking spaces, there will continue
15 to be three parking spaces for Lot 4, two inside
16 the garage and one in the driveway.

17 CHAIRPERSON GARCIA: But you're going to
18 add another family house?

19 MR. PEREIRAS: That's correct, Mr.
20 Chairman.

21 VICE CHAIRPERSON GRULLON: And currently
22 that curb cut is for three cars?

23 MR. PEREIRAS: Correct. So we're going
24 to reduce the curb cut.

25 VICE CHAIRPERSON GRULLON: So you're

1 going to give a space?

2 MR. PEREIRAS: That's exactly correct.

3 CHAIRPERSON GARCIA: And you're asking
4 for, first of all, to subdivide and for the
5 setback basically, right?

6 MR. PEREIRAS: Correct. The rear yard.

7 CHAIRPERSON GARCIA: You said that you
8 don't need a parking variance, of course you need
9 it.

10 MR. PEREIRAS: Well, we need a parking
11 variance for the existing house. Lot Number 5, so
12 we have -- the way I did the chart, I wanted it to
13 be extremely clear. So we did one column for each
14 of the lots and the variances for each of the
15 lots. So for Lot Number 5, if you look at
16 parking, four required, zero provided, a parking
17 variance is required there. For Lot Number 4, two
18 parking spaces are required, two are provided, no
19 variances are required there. So we created two
20 charts to make everything super clear. And just
21 for purposes of the testimony -- and I realize we
22 don't have a planner, so I'm going to go through
23 it a little bit more in detail.

24 We have a rear yard setback for both of
25 the properties, the 11 foot 9 and 2 foot 6, so

1 those are variances for the two lots. We have
2 minimum side yard, on the existing lot, we're
3 required to -- we're requesting a variance there
4 because there is zero feet on one side. The
5 building that is towards our lot, we actually have
6 two feet there. But there is zero on one side, so
7 there's a preexisting nonconformity there. In our
8 new building, in our new house that we're
9 proposing, we have 3 feet on one side and 2 feet
10 on the other, so no variances there.

11 For building coverage, the existing
12 house will now have an 81 percent coverage,
13 whereas 65 is required. That's going to be a
14 variance. Our new house only has a 56 percent
15 coverage, so no variance is required on the new
16 lot.

17 And then lot coverage total, not
18 building coverage, 100 percent on the existing
19 house, so a variance is required there. And in
20 the new house that we're proposing, no variance is
21 required there.

22 And we just spoke about parking, parking
23 is required on the old house. And the new house,
24 no parking is required there. To speak a little
25 bit about parking, they're members of the Saint

1 Anthony's community, which has the parking lot a
2 couple blocks away. And they actually have a
3 parking spot over there as well, when necessary.
4 It's an extremely walkable community. We're right
5 off of Summit Avenue in this lot. And we have
6 public transportation both on Kennedy Boulevard
7 and Summit Avenue, ample transportation that
8 really suits this block significantly.

9 CHAIRPERSON GARCIA: And you're also
10 proposing a roof deck?

11 MR. PEREIRAS: We are. Since it's such
12 a small irregular rear yard, we thought that the
13 family could use a good amount of public space, so
14 we are proposing a roof deck.

15 CHAIRPERSON GARCIA: How many foot is
16 from the edge of the house? You know the plants
17 that you put there, how many feet?

18 MR. PEREIRAS: From the front, it is --

19 CHAIRPERSON GARCIA: No from the side.

20 MR. PEREIRAS: Two feet on one side.
21 The other side, there's the stairs so it doesn't
22 have an edge.

23 CHAIRPERSON GARCIA: Any questions?

24 VICE CHAIRPERSON GRULLON: The front
25 setbacks compared to the other two structures, can

1 you describe that?

2 MR. PEREIRAS: Happily. We have 7 feet,
3 so we're compliant. We're not asking --

4 VICE CHAIRPERSON GRULLON: Are they
5 going to project out?

6 MR. PEREIRAS: No, it's actually further
7 in than the existing house.

8 VICE CHAIRPERSON GRULLON: Okay.

9 MR. PEREIRAS: So it steps in from the
10 existing house.

11 CHAIRPERSON GARCIA: Any other
12 questions? Any member of the public wants to step
13 forward? Close to the public.

14 Basically, you mentioned that -- when
15 your client purchase this house?

16 MS. PEREIRAS: 2013.

17 CHAIRPERSON GARCIA: 2013.

18 MR. PEREIRAS: And by the way, they're
19 lifelong Union City residents, since they came to
20 this country 40 years ago. They've lived in Union
21 City, they work in Union City. The kids attend
22 the schools. Their daughter is the student
23 council president for Jose Marti Academy, so we
24 have a family that's a Union City family.

25 CHAIRPERSON GARCIA: Thank you.

1 I'm going to make my notion to grant
2 this, but I'm also going to give an idea, Mr.
3 Pereiras. This is for the family, if they want to
4 take it. I prefer to have the laundry in the
5 ground floor and add a bathroom in the top floor
6 to that bedroom. That's an idea.

7 MR. PEREIRAS: It's a great idea.

8 CHAIRPERSON GARCIA: I make my motion to
9 grant this application --

10 MS. GUTIERREZ: Second.

11 CHAIRPERSON GARCIA: -- with the
12 following condition.

13 MS. GUTIERREZ: Second with all the
14 condition.

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

18 Mr. Garcia.

19 CHAIRPERSON GARCIA: Yes.

20 MR. VALLEJO: Mr. Grullon.

21 VICE CHAIRPERSON GRULLON: Yes.

22 MR. VALLEJO: Ms. Gutierrez.

23 MS. GUTIERREZ: Yes.

24 MR. VALLEJO: Mr. Ortiz.

25 MR. ORTIZ: Yes.

1 MR. VALLEJO: Ms. Watley.

2 MS. WATLEY: Yes.

3 MR. VALLEJO: Five in favor, motion
4 pass.

5 MS. PEREIRAS: Thank you all very much.

6 MR. VALLEJO: Require revised plans?

7 MR. PANEQUE: Before we finish with
8 this, Mr. Garcia, can we clarify the conditions
9 that you stated?

10 CHAIRPERSON GARCIA: Oh, no, no. I made
11 the recommendation in the design.

12 MR. PANEQUE: Suggestions?

13 CHAIRPERSON GARCIA: Suggestions.

14 MR. PANEQUE: So there's no need for
15 revised plans.

16 MR. VALLEJO: No.

17 CHAIRPERSON GARCIA: It was just me
18 thinking.

19 MS. PEREIRAS: It was a good
20 recommendation.

21 * * * *

22

23

24

25

1 **NAZARIA GUZMAN -**
2 **308 24TH STREET:**

3
4 MR. VALLEJO: Next application on
5 tonight's agenda, Nazaria Guzman, 308 24th Street.
6 Ms. Pereiras, please.

7 MS. PEREIRAS: Thank you very much, Mr.
8 Vallejo. Bianca Pereiras on behalf of the
9 applicant, Nazaria Guzman for property at 308 24th
10 Street, also known as Lot 23, Block 139. The
11 Board may recall that we had submitted our
12 jurisdictional submissions back in September, at
13 which time the Board obtained jurisdiction, but
14 this is the first time we're actually presenting
15 testimony on this matter.

16 On site, we have an existing two-family
17 home. The application before the Board this
18 evening is to legalize a basement apartment. We
19 have two experts to testify and we'll begin our
20 presentation with our architect, Mr. Manuel
21 Pereiras.

22
23 M A N U E L P E R E I R A S, previously sworn:

24
25 MR. PEREIRAS: Manny Pereiras, I

1 recognize that I am still under oath.

2 MS. PEREIRAS: Mr. Pereiras, are you
3 familiar with the property at 308 24th Street?

4 MR. PEREIRAS: I am.

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

7 MR. PEREIRAS: I have.

8 MS. PEREIRAS: Would you kindly describe
9 the proposal for the Board?

10 MR. PEREIRAS: I'd be very happy to.
11 This is one of the situations where we find
12 ourselves in very often, this is a three-family
13 house. They thought it was three-family house,
14 but in the building department, it was only
15 considered a two-family house. So we're here to
16 correct that. The apartments are actually
17 beautiful, all three apartments, and extremely
18 well kept. And the house is very well kept as
19 well.

20 This is an opportunity to bring
21 everything to legal status and make full
22 compliance from a code and life safety standpoint
23 as well. We have an existing building that we're
24 not looking to change in any way on the exterior,
25 except for a couple minor things that I will

1 describe. The lot is an existing 25-by-100 lot,
2 so it is conforming. There are nonconformities as
3 far as rear yard, just slightly, it's at 19.3
4 whereas 20 is required. And the side yard setback
5 is preexisting 0.3 feet on the north. And on the
6 south it is 2.7 feet, so those are existing
7 nonconformities.

8 And that actually opens this up to the
9 changes that we're doing. The windows are located
10 on that side, we're actually stepping them in in
11 the basement so that we would have compliant
12 windows that are egress compliant as well. So if
13 there's ever an emergency, someone could get out
14 of those windows out of that apartment in those
15 bedrooms.

16 We have a parking variance that we're
17 asking for, whereas four parking spaces were
18 required as a two-family, six are required now as
19 a three-family, and only one is provided on-site,
20 which we're not changing in any way.

21 If you go to sheet Z02, we see
22 photographs on the right-hand side. The basement
23 apartment, which we're legalizing are here on the
24 top. You could see these are beautiful, finished
25 very nicely done apartments, decent size ceilings.

1 And they feel very comfortable, beautifully done,
2 with the same attention to detail as the
3 apartments above. This is a photograph of the
4 first floor apartment and the bottom is the
5 photograph of the second floor apartment.

6 Walking you through the existing
7 apartment that is the legalization in the
8 basement, we have an area of 816 square feet. The
9 ceiling height is 7 feet at the lowest. We have
10 two bedrooms or a one bedroom plus den, if they so
11 choose to use it as a den. The full-sized bedroom
12 is 13-10 by 9 with its own closet. The
13 bedroom/den is 13-10 by 7-9. Both of them will be
14 modified to have the egress window that I spoke
15 about earlier.

