

In The Matter Of:
CITY OF CAMDEN
ZONING BOARD

Transcript of Meeting
March 2, 2020

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ZONING BOARD
CITY OF CAMDEN

- - - -

Monday, March 2, 2020

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Transcript of proceedings in the above
matter taken in City Council Chambers, 2nd floor
City Hall, 520 Market Street, Camden, New Jersey
08101, commencing at 5:35 p.m.

B O A R D M E M B E R S P R E S E N T

- ROBERT H. HAMILTON, JR, CHAIRMAN
- DARNELL HANCE, VICE-CHAIRMAN
- HENRIETTA WASHINGTON
- ISAIAS MARTINEZ
- TERESA ATWOOD
- KAREN MERRICKS
- CHARLES COOPER

- - - -

- KYLE F. EINGORN, ESQUIRE
- ATTORNEY FOR THE BOARD
- DENA MOORE JOHNSON, P.E., C.M.E.,
- EVITA DAVIS, ZONING BOARD SECRETARY

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1 CHAIRMAN HAMILTON: Good evening ladies
2 and gentlemen and welcome to the Zoning Board of the
3 City of Camden. In conformance with the Sunshine Law
4 of the State of New Jersey, notice of the meeting was
5 posted in the Municipal Clerk's office on Tuesday,
6 February 25, 2020.

7 MR. EINGORN: We'll take a roll call.
8 Chairman Hamilton.

9 CHAIRMAN HAMILTON: Here.

10 MR. EINGORN: Vice-Chairman Hance.

11 VICE-CHAIRMAN HANCE: Here.

12 MR. EINGORN: Reverend Martinez.

13 REVEREND MARTINEZ: Here.

14 MR. EINGORN: Ms. Washington.

15 MS. WASHINGTON: Yes.

16 MR. EINGORN: Ms. Atwood.

17 MS. ATWOOD: Here.

18 MR. EINGORN: Ms. Merricks.

19 MS. MERRICKS: Here.

20 MR. EINGORN: Mr. Cooper.

21 MR. COOPER: Here.

22 MR. EINGORN: Good evening everyone.

23 This is the monthly meeting of the City of Camden
24 Zoning Board of Adjustment for March 2nd. Tonight we
25 do have to perform our Organization of the Board.

1 But let's first approve the minutes.

2 But first, we'll take attendance of what
3 applicants are present tonight. If you hear your
4 name, please speak up and let know us you're here.
5 Also, if you have cell phones, please put them on
6 silent. Sometimes it gets hard to hear when cell
7 phones go off and we have trouble going through the
8 applications.

9 First matter on old business, Louinsky
10 Minier.

11 MR. MINIER: We are here tonight.

12 MR. EINGORN: Good evening. Flex
13 Estevez.

14 MR. ESTEVEZ: Here.

15 MR. EINGORN: Joseph Incandela, 515-519
16 North 3rd Street.

17 MR. INCANDELA: Here.

18 MR. EINGORN: Alexander Sterin, DiMal,
19 Inc.

20 MR. STERIN: Here.

21 MR. EINGORN: Good evening.

22 JRM Property Management, 301-303 Erie
23 Street. Hearing none.

24 Rudy Matos, NS Mickle, 260 E. 24th
25 Street.

1 MR. MATOS: Here.

2 MR. EINGORN: My understanding is that we
3 just received your Proof of Service and haven't had a
4 chance to go through it. So, we're not going to be
5 able to hear you tonight. We haven't had an
6 opportunity to properly go through it.

7 So, what we can do is, to the extent your
8 notice was proper for tonight, we'll carry it until
9 next month with the understanding that you can go
10 next month if your notice was proper for tonight's
11 meeting. But since we haven't had an opportunity to
12 go through all of it, and we didn't know you were
13 ready to go, we don't have the packets or anything
14 ready to hear your application.

15 MR. MATOS: What will be the date for the
16 next month?

17 MR. EINGORN: April 6, 2020.

18 MR. MATOS: So, the zoning office will
19 advise us?

20 MS. DAVIS: I will.

21 MR. MATOS: So, we're excused for
22 tonight?

23 MR. EINGORN: Yes.

24 MR. MATOS: Thank you.

25 MR. EINGORN: Bobby Jones, 827 Walnut

1 Street.

2 MR. JONES: Here.

3 MR. EINGORN: Good evening. Next is
4 Yousaf Javed, Camden Auto, 1215-1221 South 6th
5 Street.

6 MR. JAVED: Here.

7 MR. EINGORN: Good evening. Briana
8 Hernandez, 1709 Broadway.

9 MS. HERNANDEZ: Here.

10 MR. EINGORN: Good evening.

11 DRKD&D United, LLC, 2731 Harrison Avenue.
12 Hearing none. Next is Jesus Mendez, 3108 Waldorf
13 Avenue.

14 MR. MENDEZ: Here.

15 MR. EINGORN: Good evening.

16 Our first matter for tonight will be the
17 Reorganization of the Board. We need a temporary
18 chairman and then nomination of a chairman.

19 MR. MARTINEZ: Tell me again.

20 MR. EINGORN: So, we need somebody to
21 nominate a temporary chairman to run the meeting.

22 MR. COOPER: I nominate Mr. Hamilton.

23 MR. EINGORN: So, we have a nomination
24 for a temporary appointment of Chairman Hamilton as
25 the temporary Chairman. And now we need, I guess,

1 nomination for Mr. Hamilton or somebody else to be
2 the Chair for the year.

3 VICE-CHAIRMAN HANCE: I nominate Mr.
4 Hamilton.

5 MR. EINGORN: And we'll take a roll-call
6 on the nomination of Mr. Hamilton as Chairman.

7 MR. EINGORN: Vice-Chairman Hance.

8 VICE-CHAIRMAN HANCE: Yes.

9 MR. EINGORN: Reverend Martinez.

10 REVEREND MARTINEZ: Yes.

11 MR. EINGORN: Ms. Washington.

12 MS. WASHINGTON: Yes.

13 MR. EINGORN: Ms. Atwood.

14 MS. ATWOOD: Yes.

15 MR. EINGORN: Ms. Merricks.

16 MS. MERRICKS: Yes.

17 MR. EINGORN: Mr. Cooper.

18 MR. COOPER: Yes.

19 MR. EINGORN: Congratulations.

20 CHAIRMAN HAMILTON: Thanks.

21 MR. EINGORN: We need a nomination for
22 vice-chairman.

23 MR. COOPER: I nominate Mr. Hance.

24 MR. EINGORN: We have a nomination for
25 Mr. Hance to be vice-chairman. We'll take a roll

1 call. Chairman Hamilton.

2 CHAIRMAN HAMILTON: Yes.

3 MR. EINGORN: Reverend Martinez.

4 REVEREND MARTINEZ: Here.

5 MR. EINGORN: Ms. Washington.

6 MS. WASHINGTON: Yes.

7 MR. EINGORN: Ms. Atwood.

8 MS. ATWOOD: Yes.

9 MR. EINGORN: Ms. Merricks.

10 MS. MERRICKS: Yes.

11 MR. EINGORN: Mr. Cooper.

12 MR. COOPER: Yes.

13 MR. EINGORN: So moved.

14 We need appointment of secretary.

15 MS. ATWOOD: I nominate Evita Davis.

16 MR. EINGORN: We have a nomination for
17 Evita Davis as secretary. We'll take a roll call.

18 CHAIRMAN HAMILTON: Yes.

19 MR. EINGORN: Vice-Chairman Hance.

20 VICE-CHAIRMAN HANCE: Yes.

21 MR. EINGORN: Reverend Martinez.

22 REVEREND MARTINEZ: Yes.

23 MR. EINGORN: Ms. Washington.

24 MS. WASHINGTON: Yes.

25 MR. EINGORN: Ms. Atwood.

1 MS. ATWOOD: Yes.

2 MR. EINGORN: Ms. Merricks.

3 MS. MERRICKS: Yes.

4 MR. EINGORN: Mr. Cooper.

5 MR. COOPER: Yes.

6 MR. EINGORN: Appointment of Board
7 Attorney, Dembo, Brown & Burns, LLP. That's my firm.

8 CHAIRMAN HAMILTON: I nominate Dembo,
9 Brown & Burns, LLP as Board Attorney. Roll call.
10 Chairman Hamilton.

11 CHAIRMAN HAMILTON: Here.

12 MR. EINGORN: Vice-Chairman Hance.

13 VICE-CHAIRMAN HANCE: Yes.

14 MR. EINGORN: Reverend Martinez.

15 REVEREND MARTINEZ: Yes.

16 MR. EINGORN: Ms. Washington.

17 MS. WASHINGTON: Yes.

18 MR. EINGORN: Ms. Atwood.

19 MS. ATWOOD: Yes.

20 MR. EINGORN: Ms. Merricks.

21 MS. MERRICKS: Yes.

22 MR. EINGORN: Mr. Cooper.

23 MR. COOPER: Yes.

24 MR. EINGORN: Now, we need a nomination
25 for appointment of the Board's Conflicts Attorney.

1 That'll be Malamut and Associates, LLC.

2 CHAIRMAN HAMILTON: Yes.

3 MR. EINGORN: We'll take a roll call to
4 appoint the Board Conflicts Attorney Malamut and
5 Associates. Chairman Hamilton.

6 CHAIRMAN HAMILTON: Yes.

7 MR. EINGORN: Vice-Chairman Hance.

8 VICE-CHAIRMAN HANCE: Yes.

9 MR. EINGORN: Reverend Martinez.

10 REVEREND MARTINEZ: Yes.

11 MR. EINGORN: Ms. Washington.

12 MS. WASHINGTON: Yes.

13 MR. EINGORN: Ms. Atwood.

14 MS. ATWOOD: Yes.

15 MR. EINGORN: Ms. Merricks.

16 MS. MERRICKS: Yes.

17 MR. EINGORN: Mr. Cooper.

18 MR. COOPER: Yes.

19 MR. EINGORN: Approval of the minutes for
20 December of 2019. Those who can vote on a motion to
21 adopt the minutes from December are as follows:

22 Chairman Hamilton, Vice-Chairman Hance, Ms.

23 Washington, Ms. Merricks and Mr. Cooper. So, I need
24 a motion to adopt the minutes from 2019.

25 VICE-CHAIRMAN HANCE: I make a motion

1 that we adopt the minutes.

2 MR. COOPER: Second.

3 MR. EINGORN: We'll take a roll-call
4 vote. Chairman Hamilton.

5 CHAIRMAN HAMILTON: Yes.

6 MR. EINGORN: Vice-Chairman Hance.

7 VICE-CHAIRMAN HANCE: Yes.

8 MR. EINGORN: Ms. Washington.

9 MS. WASHINGTON: Yes.

10 MR. EINGORN: Ms. Merricks.

11 MS. MERRICKS: Yes.

12 MR. EINGORN: Mr. Cooper.

13 MR. COOPER: Yes.

14 MR. EINGORN: So moved. Now, we're ready
15 to proceed with Old Business. The first matter is
16 Louinsky Minier, Good Deal Supply, 3821 Westfield
17 Avenue. Please come forward. This is a continued
18 matter.

19 MR. EINGORN: Good evening, Counsel.

20 MR. IZZO: Good evening.

21 CHAIRMAN HAMILTON: Please raise your
22 right hands.

23 - - -

24 LOUINSKY MINIER, TAISHA MINIER, having
25 been first duly sworn/affirmed, was examined and

1 testified as follows:

2 - - -

3 MR. EINGORN: Please provide your names
4 and addresses.

5 MS. MINIER: Taisha Minier, 3821
6 Westfield Avenue, Camden, New Jersey.

7 MR. MINIER: Louinsky Minier, 3821
8 Westfield Avenue in Camden.

9 MR. IZZO: My name is Charles Izzo.
10 We're here to continue our hearing. I presented part
11 of it previously. Louinsky and Taisha have a
12 company, Good Deal Supply, father and daughter. They
13 own this commercial building at 3821. And there are
14 several legal licensed businesses including one owned
15 and operated by Taisha.

16 And there's also a second level of the
17 building which is what our application is concerning
18 here tonight. For the way the building was
19 configured, it ended up being a five-bedroom
20 apartment which is somewhat impractical from the
21 judgement of the owner, Louinsky.

22 And what he wants to do and wants the
23 Board to consider, is an application to divide the
24 second floor apartment from this huge five-bedroom
25 layout into two standard sized two-bedroom

1 apartments. It's not affecting any of the commercial
2 stores on the first floor. He merely wants to
3 configure the second floor so that it's two
4 apartments, normal size rather than one huge
5 apartment.

6 I'm going to ask Taisha to testify about
7 what's in the building now and what the building will
8 be like if they get this permit from the Zoning
9 Board.

10 MS. MINIER: Well, for the upstairs is
11 basically what you just explained. It's a big huge
12 apartment with five bedrooms which we want to divide
13 that apartment into two apartments; one three-bedroom
14 and one two-bedroom. And that's it.

15 MR. IZZO: And the photographs that you
16 brought in tonight, are they of the five-bedroom
17 apartment?

18 MS. MINIER: Yes. These pictures will
19 show you the meters that are in place already.
20 If you see, there's enough meters to fit those
21 apartments up there. So, each apartment has its own
22 meter. This is the entrance. This is for you to go
23 upstairs.

24 This is a little hallway. This is the
25 apartment. As soon as you go in, that's what you

1 see. This is the first wall. That's the bathroom.
2 If you can see over here, this is the kitchen. This
3 is the little living space. This is a better view.
4 And these are the rooms that are there. So, we want
5 to convert that space into two apartments instead of
6 leaving it as one apartment.

7 MR. EINGORN: So, do you currently have
8 four apartments? Is it going to be five or five
9 apartments going to be six?

10 MR. MINIER: No.

11 MS. MINIER: In the whole entire
12 building?

13 MR. EINGORN: Yes.

14 MS. MINIER: Five. Five apartments;
15 three on the bottom and two on the top.

16 MR. EINGORN: That's proposed?

17 MS. MINIER: That's the whole building.

18 MR. EINGORN: Right now or what it will
19 be?

20 MS. MINIER: No, what it is right now.

21 MR. EINGORN: So, you're looking to now
22 have a sixth apartment essentially.

23 MS. MINIER: Yes.

24 MR. MINIER: And the reason that I want
25 to do that is because most of the time the apartment

1 is so big and I'd have a lot of people on the second
2 floor. I would like to reduce the traffic.

3 MR. EINGORN: Not many people want a
4 five-bedroom apartment, right?

5 MS. MINIER: That's the thing.

6 MR. MINIER: With a five-bedroom
7 apartment, most of the time when you rent it to a big
8 family, it's too many people --

9 MS. MINIER: They can't afford all that
10 rent.

11 MR. MINIER: -- maybe more. Most of the
12 time when I have an inspection with the township,
13 with the City of Camden, well, it's too many people.
14 And I say, okay.

15 MS. MINIER: So, when it comes down to
16 parking spaces if that's going to be the question.

17 MR. EINGORN: That's where I'm going.

18 MR. MINIER: We have plenty of space.

19 MR. EINGORN: Let's start from the top
20 here. The other apartments, not the one you're going
21 to divide, the other four apartments, how many
22 bedrooms are each of those?

23 MS. MINIER: Two bedroom.

24 MR. EINGORN: Each are two bedrooms. So,
25 you have four two-bedroom apartments?

1 MS. MINIER: Well, no. The three bottom
2 apartments, that has two bedrooms. The two top
3 apartments are five bedroom each, the two tops.
4 Because on the side of Westfield Avenue there is one
5 of those apartments, the six units, one of those
6 units, it's in that end. And on 39th Street, there's
7 one apartment on the top which is other five the
8 bedroom.

9 MR. EINGORN: And you're just dividing
10 one of those five bedrooms?

11 MS. MINIER: Yes. As of for right
12 now.

13 MR. EINGORN: So --

14 MS. MINIER: So, the bottom ones on the
15 first level, only have a two-bedroom.

16 MR. EINGORN: So 577-230.F tells you how
17 many parking spots you need. I'll do a little math
18 here. If you have three two-bedroom apartments,
19 three times 1.75, that's five and a quarter spaces.
20 And then you have one five-bedroom apartment. Right?
21 That's another two spaces. Then you're proposing a
22 two and a three-bedroom apartment. That's another
23 three and three-quarters. So, that's eight, nine --
24 that's 11 spaces you need for the residential alone.

25 MS. MINIER: And as of right now, we --

1 in the agreement of that letter it probably doesn't
2 specify the 11 spaces.

3 MR. EINGORN: Right.

4 MS. MINIER: But we do have those
5 11 spaces. Because in front of this building, we
6 have the big parking lot of the church, which is huge
7 and he let's us park there.

8 MR. IZZO: You've got a licensed
9 agreement with the pastor?

10 MS. MINIER: We brought two forms in
11 different -- I'm not sure if either works or you need
12 something else.

13 MR. EINGORN: You have four commercial
14 spaces, correct?

15 MS. MINIER: Yes.

16 MR. EINGORN: Do you know how many square
17 feet each of those spaces is?

18 MS. MINIER: No, I don't have all of
19 that. That I don't have.

20 MR. EINGORN: Because you need one space
21 for every 800 square feet floor area. So, that would
22 be the additional parking requirement. You would
23 have 11 plus whatever the commercial is on the square
24 footage.

25 MS. MINIER: Now, we also have -- if you

1 want me to bring this in writing, we also have on the
2 side of Westfield, we have a small empty lot that
3 it's part of the building that that's where the
4 apartment -- the people from that apartment park.
5 So, that's like two parking spaces there already.

6 MR. EINGORN: So, that's two spaces.
7 Your property itself only has two spaces?

8 MS. MINIER: Not technically because we
9 have also the backyard that we can -- you know, if
10 that's an option, they could park there. We have
11 enough space. That's the thing.

12 CHAIRMAN HAMILTON: You got pictures of
13 the backyard?

14 MR. MINIER: Yeah, we have the blueprint
15 right there. I don't know how many --

16 CHAIRMAN HAMILTON: We need to see them.

17 MS. MINIER: No pictures, pictures. I
18 just brought basically what you told me to bring to
19 see the apartments. But if that's an issue, we can
20 bring that as well. Because the space-wise, we do
21 have.

22 MR. COOPER: I had an opportunity to go
23 past that property and it was on a Sunday. And
24 parking around there is very tight, very tight.

25 MS. MINIER: Did you see the parking?

1 MR. COOPER: I seen the church lot.

2 MS. MINIER: Yeah, that's the lot. He
3 granted us more than 20 parking spaces. Because if
4 you see the church where the pavement is at --

5 MR. COOPER: Yes.

6 MS. MINIER: -- that's one piece. And
7 then the other spot where all the grass is at, he
8 said we can use that. We can use all that parking
9 space.

10 REVEREND MARTINEZ: Another question.
11 The entrance, does --

12 MS. MINIER: It's on the side of the 39th
13 Street. I can show you from the board right here.

14 REVEREND MARTINEZ: This is the two
15 apartments which are going to get converted that are
16 in the back of the building?

17 MS. MINIER: It's on the side of the
18 building, yes. Not on Westfield Avenue, no.
19 Westfield Avenue, it's where the commercial spaces
20 are at.

21 MR. EINGORN: So, what we're talking
22 about now is a potential parking lot in the backyard
23 which would -- I don't know what kind of parking lot
24 you're suggesting. But now you're talking about
25 changes to the drainage, to the ground impervious

1 surface potentially --

2 MS. MINIER: If you need me to get a
3 letter saying that like, specifying how many parking
4 spaces you need me to have, I can get that. So just
5 that way --

6 MR. IZZO: I think what your application
7 is, is to just use your existing license with the
8 church.

9 MS. MINIER: Yeah, yeah, from the church
10 exactly. Because he granted us to be able to use
11 more than 20 spaces.

12 MR. EINGORN: So, I did review the lease
13 agreement or whatever it is that's being passed down
14 to the Board. One, the date on the back is goofed
15 up. So, you might want to take a look at that. Two,
16 it's not clear how many spaces are being used.

17 MS. MINIER: And I saw that; that it
18 didn't say -- they didn't specify how many parking
19 spaces. So, I can re-do another letter specifying
20 how many parking spaces that we need in total and
21 bring that up the next time.

22 MR. EINGORN: So, if the Board -- and I
23 don't know what the Board is going to do, but the
24 Board could make a condition of approval assuming
25 that you can get the spaces as a condition of

1 approval, --

2 MS. MINIER: That's no problem.

3 MR. EINGORN: -- could require the lease
4 agreement to meet however many parking spaces are
5 required. And you would have to, you know, calculate
6 that and give us the calculation and say, hey, we
7 have this many spaces, including the two that you
8 have already, to support this use which we're
9 proposing.

10 Now, the Board still has to address the
11 site plan, the request for site plan waiver as well
12 as the use variance or the interpretation. But they
13 could if that's what they decide, make --

14 MR. IZZO: Can you recite the ordinance
15 number again kindly?

16 MR. EINGORN: Sure. It's 577-230.F.

17 MR. IZZO: Thank you.

18 MR. MINIER: I also have on the blueprint
19 right there, how many parking I have in back of my
20 garage. It's right here on top to the left. Right
21 here.

22 MR. EINGORN: This one here?

23 MR. MINIER: That's the quantity, yeah.
24 That's the quantity of the space. I don't know how
25 many that we have existing. So, the extra we get

1 from the church.

2 MR. COOPER: Is that considered the
3 backyard?

4 MS. MINIER: Well, that's the parking lot
5 of the building.

6 MR. EINGORN: This here?

7 MR. IZZO: Yes.

8 MR. EINGORN: This is pre-existing?

9 MR. MINIER: Yeah, that's pre-existing in
10 the building.

11 MR. EINGORN: So, you already have, 1, 2,
12 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17
13 and then the two as well, so you have 19 total
14 spaces?

15 MR. MINIER: Yes. Because the church
16 allows me to park and use the parking because I'm the
17 maintenance guy for the church.

18 MS. MINIER: So, technically, they don't
19 park there because they park in front of the church
20 because they granted us to be able to park there.
21 But if we needed that parking for paperwork-wise, we
22 have that space there.

23 REVEREND MARTINEZ: This is available,
24 right, just in case you need to use it?

25 MS. MINIER: Exactly.

1 REVEREND MARTINEZ: But you're using the
2 church parking lot?

3 MS. MINIER: Exactly. For legal, we have
4 it. For reality, we use the front.

5 MR. EINGORN: Just to confirm again.
6 This drawing here is existing parking?

7 MS. MINIER: Existing in the building,
8 yeah.

9 MR. EINGORN: Do you use this for the
10 commercial spaces; is that what it is?

11 MR. MINIER: Yes, everybody uses it.

12 MR. EINGORN: Everybody uses it, okay.

13 MS. MINIER: It's for the building.

14 MR. MINIER: Most of the time they're
15 parking in the front.

16 MR. COOPER: Is there any way you can
17 photograph that parking?

18 MS. MINIER: We can; we can. I can
19 bring -- honestly, I didn't bring that because I want
20 to be specific to what you guys wanted last month or
21 two months ago. Now, adding more pictures, I just
22 didn't want to, you know, add more stuff.

23 REVEREND MARTINEZ: I know you've been
24 coming here and this is about the second time.

25 MS. MINIER: Third time. Third time is a

1 charm, right, don't they say that?

2 REVEREND MARTINEZ: I think you commit
3 yourself, I mean, with permission of the chair, that
4 you agree to bring a letter and so that way you don't
5 have to come again.

6 MS. MINIER: I can bring that letter
7 saying that the church gives us 'X' amount of
8 parking spaces. And also, based on the plans that
9 you have in front of you, we have 'X' amount of
10 parking spaces as well. But just to have it on the
11 file, we can definitely bring that. Like that's no
12 problem. Now, what I'm not clear of, how many
13 parking spots do we need to have in that letter?

14 MR. EINGORN: That's what you need to
15 figure out. So, you need to look at this ordinance
16 section that I gave to counsel. You're going to
17 calculate the square footage of the commercial space.

18 MS. MINIER: Which you know how to do,
19 right, Mr. Izzo?

20 MR. IZZO: Yeah, I got a calculator.

21 MS. MINIER: I just want to be clear.

22 MR. EINGORN: So, you need the 11 spaces
23 for the residential and whatever it is for the
24 commercial. And you may meet that already. I have
25 no idea.

1 MS. MINIER: You need the square footage
2 of each commercial.

3 MR. EINGORN: Whatever the excess spaces
4 you need are, that's what will be in your lease
5 agreement with the church.

6 MS. MINIER: Okay. So, as of today,
7 we're going to get a partial approval or what are we
8 doing?

9 MR. IZZO: They're going to deliberate.
10 They're going to talk about it.

11 MR. EINGORN: So, the applicant is
12 asking for a, it looks like a use variance. I don't
13 know what kind of interpretation. It says,
14 interpretation may be needed. I don't know if you
15 have any discussion of what interpretation you're
16 seeking based upon the zone and what's allowed. Or
17 if you're just going to seek the use variance. But
18 the applicant is seeking at least as far as I
19 understand, a use variance and a site plan waiver or
20 a site plan approval. Do you have any discussion --

21 MR. IZZO: Well, we're seeking a waiver
22 based on essentially doing an interior partition.
23 That's not the testimony that's been brought forth
24 here. We're not really contemplating changing the
25 site plan.

1 MS. MOORE: Excuse me, Kyle, can you
2 swear me in, please?

3 MR. EINGORN: Sure.

4 - - -

5 DENA MOORE JOHNSON, P.E., C.M.E., having
6 first been duly sworn, was examined and testified as
7 follows:

8 - - -

9 MS. MOORE: Keep in mind that they need
10 ADA, ADA parking too when you're doing that.

11 MR. EINGORN: Sure. Do you have the
12 ability to make any of the parking prescribed to the
13 ADA requirements?

14 MR. IZZO: He's talking about disabled
15 parking spaces, handicap.

16 MR. MINIER: Yes.

17 MS. MOORE: And parking in an adjacent
18 lot is a variance.

19 MR. EINGORN: Yeah. There is a bulk
20 variance listed in the application for parking. So,
21 that's been noticed as well.

22 MS. MOORE: And the applicant is
23 responsible to make that an ADA accessible route,
24 which means, any upgrades needed from their location
25 to the parking space, they would have to make

1 sidewalk, curb.

2 MS. MINIER: Just to interject. I'm
3 sorry. There is like a curb. Like when you're going
4 to go inside of the --

5 MS. MOORE: The back parking?

6 MS. MINIER: Yeah. There is like a curb
7 already there because before that was like a loading
8 type of thing. So, it's already there. Like whoever
9 needs that, you can easily go through the back and
10 come out through the front even if they wanted to
11 because we have double doors from the back end and
12 from the front end. So, that is there too.

