

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, JUNE 11, 2026  
Commencing at 6:05 p.m.

M E M B E R S     P R E S E N T :

ANDRES GARCIA, Chairperson  
VICTOR M. GRULLON, Vice Chairperson  
MIGUEL ORTIZ  
GERALDINE PEREZ  
MINDRY WATLEY  
VIVIAN O'DELL

M E M B E R S     A B S E N T :

MARGARITA GUTIERREZ  
ROSIO PENA  
ALTAGRACIA SAN MARTINO

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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BIANCA PEREIRAS, ESQ.  
Attorney for Applicant, Isabel Valcarcel

BIANCA PEREIRAS, ESQ.  
Attorney for Applicant, 1901 Bergenline  
Avenue, LLC

BIANCA PEREIRAS, ESQ.  
Attorney for Applicant, S & G  
Properties, Inc.

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ISABEL VALCARCEL  
408 22nd Street

WITNESSPAGE

MANUEL PEREIRAS

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NO EXHIBITS MARKED

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1901 Bergenline Avenue

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

3 Please take notice that on Thursday,  
4 June 11, 2026, at 6 p.m., a regular meeting is  
5 scheduled for the City of Union City Zoning Board  
6 of Adjustment, to be held in Union City High  
7 School, located at 2500 John F. Kennedy Boulevard,  
8 Union City, New Jersey.

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

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

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

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

24  
25 MR. VALLEJO: Thank you.

**ROLL CALL:**

MR. VALLEJO: Roll call for tonight's meeting. Mr. Garcia.

CHAIRPERSON GARCIA: Present.

MR. VALLEJO: Mr. Grullon, absent.

Ms. Gutierrez is absent.

Mr. Ortiz.

MR. ORTIZ: Present.

MR. VALLEJO: Ms. Perez.

MS. PEREZ: Here.

MR. VALLEJO: Ms. Watley.

MS. WATLEY: Here.

MR. VALLEJO: Ms. O'Dell.

MS. O'DELL: Here.

MR. VALLEJO: Ms. Pena is absent.

Ms. San Martino is absent.

Let the record indicate there are five present.

\* \* \* \*

1     **ADOPTION OF MINUTES:**

2

3             MR. VALLEJO: All right. We're moving  
4 to adoption of the previous meeting minutes from  
5 May 14, 2026. Can I have a motion?

6             CHAIRPERSON GARCIA: Motion.

7             MR. ORTIZ: Second it.

8             MR. VALLEJO: Before we do the previous  
9 meeting, Mr. Paneque has an announcement.

10            MR. T. PANEQUE: Thank you, Mr. Vallejo.  
11 Let the record reflect that Vivian O'Dell has been  
12 reappointed as a Member of the Board. She was  
13 previously sworn in for her last term and she will  
14 be sworn in at the next meeting for the upcoming  
15 term.

16            MS. O'DELL: Thank you.

17            MR. VALLEJO: Now, we have a motion to  
18 for the previous meeting minutes by Mr. Garcia.  
19 Can I have a second on the motion, please?

20            MS. WATLEY: Second.

21            MR. VALLEJO: Seconded by Ms. Watley.  
22 Roll call on the motion.

23            Mr. Garcia.

24            CHAIRPERSON GARCIA: Yes.

25            MR. VALLEJO: Mr. Ortiz.

1 MR. ORTIZ: Yes.

2 MR. VALLEJO: Ms. Perez.

3 MS. PEREZ: Yes.

4 MR. VALLEJO: Ms. Watley.

5 MS. WATLEY: Yes.

6 MR. VALLEJO: Four in favor, motion

7 pass.

8 \* \* \* \*

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**BUILDING DEPARTMENT NOTICE:**

MR. VALLEJO: Right. We're moving to the application number one, 2005 Investment Corp., LLC, 4500 Kennedy Boulevard. I'm sorry, Mr. Paneque?

MR. PANEQUE: Thank you.

Before we proceed with tonight's agenda, the following notice is being made public at tonight's hearing. This is a requirement from the Union City Building Department and I'm going to read it for the record.

The notice is as follows: The Union City Building Department strictly enforces absolute adherence to all final plans, architectural drawings, and structural designs for projects approved by the Union City Zoning Board of Adjustment or Planning Board that receive construction permits. All construction projects must conform exactly to the approved documents on file with the City of Union City. No deviations from the approved plans shall be permitted unless prior formal written authorization is granted by the City's zoning officer or construction code official. This strict compliance mandate applies

1 comprehensively to all aspects of the approved  
2 presentation over which the Zoning Board maintains  
3 jurisdiction, including, but not limited to,  
4 exterior elevation drawings, color schemes,  
5 materials, site layout, building dimensions, and  
6 all other relevant information presented before  
7 the appropriate zoning boards.

8 Notice of noncompliance penalties. Any  
9 unapproved deviations, modifications, or  
10 unauthorized field changes executed without the  
11 formal consent of zoning officer or construction  
12 official may result in a stop work order,  
13 violations, and a municipal summons being issued.  
14 Furthermore, than any such unauthorized deviations  
15 will require the applicant to return to the  
16 appropriate zoning board to seek an amended zoning  
17 board approval.

18 This notice will become part of all  
19 resolutions that will be memorialized by this  
20 board going forward as of next month.

21 That is the end of the notice.

22 MR. VALLEJO: Thank you, Mr. Paneque.

23 \* \* \* \*

24

25

1     **2005 INVESTMENT CORP., LLC -**  
2     **4500 KENNEDY BOULEVARD:**

3  
4             MR. VALLEJO: All right. Going back to  
5 application number one, 2005 Investment Corp.,  
6 LLC, 4500 Kennedy Boulevard. Ms. Pereiras,  
7 please.

8             MR. PANEQUE: Let the record reflect as  
9 follows: I've been provided by Ms. Pereiras with  
10 a certification as to public and service  
11 indicating that notice of tonight's hearing at  
12 this location, the Union City High School, with  
13 respect to the property 4500 Kennedy Boulevard,  
14 Union City, New Jersey, was provided to all  
15 property owners within the 200-foot radius.

16             I've also been provided with a copy of  
17 the notice. Said notice indicates that the  
18 hearing will take place tonight, Thursday,  
19 June 11, 2026, at 6:00 p.m. with respect to the  
20 property 4500 Kennedy Boulevard at the Union City  
21 High School.

22             I've also been provided with an  
23 affidavit from The Star Ledger with a copy of the  
24 notice and the notarization indicating that the  
25 publication was made on The Star Ledger on June 1,

1 2026.

2 And I've also been provided with a list  
3 from the tax assessor's office with a date of May  
4 29, 2026, providing all property owners within the  
5 200-foot radius of Block 263, Lots 16 through 18,  
6 property known as 4500 Kennedy Boulevard.

7 And, finally, I've been provided with  
8 the certified mail receipts, which have all been  
9 postmarked as of June 1, 2026.

10 Based on the documentation that has been  
11 provided by Ms. Pereiras, this Board has  
12 jurisdiction to proceed and hear this matter.

13 MS. PEREIRAS: Thank you very much,  
14 Counsel. Good evening, Mr. Chairman, Members of  
15 the Board, may it please the Board, Bianca  
16 Pereiras on behalf of the applicant, 2005  
17 Investment Corp., LLC. The property in question  
18 is 4500 Kennedy Boulevard, also known as Lots 16  
19 through 18 on Block 263.

20 To clarify, we submitted a revised  
21 application as well as revised drawings on  
22 June 1st, specifying that the existing unit count  
23 in this building is 48 units, we're looking to  
24 legalize two existing units for a total of 50  
25 units on-site. This is not an application to

1 construct any additional units or expand the  
2 building footprint or modify or intensify the  
3 building in any way. It's really to legalize two  
4 units and go through the proper forms of  
5 legalizing with the building department.

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

10

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

13

14 MR. PEREIRAS: Manny Pereiras,  
15 P-E-R-E-I-R-A-S with Pereiras Architects  
16 Ubiquitous, located at 1116 Summit Avenue, Union  
17 City, New Jersey.

18 MS. PEREIRAS: For purposes of the  
19 record, I ask that Mr. Pereiras be accepted as an  
20 expert in the field of architecture.

21 CHAIRPERSON GARCIA: Our pleasure.

22 Ms. Pereiras, I have a question for you.

23 MS. PEREIRAS: Sure.

24 CHAIRPERSON GARCIA: The application  
25 indicated there will be a total of 52 units, the

1 memo from the building department said 48. In  
2 reality, you're seeking 50?

3 MS. PEREIRAS: Yes, yes. We submitted  
4 an updated application as well as updated revised  
5 drawings showing a total of 50 units on-site, two  
6 of which we are requesting that the Board legalize  
7 this evening.

8 CHAIRPERSON GARCIA: Just for the  
9 record, you're seeking to legalize two units and  
10 for a total of 50 units?

11 MS. PEREIRAS: Correct, Mr. Chairman.

12 CHAIRPERSON GARCIA: Thank you.

13 MR. PANEQUE: Before we proceed, Ms.  
14 Pereira, Mr. Spatz, in reading your memo, you  
15 went off the original application which was going  
16 from 50 to 52?

17 MR. SPATZ: Correct.

18 MR. PANEQUE: Are we okay with making  
19 that correction on your memo where it says 50,  
20 change to 48 and where it says 52, change it to  
21 50?

22 MR. SPATZ: Yes. It doesn't change or  
23 affect any of the variances.

24 MR. PANEQUE: That was my next question.

25 MR. SPATZ: Right.

1 MR. PANEQUE: So we'll make that  
2 correction by pencil, so the memo will read it's  
3 going from 48 to 50 units. Thank you, Mr. Spatz.

4 Ms. Pereiras, you may proceed.

5 MS. PEREIRAS: Mr. Pereiras, are you  
6 familiar with the property at 4500 Kennedy  
7 Boulevard?

8 MR. PEREIRAS: I am.

9 MS. PEREIRAS: Did you prepare the  
10 drawings that are before the Board this evening?

11 MR. PEREIRAS: They were prepared under  
12 my direct supervision.

13 MS. PEREIRAS: Would you kindly walk the  
14 Board through the proposal?

15 MR. PEREIRAS: I'd be very happy to.  
16 Hello, everyone, great to see you all.

17 Here at 4500 Kennedy Boulevard, we have  
18 an existing building. We're not looking to make  
19 almost any changes to the exterior of the  
20 building, there is one minor change I will walk  
21 you through. The existing building sits on a lot  
22 that's 8,013 square feet, this is an oversized  
23 lot. There are, as Counsel said, 48 legally  
24 recognized units here. There are two units and  
25 I'll go into them in detail, it looks like they

1 were super units, which is very common in  
2 historical Union City that they weren't registered  
3 and we're looking to legalize them now. They are  
4 preexisting units, they've been there for a long  
5 time. One of them still has occupants and one is  
6 in transition of the occupant moving out, so  
7 you'll see some boxes in the photograph that we  
8 have.

9 The site, we're not changing the  
10 footprint of the building. As you can see, we  
11 have preexisting variances for pretty much  
12 everything, side yard setback, front yard, rear  
13 yard, lot coverage. And, again, we're not  
14 expanding on any of these variances, and of course  
15 parking.

16 Parking requirement, there is no parking  
17 available in this building. There's no lots  
18 available to create parking at this site. We had  
19 48 legal units, we have two new units that  
20 requires an additional four parking spaces that we  
21 cannot accommodate on the site, and that's an  
22 existing hardship. And we have a planner who's  
23 going to talk about that a little bit.

24 The facade of the building stays exactly  
25 the same as it is. It's a very beautiful post-war

1 building. And here is the ground floor or the  
2 existing basement floor plan for the building. As  
3 you can see, there are existing apartments around  
4 the building. The two apartments that are in  
5 question are these two right here at the entry of  
6 the building. These are the front steps that lead  
7 you up into the main lobby of the building and  
8 both apartments flank on each side. The change  
9 that I said before, the only exterior change  
10 actually happens in this interior courtyard. In  
11 order to provide an additional emergency egress  
12 out of each of those units, we're proposing window  
13 wells. So those window wells will be facing the  
14 interior courtyard so there's an additional second  
15 means of egress, in case there's a fire or any  
16 type of emergency, for residents to be able to  
17 escape.

