

CITY OF UNION CITY
HUDSON COUNTY, NEW JERSEY
PLANNING BOARD

REGULAR MEETING : TRANSCRIPT OF
: :
: :
-----: PROCEEDINGS

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

Tuesday, January 23, 2024
Commencing at 6:00 p.m.

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

ALEJANDRO VELAZQUEZ, Chairperson
YDALIA GENAO
ALICIA MOREJON
FRANKLIN MEDINA
JOSE GUARENO, Alternate #1
HECTOR OSEGUERA, Alternate #2

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

BRIAN T. STACK, Mayor
CELIN J. VALDIVIA, Commissioner
CAROLINA FERNANDEZ

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

GREG RANDAZZO, ESQ.
Board Counsel

CARLOS VALLEJO, Board Secretary

DAVID SPATZ, P.P.

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

BIANCA PEREIRAS, ESQ.
Attorney for Applicant,
2107 Bergenline Avenue

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2107 Bergenline Avenue

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MANUEL PEREIRAS

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NO

EXHIBITS

MARKED

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

3 Please take notice that on Tuesday,
4 January 23, 2024, at 6:00 p.m., a regular meeting
5 is scheduled for the City of Union City Planning
6 Board to be held in Union City High School,
7 located at 2500 John F. Kennedy Boulevard, Union
8 City, New Jersey.

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

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

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

21

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

24

25 MR. VALLEJO: Thank you.

ROLL CALL:

MR. VALLEJO: Roll call for tonight's meeting. Mayor Stack is absent.

Mr. Velazquez.

CHAIRPERSON VELAZQUEZ: Here.

MR. VALLEJO: Commissioner Valdivia is absent.

Ms. Genao.

MS. GENAO: Yes.

MR. VALLEJO: Ms. Morejon.

MS. MOREJON: Yes.

MR. VALLEJO: Ms. Fernandez is absent.

Mr. Medina.

MR. MEDINA: Here.

MR. VALLEJO: Mr. Guareno.

MR. GUARENO: Yes.

MR. VALLEJO: Mr. Oseguera.

MR. OSEGUERA: Here.

MR. VALLEJO: Let the record indicate there are six present.

* * * *

REORGANIZATION:

MR. VALLEJO: All right. We're going first, it's January, reorganization to elect a chairperson. Can anybody make a nomination for chairperson.

MS. MOREJON: I nominate Alex Velazquez.

MS. GENAO: I second that.

MR. VALLEJO: Mentioned by Ms. Morejon to nominate Mr. Velazquez as chairperson. Seconded by Ms. Genao. Any other nominations? Seeing none, close.

Roll call on the motion for Mr. Velazquez to be the chairperson.

Ms. Genao.

MS. GENAO: Yes.

MR. VALLEJO: Ms. Morejon.

MS. MOREJON: Yes.

MR. VALLEJO: Mr. Medina.

MR. MEDINA: Yes.

MR. VALLEJO: Mr. Guareno.

MR. GUARENO: Yes.

MR. VALLEJO: Mr. Oseguera.

MR. OSEGUERA: Yes.

MR. VALLEJO: Mr. Velazquez.

1 CHAIRPERSON VELAZQUEZ: Yes.

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

4 All right. Can I have a motion to
5 nominate a vice chairperson. I see no
6 nominations, we pass that.

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ADOPTION OF MINUTES:

MR. VALLEJO: Now, we're going to adoption of minutes -- congratulations, Mr. Velazquez, as chairperson.

CHAIRPERSON VELAZQUEZ: Thank you, everyone.

MR. VALLEJO: Adoption of minutes of the regular meeting held on November 28, 2023.

CHAIRPERSON VELAZQUEZ: Make a motion.

MR. VALLEJO: Motion by Mr. Velazquez.

MS. MOREJON: Second.

MR. VALLEJO: Seconded by Ms. Morejon.

Roll call on the motion. Mr. Velazquez.

VICE CHAIRPERSON VELAZQUEZ: Yes.

MR. VALLEJO: Ms. Genao.

MS. GENAO: Yes.

MR. VALLEJO: Mr. Guareno.

MR. GUARENO: Yes.

MR. VALLEJO: Mr. Medina.

MR. MEDINA: Yes.

MR. VALLEJO: Ms. Morejon.

MS. MOREJON: Yes.

MR. VALLEJO: Mr. Oseguera.

