

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

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*Transcript of Meeting*  
*June 7, 2021*

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ZONING BOARD  
CITY OF CAMDEN

- - - -

Monday, June 7, 2021

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Transcript of proceedings of the Zoning Board of Adjustment Meeting City of Camden, was conducted as a virtual meeting via a remote conferencing platform, ZOOM and commencing at 5:42 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
- ISAISA MARTINEZ
- HENRIETTA WASHINGTON
- KAREN MERRICKS
- CHARLES COOPER

- - - -

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

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1           MR. EINGORN: Good evening everyone. In  
2 conformance with the Sunshine Law of the State of New  
3 Jersey, the notice of this meeting was posted in the  
4 Municipal Clerk's office on Thursday, May 27, 2021.  
5 By the direction of the Zoning Board of Adjustment  
6 Board Chairman Robert H. Hamilton, Jr., the City of  
7 Camden's meeting will be held tonight at 5:30 p.m.  
8 but we're starting a little late.

9           And since the City remains under a  
10 declaration of health emergency related to the  
11 COVID-19 virus, City Hall remains closed, therefore,  
12 this meeting is being conducted virtually via remote  
13 conferencing platform, ZOOM. Instructions have been  
14 posted on the City's website at [www.ci.camden.nj.us](http://www.ci.camden.nj.us).

15           We'll start with a roll call. Chairman  
16 Hamilton. I don't hear him. I can't see everybody  
17 so I'll mark him absent.

18           MR. EINGORN: Vice-chairman Hance.

19           VICE-CHAIRMAN HANCE: Can you hear me  
20 now?

21           MR. EINGORN: I can hear you now.  
22 Reverend Martinez.

23           REVEREND MARTINEZ: Here.

24           MR. EINGORN: Ms. Washington.

25           MS. MUHAMMAD: She's on.

1 MR. EINGORN: She's on?

2 MS. MUHAMMAD: Right. I'm going to call  
3 her in a second to see if everything is good with her  
4 audio.

5 MR. EINGORN: Okay. Ms. Atwood.

6 MS. MUHAMMAD: She's not going to be on.

7 MR. EINGORN: Ms. Merricks.

8 MS. MERRICKS: Yes.

9 MR. EINGORN: Mr. Cooper.

10 MR. COOPER: Yes.

11 MR. EINGORN: Very good. The first order  
12 of business, we need to approve the minutes dating  
13 back to -- there's background noise. Please mute  
14 yourself. We need a motion to approve the minutes  
15 from April 2021. Do I have a motion?

16 REVEREND MARTINEZ: Motion to accept.

17 MR. MITCHELL: Hello, did you call my  
18 name?

19 MR. EINGORN: Who is this?

20 MR. MITCHELL: Fred Mitchell.

21 MR. EINGORN: We haven't gone through the  
22 list yet, sir. We'll get there in a moment.

23 MR. MITCHELL: Sorry.

24 MR. EINGORN: It's okay. I think we had  
25 a motion. Do we have a second?

1 MR. COOPER: Second.

2 MR. EINGORN: I'll take a roll-call vote.  
3 Vice-Chairman Hance.

4 VICE-CHAIRMAN HANCE: Yes.

5 MR. EINGORN: Reverend Martinez.

6 REVEREND MARTINEZ: Yes.

7 MR. EINGORN: Ms. Washington. Ms.  
8 Merricks.

9 MS. MERRICKS: Yes.

10 MR. EINGORN: Mr. Cooper.

11 MR. COOPER: Yes.

12 MR. EINGORN: Having enough votes to pass  
13 the motion, the minutes for April 2021, have been  
14 approved.

15 Tonight we have a large agenda.  
16 Hopefully we'll be able to make it through. I'll  
17 read the list. Please advise whether you're present  
18 and if you're represented by counsel. I would ask  
19 that counsel announce their presence as well.

20 The first matter of Old Business, Peralta  
21 Family Properties, LLC, 116 State Street.

22 MR. PERALTA: Present.

23 MR. EINGORN: Present.

24 Eugenio Ventuna Morales, 307 State  
25 Street.

1 MR. VENTUNA-MORALES: Present.

2 MR. EINGORN: Present. Very good.

3 PSE&G, Locust between Spruce and Walnut.

4 MR. KEMM: Present. Karl Kemm, attorney  
5 representing the applicant.

6 MR. EINGORN: Mr. Mitchell, 1484 Princess  
7 Avenue. This is your turn.

8 MR. MITCHELL: Present.

9 MR. EINGORN: Welcome. Maria V. McBride,  
10 432 Garden Avenue.

11 MS. McBRIDE: Present.

12 MR. EINGORN: Good evening.

13 Luccello Properties, LLC, 322-324 Vine  
14 Street.

15 MR. GLEANER: Yes. Mr. Eingorn, Thank  
16 you. My name is Robert Gleaner. I'm the attorney  
17 for the applicant.

18 MR. EINGORN: Good evening, sir.

19 We can start with first, Old Business,  
20 Peralta Family Properties, LLC. Proposed is  
21 one-bedroom apartments.

22 MR. IZZO: Charles Izzo, attorney for the  
23 applicant, on the continuation hearing.

24 MR. EINGORN: Good evening, Mr. Izzo.  
25 This has been a while since we've heard this

1 application. Can you just give the Board a brief  
2 rundown of what the applicant is seeking; why they've  
3 been continued and present any evidence that would  
4 support the application that wasn't previously  
5 presented?

6 MR. IZZO: Yes. Thank you. We would  
7 like to do it succinctly. The property is at 116  
8 State Street. It's in the nature of the derelict  
9 three-story structure. It hasn't been used for  
10 occupancy for a while. It's residential completely.  
11 My client acquired it in -- with the aim of putting  
12 it in service as student housing, one bedroom family  
13 housing. What they showed at the hearing was that  
14 they had plans to rehabilitate the building  
15 completely.

16 And also what they showed was that in  
17 that vicinity of State and Front Street there were  
18 vast expanses of undeveloped land that are readily  
19 available for parking on street, off-street. There's  
20 a number of parking lots there. They was some  
21 discussion about whether they were accessible or not  
22 accessible. But overall, we showed a lot of  
23 on-street parking available around Front Street and  
24 in particular below Front Street.

25 In the rear of my client's building,



1 there's a diagonal street called Main Street which  
2 has no houses on it at all. My client said it's very  
3 feasible to park on Main Street and access the  
4 property at 116 State. And the reason he was asked  
5 to come back is that his blueprints were a little bit  
6 confusing as to whether he was proposing three  
7 apartments or two. And Mr. Torres is on the screen  
8 and is going to address that right now, please.

9 MR. TORRES: Hello. My name is William  
10 Torres and I'm a partner of Peralta Properties. We  
11 are planning to make four apartments for the students  
12 at the college around there, 4 one-bedrooms.

13 MR. IZZO: Were you able to produce floor  
14 plans which showed how those apartments would be laid  
15 out?

16 MR. TORRES: Yes.

17 MR. IZZO: Did you bring those plans to  
18 the City Hall for the Board to look at?

19 MR. TORRES: Yes.

20 MR. IZZO: What do they basically show?  
21 You have three levels there and you're proposing 4  
22 apartments on three levels?

23 MS. MOORE: Excuse me, Kyle. I'm sorry.  
24 This is Dena.

25 MR. EINGORN: Hi Dena.

1 MS. MOORE: He should be sworn in.

2 MR. EINGORN: Chairman Hamilton usually  
3 does that and I guess he's not here.

4 MS. MOORE: No problem.

5 MR. EINGORN: Good call.

6 MS. MUHAMMAD: Kyle, he is on, I believe.  
7 But if you want to go ahead and see if he can get  
8 himself together but Mr. Hamilton is on.

9 MR. EINGORN: Chairman Hamilton, are you  
10 present?

11 MR. COOPER: He's muted.

12 MR. EINGORN: Mr. Torres, can you raise  
13 your right hand? I can't see you but I assume your  
14 hand is raised?

15 MR. TORRES: Yes.

16 - - -

17 WILLIAM TORRES, having first been duly  
18 sworn/affirmed, was examined and testified as  
19 follows:

20 - - -

21 MR. EINGORN: And do you swear under this  
22 oath that the testimony you provided prior to this  
23 swearing in was true and accurate as well.

24 MR. TORRES: Yes.

25 MR. EINGORN: Give your name and address

1 for the record.

2 MR. TORRES: 621 East Allegheny Avenue,  
3 Philadelphia, Pennsylvania.

4 MR. IZZO: What is your connection to the  
5 property at 116 State Street in Camden.

6 MR. TORRES: I didn't hear that. Sorry.  
7 It was muted.

8 MR. IZZO: What is your connection? What  
9 is your interest?

10 MR. TORRES: I'm the owner. We got an  
11 LLC with my brothers. We have an LLC through the  
12 address. We have that property. And we want to make  
13 it two apartments; one-bedroom apartments.

14 MR. IZZO: On the first floor of the  
15 building at 116 State Street, what do your plans  
16 show; how many rooms and how are they layed out?

17 MR. TORRES: One bedroom, one bathroom,  
18 one kitchen and one library.

19 MR. IZZO: And that's on the first  
20 floor?

21 MR. TORRES: That's the first floor.

22 MR. IZZO: What about the second level on  
23 the building?

24 MR. TORRES: Second floor, two  
25 apartments, one bedroom. Sorry, I mean. One

1 bedroom, one bathroom, one kitchen, and one  
2 library.

3 MR. IZZO: That means both of those  
4 apartments are layed out that way?

5 MR. TORRES: No. The second floor is one  
6 bedroom, one bathroom, one kitchen and two apartments  
7 layed out in the same floor.

8 MR. COOPER: Can I interject here. I  
9 can't see this. He's telling us; he's explaining it.  
10 I need to see something on paper.

11 MR. EINGORN: Yeah, I don't see it on the  
12 screen.

13 MR. COOPER: I need to see something on  
14 paper. You can tell us anything. Until I can see  
15 this --

16 MR. TORRES: We sent in the blueprint,  
17 five copies of the blueprint. We mailed it in. We  
18 sent --

19 MR. COOPER: I do not have that in my  
20 packet.

21 MR. EINGORN: I don't have it either.

22 MR. TORRES: We sent it to City Hall.

23 MS. MUHAMMAD: Anything that was sent,  
24 was forwarded to the members. If they don't have it,  
25 then we didn't have it. We sent everything. When

1 did you send it in?

2 MR. IZZO: We sent it in before the May  
3 scheduled hearing.

4 MS. MUHAMMAD: Do you have a copy?

5 MR. TORRES: It was before May 3rd.  
6 Yeah, we sent in five copies.

7 MS. MUHAMMAD: Do you have a copy?

8 MR. TORRES: In my email, yes.

9 MS. MUHAMMAD: You don't have a copy on  
10 hand?

11 MR. TORRES: No.

12 MR. COOPER: If I can't see this, we  
13 can't move forward on this. I'm so sorry, sir.

14 MR. TORRES: I have a question. I mailed  
15 in five copies to the City Hall. Where are the  
16 copies at, if you guys don't have them? We mailed  
17 them in way before May 3rd.

18 MR. IZZO: You don't object to coming  
19 back to the next session for the sake of clarity.  
20 It's very important that the Board understands the  
21 whole application.

22 MR. COOPER: Yes, thank you kindly.

23 MR. EINGORN: Counsel, I have two quick  
24 items to address. And I think we addressed the first  
25 one previously which is, and I just want to put it on

1 the record, the potential that there's a large  
2 parking fee related to this application. A dwelling  
3 unit such as this, will have four bedroom units. You  
4 will need probably five parking spaces which could be  
5 a large fee sometimes of \$6,000 per spot.

6 So I think you may want to discuss that  
7 with your client. This application for the creation  
8 of three or more dwelling units, probably also  
9 require site plan approval. So you may want to talk  
10 about possibly bringing that application concurrent  
11 with this one if you can get it ready to go prior to  
12 the next meeting.

13 MR. IZZO: Are we applying for site plan  
14 approval or site plan approval waiver? Which one  
15 would apply here?

16 MR. EINGORN: I can't you tell what you  
17 think your client should apply for. That's a  
18 legal determination you need to make with your  
19 client. But I don't see that a waiver is requested  
20 and I don't see that site plan is requested. The old  
21 ordinance was 577-271. I believe they've since moved  
22 the ordinances into the 800 section. And I think we  
23 now use E-Codes, so you may want to look into that on  
24 the City's website.

25 MR. IZZO: We shall do that. And we

1 notice the fee recitation on the record. We'll make  
2 sure that those are distributed before the Board  
3 meets again.

4 MR. EINGORN: Thank you, Counsel.

5 MR. TORRES: Thank you.

6 MR. EINGORN: The next matter is Eugenio  
7 Ventuna Morales, 307 State Street. Proposes fruit  
8 and vegetable sales. Good evening, sir.

9 MR. AYOUB: Good evening, sir.

10 MR. EINGORN: Whoever is going to  
11 testify, if you can raise your right hand unless  
12 Chairman Hamilton is available to do the swearing in.  
13 Are you available? Not hearing him, if you can swear  
14 your right hand.

15 - - -

16 EUGENIO VENTUNA-MORALES, having first  
17 been duly sworn/affirmed, was examined and testified  
18 as follows:

19 - - -

20 MR. EINGORN: Sir, Can you state your  
21 name and address for the record?

22 MR. VENTUNA: 1202 North 26th Street,  
23 Camden, New Jersey.

24 MR. EINGORN: We're getting a substantial  
25 amount of feedback. I'm having trouble understanding

1 you.

2 MR. AYOUB: If I may. His name is  
3 Eugenio Ventuna. He lives at --

4 MS. MOORE: They're right next to each  
5 other. One of them needs to turn their volume off.

6 MR. AYOUB: Now is better?

7 MR. EINGORN: That's much better.

8 MR. AYOUB: His name is Eugenio Ventuna.  
9 He lives at 1202 North 26th Street, Camden, New  
10 Jersey.

11 MR. EINGORN: Are you going to be  
12 interpreting for him tonight, sir?

13 MR. AYOUB: Also, I am the landlord. My  
14 name is Jack Ayoub. My mailing address is 601 North  
15 3rd Street, Camden, New Jersey.

16 MR. EINGORN: If I can ask you to raise  
17 your right hand. Do you swear or affirm that the  
18 translations that you'll provide tonight, will be  
19 true to the best of your ability and that you'll  
20 agree to not to alter or bind any of the testimony  
21 being provided or the questions being asked?

22 MR. AYOUB: Yes, I do.

23 MR. EINGORN: Thank you, sir.

24 So, the applicant is looking to sell  
25 fruits and vegetables. Can you tell us about this



1 property? Let me see if I have my notes.

2 MR. AYOUB: My tenant is planning to open  
3 a produce business at the location to sell fruits and  
4 vegetables to the North Camden community.

5 MR. EINGORN: I think when we were last  
6 here, we asked about the parking. There was  
7 testimony, I believe, that there's always been  
8 parking on the property. And is that the parking lot  
9 you're showing us?

10 MR. AYOUB: Yes.

11 MR. EINGORN: How many cars can that  
12 accommodate?

13 MR. AYOUB: I would say at least ten  
14 parking spaces.

15 MR. EINGORN: I'm sorry, sir. Did you  
16 say ten, sir?

17 MR. AYOUB: Thirty, (30).

18 MR. EINGORN: Thirty (30). And it's  
19 currently a commercial use?

20 MR. AYOUB: Yes. Actually it's 3rd  
21 Street in North Camden which has been adopted by the  
22 City Council many, many years ago as a mixed use and  
23 a commercial zone for any properties on 3rd Street  
24 which is the property located on the 307 entrance  
25 like State and 3rd Street.



1 the applicant?

2 MS. MERRICKS: This is Karen. So you're  
3 making a fruit and vegetable store, correct?

4 MR. VENTUNA: Yes, ma'am.

5 MS. MERRICKS: Oh, you're making a fruit  
6 and vegetable store?

7 MR. VENTUNA: Yes. Fresh fruits and  
8 vegetables; a produce place.

9 MS. MERRICKS: On State Street. That  
10 sounds like a good idea me being a vegetarian, I have  
11 to go so far for fruits and vegetables. I think it's  
12 a magnificent idea. That's it. That's all my  
13 questions.

14 MR. COOPER: Everything will be contained  
15 inside the building; nothing to be on the outside  
16 where you're going to start taking up parking spaces;  
17 everything will be inside the building?

18 MR. VENTUNA: My understanding, yes.  
19 Everything is going to be inside. Yes, everything  
20 will be inside the building and there's going to be  
21 refrigeration as well.

22 VICE-CHAIRMAN HANCE: What will be your  
23 hours of the business?

24 MR. VENTUNA: 7:30 to 6:00 p.m. 7:30  
25 a.m. to 6:00 p.m.

1 REVEREND MARTINEZ: How many employees  
2 are you going to be having?

3 MR. VENTUNA: Four.

4 MR. COOPER: What about disposal of  
5 garbage and trash and things? You're going to have  
6 to have dumpsters and something out here, correct?  
7 And, again, it's cutting into the parking lot from my  
8 what I'm seeing here. You going to have to --

9 MR. VENTUNA: On the other side, the back  
10 side of the building, I'm going to place a dumpster.

11 MR. COOPER: Any way you can show that,  
12 the back side of that building?

13 MR. VENTUNA: Excuse me?

14 MR. COOPER: Can you show us the back  
15 side of the building?

16 MR. AYOUB: As you see, the side of the  
17 building, the other side of the building should be  
18 bigger than from State to the beginning of the  
19 building. There's of plenty spots. And the same  
20 thing there's open space.

21 MR. EINGORN: We can't see that from the  
22 photograph. That's the problem.

23 MR. COOPER: Yes.

24 MR. EINGORN: The problem is, if you  
25 don't have space for the -- we have to be able to see

1 if there's space for the dumpster because otherwise,  
2 it may impinge on some space that is back there,  
3 whether it be the parking or the sidewalk. We have  
4 no idea because we can't see it.

5 MR. AYOUB: Right here between the  
6 building, it's about 10 feet 5 inches. That's where  
7 they're at. The trash is going to be placed in the  
8 dumpster. And this goes along the building.

9 MR. COOPER: I'm trying to open it now.  
10 That dumpster is going to be against that fence  
11 line. You got a house that's right there. Someone  
12 is living there.

13 MR. AYOUB: That is a fence between me  
14 and the neighbor's house.

15 MR. COOPER: Right.

16 MR. AYOUB: The other side where his  
17 fence ends, it could be a place to put the dumpster  
18 over there. And it shouldn't be a problem to  
19 anybody. Whatever is required to do not to bother  
20 the neighbors or anybody else, we will do our best.

21 MR. COOPER: Again, we are going to vote  
22 on something that's going to impact the neighborhood  
23 here.

24 MR. EINGORN: Sir, you're asking or the  
25 applicant is asking for a use variance which requires

1 in part that to be able to -- that the Board be able  
2 to grant the relief requested without detriment to  
3 the public good. And if there's a possibility you're  
4 going to stick a dumpster up against the fence on a  
5 residential property, that may undermine your  
6 standard of proof.

7 And so, the Board needs to be able to see  
8 that to make a determination. If you don't have a  
9 picture of it, then you're asking the Board to  
10 guess. And the guess is probably going to be no  
11 because they don't have the proof necessary to figure  
12 it out.

13 MS. MERRICKS: We have some pictures in  
14 the back. They don't show what you're looking for?

15 MR. EINGORN: No, they don't show up the  
16 alley --

17 MS. MERRICKS: Oh, okay.

18 MR. AYOUB: Where he wants to put his  
19 dumpster.

20 MS. MERRICKS: Okay.

21 MR. AYOUB: If you want to -- I could  
22 walk across the street and take a picture and bring  
23 it back. It takes two minutes.

24 MR. COOPER: That's fine. As long as we  
25 can see it.

1           MR. EINGORN: No. Sir, you have to  
2 submit -- the pictures have to be part of the packet  
3 that goes into the file. So whatever you're  
4 submitting now isn't going to be able to be delivered  
5 as part of this package. The public has the right to  
6 see it.

7           MR. AYOUB: Absolutely. I understand.  
8 Whatever is required. If the dumpster has to be  
9 housed in a box and a cover in a proper manner, we  
10 don't have any issues. It could be a condition with  
11 approval.

12          MR. COOPER: Again, without seeing, I  
13 don't feel comfortable with that. You're telling us  
14 this. And once you get this thing open, it's nothing  
15 we can do. We granted you permission on something we  
16 haven't seen.

17          MR. EINGORN: Sir, you need to submit the  
18 photographs to the Planning Office so that they're on  
19 file for the public to see ahead of time. And so,  
20 it's really not fair to consider this right now the  
21 way it's being done. You need to bring in  
22 substantial proof especially because your denial  
23 letter says, site plan approval may be needed.

24          MR. AYOUB: With all this application,  
25 with attendance and all this last time, I don't think

1 it's fair for the tenant to spend a year just to get  
2 a zoning approval to open a business and to exist in  
3 a City for the City interest too, provide jobs and do  
4 better things in the City.

5 MR. EINGORN: Sir, if the Board grants  
6 your application and there's somebody tonight that  
7 isn't happy with it, they can appeal the  
8 application. And based upon the evidence, they might  
9 be able to prove that the granting or denial was  
10 arbitrary, capricious and unreasonable because the  
11 Board didn't have the requisite information to make  
12 the determination.

13 So while the delay may be potentially  
14 burdensome on the applicant, it's also for your own  
15 protection to the extent that you need to protect  
16 your grant or denial of this application from the  
17 public. And so by not going through with the  
18 formalities, you risk an appeal which is very costly.

19 MR. AYOUB: I would like the approval and  
20 if they have any requirement for this, that's fine.  
21 If you want to make a condition for the trash, proper  
22 trash, that's fine. Here's the back side of the  
23 building.

24 VICE-CHAIRMAN HANCE: This dumpster  
25 should be against the building, not against the



1 fence.

2 MS. MOORE: Excuse me, Mr. Eingorn.

3 Hi, it's Dena.

4 MR. EINGORN: Hi Dena.

5 MS. MOORE: I just want to point out. If  
6 it mentions that the site plan may be necessary, then  
7 the trash and those type issues are what come under  
8 the site plan portion. So if he's here for use then  
9 I get -- maybe there may be something where the use  
10 is bifurcated. And the use is one issue and then the  
11 site plan is another. But it's not just trash.  
12 There are other issues that probably need to be  
13 analyzed with a site plan approval if that's  
14 required. If you want to swear me in too since I'm  
15 making comments.

16 MR. EINGORN: We might as well. Please  
17 raise your right hand.

18 MS. MOORE: It's raised.

19 - - -

20 DENA MOORE, P.E., C.M.E., having first  
21 been duly sworn, was examined and testified as  
22 follows:

23 - - -

24 MS. MOORE: And I'm only here now voicing  
25 my opinion because I happen to be here for the other

1 projects. So, I can't just sit here and not say  
2 anything when these type issues come up.

3 MR. EINGORN: I think the issue of the  
4 Board is that there's a traffic concern related to  
5 the dumpster which could go to the use variance  
6 application portion of this.