13 MS. MOORE: I'm just mentioning. That's
14 something that's involved with the site plan.

15 MS. MINIER: I understand. That's
16 something that's everywhere. We have to accommodate
17 that. But at this point, I'm not sure which
18 ordinance we're suppose to be applying for. That's
19 Mr. Izzo. But we just want to do the two apartments,
20 leave everything the way it is and just make it
21 small. That's basically what we want to do.

22 MR. IZZO: Mr. Louinsky's testimony is,
23 he expects it to be less adult traffic in the
24 building if he has the smaller apartments. Renting a
25 five-bedroom apartment, he believes it puts more of a

1 stress on the --

2 MS. MINIER: We just don't want to have
3 extra people putting extra people in those apartments
4 without us knowing; if something happens. You know,
5 it's a lot space. They can easily bring a family
6 member and we don't know about it cause there's extra
7 space. We'd rather keep it small just because to
8 keep less trouble. Small families, smaller problems.
9 Bigger families, bigger problems. That's really
10 where we're heading with this.

11 MR. EINGORN: Any questions from the
12 Board to the applicant? If we don't have any, we
13 should open it up to the public.

14 CHAIRMAN HAMILTON: Anybody from the
15 public for or against?

16 MR. EINGORN: Is there anyone from the
17 public that wants to be heard on this application?

18 CHAIRMAN HAMILTON: For or against it?
19 Hearing none, we'll close the public portion.
20 Anybody up here?

21 VICE-CHAIRMAN HANCE: All three of these
22 are your properties here?

23 MR. MINIER: Yes.

24 VICE-CHAIRMAN HANCE: Now, you have two
25 customers parking back here? I see one handicap over

1 on this side.

2 MR. MINIER: Yeah.

3 VICE-CHAIRMAN HANCE: And right here,
4 this is the entrance?

5 MR. MINIER: Well, that's another
6 entrance that we have in the building facing
7 Westfield Avenue.

8 VICE-CHAIRMAN HANCE: So, your entrance
9 to the parking lot is here?

10 MR. MINIER: We can go to 39 & Westfield
11 Avenue.

12 CHAIRMAN HAMILTON: 39th Street?

13 MS. MINIER: Let me show you from the
14 picture which is a little more visual. So, this is
15 the front of the building. If you go a little
16 further which you can't really see it here, this is
17 Miguelina Bakery. This is the last commercial space.
18 So right here that empty space. So right here that
19 empty space, that is a parking space where the
20 tenants that live upstairs, that live on top of this
21 unit, uses.

22 Now, that parking space, you can go
23 through the back. And over here, you can also go in
24 through the back and come out through the front. So
25 either or, we have enough spaces back there to

1 accommodate that because it's a big lot. There's
2 just four lots in one property that was combined a
3 long time ago before we bought the building.

4 VICE-CHAIRMAN HANCE: All three are in
5 use?

6 MS. MINIER: Yes. Everything is in use.
7 We have the bakery in the front, the salon which I
8 own and everyone is welcomed to get their hair done
9 and then there's a taco place. The taco place, it's
10 in the corner. So, once you turn that corner, then
11 the three apartment spaces are there on the bottom.

12 So, you here, these are the two
13 apartments up here which right here will be the big
14 five-bedroom apartment. So, there's two access. If
15 we needed to -- like let's say if you guys say, okay,
16 we want everybody to go in through the front, we have
17 access to go in through the front. And we also have
18 the paved to go in. And then through the back we
19 also have the paved to go in. And then we can take
20 pictures if you guys need that.

21 VICE-CHAIRMAN HANCE: Yes.

22 MR. COOPER: I would like to see photos
23 before.

24 MS. MINIER: We have that.

25 VICE-CHAIRMAN HANCE: Because she has a

1 garage back there also, correct?

2 MS. MINIER: Because in there that was
3 the actual loading zone. So, you were able to put a
4 truck in there and go right in through the back, to
5 the front and to the other side. So, that's there
6 already. So, there's really enough spaces.

7 But like I said, you know, in the front
8 of the church, that's where normally everybody parks.
9 Because just to go in, open the gate, close the gate,
10 you know, all that access, we don't really want to do
11 all that.

12 CHAIRMAN HAMILTON: You're goin' bring in
13 pictures, right?

14 MS. MINIER: We can email them; we can do
15 whatever you want. We just need to get this done.

16 REVEREND MARTINEZ: I know exactly where
17 it is.

18 MR. COOPER: When I was there visiting --

19 MS. MINIER: The building is tight. We
20 keep maintenance on it. We have our meters; we have
21 everything legit in this building. We get inspected
22 by the state so everything is legitimate there. It's
23 tight.

24 VICE-CHAIRMAN HANCE: And a letter from
25 the church stating how many -- the lawyer has to do

1 the parking. And then they need a letter from the
2 church stating how many spots they need.

3 CHAIRMAN HAMILTON: How many spots you
4 can use from the church.

5 REVEREND MARTINEZ: If they're going to
6 use their parking then they don't even need a letter
7 from the church.

8 MR. COOPER: They have enough parking.

9 VICE-CHAIRMAN HANCE: We don't know how
10 many parking spots they need.

11 MR. MINIER: Well, the church has like 50
12 or more parking.

13 MS. MINIER: If we wanted to use -- just
14 in conclusion, if we wanted to use our space
15 specifically for that, we have the space. It's in
16 the plan, the site plan in the plans. It's there.
17 But the reality is, we use the church because the
18 church grants us the space. They have enough space.

19 There is a house in that property right
20 next to it and they knocked it down and there's even
21 more space. So that's why -- you know, it's okay for
22 us to use it. But it's there in the paperwork that
23 we have those spaces available for these apartments
24 because we have future construction that we also want
25 to do. So, it's there.

1 a separate lot to support this, you're going to need
2 another use variance for --

3 MS. MINIER: We know.

4 MR. EINGORN: Right? You already have --

5 MS. MINIER: We're going the route with
6 the church or either we use the back. So, I'm going
7 to get both letters. I'm going to get a letter from
8 the church saying that he's going to grab me 'X'
9 amount of parking spaces. And also, I'm going to get
10 the calculations of each commercial space so that way
11 we know how many parking spaces we need. And if we
12 have them in the back, just use our own stuff and we
13 don't need no other layout.

14 MR. EINGORN: Pictures of what your
15 parking lot looks like now.

16 MS. MINIER: Now. And that's it.
17 Pictures of the parking lot. And pictures of the
18 church too parking lot or no?

19 CHAIRMAN HAMILTON: You can.

20 MR. EINGORN: You can.

21 MS. MINIER: So that we can see it.
22 Gotcha you.

23 MR. EINGORN: Before we send the
24 applicant back for more information, is there
25 anything else this Board wants to see so that we

1 don't have to drag them back a fourth time, third
2 time?

3 MS. MINIER: Can I just submit that or do
4 I have to come back to this?

5 MR. EINGORN: Well, you're going to have
6 to come back to present it to the Board because we
7 need you to testify that you took the pictures and
8 that they're your pictures; all of those things.
9 They don't live on their own.

10 MR. COOPER: And also, dealing with that
11 back, you're going to have to have lighting and
12 handicap accessible parking back there.

13 MS. MINIER: Okay.

14 MR. COOPER: So, just make sure to put it
15 in the plans.

16 MS. MINIER: If we decide to go with
17 that. Gotcha ya. All right.

18 MR. EINGORN: It was good seeing you
19 guys. Thank you for coming in.

20 MR. MINIER: Thank you.

21 MR. EINGORN: The next matter is Felix
22 Estevez, 8 North 27th Street.

23 MR. IZZO: Felix speaks more Spanish than
24 English and his son is here tonight and is going to
25 help him.

1 CHAIRMAN HAMILTON: Is the son
2 translating?

3 MR. IZZO: Yes.

4 - - -

5 JIMMY MARTE, having been first
6 duly sworn to accurately and truthfully
7 translate the questions propounded to the
8 witness from English into Spanish and the
9 answers given by the witness from Spanish
10 into English.

11 - - -

12 MR. MARTE: My name is Jimmy Marte.
13 My address is 227 Morse Street, Camden, New Jersey
14 08105.

15 MR. EINGORN: Now, we'll swear the
16 applicant. So if you can tell him to raise his right
17 hand, please.

18 (Applicant complies.)

19 - - -

20 FELIX ESTEVEZ, having first been duly
21 sworn, was examined and testified as follows:

22 - - -

23 MR. ESTEVEZ: My name is Felix Estevez,
24 227 Morse Street, Camden.

25 MR. EINGORN: So, Mr. Marte, whatever

1 he says, you need to interpret it into English and
2 tell it to the court reporter.

3 MR. IZZO: Charles Izzo, attorney for the
4 applicant. This application concerns a single
5 residential house. It's 8 North 27th Street. Felix
6 Estevez presents himself as the owner of that house.

7 And ever since he bought it and has owned
8 it, it's been classified as a legal duplex in the
9 City of Camden, and now contemplating selling it, I
10 believe. And he finds that there's various setback
11 requirements that are not met by the property.

12 We're going for a bulk variance
13 essentially to be able to obtain a zoning permit so
14 that Mr. Estevez could consummate this sale. And
15 when we were here before, he testified that it's
16 legally used as a duplex property and it's zoned for
17 that. But there were questions from the Board about
18 the configuration and the placement of electric
19 meters on the property. You're going to show the
20 Board something tonight, right?

21 MR. MARTE: Yes.

22 MR. IZZO: Ask your dad to describe the
23 pictures and then you tell the Board what your dad
24 said.

25 MR. ESTEVEZ: This is the front of the

1 house. The house is --

2 MR. IZZO: It's at 8 North 27th
3 Street?

4 MR. ESTEVEZ: Yes. This is for the
5 parking.

6 MR. MARTE: I'll hand the Board color
7 pictures.

8 CHAIRMAN HAMILTON: What is this
9 here?

10 MR. ESTEVEZ: This is the front of the
11 house. This is the back.

12 MR. MARTE: We were asked to bring
13 pictures of the parking during the daytime and then
14 the nighttime.

15 MR. EINGORN: Can you tell me how many
16 bedrooms are in each unit?

17 MR. ESTEVEZ: One bedroom in each unit.

18 MR. EINGORN: So one bedroom in each
19 unit?

20 MR. ESTEVEZ: Yes.

21 MR. EINGORN: So, two total bedrooms?

22 MR. ESTEVEZ: Because there's Apartment A
23 and Apartment B.

24 MR. COOPER: While we're looking at these
25 photos, can I ask a question? If this is already

1 granted a duplex, it's already a duplex now, they
2 didn't do no upgrades as far as making it into a
3 duplex?

4 MR. IZZO: We're applying to the bulk
5 variances which is lot depth and width. And minimum
6 lot size is substandard.

7 MR. COOPER: So, it's off-street parking?

8 MR. IZZO: I'll tell you, he's on a
9 firehouse block where there's absolutely no parking
10 at all for anybody.

11 VICE-CHAIRMAN HANCE: Let me ask you.
12 Let me go back on the parking. Over on this side
13 there's a liquor store?

14 MR. ESTEVEZ: Yes.

15 VICE-CHAIRMAN HANCE: So, you can't park
16 there. You can't park here because if you see the
17 white line right here, and this is a two-lane you so
18 can left or right so you actually can't park here.
19 This lot here is for the liquor store. I used to
20 live right around the corner. So there's actually no
21 parking there at all.

22 MR. COOPER: On Westfield Avenue we have
23 the same issue. You have a bank that's right there
24 on the corner. And where will parking start for you
25 guys?

1 MR. ESTEVEZ: There's a church across the
2 street from the Bank of America and there's a parking
3 spot where people be parking there.

4 MR. COOPER: Inside the church parking
5 lot?

6 MR. ESTEVEZ: Not inside. It's on the
7 street.

8 MR. COOPER: Okay. That's the 7th Day
9 Evangelist. It's a church there.

10 MR. ESTEVEZ: Yes.

11 VICE-CHAIRMAN HANCE: It's actually
12 first-come, first serve.

13 MR. ESTEVEZ: Huh-Huh.

14 MR. IZZO: Can you submit the electric
15 meter picture to the Board, please, and the gas meter
16 picture?

17 MR. ESTEVEZ: Okay.

18 MR. EINGORN: Let the record reflect that
19 the applicant has supplied certain colored photos to
20 the Board for their review.

21 I looked at your floor plans. It looks
22 like you have four total bedrooms which means you
23 need three and a half parking spaces.

24 MR. ESTEVEZ: There's two bedrooms
25 basically in each unit which is four in total.

1 MR. EINGORN: For two bedrooms units you
2 need three and a half spaces under the local
3 ordinance. How long has this been a duplex?

4 MR. ESTEVEZ: Maybe 60 years.

5 MR. EINGORN: Do you have tax cards?

6 MR. IZZO: Yes.

7 MR. EINGORN: Are they attached?

8 MR. IZZO: Mr. Estevez, he bought the
9 property in 2012 and he was able to obtain the zoning
10 clearance by the house. It's in a C-2 zone.

11 MR. EINGORN: I don't think we're arguing
12 over the use. I think --

13 MR. COOPER: Off-street parking.

14 MR. EINGORN: Right. It doesn't meet or
15 conform with that. Once you have a pre-existing
16 nonconforming lot size, the issue is going to be the
17 parking.

18 REVEREND MARTINEZ: I don't get it. If
19 this is a duplex, there's no parking space ever since
20 they built this place.

21 MR. MARTE: Right.

22 REVEREND MARTINEZ: So what's...

23 CHAIRMAN HAMILTON: Right. In Camden
24 period, it's rough parking all over. When I go home
25 at night, I won't even get a parking spot on my own

1 street.

2 MR. IZZO: I would think that there's
3 very few existing structures in the City that meet
4 the off-street parking requirement.

5 VICE-CHAIRMAN HANCE: Yes.

6 MR. EINGORN: The problem is, we have an
7 additional density here with two units and a space
8 that was probably originally a single use, single
9 family.

10 MR. IZZO: Our application is not to
11 aggravate the situation, but it's something that's
12 beyond Mr. Estevez's power to address.

13 VICE-CHAIRMAN HANCE: Yes. I, as a child
14 growing up, I lived four blocks from there on
15 Mitchell Street. There was never parking there.
16 People did live there and they found parking wherever
17 they could. First come; first serve. There's a fire
18 station right across the street.

19 MR. IZZO: I wouldn't think we can
20 improve that situation.

21 VICE-CHAIRMAN HANCE: There's no way you
22 can improve it.

23 MR. HAMILTON: It's more cars now.

24 MR. COOPER: Excuse me. Again, he said
25 he's selling the property. So, the next owner comes

1 and they let six people live in there with cars. So,
2 you're going to flood the area.

3 MR. IZZO: Well, he has tenants
4 presently. The building is occupied. The people are
5 getting by there. I don't think the property or the
6 neighboring properties could ever satisfy the
7 off-street parking requirement. It could never be
8 done. The house virtually fills the lot.

9 And it's in an area that's well-served,
10 public transportation. It's in the middle of the
11 commercial area of the City where there's plenty of
12 opportunities to use New Jersey Transit bus service.

13 REVEREND MARTIN: Mr. Chairman. This is
14 an issue that there's no proof. There's nothing --
15 we can't do nothing because for years there's been no
16 space and no where is there space. We got our hands
17 tied because we can't do nothing. He can't do
18 nothing either because it's been like this.

19 VICE-CHAIRMAN HANCE: Right.

20 REVEREND MARTINEZ: There's nothing much
21 we can do here.

22 CHAIRMAN HAMILTON: Seems like they had
23 it when they had no cars.

24 MR. ESTEVEZ: Exactly.

25 REVEREND MARTINEZ: They got to park

1 somewhere else.

2 CHAIRMAN HAMILTON: Find a parking space
3 and walk down there two blocks. I understand.

4 CHAIRMAN HAMILTON: Anybody in the public
5 for or against? Anybody in the public for or
6 against? Hearing none.

7 REVEREND MARTINEZ: And we go with the
8 same. We have to approve him because we can't do
9 nothing. He's here. He's trying to be legal, his
10 house, his property. And he comes to us for help to
11 do it right. We can't just deny the claim cause it's
12 been 60 years since they built the house.

13 MR. EINGORN: So, let's remember the
14 standard for a bulk variance which is what the
15 applicant is here for. They need a bulk variance for
16 the lot size, the lot width and depth and the
17 off-street parking. So, they got to meet the
18 Positive and Negative Criteria.

19 The Positive Criteria is a hardship
20 variance or a flexible variance. Meet one of the
21 following hardships: The exceptional narrowness,
22 shallowness or shape of the property requires a
23 variance from the ordinance. An example would be a
24 cone-shaped lot which forces the building to be
25 closer to the property line by reason of exceptional

1 topographic conditions or physical features uniquely
2 affecting the specific piece of property such as, the
3 property's on a cliff.

4 By reason of an extra-ordinary
5 exceptional situation uniquely affecting a piece of
6 property or structure lawfully existing thereon like
7 a home built prior to the zoning ordinance which does
8 not complied. Of there's a flexible variance where
9 the Municipal Land Use Act would be advanced by
10 deviation from the ordinance requirements, and the
11 benefits would outweigh the detriments to the public
12 good.

13 So, it sounds to me like Reverend
14 Martinez you're talking about a hardship variance for
15 Section A, the exceptional narrowness, shallowness or
16 shape requires a variance. Or, C, by reason of
17 extraordinary exceptional situation uniquely
18 affecting the property.

19 And then Negative Criteria, there's two
20 elements. Without a substantial detriment to the
21 public good and without substantially impairing the
22 intent and purpose of the zone plan and zoning
23 ordinance. So, that's the second thing you need to
24 discuss, would be the Negative Criteria.

25 So, I think Reverend Martinez was

1 discussing the Positive Criteria. He thought that he
2 met the hardship variances, if I'm saying it
3 correctly, right, --

4 REVEREND MARTINEZ: Yes.

5 MR. EINGORN: -- of Subsection C that it
6 was a pre-existing-type of... And the applicant
7 didn't know and now he's seeking to make it legal.
8 It's no fault of his own. I think what you need to
9 discuss is, it's impact upon the public and the zone
10 plan.

11 VICE-CHAIRMAN HANCE: The impact would be
12 the parking. He has no parking anywhere in that
13 area. You would have to park wherever you find it.
14 It's been that way forever. Like I said, I live four
15 blocks from there. And as I walk to school, those
16 houses have been there.

17 MR. EINGORN: So, I guess what you're
18 saying is that it doesn't impair the public good or
19 the zone because that's how it is and that's how it
20 has been?

21 VICE-CHAIRMAN HANCE: Yes. Forever.

22 MR. EINGORN: So, it's not changing its
23 impact. Is that what you're --

24 VICE-CHAIRMAN HANCE: It's going to stay
25 the same.

1 MR. EINGORN: Is there any other
2 discussion of the Positive and Negative Criteria?

3 MS. ATWOOD: I want to know if they built
4 the house when there was horse and buggy --

5 CHAIRMAN HAMILTON: That's probably when.

6 MS. ATWOOD: Okay. What do you do in a
7 case like this?

8 CHAIRMAN HAMILTON: That's what happens
9 when some built in 1930 or something, there wasn't
10 that many cars so then you could park.

11 VICE-CHAIRMAN HANCE: They're stuck in
12 the middle of a business area.

13 CHAIRMAN HAMILTON: When we first came
14 here on this Board, we had to go for classes. And
15 the first thing they said for a single home, don't
16 make it into a duplex and will I be able to park?

17 MS. ATWOOD: Right.

18 CHAIRMAN HAMILTON: But now it ain't like
19 that. Too many cars; everybody got cars.

20 MR. EINGORN: We've had some discussion.
21 Does anybody want to make a motion to approve or deny
22 the requested bulk variances?

23 REVEREND MARTINEZ: Motion to approve.

24 MS. ATWOOD: Second.

25 MR. EINGORN: We'll take a roll-call

1 vote. Chairman Hamilton.

2 CHAIRMAN HAMILTON: Yes.

3 MR. EINGORN: Vice-Chairman Hance.

4 VICE-CHAIRMAN HANCE: Yes.

5 MR. EINGORN: Reverend Martinez.

6 REVEREND MARTINEZ: Yes.

7 MR. EINGORN: Ms. Washington.

8 MS. WASHINGTON: Yes.

9 MR. EINGORN: Ms. Atwood.

10 MS. ATWOOD: Yes.

11 MR. EINGORN: Ms. Merricks.

12 MS. MERRICKS: Yes.

13 MR. EINGORN: Mr. Cooper.

14 MR. COOPER: No.

15 MR. EINGORN: The motion still passes.

16 MR. IZZO: Mr. Estevez said thank you to
17 the Board.

18 MR. MARTE: Thank you very much.

19 MR. EINGORN: The next matter, New
20 Business, Joseph Incandela, 515-519 North 3rd Street.
21 Good evening, Mr. Wilson.

22 MR. WILSON: Good evening.

23 MR. EINGORN: This is a new application
24 for Mr. Incandela.

25 VICE-CHAIRMAN HANCE: I would like to

1 recuse myself from the case.

2 MR. EINGORN: You have a --

3 VICE-CHAIRMAN HANCE: Yes. Deborah the
4 architect works with my company so I can't --

5 MR. EINGORN: So, you're going to recuse
6 yourself. Just take a seat out there.

7 MR. WILSON: I'll have the witnesses
8 sworn.

9 MR. EINGORN: Please come forward to be
10 sworn. Please raise your right hands.

11 - - -

12 JOESPH MANCINI, P.E., P.P., DEBORAH
13 ANDERSON, R.A., P.P., P.W.S., JOSEPH INCANDELA,
14 having been first duly sworn/affirmed, was examined
15 and testified as follows:

16 - - -

17 MR. EINGORN: Can you provide your full
18 names and affiliation for the record.

19 MR. MANCINI: Joseph Mancini with
20 Tri-State Engineering.

21 MS. ANDERSON: Debbie Anderson, architect
22 and planner.

23 MR. INCANDELA: Joseph Incandela,
24 developer.

25 MR. WILSON: John Wilson, attorney for

1 the applicant.

2 This is Mr. Incandela's application for
3 approval for construction of a three-story apartment
4 building in a C-1 zone with the following variances,
5 granting first a use variance, permit the use. A lot
6 coverage variance for 88 percent point 6
7 (88.6 percent) coverage where 80 percent is
8 permitted. A variance for zero front yard where a
9 10-foot is required. To permit 88 feet depth where
10 100 is required.

11 A side yard variance of 2 feet where 10
12 feet is required. For 8 on-site parking spaces where
13 10 is required. There will be other parking provided
14 off-site on other property owned by Mr. Incandela.
15 For the Board's information, the property has been
16 legally consolidated. I believe the new address is
17 519 North 3rd Street.

18 MS. MOORE: Mr. Chairman, did you want
19 them to start off with the use variance first to get
20 the use approved before we go into the site plan
21 approval?

22 CHAIRMAN HAMILTON: Yes.

23 MS. MOORE: I'll do the use portion. I'm
24 referring to Remington & Vernick's review letter
25 dated November 27, 2019. We'll start off with the

1 zoning requirements. The applicant seeks site plan
2 approval to construct a three-story structure
3 consisting of 12-student housing units on vacant
4 land.

5 On Page 2, Use: Lodging houses, boarding
6 houses, rooming houses and multi-family dwellings are
7 prohibited uses in the C-1 zone per Section 577-64.B.
8 Proposed student housing units will not exceed 260
9 square feet per unit and will include one bathroom
10 per unit, but no kitchen area with the exception of
11 one first-floor unit. Therefore, a "(d)1" variance
12 is necessary.

13 The applicant has the burden of
14 demonstrating "Special Reasons" for granting the use
15 variance as well as offering an "enhanced quality of
16 proof" which states that the variance is not
17 inconsistent with the intent and purpose of the
18 master plan and zoning ordinance which is the
19 Positive Criteria.

20 The applicant should also demonstrate
21 that the requested relief can be granted without
22 substantial detriment to the public good and will not
23 impair the intent and purpose of the zone plan and
24 zoning ordinance which is the Negative Criteria.

25 "Special Reasons," the applicant should

1 demonstrate that the proposed use carries out the
2 purposes of zoning as listed in 40:55D-2 of the
3 Municipal Land Use Law or that the refusal to allow
4 the project, would impose an undue hardship on the
5 applicant.

6 The applicant must present support for
7 the first test within a Statement of Reasons
8 contending that the proposed use promotes the purpose
9 of zoning. In lieu of the Statement of Reasons, the
10 applicant should provide a statement regarding the
11 undue hardship which must relate to the land in
12 question or unique conditions of the site.

13 With respect to the first portion of the
14 Negative Criteria, the applicant must demonstrate
15 that the requested relief can be granted without
16 substantial detriment to the public good. The
17 applicant must demonstrate that the proposed use will
18 not have a negative impact on the adjacent
19 properties, and that it will not cause such damage to
20 the character of the neighborhood as to constitute
21 "substantial detriment to the public good." The
22 applicant shall provide testimony at the Zoning Board
23 hearing.

24 In the second prong of the Negative
25 Criteria, the applicant must demonstrate that the

1 requested relief will not impair the intent and
2 purpose of the zone plan and zoning ordinance.
3 Testimony should be provided as to why the proposal
4 will not impair the intent and purpose of the C-1
5 Zone and the City Master Plan.

6 So, if we can go through the testimony of
7 the use first, please.

8 MR. MANCINI: Sure. Joseph Mancini,
9 again, with Tri-State Engineering. I'm a licensed
10 professional engineer and professional planner in New
11 Jersey.

12 Speaking to the positive criteria, it's
13 our assertion that this site in particular is suited
14 to this use. And, again, speaking to the positive
15 criteria, we identified several purposes in the
16 Municipal Land Use Law that would relate to the
17 Special Reasons for this application.

18 Purpose A of that statute encourages
19 appropriate use or development of all lands in a
20 manner which promotes the general welfare. We
21 believe construction of this project as proposed,
22 meets a need for a type of housing in this part of
23 Camden.

24 Purpose G notes that one of the purposes
25 of zoning is to provide sufficient space for a

1 variety of uses to meet the needs of all citizens.
2 That's self-explanatory. Purpose I promotes creation
3 of a desirable visual environment. We believe the
4 building and the site as proposed will be
5 esthetically pleasing and nice to look at.

6 Purpose M encourages coordination in land
7 development with an aim towards the more efficient
8 use of land. And, again, as undeveloped parcel on
9 3rd Street in the area that's surrounded by
10 compatible uses, we believe that this is an
11 efficient use of the land as proposed.