16 And we are doing a few things for life
17 safety. The entire ceiling of this space will be
18 upgraded to a two-hour fire separation and a
19 domestic line sprinkler system will be added to
20 the space in order to provide an added level of
21 safety for this unit. The living, dining room
22 area is what you see here is a long corridor. The
23 kitchen is more of a traditional room that's 9-10
24 by 11-6.

25 The mechanicals for the entire building

1 are located here, which are going to take now a
2 new fire separation. So there will be a fire
3 separation wall around this entire unit with a
4 fire rated door that's going to separate that
5 mechanical room from the rest of the building.

6 And we're looking to make as minimal of
7 an intervention as possible, so the homeowner
8 doesn't inflict too much hardship. The apartments
9 above are three-bedroom apartments on each of the
10 floors and we're not looking to make any changes
11 to those apartments.

12 The common stair will have a low voltage
13 alarm system just for the common areas of that
14 stairwell, which is just limited to this area that
15 I'm pointing to here and the stairs on the second
16 floor.

17 As far as the facade of the building,
18 we're not looking to make any changes. What is
19 there is existing, except for the egress windows
20 that we're creating. And we're going to have a
21 couple of steps, so that if there's an emergency
22 and somebody has to come out of the windows, they
23 have the comfort and the room that meets code to
24 get out of those windows.

25 That concludes my testimony, I am open

1 for questions.

2 CHAIRPERSON GARCIA: Mr. Pereiras, this
3 is a current unit, somebody is living there?

4 MR. PEREIRAS: That's correct. And
5 we're looking not to displace the people who are
6 there now.

7 CHAIRPERSON GARCIA: Okay. My question
8 is this: The windows for the bedroom, the setback
9 of the house on the east side of the house, how
10 many feet do you have?

11 MR. PEREIRAS: So --

12 CHAIRPERSON GARCIA: Where the windows
13 are?

14 MR. PEREIRAS: That's a good question.
15 So we have 2 foot 8 inches from the property line
16 to the edge of the building. The way Union City
17 interprets this and lots of different
18 municipalities interpret this in many different
19 ways. The Union City building department will
20 take the measurement from the property line to the
21 face of the window. So one of the things we're
22 doing is we're removing the window that's there
23 and we're stepping it back so that we have a full
24 window well of 3 feet when you get out of the
25 property. So that somebody could escape in a

1 comfortable way. So the person's able to get out
2 of the bedroom into the window well. Then from
3 that space in the hallway, it comes down to 2 feet
4 8 inches, 2 feet 8 inches is still comfortable
5 enough for someone to get out. Now, that does not
6 meet code. Union City has historically granted
7 what's called a variation for that. The code
8 actually says that you're required to have 44
9 inches on that side yard for emergency escape.
10 Almost no house in Union City has 44 inches. So
11 Union City historically has repeatedly granted
12 variations, that's granted by the building
13 department. The subcode official signs off on
14 that when the conditions are safe.

15 This, at 2 foot 8, is typical for a
16 house in Union City for this variation to be
17 granted. So this Board has no -- we can't force
18 the building department to grant this. You would
19 approve this, the building department still has
20 the ability to deny the variation. But this is
21 the first step in to getting that full approval.
22 So once we get, if we get approval from this
23 Board, we have to go before the building
24 department and get their approval for that
25 variation for an egress court. But again it's

1 historically granted in Union City.

2 CHAIRPERSON GARCIA: Okay. And the
3 parking variance is preexisting condition, is
4 there anything you could do?

5 MR. PEREIRAS: Technically, we're
6 expanding on that parking variance. We had a
7 recognized two-family house, that means that four
8 parking spaces were required, we had one parking
9 space preexisting there. Now, as recognizing as a
10 three-family house, six parking spaces are
11 required, we still only have one.

12 However, the reality is that we always
13 had three families in this building, we are living
14 with the parking problem now. And it's been a
15 preexisting condition for many years. This
16 particular block, however is very unique in the
17 sense that we have no neighbors across the street.
18 This is the park, Veterans Park. So Veterans Park
19 occupies the entire -- is it Veterans?

20 MR. PANEQUE: Growing up in the
21 neighborhood, it was known as pigeon park.

22 MR. PEREIRAS: Pigeon park, yeah.
23 What's the actual name?

24 MR. PANEQUE: Pigeon park is what all
25 the kids know it as.

1 MR. PEREIRAS: So across from pigeon
2 park. So pigeon park occupies the entire block,
3 so we're -- in typical Union City neighborhoods,
4 those are all occupied by residences that need
5 parking. We have the park that kind of vacates
6 that. It's also bordering on Weehawken there.
7 There is a doctor's office on the corner, that is
8 one less unit that occupies that that requires
9 parking at night. So it's actually a very
10 comfortable neighborhood compared to other
11 neighborhoods in Union City. Is there a parking
12 problem, yes. But it's less so than in other
13 areas. And we have a planner that's going to
14 provide additional testimony on that.

15 CHAIRPERSON GARCIA: Okay.

16
17 A L E X A N D E R D O U G H E R T Y, after
18 having been duly sworn or affirmed, did testify as
19 follows:

20
21 MR. DOUGHERTY: Alexander Dougherty,
22 D-O-U-G-H-E-R-T-Y, professional planner. My
23 licenses are still current, in good standing.
24 Thank you.

25 So to pick up off this, I visited the

1 site, I want to apologize to the Board, I don't
2 have my typical visual exhibit packet. I had a
3 wrench thrown in that day. I visited the site a
4 couple months ago. I will say it's a beautiful
5 neighborhood, there are other multifamilies in
6 this area. There is, as Manny described, a bit
7 park across the street.

8 So when we talk about site suitability,
9 the (d)(1) use variance here, I think the site is
10 suited for it, it's existed here for some time.
11 We have an opportunity to bring it into code,
12 advancing purpose A, the safety and general
13 welfare of the community. I would say also
14 purpose I, for desirable visual environment. This
15 neighborhood is stunning. And that park adds
16 value to this conversation by way of the negative
17 effects that adding this third unit, recognizing
18 this third unit, we would be exacerbating the
19 parking on paper, the reality is, as Manny
20 testified to, it's existed here for some time.

21 I had no problems parking here, middle
22 of the day. That park is big, so we have four
23 sides of parking essentially. And, again, you
24 have the other corridors of the neighborhood and
25 the streets. So if there was any neighborhood in

1 Union City where we can look at parking with a
2 little bit more of a leniency, I'm confident as a
3 professional planner, we would say this one. We
4 don't have commercial businesses here, we don't
5 have residents here. That park could have been
6 another street running through there and more
7 intense of a neighborhood as we typically see. I
8 think this neighborhood could accommodate the
9 additional unit. I think we have the opportunity
10 again to bring this into code.

11 We certainly advance other purposes of
12 the Municipal Land Use Law, more efficient use of
13 land, appropriate densities in appropriate
14 locations, in the view of lessening the cost of
15 such development by way of this third unit here.

16 Additionally, this satisfies the
17 planning goal for the missing middle. You're
18 going to hear applications for larger apartment
19 complexes, very rarely do we have those twos and
20 threes and four-family applications, which is that
21 missing middle.

22 I do think from a planning standpoint,
23 there's a lot of positive here. Again the
24 structure exists here today. I know Manny was
25 talking about the egress and that variation from

1 the building code. You also understand this is
2 built here, its existed here. We have additional
3 property that's up to our property line. You
4 know, the reality is that the areas would be
5 larger. We certainly don't want to put families
6 in unsafe conditions. If the architect is
7 comfortable with it, if the building department is
8 comfortable with it, and logically, somebody could
9 egress out of there, I think we can certainly say
10 we're going to keep the families in a safe,
11 habitable condition, where safety will not be in
12 jeopardy here. But most importantly, we haven't
13 had discussion to the property line. There's also
14 a little bit more space on the adjacent property
15 line as well to make sure there's some egress
16 here.

17 But most importantly this neighborhood
18 for a three-family I think it's perfect where we
19 can have that parking accommodated. So I think
20 site suitability here is different, it's unique,
21 by way of the context and the conditions
22 associated with that. I don't see any adverse
23 affects allowing the three-family here. I see
24 nothing but positives, again keeping that family
25 there and keeping that structure intact, the way

1 it is.

2 So with that, I'll conclude for any
3 questions.

4 CHAIRPERSON GARCIA: You mentioned you
5 visited the area, you could state that this
6 application is according to the neighborhood?

7 MR. DOUGHERTY: Right. There's other
8 multifamilies there. There are some two-families
9 by way of what I was visually able to see by
10 mailboxes and meters. But for purposes of this
11 neighborhood make out, there was a couple other
12 threes from my recollection. But for purposes of
13 the neighborhood, parking is the issue. This
14 neighbor is the right neighborhood to where we can
15 see parking as less intense because of that
16 uninterrupted curb. So you have basically both
17 sides of the street you can park on and around the
18 entire park.

19 CHAIRPERSON GARCIA: The second time I
20 concur with you on that.

21 MR. DOUGHERTY: Thank you.

22 CHAIRPERSON GARCIA: Any other
23 questions?

24 MR. PEREIRAS: It's Ellsworth Park.

25 CHAIRPERSON GARCIA: Any members of the

1 public want to step forward?

2 So, Mr. Pereiras, you indicate that
3 nothing is going to be done, everything is --

4 MR. PEREIRAS: With the exception of the
5 windows and the window well, nothing is going to
6 be done to the facade of the building. All the
7 other work is going to be interior and it's
8 basically technical work, fire ratings, fire
9 doors, fire separations, alarms, sprinkler system.

10 CHAIRPERSON GARCIA: And it's not all
11 the way underground?

12 MR. PEREIRAS: Yeah, it's --

13 CHAIRPERSON GARCIA: Like three steps
14 down, no?

15 MR. PEREIRAS: Correct. It is visible
16 from here. This is the floor, this is the ground
17 here, so it's not very deep at all.

18 CHAIRPERSON GARCIA: I'm going to make
19 my motion to grant this application without any
20 conditions.

21 VICE CHAIRPERSON GRULLON: From two
22 to --

23 CHAIRPERSON GARCIA: From two to three
24 units.

25 MS. GUTIERREZ: I'll second.

1 MR. VALLEJO: Motion by Mr. Garcia to
2 approve the application, seconded by Ms.
3 Gutierrez. Roll call on the motion.

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. Watley.

