

In The Matter Of:
CITY OF CAMDEN
ZONING BOARD

TRANSCRIPT OF MEETING
June 6, 2022

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ZONING BOARD
CITY OF CAMDEN

- - - -

Monday, June 6, 2022

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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 5:49 p.m.

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

- DARNELL HANCE, CHAIRMAN
- CHARLES COOPER, VICE-CHAIRMAN
- ISAISA MARTINEZ
- HENRIETTA WASHINGTON
- TERESA ATWOOD
- KAREN MERRICKS
- MARITZA ALSTON

- - - -

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

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1 MS. MUHAMMAD: Welcome to the Camden City
2 Zoning Board meeting. In conformance with the
3 Sunshine Law of New Jersey, notice of the meeting was
4 posted in the Municipal Clerk's Office on Friday, May
5 27, 2022.

6 MR. EINGORN: Due to the Declaration of a
7 Health Emergency related to the COVID-19, City Hall
8 remains closed. And, therefore, this regularly
9 scheduled meeting is being conducted virtually via
10 the remote conferencing platform called ZOOM.
11 Instructions for accessing this virtual regularly
12 scheduled meeting, were posted on the City of
13 Camden's website.

14 We will take a roll call. Chairman
15 Hance.

16 CHAIRMAN HANCE: Here.

17 MR. EINGORN: Vice-Chairman Cooper.

18 VICE-CHAIRMAN COOPER: Here.

19 MR. EINGORN: Reverend Martinez. Ms.
20 Washington. Ms. Atwood.

21 MS. ATWOOD: Here.

22 MR. EINGORN: Karen Merricks.

23 MS. MERRICKS: Here.

24 MR. EINGORN: Ms. Alston.

25 MS. ALSTON: Present.

1 MR. EINGORN: Very good.

2 Do we have a motion to approve the
3 minutes from May 2022?

4 CHAIRMAN HANCE: I make a motion that we
5 approve.

6 MR. EINGORN: A second?

7 VICE-CHAIRMAN COOPER: I second.

8 MR. EINGORN: Very good. I'll take a
9 roll-call vote. Chairman Hance.

10 CHAIRMAN HANCE: Yes.

11 MR. EINGORN: Vice-Chairman Cooper.

12 VICE-CHAIRMAN COOPER: Yes.

13 MR. EINGORN: Ms. Atwood.

14 MS. ATWOOD: Yes.

15 MR. EINGORN: Ms. Merricks.

16 MS. MERRICKS: Yes.

17 MR. EINGORN: Ms. Alston.

18 MS. ALSTON: Yes.

19 MR. EINGORN: So moved.

20 I'm going to go through the list. If
21 you're here, let me know you're here so that we can
22 proceed with your application. The first matter on
23 the agenda is Dajua Fussell, 1573 Mt. Ephraim Avenue.
24 Is Ms. Fussell present? Not present.

25 Lorenzo Hernandez, 506-510 North 27th

1 Street?

2 MR. HERNANDEZ: Yes.

3 MR. EINGORN: Miguel's Pharmacy, 1787
4 River Road.

5 MR. SHEEHAN: Kevin Sheehan for the
6 applicant.

7 MR. EINGORN: Hargrove Property V, LLC?

8 UNIDENTIFIED SPEAKER: Hargrove is here.

9 MR. BARON: Jeffrey Baron representing
10 the applicant. We're ready to move on.

11 MR. EINGORN: Camden Apothecary, 1205
12 Haddon Avenue.

13 MR. WELLS: Richard Wells here for the
14 applicant.

15 MR. EINGORN: Thank you.

16 The next matter is JLS Urban Properties,
17 LLP, 925 Liberty Street. Let the record reflect that
18 the applicant has requested an adjournment to the
19 July meeting. Their notice was proper for tonight
20 and, therefore, we will agree to an adjournment
21 without further notice. To the extent you're
22 appearing for this matter, please be advised it will
23 not be heard tonight. It will be heard on July 11th.

24 The next matter is Sylvester Randall,
25 412-414 Pine Street.

1 MR. RANDALL: Here.

2 MR. EINGORN: Edison Martinez, 2944
3 Westfield Avenue.

4 MR. IZZO: Yes, we're present and ready.

5 MR. EINGORN: Andres Ventura, 2523 Morgan
6 Blvd.

7 MR. VENTURA: Present. Juan Ventura, the
8 applicant. I'm his son.

9 MR. EINGORN: And Junior Tineo, 2500
10 Federal Street.

11 MR. TINEO: Present.

12 MS. MUHAMMAD: Kyle, let the record
13 reflect that 917 N. 25th Street is off. They did
14 their noticing for this meeting but they didn't make
15 it in time.

16 MR. EINGORN: They didn't make it in time
17 to get on the agenda. Do you remember the name of
18 the applicant on that one? I apologize.

19 MR. IZZO: That's my case.

20 MR. EINGORN: That matter will be heard
21 at the July 11th meeting.

22 MR. IZZO: Very good. Thank you.

23 MR. EINGORN: One last call on Ms.
24 Fussell. Did Ms. Fussell appear?

25 UNIDENTIFIED SPEAKER: I just told her to

1 get on Zoom. I'll send her the link.

2 MR. EINGORN: So we'll hold that one and
3 we'll move to Mr. Hernandez, 506 to 510 North 27th
4 Street. It's actually two applications on for Mr.
5 Hernandez. I guess we'll take the Old Business first
6 which was the proposal of a warehouse with office
7 use. The use is not permitted. A use variance is
8 needed. Change of use site plan approval is needed.

