

**In The Matter Of:**  
*CITY OF CAMDEN*  
*ZONING BOARD*

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*Transcript of Meeting*  
*November 2, 2020*

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ZONING BOARD  
CITY OF CAMDEN

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Monday, November 2, 2020

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Transcript of proceedings in the above matter for the Zoning Board of Adjustment City of Camden, was conducted as a virtual meeting via a remote conferencing platform, ZOOM and commencing at 6:09 p.m.

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

- ROBERT HAMILTON, CHAIRMAN
- DARNELL HANCE, VICE-CHAIRMAN
- ISAIAS MARTINEZ
- KAREN MERRICKS
- CHARLES COOPER

- - - -

- KYLE F. EINGORN, ESQUIRE
- ATTORNEY FOR THE BOARD
- EVITA DAVIS, ZONING BOARD SECRETARY

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1                   CHAIRMAN HAMILTON: Good evening ladies  
2 and gentlemen. Welcome to the City of Camden Zoning  
3 Board for November 2, 2020. It was posted in the  
4 Courier Post Friday.

5                   MR. EINGORN: Good evening ladies and  
6 gentlemen. Welcome to the City of Camden Zoning  
7 Board of Adjustment. We will take roll call of the  
8 present Board members.

9                   MR. EINGORN: Chairman Hamilton.

10                  CHAIRMAN HAMILTON: Here.

11                  MR. EINGORN: Vice-chairman Hance.

12                  VICE-CHAIRMAN HANCE: Here.

13                  MR. EINGORN: Reverend Martinez.

14                  REVEREND MARTINEZ: Here.

15                  MR. EINGORN: Ms. Washington. Not  
16 present. Ms. Atwood. Not present. Ms. Merricks.  
17 You're muted, Ms. Merricks.

18                  MS. MILLER: Ms. Merricks, unmute  
19 yourself.

20                  MR. EINGORN: Let the record reflect that  
21 Ms. Merricks is present and attempting to indicate  
22 that. And Mr. Cooper.

23                  MR. COOPER: Here.

24                  MR. EINGORN: First we need a motion to  
25 adopt the minutes from October of 2020. Do we have a

1 motion?

2 MR. COOPER: I accept.

3 MR. EINGORN: And a second.

4 CHAIRMAN HAMILTON: I second it.

5 MR. EINGORN: I'll take a roll-call vote.

6 Chairman Hamilton.

7 CHAIRMAN HAMILTON: Yes.

8 MR. EINGORN: Vice-chairman Hance.

9 VICE-CHAIRMAN HANCE: Yes.

10 MR. EINGORN: Reverend Martinez.

11 REVEREND MARTINEZ: Yes.

12 MR. EINGORN: Ms. Merricks.

13 MS. MERRICKS: Yes.

14 MR. EINGORN: Mr. Cooper.

15 MR. COOPER: Yes.

16 MR. EINGORN: So moved. We have two  
17 applications New Business tonight. The first  
18 application, Cellco Partnership D/B/A Verizon  
19 Wireless, 699 Liberty Street. I believe I saw  
20 counsel's name on the list here. Counsel, can you  
21 just identify yourself for the record?

22 MS. FRITZGES: Good evening. My name is  
23 Alyson Fritzges representing AT&T tonight.

24 MR. EINGORN: Very good. And the second  
25 matter, Eli Gabay. Am I pronouncing it correct?

1 MR. GABAY: Yes, that's correct.

2 MR. EINGORN: At 422 Chambers Avenue.

3 We'll begin our meeting tonight with  
4 Cellco Partnership D/B/A Verizon Wireless. Good  
5 evening, Counsel.

6 MS. FRITZGES: Good evening, Mr.  
7 Solicitor and good evening to the Board. Again, my  
8 name is Alyson Fritzges representing AT&T -- I'm  
9 sorry -- Verizon Wireless. Excuse me. Verizon  
10 Wireless.

11 Verizon Wireless has identified a need in  
12 this area of Camden to enhance its wireless service.  
13 And the good news is that we've identified an  
14 existing tower structure that eliminates the need for  
15 us to go find a place to put a brand new tower.  
16 Essentially, we found a location at 699 Liberty  
17 Street in Camden as an existing American Tower  
18 already there, cell tower a monopole at 100 feet.

19 We're looking to increase the height of  
20 that to 120 feet in order to pole-locate our antennas  
21 on that pole. The only thing we're looking for  
22 tonight from the Board is a tower setback. We would  
23 seek a bulk variance. We don't need any height  
24 relief. Under your ordinance, you're permitted to  
25 have 200 feet. We're only asking for an additional

1 20 feet for a top height of 120 feet, and the use is  
2 already there.

3           So, right now, your ordinance identifies  
4 the requirement that the monopole be 100 but setbacks  
5 for the tower be 110 percent of the tower height.  
6 What you have right now, the tower is already  
7 existing. It doesn't conform with those setback  
8 requirements. So, you already have an existing  
9 nonconforming with that requirement. And all we're  
10 asking tonight is to increase that nonconformity by,  
11 I believe, it's 22 feet. That's the only relief  
12 we're requesting tonight.

13           In an abundance of caution, we're also  
14 asking for a waiver of minor site plan approval if  
15 your solicitor would think we would need that which  
16 we don't think we do. In an abundance of caution, we  
17 would ask for that waiver. I also wanted to mention  
18 that all the equipment will be within the existing  
19 compound that's already on the site. So there will  
20 be no ground disturbance other than what's already  
21 there. So we're not asking for any relief for  
22 equipment. I do have three witnesses here tonight  
23 with me. A radio frequency engineer, our site  
24 acquisition consultant from NB&C Consulting and our  
25 civil engineer.

1           I am prepared to put all of those on, all  
2 of those witnesses on as part of our presentation  
3 unless the Board tells me not to. I don't know if  
4 Mr. Solicitor has anything else. I have our exhibit  
5 packet that was sent to Ms. Davis. Our witnesses are  
6 Mr. Petersohn and Mr. Tsoukalas our civil engineer.  
7 If they would share their screens when they testify,  
8 I would appreciate that. Mr. Solicitor, would you  
9 like me to read the exhibits into the record or how  
10 would you like me to proceed?

11           MR. EINGORN: We generally present them  
12 as the application progresses in order of the  
13 testimony. That's acceptable to us.

14           MS. FRITZGES: Okay.

15           MR. EINGORN: We also generally swear all  
16 the witnesses at one time. There are members of the  
17 public tonight. So, it would be helpful for everyone  
18 involved to hear the testimony of your witnesses.  
19 So, if you'd like to call your first witness in  
20 support of the application

21           MS. FRITZGES: Sure. The other thing is,  
22 at least as we've been doing over Zoom is, there are  
23 certain exhibits such as the lease equipment and  
24 Affidavit of Notice and certain things that the Board  
25 may not need to see. I have access to those. But if

1 I can -- unless the Board wants to see them, I  
2 wouldn't plan on showing them and share a screen  
3 unless the Board tells me otherwise. If that's okay  
4 with the Solicitor.

5 MR. EINGORN: We would rather see the  
6 items related to the relief.

7 MS. FRITZGES: Right. And with that, if  
8 we could swear our witnesses.

9 MR. EINGORN: Sure. If the witnesses  
10 could raise their right hands. Chairman Hamilton, do  
11 you want to swear in the witnesses?

12 CHAIRMAN HAMILTON: Yeah.

13 - - -

14 PETROS TSOUKALAS, P.E.; ANDREW PETERSOHN,  
15 P.E., TODD GANNON, having first been duly  
16 sworn/affirmed, was examined and testified as  
17 follows:

18 - - -

19 CHAIRMAN HAMILTON: Give your name and  
20 address to the secretary.

21 MR. TSOUKALAS: My name is Petros  
22 Tsoukalas. I work for Mazor Consulting at 2000  
23 Midlantic Drive in Mt. Laurel, New Jersey.

24 MR. GANNON: My name is Todd Gannon. I  
25 work with MB&C Verizon Wireless. I'm a site

1 acquisition consultant for them. Business address is  
2 1777 Century Parkway, Suite 400, Blue Bell,  
3 Pennsylvania.

4 MR. PETERSOHN: I'm Andrew Petersohn.  
5 I'm with DBM Engineering. My address is P.O. Box  
6 165, Fairview Village, Pennsylvania.

7 MR. EINGORN: Thank you.

8 Counsel, are you ready to present your  
9 first witness?

10 MS. FRITZGES: Thank you. I call Mr.  
11 Todd Gannon. Mr. Gannon, can you identify on the  
12 record again, your name and your business and that  
13 business's relationship to Verizon Wireless?

14 MR. GANNON: My name is Todd Gannon. I  
15 am a consultant for NB&C which is a site acquisition  
16 firm that does local site acquisition representation  
17 for Verizon Wireless. When Verizon Wireless  
18 identifies an area in need or a problem with their  
19 network, they dispatch local professionals like  
20 myself to help them find facilities or places where  
21 they can install equipment to fill in those problem  
22 areas.

23 MS. FRITZGES: And Mr. Gannon, can you  
24 identify what your role was with this specific  
25 application?

1           MR. GANNON: This was sent to us from  
2 Verizon Wireless. It was a pretty simple  
3 identification process. Because the City of Camden  
4 Police Department had called many times over a long  
5 period of time and identified an area along the I-676  
6 corridor there that they were having problems with  
7 their phone system.

8           They use Verizon Wireless and they had  
9 problems with that corridor there. And when we went  
10 out to search for it to fill in that problem for  
11 them, we found that there was an existing cell tower.  
12 Unfortunately, though, it was not at a height that  
13 was capable of reaching and fulfilling the full needs  
14 as-is so we need to put an extension on the top.

15           MS. FRITZGES: And you ventured into a  
16 lease agreement with American Tower?

17           MR. GANNON: We have.

18           MS. FRITZGES: And for the purposes of  
19 this hearing and for the record, if we can mark that  
20 exhibit as Exhibit A-3, lease agreement which I have  
21 sent to the City. If you'd like to see it, just let  
22 me know. That all I have for this witness.

23           MR. EINGORN: Does the Board have any  
24 questions? Hearing none, Counsel, if you'd like to  
25 present your next witness.

1 MS. FRITZGES: Thank you. I would like  
2 to call Mr. Andy Petersohn. Mr. Petersohn, can you  
3 please identify your name again, where you work, and  
4 what your role has been in this application?

5 MR. PETERSOHN: Sure. Andrew Petersohn  
6 again. DBM Engineering is the name of the firm. We  
7 are a radio frequency design firm here on behalf of  
8 Verizon. My involvement is review of Verizon's  
9 design here. And I'm happy to go through that with  
10 the Board in this case; to go through the details of  
11 the need and how the site would fulfill the need.  
12 And also, I've offered some reports as to the  
13 compliance aspects of the facility; that it will  
14 comply with all state and federal regulations.

15 MS. FRITZGES: And Mr. Petersohn, I would  
16 like Mr. Solicitor to qualify him as an expert in  
17 radio frequency design engineering. So, if you could  
18 briefly, Mr. Petersohn, give some of your  
19 qualifications?

20 MR. PETERSOHN: Sure. I have  
21 undergraduate degree and graduate degrees in  
22 electrical engineering from Lehigh University. I'm a  
23 registered professional engineer in the State of New  
24 Jersey as well as a handful of surrounding states.  
25 And I've been involved with the design and compliance

1 aspects of these types of facilities now for about  
2 two decades.

3 MS. FRITZGES: And have you testified  
4 before municipal boards in the past in New Jersey?

5 MR. PETERSOHN: I have. I believe before  
6 this very Board although it was probably ten years  
7 ago at this point.

8 MS. FRITZGES: How many times would you  
9 say you've testified in front of municipal boards?

10 MR. PETERSOHN: I'd say it's probably 500  
11 times.

12 MS. FRITZGES: Mr. Solicitor, if I could  
13 qualify him as an expert in radio frequency  
14 engineering design?

15 MR. EINGORN: The Board is satisfied with  
16 the proposed expert and we'll qualify Mr. Petersohn  
17 as an expert.

18 MS. FRITZGES: Thank you.

19 MR. Petersohn, I have marked as Exhibit  
20 A-4, a copy of a Verizon Wireless's FCC licenses.  
21 And is it true that Verizon Wireless and all the  
22 wireless carriers are essentially governed by the  
23 FCC?

24 MR. PETERSOHN: That is true, yes. The  
25 regulation of their use of the airwaves is governed

1 by the FCC. That's correct.

2 MS. FRITZGES: By way of them having this  
3 license, they have an obligation to provide something  
4 that's called reliable service, reliable coverage to  
5 their customers; is that right?

6 MR. PETERSOHN: That's right. Yes.

7 MS. FRITZGES: What is this site? Could  
8 you explain to the Board the difference between a  
9 coverage site and a capacity site?