18 The entry of these apartments is the  
19 same entry as the other apartments on the same  
20 floor. And we go to apartment number one. You  
21 see the photographs right here on apartment number  
22 one, the resident is still in these photographs.  
23 And you enter the apartment, you have the living  
24 room, dining room, and small kitchen area.  
25 There's an existing bathroom and there's a

1 bedroom. The bedroom is 10-9 by 17-4 and we have  
2 an undersized apartment as far as Union City  
3 standards are. And our planner is going to talk  
4 about the density variance we're seeking there.  
5 We've 385 square feet. It is impossible to grow  
6 this apartment in any direction. You have an  
7 existing apartment along here, you have the  
8 hallway along here. So we can't make that  
9 apartment bigger in any way. We don't want to  
10 displace the tenants and that is the existing  
11 limitations of what we have in the apartment. But  
12 it's a very functional and very comfortable  
13 apartment with the bedroom area and the living  
14 area. It works for this tenant.

15 MR. VALLEJO: Mr. Pereiras, allow me two  
16 seconds. Let the record reflect that Mr. Gullon  
17 joined the meeting at 6:20.

18 MR. PEREIRAS: Welcome, Mr. Gullon.

19 Apartment number two, you enter from the  
20 same hallway as the other apartments. You enter,  
21 living room, dining room area, small kitchen,  
22 bathroom and bedroom along the front. And that  
23 bedroom is 10 foot 9 by -- that's a typo, it  
24 should be 10-9 by about 9 and a half.

25 And that really concludes my testimony.

1 There is no further intervention on this project,  
2 except for important life safety measures. By  
3 bringing these apartments up to code and  
4 legalizing them, we're making this space a lot  
5 safer for everyone else throughout the building.  
6 They are going to be addressed with a limited area  
7 fire alarm system and a limited area sprinkler  
8 system. There will be an interconnected alarm  
9 system into these apartments. There will be the  
10 additional egress windows and there will be  
11 additional fire ratings at the ceilings and the  
12 perimeter of the apartments. They're going to be  
13 upgraded to a two-hour fire separation.

14 So these are going to be very safe units  
15 and making them safe units, not just for the  
16 inhabitants of those two apartments, but the  
17 entire building. So the 48 others apartments are  
18 going to have the benefit of these additional  
19 features to make it safe. And that concludes my  
20 testimony.

21 CHAIRPERSON GARCIA: Mr. Pereiras,  
22 you're showing that you have another three  
23 apartments in the basement?

24 MR. PEREIRAS: Yes. And those are  
25 recognized by the City of Union City, including

1 the building department.

2 CHAIRPERSON GARCIA: Okay. How many --  
3 how is the layout per floor of apartment? How  
4 many apartments per floor do you have?

5 MR. PEREIRAS: I don't know, Mr.  
6 Chairman. We did not have access to the entire  
7 building, it's full of residents.

8 CHAIRPERSON GARCIA: Yeah, but you don't  
9 have to get into the apartment to count how many  
10 apartments you have per floor?

11 MR. PEREIRAS: You're right, Mr.  
12 Chairman.

13 CHAIRPERSON GARCIA: Also, it's kind  
14 of -- I don't know, to me, it's a question mark  
15 that how come you have three legal units in the  
16 basement and you have two more without -- I mean  
17 illegal units, that's a question I have. I mean  
18 it's like -- when your client purchased this  
19 building?

20 MS. PEREIRAS: It was purchased in 2005.

21 CHAIRPERSON GARCIA: 2005. And the  
22 layout, I mean to go to the basement, you have to  
23 go to the first floor and then go down, correct?

24 MR. PEREIRAS: You go in through the  
25 main lobby and you take the steps down.

1           CHAIRPERSON GARCIA: Okay. How they do  
2 this? Because I don't see in the Z-03? Because  
3 the steps, they're going up, but I hit with the  
4 existing gas meters?

5           MR. PEREIRAS: These steps are emergency  
6 steps to head out. I'm -- my assumption, Mr.  
7 Chairman -- and if you'd like, we can come back  
8 and verify and measure more of this building to  
9 make sure -- but my assumption is that this space  
10 here is a stairwell that leads you to the second  
11 floor. I know we didn't draw in the steps, we  
12 just drew in the area. We concentrated on the two  
13 apartments themselves. But the building itself  
14 and the circulation is all to remain and stay the  
15 same.

16           These steps here are an emergency exit  
17 directly onto the street onto the side at 45th  
18 Street.

19           CHAIRPERSON GARCIA: You don't want to  
20 do any exterior changes?

21           MR. PEREIRAS: Only the two window wells  
22 along the main entry.

23           MS. PEREZ: Can you go to the first  
24 page? Where are the windows going to be?

25           MR. PEREIRAS: So if you see the

1 building, it's a U-shaped building. And that  
2 U-shape, the center is the main entryway to the  
3 building. On each side on the lower -- on the  
4 ground, you're going to have two window wells. So  
5 right now, those existing windows are about this  
6 tall, but they're not good enough for someone to  
7 escape. So we're going to make them deeper and  
8 put a grill over it so people could escape.

9 CHAIRPERSON GARCIA: Mr. Pereiras, I  
10 have a question for you? Why you came without the  
11 dimension? I mean like, okay. This is a main  
12 entry to the building?

13 MR. PEREIRAS: Yes.

14 CHAIRPERSON GARCIA: Now, you're going  
15 to have two window wells, you're going to narrow  
16 the entry to the building?

17 MR. PEREIRAS: Not in the slightest.

18 CHAIRPERSON GARCIA: How come? You have  
19 the well, the access to there?

20 MR. PEREIRAS: You walk over the wells.  
21 So the way we do wells in Union City and we do  
22 this pretty typically, we have the well below  
23 grade and there's a grill that sits on the well  
24 that has a hinge. You rotate that up and people  
25 can escape out the window. But that grill closed

1 allows people to walk right up, no problem.

2 MS. PEREZ: You have to come from down  
3 up?

4 MR. PEREIRAS: Yeah. So there's a few  
5 requirements from a code perspective on window  
6 wells. And, please understand, when we go to  
7 permitting, we go into a lot more detail on the  
8 drawings that show all the specifics of it. We're  
9 going to be doing that moving forward a lot more  
10 at the zoning level, just so there's less  
11 confusion, it just means a lot more work ahead of  
12 time.

13 For a window well to work, it needs to  
14 be 9 square feet of footprint. So that means it  
15 could be many different configurations. Normally,  
16 we do 3 by 3, so that equals 9, but it could be  
17 several other things. For a window well to work,  
18 it also has to be no more than 44 inches from the  
19 floor of the apartment.

20 So if you have -- a typical basement  
21 apartment in Union City has a window up here, that  
22 doesn't work. It's right at the sidewalk, it  
23 doesn't work. We have to bring it down. So we  
24 bring it down to below 44 inches. At 44 inches,  
25 it's comfortable that somebody could climb out of

1 the window.

2 So the windows also have to also meet a  
3 certain criteria. They need to be big enough that  
4 someone could escape in and out. The code has  
5 determined that that is 5.7 square feet of  
6 opening. So the window has to be able to open an  
7 entire 5.7 square feet, that means most normal  
8 double hung windows don't work. Because you open  
9 the window, only half of it is the opening. So  
10 what we do in Union City very often in these  
11 situations, every time we legalize one of these  
12 apartments is we create casement windows that are  
13 the entire thing. That way that window opens, now  
14 the person can escape and go into the well.

15 Now people are walking above, so what we  
16 do is we have that well that just pops up and  
17 opens up. Yes, someone could also from above open  
18 that and go in, just like every other window in  
19 the building, but that's how it's safe so that  
20 people could escape out of there. And it's still  
21 being used throughout for whatever passageway.

22 We see this in sidewalks, we see this in  
23 side yards, in buildings. And this is basically a  
24 very typical situation for this. It's the main  
25 entryway of the building which is extremely wide.

1 This is over 10 feet in width, so you're going to  
2 have the two wells on the side. You could still  
3 walk down the middle and have no problems. But  
4 that's what we're proposing.

5 MS. PEREZ: Can both sides get out at  
6 the same time?

7 MR. PEREIRAS: Yeah, they could.  
8 They're completely opposite walls of each other.

9 CHAIRPERSON GARCIA: Again, Mr.  
10 Pereiras, please can you put in your drawing  
11 dimensions?

12 MR. PEREIRAS: Yeah, Mr. Chairman, from  
13 now --

14 CHAIRPERSON GARCIA: It's more work for  
15 you, but it's easier for us.

16 MR. PEREIRAS: We could do that.

17 CHAIRPERSON GARCIA: Do you have another  
18 witness?

19 MS. PEREIRAS: We do. Do you want to  
20 wait until we come back?

21

22 A L E X A N D E R D O U G H E R T Y, after  
23 having been duly sworn or affirmed, did testify as  
24 follows:

25

1                   MR. DOUGHERTY: Alexander Dougherty,  
2 D-O-U-G-H-E-R-T-Y.

3                   CHAIRPERSON GARCIA: Our pleasure to  
4 have you here.

5                   MR. DOUGHERTY: Pleasure to be here. So  
6 excluding the missing details, but from my  
7 understanding, code compliance is, as the  
8 architect testified, that's kind of how the window  
9 wells work, they're not historically -- dual ease  
10 for firemen to get in and for you to leave. So  
11 for any of the units to be up to code, that second  
12 means of egress needs to be there. And as you  
13 heard from the opening, historically, you know  
14 people have been occupying these units, not up to  
15 safety standards and compliance, gives the Board  
16 and the community an opportunity to bring those  
17 units to compliance.

18                   This property is unique. Right here on  
19 Kennedy and 45th Street, right across from  
20 Kennedy, I believe it's North Bergen, it's a  
21 different town. So we're right on the edge of  
22 town here. And this building is not a standalone  
23 building, what you're seeing here, this two  
24 iconic, attached in the middle. Behind the site  
25 on 45th, on Harrison and Cottage Place is another

1 similar building and a little bit further up on  
2 the corner here is another similar building.

3 I bring that to your attention because  
4 this zone is the R zone, which is two-family  
5 dwelling zone. So we do have some larger  
6 structures in the area that predate that. My  
7 records indicate this is an early 1920s build out  
8 and I think it's appropriate, it looks that way.

9 But to the point, there are about  
10 48 units in there today. I would imagine each  
11 wing, to some capacity, is probably an even split  
12 for those asking. But for purposes of this  
13 application, there are a few units in the lower  
14 level, that at-grade basement, if you will, level.

15 With that, as the planner's memo  
16 outlines, this would essentially be a (d)(2)  
17 application, expansion and/or intensification of a  
18 preexisting nonconforming use and/or structure.  
19 So the use, as a mid-rise multifamily is  
20 preexisting to the zone. The use is here, it's  
21 lawful. To add those additional units is that  
22 intensification component. We're not expanding  
23 the footprint in either way as the architect  
24 indicated.

25 So the purpose for (d)(2) is site

1     betterment. It's kind of loose, typically, we  
2     hear about maybe an auto body in a residential  
3     zone and they want to expand, so they make the  
4     auto body look more residential in character to  
5     blend in with the neighborhood.

6             I think when we talk about site  
7     betterment in this particular case, the site  
8     betterment is going to be the safety factors for  
9     these two dwelling units and overall enhancement  
10    to the site for code compliance. Little to no  
11    exterior improvements being proposed, so the site  
12    betterment is the functionality of code compliance  
13    and fire safety compliance here.

14            So with that, the architect kind of hit  
15    a lot of buttons here, the site is oversized,  
16    2,500 square feet is what is required. This is a  
17    little over 8,000, so it's a substantially  
18    oversized site, which is where you get this larger  
19    structure and how it was built here. But with  
20    that, we do have some nonconformities for bulk  
21    that are preexisting and if approved or denied,  
22    they're going to stay the same today. The lot  
23    depth is required to be 100, we're just shy, we're  
24    at 98.83. We have the front yard setback of  
25    7 feet prevailing, this is a preexisting

1 condition. It's on the corner, so it kind of sets  
2 the tone here, but the front setback exists there  
3 today. Minimum rear yard setback, minimum is 20,  
4 we're about 9.9, again exists there due to the  
5 building. And we have our side yard setbacks of 2  
6 feet and 5 feet for a combined. The building has  
7 less than one foot and does not comply with the  
8 side yard setbacks. So that again is the nature  
9 of the structure being there.