9 Mr. Hernandez, are you ready?

10 MR. HERNANDEZ: Yes.

11 MS. PERALTA: Yes.

12 MR. EINGORN: Can you raise your right
13 hand?

14 - - -

15 LORENZO HERNANDEZ, having first been duly
16 sworn/affirmed, was examined and testified as
17 follows:

18 - - -

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

21 MR. HERNANDEZ: My name is Lorenzo
22 Hernandez. I live at 1103 North 21 Street, Camden,
23 New Jersey 08105.

24 MR. EINGORN: We heard from you a little
25 bit last month about your proposed warehouse. I see

1 some pictures here. Can you tell us what your story,
2 what your warehouse use is; what kind of loading and
3 what is going on?

4 MS. PERALTA: Am I allowed to help him
5 out?

6 MR. EINGORN: Sure. Please raise your
7 right hand.

8 MS. PERALTA: Sure.

9 - - -

10 SARAH PERALTA, having first been duly
11 sworn/affirmed, was examined and testified as
12 follows:

13 - - -

14 MR. EINGORN: And can I ask your name and
15 address for the record?

16 MS. PERALTA: My name is Sarah Peralta.
17 My address is 6167 Cedar Avenue, Pennsauken, New
18 Jersey 08109.

19 MR. EINGORN: What's your relationship to
20 the applicant?

21 MS. PERALTA: I'm his accountant.

22 MR. EINGORN: So you're appearing as a
23 fact witness, correct, not his legal counsel?

24 MS. PERALTA: Correct.

25 MR. EINGORN: And what do you know about

1 the property?

2 MS. PERALTA: So what he has, he has a
3 cargo company. He has it for over ten years already
4 which is already in Camden. But the property that
5 he's using right now is a rental property. And he
6 just purchased this property. He's just trying to
7 move his business to this sector here which is more
8 convenient. Because where's he located at is more --
9 not as commercial as it is where he's moving now.
10 I know he's storing there is like he's holding boxes
11 for his clients. They're picked up everyday by a
12 truck. They fill up a trailer; they send the trailer
13 out and it goes overseas.

14 MR. EINGORN: With a tractor trailer?

15 MS. PERALTA: Yes.

16 MR. EINGORN: But it's not a tractor?

17 MS. PERALTA: No. It's a container.

18 MR. EINGORN: It's just one truck per
19 day?

20 MS. PERALTA: It's one truck per week.
21 One container per week.

22 MR. EINGORN: What is stored in the
23 boxes?

24 MS. PERALTA: So what the clients give
25 him are boxes with personal things that they send

1 overseas. And he holds them in there until the
2 container is -- they take the container to his
3 location, it's filled up and then it's sent overseas.

4 VICE-CHAIRMAN COOPER: How big is this
5 facility?

6 MS. PERALTA: It's 1,000 feet per times
7 40 -- it's 100 feet by 40.

8 VICE-CHAIRMAN COOPER: Is this the
9 diagram?

10 MS. PERALTA: That's the diagram of the
11 location, yes. The floor plan.

12 VICE-CHAIRMAN COOPER: So he's going to
13 be storing this stuff in the inside in those shipping
14 containers outside?

15 MS. PERALTA: No. There's no shipping
16 containers outside.

17 VICE-CHAIRMAN COOPER: Okay. You got
18 surrounding pictures of the neighborhoods or
19 anything?

20 MS. PERALTA: I took some pictures of the
21 surrounding areas. What you can see that there's
22 other businesses around. There's only one house
23 which is on the corner. I took pictures of the
24 streets that are next to the location.

25 MR. EINGORN: Last month we weren't aware

1 that there was going to be a tractor trailer coming
2 to this property. It's hard to tell from these
3 photographs that there's the ability to load and
4 unload a tractor trailer or pull it on site without
5 blocking the street. There's one picture, Picture 3.
6 There's a bunch of box trucks at the back. Is that
7 part of the property?

8 MS. PERALTA: Yes, that's part of the
9 property as well.

10 MR. EINGORN: How big is that space?

11 MS. PERALTA: That space is 120 feet
12 times 40.

13 MR. EINGORN: Is there enough room in
14 there for a tractor trailer to load and unload and
15 turn around?

16 MS. PERALTA: Yes. Because he has -- he
17 currently had one parked which he had to remove. It
18 was in the photos that I showed the last time.

19 MR. EINGORN: Now, your next application,
20 is that related to this lot?

21 MS. PERALTA: Yes. So that lot also
22 belongs to him which he's going to be using it to
23 park the truck there, the trailer. And that only
24 comes once a week.

25 VICE-CHAIRMAN COOPER: What you stated in

1 your claim, in the report here, that you're going to
2 be storing cars there?

3 MS. PERALTA: The parking will be for the
4 clients that would go there. Because he has clients
5 coming in everyday bringing boxes and taking supplies
6 with them. And also for his use and his employees.
7 During the day, all he receives are 16 footers.
8 They're not really big trucks and vans.

9 CHAIRMAN HANCE: If there is already a
10 parking lot, why do we need to approve that?

11 MS. PERALTA: Excuse me?

12 CHAIRMAN HANCE: It's the parking lot. I
13 drove past there already. I see a lot of junk cars
14 on there. I also stated that if it's already a
15 parking lot, why do we have that here for cars and
16 trailers?

17 MS. PERALTA: We had to submit for zoning
18 for both spots I was told.

19 CHAIRMAN HANCE: Okay. What I see here
20 is junk cars parked there. Looks like a junk
21 yard.

22 MS. PERALTA: I can't hear you.

23 CHAIRMAN HANCE: What I see on the lot is
24 junk cars, like a junk yard.

25 MR. EINGORN: Let the record reflect that

1 the applicant and Ms. Peralta are conversing in what
2 I believe is Spanish.