10 MR. PETERSOHN: Sure. So, this site  
11 really has both elements. What Verizon is doing here  
12 is seeking to improve their service. Service really  
13 has two components, coverage and capacity. Coverage  
14 being, when you look at your phone, meaning, you have  
15 enough bars to sustain any call or data session that  
16 you're interacting with daily. And within that  
17 capacity, whether that facility is fulfilling or have  
18 the resources to address your needs as well as  
19 everyone else who is utilizing the network at the  
20 moment specifically through that site. So, only when  
21 you have those two components do you have adequate  
22 service. In this case, there's a lack really of both  
23 in the area particularly along the interstate there  
24 and the surrounding areas.

25 MS. FRITZGES: Mr. Solicitor, if we

1 could, I would like Mr. Petersohn to share his screen  
2 if he could do that.

3 MR. EINGORN: Do you have the ability to  
4 allow Mr. Petersohn to share his screen?

5 MR. PETERSOHN: I think I do.

6 MS. FRITZGES: We will pull up the  
7 propagation maps.

8 MR. PETERSOHN: It says that someone else  
9 has just shared that screen and so it's blocking me.  
10 Okay. There we go. Let me try again.

11 MS. MILLER: That was me. I hit it too  
12 soon. Sorry about that. There you go.

13 MR. PETERSOHN: Can everyone now see my  
14 screen?

15 MS. FRITZGES: Yes.

16 MR. COOPER: Yes.

17 MS. FRITZGES: Mr. Petersohn, this is  
18 what's been marked as A-6 for the Board's exhibit  
19 packet. Mr. Petersohn, could you explain to the  
20 Board what these propagation maps are showing; what  
21 the colors mean?

22 MR. PETERSOHN: Sure. This is a first  
23 and foremost, a map. We can see if we look  
24 carefully below the colors here you can see 676  
25 running north-south basically. Bisecting the

1 exhibit, we can see the municipal boundaries in a  
2 light black line. Other than that, we can see the  
3 other local roadways and see the outline of  
4 waterways. Beyond all of that typical map  
5 information, there's a lot of dotted icons. Those  
6 represent the existing Verizon Wireless facilities  
7 that are serving subscribers in the area.

8 Most notably, there are four macro  
9 facilities which are large tower-type facilities.  
10 What we are proposing is of that nature. Some of the  
11 other dots on this map represent some small  
12 distributed antenna nodes and some new building  
13 coverage-type facilities. So, we're really just  
14 concentrating on the macro sites that are serving the  
15 umbrella of coverage that would apply to busy  
16 highways.

17 MS. FRITZGES: Can you identify which are  
18 the macro sites on your map?

19 MR. PETERSOHN: Sure. If we look and  
20 I'll just flip to the design report for a moment  
21 which has a smaller version of what we were just  
22 looking at. I call out the macro sites there. Most  
23 notably here, the site called Ben Franklin Bridge and  
24 the other site called Camden, are the two northern  
25 portions of the exhibit along with the Camden

1 Waterfront tower which is a cell-on-wheels is the  
2 acronym, COW. They're providing the majority of the  
3 coverage here. And the details of those are shown in  
4 page two of the report there so I won't read them to  
5 everyone, but you can see that they are existing  
6 sites of significant height here. And they are  
7 providing and I'll switch back to the exhibits. They  
8 are providing the existing service.

9           And what we are illustrating here is the  
10 coverage from that service from those facilities.  
11 The in-building threshold of coverage is the  
12 green. The in-car, the yellow and the on-street in  
13 red. You can see that as what was touched on  
14 earlier, we have a lack of in-vehicle service along  
15 676 that's being illustrated here in the southern  
16 portion of the exhibit. And as Mr. Gannon mentioned,  
17 he fielded some complaints from the City Police as  
18 well as from Verizon subscribers in general as to  
19 in-vehicle coverage along the interstate there and  
20 the surrounding areas.

21           So, if this facility is extended and the  
22 Verizon Wireless antennas attached thereto, and I'm  
23 flipping now to the next slide that's labeled Verizon  
24 Wireless and existing reliable coverage, we'll  
25 improve that service along 676 and throughout the

1 surrounding areas that's being illustrated here by  
2 the pulling-in of coverage of in-building, in-car and  
3 on-street thresholds. And you can see that there is  
4 an excess of a mile, mile and a half of improved  
5 coverage along 676 and then to the surrounding area.

6 MS. FRITZGES: And Mr. Petersohn, we  
7 heard you talk about what Mr. Gannon was talking  
8 about, the police were saying that there is  
9 essentially a gap in the coverage there which there  
10 is no coverage on 676, you're saying that this will  
11 address that. From a capacity standpoint, what would  
12 be the result if this site was not installed?

13 MR. PETERSOHN: Well, from a capacity  
14 standpoint, we're already seeing issues in the area  
15 where during busy hours, pre-COVID, we're draining  
16 towards exhaustion on the resources of the sites that  
17 are serving in the area during these hours. And  
18 hopefully soon when things get back to normal, we  
19 expect that we will continue and we will quickly get  
20 to a state where there's busy hour-type of exhaustion  
21 situations that are going to become chronic in the  
22 area unless there's going to be significant capacity  
23 added to the area. This facility will also serve not  
24 only to improve the coverage in the area, but also to  
25 address the technical component of service in the

1 area which is the capacity that I mentioned.

2 MS. FRITZGES: When we're talking about  
3 additional traffic so-to-speak, we're not talking  
4 about cell phones, correct? We're talking about  
5 everything else; we're talking about news; we're  
6 talking about Live Streams; we're talking about  
7 FaceBook; we're talking about Twitter; all of those  
8 social media platforms that as everyone knows, we're  
9 using much more today; is that right?

10 MR. PETERSOHN: Right. When I say  
11 traffic, I don't necessarily refer only to vehicular  
12 traffic, although that's obviously a concern here.  
13 What I'm referring to is cellular traffic and most  
14 notably, data traffic. Voice relatively-speaking, is  
15 not as much a resource hog as the data services are  
16 when folks are streaming video or FaceTiming, as you  
17 mentioned utilizing their device to access social  
18 media, uploading business attachments; anything that  
19 we now take advantage that we all do on our devices.  
20 Really to stream on the network and this facility  
21 will go a long way in addressing this demand.

22 MS. FRITZGES: And if this site isn't  
23 implemented or a site like this, is it true that  
24 Verizon Wireless will not be able to meet that  
25 mandate of reliable service under its FCC license?

1           MR. PETERSOHN: It's true, yes. We're  
2 already -- as you've heard, we're already  
3 experiencing coverage issues. We're trending towards  
4 real capacity issues here. And so if it's not  
5 addressed, we're going to have issues and continue to  
6 having a difficult time in satisfying FCC  
7 requirements.

8           MS. FRITZGES: And you had pointed to  
9 your radio frequency designer port which if I can  
10 mark that as Exhibit A-7. And in that report you  
11 indicate that the height that we're proposing  
12 at 120 feet, is the minimum height that we need in  
13 order to address our service needs; is that right?

14          MR. PETERSOHN: The height here is the  
15 minimum. If we look at where there are already  
16 antenna arrays on the tower, and I have a summary of  
17 that in the report when I address the existing  
18 providers that are there. There are antennas here  
19 all the way down to about 60 feet. So, if we don't  
20 extend the tower, we're left installing at a  
21 relatively low center line here of about 50 feet,  
22 which is really not useful to us because we have a  
23 large coverage area. So, in a case like this, the  
24 only real option is to extend the tower and install  
25 antennas above to the existing height of the high

1 extensions.

2 MS. FRITZGES: I want to move now to  
3 another report that you prepared, your  
4 Electromagnetic Exposure Analysis. I'd like to mark  
5 that as Exhibit A-8. Do you have that document?

6 MR. PETERSOHN: I do. I'm displaying it.

7 MS. FRITZGES: Can you explain to the  
8 Board what that document addresses?

9 MR. PETERSOHN: Sure. The Ordinance  
10 requires that you demonstrate compliance with the  
11 federal guidelines for electromagnetic exposure. And  
12 that's the purpose of this report, is to analyze the  
13 anticipated electromagnetic exposure from our  
14 proposed installations in conjunction with all of the  
15 existing antennas that are on the monopole.

16 In this case, what we do and in all cases  
17 what we do is, we apply the FCC prescribed formulas.  
18 And what I do and what I've done in this case is, I  
19 also apply some worse-case, upper-limit assumptions,  
20 and then I look at the anticipated exposure levels in  
21 their cumulative with respect to the described  
22 formulas from the FCC and also those worse-case  
23 assumptions.

24 In this case, the exposure levels in  
25 their cumulative and making all those worse-case

1 assumptions, would be less than 24 percent of the  
2 applicable FCC standard at all levels or at ground  
3 level at all locations of public access. And that,  
4 of course, includes those worse-case assumptions.  
5 So, in reality, we would be much lower than that.  
6 However, including those worse case assumptions, we  
7 are demonstrating compliance whereby it's a definite  
8 one.

9 MS. FRITZGES: I think you mentioned that  
10 the FCC really governs what we're allowed to do,  
11 correct? And we're well within those guidelines what  
12 they approve?

13 MR. PETERSOHN: Yes. From an exposure  
14 prospective, the FCC, through their office of  
15 engineering technology, they set the guidelines for  
16 allowable exposure, the FCC guidelines for human  
17 exposure, allowable human exposure with respect to  
18 energy. And in this case even when taken in its most  
19 conservative standard, we would be less than 24  
20 percent of the FCC standard for safety.

21 MS. FRITZGES: Moving next to the  
22 non-interference analysis. Can you bring that up?  
23 We'll mark that A-9.

24 MR. PETERSOHN: Bear with me while I find  
25 that in one second.

1                   CHAIRMAN HAMILTON: I want to ask you a  
2 question while you're looking for it. How many  
3 towers you got in Camden?

4                   MR. PETERSOHN: I'll have to take a look  
5 here. I don't have the entire City boundaries. So  
6 that's not something I have at my fingertips.

7                   CHAIRMAN HAMILTON: No. I thought  
8 Verizon already had one up there.

9                   MR. PETERSOHN: Yeah, there are quite a  
10 few in the City. There's quite a few. However, I  
11 don't know if you can see my screen. I'm displaying  
12 just a portion of the City. There are more than  
13 this. And it's important to note that these are not  
14 all tower-type sites. There are only really four  
15 towers that are in this view. And actually, one of  
16 those is a rooftop. So, there's really only three in  
17 this view, I should say, this portion. The portion  
18 of the City that's viewed, there's only three towers.  
19 The others are smaller installations on wood poles  
20 and small steel poles and some in-buildings-type  
21 installations.

22                   CHAIRMAN HAMILTON: Okay.

23                   MS. FRITZGES: Mr. Petersohn, I think  
24 it's just important to note, is it correct that no  
25 matter how many we have right now, the need, we still

1 need some additional help to off-load those sites and  
2 to provide coverage at certain areas; is that right?

3 MR. PETERSOHN: That's right, yes. We  
4 don't have anything in this -- and I'm again  
5 displaying the exhibits here -- in this southern part  
6 where we have this red shaded area where we only have  
7 on-street coverage, we don't have enough signal to  
8 serve folks in their vehicles along 676 in a reliable  
9 fashion. So, we don't have any towers or anything  
10 otherwise that can serve us coverage in this portion  
11 of the City, which is why we need the additional  
12 site.

13 MR. EINGORN: I have a question for you  
14 regarding the allowable human exposure. Is that  
15 something that the FCC will test after its  
16 construction to confirm that, assuming that you're  
17 provided the relief requested, that you won't exceed  
18 the maximum percentage that you discussed?

19 MR. PETERSOHN: No. It's not something  
20 that the FCC tests. There's a number of reasons for  
21 that. There are hundreds and thousands of these  
22 types of facilities nationwide. They don't have the  
23 resources, time or the inclination to be testing on  
24 each of every one.

25 I would note that this type of facility,

1 although the Ordinance requires that we demonstrate  
2 compliance, this type of facility, because the  
3 antennas are above ten meters so about 30 feet or so,  
4 this type of facility would be categorically excluded  
5 from --

6 MR. EINGORN: Whoever's cell phone noise  
7 that is, please shut it off. Sorry, Mr. Petersohn,  
8 can you repeat that?

9 MR. PETERSOHN: Yes. This type of  
10 facility from the FCC's perspective, would be  
11 categorically excluded from evaluation for  
12 electromagnetic exposure just because the antennas  
13 are significantly elevated above ground. The reason  
14 why we offer the analysis is to simply satisfy the  
15 ordinance requirement.

16 But as you can see, using an almost  
17 unrealistic worse-case analysis, with a fully loaded  
18 tower here, we are at exposure levels less than a  
19 quarter of the applicable FCC limits. And that's  
20 being ultra-conservative. In reality, this type of  
21 facility if we went out and measured and we have  
22 measured countless facilities of this site before,  
23 even with a fully-loaded set of antenna arrays from  
24 all the providers in the market which is basically  
25 what we have here, I would expect some measurements

1 closer to 100 or less of the FCC exposure levels.