10 Lot coverage for the zone, 65 percent is  
11 required for the buildings and we're at  
12 76 percent. And then the overall lot coverage for  
13 impervious is 95 percent. This is essentially  
14 100 percent impervious, again existing there  
15 today. And most importantly here, the maximum  
16 building height. The zone allows for three  
17 stories at 38 feet, and we're at five floors and  
18 66 feet, again preexisting nonconforming, you  
19 know, structure within the zone.

20 And then with that, this part of the  
21 application here, again, parking as well as the  
22 site doesn't have parking today, it wouldn't have  
23 parking tomorrow. But we do have the two bus  
24 lines here. My research shows that's an 88 bus  
25 line and the 154 bus line. This is essentially

1 right next to the site. Union City has a code  
2 requirement for the minimum sized units, which as  
3 a planner, I like. I brought that to many other  
4 applications. You have a minimum size requirement  
5 of 550 square feet for -- we're about 361 for the  
6 one unit and roughly 385 square feet for the other  
7 unit, not ideal. These units existed. They've  
8 been occupied. We want to bring these up to code,  
9 we recognize they're undersized unit.

10 With that being said, these are more of  
11 a micro unit, naturally think they would reflect  
12 their size. With that, from a planning  
13 standpoint, having a variety of homes for a  
14 growing community, not everybody wants the  
15 thousand square foot, the 750 square foot, they  
16 want that efficiency unit. I think that's what we  
17 should look at this as an efficiency unit. It  
18 would meet code compliance, but nonetheless, we  
19 can look at this as a preexisting nonconforming  
20 condition. Again, it's been occupied that way,  
21 maybe not by a lawful CO, maybe as we looked at it  
22 before, as the architect testified to, a supra  
23 unit. But for that purposes, we want to be able  
24 to provide these units to the community, have a  
25 variety of housing types, sizes, and options.

1 This is strictly a one-bedroom apartment. The  
2 architectural plans really show this as a one, the  
3 size and scope, I would look at this more as kind  
4 of like that efficiency or studio style unit.

5 But nonetheless, I think we could look  
6 at that, if the Board wanted to as a (c)(2) or  
7 could potentially be (d)(5), but again these units  
8 were lawfully existing, to some capacity a supra  
9 unit. Trying to make these more of a marketable  
10 unit.

11 I would argue again it's more compliant  
12 with that (d)(2) criteria. But with that being  
13 said, the neighborhood to some extent historically  
14 absorbed these two hidden units on the lower  
15 level. From a parking perspective, there's none  
16 here. And according to the planner's memo, we're  
17 going to need 1.8 parking spaces for each unit,  
18 that would bring us to 50 units. So north of 50  
19 parking would otherwise be required for this  
20 structure and none are there. These micro units,  
21 given the location of the bus stop, I think what  
22 we're going to find here is that transitional  
23 housing, that worker who just needs a roof over  
24 his head and is getting on their feet. This  
25 isn't, I think, a long-term unit, given its size,

1 you're not going to stay here and grow a family,  
2 grow roots here. This is get my son out of my  
3 basement, give him his own space kind of unit, or  
4 the worker who needs a roof over their head, that  
5 missing middle, if you will, per se. Not by way  
6 of housing, but just by way of unit size.

7 With that, given the fact that this unit  
8 has existed, neighborhood's had a chance to absorb  
9 any negative effects by way of parking, the bus  
10 line, legalizing these two apartments, I think,  
11 adds some positive to the community. Again, fire  
12 codes, safety, building code regulations, egress  
13 opportunities, safety is paramount in any  
14 application.

15 We would otherwise be advancing purpose  
16 A of the MLUL for the safety, morals and general  
17 welfare of the community. I think what we can  
18 advance, too, is purpose M for more efficient use  
19 of land. Given the size, given the location,  
20 given the programing of the building, these units  
21 really aren't lending themselves functionality to  
22 anything other than a residential unit. I don't  
23 know personally how they're going to be integrated  
24 into the structure otherwise, as far as trash  
25 rooms or anything of that capacity. You know,

1 it's my understanding they were units from  
2 sometime ago, a carryover from the days of supras.  
3 So I'd argue that we're providing more efficient  
4 use of land for the units and making more  
5 efficient use of space of that.

6 I'd also argue purpose E for appropriate  
7 densities in appropriate locations. Though it's  
8 the R zone, this structure exists there now, the  
9 densities have been well established on this  
10 corner. It's highly visible. I think when we  
11 look at this, it's appropriate here on that  
12 corner, given the age of the structure.

13 I would also argue from a planning  
14 perspective, given it's a preexisting condition  
15 and building, what we have here, it's not going to  
16 erode the intent, the integrity of the zone plan  
17 or the master plan. We're not asking to build  
18 these 50 units brand new, they exist. Again, more  
19 efficient use of land. Given the bus routes in  
20 close proximity, the other structures in the area,  
21 I think it blends in well. And these two  
22 additional units have been operational for some  
23 time.

24 I would argue that there's little to no  
25 negative effects here and the purpose of the

1 (d)(2) for site betterment would otherwise be  
2 applicable, given those egress windows and  
3 building code abilities.

4 So with that, I'll conclude. It's a  
5 smaller unit size, but nonetheless, it's showing  
6 that there's a demand for that unit size. So I'm  
7 open to any cross, but I believe the (d)(2)  
8 criteria would otherwise be met.

9 CHAIRPERSON GARCIA: You mentioned the  
10 application is located in the proximity of North  
11 Bergen, right?

12 MR. DOUGHERTY: It is. I believe it's  
13 right across on Kennedy.

14 CHAIRPERSON GARCIA: Ms. Pereiras, did  
15 you notice the houses across the street?

16 MS. PEREIRAS: I'll confirm. I'm  
17 looking at the certified lists of property owners  
18 from Union City and I do not see a requirement  
19 there to serve North Bergen. Can I see the most  
20 recent one? I'm looking at the old one, Mr.  
21 Paneque. Does Carlos have it?

22 MR. VALLEJO: I don't have anything  
23 here.

24 MS. PEREIRAS: I don't see any addresses  
25 in North Bergen on my list.

1 MR. PANEQUE: Ms. Pereira, those  
2 addresses would not be in the Union City list.

3 MS. PEREIRAS: Normally we get a  
4 referral to North Bergen and we request a list  
5 from North Bergen as well. I don't see a list  
6 from North Bergen in mine.

7 CHAIRPERSON GARCIA: 4511 is across the  
8 street and 4501.

9 MR. PANEQUE: Looking at the aerial  
10 photograph and the testimony has been given, it  
11 seems this property is within the 200-foot radius  
12 of the North Bergen -- in fact, the border is  
13 right in the middle of the street. So I mean  
14 unless the street is over 200 feet, which it's  
15 not, a request to North Bergen should have been  
16 made.

17 MS. PEREIRAS: Understood, Counsel. I  
18 don't see it on my list.

19 MR. PANEQUE: Okay. That is a  
20 jurisdictional issue. Do you wish to adjourn your  
21 application to properly notice?

22 MS. PEREIRAS: I have no choice,  
23 Counsel, yes, please.

24 MR. PANEQUE: Is anybody here on the  
25 application for 4500 Kennedy Boulevard? No, okay.

1 Ms. Pereiras, I will defer to the Chairman, but I  
2 would have no objection to just notifying the  
3 North Bergen residents of the next upcoming  
4 meeting. We can make a notice at today's meeting  
5 that the matter will be carried to the next  
6 meeting, which will be in July.

7 MR. VALLEJO: July 9th.

8 MR. PANEQUE: July 9th. For purposes of  
9 no further notice being required for those  
10 residents in Union City that received -- those  
11 property owners, but you will have to notice the  
12 North Bergen property owners.

13 MS. PEREIRAS: I greatly appreciate that  
14 courtesy.

15 MR. PANEQUE: I would suggest based on  
16 some of the questions of the Chairman, that Mr.  
17 Pereiras -- if you're listening, Mr. Pereiras.

18 MR. PEREIRAS: I am, we'll update the  
19 drawings.

20 MR. PANEQUE: Come back with revised  
21 plans. Mr. Chairman, any comments?

22 CHAIRPERSON GARCIA: I would love to see  
23 the Z-03 the dimension of the main entry of the  
24 building. Also can you identify the layout of the  
25 stairs going down to the basement to the two units

1 that are going to be legalized. And the  
2 difference between what it is going down to the  
3 basement and whatever is the first floor.

4 MR. PEREIRAS: I will, Mr. Chairman.

5 CHAIRPERSON GARCIA: Thank you.

6 Do you waive the statutory limit?

7 MS. PEREIRAS: Of course.

8 CHAIRPERSON GARCIA: I make my motion to  
9 adjourn this application for July 9th meeting.

10 MR. DOUGHERTY: Mr. Chair, do we want to  
11 notice for a (d)(5) just in case? For the unit  
12 size?

13 MR. SPATZ: They are undersized, yes, so  
14 you need a density variance for the two new units,  
15 yes.

16 MR. PANEQUE: In your notice, you put  
17 any other variances?

18 MS. PEREIRAS: We did, we're covered.

19 MR. PANEQUE: We're covered in that  
20 aspect of it.

21 MR. VALLEJO: Motion to adjourn this  
22 application by Mr. Garcia for July 9, 2026. Any  
23 second on the motion?

24 MS. WATLEY: Second.

25 MR. VALLEJO: Seconded by Ms. Watley.

1 Roll call on the motion.

2 Mr. Garcia.

3 CHAIRPERSON GARCIA: Yes.

4 MR. VALLEJO: Mr. Grullon.

5 VICE CHAIRPERSON GRULLON: Yes.

6 MR. VALLEJO: Mr. Ortiz.

7 MR. ORTIZ: Yes.

8 MR. VALLEJO: Ms. Perez.

9 MS. PEREZ: Yes.

10 MR. VALLEJO: Ms. Watley.

11 MS. WATLEY: Yes.

12 MR. VALLEJO: Ms. O'Dell.

13 MS. O'DELL: Yes.

14 MR. VALLEJO: Six in favor, motion pass.

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1       **ISABEL VALCARCEL -**  
2       **408 22ND STREET:**

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4               MR. VALLEJO: All right. We're moving  
5       to number two, Isabel Valcarcel, 408 22nd Street.  
6       Ms. Pereiras, please.

7               MR. A. PANEQUE: Let the record reflect  
8       that I've been provided with an affidavit stating  
9       that on May 30, 2026, personal notice of tonight's  
10      meeting was given to all property owners within  
11      the 200-foot radius 408 22nd Street, Union City,  
12      New Jersey 07087.

13              The notice given to all property owners  
14      within the 200-foot radius.

15              The legal affidavit from The Record and  
16      NJ.com that was published on May 28, 2026.

17              Certified mail receipts postmarked May  
18      30, 2026, and the list of the property owners  
19      within a 200-foot radius to be served notice of  
20      tonight's meeting.

21              Accordingly, this Board has jurisdiction  
22      to hear this matter.

23              MS. PEREIRAS: Thank you very much,  
24      Counsel. Bianca Pereiras on behalf of the  
25      applicant for property at 408 22nd Street. The

1 application seeks approval to renovate and improve  
2 an existing two-family dwelling through  
3 construction of a third story addition. The  
4 property will continue to function as a  
5 two-family, no additional residences are being  
6 proposed. The applicant is making substantial  
7 investment into the property to modernize the  
8 structure, improve the appearance of the home, and  
9 enhance the overall housing stock.

10 The requested relief is really two  
11 variances and we're seeking one regarding side  
12 yard, which is an existing condition. And we also  
13 have a variance as to parking. However, we're  
14 improving the situation. We're providing one  
15 parking spot on-site while no parking is currently  
16 provided on-site.

17 We only have one expert to testify  
18 before the Board and that is our architect, Mr.  
19 Manuel Pereiras.

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

22

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

25 MS. PEREIRAS: Mr. Pereiras, are you

1 familiar with 408 22nd Street?

2 MR. PEREIRAS: I am.

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

5 MR. PEREIRAS: I have.

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

8 MR. PEREIRAS: I'd be very happy to.  
9 The applicants are sitting there in the front row.  
10 This is a beautiful two-family home in Union City  
11 that will remain a two-family home for them, owner  
12 occupied. And it's going to be beautiful. It's  
13 become one of my favorite projects that we're  
14 working on right now at the moment. I'm happy to  
15 share with you all the details of it.