3 MS. PERALTA: Yes.

4 MR. EINGORN: Which cannot be transcribed
5 for the record. So, Ms. Peralta, I assume you're
6 going to give us a full translation of the
7 conversation that just transpired?

8 MS. PERALTA: Yes, I will. So the
9 cars that were parked there, he lent the spot to
10 someone that he knows that has a towing company. He
11 was lending it out until he got zoning approved but
12 those cars were already moved.

13 CHAIRMAN HANCE: As of today?

14 MS. PERALTA: Yes.

15 CHAIRMAN HANCE: Because I was there last
16 night and they're all still there.

17 MS. PERALTA: Because today he had all
18 those cars moved because he's still cleaning the
19 perimeters. He's cleaning the inside. He's getting
20 everything ready.

21 VICE-CHAIRMAN COOPER: My major concern
22 is getting a truck up and down these streets there.

23 MR. EINGORN: What's across the street
24 from the front of the property?

25 MS. PERALTA: There's an insurance

1 company. There's a tire company. There's a -- they
2 have a shop, a car shop. And next to it there's a
3 barber shop.

4 VICE-CHAIRMAN COOPER: Hey, Kyle. I
5 don't have enough picture evidence of this property.

6 MR. EINGORN: Yes. We asked for more
7 than this the last time.

8 VICE-CHAIRMAN COOPER: Yes. It's not
9 enough evidence.

10 MS. PERALTA: So you want more pictures
11 of the front of the area, whatever businesses are
12 across from it?

13 MR. EINGORN: An aerial view would be
14 great?

15 VICE-CHAIRMAN COOPER: Yes. We need side
16 streets, front of the building. And I wouldn't go as
17 far as an aerial but we need more photos. I can't
18 make a decision off of what I have in front of
19 me.

20 MR. EINGORN: They can get a Google Maps
21 Aerial. I'd like to see what else is in the area
22 besides this. These pictures shows that there's
23 plenty of residential homes around this building.
24 And my concern is not so much maybe the applicant's
25 use. But if the Board makes a determination that

1 this is right for a use variance and then he sells
2 the property or whatever and now, this is like a
3 gross overstatement. But if Amazon or something
4 comes in and now there's 500 trucks a day and it's
5 already been approved, and they can come in with
6 that, the next thing you know, the neighbors are
7 freaking out. There's a traffic hazard.

8 And so while the applicant maybe have the
9 best of intentions, granting something to this
10 applicant may have future ramifications which is why
11 we have zoning to prevent something like that. So I
12 think we definitely need a lot more information on
13 this. This has a site plan component to it so
14 we need some kind of site plan evidence that says,
15 you know, loading, unloading, how many employees; the
16 office; all that stuff. This isn't enough to make a
17 determination.

18 MS. PERALTA: Okay. I understand.

19 MR. EINGORN: The next application which
20 is for the parking lot also has a site plan
21 component. So we need information on a site plan for
22 that as well; how many spaces; how many cars; what do
23 you expect to park there; circulation, meaning,
24 ingress, egress from the property; turn-arounds.

25 If it's going to be something that's an

1 accessory to the property itself where you're going
2 to be loading and unloading and there's going to have
3 to be space to leave for that. You can't fill the
4 parking lot. Right? We need to know all of these
5 things. And none of that is really here right now.

6 I would ask that you -- anything you
7 would ask if you were sitting here to come up with
8 something that you can anticipate these questions and
9 provide something that is comprehensive enough for
10 the Board to make a determination. Because without
11 more information, the Board doesn't have enough to
12 make a finding in your favor. Because a use variance
13 is a very high bar. Okay?

14 So the next meeting is July 11th because
15 the first is the July 4th holiday. So we'll see you
16 then for both applications with more pictures and
17 whatever else you can supply.

18 MS. PERALTA: Okay.

19 MR. EINGORN: The next matter is Miguel's
20 Pharmacy, 1787 River Avenue. That's Mr. Sheehan's
21 application.

22 MR. SHEEHAN: Good evening. Kevin
23 Sheehan, Parker McKay, the attorney for the
24 applicant, Miguel's Pharmacy. This property is Block
25 845, Lot 20. It's 1787 River Road. It's

1 currently a -- it's on the corner of River Road and
2 17th Street. It's currently a vacant former bar
3 that's fallen into disrepair. The applicant
4 purchased the property last year. It intends to
5 redevelop the property; clean it up and put it to
6 good use.

7 The applicant presently operates a
8 pharmacy further down River Road. The proposal is to
9 redevelop this site and relocate his pharmacy to this
10 site. A pharmacy is a permitted use in the
11 Redevelopment Area in this zone. However, a
12 drive-up/drive-thru window is not specifically
13 identified in the zone. So technically, Dr. Williams
14 determined that we need a use variance for this
15 application. So we're asking for the use variance to
16 permit the drive-up window. And then we're asking
17 for site plan approval. So I have some witnesses
18 with me. Kyle, if we can get them sworn in.