7 MS. MOORE: That is true also.

8 MR. EINGORN: As what they're saying is,  
9 well, is it going to impede the parking spaces; is it  
10 going to impede the traffic, foot traffic. These are  
11 items that are related to the use variance  
12 application. So, yeah, they would affect site plan  
13 also. That's why they're covering their bases --

14 MS. MOORE: Thank you.

15 MR. EINGORN: -- especially because  
16 off-street parking bulk variance is also requested.

17 MR. COOPER: Right.

18 MS. MOORE: Thanks.

19 MR. EINGORN: We appreciate you chiming  
20 in. It's helpful.

21 MR. AYOUB: The parking lot is big to fit  
22 at least 30 spaces. If it's a necessity or required,  
23 to accommodate his business, I don't know how that  
24 will affect traffic.

25 MR. EINGORN: The problem is, we can't

1 see the property all the way around to understand  
2 where the dumpster is going to go or how it's going  
3 to affect everything. You understand it because it's  
4 your property and you've been in every inch of it.

5 For me it's my first time seeing it.  
6 Right? So I'm not trying to make it difficult for  
7 you. But since we can't see the whole thing and we  
8 don't know it the way you do, the Board's asking for  
9 the information necessary to make a determination.

10 MR. AYOUB: So shall we say can I do the  
11 dumpster on this side of the building over here where  
12 we can build a cage over there or fence around the  
13 dumpster? Is that something the Board will be happy  
14 with?

15 VICE-CHAIRMAN HANCE: Yes.

16 MR. AYOUB: Okay. So we'll put the  
17 dumpster on this side and we'll build a fence around  
18 it.

19 MR. EINGORN: Sorry. I don't know what  
20 you're referring to because I can't see.

21 MR. AYOUB: The side you can see.

22 MR. EINGORN: There's no picture on the  
23 screen at least not as I'm looking at it.

24 MR. AYOUB: This side.

25 VICE-CHAIRMAN HANCE: Is that the

1 lefthand side?

2 MR. AYOUB: Yes.

3 VICE-CHAIRMAN HANCE: What do you think,  
4 Mr. Cooper?

5 MR. COOPER: Again, he is here for the  
6 variance and the bulk variance. So we vote on this.  
7 You know. He still needs site plan approval. He has  
8 enough parking. But, again, he has enough parking  
9 space there. So the parking part we can vote on  
10 that and then the rest of it is going to be up to the  
11 site plan approval.

12 MR. EINGORN: Evita, did this applicant  
13 notice for a site plan approval or a site plan  
14 waiver?

15 MS. MUHAMMAD: Looking at the  
16 application, no. No, he didn't mention site plan  
17 waiver.

18 MR. EINGORN: I don't see a site plan  
19 application either. Okay. So if the applicant  
20 wants --

21 MS. MUHAMMAD: Site plan approval may be  
22 needed. Did you hear me, Kyle?

23 MR. EINGORN: I'm sorry. I did not.

24 MS. MUHAMMAD: That site plan approval  
25 may be needed.

1                   MR. EINGORN: On the denial letter. But  
2 is it in the --

3                   MS. MUHAMMAD: Right. He didn't mention  
4 whether he was -- he didn't do a site plan  
5 application and didn't request a waiver. However, if  
6 that's in his testimony, I don't know if that's  
7 something that will go through the day if that's what  
8 he testified today. But can he stop sharing his  
9 screen if everybody is finished because I can't see  
10 everybody.

11                  MR. AYOUB: Okay.

12                  MR. EINGORN: Let the record reflect that  
13 I'm looking at the public notice that was posted in  
14 the Courier Post and it reads, one, use variance is  
15 not -- use is not permitted; a use variance is  
16 needed. Two, the applicant must demonstrate  
17 off-street parking. Three, site plan approval may be  
18 needed. It doesn't say that they're actually seeking  
19 site plan, although I guess this notice at least puts  
20 everybody or makes everybody aware that site plan is  
21 something that may be on the table.

22                  Sir, other than the dumpster, will there  
23 be any other changes to this property?

24                  MR. AYOUB: No.

25                  MR. EINGORN: What about signage? To the

1 extent that there's a sign, the sign would conform to  
2 all of the requirements of the City of Camden's  
3 zoning ordinance?

4 MR. AYOUB: Sure.

5 MR. EINGORN: Does the Board have any  
6 other questions?

7 MR. COOPER: No.

8 MS. MERRICKS: I have a question. So,  
9 you're saying --

10 MS. MUHAMMAD: I think we lost them.

11 MR. EINGORN: Who?

12 MS. MUHAMMAD: Are they still on?

13 MR. AYOUB: Yes.

14 MS. MERRICKS: So, the market will be  
15 indoors, not outdoors? Or is it outdoors and  
16 indoors? Like, would you have stuff like around the  
17 building like fruits and vegetables around the  
18 building or will everything be inside?

19 MR. AYOUB: I believe most of it is going  
20 to be inside the store. And if it is not going to be  
21 outside, it's going to be inside. If it's permitted  
22 to be outside, it may. If there's a reason and a  
23 requirement to be just outside, it's going to be  
24 inside.

25 MR. EINGORN: Any other questions from

1 the Board?

2 MR. COOPER: No.

3 REVEREND MARTINEZ: No.

4 MR. EINGORN: Before we open to the  
5 public, just a reminder that the use variance portion  
6 of this application requires meeting the Positive and  
7 the Negative Criteria in that the request must be or  
8 the proposal must be not inconsistent with the intent  
9 and purpose of the zoning ordinance and the zone  
10 plan.

11 And also, the Negative Criteria, to be  
12 able to demonstrate that the relief can granted  
13 without substantial detriment to the public good and  
14 will not impair the intent and purpose of the Zone  
15 Plan and Zoning Ordinance. With that in mind, just  
16 confirm that there's no further questions for the  
17 applicant.

18 MR. COOPER: No.

19 VICE-CHAIRMAN HANCE: No.

20 MR. EINGORN: We'll open to the public.  
21 Is anybody in the public appearing for or against  
22 this application?

23 MS. FRANZINI: Yes. I'll just unmute  
24 myself. Can everybody hear me?

25 MR. EINGORN; Yes.

1 MS. FRANZINI: Is this the public comment  
2 section?

3 MR. EINGORN: Yes. I can't see you. But  
4 can you raise your right hand?

5 MS. FRANZINI: Sure.

6 - - -

7 JESSICA FRANZINI, having first been duly  
8 sworn/affirmed, was examined and testified as  
9 follows:

10 - - -

11 MR. EINGORN: Can you provide your name  
12 and address for the record.

13 MS. FRANZINI: Jessica Franzini, Camden  
14 Lutheran Housing, Incorporated, 800 Galendez Court,  
15 Camden, New Jersey.

16 MR. EINGORN: And what would you like to  
17 say about the application?

18 MS. FRANZINI: I would like to say that  
19 our organization as the community development  
20 nonprofit in the neighborhood, is very much in  
21 support of fruits and vegetables being sold out  
22 there. However, I would say -- I would urge the  
23 Board and I'm sorry, Jack, but I would urge the Board  
24 to postpone the voting of this tonight because I feel  
25 the visuals that I've been proposed, are not



1 sufficient. CLHI built the houses that are right on  
2 that block and we sold them to first-time homebuyers.

3 And the smell associated with the  
4 dumpster that has food waste, could be significant in  
5 effecting the quality of life for the residents on  
6 that block. And I'm confident that Jack is going to  
7 be able to mitigate that, but I would say we would  
8 like to see that as a community before this moves  
9 forward.

10 And then also when it comes to parking,  
11 it's not clear to us how many spots are available on  
12 the parking lot. And we do have a one-way street  
13 there on the North 2nd Street side. And then this is  
14 right next to Cooper's Point School which has its own  
15 traffic associated with the school activity. So, I'm  
16 not able to speak in favor of the project without  
17 knowing more about the parking and the dumpster.  
18 Thank you.

19 MR. EINGORN: Thank you. Is there  
20 anybody else in the public that would like to speak  
21 on this application? Hearing none, we can close the  
22 public portion.

23 MR. NICHOLS: I'm sorry. I can unmute  
24 myself. My name is Samir Nichols. A resident --

25 MR. EINGORN: Wait, wait. Mr. Nichols,

1 can you raise your right hand?

2 MR. NICHOLS: Sure.

3 - - -

4 SAMIR NICHOLS, having first been duly  
5 sworn, was examined and testified as follows:

6 - - -

7 MR. EINGORN: I need your name and  
8 address for the record, please.

9 MR. NICHOLS: Yes. My name is Samir  
10 Nichols, 139 State Street. So, I'm speaking in  
11 reference to this project because, you know, I echo  
12 the same sentiments of Jess. I believe that, you  
13 know, we are all in favor of fresh fruits and  
14 vegetables in our neighborhood. I do also have  
15 additional concerns of, you know, smells and, you  
16 know, food waste. So, I wanted to say, I would  
17 really like this to be tabled so that you guys can  
18 really like have the real conversation around its  
19 roll-out.

20 And also, I feel as though the traffic  
21 risk -- I taught at Cooper's Point for a little while  
22 as a dance instructor and I know that between 2:30  
23 and 3:00, that corner at 3rd & State, is a very high  
24 risk traffic zone. Sometimes I've gone out there  
25 stand and help mitigate traffic as a resident. So, I

1 would really like to know more about the traffic plan  
2 for 3rd and how you guys are going to roll that out  
3 in this particular project. So that's my only  
4 concern is the traffic risk.

5 MR. EINGORN: Thank you.

6 MS. MEYERS: Good evening. This is Sue  
7 Ray Meyers, 622 North 4th Street.

8 MR. EINGORN: Can you raise your right  
9 hand?

10 MS. MEYERS: Sure.

11 - - -

12 SUE RAY MEYERS, having first been duly  
13 sworn, was examined and testified as follows:

14 - - -

15 MR. EINGORN: Your address, please.

16 MS. MEYERS: 622 N. 4th Street.

17 MR. EINGORN: Thank you.

18 MS. MEYERS: Just like I said, the fruits  
19 and vegetables, I love the idea. I love that you're  
20 bringing it to the residents to our community. My  
21 only concern, I, myself, as you heard, I am a teacher  
22 at Cooper's Point School. Currently I've been there  
23 19 years. I serve on the board. And that is my  
24 biggest concern with this project is, one, for the  
25 safety of the children and the parents, the families

1 and the traffic.

2 So that is my biggest concern, how will  
3 that be litigated, how will it be managed for their  
4 safety? Because that is a busy area in itself. How  
5 would that be managed? I would like to see how the  
6 plan moving forward, how will it be addressed?

7 MR. EINGORN: Anybody else? Hearing  
8 none, I think it's safe now to close the public  
9 portion. We've heard concerns from the public.

10 MR. AYOUB: Can I comment on the concerns  
11 of the citizens, please?

12 MR. EINGORN: Sure.

13 MR. AYOUB: In reference to the place and  
14 the dumpster, I believe the parking lot, it's big  
15 enough to accommodate more than required parking and  
16 to place the dumpster anywhere where it's not going  
17 to be any harm to anybody.

18 And in regards to the traffic, State  
19 Street, the property place, you know, at the corner  
20 of 3rd and State. It has an entrance, two entrances  
21 on 3rd Street and then it has two entrances on State  
22 Street. So let's assume the traffic is busy on 3rd  
23 Street, there's two entrances and exits on the State  
24 Street side. I don't think it's going to be an  
25 impact for one hour either in the morning or in the

1 afternoon to in and out of the school or the  
2 customers. Thank you.

3 MR. EINGORN: Thank you.

4 To the Board members, it seems like  
5 there's some large concerns about traffic here which  
6 we can't address from the information provided. I  
7 don't know whether in submitting a site plan  
8 application, whether there be a requirement for a  
9 traffic impact assessment or information of that  
10 nature.

11 MS. MOORE: Excuse me, Kyle.

12 MR. EINGORN: Yes.

13 MS. MOORE: There is always. If it's not  
14 two single-family homes, there's always a  
15 requirement for a traffic impact analysis through the  
16 City.

17 MR. EINGORN: And so that's an item  
18 that's clearly not before the Board. I'll leave the  
19 Board up to their decision whether or not they want  
20 to consider the use despite the traffic concerns. I  
21 would say, however, though, that this project based  
22 upon the concerns of the community and the obvious  
23 issues that have arisen during this application,  
24 should at least see a site plan application with all  
25 of the requirements thereto. But, again, that's the

1 Board's determination.

2 I discussed the requirement standard for  
3 the Positive and Negative Criteria. So the Board  
4 should make a discussion and either make a decision  
5 to wait or to make a motion whether to accept or deny  
6 this application. And if so, in what respect? Is  
7 there going to be a use variance bifurcation? Is it  
8 going to be everything at once which I would suggest  
9 would not be a good idea. But that's where we are.

10 REVEREND MARTINEZ: My suggestion is that  
11 we should wait on this application. I don't think we  
12 have enough evidence to approve this application. So  
13 my suggestion is that we should hold on and let them  
14 bring to the Board all the pictures or video,  
15 whatever is necessary. But I think my personal  
16 opinion as a member, a board member, we should wait.

17 MR. EINGORN: Thank you, Reverend  
18 Martinez. Does anybody else want to weigh in on  
19 that?

20 MR. COOPER: Again, at this point, we  
21 work for the public. And we had a few people from  
22 the public speak out against this. And to be fair to  
23 the applicant, if he would get his ducks in a row for  
24 a site plan and all of that and come back to us, we  
25 can make a determination on this project here. I

1 would hate to deny him because we don't have all the  
2 proof here.

3 MR. EINGORN: That's solely  
4 understandable. Just for the record, although you  
5 guys are a public Board, you're not here specifically  
6 for the public. It's your job to weigh the law and  
7 the facts as it relates to the ordinance and the  
8 Municipal Land Use Law.

9 So, yes, the public's testimony is  
10 definitely persuasive to some extent. However, you  
11 are a quasi-judicial function so you would weigh the  
12 evidence as it relates to the law. It sounds to me  
13 like there needs to be more evidence tonight. I know  
14 Mr. Ayoub has worked very hard the last couple of  
15 months to try to get this together. But it's clear,  
16 there's site plan issues here.

17 And Mr. Ayoub, you need to bring in some  
18 more pictures, maybe a walk-around video of the  
19 property, something of that nature to show where the  
20 dumpster is going to be. And you need a site plan  
21 application because otherwise, the traffic concerns  
22 are going to be, you know, a real issue here for the  
23 public. And so I would suggest that you submit a  
24 formal site plan application as part of this  
25 exercise.

1                   MR. AYOUB:  If I may, I can bring the  
2 pictures from all angles of the type of the building  
3 and propose where the dumpster should be and I get a  
4 consent from the neighbors that that place for the  
5 dumpster is not going to be a conflict upon him or  
6 bother him.  If I get the picture and if I get the  
7 drawing of the parking lot and stuff, how many  
8 parking should be in there, would that satisfy the  
9 Board?

10                   MR. EINGORN:  A survey would help.

11                   MR. AYOUB:  A survey?

12                   MR. EINGORN:  Do you have a survey for  
13 the property?

14                   MR. AYOUB:  I believe I do.

15                   MR. EINGORN:  That would be very helpful  
16 so we can see the dimensions where the building is  
17 situated on the lot and the streets' access.  Because  
18 from the pictures you have, it's very hard to  
19 determine that.  And that may help the public as well  
20 make a determination as to whether or not they think  
21 the parking and traffic would be a problem.

22                   MR. AYOUB:  I understand.  That would be  
23 sufficient if I get the survey?  Is that considered a  
24 site plan?

25                   MR. EINGORN:  You need to make a



1 formal -- there's a formal application at the  
2 Planning Office that you can get that would tell you  
3 what you need and you can work with the Planning  
4 Office to assemble those materials.

5 MR. AYOUB: And as far as the traffic, if  
6 I bring the drawing, that would be sufficient as  
7 well?

8 MR. EINGORN: I can't answer that as we  
9 sit here today. You need to either, you know, do  
10 your own research or hire an attorney. My job is to  
11 give legal advice to the Board, not to the  
12 applicants.

13 MR. AYOUB: No, I'm not asking you to --  
14 I'm asking the Board if that will satisfy their  
15 concerns.

16 MR. EINGORN: You need to submit a site  
17 plan. The applicant needs to submit a site plan  
18 application and include the materials that are  
19 required as part of this. And that'll be a list that  
20 is available from the Planning Office. Okay?

21 MR. EINGORN: Thank you very much.

22 CHAIRMAN HAMILTON: Attorney.

23 MR. EINGORN: Yes, Chairman.

24 CHAIRMAN HAMILTON: I want to ask you.  
25 When are we going back into City Hall? We wasted a

1 whole hour on this here. They ain't did nothing.

2 MR. EINGORN: Hold up. Whether you're in  
3 City Hall or not, they still needed more pictures and  
4 more information.

5 CHAIRMAN HAMILTON: Yeah, I know that.  
6 But they come in here with no pictures and they ain't  
7 got nothing and we're still going through it. You're  
8 wasting people's time. They ain't wasting yours  
9 cause you're getting paid.

10 MR. EINGORN: I'm not wasting anybody's  
11 time.

12 CHAIRMAN HAMILTON: I ain't saying you  
13 were wasting. This Zoom crap is getting outrageous.

14 MR. EINGORN: I don't disagree.

15 MS. MOORE: Excuse me, Kyle. Was that at  
16 application continued?

17 MR. EINGORN: Yes. That application is  
18 continued for more information and they could submit  
19 a site plan application.

20 MS. MOORE: Both of those, that and the  
21 previous application, if they were continued they  
22 probably should have been voted to continue.

23 MR. EINGORN: That's not something we  
24 have done in the past.

25 MS. MOORE: No, okay. All right.

1 MR. EINGORN: So it's kind of --

2 MS. MOORE: Different Board, different  
3 rules. That's fine.

4 MR. EINGORN: Sorry to make you wait  
5 around, Dena. PSE&G is the next matter, Locust  
6 between Spruce and Walnut Street. Mr. Kemm is here  
7 as counsel.

8 MS. MOORE: Mr. Kemm, if you can just  
9 provide a brief summary so we can get to the letter;  
10 just a brief summary of what PSE&G is proposing for  
11 the Zoning Board tonight?

12 MR. KEMM: Certainly.

13 Good evening, Board members, Board  
14 professionals, members of the public. My name is  
15 Karl Kemm on behalf of the applicant which is Public  
16 Service Electric & Gas Company. We are called  
17 PSE&G.

18 We're here this evening for their gas and  
19 metering station which exists right now bounded by  
20 Spruce Street, Locust Street, E Street and 2nd  
21 Street. It's almost the entire block. And we're  
22 here because they're updating the facility. They're  
23 doing some environmental remediation. They're also  
24 going to raise certain facilities above the FEMA  
25 Flood Plain.

1           We need a couple of things from the Board  
2 this evening. We need a conditional use variance.  
3 The use itself is permitted in the port-related  
4 industrial zone. We don't meet all the conditions so  
5 we need that conditional use variance as a  
6 (d) variance, five votes. We also need site plan  
7 approval and we have a few bulk variances.

8           Dena, I understand you want us to go  
9 through our conditional use testimony first and then  
10 address site plan after that?

11           MS. MOORE: Is that okay, Kyle, if we can  
12 get the use approved and then address the site plan  
13 issues? That's how we've done it in the past.

14           MR. EINGORN: Yes, we've done that in the  
15 past. That's fine. Does the applicant want to swear  
16 in its professionals whoever else may be their  
17 witnesses.

18           MR. KEMM: Do you want to swear them each  
19 as they come up and testify or swear them all in at  
20 the beginning?

21           MR. EINGORN: We generally find it easier  
22 to swear them all in at the beginning.

23           MR. KEMM: That would fine. So  
24 testifying this evening we will have Christian  
25 Castronova, who is the project manager for PSE&G.

1 We'll have Christopher Wilson who is our site  
2 engineer. And we have Brian McPeak our professional  
3 planner. So if those gentlemen would turn on their  
4 video and raise their right hand to be sworn in.

5 MR. EINGORN: Would you gentlemen please  
6 raise your right hands.

7 - - -

8 CHRISTOPHER WILSON, P.E.; CHRISTIAN  
9 CASTRONOVA, Project Manager, having first been duly  
10 sworn, was examined and testified as follows:

11 - - -

12 MR. KEMM: Brian we can't hear you  
13 unfortunately.

14 MR. WILSON: Brian, I think it's your  
15 microphone settings. So unmute and then click on the  
16 arrow next to your mute button and make sure it's set  
17 to the right microphone.

18 MR. KEMM: We did have a little trouble  
19 getting on this evening. Mr. Eingorn, if we could,  
20 Mr. McPeak is our planner. He'll be testifying last  
21 and maybe he can get his technological issues  
22 straightened out by the time we get to his testimony  
23 and swear him in then?

24 MR. EINGORN: That's fine.

25 MR. KEMM: So for the use variance

1 testimony, we'll have Mr. Castronova give an overview  
2 on behalf of PSE&G and then we'll have our planner,  
3 Mr. McPeak, give the planning testimony to justify  
4 the conditional use variances. Mr. Castronova,  
5 you've been sworn in, sir. Can you just explain to  
6 the Board your position at PSE&G and why we're here  
7 this evening?

8 MR. CASTRONOVA: Yes. I'm a project  
9 manager for Public Service Electric & Gas located at  
10 4000 Hadley Road in South Plainfield, New Jersey.

11 MR. KEMM: Thank you. Can you explain to  
12 the Board what we're doing at the property and why  
13 we're here this evening?

14 MR. CASTRONOVA: Okay. The property in  
15 question has been a PSE&G metering and regulating  
16 facility since the late 1950's. The site is also a  
17 location of a peak-sharing facility but is used to  
18 add supplemental supply to the gas system during  
19 times of peak demand.

20 The location -- this is a location which  
21 natural gas is taken from the interstate pipeline  
22 companies and has the pressure reduced and then  
23 released it to our distribution system. That is one  
24 of about 50 similar sites that the company operates  
25 throughout our service territory.

1           The primary function again is to meter  
2 the gas and reduce the pressure to a level way below  
3 what it is used to transport across the country on  
4 interstate lines. In this case, the incoming  
5 pressure is approximately 800 PSIG and it is stepped  
6 down at this location to feed two separate  
7 distribution systems that serve the City of Camden.  
8 There's a 15-pound system and a 60-pound system.

9           Additionally, the site is also used as a  
10 point to inject supplemental supply during the times  
11 of peak demand for typically the coldest days of the  
12 year. So this site was identified as a facility that  
13 would be subject to a life cycle and FEMA flood level  
14 upgrade. So basically we are going to propose to go  
15 in and rebuild the gas facilities on the site to get  
16 them above the FEMA flood level and modernize all the  
17 equipment that's there.

18           The location is also undergoing an  
19 environmental remediation. This site has been about  
20 50 percent remediated at this point. And the plan is  
21 to build the new facilities on the remediated section  
22 of the property. And when complete, that will allow  
23 the remediation project to move down and remediate  
24 the balance of the property.