16 Starting with sheet Z01, we see the  
17 existing site plan on the left and the proposed  
18 site plan on the right. As you could see, very  
19 limited changes. We have a beautiful big rear  
20 yard of 33 feet 2 inches, that's going to remain  
21 33 feet, 2 inches. We have a side yard on one  
22 side that is 2 foot 3, that's going to remain 2  
23 foot 3 and we have a side yard on the other side  
24 that's sitting on the property line at one inch,  
25 that remains the same. However, we are expanding

1 those side yard setbacks because we're looking to  
2 go up. It's currently a two-story house, we're  
3 going up to a three-story house.

4 As you could see here in the front,  
5 we're modifying that front yard mostly so we could  
6 accommodate a parking space. The family needs  
7 parking, it's a difficult neighborhood. I know  
8 because they're going to be my future neighbors  
9 when I finally move into my office. But, yeah, so  
10 we're proposing a parking space that is conforming  
11 with the Union City ordinance. This is 9 feet  
12 wide by 18 feet in length. We're proposing a curb  
13 cut that is 10 feet, that's a little bit more  
14 narrow than we normally do but that's because  
15 we're trying to fit it between two existing trees  
16 on the neighborhood. And they value the trees and  
17 we want to keep the trees so it's a curb cut  
18 between those two trees. We're asking for the  
19 striping of that curb cut to be a little bit  
20 larger to give them room to navigate in and out.  
21 We'll be coordinating that with DPW. But we are  
22 proposing a 10 foot curb cut to salvage those two  
23 trees.

24 As you can see we're modifying the  
25 entrance of the building. Instead of one stair

1 along the right-hand side, the east side of the  
2 property, we're demolishing that stair. We're  
3 demolishing a portion of the building so that the  
4 building sets in and has a covered way for the  
5 carport. And we're creating a new porch as a new  
6 entryway.

7           Going through the rest of our variances,  
8 we have no other ones other than parking. And  
9 we're actually reducing that variance. Four  
10 parking spaces were required before this  
11 application, now we still have four parking  
12 spaces, that hasn't been modified. But we reduced  
13 our deficiency by one because we're providing one  
14 parking space.

15           So going through everything else, lot  
16 coverage, we are compliant, 90 percent is allowed  
17 we are at 76.35 percent. Building coverage  
18 65 percent is allowed, we're at 52 percent.  
19 Building height, 38 feet is allowed, we're going  
20 to 38 feet. So we're compliant. Building height,  
21 number of stories, three stories is permitted, we  
22 are three stories.

23           And we talked about rear yard. We talk  
24 about front yard, we're at 8 foot 5, whereas 7 is  
25 the minimum, 10 is the maximum, so we're compliant

1     there. And the lot is 25 by 100, 25 compliant,  
2     100 compliant and 2,500 square feet, compliant.

3             Turning now to sheet Z02, we have the  
4     existing site plan, photographs of the house,  
5     satellite imagery and the tax map showing we're  
6     clearly within Union City and everyone was  
7     noticed.

8             Sheet Z03, we have photographs of the  
9     existing house and every floor. We see the  
10    existing conditions, the basement, the first,  
11    ground floor, and the second floor as it is  
12    currently configured. And now the proposed floor  
13    plans, very well detailed as the Chairman likes  
14    with dimensions. And what we did, Mr. Chairman, I  
15    think makes it a little bit easier to recognize,  
16    there are two hatches here, the lighter open hatch  
17    is the existing walls, the darker more dense hatch  
18    is the proposed walls, so you could really  
19    differentiate what's being done.

20            We have two apartments that we continue  
21    to have, same entryway from the porch area. And  
22    that porch area, you could choose to enter into  
23    apartment number one on the left. I would like to  
24    say for the record that apartment number one also  
25    has a secondary entrance from the rear yard as

1 well. And then apartment number two, straight  
2 ahead.

3 Let's walk through apartment number one.  
4 We have an entryway that's 4 foot wide by 9-11,  
5 almost 10 feet here that holds the mechanical  
6 equipment, coat closet, things of that nature. On  
7 the other side of it, you enter into a dining  
8 room, kitchen layout. You have a small living  
9 room area, the more formal living room. And you  
10 have your bedrooms, two bedrooms on that floor,  
11 one being a master suite with a nice walk-in  
12 closet. And two hall baths, one powder room and  
13 one full sized bathroom.

14 You could take the steps and then that's  
15 apartment number one. If you enter into apartment  
16 number two, you're let into a hallway that you  
17 could go two ways. You can either take the steps  
18 down to a nice family room where they have a  
19 family room, bathroom, and den area for the  
20 family. Or you could take it up the stairs where  
21 you have the proper living space. You go up the  
22 stairs, you land in the small foyer and you enter  
23 into a kitchen area, living room, dining room,  
24 bathroom and bedroom on that floor. And then you  
25 take the steps up to the full addition above. And

1     you have two bedrooms along the front of the  
2     house, a den in the middle of the house and a nice  
3     master for the couple in the back. That master is  
4     20 feet 5, the full width of the house by 11-9  
5     with a walk-in closet and a nice master bath on  
6     that level.

7             And isolated for that unit only, you  
8     could go up the stairs to a roof deck. And as you  
9     could see, Mr. Chairman, that roof deck is setback  
10    significantly. We are set back to having a roof  
11    deck that is 11-6 by 30 wide with a significant  
12    setback off the side yard.

13            As far as the facade is concerned, we  
14    are introducing as much brick as possible in a  
15    very beautiful way. You have a running bond brick  
16    along the back of the building, this face. And  
17    then we have a panelized system at the addition  
18    along the front of the building. There are some  
19    portions that will have stucco as indicated on the  
20    drawings, and the cap for all coping will be metal  
21    coping. The side on the addition will be siding.  
22    And as you could see here, we're adding the  
23    additional floor. And there is a rendering of  
24    what this will look like on the cover sheet, along  
25    here. That concludes my testimony. It's a very

1 simple two-family house, very private. It's going  
2 to be a nice modification to our neighborhood,  
3 seriously going to beautify the facade, beautify  
4 the entire block.

5 CHAIRPERSON GARCIA: The front facade --  
6 the front setback, you're not going to touch?

7 MR. PEREIRAS: It's going to be 8 foot 5.

8 CHAIRPERSON GARCIA: How is it right  
9 now?

10 MR. PEREIRAS: It's also 8 foot 5 to the  
11 edge of the bay, so we are touching it. It's  
12 completely being manipulated, but we're not  
13 extending anymore into the front yard. It's 8  
14 foot 5 existing, 8 foot 5 proposed, 7 is the  
15 minimum, 10 is the maximum. So we comply with the  
16 ordinance.

17 CHAIRPERSON GARCIA: Mr. Spatz,  
18 according to your memo, basically the only two  
19 nonconforming is the side yard?

20 MR. SPATZ: Correct.

21 CHAIRPERSON GARCIA: And the parking  
22 space?

23 MR. SPATZ: Correct. Those are the only  
24 variances. And the side yard is really a  
25 continuation of the existing side yard because

1 they're going up. And parking, they're providing  
2 one space, so they're --

3 CHAIRPERSON GARCIA: They don't have one  
4 right now?

5 MR. SPATZ: That's correct. So they're  
6 reducing the demand to three from the four.

7 CHAIRPERSON GARCIA: Thank you.

8 Mr. Pereiras, why stucco? Why aren't  
9 you using something else?

10 MR. PEREIRAS: What would you like us to  
11 use, Mr. Chairman?

12 CHAIRPERSON GARCIA: Another, like more  
13 brick or another, like, metal, whatever, you know  
14 better than me.

15 MR. PEREIRAS: I think stucco is a  
16 wonderful material, beautiful material. The  
17 Coliseum was made out of stucco, but we could  
18 change it. We could do whatever you would like.

19 MS. O'DELL: Where would the stucco be?

20 MR. PEREIRAS: The stucco is used as an  
21 accent for the porch, here and around the edges.

22 CHAIRPERSON GARCIA: Just around the  
23 edges?

24 MR. PEREIRAS: Yeah. It's this portion  
25 right here. The 95 percent of this facade is not

1       stucco.

2               MS. O'DELL: Just the two sections?

3               MR. PEREIRAS: We have no objection to  
4 changing that to -- you want to call it a panel,  
5 we could change it to a panel.

6               CHAIRPERSON GARCIA: Okay. Any other  
7 questions?

8               Any member of the public want to step  
9 forward? Seeing none, close to the public.

10              I'm going to make my motion to grant  
11 this application with no condition. Thank you.

12              MR. VALLEJO: Any second on the motion?

13              MS. WATLEY: Second.

14              MR. VALLEJO: Seconded by Ms. Watley.

15 Roll call on the motion to approve this  
16 application.

17              Mr. Garcia.

18              CHAIRPERSON GARCIA: Yes.

19              MR. VALLEJO: Mr. Grullon.

20              VICE CHAIRPERSON GRULLON: Yes.

21              MR. VALLEJO: Mr. Ortiz.

22              MR. ORTIZ: Yes.

23              MR. VALLEJO: Ms. Perez.

24              MS. PEREZ: Yes.

25              MR. VALLEJO: Ms. Watley.

1 MS. WATLEY: Yes.

2 MR. VALLEJO: Ms. O'Dell.

3 MS. O'DELL: Yes.

4 MR. VALLEJO: Six in favor, motion pass.

5 MS. PEREIRAS: Thank you all very much.

6 MR. PEREIRAS: Thank you, everyone.

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1       **1901 BERGENLINE AVENUE, LLC -**

2       **1901-1905 BERGENLINE AVENUE:**

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4               MR. VALLEJO: All right. Now we're  
5 moving to the next application on tonight's  
6 agenda, 1901 Bergenline Avenue. Ms. Pereiras,  
7 please.

8               MR. A. PANEQUE: Let the record reflect  
9 I've been provided with an affidavit stating on  
10 May 29, 2026, personal notice of tonight's meeting  
11 was given to all property owners within the  
12 200-foot radius of 1901-1905 Bergenline Avenue,  
13 Union City, New Jersey 07087.

14              The notice given to all property owners  
15 within the 200-foot radius.

16              The affidavit of publication from The  
17 Record, which is dated May 28, 2026.

18              Certified mail receipts postmarked May  
19 29, 2026.

20              The list of the property owners to be  
21 served within the 200-foot radius.

22              Accordingly, this Board has jurisdiction  
23 to hear this matter.

24              MS. PEREIRAS: Thank you very much,  
25 counsel. Bianca Pereiras on behalf of the

1 applicant for 1901 Bergenline Avenue. The  
2 application seeks subdivision approval together  
3 with associated variance relief to facilitate the  
4 redevelopment of the site. The applicant proposes  
5 to subdivide into two separate lots. The existing  
6 mixed-use corner building will remain intact. And  
7 what we're looking to do is replace an existing  
8 warehouse and a one-story apartment on-site, which  
9 is currently obsolete. This building has not been  
10 used for a while and we're looking to replace that  
11 structure with a three-family home.

12 We have two experts to testify before  
13 the Board this evening. And we'll begin our  
14 presentation with our architect, Mr. Manuel  
15 Pereiras.

16  
17 M A N U E L P E R E I R A S, previously sworn:

18  
19 MR. PEREIRAS: Manny Pereiras, I  
20 recognize I am still under oath.

21 MS. PEREIRAS: Mr. Pereiras, are you  
22 familiar with the property at 1901 Bergenline  
23 Avenue?

24 MR. PEREIRAS: I am.

25 MS. PEREIRAS: And did you prepare the

1 drawings that are before the Board this evening?

2 MR. PEREIRAS: I have.

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

5 MR. PEREIRAS: I'd be very, very happy  
6 to. So this is an interesting project. It's a  
7 little different, I think it makes a lot a lot of  
8 sense.

9 In order to understand the project, I  
10 think we have to understand the conditions of the  
11 current existing site. We are right at the corner  
12 of 19th and Bergenline Avenue, this is the  
13 southeast corner. There is the little coffee --  
14 the Sweet Cream Coffee Shop right on the corner,  
15 on the bottom here. And you have multifamily  
16 residential in this building.