MR. OSEGUERA: Yes.

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

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1 **HEARINGS/APPLICATIONS:**

2 **2107 BERGENLINE LLC -**

3 **2107 BERGENLINE AVENUE:**

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5 MR. VALLEJO: We're going to item number
6 one, 2107 Bergenline Avenue. Ms. Pereiras, please.

7 MS. PEREIRAS: Thank you, Mr. Vallejo.
8 Good evening, counsel, chairman, members of the
9 board. May it please the board, Bianca Pereiras
10 on behalf of 2107 Bergenline, LLC.

11 We had previously submitted our
12 jurisdictional proofs at the November meeting.
13 We're glad to be here before you in this new year,
14 so happy new year to everyone. The application is
15 for property at 2107 Bergenline. This is in the
16 CN zone and we are proposing a mixed use building,
17 consisting of commercial on the ground floor with
18 three residential units above. We have one expert
19 to testify before the board this evening and that
20 is our architect, Mr. Manuel Pereiras.

21
22 M A N U E L P E R E I R A S, after having been
23 duly sworn or affirmed, did testify as follows:

24
25 MR. PEREIRAS: Manny Pereiras,

1 P-E-R-E-I-R-A-S, with Pereiras Architects
2 Ubiquitous located at 1116 Summit Avenue, Union
3 City, New Jersey.

4 MS. PEREIRAS: For purposes of the
5 record, Mr. Pereiras has testified before this
6 board as an expert in architecture and I ask the
7 board to recognize him this evening as well.

8 MR. RANDAZZO: We'll recognize his
9 qualifications.

10 MS. PEREIRAS: Thank you very much,
11 counsel.

12 Mr. Pereiras, are you familiar with the
13 property at 2107 Bergenline Avenue?

14 MR. PEREIRAS: I am.

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

17 MR. PEREIRAS: I have.

18 MS. PEREIRAS: Would you kindly describe
19 the proposal for the board?

20 MR. PEREIRAS: I'd be very happy to.
21 For purposes of the record, the drawings to my
22 left are the same drawings that were submitted to
23 the board. Just to give you guys a reference,
24 this is between 21st and 22nd Street on
25 Bergenline, on the east -- on the west side of

1 Bergenline. This is where the fire happened, I
2 think it was back in 2011. It devastated three
3 lots to the ground. It damaged two properties
4 over. We have the resident of one of -- two of
5 the properties over that we repaired her house, we
6 repaired the -- I was lucky enough to be the
7 architect, I repaired both those houses to the
8 north. And I was the architect that designed the
9 two houses to the south of this.

10 This is the missing tooth in that block.
11 It's been like that since 2012. So I'm very happy
12 to get before this board today and finally
13 hopefully resolve the situation and finish that
14 block, I think it's going to -- right now, the way
15 it exists, it's a hazard. It's a bit of a drop
16 into the property. There's water seeping into the
17 two neighbors. This site is desperate for
18 rehabilitation, and that's why we're here before
19 you today.

20 What we're looking to do is nothing more
21 than what's exactly requested of us in the master
22 plan and in the zoning ordinance. We have a
23 typical 25-by-100 lot. So the lot width and the
24 lot depth is what the ordinance requires and we're
25 proposing what the ordinance allows. The

1 ordinance is looking, and the master plan is
2 looking for a 24-hour active location. That means
3 we have businesses on the ground floor during the
4 day and we have apartments above that keeps the
5 site occupied all 24 hours a day. That's good for
6 safety and it's good for the neighborhood. It
7 gives it the density that the neighborhood needs
8 to survive, to have people who shop at the stores,
9 and keeps the neighborhood alive.

10 So I'd like to walk now and show you the
11 site. As I said, the sight is 25 feet wide along
12 Bergenline Avenue there, the site -- all the
13 buildings are two feet setback from the front. We
14 don't want to mess with that, we want to keep that
15 frontage, so we're setting our building back two
16 feet, which keeps in line with the adjacent
17 properties. Even though we're allowed to have
18 zero foot setback there, we're setting back those
19 two feet to keep it in line with both the
20 properties to the north and the south.