25           So when we replace and relocate the

1 equipment, again, we're going to modernize it and put  
2 back larger pressure reduction valves that will  
3 increase redundancy and reliability of supply to the  
4 system. Also what will be included will be a new  
5 electronic monitoring system that we use to  
6 continuously monitor the condition of our system from  
7 a central gas control center.

8           The project proposes to replace the  
9 existing buildings with new ones to house gas  
10 equipment, mechanical equipment and a control room.  
11 The new buildings will be constructed in a location  
12 already remediated and will allow the facility to be  
13 constructed in parallel with the existing. Once  
14 construction is completed, the operations will be  
15 moved to the new facility. The existing structures  
16 and equipment will then be demolished. We'll  
17 demolish them down to grade and the remediation  
18 group will come in and do their sub-surface  
19 remediation.

20           The operation of the facility will not  
21 change from its current use. During a typical  
22 operation, this site has two employees reporting  
23 there everyday Monday through Friday. The level of  
24 manpower increases seasonally during the summer for  
25 some annual maintenance activities that may require



1 an additional two or three employees be on site for  
2 several weeks of the year. And also during these  
3 times of supplemental supply for the peak-sharing  
4 operations going on, there will be another two or  
5 three employees that are there and it becomes a  
6 24-hour operation.

7 Visually the site will remain partially  
8 unchanged. It will still be the same footprint, same  
9 fence line. The only visual difference, the existing  
10 site which is shown on the screen on the left side,  
11 has a building that abuts the southwest corner of the  
12 property. So the fence is not continuous. As part  
13 of this project, that building will be demolished and  
14 there will be a continuous fence line all the way  
15 around the building.

16 Again, the end-goal of this is to  
17 increase system reliability and security of supply to  
18 our gas customers in the area. I think that's my  
19 overview of the project.

20 MR. KEMM: Thank you, Mr. Castronova.  
21 We're just waiting for Mr. McPeak to get an audio  
22 line in and then we'll have his testimony.

23 MR. McPEAK: Can you hear me?

24 MR. KEMM: Yes, Brian, we can hear you.

25 MR. McPEAK: Okay. I apologize for the

1 technical difficulties.

2 MR. KEMM: No problem.

3 Mr. Eingorn, could we have Mr. McPeak  
4 sworn in because he wasn't able to be sworn in last  
5 time. We couldn't hear him.

6 MR. EINGORN: Sir, if you can raise your  
7 right hand.

8 - - -

9 BRIAN McPEAK, P.P., having first been  
10 duly sworn, was examined and testified as follows:

11 - - -

12 MR. EINGORN: If you could state your  
13 name and address for the record.

14 MR. McPEAK: Sure. Brian McPeak. I am a  
15 vice-president in the firm of Paulus, Sokolowski &  
16 Sartor, with offices at 1433 Route 34 South in Wall  
17 Township.

18 MR. KEMM: Thank you. And Mr. McPeak,  
19 would you just give the Board a brief of your  
20 professional background and licensure?

21 MR. McPEAK: Absolutely. I have an  
22 undergraduate degree from the University of  
23 California at Berkeley in Physics and a Master's in  
24 city and regional planning from California  
25 Polytechnic State University in California as well.

1           I have been practicing as a planner in New  
2 Jersey for approximately 26 years. I've been  
3 licensed by the State of New Jersey for the vast  
4 majority of that time. I've been qualified by two or  
5 three dozen planning or zoning boards throughout the  
6 state. I've appeared before the Camden Planning  
7 Board but have not had the privilege of appearing  
8 before the Zoning Board previous to this.

9           MR. KEMM: Thank you, Mr. McPeak. We  
10 offer Mr. McPeak as an expert in planning testimony.

11           MR. EINGORN: We'll accept Mr. McPeak as  
12 a professional planner.

13           MR. KEMM: Thank you, Mr. Eingorn.

14           Mr. McPeak, I'm just going to turn it  
15 over to you. Please explain to the Board what you  
16 reviewed and your analysis of the justification of  
17 the conditional use variance?

18           MR. McPEAK: Sure. I am -- first I'd  
19 like to just note that I am getting audio through my  
20 computer and I'm not sure if that's accurate sound  
21 but --

22           THE REPORTER: Please repeat. I could  
23 not hear the last sentence.

24           MR. McPEAK: Is that any better? I'm  
25 just trying to adjust the sound level on my computer

1 but I'm not being successful.

2 MR. KEMM: Brian, try muting your  
3 speakers on your computer and just use your --

4 MR. McPEAK: I'm muted. The volume is  
5 still coming out.

6 MR. KEMM: Maybe the microphone on the  
7 computer is on. Can you turn the microphone on the  
8 computer off or mute on your Zoom program. The  
9 bottom left mute that and then use the microphone on  
10 your telephone for audio. You're a little muffled.  
11 Can you get a little closer to the microphone on your  
12 telephone? Just speak up and then I think you'll be  
13 okay.

14 MR. McPEAK: Again, my apologies. To  
15 address Mr. Kemm's question, I've reviewed the  
16 application that has been presented to the Board. I  
17 am also familiar with the site and the surroundings.  
18 I have visited the site and worked in Camden over the  
19 years. And I'm prepared to present testimony this  
20 evening.

21 MR. KEMM: Thank you. Did you review the  
22 proofs for the d(3) conditional use variance for the  
23 Board?

24 MR. McPEAK: I'm sorry. Could you please  
25 repeat the question?

1           MR. KEMM:    Would you review your proofs  
2           and analysis of the conditional use variance?

3           MR. McPEAK:   Absolutely.  So in addition  
4           to what I mentioned has having already reviewed, I  
5           also reviewed the Zoning Ordinance, the Zoning Map,  
6           the 2002 future Camden Master Plan, as well as the  
7           July 2020 updated Cooper Grant Central Waterfront  
8           Neighborhood Plan, and the Comment Letter issued by  
9           Remington & Vernick Engineers, the Board's consulting  
10          Engineer on this matter.

11          As I believe is well-known, the site is  
12          located in an port-related industrial zone and  
13          public utility facilities including the PSE&G  
14          proposed M&R Station are a conditional use in the  
15          PRI Zone subject to the requirements of Section  
16          577-191.  All the proposed improvements at the site  
17          are located within the existing fence line of an  
18          existing station.

19          As has been already mentioned to the  
20          Board, because the proposed improvements do not  
21          conform to the applicable conditional use standards,  
22          namely, that the improvements do not comply with the  
23          bulk requirements, the applicant is requesting a  
24          d(3) variance.

25          A d(3) conditional use variance is

1 different from a d(1) variance in that the governing  
2 body has already determined that the use should be  
3 permitted so long as it meets certain requirements.  
4 If the conditional use requirements are not met, the  
5 focus is on the deviation from the requirements, not  
6 the use itself. And the Board is tasked with  
7 reconciling whether the property is still suited for  
8 the use despite the deviations.

9           Review of the submitted plans identifies  
10 that the proposed improvements require the following  
11 bulk variances. From Section 577-189, the height of  
12 an accessory structure does not meet the ordinance  
13 limitations. Similarly, Section 577-197.F, there's a  
14 fence that's located on the plan at a height that is  
15 not permitted by that provision. In addition, the  
16 fence height generally deviates from the requirements  
17 of Section 577-197.G and .F in terms of its general  
18 height and the proposed use of barbed wire as part of  
19 the fence.

20           THE REPORTER: Please repeat. I could  
21 not hear your last sentence clearly.

22           MR. McPEAK: There's a fence proposed  
23 which violates the height requirements of Section  
24 197.G; proposed use of barbed wire is also a  
25 deviation from Section 577-197.V.

1           With regard to lighting, the lighting  
2 levels proposed do not conform with the requirements  
3 of Sections 224.B.9, as well as 243.A. Finally with  
4 regard to the variances, the bulk variances, the  
5 number of signs to be proposed, exceeds the  
6 limitations on signage under Section 577-253.P.

7           As the Board, I believe, is aware, the  
8 Municipal Land Use Law requires that an applicant  
9 present why a proposed use deviation or a proposed  
10 use variance, promotes the purposes of planning under  
11 Municipal Land Use Law. That's part of the so-called  
12 Positive Criteria. In my opinion, granting the  
13 requested d(3) variance will advance the following  
14 three purposes of Municipal Land Use Law.

15           Purpose A under the statute which is to  
16 encourage municipal action to guide the appropriate  
17 use or development of all lands in the state in a  
18 manner which will promote public health, safety,  
19 morals and general welfare. Also, Purpose F under  
20 the statute which is to encourage the appropriate and  
21 efficient expenditure of public funds by the  
22 coordination of public development with land use  
23 policies.

24           In addition, Purpose G under the statute  
25 which calls for providing sufficient space in

1 appropriate locations for a variety of uses both  
2 public and private, according to their respective  
3 environmental requirements in order to meet the needs  
4 of all New Jersey citizens.

5 In my opinion, the project promotes  
6 public health, safety, welfare -- excuse me -- public  
7 health, safety, morals and general welfare by  
8 facilitating the provision of heat and hot water, as  
9 well as supporting a wide variety of critical  
10 commercial and industrial processes.

11 The project also includes the expenditure  
12 of rate-payer funds, public funds. And this evening,  
13 we'll hear about the efficiency of citing these  
14 improvements on this site. The systemic benefits  
15 associated with this particular site, generate an  
16 efficient use of these public funds or these  
17 rate-payer funds.

18 THE REPORTER: Please repeat last  
19 sentence. I couldn't hear the audio clearly.

20 MR. McPEAK: I'll restate it. This  
21 project includes the expenditure of rate-payer Funds  
22 which are public funds. And the principal reason  
23 this site is particularly suitable, is it's proximity  
24 to a transco-interstate pipeline. This confluence of  
25 the supply of interstate gas at this location is an



1 efficient use of rate-payer funds to provide gas into  
2 PSE&G'S system which, I believe, therefore, advances  
3 the purposes of planning.

4 So, I'd also like to note that the  
5 applicant's gas and metering facility is a public  
6 utility.

7 THE REPORTER: Please repeat. I did not  
8 hear it clearly.

9 MR. McPEAK: So, I'd also like to note  
10 that the applicant's gas regulation and metering  
11 station is public utility. And, therefore, in my  
12 opinion, is an inherently beneficial use. An  
13 inherently beneficial use is a use that quote  
14 fundamentally serves the public good and promotes the  
15 general welfare unquote. New Jersey has recognized  
16 utilities, public utilities as inherently beneficial  
17 uses. Therefore, in my opinion, the applicant has  
18 met the burden of the Positive Criteria for the d(3)  
19 variance based on the foregoing.

20 MR. KEMM: Mr. McPeak, in regard to the  
21 Negative Criteria, do you find there's any Negative  
22 Criteria or negative impact to this property?

23 MR. McPEAK: So with regard to the  
24 Negative Criteria, addressing the potential impact on  
25 surrounding properties, first and foremost, I would

1 note that this use has been present at this location  
2 for many years. The proposed improvements that will  
3 be contemplated as part of the site plan were  
4 designed to improve the resiliency of the facility.  
5 And in my opinion from the planning prospective, the  
6 proposed improvements do not represent fundamentally  
7 new features or substantial changes to the existing  
8 use. Therefore, I see little or no basis to  
9 anticipate additional negative impacts on surrounding  
10 properties. And in my opinion, the site can  
11 certainly accommodate the use.

12 Of course, with regard to the Negative  
13 Criteria, we also have to consider the City's Master  
14 Plan. And I did review the elements of the Master  
15 Plan that are implicated in this application to  
16 consider if the approval of the requested d(3)  
17 variance would substantially impair the intent and  
18 purpose of the Zone Plan and the Zoning Ordinance.

19 In reviewing the Master Plan  
20 documentation, I observed first, that the 2002 future  
21 Camden Master Plan is replete with calls for  
22 infrastructure improvements; seeking improvements in  
23 the water system, the sewer system, storm drainage,  
24 streets, gas and electric services and fiber optics  
25 to support the City's future. The capital projects

1 to support the implementation of the Master Plan and  
2 targeted economic development. This project does  
3 exactly that.

4 Moreover, relative to the July 2020  
5 update of the Cooper Grant Central Waterfront  
6 Neighborhood Plan, it discusses resiliency and  
7 indicates that flooding on individual building sites  
8 should be addressed by raising the ground floor and  
9 utilities above base flood elevation.

10 Given those observations, I am of the  
11 opinion that the Board's granting of the d(3)  
12 variance would not substantially impair the intent  
13 and purpose of the Zone Plan and the Zoning  
14 Ordinance. In fact, I believe approval of this use  
15 variance, would advance the purposes of the Zone Plan  
16 and the Zoning Ordinance.

17 MR. KEMM: So Mr. McPeak in conclusion,  
18 you find that despite the deviations, the property  
19 still remains suitable for the conditional use; is  
20 that correct?

21 MR. McPEAK: Absolutely. In my opinion  
22 the site will accommodate those -- the impacts  
23 associated with those deviations from the conditional  
24 use standards and will not have an adverse impact on  
25 the adjacent properties. As such, the conditional

1 use variance is justified and should be granted by  
2 the Board.

3 MR. KEMM: Thank you, Mr. McPeak.

4 MR. McPEAK: I'd like to note as well,  
5 PSE&G is undertaking this project to improve  
6 infrastructure resiliency.

7 One of the reasons PSE&G is undertaking  
8 this project is to improve infrastructure resiliency  
9 during storm events. Living in a post-Sandy era, the  
10 protection of critical utilities such as this  
11 station, are of such importance to the public welfare  
12 that the state recently adopted provisions of  
13 Municipal Land Use law to require Master Plans  
14 include a climate change-related hazard vulnerability  
15 plan.

16 One of the purposes of this application  
17 is to improve this critical utility's preparedness  
18 for a natural disaster to better ensure that it will  
19 be maintained at all times in an operational state.  
20 This in and of itself will make a significant public  
21 benefit.

22 So in conclusion, as a professional  
23 planner, I believe that the Board should grant the  
24 requested d(3) variance as the utility use is clearly  
25 in the public interest and will not create a

1 substantial detriment to the public good and will not  
2 substantially impair the intent and purpose of the  
3 Zone Plan and the Zoning Ordinance.

4 MR. KEMM: Thank you, Mr. McPeak.  
5 That's all the testimony that we have regarding the  
6 conditional use variance as Ms. Johnson indicated, we  
7 would have a vote on the conditional use and then  
8 proceed to the site plan application unless there's  
9 any further questions from the Board or the public.

10 MR. EINGORN: Does the Board have any  
11 questions? I'm sorry. My phone is dying.

12 CHAIRMAN HAMILTON: Yeah, he's going in  
13 and out. I can't understand it so I can't even vote  
14 on that. I keep telling you that. I can hear him  
15 and then I can't hear him.

16 MR. COOPER: I have no questions.

17 REVEREND MARTINEZ: I have no questions  
18 either.

19 MS. MERRICKS: I have no questions  
20 either.

21 MR. EINGORN: Then we should open this  
22 application to the public for public comment. Is  
23 there anybody in the public that would like to be  
24 heard on this application? Hearing none, we can  
25 close the public portion.

1           The Board has heard substantial testimony  
2 tonight regarding this conditional use. The Board  
3 should weigh that testimony and make a motion as to  
4 whether to deny or accept the conditional use  
5 variance. Do we have any comments from the Board;  
6 any additional questions?

7           MR. COOPER: This is a good thing.  
8 They're upgrading our gas system and they're going to  
9 make it safer. I move to grant.

10           MS. MOORE: Right now this is just the  
11 vote for a conditional use if that's what you're  
12 asking for and then we would continue on with site  
13 plan.

14           MR. COOPER: Yes.

15           MS. MOORE: So it's the approval -- if I  
16 hear it correctly, it's the approval of the  
17 conditional use for the project.

18           MR. COOPER: That's correct.

19           MR. EINGORN: Do we have a second or does  
20 anybody else want to be heard?

21           REVEREND MARTINEZ: I agree with Mr.  
22 Cooper. I'm for it with that. PSE&G, I've had them  
23 for many years and nothing bad with that.

24           MR. EINGORN: So you second the motion  
25 then?

1 REVEREND MARTINEZ: Yes, sir.

2 MR. EINGORN: Okay. We'll take a  
3 roll-call vote.

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

6 CHAIRMAN HAMILTON: I can't vote because  
7 he was going in and out. I can't understand him.

8 MR. EINGORN: So you're abstaining?

9 CHAIRMAN HAMILTON: Yes.

10 MR. EINGORN: Okay. Vice-chairman Hance.

11 VICE-CHAIRMAN HANCE: Yes.

12 MR. EINGORN: Reverend Martinez.

13 REVEREND MARTINEZ: Yes.

14 MR. EINGORN: Ms. Washington.

15 MS. MUHAMMAD: Kyle, I don't see her.

16 MR. EINGORN: Ms. Merricks.

17 MS. MERRICKS: Yes.

18 MR. EINGORN: Mr. Cooper.

19 MR. COOPER: Yes.

20 MR. EINGORN: We're waiting to hear from  
21 Ms. Washington.

22 MS. WASHINGTON: Can you hear me, Kyle?

23 MR. EINGORN: Yes.

24 MS. WASHINGTON: Okay. Yes.

25 MR. EINGORN: Very good. The motion

1 passes.

2 MR. KEMM: Thank you, Board members.

3 MS. MOORE: We're getting a lot of  
4 feedback. Is it just me?

5 MR. EINGORN: No, it's not just you.

6 THE REPORTER: I need a one-minute break  
7 to get water.

8 - - -

9 (Proceedings are off the stenographic  
10 record.)

11 (Proceedings are back on the stenographic  
12 record.)

13 - - -

14 MR. KEMM: Mr. Wilson, you've already  
15 been sworn in, sir. Can you just briefly give the  
16 Board your educational background and your  
17 licensing?

18 MR. WILSON: Sure. My name is  
19 Christopher Wilson as stated previously. I have a  
20 Bachelor's degree in civil engineering from the  
21 University of Missouri. I've been practicing in an  
22 engineering role for the last nine years. I'm  
23 currently a licensed professional in the State of New  
24 Jersey since 2017. My license is currently active.  
25 And I've been accepted as an expert by a number of



1 planning and zoning boards in New Jersey.

2 MR. KEMM: Thank you. We offer  
3 Mr. Wilson as an expert in site engineering.

4 MR. EINGORN: The Board will accept Mr.  
5 Wilson as an expert in site engineering

6 MR. KEMM: Thank you. And Ms. Johnson,  
7 we'll turn it over to you and field your questions.

8 MS. MOORE: Okay.

9 Mr. Chairman, I'm referring to Remington  
10 and Vernick's letter dated March 26, 2021. We  
11 already have the conditional use approved so I will  
12 proceed on page 4, the Area & Bulk Requirements. I  
13 just wanted to note some preexisting conditions and  
14 then some areas in which you will need a variance.  
15 I have noted for the principal building setback,  
16 front yard for Locust Street, that's actually in  
17 conformance. And only Second Street and Spruce  
18 Street are preexisting conditions. What's required  
19 for the principle use is a 25-foot setback and you're  
20 providing 0.4 (zero point four) for Second Street and  
21 0 (zero) for Spruce Street.

22 But as I mentioned, those are preexisting  
23 conditions. Also the accessory setback for front  
24 yard is prohibited. We are proposing one so that  
25 would be a variance. And the height of the accessory

1 building, what's required is 10 feet; what is  
2 proposed is higher than 10 feet. That would be a  
3 variance requested. And off-street parking, I have  
4 noted "To Be Determined" and that would be through  
5 testimony. So I'll proceed.

6 South Second Street, Walnut Street and  
7 Locust Street are existing two-way roadways. The  
8 roadway name of South Second Street should be updated  
9 on the plans. And there are no improvements proposed  
10 for these roadways with this application. You'll  
11 correct the name of South Second Street on the plans?

12 MR. WILSON: Yes.

13 MS. MOORE: If a street opening is  
14 necessary for any municipal road, this application  
15 would be subject to the Street Opening Permit  
16 Ordinance of the City. The City Engineer should be  
17 contacted concerning the application and fees  
18 involved. You acknowledge that?

19 MR. WILSON: We do acknowledge that.

20 MS. MOORE: Per Section 577-191.H,  
21 off-street parking shall be provided as required by  
22 the Zoning Board at the time of site plan review.  
23 Testimony should be provided regarding the number of  
24 anticipated on-site employees.

25 Now, during the planning testimony, if I

1 remember correctly, it's two employees that -- well,  
2 if you can provide the testimony regarding the  
3 on-site employees, please.

4 MR. WILSON: Sure. So the number of  
5 employees that report here currently is approximately  
6 six on an average daily basis. There's about six  
7 trips that originate here. These upgrades will not  
8 head to that. Those daily trips will continue to be  
9 about six employees that report to the site daily.

10 MS. MOORE: Okay. So then the parking  
11 required?

12 MR. WILSON: No additional parking is  
13 going to be required and there's already adequate  
14 parking on site that we plan to make use of and we  
15 can amend the plans to show that accordingly.

16 MS. MOORE: So it's no off-street parking  
17 then?

18 MR. WILSON: Correct. No off-street  
19 parking.

20 MS. MOORE: So you would be in  
21 conformance because there is available on-street  
22 parking, correct?

23 MR. WILSON: Yes. There's sufficient  
24 area on site.

25 MS. MOORE: On site. Okay. That's fine.

1 We will note that, on site parking and no change. So  
2 you would be in conformance.

3 The applicant should provide testimony  
4 regarding loading at the site. Any loading that  
5 takes place at the site?

6 MR. WILSON: There will be some loading  
7 that takes place for equipment maintenance. It's  
8 going to be infrequent. Really just as equipment  
9 breaks down and then initial deliveries. We do have  
10 two loading docks that are noted on the plans. I  
11 can share a screen here with the group real quickly  
12 to show where those are.

13 MS. MOORE: If you want to do that,  
14 please.

15 MR. WILSON: Sure thing.

16 MS. MOORE: So no Fed Ex deliveries,  
17 UPS?

18 MR. WILSON: No. At this point, no.  
19 With the employees that report here, it's like they  
20 report and then go out to other sites. And any  
21 deliveries that happen, will happen here. There will  
22 be, again, equipment maintenance which is very  
23 infrequent. Those are located on the north side of  
24 the new mixed building and then on the north side of  
25 the new process and air building. So two loading

1 docks but no Fed Ex or UPS deliveries.

2 MS. MOORE: Okay. I don't see anything  
3 else so as we're waiting for that, I'll go through  
4 the next comments.

5 The applicant should replace the concrete  
6 curb sidewalk along the property frontage on each  
7 roadway.

8 MR. WILSON: Understood. We will do  
9 that.

10 MS. MOORE: ADA ramps, meeting current  
11 ADA standards, must be installed at each  
12 intersection.

13 MR. WILSON: Understood. Yes, we'll take  
14 care of that.

15 MS. MOORE: The inlet type and inverts  
16 should be provided for the existing inlet along South  
17 Second Street from the connection of SD-01?

18 MR. WILSON: Yes, acknowledged. We will  
19 get that.

20 MS. MOORE: Cleanouts for all roof drain  
21 pipes should be shown on the plans with an invert  
22 elevation provided.