17 The problem is when you turn the corner  
18 on 19th Street, we're becoming a much more  
19 residential block, but you have this structure  
20 here. You could see the photograph here where  
21 it's commercial. It was like a carpet cleaning  
22 place, it's changed hands to different businesses.  
23 It has two curb cuts going into the street with  
24 trucks coming in and out. And it also has another  
25 smaller structure in this portion, which is an

1 apartment that's in pretty horrible shape in this  
2 area here.

3           So you have like a warehouse facility  
4 and this is decrepit apartment on the more  
5 residential portion of the block. And we have a  
6 lot that's 4,800 square feet. So we were looking  
7 how to properly address this and how to make this  
8 into a -- how to make the situation better. So  
9 what we're looking to do is to demolish that  
10 warehouse to get that use out of the 19th Street,  
11 which is now more residential. So demolish that  
12 warehouse and demolish this structure which is  
13 kind of decrepit and falling down on itself, and  
14 subdivide this lot so it's a separate entity from  
15 the building we have here.

16           By doing that, we're creating two lots.  
17 We're creating -- and the lot that we're creating,  
18 this is going to a little bit undersized, it's  
19 going to be 2,093 square feet, but the new lot  
20 we're creating is 2,707 square feet. And by doing  
21 that, now we're introducing some landscaping,  
22 we're introducing a rear yard, and we're making  
23 that portion 100 percent residential.

24           The proposed building that we're doing  
25 is going to have a side yard setback along the

1 north that's going to be 3 foot 1, so we're  
2 improving that situation as well. We're going to  
3 have a side yard setback towards the south that's  
4 going to be 5 feet, plus the additional space that  
5 the other building had. We're going to have a  
6 rear yard setback that varies, 10 feet at its best  
7 and 3 feet at its worst. And then we're going to  
8 have frontage along 19th Street.

9 Let's talk a little bit about the  
10 building coverage. We have proposed a minimum  
11 rear yard at 3 foot 4 at the worst and building  
12 coverage, we have 71.9 percent, so that's  
13 compliant where 80 percent is the maximum. We  
14 have a lot coverage that's compliant as well, at  
15 88.2 percent whereas 100 percent is required.

16 And what we're proposing is what's  
17 permitted in the CN zone, which is three units  
18 above and commercial below. We're proposing just  
19 three units, so it's -- the zone contemplates for  
20 that and that's exactly what we're proposing. We  
21 do not have commercial on the ground floor because  
22 we didn't think it was appropriate to have  
23 commercial along 19th Street. And we wanted to  
24 have parking. We're providing six parking spaces  
25 for three apartments. So each apartment is going

1 to have two parking spaces, so there's no parking  
2 variance as well.

3 So we thought that those elements really  
4 make for a beautiful successful project. And I'd  
5 like to walk you through a few more details of  
6 that. Here are photographs of the interiors, this  
7 is the warehouse when the carpet people were still  
8 in there, right now it's vacant. And we have the  
9 apartment that's there on the side. As you could  
10 see here, the apartment extended back. There were  
11 two bedroom along the back there. And the kitchen  
12 area here. And this is the warehouse that  
13 occupied the entire site, right up to the property  
14 line in all the directions.

15 And this is what we're proposing. We're  
16 proposing three bays of parking with two garage  
17 doors, there were two garage doors there before as  
18 well. So that we have six cars parked in tandem.  
19 The main entry to the building has a nice  
20 stairwell. In the back, we have the trash room  
21 the sprinkler room, we have condensers in the back  
22 and a nice grass area. And we have our secondary  
23 means of egress along the back of the building.

24 You take the stairs up, we have three  
25 apartments, one on each floor. You enter the

1 apartment and it's a beautiful open floor plan,  
2 living room, dining room, kitchen. The living  
3 room is 13 foot 3 wide by 22 long. The kitchen is  
4 14-4 by 15-3. It has a pantry, it has a  
5 mechanical closet. The secondary means of egress  
6 is here. Off of the kitchen, there's a powder  
7 room. There's a laundry closet, there's a coat  
8 closet right by the entry. We have our hallway  
9 for the more private area of the apartment. And  
10 we have three bedrooms. The smallest is 12-7 by  
11 12-6. The next is 12 by 17-2. And the biggest  
12 one is 15-6 by 11-6, each with their closets.  
13 This one with it's walk-in closet and master bath  
14 as well.

15 And then we have the same layout on  
16 three floors. The third floor is exactly the same  
17 and the fourth floor is exactly the same. And  
18 that fourth floor unit has one stair that goes up  
19 so that they have a small roof deck as well. And  
20 that roof deck is 18 by 30, limited to just the  
21 top unit.

22 And our elevations. I am actually very  
23 excited and I hope that we could build this  
24 because these are extremely high quality, high  
25 class materials that I have been dying to use and

1 play with. Of course, we have brick. The  
2 majority of the building is brick, but what you  
3 see here, these are terra cotta panels. Terra  
4 cotta panels have been used in contemporary  
5 architecture pretty recently, it's an amazing,  
6 beautiful material. I mean it was part of the  
7 international style with Louis Sullivan that  
8 started using terra cotta. You don't see it today  
9 because it's an extremely expensive material.

10 Here, we have a client that has allowed  
11 me to use this beautiful expensive material. So  
12 we're proposing that on the facade. I don't think  
13 there's another building in Union City that has  
14 something like this. And I'm very excited to  
15 build exactly what you see here, a combination of  
16 brick and these terra cotta rain screen panel.  
17 There's a nice coping along the top that gives a  
18 nice historic touch to a contemporary building  
19 that helps it fit into the neighborhood.

20 As you could see, the height of the  
21 building works beautifully with the neighborhood.  
22 It's replacing the warehouse, the falling down  
23 building, replacing that commercial nature on 19th  
24 Street to something residential. I think it  
25 actually is a beautiful asset to the neighborhood,

1 really changes the look of that block into  
2 something extremely positive.

3 And I think it would do a lot of benefit  
4 not just for, obviously, the applicant, but for  
5 the neighborhood. And I'm hoping that we get the  
6 opportunity to build this. And that concludes my  
7 testimony for now.

8 CHAIRPERSON GARCIA: Mr. Pereiras, which  
9 one is the address of this one?

10 MR. PEREIRAS: This is 1901-1905  
11 Bergenline Avenue. It will be issued a new  
12 address from the tax office, I think,  
13 appropriately on 19th.

14 CHAIRPERSON GARCIA: You are seeking to  
15 subdivide the lot?

16 MR. PEREIRAS: Yes.

17 CHAIRPERSON GARCIA: And basically this  
18 is 48 by 100?

19 MR. PEREIRAS: Yes.

20 CHAIRPERSON GARCIA: And you're trying  
21 to convince us to not subdivide through Bergenline  
22 Avenue, subdivide it through 19th Street?

23 MR. PEREIRAS: Yeah. And there's strong  
24 arguments for that. 19th Street is very different  
25 character than Bergenline Avenue. What's there is

1 warehouses on 19th Street and now -- we don't want  
2 that on 19th Street. We want the character to  
3 change. We want this to be a separate lot. We  
4 want this to look differently. We want this to be  
5 more residential.

6 CHAIRPERSON GARCIA: How do you want to  
7 subdivide the lot?

8 MR. PEREIRAS: Let's go to the site plan  
9 so that we could see it. So we have a plot plan,  
10 subdivision plan shown on this sheet. And on my  
11 site plan -- that's Z02, and then on my site plan,  
12 it's a little bit more detailed.

13 So our lots that we're creating, we'll  
14 have the proposed lot that we have will be  
15 2,707 --

16 CHAIRPERSON GARCIA: Can you do me 48  
17 by?

18 MR. PEREIRAS: Oh, sure. It is 56-5 by  
19 48 and the other one is 43-6 by 48.

20 CHAIRPERSON GARCIA: How many units do  
21 you have in 1901 right now on top of the  
22 commercial?

23 MS. PEREIRAS: A total of eight  
24 apartments, so I'm assuming that was including the  
25 ground floor. So seven apartments.

1 CHAIRPERSON GARCIA: Seven. So you're  
2 going to eliminate one in the proposal?

3 MR. PEREIRAS: Yes.

4 CHAIRPERSON GARCIA: And you're  
5 proposing three units in the other side?

6 MR. PEREIRAS: Yes.

7 CHAIRPERSON GARCIA: Okay. I have no  
8 further questions for Mr. Pereira. You have  
9 another witness?

10 MS. PEREIRAS: We do.

11

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

14

15 MR. DOUGHERTY: Alex Dougherty, I  
16 recognize I am still under oath.

17 This is a big application, I want to try  
18 to simplify it because there's a lot of a  
19 variances here. I'm going to jump to Z02. From a  
20 planning standpoint, I think it's easier to talk  
21 in that manner. On the bottom left corner, you'll  
22 see the two lots, Block 103, Lots 1 and 2, those  
23 two independent lots, they're actively working as  
24 one. On the corner here on Bergenline Avenue is  
25 that mixed-use structure, it's dominating the

1 corner and, you know, it's there. Behind that  
2 going down 19th is unique. I would argue it's a  
3 property that has three independent uses happening  
4 here or structures, though they are attached. You  
5 have the larger mixed-use structure on Bergenline  
6 on the corner. Behind that is almost like a  
7 single-family unit and then behind that is that  
8 automotive or carpet cleaning warehouse with the  
9 two bay doors.

10 The plan is pretty simple. If you look  
11 at the center of that page on Z02, subdivide that  
12 freestanding structure, if you will, that's  
13 already on the corner. And then the remaining  
14 portion of lots 1 and 2 create the new lot, Lot  
15 1.02 and it's really orientated towards 19th  
16 Street, which is unique. Because if you look on  
17 the upper left hand corner, the way we are in the  
18 zone here, this property starts that R zone, it's  
19 right on the fringe here. So when the architect  
20 was saying the character of 19th Street is really  
21 different, it is a residential zone versus  
22 Bergenline Avenue is more of your CN zone, which  
23 is that commercial mixed-use zone here.

24 So from a planning standpoint, when we  
25 look at the property on Bergenline Avenue, I think

1 really what we have to wrap our heads around is  
2 the fact that structure exists there today, we're  
3 not changing it. It's still going to meet the  
4 intent and character of the zone plan, that retail  
5 on the first floor, mixed-use residential above.  
6 From the public eye, today you go there, if you  
7 don't know what the tax lots are, the orientation  
8 of that building, you won't argue, it appears to  
9 be on its own lot anyways, we're just doing that  
10 formally on that subdivision, drawing that line,  
11 making it an independent lot.

12 The rest of that structure that faces  
13 19th Street, given that the character is more  
14 residential, we're on the fringe zone here. And  
15 as we've been doing this for quite some time, in  
16 Union City's history, historically that was always  
17 a three-family zone, we've made it a two-family  
18 zone. We're here before the Board on numerous  
19 applications legalizing or asking for that third  
20 unit. We're coming out front and asking for the  
21 three units out of the gate, which when we look at  
22 that project and that lot size of 2,708, we're  
23 going to be a little bit oversized, that 25, as  
24 the architect showed from a character standpoint,  
25 having the parking on the ground floor, the floors

1 above, filling that missing massing of the floors  
2 above that, two and three, we can get that third  
3 unit and not have to worry about somebody  
4 illegally chopping up, subletting, coming out  
5 that.

6           So with this application what we have  
7 here is a mix. We have that (d)(2) component,  
8 (d)(1) component here. Talking just about if the  
9 corner of Bergenline and 19th on the proposed Lot  
10 1.01. We would be creating an undersized lot by  
11 virtue of the zone, for that lot as in the  
12 planner's memo and on the architectural drawings.  
13 That new proposed lot is going to be 2,093 square  
14 feet, where 2,500 is required, so just slightly  
15 undersized.

16           But, again, from the public's  
17 perspective, walking around the corner, you would  
18 think that the taller building is its own lot  
19 because behind it again is these low lying single  
20 story structures. But, again, it's one lot.

21           So from a planning standpoint, we have a  
22 property that has multiple uses on it. We get to  
23 kind of reorganize it on paper, make this  
24 structure on the corner on its own lot. Again,  
25 meeting, the intent and character of the CN, that

1 retail first floor, residential above. And then  
2 transform the single story structure behind it,  
3 that continuing mass into residential because one  
4 lot over is the residential zone.