13 MS. WATLEY: Yes.

14 MR. VALLEJO: Five in favor, motion

15 pass.

16 MS. PEREIRAS: Thank you all very much.

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1 **CASA PEREIRAS, LLC -**
2 **2200 BERGENLINE AVENUE:**

3
4 MR. VALLEJO: We're moving to the next
5 application on tonight's agenda, Casa Pereiras,
6 LLC, 2200 Bergenline Avenue.

7 MR. A. PANEQUE: Let the record reflect
8 I've been provided with an affidavit stating that
9 on November 28, 2025, personal notice of tonight's
10 meeting was given to property owners within the
11 200-foot radius, 2200 Bergenline Avenue, Union
12 City, the legal notice given to all property
13 owners, the affidavit of application from The
14 Record and The Herald News, published on
15 November 30th, 2025, of today's hearing, the list
16 of property owners within the 200-foot radius, the
17 certified mail receipts postmarked November 28,
18 2025.

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

22 MS. PEREIRAS: Thank you very much,
23 Counsel. Bianca Pereiras on behalf of the
24 applicant. The applicant's name might seem very
25 familiar because we are very excited and also very

1 grateful to be able to bring this project before
2 the Board. We have been sharing office space at
3 1116 Summit Avenue for many, many years. And we
4 do not fit. We are busting at the seams. You can
5 imagine the days our kids come after school to
6 work as well, we have no space for them.

7 So we have been looking for space to
8 accommodate our businesses, as well as our
9 families for many years. And it was important for
10 us to find a place that was centrally located in
11 Union City and we found 2200 Bergenline.

12 Many of you may recall this was bank for
13 many years and it has remained vacant for years
14 upon years. And we're excited to finally bring
15 some light back into the structure, revitalize it
16 because it's such an important area of Union City,
17 right there in the middle of our most important
18 corridor. And we're excited to not only bring our
19 business there, but also bring some apartments
20 into that facility as well.

21 We have two experts to testify and we'll
22 begin our presentation with our architect, Mr.
23 Manuel Pereiras.

24
25 M A N U E L P E R E I R A S, previously sworn:

1

2

MR. PEREIRAS: Hello, everyone. Manny
Pereiras, I recognize I am still under oath.

4

5

6

MS. PEREIRAS: Mr. Pereiras, are you
familiar with the property at 2200 Bergenline
Avenue?

7

MR. PEREIRAS: I am.

8

9

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

10

MR. PEREIRAS: I have.

11

12

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

13

14

MR. PEREIRAS: I think I had the most
difficult client I've ever had for this one.

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So as Counsel said, we opened up --
Pereiras Architects opened 20 years ago this May.
So it's been a long time and hard working and it
was our family's hardware store before that, that
we sold out and converted little by little into
the office that we have now. And if you've been
into our office, you see that we are literally
elbow to elbow in there and we don't fit anymore.

And it's been very hard to find a right
space for our office. We had to be in Union City,
okay. And we had to find something that we could

1 find. And it took a long time and we wanted right
2 property in the right way. And when the
3 opportunity at 2200 came by, we looked at each
4 other, we figured -- we had said we had to figure
5 out some way that we could obtain this property,
6 it was difficult. And we were able to do so, it's
7 a gorgeous, gorgeous building. I think it's a
8 landmark building in Union City. And we want to
9 restore it to its glory.

10 When we were analyzing this from a
11 planning standpoint, we wanted to make sure that
12 we're doing the right thing for Union City. We
13 are on Bergenline Avenue, we have a lot that's
14 47-by-100 in depth. What is permitted here,
15 as-of-right, you're allowed to have two buildings,
16 commercial with three above, and commercial with
17 three above. That's a total of eight units that's
18 permitted as-of-right, so we thought that it was
19 the appropriate thing to come to this Board with
20 eight units, not ask for anything more.

21 And what I'd like to show you now is
22 what we're looking to do, how we're going to
23 change this building into the eight units that
24 we're proposing today. The building occupies the
25 majority of the lot. There's a slight sliver

1 that's stepped back, but it's on the property line
2 along Bergenline Avenue, on the property line on
3 22nd Street and on the property line towards the
4 east as well. So it is almost 100 percent
5 coverage and it is zero setbacks all around. This
6 is the existing building. We're not looking to
7 make this grow in any way whatsoever. On the
8 contrary, we're removing things like the night
9 deposit box that's there on the site and we're
10 shaving away from the building a little bit there.
11 There are existing light wells that are very
12 important to this design that we're looking to
13 keep as well.

14 And I'm going to toss back and forth.
15 This is the building we're talking about, 2200
16 Bergenline Avenue. And I'm going to talk a little
17 bit about go back and forth through the drawings.
18 On sheet Z03, we see the existing conditions of
19 the site. We have three floors in total we have a
20 basement, a ground floor, a second floor, and a
21 third floor, all of which was office space.

22 Starting -- and I'll walk you through,
23 starting from the ground floor, we're utilizing
24 the majority of the ground floor for our office.
25 The entrance is from the corner of 22nd and

1 Bergenline Avenue. We're maintaining that
2 entrance we're going to restore the columns that
3 are there, restore the steps, restore all the
4 brick around that building. And we're going to
5 keep the entry foyer that's there and wrap it with
6 something really beautiful.

7 And you enter and this is all going to
8 remain one big open space here in the center. We
9 have our reception area to the left, we have our
10 waiting area for our clients on the right. And
11 then we have a small wall and what we call the
12 bullpen of where draftsmen and young architects
13 are going to be working along the center of the
14 space. There are offices for senior architects
15 and engineers along the side of it. There's a
16 small conference room and there's a large
17 conference room for large meetings along the
18 facade on 22nd Street.

19 There is a stair along here that we're
20 proposing. And that stair takes you up to the
21 second floor. That second floor will have my
22 office in the back and will have Bianca's office
23 in the front along here. And then another office
24 and this office is actually for our kids, so they
25 could come home after school and do their

1 homework. So that's what we're proposing there
2 with a small bathroom on that floor as well.

3 If you take the stairs that are existing
4 here, which are beautiful terrazzo and marble
5 stairs with ornate railings, if you take those
6 stairs down, you get downstairs where we find the
7 old vault. And what this area becomes is more
8 office space for more of a private for our
9 employees. So we have the old booths that were
10 used for safety deposit boxes that people went
11 into, these are becoming media rooms, so we can
12 have Zoom meetings in there, and so employees can
13 have private phone calls from those booths. And
14 they're going to be sound insulated. We're going
15 to have a file room. And we're going to have a
16 cafeteria with a nice lunch room there for all the
17 employees. And then over here, we're going to do
18 our printing, so we're going to do all our
19 large -- all the drawings that you have before you
20 are going to get printed down here, and also have
21 3D printers and things of that nature, so we could
22 have little models of our buildings so our clients
23 can understand what's going on. With an
24 additional bathroom there. And that basically
25 concludes what the office is.

1 Now, there is an existing entrance on
2 22nd Street on the ground in this direction. When
3 you enter that entrance, this becomes the
4 residential part of the building. We're keeping
5 that door, maintaining it, and making it
6 beautiful. When you walk in, there will be an
7 apartment immediately after that door, that's
8 going to be our first apartment. And that's going
9 to be a 575-square foot studio. That's extremely
10 important. I would love to have that space for my
11 office, but the reason we have this studio here is
12 because we have to comply with federal guidelines
13 that say that we need an ADA apartment, once you
14 have more than four units. So that's to comply
15 with the handicapped accessible apartment in this
16 area. So it's going to be a nice studio, it has
17 an ADA compliant bathroom, it has an ADA compliant
18 kitchen, and the entrance is off the front. It's
19 not fully ADA compliant because you still can't
20 get through there with a wheelchair, because we're
21 dealing with an existing building. But there are
22 many other disabilities and having it off the
23 ground floor, just two steps higher makes this an
24 accessible unit, as accessible as we can make it.

25 If you take those stairs and you go

1 down, you are taken to this side of the lower
2 level of the basement. And in that side, you come
3 out this way and you have two more apartments.
4 Now, what this is completely unusual of this level
5 is that we actually have floor-to-ceiling windows
6 in the basement. It is an amazing beautiful
7 building that had offices in the basement and all
8 of these windows are floor-to-ceiling windows --
9 actually these are floor-to-ceiling, these are not
10 floor-to-ceiling, they're from sill height up and
11 they enter into large wells, so they're flooded
12 with light. And we're proposing a one-bedroom
13 apartment here, that's 610 square feet and it's
14 open when you walk in, you're going to see all
15 that light coming in filtering here. It's a
16 kitchen, dining room, living room, and then one
17 bedroom here with its window well. And then on
18 the back side, we have a studio apartment that's
19 594 square feet again with its window well.

20 All this space here are mechanicals for
21 the building. We have our sprinkler system, our
22 meter room, our electric room, all with
23 comfortable space across that side.

24 Back at the ground floor, if we take the
25 stairs upstairs, it bypasses the second floor of

1 the office. You keep going up and you're at the
2 third floor of the building. And this is a huge
3 beautiful level with extremely tall ceilings,
4 enormous windows. And what we're proposing -- I
5 know we could have squeezed in a lot more
6 apartments in here -- we're only asking for four
7 apartments on this level. And they're comfortable
8 nice apartments.

9 The first apartment along Bergenline
10 Avenue is a three-bedroom apartment and it is
11 1,118 square feet. You have three very nice large
12 bedrooms, two bathrooms, and a living room,
13 kitchen area with these beautiful windows that
14 face the corner of 22nd and Bergenline Avenue.
15 You have a two-bedroom apartment off of 22nd
16 Street. You enter living room, dining room,
17 kitchen and bedrooms on each side of this. On the
18 north side, we have another three-bedroom
19 apartment. You enter into a big living room,
20 dining room, kitchen. You have a bedroom on this
21 side and two bedrooms towards the east. And then
22 finally apartment what we named as 201, it's a
23 two-bedroom that's 725 square feet. And that's
24 what we're proposing.

25 So we basically have one office,

1 professional office, lawyer and architect, and we
2 have seven apartments that are divided, on the
3 basement, on the ground floor, and on the third
4 floor. The professional office will be on the
5 basement, the ground floor, and the second floor.
6 And this is going to be modified to be an
7 extremely safe building, much safer than what it
8 is now.