23 MR. WILSON: Noted. I think we have that  
24 shown on the plans and it may not have been clear  
25 but, yes, we'll make sure that's noted.

1 MS. MOORE: Okay.

2 Stormwater pipe calculations designed to  
3 convey a storm event with a 25-year frequency should  
4 be provided. The Manning roughness coefficients must  
5 be provided for HDPE and RCP pipes. According to  
6 Section 577-229.B.4, the "normal" Manning roughness  
7 coefficient established under N.J.A.C. 5:21-7 must be  
8 used for the design. You acknowledge that?

9 MR. WILSON: Understood.

10 MS. MOORE: The applicant must prepare a  
11 stormwater maintenance plan for the stormwater  
12 management system per the NJ Stormwater Best  
13 Management Practices Manual. This manual must  
14 include the name, title, address, and phone number of  
15 the responsible party for the maintenance.

16 MR. WILSON: Understood. We will do  
17 that.

18 MS. MOORE: This Stormwater Management  
19 Maintenance Plan must be recorded at the County  
20 Clerk's Office prior to receiving final signatures on  
21 the plans.

22 MR. WILSON: Understood.

23 MS. MOORE: A stormwater fee is to be  
24 calculated for the site as outlined in Appendix XVII  
25 (18) of the City Ordinance. The calculation will be

1 reviewed by our office. This fee must be paid by the  
2 applicant prior to final signature of the plan.

3 MR. WILSON: Understood.

4 MS. MOORE: On page 7 and 8 in my review  
5 document. That language must be corrected in the  
6 notes on the Grading and Drainage Plan and they must  
7 also be included in the Stormwater Management  
8 Maintenance agreements word-for-word with nothing  
9 added. You agree to add these comments, a, b, c, d?

10 MR. WILSON: I may -- a, b, c & d, I may  
11 have to defer this to Brian. With this being a  
12 controlled facility, I'm not sure that PSE&G can  
13 agree to the entrance within the egress. Actually as  
14 I look at this because of the nature of the site, the  
15 City may need an escort.

16 MS. MOORE: Oh, that's fine.

17 MR. WILSON: Okay.

18 MS. MOORE: It's just that this agreement  
19 has to be in place with the City. It's an EPA  
20 requirement.

21 MR. WILSON: Okay.

22 MS. MOORE: So if -- there has to be  
23 someone that assists the City. I'm sure the City  
24 knows to contact someone from PSE&G. But this  
25 wording has to be on all the documents.

1 MR. WILSON: Okay.

2 MS. MOORE: The maintenance agreement and  
3 then the plans. Do you agree?

4 MR. WILSON: Understood.

5 MS. MOORE: You can just make a special  
6 note on the plan that says that outside of this  
7 a, b, c, & d that the person should contact  
8 PSE&G for a --

9 MR. WILSON: For an escort.

10 MS. MOORE: Right, an escort.

11 MR. WILSON: Understood.

12 MS. MOORE: If you can get that.

13 MR. WILSON: Yes, understood. We will  
14 add those then.

15 MS. MOORE: Okay.

16 Spot grades are to be shown at the  
17 building corners. A spot grade should also be  
18 provided at the building access points.

19 MR. WILSON: Understood.

20 MS. MOORE: The applicant should confirm  
21 that the proposed building does not have a basement  
22 or a crawlspace.

23 MR. WILSON: Confirm. There's no  
24 basement or crawlspace with these facilities.

25 MS. MOORE: Okay.



1 Additional spot grades should be shown  
2 along the access drive, depressed curb locations and  
3 proposed curb and sidewalk locations.

4 MR. WILSON: Understood.

5 MS. MOORE: Spot grades should be  
6 provided at the top and bottom of all exterior  
7 stairways.

8 MR. WILSON: Noted. We'll add those.

9 MS. MOORE: Spot grades should be  
10 provided for any concrete pads for exterior items  
11 including the fogger, the cyclonic separator and the  
12 generator.

13 MR. WILSON: Understood. We'll make sure  
14 that gets added.

15 MS. MOORE: All proposed utility and  
16 related appurtenances on the site shall be located  
17 underground or located in the building. Where  
18 overhead electric or telephone distribution supply  
19 lines and service connections have been installed  
20 from those overhead lines, the connections from the  
21 utilities' overhead lines must be installed  
22 underground. The Utility Plan should note this  
23 specifically. Does this affect what you do on site?  
24 Will you have overhead lines or you could have lines  
25 underground?

1 MR. WILSON: So currently, there are  
2 overhead lines running into the facility. I believe  
3 this shouldn't affect anything that we're doing on  
4 this.

5 MS. MOORE: All right. So you'll be able  
6 to add that note to the plans?

7 MR. WILSON: Yes.

8 MS. MOORE: The size and material of the  
9 existing water main and the size and material and  
10 slope of the existing sanitary sewer main, should be  
11 shown along South Second Street?

12 MR. WILSON: Understood. We will obtain  
13 that data.

14 MS. MOORE: Okay.

15 The slope of the proposed sanitary sewer  
16 pipes should be added to the plans.

17 MR. WILSON: We'll do.

18 MS. MOORE: The tie into the combined  
19 sewer of the proposed sanitary sewer pipes should be  
20 clarified. Doghouse manholes are not permitted in  
21 the City.

22 MR. WILSON: Understood. We'll make sure  
23 all tie-ins are per City of Camden details.

24 MS. MOORE: All developers and applicants  
25 should note that due to a City Ordinance, a Capacity

1 Fee may be applicable to the proposed development.  
2 The applicant should contact the City Engineer for  
3 all costs related to the same. You acknowledge that?

4 MR. WILSON: Acknowledged.

5 MS. MOORE: The project must be approved  
6 by both the City Engineer and the City Fire Chief  
7 with written verification provided to our office  
8 prior to final signatures on the plan.

9 MR. WILSON: Understood.

10 MS. MOORE: A CCTV inspection of the  
11 sewer (combined, sanitary and storm) system must be  
12 performed and reviewed by the City Engineer prior to  
13 construction. The applicant will be responsible for  
14 any improvements to the existing infrastructure  
15 required for the connection of the proposed  
16 project.

17 MR. WILSON: Understood.

18 MS. MOORE: Per Section 577-244.B, a  
19 landscape plan is required, whereas no plans have  
20 been provided. Plans should be revised or a waiver  
21 requested.

22 MR. WILSON: Right. In the condition of  
23 this site, I believe our stance is to request a  
24 waiver given that there is not landscape present in  
25 this area or on site now.

1 MS. MOORE: Per Section 577-244.D, street  
2 trees are required, whereas none exists or are  
3 proposed. Plans should be revised or a waiver  
4 requested.

5 MR. WILSON: A waiver is requested.

6 MS. MOORE: And the same reasoning with  
7 landscaping in that area with what you're doing on  
8 site with the gas utility?

9 MR. WILSON: Correct.

10 MS. MOORE: And that would be the same  
11 for Section 577-244.C.6, foundation plantings are  
12 required along all building elevations. Plans should  
13 be revised or a waiver requested.

14 MR. WILSON: Yes. The same reasoning. A  
15 waiver is requested.

16 MS. MOORE: And in keeping with the  
17 intent of Section 577-224.B.1.e, the visual impact of  
18 large surface parking lots located along street  
19 frontages shall be minimized with landscaping. Plans  
20 should be revised or a waiver requested. And it's a  
21 waiver for all landscape items. Correct?

22 MR. WILSON: That's correct.

23 MS. MOORE: Including the electrical and  
24 mechanical equipment should be screened from view.  
25 The waiver would be necessary. And I have that

1 waiver noted also in the back for the same  
2 reasoning.

3 MR. WILSON: Correct.

4 MS. MOORE: We'll go to the lighting. My  
5 second comment, minimum, maximum and overall lighting  
6 levels have been provided in accordance with Section  
7 577-243.I.3. The applicant proposes a maximum  
8 illumination level of 93.35 footcandles. Testimony  
9 should be provided regarding the need for this  
10 lighting intensity.

11 MR. WILSON: We investigated that after  
12 receiving your letter, Dena, and determined that that  
13 may have been a typo on our drawings, so that will be  
14 revised in our responses. But that lighting level  
15 is -- that intensity of lighting level is not needed.  
16 I think we maxed out more around 13 foot candles.

17 MS. MOORE: Okay. And that is larger.  
18 That's more than what is typically permitted directly  
19 under a light which is five foot candles. So can you  
20 provide any type of testimony as the reasoning for  
21 this?

22 MR. WILSON: Sure. The reason for that  
23 is for safety and operations and maintenance of this  
24 equipment given that the material that we're handling  
25 within this site is combustibile and this is a natural

1 gas facility. It's definitely a safe facility. But  
2 to make sure that operations and maintenance crews  
3 can operate safely if they need to access valves or  
4 get to equipment, that lighting intensity is needed  
5 to be sure that they're looking at the correct  
6 valves, the correct instruments, seeing the right  
7 information when they're going out there and making  
8 decisions about how to operate.

9 MS. MOORE: And that would be the same  
10 testimony I guess per Sections 577-224.B.9 and  
11 577-243.A, lighting should minimize glare and  
12 off-site spillage, whereas floodlight fixtures are  
13 proposed. A variance is necessary.

14 MR. WILSON: Yes, understood. Those  
15 lights will have that. I mean, this -- we'll make  
16 sure that we comply with that. Actually, Dena, I  
17 think I need to go back and amend my statement on the  
18 13-foot candles. We did actually even confirm that  
19 foot candle level is down at five.

20 MS. MOORE: It is five?

21 MR. WILSON: Yes. We do need to amend  
22 our plans to make sure that we have that updated to  
23 comply. But we're at five foot candles.

24 MS. MOORE: So then you wouldn't need a  
25 variance for that?

1 MR. WILSON: Right.

2 MS. MOORE: I was just adding it in the  
3 back. So that would be fine. All right. And you  
4 provided the testimony for the other lighting levels

5 Per Section 577-243.H, all outdoor  
6 lighting no essential for safety and security  
7 purposes shall be activated by automatic control  
8 devices and turned off during non-operating hours. A  
9 note should be added on the plans.

10 Now, will you have non-operating hours?

11 MR. WILSON: No. This is a 24/7  
12 facility.

13 MS. MOORE: Okay. Well, if you could  
14 just add that note to plans.

15 MR. WILSON: Okay.

16 MS. MOORE: The plans note that the  
17 proposed wall-mounted fixtures will be full cut-off.  
18 Light details should illustrate lamp housing to  
19 ensure a cut-off fixture.

20 MR. WILSON: Understood. We'll make sure  
21 those are updated.

22 MS. MOORE: The Traffic Impact Statement.  
23 The applicant's engineer should confirm that adequate  
24 sight distance in accordance with AASHOT polices  
25 exists at all existing and proposed intersections.

1 MR. WILSON: Noted. We'll make sure we  
2 do that.

3 MS. MOORE: But you confirm that there is  
4 adequate site distance?

5 MR. WILSON: Yes. And we'll provide a  
6 response to make sure that that's shown to you but,  
7 yes, we did confirm that.

8 MS. MOORE: And the Environmental Impact  
9 Statement. We reviewed the reports. The applicant  
10 shall provide a copy of the Sound Report as part of  
11 the application. You did provide that, correct?

12 MR. WILSON: Yes. It was little bit  
13 towards the very end of the submittal but we did  
14 provide that.

15 MS. MOORE: And I don't recall -- well,  
16 we did not comment on that yet. So during resolution  
17 compliance, should this be approved, we will provide  
18 that review for you.

19 MR. WILSON: Understood.

20 MS. MOORE: Remington & Vernick Engineers  
21 encourages the applicant to continue its process of  
22 working closely with NJDEP, Camden County Soil  
23 Conservation District, Camden County Planning Board,  
24 and the City of Camden to avoid impacts to any  
25 environmental features adjacent to and/or on the site



1 and to comply with any outstanding issues and obtain  
2 all necessary licenses, permits and approvals prior  
3 to site development. You acknowledge that you'll  
4 provide information to us regarding any approvals?

5 MR. WILSON: Yes, we acknowledge that.

6 MS. MOORE: It appears the trash  
7 enclosure is not provided or not proposed. Testimony  
8 should be provided as to how waste will be stored  
9 and removed.

10 MR. WILSON: So there's no change in  
11 existing trash management from the existing office  
12 building. That's actually located -- and I believe  
13 I'm sharing screen now up here in that north and west  
14 corner. That's not a part of the project. We will  
15 make sure we have any understanding needed for what's  
16 going on now. But there is no change that's going to  
17 be made because these facilities are tended to be  
18 unmanned.

19 MS. MOORE: So basically as I've heard,  
20 PSE&G testified previously with other sites, it's any  
21 trash that someone has, they just take it with them?

22 MR. WILSON: Correct. It's is a carry-in  
23 and carry-out facility.

24 MS. MOORE: On to signage. While the  
25 applicant meets the ordinance requirements for the

1 size of the signs, a variance will be necessary for  
2 the number of signs. So it looks like -- I'll go  
3 back. It looks like you have a facade wall sign  
4 that's a station ID number where you have two signs  
5 with an area of six square feet and a height of two  
6 feet.

7                   And then there are facade wall signs that  
8 are "No Trespassing." There are 23 of those signs.  
9 They have an area of 1.06 square feet and a height of  
10 .875 feet. So once, again, while the applicant meets  
11 the ordinance requirement for the size of the signs,  
12 a variance will be necessary for the number of signs.  
13 And you need that many signs for your testimony, site  
14 safety or what exactly?

15                   MR. WILSON: Right. It's for site safety  
16 too to identify the site and then to indicate that  
17 it's a secure facility; that it's hazardous to the  
18 public trying to enter.

19                   MS. MOORE: And testimony should be  
20 provided as to whether any sign lighting is proposed.

21                   MR. WILSON: None is proposed.

22                   MS. MOORE: The signature block on the  
23 plans should be revised to remove the owners'  
24 signatures and to indicate the signatures are for the  
25 Zoning Board Chairman, Zoning Board Secretary, Zoning

1 Board Engineer and the Zoning Officer/Administrative  
2 Officer.

3 MR. WILSON: Understood. We'll amend  
4 those.

5 MS. MOORE: Okay.

6 For the Fencing: Per Section  
7 577-191.F, public utilities shall be fenced as  
8 required and shall be built in accordance with the  
9 applicable requirements of the New Jersey Board of  
10 Public Utility Commissioners and the National  
11 Electrical Code in effect at the time of the  
12 construction.

13 The site plan indicates a 7-foot tall  
14 chain-link fence with 1-foot barbed wire. The  
15 details on the Civil Site Detail Sheet 2 indicate a  
16 7-foot tall chain-link fence with three strands of  
17 barbed wire plus barbed wire loops. Plans should be  
18 revised to coordinate.

19 MR. WILSON: Understood.

20 MS. MOORE: Which one is it actually?

21 MR. WILSON: I believe it's actually the  
22 one with the barbed wire loops. We'll confirm that  
23 in resolution and compliance but we'll make sure that  
24 those are reconciled.

25 MS. MOORE: Per Section 577-197.V, barbed

1 wire is prohibited. Plans should be revised or a  
2 variance requested.

3 MR. WILSON: Variance is requested based  
4 on the existing use and the presence of barbed wire.

5 MS. MOORE: Per Section 577-197.F, a  
6 fence not more than 6 feet in height is permitted  
7 along the rear lot line and along the side lot line  
8 to the front building line. A fence not more than 4  
9 feet tall is permitted along the side lot line  
10 from the front building line to the front lot line  
11 and along the front lot line. A variance is  
12 necessary.

13 MR. WILSON: A variance is requested.

14 MS. MOORE: And that's for the fence, the  
15 location.

16 And per Section 577-197.G, no fence  
17 hereinafter erected, altered or reconstructed shall  
18 exceed a height of 6 feet above ground level. So a  
19 variance is necessary because it's 7 feet plus the  
20 barbed wire. Correct?

21 MR. WILSON: Right. We request a  
22 variance, yes.

23 MS. MOORE: So I have noted -- I listed  
24 also the front yard and the preexisting items so I  
25 made some adjustments to what I have noted in the

1 back for the Summary of Variances and Waivers. So  
2 I'll add first. The Accessory of the -- for Section  
3 577-189.C, the accessory front yard. Section  
4 577-111, the principle front yard setback which is  
5 preexisting. And Section 577-189, the height of the  
6 accessory structure.

7                   And then we have fence location, fence  
8 height, barbed wire, lighting levels, two for  
9 lighting levels and then the number of signs  
10 for variances. I have the waivers noted as perimeter  
11 screening, mechanical screening, landscape plan,  
12 foundation planting, and street trees. Was there  
13 anything that you have noted that I did not, other  
14 than the conditional use?

15                   MR. KEMM: Dena, it's Karl Kemm speaking.  
16 I remember we talked about it and I don't remember  
17 what the outcome was. The waiver for the trash  
18 enclosure, was that considered a waiver as well? I  
19 believe so.

20                   MS. MOORE: Let me just go. Well, yes,  
21 we should add that as a waiver. I'll have to look up  
22 that section. I don't have that.

23                   MR. KEMM: I think it's 255 but my notes  
24 weren't clear. I know we had talked about it. I  
25 don't remember how we resolved it. Why don't we

1 include it as a waiver to be on the safe side.

2 MS. MOORE: Yes.

3 MR. KEMM: Thank you, Dena.

4 MS. MOORE: No problem. Thank you.

5 So trash enclosure -- since you're not  
6 providing one, we will add that. Was there anything  
7 else that I may have missed?

8 MR. KEMM: I think you got it all.

9 MS. MOORE: Then you're aware of the  
10 approval process as listed on page 18 of our review  
11 letter?

12 MR. WILSON: Yes.

13 MS. MOORE: If you have any questions,  
14 you can contact our office or contact me.

15 I have outside agency approvals as Camden  
16 County Planning Board, Camden County Soil  
17 Conservation District and the NJDEP. Do you have any  
18 others that may be necessary?

19 MR. WILSON: None that come to mind right  
20 now. No, I don't think we have any.

21 MS. MOORE: Mr. Chairman, that concludes  
22 our review of the site plan.

23 MR. EINGORN: Any questions from the  
24 Board members regarding the site plan portion of this  
25 application?

1 REVEREND MARTINEZ: No, not from me.

2 MR. COOPER: No.

3 MS. MERRICKS: No, I don't.

4 MR. EINGORN: Without any questions from  
5 the Board, we should open to the public and determine  
6 whether there is any comment from the public.

7 MR. KEMM: Mr. Eingorn, we do have our  
8 planning testimony just to briefly address the bulk  
9 variances if you want to hear that and then we can  
10 open to the public.

11 MR. EINGORN: That's fine. I thought we  
12 were addressing that as we went through the letter.  
13 If you want to put the additional testimony on the  
14 record, that's fine.

15 MR. KEMM: I'll make it very brief. Mr.  
16 McPeak, you're still under oath, sir. And if you  
17 would, again, the Board has heard your testimony  
18 regarding the conditional use variances which  
19 largely covers the bulks but if you just briefly  
20 explain why the bulks, as a whole, and you don't have  
21 to go through each one, are justified?

22 MR. McPEAK: Understood. I believe I've  
23 fixed my technical problems so hopefully --

24 MR. KEMM: Sounds much better. Thank  
25 you.

1           MR. McPEAK: My apologies for the earlier  
2 difficulties.

3           With regard to the variances, I believe  
4 the Board should consider these for approval under  
5 Municipal Land Use Law 40:55B-70(C)2 variances. As  
6 the grant of the variances would advance the purposes  
7 of zoning and the benefit --

8           THE REPORTER: Please repeat. Your last  
9 sentence is inaudible.

10          MR. COOPER: You're breaking up again.

11          MR. McPEAK: My apologies. There's a lot  
12 of background noise. I don't believe that's me.

13          MR. KEMM: If everyone can mute their  
14 microphones if you're not speaking that might be  
15 helpful.

16          MR. McPEAK: So as I've indicated, my  
17 opinion, the Board should consider --

18          MS. MERRICKS: You're breaking up.

19          MS. MOORE: Mr. Kemm, we've had enough  
20 testimony, I think, when we went through the letter.

21          MR. KEMM: We certainly do. And, again,  
22 just briefly. The testimony that applied to the  
23 conditional use variance, applies equally to justify  
24 all the bulk variances. So I think we can move on to  
25 the public comments and to the Board deliberations.



1 Thank you, Dena.

2 (BACKGROUND NOISES)

3 MR. WILSON: I believe it's that 856  
4 number.

5 MS. MOORE: Evita, are you able to mute  
6 that person?

7 MS. MUHAMMAD: There we go. I believe  
8 that's Ms. Henrietta Washington. And she's been  
9 having difficulties through this whole meeting so I  
10 muted her and hopefully we can get her back for a  
11 vote.

12 MR. KEMM: And I apologize for  
13 interrupting. But also too, the testimony that's  
14 already been provided, provides equally to the bulk  
15 and as well the design exceptions that we noted.  
16 Thank you, Dena. And nothing further from the  
17 applicant.

18 MR. EINGORN: With that being said, we  
19 will open to the public for any public comment. If  
20 you'd like to be heard on this application, please  
21 speak up now. Receiving no public comment, we will  
22 close the public portion which leaves us to the  
23 Board's comments, questions.

24 Regarding the site plan, the Board's  
25 already approved the conditional use. And so to the

1 extent that the Board has comment, any motion  
2 shouldn't be subject -- any approval motion should be  
3 subject to the items that were discussed on the  
4 record and contained in the Remington & Vernick  
5 letter dated March 26, 2021.

6 VICE-CHAIRMAN HANCE: So the facility  
7 will have barbed fence around it?

8 MR. WILSON: That's correct,  
9 vice-chairman.

10 MR. COOPER: Yes, I'm satisfied with  
11 this.

12 REVEREND MARTINEZ: I am also satisfied.  
13 Because PSE&G will come and disconnect my electric  
14 and gas.

15 MR. EINGORN: Let the record reflect that  
16 that comment was made in a jestful manner. It's not  
17 meant to suggest any undo coercion.

18 VICE-CHAIRMAN HANCE: And also the  
19 lighting, is that also for security?

20 MR. KEMM: Yes, that's correct.

21 VICE-CHAIRMAN HANCE: Okay. I'm  
22 satisfied.

23 MR. KEMM: Thank you.

24 MR. EINGORN: Again, any motion tonight  
25 should be subject to the agreements made on the

1 record tonight and as well as the items set forth in  
2 the Remington & Vernick letter dated March 26, 2021.

3 REVEREND MARTINEZ: Motion to accept.

4 MR. COOPER: Second.

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. Washington.

13 VICE-CHAIRMAN HANCE: She's muted.

14 MR. EINGORN: Are we able to see her?  
15 Can she give us a nod of the head or a --

16 MR. KEMM: Thumbs up.

17 MR. EINGORN: I can't see her because  
18 I've got a thousand screens.

19 VICE-CHAIRMAN HANCE: No, I don't see  
20 her.

21 MR. EINGORN: Ms. Merricks.

22 MS. MERRICKS: Yes.

23 MR. EINGORN: Mr. Cooper.

24 MR. COOPER: Yes.

25 MR. EINGORN: We have enough for the

1 motion to carry. And so we don't technically need  
2 Ms. Washington's vote but if we can get it, it'll be  
3 helpful just for prosperity purposes.