12 Again, speaking to the balancing test of
13 the Negative Criteria, the second step in the
14 balancing process you have to consider is, to
15 identify any detrimental impacts that would accrue
16 from the proposed use. In this case, we do not see
17 any detrimental impacts that would arise from the use
18 as proposed.

19 Third, the Board can impose reasonable
20 conditions where it sees fit to mitigate any
21 perceived detrimental impacts. And we believe that
22 some of the recommendations in your engineer's
23 letter, would help mitigate those perceived impacts,
24 if any.

25 We have to evaluate whether there's any

1 impact to the zone plan or zoning ordinance. And,
2 again, we believe that the impacts with this use are
3 consistent with any use that would be permitted in
4 the C-1 zone. Also, we note that the C-1 zone does
5 permit a variety of residential uses, including
6 townhomes and residential uses above retail. So, the
7 use as proposed is not wholly inconsistent or
8 incompatible with other uses that are permitted in
9 the C-1 zone.

10 And lastly, you have to balance those
11 Negative and Positive Criteria to determine whether
12 or not the use variance would create a substantial
13 detriment to the public good. And given the reasons
14 that I stated, I don't believe there would be a
15 substantial detriment to the public good. I think
16 we're serving a need in providing this type of
17 housing in the area. And, again, absent any impacts,
18 I don't find any detriment to the zone plan or zoning
19 ordinance as a result of the variance that we're
20 asking for.

21 MS. MOORE: So, we would go through a
22 discussion of the use and approve the use first
23 before we go into the site plan portion.

24 MR. EINGORN: Are there any questions? I
25 think first the record should reflect that Mr.

1 Mancini has appeared before this Board in the past
2 and he'll be accepted as an expert in planning and
3 engineering. We will start there. And if the Board
4 has any questions regarding the use variance portion
5 of this application.

6 CHAIRMAN HAMILTON: Does the Board have
7 any questions?

8 MR. EINGORN: This is student housing in
9 a C-1 zone.

10 CHAIRMAN HAMILTON: Any question?

11 MR. EINGORN: One of the things that can
12 be impacted in a use variance application is the
13 off-site traffic conditions. What is the traffic
14 like around this property and what's the impact going
15 to be based upon having nine units?

16 MR. WILSON: We have a traffic study.

17 MS. MOORE: They did that in the site
18 plan portion.

19 MR. EINGORN: OKay. Generally, off-site
20 traffic is more of a use-related item.

21 MR. MANCINI: Sure. I can touch on it
22 briefly and we can revisit it at site plan as
23 necessary.

24 The Traffic Impact Study that we had
25 prepared, it was prepared by McMahon Transportation

1 Engineers. And they concluded in their study that
2 the trip generation for this proposed use, the 12
3 apartments, is much less than what would otherwise be
4 generated by other permitted uses.

5 And also just by the nature of this being
6 primarily for student housing, there's a likelihood
7 there's much less -- much fewer vehicles and vehicle
8 movements around the area as a result of this
9 proposed use. I think really it's a de minimus
10 impact from traffic as it relates to this propose
11 use.

12 CHAIRMAN HAMILTON: You knew there ain't
13 that much traffic. Students don't have no cars.

14 MR. MANCINI: I'm not saying that they
15 don't have cars. I'm saying fewer of them will have
16 cars versus if we propose other permitted uses such
17 as, this site could be entirely retail. That would
18 generate a lot more vehicles coming into and out the
19 site than the proposed use.

20 MS. WASHINGTON: The outside agency
21 approvals, do you have that?

22 MR. MANCINI: No. We will provide those
23 as a condition of approval if you see fit to approve
24 the application. Typically, we'd come here first and
25 ask for your blessing.

1 MR. WILSON: If the Board approves this,
2 how close would this building be to the campus?

3 MR. MANCINI: That's a good question. I
4 think Joe might have a better hand on that than I do.
5 I know it's very close.

6 MR. INCANDELA: It's one block. It's
7 Birch Street. The next block is Pearl Street and
8 that's where the college starts right there on Pearl
9 & 3rd.

10 MR. WILSON: If this is within a block of
11 the campus, would students normally either walk or
12 use a bike to go to the campus?

13 MR. MANCINI: Oh yes, I would agree with
14 that. And then not just to get too far ahead of
15 ourselves, we are going to revise the plan to add a
16 bike rack at the site as well.

17 CHAIRMAN HAMILTON: Do you got something
18 else?

19 MS. MOORE: No. I just want to make sure
20 it's just for the use. If you had any other
21 questions for the site, it's just for the use at this
22 time.

23 MS. ATWOOD: I can't always hear what
24 they're sayin' down there. But how much parking do
25 you have?

1 MR. MANCINI: We have eight spaces.

2 MR. WILSON: Eight spaces on site. But
3 Mr. Incandela owns an adjacent property. And the
4 other two spaces that the ordinance requires, will be
5 provided on that adjacent property. So, there will
6 be adequate parking.

7 CHAIRMAN HAMILTON: Do you have light
8 around there?

9 MR. WILSON: Yes.

10 MR. EINGORN: We'll get to that part. Are
11 there any questions related to the use of the
12 property as student housing in this zone?

13 MS. ATWOOD: Is it permitted?

14 MR. EINGORN: This is not permitted in
15 the zone. That's why they're asking for a use
16 variance. If there's no questions, why don't we open
17 it up to the public. Is there anybody in the public
18 here for or against this application?

19 MS. MOORE: For use.

20 CHAIRMAN HAMILTON: For or against.

21 MR. EINGORN: Just the use portion.

22 We'll get to the site plan in a minute.

23 CHAIRMAN HAMILTON: Everyone come up
24 together to get sworn in.

25 MR. EINGORN: Please come forward to be

1 sworn. Please raise your right hand.

2 - - -

3 SHELIA ROBERTS, PAUL LOFTLAND, having
4 been first duly sworn/affirmed, was examined and
5 testified as follows:

6 - - -

7 MR. EINGORN: Can you state your full
8 name and address and affiliation for the record.

9 MS. ROBERTS: My name is Shelia Roberts.
10 My name is 578 Washington Street. And I'm affiliated
11 with the Cooper Medical School. I sit on the
12 advisory board. And I've known Joe for like 25
13 years.

14 MR. LOFTLAND: My name is Paul Loftland.
15 My address is 11 Cooper, Camden, New Jersey.

16 CHAIRMAN HAMILTON: Are you for or
17 against?

18 MS. ROBERTS: I'm for. And the reason
19 I'm for it is because many of the medical students
20 that actually attend the Cooper/Rowan Medical School,
21 we have right now 400 students. And these students
22 are always struggling for places to live.

23 The neighbors in the Cooper Plaza
24 neighborhood have provided housing and they provide
25 the housing and they're paying like anywhere to \$500

1 to \$700 a month. But the problem with that is,
2 they're on top of each other in these houses.

3 So, we do have apartments on Broadway but
4 they can't afford the rents all the time on
5 Broadway. And this gentlemen just said he's from
6 11th & Cooper and I know the students can't afford
7 that rent. So, that's why I stand in support for
8 these houses. I have worked with Joe for the last 25
9 years. He's a good neighbor. He provides excellent
10 housing. The properties are always kept clean.

11 And there is sufficient parking where
12 needed. Because if it's not directly on the site, he
13 has other properties that he owns, other lots that he
14 owns. He keeps those lots up. Without putting this
15 building on this lot, this lot would turn into a used
16 car lot where they build, they dump, that kind of
17 thing.

18 He has cleaned that lot up before he even
19 owned it. And I think at one time they were puttin'
20 the cars on the lot and taking the tires off and
21 elevating them letting the oil run; all kinds of
22 things. So, I think the use is excellent for this
23 particular property and it's needed because we are
24 getting more students into the City.

25 MR. EINGORN: Thank you.

1 MR. LOFTLAND: I agree with everything.
2 I'm for it. I agree with everything that the young
3 lady said. I'm just excited to see new construction
4 happen in this area. I'm a property owner in this
5 area and I think this will be a great use of space
6 where it's at. I live in the area. I have property
7 around the area and I'm for it.

8 MR. EINGORN: Thank you.

9 CHAIRMAN HAMILTON: Anybody else?
10 Hearing no more, it's closed to the public.

11 MR. COOPER: Whenever we have a chance to
12 put a building up that's going to take up a vacant
13 lot and make it look like something, we're for that.
14 So, I think it's a good thing.

15 REVEREND MARTINEZ: I agree. I think
16 it's great. Other times in Camden, it's a shame
17 there's a lot of empty lots and they're bad. I mean,
18 I work for the City and I'm driving all day
19 long through the City and I say many times, how can
20 people dump stuff, just dump it there like, come on.

21 But when something comes out like this --
22 our City is looking now so beautiful. I mean, I've
23 been here for the last 20, 30 years. I'm from North
24 Jersey. But I've seen Camden. I've seen the
25 difference and I've seen the owners trying to come

1 out with a plan and I think it's excellent. And I
2 think you've been here before. Great. I'm for it.

3 MS. WASHINGTON: I think it's a great
4 idea also. It'll be something that the students can
5 afford and then they won't have that far to walk or
6 ride their bike. I think it's a very good idea.

7 MS. ATWOOD: I just want to ask about
8 security because I know that I've lived in that area
9 and a lot of apartments get robbed. What are you
10 going to do about security?

11 MR. WILSON: What security are you going
12 to have?

13 MR. INCANDELA: I'm going to have lights
14 around the building. I'm planning on putting up some
15 cameras also.

16 MS. ATWOOD: Lights around the building
17 and?

18 MR. INCANDELA: Lights around the
19 building and also cameras facing the parking lot;
20 facing the back of the yard. That's where you mostly
21 have your problems in the back.

22 MR. EINGORN: Will your general entrance
23 have some kind of key code or FOB system?

24 MR. INCANDELA: I can't hear well.

25 MR. WILSON: Will there be a keyed access

1 or card access to the front to get into the building?

2 MR. INCANDELA: Yes.

3 CHAIRMAN HAMILTON: I think it's a good
4 idea. They're going to need it up there because
5 Camden's goin' down if you don't put nothin' in
6 there.

7 MR. EINGORN: Right now you're only
8 voting on the use. They still have to go through the
9 site plan portion. So, if you'd like to entertain a
10 motion to approve or deny the use only.

11 REVEREND MARTINEZ: Motion to approve.

12 MS. ATWOOD: Second.

13 MR. EINGORN: We have a motion to approve
14 and a second. Now, this is, again, related only to
15 the use variance portion of the application.

16 MR. EINGORN: Chairman Hamilton.

17 CHAIRMAN HAMILTON: Yes.

18 MR. EINGORN: Vice-Chairman Hance is nott
19 here because he has a conflict. Sorry. Reverend
20 Martinez.

21 REVEREND MARTINEZ: Yes.

22 MR. EINGORN: Ms. Washington.

23 MS. WASHINGTON: Yes.

24 MR. EINGORN: Ms. Atwood.

25 MS. ATWOOD: Yes.

1 MR. EINGORN: Ms. Merricks.

2 MS. MERRICKS: Yes.

3 MR. EINGORN: Mr. Cooper.

4 MR. COOPER: Yes.

5 MR. EINGORN: All right. Your use
6 variance has been approved. Now, let's hear about
7 the site plan portion of the application.

8 MS. MOORE: Mr. Chairman, I'll start on
9 page three under area of bulk requirements. It was
10 referred to in the testimony.

11 What's required for lot depth is 100
12 feet. They're proposing 88 feet. A variance is
13 required. Impervious coverage, 80 percent. They're
14 proposing 88.6 percent. A variance is required.
15 Front yard setback, 10 feet is required; zero is
16 proposed. A variance is required. And one side
17 yard, 10 feet is required; 2 are proposed. A
18 variance would be required. Off-street parking from
19 R.S.I.S, 10 spaces are required; 8 spaces are
20 proposed. A de minimus exception would be required.
21 I'll just go through the notes.

22 MR. MANCINI: Shall I comment on those or
23 do you want to keep going?

24 MS. MOORE: I know we may have some
25 comment in between but let's get the testimony for

1 the variance down now.

2 MR. MANCINI: Sure. So, we're presenting
3 that these would meet the criteria of a C-2 flexible
4 variance. And that the benefits of the deviations
5 we're asking for would outweigh any detriments. With
6 regards to the lot depth, that's an existing
7 nonconforming condition. The lot is what it is.

8 With regards to the bulk standards for
9 the setbacks to the front yard and the side yard,
10 what we proposed here and you can see it in the
11 rendering here, so the building is situated to one
12 side so that we can provide parking on site which
13 obviously is a premium in all parts of the City. And
14 that also speaks to the impervious cover. We're
15 88.6 percent where 80 percent is permitted.

16 Again, in an effort to provide safe
17 access around the building and sufficient parking and
18 also a dedicated trash enclosure to serve this
19 building, we exceeded that impervious coverage. But
20 I believe there's some comments in your
21 professional's letter that will come up later that
22 will mitigate that increase in impervious coverage.

23 Basically, we can handle the increase in
24 stormwater runoff on the site so that there's no
25 detrimental impact to the neighborhood. So, for

1 those reasons, I think the benefits which allow us to
2 develop the site as proposed, would outweigh any
3 detriments. Because I really see none that really
4 would improve from the variances that we're asking
5 for.

6 MS. MOORE: I'll start on page four under
7 Streets: Birch Street is an existing roadway. The
8 right-of-way for Birch Street is 22 feet, but the
9 cartway is only 8 feet wide from curb to curb. The
10 applicant should clarify if the proposed use of Birch
11 Street will be as a two-way roadway. There are no
12 improvements proposed for this roadway with this
13 application.

14 MR. MANCINI: So, Birch Street is very
15 narrow as Dena mentioned. It's not signed as one
16 way, although in practicality I observed it being
17 used in a northerly direction for the most part.
18 There's no improvements proposed to Birch Street.
19 We're providing off-site parking, so I don't believe
20 we're exacerbating any nonconformity there with
21 regards to the street width. But we recognize that
22 that's an existing condition, but we're doing our
23 best on our site to mitigate that by providing our
24 parking on the site.

25 To the extent that any improvements are

1 required on Birch Street, we're going to be replacing
2 curb and sidewalk along the frontages as necessary so
3 we'll improve our portion of Birch Street. And to
4 the extent that we have to open up Birch Street to
5 connect utilities, we would repave that consistent
6 with the City ordinances.

7 MS. MOORE: And the City Engineer hasn't
8 provided his review for the project yet. So, if he
9 has any concerns regarding that street then you'll
10 see that in his review letter.

11 MR. MANCINI: Understood.

12 MS. MOORE: North 3rd Street is an
13 existing two-way roadway. There are no improvements
14 proposed for this roadway with this application. If
15 a street opening is necessary, this application would
16 be subject to the Street Opening Permit Ordinance of
17 the City. The City Engineer should be contacted
18 concerning the application and fees involved.

19 MR. MANCINI: Understood.

20 MS. MOORE: The next comments regarding
21 parking. You're providing the parking spaces. A
22 de minimus exception will be necessary from the
23 R.S.I.S. Correct?

24 MR. MANCINI: Correct. Agreed. Yes.
25 The parking of 8 spaces meets the City Ordinance

1 under 577-230. But according to R.S.I.S. which
2 governs all residential development in the state,
3 they require 10 spaces so we need what we consider
4 de minimus exception to your permit to 8 spaces where
5 10 is required. But, again, as John mentioned,
6 there's immediately adjacent to this site, is
7 off-street parking owned by Mr. Incandela that'll be
8 available to the site.

9 MS. MOORE: Per Section 577-231.A.5,
10 parking shall be arranged such that it is not
11 necessary to back out into a public street, whereas
12 the proposed parking areas will directly abut Birch
13 Street. A waiver will be necessary.

14 MR. MANCINI: Agreed. And we are
15 requesting that waiver. Again, there's no way to
16 provide parking on this site that doesn't allow
17 backing out onto Birch Street. But that's probably a
18 preferable condition than backing out onto North 3rd
19 which is a busier street. So, we think that's a
20 reasonable waiver to request.

21 MS. MOORE: The applicant should address
22 the ADA parking requirement.

23 MR. MANCINI: Sure. There's space on
24 site to provide an accessible space. Our read of the
25 ADA standards is that for a private parking lot

1 that's dedicated to these tenants only, it's not
2 required to be signed but there is space for an
3 access aisle and a parking space that would meet the
4 ADA standards.

5 MS. MOORE: Wait a minute. What was that
6 testimony? That was from the Federal ADA
7 regulations?

8 MR. MANCINI: Right. From the 2010 ADA
9 standards where there's a private parking lot for
10 residential that is dedicated specifically to these
11 tenants, you do not have to assign the space. Not
12 that this space doesn't have to exist. We have to
13 have a compliant space. We don't have to assign it
14 specifically only for ADA use.

15 We don't want to preclude other folks
16 from using that parking space because they're at
17 premium if there's nobody who has a handicap plaque
18 that lives in this facility. So, in the event that
19 we have somebody, we can provide that sign. But
20 in the event that we don't have somebody, we want to
21 leave that space open for general parking.

22 MS. MOORE: Okay. And you'll provide
23 that to me?

24 MR. MANCINI: I will. And if I'm wrong,
25 we'll adjust it as necessary but I've read that

1 pretty thoroughly.

2 MS. MOORE: I'm not sure if we had this
3 conversation on this project or not, but I think
4 we've had a conversation on ADA parking in the past.
5 If you can provide that paperwork to me, I'd
6 appreciate it.

7 MR. MANCINI: Absolutely.

8 MS. MOORE: Otherwise, you'll sign and
9 strike things --

10 MR. MANCINI: Of course.

11 MR. WILSON: We will meet whatever the
12 requirements are.

13 MS. MOORE: As the proposed use is
14 student housing, testimony should be provided as to
15 the "move-in day" loading procedures.

16 MR. MANCINI: Sure. There is parking
17 available on North 3rd Street. And Mr. Incandela
18 testified to this further. But my understanding is
19 that "move-in" does not happen all in one day or all
20 in one week. It's generally spread out over several
21 weeks.

22 So, the expectation is that the residents
23 will be able to use temporary parking -- on-street
24 parking on North 3rd for loading days, assuming that
25 there's not space available in one of the parking

1 spaces.

2 MS. MOORE: Per Section 577-224.B.5.g,
3 bicycle parking shall be provided or a waiver
4 requested.

5 MR. MANCINI: We'll provide that

6 MS. MOORE: So, I'll remove the waiver
7 from the back of the report.

8 The applicant must replace the existing
9 sidewalk and curb along the property's frontage on
10 Birch Street and North 3rd Street. The curb should
11 be concrete and the sidewalk should be 5 feet wide in
12 accordance with City details.

13 MR. MANCINI: We'll comply with that. I
14 believe there's a new sidewalk on North 3rd. But to
15 the extent that it's not compliant with that, we'll
16 replace any curb or sidewalk as necessary.

17 MS. MOORE: And then the applicant must
18 provide ADA ramps at the intersection of Birch Street
19 and North 3rd Street.

20 MR. MANCINI: We'll comply with that.

21 MS. MOORE: For the Stormwater Collection
22 and Management System, do you have any issues with my
23 comments here?

24 MR. MANCINI: No. We're in agreement
25 with those comments and we'll provide additional

1 calculations as necessary to show compliance.

2 MS. MOORE: And then the stormwater fee
3 you calculated already, \$23.91?

4 MR. MANCINI: Correct. Yes.

5 MS. MOORE: I'll go to the grading since
6 this doesn't involve any waivers or variances.
7 You're okay with everything that we have written down
8 with the grading?

9 MR. MANCINI: Yes.

10 MS. MOORE: And if the public needs -- if
11 anyone needs me to read the comments regarding the
12 stormwater, grading, utilities, just let me know.
13 Otherwise, the applicant is -- the professionals have
14 reviewed the project and the applicant is agreeing
15 with what we have requested them to do.

16 Utilities: You know the project has to
17 be approved by the City Engineer and City Fire Chief
18 prior to our signatures on the plan.

19 MR. MANCINI: Understood.

20 MS. MOORE: And you'll add the notes.
21 I'm on page 8 at this point.

22 Construction Details: We're looking at
23 4,500 psi for concrete.

24 MR. MANCINI: Understood. We'll comply
25 with all your recommendations for the utilities and

1 construction details.

2 MS. MOORE: I'll jump to planting designs
3 since that's where the waivers began again.

4 All electrical and mechanical equipment
5 should be screened from view per Section
6 577-224.B.19.

7 MR. MANCINI: We'll comply with that.

8 MS. MOORE: So, you don't need a waiver
9 for that, correct?

10 MR. MANCINI: No.

11 MS. MOORE: Per Section 577-244.C.6,
12 foundation plantings are required, whereas none are
13 proposed. The plans should be revised or a waiver
14 requested.

15 MR. MANCINI: So, we're requesting a
16 waiver in part for the foundation plantings. That's
17 plantings that are around the foundation of the
18 building. We want to provide a sidewalk along the
19 building between the parking spaces in the building
20 to allow for easier access. To the extent that we
21 can improve the plan, we'll work with your Board
22 Engineer to add some plantings around the foundation
23 where space is available. We do need a waiver from
24 that requirement.

25 MS. MOORE: Per Section 577-244.D, street

1 trees are required, whereas none are proposed. Plans
2 should be revised to include two street trees on
3 North 3rd Street or a waiver requested.

4 MR. MANCINI: We'll happily provide
5 those.

6 MS. MOORE: And I'll take that waiver --
7 I'll remove that from the back.

8 Our office has concerns that the mature
9 size of the proposed plant material will exceed the
10 planting space. The applicant should consider
11 Bowhall Maple, Emerald Arborvitae and Strongbox
12 Inkberry Holly in lieu of the proposed plant
13 material. And that's all of them, not more.

14 MR. MANCINI: We'll happily consider
15 those replacements.

16 MS. MOORE: Site triangles should be
17 shown to ensure drivers' visibility exiting Birch
18 Street.

19 MR. MANCINI: We will provide.

20 MS. MOORE: Planting notes including
21 guarantees, should be provided in accordance with
22 Section 577-245.

23 MR. MANCINI: Understood. We'll provide
24 that.

25 MS. MOORE: The applicant proposes two

1 building-mounted wall-pack fixtures. The type of
2 lamp and color of the fixtures should be specified.

3 MR. MANCINI: Sure. We'll add to revised
4 plans.

5 MS. MOORE: Plans should be revised to
6 comply with Section 577-243.D.2 or a variance
7 requested. That's the minimum lighting level of
8 0.25 footcandles. The average lighting level between
9 0.5 and 2.0 footcandles. And then the maximum
10 lighting level of 3.0 footcandles unless it's
11 directly under a fixture which it is 5.0 footcandles
12 be permitted.

13 MR. MANCINI: Sure. So, I think we may
14 need a variance or a design waiver from that section
15 because of the limited area that we have to work
16 with. We have a couple of building-mounted lights on
17 the side of the building facing Birch Street and the
18 back of the building.

19 We want to make sure we provide
20 sufficient lighting for safety so we may not be able
21 to meet some of the limitations where there's light
22 slippage on the property lines because with this
23 property shape we're working with. But I don't think
24 there's any detriment to the neighbors.

25 To the left of us is Ben Franklin Bridge.

1 To the rear of us is another parking lot. So, I
2 think if we exceed some lighting levels there,
3 there's nobody that would be bothered by that
4 additional lighting. So, we'll work with your
5 engineer to come up with a proper lighting design and
6 light fixtures for that, but I think we may need a
7 waiver from the strict compliance with that.

8 MS. MOORE: And I'll keep that variance
9 in the back. That's a typical variance due to
10 security concerns mostly.

11 Per Section 577-243.A.10, no more than
12 0.25 footcandles are permitted 10 feet from the
13 property line, whereas the applicant proposes 0.5
14 footcandles. Plans should be revised or a variance
15 requested.

16 MR. MANCINI: Again, let's go back to the
17 previous testimony on the same issue.

18 MS. MOORE: And I needed to add -- I have
19 the lighting levels for there. I need to add the
20 other section variance for the lighting level for
21 577-243.D.2. And I'll note that as lighting levels
22 also.

23 Per Section 577-243.H, all outdoor
24 lighting not essential for safety and security
25 purposed shall be activated by automatic control

1 devices and turned off during non-operating hours.
2 Testimony should be provided.

3 MR. MANCINI: We can comply with that.

4 MS. MOORE: And you'll add that note on
5 the plans too?

6 MR. MANCINI: We will absolutely.

7 MS. MOORE: If any architectural lighting
8 is proposed, it should be shown on the lighting
9 plan.

10 MR. MANCINI: Understood. We'll work
11 with the architect.

12 MS. MOORE: Are they proposing any?

13 MR. MANCINI: Not that I'm aware of but
14 we'll confirm with the architect to make sure there
15 isn't anything I'm missing.

16 MS. MOORE: The applicant is to provide a
17 Community Impact Assessment in accordance with
18 Section 577-273.

19 MR. MANCINI: We will comply to provide
20 that. The applicant is to provide a Traffic Impact
21 Assessment in accordance with Section 577-274.

22 MS. MOORE: We'll comply with that. I
23 don't have that in front of me but to the extent that
24 it requires a partial waiver from providing traffic
25 counts --

1 MS. MOORE: Just a statement. We
2 typically need a traffic statement regarding proposed
3 activities.

4 MR. MANCINI: Understood. We'll comply
5 with that.

6 MS. MOORE: The applicant should provide
7 testimony regarding any and all environmental
8 concerns, studies and remediation pertaining to the
9 site. Any known?

10 MR. MANCINI: We're not aware of any
11 environmental issues to the site. No.

12 MR. INCANDELA: No.

13 MS. MOORE: Our office has concerns that
14 a trash hauler will not be able to access the
15 proposed enclosure due to the narrowness of the
16 roadway. Testimony should be provided.

17 MR. MANCINI: Sure. That's very, very
18 understandable. And we visited that with the
19 applicant. It's our understanding that the private
20 waste hauler that will service the site, has smaller
21 trash trucks that can maneuver on these types of
22 streets. And it has been his experience that they
23 can navigate to where we have the trash enclosure.
24 We can provide a turning template for that type of
25 vehicle on revised plans.

1 MS. MOORE: Testimony should be provided
2 regarding hours of trash hauling to determine the
3 impact on adjacent residences.

4 MR. MANCINI: I think generally we would
5 have trash pick-up once per week and more frequently
6 as needed. And we would comply with any City
7 ordinances if there are any regarding time of week.
8 We work with a private trash hauler so we have some
9 flexibility to determine when they come.