21 On the south side, we're doing zero
22 setback, which is what's permitted and asked for
23 in the ordinance. On the north side, we have a
24 three foot setback. Our ordinance has a strange
25 thing, it allows us to do zero. We're completely

1 permitted to do zero setback. And we could have
2 put the building right up to zero, but I wanted to
3 first have a way for firemen to be able to get to
4 the back of the building. And number two, have
5 egress from the window, so that we have light
6 coming into the apartments above. So we elected
7 to create a three foot setback. And because we're
8 creating a setback, our ordinance actually
9 requires a variance for that. Because the
10 ordinance says either you do zero feet or you go
11 five feet. We're doing three feet, so we're
12 asking for a variance on that. It's one of our
13 only two variances that we're asking for. Our
14 rear yard, we're providing a full 20 feet, which
15 is what the ordinance requests of us.

16 Now, moving on to the other items. We
17 are permitted a maximum coverage of 80 percent,
18 we're at 70.4 because in theory that whole lot
19 could be covered, and we're setback three feet
20 along the entire perimeter, so we're well under
21 that. And the maximum coverage, we're permitted
22 to be 100 percent and we elected to put the
23 backyard as grass, so we're well under that as
24 well. And so we meet the ordinance and actually
25 exceed it.

1 The height of the building, we're
2 permitted to go four stories and we're a
3 four-story structure. And we're allowed to go up
4 to 50 feet in height, we're doing five feet less
5 than that, 45 feet. So we're compliant in all
6 those aspects as well.

7 The only thing that we're not compliant
8 with, in addition to the side yard setback, is
9 parking. Parking, the way the ordinance reads, we
10 need two parking spaces per apartment, that would
11 be a total of six parking spaces and we would need
12 a total of four parking spaces for the commercial
13 space as well. So we would need a total of ten
14 parking spaces. Obviously, this is Bergenline
15 Avenue, we only have a 25-foot wide lot, there's
16 no way to create a curb cut to get cars in there.
17 If we did that, there would be no room to have a
18 commercial space on the ground floor, which would
19 violate the master plan and the ordinance.

20 So we're providing the exact what's
21 required here and obviously we have efficient
22 apartments and we have access to public
23 transportation and this is a very walkable
24 neighborhood. And, therefore, we hope you
25 understand the hardship for the parking variance

1 there.

2 Turning now to page Z02, we see each of
3 the floor plans of the building. I'll start with
4 the basement. The basement has stormwater
5 retention system there, that's what you see in the
6 corner. That means all the water that lands on
7 this property, currently it's filling up like a
8 tank and leaking into the properties next door.
9 What we're doing is we're going to have all that
10 water contained within the tank and slowly seep
11 into the earth or if it gets overflowed, go into
12 the sewer system. So it's a huge improvement for
13 every single one of the neighbors. It makes a big
14 difference on this site. So we're taking a
15 problem that currently exists and we're rectifying
16 it by having these stormwater detention tanks in
17 that space.

18 In addition to that, we have our -- all
19 our mechanicals, our sprinkler system, our
20 electrical main system is there, our gas and water
21 meters are going into the basement in the first
22 section. And then the back of it is storage for a
23 commercial space. And we have a half bath down
24 there for employees to be able to use and also to
25 clean the space.

1 On the ground floor, we have a
2 commercial space. It is 20 wide by 68 feet in
3 depth. It's the entire space length, and
4 obviously it has its ADA bathroom in the back.
5 And that has a beautiful storefront.

6 Right next to it, we have the entrance
7 foyer with stairs that lead you upstairs to the
8 apartments. The apartments are laid out in a very
9 simple way. You have the stairwell that leads you
10 to each floor. If you turn to the left, you have
11 an open space, which is kitchen, living room, and
12 dining room space, nice and large. The kitchen is
13 9 by 10, the living room and dining room space is
14 15 -- actually 14-11 by 10-7. So it's a nice open
15 space with huge windows facing the street. And
16 then we have three bedrooms along the back, the
17 last of which is a master bedroom that's 12 by
18 18-7. It has two closets and its own master
19 suite. If you would notice, there's an additional
20 stairwell in the back rear corner for safety
21 reasons. If there's a fire, if there's a problem
22 in the building, each apartment has two means of
23 egress. One through the main stairwell here and
24 the second one through the rear stairwell at the
25 back.