4 MR. EINGORN: Yes, no? I'll take that as  
5 a, no. Just to make a record.

6 MS. MOORE: We had to mute her phone  
7 earlier. I don't know if she's able to be unmuted.

8 MR. EINGORN: I didn't know if could see  
9 her and she can give us a visual signal.

10 MR. WILSON: No. I looks like it's just  
11 phone number.

12 MR. EINGORN: It doesn't matter. We've  
13 got five in favor and none opposed. That's enough to  
14 carry the vote on the site plan motion. So thank you  
15 to the applicant. Congratulations and good luck with  
16 the rest of your approvals.

17 MS. MOORE: Thank you.

18 MR. WILSON: Thank you.

19 MR. KEMM: Thank you very much Board  
20 members and Board staff. We especially like to thank  
21 Ms. Moore-Johnson who gave us a lot of her time prior  
22 to being here this evening. We wish everybody a  
23 happy, healthy summer.

24 MS. MOORE: Thanks.

25 MR. COOPER: Mr. Chairman, can we have a

1 five-minute break, please.

2 MR. EINGORN: Let's reconvene at 7:50  
3 p.m.

4 CHAIRMAN HAMILTON: How many more do we  
5 got?

6 MR. EINGORN: We have three more and I  
7 believe Ms. Moore-Johnson is here for Luccello  
8 Properties, LLC also.

9 MS. MOORE: I am.

10 MR. EINGORN: So maybe we'll take that  
11 one next so we can get the big stuff out of the way.  
12 See everyone in a couple of minutes.

13 - - -

14 (Proceedings are off the record.)

15 (Proceedings are back on the record.)

16 - - -

17 MR. GLEANER: Are all the other six  
18 members here now?

19 MR. EINGORN: Why don't we take a quick  
20 roll call just to make sure. I'll take a roll-call  
21 vote. Chairman Hamilton.

22 CHAIRMAN HAMILTON: Yes.

23 MR. EINGORN: Vice-chairman Hance.

24 VICE-CHAIRMAN HANCE: Yes.

25 MR. EINGORN: Reverend Martinez.

1 REVEREND MARTINEZ: Yes.

2 MR. EINGORN: Ms. Washington. I think we  
3 heard from her.

4 MR. EINGORN: Ms. Merricks.

5 MS. MERRICKS: Yes.

6 MR. EINGORN: Mr. Cooper.

7 MR. COOPER: Yes.

8 MR. EINGORN: I think we can proceed, Mr.  
9 Gleaner.

10 MR. GLEANER: My name is Robert Gleaner.  
11 I'm the attorney for the applicant, Luccello  
12 Properties, LLC. This is an application to convert a  
13 former fire station into a 10-unit multi-family  
14 structure. The property is located on Vine Street  
15 between Vine and Cedar. It essentially extends from  
16 one street to the other. We've submitted all the  
17 plans. It is the reason we are before the Zoning  
18 Board, is that we're in an R-2 residential zone that  
19 does not permit a multi-family unit.

20 As I understand it, Mr. Eingorn, as I've  
21 seen from the previous applications, I know you like  
22 to hear the use variance first, have that voted on  
23 and then proceed to the site plan. I know there's a  
24 little bit of overlapping. So I'm going to turn it  
25 over for testimony to Sam Agresta and he'll be

1     testifying.  We also have Patrick Pasquariello, one  
2     of the members, the managing member of the LLC.  He's  
3     also on the screen.  They're the only two people that  
4     I anticipate testifying here Mr. Eingorn.

5                   MR. EINGORN:  That's fine.  How about we  
6     swear both of your witnesses and then we can get  
7     started on the testimony with regard to the use  
8     variance.

9                   MR. GLEANER:  Right.

10                  MR. EINGORN:  So if the witnesses could  
11     raise their right hand.

12                                   - - -

13                  SAM AGRESTA, P.E., P.A.; PATRICK  
14     PASQUARIELO,  having first been duly sworn, was  
15     examined and  testified as follows:

16                                   - - -

17                  MR. EINGORN:  If each of you could  
18     provide your name and address for the record, that  
19     would be appreciated.

20                  MR. AGRESTA:  Sam Agresta with Stout &  
21     Caldwell Engineers at 705 Route 130, Cinnaminson, New  
22     Jersey.

23                  MR. PASQUARIELLO:  My name is Patrick  
24     Pasquareillo.  I'm with Luccello Properties.  Our  
25     address is 2101 Penrose Avenue, Philadelphia, PA.

1 MR. GLEANER: Thank you. Mr. Agresta,  
2 can you please tell the Board your resume so we can  
3 qualify you in this matter and, also, state what you  
4 will be testifying as in what position?

5 MR. AGRESTA: Sure. I have a Bachelor's  
6 Degree in architectural engineering and construction  
7 management from Drexel University. I'm a licensed  
8 engineer, approximately ten years and a licensed  
9 planner, approximately five years both in the State  
10 of the New Jersey and I will be providing testimony  
11 for both planning in the first portion and then  
12 engineering in the second portion of the application.

13 MR. GLEANER: Mr. Eingorn, I present Mr.  
14 Agresta as an expert in engineering and planning.

15 MR. EINGORN: Thank you. The Zoning  
16 Board will accept Mr. Agresta in those roles.

17 MR. GLEANER: Thank you.

18 Mr. Agresta, have you had the opportunity  
19 to review this application?

20 MR. AGRESTA: Yes, I have.

21 MR. GLEANER: And have you had the  
22 opportunity to review it in the context of the Camden  
23 City Zoning ordinances and also in connection  
24 specifically in this case, with regard to the uses in  
25 the R-2 Zone and with regard to what the nature of



1 the neighborhood is around where the location for the  
2 firehouse project is.

3 MR. AGRESTA: Yes, I have.

4 MR. GLEANER: And have you come to any  
5 conclusions regarding this use, this particular use  
6 as a multi-family unit at this particular location?

7 MR. AGRESTA: No. I don't see any issues  
8 with it. And if you'd like, Rob, I'd like to jump  
9 right into the Criteria, both Positive and Negative,  
10 present that, and then we can wrap up with any  
11 questions either yourself or the Board may have.

12 MR. GLEANER: You're actually saying it  
13 better than I could have said. Thank you.

14 MR. AGRESTA: I might have done this once  
15 or twice. I will definitely not be as exhausting as  
16 our previous applicant. I think the Board is aware  
17 of the area and what we need to present here. We're  
18 going to start off with Positive Criteria. And we  
19 have to show that our proposal, a multi-family  
20 dwelling in an R-2 Zone is not inconsistent with the  
21 Master Plan. That being said, the grant has  
22 historically voted in favor of similar ordinances in  
23 similar zones, therefore, approving that it is  
24 consistent, in fact, with the Master Plan.

25 We also have to state that it promotes

1 the zoning and is an addition to the surrounding  
2 uses. We have several colleges, businesses. It's  
3 directly accessible to downtown. So providing  
4 housing, multi-family housing does, in fact, enhance  
5 those. Another item with this in regards to the  
6 Positive Criteria is, we're presented with an undue  
7 hardship. It's an existing firehouse; it was  
8 originally built.

9           And then most recently, I believe it  
10 served as a daycare. So that being said, it doesn't  
11 necessarily lend itself to a traditional housing type  
12 set-up. Therefore, it's a unique condition of the  
13 land given it's former use and what it's original  
14 intent was for. And as it is today, the structure  
15 is, in fact, under-utilized. That being said, the  
16 Positive Criteria, I think we touched on all the  
17 major key points.

18           Jumping into the Negative Criteria, we  
19 have to show that this D-1 variance can be granted  
20 without substantial detriment to the public good.  
21 And, again, similar variances have been granted in  
22 this zone, therefore, setting up a precedence that  
23 this, in fact, consistent with the zoning plan and  
24 there will be no detriment to the public good.

25           Mitigation factors, we're offering for

1 the variance, for the additional housing, is our site  
2 plan which we'll jump into shortly. We do offer  
3 additional parking for the facility. We're  
4 installing landscaping buffers as well as fencing  
5 around the property. And we're rehabilitating an  
6 existing under-utilized facility.

7           So stating that -- oh, another  
8 mitigation, I'm sorry, to the additional housing  
9 would be the access to mass transit in the area.  
10 Stating that it won't impair the Zoning Plan. Again,  
11 similar variances have been granted in the R-2 Zone.  
12 And it is consistent and, in fact, an accessory to  
13 some of the surrounding business, houses, college  
14 facilities, different items like that in the  
15 area.

16           So with that being said, I think we  
17 addressed the Positive Criteria as well as the  
18 Negative Criteria. And Rob, if you had any questions  
19 for me or if there's anything else you wanted me to  
20 touch on, I'd be happy to.

21           MR. GLEANER: Thank you, Sam. I  
22 appreciate that presentation. I think Mr. Agresta  
23 has established what our reasons are for this zoning  
24 request. I would request a positive -- or a motion  
25 in favor of it at the appropriate time.

1                   MR. GLEANER: Mr. Eingorn, I don't know  
2 if there's any questions from the Board?

3                   MR. EINGORN: I was waiting for the noise  
4 to clear up. It looks to me like there's an addition  
5 to this project that's proposed to the building  
6 itself; is that correct?

7                   MR. AGRESTA: That is correct.

8                   MR. EINGORN: Could you just go into a  
9 little bit of what is going to be required for this  
10 project? Because I think it's a little more complex  
11 that's being put out there without knowing at least a  
12 little bit about what's proposed. It's hard to make  
13 a determination as to whether or not a 10-unit  
14 apartment building is going to meet the criteria.

15                   MR. AGRESTA: Sure. So that being  
16 stated, there is on the one building, a 675 square  
17 foot addition. We will also be raising the one  
18 building one story, staying within the City's height  
19 ordinance. And then also the landscaping  
20 improvements that come with it. There is, I  
21 believe, it's five one-bedroom units and five  
22 two-bedroom units in total for the site. So that's a  
23 total of --

24                   MR. GLEANER: Do you have the floor plans  
25 that you can put up for the Board to see?

1                   MR. AGRESTA: I do. You'd like to see  
2 the architecturals?

3                   MR. GLEANER: Yes. I think that will  
4 help the Board understand the layout of the  
5 building.

6                   MR. AGRESTA: Sure.

7                   MR. EINGORN: I know we're kind of  
8 touching on the site plan issue a little bit but I  
9 don't --

10                  MS. MOORE: Kyle, if you want, we can  
11 just go right through some of the site plan comments  
12 too if you think that we should do it all at once.  
13 That's up to you.

14                  MR. EINGORN: This project seems like a  
15 little more than meets the eye.

16                  MS. MOORE: Okay.

17                  MR. EINGORN: I think we at least need to  
18 touch on a few of the site plan issues, the parking  
19 and the kind of circulation issues, as well as the  
20 size of this project because it is a substantially  
21 building going into a residential zone. But I know  
22 it's already existing but it's getting bigger. So I  
23 think maybe that's something that the Board needs to  
24 know before it makes its decision on a use variance.

25                  MR. AGRESTA: Understood. Would your

1 preference be to jump right into your letter, Dena.  
2 How does the Board wish to proceed?

3 MS. MOORE: Kyle, is that what you want  
4 us to do? Once he puts up the picture, we can go  
5 into the site plan portion.

6 MR. GLEANER: Kyle, if I can make  
7 suggestion. We might want to go through site plan  
8 and just delay the vote on the use variance --

9 MS. MOORE: Right.

10 MR. GLEANER: -- until both is in and  
11 then they can vote on one at a time afterwards. But  
12 at least they'll see the whole picture. I think  
13 that's a fair comment that they do need to see the  
14 whole thing which is why it was -- you know, I  
15 understand why you're bifurcating it. But it seems  
16 in this particular application, it would better to go  
17 through the whole plans, all the plans so they see  
18 the whole picture.

19 MR. EINGORN: Yes. I think in this  
20 scenario it would be at least helpful to have some  
21 idea of what the project is. If you want to go  
22 through the letter, that's fine and then the Board  
23 can determine whether it wants to do two votes or  
24 one. Clearly obviously, you know, whether you get  
25 the use variance, will be determinative of the site

1 plan.

2 MS. MOORE: Right. If I'm going through  
3 it, they might as well just do the one vote. It's  
4 just --

5 MR. EINGORN: Right. We can cross that  
6 bridge when we get to it.

7 MS. MOORE: Okay. So as you know, the  
8 applicant's proposed use is not in conformance with  
9 the permitted principle uses of the R-2 Zone per  
10 Section 577-52, therefore, a d(1) variance is  
11 necessary. Oh, by the way, Mr. Chairman, I'm  
12 referring to Remington & Vernick's letter dated May  
13 19, 2021. And for the area and bulk requirements,  
14 the building coverage, 40 percent is required.  
15 What's proposed is 43.5 percent. A variance would be  
16 necessary. The impervious coverage, 60 percent is  
17 required and what's proposed is 78.2 percent. A  
18 variance would be required.

19 The principle building setback from the  
20 front yard from Vine Street, 10 feet is required for  
21 the setback; zero is proposed. That's a preexisting  
22 condition. And then one side yard, 10 feet is  
23 required; zero feet is proposed. A variance is  
24 required. Combined side yard, 25 feet is required;  
25 4.4 feet is proposed. A variance is required there.

1 And then a De Minimus Exception is required with  
2 regard to parking. As was mentioned, five bedrooms.  
3 There are five one-bedroom units and five two-bedroom  
4 units for a total requirement of 19 parking spaces  
5 and they are proposing 10 parking spaces.

6 So, I guess the use variance comments we  
7 can go through these quickly from page 4. The  
8 applicant should address the impact of the  
9 application on the following: The compatibility of  
10 the proposed use with surrounding uses; and  
11 mitigating factors for the use variance. You  
12 provided that information already?

13 MR. AGRESTA: Yes, we have. Both for  
14 parking and buffering. Those are some mitigation  
15 efforts that are being put forth.

16 MS. MOORE: And the use will not injure  
17 or detract from the use of the neighboring property,  
18 correct?

19 MR. AGRESTA: That is correct, yes.

20 MS. MOORE: The use will not detract from  
21 the character of the neighborhood?

22 MR. AGRESTA: Correct. Yes.

23 MS. MOORE: The use of the property  
24 adjacent to the area included in the plan is  
25 adequately safeguarded?



1 MR. AGRESTA: Yes.

2 MS. MOORE: The property is suitable for  
3 the intended use?

4 MR. AGRESTA: Yes.

5 MS. MOORE: The use will serve the best  
6 interests of the City?

7 MR. AGRESTA: Yes.

8 MS. MOORE: The use will not adversely  
9 affect public sewers and facilities such as water,  
10 sewer, police and fire protection?

11 MR. AGRESTA: Correct. Yes.

12 MS. MOORE: The use will not adversely  
13 affect the drainage facilities of the adjacent  
14 neighborhood?

15 MR. AGRESTA: Yes. Correct.

16 MS. MOORE: And the use will not  
17 adversely affect the safe flow of highway traffic and  
18 that adequate roadway accesses are provided to  
19 protect roadways from undue congestion and hazards.

20 MR. AGRESTA: Yes. Correct.

21 MS. MOORE: On to the Site Plan  
22 Comments. If a street opening is necessary, this  
23 application would be subject to the Street Opening  
24 Permit Ordinance of the City. The City Engineer  
25 should be contacted concerning the application and

1 fees involved. You acknowledge?

2 MR. AGRESTA: Yes.

3 MS. MOORE: The parking requirement chart  
4 on the cover sheet should be revised to reflect the  
5 R.S.I.S. parking standards for apartments (Table  
6 4.4). With 5 units as one bedroom and 5 units as 2  
7 bedrooms, we calculate 19 spaces are required. Ten  
8 (10) spaces have been provided. A De Minimus  
9 Exception will be necessary.

10 MR. AGRESTA: We agree.

11 MS. MOORE: Proposed one-way signage  
12 should be provided at the driveway for the egress  
13 onto Cedar Street.

14 MR. AGRESTA: Agreed.

15 MS. MOORE: The applicant must replace  
16 all sidewalk and curb along the property frontage on  
17 Cedar Street and any damaged sidewalk and curb along  
18 the property frontage on Vine Street.

19 MR. AGRESTA: Agreed.

20 MS. MOORE: The width of all existing  
21 sidewalks should be shown on the Site Plan.

22 MR. AGRESTA: Agreed.

23 MS. MOORE: The location of the width of  
24 all existing sidewalk shown on the Site Plan.

25 MR. AGRESTA: Agreed.

1 MS. MOORE: The location of all existing  
2 and proposed roof drain pipes should be provided on  
3 the Site Plan.

4 MR. AGRESTA: We will revise, yes.

5 MS. MOORE: Are you actually going to put  
6 up the site, a copy of the site on the computer?

7 MR. EINGORN: Yes. Can we have a screen  
8 share. Can I get just a little bit of testimony on  
9 the parking issue and circulation? It sounds like  
10 you're going to have a one-way in and a one-way out;  
11 is that what --

12 MS. MOORE: I think the site plan will  
13 show that.

14 MR. GLEANER: Sam, can you put that up  
15 for us.

16 MR. AGRESTA: One second.

17 MR. EINGORN: I think the Board should  
18 see that.

19 MR. AGRESTA: There we go. We should be  
20 good. So that is the --

21 MR. GLEANER: Describe to the Board what  
22 they're seeing here?

23 MR. AGRESTA: That's the general overall  
24 view of the site. I'll call it Exhibit A-1, Site  
25 Plan Rendering, Kyle.

1 MR. EINGORN: Perfect.

2 MR. AGRESTA: What you're looking at here  
3 is just an aerial view of the site of the proposed  
4 site. Just a quick rundown of what we're looking at.  
5 This tan-type area here, these are the existing  
6 buildings. These as they stand today, it's actually  
7 three separate independent lots. Part of the  
8 application is to consolidate the lots. So, this is  
9 the existing building here. This here, this reddish  
10 almost color, is the proposed building addition.  
11 It's going to add 675 square feet to the building  
12 footprint. This kind of brownish type color here,  
13 here, and here, these are all landscaped areas.

14 We're going to be providing a couple of  
15 picnic tables for some outdoor seating, some  
16 landscaping for those nice warm days. You know, you  
17 can sit outside. A couple of trees over there. And  
18 then this orange colored, this is your new concrete  
19 walkway which will be ADA accessible, as well as your  
20 trash enclosure. And this grey area here, obviously,  
21 is our new proposed parking area with a total of ten  
22 stalls, one of which being ADA compliant.

23 If you look along Cedar Street, I do have  
24 some areas noted, this orange color where concrete  
25 is, in fact, supposed to be replaced already. Just

1 due to a site inspection, we noticed some busted up  
2 pieces of concrete. And then along Vine Street, I  
3 don't believe we noticed anything out there that was  
4 a problem area, but we did agree that if anything  
5 additional is noticed, we will repair it. That's the  
6 internal overview. Pretty simple site, I think.

7 MS. MOORE: And, Kyle, so you know, Vine  
8 Street is a two-way roadway. And Cedar Street is an  
9 existing one-way roadway.

10 MR. AGRESTA: Yes.

11 MR. EINGORN: So can you just show with  
12 your pointer the direction of the ingress and egress  
13 so that the Board can have an idea where we're coming  
14 and going?

15 MR. AGRESTA: So to get into the lot  
16 here, we will be coming up Cedar Street. I believe  
17 that's westbound. And then you would turn in here  
18 hitting a righthand turn and then park in any of the  
19 10 available spaces. To get out, it would be a  
20 simple maneuver. And then you would be taking a  
21 right onto the Cedar Street heading toward, I  
22 believe, that's 3rd Street to the west.

23 MR. EINGORN: Okay. Great. Thank you.

24 MR. AGRESTA: You're welcome. Pretty  
25 simple circulation.

1 MR. EINGORN: I think it's very helpful  
2 to see it.

3 MR. AGRESTA: Agreed 100 percent.

4 MS. MOORE: I'll continue with the  
5 stormwater.

6 The Stormwater Narrative should include a  
7 calculation to confirm that the post-development  
8 25-year peak flow rate of the site does not exceed  
9 the pre-development 25-year peak flow rate.

10 MR. AGRESTA: Agreed. Yes.

11 MS. MOORE: A stormwater fee is to be  
12 calculated for the site as outlined in Appendix XVIII  
13 of the City Ordinance. The calculation will be  
14 reviewed by our Office. This fee must be paid by the  
15 applicant prior to final signatures of the plan.

16 MR. AGRESTA: Agreed.

17 MS. MOORE: The plans reference a  
18 vertical datum of 1988 NAVD and the horizontal datum  
19 of NAD 1983. A conversion factor must be provided  
20 since the plans do not reference the vertical datum  
21 of 1929 NGVD.

22 MR. AGRESTA: Agreed. We will revise.

23 MS. MOORE: The applicant must provide  
24 spot grades at all building access points and  
25 corners.

1 MR. AGRESTA: Yes.

2 MS. MOORE: The finished floor elevation  
3 of the existing building should be shown.

4 MR. AGRESTA: Yes. Agreed.

5 MS. MOORE: Spot grades should be  
6 provided at all locations where proposed elevations  
7 are to match existing ones.

8 MR. AGRESTA: Yes.

9 MS. MOORE: Locations of depressed curb  
10 should be indicated with a spot grade elevation  
11 provided.

12 MR. AGRESTA: Yes.

13 MS. MOORE: All utilities and related  
14 appurtenances on the site shall be located  
15 underground or located in the building. Where  
16 overhead electric or telephone distribution supply  
17 lines and service connections have been installed  
18 from those overhead lines, the connections from the  
19 utilities' overhead lines must be installed  
20 underground. The Site Improvement Plan must state  
21 this.

22 MR. AGRESTA: Yes. Agreed.

23 MS. MOORE: The applicant should confirm  
24 that there are no proposed sanitary sewer or water  
25 laterals for this project.

1 MR. AGRESTA: Yes. Agreed.

2 MS. MOORE: None. You're using all  
3 existing --

4 MR. AGRESTA: We are using all existing  
5 utilities, correct.

6 MS. MOORE: Okay.

7 The project must be approved by the City  
8 Engineer and the City Fire Chief prior to final  
9 approval with written verification provided to our  
10 office prior to final signatures on the plans.

11 MR. AGRESTA: Agreed.

12 MS. MOORE: A CCTV inspection of the  
13 sewer (combined, sanitary and storm) system must be  
14 performed and reviewed by the City Engineer prior to  
15 construction. The applicant will be responsible for  
16 any improvements to the existing infrastructure  
17 required for the connection of the proposed project.

18 MR. AGRESTA: Agreed.

19 MS. MOORE: All developers and applicants  
20 should note that due to a City Ordinance, a Capacity  
21 Fee may be applicable to the proposed development.  
22 The applicant should contact the City Engineer for  
23 all costs related to the same.