10 MS. MOORE: Per Section 577-224.B.14.a,
11 appropriate landscaping shall be installed around the
12 trash enclosure to form a year-round effective visual
13 screen at the time of planting. Landscaping is
14 proposed at the north side of the enclosure only.
15 Plans should be revised or a waiver requested.

16 MR. MANCINI: We will revise the plan to
17 comply.

18 MS. MOORE: Per Section 577-255.A.2, a
19 year-round buffer shall be provided around the trash
20 enclosure. It's the same thing, plans should be
21 revised or a waiver requested.

22 MR. MANCINI: Sure. Again, we'll revise
23 that to comply.

24 MS. MOORE: Color-rendered building
25 elevations should be provided and the architectural

1 design principles of Section 577-224 should be
2 addressed.

3 MR. MANCINI: I don't want to speak to
4 the architect but I think we can provide that.

5 MS. ANDERSON: Yes.

6 MR. MANCINI: We can provide that, yes.

7 MS. MOORE: The construction details
8 illustrate a "private parking" sign. The location of
9 this sign should be shown on the site plan or the
10 detail should be removed.

11 MR. MANCINI: We'll provide those
12 locations on the plan.

13 MS. MOORE: The site includes three
14 lots. Our office recommends that the lots be
15 consolidated at this time. You mentioned it was
16 consolidated by lot -- I'm sorry. By deed or by
17 plan?

18 MR. WILSON: By deed.

19 MS. MOORE: Then --

20 MR. MANCINI: I'll provide you a copy of
21 that deed.

22 MS. MOORE: Now, going to the next
23 comment. The plan notes that the applicant will
24 comply with the City's "Ordinance Establishing
25 Standards for the Submission of Maps and Other

1 Documents in a Digital Format."

2 When you consolidate, we need to actually
3 see it on plan also. And then that plan needs to be
4 put on CD with two copies of the CD sent to our
5 office. It needs to be in NADA 1983. You're not on
6 an assumed datum, correct?

7 MR. MANCINI: No. We're on 83.

8 MS. MOORE: Okay. 83. Two copies of the
9 CD and we'll forward that to the Tax Assessor, one
10 copy for our office and one copy to the Tax Assessor.
11 But that is a part of that ordinance for the
12 standards.

13 MR. MANCINI: Yes.

14 MS. MOORE: And then the applicant should
15 be aware that the final signatures of approval and
16 building permits will not be issued until the
17 required information is received.

18 We'll go to the Summary of Variances and
19 Waivers. I've only added one variance on here.
20 Besides your use variance, we have the lot depth,
21 impervious coverage, front yard setback, side yard
22 setback, lighting levels. The first one is at the
23 property line. And then the next one is just the
24 general lighting level for 577-243.D.2. Those are
25 the variances.

1 MR. MANCINI: Understood. Agreed.

2 MS. MOORE: And then we have the
3 de minimus exception, the number of parking spaces
4 from the R.S.I.S.

5 MR. MANCINI: Agreed.

6 MS. MOORE: And then the waivers is where
7 we have some changes. I have the architectural
8 standards. Were you getting any waivers from the
9 architectural standards or are you going to be able
10 to meet everything in Section 577-224?

11 MS. ANDERSON: I believe we do.

12 MS. MOORE: Because if you don't get the
13 waiver now then you would come back to the Board.

14 MS. ANDERSON: We're in conformance.

15 MS. MOORE: You're fine. Okay. So, I'll
16 remove that waiver. And then the only two I have
17 would be the parking backs onto the public street and
18 then the foundation plantings. Those are your only
19 two waivers?

20 MR. MANCINI: Agreed.

21 MR. EINGORN: We removed utility
22 screening?

23 MR. MANCINI: Yes.

24 MR. EINGORN: Very good.

25 MS. MOORE: All right. Just those two.

1 And then you're aware of the approval process as
2 listed on pages 12 and 13. If you have any
3 questions, you can contact our office.

4 MR. MANCINI: Understood.

5 MS. MOORE: I have Outside Agency
6 Approvals as: Camden County Planning Board; Camden
7 County Soil Conservation District; Camden County MUA.
8 Any additional that you're aware?

9 MR. MANCINI: None that we're aware of.
10 Just the water -- for the water connection.

11 MS. MOORE: For the MUA?

12 MR. MANCINI: Yes.

13 MS. MOORE: For water connection. Right.
14 Okay. So, nothing else then, correct?

15 MR. MANCINI: No.

16 MS. MOORE: Mr. Chairman, that concludes
17 our review for the site plan.

18 CHAIRMAN HAMILTON: Any questions from
19 the Board?

20 MR. EINGORN: Any site planning
21 questions? Anybody from the public that want to be
22 heard on the site plan portion of this application?

23 CHAIRMAN HAMILTON: For or against?

24 MR. LOFTLAND: Good evening, Paul
25 Loftland. I'm for the site plan.

1 CHAIRMAN HAMILTON: Anybody else?

2 MR. EINGORN: Ms. Roberts, you're for it
3 as well?

4 MS. ROBERTS: Shelia Roberts. I'm for
5 it.

6 CHAIRMAN HAMILTON: Hearing no more, the
7 public portion is closed.

8 REVEREND MARTINEZ: All good for me.

9 CHAIRMAN HAMILTON: We need a motion.

10 MS. ATWOOD: Motion to approve.

11 MR. COOPER: Second.

12 MR. EINGORN: The motion should be
13 subject to the -- so, it's a motion to approve the
14 site plan with the waivers, the de minimus exception
15 and the variances that were requested subject to the
16 items that were discussed in the Remington &
17 Vernick's letter. And was there any other
18 condition? I don't think there were any other
19 conditions.

20 MS. MOORE: No other conditions.

21 MR. EINGORN: We'll take a roll-call vote
22 on site plan as discussed. Chairman Hamilton.

23 CHAIRMAN HAMILTON: Yes.

24 MR. EINGORN: Reverend Martinez.

25 REVEREND MARTINEZ: Yes.

1 MR. EINGORN: Ms. Washington.

2 MS. WASHINGTON: Yes.

3 MR. EINGORN: Ms. Atwood.

4 MS. ATWOOD: Yes.

5 MR. EINGORN: Ms. Merricks.

6 MS. MERRICKS: Yes.

7 MR. EINGORN: Mr. Cooper.

8 MR. COOPER: Yes.

9 MR. EINGORN: Congratulations.

10 MR. WILSON: Thank you.

11 MR. INCANDELA: Thank you.

12 MR. EINGORN: The next matter will be
13 Alexander Sterin.

14 MR. DeCLEMENT: Mr. Chairman, good
15 evening. Thank you for allowing us to come before
16 you. My name is David DeClement and I represent Alex
17 Sterin and Dimal with regard to the site plan --
18 preliminary and final site plan approval.

19 This Board had previously granted use
20 variances and we're back for the site plan portion.
21 This Board has retained jurisdiction on the same. If
22 you'd like, we can get to the engineer's letter. Or
23 what I'd like to do if counsel is okay, I'd like to
24 have the professionals -- I have two professionals to
25 swear in and one lay witness.

1 CHAIRMAN HAMILTON: Come up to be sworn.
2 Please raise your right hands.

3 - - -

4 CHARLES CHELOTTI, P.E., RICHARD F.
5 JOHNSON, R.A., ALEXANDER STERIN, having been first
6 duly sworn/affirmed, was examined and testified as
7 follows:

8 - - -

9 CHAIRMAN HAMILTON: Tell us your name and
10 address.

11 MR. CHELOTTI: Charles, J. Chelotti,
12 licensed professional engineer.

13 MR. JOHNSON: Richard F. Johnson,
14 licensed architect.

15 MR. STERIN: Alexander Sterin, the owner.

16 MR. DeCLEMENT: Mr. Chairman, if it would
17 please the Board, Mr. Chelotti has appeared before
18 this Board on multiple occasions. Will the Board
19 recognize him as a licensed professional engineer in
20 New Jersey before this Board?

21 MR. EINGORN: Yes, we will accept him.

22 MR. DeCLEMENT: This gentlemen here is
23 the architect, Richard Johnson. And you're a
24 licensed architect in the State of New Jersey?

25 MR. JOHNSON: Yes, I am.

1 MR. DeCLEMENT: And you've appeared
2 before this Board on multiple occasions?

3 MR. JOHNSON: Yes, I have.

4 MR. EINGORN: We will accept you as an
5 expert.

6 MR. DeCLEMENT: Thank you, Mr. Chairman.

7 MS. MOORE: Do you want to go right to
8 the letter?

9 MR. DeCLEMENT: We can and we can give
10 testimony as to the operation of the facility.

11 MR. EINGORN: Why don't you just remind
12 the Board what the application is about and then
13 maybe we can go to the letter from there.

14 MR. DeCLEMENT: This application is
15 for -- there's currently a gas station on this
16 location. And it's to construct a full-service car
17 wash and full-service laundromat. What I'd like is
18 for the applicant to explain to the Chairman and the
19 Board, what full service laundromat means. Because
20 there's multiple definition of the same. If you
21 don't mind, I can have Mr. Sterin come up.

22 MR. STERIN: If we're talking about
23 laundromat, it's going to be not coin-operated. It
24 is mostly -- it's going to be industrial. So, credit
25 card and somebody who pays with cash will go through

1 my attendant.

2 MR. DeCLEMENT: Will this be a fold and
3 return?

4 MR. STERIN: Yes. It's for wash and fold
5 if the customer wants it. If the customer doesn't
6 want it because they going to do it themselves.

7 MR. DeCLEMENT: So, if the customer
8 wanted to, he can drop off his laundry and then pick
9 it back up some later time and fold it, correct?

10 MR. STERIN: Yes.

11 MR. DeCLEMENT: And that's your
12 definition of a full-service laundromat, correct?

13 MR. STERIN: Yes. But equipment is going
14 be completely different; more industrial. It's high
15 speed; washes at high speed and the dryers.

16 MR. DeCLEMENT: And you've owned and
17 operated other laundromats, correct?

18 MR. STERIN: Yes, sir.

19 MR. DeCLEMENT: And have you owned and
20 operated other laundromats in Camden, New Jersey?

21 MR. STERIN: Yes, on Federal Street.

22 MR. DeCLEMENT: On Federal Street.

23 MS. ATWOOD: At 19th and 20th? 100 Block
24 of Federal?

25 MR. STERIN: 2201. And 22 and 23.

1 MR. EINGORN: So if that refreshes
2 everyone's recollection, as you recall, the applicant
3 was here prior. He was granted a use variance for
4 the additional uses, for the car wash and the
5 laundromat and full-service laundromat.

6 And now they're back for the site plan
7 portion of their application. And like the last
8 application, we can go right to Dena's letter and
9 address the items that Remington & Vernick have
10 outlined for the site plan, if that would be
11 acceptable to the Board.

12 CHAIRMAN HAMILTON: When he was here
13 before, they said drop-off and pick-up.

14 MR. STERIN: Yes.

15 MR. EINGORN: That's what he said.

16 MR. DeCLEMENT: Unless the Board has
17 questions about the operations, we can answer those
18 now or it's up to you counsel.

19 MS. WASHINGTON: Is it still going to be
20 drop-off and pick-up?

21 MR. DeCLEMENT: Yes, ma'am.

22 REVEREND MARTINEZ: Wait a minute. This
23 is a car wash or a laundromat?

24 VICE-CHAIRMAN HANCE: We're talking about
25 the laundromat.

1 MS. WASHINGTON: You can't tell me it's a
2 laundromat. You can't go there and wash your clothes
3 yourself.

4 MR. DeCLEMENT: No. He said you have the
5 option. But I'd rather you speak to the applicant.

6 MR. STERIN: It's up to the customer to
7 do their own clothes or to drop off to my attendants,
8 laundromat -- laundry attendants.

9 CHAIRMAN HAMILTON: You changed that
10 because you had told us before --

11 MR. EINGORN: You mean wash your clothes
12 at home? You're not going to have a coin-operated
13 machine, right?

14 MR. STERIN: Yes. But I have an
15 attendant and these people pay in cash. It's a
16 computer. That machine is separated by a computer.
17 So, you go to my attendant, pay by credit card or by
18 cash, and they just turn the machine on. All washing
19 machines; all dryer machines. It's not like
20 coin-operated. So, all equipment is going to go
21 through the computer inside. So, they push the
22 bottom, No. 20 or No. 30. So, the machine comes on
23 and they are going to choose cold water, hot water.

24 MR. EINGORN: I think the last time you
25 were here, I think the testimony was only that there

1 would be pick-up and drop-off; no self-service.

2 CHAIRMAN HAMILTON: Right.

3 MR. STERIN: No, no. no.

4 CHAIRMAN HAMILTON: That's what you said.

5 Yeah.

6 MS. WASHINGTON: That's what you said

7 before.

8 CHAIRMAN HAMILTON: You have no parking
9 or anything. That's what you said. Wait a minute
10 now.

11 MS. WASHINGTON: You bring clothes
12 there?

13 CHAIRMAN HAMILTON: He said drop-off;
14 pick-up and drop-off, that's what you said.

15 MR. STERIN: If you want to drop-off, you
16 drop-off.

17 CHAIRMAN HAMILTON: But you didn't say
18 that.

19 MR. EINGORN: Right. Because there was
20 an issue with parking. You said that people would be
21 picking up and dropping off. So that the parking out
22 front would be limited because they wouldn't be
23 staying long enough to need a lot of parking.

24 CHAIRMAN HAMILTON: Right.

25 MR. STERIN: From my understanding, we

1 have plenty of parking out front and on the side.

2 Inside the --

3 MR. DeCLEMENT: What I think they're
4 asking you is, have you changed your plan. Since the
5 last time that you've appeared before this Board, the
6 Chairman and the Vice-Chairman and Counsel are saying
7 that it was their understanding it was a drop-off
8 only. If you're changing what you're presenting to
9 the Board, just tell them that.

10 MR. STERIN: I did not change anything.
11 All the laundromats are working the same way. I have
12 a laundromat on Federal Street. It's still drop-off.
13 As they come, they drop off or they do it themselves.
14 The difference between -- there is no difference.
15 It's not just drop-off.

16 MS. ATWOOD: I remember asking a
17 question, did the neighbors ask you for it and you
18 just said, it was just something that was needed.
19 Because I'm under the same understanding that it was
20 just going to be a drop-off service and you were
21 going to provide the service.

22 CHAIRMAN HAMILTON: That's what you said.

23 MR. STERIN: It's up to the customer. If
24 they're going to pick it up and go.

25 MS. ATWOOD: We didn't have the

1 understanding before. Once one of us is saying the
2 same the thing.

3 MR. EINGORN: The Resolution granting and
4 adopting the Board's decision to give the use
5 variance specifically states: Concerning the
6 proposed laundromat, Mr. Perks stated that it would
7 be a full-service, meaning, that the applicant would
8 be performing all of the washing services and that
9 customers would merely pick-up and drop-off or
10 delivery service would also be available.

11 MR. STERIN: That's correct.

12 MR. EINGORN: Based upon the proposal,
13 Mr. Perks testified that the parking would not
14 intensify because customers would not be waiting
15 on-site to wash and dry their own clothing.

16 MS. ATWOOD: See.

17 CHAIRMAN HAMILTON: That's what you said.

18 MR. EINGORN: That was the testimony.

19 MR. STERIN: I don't say that. I said
20 I'm going --

21 MR. EINGORN: Just so you know, you're
22 only approved for pick-up and drop-off and delivery.
23 You're not approved for some coin-operated for people
24 waiting around.

25 MR. DeCLEMENT: So because there's no

1 application before this Board for a use variance, the
2 site plan would be in keeping with the Resolution.

3 MR. EINGORN: Correct.

4 MR. DeCLEMENT: So, if the applicant
5 wanted to change that, he'd have to come back before
6 this Board.

7 CHAIRMAN HAMILTON: That's right.

8 MR. EINGORN: Right.

9 MR. STERIN: Do we have parking spaces at
10 the laundromat?

11 MR. EINGORN: There's no use variance
12 notice --

13 MR. DeCLEMENT: There's no use variance
14 before this Board. So, you were granted a use
15 variance. The use variance that counsel just read to
16 you is specific as to the use. So, what your
17 application here tonight is, is only for in keeping
18 and conformity with that Resolution.

19 MR. STERIN: It's a misunderstanding and
20 I don't know why.

21 CHAIRMAN HAMILTON: Oh, you gotta come
22 back.

23 MR. DeCLEMENT: Right.

24 MS. WASHINGTON: What kind of laundromat
25 is this changing to? What kind of laundromat is it

1 going to be?

2 MR. DeCLEMENT: Well, it's going to have
3 to be in conformity with the Resolution. There's
4 no use variance before you, ma'am.

5 CHAIRMAN HAMILTON: Yeah. Drop-off and
6 pick-up.

7 MS. MOORE; That was the last -- the last
8 time they were here, the third use was approved on
9 this lot the last time they were here. So, it's just
10 a matter of checking the testimony then to see what
11 he testified to.

12 MR. DeCLEMENT: Actually, we don't need
13 to do that because the Resolution is clear as day.
14 So, if the applicant wants to come back and do that,
15 he has to make a use variance.

16 CHAIRMAN HAMILTON: Right.

17 MR. STERIN: Do I come back with a use
18 variance?

19 MR. DeCLEMENT: It's up to you.

20 MR. STERIN: Nahh; not to come back.

21 MR. DeCLEMENT: We can go forward with
22 the application in conformity with your Resolution.

23 MR. EINGORN: That's fine. We just
24 wanted to be clear and confirm.

25 MR. DeCLEMENT: Absolutely.

1 MR. EINGORN: The applicant is seeking to
2 move forward with the application in conformance with
3 what was previously approved in the prior Resolution
4 which is adopted on September 9, 2019.

5 CHAIRMAN HAMILTON: Yeah. That's in
6 there, drop-off and pick-up.

7 MS. MOORE: So, no parking associated
8 with the laundromat?

9 CHAIRMAN HAMILTON: Yes. What I'm sayin'
10 is, I don't want him to go and say he complies with
11 this here and then get out there and he changes to
12 something else.

13 MR. DeCLEMENT: No. We're putting it on
14 the record.

15 CHAIRMAN HAMILTON: I've been a chairman
16 a long time.

17 MR. DeCLEMENT: Absolutely.

18 CHAIRMAN HAMILTON: And I've been
19 different places where we did it and they did the
20 opposite. You see what I'm saying?

21 MR. DeCLEMENT: Right.

22 CHAIRMAN HAMILTON: Just to get it. And
23 that's what he said.

24 MR. STERIN: No. So in order words, if
25 the customer wants to do it himself, he can come to

1 the laundromat, right?

2 MR. DeCLEMENT: That's correct. Unless
3 you decide to come before this Board and ask for a
4 use variance.

5 CHAIRMAN HAMILTON: Right.

6 MR. DeCLEMENT: Or a modification of the
7 Resolution which would entail a use variance.

8 MR. DeCLEMENT: Ma'am?

9 MS. MOORE: Okay.

10 MR. STERIN: There's not such a law in
11 the United States which the customer can do
12 themselves if they wanted. I can drive and pick it
13 up and bring it back. Yes, it is.

14 CHAIRMAN HAMILTON: He don't want it.

15 MR. STERIN: I don't want to come back.

16 MR. CHELOTTI: So, you don't want to come
17 back. So, you want to proceed with the application?

18 MR. STERIN: Yes.

19 MS. MOORE: Mr. Chairman, I'm referring
20 to Remington & Vernick's letter dated January 28,
21 2020. On Page 2: The architectural plans should be
22 signed and sealed in accordance with State
23 regulations.

24 MR. DeCLEMENT: Agreed. We have the
25 architect here to answer questions you may have. And

1 I noticed that you did that further on in your letter
2 so we can come back.

3 MS. MOORE: Okay.

4 On Page 3: Area and Bulk Requirements.
5 We have a pre-existing condition for the rear yard
6 setback. 30 feet is required; 8 feet is proposed.
7 A variance is required for the buffers. 25 feet is
8 required for the buffer; 3 feet is proposed. And for
9 off-street parking, 25 spaces are required and 18
10 spaces are proposed. So, those variances are
11 required. I'll go into this and then you can provide
12 testimony.

13 MR. CHELOTTI: I think both of those are
14 addressed in the letter.

15 MS. MOORE: On Page 4: If a street
16 opening is necessary for Morse Street, the
17 application would be subject to the Street Opening
18 Permit Ordinance of the City. The City Engineer
19 should be contacted concerning the application and
20 fees involved.

21 MR. CHELOTTI: We'll comply.

22 MS. MOORE: The site currently has four
23 driveways; one with access from Morse Street; two
24 with access from Baird Boulevard; and one from
25 Marlton Pike. It appears the applicant proposes to

1 close the second access from Baird Boulevard and
2 relocate the access from Morse Street.

3 A Road Opening Permit from the Camden
4 County Highway Department would be required for a
5 road opening on Marlton Pike or Baird Boulevard.
6 Correct? You agree?

7 MR. CHELOTTI: Yes, we'll comply with
8 that.

9 MS. MOORE: Per Section 577-224.B.5.d,
10 each parcel shall be limited to one access drive and
11 no parcel shall have more than two access drives. A
12 waiver is required.

13 MR. CHELOTTI: Yes. The existing access
14 drives are located on Marlton Pike on Baird Boulevard
15 and on Morse Street here. And there's also a second
16 one which is being closed. So, there are currently
17 one, two, three, four, five existing openings. We're
18 looking to close one of those and relocate the other
19 one.

20 So, we're actually reducing the number of
21 openings on the site. And more importantly, this
22 opening here is very close to the traffic light at
23 the intersection here. I had a feeling that the
24 County Engineer would probably make some comments on
25 that also. So, we elected to close that entrance

1 here and just relocate the one on Morse Street.

2 The reason for keeping Morse Street is
3 that if anyone in the neighborhood here is looking
4 to -- say they're coming home from work and they're
5 coming down Marlton Pike, they access the site, to be
6 able to get back to their house relatively easily, we
7 wanted to keep that access on Morse Street. If that
8 gets closed off, they'd have to kind of go around the
9 corner. It would just be very complicated.

10 MR. COOPER: It's a one-way street.

11 MR. CHELOTTI: They could do it but it
12 would be much harder for the neighbors to be able to
13 access and leave the site.

14 CHAIRMAN HAMILTON: Right.

15 MS. WASHINGTON: You're not going to have
16 the same driveway as the gas station?

17 MR. CHELOTTI: Excuse me, ma'am?

18 MS. WASHINGTON: Are you going to have
19 the same driveway as the gas station?

20 MR. CHELOTTI: It'll be the same
21 driveway and it'll be reconstructed on Marlton Pike.
22 The existing one that's closer to Morse Street is
23 going to be reconstructed also. So, the two on the
24 station gas are going be kind of upgraded but roughly
25 in the same location.

1 MS. WASHINGTON: My question is, are you
2 using their gas station driveway? Are you going to
3 use that?

4 MR. CHELOTTI: Yes, they are.

5 MS. WASHINGTON: Are you using the same
6 driveway as the gas station?

7 MR. CHELOTTI: Yes.

8 MR. EINGORN: Yes.

9 MS. MOORE: They were all approved to be
10 on the same lot. So, all those uses are on the same
11 lot so they would use the same access route, the car
12 wash, gas station and laundromat.

13 Site triangles are shown at each of the
14 proposed driveways. An easement does not appear to
15 be necessary for Morse Street. But the applicant
16 must confirm the ultimate right-of-way widths of
17 Marlton Pike and Baird Boulevard and provide the
18 appropriate site triangle easement dedication to the
19 County. These easements must be shown on the plans.

20 MR. CHELOTTI: We will comply.

21 MS. MOORE: Per Section 577-230.F and
22 577-230.G, 25 parking spaces are required, whereas 18
23 parking spaces have been provided. The applicant
24 requests a waiver. Correct?

25 MR. JOHNSON: Correct.

1 MR. CHELOTTI: Correct.

2 MS. MOORE: And then what we failed to
3 notice here was the parking variance fee when a
4 variance or waiver is requested regarding parking,
5 the amount of spaces not provided, you generally have
6 to pay the parking fee. You're aware of the parking
7 variance fee? It has to be calculated by the City
8 Engineer. That is typically \$6,000 a space.

9 MR. DeCLEMENT: That is correct.

10 MR. JOHNSON: Understood.

11 MR. CHELOTTI: If I could just real quick
12 on that. I know the applicant was in discussions
13 with the adjacent property owner across the street
14 here, from my understanding, to possibly lease
15 spaces. That is a possibility but it is nothing
16 definite yet. And we did not want to hold up the
17 application until then.

18 MS. MOORE: And if it is parking on a lot
19 across the street like that, that is another variance
20 for parking on a lot, a separate lot. That's another
21 variance.

22 MR. DeCLEMENT: We would have to come
23 back.

24 MS. MOORE: No loading areas are required
25 per Section 577-231.C; however, testimony should be

1 provided regarding the hours of delivery and
2 operation to determine the impact on adjacent
3 residences. So, the hours of delivery for loading?

4 MR. DeCLEMENT: Alex, please. And by
5 that you mean the gas station or the laundromat?

6 MS. MOORE: I mean, all of the uses that
7 you have on the site.

8 MR. DeCLEMENT: Alex, let's take them
9 one-by-one, please, and provide testimony to the
10 Board with regard to the hours of operation. First
11 start with the gas station.

12 MR. STERIN: It's the same hours as the
13 gas station, from six in the morning until 10:00 p.m.

14 MR. DeCLEMENT: And is that the same for
15 all three uses?

16 MR. STERIN: Yes.

17 MR. DeCLEMENT: Thank you.

18 MS. MOORE: And a vehicle circulation
19 plan has been provided; however, the size of the
20 truck should be indicated and should illustrate the
21 largest vehicle to visit the site.

22 MR. CHELOTTI: Yes. Actually, we have
23 the -- the fire truck that's shown on our circulation
24 plan is the approximate location. The proximate size
25 of the largest truck that will apply to make it to

1 the site. But we will revise the plan with the exact
2 dimensions of a tanker truck.

3 MR. DeCLEMENT: Just for the Board's --
4 because this is a gas station, the biggest truck
5 would be a tanker. All tankers with motor fuel are
6 8,000 gallons or smaller. There's only two sizes.
7 One's an 8,000 and one's a 5,000.

8 MS. MOORE: And you'll revise?

9 MR. CHELOTTI: We'll revise the plan to
10 show the actual tanker truck.

11 MS. MOORE: Two walkways should be
12 provided for Morse Street to provide connections to
13 either side of the laundromat.