5           So from a planning standpoint, we have a  
6 host of variances, depending on how you want to  
7 look at them and talk about them. Creating the  
8 undersized lot and subdividing it and making it  
9 its own one would argue it could be a (d)(2) or  
10 (d)(1) because we have -- or even the additional  
11 eight units above it, but that structure is  
12 standalone pre -- it's built there, it's  
13 preexisting there. On paper these variances live,  
14 not in the reality of it. We're not building that  
15 structure, it's there.

16           What we do have an opportunity is to  
17 quiet 19th Street down, fill that void, get rid of  
18 that retail because I think the intent that of CN  
19 zone, if you follow the zone, it's really to  
20 orientate along Bergenline. But because the lot  
21 is so long and it goes into 19th, you have that  
22 retail component on 19th. So I think the intent  
23 on the zone really is to orientate that retail  
24 component along the major corridors and  
25 throughways, 19th Street, I would argue is not

1 that intent. Why the zone line goes that far back  
2 is because those properties orientating on  
3 Bergenline, they run that far back. We typically  
4 don't see the zone line run right between -- right  
5 in the middle of a lot, so they run towards the  
6 rear of that lot.

7 Now, this is a unique site, which is --  
8 you know, because it has the orientation on  
9 Bergenline as well as 19th and they feel like  
10 they're different structures and different lots  
11 visually as it is today. So with that, we want to  
12 kind of recognize that and proposed this  
13 subdivision to get rid of the low-lying  
14 structures, these antiquated parts of the  
15 building, bring you a new modern living  
16 arrangement right here on the fringe of that  
17 residential zone, quiet 19th, while still  
18 respecting Bergenline as a mixed-use and leaving  
19 that mixed-use structure alone.

20 With that, we would be asking the Board  
21 to look upon the subdivision favorably for Lot  
22 1.02 because technically this new lot is still in  
23 that CN zone, so it is a use variance. Because as  
24 the architect testified, we don't have the retail  
25 component. But when we look at the -- the density

1 here, the residential, three units are allowed in  
2 there, which we think meets the intent and the  
3 character, not only of the CN zone to support that  
4 by bringing the populations and consumers to the  
5 retail corridor, but also respects the adjacent  
6 zone which is that R zone for residential where,  
7 as we know, many of the units are -- predate three  
8 or coming before the Board for lawful recognition  
9 of three units. So we have that balance. So I  
10 think by not allowing that retail component on  
11 19th supports both zones.

12 It is a use variance and for that, site  
13 suitability is the component here when we talk  
14 about a (d)(1), what makes that site particularly  
15 suited for a use that's not permitted. Again, the  
16 context, the character of this site, of this  
17 neighborhood, as I described and as the architect  
18 described, I think makes the site particularly  
19 well suited for the three units without the  
20 commercial. And it supports both zones, it's on  
21 the fringe there.

22 With that, going back to the other  
23 structure, I would argue given that it has three  
24 principal structures on it or three principal uses  
25 that really do feel independent of it, a (d)(2) is

1 appropriate here for expansion or intensification  
2 of a preexisting use. It's really just an  
3 intensification on paper because on paper, the lot  
4 actually got smaller. But there's nothing being  
5 proposed here, as you heard a reduction of the one  
6 unit. So with that, I think the Board can see Lot  
7 1.01 on the corner is just a formality on the  
8 paper for an intensification because we're  
9 reducing the land. But reducing the land also  
10 brings with it the reduction of the other uses  
11 that are behind it on 19th. So I think it's  
12 actually going to make that lot a little bit  
13 easier from a use standpoint, giving the Lot 1.02  
14 its own dedication as strictly residential, also  
15 is a lighter less intense use for that 19th Street  
16 corridor and being on the fringe.

17 So with that, the planner's memo is very  
18 detailed. One of the things I will point out,  
19 too, is given this multiple bay garage door, the  
20 no parking in front, logically, I think it's  
21 pretty much a net gain of nothing. I don't think  
22 we're really hurting the 19th Street with this  
23 project, we're bringing the cars on-site. And  
24 again it already has a no parking dedication in  
25 front of those bay doors. So I think it's very

1 compatible with the street dynamic that's already  
2 out there on 19th Street. And again bringing  
3 those cars on-site is always a win for Union City.

4           So with that, really what we have here  
5 is Lot 1.01 has no parking today. Even if the  
6 subdivision was not approved, there's no parking  
7 for those eight units there now with the retail  
8 there as well. So from a planning standpoint, on  
9 a balance, I think the project overall brings a  
10 lot of benefit, though it may be complex, it lives  
11 on paper. The physical aspect of the  
12 neighborhood, it works and it makes a lot of  
13 sense. We're going to fill that void. We're  
14 going to advance purpose I, for desirable visual  
15 environment. We're going to soften 19th Street  
16 from an intensity standpoint by keeping it  
17 strictly residential with on-site parking. Again,  
18 there's already no parking here in the front, so  
19 it's pretty much a wash there, a system that's  
20 already there. This structure here in the front,  
21 again, doesn't have parking, it never will have  
22 parking.

23           So on a balance, I don't see any  
24 negative standpoints here or potential that are so  
25 detrimental that it's going to erode the intent

1 and the character of the zone plan or the master  
2 plan. Really, I think this is everything, when we  
3 look at it from a planning standpoint, it's not so  
4 white and black, cut and dry, there's a middle  
5 here. And given that we're on that fringe of the  
6 zone, I think this strikes a balance of both zones  
7 and respects both unique neighborhoods, as  
8 Bergenline is very different than the 19th Street  
9 corridor right there, the neighborhood dynamic.

10 So I would argue it's a more efficient  
11 use of land. We're going to have an opportunity  
12 to provide more housing choices and options for a  
13 growing community. Purpose A for the safety,  
14 morals and the general welfare of the community.  
15 Again, we're getting rid of that, on 19th, I think  
16 promotes the general welfare of that neighborhood.  
17 This structure remains the same, nothing is really  
18 changing on a prominent corner, you know, through  
19 the public's realm.

20 Tastefully, I think the project was done  
21 very well. I'm going to argue purpose E as well  
22 for appropriate populations in appropriate  
23 locations. The three units are allowed in the CN  
24 zone, we're proposing three units. The issue is  
25 we're not proposing the retail. We think it's

1 appropriate on 19th not to have that retail. This  
2 structure here, the units there, they exist,  
3 they're allowed to have the three over retail.  
4 There's a few more on that site. Again,  
5 appropriate, we're putting that population,  
6 keeping that there supports our commerce and our  
7 downtown corridors, for that sidewalk  
8 reactivation, economy of scale.

9           So overall I do think from a planning  
10 standpoint this supports the zone plan, it  
11 supports the intent and character of both zones  
12 here of both streets. And it supports the goals  
13 and visions of the City. It's just unique. On  
14 paper it seems like a lot, but the practical  
15 sense, boots on the ground, it really does make a  
16 lot of sense for this neighborhood.

17           So with that, I'll conclude for any  
18 further questions and comments. The planner's  
19 memo outlines the variances here, there's a whole  
20 host of them. With those variances, naturally,  
21 they are subsumed within the use variance. So to  
22 recognize the uses we're proposing, you know,  
23 brings us with those bulk dimensional relief. As  
24 the architect testified, with this project, we do  
25 get to add some additional landscaping features

1 and soften up that historic site. So with that,  
2 I'll conclude.

3 CHAIRPERSON GARCIA: Mr. Dougherty, I  
4 have a question for you. What do you think  
5 about -- the 1.01, it's like it's 48 by 43.7, if  
6 subdivision is granted?

7 MR. DOUGHERTY: Correct. It's going to  
8 be 2,093 square feet 25 is required.

9 CHAIRPERSON GARCIA: And currently you  
10 have seven units plus commercial, right?

11 MR. DOUGHERTY: Right.

12 CHAIRPERSON GARCIA: You don't think  
13 it's overpopulated? You don't think the density's  
14 too high there?

15 MR. DOUGHERTY: I mean to the point on  
16 paper, it may seem high. But this structure, in  
17 the public realm, if you're on the corner, you  
18 would naturally think it's its own property  
19 because the low lying vacuum cleaner or carpet  
20 cleaner, auto and that structure behind it, there  
21 is a distinction, largely because of the scale,  
22 size, and massing. And like that building  
23 footprint is kind of isolated on that portion of  
24 the project. So, yes, when we reduce the property  
25 size, on paper, one would make that assumption or

1 concern it might be too much on that lot. But  
2 generally speaking, that density here, it's not  
3 absorbed throughout the entire existing lot as it  
4 exists there today because those two other uses  
5 behind it are occupying that lot space if you  
6 will. But to that point, it is going to be a  
7 smaller lot on paper, but the functionality of  
8 that building is to remain as is and that unit,  
9 that density, that internal programing of that  
10 structure existed in its square footage  
11 dimensional box historically as it's always been  
12 there.

13 CHAIRPERSON GARCIA: Which one is the  
14 current location of the lot in discussion? Which  
15 one is -- the front side is facing the east,  
16 correct?

17 MR. DOUGHERTY: Yeah. So it's facing  
18 Bergenline.

19 CHAIRPERSON GARCIA: Right.

20 MS. PEREZ: This is facing 19th?

21 MR. DOUGHERTY: We're talking about this  
22 one here, this building here with the low lying,  
23 but it has the commercial mixed-use on Bergenline.

24 MS. PEREZ: And the entrance to the  
25 apartments is?

1 MR. DOUGHERTY: On 19th.

2 CHAIRPERSON GARCIA: Mr. Spatz, do you  
3 concur with me that we could say that this is  
4 Bergenline lot, right? Just talking like  
5 five years old baby, not like -- forget about we  
6 went to college, whatever. I mean walking through  
7 the lot, the lot location, I mean if you see it,  
8 which one is north side, which one is the south  
9 side, east side, and west side of the lot?

10 MR. SPATZ: The existing lot fronts on  
11 Bergenline Avenue with the mixed-use. But what  
12 makes this unusual is that that corner building  
13 does not extend the entire way to the back lot, as  
14 if there was one structure on the lot. There's  
15 really three structures on the lot. So  
16 functionally, it's two or even three separate  
17 lots.

18 MS. PEREZ: Do the other properties on  
19 Bergenline extend this far back or are they all --

20 MR. DOUGHERTY: On paper, they all  
21 extend that far back, they all have the 100 foot  
22 depth and that's shown on your Z02. But I just  
23 want to point out, I apologize, Ms. Vivian has a  
24 three-page exhibit I think would help support the  
25 visual idea, if we could pass and share it, just

1 different perspectives of what Bergenline and 19th  
2 Street look like. So I would argue if the baby is  
3 a Bergenline baby.

4 CHAIRPERSON GARCIA: I was there this  
5 afternoon, usually -- I knew this one is --

6 MS. PEREZ: This is what it looks like  
7 in the front. And that's the one in back?

8 MR. DOUGHERTY: So to subdivide the  
9 property on paper, it doesn't change the physical  
10 dynamics of Bergenline. That structure is still  
11 going to be there in that square footage box.

12 MS. PEREZ: Where is --

13 CHAIRPERSON GARCIA: Right now, you have  
14 what is allowed in Bergenline Avenue. What is  
15 allowed on Bergenline Avenue right now is three  
16 over commercial and you have two lot there, I mean  
17 basically. One lot, you have 25 by 100 and you  
18 have exactly whatever is allowed, correct, Mr.  
19 Spatz?

20 MR. SPATZ: I thought I heard that there  
21 were seven units in that building?

22 MR. PEREIRAS: Correct.

23 MR. SPATZ: Four more units than what  
24 would be permitted now, although it does predate  
25 zoning. Again what's different about this

1 property in terms of the properties along  
2 Bergenline Avenue is that it is a corner property,  
3 that it does have frontage on 19th Street.