24 MR. AGRESTA: Agreed. Yes.

25 MS. MOORE: The concrete in various



1 details should be indicted with a minimum compressive  
2 strength of 4,500 psi.

3 MR. AGRESTA: Yes. Agreed.

4 MS. MOORE: The City details for the  
5 concrete curb and concrete driveway detail, should be  
6 added to the plans.

7 MR. AGRESTA: We will revise.

8 MS. MOORE: A detail of the trash  
9 enclosure fence gate should be shown on the plans.

10 MR. AGRESTA: Yes.

11 MS. MOORE: The plans should note that  
12 all site work construction and details must conform  
13 to the standards of the City of Camden.

14 MR. AGRESTA: We will revise.

15 MS. MOORE: Per Section 577-144.A, a  
16 buffer is required between residential and  
17 nonresidential uses. Where a buffer is not practical,  
18 an opaque fence may be substituted if approved by the  
19 Zoning Board in accordance with Section 577-149.

20 MR. AGRESTA: Yes.

21 MS. MOORE: So you are going to add  
22 fencing, correct?

23 MR. AGRESTA: Yes. I believe black  
24 ornamental is the preference of the Board which we  
25 will certainly add that.

1 MS. MOORE: And so this Board is aware,  
2 the black ornamental fence is the preference of the  
3 Zoning Board. That's what's been installed at these  
4 site locations. That's okay?

5 MR. AGRESTA: Yes.

6 MS. MOORE: Per Section  
7 577-224.B.1.e, the visual impact of large surface  
8 parking lots located along street frontages shall be  
9 minimized with landscaping. Evergreen shrubs should  
10 be provided along the Cedar Street frontage to screen  
11 views of the parking lot.

12 MR. AGRESTA: We will add those.

13 MS. MOORE: All electrical and mechanical  
14 equipment should be screened from view Per Section  
15 577-224.B.19. A note should be added to the plans.

16 MR. AGRESTA: We'll add the note.

17 MS. MOORE: Plans should be revised to  
18 comply with Section 577-243.D.2 or a variance  
19 requested. So the minimum lighting level is 0.25  
20 (zero point two five) footcandles. The average is  
21 0.5 (point five) to 2.0 (two point zero) footcandles.  
22 And the maximum lighting level is 3.0 (three point  
23 zero) footcandles unless you're directly under a  
24 fixture in which 5 footcandles is permitted.

25 So would you be able to meet those

1 requirements?

2 MR. AGRESTA: Yes, we'll revise the  
3 lighting plan in accordance with City ordinance.

4 MS. MOORE: Okay. So a variance would  
5 not can required?

6 MR. AGRESTA: That is correct.

7 MS. MOORE: Per Section 577-243.H, all  
8 outdoor lighting not essential for safety and  
9 security purposes shall be activated by automatic  
10 control devices and turned off during non-operating  
11 hours.

12 MR. AGRESTA: Agreed.

13 MS. MOORE: If you can add that note to  
14 the plan too, please.

15 MR. AGRESTA: Not a problem.

16 MS. MOORE: And the color of proposed  
17 light fixtures should be provided.

18 MR. AGRESTA: I believe they're all  
19 4,000 K. That should have been noted on the plan but  
20 if it's not, we will happily add it.

21 MS. MOORE: Oh, the color?

22 MR. AGRESTA: Yes.

23 MS. MOORE: What color?

24 MR. AGRESTA: Are you talking about the  
25 light temperature color or the actual color of the

1 fixture?

2 MS. MOORE: No, no. The actual color of  
3 the fixture.

4 MR. AGRESTA: I apologize. I believe,  
5 Dena, they're black. But I will add the color to the  
6 plans.

7 MS. MOORE: All right. Thank you.

8 MR. AGRESTA: You're welcome.

9 MS. MOORE: The applicant is to provide a  
10 traffic impact assessment in accordance with Section  
11 577-274. I did speak with Mr. Agresta earlier today.  
12 That is a requirement. Not strict compliance with  
13 Section 577-274 but the Board typically requires a  
14 traffic impact statement; some type of statement  
15 explaining exactly the traffic expected.

16 Realizing at this time, strict compliance  
17 is not possible with regards to traffic studies and  
18 everything. So just with generalizations of what we  
19 would typically use for guidance with traffic if you  
20 can provide that statement.

21 MR. AGRESTA: We'll be happy to provide a  
22 write up regarding traffic.

23 MS. MOORE: Okay.

24 And the applicant is to provide testimony  
25 regarding any/all environmental concerns, studies and

1 remediation pertaining to the site. Are you aware of  
2 any?

3 MR. AGRESTA: We are not aware of any  
4 environmental issues with the site.

5 MS. MOORE: Okay.

6 The applicant proposes that each unit  
7 will receive an individual trash can and cans will be  
8 stacked three cans deep. The area will be enclosed  
9 by a 6-foot tall vinyl fence. Fence colors should be  
10 provided at this time. In addition, our office  
11 questions the practicality of this system and  
12 recommends a dumpster be provided. Recycling should  
13 also be addressed.

14 MR. AGRESTA: One of the minor issues  
15 with providing a dumpster was, it is a smaller  
16 site. Being able to get a full-size, one of those  
17 trucks with the arms in there, in and out of that  
18 site, Cedar Street, I believe at its widest point, I  
19 think it's only a 20-foot wide right-of-way. The  
20 street may be 10 or 11 feet wide. To get a large  
21 truck down there would be very difficult. That's why  
22 we're proposing to use individual cans. It will be  
23 picked up by a private hauler. And Patrick, the  
24 applicant, can testify a little bit more than this  
25 regarding pick-up, but I believe it's suppose to be

1 an independent contractor which will come in and  
2 remove the individual cans on as-needed basis. But I  
3 prefer that the applicant provide a little additional  
4 testimony regarding that.

5 MS. MOORE: Okay.

6 MR. PASQUARIELO: Sure. I'd like to talk  
7 about that really quickly. We spoke to a couple of  
8 the neighborhood groups and they had a concern about  
9 trash. And we decided that the private pick-up is  
10 the best way to proceed here. I think that's pretty  
11 much it. I think that the best way to do this is the  
12 individual cans based on our information we have now.

13 MS. MOORE: And the private hauler is  
14 also picking up along Cedar Street or are you pulling  
15 everything to the front for Vine Street?

16 MR. PASQUARIELO: No. The private hauler  
17 will, in fact, come into the site.

18 MS. MOORE: From Cedar?

19 MR. PASQUARIELO: From Cedar, correct.

20 MS. MOORE: So then what would be the  
21 difference between having a private hauler come from  
22 Cedar and having a trash enclosure?

23 MR. PASQUARIELO: I think that's up to  
24 the recommendation of the Board. We're flexible for  
25 sure.

1                   MR. GLEANER: I think the question,  
2 Patrick, goes to the size of the truck. Is it going  
3 to be a smaller truck going in and out to pick up  
4 cans as opposed to a larger truck to pick up a  
5 dumpster?

6                   MR. PASQUARIELO: Right. I think that is  
7 the issue. With a larger truck with a dumpster,  
8 you're going to have issues based on the size of  
9 Cedar Street and the accessibility factor.

10                  MS. MOORE: Okay.

11                         And then how will recycling be  
12 addressed?

13                  MR. PASQUARIELO: Recycling will be  
14 addressed in the same manner.

15                  MR. COOPER: You got 10 cans.

16                  MS. MOORE: So then you are showing 10  
17 cans.

18                  MR. PASQUARIELO: Recycling, we can  
19 possibly do a smaller, probably a smaller dumpster on  
20 the side for complying all recycling and that would  
21 also be privately picked up. There wouldn't be  
22 individual cans.

23                  MS. MOORE: All right. As long as  
24 recycling is addressed.

25                  MR. PASQUARIELO: Of course.

1 MS. MOORE: We wanted to make sure.

2 Okay.

3 MR. PASQUARIELO: Yes.

4 MS. MOORE: So then we'll see something  
5 revised that addresses recycling.

6 MR. PASQUARIELO: Yes.

7 MR. AGRESTA: Dena, would it be  
8 sufficient if we added possibly a couple of notes to  
9 the plans saying, hey, this area is designated for  
10 recycling bins; this area is designated for your  
11 standard trash? Would that be sufficient? Would  
12 that be something that you were looking for on that  
13 item?

14 MS. MOORE: Well, that's fine. We  
15 actually just needed to have it addressed because  
16 right now it's just showing the ten cans for trash.  
17 We need to show something for recycling.

18 MR. AGRESTA: Not a problem. We will  
19 designate each section and add something to the plan  
20 for you to take a look at.

21 MS. MOORE: Thank you.

22 MR. AGRESTA: You're welcome.

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



1 year-round effective visual screen at time of  
2 planting. Plans should be revised or a waiver  
3 requested.

4 MR. AGRESTA: Dena, for that we're going  
5 to have to request a waiver. And the reason we are  
6 is, the trash enclosure essentially is nestled  
7 between 2 brick walls and a concrete sidewalk.  
8 Adding any landscaping would pretty much be  
9 impossible and it is somewhat buffered by the  
10 building.

11 MS. MOORE: That's fine.

12 Per Section 577-255.A.2, same thing. A  
13 year-round buffer shall be provided around the trash  
14 enclosure through the provision of evergreen trees  
15 and shrubs. Plans should be revised or a waiver  
16 requested. And that's a waiver for the same reasons.  
17 Correct?

18 MR. AGRESTA: That is correct. Yes.

19 MS. MOORE: Signage. It appears no  
20 signage is proposed. Testimony should be  
21 provided.

22 MR. AGRESTA: No signage proposed.

23 MS. MOORE: None.

24 MR. AGRESTA: None. Zero.

25 MS. MOORE: The applicant proposes to

1 consolidate the lots. The proposed block and lot  
2 number must be provided from the Tax Assessor.  
3 Written verification must be received by our office  
4 prior to final review and signature of the deeds  
5 and/or plat.

6 MR. AGRESTA: Agreed.

7 MS. MOORE: The applicant proposes to  
8 surround the Cedar Street parking lot with a 6-foot  
9 tall chain link fence. Our office recommends that  
10 the fence and all components shall be black vinyl  
11 clad.

12 MR. AGRESTA: Agreed.

13 MS. MOORE: Per Section 577-197.F, a  
14 fence in the front yard shall not exceed 4 feet in  
15 height. Plans should be revised or a -- it's  
16 actually a variance requested.

17 MR. AGRESTA: We will revise the plans  
18 for the 4-foot fence.

19 MS. MOORE: So we will remove that; would  
20 have been variance from the back.

21 And the applicant should provide  
22 testimony as to what would be proposed if the timber  
23 wall would not be in good condition to relocate as  
24 indicated on the plans.

25 MR. AGRESTA: Anywhere where the timber

1 wall is insufficient, it will have to be replaced.  
2 It does have some retention properties to it, so  
3 we'll want to make sure that that's structurally  
4 sound and safe.

5 MS. MOORE: So it will be replaced.

6 The plans should note that the applicant  
7 will comply with the City's "Ordinance Establishing  
8 Standards for the Submission of Maps and Other  
9 Documents in a Digital Format." The applicant should  
10 be aware that final signatures of approval and  
11 building permits will not be issued until the  
12 required information is received.

13 And so you're aware since you are doing a  
14 lot consolidation, we would need -- and you're  
15 already in NAD 1983. We would need two copies of the  
16 plan in AutoCad and actually in real time. If you  
17 can send on a CD, two copies to our office for  
18 review.

19 MR. AGRESTA: Not a problem.

20 MS. MOORE: And then we would forward  
21 that on to the tax assessor for her files, once that  
22 is received and reviewed.

23 MR. AGRESTA: Dena, that goes to  
24 Remington & Vernick's office, to your office?

25 MS. MOORE: Yes, that does. That is the

1 "Ordinance Establishing Standards and the Submissions  
2 of Maps and Other Documents in a Digital Format."

3 It's those two CD's. We keep one for our file and we  
4 forward one to the Tax Assessor for the City's file.

5 MR. AGRESTA: Understood.

6 MS. MOORE: The signature block on the  
7 plans should be revised to add the signature for the  
8 Zoning Officer/Administrative Officer.

9 MR. AGRESTA: We will revise.

10 MS. MOORE: And the signatures for the  
11 owner/applicant and the Camden County Chairperson  
12 should be removed.

13 MR. AGRESTA: We will revise.

14 MS. MOORE: I have the variances noted  
15 for use, building coverage, impervious coverage,  
16 front yard setback, side yard setback and combined  
17 side yard setback. DeMinimus Exception for the  
18 number of parking spaces. And then variances -- I'm  
19 sorry -- waivers from the City Ordinance for the  
20 landscaping around trash enclosure and the year-round  
21 buffer around the trash enclosure. Am I missing  
22 anything that you're aware of?

23 MR. EINGORN: You eliminated the fence?

24 MS. MOORE: We did eliminate the fence in  
25 the front yard. They are going to go to 4 feet. You

1 know, we would take no exception. So if you want to  
2 eliminate that fence height. You want to eliminate  
3 that variance?

4 MR. AGRESTA: Yes.

5 MS. MOORE: You're aware of the approval  
6 process as listed on page 11. If you have any  
7 questions, you can contact our office.

8 MR. AGRESTA: Will do.

9 MS. MOORE: And the Outside Agency  
10 Approvals I have noted as: Camden County Planning  
11 Board, Camden County Soil Conservation District,  
12 Camden County Municipal Utilities Authority, and any  
13 others that may be necessary. Are you aware of any  
14 others?

15 MR. AGRESTA: I am not, no. I believe  
16 that's everything we need at this point.

17 MS. MOORE: Mr. Chairman, that concludes  
18 our review.

19 MR. GLEANER: Sam, for completeness  
20 purposes, let's put the other drawings up so that  
21 they can be at least be marked for the record because  
22 I know that they were submitted but I want to make  
23 sure they're part of the entire application.

24 So we called this one -- what did we call  
25 that last one that you had first?

1                   MR. AGRESTA: This one is Exhibit A-1,  
2 Site Plan Rendering.

3                   MR. GLEANER: And then go through and  
4 we'll number them.

5                   MR. AGRESTA: Okay. Rob, would like the  
6 architectural? Do you want me to get into those?

7                   MR. GLEANER: Yes, let's do the architectural  
8 first.

9                   MR. AGRESTA: Okay. That'll be A-2.  
10 We'll call that facade or elevations.

11                   MR. GLEANER: As you're going through it,  
12 just describe what it is.

13                   MR. AGRESTA: If Chris is on, I would  
14 prefer to have him describe it. These are  
15 architectural drawings not engineering drawings.

16                   MR. CASTRONOVA: Right. I don't think  
17 he's here. But it just shows the front view and the  
18 existing elevation from Vine Street.

19                   MR. AGRESTA: Essentially, yes, this is  
20 the view from Vine Street of the structure. This is  
21 the existing structure and then this will be the  
22 proposed structure. If you notice the addition on  
23 the top floor there.

24                   MR. GLEANER: Right.

25                   MR. AGRESTA: We'll this A-3. This will

1 be the floor plan.

2 MR. GLEANER: Showing the bedroom  
3 configurations indicating. Just for example, if you  
4 look at the far left, you'll see starting at the  
5 bottom, Unit 2-A, one bedroom, 685 square feet and  
6 then it just goes from unit-to-unit showing the 10  
7 different units and the configuration.

8 MR. AGRESTA: Correct. These are your  
9 two-bedroom units -- these are your one-bedroom  
10 units; those are your two-bedroom units and that'll  
11 be on the second floor. And then the third floor  
12 here, I believe, only has a one-bedroom and a  
13 two-bedroom unit. I believe the third one is the  
14 first floor. Yes. This will be -- what are we on  
15 now, A-4? And then this also will be floor plan.  
16 This is the just first floor to give you an idea of  
17 the layout, Unit A-1, 1-B, C & D.

18 MR. GLEANER: Let's go to the  
19 engineering.

20 MR. AGRESTA: Those are our site plan  
21 rendering. And then this is just simply an existing  
22 conditions aerial we'll call this. I believe this is  
23 A-5. And I call this, existing conditions aerial.  
24 And it's basically just showing you where the project  
25 is with relation to the surrounding streets. You

1 have 4th Street down here; 3rd Street up here. This  
2 is Vine Street and then Cedar Street to the back.  
3 You can see it's a fairly small street.

4 MR. GLEANER: And the site plan.

5 MR. AGRESTA: Oh, you wanted to pull up  
6 the full site plan set?

7 MR. EINGORN: Do you have a --

8 MR. AGRESTA: Those were submitted with  
9 the site plan package. I mean, Rob --

10 MR. GLEANER: No, no. I just want to put  
11 a number on it so we'll submit it as a package. Put  
12 a number on it.

13 MR. AGRESTA: So we'll call it A-6 and  
14 then this will be the site plans and it consists of  
15 six sheets. These were all submitted with our  
16 submission package so everybody should have a copy of  
17 these. If not, feel free to contact me. I'll email  
18 them out.

19 MR. GLEANER: You don't have to go  
20 through it but it's what we've just reviewed  
21 essentially with Dena. And we'll mark it as? What  
22 number are you up to?

23 MR. AGRESTA: A-6 and we'll call it the  
24 site plan set.

25 MR. GLEANER: I would like to have A-7,



1 the stormwater narrative report April 20, 2021 that  
2 was also submitted, we'll mark that as A-7.

3 MR. AGRESTA: Okay. That I do not have  
4 at my fingertips unfortunately.

5 MR. GLEANER: I have it. It's right  
6 here. I'm looking at.

7 MR. AGRESTA: I do not have a PDF  
8 prepared.

9 MR. GLEANER: But it was submitted as  
10 part of the package.

11 MR. AGRESTA: Okay.

12 MR. GLEANER: That Mr. Eingorn is our  
13 presentation. If there's any questions from the  
14 Board, we'd be happy to entertain them.

15 MR. EINGORN: Does the Board have  
16 questions; need clarification on anything?

17 You've seen an application for a 10-unit  
18 apartment complex to be housed in a preexisting fire  
19 station with proposed additions. I think there was a  
20 lot to digest there. So if you have questions, now  
21 is a good time to get them out there.

22 REVEREND MARTINEZ: Yeah, I got a  
23 question. Are they for low income or what's the  
24 status when it comes to rental?

25 MR. GLEANER: Patrick.

1 MR. PASQUARIELO: We're not associated  
2 with low-come housing. This is just a project for  
3 the -- we're not associated with anybody. Whoever  
4 wants to live there, can live there.

5 MR. EINGORN: So you're saying it will be  
6 market rent?

7 MR. PASQUARIELO: Correct.

8 REVEREND MARTINEZ: No questions.

9 MR. EINGORN: Does anybody else want to  
10 ask a question?

11 MR. GLEANER: I see Mr. Cooper's mouth  
12 moving but I think he's on mute so I don't think he's  
13 heard.

14 VICE-CHAIRMAN HANCE: Under parking  
15 spaces, you said you need 19 and you have 10?

16 MR. GLEANER: Correct.

17 VICE-CHAIRMAN HANCE: Are we counting the  
18 handicap as a parking spot?

19 MR. GLEANER: It's one of the 10, yes.

20 VICE-CHAIRMAN HANCE: Can you explain why  
21 we got so little? I'm looking at the pictures and  
22 the neighborhood looks pretty crowded. That's why  
23 I'm asking.

24 MR. GLEANER: The neighborhood is  
25 crowded. We agree.

1                   VICE-CHAIRMAN HANCE: You have outside  
2 parking around the building.

3                   MR. GLEANER: I don't think there's any  
4 prohibitions for street parking. But it's our intent  
5 for at least the bulk of the cars to be off-street.

6                   VICE-CHAIRMAN HANCE: I know everyone  
7 doesn't drive.

8                   MR. GLEANER: Right. And it is close to  
9 public transportation. So to a large extent, I would  
10 think that at least for some of the people, they  
11 would be using this to be close to whatever their  
12 work is or perhaps schooling. So they're just  
13 walking anyway. They wouldn't have cars which I  
14 think is why we're looking at this as a De Minimus  
15 request.

16                  MR. EINGORN: This is Kyle. Are you able  
17 to make that -- I know there's ADA requirements but  
18 are you able to make that temporary to the extent  
19 that there's no handicap residence to assign that  
20 spot to somebody who is in the building but is not  
21 handicapped?

22                  MR. AGRESTA: I would have to review the  
23 requirements. I know in certain situations that is  
24 possible, but I do believe there may be an obligation  
25 but I would have to review that. I don't think that

1 that's possible.

2 MR. EINGORN: All right. Just something  
3 to think about if it's possible.

4 MS. MOORE: I agree. I agree that that's  
5 not possible. When you provide the parking lot,  
6 there has to be one ADA when you provide so many  
7 parking spaces.

8 MR. EINGORN: I don't know the threshold  
9 for that. That's all.

10 MS. MOORE: Yes. Well, definitely if you  
11 have 10 total, one has to be ADA.

12 MR. AGRESTA: Yes.

13 MS. MOORE: That does not depend upon  
14 whether someone in the unit needs it or not.

15 MR. GLEANER: I think it has to do with  
16 visitors, hospital visitors coming.

17 MS. MOORE: Correct.

18 MR. AGRESTA: Yes.

19 VICE-CHAIRMAN HANCE: That's another  
20 issue. You got visitors coming in. What about the  
21 parking for the visitors?

22 MR. GLEANER: I don't think your  
23 ordinance requires -- I think it requires a certain  
24 amount of spots per unit and per size. It does not  
25 designate whether it's for residents or visitors.

1                   VICE-CHAIRMAN HANCE: So wouldn't that be  
2 an issue if you lived there and you can't park in  
3 your own parking lot? I would be upset.

4                   MR. GLEANER: Ms. Johnson, would there be  
5 any objection to us just designating that for  
6 residents only?

7                   MS. MOORE: We would take no exception to  
8 that. If you sign it for residents only, that's  
9 fine. And visitors would have to find parking  
10 elsewhere.

11                  MR. GLEANER: Parking else.

12                  MS. MOORE: Yes.

13                  MR. GLEANER: And I think to some extent  
14 because of public transportation, people may be  
15 coming in by PATCO for instance and then coming over  
16 to visit. Patrick, I don't think you'd have an  
17 objection to that, would you?

18                  MR. PASQUARIELO: No, we wouldn't.

19                  MR. GLEANER: That solves that  
20 problem.

21                  MS. MOORE: Signage would have to be in  
22 accordance with the ordinance.

23                  MR. GLEANER: Yes. We'd make sure that  
24 that would comply.

25                  MS. MOORE: Okay.

1                   VICE-CHAIRMAN HANCE: That makes me  
2 happy.

3                   MR. COOPER: My big thing, again, is this  
4 trash here. You got 10 units. Five of those units  
5 has two people living in it, two bedrooms. No  
6 dedicated area for recycle. You're going to put into  
7 your plan later but it's something that should have  
8 been thought when we was planning this thing. Not --  
9 you know, you're going to put it into the plans and  
10 you want to revisit it later.