1 And then the third and fourth floor are
2 exactly the same thing. And what we propose to do
3 in the facades, it's very similar. We want to be
4 similar to the adjacent buildings, they're brick,
5 except we're doing something a little bit nicer.
6 We're putting a little bit of a larger cornice and
7 accentuating those windows with a little bit
8 larger windows and making that storefront a little
9 bit bigger than the neighbors. So it's going to
10 be very beautiful at the end. And the sides are
11 going to be vinyl siding, whereas, when it's
12 touching another building, it's going to be CMU
13 block and it's going to be waterproof CMU block.
14 In the rear would be siding. And that concludes
15 my testimony. I'm open for your questions.

16 MR. OSEGUERA: I have a quick question.
17 Looking at the street view, the two buildings on
18 each side appear to be three stories and this
19 one's going to be four?

20 MR. PEREIRAS: That's correct.

21 MR. OSEGUERA: Okay.

22 MR. PEREIRAS: The ordinance changed.
23 When we designed those buildings, we were allowed
24 to do five units and three stories. So each of
25 those units have two apartments, one in each end

1 and then an apartment in the bottom and a small
2 store in the front. Union City reexamined the
3 ordinance and updated it and said you know what,
4 five units is a little too dense. We'd rather
5 have bigger units, taller, have more light coming
6 in there, but have less units. So instead of
7 having five families, here, we have three
8 families, even though they're larger apartments
9 with more space. So that's the change that the
10 ordinance did and we're doing exactly that change.

11 MR. OSEGUERA: Okay.

12 CHAIRPERSON VELAZQUEZ: I believe 2118
13 Bergenline Ave. across the street has a three over
14 one with a commercial.

15 MR. PEREIRAS: You're correct. So it
16 is, as the chairman just said, this neighborhood
17 does have four-story structures. You go one block
18 away, you even have a five-story structure. You
19 have the Wells Fargo building, you have a bunch of
20 taller buildings in the area. So it's not going
21 to stick out in any way negatively. It fits into
22 the neighborhood.

23 MR. GUARENO: Can you explain about the
24 stormwater tanks again?

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

1 So we have in Union City, one of the oldest sewer
2 systems in the entire country, okay. Because of
3 that, there's a lot of maintenance that has to be
4 done to the sewer systems. And we have what's
5 called a combined sewer, okay. The dirty water
6 goes into the sewer and so does stormwater, water
7 that falls as a rainfall. So everything is in one
8 system, whereas in more developed areas around us,
9 when they have newer sewer systems, they actually
10 have two separate things.

11 So what has happened? We want to try to
12 fix the problem a little bit. So we have set a
13 lot of new rules limiting the way water flows into
14 the sewer system. So we've split it up. Now, all
15 the stormwater instead of it going straight into
16 the sewer, it goes into tanks and those tanks are
17 located within the building. So when we have a
18 big storm and we have a lot of water, so that the
19 sewer system doesn't get overflowed, it goes
20 within the tanks within the building. And then it
21 slowly seeps into the ground and slowly seeps into
22 the sewer system.

23 If there's ever a problem and we have
24 like Hurricane Sandy and we have a lot of rain,
25 those tanks overflow back into the sewer system.

1 But it's designed to withstand what we call the
2 100-year storm, so it holds a lot of water. And
3 that's what we have proposed in this. So all the
4 water that lands on the roof, all the water that
5 lands in the rear yard goes first into the tanks
6 and stays there until it dissipates slowly.

7 MR. GUARENO: It's going to be absorbed
8 by the dirt?

9 MR. PEREIRAS: It is absorbed by the
10 dirt.

11 MR. GUARENO: Wouldn't that be a problem
12 eventually for the foundation?

13 MR. PEREIRAS: No. It's designed in a
14 way it so works with the foundation system. So we
15 do what's called percolation tests. And the
16 percolation test tells us how much water the earth
17 could absorb and we design for that. And our
18 system seeps slowly for that. And this isn't
19 something we want to do. This is actually state
20 regulated conditions, we have no options there.
21 We have to do this. Every building you see going
22 up has to do this.

23 MR. GUARENO: One thing is doing it, I'm
24 not an architect nor an engineer, but I've seen
25 plenty of homes that because of water with the

1 rain and so forth, the foundation eventually does
2 get affected by it.

3 MR. PEREIRAS: Correct.

4 MR. GUARENO: That is my concern.

5 MR. PEREIRAS: That happens often,
6 usually when there is no stormwater protection
7 system because the water just goes everywhere and
8 damages the foundation. This has it retained, has
9 it drop in a specific way to go back into the
10 aquifer and into the dirt. So it's designed to
11 work right.