19 MR. EINGORN: Absolutely.

20 MR. SHEEHAN: Miguel, Matt Walsh, Steve
21 Garwood, Andrew Feranda and Jim Miller.

22 MR. EINGORN: Very good. If you could
23 all raise your right hands.

24 MR. RUGGIERI: Phil Ruggieri standing in
25 for Steve Garwood.

1 MR. SHEEHAN: Sorry about that.

2 MR. EINGORN: Great. Thank you. Dena,
3 are you going to weigh in on this application as
4 well?

5 MS. MOORE: Yes. Do you want to swear me
6 in first?

7 MR. EINGORN: That would be great. If
8 you all could raise your right hand.

9 - -

10 DENA MOORE JOHNSON, P.E., C.M.E.; MATTHEW
11 WALSH, P.E.; ANDREW FERANDA, P.E.; PHILIP RUGGIERI,
12 R.A.; JAMES A. MILLER, P.P.; MIGUEL ARRIAGA, having
13 first been duly sworn/affirmed, was examined and
14 testified as follows:-

15 - - -

16 MR. EINGORN: And maybe we can just get
17 the names and addresses as you call your witnesses.

18 MR. SHEEHAN: Start with Miguel. Please
19 state your name and spell your last name and give
20 your address?

21 MR. ARRIAGA: My name is Miguel Arriaga.
22 My address is 46 June Road, Pennsauken, New Jersey
23 08110.

24 MR. SHEEHAN: Matt Walsh.

25 MR. WALSH: Matthew Walsh, Stout

1 & Caldwell Engineers, 705 Route 130 South,
2 Cinnaminson, New Jersey 08077.

3 MR. SHEEHAN: Phil Ruggieri.

4 MR. Ruggieri: Phil Ruggieri, Ruggieri &
5 Partners Architects, 1225 North Broad Street, West
6 Deptford, New Jersey.

7 MR. SHEEHAN: Andrew Feranda.

8 MR. FERANDA: Andrew Feranda with
9 Shropshire Associates, traffic consultant, 277 White
10 Horse Pike, Atco, New Jersey.

11 MR. SHEEHAN: And Jim Miller.

12 MR. MILLER: James Miller, J A Miller
13 Planning Consultants, 222 Nicholson Drive,
14 Morrestown, New Jersey.

15 MR. SHEEHAN: Kyle, do you want to swear
16 them in?

17 MR. EINGORN: Everybody already said
18 yes.

19 MR. SHEEHAN: Oh, I'm sorry. I missed
20 that part.

21 MR. EINGORN: That's okay. Deep in
22 thought.

23 MR. SHEEHAN: I'll start very quickly
24 with Miguel just put some preliminaries on. Matt
25 will show the plan to give you some -- to orient

1 you. Phil Ruggieri, I'll pull up the architecturals
2 so you can see what they're going to look like and
3 then we can run through Dena's report.

4 So Miguel, you're the owner of Miguel's
5 or one of the owners of Miguel's Pharmacy, correct?

6 MR. ARRIAGA: That is correct.

7 MR. SHEEHAN: And you currently operate a
8 pharmacy in the City of Camden?

9 MR. ARRIAGA: Yes, I do.

10 MR. SHEEHAN: And where is that?

11 MR. ARRIAGA: 3213 River Road.

12 MR. SHEEHAN: And you purchased the
13 property at 1787 River Road as well, right?

14 MR. ARRIAGA: Yes, we did

15 MR. SHEEHAN: Can you tell the Board what
16 you plan to do with that property?

17 MR. ARRIAGA: What we want to do is to
18 actually take the existing pharmacy and relocate the
19 business to that new site.

20 MR. SHEEHAN: And you're going to add
21 some space on the 17th Street side, right?

22 MR. ARRIAGA: That is correct. We're
23 adding space for storage and also for a break room
24 for the employees.

25 MR. SHEEHAN: And you want a drive-thru

1 on the other side of the building, correct?

2 MR. ARRIAGA: Yes, we do.

3 MR. SHEEHAN: When we go through Dena's
4 report, we'll do the operational testimony.

5 Next is Matt Walsh. I'm going to share
6 my screen and pull up the plans if I can find them
7 here. Matt, I'm going to do the rendered site plan.
8 Why don't you give us a quick overview of the aerial
9 which we'll mark as A-1.

10 MR. WALSH: Okay. So as you can see as
11 Mr. Sheehan testified, we're at the corner of 17th
12 Street and River Avenue. And the lighter shade
13 building is the existing 3,776 square foot building.
14 The darker brownish-red is the approximately 615
15 square foot addition. That will be used for storage
16 as you heard the applicant testify.

17 The drive-thru will be located on the
18 north or the righthand side of the building in the
19 lightish-green color. And as you can see, we have 19
20 parking spaces scattered throughout the site in the
21 rear and five in the front, including one ADA space.
22 We have a trash enclosure on the south side of the
23 building which you can see in the orangeish-colored.

24 We have two signs. One freestanding
25 monument sign closer to the corner of River Avenue

1 and 17th Street which will conform to the -- all of
2 their signage requirements. And there is also a
3 facade-mounted sign which will say 'Miguel's
4 Pharmacy' and that will be mounted on the building.
5 And that will also comply with the ordinance
6 requirements.

7 Mr. SHEEHAN: And Phil Ruggieri, can you
8 just describe the building, please?

9 MR. RUGGIERI: Yes. The building for the
10 most part, we're taking the existing building. We're
11 putting an EIFS or otherwise stucco finish over it,
12 including the 570 square foot addition on the south
13 side. That will be all new but it will be stucco to
14 match the application that we're putting on the
15 block. And then on the east side we're developing
16 the main entrance with a canopy which is brick.
17 We're going to do a brick facade there. You can see
18 it in the rendering if that visual is available to
19 you.

20 MR. SHEEHAN: I pulled it up.

21 MR. RUGGIERI: Okay. And we also have a
22 canopies on the drive-up window and on the rear
23 entrance to the building, I guess we'll call it the
24 staff entrance to the building. The only other thing
25 that we're doing, I think it's more of mentioning

1 that we're lowering the existing floor in the
2 existing building so that we can get closer to a view
3 that will allow barrier-free accessibility to the
4 building.