2 MR. EINGORN: Thanks.

3 MS. FRITZGES: Okay. Go ahead.

4 MR. PETERSOHN: I think we were going to  
5 talk about your adherence analysis. This report that  
6 I offer also talks about the facilities. I'm fine  
7 with non-interference requirements of the FCC. This  
8 facility will only utilize portions of the radio  
9 frequency spectrum for which Verizon is licensed.  
10 Similarly, other uses such as the other providers on  
11 the tower, they'll only be using the channels for  
12 which they're licensed.

13 So by virtue of that licensure, there  
14 will be no harmful interference or any other type of  
15 interaction between the proposed facilities and any  
16 of the other facilities on the monopole or any other  
17 users of the radio frequency spectrum surrounding the  
18 installation, including AM/FM broadcast, television  
19 broadcast, baby monitors, garage door openers, or  
20 anything of that nature. Those devices are also  
21 licensed in the particular portions of the radio  
22 frequency spectrum.

23 MS. FRITZGES: And if there was a -- if  
24 it happens with interference which, you know, is very  
25 likely, it's an obligation of Verizon Wireless under

1 their license to correct that; is that right?

2 MR. PETERSOHN: It is. It's not only  
3 Verizon Wireless's policy to identify a media group  
4 and interference issues or any reported interference  
5 issues, but it's also a requirement of their  
6 licensure. Their ongoing licensure requires that  
7 they address any resulting interference.

8 MS. FRITZGES: I'm going to turn now to  
9 the FAA Notice Screening Tool which I'd like to mark  
10 as Exhibit A-10. Can you explain what this document  
11 is for the Board?

12 MR. PETERSOHN: Sure. This is the FAA  
13 Notice Criteria Tool Screen. What we do in a case  
14 like this because we are extending the height of the  
15 tower, in this case, to an overall structure height  
16 of 120 feet. We input the pertinent information of  
17 the facility including the exact coordinates and the  
18 ground elevation, and then the structure height here  
19 of 120 feet including the lightning rod. And that  
20 information is submitted to the FAA Screening Tool.  
21 In this case, lighting or marking the facility will  
22 not be required.

23 So, it's not required that there be any  
24 strobe lighting or solid red lighting. Nor will it  
25 be required that the facility be painted in any way

1 in a red and white painting that sometimes  
2 accompanies these type of structures, is not  
3 required. The filing of the FAA form will be  
4 required here which is just a notice of proposed  
5 construction that will go to the FAA, and the  
6 findings and the Criteria Tool Screening -- Criteria  
7 Notice Tool, that are attached to this report.

8 MS. FRITZGES: Mr. Petersohn, in your  
9 expert opinion, would everything that you testified  
10 to, the fact that providing additional coverage for  
11 the Camden County Police Department and everyone  
12 along that corridor, the fact that we're providing  
13 additional capacity in enhancing service for all the  
14 customers, the fact that we only need -- that we can  
15 co-locate a non-existent structure and only have to  
16 increase the height by 20 feet, would all of those  
17 factors in your expert opinion, would they be  
18 positive criteria for this application?

19 MR. PETERSHOH: They would. Absolutely.

20 MS. FRITZGES: That's all for this  
21 witness.

22 MR. COOPER: I have a question here. On  
23 this tower itself, how many companies are on that  
24 tower?

25 MR. PETERSOHN: So, there's a number of

1 antennas up there that are dormant from some of the  
2 providers that have either disappeared through  
3 mergers or bought through acquisition. On my  
4 Electromagnetic Admissions Report on page 2, I do  
5 summarize the active providers there. Verizon  
6 Wireless, of course, proposing their antennas. We  
7 also have AT&T at 62 feet. It's currently there. We  
8 have T-Mobile at 100 feet. And also technically at  
9 85 feet, also T-Mobile formerly Sprint. That merger  
10 is somewhat recent; just within the last few months.  
11 They're in the process of integrating the two  
12 networks there.

13           So, it could be that one of those center  
14 lines may no longer be used at some point in the  
15 future once they do consolidate some of their sites.  
16 But there are some other antennas that are on the  
17 tower, as I mentioned, some of the previous  
18 incarnations of carriers that have gone away through  
19 mergers and acquisitions. Other than the ones that I  
20 mentioned, I believe the rest to be dormant.

21           MR. COOPER: Because -- what's the  
22 fallout? If we put -- combine all these companies,  
23 will a fallout still be under the FCC guidelines or?

24           MR. PETERSOHN: It will. And that  
25 analysis that I have done here includes the

1 cumulative effect of all these companies. And what I  
2 do, as I mentioned, I look at this from an absolute  
3 worse-case scenario and because there is an  
4 installation down here at 62 feet, 18 feet -- 62  
5 which is the lowest and, therefore, closest to the  
6 general public that could be walking or driving or  
7 somehow near the bottom of the tower.

8           One of the many upper-limit assumptions I  
9 make is that all of those providers are actually at  
10 the lowest height that any of them are installed.  
11 Through simulation, I simply put all of the antennas  
12 down at 62 feet which, of course, will exaggerate the  
13 exposure calculations to a great degree beyond what  
14 the exposures levels will actually be. And that's  
15 just one of many upper-limit assumptions that I make.

16           CHAIRMAN HAMILTON: When you say  
17 something about reception, in other words, the police  
18 couldn't get good reception?

19           MR. PETERSOHN: That's right.

20           CHAIRMAN HAMILTON: I'm saying, why  
21 didn't you have one of the police up here with you?  
22 You said one of the policemen said it. Why didn't  
23 one of them come here?

24           MR. PETERSOHN: I'm not sure. Maybe our  
25 first witness could elaborate a little bit more on

1 the complaints that --

2 CHAIRMAN HAMILTON: I'm more worried  
3 about the cops. That's who we should have had in  
4 there. You're just tellin' us somethin'; tellin' us  
5 something. But then you said about the cops and then  
6 sayin', well the cops said so and so. Oh, we ain't  
7 sayin' nothing.

8 MS. FRITZGES: I know we had spoken about  
9 that, Mr. Chairman. I think the bigger issue is,  
10 regardless if the cops had come or testified to that  
11 or not, what Mr. Petersohn is showing on his map,  
12 show exactly what we're essentially saying the cops  
13 are saying; that there is an issue. So regardless if  
14 the cops were saying it or not, his testimony would  
15 be the same that there's still an issue regardless of  
16 who would say it.

17 CHAIRMAN HAMILTON: Okay. That's all  
18 right. I don't like to do this on Zoom anyhow. I  
19 like to see stuff.

20 MS. FRITZGES: We wanted to point that  
21 out that they did come to us and expressed a  
22 concern. But by no means does that mean that even if  
23 they didn't say it, we still don't need this site for  
24 the same reasons.

25 Mr. Solicitor, if anyone has any

1 questions for this witness, I can go to my next one.

2 MS. MERRICKS: I have a question. So are  
3 you guys upgrading or are you adding another antenna  
4 and is it a 5G?

5 MR. PETERSOHN: I missed the first part  
6 of that question. Sorry.

7 MS. MERRICKS: Are you guys doing an  
8 upgrade or are you just doing the same tower as you  
9 did everywhere else? Or is this tower an upgrade to  
10 20 feet up?

11 MR. PETERSOHN: Well, it's a new site for  
12 Verizon. So this facility is not an upgrade occasion  
13 at the moment. So in that sense it's not an upgrade  
14 but it is planned with 4G technology as well as 5G  
15 technology. So, it will have the latest and greatest  
16 radio access network equipment installed, as well as  
17 some future-proofed antennas here that we can perhaps  
18 add things like additional channels to down the road.  
19 It is by all means, state-of-the-art as far as the  
20 installation.

21 MS. MERRICKS: Will it help the residents  
22 in the area where the towers are?

23 MR. PETERSOHN: No. We're demonstrating  
24 compliance with the applicable FCC code for this type  
25 of installation as far as from any electromagnetic

1 exposure standpoint.

2 MR. EINGORN: Counsel, what's your next  
3 witness going to testify regarding?

4 MS. FRITZGES: He will testify to the  
5 site plan. That's Exhibit A-12. Just what we're  
6 proposing. What we're proposing as an offer of  
7 proof, it will show that all the equipment that we're  
8 proposing is within an existing compound. And that  
9 we're just putting a 20-foot extension on the top of  
10 the tower with antennas. But that we meet all of the  
11 other bulk area requirements except that we need a  
12 tower setback.

13 He would also testify to the structural  
14 analysis that I have marked as Exhibit A-13 and 14  
15 that essentially says that this existing tower can  
16 hold an extension of 20 feet. And also will testify  
17 to how these towers are made so that they're safe.

18 MR. EINGORN: I think that relates to  
19 your application. I think that's the bulk of your  
20 application here. I think the issue with the  
21 setbacks is if this tower falls down, that's why you  
22 need 110 percent setback, right? I think that's  
23 probably our most pertinent testimony. If we could  
24 hear from that from that witness, that would be very  
25 helpful.

1 MS. FRITZGES: Sure. I'll call Mr.  
2 Tsoukalas.

3 MR. TSOUKALAS: Hi.

4 MS. FRITZGES: Could you identify your  
5 name again and where you work and how you are  
6 affiliated with Verizon Wireless?

7 MR. TSOUKALAS: Sure. My name is Petros  
8 Tsoukalas. I work for Mazor Consulting. We're the  
9 engineering firm that was reserved to make the plans.  
10 I am a civil engineer licensed in the State of New  
11 Jersey as well as 40-plus other states. I have been  
12 in front of 300-plus jurisdictions including Camden  
13 giving professional testimony such we're doing  
14 tonight.

15 MR. EINGORN: I'm sorry, sir. I'm having  
16 some difficulty hearing you. We do have a court  
17 reporter. So, if I can't hear you, she can't hear  
18 you.

19 THE REPORTER: I'm having difficult  
20 hearing the witnesses. I think someone's low  
21 bandwidth.

22 MR. EINGORN: I don't know. I think  
23 every time the witness is moving his head, I have  
24 trouble hearing him. I don't mean to be crass but if  
25 you could keep your head a little still, it will

1 help. I apologize for the interruption.

2 MR. TSOUKALAS: We were reserved to  
3 prepare the plans. I reviewed the plans.

4 MS. FRITZGES: Mr. Solicitor, if I could  
5 qualify him as an expert in civil engineering?

6 MR. EINGORN: Yes. I think the Board is  
7 satisfied that Mr. Tsoukalas is qualified to be  
8 represented as a civil engineer.

9 MS. FRITZGES: Thank you. If Mr.  
10 Tsoukalas could share his screen. If you could bring  
11 up the site plan.

12 MR. TSOUKALAS: So, the existing site  
13 that we're talking about tonight, is located at 699  
14 Liberty Street. That is at the corner of Liberty  
15 Street and South 7th Street. There is an existing  
16 compound there, fence compound which encases all the  
17 carriers that we were talking about earlier, the  
18 existing carriers and the other cell phone companies.

19 The compound itself, Verizon Wireless is  
20 supposedly utilizing an existing abandoned elevated  
21 platform so we're not -- there's a platform out  
22 there, steel platform that somebody else has stopped  
23 using. Verizon is going to take this platform and  
24 utilize it for their performance and not take up any  
25 additional space or expand the compound itself.

1           The tower is an existing 100-foot  
2 monopole-type tower located in the northwest corner  
3 of the compound. The compound is approximately 54  
4 feet by 30 feet wide. The existing platform is  
5 approximately 11 feet by 22 feet high. As was stated  
6 earlier, the monopole is an existing 100-foot  
7 monopole. Verizon would like to extend this monopole  
8 by a total of 20 feet. However, the actual  
9 extension is 15 feet. And a five-foot lighting rod  
10 that would be on top of that monopole extension.

11           The center line of the antennas, of the  
12 new antennas, will be at 112 feet and the top of  
13 those antennas will be at the same elevation as the  
14 top of the tower at 115 feet. The tower itself is  
15 owned and managed by a company called American Tower  
16 Corporation. They prepare their own structural  
17 analysis. So they prepared the structural analysis  
18 on this site. It passes with structural modification  
19 so it does require some structural modifications to  
20 bring it up to code.

21           Once those structural modifications are  
22 installed, the maximum usage including all the  
23 existing antennas and all the proposed equipment is  
24 at 97 percent utilization, which is below the  
25 maximization of the tower including all the codes

1 specified calculations and requirements.

2           The equipment we're installing are two  
3 equipment cabinets that look like small  
4 refrigerators. They don't require any potable water  
5 or sewer. It's an unmanned facility. It will  
6 require a technician to visit the site once every  
7 four to six weeks. The technician will visit the  
8 site to make sure that the equipment is in working  
9 order and cleans up the facility if there's any type  
10 of debris. And they are there for about a half a  
11 day, if that.