9 One of the major things that's going to
10 change is that we're going to have a full
11 sprinkler system throughout the entire building.
12 So that's sprinkler system -- and statistics don't
13 lie, there have been zero deaths to fire when it's
14 a fully sprinklered building. It is an extremely
15 safe building. The fire ratings are going to be
16 increase through all the floors, we're going to
17 have a two-hour fire separation between the
18 apartments and the commercial spaces.

19 And to speak a little bit about
20 variances, everything is a preexisting
21 nonconformity. When it comes to parking, it's
22 actually really fascinating because we're reducing
23 the parking demand because the entire building was
24 commercial office space. So the parking demand
25 for commercial office space was 45 or 43 parking

1 spaces. And by converting it to residential, the
2 demand is actually less. So we're reducing the
3 parking demand on this property significantly.
4 And I'll just give you the right numbers on that.
5 The existing parking demand, as all office space
6 or all commercial, is 45. And what we're reducing
7 it to is actually 35. In addition, we're on
8 Bergenline Avenue. Bergenline Avenue has an
9 understanding that parking is treated a little bit
10 differently. Why? Because we want to activate
11 Bergenline Avenue. Our planner is going to speak
12 a lot more about this. But it's important and our
13 master plan discusses how it's important to have
14 apartments above, so that those apartments
15 activate the street at nighttime and the office
16 space and commercial uses on the ground floor
17 activate the ground.

18 We're asking for a few variances that
19 are actually considered (d) variances. Number
20 one, Union City technically doesn't allow office
21 space on the ground floor, they want that to be
22 retail space, you know mercantile. We're asking
23 for our offices there. We have an extremely
24 lively office with lots of employees. There's a
25 lot of movement in and out. So it actually

1 matches the idea. And I think the intent of the
2 code when it wants retail on the ground floor.

3 And technically this property would only
4 have three apartments because it's considered as
5 one lot. And Union City doesn't consider it
6 subdivided, so we're asking for a variance on
7 that. And our planner is going to speak more
8 about those things. That concludes my testimony
9 for now.

10 CHAIRPERSON GARCIA: Okay. Let's
11 continue with the planner, then we'll open to
12 questions.

13

14 A L E X A N D E R D O U G H E R T Y, previously
15 sworn:

16

17 MR. DOUGHERTY: Alex Dougherty, I
18 recognize I am still under oath.

19 So the property is unique, it's slightly
20 oversized, we're at 4,700 square feet, 2,500 is
21 required, it's really two lots here. Want to just
22 emphasize again, the way it's written here in the
23 CN zone, you could have the retail/commercial on
24 the ground floor with three apartments above. So
25 three plus that commercial is four. It's

1 basically almost two lots here, so that's where
2 we're getting the eight from. So it's half a
3 dozen from one, six from the other.

4 So with the respects of what the
5 architect was talking about here, when we look at
6 how many potential tenants by way of two
7 commercial, six residential is eight. So you have
8 the one larger commercial and the seven
9 apartments, it still amounts to eight. But what
10 comes with that, as the architect testified to is
11 keeping the building and breaking it up into
12 residential actually reduces that parking demand.
13 If we use that entire building as a retail
14 commercial office space, if you will. If you had
15 to park these employees, it's a big building, as
16 the architect described, it housed many staff
17 members and, you know, visitors and retail patrons
18 coming in, the parking demand for this would be
19 greater if it was the permitted use. It sounds
20 crazy, but that's just the reality of commercial
21 versus residential here. I had no problem at all
22 finding parking. I pulled right up to the
23 building and found parking.

24 I will say it's a great little
25 neighborhood. You got the Wells Fargo bank right

1 across the street, you got a liquor store there, a
2 restaurant, barber shops, it was nice. Many
3 mixed-use buildings in the area.

4 It's unique as the architect testified
5 by way of we have residential in that lower level,
6 where we want it above the retail. So we have
7 that component here, we don't want residential on
8 the ground floor, but we need it kind of to comply
9 with standard codes, the ADA, which, in a planning
10 sense, a lot of ADA, you know, or handicapped
11 members in our community don't get accounted for.
12 We see a lot of the conversions, the twos to
13 threes not so -- this is an opportunity to convert
14 that. But for purposes, we also the ones above,
15 which is contemplated and which is what the zone
16 would like, residential above.

17 So we have that residential on the
18 ground floor in the basement, but for purposes of
19 the conversation here, the building is beautiful,
20 it exists there today. These are one of my
21 favorite buildings from an era what we call the
22 city beautiful movement, the big limestone,
23 granite buildings, you see them in banks, schools,
24 civic uses, that kind of stuff.

25 It's a landmark, as the architect

1 testified to. So it's really a reprogramming of
2 the interior that's been vacant for quite some
3 time. So adaptive reuse is favored in planning.

4 So the question is how do we adaptively
5 reuse this building, to where it makes sense for
6 everybody involved. It's an older building, it's
7 going to come with its headaches. And we got to
8 get something that's going to be appropriate for
9 the neighborhood.

10 But with that and the redesign of this
11 building comes with some other variances by way of
12 the density, unit size. One of our units is
13 725 square feet, where Union City requires 750. I
14 do not see that as too negative of an impact. I
15 think 725 is spacious enough where we could meet
16 that intent of the ordinance, we certainly don't
17 want to constitute overdevelopment. I don't think
18 it's going to be overdevelopment from a
19 professional planning standpoint. Eight units
20 here, where we could potentially have two
21 commercials and three units.

22 But nonetheless, we are asking for a few
23 variances here. A majority of these are existing
24 conditions, as the architect testified to because
25 the structure exists there today. But the

1 programing, where we have the residential is a
2 variance, the size of the residential is a
3 variance. The site has no parking as it stands
4 today. The parking is going to be a variance.
5 This is actually kind of reduces that.

6 So from a planning standpoint, we do
7 have the (d)(1) from a planning standpoint. Many
8 purposes advanced of the MLUL, purpose A,
9 desirable -- safety, welfare and the general
10 welfare of the community, the morals. We have an
11 a longstanding property here, it's absorbed, it's
12 a landmark. We're going to take this property,
13 bring it up to modern building compliance codes
14 and housing, employment opportunities and
15 reactivate this neighborhood and really meet the
16 intent of that CN neighborhood, commercial
17 corridor zone.

18 We can advance purpose I, desirable
19 visual environment. We're going to keep this
20 beautiful building, enhance it, and make sure it
21 stands the test of time. Certainly purpose E,
22 density in appropriate location, more efficient
23 use of land as well. Having this population here
24 helps the other businesses in the area as well,
25 which is the intent and understanding of the CN

1 commercial neighborhood zone. We want that
2 corridor to be vibrant and alive. We don't want
3 to see these buildings vacant. And that
4 population helps to ensure it doesn't continue,
5 it's been an ongoing issue. And we have to kind
6 of turn that around.

7 I don't believe it's going to erode the
8 intent of the zone plan for the purposes I stated,
9 and certainly the master plan as well. I see
10 nothing but positives to this application and I
11 think it's a great asset for the neighborhood and
12 for Union City to reactivate the space. And I
13 know the landlords, I think they're great people.
14 So with that I'll conclude for any questions or
15 comments.

16 CHAIRPERSON GARCIA: As per your
17 experience, you're saying that this application
18 fit in that neighbor?

19 MR. DOUGHERTY: I do. We have a barber
20 shop, a liquor store, we have some more of, I
21 would say, day-to-day operations. But then right
22 across the street, we have the bank, the Wells
23 Fargo. So from a professional standpoint, I think
24 it's very compatible. And then we have a great
25 variety of like the needs that some of the workers

1 may want, some of the residents may want, you know
2 what I mean as far as those amenities at your
3 doorstep. Do I think it's out of character? No,
4 we have the bank across the street. This used to
5 be a bank, from my understanding of the property.
6 So from a professional office standpoint, no.

7 And to some capacity, I understand when
8 we talk about the uses here, I've been in their
9 shop, it's young, it's hip, it's trendy. It's
10 going to be activated. I don't think it's going
11 to be sterile and stale. We want the corridor to
12 be alive and active. And I think we are going to
13 bring that street activity and that sidewalk
14 vibrancy that the corridor wants, with this staff,
15 with this kind of use. And again it's a service
16 that many members of the community beyond need
17 architects and attorneys and that kind of stuff.
18 So we're going to get that foot traffic, we're
19 going to get people here, though it's a little bit
20 more professional and an office. But I don't
21 think it's going to take away from that or be kind
22 of a snooze in the corridor. It's a prominent
23 corner, I think it's going to reactivate
24 everything.

25 CHAIRPERSON GARCIA: Across the street

1 basically, the Wells Fargo, the second floor is
2 like office building, too, right, it's like
3 medical?

4 MR. DOUGHERTY: I believe so. I know
5 the Wells Fargo there. And then on the other
6 side, across the street, we have I think two
7 restaurants and a barber shop, a beauty shop.

8 CHAIRPERSON GARCIA: Liquor store.

9 MR. DOUGHERTY: And then catty-corner
10 was the liquor store as well. So a lot of foot
11 activity here in this area. Your banking, get
12 your wine and your JD, you're going home, you're
13 getting a haircut, going out to eat.

14 CHAIRPERSON GARCIA: Mr. Pereiras, I
15 have a question for you. Mr. Pereiras, regarding
16 the -- what does the black lines mean? Go to Z07
17 between apartments.

18 MR. PEREIRAS: That's just so it's
19 easier to understand that these are the walls
20 between apartments and not a bedroom.

21 CHAIRPERSON GARCIA: That doesn't mean
22 it's columns there, it's not a structure?

23 MR. PEREIRAS: No, there's no structure
24 there, it's all open.

25 CHAIRPERSON GARCIA: So the floor is

1 open, you divide it?

2 MR. PEREIRAS: So right now, this
3 hallway is preexisting. It goes -- basically this
4 is an existing wall here. And this is an existing
5 wall. And right now, this wall is a preexisting
6 wall as well. So this is one big space, this is
7 one big space. And this is like a bunch of little
8 rooms on that side.

9 CHAIRPERSON GARCIA: Okay. Mr. Spatz, I
10 have a question for you regarding -- can you
11 illustrate us regarding which one the situation
12 with the parking spaces and Bergenline Avenue,
13 which one is the -- I understand he wants to take
14 opportunity of the Bergenline that they don't
15 prefer curb cut. Can you illustrate us just to
16 have an idea where we're going?