5 MR. SHEEHAN: Do you want to go through
6 Dena's report?

7 MS. MOORE: Okay. We'll start there.

8 Mr. Chairman, I'm referring to Remington
9 & Vernick's letter dated May 23, 2022. And starting
10 on page 2, the zoning for the project is C-2 of the
11 Cramer Hill Redevelopment area. The applicant's
12 proposed retail use is in conformance with the
13 principal uses of the C-2 zone of the Cramer Hill
14 Redevelopment Area. However, drive-thru uses are not
15 permitted, principal or accessory uses. As such,
16 a "d(1)" variance will be necessary.

17 Now, with that, the applicant has the
18 burden of demonstrating "Special Reasons" for
19 granting the use variance, as well as offering an
20 enhanced quality of proof which states that the
21 variance is not inconsistent with the intent and
22 purpose of the Master Plan and Zoning Ordinance which
23 is the Positive Criteria. And the applicant should
24 also demonstrate that the requested relief can be
25 granted without substantial detriment to the public

1 good and will not impair the intent and purpose of
2 the Zone Plan and Zoning Ordinance, which is the
3 Negative Criteria.

4 Did you want to put that testimony on
5 record first or did you want to go through the site
6 plan?

7 MR. SHEEHAN: Well, we have to go through
8 the site plan because Jim needs the foundation in
9 order to do that.

10 MS. MOORE: Okay. We'll do that.

11 Then I'll go to the Area and Bulk
12 Requirements. Everything is in conformance with the
13 Redevelopment Area except for the principal building
14 setback, front yard from North 17th Street. What's
15 required is 25 feet. What's proposed is 20.76 feet.

16 The side yard setback required is 20
17 feet; proposed is 11.93 feet. And off-street parking
18 for retail it's required 5 spaces per 1,000 square
19 feet of gross area, GLA, Gross Leasable Area.
20 Twenty-three (23) spaces are required and 19 spaces
21 are proposed. So the applicant would be requesting a
22 variance for parking.

23 We noted Per Section 870-18, corner lots
24 shall have two front yards, one side yard and one
25 rear yard. The rear yard is assumed to be opposite

1 the front entrance. And the plans should be revised
2 to reflect these setbacks. You'll make revisions to
3 the plans accordingly?

4 MR. SHEEHAN: Yes.

5 MR. RUGGIERI: Yes.

6 MS. MOORE: We have use variance comments
7 on page 4 of 16. So when in your testimony if you
8 can please just touch upon these items. And we'll
9 skip right to the site plan comments. Under Streets,
10 the plans should be revised to state "north" for both
11 17th Street and 18th Street. You'll make that
12 revision?

13 MR. WALSH: Yes.

14 MS. MOORE: A road opening permit from
15 the Camden County Highway Department would be
16 required for a road opening on River Avenue. Do you
17 acknowledge that that would be --

18 MR. WALSH: Yes.

19 MS. MOORE: If a street opening is
20 necessary for North 17th Street, this application
21 would be subject to the Street Opening Permit
22 Ordinance of the City. The City Engineer should be
23 contacted concerning the application and fees
24 involved.

25 MR. WALSH: No problem.

1 MS. MOORE: As I mentioned previously for
2 parking, 23 spaces are required whereas, 19 spaces
3 are proposed. You are requesting a variance for the
4 parking, correct?

5 MR. SHEEHAN: That's correct.

6 MS. MOORE: And I wanted to make sure I
7 note what you're requesting versus what I have in the
8 back of the letter. If a requested parking variance
9 is granted, the applicant shall then make a cash
10 contribution to the City for each required parking
11 space not provided per Section 870-230.R. The
12 contribution shall be in an amount equal to the cost
13 of providing the required minimum number of parking
14 spaces to be calculated by the City Engineer.

15 MR. SHEEHAN: Yes, we understand.

16 MS. MOORE: If you can make that request
17 to the City Engineer for that calculation please.

18 MR. SHEEHAN: Yes.

19 MS. MOORE: Per Section 870-231.B(1),
20 one-way aisles must be at least 12 feet wide, whereas
21 11.93 feet is proposed. The plans should be revised
22 or a variance requested. I think I reviewed this
23 with Matt previously. And that one-way aisle width
24 is actually what dimension?

25 MR. WALSH: It's 17.4 feet.

1 MS. MOORE: Okay. Seventeen point four
2 feet. And so a variance is not required. I think it
3 was the dimension that we saw on the plan could have
4 pointed out something.

5 MR. WALSH: The 11.93 dimension is the
6 property line to the overhead canopy.

7 MS. MOORE: Okay. So no revision or
8 variance required.

9 Per Section 870-230.K, loading may not
10 occur on the street or within an access aisle.
11 Testimony should be provided as to how and where
12 deliveries will occur.

13 MR. SHEEHAN: Miguel.

14 MR. ARRIAGA: Yes.

15 MR. SHEEHAN: Can you talk about the
16 types of deliveries that are made and where they
17 park?

18 MR. ARRIAGA: The types of deliveries
19 that the drivers make, they're actually park in front
20 of the store. They come in the little Toyota Pirus.
21 They get their designated areas to make deliveries
22 and they are outside of the stores.

23 MR. SHEEHAN: What types of trucks or
24 vehicles do they use?

25 MR. ARRIAGA: The drivers use the little

1 Toyota Pirus. That's what we use. We use a compact
2 car to make deliveries. When we get a delivery, it's
3 a cargo van that we get the delivery from. They come
4 and they bring in five totes of medications and
5 within 15 minutes, out of the door, in and out of the
6 place.