14 MR. CHELOTTI: We'll comply with that.

15 MS. MOORE: The existing bus stop on
16 Marlton Pike should be shown. Per Section
17 577-224.B.5.g, if a building is served by a bus line,
18 a bus pull-out and shelter should be provided.

19 MR. CHELOTTI: We will comply with that
20 in accordance with New Jersey Transit regulations.
21 They govern providing those shelters. But we will
22 make that application to New Jersey Transit.

23 MS. MOORE: Per Section 577-224.B.5.g and
24 577-234, a bicycle parking should be provided. The
25 applicant requests a waiver.

1 MR. CHELOTTI: We'll actually comply with
2 that. We did talk to the applicant. There is room
3 to put a bicycle rack over in this area here. So, we
4 will put one bicycle rack in.

5 MS. MOORE: How many bicycles will it
6 hold?

7 MR. CHELOTTI: It'll hold 10 bicycles.

8 MS. MOORE: Great. I'll remove those
9 waivers from the back. And the bus shelter, you will
10 look at that application so I will remove that as a
11 waiver.

12 MR. CHELOTTI: Yes. We'll file the
13 application with transit.

14 MS. MOORE: Okay. The applicant must
15 replace the existing curb and sidewalk along the
16 entire property frontage.

17 MR. CHELOTTI: Yes. We'll comply with
18 that. The frontage along Marlton Pike and Baird
19 Boulevard, the County Engineer may weigh in also on
20 that too.

21 MS. MOORE: Okay. But right now we're
22 mentioning complete replacement along the entire
23 frontage of sidewalk and curb?

24 MR. CHELOTTI: Correct.

25 MR. DeCLEMENT: By frontage, you mean all

1 three streets or just Baird Boulevard?

2 MS. MOORE: The entire property frontage.

3 MR. DeCLEMENT: I just want to be clear
4 so that way we don't have any questions later.

5 MS. MOORE: Oh, I know. I know about
6 questions later.

7 Stormwater Collection and Management
8 system. Do you have any issues with what I am
9 mentioning here?

10 MR. CHELOTTI: No. We'll comply with all
11 the items in your review letter.

12 MS. MOORE: Same with grading?

13 MR. CHELOTTI: That is correct.

14 MS. MOORE: And utilities?

15 MR. CHELOTTI: Yes. And utilities.

16 MS. MOORE: Construction details?

17 MR. CHELOTTI: Yes.

18 MS. MOORE: All right. I'll jump to
19 Planting Design on page 8 since that's where we go
20 back to waivers and variances.

21 Per Section 577-244.A, a buffer is
22 required between residential and nonresidential uses.
23 Where a buffer is not practical, an opaque fence may
24 be substituted if approved by the Zoning Board in
25 this instance in accordance with Section 577-149.

1 So your buffer.

2 MR. CHELOTTI: That's along the rear
3 property line here. There is an existing building
4 that is located... The laundromat is going to
5 encroach on that. The applicant is proposing to put
6 a solid fence along the property line here and along
7 on here.

8 The only exception to that is, it will
9 still be solid but the applicant had met with the --
10 actually, we had met with the adjacent property
11 owner. And they had requested a gate be put into
12 their property. The applicant has agreed to do that.
13 So, there will be a solid fence but there will be a
14 short piece of gate to allow this neighbor to access
15 his parking lot.

16 MS. MOORE: So then I will remove the
17 buffer from the waiver in the back of the report.

18 MR. CHELOTTI: Yes.

19 MS. MOORE: Per Section 577-244.E.3., a
20 250-foot landscaped buffer is required, whereas no
21 landscaping is proposed. The applicant requests a
22 waiver.

23 MR. CHELOTTI: We were trying to fit
24 landscaping back in here. But with the existing
25 house and existing trees here, it's very hard for

1 things to grow, especially next to the building. We
2 can work with your Board Engineer to come up with
3 some plantings in those areas.

4 MS. MOORE: So then you're not going to
5 ask for a waiver for landscape buffer?

6 MR. CHELOTTI: It won't be exactly 20.
7 It won't be the full buffer but we'll work with you
8 to get something that's acceptable.

9 MS. MOORE: But you'll still need the
10 waiver?

11 MR. CHELOTTI: Yes.

12 MS. MOORE: I have the waiver in the back
13 of the report. It's just buffer. I'll change that
14 landscape buffer for that comment.

15 MR. CHELOTTI: Thank you.

16 MS. MOORE: Foundation plantings should
17 be provided per Section 577-244.C.6.

18 MR. CHELOTTI: Yes. We'll look to
19 provide foundation plantings on the Morse Street side
20 which would provide a buffer for the adjacent
21 property owners. There is sidewalk proposed along --
22 on this side of the building.

23 And then also too later on, I think
24 there's a walkway that's being added here that will
25 tie in here. But we'll try to fit some plantings in

1 on that side also. But the front of the building
2 will be all concrete sidewalk adjacent to the
3 building.

4 MS. MOORE: But you are adding foundation
5 plantings?

6 MR. CHELOTTI: Correct.

7 MS. MOORE: Per Section 577-244.D, street
8 trees are required. The applicant requests a waiver.

9 MR. JOHNSON: We do.

10 MR. CHELOTTI: Yes, we do.

11 MR. JOHNSON: A lot of it has to do with
12 the site triangle.

13 MR. CHELOTTI: When you're looking -- we
14 didn't see too many places to put them on Baird and
15 on Marlton Pike. And with the building where it is
16 and on Morse Street, we weren't looking to add any
17 street trees in that area.

18 MS. MOORE: Per Section 577-244.F.2,
19 parking areas shall have a four-foot wide landscaped
20 buffer around the perimeter. You're requesting a
21 waiver?

22 MR. CHELOTTI: Yes, we are.

23 MS. MOORE: Per Section 577-244.F.3, at
24 least five percent (5%) of the interior parking area
25 shall be landscaped and at least 2 trees for each 10

1 spaces shall be installed within landscaped islands.
2 You're requesting a waiver?

3 MR. CHELOTTI: Yes, we are.

4 MS. MOORE: And your reasoning?

5 MR. CHELOTTI: There's limited area to
6 plant that number of trees. We will add some trees
7 into the area but we will not be able to meet the
8 full requirement.

9 MS. MOORE: Parking area shall be
10 subdivided with the planting islands containing trees
11 and other landscaped materials per Section
12 577-224.B.5.c. The applicant requests a waiver.

13 MR. CHELOTTI: Yes, we do.

14 MS. MOORE: And your reasoning?

15 MR. CHELOTTI: Just the general layout of
16 the site with the existing gas station and canopy
17 here. It kind of limits the amount of landscaping
18 around the parking. Same thing on this area here.
19 We are putting some landscaping at the end of the
20 islands here and in this area, but it still doesn't
21 meet the full intent of the ordinance.

22 MR. JOHNSON: And because it's more than
23 one use and because the cars have to queue up to the
24 dispensers, you want them to be able to see it as
25 quickly as possible.

1 MS. MOORE: All electrical and mechanical
2 equipment should be screened from view per Section
3 577-224.B.19. A note should be added to the plan.

4 MR. CHELOTTI: We'll comply.

5 MS. MOORE: I'll remove that waiver from
6 the back.

7 The applicant proposes to remove 6 trees
8 and has provided a replacement plan. Trees to be
9 counted toward compensatory planting should be
10 identified.

11 MR. CHELOTTI: We'll comply.

12 MS. MOORE: The location of the tree
13 protection fencing should be shown on the plans.

14 MR. CHELOTTI: We'll comply.

15 MS. MOORE: Lighting: When lighting
16 plans are provided, they should comply with the
17 standards for gasoline stations in Section 577-243.G,
18 which mandate a maximum lighting level of 5.5 under
19 the canopy and recess lighting. Although the canopy
20 is existing, the applicant proposes to remove pumps.
21 Lighting in this area should be reduced.

22 MR. CHELOTTI: We'll comply with that.

23 MS. MOORE: So, you will not need a
24 variance for the lighting levels for gasoline
25 stations?

1 MR. CHELOTTI: With the existing lighting
2 that's there now, it should be right at 5.5. The
3 only thing we're not sure of, if we do take some of
4 those lights out, how that will affect that. So, we
5 would like to keep the waiver in.

6 MS. MOORE: It's a variance for that
7 one?

8 MR. CHELOTTI: Yes.

9 MS. MOORE: Okay. All right.
10 Plans should be revised to comply with
11 Section 577-243.D.2 or a variance requested.

12 MR. CHELOTTI: I would like to request a
13 variance for any contradictions between the lighting
14 level for the gas canopy and these light levels here.
15 A full lighting plan to be reviewed by your engineer
16 will be submitted.

17 MS. MOORE: Okay. But you're asking for
18 that variance in this instance?

19 MR. CHELOTTI: Yes. Just to be able to
20 play between those two requirements.

21 MS. MOORE: Okay. Per Section
22 577-224.B.9 and 577-243.A, lighting should minimize
23 glare and off-site spillage.

24 MR. CHELOTTI: We'll comply.

25 MS. MOORE: I'm making sure -- you don't

1 need a variance for either of those sections,
2 correct?

3 MR. CHELOTTI: That is correct.

4 MS. MOORE: Per Section 577-243.A.15,
5 building height determines pole height. For
6 buildings up to 24 feet in height, a maximum mounting
7 height of 16 feet is permitted, whereas 20 feet is
8 proposed.

9 MR. CHELOTTI: We'll comply.

10 MS. MOORE: So, you don't need a variance
11 regarding the pole height?

12 MR. DeCLEMENT: No. We will reduce that
13 pole height.

14 MS. MOORE: Per Section 577-243.A.10, no
15 more than 0.25 footcandles are permitted 10 feet from
16 the property line. Plans should be revised.

17 MR. CHELOTTI: We are intending to meet
18 that along the rear property line. However, along
19 this side on Marlton Pike and a little bit on Baird
20 Boulevard, that may be harder to meet so we'd like to
21 keep that variance in.

22 MS. MOORE: Proposed wall-pack fixtures
23 should be specified as dark sky compliant.

24 MR. CHELOTTI: We'll comply.

25 MS. MOORE: Traffic Report: No traffic

1 information was submitted as part of this
2 application. Per Section 577-274.A, the Division of
3 Planning and Zoning shall require a Traffic Impact
4 Assessment as part of preliminary approval of a major
5 subdivision or major site plan. It may be waived
6 by the Zoning Officer-Administrative Officer based
7 upon the advice from the City Engineer. The
8 applicant requests a waiver. Our office recommends
9 that a traffic study be submitted.

10 MR. CHELOTTI: We will comply with your
11 recommendation.

12 MS. MOORE: The Environmental Impact
13 Assessment was not submitted. The same thing. The
14 applicant requests a waiver. Our office recommends
15 that an Environmental Impact Assessment be submitted.

16 MR. CHELOTTI: We'll comply with your
17 recommendation.

18 MS. MOORE: I have noted it under the
19 waivers which it was my mistake for not taking it
20 out. The Community Impact Assessment, I didn't feel
21 as though it's needed, a Community Impact Assessment
22 Report, so a waiver wouldn't be necessary. And then
23 also, I didn't see anything where a Visual Impact
24 Assessment would be required for this project. And
25 so with that, you don't need the waiver for that

1 either.

2 MR. JOHNSON: Thank you.

3 MR. CHELOTTI: Thank you.

4 MS. MOORE: Trash Enclosure (Solid Waste
5 Management). Per Section 577-255.A, a trash
6 enclosure is required, whereas none is proposed.
7 Testimony should be provided regarding the storage
8 and hauling of waste. In addition, testimony should
9 be provided regarding hours of trash hauling to
10 determine the impact on adjacent residences.
11 So, you'll have a private --

12 MR. DeCLEMENT: It'll be a private
13 hauler.

14 MS. MOORE: And the frequency?

15 MR. DeCLEMENT: Once a week.

16 MS. MOORE: And where is the pick-up?
17 You don't have a trash enclosure?

18 MR. CHELOTTI: There's no trash enclosure
19 proposed.

20 MS. MOORE: Right. Explain that to me,
21 please?

22 MR. STERIN: If I put trash out, it's
23 going to be trash all around. For the years I've
24 been in Camden and I know what it's going to be, like
25 I have on Federal. So, it's going to be on the

1 island right now. I have drums out there, trash
2 drums.

3 MR. DeCLEMENT: So that waste will be the
4 waste that comes from the use of the laundry? She's
5 asking you where the waste comes --

6 MS. MOORE: For all of his uses.

7 MR. STERIN: When Waste Management comes,
8 they just unload the drums. That's all.

9 MS. MOORE: So, your private hauler
10 retrieves your drums once per week?

11 MR. STERIN: No. They do it on a
12 Thursday and Monday.

13 MS. MOORE: So, it's twice per week.
14 Okay. Explain this to me again without a trash
15 enclosure, and you're going to have three uses.
16 Explain that.

17 MR. STERIN: Right now, the gas station,
18 on each island I have trash drums.

19 MS. MOORE: Okay. How many?

20 MR. STERIN: Two.

21 MS. MOORE: Two for the gas station?

22 MR. STERIN: Two for the -- but it's, I
23 mean, almost empty. For the car wash, it's going to
24 use the same drums because it's right at the gas
25 station. And the laundromat, I have to talk to my

1 attorney, the laundromat is going to be the same
2 drums like I have on Federal.

3 MS. MOORE: Same two?

4 MR. STERIN: Yeah, two.

5 MR. DeCLEMENT: I think you're saying
6 four though if I understand. You're saying two on
7 each island. Let's start from the beginning. How
8 many islands do you have?

9 MR. STERIN: I have four islands. On
10 each island, one container, trash container.

11 MR. DeCLEMENT: So, you're talking about
12 four drums?

13 MR. STERIN: Yes.

14 MS. MOORE: Four drums.

15 MR. STERIN: The gas station, yes. On
16 each island, one container. Car wash, I have plenty
17 of trash ways to unload.

18 MS. MOORE: But at these gas stations as
19 you're collecting it, because I know you're changing
20 the bags, where are the bags going? I know you're
21 changing it more than twice a week pick-up.

22 MR. STERIN: Yes, sur. It is on the same
23 lot on the back of the existing building. I keep the
24 trash bags.

25 MS. MOORE: In what?

1 MR. STERIN: In black plastic bags.

2 MR. DeCLEMENT: She's asking you how --

3 MS. MOORE: How are you storing these?

4 MR. DeCLEMENT: Right. Where are you
5 storing them on the lot?

6 MR. STERIN: It is behind the building.

7 MS. MOORE: In a fenced-in area?

8 MR. STERIN: Fence exactly.

9 MS. MOORE: Oh no.

10 MR. STERIN: No, no. It's fenced as it
11 was from the beginning. There is a fence on the back
12 there; existing fence.

13 MS. MOORE: And how do critters not get
14 in this?

15 MR. STERIN: What?

16 MR. DeCLEMENT: Animals. How do you
17 protect it from animals?

18 MS. MOORE: How do you protect them?

19 MR. STERIN: There are no animals. It's
20 blacktop.

21 MR. DeCLEMENT: So, would you be
22 agreeable to a fenced-in area where you had metal
23 containment?

24 MR. STERIN: No, I don't want to have
25 metal containment. It's going to be all around.

1 They just going to drop it -- the neighborhood or
2 whatever, is going to drop stuff in there every
3 night.

4 MR. EINGORN: Your concern is that the
5 neighborhood will dump in your trash cans?

6 MR. STERIN: Neighborhood or customers,
7 yes.

8 MS. MOORE: But you can say that for
9 every applicant that comes in here who has a trash
10 enclosure that's required.

11 MR. STERIN: Trash enclosure --

12 MR. DeCLEMENT: There are certain trash
13 cans that are --

14 MR. STERIN: But the gas station it's not
15 required?

16 MS. MOORE: No. I'm saying trash
17 enclosures are required. Trash enclosures are
18 required for site plans after -- I mean, our current
19 ordinance has been since 2011. So, I don't know if
20 your project is prior to 2011 which I'm sure it is.

21 MR. STERIN: I don't say --

22 MS. MOORE: But I mean, you're adding an
23 extra use now, if you don't remember. So, you need a
24 trash enclosure, an enclosure.

25 MR. STERIN: If, if. It was a

1 misunderstanding.

2 CHAIRMAN HAMILTON: He's adding two,
3 right?

4 VICE-CHAIRMAN HANCE: Two extra uses.

5 CHAIRMAN HAMILTON: Two uses. I'm just
6 sayin'.

7 MS. MOORE: No. It's one extra use,
8 right, just the laundromat. Two?

9 MR. EINGORN: It's two. The car wash
10 and a --

11 MR. COOPER: The car wash, laundromat and
12 the gas station.

13 MS. MOORE: Oh, that's right.

14 CHAIRMAN HAMILTON: He didn't say that
15 when he first came in. He said just droppin' off and
16 pick-up.

17 MR. STERIN: No, no.

18 CHAIRMAN HAMILTON: I'm just tellin' you
19 what you said, sir.

20 MS. WASHINGTON: He's changing his story.

21 MR. STERIN: There's no way to put the
22 laundromat --

23 MR. JOHNSON: If I may. Behind the
24 existing building near the pumps, there's a fenced-in
25 area. He puts trash cans in there. It's concrete.

1 Okay? Trash trucks come up, they get out of the
2 truck, they open the gate for him, he dumps the stuff
3 into the trash truck.

4 The laundromat has storage all along the
5 back of the building. You got to understand the
6 layout for the laundromat. The front door is here.
7 There's seating and a vending area down the front.
8 In the middle we have washers, an aisle with tables
9 and sorting carts. And the whole back is closed off
10 for servicing the dryers. And that area is abundant,
11 enough for putting trash cans in there, which can
12 likewise be picked up by the trash collectors and
13 dumped into the truck.

14 CHAIRMAN HAMILTON: I want to ask you a
15 question. I told you before when you first came up
16 here, it wasn't like that. But now you tell me you
17 got --

18 MR. JOHNSON: Well, I wasn't at the
19 zoning set up here.

20 CHAIRMAN HAMILTON: Let me finish. Okay?
21 Now, you tell me he got trash cans here. What you
22 need to do now is bring us back some pictures.
23 Because I don't -- you tell me this here, I don't
24 know. He already told me and changed the story two
25 times. Yeah. Now, I'm not sittin' here just to sit

1 here and split hairs with you. I know what he said.
2 I know what he said.

3 MR. JOHNSON: Well, that's my testimony
4 as to how he came to the trash.

5 MS. MOORE: Right. Right now I am
6 concerned of the fact that you have all of these uses
7 on a site without a trash enclosure, an actual
8 enclosure.

9 MR. JOHNSON: Well, it's in a building
10 or in a fenced-in area behind the building. It's not
11 quote unquote according to the acceptable design.
12 But he becomes a community trash collector and he
13 pays for the trash to be picked up and dumped. He
14 pays carnage fees.

15 MR. DeCLEMENT: On your rendering, can
16 you show us where on your rendering that area may
17 be?

18 MR. JOHNSON: Yes.

19 MR. DeCLEMENT: Now, you stated as part
20 of our testimony, that this area is for the servicing
21 of dryers. Is this an interior area or exterior?

22 MR. JOHNSON: This is a -- the dryer
23 service area, is a long alley right down here. This
24 is the entrance.

25 MR. DeCLEMENT: Right. I'm not trying to

1 be rude.

2 MS. MOORE: That's inside the building.

3 MR. DeCLEMENT: I'm trying to understand,
4 sir.

5 MR. JOHNSON: That area is available for
6 trash collection in the building.

7 MR. DeCLEMENT: I understand that and I'm
8 not disagreeing with you. But I think the Board's
9 question is, is that under roof? Is that an interior
10 space or exterior?

11 MR. JOHNSON: It's in the building.

12 MR. DeCLEMENT: So, it's an interior
13 space.

14 MS. MOORE: But you're talking about just
15 the laundromat use?

16 MR. DeCLEMENT: Right. We're getting to
17 use-by-use.

18 MS. MOORE: Oh, okay.

19 MR. DeCLEMENT: I'm sorry.

20 MS. MOORE: That's fine. And I'll accept
21 that as the laundromat use because it's inside of a
22 building and it's covered and you have private
23 hauling. My concern is, the throwing of bags in a
24 fenced-in area that's outside and not covered.

25 MR. JOHNSON: It's a fenced-in area but

1 there are trash cans in there with lids that the
2 trash goes in and it's not accessible to the
3 neighbors.

4 MR. EINGORN: It sounded like the bags
5 were going on the floor, not in cans.

6 MR. STERIN: No, no.

7 MR. JOHNSON: No. It's going in trash
8 cans.

9 MR. COOPER: You only got four cans.

10 MR. EINGORN: We didn't understand that.
11 It sounded like the bags were going on the floor and
12 that's why we asked the questions about the animals.

13 MR. JOHNSON: They're trash cans with
14 lids.

15 MR. STERIN: Trash containers inside.

16 MR. EINGORN: So, he's using individual
17 containers as opposed to a dumpster.

18 MR. STERIN: Yeah.

19 MS. MOORE: All right. So, then you
20 don't have a trash enclosure so you would need a
21 variance for trash enclosure, correct?

22 MR. CHELOTTI: Correct. We can revise
23 the plan to show those cans wherever they're located.

24 MR. JOHNSON: Here.

25 MR. CHELOTTI: And make sure that you're

1 acceptable with that location. And we can also
2 provide details on those cans.

3 MR. DeCLEMENT: Along with the fenced-in;
4 showing that it's a fenced-in area.

5 MS. MOORE: Why would I need details on a
6 trash enclosure?

7 MR. CHELOTTI: Just in case.

8 MS. MOORE: Come on.

9 It's private hauling. I'm just
10 concerned. I don't want trash just being around.

11 MR. DeCLEMENT: Understood. You don't
12 want a vector from the road.

13 MS. MOORE: And this site is no different
14 that any other site in the City in which we ask for
15 trash enclosures. I don't understand how this site
16 is so particular that, you know, neighbors will throw
17 their trash in this as opposed to any other place
18 that we ask. That's all.

19 MR. DeCLEMENT: Message received and
20 understood.

21 MS. MOORE: Okay. Thank you.

22 MR. DeCLEMENT: Thank you.

23 MS. MOORE: Per Section 577-224.B.14.a,
24 appropriate landscaping shall be installed around the
25 trash enclosure to form a year-round effective visual

1 screen at the time of planting. Plans should be
2 revised or a waiver requested.

3 So then you need a waiver from each of
4 the items of which you don't have a trash enclosure,
5 correct?

6 MR. CHELOTTI: Correct.

7 MS. MOORE: And then I will note the
8 trash enclosure as a waiver, I believe, because I
9 don't have that specifically in the back of the --

10 MR. EINGORN: We're going to put that as
11 a waiver or a variance? I'm sorry?

12 MS. MOORE: Trash, I don't have the
13 ordinance with me to see whether it's referred to
14 under the section where it would be a variance versus
15 a waiver. So, I'll go with the waiver right now.

16 MR. EINGORN: Isn't there a heightened
17 standard for variance so maybe --

18 MS. MOORE: I'm sorry?

19 MR. EINGORN: A heightened standard for a
20 variance; maybe an abundance of caution to the extent
21 that there --

22 MS. MOORE: Well, the other sections --
23 I just can't tell from the section now and I don't
24 have the ordinance on me.

25 MR. EINGORN: I will put it under

1 waivers.

2 MS. MOORE: I mean, they've provided
3 testimony. Assuming that it is a variance, you would
4 need to provide the testimony as to why you cannot
5 provide a trash enclosure. So, if you want to
6 provide any type of testimony, we'll take that.

7 MR. DeCLEMENT: I think that the
8 architect's testimony was, if we break it down by
9 building, that that waste from the laundry is
10 actually internalized in the interior of the
11 structure. And that there is a fenced-in area with
12 regard to the waste that's emanating from the current
13 gas station use. And that area will be used also by
14 the car wash.

15 MR. EINGORN: Will there be disposal of
16 large containers for chemicals or? I've never
17 operated a car wash so I don't know what goes into
18 the soap and other things that might need to be
19 thrown out.

20 MR. STERIN: It's going to be inside the
21 bay.

22 MR. EINGORN: I'm sorry?

23 MR. STERIN: This will be inside the
24 bay. We're talkin' about chemicals?

25 MR. EINGORN: Yes, sir.

1 MR. STERIN: Soap and detergents, it is
2 inside the bay. It's inside this bay.

3 MR. EINGORN: Does a truck fill up the
4 containers? Do you get big boxes? What kind of --

5 MR. STERIN: No, no. I buy the pails and
6 do myself.

7 MR. EINGORN: And the pails will fit in
8 the trash cans?

9 MR. STERIN: No. I take the pails and I
10 mix it with chemicals and with water and the
11 containers are sitting inside. So, what's the
12 question again?

13 MR. EINGORN: Is the pail reuseable, the
14 chemicals?

15 MR. STERIN: It's in a bucket. It's a
16 five-gallon bucket.

17 MR. EINGORN: I guess my question is:
18 What kind of waste comes out of the car wash? Do you
19 have boxes? Do you have bags? Do you have --

20 MR. STERIN: I have it all inside like
21 all car washes, inside the bay and everything is
22 going into the hole. Then I call a company in
23 Camden. Then when it's full, they just suck it out.

24 MR. DeCLEMENT: Let's start from the
25 beginning, if we may, Counsel. Mr. Sterin, you

1 operate another car wash?

2 MR. STERIN: Yes, I do.

3 MR. DeCLEMENT: And where do you operate
4 it at?

5 MR. STERIN: I operate six car washes.

6 MR. DeCLEMENT: Please explain to the
7 Board members where you operate them?

8 MR. STERIN: Three in New Jersey and
9 three in Pennsylvania.

10 MR. DeCLEMENT: How long have you been
11 doing this?

12 MR. STERIN: Forty years.

13 MR. DeCLEMENT: And you're familiar with
14 the waste that emanates from a car wash, right?

15 MR. STERIN: Yes, I am.

16 MR. DeCLEMENT: And so you're answering
17 questions from counsel about the type of soap
18 dispensers and other waste materials that's generated
19 based on your 40 years of experience, correct?

20 MR. STERIN: Yes.

21 MR. DeCLEMENT: Tell counsel what's
22 generated as in the normal operation on a weekly
23 basis of that car wash, the one that's pictured right
24 there.

25 MR. STERIN: I already told you. I buy

1 five-gallon buckets.