17 MR. SPATZ: Certainly. Not in this
18 particular area of Bergenline, but on Summit and
19 the northern part of Bergenline, no parking is
20 required, particularly because we don't want curb
21 cuts on Bergenline, cars backing out into
22 Bergenline with the buses and the pedestrians and
23 such. So not having parking on Bergenline is
24 reasonable. I'll also note the City is looking to
25 remove the bus garage property, the bus garage

1 which is 27th off of Palisade and put a parking
2 deck there.

3 CHAIRPERSON GARCIA: Right.

4 MR. SPATZ: Going to take a number of
5 years, but there will be a sizeable amount of
6 parking provided within, you know, relatively
7 reasonable walking distance from that. But
8 eliminate parking on Bergenline Avenue, both for
9 residences as well as for the commercial is
10 reasonable.

11 CHAIRPERSON GARCIA: Okay. So you could
12 say if we -- let's say we ask for like an entrance
13 through Bergenline Avenue, going to be more
14 detriment than anything --

15 MR. SPATZ: That's correct.

16 CHAIRPERSON GARCIA: Mr. Pereiras, is
17 any way like you could provide any parking space
18 there?

19 MR. PEREIRAS: It's absolutely
20 impossible. We have a preexisting marble and
21 granite and brick building that covers the entire
22 lot. We would love to provide parking if we
23 could, it's impossible.

24 CHAIRPERSON GARCIA: So basically you're
25 going to use the building, you're only going to do

1 everything inside?

2 MR. PEREIRAS: Correct.

3 CHAIRPERSON GARCIA: Okay, okay. The
4 reason I ask about this is because I don't like
5 it, to be honest with you, because I'm kind of
6 like I like space in my living area. I think like
7 225 square foot for two bedroom is too greedy.

8 MR. PEREIRAS: Which one?

9 CHAIRPERSON GARCIA: 225 for
10 two-bedroom.

11 MR. PEREIRAS: 725, Mr. Chairman.

12 CHAIRPERSON GARCIA: 725, that's what
13 I'm saying for two-bedroom I think -- I mean --

14 MR. PEREIRAS: Actually, Mr. Chairman, I
15 agree with you. I can make that into a 750
16 square-foot, I actually designed it and then --

17 CHAIRPERSON GARCIA: You could --

18 MR. PEREIRAS: I have --

19 CHAIRPERSON GARCIA: You could have like
20 790 plus 725, you're talking about 1,500 something
21 and you can do the two-bedroom little bit larger
22 than the one-bedroom and come with something like
23 that. You know, make this one, the 201 a
24 one-bedroom and enlarge a little bit the two or
25 three for the two bedroom.

1 MR. PEREIRAS: I understand, Mr.
2 Chairman. And I could make all the apartments
3 comply with the minimum requirements. So that 725
4 will now be 750, we can make that happen.

5 CHAIRPERSON GARCIA: Okay.

6 That was my only concern. The parking
7 counts, I mean the parking illustration from Mr.
8 Spatz. Any other questions?

9 VICE CHAIRPERSON GRULLON: You're
10 proposing to make the building compliant with fire
11 codes and everything?

12 MR. PEREIRAS: Yes, sir.

13 VICE CHAIRPERSON GRULLON: I mean that
14 site's been vacant for a number of years, glad to
15 see something coming up there. I mean are you
16 proposing -- you're not proposing to expand in any
17 way?

18 MR. PEREIRAS: No.

19 VICE CHAIRPERSON GRULLON: In height or
20 the footprint?

21 MR. PEREIRAS: Everything stays within
22 the existing envelope.

23 VICE CHAIRPERSON GRULLON: There's no
24 way you can provide parking?

25 MR. PEREIRAS: It's impossible and we're

1 reducing the parking demand.

2 VICE CHAIRPERSON GRULLON: There are
3 number of public buses there in that area that
4 will provide --

5 MR. PEREIRAS: There are.

6 VICE CHAIRPERSON GRULLON: I don't have
7 any more.

8 CHAIRPERSON GARCIA: Any member of the
9 public want to step forward? Close to the public.

10 Mr. Pereiras, by any chance, do you know
11 the history of the building? How old is the
12 building?

13 MR. PEREIRAS: So our planner alluded to
14 this building came out of like the city beautiful
15 buildings. So there was the Chicago Worlds Fair
16 where McKim, Mead and White kind of introduced the
17 United States to beautiful bow architecture. And
18 there were all these buildings that kind of
19 evolved shortly after. So in the teens, like this
20 was probably -- my guess would be 1917, somewhere
21 around there, that this building was constructed,
22 maybe in the '20s. So, yeah, there's beautiful
23 history to this building and it's been empty for
24 almost 20 years now.

25 CHAIRPERSON GARCIA: I'm going to make

1 my notion to grant this application. And also I'm
2 more than happy to make the motion because I know
3 that the Pereiras family is part of Union City.
4 And seeing this historical building is like
5 keeping by a Union City family is a please for us
6 to make that motion to grant this application.

7 MS. GUTIERREZ: Second.

8 MR. VALLEJO: Motion to grant the
9 application by Mr. Garcia, seconded by Ms.
10 Gutierrez. Roll call on the motion.

11 Mr. Garcia.

12 CHAIRPERSON GARCIA: With revised plans
13 for the --

14 MR. PEREIRAS: 750 square-foot.

15 CHAIRPERSON GARCIA: For the size of the
16 two and one.

17 MR. PANEQUE: Apartment 201 and 203.

18 MR. VALLEJO: Mr. Garcia.

19 CHAIRPERSON GARCIA: Yes.

20 MR. VALLEJO: Mr. Grullon.

21 VICE CHAIRPERSON GRULLON: Yes.

22 MR. VALLEJO: Ms. Gutierrez.

23 MS. GUTIERREZ: Yes.

24 MR. VALLEJO: Mr. Ortiz.

25 MR. ORTIZ: Yes.

1 MR. VALLEJO: Ms. Watley.

2 MS. WATLEY: Yes.

3 MR. VALLEJO: Five in favor, motion
4 pass.

5 MS. PEREIRAS: Thank you all very much.

6 CHAIRPERSON GARCIA: Two minute break
7 please.

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1 **JORVEL, LLC -**
2 **512 8th Street:**

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4 MR. VALLEJO: Next application on
5 tonight's agenda, Jorvel, LLC, 512 8th Street.
6 Ms. Pereiras, please.

7 MR. A. PANEQUE: Let the record reflect
8 I've been provided with an affidavit stating that
9 on December 1, 2025, personal notice of tonight's
10 meeting was given to property owners within the
11 200-foot radius of 512 8th Street, Union City, New
12 Jersey, the notice sent to all property owners.
13 An affidavit of publication from The Record and
14 The Herald News of tonight's meeting, published on
15 November 30, 2025.

16 The list of property owners within a
17 200-foot radius and the certified mail receipts
18 postmarked December 1, 2025.

19 Accordingly, this Board has jurisdiction
20 to hear this matter this evening.

21 MS. PEREIRAS: Thank you, Counsel.
22 Bianca Pereiras on behalf of Jorvel --

23 MR. PANEQUE: Mr. Vallejo?

24 MS. PEREIRAS: I'm adjourning, I was
25 about to explain. I received a phone call just a

1 few hours before we came to the meeting that the
2 architect of record was unavailable to appear this
3 evening due to a family emergency. So I am
4 requesting an adjournment and asking if this
5 matter could be carried to the January 8th meeting
6 date, if possible.

7 MR. PANEQUE: Do you waive all statutory
8 time limits?

9 MS. PEREIRAS: I do.

10 MR. PANEQUE: Thank you.

11 CHAIRPERSON GARCIA: I make my motion to
12 adjourn this application to January meeting.

13 MS. GUTIERREZ: Second.

14 MR. VALLEJO: Motion on the table to
15 adjourn this application by Mr. Garcia, seconded
16 by Ms. Gutierrez. Adjournment will be for
17 January 8, 2026. Roll call on the motion.

18 Mr. Garcia.

19 CHAIRPERSON GARCIA: Yes.

20 MR. VALLEJO: Mr. Grullon.

21 VICE CHAIRPERSON GRULLON: Yes.

22 MR. VALLEJO: Ms. Gutierrez.

23 MS. GUTIERREZ: Yes.

24 MR. VALLEJO: Mr. Ortiz.

25 MR. ORTIZ: Yes.

1 MS. WATLEY: Yes.

2 MR. VALLEJO: Five in favor, motion

3 pass.

4 MS. PEREIRAS: Thank you.

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1 **64464638THUC, LLC -**
2 **644-646 38th Street:**

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4 MR. VALLEJO: All right. We're moving
5 to the next application on tonight's agenda,
6 64464638THUC, LLC, 644-646 38th Street. Ms.
7 Pereiras, please.

8 MR. A. PANEQUE: Let the record reflect
9 I've been provided with an affidavit stating that
10 on December 1, 2025, personal notice of tonight's
11 meeting was given to all property owners within
12 the 200-foot radius of 644-646 38th Street, Union
13 City, a legal affidavit, the notice given to all
14 property owners. An affidavit of publication from
15 The Record and The Herald News of tonight's
16 meeting, published on November 30, 2025. List of
17 property owners within 200-foot radius, certified
18 mail receipts postmarked December 1, 2025.

19 Accordingly, the Board has jurisdiction
20 to hear this matter this evening.

21 MS. PEREIRAS: Thank you, Counsel.
22 Bianca Pereiras on behalf of the applicant for
23 property at 644-646 38th Street. This is a vacant
24 parcel located on the northern side of 38th
25 Street, also in the R low density residential

1 zone. We are proposing a six-unit residential
2 building. This is really an opportunity, a
3 valuable opportunity, I think, to transform a long
4 underutilized site into well-designed housing that
5 kind of fits into the scale and character of this
6 section of Union City.

7 We have two experts to testify before
8 the Board this evening. And we'll begin our
9 presentation with our architect, Mr. Manuel
10 Pereiras.

11

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

13

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

16 MS. PEREIRAS: Mr. Pereiras, are you
17 familiar with the property at 644-646 38th Street?

18 MR. PEREIRAS: 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: Would you kindly describe
23 what we're proposing for the Board?