7 MR. SHEEHAN: Okay.

8 MS. MOORE: So then this can all take
9 place in a parking space?

10 MR. ARRIAGA: Yes.

11 MS. MOORE: Per Section 870-230.G(1)g,
12 pharmacies shall have three stacking spaces from the
13 window. The queuing width of the drive-thru should
14 be shown on the plans.

15 MR. WALSH: We will show this on the
16 plan. And here's including the window, five spaces.
17 If you don't include the window, there's room for
18 four vehicles behind the vehicle at the window.

19 MS. MOORE: Per Section 870-230.G(3), an
20 escape lane shall be provided for any use containing
21 a drive-thru facility. An escape lane shall be nine
22 feet in width and shall provide access around the
23 drive-thru facility. It appears a variance is
24 necessary.

25 MR. WALSH: We would like to ask for the

1 variance on this. We do have 17.7 feet which is
2 fairly close to 18 feet for a drive aisle. But
3 because we don't meet that 18 feet, we would like to
4 ask for the variance. We'll be able to get by but
5 it'll be just be fairly tight.

6 MS. MOORE: And what do you actually
7 have? You said 17.7 feet?

8 MR. WALSH: I believe it's 17.7, yes.

9 MS. MOORE: And you're requesting the
10 variance.

11 MR. WALSH: Correct.

12 MS. MOORE: The site abuts a public bus
13 stop. It should be noted that per Section 870-230.N,
14 the incorporation of a transit stop can be used as a
15 means to justify reduced parking, provided the
16 following standards are met so testimony should be
17 provided.

18 MR. SHEEHAN: I'm sorry. Before you read
19 that, we're not going to do that.

20 MS. MOORE: Okay. So you're not
21 requesting reduction and the requirement.

22 MR. SHEEHAN: Yes. The cost exceeds the
23 cost of the permits or close enough.

24 MS. MOORE: Okay. Let's go to the next
25 one.

1 Electric charging facilities should be
2 provided in accordance with the Municipal Land Use
3 Law requirements and the DCA model ordinance
4 requirements. You'll make revision to the plan
5 showing space?

6 MR. WALSH: We'll add one in the back
7 corner.

8 MS. MOORE: Per Sections 870-230.Z and
9 870-234, in addition to the required facilities for
10 passenger automobiles, facilities for the secure and
11 convenient parking of bicycles shall be provided.
12 Plans should be revised or a variance requested.

13 MR. WALSH: We can work with your office
14 to add a bike rack on site.

15 MS. MOORE: Okay. I will remove that
16 variance -- those variances in the back of the
17 letter.

18 Per Section 870-241.C, sidewalks shall be
19 at least five feet wide. The width of the sidewalk
20 proposed along N. 17th Street must be increased
21 accordingly.

22 MR. WALSH: Correct. Right now it's
23 shown as four feet and we'll increase it to five
24 feet.

25 MS. MOORE: New curb should be proposed

1 at the property frontage along N. 17th Street and
2 River Avenue.

3 MR. WALSH: We will do that.

4 MS. MOORE: And new sidewalks should be
5 proposed at the entire property frontage along River
6 Avenue.

7 MR. WALSH: We will do that. I just want
8 to note one thing that the ADA ramp at the corner has
9 been recently replaced. So we'd like to do
10 everything except for that.

11 MS. MOORE: Right. I did not mention the
12 ADA ramp because I knew that had been replaced so
13 that's fine.

14 MR. WALSH: Thank you.

15 MS. MOORE: I mention under Storm
16 Collection Management System, two notes that need to
17 be added to the plan regarding manholes and catch
18 basins. You'll add that information to the plan
19 regarding the coding and the locations?

20 MR. WALSH: Yes.

21 MS. MOORE; The material of the roof
22 drain pipes, should be noted on the Grading and
23 Utility plan?

24 MR. WALSH: No problem.

25 MS. MOORE: The calculations should be

1 provide to show the stormwater collection system is
2 designed to convey a storm event with a 25-year
3 frequency. And just keep in mind, for the roughness
4 coefficient, the Manning roughness coefficient, that
5 the normal number should be used for the design.

6 MR. WALSH: Okay. No problem.

7 MS. MOORE: The applicant should be aware
8 that the post-development peak runoff cannot exceed
9 the pre-development peak runoff for the 25-year storm
10 event. Confirming calculations should be provided
11 for review. And that's because you are not
12 considered a major development in accordance with NJ
13 DEP regulations.

14 MR. WALSH: Correct. We'll comply with
15 that.

16 MS. MOORE: Okay. That is a Camden
17 regulation.

18 And the Grading and Utility Plan should
19 include the name, title, address and phone number of
20 the party responsible for the MTD and the storm sewer
21 system. Depending on your calculations for the
22 25-year, we may make adjustments to what's required
23 whether you do an actual document or just notes on
24 the plan. But right now as designed, if you can add
25 those notes on the plan.

1 MR. WALSH: Sure. No matter which way we
2 go, we'll add the notes to the plan or the
3 maintenance manual.

4 MS. MOORE: Well, it would be the plan
5 and the maintenance manual or just the plan?

6 MR. WALSH: Depends which -- if we need a
7 small underground system, we'll add them to the
8 maintenance manual. If we don't, we'll add them to
9 the plan.