2 MR. DeCLEMENT: Of what?

3 MR. STERIN: Of soap and detergent. And
4 I mix them with water that's sitting inside the bay.

5 MR. EINGORN: The five-gallon buckets, do
6 you swap them out for a new bucket?

7 MR. STERIN: Yes.

8 MR. EINGORN: Is it like a deposit for
9 the bucket?

10 MR. STERIN: No, no. It's coming to me
11 with another bucket.

12 MR. EINGORN: And they take the old
13 bucket?

14 MR. STERIN: The old bucket goes into the
15 trash.

16 MR. EINGORN: That was my question.

17 MR. STERIN: It is not the trash. The
18 company picks it up. They suck the dirt from the
19 hole in the car wash. It's a company in Camden.

20 MR. DeCLEMENT: Well, that's the sump.

21 MR. STERIN: Yes.

22 MR. EINGORN: And they take the bucket
23 too?

24 MR. STERIN: They take the buckets too.
25 It's a plastic bucket.

1 MR. EINGORN: Understood.

2 MR. DeCLEMENT: And Mr. Sterin, how long
3 is that five-gallon bucket good for? How often do
4 you get --

5 MR. STERIN: Five-gallon bucket I mix
6 with 50 gallon drums.

7 MR. DeCLEMENT: Right. I think what
8 counsel's question is, how often do you get that
9 bucket of soap?

10 MR. STERIN: Well, it depends how is
11 business. I mean, generally, once a week.

12 MR. EINGORN: Once a week?

13 MR. STERIN: Yeah.

14 MR. EINGORN: Sorry Dena. I just totally
15 derailed you.

16 MS. MOORE: I'm on page 11 for
17 Miscellaneous: It appears the applicant proposes to
18 retain the existing freestanding sign located at the
19 corner of Baird Boulevard and Marlton Pike.
20 Testimony should be provided as to whether any
21 additional signage is proposed.

22 MR. DeCLEMENT: Alex, are you proposing
23 any additional signage in this application?

24 MR. STERIN: No. Are you talking about a
25 separate standing sign or just a sign?

1 MR. DeCLEMENT: She's talking about, are
2 you proposing any additional signage --

3 MR. STERIN: On the building, yes, where
4 the laundromat is. If I build the laundromat,
5 there's going to be --

6 MS. MOORE: Okay. So that's going to be
7 a separate application for the Zoning Board.

8 MR. DeCLEMENT: That's a separate
9 application, right.

10 MS. MOORE: Not a part of this
11 application?

12 MR. DeCLEMENT: Not a part of this.

13 MS. MOORE: Okay.

14 MR. STERIN: It's on the building. It's
15 not a separate standing sign.

16 MS. MOORE: I know what you mean.

17 MR. DeCLEMENT: A separate application.

18 MR. STERIN: It's a classic laundromat
19 sign.

20 CHAIRMAN HAMILTON: You need another
21 application to come before us, right?

22 MS. MOORE: Right. That will be a
23 separate application to the Zoning Officer.

24 MR. DeCLEMENT: Right.

25 MS. MOORE: Architectural plans have been

1 submitted; however, color-rendered elevations should
2 be provided and building materials should be
3 specified.

4 MR. JOHNSON: Here they are. Laundromat,
5 main entrance, side lighting here. This is a veneer,
6 brick veneer. And the band, the accent bands here
7 and here are stucco material. And the top here is a
8 white coping, metal coping, aluminum. Probably about
9 that high. Same treatment on all four sides of the
10 building. The neighborhood has some brick going out
11 further than just this site. The neighborhood has
12 brick on the facade of the buildings down the
13 street.

14 There's a multitude of materials that are
15 used in this building, and the other building too,
16 attempting to blend in with the type of materials
17 that have been used in the neighborhood. Brick is
18 used as I said. Stucco is used. The car wash is
19 metal siding.

20 This is an earlier version here, which is
21 also an approach to what this building will look
22 like. This is more open in design with glass.
23 Picture this on the major street here advertising.
24 People can walk by, drive by, look into the car wash.
25 The other end is glass, glass. The back of this,

1 picture the pumps and the canopy for the gas station
2 going behind this.

3 This wall is solid. The reason that wall
4 is solid is because for about five feet out of the
5 interior floor space, it's all lined with the
6 equipment that's necessary to operate the car wash.
7 There's no physical separation between the five-foot
8 area where all the electrical panels are, the pumps,
9 the soap storage, soap dispenser. All that stuff is
10 in full view from the street as you walk by onto this
11 street as well as the other street.

12 But it's just functional and it's also a
13 safety barrier between the gas dispensing fuel pumps
14 on this side to keep a physical fire separation
15 between a flammable dispensing area and this really
16 nonflammable building here. But just to be
17 safety-minded, that's the way it's designed.

18 The building seen here is the preferred
19 design by the owner. More glass. He also has a car
20 wash on Crescent Boulevard there on what was the
21 Airport Circle. And that design is reflected here.
22 It's more of a metal building with less glass but
23 nonetheless, it has that same fire barrier.

24 MS. MOORE: Are you guys labeling? Are
25 you going to label these?

1 MR. DeCLEMENT: We will. When we're done
2 testifying, we'll label them.

3 CHAIRMAN HAMILTON: I ain't finished with
4 him yet because that's not what he said. I got some
5 stuff down here that he already said, --

6 MR. EINGORN: Before we get to --

7 CHAIRMAN HAMILTON: -- pick-up and
8 deliver.

9 MR. EINGORN: Right. So, I got a couple
10 of issues. One, are we doing the bottom design or
11 the top design?

12 MR. JOHNSON: That's the preferred design
13 at this point.

14 MS. MOORE: Okay. Can I --

15 MR. EINGORN: He's for here for a --

16 MS. MOORE: I only have like two more.
17 Can I just get through these and then we'll go
18 through all of those?

19 MR. EINGORN: Sorry. I keep derailing
20 you.

21 MS. MOORE: No, no, that's fine. Because
22 I just want to make sure we get through all the
23 waivers and variances and then you guys can go at it
24 with your questions. Okay. I'm sorry.

25 The applicant shall address the

1 architectural requirements of Section 577-224.B.
2 Specifically, the following items should be addressed
3 and that's: The building should be designed together
4 to provide a harmonious design.

5 The exterior design of the buildings that
6 abut or are across the street from a residential
7 area, shall have similar colors and building
8 materials.

9 The building materials shall have "campus
10 like" standards such as brick and stone.

11 Window treatments shall be required on
12 the front sides of all buildings.

13 And drainage pipes must be located within
14 the building and not exposed.

15 So, you're going to meet all of those
16 standards?

17 MR. JOHNSON: Not one hundred percent.

18 MS. MOORE: Then you're requesting a
19 waiver --

20 MR. JOHNSON: A departure --

21 MS. MOORE: -- correct?

22 MR. JOHNSON: Yes. A departure from the
23 ordinance.

24 MS. MOORE: Okay.

25 MR. JOHNSON: Security is an issue as you

1 can imagine.

2 MS. MOORE: Okay.

3 MR. JOHNSON: And for that reason, the
4 only glass we put in the major side of the building
5 facing the gas station is on that side of the
6 building. We have nothing on the back; nothing on
7 the sides. We have one escape door here at the
8 very end of the building that mirrors the corner.

9 MS. MOORE: Okay. That's fine. And then
10 my last one. The plans should note that the
11 applicant will comply with the City's "Ordinance
12 Establishing Standards for the Submission of Maps and
13 Other Documents in a Digital Format." That's just a
14 note since you're --

15 MR. CHELOTTI: We'll comply.

16 MS. MOORE: And now I'm just going to
17 point out the variances. I have to have these noted
18 correctly. The variances, we have more than one use
19 on one site which was previously granted. The use
20 variance was previously granted. Rear yard setback
21 which is pre-existing, nonconforming.

22 We took off the minimized glare and
23 off-site spillage. We're keeping lighting levels at
24 property line. We removed pole heights. We're
25 keeping lighting levels and lighting levels for

1 gasoline stations, correct, for the variances?

2 MR. DeCLEMENT: Yes.

3 MS. MOORE: Waivers: Architectural
4 designs standards, landscape islands within parking
5 lot, number of access drives. We're removing bus
6 shelter and bicycle parking. We're keeping
7 landscaping around trash enclosure. We're removing
8 mechanical/electrical screening. We're keeping
9 number of parking spaces. We're removing the bicycle
10 parking, the buffer. We're keeping street trees.
11 I'm changing the next one to landscape buffer as
12 opposed to just buffer.

13 We're keeping the next four, the
14 five-foot landscape buffer around trash utility,
15 parking perimeter landscaping, parking lot interior
16 landscaping, year-round buffer around trash
17 enclosure. We're eliminating the next four, the
18 impact assessments for environment, community,
19 traffic and visual impact. And we're adding
20 Section 577-255.A, trash enclosure. And I'll note
21 that as a waiver because I believe that's a waiver.

22 The Approval Process, you're aware of the
23 Approval Process as listed on page 13. If you have
24 any questions, you can contact our office. The
25 Outside Agency I have noted for approval, Camden

1 County Planning Board, Camden County Soil
2 Conservation District, the DEP, Camden County
3 Municipal Utilities Authority, New Jersey American
4 Water. Any others that may be necessary?

5 MR. CHELOTTI: I think that's pretty
6 comprehensive.

7 MS. MOORE: That's it. Okay. And, Mr.
8 Chairman, that concludes our review.

9 CHAIRMAN HAMILTON: Anybody in the
10 audience for or against? Anybody in the audience for
11 or against? Anybody in the audience?

12 MS. MOORE: I mean, you guys have your
13 questions first before you open it up to the
14 public.

15 CHAIRMAN HAMILTON: I don't have any
16 cause he came before us already before.

17 MS. MOORE: Okay.

18 MR. EINGORN: I just want to ask a couple
19 of questions for the record.

20 CHAIRMAN HAMILTON: What he told us
21 before is not what he's sayin' now.

22 MR. EINGORN: Sorry for standing up. I'm
23 going to mark this big board here with the
24 elevation. I apologize for writing on your beautiful
25 picture. This is now Exhibit 1 to the application.

1 Let the record reflect that Exhibit 1 is the
2 Richard F. Johnson, Architect Minor Site Plan of the
3 car wash floor plan and elevation. I'm colored
4 blind. Is this green?

5 MR. JOHNSON: It's green. It's a very
6 aggressive green. I was doing this with a magic
7 marker and I couldn't match the color of the actual
8 product that would go in that building. It's darker;
9 much darker. More like hunter green if you can
10 picture that.

11 MR. EINGORN: One of the discussions was,
12 I believe, harmonious -- the building should be
13 designed together to provide a harmonious design.

14 MR. JOHNSON: With the neighborhood.

15 MR. EINGORN: Well, I think you need to
16 pick. Is it going to be a glass building or the barn
17 building?

18 MR. JOHNSON: I testified to that.
19 That's the building.

20 MR. EINGORN: So, that's the preferred.
21 So, you're willing to lock in this building?

22 MR. JOHNSON: This one is not acceptable
23 to the area.

24 MR. EINGORN: So, I believe that is more
25 harmonious with that than that. That was my opinion.

1 Let's move with this floor plan.

2 MR. DeCLEMENT: Just for the record so we
3 can get this. I think the applicant is willing to
4 stipulate to the glass building.

5 MR. STERIN: Yes, this is the one.

6 MR. DeCLEMENT: So that way we can lock
7 that in.

8 MR. EINGORN: So, we're going to mark
9 this Exhibit 2.

10 MR. DeCLEMENT: Right.

11 MR. EINGORN: Exhibit 2 is the photograph
12 exhibit by G&A of East Coast containing five
13 photographs and one elevation of the proposed
14 automatic car wash building. So, the applicant has
15 provided in Exhibit 2, has stipulated to this
16 elevation design on Exhibit 2.

17 Now, my next thing is related to this
18 floor plan. I don't know how we can approve a floor
19 plan for a design that doesn't seem to comply with
20 the approval for the use variance in August.

21 MR. DeCLEMENT: Well, actually at this
22 point what you're doing is giving approval for the
23 footprint. His use is constrained by the Resolution.
24 He can't use it outside the Resolution that you
25 granted.

1 MR. EINGORN: So then the applicant
2 would really be willing to stipulate --

3 MR. DeCLEMENT: Only to the footprint.

4 MR. EINGORN: -- that this interior with
5 the vending and all this, this is going to change.
6 But there was testimony about the dryer maintenance
7 aisle storing trash. So, they'll be some sort of --

8 MR. DeCLEMENT: Right. Here's what the
9 architect, and we can speak for himself, but these
10 are the dryers. This is a void to have access to
11 those where they're going to store the waste cans.
12 The rest of this would be at the control of his
13 attendant. I think that complies with your
14 Resolution.

15 MR. EINGORN: That answered my question.

16 MR. COOPER: I have a question. Your
17 setbacks, now, behind the building you said something
18 about you're going to store trash?

19 MR. DeCLEMENT: No, no. When he
20 explained that, he didn't do a particularly
21 articulate description. If you look at the
22 building -- when he says it's not behind the
23 building, it's in the 'behind' of the building. Here
24 it's too far to see. It's almost impossible to see.
25 I can't even see it.

1 MS. MOORE: But you're just talking about
2 the one building here. This is just --

3 MR. DeCLEMENT: I think that's his
4 question, right. What he's making reference to, it's
5 this interstitial space between --

6 MS. MOORE: Inside the building.

7 MR. DeCLEMENT: Right. It's behind the
8 building; not behind the building -- in the behind of
9 the building.

10 MR. COOPER: It's behind the laundromat.

11 MR. DeCLEMENT: Well, these are the
12 drivers so it's in the back of the building, not
13 behind it.

14 MR. COOPER: Now, was there suppose to be
15 something back here as far landscaping?

16 MR. EINGORN: Mr. Cooper, can you speak a
17 little louder. We can't hear you down on this end.

18 MR. DeCLEMENT: That I have to go get --

19 MR. CHELOTTI: Is there a question?

20 MS. MOORE: There was a question.

21 MR. COOPER Behind the building, are you
22 suppose to do some type of landscaping?

23 MR. DeCLEMENT: This is just a footprint.
24 That's the drawing you're referring to?

25 MR. COOPER: Huh-huh.

1 MR. CHELOTTI: If it's okay with you, I
2 can flip to an actual landscape plot.

3 So this is the laundromat area here. So,
4 in the same orientation that you just had with the
5 other plan, if I turn it this way, this is how you
6 were looking at the other plan.

7 MR. COOPER: Right.

8 MR. CHELOTTI: So what we've agreed to in
9 testimony is to provide additional landscaping and
10 foundation plantings along here. Also, too, since
11 there is a walkway being requested from this sidewalk
12 around to this side, we could probably fit some
13 additional plantings in this area here.

14 MR. JOHNSON: It's ten feet. Vacant land
15 here.

16 MR. DeCLEMENT: So, you have a three-foot
17 walkway?

18 MR. JOHNSON: A three-foot walkway and
19 seven feet of grass. That leaves another alley for
20 some plantings.

21 MR. CHELOTTI: Does that answer the
22 question?

23 MR. JOHNSON: But providing planting
24 along here, this is right on the property line that
25 means we got move it this way or reduce the size of

1 the building.

2 MR. CHELOTTI: That's in this space here.

3 MS. MOORE: That's in the right-of-way.

4 MR. JOHNSON: You're in the right-of-way.

5 MR. CHELOTTI: That's the only spot where
6 we can fit foundation plantings along that rear side.

7 MR. COOPER: Can we do it in the
8 right-of-way?

9 MS. MOORE: I'd have to check with the
10 City Engineer.

11 MR. CHELOTTI: It would be subject to the
12 City Engineer.

13 MS. MOORE: Right. But then also, I
14 didn't realize that your building is right on the
15 right-of-way. So, no foundation of that building can
16 be within the right-of-way.

17 MR. CHELOTTI: Correct. It's pulled back
18 six inches.

19 MS. MOORE: Yes.

20 MR. CHELOTTI: That's why I think there
21 is still some room to plant in that area.

22 MS. MOORE: Okay. Nothing can be in the
23 right-of-way?

24 MR. CHELOTTI: Correct.

25 MR. EINGORN: To confirm, this building

1 is not there yet, right?

2 MR. JOHNSON: Not at all.

3 MR. CHELOTTI: That is correct.

4 MR. JOHNSON: Nor the car wash.

5 MR. EINGORN: This building being the
6 laundromat building.

7 MR. COOPER: And also, your trash
8 enclosure. That was waived, right, the trash
9 enclosure?

10 MS. MOORE: Right.

11 CHAIRMAN HAMILTON: Anybody in the
12 audience for or against? Anybody in the audience for
13 or against; anybody for or against? Hearing none.
14 Closed to the public. Anybody have questions from
15 the Board?

16 MR. COOPER: I have a question. I don't
17 think I was here to vote on the variance that we
18 approved.

19 MR. EINGORN: The use variance.

20 MR. COOPER: The use variance. I don't
21 think I was here. I don't remember voting on that at
22 all.

23 MR. EINGORN: That's okay. This is a
24 separate application.

25 CHAIRMAN HAMILTON: Anybody got any

1 questions? All right. I have a question because I'm
2 goin' tell you and tell you again, we got it written
3 down already. When he came here he just said,
4 drop-off and pick-up. That's what he told us. Not
5 in the laundromat. Drop-off; pick-up. There'd be no
6 parking if they can drop it off. That's what I'm
7 sayin' to you. Now, it's somethin' different.

8 MR. DeCLEMENT: No. Mr. Chairman,
9 there's no use variance before you. That's
10 constrained by the Resolution. There's nothing
11 before this Board that would alter that Resolution.

12 CHAIRMAN HAMILTON: I'm sayin' right
13 here, it says, application will be in conformance to
14 all the wash services and customers would merely
15 pick-up and drop-off.

16 MR. DeCLEMENT: And I agree with you.

17 CHAIRMAN HAMILTON: Yeah.

18 MR. EINGORN: Counsel agrees with you.
19 Although the applicant is saying that there was a
20 misunderstanding, the misunderstanding doesn't
21 matter. What counsel is saying, he has an obligation
22 to abide by what's been approved and adopted in the
23 Resolution.

24 MR. DeCLEMENT: Mr. Chairman, if the
25 applicant had a disagreement with you, now is not the

1 time to air that disagreement. His time to air that
2 disagreement was when the draft Resolution was
3 presented to his counsel after the use variance.

4 CHAIRMAN HAMILTON: I told him that
5 before. What I'm tellin' you now, I told him the
6 same thing. Okay? Now, he still comes back with the
7 same thing. Now, how am I suppose to sit up here --

8 MR. DeCLEMENT: I don't --

9 CHAIRMAN HAMILTON: -- and approve it
10 when I know he lied to us? I know what he said now.
11 You can't tell me whatcha -- there's one thing I can
12 do is, understand. And I know what he said. Did the
13 members up here hear him?

14 MS. ATWOOD: Yes.

15 MR. COOPER: Yes.

16 MS. WASHINGTON: Yeah, I heard him.

17 CHAIRMAN HAMILTON: Same thing. I'm not
18 goin' do nothing like that when he goin' come up here
19 and lie to us. Now, I don't do that.

20 MR. STERIN: Wait a second. I am not
21 lying. It was a misunderstanding. I said I have
22 people who is driving cars; two Spanish-speaking
23 guys. They can go to the house and pick up the
24 clothes and bring back to the laundromat. It's an
25 additional to the normal operation. I spend so much

1 money for --

2 MR. DeCLEMENT: He's using his time to
3 air that disagreement or misunderstanding. If he
4 wishes to amend to what's written in that Resolution,
5 he must make a separate application to this Board.

6 CHAIRMAN HAMILTON: Right.

7 MR. DeCLEMENT: It's on the record. I
8 don't know how better to articulate.

9 CHAIRMAN HAMILTON: Make another
10 application and we understand that.

11 MR. DeCLEMENT: So, at this point, if you
12 were to approve this site plan, he would only have
13 exactly what's contained within that Resolution; no
14 more.

15 CHAIRMAN HAMILTON: Anybody got anything?
16 Let's vote.

17 MR. EINGORN: We need a motion.

18 CHAIRMAN HAMILTON: Can I get a motion?

19 VICE-CHAIRMAN HANCE: I make a motion
20 that we accept the site plan.

21 MR. COOPER: Site plan?

22 MR. EINGORN: So, a motion to approve the
23 site plan with the waivers and variances requested
24 subject to the conditions and discussions set forth
25 in Remington & Vernick's letter.

1 REVEREND MARTINEZ: Second.

2 MR. EINGORN: We'll take a roll-call
3 vote. Chairman Hamilton.

4 CHAIRMAN HAMILTON: Yes.

5 MR. EINGORN: Vice-Chairman Hance.

6 VICE-CHAIRMAN HANCE: Yes.

7 MR. EINGORN: Reverend Martinez.

8 REVEREND MARTINEZ: Yes.

9 MR. EINGORN: Ms. Washington.

10 MS. WASHINGTON: No.

11 MR. EINGORN: Ms. Atwood.

12 MS. ATWOOD: Yes.

13 MR. EINGORN: Ms. Merricks.

14 MS. MERRICKS: Yes.

15 MR. EINGORN: Mr. Cooper.

16 MR. COOPER: No.

17 MR. EINGORN: Five to two. Your
18 application passes.

19 MR. DeCLEMENT: Thank you Board and Mr.
20 Chairman.

21 (Dena Moore leaves the meeting at
22 8:30 p.m.)

23 MR. EINGORN: The next application is
24 Bobby Jones, 827 Walnut Street, Block 376, Lot 100.

25 CHAIRMAN HAMILTON: Come up to be sworn.

1 Please raise your right hand.

2 - - -

3 BOBBY L. JONES, having been first duly
4 sworn/affirmed, was examined and testified as
5 follows:

6 - - -

7 CHAIRMAN HAMILTON: Tell us your name and
8 address.

9 MR. JONES: Bobby L. Jones, 3 Cobalt
10 Court, Swedesboro, New Jersey.

11 MS. McCOY: Vera McCoy representing Mr.
12 Jones.

13 Mr. Jones purchased this property back in
14 1984. And at the time that he purchased it, it was
15 already being used as an apartment building.

16 CHAIRMAN HAMILTON: He bought it and it
17 was in use like that already.

18 MS. McCOY: Yes. I'm just going to pass
19 this out to the Board. We'll call that Exhibit A.
20 And that shows that Mr. Jones purchased it in 1984.

21 MR. EINGORN: So, this is a tax card.
22 The date is --

23 MS. McCOY: That was when he purchased it
24 in 1984.

25 MR. EINGORN: This is a 1984 tax card

1 which is now being marked as Exhibit A to the
2 application.

3 MS. McCOY: Right.

4 And Mr. Jones has owned it continuously
5 and used it continuously as that for the last 36
6 years. And because he purchased it that way, he
7 assumed that it was already zoned as an apartment
8 building. So, his application is to have the use
9 variance changed, the use variance for a three-unit
10 apartment building. It was already being used that
11 way.

12 And then the second part of his
13 application is for a bulk variance with regard to the
14 parking issue there. There is actually an alley
15 that's right next to the building that's part of his
16 property. His tenants are able to use that for
17 on-site parking and there's plenty of ample parking
18 off-site or on-street parking. The bulk variance and
19 the use variance would present no detriment to the
20 public good so we're asking that the Board approve
21 this application.

22 CHAIRMAN HAMILTON: I want to ask you a
23 question now. How long you had it?

24 MR. JONES: Thirty-five, 36 years.

25 CHAIRMAN HAMILTON: This has just come

1 up?

2 MS. McCOY: Yes, because he's planning on
3 selling it. I mean, he never knew that there was an
4 issue until he made the application to actually sell
5 it.

6 MR. EINGORN: I got a question for you.
7 The tax card, sir, says four units. Is it still four
8 units?

9 MR. JONES: It's four units.

10 MR. EINGORN: It is four units.

11 MS. McCOY: Yes.

12 MR. JONES: Yes.

13 MS. McCOY: When we received the letter
14 from the City, it said three units. I don't know
15 but... Our letter dated December 5, 2019, it says
16 three units but it's actually four units.

17 MR. JONES: Four units.

18 MR. EINGORN: There's no off-street
19 parking for this property?

20 MS. McCOY: Yes, there is off-street
21 parking. He has an alley that's right. It's part of
22 the property. And his tenants can park right there.
23 That's off-street. And then if there's any other
24 need -- you have to remember, it's four units so it's
25 one bedroom.

1 So, there's enough parking actually in
2 the alley for four cars. But in addition to that on
3 the street, there's plenty of parking on that street
4 as well. Mr. Jones pointed out to me that there's
5 parking available on 9th Street and on Eighth Street.

6 CHAIRMAN HAMILTON: I know where it's at.
7 He keeps it nice.

8 MS. McCOY: Thank you.

9 CHAIRMAN HAMILTON: I was wondering why
10 it took so long.

11 MS. McCOY: Well, because all along he's
12 been operating as an apartment building. He didn't
13 know that there was a problem until he applied to
14 sell it; to get the CO to sell it.

15 CHAIRMAN HAMILTON: Any questions?
16 Anybody got any questions?

17 REVEREND MARTINEZ: No. I mean, he owned
18 the property for so long.

19 MS. McCOY: Yes. Mr. Jones had asked
20 before I became involved, that it be grandfathered in
21 but they told him no. So, he had to do it the right
22 way.

23 CHAIRMAN HAMILTON: Why they told him he
24 can't be grandfathered in?

25 MS. McCOY: That's what they told him.

1 CHAIRMAN HAMILTON: Cause we had that
2 problem one time before and they did it for other
3 people.

4 MS. McCOY: That's what Mr. Jones told
5 me. That's why he needed me.

6 CHAIRMAN HAMILTON: Remember when we said
7 about grandfathered in --

8 MS. ATWOOD: I might not have been here.

9 CHAIRMAN HAMILTON: I don't know if you
10 had been here or not. But I can give you the area
11 out there on Federal Street, the guy had a car lot.
12 And when he came before us, the first thing he said
13 is that he was grandfathered in. Do you remember?

14 MR. COOPER: Yeah.

15 MR. EINGORN: It's an R-2 so they can't
16 have an apartment building. That's why they're here
17 for a use variance.

18 CHAIRMAN HAMILTON: Okay. He's been
19 having it so long. I'm just sayin', he'd been having
20 it so long that I don't understand it. You know,
21 people 30 some years.

22 MR. EINGORN: A lot of buildings in the
23 City.

24 CHAIRMAN HAMILTON: Yeah. But I'm
25 sayin', if he had it so long they just now got it --

1 how are you going to put something against him like
2 that? I don't understand.

3 MR. EINGORN: The Zoning Office doesn't
4 have the ability to grant the variance on its own or
5 they wouldn't need us.

6 MS. McCOY: Any other questions?

7 VICE-CHAIRMAN HANCE: Yes. You have two
8 pictures here for street and side. So, this is where
9 parking is; on the side here?