12 MR. GUARENO: What is the specific way?

13 MR. PEREIRAS: So there are lots of
14 tests that are done and there's an engineer that
15 designs the entire system and North Hudson Sewer
16 reviews and approves it and the Union City
17 building department reviews and approves it. We
18 figure out the percolation test, how quickly it
19 could absorb. And we design the system in order
20 to provide for that.

21 CHAIRPERSON VELAZQUEZ: In my other hat,
22 as commissioner on the sewerage authority, they're
23 going to love that, don't worry about that.

24 I got a quick question, just in case --
25 I'm saying if this is approved, the setback, the

1 three feet side yard setback, would you be having
2 a fence there or a gate?

3 MR. PEREIRAS: Well, we're -- we'll put
4 a gate at Bergenline Avenue for safety. And then
5 what we have is -- there's no gate on the other
6 side because it's the actual building that's the
7 side. But in front, we put a gate.

8 CHAIRPERSON VELAZQUEZ: I'm concerned
9 because I know -- and Nicky knows this, we deal
10 with this with the cats being fed, they'll be on
11 the side.

12 MR. PEREIRAS: Union City has a new
13 ordinance, it's very fresh, I think it's less than
14 a month old, where we need to put -- it's actually
15 required now --

16 CHAIRPERSON VELAZQUEZ: Okay.

17 MR. PEREIRAS: -- by ordinance. It's
18 brand new, I just heard about it two weeks ago.

19 CHAIRPERSON VELAZQUEZ: And if this goes
20 forward, there's going to be have a little bit of
21 stipulations, I dealt with this Kevin Law on many
22 occasions about cleaning up, the weeds were
23 growing like the rainforest in there. And he was
24 telling me that he couldn't get there because of
25 the dip, I understand that. But there was a woman

1 actually feeding cats all the way at the end --

2 MS. PERGAMINOS: Still does.

3 CHAIRPERSON VELAZQUEZ: It was becoming
4 problematic.

5 MR. PEREIRAS: She feeds cats all over
6 Union City.

7 CHAIRPERSON VELAZQUEZ: That's a haven
8 just to say come on and feed my cats here.
9 Because, you know, a cat has the agility to walk
10 on that thing. God forbid, we were scared over
11 the summer that she was going to fall in. And I
12 kept telling her please don't do this.

13 He has to make sure that while this
14 going on, you know how I am a stickler when it
15 comes to this, that this is going on, that it's
16 going to be maintained. It's going to be less --
17 I can't say annoyance -- less impact on the
18 neighborhood that we're get 150,000 complaints
19 that they're doing this, they're doing that. As
20 long as everything is maintained and done the
21 proper way, fences not falling down during the
22 snow, everything is swept and cleaned and
23 maintained. When we give him a call and all that
24 or his contractor, it can't be like waiting to
25 respond until he gets a summons and then all of a

1 sudden he wants to act out.

2 MS. PEREIRAS: We will stress that to
3 our client.

4 MR. PEREIRAS: I can't agree with you
5 enough. I'm glad for it to be in the contractor's
6 hands rather than his hands.

7 CHAIRPERSON VELAZQUEZ: This really
8 needs it. It's been here for years, I'd like to
9 have that regenerate that whole neighborhood. I
10 think something like that would because it's a
11 beautiful --

12 MR. PEREIRAS: It's over a decade.

13 CHAIRPERSON VELAZQUEZ: Anybody else
14 have any questions? I make a motion --

15 MR. VALLEJO: Open to the public?

16 CHAIRPERSON VELAZQUEZ: I'm sorry.
17 Anybody in the public?

18 MS. PERGAMINOS: My turn. Evangeline
19 Pergaminos, 2111 Bergenline. Can I stand here?
20 I'm glad they're finally going to build on that
21 empty lot. It's a jungle there, it's going to be
22 really a nightmare for you to even clean it out.
23 There's a million -- so many animals, skunks,
24 there's everything living in there. Okay, that's
25 not -- that's neither here nor there.

1 I'm objecting to the fourth floor. My
2 building on my block, which is my neighborhood, we
3 have it as a neighborhood, it's not just rent --
4 you know people coming and going. I'm the only
5 building that didn't build all the way out on the
6 25 by 100, I have a backyard. Everyone else has
7 the businesses all the way to the end.