24 MR. PEREIRAS: I'd be happy to. I have
25 two easels to my right. The first easel houses

1 the same drawings that were submitted to the
2 Board. The second easel is a three dimensional
3 color rendition of what the facade is going to
4 look like. I am going to mark the back corner of
5 this exhibit as A-1 with today's date.

6

7 (Rendering marked A-1.)

8

9 MR. PEREIRAS: So this site has a very
10 difficult and troubled history. It is a difficult
11 site in and of itself. I think everyone here is
12 familiar with it, it's on 38th Street. So 38th
13 Street is narrow and it has a lot of topography.
14 So the road, as you're driving up 38th Street, is
15 going up significantly.

16 This site in particular is much even
17 more difficult because from 38th Street going
18 north, it drops significantly. So we have more
19 than a story drop going down there. So my history
20 with this project is almost nine years now.
21 Nine years ago, we got two three-family buildings
22 approved on the site. And so we had six units and
23 it was a traditional Union City three-family where
24 the parking didn't work very well. But the site
25 was actually just too difficult because you're

1 building practically two stories before you get to
2 the ground plane where you can put your cars. So
3 it was an astronomical expense. It went through
4 different hands and the thought was maybe if we
5 make this into two two-family houses, it will fit
6 in and be cheaper to build and we could do
7 something here.

8 So I actually did the full plans for two
9 two-family houses. We started with the permit
10 process and as bids came in to actually build this
11 thing, it was impossible to build because you're
12 building two stories before you could even start
13 and put our parking on the ground level. So it
14 was just -- it cost practically twice as much any
15 developer, any person, would make coming out.

16 So we had this site that was a detriment
17 to the entire neighborhood. It was -- because of
18 the topography, it has water issues. There's a
19 retaining wall that's falling down, that's being
20 maintained.

21 And we took, with new ownership, a fresh
22 look at this to see what makes sense for this
23 neighborhood, what could actually work. And the
24 only way -- and this is what we came up with, this
25 is the solution that I think makes a lot of sense.

1 And as I walk you through it, I think -- I hope
2 you understand and see why and how it makes sense.
3 So we're on 38th Street, we're between Bergen
4 Turnpike and Kennedy Boulevard. There's the
5 Taylor House, which is a new condo building on the
6 corner. So it's a massive building on the corner.
7 You have larger construction moving up, you have
8 the Union City skate park there.

9 We have a tremendous and huge concern
10 for parking. So what we're doing is we're
11 utilizing the topography of the site. Since we're
12 going down, now we're going to use that to our
13 advantage. And by doing so, we created a parking
14 level that is a ramp with a parking level under
15 the building that we could provide parking for. A
16 parking level at the ground level of the building
17 and then have apartments above that.

18 So for -- and I think this is the first
19 time in Union City in a long time that we're
20 actually providing more parking than what is
21 required, which is a desperate need of the
22 neighborhood. Now, we are compliant with the most
23 part with almost all the boundaries of the
24 building. We are providing a 7-foot front yard
25 and with the ability to concrete landscaping. We

1 have two corners of landscaping and landscaping
2 along the center of the site, that is 7 feet in
3 depth. So we have a compliant front yard setback.

4 We have a side yard setback that is more
5 than what's required. We have 3 foot 4 inches,
6 whereas 3 feet is required on one side and 2 feet
7 on the other. We have 3 foot, 4 inches on both
8 sides. Why? Because of what we spoke about
9 earlier in the evening, about having an egress
10 court. No variation is needed for this, this is a
11 safe egress court that meets all code requirements
12 from the building code standpoint, so we have full
13 side yards of 3 foot 4.

14 And then the rear yard, we are asking
15 for a variance on this of 6 feet, and at the
16 smallest 5 foot 6. However, that's only at the
17 lower levels and the stairwell, that is only at
18 the parking levels. As we go up with the
19 building, the building gets set back, so that
20 we're compliant with the 20-foot setback where the
21 apartments are.

22 We have a couple of other variances. As
23 far as building coverage, 65 percent is required,
24 we're at 75.4 percent. The maximum lot coverage
25 90 percent is permitted, we're at de minimus

1 91.4 percent and these are really functions of the
2 topography of the site. Because the site is so
3 steep, we need to provide stairs. And those
4 stairs have to be concrete and create a path. So
5 all that had to be covered and it doesn't allow to
6 us have drainage on the site or provide grass on
7 those areas. We need those stair areas.

8 And, again, two parking spaces are
9 required per apartment. We have a total of six
10 apartments, that's 12 parking spaces and we're
11 providing 14 parking spaces and not only 14
12 parking spaces, but 14 big parking spaces that I'd
13 like to present to you now.

14 Turning to Z03, we see the first floors
15 of our building. This is the ground floor. And
16 what we're doing is providing two garage doors and
17 a ramp. So that on the westernmost side, we have
18 a ramp going down and leads you to a full parking
19 garage. So we're taking advantages of that
20 topography, we're ramping down and we're parking
21 cars in tandem for each apartment, two, two and
22 two. So we're providing the six parking spaces
23 that are required for the apartments that are
24 above that. And an additional parking space here
25 in the middle, including the ADA parking spaces

1 that are required. We have an elevator on that
2 floor that you park your car and you could take
3 the elevator up, as well as the stairwell in the
4 back that could lead you upstairs to the
5 apartment, as well as an emergency exit through
6 the side as well.

7 If you take the other parking ramp, you
8 only go up a little bit and you have parking for
9 another seven vehicles. So we have two in tandem,
10 two in tandem, and two in tandem, three times for
11 the three apartments that are above this site.
12 And then one additional parking space there as
13 well. So that we have two additional parking
14 spaces. We also have plenty of room that we're
15 providing bicycle parking as well. And on this
16 floor, we have access to the two stairwells and
17 the elevator from there as well.

18 What we're doing in the floors above is
19 a very simple design. We have a stairwell in the
20 front of the building with the elevator, and a
21 stairwell in the back of the building. From the
22 ground floor, you enter into a small lobby. You
23 can either take the stairs up or take the elevator
24 upstairs. If you take either-or, you land in a
25 foyer. And from that foyer, you have two choices.

1 The apartment towards the east or the apartment
2 towards the west.

3 Each of these apartments are 1,240
4 square feet and 1,380 square feet. You enter the
5 apartment, you have a large dining room, living
6 room, kitchen open area. You walk into the
7 kitchen area with a beautiful island that has
8 seating. You have a proper dining room and you
9 have a full-sized living room there as well. And
10 then you have the more private area of the
11 apartment that you step back and you have three
12 bedrooms. The bedrooms are a decent size, they're
13 12 foot 6 by 11 feet, 12 foot 6 by 11 for bedroom
14 number two. And then the master, which is 14-7 by
15 11-6 with its master bath and walk-in closet. And
16 that is setback 14-6 from the back of the
17 building, and then another 5 feet 6, meaning that
18 the apartments are setback 20 feet from the
19 property line, trying to comply with the setback
20 ordinance at that portion of the building.

21 The other side is a mirror image. And
22 we have another apartment that's the same. And
23 what we're looking to do is to provide three
24 floors of this, so we have three apartments on one
25 side and three apartments on the other.

1 And we're showing those floors here.
2 This is the third floor and the fourth floor. And
3 in the roof, we're not proposing anything on the
4 roof other than the condensers for the mechanical
5 systems, no roof deck, no roof deck garden.

6 And here are the facade of the
7 buildings. As you could see, from 38th Street, it
8 looks like and feels like a four-story building.
9 We're asking for a five-story variance just to be
10 conservative, but Union City considers the height
11 the building measured from datum. The datum is
12 the sidewalk.

13 For all purposes, this is a four-story
14 building, but we're proposing a five-story, just
15 to be clear. Because when you look at it from the
16 back of the building, it is a clear five stories
17 from the back side of the building. But here, you
18 could see how difficult the topography is moving
19 along 38th Street. And more so, how the
20 topography is stepping back towards the back of
21 the building.

22 Even these grade lines are difficult in
23 the sense that we have to provide retaining walls,
24 even at this level, because the neighbors'
25 property is even lower there. So there is a lot

1 of money, a lot of construction, and a lot of work
2 that has to go into this particular property, just
3 to get out of the ground. And what we're able to
4 accomplish here is to create a building that fits
5 into the neighborhood.

6 We have buildings that are equal in
7 structure, we have multifamilies. We have
8 multifamilies across the street, at the end of the
9 block, up the block. So it fits into the
10 character of the neighborhood. It meets the
11 setbacks of the sides, it meets the setbacks of
12 the front. In height, it matches a lot of the
13 other buildings in the area. There are smaller
14 structures, there are larger. There's two-family
15 houses, there's three-family houses, there's
16 multifamily large buildings. So everything is a
17 mix in this neighborhood.

18 But here's the most important thing. We
19 have a neighborhood that parking is extremely
20 difficult and this building does not lose any
21 parking off the street because even if this was a
22 two-family house or a one-family house, you still
23 had two curb cuts for a one-family house. But it
24 has a demand of 12 parking spaces and we are
25 providing 14 parking spaces. So that neighborhood

1 is going to have a plus added of two parking
2 spaces to be shared for the neighborhood that
3 could be rented to the neighborhood. So it's
4 going to do a lot of public good for that
5 neighborhood. Thinking that that is -- the most
6 difficult aspect of that neighborhood is parking.
7 And we're alleviating that by creating two
8 additional parking spaces for the neighborhood.

9 Aesthetically, if you look at the
10 facade, we're trying to do a building that fits
11 into Union City and modern. The majority of the
12 building is brick. And then to add some interest,
13 we're providing that wood panel or the
14 synthetic-look wood panelling along the front.
15 We're creating a simple cornice along the top to
16 have some added interest. You have the pedestrian
17 entryway there. And the two vehicular entries on
18 both sides, which they're separated from each
19 other on both ends of the building.

20 It makes sense, it fits into the
21 neighborhood. And that concludes my testimony.
22 And I hope you look at this favorably.