10 MR. JONES: Both on 9th Street.

11 MS. McCOY: Yes, that's the alleyway
12 there.

13 VICE-CHAIRMAN HANCE: This is in front of
14 the building here?

15 MR. JONES: Yes.

16 MS. McCOY: The other side of that is
17 676.

18 CHAIRMAN HAMILTON: Yeah, it's 676 over
19 there. I know where it's at.

20 MS. WASHINGTON: And this is Walnut and
21 what?

22 MR. JONES: And 9th. Between 8th and
23 9th. It's on the corner but there's only about seven
24 to eight houses on the whole block.

25 REVEREND MARTINEZ: I go through there

1 every single day through Grant Village.

2 MR. COOPER: You have four separate
3 entrances?

4 MR. JONES: No. I only have one main way
5 through there in the middle and one on the side.

6 MR. COOPER: And nothing in the back?

7 MR. JONES: No, nothing in the back.

8 CHAIRMAN HAMILTON: You had it for a long
9 time.

10 MR. EINGORN: Did you hear what was
11 previously asked of the prior applicant about the
12 parking fees?

13 MR. JONES: I don't understand.

14 MR. EINGORN: So, the City of Camden has
15 a parking fee. For every parking space that you're
16 granted a variance, they charge you to create parking
17 somewhere else in the City.

18 MS. McCOY: But we don't need parking
19 anywhere else. That's what I'm saying. If you look
20 at the picture, there's an alley way. That's where
21 his tenants can park. There's no need for him to
22 make application for any parking spaces.

23 CHAIRMAN HAMILTON: Any questions? Any
24 questions? Hearing none. Anybody in the audience
25 for or against? Anybody in the audience for or

1 against? Anybody got any questions here?

2 MS. WASHINGTON: Is somebody staying in
3 there, Mr. Jones?

4 MR. JONES: Somebody's always been in
5 there.

6 REVEREND MARTINEZ: He had this property
7 for the longest time. Again, we go to like the two
8 cases before. I mean, you have had the property for
9 the longest. You're not expecting us to say, no, you
10 can't do this. Come on. It's not fair for him or
11 for nobody in the City of Camden. I mean, I go
12 through there all the time and I know what the
13 property sits at. And I think we should approve this
14 application.

15 VICE-CHAIRMAN HANCE: Is the alleyway a
16 public alleyway?

17 MS. McCOY: No. That alleyway is
18 specifically for that building. That is his
19 property. That's all part of his property. And it's
20 actually fenced-in as well. So, that's his property.

21 VICE-CHAIRMAN HANCE: I can't see it.

22 MS. McCOY: I know it's hard to see on
23 that picture. Unfortunately, we didn't do color.

24 CHAIRMAN HAMILTON: Anybody else got any?
25 I myself like I said, you had it for a long time, 59

1 years. Plus he keeps it up real nice down there.

2 MS. McCOY: Thank you. Yes, he does.

3 CHAIRMAN HAMILTON: Anybody else have any
4 questions?

5 MR. EINGORN: So, the applicant appeared
6 tonight asking for a use variance for his apartment
7 building, as well as bulk variances for the lot
8 width, depth, coverage, front and side, and rear
9 yards. There was also in the denial letter, an
10 off-street parking variance. The applicant has
11 testified and provided some evidence that there is
12 off-street parking.

13 So, to the extent that the Board makes a
14 determination that the applicant has complied with
15 his off-street parking requirement, that would not be
16 a necessary variance. But you should put on the
17 record that you believe that the applicant has
18 complied with the required off-street parking
19 requirements.

20 CHAIRMAN HAMILTON: Okay. Anybody else?
21 Anybody else? Open it up to the public. Anybody
22 here for or against? For or against? Hearing none.

23 REVEREND MARTINEZ: Motion to pass.

24 MR. EINGORN: So the question is, is a
25 motion to grant the three waivers -- I mean, sorry --

1 the three variances? Or has the Board made a
2 determination that the applicant has complied with
3 the off-street parking requirements and, therefore, a
4 bulk variance for off-street parking wouldn't be
5 necessary?

6 REVEREND MARTINEZ: Applicant will
7 comply.

8 MR. EINGORN: Not will. Has. He has or
9 he has not.

10 REVEREND MARTINEZ: Right.

11 MR. COPPER: He has complied.

12 MR. EINGORN: He has complied. Okay.

13 So, for clarification for the record, the motion is
14 to approve a use variance and the bulk variances for
15 the lot width, lot depth, building coverage, front
16 and side and rear yards. And the Board has made a
17 determination that off-street parking requirements
18 have been complied with and, therefore, a variance is
19 not necessary. And do we have a second?

20 CHAIRMAN HAMILTON: Second.

21 MR. EINGORN: We'll take a roll-call
22 vote. Chairman Hamilton.

23 CHAIRMAN HAMILTON: Yes.

24 MR. EINGORN: Vice-Chairman Hance.

25 VICE-CHAIRMAN HANCE: No.

1 MR. EINGORN: Reverend Martinez.

2 REVEREND MARTINEZ: Yes.

3 MR. EINGORN: Ms. Washington.

4 MS. WASHINGTON: Yes

5 MR. EINGORN: Ms. Atwood.

6 MS. ATWOOD: Yes.

7 MR. EINGORN: Ms. Merricks.

8 MS. MERRICKS: Yes.

9 MR. EINGORN: Mr. Cooper.

10 MR. COOPER: Yes.

11 MR. EINGORN: Congratulations. Your
12 application has been granted.

13 MS. McCOY: Thank you so much.

14 MR. EINGORN: The next application is
15 Yousaf Javed, Camden Auto, 1215-1221 South 6th
16 Street.

17 CHAIRMAN HAMILTON: Come up to be sworn.
18 Please raise your right hand.

19 - - -

20 YOUSAF JAVED, having been first duly
21 sworn/affirmed, was examined and testified as
22 follows:

23 - - -

24 CHAIRMAN HAMILTON: Name and address.

25 MR. DILKS: My name is William Dilks.

1 I'm the attorney for the Camden Auto, LLC and my
2 client. My client purchased this in his individual
3 name and it was approved by the City a year ago. But
4 he wants to transfer it to an LLC solely owned by
5 him. And he was told that he had to come before you
6 to get approval even though he had approval before
7 individually.

8 CHAIRMAN HAMILTON: What is this here?

9 MR. DILKS: You can keep a copy and have
10 a copy made and mail it back to me, if you'd like.

11 MR. EINGORN: Once it comes into the
12 record, it's mine.

13 CHAIRMAN HAMILTON: He's our lawyer.

14 MR. DILKS: I'm sorry.

15 MR. EINGORN: So, do you want to submit
16 it as part of the application or you don't?

17 CHAIRMAN HAMILTON: Yeah, he said he
18 does.

19 MR. DILKS: You can show that.

20 CHAIRMAN HAMILTON: He said he had a
21 copy.

22 MR. EINGORN: This is a copy for me?

23 MR. DILKS: That's my only copy.

24 CHAIRMAN HAMILTON: That's your only
25 copy?

1 MR. DILKS: I probably made it for my
2 client.

3 MR. EINGORN: This one is mine now. I'm
4 having it marked as Exhibit A to the application.
5 This is a December 11, 2018 letter from Dr. Williams
6 granting a zoning permit for a commercial use as
7 permitted by Ordinance. So, who is Kasheb Javed?

8 MR. JAVED: That is one of the partners
9 that owns the building. But he owns the building.
10 I'm own the business.

11 MR. EINGORN: So you own the business.

12 MR. JAVED: And the property.

13 MR. EINGORN: So who is this guy? He's
14 just a clerk?

15 MR. JAVED: He's my brother. He just
16 owns the building but he don't have a business
17 there.

18 MR. DILKS: But the business is in your
19 name, isn't it?

20 MR. JAVED: Mine too.

21 MR. EINGORN: The address is 1215 to 1221
22 South 6th Street.

23 MS. DAVIS: It says auto body, auto
24 repair. That's different.

25 MR. EINGORN: Yeah, I agree. This use,

1 commercial use resale, is for used car sales,
2 I guess. It says, resale. I don't know what else it
3 means. It doesn't seem to apply to auto body, auto
4 repair and signage. So, if you're going to ask for
5 one, two, three uses, then you need a use variance
6 any way.

7 MR. DILKS: As I said before, it was a
8 mechanic --

9 MR. JAVED: Machine shop.

10 MR. DILKS: Machine shop for 30 some
11 years. All right? Then it was transferred over to
12 him for car repairs. He's not changing anything in
13 the building. He's only changing the use. And I
14 have large photos.

15 MR. EINGORN: But he's changing the use.
16 Do you know what the LI-1 Zoning District allows?
17 I don't have a copy of the ordinance in front of me.

18 MR. DILKS: All right. Let the record
19 reflect that I have these.

20 MR. EINGORN: Would you like to make them
21 part of the application?

22 MR. DILKS: Yes, you can have these.

23 MR. JAVED: They asked us to bring this
24 when we made the other appointment.

25 MR. EINGORN: I will take all of them.

1 This is our copy.

2 MR. DILKS: You can circulate them.

3 MR. EINGORN: I need the letter back.

4 That's mine now. Thank you.

5 MR. DILKS: I wanted to show you.

6 MR. EINGORN: So, let the record reflect,

7 the applicant has produced one, two, three, four,

8 five -- seven --

9 MR. DILKS: I think there are eight.

10 MR. EINGORN: -- eight colored photographs

11 which will collectively be marked as Exhibit B to the

12 application.

13 MR. DILKS: I was looking for the one

14 that shows all the area where the cars are parked.

15 CHAIRMAN HAMILTON: The letter we got

16 right here it says, commercial use resale. Resale

17 what?

18 MR. DILKS: It was commercial before. It

19 was a machine shop before. And he's changing it to

20 another commercial use for his business.

21 MS. WASHINGTON: Excuse me. It's 6th and

22 what?

23 MR. JAVED: 6th & Liberty. Right next to

24 Kaighn.

25 MR. EINGORN: So, I think the issue we're

1 having here is that you got three uses. You got used
2 car sales, auto body and auto repair, and you're also
3 asking for a sign. So, I think that's the issue,
4 right? You're asking for multiple uses on the same
5 lot?

6 MR. JAVED: No. This is the old zoning
7 that the seller gave us before he sold the property
8 to us. And we asked him, you know, we got to make
9 sure the purpose we are buying the property is going
10 to happen. We don't want to buy the property if we
11 can't use it as commercial. And he said, okay, no
12 problem. I'm going to arrange for you. And then he
13 had it done for us.

14 MR. EINGORN: Unfortunately --

15 MR. JAVED: And as soon as we find out
16 that we need another zoning under the business name
17 then we started a new process. And that's where we
18 are.

19 MR. EINGORN: Unfortunately, this doesn't
20 have enough detail for us to really understand what
21 happened. So, the point is, that you're going to
22 need to explain your Positive and Negative Criteria
23 for the use variance that was applied for. Now, it
24 sounds to me like there's off-street parking because
25 you're parking a bunch of cars for the sales, right?

1 MR. JAVED: No.

2 MR. DILKS: They're already in there.

3 MR. EINGORN: You have a lot.

4 MR. JAVED: Yeah.

5 MR. EINGORN: Right, right. So, there's
6 parking.

7 MR. JAVED: The customer is only street
8 parking.

9 MR. EINGORN: Okay. So customer only
10 street parking?

11 MR. JAVED: Yeah.

12 MR. DILKS: There's a lot I think in one
13 of the photos with many cars in it.

14 MR. EINGORN: We're going to pass the
15 photographs down so the Board has a chance to
16 evaluate them. He's here for a use variance to use
17 the property for used car sales, auto body, auto
18 repair and he wants to approve the sign. Right?

19 MR. DILKS: Yes.

20 MR. EINGORN: So, what he's saying is
21 that he bought the property this way. He thought it
22 was going to be allowed to be used this way. Here's
23 the picture showing it used this way and he's
24 requesting to be able to use the property the way
25 he's been using it and what he thought it was used

1 for. Is that right?

2 MR. JAVED: The only one I'm worried
3 about having is, this letter is confusing
4 everything. Because in this letter he's trying to
5 represent the whole thing.

6 CHAIRMAN HAMILTON: I gotcha you.

7 MR. JAVED: But now already the
8 application is in process. Now, we only need the use
9 variance or type of variance whatever that word is.
10 That's all we have to follow.

11 VICE-CHAIRMAN HANCE: Let's back up.
12 When you bought the property, was all this equipment
13 in there or was it a machine shop?

14 MR. JAVED: That was a machine shop.

15 VICE-CHAIRMAN HANCE: Okay. So, you
16 added all this to it?

17 MR. JAVED: Yeah.

18 MR. JAVED: It was nothing in there. It
19 was just a vacant property with the land; same lot.

20 MR. EINGORN: What else is in the area?

21 MR. JAVED: There's nothing around.
22 Across the street is a couple city properties on the
23 right and left, across the street. I mean,
24 everywhere it's just vacant lots. In the back
25 there's a closed church.

1 VICE-CHAIRMAN HANCE: There's not a car
2 place there that does paint cars?

3 MR. JAVED: No, that's the next block
4 right by the light at the corner. We are one block
5 away.

6 VICE-CHAIRMAN HANCE: I got property at
7 723 Kaighn Avenue.

8 MR. EINGORN: How many people come to the
9 shop everyday to look at cars?

10 MR. JAVED: About two, three.

11 MR. EINGORN: How many people drop off
12 their cars off every day?

13 MR. JAVED: It's a new, young business.
14 It's the first year that we are here. So sometimes
15 one; or sometimes maybe there's no customers.

16 MR. EINGORN: So, you see on average like
17 three, four customers a day?

18 MR. JAVED: We mostly fix our own
19 inventory. We have a dealership so we give priority
20 to fix our own inventory than dealing with a walk-in
21 customer.

22 CHAIRMAN HAMILTON: Are you the owner?

23 MR. JAVED: Yes. So, I mean, still
24 people come locally once in a while just curious
25 about the car prices, tires, flat tires, and this

1 kind of stuff. But not nonstop traffic.

2 MR. EINGORN: So, you're saying about
3 three people a day as of right now?

4 MR. JAVED: Yeah, two to three people
5 right now.

6 MR. EINGORN: And you park your car on
7 the street?

8 MR. JAVED: No. We park in the yard.
9 But our personal car which is one or two cars is
10 street parking.

11 MR. EINGORN: When you show up in the
12 morning with your coffee and your donut, you park in
13 the street?

14 MR. JAVED: Yeah, I park in the street
15 right in front of my office.

16 CHAIRMAN HAMILTON: And it says, use
17 variance needed. And you said it's the same thing,
18 right?

19 MR. JAVED: Yes.

20 MR. EINGORN: Well, I think the testimony
21 was, it was a a machine shop and now he wants car
22 sales, auto body, auto repair and he would like to
23 approve the sign.

24 VICE-CHAIRMAN HANCE: Okay.

25 MR. JAVED: Yes.

1 CHAIRMAN HAMILTON: Any questions?
2 Anybody in the audience for or against? Anybody in
3 the audience for or against; anybody in the audience
4 for or against? It's closed to the public.

5 REVEREND MARTINEZ: For how long have you
6 had this property?

7 MR. JAVED: About a year; 14 months.

8 REVEREND MARTINEZ: But you just bought
9 it not long ago?

10 MR. JAVED: Yes.

11 MR. EINGORN: And you understand that if
12 you get a parking variance and the City calculates
13 how many spaces you need, you'll get charged per
14 space?

15 MR. JAVED: How many spaces we need?

16 MR. EINGORN: Yes. I don't know how many
17 spaces you need. That's something you got to
18 calculate on --

19 MR. JAVED: Maybe one or two. There's
20 nobody over there.

21 MR. EINGORN: It's not based upon how
22 many you need. It's based upon how many the
23 ordinance requires you to have. So, if the ordinance
24 says you need ten cars, you could be charged \$60,000
25 for the parking. It's \$6,000 per space.

1 MR. JAVED: I still don't get it.

2 MR. EINGORN: You don't have off-street
3 parking for your customers and for yourself, right?
4 You're parking on the street?

5 MR. JAVED: Correct.

6 MR. EINGORN: Correct. So, you're
7 asking for an off-street parking variance, meaning, I
8 am proposing no off-street parking for myself or my
9 customers. The City Engineer will then calculate
10 based upon square footage or however it's deemed to
11 be calculated, how many parking spots an auto body,
12 sales, auto body shop and repair place would need.
13 That may be ten cars. That may be four cars. It
14 might depend on the size. However many that's
15 determined to be times \$6,000. That's what you may
16 be charged for the off-street parking.

17 MR. DILKS: What if he opens up where
18 they park all the cars now, I guess they would permit
19 that, right?

20 MR. EINGORN: So, to the extent that it's
21 determined you need 'X' amount of spaces and you make
22 space for them in the lot --

23 MR. DILKS: Right.

24 MR. EINGORN: -- to park.

25 MR. DILKS: You can do that if they --

1 MR. JAVED: The customers' cars, we park
2 in the yard and our own cars that we sell.

3 MR. EINGORN: You just said you park in
4 the street?

5 MR. JAVED: We are liable for that.

6 MR. DILKS: Yeah. The customers don't
7 park their car.

8 MR. EINGORN: Hold on. The court
9 reporter can only take down one person at a time.

10 MR. DILKS: I'm sorry. I'll shut my
11 mouth.

12 MR. EINGORN: It's okay. I'm sorry. Go
13 ahead.

14 MR. JAVED: I said, the customer, the
15 client's car, either they're in the building because
16 we have ten-car parking inside the building too.
17 I mean, we have enough space. It's a huge building.
18 But once the car is fixed, we park it in the yard.
19 We don't leave them in the street because if anything
20 happens, then we have to pay for it. So, we make
21 sure the car is inside the yard day and night. So,
22 the only car that we park in the street which is City
23 parking is only us, one or two cars.

24 MR. EINGORN: Or if I show up to buy a
25 car, right?

1 MR. JAVED: Yes. If you show up with a
2 car, either you're going to drop off or you're either
3 going to stop back a little bit and go.

4 MR. EINGORN: So, let's play
5 hypothetical. We're excited about your application
6 and we think you have great cars and you do great
7 work and we all show up at the same time, all nine of
8 us. Right? Now, we're all parking on the street at
9 the same time because we're all excited to buy a car
10 from Yousaf, right?

11 MR. JAVED: Right.

12 MR. EINGORN: Now, you're using nine
13 spots on the street, right? And that's why it's
14 calculated because you need to know how many spaces
15 you need on site. And then to the extent you're not
16 using the spaces on site, the City charges you to
17 make new spaces elsewhere to compensate.

18 MR. JAVED: I don't know what to say.
19 The way you're saying, if I go that way, I'm going to
20 go out of business because I'm new business.

21 MR. EINGORN: I'm just preparing you.

22 MR. JAVED: If that's the case, I'm going
23 to be shut down in one day.

24 MR. DILKS: And you're telling them that
25 customers now park on your lot?

1 MR. JAVED: Not at the same time.
2 There's nobody around me. Nobody like not even 100
3 feet to --

4 MR. EINGORN: It's not about who is
5 around or how many spaces are available on the
6 street. It's about how many parking spots you would
7 be required to have under the law. Right? And how
8 many you're asking to be waived essentially.

9 MR. JAVED: Me personally opening a
10 business in Camden, there was a reason. There was no
11 hard time because you can open the free business.

12 MR. EINGORN: I understand. Listen, I'm
13 just trying to prepare you.

14 MR. JAVED: And now there are so many
15 people jumping in. I understand. We have to follow
16 that too.

17 MR. EINGORN: We have no control over it.
18 We have no control over the parking fee.

19 MR. JAVED: I understand.

20 CHAIRMAN HAMILTON: Why don't you go to
21 City Hall and find out first before you do that. All
22 right? Go to City Hall and find out and then come
23 back. Ask code enforcement up there and see what's
24 what.

25 MR. JAVED: They already came once. They

1 inspected the building and all that. They didn't
2 have no issue.

3 CHAIRMAN HAMILTON: I don't know why.
4 I'm going to call them about that from now on. They
5 got to tell them that it cost \$6,000 a parking space.

6 MR. EINGORN: If you get a parking
7 variance -- for every parking space you get a
8 variance for, they can charge you under the
9 ordinance, \$6,000 per spot. That's a hefty price.

10 MR. JAVED: A year?

11 MR. DILKS: Thirty-three --

12 MR. EINGORN: It's a one-time deal.

13 MR. DILKS: Thirty something years ago
14 there was a business there.

15 MR. EINGORN: Right. There might have
16 been parking -- they might have had customer parking
17 in the lot.

18 MR. DILKS: Well, he does too.

19 MR. EINGORN: He's not saying that. He's
20 saying he's parking the customers on the street.

21 MR. DILKS: Didn't you say they were on
22 the lot?

23 MR. JAVED: No. I told -- I'm saying
24 that once we take the car to study, then we park in
25 the yard. But if the car is just visiting the place,

1 he has to park in the street. Because we not taking
2 the car because he's not dropping it off. But if
3 that's the case, then we have to arrange parking in
4 the yard somehow to get away from --

5 MR. EINGORN: So maybe before you go
6 forward, you'd want to find out how many spots you
7 need and see if you can arrange your lot such that
8 you can make the parking spots --

9 VICE-CHAIRMAN HANCE: Right.

10 MR. EINGORN: -- just to protect
11 yourself.

12 MR. JAVED: We already have a parking
13 space.

14 MR. EINGORN: I'm nervous that what's
15 going to happen is, you're going to leave here with
16 your use variance and your bulk variance approval and
17 you're going to be very excited. And then you're
18 going to get a huge bill and you're going to go,
19 ahh-ahh, and you're going to be blind-sided. And I
20 don't want you to be blind-sided. Right?

21 So I want you to know what you need so
22 that you can maybe make room for it so that you can
23 eliminate the bulk variance and then eliminate the
24 possibility of a huge fee. Do you get what I'm
25 saying?

1 MR. JAVED: Sometimes there's a lot of
2 random cars and they park at night and disappear.

3 MR. EINGORN: Well, you're not -- the
4 random cars aren't your problem. That's not your
5 problem. Your problem is, how many cars am I legally
6 required to have parking for? And how many of those
7 spots can I provide, right? Because if you can
8 provide parking for every spot you're legally
9 required to have -- if you're legally required to
10 have four spots -- and this is just an example and
11 I'm not telling you how many you need -- and 18
12 people show up, I only needed to have four spots. So
13 it is.

14 MR. DILKS: So where do we have to go?

15 MR. EINGORN: You need to check the
16 ordinance and figure out how many spots this property
17 would be required to have as if commercial --

18 MR. DILKS: Who has the ordinance?

19 MR. EINGORN: It's online. It's on the
20 City's website.

21 MR. DILKS: I'm not online. Would you
22 mind sending that to me; fax it to me?

23 MR. EINGORN: It's thousands of pages.

24 MR. DILKS: Oh, is it?

25 MR. EINGORN: Oh yeah. I look at it on

1 the Internet because it's a waste of paper for me to
2 print it out. And with all due respect, sir --

3 MR. DILKS: But if you grant it, where's
4 the problem? Who is going to come out?

5 MR. EINGORN: You can risk it. You can
6 take the risk and walk -- like I said, you can take
7 the risk and walk out of here with whatever it is you
8 may get. I'm not saying you're going to get granted
9 or not. That's not my job. That's their job. But
10 let's just say you get granted and then you get
11 blind-sided with a huge bill. That's what I'm scared
12 for you.

13 MR. JAVED: How many car parking spaces
14 do you want us to have?

15 MR. EINGORN: That's what counsel needs
16 to figure out. That's his job, right? His job is to
17 look at the law and tell you what it is. And then
18 your job is to say to him, okay, this is what I can
19 do. Let's go before the Board and tell them that.

20 CHAIRMAN HAMILTON: So go to City Hall
21 and find out. You need to make some room.

22 MR. EINGORN: Listen, I'm not trying to
23 give you a hard time. I'm just letting you know that
24 you can hit with this fee and it can be a huge
25 number. And you need to know what this is before you

1 come back.

2 MR. JAVED: What about in the meantime I
3 still have cars parking in the street? But some of
4 them they don't belong to me. And then --

5 MR. EINGORN: Well, the ones that belong
6 to you are not your problem. What goes on in the
7 street is not your problem. What your problem is,
8 how many cars do you legally need to have parking
9 for? Okay?

10 MR. JAVED: I have to find out.

11 MR. EINGORN: Like I said, you need to
12 know how many spaces this property needs to operate
13 what you want to operate there. You want a used car
14 sales with auto body and repair. How many spaces do
15 you need by law to have, right? Because if you need,
16 and I'm making up a number, if you need ten spaces,
17 to save yourself this fee, you need to maybe
18 designate ten spaces in your lot for customer parking
19 in order to get by without the fee. Otherwise, you
20 may get a huge bill. Right?

21 MR. JAVED: That makes sense.

22 CHAIRMAN HAMILTON: Just go and check it
23 out and find out.

24 MR. DILKS: Why don't you just agree to
25 make ten parking spaces?

1 MR. EINGORN: Because we don't know ifr
2 he needs ten parking spaces. What if he only needs
3 four? What if he needs 12? I have no idea.

4 MR. DILKS: And I don't know how to get
5 it.

6 MR. JAVED: Is it the City Hall you said?

7 CHAIRMAN HAMILTON: Yeah.

8 MR. EINGORN: See if you can to talk to
9 the City Engineer maybe.

10 MR. DILKS: The City Engineer might know?

11 MR. EINGORN: He might know.

12 VICE-CHAIRMAN HANCE: If not, they can
13 direct you to where you have to go.

14 MR. DILKS: Who is the City Engineer?

15 CHAIRMAN HAMILTON: Orion Joyner.

16 MR. EINGORN: It's Room 325. And we'll
17 put you off until next month. Okay. And you come
18 back and decide if you can figure out the parking.
19 All right?

20 MR. JAVED: All right. I'm going to see.

21 CHAIRMAN HAMILTON: Go to City Hall so
22 you don't get blind-sided.

23 MR. JAVED: Thank you.

24 MR. DILKS: We've only been here four
25 hours.

1 MR. EINGORN: See you on April 6th.

2 MR. DILKS: Thank you. Now, if he finds
3 that out, do I have to come with him or he can appear
4 by himself?

5 MR. EINGORN: If he's going to show up as
6 Camden Auto, LLC, then you or some other attorney has
7 to be here with Mr. Javed.