10 MS. MOORE: Well, I need them on both.
11 No matter what --

12 MR. WALSH: Oh, you need them on both?

13 MS. MOORE: Yes.

14 MR. WALSH: Okay.

15 MS. MOORE: So no matter what, they need
16 to go on the plan. And then if you need the manual,
17 we'll add it in the manual too.

18 MR. WALSH: Okay. No problem.

19 MS. MOORE: And then the stormwater fee
20 is to be calculated for the site as outlined in
21 Appendix XVIII of the City Ordinance. That
22 calculation will be reviewed by our office and that
23 fee must be paid by the applicant prior to final
24 signatures of the plan.

25 MR. WALSH: No problem.

1 MS. MOORE: Do you have any concerns with
2 the grading comments that I have?

3 MR. WALSH: We'll be able to address
4 those comments.

5 MS. MOORE: And also utilities, do you
6 have any issues?

7 MR. WALSH: We will be able to address
8 those comments as well.

9 MS. MOORE: I'll note within Utilities
10 Section, a CCTV inspection of the sewer
11 (combined, sanitary and storm) system must be
12 performed and reviewed by the City Engineer prior to
13 construction. The applicant would be responsible
14 for any improvements to the existing infrastructure
15 required for the connection of the proposed project.

16 MR. SHEEHAN: Yes, that was done.

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

22 MR. SHEEHAN: Yes.

23 MS. MOORE: And this project must be
24 approved by both the City Engineer and the City Fire
25 Chief with written verification provided to our

1 office prior to final signatures on the plan.

2 MR. SHEEHAN: Yes, we'll submit.

3 MS. MOORE: I just need to make sure that
4 note that you acknowledge those statements?

5 MR. SHEEHAN: Yes.

6 MS. MOORE: And then you're okay with the
7 notes that we're requesting that you add to the
8 Grading and Utility Plan?

9 MR. WALSH: No problem.

10 MS. MOORE: Okay. Some may not be
11 applicable at this time. In the future we just like
12 to have those notes on the plan.

13 Construction Details. Do you have any
14 issues with the details that I have noted on the
15 plan and comments?

16 MR. WALSH: We'll be able to address
17 those and add those details.

18 MS. MOORE: We'll jump to the Planting
19 Design. Per Section 870-244.A, a buffer is required
20 between residential and nonresidential uses. Where a
21 buffer is not practical, an opaque fence may be
22 substituted if approved by the Zoning Board in
23 accordance with Section 870-197. Residential zones
24 and nonresidential zones should be clearly delineated
25 on the plans. And it appears a waiver is necessary.

1 MR. WALSH: We would like to request the
2 waiver on that. Currently the site is surrounded by
3 a 6-foot aluminum fence similar to the school which
4 is across 17th Street. And I believe the warehouse
5 across River Avenue also has a similar type of
6 fence. So we will change out the fence on the north
7 side adjacent to where the residences are to a wood
8 board-on-board fence or something similar to provide
9 the full screening of that side.

10 MS. MOORE: So you're requesting a waiver
11 from strict compliance from this?

12 MR. WALSH: True.

13 MS. MOORE: Okay. But you are putting in
14 a fence that matches the surrounding areas which is
15 the ornamental fence that's typically requested by
16 the City?

17 MR. WALSH: Correct.

18 MS. MOORE: Okay.

19 Per Section 870-224.B(1)(e), the visual
20 impact of large surface parking lots located along
21 street frontages shall be minimized with landscaping.

22 MR. WALSH: We'd also like to request the
23 waiver on that but we'll work with your office to
24 make the frontage look very nice. And the applicant
25 wants to insure that they have full visual into the

1 site.

2 MS. MOORE: For security purposes?

3 MR. WALSH: To make sure that people know
4 where their new location is going to be.

5 MS. MOORE: All electrical and mechanical
6 equipment shall be screened from view per Section
7 870-224.B.19. A note should be added to the
8 plans.

9 MR. WALSH: We'll add that.

10 MS. MOORE: And you will have -- you are
11 screening everything, correct?

12 MR. WALSH: As best as we possibly can,
13 yes.

14 MS. MOORE: Per Section 870-244.C(6),
15 foundation plantings shall be provided along all
16 building elevations. Plans should be revised or a
17 waiver requested.

18 MR. WALSH: We're going to request the
19 waiver on this because we don't have much area to
20 plant around the building because of ADA access and
21 an existing parking lot which we're just replacing.
22 So we'll provide as much around the building as we
23 can, but we need to request the waiver.

24 MS. MOORE: Per Section 870-244.D, street
25 trees are required along both frontages and shall be

1 spaced every 40 feet. Plans should be revised or a
2 waiver requested.

3 MR. WALSH: We'll request a waiver on
4 that just due to site triangle issues and security.

5 MS. MOORE: From strict compliance?

6 MR. WALSH: Correct.

7 MS. MOORE: Because you are adding --

8 MR. WALSH: We're going to try to add
9 some trees but we may not be able to get 40 feet or
10 as many as we're required.

11 MS. MOORE: Per Section 870-244.E(3)(a),
12 where residential and nonresidential uses abut, a
13 landscape strip of at least 25 feet is required.
14 Plant material shall be planted in such a fashion
15 that a year-round screen at least eight feet in
16 height shall be produced within three growing
17 seasons. Plans should be revised or a waiver
18 requested.

19 MR. WALSH: We'd like to request the
20 waiver on that because there's no room to add a
21 buffer between us and the neighboring properties.

22 MS. MOORE: Per Section 870-244.F(2),
23 parking lots exposed to view shall have a minimum
24 planted buffer or four feet in width on all perimeter
25 areas abutting lot lines or street rights-of-way.