12           The antennas that we're proposing will be  
13 at the top of the -- as we said, at the top of the  
14 tower at 115 feet. They look like elongated shoe  
15 boxes. So they'll look like all the other antennas  
16 that are on that tower currently. That's all I have.  
17 Is there anything else? Any questions?

18           MS. FRITZGES: Can you talk about how  
19 this would withstand wind gusts and the weather  
20 component?

21           MR. TSOUKALAS: Yes. So, it's a steel  
22 monopole. The extension is a steel extension. It  
23 was designed to withstand the load requirements per  
24 the local New Jersey Design Codes. And as I stated  
25 with those codes, with all the highest wind factors,

1 all the factors that are provided on here, it has as  
2 96 percent usage.

3 MS. FRITZGES: And what does that mean,  
4 Mr. Tsoukalas?

5 MR. TSOUKALAS: If you take all the  
6 worse-case scenarios, you add them together, you add  
7 your multiplications -- your factors of safety on and  
8 compare it to what the code requires, we are still  
9 under 100 percent of what that code requires. So,  
10 it's at 96 percent structural utilization. And it's  
11 safe compared to the codes.

12 MR. EINGORN: Are there any safeguards in  
13 place that would render this additionally safer than  
14 just, it could withstand the gusts? Does it break in  
15 half; does it have a pivot or a swivel or a hinge,  
16 something, or anything that would mitigate this large  
17 tower toppling over for some unknown reason?

18 MR. TSOUKALAS: These monopole towers  
19 typically -- this one wasn't -- isn't a new one so I  
20 don't have the brand -- the design of exactly how it  
21 was originally constructed. But typically, the way  
22 that these fail, they fail at about one-third of the  
23 height down because the lower the pole is, the wider  
24 it is, the more steel and more resistance it has.  
25 Most of the loading is at the top. It's a cantilever

1 so it's like having a post sticking out of the ground  
2 and you're pushing at the top of the post.

3           If it's going to fail -- and the base is  
4 in a concrete foundation that's site specific and  
5 designed to withstand the loading, the maximum  
6 loading that can put on this tower. If there is a  
7 failure point, it typically is around a third of the  
8 distance down from the tower. However, it wouldn't  
9 crumble or fall. It would kink like a straw. If you  
10 took a straw and you pushed, held the bottom of the  
11 straw and you pushed the straw at the top, it kinks  
12 over. It's the same type of idea here since it is a  
13 tubular structure.

14           MS. FRITZGES: And, Pete, that portion of  
15 the pole is already existing, correct, where it  
16 wouldn't fail?

17           MR. TSOUKALAS: Yes. That's already  
18 there. That's already existing. Again, we're adding  
19 15 feet of tower and 5 feet of lightning rod to this  
20 tower.

21           CHAIRMAN HAMILTON: Do we got anything  
22 else?

23           MR. COOPER: Is this a pretty accurate  
24 picture of what tower looks like now?

25           MR. TSOUKALAS: Yes.

1 MR. COOPER: Now, you're saying that some  
2 of these antennas will be dormant, right? They won't  
3 be in use anymore?

4 MR. TSOUKALAS: Some of them are. Some  
5 of them are from companies that either, as Mr.  
6 Petersohn said, aren't in business anymore or they're  
7 part of mergers like Sprint, T-Mobile. There's some  
8 Cricket equipment on here; some Clear Wire equipment;  
9 some companies that have been acquired by other  
10 companies such as AT&T or T-Mobile.

11 MR. COOPER: Okay.

12 MR. EINGORN: Any questions from the  
13 Board for this witness?

14 REVEREND MARTINEZ: For some reason the  
15 volume is so low. I can barely hear.

16 CHAIRMAN HAMILTON: What did you say,  
17 Rev?

18 REVEREND MARTINEZ: I can't hardly hear.

19 CHAIRMAN HAMILTON: It breaks up a lot.

20 MR. COOPER: Another thing here. Because  
21 this tower is already existing which is why you guys  
22 are really pushing for this tower?

23 MS. FRITZGES: That's correct. We  
24 preferred -- if we didn't have somewhere to  
25 co-locate, we'd have to find somewhere to put a brand

1 new tower. And no one wants to do that including the  
2 carriers. So, if they have an existing tower that  
3 they can use, they'd rather do that.

4 And they also don't want to have to even  
5 put extensions on if they don't have to. I mean, if  
6 there wasn't a need, they wouldn't be coming to  
7 boards and asking to put equipment up. But there is  
8 a need. But, yes, to answer to your question, it's  
9 much preferable if we have an existing structure, if  
10 we can put an extension on it. And this happens to  
11 be an area where we needed it and it works.

12 MR. EINGORN: How come you can't simply  
13 replace the pre-existing antennas for, say, Cricket  
14 or some other dormant antenna?

15 MS. FRITZGES: I think that's a question  
16 for Andy Petersohn potentially, the height.

17 MR. PETERSOHN: We need the height,  
18 number one. We got a significant gap here. And  
19 there is a carrier at 100 feet. So in reality if we  
20 could just do whatever we wanted, we would still be  
21 down at 90 feet or so and we need every foot that we  
22 have here.

23 And then the other part of that is the  
24 existing rights to those heights on the tower are  
25 likely still preserved by the company who inherited

1 the lease. And I don't know the details of the deals  
2 that they have. But it's not uncommon that they sign  
3 longterm deals and without anticipating, of course,  
4 that their company would merge with another provider.  
5 So, it could be that those center lines are still  
6 spoken for and have been paid even though the entity  
7 has been absorbed by one of the other providers.

8 From a practical prospective, that also  
9 plays a role. But from a design prospective, we do  
10 have a pretty significant gap here on a very busy  
11 interstate and then all those surrounding areas that  
12 we looked at earlier that need improved service. So,  
13 we need a lot of height here.

14 MS. FRITZGES: Andy, just to follow up on  
15 that. If by chance this doesn't get approved, that  
16 need doesn't go away, correct? We would need to find  
17 somewhere to put a new pole or another extension; is  
18 that right?

19 MR. PETERSOHN: Right. And I say this a  
20 lot. If the extension is not approved, yes, the  
21 radio frequency need still remains. The subscribers  
22 here that are having issues will continue to have  
23 issues. So, what Verizon Wireless will have to do  
24 is, seek to construct a new tower-type structure  
25 somewhere in very close vicinity here. And, of

1 course, from a lot of perspectives, that's more  
2 impactful than a relatively short extension of  
3 a 15-foot tower extension on a facility like this  
4 that is really hardly noticeable from an esthetic  
5 prospective.

6 MS. FRITZGES: And potentially and  
7 depending where that alternative site would be, it  
8 would be at the existing height or it could be  
9 higher, is that right, depending on where it is?

10 MR. PETERSOHN: Could be. Depending on  
11 the particulars, it could be taller. This facility  
12 fits extremely well into the missing puzzle piece, if  
13 you will, of coverage here that we looked at. It's  
14 ideally located. So, if we were to find a piece of  
15 vacant property to build a new tower on that was not  
16 so ideally located, it could be that we would need  
17 some more height.

18 CHAIRMAN HAMILTON: Do we got anything  
19 else? Anybody on the Board? Anymore questions?

20 REVEREND MARTINEZ: I'm good.

21 MR. COOPER: I'm good.

22 CHAIRMAN HAMILTON: Anybody in the  
23 audience for or against?

24 MR. EINGORN: Karen, do you have  
25 something?

1 MS. MERRICKS: Yes, I had a quick  
2 question. I'm sorry. I just wanted to know how many  
3 feet are the towers apart from each other that you  
4 have here?

5 MS. FRITZGES: Can you repeat that? I'm  
6 sorry.

7 MS. MERRICKS: I was asking how far are  
8 the additional towers that they have in Camden, how  
9 far apart are each tower, like how many feet?

10 MS. FRITZGES: Do we know that, Andy, how  
11 many feet?

12 MR. PETERSOHN: Yes. It would be easier  
13 to discuss in terms of miles or portions of miles.  
14 So, if you look at those sites to the north of Ben  
15 Franklin Bridge, the Camden Waterfront site and the  
16 Camden site, they are on the order of about a mile  
17 and a half from one another or so. And then this  
18 site is about, just kind of ballparking on my  
19 exhibits, about two miles. That's pretty typical in  
20 a well-traveled, well-populated area like this.

21 MS. MILLER: Mr. Latko, would like to  
22 speak.

23 MR. LATKO: Through the Chair, Jonathan  
24 Latko, Penn Street, Camden, New Jersey. Quick  
25 question related to the contract you mentioned.

1 There's other providers that are renting space on the  
2 pole. What kind of revenue is generated? Like what  
3 do you pay per month or per year to add this type of  
4 service to that pole?

5 MS. FRITZGES: We typically -- that's  
6 proprietary information. Even in our leases we  
7 redact that out because that's proprietary to our --  
8 to Verizon Wireless and to all the carriers. So,  
9 unless we get authorization from the client, we  
10 typically don't disclose that for various reasons.

11 MR. LATKO: Okay. Just one concern would  
12 be values of property in the City are depressed. We  
13 don't collect enough tax revenue across the City.  
14 So, when there are commercial applications to  
15 properties and that value of that property is  
16 increased, we would hope the City realizes those tax  
17 incentives like basically the property is worth more,  
18 they pay more taxes on that property.

19 MS. FRITZGES: And I can tell you we do.  
20 I can absolutely tell you that is in the lease that  
21 any taxes that's raised from all of that. And they  
22 do from my experience, they do increase their value.  
23 Those antennas specifically -- you know, the  
24 improvements are taxed. So, there is an increase in  
25 revenue for the City and Verizon Wireless does pay

1 those taxes.

2 MR. LATKO: Thank you.

3 MR. EINGORN: Do any other members of the  
4 public would like to be heard on this application?  
5 Hearing none, we'll close the public portion.

6 Does the Board want to discuss the  
7 Positive and Negative Criteria related to the  
8 requested bulk variance for permission -- I'm  
9 sorry -- for the set -- tower setback? And then the  
10 applicant is also requesting a waiver of minor site  
11 plan.

12 MR. COOPER: I'm just not sittin' real  
13 easy with this because our City is nine square miles  
14 and we got so many of these antennas now that's  
15 around there. And if we're going to add more  
16 antennas to the City with nine square miles, our  
17 surrounding communities don't have nowhere near this  
18 amount of antennas.

19 CHAIRMAN HAMILTON: It's helping your  
20 cell phone, right? Everybody got cells phone  
21 nowadays.

22 MR. COOPER: Yes.

23 MR. EINGORN: Mr. Cooper, are you saying  
24 that it's better to put them all together on this one  
25 or are you saying that there should be a different

1 antenna? I'm sorry.

2 MR. COOPER: There should be a different.  
3 It's just like, we just got so many in the City, man,  
4 and within miles apart of one another.

5 CHAIRMAN HAMILTON: Ain't too much you  
6 can do. Like I said before, everybody got cell  
7 phones.

8 MR. COOPER: Yeah.

9 CHAIRMAN HAMILTON: Ain't too much you  
10 can do.

11 MR. COOPER: All right.

12 CHAIRMAN HAMILTON: Okay. Anybody else  
13 on the Board?

14 REVEREND MARTINEZ: No.

15 CHAIRMAN HAMILTON: We are ready to  
16 vote.

17 MR. EINGORN: We need a motion to either  
18 approve or deny the application for a bulk variance  
19 and waiver of site plan. Reverend Martinez, are you  
20 making a motion?

21 REVEREND MARTINEZ: A motion to accept.

22 CHAIRMAN HAMILTON: I second it.

23 MR. EINGORN: I'll take a roll-call vote.  
24 Chairman Hamilton.

25 CHAIRMAN HAMILTON: Yes.

1                   MR. EINGORN: Vice-chairman Hance. We'll  
2 come back to him. Reverend Martinez.

3                   REVEREND MARTINEZ: Yes.

4                   MR. EINGORN: Ms. Merricks.

5                   MS. MERRICKS: Yes.

6                   MR. EINGORN: Mr. Cooper.

7                   MR. COOPER: Yes.

8                   MR. EINGORN: Let the record reflect --  
9 is that a no from Vice-Chairman Hance?

10                  MS. MILLER: He's frozen.

11                  MR. COOPER: Can he call in?

12                  MS. MILLER: He just moved.

13 Vice-Chairman Hance, is that a yes or no for you?  
14 See if you can put up a piece of paper and write on  
15 it yes or no.

16                  MR. EINGORN: His screen freezes up.

17                         Let the record reflect that was four  
18 votes in favor for a bulk variance. This motion  
19 would pass. For completeness sake, though, we should  
20 know whether or not Vice-Chairman Hance has voted in  
21 favor or against the application.