23 CHAIRPERSON GARCIA: You have another?

24 MS. PEREIRAS: We do, we have our
25 planner available to testify.

1 A L E X A N D E R D O U G H E R T Y, previously
2 sworn:

3
4 MR. DOUGHERTY: I recognize I'm still
5 under oath. So it's a lot. It's a lot going on
6 here, as you heard. There's practical
7 difficulties, some past history with this project.
8 I did visit the site. I can tell you it's a tight
9 neighborhood on 38th, it's a tight street.
10 Parking is at a premium here, I think more than
11 any neighborhood I've seen.

12 So I think it's very critical that we
13 really understand that for this project to work it
14 has to have parking. There's no parking on that
15 street period. I had to park at the TD Bank by
16 the Taco Bell when I visited the site, it's tight.
17 So I want to say I think Manny's done a great job,
18 I think the applicant's done a great job,
19 understanding that if anything is going to be
20 here, it has to meet the parking. I say that
21 because I had difficulty finding that parking.

22 With that being said, I will say the
23 neighbor is very dynamic, it's very diverse here.
24 Important to know right here on the screen, you'll
25 see four meters on this house here. There's a

1 hodgepodge of uses and density here. Right across
2 the street, catty-corner Taylor Estates or
3 whatever the new building is at 38th, that's five
4 stories as well. So I think it's very
5 complementary, it's almost like what we call in
6 the planning world that dumbbell effect. We have
7 the two weights on either end, very complementary.
8 We've seen this project here, it's right across
9 the street, it's a five-story building by way of
10 the parking and the three floors above.

11 With that being said, we are here for
12 that use variance. Multifamily, six units with
13 two as the zoning requirement. Two is here, there
14 are again twos, ones, threes, fours, multifamily,
15 catty-corner. With that being said, it's a very
16 transformative neighborhood. There's some older
17 homes, some newer investment and a positive
18 investment to the neighborhood. This is a void
19 here. If anyone knows the site, you have the
20 tattered fence and the cloth, it's kind of an
21 eyesore, it's a big missing gap.

22 This topography is unique, which gives
23 us that (d)(6) height variance here. We are
24 asking for a (d)(1) and (d)(6) for the height
25 variance. The height variance really is related

1 to the conditions of the site. We have to meet
2 that parking, so that height really is by way of,
3 as Manny described, that steep almost like a San
4 Francisco hill, you know those neighborhoods where
5 it's really steep? This street is fairly steep,
6 so we have to have almost two floors as Manny just
7 described, just to satisfy that parking and then
8 have the three above it.

9 But for purposes, we are asking for the
10 height. I think when we talk about the conditions
11 of this neighborhood, the built to and the purpose
12 of height control, we're not going to cause any
13 adverse effects or take away from any scenic
14 views. It really is in line, in keeping with the
15 street as it goes up, it seems to be right there.
16 At the top of the street, there's a nice I would
17 call it more of a cluster zoning and development
18 here where you have this nice little neighborhood,
19 it's private, it's sitting on top of like another
20 20-foot retaining wall. You know, it's really in
21 keeping as you're coming down the hill with the
22 streetscape and I'm being very complimentary here.

23 We are asking for that (d)(1) use
24 variance. I would say that we meet that by site
25 suitability and the conditions of the neighborhood

1 and the context of the neighborhood here. We have
2 multifamily right across the street. We have the
3 larger apartment complexes on the other street,
4 which I'm sure many of us are familiar with.

5 But most importantly, when we talk about
6 populations in appropriate locations, this
7 neighborhood is unique because we have that skate
8 park, we have those basketball courts. So when we
9 talk about, oh, we're going to add more people in
10 this area, but where are they going to go, how are
11 they going to get out and stretch their legs and
12 walk around? This neighborhood has that built in
13 park right there, where there's basketball and
14 skating and the likes of that.

15 So I would say by way of this property,
16 it is unique, a lot of times we're coming before
17 the Board asking for a studio apartment, a
18 one-bedroom, maybe a sprinkler with two. These
19 are three bedrooms, so they're fitting and they're
20 filling that void in the community where not
21 everybody needs that one-bedroom, that
22 two-bedroom, so this is that three-bedroom. And
23 what's most important when we talk about these
24 three-bedroom units, as outlined in the planner's
25 report, we're not asking for the unit size

1 requirement. These units are above the 900-square
2 foot requirement per the Union City code.

3 But we are here for the (d)(1). So site
4 suitability conditions, the (d)(6) for the height
5 here. But most importantly, when we talk about
6 the positive criteria for the (d)(1) here,
7 desirable visual environment. This is way better
8 than what's existed there and what's remained
9 there for many years. I think it's very
10 complementary to the Taylor on 38th, right across
11 the street. Most importantly, I think it's
12 fitting in the context of some of the larger
13 projects that have been approved in the area. I
14 don't think it's going to have any negative
15 adverse effects because we can park this property.
16 Any property as described by the architect is
17 going to have to accommodate a parking deck, a
18 parking garage, if you will. So to some capacity,
19 you're going to have a structure where the parking
20 is going to be a little bit higher, it's going to
21 elevate the building a little bit. But by way of
22 these -- again, these are lawful existing
23 properties. They're going to have two curb cuts
24 if developed. Given the topography, and as we see
25 right across the street has three garage doors.

1 Given this, we're going to have to have that, no
2 matter what kind of development is there. I know
3 we're concerned about the existing built
4 environment there, if there's on street parking
5 there or not. This site, when developed in some
6 capacity, is to some extent a lesser parking
7 variance is going to be granted at the Board,
8 going to produce two curb cuts.

9 But with that being said, we are over
10 parked. We can accommodate those loss of two
11 parking by bringing some of that inside the
12 building. I think that's what the architect was
13 trying to say, not to say we're asking for an
14 additional business use here on the site, but we
15 can make that accommodation for the two parking
16 stalls that we would otherwise lose on street.

17 I would also say that we're advancing
18 the general welfare and safety and morals. It's a
19 residential zone, we are bringing the residents
20 here, we're trying to the make best use of that
21 property, add positive value to the site, which
22 brings a positive value and investment into the
23 neighborhood and community at large.

24 I would say also when we talk about
25 other more efficient use of land. This certainly

1 we can do a two-family here, but as you heard, the
2 cost is insane. I know, Counsel, money is not the
3 issue in planning, but the reality is it's a
4 difficult site to build. If we're going to make
5 productive use out of this property, value of the
6 neighborhood and community, we have to look a
7 little, you know, differently at this application.

8 With that, I think there might be some
9 argument here that this a hardship. As you've
10 heard, prior history does matter with the site.
11 We have three families approved here, we've had
12 two families approved here. They've gone nowhere.
13 How are we developing the site? There is physical
14 constraints to the site that make it extremely
15 difficult to build.

16 So with that, I think it's appropriate.
17 The units are appropriate. We can park it. It's
18 complementary to what's across the street. I do
19 not see a negative effect as far as the scope and
20 scale of the site.

21 With that, we talk about the context of
22 the master plan and the zone plan. It's
23 residential in a residential neighborhood. It's a
24 transformative neighborhood here. We have larger
25 mid-rise and high-rise buildings in this

1 neighborhood. It's not out of the character with
2 the neighborhood. And it's a very transitioning
3 neighborhood. Some of the older homes are being
4 develop into newer more modern arrangements or
5 they're being converted with other units.

6 I would say is it out of character, I
7 have to go by what the public perceives, the
8 layman's person going down the street. I see five
9 mailboxes, I see five meters, I'm going to assume
10 there's five units, naturally. At the same time,
11 I got four meters outside, let's say one of them
12 is a general meter, I got a three-family next door
13 or potential four-family there. I got a
14 multifamily across the street. I do not think
15 it's out of context of the neighborhood. There
16 are some ones, there are some twos, there are some
17 mid-rise and high-rise in the area. I think it's
18 a good blend, a healthy blend, a healthy balance.
19 Nothing that's going to erode the intent of the
20 zone or the master plan here.

21 Most importantly, this is a difficult
22 site. If the twos and threes don't work, what is
23 working? And I don't think this is
24 overdevelopment. You can park it. The units are
25 comfortably sized. We have those amenities by

1 virtue of the park and the skate park here. I
2 think it's suitable. I think the approval would
3 be warranted.

4 At the end of the day, any concerns the
5 Board has, I'm confident we can find a resolution
6 to hear those concerns and address that. But this
7 has been a project, as the architect testified,
8 nine years in the making. So I don't know what
9 else I can say, but I understand the Board's
10 concerns. Parking is not the issue here, at
11 least, for this project.

12 CHAIRPERSON GARCIA: Did you -- you
13 mentioned you have the opportunity to visit the
14 area, right?

15 MR. DOUGHERTY: Always try to visit my
16 sites.

17 CHAIRPERSON GARCIA: I know the 38th
18 Street, on that block 600 block, they have in my
19 opinion, two, three like similar projects,
20 basically six units, three units with the same
21 kind of style. But same token, I'm concerned
22 about the -- I know you're compliant with the
23 7-foot front setback. But the side, I mean the
24 north side that you're proposing that application
25 is basically more like those Tudor houses, like

1 colonial houses, small houses on this side?

2 MR. DOUGHERTY: On that side, yeah.

3 CHAIRPERSON GARCIA: I mean this is
4 north side of 38th Street.

5 MR. DOUGHERTY: Up the block is a newer
6 one.

7 CHAIRPERSON GARCIA: And the south side,
8 yeah, it's probably like two, three new houses,
9 plus the building --

10 MR. DOUGHERTY: Yeah, the bigger one.

11 CHAIRPERSON GARCIA: One of my big, big
12 concern there is like, and also, Mr. Pereiras
13 could tell you, is the adjacent property. You
14 have the east side property, Mr. Pereiras?

15 MR. PEREIRAS: Yes.

16 CHAIRPERSON GARCIA: How many feet
17 setback is the front setback?

18 MR. PEREIRAS: So we are set back 3 foot
19 4 inches from them.

20 CHAIRPERSON GARCIA: That's --

21 MR. PEREIRAS: That house, I'll tell you
22 exactly how far set back it is. That house is
23 right on the property line.

24 CHAIRPERSON GARCIA: With all my
25 respect, couldn't stairs, the wall come to the --

1 but, no, Mr. Pereiras, the white house next to
2 them.