4 CHAIRPERSON GARCIA: Right.

5 MR. PEREIRAS: If we looked at this as a  
6 new application, we'd be dead in the water, this  
7 project doesn't make sense, just like the majority  
8 of the buildings in Union City. They wouldn't be  
9 approved today in zoning. The real question here  
10 and what makes a lot of sense is is this a better  
11 planning alternative to what's existing there.  
12 And my belief is that there's no doubt that this  
13 is a better planning alternative than what's  
14 there. On 19th Street right now, there's a  
15 commercial warehouse space. When it was the rug  
16 place, it had traffic coming in and out, it had  
17 big trucks that were carrying these rugs. It  
18 could have any type of industrial use in that  
19 space. It also has a decrepit building that's  
20 falling down. That unit and the warehouse had no  
21 parking. So now all those people that -- the  
22 people who lived in that unit, in that two bedroom  
23 unit, parked in the street. The people that work  
24 in the warehouse parked on the street.

25 Now, we're demolishing and that we're

1 providing an appropriate residential building.  
2 We're getting rid of two units and providing  
3 three. But we're providing parking for all three  
4 units. So we're creating six parking spaces onto  
5 the building. To me, that alone -- there's an  
6 intensity of one unit, but we're removing an  
7 entire warehouse off a residential neighborhood.

8 And then the other aspect of this that I  
9 think is also critically important is the  
10 aesthetics. We want to make 19th Street and the  
11 residential portion look beautiful. This is  
12 making it look beautiful. If the application  
13 isn't approved, we stay with a warehouse and that  
14 decrepit building that's there. That is not  
15 making any benefit for the neighborhood. So my --  
16 the way we need to look at this, it's a better  
17 planning alternative. This building is going to  
18 improve the neighborhood, it's going to make it a  
19 beautiful, nice place. It's going to reduce the  
20 intensity of traffic. It's going to reduce the  
21 intensity of people coming in and out there. It's  
22 going to reduce the number of trucks going in and  
23 out there. You won't need trucks going into this  
24 building. It's a better solution.

25 And that's what we're appealing to this

1 Board. You know that I don't come to this Board  
2 if I don't believe in the project, if I don't  
3 think it makes sense. I think this makes sense.

4 CHAIRPERSON GARCIA: That's why, Mr.  
5 Pereiras, that's the hardship in order for us to  
6 grant something I think is a little bit -- because  
7 it's over density. It's like duplicating what is  
8 the existing nonconforming situation that we have  
9 there. And I understand they're going -- I love  
10 the design, it's pretty. I mean I don't think --  
11 I don't recall any of your design I don't like. I  
12 like all your design. However, that doesn't  
13 justify that we can motivate -- first of all,  
14 three units that is nonconforming. And also over  
15 utilize a lot that is not conforming at all, only  
16 with 48 foot deep, I mean this is my point.

17 MR. PEREIRAS: I understand your point.  
18 There's important aspects to that. We are in the  
19 CN zone, three units is permitted in that zone.  
20 We're asking for three units, we're not asking for  
21 more than that. We're also reducing the intensity  
22 of the warehouse and we're fixing the parking  
23 problem there, we're adding six parking spaces,  
24 whereas right now there's none.

25 So for those reasons, it's different.

1 It's not clear cut, Mr. Chairman. I know this is  
2 out of the box, but I truly believe this is better  
3 for the neighborhood. If we were to -- if the  
4 Board were to vote no, it would create a detriment  
5 to the neighborhood. They would lose out on this,  
6 they would have a unit that's decrepit, they'd  
7 have a warehouse.

8 Imagine if I came before this Board to  
9 approve a warehouse and that unit, this Board  
10 would vote no. They would say no, this is a  
11 residential neighborhood, I don't want that  
12 warehouse. Flip it. It's the same thing that  
13 we're doing but on the negative.

14 CHAIRPERSON GARCIA: For that reason, we  
15 have to accept whatever you bring -- I mean  
16 whatever your client is requesting?

17 MR. PEREIRAS: No, no --

18 CHAIRPERSON GARCIA: -- so I  
19 understand -- okay, go ahead.

20 MR. DOUGHERTY: I just want to point out  
21 if this structure is to remain down here as seen  
22 on Z02 with -- that right there, if we were to  
23 fill this air pocket up here, which I think is an  
24 overall -- purpose I cannot be understated for  
25 this, filling that in there, but just to touch

1 this property alone, because we already have eight  
2 unit, we have a commercial there, we have another  
3 commercial. We're already coming in here for a  
4 use variance. And to Manny's point, to fill this  
5 void in would just create more housing. We know  
6 exactly what that application would look like and  
7 it has zero parking.

8 On paper, the subdivision, the names of  
9 that seem complex. The reality of this is it's  
10 right up the middle, it is as it's presented. The  
11 big structure is already in that 2,000 square foot  
12 delineated box. We're just formalizing that on  
13 paper. So, yes, we have that undersized lot in  
14 nature. But the structure is going -- it's  
15 independent now, it's going to be independent  
16 tomorrow. It stays there. The site can hold that  
17 structure. Filling in on 19th Street and making  
18 its own lot is that benefit because the next lot  
19 over is residential, still in the CN zone, is  
20 filling that air pocket, getting the parking  
21 there. It is an overall substantial planning  
22 application. On paper, it may be hard, but the  
23 reality of that neighborhood, it's perfect for it.

24 CHAIRPERSON GARCIA: And the reality is  
25 also that it is over density, it's too much

1 density.

2 MR. DOUGHERTY: And the density is there  
3 right now with the eight units --

4 CHAIRPERSON GARCIA: Okay. You want to  
5 duplicate it. It's a contradiction, you know what  
6 I mean? That's what I'm -- I don't agree with,  
7 okay, because we're going to duplicate.

8 MR. DOUGHERTY: But we're getting rid of  
9 the most important density, which is the  
10 commercial --

11 CHAIRPERSON GARCIA: Just for the reason  
12 because you're going to be better because there is  
13 right now the warehouse and also because -- why  
14 come with something so greedy?

15 MR. DOUGHERTY: I think the greedy ask  
16 would be to fill that without parking, to fill  
17 that second --

18 MR. PEREIRAS: Mr. Chairman, as you  
19 know, we always want to work with you. And this  
20 is actually a very good applicant that I could  
21 come back and talk to. We are removing a  
22 warehouse, removing a one-family and we're  
23 providing three units. So we're increasing the  
24 density, if we go strictly by units, by one. Is  
25 there a place that you think is appropriate on

1 this application or do you think there's just no  
2 development, we should leave the warehouse  
3 and leave the apartment?

4 CHAIRPERSON GARCIA: The thing is it's  
5 not -- besides the density, we have the issue with  
6 that deep of the lot, okay. So at least -- just  
7 come with little bit of common sense when you come  
8 with an application, we're going to talk like  
9 that.

10 MR. PEREIRAS: We have 100 percent  
11 coverage right now and we're reducing that, we're  
12 making the building smaller in footprint.

13 CHAIRPERSON GARCIA: Yeah, but with  
14 three units.

15 MR. PEREIRAS: Yeah. Would two units  
16 make sense?

17 CHAIRPERSON GARCIA: If you ask me  
18 personally --

19 MR. PEREIRAS: Yes, I'm asking you  
20 personally.

21 CHAIRPERSON GARCIA: Personally, one  
22 unit, one unit. Just for the deep of the lot.  
23 Because if we go straight with the 1901 Bergenline  
24 Avenue, that's what I'm saying, okay.

25 MR. PEREIRAS: I understand, Mr.

1 Chairman. So I hear you, I hear you loud and  
2 clear. And like always, we want to work with the  
3 Board. Allow me the opportunity to go back and  
4 talk to my client and see if we could work  
5 something out that makes sense, that he could  
6 still -- because I want to see this built, you  
7 know.

8 CHAIRPERSON GARCIA: On my own, believe  
9 it or not, I mean this is a great place to have a  
10 really nice one-family house, believe it or not.  
11 That's my opinion. I don't know, I want to hear  
12 opinion of the members, because the thing is -- it  
13 is -- it's really, really a nonconforming lot,  
14 that's why.

15 MR. PEREIRAS: I hear you.

16 CHAIRPERSON GARCIA: I'm subdividing a  
17 lot that is already over density, so it is like --  
18 I'm duplicating almost.

19 MR. PEREIRAS: I hear you, Mr. Chairman.

20 MS. PEREZ: Where they could have put  
21 parking for the other buildings. There's no  
22 parking for those. That's part of that lot, that  
23 could be parking for the building in front of --

24 MR. PEREIRAS: Mr. Chairman, allow me  
25 the opportunity to come back and try to make

1 something even better, unless you want to have a  
2 little dialogue to understand the Board, but I  
3 would love that opportunity.

4 MR. DOUGHERTY: Mr. Chairman, when we  
5 talk about the one on Bergenline Avenue being the  
6 density, the way the buildings are there today,  
7 just for continuity of what I was presenting when  
8 I said that building essentially is a standalone  
9 building, this is what's there. And that's what  
10 there to remain. So though there are more units  
11 proposed or lawful, they're existing. To  
12 subdivide that off, from a planning perspective, I  
13 really do not see that as creating more of a  
14 density issue, giving the footprint dynamics and  
15 the way the built environment is, it really is  
16 kind of like its own property in a sense. It  
17 really has little to no relation with the uses  
18 behind it and the connectivity there.

19 I mean I know what you're saying, on  
20 paper, it's a lot. It's a very unique site.  
21 That's all I wanted to put out there. It's very  
22 unique.

23 CHAIRPERSON GARCIA: Okay. If you want,  
24 we could recommend to adjourn it. My recommend is  
25 I don't know if another member has another

1 recommendation, we can open to the public, if any  
2 member of the public wants to step forward?

3 Seeing none, close to the public.

4 I don't know if another Member of the  
5 Board has another opinion, but me, I mean this is  
6 one-family house, pretty nice, big.

7 MS. O'DELL: I just want to ask a  
8 question. So that's a pretty big lot, that's a  
9 part of my -- it is ugly, it's an ugly section,  
10 that section.

11 CHAIRPERSON GARCIA: Vivian, this is big  
12 because they presented to you in the side way,  
13 okay. This is just a simple 25 by 100, 50 by 100.

14 MS. O'DELL: So let me ask a question,  
15 if this becomes a one-family, isn't that a huge  
16 house?

17 CHAIRPERSON GARCIA: Going to be a big  
18 house.

19 MS. O'DELL: That's what I'm saying --

20 CHAIRPERSON GARCIA: But I think it's  
21 going to be small for two units because you only  
22 have 48 feet deep. It's like cut it in half --

23 MS. O'DELL: Can it be done like a  
24 townhouse which is maybe two apartments, but this  
25 way and up this way? Do you know what I mean,

1 with they're own little tandem parking? I don't  
2 know. Like I think for one-family, that's  
3 beautiful, believe me, I would love a one-family  
4 in Union City that big, that would be perfect.  
5 But maybe two units, almost like a townhouse kind  
6 of deal where there's separation, not a  
7 separation, but it looks like their one? Just to  
8 cut it down by one apartment. I don't know if  
9 people want go up and down three flights or go up  
10 and down two flights, I don't know.

11 MR. PEREIRAS: Remember the applicant  
12 has a warehouse and has an apartment there. So it  
13 needs to make sense for her to demolish that and  
14 build something else.

15 CHAIRPERSON GARCIA: Okay. So you want  
16 to come back?

17 MS. PEREIRAS: If we could please  
18 adjourn.

19 MR. PEREIRAS: No vote today.

20 CHAIRPERSON GARCIA: I make my motion to  
21 adjourn this application. Do you waive the  
22 statutory limit?

23 MS. PEREIRAS: Of course.

24 CHAIRPERSON GARCIA: Adjourn it for July  
25 9th.

1 MS. WATLEY: Second.

2 MR. VALLEJO: Adjourn for July. Now,  
3 let me ask you a question before I do roll call on  
4 this. It's going to be revised plans for what?

5 CHAIRPERSON GARCIA: They want to  
6 reconsider the application, they want the chance  
7 to come with something different with some --

8 MR. PEREIRAS: Revised plans.

9 CHAIRPERSON GARCIA: Revised plans and  
10 if not, we continue with a vote and that's it.  
11 It's simple, not difficult.

12 MR. VALLEJO: Because if they bring  
13 something else, they don't require new notice?

14 CHAIRPERSON GARCIA: They're going to --

15 MS. PEREIRAS: To reduce it, if  
16 anything.

17 MR. PANEQUE: They would require new  
18 notice.

19 MS. PEREIRAS: If we reduce it  
20 significantly?

21 MR. PANEQUE: It would be a new  
22 application.

23 CHAIRPERSON GARCIA: Do you want to have  
24 the chance to withdraw the application, this way  
25 you can make a new one?