22                  CHAIRMAN HAMILTON: Are you for it or  
23 against?

24                  MR. EINGORN: Can somebody put him on  
25 speaker.

1 MR. COOPER: I'm trying to get him now.

2 MR. EINGORN: Thank you, Mr. Cooper.

3 MR. COOPER: He can't accept my call  
4 right now.

5 CHAIRMAN HAMILTON: We need to do  
6 something with this here Zoom. This happens every  
7 time we have it. We can't get him on the phone. How  
8 many do we got?

9 MR. EINGORN: Like I said, the motion  
10 passes regardless of his vote. The motion passes so  
11 let's start there.

12 VICE-CHAIRMAN HANCE: Yes.

13 MR. EINGORN: What was that? I believe  
14 we had a yes. That would be five votes in favor.  
15 That will conclude that application for tonight.

16 MS. FRITZGES: Thank you so much.

17 MR. EINGORN: Thank you, Counsel. We  
18 appreciate your time. I need a short break. I'll be  
19 right back.

20 - - -

21 (Whereupon the proceedings are off the  
22 stenographic record.)

23 (Whereupon the proceedings are back on  
24 the stenographic record.)

25 - - -

1 MR. EINGORN: I'm back on. We're ready  
2 to begin the next application which would be Eli  
3 Gabay, 422 Chambers Avenue, Block 1409, Lot 53. I  
4 believe the applicant is represented by Mr. Izzo.  
5 Mr. Izzo, good evening. We can't hear you.

6 MR. IZZO: My name is Charles Izzo.  
7 We're ready to proceed with our application.

8 MR. EINGORN: Very good. Please present  
9 the application.

10 MR. IZZO: The owner of the property is  
11 Jeefy Holdings, LLC, Mr. Gabay.

12 MR. EINGORN: Mr. Izzo, we can't hear  
13 you. You need to speak towards your camera or your  
14 microphone. When you tip your head, we can't hear  
15 what you're saying.

16 MR. IZZO: There is no new construction  
17 is proposed. There's a house there with two legal  
18 living units. The duplex use is a permitted legal  
19 use. There's no construction. Mr. Gabay has  
20 assembled materials which show the configuration of  
21 the existing property. It's a very clean property;  
22 very nicely set up. He wants a zoning permit. He  
23 was declined because his lot is 16 feet wide --

24 MS. MILLER: Mr. Izzo, can you turn up  
25 your volume?

1                   MR. IZZO: Yes. The City Ordinance  
2 specifies 20 feet.

3                   MS. MILLER: Still can't hear you good.  
4 It's like a whisper.

5                   MR. IZZO: The City Ordinance specifies  
6 20 feet. And the lot on Chambers Avenue happen to be  
7 16 feet wide; very old street. The house is built in  
8 1800's. And also, his lot is 92 feet deep. The  
9 Ordinance is 100 feet. A very De Minimus Exception.

10                  REVEREND MARTINEZ: Counsel, you need to  
11 raise the volume on your phone. We can't hear you.

12                  MR. IZZO: I'm speaking on a computer.  
13 I'll try to move the volume up to the max.

14                  Mr. Gabay is going to take over. I'm  
15 just introducing his application. There are very  
16 minimal bulk variances that are needed to permit this  
17 zoning permit on this existing, I believe, used  
18 property. Mr. Gabay?

19                  MR. GABAY: I'm Jonathan Gabay. This is  
20 my brother, Eli. We both own --

21                  MR. EINGORN: I'm sorry. Hold on.  
22 Before you start, we need to swear you in. If you  
23 could raise your right hand if you're going to  
24 testify and Chairman Hamilton will swear you in after  
25 he unmutes himself. Chairman Hamilton, you're muted.

1                   CHAIRMAN HAMILTON: I'm here. Can you  
2 hear me?

3                   MR. EINGORN: Now we can.

4                   CHAIRMAN HAMILTON: Raise your right  
5 hands.

6   - - -

7                   JONATHAN GABAY, ELI GABAY, having first  
8 been duly sworn/affirmed, was examined and testified  
9 as follows:

10                                       - - - EXAMINATION - - -

11                   CHAIRMAN HAMILTON: Give your name and  
12 address to the secretary.

13                   MR. JONATHAN GABAY: Sure. Jonathan  
14 Gabay, 1321 Heartwood Drive, Cherry Hill, New Jersey  
15 08003.

16                   MR. ELI GABAY: Eli Gabay, 1321 Heartwood  
17 Drive, Cherry Hill, New Jersey 08003.

18                   MR. IZZO: Mr. Gabay, please explain to  
19 the Board what's on your property at 422 Chambers  
20 Avenue.

21                   MR. JONATHAN GABAY: Sure. So, the way  
22 422 Chambers stands today is currently a duplex.  
23 I have a presentation if I could share my screen.  
24 Can everyone see my screen?

25                   CHAIRMAN HAMILTON: Yes.

1 MR. EINGORN: Yes.

2 MR. JONATHAN GABAY: Do you see the  
3 presentation?

4 MR. EINGORN: Yes.

5 MR. JONATHAN GABAY: So, 422 Chambers,  
6 we conducted an OPRA Request. Essentially we  
7 purchased our property in June of 2019. And can  
8 everyone see this OPRA request screen that I have up?

9 CHAIRMAN HAMILTON: Yes.

10 MR. JONATHAN GABAY: So, an OPRA Request  
11 is an Open Public Records Act that anyone can find it  
12 with the City of Camden. We submitted an application  
13 for all this zoning construction and any documents  
14 that had to do with the property. And what we found  
15 was, in 1988 the property was found to be a duplex  
16 where they even have the number of units too. Can  
17 everyone see my cursor?

18 MR. COOPER: Yes.

19 MR. JONATHAN GABAY: Okay. So, the  
20 number units are two and it has the correct bath  
21 counts and everything with the kitchens.  
22 Furthermore, on the second page, it specifically  
23 makes mention in 1987, there was a total rehab or the  
24 property on the second floor and a partial on the  
25 first. And it makes mentions that there's a

1 three-bedroom unit and a two-bedroom unit. So, it  
2 turned into a two-unit house. And it mentioned that  
3 it was for sale. This was specifically mentioned in  
4 the 1988 card.

5 Then there was a 2000 re-val in the City  
6 where the Tax Assessor went to the property  
7 physically and saw that the property was two units  
8 and they made mention on the record that it was  
9 physically inspected back in 2001 to be two dwelling  
10 units. So then we dug even further and went into the  
11 most recent parts which show the correct two units  
12 and everything with the bedroom counts and bathroom  
13 counts are the same. And this is the current card,  
14 two units and it basically has the correct  
15 three-fixture bath and it has the correct  
16 information.

17 So, when I pulled my OPRA prior to our  
18 ownership, we could see that in 2014, there was a  
19 rental approval for a B Unit for use as an A Unit and  
20 this shows that it's a two-dwelling property. And  
21 prior to 2014, certificate of occupancies weren't  
22 being enforced. Only after that purchase did  
23 certificate of occupancies become a prerequisite to  
24 getting a rental certificate.

25 So, also, the City of Camden is issuing

1 two water bills for two separate meters. This is  
2 City-issued bills. One for the Apartment A and one  
3 for the Apartment B with their respective account  
4 numbers and their respective usage. As you can see,  
5 on the left-hand side, I have the Apartment B. They  
6 have their own usage; they have their own account  
7 balance and so does A.

8 Now, I even have a CO on the property.  
9 When we purchased it back in June, we were issued a  
10 certificate of occupancy and a fire certificate from  
11 the seller for a Certificate of Continued Occupancy  
12 which showed change of tenant and/or occupancy  
13 retail. It was a two-unit dwelling. And it gave us  
14 an 'A' and a 'B' and an 'A' and a 'B.' I even have  
15 two rental approvals from the City that shows that it  
16 was inspected and we were offered our approvals for  
17 two units. This is 'A' for the first floor and 'B'  
18 for the second floor.

19 Now, I want to say with some of the  
20 variances, they're talking about lot depth, width and  
21 stuff like that. This is a pretty uniformed block  
22 and these are some of the other multi-families on the  
23 block with the same width size, length, et cetera.  
24 Now, these are the current existing electrical  
25 conditions. As you can see here, they even have the

1 City approval inspection stickers which coincide with  
2 the mention on the 1987 card that they were done in  
3 1985 because these inspections are from 1985 and '86  
4 respectively on both separate panels as well as the  
5 meter box outside. Let me zoom out a little bit.

6 Now, we're going into the existing  
7 mechanicals. Everything in here is as it stands  
8 today. Second floor unit is mentioned on the water  
9 heater, the two gas meters. This is put in 1985, 35  
10 years ago when made mention on the tax card as well  
11 as the two heater units. As you can see when you  
12 walk in, you have 'B' going up stairs and 'A' is to  
13 the right. So, the first floor unit is an 'A.' The  
14 second floor unit that coincides with the third floor  
15 unit, is Unit B.

16 This is just a little bit of what's going  
17 on inside the property. This is the living room and  
18 kitchen of the first floor apartment. This is the  
19 bathroom of the first floor apartment. This is  
20 looking the other way towards the rear. This is the  
21 living room on the second floor of the second floor  
22 Apartment B. This is the kitchen. And you can sort  
23 of see in the bottom right, the stair entrance, the  
24 vestibule. And this is the bathroom as on the third  
25 floor and the second floor. There's two bathrooms on

1 the 'B' Unit. One's on the second floor and one's on  
2 the third floor. So, these are the current  
3 conditions that the property are in as we acquired  
4 them and as they stand today.

5 CHAIRMAN HAMILTON: It says two  
6 bedrooms -- I mean, two-story apartments?

7 MR. JONATHAN GABAY: So, the first floor  
8 is a straight through. The layout is, living room,  
9 kitchen, bathroom.

10 CHAIRMAN HAMILTON: Yeah. I lived on  
11 there. I know where it's at. What I'm asking you,  
12 what about -- how do they get out upstairs if  
13 something happens?

14 MR. JONATHAN GABAY: Through the main  
15 stairs. So there's only one staircase going up which  
16 is --

17 CHAIRMAN HAMILTON: Right.

18 MR. JONATHAN GABAY: So that's the way  
19 they would be getting out of the property through  
20 that staircase.

21 CHAIRMAN HAMILTON: If something happens  
22 a fire breaks out, how are they going to get out, is  
23 what I'm sayin'?

24 MR. JONATHAN GABAY: The stairs through  
25 the front.

1                   CHAIRMAN HAMILTON: Okay. Because we  
2 already had somebody came in through that. They got  
3 to fix something. Either put a fire escape so they  
4 can get out and thing. They can't just do it like  
5 that now.

6                   MR. JONATHAN GABAY: If that is what they  
7 need out the bay on the second floor, it's pretty  
8 much a yard. I wouldn't have any problem putting in  
9 a fire escape. As a stipulation, I will be happy to  
10 do that.

11                  MR. COOPER: That's fine.

12                  MR. EINGORN: You'd have to work with the  
13 fire inspector or fire marshall to determine that  
14 that's the course of action with the installation  
15 of a fire escape.

16                  MR. JONATHAN GABAY: I've been in contact  
17 with them recently. I pretty much on different  
18 projects throughout the City, so I would be sure to  
19 be in contact with them.

20                  CHAIRMAN HAMILTON: When you get in touch  
21 with them, how will we know? Do you got to come back  
22 in front of us?

23                  MR. JONATHAN GABAY: If you want, we can  
24 make it a condition on the approval and then I could  
25 submit it through my attorney to the Board, to the

1 Zoning Department through Dr. Williams or even Ms.  
2 Davis.

3           However you want, I can make that a  
4 condition of your approval. So, if they want to give  
5 a certification that they think everything is fine  
6 given the egress that they propose, I would work with  
7 them to tell me exactly what they want.

8           CHAIRMAN HAMILTON: It's got to have a  
9 fire escape.

10           MR. JONATHAN GABAY: That's fine.

11           MR. EINGORN: Mr. Gabay, do you have  
12 any further testimony or exhibits?

13           MR. JONATHAN GABAY: I actually do as  
14 well. Let me get out of my screen. Can everyone see  
15 this presentation now with the street view?

16           MR. COOPER: Yes.

17           MR. JONATHAN GABAY: Okay. So, this is  
18 Chambers Avenue. Pretty much all houses are  
19 uniformed. We have 422. This is a Google Maps image  
20 from 2019. It's the second house in. Basically, one  
21 of the requirements was parking. Jeefy Holdings owns  
22 422 Chambers. And I also own a property on a condo  
23 on Berkley Street, 638A which is a little less than a  
24 100 feet away. 638A Berkley is part of Cooper Plaza  
25 Condominium Association. So back in the late 90s,

1 there was a conversion of rowhomes on the 600 block  
2 of Berkley between 620 and 644 that we turned into  
3 bi-level condos.