8 My problem is it will definitely block
9 the sun coming to my backyard, my deck, my
10 Magnolia tree. I have Puppy University is my
11 tenant in the store, the dogs are out in the
12 backyard. Certain hours of the afternoon, it's
13 going to be dark. I took pictures if anybody
14 wanted to see them, showing you exactly how the
15 sun will be blocking my property. That's my big
16 objection.

17 And I didn't even think about while the
18 construction is going on. I'm the one that's
19 always been calling the mayor, your office,
20 complaining about the -- thank goodness -- God
21 bless Mayor Stack. He gave him a new sidewalk
22 because it was dangerous, they weren't maintaining
23 the sidewalk. And then the fence, they put up a
24 new fence and then a cloth across it so that
25 people wouldn't throw things in because it became

1 a dump yard.

2 So I don't know if -- and plus, the
3 other buildings that they built there now, which
4 are very nice. There's a pharmacy and now just a
5 smoke shop, unfortunately, opened next door, which
6 I kind of object to. I kept my store empty a
7 couple of years because I didn't want to rent to a
8 smoke shop. Then one just opened two doors down.
9 But I don't know how long it's going to last
10 there, there's one on every block, but okay, again
11 that's neither here nor there.

12 The apartments aren't even all rented in
13 that building. So he's going for four apartments
14 and it's only one apartment each floor, he's going
15 to have to get over \$2,000 rent. I don't know if
16 he has people lined up to rent, it looks to me
17 like it's going to be an empty building. The
18 store now just got rented after all these years.
19 The smoke shop just rented the store, so that's
20 been empty all along.

21 So that's what I have say. Thank
22 goodness for Mayor Stack that it's really
23 maintaining the property for them. Because he's
24 putting up the fence, cleaning the sidewalk --
25 putting in a new sidewalk. And also now, Javier

1 was supposed to be here, but he owns the property
2 next door. I have a statement I'd like to read
3 that I asked him to text on his behalf. Can I do
4 that, is that legal?

5 MS. PEREIRAS: I would object to anybody
6 not being present to testify, so we could question
7 him if we had to question him.

8 MS. PERGAMINOS: You could see it's from
9 his phone number, that doesn't count?

10 MS. PEREIRAS: No.

11 MR. VALLEJO: No.

12 MS. PERGAMINOS: Okay.

13 MR. PEREIRAS: Nicky, if I may just
14 address a few of your comments?

15 MS. PEREIRAS: He's at 2109 and he
16 objects also.

17 MR. PEREIRAS: I'd like to address a few
18 of your comments, just I want to -- this is 2107
19 and am I correct you're 2111?

20 MS. PERGAMINOS: 11.

21 MR. PEREIRAS: So you're not the
22 adjacent property, you're one over?

23 MS. PERGAMINOS: Javier is next door.

24 MR. PEREIRAS: I know Javier well. He's
25 next door and then you're one property over.

1 MS. PERGAMINOS: Then there's the
2 grocery store, you're right.

3 MR. PEREIRAS: Just another -- so this
4 property is to the south, you have the sun rising
5 in the east, heading towards the north, coming
6 across. So your property is probably not going to
7 receive shadows off of this fourth story. It's
8 not going to create additional shadows onto your
9 rear yard.

10 MS. PERGAMINOS: I don't know. I don't
11 know. In my opinion, I think it will, but all
12 right.

13 MR. PEREIRAS: With the physics of it,
14 it shouldn't cast any shadows on your rear yard
15 and your magnolia tree should be fine.

16 MS. PERGAMINOS: It's going to stick out
17 like a sore thumb, in my opinion. And also it's
18 not --

19 MR. PEREIRAS: I think one of your
20 concerns is too many residential units with that
21 fourth story. We actually have less. You
22 mentioned four, we're only proposing three
23 residential units, whereas --

24 MS. PERGAMINOS: Three and the store is
25 four, right.

1 MR. PEREIRAS: The store and then three.
2 And the other buildings that were built on the
3 block were five residential units and then the
4 commercial, so we're actually --

5 MS. PERGAMINOS: But the building is
6 empty.

7 MR. PEREIRAS: -- we're doing less.

8 MS. PERGAMINOS: All right, all right.
9 I'm sure they're not asking the rents that this
10 fellow is going to be asking. But I don't know.
11 I just object to the -- it's going to block my sun
12 in my backyard. It's going to block the deck and
13 my backyard, that's all I know.