8 MR. DILKS: All right. Thank you.

9 MR. EINGORN: The next application is
10 Briana Hernandez, 1709 Broadway. Good evening.
11 Come up to be sworn. Please raise your right hands.

12 - - -

13 BRIANA HERNANDEZ, JOSHUA HERNANDEZ,
14 having been first duly sworn/affirmed, was examined
15 and testified as follows:

16 - - -

17 CHAIRMAN HAMILTON: Names and addresses.

18 MS. HERNANDEZ: Briana Hernandez, 1709
19 Broadway.

20 MR. HERNANDEZ: Joshua Hernandez, 1709
21 South Broadway.

22 MR. EINGORN: Do you want me to read your
23 appeal?

24 MR. HERNANDEZ: Yes.

25 MR. EINGORN: The appeal for zoning is as

1 follows: The name of the applicant is Briana
2 Hernandez. Did you hire an attorney, Optimum Law
3 Group?

4 MS. HERNANDEZ: Yes.

5 MR. EINGORN: Are they here?

6 MS. HERNANDEZ: No.

7 MR. HERNANDEZ: No. I'm here.

8 MS. HERNANDEZ: He's going to represent
9 me, my brother.

10 MR. EINGORN: Well, if you hired someone
11 to come here and they didn't show up, I'd be pretty
12 upset. That's all.

13 MR. HERNANDEZ: No.

14 MR. EINGORN: So, the address of the
15 owner is 4417 Baker Avenue, Pennsauken, New Jersey.
16 The property is located at 1709 Broadway, Camden, New
17 Jersey. It has a frontage of 16 feet and a depth of
18 81 feet. There's one building on the lot and it's
19 two stories. Present use is triplex apartment
20 building. The proposed use is existing. Property is
21 habitable.

22 The zoning officer denied the permit
23 because a bulk variance and use variance is needed.
24 The reasons why an appeal should be granted, the
25 property is currently a triplex and has been

1 registered with PSE&G for a long time. The applicant
2 purchased the property assuming things were zoned
3 correctly. The property has its own parking lot with
4 a curb-cut as well. The property is very large with
5 separate entrances and exits.

6 All right, guys, tell us a little bit
7 about what's going on here?

8 MR. HERNANDEZ: So, this property has
9 three separate entrances, the front, the side and the
10 back. And there's also two entrances upstairs. So,
11 upstairs is currently split into two units upstairs
12 which have their own fire doors, separate entrances.
13 We purchased it, you know, assuming it was done
14 correctly.

15 So, currently there is -- 1707 came with
16 the property which was the parking. And it has its
17 own curb-cut and everything like that. There's four
18 bathrooms, three kitchens. So, it was used for a
19 triplex. The meter box is there. But we just want
20 it zoned correctly. Because when we went to the
21 zoning department, they said that it was a
22 single family which we didn't know why. And now we
23 know why. But there's four meters outside. The box
24 is there. Everything is there existing.

25 MR. EINGORN: You have four meters and

1 three units?

2 MR. HERNANDEZ: There's a house meter and
3 the three meters for the other units.

4 MR. EINGORN: So, you have like a common
5 area meter?

6 MR. HERNANDEZ: Yeah, that's a common
7 area meter. So, that's a house meter. And then the
8 three meters that are for the three units are there.
9 From my understanding, it's always been that way for
10 the longest. I've asked neighbors, you know, to try
11 to get some information on the building.

12 MR. EINGORN: So, let me ask you this.
13 The denial letter says four one-bedroom studio
14 apartments.

15 MR. HERNANDEZ: So, that was the proposed
16 use that we wanted to do.

17 MR. EINGORN: So, you wanted to break up
18 the bottom floor into two units?

19 MR. HERNANDEZ: Yes. So, the downstairs
20 currently there's a kitchen on the far right side
21 with its own entrance, a bathroom in that area and
22 the bedroom. The other side, there's a full
23 bathroom.

24 And what separates it -- it's a
25 two-bedroom downstairs. What separates it is a door.

1 And that door could potentially just be blocked off
2 as a firewall. And we wanted to just make that other
3 unit on the lefthand side have its own entrance from
4 Broadway, another unit, to make it another bedroom.

5 MR. EINGORN: So, you're here tonight.
6 You got to decide. Do you want it to be four units
7 or do you want to stick with three?

8 MR. HERNANDEZ: I mean, we can keep it as
9 a triplex.

10 MR. EINGORN: Is that what you noticed
11 for? What did your noticing say? What did you tell
12 the world?

13 MR. HERNANDEZ: On the application I had
14 submitted to keep it existing.

15 MR. EINGORN: That's what you noticed for
16 then I'm going to tell you, that's what you're stuck
17 with.

18 MR. HERNANDEZ: Yeah. So, we'll keep it
19 existing.

20 MR. EINGORN: So keep existing three
21 units. And you said there's an adjacent lot that has
22 parking?

23 MR. HERNANDEZ: Yes. So that lot also
24 came with the building which is 1707 South Broadway
25 which currently it was the parking for the property.

1 It has its own cut-curb. So that was the parking.
2 We would like to keep that as the parking.

3 MR. EINGORN: Is it paved?

4 MR. HERNANDEZ: Yes.

5 MR. EINGORN: Do you know if that's been
6 granted a variance to be a principal use as a parking
7 lot?

8 MR. HERNANDEZ: I'm not entirely sure.
9 I have pictures of it already cut. From my
10 understanding, you can't get a curb-cut unless it's
11 approved from what I asked at the township.

12 MR. EINGORN: Did City Council --
13 actually, City Council approves the curb-cuts. So,
14 right now it looks like it's fenced. Is that a gate?

15 MR. HERNANDEZ: The previous owner,
16 because it was vacant so no one can break in or come
17 in or get hurt on the property, they fenced it.

18 MR. EINGORN: So, you would replace that
19 fence?

20 MR. HERNANDEZ: The fence, we would just
21 cut where the -- what they did was, they put the
22 fence in. The two posts are there. All you do is,
23 you just cut the chain link fence and put a gate
24 where it was. The gates in the backyard, we were
25 just going to reuse what we had there.

1 MR. EINGORN: So, it looks like the
2 lot -- is this cement here?

3 MR. HERNANDEZ: Yes.

4 MR. EINGORN: Is it a driveway?

5 MR. HERNANDEZ: Yes.

6 MR. EINGORN: And how many cars can that
7 one cement space hold?

8 MR. HERNANDEZ: It goes towards the
9 back. Currently, I use that lot to -- because I
10 don't want anyone breaking in. We had a break-in
11 already. So, I'll put trucks back there. So, we
12 have four right now parked in there. And these are
13 16-foot vans. Well, one of them is.

14 MR. EINGORN: So, is there access to this
15 area from the rear of the property?

16 MR. HERNANDEZ: From the rear, yes. To
17 get to the parking lot?

18 MR. EINGORN: Correct.

19 MR. HERNANDEZ: Yes.

20 MR. EINGORN: Is there an alley or
21 something behind it?

22 MR. HERNANDEZ: There's a backyard. And
23 currently the other side is fenced but you have
24 access to the other side, because there's no property
25 to the left or to the right. It's just all vacant.

1 This is the only -- it stands alone. So, you have
2 access from the back of the property to get to the
3 parking lot.

4 Also, from the two units upstairs, you
5 have access to get to the lot. You're actually
6 fenced-in. The property is gated all around. So,
7 you have access from the front of the house to the
8 back house upstairs to get to the parking lot from
9 every angle.

10 MR. EINGORN: So, you need four and a
11 quarter spots for the units. You got to round up to
12 five spots basically. Are you going to be able to
13 fit five cars in this lot?

14 MR. HERNANDEZ: Yes. I don't know if I
15 have pictures there. I should have pictures of the
16 back of the home. But in the back of the home there
17 is. We currently don't use it but there is ample
18 space to put two cars more. It's just that we don't
19 use that side. But it is part of the property.

20 VICE-CHAIRMAN HANCE: Do you have street
21 parking?

22 MR. HERNANDEZ: Yes. There's no other
23 cars on the street. Like I said, it's vacant. The
24 entire block almost is vacant. There's only a liquor
25 store all the way towards the corner. And that's it.

1 VICE-CHAIRMAN HANCE: Is there car lots
2 all the way towards the other side?

3 MR. HERNANDEZ: Car lots?

4 VICE-CHAIRMAN HANCE: Yes. Where they
5 sell cars?

6 MR. HERNANDEZ: Yes. So, there's a car
7 lot. They sell cars all the way at the end on the
8 corner. Then you have another empty lot, 1707.

9 VICE-CHAIRMAN HANCE: I'm asking you that
10 because I live two blocks back. So, you have street
11 parking and then you have the driveway parking?

12 MR. HERNANDEZ: Yes.

13 MR. EINGORN: As I look at this -- can
14 you just come forward and show me how far across?
15 So, here's the curb-cut, right?

16 MR. HERNANDEZ: Yes.

17 MR. EINGORN: How far over does 1707 go?

18 MR. HERNANDEZ: 1707 comes further past
19 this sign.

20 MR. EINGORN: So, it goes off the page?

21 MR. HERNANDEZ: Yes. And here, all this
22 here going towards that way, there's no property on
23 that side. I don't know if I took pictures because
24 it's empty. You can see a little bit on this side.
25 It's all empty. So, there's no cars there during the

1 daytime.

2 MS. ATWOOD: Is this it?

3 MR. HERNANDEZ: Yes. So, this is all
4 empty so there's never any cars here nor this way
5 which we own 1707. It's all vacant.

6 MR. EINGORN: So, if you don't
7 consolidate the lots, you may have to come back for a
8 use variance for that lot which may or may not be a
9 parking lot.

10 MR. HERNANDEZ: Okay.

11 MR. EINGORN: It's going to be the
12 principal use. It's likely you'll be back. So, you
13 may want to try to consolidate the lots.

14 MR. HERNANDEZ: Okay. So, then -- the
15 off-street parking, is that something that is just --

16 MR. EINGORN: Well, you're proposing to
17 create the off-street parking, right, through
18 opening the fence --

19 MR. HERNANDEZ: Yes.

20 MR. EINGORN: -- and putting down crushed
21 stone or something? What are your plans for this
22 area here to park?

23 MR. HERNANDEZ: So, currently there's
24 just a strip of cement. We can do the crushed
25 stones.

1 MR. EINGORN: And there's two spots in
2 the back you said, right?

3 MR. HERNANDEZ: Yes. Two in the back and
4 then I have, you know, just so that no one breaks in,
5 like I said, I park my cars there currently. Because
6 we've had the property sitting because we've been
7 waiting for zoning. And unfortunately in the area
8 it is, I have to leave something there and we don't
9 have any power because the parking lot has its own
10 lights as well. It's just that we can't get it on
11 to scare people away.

12 CHAIRMAN HAMILTON: Any questions?

13 VICE-CHAIRMAN HANCE: You keep it pretty
14 clean over there also.

15 MR. HERNANDEZ: Yes, it's very clean. We
16 have a gentleman who is really good at the City and
17 he cleans up the area pretty good.

18 MR. EINGORN: Whose signage is this on
19 the fence?

20 MR. HERNANDEZ: That's been taken down.
21 I believe that was for the liquor store.

22 MR. EINGORN: And you pulled it down?

23 MR. HERNANDEZ: Yes.

24 CHAIRMAN HAMILTON: Any questions?

25 MR. EINGORN: Just so you know,

1 billboards are specifically prohibited in the City of
2 Camden. So, to the extent you're going to be selling
3 space on your fence, that's not allowed.

4 MR. HERNANDEZ: Oh, that was there. We
5 took pictures.

6 MR. EINGORN: I don't want you to get any
7 ideas.

8 MR. HERNANDEZ: Oh, no. I don't even
9 drink.

10 CHAIRMAN HAMILTON: Since you represent
11 yourself.

12 MR. EINGORN: Any questions down here for
13 the applicant?

14 MS. ATWOOD: No.

15 CHAIRMAN HAMILTON: Anybody in the
16 audience for or against?

17 MS. ATWOOD: Yes, I do. This yard, you
18 say you can open up this gate and make a gate, right,
19 and people park in there?

20 MR. HERNANDEZ: The only reason why -- it
21 was a gate that opens up.

22 MS. ATWOOD: Right.

23 MR. HERNANDEZ: The reason it was taken
24 off is because it's vacant and they didn't want
25 anyone just jumping and open it.

1 VICE-CHAIRMAN HANCE: Okay.

2 MS. ATWOOD: Okay.

3 CHAIRMAN HAMILTON: Anybody in the
4 audience for or against? Anybody in the audience for
5 or against? Hearing none. Closed to the public.
6 Any questions?

7 REVEREND MARTINEZ: You guys are trying
8 to keep the place clean. Make it right. I take my
9 hat off for that. I will make a motion to accept his
10 application.

11 MS. WASHINGTON: I second that.

12 CHAIRMAN HAMILTON: I see that you keep
13 it clean at 1709 on Broadway.

14 MR. HERNANDEZ: Yes.

15 CHAIRMAN HAMILTON: Cause I come down
16 Broadway and sometimes it's all messed up.

17 MR. HERNANDEZ: Sorry. We're trying to
18 do better. Trying to see if we can -- the two vacant
19 lots that are there, I'm trying to see if I can
20 purchase them.

21 VICE-CHAIRMAN HANCE: I live two blocks
22 from you. It is always clean. Yeah, those signs are
23 off the gate now. And any time someone in Camden
24 that's young and they want to do better for Camden,
25 you know, I'd rather have someone live there than

1 have squatters there whoever, tearing the place up.
2 I think it's a good thing to do.

3 MR. EINGORN: So, to recap, the applicant
4 is proposing a use variance. But it's no longer a
5 request for four one-bedroom studio apartments. It's
6 just to maintain the three units as they currently
7 are. The applicant is also proposing to establish
8 five parking spaces to comply with the ordinance
9 requirements and as such, is alleviating the need for
10 a parking variance, to the extent that a motion is
11 made.

12 REVEREND MARTINEZ: Motion to accept.

13 MR. EINGORN: To the extent that a motion
14 is made, it should be made on the condition that the
15 applicant consolidate 1707 and 1709, that way the
16 property contains the parking going forward.

17 REVEREND MARTINEZ: Motion to accept with
18 the changes for the 1709 --

19 MR. EINGORN: To consolidate with 1707.
20 And on the condition that the property is made with
21 five parking spaces.

22 CHAIRMAN HAMILTON: I second it.

23 MR. EINGORN: We'll take a roll-call
24 vote. Chairman Hamilton.

25 CHAIRMAN HAMILTON: Yes.

1 MR. EINGORN: Vice-Chairman Hance.

2 VICE-CHAIRMAN HANCE: Yes.

3 MR. EINGORN: Reverend Martinez.

4 REVEREND MARTINEZ: Yes.

5 MR. EINGORN: Ms. Washington.

6 MS. WASHINGTON: Yes.

7 MR. EINGORN: Ms. Atwood.

8 MS. ATWOOD: Yes.

9 MR. EINGORN: Ms. Merricks.

10 MS. MERRICKS: Yes.

11 MR. EINGORN: Mr. Cooper.

12 MR. COOPER: Yes.

13 MR. EINGORN: Congratulations.

14 MR. HERNANDEZ: Thank you.

15 MS. HERNANDEZ: Thank you.

16 MR. EINGORN: The last matter of the
17 evening is Jesus Mendez, 3108 Waldorf Avenue. It's
18 been a long wait, sir, but you did great. Come up to
19 be sworn.

20 CHAIRMAN HAMILTON: Please raise your
21 right hand.

22 - - -

23 JESUS MENDEZ, having been first duly
24 sworn/affirmed, was examined and testified as
25 follows:

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CHAIRMAN HAMILTON: Give your name and address for the record.

MS. MENDEZ: I will speak for my husband because he doesn't speak English. His name is Jesus Mendez. My name is Evelyn Mendez. Address, 3108 Waldorf Avenue, Camden.

MR. EINGORN: So, Ms. Mendez, are you going to interpret from English to Spanish?

MS. MENDEZ: Yes.

MR. EINGORN: Do you swear/affirm that the translation you will provide tonight, will be true and accurate?

MS. MENDEZ: Yes, I do.

MR. EINGORN: Thank you.

So, I'll read the appeal for zoning. Name and address of the applicant is Jesus Mendez, 3108 Waldorf Avenue in Camden. The address of the property is also 3108 Waldorf Avenue. It's a single family two-story home. The proposed construction is a vinyl fence. The height will exceed the max of four-feet along the front of the property. And it's needed for added security.

Did you already install the fence?

MS. MENDEZ: Yes.

1 MR. EINGORN: And is it six feet?

2 MS. MENDEZ: Yes. It's six feet along
3 the side of the yard and then in the front of the
4 building --

5 MS. ATWOOD: Is it a solid white fence
6 you're saying?

7 MS. MENDEZ: Yes, it's solid white. And
8 then at the front, actual front of the house, it's
9 four feet.

10 MR. EINGORN: And you're on a corner
11 lot?

12 MS. MENDEZ: Yes.

13 MR. EINGORN: Let me ask you something.
14 When I come around this corner and I'm on the street,
15 can I see who is coming on the cross street?

16 MS. MENDEZ: We can. I mean, there's
17 enough space between the fence because it's where the
18 existing fence was. The only thing is, it was a
19 chain link fence before.

20 MR. EINGORN: Right. This is a solid
21 fence.

22 MS. MENDEZ: Yes, it's a solid fence.

23 MR. EINGORN: My concern is that you have
24 an inability to see. Is there a stop sign at this
25 intersection?

1 MS. MENDEZ: Yes.

2 MR. EINGORN: There is a stop sign.

3 MS. MENDEZ: There is a stop sign.

4 MR. EINGORN: How wide is the sidewalk,
5 do you believe?

6 MS. MENDEZ: It's very -- it's about the
7 size of, say, this walkway right here.

8 MR. EINGORN: So, you'd say like four,
9 five feet?

10 MS. MENDEZ: About four or five feet.

11 MR. MENDEZ: Four or five feet.

12 MR. EINGORN: Is there grass on the
13 opposite side of the sidewalk?

14 MS. MENDEZ: Yes.

15 MR. EINGORN: So, it's fence, sidewalk,
16 grass?

17 MS. MENDEZ: Yes.

18 MR. EINGORN: Oh, I see it here. Oh, I'm
19 sorry.

20 VICE-CHAIRMAN HANCE: You said you needed
21 it for security? Tell me about it.

22 MS. MENDEZ: Yes. We're raising our two
23 grandchildren. They're two and five. So, they're
24 always out in the yard. So we had kids -- we had to
25 call the police once because after we had already put

1 the fence up, some teenagers had come by and just
2 kicked the fence in and ran off. So, we had to
3 replace that part again. So, it's like -- also, my
4 husband has classic cars in there and we don't want
5 people looking in and just being --

6 VICE-CHAIRMAN HANCE: Getting ideas.

7 MS. MENDEZ: Yes, getting idea. Because
8 he's putting his heart and soul into those cars and
9 we don't want anything happening to them. That's
10 why.

11 REVEREND MARTINEZ: So, we're talking
12 about a six-foot, right?

13 VICE-CHAIRMAN HANCE: Right.

14 REVEREND MARTINEZ: Speaking for myself,
15 a month ago, I turned my car on and I went from here
16 to my driveway, and this kid became behind and took
17 off with my car. Well, it's my wife's car. And that
18 section is getting pretty bad. I mean, I have called
19 the cops a couple of times. And we have to protect
20 our values because I own a classic car myself. And
21 it sits right on the corner. And it's my wife and if
22 anything happens to that car, that's my wife's.

23 And I'm thinking myself to build a better
24 fence than what I have since I've purchased a house
25 30 years ago. And I saw the pictures. He is right

1 behind my property. They are not too far away from
2 my property. I mean, we have to protect ourselves.

3 MS. MENDEZ: Yeah. If you would go down
4 this side, we have a huge yard from the sidewalk to
5 the house. So, it's huge. And if you walk down the
6 sidewalk, you can see everything from the yard up to
7 the driveway of the garage, everything. So, it was
8 only a four-foot fence so it's easy to jump over and
9 get in the yard. We just thought that for
10 security --

11 REVEREND MARTINEZ: What I did was, I put
12 cameras all over my house.

13 MS. MENDEZ: He said it's our first home
14 so we also wanted to make it look pretty too. That's
15 part of it too.

16 MR. EINGORN: It is a nice fence.

17 CHAIRMAN HAMILTON: Yeah. I can
18 understand because people would come in front of us
19 with these here fence, four foot. That's outdated
20 now where these people are. They can hurdle that and
21 jump over that. We got to protect the kids and
22 things. They jump down there because when they had
23 the four-foot fence, they was pickin' kids up. So,
24 you need a higher fence.

25 MS. ATWOOD: So, who complained about the

1 fence? I mean, it looks to me as if this could be a
2 hazard for drivers trying to see. Like it blocks
3 like a view of somebody coming up this way or a kid
4 on a bicycle, whatever. So, that's my concern.

5 CHAIRMAN HAMILTON: Is there a stop sign?

6 MS. MENDEZ: We have no idea who
7 complained. There is a stop sign there so they have
8 to stop before they keep going.

9 CHAIRMAN HAMILTON: They got to stop.
10 It's just like we ain't as bad as Philly. Like
11 Philly, they need to put something up cause people
12 are gettin' shot; they're stealing babies; dealing
13 stuff right from over there. Yes, it's different
14 times now. They got a stop sign. Even though
15 there's a stop sign there, some of them don't
16 stop.

17 MS. ATWOOD: Is it a four-way stop?

18 MS. MENDEZ: No. It is a two-way stop.
19 It's a one-way street along this side.

20 MS. ATWOOD: Oh, okay.

21 MS. MENDEZ: So, they have to stop
22 there. Where the long fence is, they have to stop
23 there because that's where the stop sign is.

24 MS. MERRICKS: So, it's a corner
25 property?

1 MS. MENDEZ: It's a corner property, yes.

2 MS. MERRICKS: On the corner property
3 that said that you can't have two gates because it's
4 two front streets. So, at the stop sign, are drivers
5 able to see up the street or do they have to wait
6 because they can't see through the fence and do they
7 have to ease out? I'm just trying to figure it out.

8 MS. MENDEZ: No, no. When they go up to
9 the stop sign, it's easy to see both ways.

10 MR. MENDEZ: It's clear.

11 MS. MENDEZ: It's a clear view because
12 there's still the first sidewalk.

13 MR. MENDEZ: For two ways it's clear.
14 Left and right is clear. The stop sign over there,
15 there's no problem there.

16 VICE-CHAIRMAN HANCE: I'm going to sit
17 her down because so you can talk. We're doing a good
18 job.

19 MR. MENDEZ: I've worked at Cooper
20 Hospital for 28 years cooking.

21 CHAIRMAN HAMILTON: I thought you
22 couldn't speak English.

23 MR. MENDEZ: I don't use English too
24 much.

25 CHAIRMAN HAMILTON: You're doin' good

1 enough now.

2 MR. MENDEZ: For my business a little
3 English I talk to my customers and everything, I'm
4 talking more. For outside, we don't like it and I
5 don't talk English.

6 MR. EINGORN: Any other questions?
7 Hearing none. Open to the public. Anybody for or
8 against? Anybody for or against?

9 REVEREND MARTINEZ: I'm for it 100
10 percent.

11 CHAIRMAN HAMILTON: You ain't the public.

12 MR. EINGORN: You're not the public.
13 You're jumping the gun down there.

14 CHAIRMAN HAMILTON: Anybody for or
15 against? Hearing no more, closed to the public now.
16 Any questions? No questions. Make a motion.

17 REVEREND MARTINEZ: Motion to accept his
18 application.

19 CHAIRMAN HAMILTON: I second it.

20 MR. EINGORN: We'll take a roll-call vote
21 for the six-foot fence. Chairman Hamilton.

22 CHAIRMAN HAMILTON: Yes.

23 MR. EINGORN: Vice-Chairman Hance.

24 VICE-CHAIRMAN HANCE: Yes.

25 MR. EINGORN: Reverend Martinez.

1 REVEREND MARTINEZ: Yes.

2 MR. EINGORN: Ms. Washington.

3 MS. WASHINGTON: Yes.

4 MR. EINGORN: Ms. Atwood.

5 MS. ATWOOD: No.

6 MR. EINGORN: Ms. Merricks.

7 MS. MERRICKS: No.

8 MR. EINGORN: Mr. Cooper.

9 MR. COOPER: Yes.

10 MR. EINGORN: Your motion passes with a
11 vote of five to two. Have a good night.

12 MS. MENDEZ: Thank you.

13 MR. EINGORN: We have two Adoption of
14 Resolutions from December: Granting Interpretation,
15 Parkside Business & Community Partnership, 1364-1366
16 Haddon Avenue. We had it out with them. That was
17 the arts center.

18 Denying without Prejudice, Nyazia Coney,
19 527 Vine Street. I need a motion to adopt those
20 Resolutions.

21 CHAIRMAN HAMILTON: I so move.

22 VICE-CHAIRMAN HANCE: Second.

23 MR. EINGORN: We'll take a roll-call
24 vote. Chairman Hamilton.

25 CHAIRMAN HAMILTON: Yes.

1 MR. EINGORN: Vice-Chairman Hance.

2 VICE-CHAIRMAN HANCE: Yes.

3 MR. EINGORN: Ms. Washington.

4 MS. WASHINGTON: Yes.

5 MR. EINGORN: Ms. Merricks.

6 MS. MERRICKS: Yes.

7 MR. EINGORN: Mr. Cooper.

8 MR. COOPER: Yes.

9 MR. EINGORN: So adopted. And I need a
10 motion to adjourn until April.

11 MS. ATWOOD: I make the motion to
12 adjourn.

13 VICE-CHAIRMAN HANCE: Second.

14 MR. EINGORN: All in favor?

15 THE BOARD: Yays.

16 - - -

17 (**Meeting concluded at 9:38 p.m.**)

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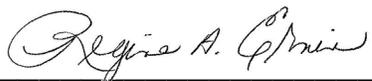
1 CERTIFICATION

2
3
4 I HEREBY CERTIFY that I am a Certified Court
5 Reporter and Notary Public.

6 I FURTHER CERTIFY that the witness was sworn
7 to testify to the truth.

8 I FURTHER CERTIFY that the foregoing is, to
9 the best of my ability, a true and accurate
10 transcript of the testimony taken stenographically by
11 me at the time, place, and date hereinbefore set
12 forth.

13 I FURTHER CERTIFY that I am neither a relative,
14 employee, attorney or counsel to any of the
15 parties to the action, nor a relative or employee of
16 such attorney or counsel and that I am not
17 financially interested in the action.

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