11                  MR. AGRESTA: Mr. Cooper, I agree with  
12 you completely that recycling is important. When  
13 you're trying to perfect a plan, some things  
14 unfortunately sometimes are overlooked. But I can  
15 guarantee you, prior to your engineer signing, the  
16 recycling will be completely addressed. In the event  
17 that, you know, there is more removal of trash  
18 required, more frequent removal, I'm sure Patrick  
19 being the owner, will comply with that and make sure  
20 that there's no trash overflow or anything like that.  
21 If more pick-ups are required, then so be it, more  
22 pick-ups are required.

23                  MR. GLEANER: I would suggest that we --  
24 a condition of the approval would be an agreement  
25 between Mr. Agresta and Ms. Johnson as to what that

1 exact plan is. I'm sure they'll be able to come to  
2 some kind of agreement and that's a condition of the  
3 approval.

4 MR. COOPER: Yes.

5 MR. GLEANER: I have no problem with  
6 that.

7 MR. COOPER: Thank you.

8 MS. MOORE: That's fine with me also.

9 MR. AGRESTA: Agreed.

10 MR. EINGORN: Any other questions or  
11 concerns from the Board members?

12 MS. MERRICKS: No.

13 REVEREND MARTINEZ: No.

14 MR. EINGORN: Hearing no more, let's open  
15 this application to the public as to the use and the  
16 site plan. Is there anybody in the public that would  
17 like to be heard on this application?

18 MR. NICHOLS: Yes. My name is Samir  
19 Nichols, 139 State Street, Camden, New Jersey. I'm a  
20 North Camden resident. I want to speak in reference  
21 to the site plan and the entire process. So from  
22 being someone who has lived in North Camden for the  
23 past five years and lived in Camden all of my life,  
24 I own a nonprofit, a dance and theater company.

25 I'm going to speak to what's happening in

1 North Camden and development as a whole. So we've  
2 reached out to Mr. Mitchell; we've reached out to  
3 various partners in North Camden to try to purchase  
4 this facility. And we were in this space for several  
5 months contracting and we were under the impression  
6 that we were going to -- can you guys hear me?

7 MR. GLEANER: Yes.

8 MR. NICHOLS: I'm sorry. I just heard a  
9 question and I don't know where it came from.

10 Again, we was in this space as a  
11 nonprofit and were working to bring arts programming  
12 to the neighborhood and to be told by a Respond  
13 organization that we had to be, you know, vacating.

14 THE REPORTER: My screen froze.

15 MS. MOORE: Mr. Nichols, please repeat  
16 from the beginning. The court reporter is having  
17 technical issues.

18 MR. NICHOLS: My address is 139 State  
19 Street. So, again, as a resident in North Camden for  
20 the last four almost five years. I'm just speaking  
21 to the process. I am a longterm resident of North  
22 Camden and no stranger to Camden.

23 I started my nonprofit at the age of 14  
24 as a give back and I graduated in creative arts. And  
25 as we all know, North Camden is no stranger to the



1 culture awareness in this neighborhood. And, you  
2 know, compliments to North Camden, we were awarded  
3 the NRTC grant this year to be able to continue that  
4 work.

5           However, we were asked to vacate that  
6 space by Mr. Mitchell and respond and basically  
7 allowed -- told that we were not able to buy the  
8 building. We've made multiple offers to purchase  
9 that space, to allow it to be a City-ran  
10 development, center for the arts. And so we had  
11 the -- we were purchase-ready. We were told, no.  
12 And to see now that this project is being submitted  
13 for multiple variances and, you know, site plans and  
14 things like to come through, it's very disheartening  
15 as I see residents go through issues and being  
16 displaced in the community.

17           Currently that organization has, you  
18 know, sole properties and were asked to vacate on  
19 multiple levels because developers get to come into  
20 our City, buy property, you know, at rates that are  
21 way below the market value because they have their  
22 hard cash on hand. And, again, we weren't afforded  
23 the opportunity to develop that space. I think it's  
24 totally unfair. And what I will say is, I'm 100  
25 percent -- you know, I support the development in our

1 City.

2           However, I don't think that this project  
3 should have moved forward mainly because, you know,  
4 we as a nonprofit wanted that space. And I would  
5 love to talk with the developer off-line to see if  
6 maybe we can partner in the near future. However, I  
7 think that this space should have stayed, you know, a  
8 childcare facility versus homes.

9           So I really believe in affordable  
10 housing, however, I am 100 percent not in support of  
11 this particular project. So what I will say is that,  
12 you know, again, we slated this space for multiple  
13 dates and I think for the City records to look at  
14 projects like this and do a little bit more due  
15 diligence to ensure that, you know, locally we can --  
16 that there's a fair share for us to be able to  
17 develop in our back yard.

18           So, you know, I'm very, very disappointed  
19 that I see this project and I just ask the Zoning  
20 Board to be very, very aware of what's going on in  
21 the North Camden Community. So this is nothing  
22 against the developers. I know nothing about what  
23 you do. I'm not discrediting your work on this call.  
24 I'm very, very upset with the process and that is  
25 what I will allow to be on the record. Thank you.

1                   MR. EINGORN: Thank you. Is there  
2 anybody else who wants to be heard on this  
3 application?

4                   MS. FRANZINI: Yes. This is Jessica  
5 Franzini, Camden Lutheran Housing Incorporated, 800  
6 Galendez Court, Camden, New Jersey.

7                   First I want to say that what Samir has  
8 shared, is a real problem. That is not Luccello  
9 Properties' fault but I'm glad he brought it to the  
10 attention of the Zoning Board. And we in North  
11 Camden are working with Respond, Incorporated to help  
12 them understand how important it is that they make  
13 property ownership possible for local organizations  
14 and residents, as well as investors.

15                   Now, I will say that through my job, I  
16 connect with a lot of investors. And it really has  
17 been a pleasure talking with Patrick and Luccello  
18 Properties. They have respected that in our  
19 community. We have a North Camden stakeholder  
20 meeting every month. They came to the last two  
21 monthly meetings to present about this project and  
22 were very responsive to the concerns that came from  
23 the community mostly around questions about the rent;  
24 questions about trash; and questions about parking.

25                   And in addition to that, I know that

1 Patrick did connect with some of the residents on the  
2 block that we at CHLI had told him was really  
3 important if he's going to be a good neighbor, that  
4 he needs to really be out there talking to them and  
5 make sure that they're informed about how they would  
6 be impacted during construction and also after the  
7 project is complete.

8 Well, I do absolutely share in Samir's  
9 disappointment about just some larger issues  
10 happening in North Camden with properties being  
11 off-loaded in a way that's a little inaccessible to  
12 some of the local groups. I really want to voice my  
13 appreciation to this current investor and developer  
14 in caring a lot about coming into the community and  
15 wanting to communicate well with residents and with  
16 organizations like ours that have been in North  
17 Camden for 40 years; you know, very dedicated to the  
18 people of the neighborhood.

19 I would have loved to have seen  
20 affordable rents but the market is the market and I  
21 understand that, you know, it's their choice if  
22 they're going to do that. But I really appreciate  
23 the private trash hauling and the off-street parking  
24 even though it seems like it's a little less than  
25 what's required for this site. It's still really

1 appreciated if there's going to be off-street  
2 parking.

3           And I also appreciate their commitment to  
4 emptying the trash as often as is needed. And as  
5 a -- we own many properties ourselves. We currently  
6 pay for two to three times a week for trash to be  
7 hauled from several dumpsters. So I would hope that  
8 Luccello Properties would also be willing to just  
9 adapt to what's needed to keep it clean and nice out  
10 there so it's not a negative detriment to the  
11 community. Thank you.

12           MR. EINGORN: Thank you for your time.  
13 Is there any further comment from the public?

14           MS. SANCHEZ: Yes. This is Katrina and  
15 Julio Sanchez, 318 Vine Street.

16           MR. EINGORN: Have you been sworn  
17 already?

18           MS. SANCHEZ: No, we have not.

19           MR. EINGORN: Can you raise your right  
20 hand?

21                                   - - -

22           KATRINA SANCHEZ, JULIO SANCHEZ, having  
23 first been duly sworn/affirmed was examined and  
24 testified as follows:

25                                   - - -

1 MR. EINGORN: Please state your full  
2 names and addresses for the record.

3 MR. SANCHEZ: Katrina and Julio Sanchez,  
4 318 Vine Street.

5 MS. SANCHEZ: We are actually the  
6 property right next door to them. As pictured on one  
7 of their showings, they have as if like that the  
8 gangway belongs to them but that's actually a shared  
9 gangway. That shared gangway actually goes all the  
10 way from Vine Street all the way to Cedar Street.

11 As you can see in that aerial view, that  
12 it actually cuts off the gangway, the second half of  
13 the gangway to be part of their parking lot.

14 MS. MOORE: Can you hold on one moment so  
15 we can see exactly what you're talking about? Sam,  
16 are you able to put up what she's saying here?

17 MR. AGRESTA: Let me pull up the screen.

18 MS. MOORE: I'm sorry. I just wanted to  
19 see exactly what you're speaking of.

20 MR. AGRESTA: So this is the Existing  
21 Condition Site Plan that would consist of all the  
22 survey data we had. Are you this Lot 39? Is that  
23 what you're talking about?

24 MR. SANCHEZ: Yes. So that gangway  
25 there --

1 MS. SANCHEZ: It's a shared gangway.

2 MR. SANCHEZ: It's a shared gangway and  
3 it goes from Vine Street to Cedar Street which is now  
4 going to be used part of the parking lot and it's  
5 also colored in as part of your property.

6 MS. MOORE: That's what the survey shows  
7 right now.

8 MR. GLEANER: Sir, are you saying that  
9 you have an easement to that? Because that is part  
10 of the Luccello property. Are you saying that you  
11 have an easement on there?

12 MS. SANCHEZ: No. It's a shared gangway  
13 and it's on our deed.

14 MR. AGRESTA: Yes.

15 MR. GLEANER: It's not according to our  
16 survey.

17 MR. AGRESTA: According to the survey  
18 that I'm looking at, this concrete gangway or  
19 walk-through, appears to be part of Lot 46. I'd be  
20 happy to take a second look at the deed just to make  
21 sure. But as what's shown on our survey, that is, in  
22 fact, part of the lot; that Luccello owns Lot 46 as  
23 it stands today.

24 MR. SANCHEZ: How do we get better  
25 clarity on that? Because on our deed, it clearly

1 says it's a shared gangway.

2 MR. GLEANER: Sir, if I give you -- you  
3 have my email address because I'm sure you got --  
4 this is Rob Gleaner, I'm the attorney. you have my  
5 email address. I'm sure you have notices. If you  
6 could either mail it to me and email me a copy of  
7 your deed, this is a very important issue to us and  
8 we want to make sure it's resolved. And I would like  
9 to see that. And we will speak with Ms. Johnson and  
10 Mr. Agresta in order to resolve this. If you  
11 truly -- there could be a mistake. I'll give you  
12 that. And that's something that we need to  
13 investigate.

14 MR. SANCHEZ: Definitely one of my  
15 primary concerns outside of the --

16 MR. GLEANER: We definitely need to  
17 investigate, Mr. Sanchez.

18 CHAIRMAN HAMILTON: Hello. We need some  
19 pictures. We're sitting here and we don't even know  
20 what you're looking at. You can't go up there and  
21 take people's property in North Camden.

22 MR. GLEANER: You are correct, Mr.  
23 Hamilton and that's what we're trying to resolve  
24 here. We agree with you.

25 Sam, put up the colored drawing. Perhaps



1 we can see that a little better. Yes.

2 CHAIRMAN HAMILTON: You keep telling me,  
3 they come in town and try to take people's property.

4 MR. GLEANER: Mr. Hamilton, I can assure  
5 you we're not going to do that. We're going to  
6 resolve this issue. I promise you.

7 MR. SANCHEZ: The certified letter that  
8 you actually sent to us, it actually even had the  
9 wrong meeting ID number on it.

10 MR. GLEANER: I know. And that's what  
11 the City of Camden gave us, Ms. Sanchez.

12 MR. EINGORN: This is Kyle Eingorn, the  
13 Board solicitor. That was a typographical error  
14 provided to the applicants. It was not due to the  
15 applicant's type of --

16 MR. SANCHEZ: The community hasn't been  
17 properly informed. You gave us the wrong information  
18 to begin with.

19 MR. GLEANER: Mr. Sanchez, you were able  
20 to reach me and I gave you the proper connection.

21 UNIDENTIFIED SPEAKER: They just want to  
22 walk around the whole crap. They're just  
23 bullshittin'.

24 MR. EINGORN: I don't appreciate the  
25 profanity.

1                   MR. SANCHEZ: That wasn't me. I'm sorry.  
2 That was not me.

3                   MR. GLEANER: Mr. Sanchez, I assure that  
4 we want to resolve this. And I can assure everybody  
5 that we want to resolve this. Would you please,  
6 please send me a copy of your deed and also if you  
7 have a survey for your property, I would like to see  
8 that.

9                   I can assure you that we will resolve  
10 this issue. And I can even -- now that we know that  
11 this is an issue, I'm going to ask for a continuation  
12 of the vote because I want the Board to be sure that  
13 we have resolved this issue to the satisfaction of  
14 everyone before they vote --

15                   UNIDENTIFIED SPEAKER: Which is not --

16                   MR. GLEANER: Who was just speaking?

17                   MR. AGRESTA: Sam, you could take that  
18 down now.

19                   MR. EINGORN: So what we have here is a  
20 request to continue this matter pending --

21                   MR. GLEANER: I'd like to hear other  
22 comments before we --

23                   MS. SANCHEZ: Well, we're not done,  
24 though. I don't know if the Board knows but Vine  
25 Street was recently redone, correct? We had brand

1 new lights; we had brand new streets put in.

2 MR. SANCHEZ: Brand new sidewalk.

3 MS. SANCHEZ: So with that I want to say  
4 when they redid the streets, they also took away one  
5 side of our whole parking. So when you're trying to  
6 have just 10 spots for your people, right, you have  
7 10 spots for your people. We only have 9 spots on  
8 the one side that all of us residents on Vine Street  
9 with 20 houses, some of them being multi-units.

10 How will we all be parking with your  
11 residents who are coming in because you need 19  
12 spots? You don't satisfy the parking. So then I'm  
13 suppose to fight for my parking because you want to  
14 rent and up-build. So then we have other residents  
15 who are on this block. We have 9 spots to share  
16 right now because we have a whole side that's not  
17 utilized for us because it says, no parking.

18 MR. SANCHEZ: Your whole side -- the  
19 other side of Vine Street is shut down; no parking  
20 from corner-to-corner. So I don't know where you're  
21 getting the additional 9 parkings and then if guests  
22 do come which all don't come on transportation.

23 MS. SANCHEZ: They're going to end up  
24 parking in the only 9 spots that we have on the one  
25 side of the street. And then as far as the garbage,

1 we live right next door. The garbage is taken out  
2 typically in the front part. I know you said you're  
3 going to do it in here. But that's us smelling the  
4 garbage --

5 MR. SANCHEZ: In my back yard.

6 MS. SANCHEZ: -- because we're right next  
7 door to it.

8 MR. GLEANER: I'm taking notes here.  
9 We're going to address your issues.

10 MR. SANCHEZ: Another concern is that,  
11 originally it's been stated that the housing  
12 development, the multi-family units is originally for  
13 students. And now it's suppose to be for families.  
14 So which one is it going to be?

15 MR. GLEANER: It can be either. It's  
16 open to whoever wants to rent there. We can't  
17 discriminate based on any of those categories. I'm  
18 sure you're aware. Whoever wants to rent there.

19 MS. SANCHEZ: So because our community  
20 is, you know, low income and we do not -- obviously,  
21 we do have a lot of individuals who are, you know,  
22 considered in the poverty line, how can you  
23 accommodate them? Because we don't regentrify our  
24 community.

25 MR. GLEANER: No, no. But as you're

1 aware, there are programs for low-income that with  
2 the utilization of those programs, they would be able  
3 to rent there. We can't control the market but we  
4 are certainly not going to discriminate against  
5 anyone who between applications for low income to  
6 augment their rent. They would certainly be able to  
7 rent there. That's not controlled by us. That's  
8 controlled by the state rental regulations and  
9 federal regulations for that matter.

10 MS. SANCHEZ: We understand that. I was  
11 just addressing Mr. Pasquarielo's as he was saying it  
12 wasn't for low -- he wasn't associating low income at  
13 this time.

14 MR. GLEANER: It's nonspecific. He's  
15 right. He's not specifically for low income. That's  
16 correct.

17 MR. SANCHEZ: So those are some of our  
18 concerns.

19 CHAIRMAN HAMILTON: I don't see how they  
20 can come into town and the people who have been  
21 living there, they're going to come and take the  
22 stuff. I definitely don't understand that. I  
23 definitely don't understand that.

24 MR. GLEANER: Chairman Hamilton --

25 MS. MOORE: That's an issue that they're

1 going to get clarified with regards to lot lines. It  
2 has to do with tax --

3 CHAIRMAN HAMILTON: People have been  
4 living up there for a long time.

5 MR. GLEANER: The surveys and the deeds  
6 will reveal the answer to that, Chairman Hamilton.  
7 We are certainly not going to take their property.  
8 If there's a mistake on the deeds, it will be  
9 corrected.

10 CHAIRMAN HAMILTON: I ain't for it.

11 MS. MOORE: Mr. Gleaner, are we correct  
12 that you're asking for a continuance?

13 MR. GLEANER: I would like to hear the  
14 rest of the public comment first and then -- yes, I  
15 will be asking.

16 MS. MOORE: Mr. Eingorn.

17 MR. EINGORN: Is there anybody else from  
18 the public that would like to be heard? It doesn't  
19 sound like there's any additional public comment.  
20 This is definitely something that has to be worked  
21 out before we can consider this. It's going to  
22 impact the size of the property potentially and other  
23 items. The Board will consider a continuance but I  
24 think we need a waiver of the time period, the  
25 tolling time period.

1 MR. GLEANER: We agree to that, Mr.  
2 Eingorn.

3 MR. EINGORN: Okay.

4 MR. GLEANER: I'm going to give something  
5 else. Ms. Sanchez is correct that there was a  
6 mistake, not our mistake, but it was a mistake and we  
7 are going to correct that by re-advertising for the  
8 next meeting with the correct contact information.  
9 So anybody else who wants to make a comment, will be  
10 able to make a comment. So I'm not asking for a  
11 continuation without renotification. We are going to  
12 renotify by letter and also by publication.

13 MR. EINGORN: Thank you. That's very  
14 generous. So with that said, the next meeting is --  
15 let me see if I can date here for everyone.

16 MS. MOORE: It's the 12th of July.

17 MR. EINGORN: The 12th of July, right,  
18 because the 5th is a holiday.

19 MR. GLEANER: The 12th of July is a  
20 Monday, correct?

21 MR. EINGORN: Yes.

22 MR. GLEANER: They're all Mondays.

23 MR. EINGORN: The second Monday as  
24 opposed to the first Monday because July 4th falls on  
25 a Sunday.

1 MR. GLEANER: Is that at 5:30?

2 MR. EINGORN: 5:30.

3 MS. MOORE: Mr. Eingorn, if I can request  
4 at this time the 5:30, I will most likely have this  
5 project and another project on the agenda. If we can  
6 possibly be early. I have another meeting at  
7 7:00 p.m.

8 MR. EINGORN: I'll do whatever we can to  
9 accommodate your time frame.

10 MS. MOORE: If we can.

11 MR. EINGORN: We'll take your  
12 applications first. That's not a problem.

13 MS. MOORE: Thank you.

14 MR. GLEANER: I just wanted to reconfirm.  
15 Mr. Sanchez, you will be able to mail me your  
16 survey? If you have a survey, I'd appreciate it and  
17 your deed? Can you unmute yourself, please, Mr.  
18 Sanchez and Ms. Sanchez?

19 MS. SANCHEZ: Yes.

20 MR. GLEANER: I just wanted to double  
21 check that. Mr. Eingorn, have we have dotted our I's  
22 and crossed our T's for this continuance?

23 MR. EINGORN: Yes, I believe that works.  
24 Please make sure since you are going to renotece,  
25 that you send those details to Ms. Evita so that we



1 can have that for the record.

2 MR. GLEANER: Ms. Evita, can you send me  
3 the meeting ID number and the password so that I can  
4 publish it appropriately?

5 MS. MUHAMMAD: Yes, sir.

6 MR. GLEANER: And I know you have my  
7 contact information. Thank you, Mr. Eingorn, thank  
8 you Board members. We'll see you in July.

9 MR. EINGORN: Thank you, Counsel.

10 The next matter for the agenda tonight is  
11 Mr. Fred Mitchell, 1484 Princess Avenue. Mr.  
12 Mitchell you've been very patient. It's much  
13 appreciated.

14 MR. MITCHELL: Thank you very much. Can  
15 you hear me?

16 MR. EINGORN: Yes, sir. Would you like  
17 me to read your appeal for zoning?

18 MR. MITCHELL: Yes, please.

19 MR. EINGORN: Sure.

20 The name and the address of the applicant  
21 is Fred Mitchell, 1175 Marlkress Road, No. 1506,  
22 Cherry Hill, New Jersey. The applicant's interest in  
23 the property is a property manager and the owner's  
24 name is Gary Scotton, LLC at 111 N. Labrea, Apt. 604,  
25 Inglewood, California. The property location is 1484

1 Princess Avenue in the Parkside, I guess, that's the  
2 plan.

3 The front lot has a frontage of 30 feet  
4 on Princess Avenue and a depth of 100 feet. There's  
5 two buildings on the lot. One is a detached garage  
6 and the present use is a residential duplex. The  
7 proposed use is a residential 3-unit. They have a  
8 private living space for the owner.

9 The proposed construction or erection  
10 would be an additional kitchen and bathroom. And the  
11 zoning permit denial letter provides that the use is  
12 not permitted; that this was denied for a duplex in  
13 1995; and that off-street parking is needed for 2.2  
14 spaces per unit. The reasons why this appeal should  
15 be granted are, the property already has a private  
16 entrance via the driveway. This is designed to allow  
17 space for the owner.

18 Mr. Mitchell, can you tell us a little  
19 bit more about what's going on here?

20 MR. MITCHELL: Yes. It's a lovely  
21 property. It has 1,800 square feet. Very large.  
22 On the second floor there's bedrooms. And on the  
23 first floor, there's four-bedrooms and two full  
24 baths. And that unit alone is 1,250 square feet.  
25 So you got a 900 square feet and a 1,250 square feet.

1           And to accommodate the first floor, we  
2 took a portion, maybe half of the basement and opened  
3 up the entrance from the first floor to include that  
4 area, that section of the basement which left about  
5 half the basement which has an outside entrance. So  
6 the owner asked if we could get this variance so that  
7 when he's in town, he would have a place to stay.

8           MR. EINGORN: This would be a basement  
9 apartment?

10          MR. MITCHELL: Yes. It's at the back of  
11 the basement with its own entrance and exit.  
12 We've already been approved and have the water  
13 meters, three. They are currently already three  
14 meters there.