4 So, essentially the condominium  
5 association owns various parking lots. One is  
6 actually behind Chambers Avenue on 7th Street. And  
7 what I have agreed to between the two entities was to  
8 make a lease agreement. Essentially, this shows the  
9 owner of record for 422. This shows the owner of  
10 record of 638A Berkley and the Cooper Plaza  
11 Condominium Association. This is only if needed.

12 MR. EINGORN: We're not seeing what you  
13 are seeing.

14 MR. JONATHAN GABAY: Do you not see my  
15 screen?

16 MR. EINGORN: We just see the picture of  
17 Chambers Avenue looking toward Berkley Street.

18 MR. JONATHAN GABAY: Hold on. Let me try  
19 to see. Can everyone see -- hold on. Let me try to  
20 share this share.

21 REVEREND MARTINEZ: I saw it.

22 MR. JONATHAN GABAY: Can everyone see  
23 this?

24 REVEREND MARTINEZ: Yeah, I see it.

25 MR. JONATHAN GABAY: So how far did we

1 get in not being able to see everything?

2 MR. EINGORN: This is the first we're  
3 seeing the street near 422.

4 MR. COOPER: So right there.

5 MR. JONATHAN GABAY: So, this the street  
6 view. It's pretty uniform. Back in the far corner  
7 over there you can sort of see Berkley Street.  
8 Essentially this -- can everyone see the street from  
9 the street view?

10 MR. EINGORN: Yes.

11 MR. JONATHAN GABAY: So, this is 422  
12 Chambers. It's pretty uniform as you can see. This  
13 is the parking solution if it poses an issue because  
14 it was one of the requirements, although it's been as  
15 it's been standing for over 35 years. Essentially,  
16 we own a condominium in Cooper Plaza Condominium  
17 Association which has granted a spot for the condo  
18 owners. And the condo owner -- this is the tax  
19 records of 422 Chambers. This is the tax record for  
20 638 Berkley showing that's part of Cooper Plaza.

21 And the parking lot that I'm talking  
22 about is directly behind the property. Or it's  
23 actually like three down off of 7th Street. So, we  
24 have an executed lease, if needed, for an additional  
25 car, although currently, only one of its units has a

1 car. So, this is 422 Chambers. Does everyone see  
2 the aerial map? This is 422 Chambers. This is our  
3 condo in Berkley Street. We're referring to this  
4 parking lot on 7th Street which coincides with the  
5 Cooper Plaza Master Deed for the parking lot for  
6 their condominiums.

7 We have a parking spot in there for 638A  
8 Berkley which is being unused. And if needed,  
9 we have a lease agreement for 422 if they need  
10 another vehicle. Although we do have --  
11 historically, the tenants have either had one vehicle  
12 or the current first-floor tenant doesn't have a  
13 vehicle at the moment. And even if they have guests,  
14 there is a parking lot, parking at Cooper Hospital,  
15 for them in the parking garage, if needed.

16 So, this is the current conditions, where  
17 the ones with the stars are multi-family properties  
18 on the block already. This is 422 Chambers. And  
19 this is the summary for the parking. We don't  
20 foresee the parking being a new issue as it has been  
21 like that since 1985 which is 35 years. We currently  
22 have one tenant with a vehicle. But there has been  
23 in the past, two tenants with vehicles with  
24 City-issued parking permits through their lease.

25 If the Zoning Board finds that current

1 conditions for 35 years insufficient, we have the  
2 lease to alleviate any detriment that would happen to  
3 the area that might bring any future concerns from  
4 the area. And that is it.

5 MR. EINGORN: An questions from the  
6 Board?

7 CHAIRMAN HAMILTON: Where you are going  
8 to park at?

9 MR. JONATHAN GABAY: Currently we have a  
10 street parking permit for one of the units. The  
11 other one, we don't have any parking right now  
12 because they don't have a vehicle. But we were  
13 saying, we would issue, if needed, that extra deeded  
14 spot for the Cooper Plaza Condominium. We have a  
15 lease, if needed, for the additional vehicle so it  
16 won't be taking up street parking. Although  
17 historically for 35 years, there's never been any  
18 sort of arrangement to alleviate that parking  
19 concern. This is just something that I'm trying to  
20 take the step ahead if there's any new concern that's  
21 been arosen due to the fact that we're bringing this  
22 in front of the Board despite having the CO.

23 The reason why we came across this zoning  
24 issue in the first place, we have the CO. It's just  
25 trying to clear any later discrepancies down the line

1 if we decide to sell the property or something like  
2 that. Everything that's currently going on is --  
3 once done legally between the CO and the rental certs  
4 and the lease agreements, everything is done to the  
5 process. It's now just trying to figure out how come  
6 this was never approved when the construction permits  
7 were issued back in 1985, which the City had records  
8 of in the construction office and tax office. It  
9 seems to be it was mistakenly overlooked in the  
10 zoning process. So, we're just trying fix that issue  
11 now.

12 CHAIRMAN HAMILTON: Anybody from the  
13 Board have any questions?

14 REVEREND MARTINEZ: I think it's a  
15 beautiful place. I mean, I don't got no issue.  
16 I see looking through the application and looking  
17 through the pictures which he gave us a nice set of  
18 pictures and location of the property which I know  
19 pretty good what it is.

20 Knowing that it's not too many people,  
21 too many apartments in that street there, I think  
22 it's a go; it's good; it's nice; it's clean. And I  
23 think they're trying to do the best for this property  
24 and bringing our City where it belongs like when it  
25 comes to properties. I think it's good. I don't see

1 nothing wrong with it, except if they're going to  
2 clear it for the fire escape.

3 MR. JONATHAN GABAY: That's fine. I have  
4 no problem with that.

5 CHAIRMAN HAMILTON: Yeah.

6 MR. EINGORN: Are there any other  
7 questions for the applicants right now because we  
8 still have to open to the public so we should clear  
9 up any questions before we discuss the Positive and  
10 Negative --

11 MS. DAVIS: Kyle, do you hear me?

12 MR. EINGORN: Yes.

13 MS. DAVIS: I just wanted to make mention  
14 of some things that he mentioned.

15 MR. EINGORN: Yes.

16 MS. DAVIS: As far as the current  
17 property cards, I just want to make a correction. As  
18 far as the current property cards, when the Tax  
19 Assessor goes out to assess, they assess actually  
20 what they see. That doesn't necessarily mean it was  
21 legally converted. And in the past, the offices were  
22 not too much communicating. So rental approvals that  
23 have been with illegal converted properties, can't  
24 have a CO without having zoning approval. And this  
25 doesn't have zoning approval.

1 MR. EINGORN: I think that's what the  
2 applicants are pretty much telling you is, they went  
3 to every office in the City and everybody had  
4 something related to two units except the zoning  
5 office and that's why they are here.

6 MS. DAVIS: Right. Yes, he had a CO.

7 MR. JONATHAN GABAY: I do have a CO on  
8 the property.

9 MS. DAVIS: Okay.

10 CHAIRMAN HAMILTON: Like I said, I don't  
11 have no problem but you need a fire escape because I  
12 lived over there. There's no place out back that you  
13 can go out. You got to put a fire escape there.

14 MR. EINGORN: Do you want to open it up  
15 to the public?

16 UNIDENTIFIED SPEAKER: I have a question.

17 MR. EINGORN: Who is speaking?

18 MS. BRISBANE: My name is Jacqueline  
19 Brisbane. I have a building on Berkley Street, the  
20 end of the row. I've spoken to Mr. Jonathan Gabay  
21 and I have a question for you regarding parking. The  
22 parking lot -- 651 Berkley Street is the building  
23 that I own. It is on the odd side of the street.  
24 The parking lot for -- that side of the street  
25 there's five properties on that side. The parking

1 lot only provides for ten parking spaces. Your  
2 address is 438. That's on the opposite side of the  
3 street. So, your parking lot is behind those  
4 properties, is that right, your parking space is  
5 behind those properties on the even side of the  
6 street?

7 MR. JONATHAN GABAY: Cooper Plaza --

8 MS. BRISBANE: The reason why I'm  
9 bringing up the parking situation, is because Cooper  
10 Plaza has provided a parking space for each condo on  
11 the odd side of the street from 651 to 659. We are  
12 impacted with illegal parking, unauthorized parking  
13 from the Washington Street residents. They park in  
14 our parking lot all the time. Whenever I come to  
15 visit the property, I have to park on the street.  
16 So, parking is a difficult situation and it's  
17 abused.

18 Now, Cooper Plaza Condo Association is  
19 saying that -- they have a sign posted that says,  
20 only authorized parking. That's ignored. Even  
21 people from Cooper Plaza -- I'm sorry -- people from  
22 Cooper Hospital come down and park. I have observed  
23 that. So, I am having some problems with parking and  
24 not only that, but that's not your problem. But  
25 there's some issues with the municipal alley behind

1 there that runs the north side -- north-south side of  
2 my building.

3           It's been taken care of to a certain  
4 extent, Jonathan, but I will call you about specific  
5 problems and having problems with getting Cooper  
6 Plaza to point the bricks on my building. And people  
7 have been nailing boards to contain or hold on to the  
8 fence that's in the alley behind -- the one that's  
9 perpendicular to the building on that side of the  
10 street, the rear of that street.

11           I just want to get a clear explanation as  
12 to where the parking space you are saying you have  
13 for your apartment. As long as it's on the other  
14 side behind the even side of Berkley Street, that's  
15 fine. I'm on the odd side of Berkley Street. And to  
16 get parking when I come there to visit the building,  
17 I do not have a parking space. That's another issue.  
18 And I don't know if I need to have Cooper Plaza do  
19 something about having the Parking Authority  
20 give us parking. What do you call it --

21           MR. EINGORN: Ma'am --

22           MS. BRISBANE: -- posters or something.

23           MR. EINGORN: That's a Parking Authority  
24 issue. If you want clarification on where the  
25 parking is, the applicant is ready to answer that.

1 Mr. Gabay.

2 MR. JONATHAN GABAY: Regarding the  
3 parking, when I reviewed to bylaws of the Condo  
4 Association, they have that parking lot as well as  
5 they have one behind Berkley Street on what's defunct  
6 Felton Street. There's two parking lots that they  
7 have that are used as communal parking for the Condo  
8 Association. And if you want -- hold on. Let me  
9 share my screen one more time. I'll show you. For  
10 Cooper Plaza Association, the condominiums at 433 S.  
11 7th, does everyone see this record?

12 MS. BRISBANE: Yes.

13 MR. JONATHAN GABAY: The additional lots  
14 is a parking lot. Now, Cooper Plaza Condominiums  
15 encompasses 620 to 644. We have to have two lots.  
16 Currently, we don't use that lot so any detriment  
17 that's caused by the public or by Cooper, by  
18 Washington, is not anything from this property. We  
19 don't currently even use that lot. We don't park in  
20 it; nothing. Any problem with that, I guess, we  
21 should talk to the Condo Association with. I know  
22 that's owned by Mr. Caruso or run by him at least.

23 But the parking that I had, if needed, is a  
24 deeded spot that belongs to 638 Berkley, wherever  
25 that might be, if it's either on the 7th Street side

1 or the Berkley Street side, I'm just putting that out  
2 there and making it known that I'm not here to cause  
3 a parking detriment.

4 MS. BRISBANE: No. I just want to  
5 confirm that the parking space that you were  
6 mentioning is behind the even side of the street.

7 MR. JONATHAN GABAY: Correct.

8 MS. BRISBANE: That clarifies the  
9 position of that parking lot.

10 MR. JONANTHAN GABAY: Yes, Yes. To  
11 clarify --

12 MS. BRISBANE: You know, my building has  
13 a parking lot behind it, behind the odd side of the  
14 street. And I just wanted to know that you are  
15 talking about the parking lot behind the even side of  
16 Berkley Street.

17 MR. JONATHAN GABAY: Wherever the Cooper  
18 Plaza parking lot spot designated for 638A Berkley  
19 wherever that might be, if I have to get  
20 clarification, I don't think there's reserved, like  
21 this is for 638, this is for 641, I don't think --

22 MS. BRISBANE: No. Just available  
23 space --

24 MR. EINGORN: Ma'am, you have to wait  
25 until he finishes his question. The court reporter

1 has to take everybody down. If you want to speak,  
2 you got to show your face so we can see whether  
3 you're done speaking or not. To have your screen  
4 black, is really unhelpful to our court reporter, to  
5 the applicant and to the Board members.

6 MS. BRISBANE: I understand. But he  
7 answered my question.

8 MR. EINGORN: Okay. Thank you.

9 MS. MILLER: Mr. Latko, you may speak.

10 MR. LATKO: Good evening, Jonathan Latko,  
11 Penn Street, Camden. Eli and Jonathan, thanks for  
12 coming and presenting and all the information and  
13 research you did. Lot of times people come and don't  
14 really bring that depth-breath of information. So, I  
15 appreciate you doing your homework and also investing  
16 in the City.