14 CHAIRPERSON VELAZQUEZ: What I hear
15 sometimes, especially on that block, is it's not
16 about people don't want the apartments, it's the
17 scrutiny of how their application is being looked
18 at because of credit scores and everything. They
19 don't want to just rent that. These are the type
20 of people that say I'm going to wait and I'll wait
21 until I get the proper person, not -- they're not
22 saying I'm going to take that first \$6,000 deposit
23 so I can get somebody in there and have a headache
24 down the line.

25 Everybody is building a little bit to

1 say I don't want to have that headache down the
2 line. That's the problem because I've heard
3 people call the mayor's phone about what should
4 they have over here in the storefronts. I don't
5 want to do this, I don't want to do that. He has
6 no say, he doesn't say anything about it. He's
7 like it has to go through zoning. Let it be what
8 it be because at the end of the day, he gets
9 blamed for everything then.

10 MS. PERGAMINOS: We have a safe block
11 and no problems in my neighborhood. And I call it
12 my neighborhood because I've been there -- this
13 building was my grandmother's from the '50s, so I
14 kind of grew up here and it's a neighborhood.
15 It's not just people coming and moving in and out
16 every two months.

17 CHAIRPERSON VELAZQUEZ: I know every
18 single --

19 MS. PERGAMINOS: All right. I said what
20 I had to say. And to me, I just -- well, if it
21 does get approved for the fourth floor, I hope it
22 doesn't block my sun, I really do because it's
23 going to hurt me personally, my building, my
24 backyard, my deck, my magnolia tree that my
25 grandmother planted years ago.

1 CHAIRPERSON VELAZQUEZ: Now we got it on
2 the record Manny said that's not going to --

3 MR. PEREIRAS: I did and just to
4 supplement the record also, we're not asking for a
5 variance on height, we're not asking for a
6 variance either on stories or on feet, it's
7 permitted.

8 CHAIRPERSON VELAZQUEZ: I think this is
9 a long overdue project and I want to see something
10 happen over there because it's been an eyesore --

11 MS. PERGAMINOS: Yeah.

12 CHAIRMAN CONTE: Is that everybody from
13 the public that wants to say something?

14 MS. PERGAMINOS: I'm fine. And the
15 parking, I hope each -- I hope there's not two
16 cars per floor because they're going to have a
17 problem.

18 CHAIRPERSON VELAZQUEZ: Does anybody
19 else?

20 MS. PERGAMINOS: Thank you.

21 CHAIRPERSON VELAZQUEZ: Seeing none, I
22 make a motion to approve the project.

23 MR. VALLEJO: Motion on the table to
24 grant the application by Mr. Velazquez. Anybody
25 second the motion?

1 MR. OSEGUERA: Second.

2 MR. VALLEJO: Seconded by Mr. Oseguera.

3 Roll call on the motion to approve this
4 application. Mr. Guareno.

5 MR. GUARENO: Yes.

6 MR. VALLEJO: Mr. Velazquez.

7 CHAIRPERSON VELAZQUEZ: Yes, with
8 stipulations.

9 MR. VALLEJO: Ms. Genao.

10 MS. GENAO: Yes.

11 MR. VALLEJO: Ms. Morejon.

12 MS. MOREJON: Yes.

13 MR. VALLEJO: Mr. Medina.

14 MR. MEDINA: Yes.

15 MR. VALLEJO: Mr. Oseguera.

16 MR. OSEGUERA: Yes.

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

19 MR. PEREIRAS: Thank you, everybody.

20 MS. PEREIRAS: Thank you.

21 * * * *

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1 **ADJOURNMENT:**

2

3 MR. VALLEJO: We don't have resolutions

4 on tonight's agenda. There being no other

5 application on tonight's agenda, can I have a

6 motion to close tonight's meeting?

7 CHAIRPERSON VELAZQUEZ: I make a motion.

8 MR. VALLEJO: Motion by Mr. Velazquez.

9 MR. GUARENO: Second.

10 MR. VALLEJO: Seconded by Mr. Guareno.

11 All in favor.

12

13 (All Board Members indicate in the

14 affirmative.)

15

16 MR. VALLEJO: The ayes have it. Let the

17 record indicate that the meeting has ended. Thank

18 you and good night everybody.

19

20 (Whereupon the meeting was adjourned at

21 6:30 p.m.)

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23

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C E R T I F I C A T E

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

SUSAN BISCHOFF, CCR, RPR
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