15          CHAIRMAN HAMILTON: Do you got any  
16 pictures?

17          MR. MITCHELL: As to parking, for anyone  
18 that's not familiar with this section of town, on  
19 this side of the block, there are -- all the  
20 properties are like double-wide. So you don't have  
21 just a 30 or a single-family house. A lot of them  
22 have adjoining lots. There's ample parking.

23                 The property itself has a 100-foot  
24 driveway that will easily accommodate five cars.  
25 It's close to the corner. It's right off of Haddon

1 Avenue where public transpiration would probably be  
2 used. And it's right there at Our Lady of Lourdes  
3 Hospital. It's a nice area. Nice development.

4 MR. EINGORN: I'm looking at the pictures  
5 that were submitted as part of the application. I  
6 don't see any pictures regarding the driveway, the  
7 parking on the street which are items that the Board  
8 is probably going to have to consider considering  
9 that there's a need for a bulk variance for parking.

10 The other issue, you said that this  
11 construction was beginning. Did the owner just  
12 convert this into 2 units just now?

13 MR. MITCHELL: No. It was purchased a  
14 duplex, multi-family. It had been occupied recently  
15 as a duplex.

16 MR. EINGORN: Okay.

17 CHAIRMAN HAMILTON: He said he has three  
18 meters. Does he have pictures of that?

19 MR. MITCHELL: At the time, I was not  
20 aware of the parking issue that was just listed on  
21 the letter of rejection. And it said, 2.2 spaces per  
22 unit is required.

23 MR. EINGORN: Can you tell me, how many  
24 bedrooms are in each apartment?

25 MR. MITCHELL: Three bedrooms on the

1 second floor; four bedrooms on the first floor. Then  
2 there would be like basically an efficiency at the  
3 back of the basement for the owner's use. I guess a  
4 variance is really because we're putting in a little  
5 bathroom and kitchenette in that footage despite  
6 maybe 600 square feet roughly.

7 CHAIRMAN HAMILTON: How long has that  
8 apartment been there with all those bedrooms?

9 MR. MITCHELL: Well, the house was not  
10 occupied when it was purchased. But within the 12  
11 months prior to purchase, it was an up and running  
12 duplex.

13 CHAIRMAN HAMILTON: You got --

14 MR. MITCHELL: We added the fourth -- on  
15 the first floor, yeah. Because we were using the  
16 basement because it's huge, because we were using the  
17 basement, two bedrooms and a full bath. After we did  
18 that, we still had like another 600 square feet. So  
19 that's when we decided to do this if you guys allow  
20 it.

21 CHAIRMAN HAMILTON: Nobody came and asked  
22 us about all them bedrooms. You guys do what you  
23 want to do, man.

24 MR. MITCHELL: Well, per square foot,  
25 sir. I mean, per square foot. Wow.

1                   CHAIRMAN HAMILTON: I don't understand  
2 what you're saying.

3                   MR. MITCHELL: I've seen 900 square feet  
4 with four bedrooms. But I understand. I understand  
5 what you're saying. But 900 square feet for three  
6 bedrooms; 1,400 square feet for four bedrooms. I  
7 think that's average.

8                   MR. EINGORN: This is a potential parking  
9 nightmare because you may need more than six spaces  
10 at this point. We're going to have to -- the Board's  
11 going to have to see some pictures of the parking in  
12 order to really get an idea of what's going on here.

13                  MR. MITCHELL: That's not a problem  
14 because you have so many houses or where houses would  
15 be where there are no homes. You also have vacant  
16 lots immediately in front of this property and to the  
17 right are three vacant lots where they don't use any  
18 parking at all.

19                  MR. EINGORN: Not now. But if they build  
20 some houses, right? So if there's -- because there's  
21 a lot of investment going on right now. I think  
22 they're doing a great job in the City finding, you  
23 know, investors and people who want to build their  
24 own homes. It's really been a great process and I'm  
25 lucky to be a part of it to some extent.

1           And to the extent that somebody builds on  
2 that street next to this property, now we're adding  
3 parking and people. What could be a requirement for  
4 six and have ample parking at one time, well, if it  
5 gets approved now, then later when people build, now  
6 we're squeezing too many people into the same spot  
7 which is why the ordinance is written the way it's  
8 written.

9           MR. MITCHELL: I could provide I guess a  
10 schematic. I have it up on my screen here. I don't  
11 know how to share. But it's an aerial view of the  
12 block and you could see the space required especially  
13 in just listening to the guy ahead of me who needed  
14 19 spaces and you're considering 10.

15           MR. EINGORN: Remember, every case is a  
16 case-a-case basis.

17           MR. MITCHELL: I understand.

18           MR. EINGORN: They provided a survey.  
19 They provided an elevation, a site plan. Right?  
20 There was a lot of information there for the Board to  
21 consider. And the Board actually hasn't even  
22 considered that yet, right? It's still up for  
23 determination.

24           MR. MITCHELL: I understand.

25           MR. EINGORN: And so we need to be at

1 least a little bit consistent in requiring some  
2 information so that we can see what's available for  
3 the parking on site.

4 MR. MITCHELL: Sure. Whatever you guys  
5 need, whatever I can get you.

6 MR. EINGORN: So what I would request is  
7 if you can provide the aerial view that you're  
8 talking about now. If there's an available survey  
9 for the lot, that would be great; pictures of the  
10 street parking; pictures of the driveway.

11 MR. MITCHELL: Okay.

12 MR. EINGORN: Anything else the Board  
13 would like to see? This is a good time to throw it  
14 in there now. And the meters. The meters were  
15 requested.

16 CHAIRMAN HAMILTON: You said it right.  
17 You need pictures.

18 MR. EINGORN: Yes.

19 CHAIRMAN HAMILTON: I don't know why they  
20 don't tell them that when they come.

21 MR. MITCHELL: I provided 14-colored  
22 photos and 14 copies -- or 12 copies. However, they  
23 did not key in and address the parking. Again, I  
24 wasn't aware of it at the time that I submitted the  
25 application.



1                   MR. EINGORN:   And a lot of this  
2 renovation looks very nice but it doesn't go to the  
3 parking which we'll need.  So there was a request for  
4 meter pictures, parking pictures.  And the next  
5 meeting you heard is July 12th.

6                   MR. MITCHELL:   Okay.

7                   MR. EINGORN:   We'll see you next time.

8                   MR. MITCHELL:   Okay.  Thank you very  
9 much.

10                  MR. EINGORN:   Thank you.

11                  The next application is Maria V.  
12 McBride, 432 Garden Avenue, Block 1078, Lot 32.  
13 Is anybody here for that matter?

14                  MS. ABBETT:   We are.  Kyle, My name is  
15 Franchesca Abbett, 401 Kaighn Avenue, Camden, New  
16 Jersey 08103.  I'm the construction liaison and  
17 translator for Ms. Maria McBride.  It is on screen if  
18 you want to swear us both in?

19                  MR. EINGORN:   That would be great.  Can  
20 you raise your right hands?

21                                   - - -

22                  MARIA V. McBRIDE, FRANCESCA ABBETT,  
23 having first been duly sworn/affirmed, was examined  
24 and testified as follows:

25                                   - - -

1           MR. EINGORN: And Ms. Franchesca, as it  
2 relates to our interpretation tonight, do you swear  
3 or affirm that the interpretation you'll provide is  
4 accurate to the best of your knowledge and you will  
5 accurately and to the best of your ability, convey  
6 the information that's going between the parties?

7           MS. ABBETT: So to the Board, we  
8 submitted an application. I guess, Kyle, do you want  
9 to read the denial letter or do you need to read it?  
10 I don't know by regulation you need me to read it.

11           MR. EINGORN: I can certainly read the  
12 appeal for zoning. The name of the applicant is  
13 Maria V. McBride, 35 Tilford Road, Somerdale, New  
14 Jersey. The name of the owner is the same with the  
15 same address. The property location is 432 Garden  
16 Avenue, Camden, New Jersey in an R-1 zoning district.  
17 The lot has frontage of 10.42 feet on Garden Avenue  
18 and a depth of 97.12 feet.

19           This was a previous dwelling; a single  
20 family, three-story structure. The proposed  
21 structure will be a single-family one-story. It will  
22 be a single-family residence. The zoning officer  
23 denied the permit because of multiple bulk variance  
24 issues, including minimum lot depth, minimum front  
25 yard setback, minimum one side setback, aggregate

1 width side yard, minimum rear yard, max building  
2 height, max building coverage. And there's a  
3 requirement of off-street parking of two to three  
4 spaces.

5 MS. ABBETT: So, the Board was sent in  
6 drawings for the proposed structure. I do want  
7 to -- give me one second. I'm sorry. I'm just  
8 trying to share my screen here. Here we go.

9 I did want to share the screen. This was  
10 how the structure was left after it was damaged. It  
11 was a fire. Ms. McBride lived in this home most of  
12 her adult life at 432 Garden Avenue. She had to  
13 relocate to her son's home at 35 Tilford Road in  
14 Somerdale.

15 When this happened, a demo has since been  
16 done to bring the property down level. Everything  
17 was done as an emergency demo. All the permits were  
18 pulled. Now we are rebuilding. And due to health  
19 concerns and age, she would like to rebuild as a same  
20 single-family structure, except she would like a  
21 rancher. So the plans that were submitted should be  
22 as such. It keeps the same driveway. Can you see  
23 what I'm showing on my screen?

24 MR. EINGORN: Yes.

25 MS. ABBETT: Okay. It keeps the same

1 driveway so it actually fits three cars on that  
2 driveway. So I did mention it to Doctor when my --  
3 and I received a denial letter and he just said to  
4 make it known at the meeting. So it did show that  
5 there are but she is by herself. She lives by  
6 herself. The rooms, the additional rooms that she  
7 has in her home are if and when her grandchildren  
8 come to visit. If you see the layout, it's a very  
9 basic single-family layout. We just want to put this  
10 back on to the tax roll and get everything rolling  
11 again. Get it off of a vacant land and get it on to  
12 a natural single-family structure.

13           With the minimum lot depth and the  
14 elevation, it's nothing. We're not requiring or  
15 asking for crazy elevations or anything like that.  
16 And the depth of the -- she's still 10 feet. She is  
17 greater than what the ordinance does allow. It's  
18 still within her property lines and within her fence  
19 lines. And I guess, the height, you can see the  
20 elevation here for the height for the building  
21 height. It's actually -- we're going down in height.  
22 She had a three-story building as you can see in the  
23 previous pictures. And we're going down to a  
24 rancher.

25           Off-street parking, I just demonstrated

1 to you. And the front is going to stay the same  
2 because it's going to begin at the exact same point.  
3 We're going to keep -- they kept the existing  
4 foundation to build off that existing foundation.

5 MR. COOPER: So pretty much the whole  
6 blueprint is going to be same? It's just going to be  
7 one floor instead of three floors?

8 MS. ABBETT: Correct. So because it  
9 takes up -- obviously, if you take a three-story home  
10 and you flattened it out, it's going to take up more  
11 space but it's still within her own property line.  
12 It's just wider on her property.

13 MR. COOPER: And you have space on both  
14 sides, right?

15 MS. ABBETT: Yes. Let me see if I can  
16 find you a picture. It's this one. It's kind of  
17 hard to see on this one because this is a  
18 construction fence. So on this picture you could see  
19 where the house is parked at. That's actually the  
20 driveway on that side. And then on another picture,  
21 I'm going to go ahead and show it. So this house is  
22 right up against the property line existing and we're  
23 going to continue it at the exact same point.

24 VICE-CHAIRMAN HANCE: What's next to the  
25 house?

1 MS. ABBETT: It's a vacant lot currently  
2 that's owned, I believe, by the City, Mrs. McBride?  
3 Yes.

4 VICE-CHAIRMAN HANCE: And on the other  
5 side?

6 MS. ABBETT: Is a residential home.

7 VICE-CHAIRMAN HANCE: Is that where the  
8 parking lot is going to be at?

9 MS. ABBETT: Yes.

10 VICE-CHAIRMAN HANCE: Do you have a  
11 picture of the back yard or no?

12 MS. ABBETT: Let me see. I think I do.  
13 So this if you can kind of picture it, this is the  
14 basement.

15 VICE-CHAIRMAN HANCE: Okay.

16 MS. ABBETT: And looking as if you were  
17 standing at the back door of the house looking kind  
18 of out, and that is the back yard. She has a small  
19 shed that was existing that is still there. And she  
20 has approximately about 40 feet out to the back  
21 currently.

22 VICE-CHAIRMAN HANCE: So how close is  
23 that house going to be to the shed?

24 MS. ABBETT: Kyle, did you guys take a  
25 look at those site plans that I gave you?

1                   MR. EINGORN: Yes. It looks to me like  
2 the house is going to touch the shed a long the left  
3 side when you're facing the shed and interact with  
4 the shed for, I don't know, 10 feet or so; is that  
5 right?

6                   MS. ABBETT: Give me one second while I  
7 open up these plans over here.

8                   VICE-CHAIRMAN HANCE: Okay, yes, I see it  
9 now.

10                  MS. ABBETT: Yes. So it'll be a total of  
11 6 feet off the property line, of the rear property  
12 line. And like Kyle said about -- because there's a  
13 bump out, you can see it on the -- let me see if I  
14 can show you. It's not going to be interacting with  
15 the shed, Kyle, because there's an actual bump out.  
16 See this bump out right here? The shed starts here.

17                  MR. EINGORN: Got it. The A-2, existing  
18 proposed location, seems to show the house touching  
19 the shed. I prefer that it doesn't touch the shed  
20 because it makes it easier for people to get out in  
21 case of an emergency.

22                  MS. ABBETT: It's not. It's not touching  
23 the shed. I apologize is the plans don't show  
24 accurately. On these plans they show it correctly,  
25 which is the same -- I believe it's page two on the

1 one you have.

2 MR. COOPER: Because the way this plan  
3 is, the garage -- you go through the garage and go  
4 right into the house.

5 MR. EINGORN: Yeah.

6 VICE-CHAIRMAN HANCE: I see the lines  
7 now.

8 MR. COOPER: All these diagrams looks  
9 like the shed is -- well, that garage is part of the  
10 house.

11 MS. ABBETT: So it's not an actual  
12 garage. It doesn't house vehicles. That it's an  
13 actual -- just a shed that was housing stuff.

14 MR. EINGORN: But it definitely meets the  
15 side requirements for a two-car garage.

16 MS. ABBETT: It does. Which it did get  
17 damaged due to the fire. So the chances of us -- we  
18 haven't started construction even to determine  
19 whether that shed is viable or not. It's very  
20 possible that that shed will come down with it.

21 MR. COOPER: Because Drawing No. A-5,  
22 if you look at that, it says the rear elevation and  
23 then it says, existing garage.

24 MR. EIGNORN: Yes, on the bottom.

25 MR. COOPER: Yeah. Existing garage.



1 MS. ABBETT: You know what, can you  
2 please confirm to me what set of plans you have? I  
3 have a feeling that you guys are looking at the wrong  
4 set of plans.

5 VICE-CHAIRMAN HANCE: 432 Garden Avenue.

6 MS. ABBETT: It's suppose to say CAD File  
7 20-54.

8 MR. EINGORN: I have that one as well.

9 MS. ABBETT: So that's the one that we're  
10 operating off of. The original location when we  
11 found so many variance issues or denial, we adjusted  
12 a lot of the measurements. So those are the ones  
13 we're working on. Those are the nine that we  
14 submitted last.

15 MR. EINGORN: I think what everybody was  
16 looking at, was the smaller set. It says, residence  
17 replacement zoning plans.

18 VICE-CHAIRMAN HANCE: Yes.

19 MR. COOPER: Yes exactly?

20 MR. EINGORN: By El DiNato Vid El.

21 MS. ABBETT: Yes. He's no longer the  
22 architect. The architect is Bishop & Smith.

23 MR. EINGORN: I don't see the garage.

24 MS. ABBETT: Because we are weren't we  
25 are keeping we lilt have to is a dotted line that's

1 all you will see.

2 MR. COOPER: And the new plans, I don't  
3 even see the garage.

4 MR. EINGORN: I don't see the garage  
5 either.

6 MS. ABBETT: Because we weren't sure if  
7 we were keeping it so we literally have it as a  
8 dotted line. That's all you see.

9 MR. EINGORN: Okay. So the existing  
10 parking -- I see it now. On the front page it's hash  
11 line. I got it.

12 VICE-CHAIRMAN HANCE: Okay. I'm there.

13 MR. COOPER: So if you remove that shed,  
14 that gives you more yard space, right?

15 MS. ABBETT: Yeah. At the end of the day  
16 because she's an elderly woman and she lives by  
17 herself, she really doesn't need it. It was more of  
18 just in case to house toys and things like that for  
19 when the kids come over; just stuff like that. But  
20 it's not necessary. And if it's an issue for the  
21 Board, we would be happy to comply with demoing that  
22 shed.

23 MR. EINGORN: So one of the issues is  
24 rear yard setback. But it seems like the preexisting  
25 setback is like nothing based upon the shed -- based

1 upon the garage.

2 MS. ABBETT: Exactly.

3 MR. EINGORN: If you pull the garage,  
4 you'd probably come into conformity.

5 MS. ABBETT: I don't know how wide that  
6 garage is to say if we would or would not come into  
7 conformity. But it would definitely help the  
8 situation.

9 MR. COOPER: Yes, it would.

10 MR. EINGORN: Okay. It seemed to me the  
11 lot depth is a preexisting nonconforming condition.

12 MS. ABBETT: Correct

13 MR. EINGORN: So there's nothing you can  
14 do about that.

15 MS. ABBETT: The same with the front yard  
16 setback, it's a preexisting nonconformity condition.

17 MR. COOPER: Right.

18 MR. EINGORN: Yeah.

19 MS. ABBETT: And the one side setback is  
20 also preexisting. Like I said, the parking is always  
21 the parking. I mean, they've always had enough space  
22 to put three cars. Definitely two cars; hope to be  
23 three cars. Everybody butt up against each other.

24 MR. COOPER: Right, right.

25 MR. EINGORN: Sure beats the alternative

1 with all the street parking issues we've had.

2 MS. ABBETT: I know. I'm definitely not  
3 part of the street-parking issues that you've had  
4 today. And the building height, like I said, we're  
5 going from a three-story to a single story.

6 So we really -- I honestly I felt that  
7 that was a bit much to even put into the denial. It  
8 is a three-story and we're coming down to a single  
9 story. You saw it. It's really -- it's a very  
10 simple -- she went from like I said, a large house  
11 and she went with the same square footage. It's just  
12 a single-story house.

13 VICE-CHAIRMAN HANCE: And you're still  
14 building on the same blueprint.

15 MS. ABBETT: Exactly.

16 MR. COOPER: I'm satisfied with what I'm  
17 see here.

18 REVEREND MARTINEZ: Me too.

19 MR. EINGORN: Do we have any questions  
20 now that we've cleared up our plan issue?

21 REVEREND MARTINEZ: No. I'm pretty good  
22 with that.

23 VICE-CHAIRMAN HANCE: I have no more  
24 questions.

25 REVEREND MARTINEZ: Neither do I. Get it

1 over.

2 MR. EINGORN: We got to open to the  
3 public. Is there anybody in the public that wants to  
4 be heard on this application? Hearing no public  
5 comment, we'll close the public portion.

6 As the Board is aware, this is a request  
7 for bulk variance. There's obviously the hardship  
8 variance by reason of exceptional narrowness,  
9 shallowness or shape of this specific piece of  
10 property or by reason of exceptional topographic  
11 conditions or features uniquely affecting this  
12 property. Or by reason of an extraordinary and  
13 exceptional situation uniquely affecting this piece  
14 of property. That's the Positive Criteria.

15 The Negative Criteria as always is,  
16 without substantial detriment to the public good and  
17 will not substantially impair the intent and purpose  
18 of the Zone Plan.

19 It seems to me like you do have some  
20 preexisting nonconforming issues. They're building  
21 on the same foundation but the Board should do its  
22 own analysis and make a motion that it deems to fit  
23 the application.

24 REVEREND MARTINEZ: Motion to accept the  
25 application.

1 VICE-CHAIRMAN HANCE: Second.

2 MR. EINGORN: We'll take a roll call.  
3 Chairman Hamilton.

4 CHAIRMAN HAMILTON: Here.

5 MR. EINGORN: Vice-chairman Hance.

6 VICE-CHAIRMAN HANCE: Yes.

7 MR. EINGORN: Reverend Martinez.

8 REVEREND MARTINEZ: Yes.

9 MR. EINGORN: Ms. Washington. Ms.  
10 Merricks.

11 MS. MERRICKS: Yes.

12 MR. EINGORN: Mr. Cooper.

13 MR. COOPER: Yes.

14 MR. EINGORN: Evita, are we able to hear  
15 from Ms. Washington?

16 MS. MUHAMMAD: It shows that she's on. I  
17 would have to call her. Do you need her vote?

18 MR. EINGORN: We don't need her vote.

19 MS. MUHAMMAD: Do you want me to call  
20 her?

21 MR. EINGORN: It's up to Ms. Washington.  
22 I don't know how badly she wants to vote.

23 MS. MUHAMMAD: Give me a second. Let me  
24 give her a call because I wouldn't be able to guess  
25 what she wants to do.

1                   CHAIRMAN HAMILTON:  If it passes, we  
2 don't need her vote.  We don't need her vote.

3                   MR. EINGORN:  All right.  Then you  
4 passed.  So congratulations on your bulk variances.  
5 Thank you for coming and we'll hopefully weigh-in on  
6 the Resolutions for next month.

7                   As it relates to the Board, we have  
8 Adoption of Resolutions from April.  Those  
9 Resolutions are Use and Bulk, Preliminary and Final  
10 Site Plan approval for Cooper Lanning Square  
11 Renaissance Facilities;

12                   Granting Bulk Variance Approval for East  
13 Camden Building Company;

14                   And a Use Variance Denial for the Dog  
15 House, LLC.

16                   Those eligible to vote are:  Chairman  
17 Hamilton, Reverend Martinez, Ms. Washington, Ms.  
18 Atwood, Ms. Merricks and Mr. Cooper.  Do we have a  
19 motion to adopt?

20                   REVEREND MARTINEZ:  Motion to accept.

21                   MS. MERRICKS:  Second.

22                   MR. EINGORN:  Very good.  And we'll take  
23 a vote.  Chairman Hamilton.

24                   CHAIRMAN HAMILTON:  Yes.

25                   MR. EINGORN:  Vice-chairman Hance.

1 VICE-CHAIRMAN HANCE: Yes.

2 MR. EINGORN: Reverend Martinez.

3 REVEREND MARTINEZ: Here.

4 MR. EINGORN: Ms. Merricks.

5 MS. MERRICKS: Yes.

6 MR. EINGORN: Mr. Cooper.

7 MR. COOPER: Yes.

8 MR. EINGORN: So moved. We need a motion  
9 to adjourn.

10 MS. MERRICKS: Motion to adjourn.

11 MR. EINGORN: All in favor?

12 THE BOARD: Yays.

13 - - -

14 (\*Meeting concluded at 9:39 p.m.\*)

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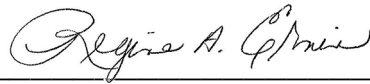
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