17 In general, the City challenges itself  
18 with rentals. Its exacerbated over the years.  
19 Sixty-five to 70 percent of the properties in the  
20 City are rentals. So any time and especially in  
21 these little historic neighborhoods other than  
22 Cooper Grant, this is in Cooper Plaza, when  
23 applicants come and they are investors that come from  
24 outside the City and they look at duplexed  
25 properties, that raises concern. We successfully

1 fought some of those duplexing previously in front of  
2 this Board.

3           And so what we deal with is exactly where  
4 the secretary had mentioned or I wasn't sure, and  
5 maybe Angela mentioned, that a lot of times, things  
6 are sort of grandfathered in. There wasn't  
7 departments talking to each other. So, you need to  
8 unpeel the onion of time because not everybody  
9 was -- like from 1985 which is a prime example where  
10 probably they didn't officially go on front of zoning  
11 and went through different challenges to sort of push  
12 ahead and do the duplex. So other questions I would  
13 have in that line of thinking, I see you talked about  
14 the meters and all those types of things. How many  
15 CCMUA bills do you pay?

16           MR. JONATHAN GABAY: We pay for two  
17 dwelling units. It's two equivalent dwelling units.  
18 I believe it was 56 something per dwelling unit. And  
19 so there's two dwelling units for CCMUA. The only  
20 thing is, they never sent us the updated billing  
21 address. They never sent it to th property, but  
22 we've been paying it online. When we requested a  
23 bill from CCMUA, they say their online billing portal  
24 just shows the bill. They don't have a print out.

25           MR. LATKO: Got it. How many electric

1 meters does it have?

2 MR. JONATHAN GABAY: Two. Okay.

3 MR. LATKO: And then you talk about, you  
4 bought it as-is. Have you rehabbed that property  
5 since you purchased it?

6 MR. JONATHAN GABAY: To be honest with  
7 you, to the property prior to our ownership, was an  
8 owner-occupied property. It's been done beautifully.  
9 We haven't touched anything in the property.  
10 Everything was done higher-end. We don't have any  
11 interests in bringing low-grade rental there.  
12 There's granite countertops. There's exposed brick.  
13 There's rod-iron railings. There's nice cabinetry  
14 and a fireplace. I mean, everything was done  
15 beautifully. It's not like we're trying to put in  
16 some low-grade materials in here.

17 And to speak to the fire escape, there's  
18 a couple properties on the block that are duplexes  
19 that don't have fire escapes that are approved. I,  
20 for one, own 440 Chambers with my sister which had a  
21 variance in 1999 that does not have a fire escape.  
22 That being said, I have no problem if that's a  
23 stipulation to get this through the peeling the  
24 onion. If that's one layer you guys request, I have  
25 no problem doing that. That would be a wise thing to

1 do.

2 CHAIRMAN HAMILTON: Yeah. It's got to  
3 have a fire escape. Who comes before us when they  
4 come on Chambers Avenue, that's the first thing I ask  
5 cause I used to live on there. You need a fire  
6 escape.

7 MR. JONATHAN GABAY: Understood.

8 MR. LATKO: So, one of the layers that  
9 concerns is the community, this is one of the areas  
10 that's obviously being invested in heavily. There's  
11 a lot of private and public dollars going in.

12 CHAIRMAN HAMILTON: Right.

13 MR. LATKO: Owner-occupiers moving in.  
14 You know, we had M&M and we had St. Joe's Carpenter's  
15 Society invest a lot public and private dollars into  
16 this to build up the neighborhood. So, again, when  
17 we bring in more duplexing or triplexing, whatever it  
18 may be, that's where the concern is. And parking is  
19 tight in these areas.

20 So, my question in general to the  
21 attorney. If they were to duplex this and it wasn't  
22 historic and somebody were to convert this to a  
23 duplex, how many parking spots would be required  
24 under the law or guidance in order to convert it?

25 MR. EINGORN: The parking varies on the

1 amount of bedrooms you have --

2 MR. LATKO: So they have five bedrooms,  
3 three and two.

4 MR. EINGORN: -- per unit. And I have it  
5 here in this giant book of stuff.

6 CHAIRMAN HAMILTON: It's bad parking all  
7 over Camden so I don't know what you're going to do.  
8 It's bad parking.

9 MR. EINGORN: I think that --

10 MR. LATKO: That's why we're addressing  
11 it.

12 MR. EINGORN: -- we're trying to get an  
13 idea of what's going on here. So for a multiple unit  
14 building, you need for a two-bedroom unit, one and  
15 three-quarter spaces. And for a three-bedroom unit,  
16 two spaces. So, you'd have to round up to four  
17 spaces total.

18 MR. LATKO: Right. So, the concern here  
19 is, essentially if -- say he didn't have the zoning  
20 before and to make it official he has to in front of  
21 zoning. Technically, they're converting it to a  
22 duplex now. He would be required to provide those  
23 four spaces. And then he did present one spot. And  
24 I even questioned that a little bit. Because if  
25 there is existing parking lots, they were probably

1 approved under those condo associations on minimal  
2 of what they needed. So, we should not be renting  
3 spots that exist for other spaces for other condos.

4 MR. IZZO: Mr. Gabay's company comes to  
5 the Board with a 16 by 92-foot lot. To enforce the  
6 off-street parking in this particular case, if we  
7 remove his building from the lot, he would just have  
8 room to park cars and no house. If we did that all  
9 the way to the street, we would tear down all the  
10 houses.

11 MR. LATKO: So, there's alternatives?

12 MR. IZZO: It's not. It's 16 by 92. You  
13 cannot put the literal application of this  
14 off-street parking under this owner in these  
15 circumstances. It makes no sense.

16 MR. EINGORN: So that everybody's aware,  
17 Camden does have an ordinance that requires you to  
18 pay a certain amount per spot for which you obtain a  
19 parking variance. That has been enforced without my  
20 knowledge and with some inconsistency as I understand  
21 it. The amount that's currently being charged per  
22 spot is about \$6,000. So, if you need four spaces  
23 and you're really not providing any, you're talking a  
24 big chunk of change for that parking variance. But  
25 like I said, that's something that I don't have

1 control over the enforcement of; the Board doesn't  
2 enforce, and I honestly don't know who does that.

3 MR. LATKO: That's what I'm getting at,  
4 Mr. Eingorn -- this is Jonathan Latko again -- is,  
5 typically we're sort of letting these fly through the  
6 cracks and our city is broken, broken. Right? We  
7 don't collect enough revenue to cover our own butts  
8 for the amount of money we spend. And we do have  
9 ordinances in place to handle this.

10 So, nothing says he has to have that  
11 parking on his property. He could rent other spots  
12 like he discussed and we would have to dig deeper in  
13 to figure out if that spot he's trying to rent is  
14 legitimately a spot that can be rented. Because it's  
15 already designed to -- before this Board at another  
16 point in time, that they had to provide so many  
17 parking spots when they made that a condo.

18 When he showed the property tax record  
19 for 620A, I'm curious if they mentioned property  
20 exempt. And it didn't list it as an official parking  
21 lot. So, is it just an empty lot or is it an  
22 official parking lot recognized by the City? And,  
23 again, were those spots officially designated for  
24 that condo association? He might not be at liberty  
25 to use that and call that one of his designated

1 spots, would be my concern.

2 MR. EINGORN: It is possible that the  
3 applicant would be breaching the condo association's  
4 guideline or some other official document of the  
5 condo association by renting that parking spot.  
6 That's not currently before us. An applicant  
7 breaching that, that would be on them.

8 MR. LATKO: But making a claim in front  
9 of this Board when he's suppose to provide four  
10 parking spots basically --

11 MR. EINGORN: Sure. The issue is that  
12 you have a variance that's going to run with the  
13 land. And you have somebody who owned a parking spot  
14 elsewhere. That lease for that one space isn't going  
15 to run with the land. It's going to expire and so  
16 forth. So, the Board's got to take into  
17 consideration the fact that even though he can rent  
18 this one space, the likelihood is that down the line,  
19 you'll have a duplex if you approve this which needs  
20 four spots but you only have zero.

21 MR. LATKO: Correct. So the idea of the  
22 City collecting that \$6,000, I heard \$7,500 at one  
23 point, is that it provides funding for the City to  
24 improve parking through the City through parking  
25 decks, through garages. Maybe they just put it in

1 their coffers. It really doesn't matter.

2           So, I would caution the Board to just  
3 straight up approving it without considering what the  
4 City would want to collect on providing that  
5 variance. He has to show the hardship. It's not the  
6 community that needs to show the hardship in this  
7 position for him to do this. And he may be able to  
8 make that case considering it's quote unquote already  
9 a duplex. But I have grave concerns of just  
10 blanketly accepting the duplex without considering  
11 the impact of the four parking spots or the City  
12 collecting its due funding which is badly needed in  
13 this community.

14           CHAIRMAN HAMILTON: Right.

15           MR. EINGORN: It's not the Board's  
16 consideration of whether or not the City of Camden  
17 collects these fees or not. And it's not really fair  
18 to put that on the Board. It's their job to consider  
19 the relative legal standard and to make a  
20 determination based upon the lot hardship, not the  
21 financial hardship to the City.

22           MR. LATKO: Right. But in addition, the  
23 Board can also punt and say, we're not ready to hear  
24 this; come back with an answer on, are you providing  
25 those four parking spots or would you get an approved

1 waiver from the City?

2 MR. EINGORN: Well, they've already said  
3 they're not providing the spots. And I don't believe  
4 there is a waiver under the ordinance for the fee.  
5 So, to the extent that they get the variance they are  
6 seeking, that's something they're going to have to  
7 pay to the City or work out with the City when the  
8 City comes to collect it with the bill.

9 MR. LATKO: Unfortunately, it's the same  
10 situation that put us here in the first place, is not  
11 all departments talk to each other. So, the concern  
12 would be, 20 years from now, nobody pay for these  
13 parking spots where they should have.

14 MR. EINGORN: That's not our issue.  
15 That's a City issue.

16 MR. LATKO: We are the City. We  
17 represent the City.

18 MR. EINGORN: No. We're the Zoning  
19 Board. We don't deal --

20 MR. LATKO: You're the Zoning Board of  
21 Camden, New Jersey City.

22 MR. EINGORN: You can speak all you want  
23 but it doesn't change the legality of what it is.  
24 So, like I said, we're not a collection agency; we're  
25 not the taxing authority. The collection of the fee

1 is on somebody else, not on the Zoning Board.

2 MR. LATKO: That's very shortsighted.

3 CHAIRMAN HAMILTON: Like I said, I ain't  
4 worried about the parking. I'm worried about that  
5 fire escape.

6 MR. EINGORN: Mr. Latko, I'm assuming  
7 you've completed your testimony?

8 MR. LATKO: I have one last comment.  
9 Again, I'm not trying to beat up the brothers for  
10 being here. I appreciate them investing in the City.

11 The biggest challenge we have with that  
12 65 to 70 percent rental, is absentee landlords. So,  
13 there are homeowners who invest in their properties.  
14 And if you don't maintain your properties, it's out  
15 of sight, out of mind. I understand you own other  
16 properties in the City. That is our biggest  
17 challenge.

18 Our own enforcement agencies don't have  
19 the capacity to check every property all the time and  
20 it leaves it to the homeowners to try to figure out  
21 like the one that was just asking about parking. So,  
22 we ask you to be very proactive owners regardless if  
23 it get's duplexed or not and be an investment into  
24 the community and not just extract wealth out of the  
25 community.

1                   MR. JONATHAN GABAY: Just to respond to  
2 that. Fundamentally, I'm feet-on-the-ground. Pretty  
3 much everyone on that street knows who I am. I do  
4 property management myself. That is my main job. We  
5 do property management. And any time that there's  
6 something there, we try to address them. There are  
7 things that slip through the cracks naturally but  
8 we've never had a violation. We're in good-standing  
9 with the City on the property.

10                   Any time there's been any sort of rental  
11 or code enforcement issue that has to do with the  
12 unit, we've always taken care of it. And to date,  
13 we've had none that arose on Chambers Avenue because  
14 that is one where we try to keep a good eye on our  
15 properties.

16                   MR. LATKO: Thank you.

17                   MR. EINGORN: Thank you, Mr. Latko. Any  
18 other members of the public that would like be heard  
19 on this application?

20                   MS. STUKES: Yes, I would like to  
21 piggyback. This is Susan Stukes.

22                   MR. EINGORN: Can you identify your name  
23 for the record.

24                   MS. STUKES: Yes. Susan Stukes, 416  
25 Benson Street.

1 MR. EINGORN: Thank you.

2 MS. STUKES: I just want to piggyback off  
3 of what Mr. Latko was sharing about the parking  
4 spaces. I just find it a little disturbing that the  
5 issue of parking is not taken more seriously. It's a  
6 huge problem. And where we're at right now, is that  
7 there's a lot of investment. There's a lot of growth  
8 in the City. We have an opportunity to not continue  
9 mistakes. But by saying that there's nothing we can  
10 do about parking, I don't feel that answer resonates  
11 with me. I feel like that Board -- you know, you  
12 really need to take this very seriously.