3 MR. PEREIRAS: Yeah, that's right on the
4 property line. They're on their property line and
5 then our building --

6 CHAIRPERSON GARCIA: That porch couldn't
7 be at the property line.

8 MR. PEREIRAS: I thought you meant side
9 yard setback --

10 CHAIRPERSON GARCIA: Front yard setback.

11 MR. PEREIRAS: I thought you meant side
12 yard.

13 CHAIRPERSON GARCIA: Front.

14 MR. PEREIRAS: The front yard setback
15 it's stepped back. It's significantly stepped
16 back. It is probably -- to the porch, it's
17 probably and I'm just scaling here about 15 feet.
18 But this is a very -- 7 feet to our property line,
19 this neighbor -- and you know the neighborhood,
20 this is characterized. As you go up 38th Street,
21 it steps in and out, in and out.

22 You have -- and then when we get to City
23 Arms, the complex on the top, that concrete wall
24 is right on the property line. And it goes
25 straight up about 18 feet. And then you have a

1 building on top of that. So that entire
2 neighborhood, it steps in and out in different
3 places. If it makes you feel comfortable, it
4 doesn't hurt us in any way to increase that front
5 yard setback a little bit more. We can make that
6 happen and still maintain the same amount of
7 parking. And we have in the back of this, 20 feet
8 at the apartments. All I need to do if we need to
9 add another 6 feet to the front, I would reduce
10 that rear yard setback 6 feet, which isn't going
11 to affect anybody or any neighbor. And we could
12 accommodate that front yard setback to line up
13 with this porch.

14 CHAIRPERSON GARCIA: Okay.

15 MR. PEREIRAS: But I really don't think
16 it makes much of difference, but I can do it.

17 CHAIRPERSON GARCIA: But I think -- Mr.
18 Pereira, I agree with you with the complex to
19 the -- I think that line, all the way to the park
20 is lining up like that house, you know what I
21 mean?

22 MR. PEREIRAS: Yeah. So we could do
23 that, we can step that back.

24 CHAIRPERSON GARCIA: Okay. Mr. Spatz,
25 my other concern is that -- I mean six units in

1 50-by-100 with two curb cuts. You're talking
2 about like you have attached two three-family
3 houses.

4 MR. SPATZ: Yes.

5 CHAIRPERSON GARCIA: Doing the math --

6 MR. SPATZ: Which is what was originally
7 approved there. It's two three-family houses,
8 side by side.

9 MR. PEREIRAS: Except that by doing
10 this, we have two big differences. Big difference
11 number one is that in two three-family houses,
12 parking doesn't work. We don't have enough
13 parking for even the three-family houses. In this
14 situation, we get 14 parking spaces, so we have
15 two extra parking spaces.

16 The other thing that makes a big, big
17 difference is that by putting this together, we're
18 creating an elevator building, which is in
19 desperate need in Union City. Because we're
20 providing handicapped access, we're providing
21 access for elderly, which is needed desperately
22 since it's only two-family houses are permitted.
23 So those are two you huge advantages to putting it
24 together.

25 MR. SPATZ: What I was going to suggest

1 along those lines was that if you -- the only way
2 to take advantage of the topography changes to get
3 parking on the lower level is to design it this
4 way. If there were two three-family houses, you
5 couldn't use that lower level.

6 CHAIRPERSON GARCIA: Okay.

7 MR. SPATZ: By doing it this way, you
8 can have one door goes down and one on grade or a
9 little bit up. Two separate dwellings would not
10 be able to do that. And I think that's where the
11 issue is and how this -- by combining it this way,
12 it does take advantage of the topography and
13 allows you to get more parking there.

14 CHAIRPERSON GARCIA: Okay.

15 MR. PEREIRAS: And the way the site is
16 now, it's completely unusable. You can't even use
17 it as a parking lot because of the steepness of
18 it. So we have a blight in the neighborhood that
19 we're looking for a solution to make it right.
20 And this is a solution that I think makes
21 everything -- you know, it is as least intrusive
22 as possible and positive -- an end result that's
23 positive for the neighborhood. And your
24 recommendation of creating a greater front yard
25 setback, we can accommodate that. I think it

1 makes sense. And if we accommodate that, I can't
2 think of a way that this is going to be any
3 detriment to the neighborhood. I just see
4 positive.

5 CHAIRPERSON GARCIA: Okay. Also, Mr.
6 Pereiras, I'm kind of concerned about the deck,
7 since it is too into the behind property.

8 MR. PEREIRAS: I understand.

9 CHAIRPERSON GARCIA: So I think like if
10 you could probably decrease the size of it or put
11 like Juliette, whatever it is, but I think it's
12 too much into the adjacent property.

13 MR. PEREIRAS: Makes sense. So what
14 we're going to lose from the front yard setback,
15 we're going to add to the back and eliminate the
16 deck so that that just becomes building.

17 CHAIRPERSON GARCIA: Okay. And can
18 you -- I know that this is not you, it's your
19 client. But can your client do something similar
20 what you did on 39th Street, the same kind of --

21 MR. PEREIRAS: Yeah.

22 CHAIRPERSON GARCIA: It is like -- for
23 everybody in the city, everybody talk about that
24 building.

25 MR. PEREIRAS: I love that building.

1 CHAIRPERSON GARCIA: The way it's coming
2 out.

3 MR. PANEQUE: Liberty.

4 CHAIRPERSON GARCIA: No, no, 39th
5 Street, it's a new building on 39th, the block
6 between Hudson and Palisade.

7 MR. PEREIRAS: So for purposes of the
8 record, the building is characterized by red
9 brick. It has a header and a sill that is made of
10 like white cast stone. So that aesthetic really
11 fits in with the Union City aesthetic and really
12 would fit into this neighborhood, too. And I'm
13 sure the client -- the client wants to be a good
14 neighbor and do good work for Union City. So we
15 can make that, we can design it like that.

16 CHAIRPERSON GARCIA: And the width of
17 the garage, remember, can you do the curb cut is
18 16 or 18?

19 MR. PEREIRAS: Yes, we can do that.

20 CHAIRPERSON GARCIA: Because the thing
21 is in that street, it's completely terrible to
22 come out or get in the garage.

23 MR. PEREIRAS: And the topography makes
24 it even harder.

25 CHAIRPERSON GARCIA: Yes.

1 MR. PANEQUE: So garage curb cut at 18?

2 CHAIRPERSON GARCIA: 18.

3 MR. PANEQUE: For both?

4 CHAIRPERSON GARCIA: Yes.

5 MR. PEREIRAS: Yeah.

6 CHAIRPERSON GARCIA: It's terrible.

7 MR. DOUGHERTY: It's tight.

8 CHAIRPERSON GARCIA: Also adding six
9 foot more in the front?

10 MR. PEREIRAS: Let's not guess. I'll
11 match the depth of the porch. So I'll line up the
12 building with the porch. Whatever that goes --
13 whatever it is it is.

14 MR. PANEQUE: So move building to
15 majority next door porch.

16 MR. PEREIRAS: To the front face of the
17 east building porch.

18 CHAIRPERSON GARCIA: And eliminate the
19 rear deck. You didn't mention about the bricks,
20 how you call those bricks?

21 MR. PEREIRAS: It's a red brick.

22 MR. PANEQUE: So just to recap, we're
23 going to move the building back to match the front
24 face of the east building, front porch. We're
25 eliminating the rear yard?

1 MR. PEREIRAS: We're eliminating the
2 rear deck and the rear yard is going to be
3 reduced. The rear yard setback will be reduced.

4 CHAIRPERSON GARCIA: The rear yard is
5 going to be reduced according to whatever you're
6 going to take in the front?

7 MR. PEREIRAS: Yes.

8 CHAIRPERSON GARCIA: Just moving the
9 building?

10 MR. PEREIRAS: The stairs are going to
11 stay in the same place, it's just the apartments
12 are going to move. So the edge of the building is
13 going to stay the same.

14 MR. PANEQUE: What is the brick?

15 MR. PEREIRAS: It's going to be a red
16 brick with cast stone headers and sills.

17 MR. PANEQUE: And that's for the facade?

18 MR. PEREIRAS: That's the front facade.

19 MR. PANEQUE: So I'm going to recap.
20 Move building back to match front face east
21 building front porch. Two, eliminate the rear
22 deck. Three, increase garage curb cut to 18 feet
23 for both cars. The rear yard setback will be
24 reduced accordingly. And number five, front
25 facade with red brick with cast stone headers and

1 sill.

2 MR. PEREIRAS: Perfect.

3 MR. PANEQUE: That's it.

4 CHAIRPERSON GARCIA: So I'm going to
5 make my motion to grant this application, also
6 taking in consideration this situation is
7 explained by Mr. Spatz regarding the topographical
8 situation and I make my motion to grant this
9 application.

10 MS. GUTIERREZ: I second it.

11 MR. VALLEJO: Motion to grant the
12 application by Mr. Garcia, seconded by Ms.
13 Gutierrez. Roll call on the motion.

14 Mr. Garcia.

15 CHAIRPERSON GARCIA: I didn't open to
16 the public. Any member of the public wants to
17 step forward?

18 MS. PEREIRAS: It's just the applicant.

19 CHAIRPERSON GARCIA: Seeing none, close
20 to the public. I make my motion to grant it.

21 MS. GUTIERREZ: Second.

22 MR. VALLEJO: Motion to grant the
23 application by Mr. Garcia, seconded by Ms.
24 Gutierrez. Roll call on the motion.

25 Mr. Garcia.

1 CHAIRPERSON GARCIA: Yes.
2 MR. VALLEJO: Mr. Grullon.
3 VICE CHAIRPERSON GRULLON: Yes.
4 MR. VALLEJO: Ms. Gutierrez.
5 MS. GUTIERREZ: Yes.
6 MR. VALLEJO: Mr. Ortiz.
7 MR. ORTIZ: Yes.
8 MR. VALLEJO: Ms. Watley.
9 MS. WATLEY: Yes.
10 MR. VALLEJO: Five in favor, motion
11 pass.
12 MS. PEREIRAS: Thank you all so much.
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1 **ADJOURNMENT:**

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

6 MS. WATLEY: Motion.

7 MR. VALLEJO: Motion by Ms. Watley.

8 MS. GUTIERREZ: Second.

9 MR. ORTIZ: Second.

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

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

15
16 MR. VALLEJO: The ayes have it. Happy
17 holidays, everybody.

18
19 (Whereupon the meeting was adjourned at
20 10:25 p.m.)

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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