1           MR. PEREIRAS: We'd like to adjourn for  
2 now. At the next meeting, I might say withdraw, I  
3 might come with a revised drawing, I don't know  
4 yet. I'd like to have the opportunity to work it  
5 out.

6           CHAIRPERSON GARCIA: Okay.

7           MR. PANEQUE: The only condition would  
8 be if you come with a revised plan, which is  
9 substantially different, which this is what the  
10 Chairman requesting, then we would have to  
11 renote the public.

12          MR. PEREIRAS: And if I had to guess,  
13 the project is probably dying right now. But I  
14 don't know, I'd like to give the applicant a  
15 chance.

16          CHAIRPERSON GARCIA: Sure, that's what  
17 we're here for.

18          MR. DOUGHERTY: Reducing the unit --

19          MR. VALLEJO: Motion to adjourn by Mr.  
20 Garcia.

21          MR. PANEQUE: Reducing the number of --

22          MS. WATLEY: Second.

23          MR. PANEQUE: Reducing the entire --  
24 you're presenting apples and coming back with  
25 pears, that's what we have.

1 MR. VALLEJO: Doesn't make sense.  
2 Motion to adjourn the application by Mr. Garcia,  
3 seconded by Ms. Watley. Roll call on the motion.

4 Mr. Garcia, to adjourn.

5 CHAIRPERSON GARCIA: Yes.

6 MR. VALLEJO: Mr. Grullon.

7 VICE CHAIRPERSON GRULLON: Yes.

8 MR. VALLEJO: Mr. Ortiz.

9 MR. ORTIZ: Yes.

10 MR. VALLEJO: Ms. Perez.

11 MS. PEREZ: Yes.

12 MR. VALLEJO: Ms. Watley.

13 MS. WATLEY: Yes.

14 MR. VALLEJO: Ms. O'Dell.

15 MS. O'DELL: Yes.

16 MR. VALLEJO: Six in favor, motion pass.

17 Let the record reflect this application has been  
18 adjourned for July 9, 2026.

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1       **S & G PROPERTIES, INC. -**  
2       **1708-1710 PALISADE AVENUE:**

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4               MR. VALLEJO: All right. We're moving  
5 to the next application S & G Properties, LLC,  
6 1708-1710 Palisade Avenue.

7               MR. PANEQUE: Let the record reflect as  
8 follows: I've been provided with a certification  
9 as to publication and service regarding the  
10 property at 1708-1710 Palisade Avenue, said notice  
11 indicates that notice was given to all property  
12 owners within a 200-foot radius of tonight's  
13 meeting at this location, the Union City High  
14 School.

15              I've also been provided with a copy of  
16 the notice that went out, listing that at  
17 tonight's meeting, the application will be heard.

18              I've also been provided with an  
19 affidavit of publication from The Record News  
20 Herald with a publication date of May 28, 2026.

21              And I've been provided with a list from  
22 the tax assessor's office with a date of May 29,  
23 2026.

24              And, finally, the certified mail slips  
25 with a date of June 1, 2026.

1           Based on the documentation provided,  
2           this Board has jurisdiction to proceed and hear  
3           this matter.

4           MS. PEREIRAS: Bianca Pereiras on behalf  
5           of the applicant for property at 1708-1710  
6           Palisade Avenue. The application before the Board  
7           this evening is to legalize three existing  
8           apartments in an existing mixed-use building.  
9           This building has existed in substantially its  
10          current configuration for many years. We're not  
11          proposing any additions, no increase in the  
12          building height, no expansion of the building  
13          footprint. This is merely to legalize an existing  
14          condition.

15          We have two experts to testify before  
16          the Board and we'll begin our presentation with  
17          our architect, Mr. Manuel Pereiras.

18  
19                       (Discussion held off the record.)

20  
21          MS. PEREIRAS: Mr. Chairman, if we could  
22          adjourn this matter so that we could confirm the  
23          legal units currently on-site with the Union City  
24          Building Department.

25          MR. PEREIRAS: On the record, I would

1 like to say it would be really nice to get those  
2 memos ahead of time.

3 CHAIRPERSON GARCIA: You don't receive  
4 those? Carlos, you don't provide them right away  
5 the memos?

6 MS. PEREIRAS: This was issued  
7 yesterday.

8 MR. VALLEJO: I just got it.

9 MR. PEREIRAS: We don't get them.

10 MS. PEREIRAS: We don't get them, but it  
11 was done yesterday.

12 MR. PEREIRAS: It's not because of  
13 Carlos. It would be nice if the Building  
14 Department issued it a little bit ahead of time.

15 MS. PEREIRAS: The building department  
16 won't confirm legal units if there's any kind of  
17 violation on the property.

18 CHAIRPERSON GARCIA: Do you waive the  
19 statutory limits?

20 MS. PEREIRAS: Of course, Mr. Chairman.

21 CHAIRPERSON GARCIA: I make my motion to  
22 adjourn this application to July 9th.

23 MS. WATLEY: Second.

24 MS. PEREIRAS: Sorry, Carlos.

25 MR. VALLEJO: All right. There's a

1 motion to adjourn this application by Mr. Garcia  
2 for July 9, 2026, seconded by Ms. Watley. Roll  
3 call on the motion.

4 Mr. Garcia.

5 CHAIRPERSON GARCIA: Yes.

6 MR. VALLEJO: Mr. Grullon.

7 VICE CHAIRPERSON GRULLON: Yes.

8 MR. VALLEJO: Mr. Ortiz.

9 MR. ORTIZ: Yes.

10 MR. VALLEJO: Ms. Perez.

11 MS. PEREZ: Yes.

12 MR. VALLEJO: Ms. Watley.

13 MS. WATLEY: Yes.

14 MR. VALLEJO: Ms. O'Dell.

15 MS. O'DELL: Yes.

16 MR. VALLEJO: Six in favor, motion pass.

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**ADOPTION OF RESOLUTIONS:**

1. Hortencia Calderon - 733 22nd Street. Block: 151 Lot: 7. The applicant is seeking to legalize an existing studio apartment located in the basement of a multifamily building and to convert a ground-floor commercial space into an additional studio apartment. This will result in a total of five (5) residential units. **Approved** Revised plans received on 05-18-2026.

MR. VALLEJO: We're moving now to resolutions. First, Hortencia Calderon, 733 22nd Street. Can I have a motion?

MS. WATLEY: Motion.

MR. VALLEJO: To memorialize. The motion by Ms. Watley. Any second on the motion?

VICE CHAIRPERSON GRULLON: Second.

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

CHAIRPERSON GARCIA: Yes.

MR. VALLEJO: Mr. Grullon.

VICE CHAIRPERSON GRULLON: Yes.

MR. VALLEJO: Mr. Ortiz.

MR. ORTIZ: Yes.

1 MR. VALLEJO: Ms. Perez.

2 MS. PEREZ: Yes.

3 MR. VALLEJO: Ms. Watley.

4 MS. WATLEY: Yes.

5 MR. VALLEJO: Five in favor, motion

6 pass.

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**ADOPTION OF RESOLUTION:**

2. Apnaghar Property Management, LLC. 1909 New York Avenue. Block: 102 Lot: 18. The applicant proposes to legalize an existing studio apartment and convert a two-family building into three units. The approval resolution was memorialized on April 13, 2023. The applicant has requested a 2 year extension. **Approved.**

MR. VALLEJO: Resolution number two, Apnaghar Properties Management, LLC, 1909 New York Avenue. Can I have a motion to memorialize this resolution?

MS. WATLEY: Motion.

MR. VALLEJO: Motion by Ms. Watley.  
Second by?

VICE CHAIRPERSON GRULLON: Second.

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

Mr. Garcia.

CHAIRPERSON GARCIA: Yes.

MR. VALLEJO: Mr. Grullon.

VICE CHAIRPERSON GRULLON: Yes.

MR. VALLEJO: Mr. Ortiz.

MR. ORTIZ: Yes.

1 MR. VALLEJO: Ms. Perez.

2 MS. PEREZ: Yes.

3 MR. VALLEJO: Ms. Watley.

4 MS. WATLEY: Yes.

5 MR. VALLEJO: Five in favor, motion

6 pass.

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1     **ADOPTION OF RESOLUTION:**

2     3. Ichiban Village, Inc. - 2614 Summit Avenue.  
3     Block: 147 Lot: 2. The applicant proposes to  
4     construct a third floor over an existing two  
5     story. **Approved.** Revised plans received on  
6     06-01-2026

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8             MR. VALLEJO: Resolution number three,  
9     Ichiban Village, 2614 Summit Avenue. Can I have a  
10    motion?

11            MS. WATLEY: Motion.

12            MR. VALLEJO: Motion by Ms. Watley. Any  
13    second on the motion?

14            VICE CHAIRPERSON GRULLON: Second.

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

17            Mr. Garcia.

18            CHAIRPERSON GARCIA: Yes.

19            MR. VALLEJO: Mr. Grullon.

20            VICE CHAIRPERSON GRULLON: Yes.

21            MR. VALLEJO: Mr. Ortiz.

22            MR. ORTIZ: Yes.

23            MR. VALLEJO: Ms. Perez.

24            MS. PEREZ: Yes.

25            MR. VALLEJO: Ms. Watley.

1 MS. WATLEY: Yes.

2 MR. VALLEJO: Five in favor, motion

3 pass.

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**ADOPTION OF RESOLUTION:**

4. Rehana Latif. 1502 Central Avenue, Block: 78 Lot: 23. The applicant proposes to renovate an existing single-family dwelling and convert it to two units. No parking provided. The resolution was memorialized on March 14, 2025. Requesting an extension of a previous approval. **Approved.**

MR. VALLEJO: Resolution number four, Rehana Latif, 1502 Central Avenue. Can I have a motion.

MS. WATLEY: Motion.

MR. VALLEJO: Motion by Ms. Watley.

VICE CHAIRPERSON GRULLON: Second.

MR. VALLEJO: Seconded by Mr. Grullon.

Roll call on the motion.

Mr. Garcia.

CHAIRPERSON GARCIA: Yes.

MR. VALLEJO: Mr. Grullon.

VICE CHAIRPERSON GRULLON: Yes.

MR. VALLEJO: Mr. Ortiz.

MR. ORTIZ: Yes.

MR. VALLEJO: Ms. Perez.

MS. PEREZ: Yes.

MR. VALLEJO: Ms. Watley.

1 MS. WATLEY: Yes.

2 MR. VALLEJO: Five in favor, motion

3 pass.

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1     **ADOPTION OF RESOLUTION:**

2     **CORRECTIVE RESOLUTION:**

3     5.   Bauhouse NJ, LLC. 2712 New York Ave. Block:  
4     151 Lot: 7. The applicant proposes to construct a  
5     new single-family dwelling. **Approved.**

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7             MR. VALLEJO: We have one corrective  
8     resolution, Bauhouse NJ, LLC, 2712 New York  
9     Avenue. Can I have a motion?

10            MS. WATLEY: Motion.

11            MR. VALLEJO: Motion by Ms. Watley.

12            VICE CHAIRPERSON GRULLON: Second.

13            MR. VALLEJO: Second by Mr. Grullon.

14     Roll call on the motion.

15            Mr. Garcia.

16            CHAIRPERSON GARCIA: Yes.

17            MR. VALLEJO: Mr. Grullon.

18            VICE CHAIRPERSON GRULLON: Yes.

19            MR. VALLEJO: Ms. Perez.

20            MS. PEREZ: Yes.

21            MR. VALLEJO: Ms. Watley.

22            MS. WATLEY: Yes.

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

25                   \*     \*     \*     \*

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 Seconded by?

9             MR. ORTIZ: Second.

10            MR. VALLEJO: Mr. Ortiz.

11            All in favor?

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

15  
16            (Whereupon, the meeting was adjourned at  
17 7:50 p.m.)

C E R T I F I C A T E

I HEREBY CERTIFY that the foregoing is a true and accurate transcript of the testimony and proceedings as taken stenographically by me at the time, place, and on the date hereinbefore set forth.

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SUSAN BISCHOFF, CCR, RPR  
LICENSE NO. 30XI00233700