13 Parking is a huge problem in Lanning  
14 Square and in Chambers Street especially. And if  
15 you're saying that that unit, that house, technically  
16 would require four spaces, that's a lot of parking  
17 spaces that are not available on Chambers Street.  
18 Why would we move forward in doing something that we  
19 know is going to create even more problems.

20 Now, I know we're looking at the narrow  
21 benefit of, of course, having this place fixed and  
22 not having it abandoned. But there are other  
23 benefits. What other benefits are the residents of  
24 that street going to reap from having cars that  
25 there's no place for them to park. That's a huge

1 issue. What are the other benefits that we in the  
2 community are going to get if you will allow these  
3 waivers to be approved? In particular, I'm talking  
4 about the parking. You'll looking at -- you got a  
5 building. And it bothers me when we only look at  
6 someone's coming in and they're going to fix up  
7 something. Okay, what's else is there that we're  
8 going to get? In addition to that, what else?

9           That's my statement and concern. And I  
10 don't know if the developers, if you guys have  
11 anything you wish to share, you know, as far as  
12 benefits to the community from apparently your  
13 projects of duplexing all over the place. I don't  
14 know what your connection is to the community, and  
15 really understanding what our side of it. And  
16 especially when it comes to parking. That's a very  
17 serious problem for us. And we just don't like to  
18 see it dismissed like that.

19           CHAIRMAN HAMILTON: Like I said, ain't  
20 nothin' you can do.

21           MS. STUKES: There again, nothing to do.

22           CHAIRMAN HAMILTON: Wait a minute. I  
23 live on Coates Street. Every day we have a parking  
24 problem; every day. They get to arguing like I said,  
25 every day. It's bad parkin' in Camden.

1 MS. STUKES: And we don't want to make it  
2 worse.

3 CHAIRMAN HAMILTON: Chambers Avenue got  
4 that small street. Like I said, I used to live up  
5 there. You ain't going to have that much parking up  
6 there. Period. Ain't nothin' you can do.

7 MS. STUKES: If we keep on adding  
8 duplexes and units where we don't have enough space  
9 as it is, we're going to make the problem worse.

10 UNIDENTIFIED SPEAKER: I want to say  
11 something. May I interject?

12 MR. EINGORN: Hold on. There's too many  
13 people talking.

14 UNIDENTIFIED SPEAKER: I want to say  
15 something for a minute.

16 MR. EINGORN: Let Chairman Hamilton  
17 finish what he was saying.

18 CHAIRMAN HAMILTON: When I first got on  
19 the Board back in the 90s, the first thing they told  
20 us, when the houses get empty, don't let people come  
21 in and have a duplex. If a duplex came in then you  
22 got two more cars; you may have three more cars. And  
23 that's what happened. That's what happened period.

24 MR. JONATHAN GABAY: In respect to this  
25 property, it was converted with construction permits

1 as well as City record in 1985. This isn't something  
2 that I'm trying to build today. I understand if this  
3 was a new construction, there's things that have to  
4 go through the proper protocols. However, this has  
5 been this way for 35 years. It's just us trying to  
6 put on the record what's currently existing  
7 and nonconforming.

8 MR. IZZO: That is a permitted use.

9 MR. JONATHAN GABAY: Permitted use.  
10 Sorry. Permitted use.

11 MR. EINGORN: Right. But I think --

12 MR. JONATHAN GABAY: Permitted in that  
13 zone. It's not asking for a use variance. It's  
14 asking for a bulk variance on the lot sizes and the  
15 widths and depths.

16 CHAIRMAN HAMILTON: Like I said, I don't  
17 have no problem with it as long as you have a fire  
18 escape. I know that they don't have no fire escapes  
19 right there.

20 MR. EINGORN: I'm sorry. Mr. Jake, what  
21 was your last name?

22 MR. RAGBIR: My name is Jason Ragbir.  
23 Mr. Gabay already owns -- he owns multiple homes on  
24 Chambers amounting to nine units. He owns a duplex  
25 next door to me at 440 and a single-family unit

1 across the street from me, 437. And then a triplex a  
2 couple doors down. And this property that we're  
3 speaking about, all amounting in nine units.

4 And as you said, the person from before,  
5 they were pointing out that for his one -- for 422,  
6 it's four parking spaces but the parking spaces I was  
7 adding, it's already over -- the street is overcome  
8 with parking. And it's terrible that he's going to  
9 have nine units. He has nine units on the street and  
10 we have a problem with parking. The one parking spot  
11 on 7th Street which is for Cooper, was it,  
12 Condominium Association, that cannot amount for nine  
13 units.

14 MS. DAVIS: Kyle, I'm not sure if the  
15 last two were sworn in and gave their address and  
16 things like that; to make sure they're sworn in  
17 correctly.

18 MR. RAGBIR: Sorry. Jason Ragbir, 438  
19 Chambers Avenue.

20 CHAIRMAN HAMILTON: Hold up. Hold up.  
21 Do you swear or affirm to tell truth and nothing but  
22 the truth, so help you God?

23 MR. RAGBIR: Yes, I do.

24 CHAIRMAN HAMILTON: Give your full name  
25 and address to the secretary.

1                   MR. RAGBIR: Jason Ragbir, 438 Chambers  
2 Avenue.

3                   MR. EINGORN: Does anybody have any other  
4 concerns besides the parking which has been well  
5 documented?

6                   CHAIRMAN HAMILTON: Mr. Attorney,  
7 I said I don't have no problem. The only thing I  
8 have is that fire escape.

9                   MR. EINGORN: Sure. I'm talking to the  
10 public though. We're trying to clear the public  
11 portion here so that we can move forward and get home  
12 to our families.

13                   Does anybody else from the public have an  
14 issue that hasn't been addressed? Hearing none,  
15 we'll close the public portion.

16                   Now is the time for the Board to  
17 discuss the Positive and Negative Criteria regarding  
18 the duplex discussed, the testimony and the exhibits  
19 and thereafter, to make a motion whether to approve  
20 or deny the requested variances which are bulk  
21 variances related to the lot size, depth, width and  
22 off-street parking, as well as a request for a site  
23 plan waiver.

24                   REVEREND MARTINEZ: Motion to accept.

25                   MR. EINGORN: Wait. Can we discuss the

1 Positive and Negative Criteria?

2 MR. COOPER: I think it's a positive  
3 that, you know, he came in and he's taking over the  
4 property. The property already was a duplex from the  
5 beginning. He's just taking it over. For this Board  
6 to say he can't have this duplex turned back into a  
7 single-family home, who say that single-family home  
8 don't have four cars. You still have the same  
9 parking issue. You know, they said parking, parking,  
10 parking. Hey, it's bad parking everywhere.

11 CHAIRMAN HAMILTON: That's what I said.  
12 Everywhere.

13 MR. COOPER: Everywhere.

14 CHAIRMAN HAMILTON: Right. And I don't  
15 have no problem with the parking and give it. A  
16 place like that there, I don't have no problem. It's  
17 first-come, first-serve on parking. That's all over  
18 the town. But I'm concerned about the fire escape.  
19 Like I said, they don't say nothin' about fire  
20 escape. I used to live there and I know they ain't  
21 got none period.

22 REVEREND MARTINEZ: And let me clear  
23 that. You know a couple of days ago, we had a big  
24 fire where two people got killed where they didn't  
25 have no fire escape.

1                   CHAIRMAN HAMILTON: No fire escape,  
2 right. I ain't worried about the parking.

3                   REVEREND MARTINEZ: Exactly. We got to  
4 stop -- we got to worry about saving people. That's  
5 my concern. I don't care about parking. I live all  
6 the way down in Terrace and Highland down half  
7 from -- it's across from one side I'm in Pennsauken  
8 and we have the same problem. I live in a rowhouse  
9 and I got the same problem. If I get there first, I  
10 park here. If somebody else comes, they park. Like  
11 we said, it's all over the City of Camden.

12                   I work for the City of Camden; I know  
13 what it is; I'm all the time up there. But we see  
14 that someone is trying to do something nice for our  
15 street like Chambers. I know Chambers Street pretty  
16 good. My eye doctor is right there on the corner.  
17 But I think it's a good move. I think the guys are  
18 doing a good job. I mean, you know, things happen  
19 and that's how it is. And he fixed it beautiful. I  
20 saw the pictures. I mean, I was very impressed; very  
21 nice; professional. Let the guys do their job and  
22 move ahead.

23                   MR. EINGORN: So to the extent you make a  
24 motion, it sounds to me like any motion should be  
25 conditioned upon the applicant working with the fire

1 marshall to construct a fire escape for this  
2 property. Or obviously, the other way and seek to  
3 deny the application. So, do we have a motion?

4 REVEREND MOTION: I said it.

5 CHAIRMAN HAMILTON: How are we going to  
6 know about the fire escape? Every night you hear  
7 fire trucks.

8 MR. COOPER: Will they have to go in  
9 front of the Planning for that?

10 MR. EINGORN: I'm sorry?

11 MR. COOPER: If we make a motion to  
12 accept the conditions that they have to have a fire  
13 escape installed, and like the chairman said, how  
14 will we know that this has been done?

15 MR. EINGORN: We would, as an additional  
16 condition of approval, you could request that proof  
17 of the fire escape be submitted to the Board  
18 Secretary for review by the Board to hearing it after  
19 which it's been installed.

20 MR. COOPER: Okay.

21 MR. EINGORN: That proof be submitted to  
22 the Board.

23 MR. COOPER: Okay. Did we get somebody  
24 to make a motion?

25 REVEREND MARTINEZ: Motion to accept.

1 MR. EINGORN: And with condition.

2 CHAIRMAN HAMILTON: I make a motion with  
3 the thing of having the fire escape.

4 MR. EINGORN: Second?

5 MR. COOPER: Second.

6 MR. EINGORN: I'll take a roll-call vote.  
7 Chairman Hamilton.

8 CHAIRMAN HAMILTON: Yes. As long as they  
9 put the fire escape in there.

10 MR. EINGORN: Right. With the condition.  
11 Vice-chairman Hance. Here we go again.

12 MR. EINGORN: Reverend Martinez.

13 REVEREND MARTINEZ: Yes.

14 MR. EINGORN: Ms. Merricks.

15 MS. MERRICKS: Yes with the condition for  
16 the fire escape.

17 MR. EINGORN: Mr. Cooper.

18 MR. COOPER: Yes.

19 MR. EINGORN: Mr. Hance, are you trying to  
20 speak?

21 CHAIRMAN HAMILTON: Do we need a vote now  
22 or what?

23 MR. EINGORN: We voted and there's four  
24 in favor and one unknown. Four of the five gets -- I  
25 see his light flashing. Four of the five is enough

1 to approve the motion. I guess for completeness  
2 sake, I was trying to hear what Vice-Chairman Hance  
3 had to weigh in on on the motion. We'll follow-up  
4 with him to get his vote, I guess. That will  
5 complete the application for this evening.

6 The final remaining item is the Adoption  
7 of Resolution from last month. They are both related  
8 to Mr. Jenkins, 777 Ramona Gonzalez Street; 779  
9 Ramona Gonzalez Street. He has a nice project he's  
10 intending to make. And the Resolutions have been  
11 drafted. So, do we have a motion to adopt those two  
12 Resolutions?

13 CHAIRMAN HAMILTON: I so move.

14 REVEREND MARTINEZ: I so move to adopt.

15 MR. EINGORN: I'll take that as a second.  
16 We'll take a roll-call vote on the Resolution. I'll  
17 see who was here last month.

18 VICE-CHAIRMAN HANCE: Yes.

19 MR. EINGORN: It looks like we got  
20 Vice-Chairman Hance with a 'yes' on the application.  
21 That will be five to zero on the application. And  
22 roll-call vote on the Resolutions. Chairman  
23 Hamilton.

24 CHAIRMAN HAMILTON: Yes.

25 MR. EINGORN: Vice-chairman Hance.

1 Reverend Martinez.

2 REVEREND MARTINEZ: Yes.

3 MR. EINGORN: Mr. Cooper.

4 MR. COOPER: Yes.

5 VICE-CHAIRMAN HANCE: They can't hear me.

6 MR. EINGORN: We can hear you now.

7 MR. COOPER: We can hear you, Mr. Hance.

8 MR. EINGORN: We need a motion to

9 adjourn.

10 MR. COOPER: Motion to adjourn.

11 CHAIRMAN HAMILTON: Second.

12 MR. EINGORN: All in favor.

13 THE BOARD: Yays.

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15 \*\*\* (Meeting ending at 8:20 p.m.) \*\*\*

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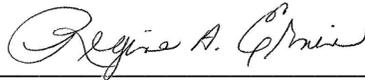
## 1 CERTIFICATION

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.

18 

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