1 This buffer shall include a continuous visual screen
2 which is five feet in height at the time of planting
3 and is 50 percent evergreen plant material.
4 Additional landscaping should be provided or a waiver
5 requested.

6 MR. WALSH: We will also ask for the
7 waiver on this from the strict compliance. We'll see
8 what we can do to try to add some additional
9 plantings.

10 MS. MOORE: And you'll work with our
11 office regarding any landscaping, correct?

12 MR. WALSH: Sure.

13 MS. MOORE: Per Section 870-244.F(3), at
14 least five percent of the interior parking lot shall
15 be landscaped and at least two trees for each ten
16 spaces shall be installed within landscaped islands.
17 Plans should be revised or a waiver requested. Once,
18 again, you're requesting waiver?

19 MR. WALSH: We will ask for a waiver on
20 that from strict compliance as well.

21 MS. MOORE: Okay.

22 Lighting. Plans should be revised to
23 comply with Section 870-243.D(2) or a variance
24 requested. The minimum lighting level permitted is
25 0.25 footcandles. You're proposing zero. The

1 average lighting level is between 0.5 and 2.0
2 footcandles. You're showing 1.3 footcandles. And
3 the maximum lighting level is 3 unless directly under
4 a fixture which 5 footcandles is permitted and you're
5 proposing 4.3 footcandles. Now, is that correct that
6 you're proposing, there's a point where there's zero?

7 MR. WALSH: I think there are several
8 spots on site where there are zero. We can work with
9 your office to address that but we would like to
10 request a variance. We want to try to provide as
11 much lighting as possible but as minimal off-site
12 glare as well.

13 MS. MOORE: Okay. Is there any street
14 lighting there that may be able to contribute so that
15 there's not zero?

16 MR. WALSH: I'll have to double check on
17 that. I'm not 100 percent sure.

18 MS. MOORE: So you're requesting a
19 variance at this point, correct?

20 MR. WALSH: Yes.

21 MS. MOORE: And you'll work with our
22 office because we would like for you -- I can
23 understand if it's less than 0.25 footcandles, but
24 zero we would like to see more than the zero.

25 MR. WALSH: Okay.

1 MS. MOORE: So you will work with our
2 office on that but you'll still need a variance,
3 correct?

4 MR. WALSH: Yes.

5 MR. SHEEHAN: There is a street light in
6 the rear. I'm assuming that's where the zero is,
7 Matt?

8 MR. WALSH: It looks like the zero is at
9 the site access to River Avenue but it's right at the
10 curb line right-of-way.

11 MR. SHEEHAN: Got you.

12 MR. WALSH: Everything on site is above
13 zero.

14 MS. MOORE: Okay. We can see what's in
15 the area that may -- if you can check that --

16 MR. WALSH: We may be able to model that.

17 MR. SHEEHAN: There's a street light on
18 the corner, Dena --

19 MS. MOORE: Okay.

20 MR. SHEEHAN: -- right there on the
21 corner so that might cover it.

22 MS. MOORE: Because we just definitely
23 don't want to see zero.

24 MR. SHEEHAN: Okay.

25 MS. MOORE: Per Sections 870-224.B(9) and

1 870-243.A, lighting should minimize glare and
2 off-site spillage. The lighting isogrid should be
3 extended to the 0.0 footcandle level.

4 MR. WALSH: We can do that. And we'll
5 try to minimize glare as much as possible.

6 MS. MOORE: Per Section --

7 MR. WALSH: If we have to add some
8 shielding or whatever, we can do that.

9 MS. MOORE: Yes, especially for the
10 residential area.

11 MR. WALSH: Sure.

12 MS. MOORE: Per Section
13 870-243.A(10), no more than 0.25 footcandles are
14 permitted ten feet from the property line, whereas
15 the applicant proposes 3.1 footcandles. Lighting
16 levels should be reduced given the adjacent
17 residential zone.

18 MR. WALSH: We'll work with your office
19 to make them as close to compliance as possible.

20 MS. MOORE: At this point you are
21 requesting a variance?

22 MR. WALSH: Yes.

23 MS. MOORE: And we definitely would want
24 you to add the shield for that residential area.

25 MR. WALSH: Okay.

1 MS. MOORE: I'll note the variance
2 request.

3 Per Section 870-243.H, all outdoor
4 lighting not essential for safety and security
5 purposes, shall be activated by automatic control
6 devices and turned off during non-operating hours. A
7 note should be added to the plans.

8 MR. WALSH: We will add the note.

9 MS. MOORE: And what are your hours?

10 MR. WALSH: My understanding is that it's
11 9:00 a.m. to 6:00 p.m. on weekdays and 9:00
12 a.m. to 2:00 p.m. on Saturdays.

13 MS. MOORE: So they're not open on
14 Sunday?

15 MR. WALSH: Correct.

16 MS. MOORE: Thank you.

17 The Traffic Report. I'll jump to the
18 first question that's underlined. The applicant
19 should clarify how delivery vehicles and other
20 similar vehicles will access the site to ensure that
21 the anticipated queuing will not impact the
22 surrounding roadways. And we did hear from the
23 applicant of how the delivery takes place. Is that
24 the same with delivery trucks per se?

25 MR. SHEEHAN: They don't generally have

1 delivery trucks. They're the vans and small -- they
2 fit in the normal parking space.

3 MS. MOORE: But no Fed Ex or UPS?

4 MR. WALSH: No.

5 MS. MOORE: So we did receive that
6 testimony.

7 And the applicant's traffic engineer
8 should provide testimony as to the trip generation
9 information provided in support of the calculated
10 numbers.

11 MR. WALSH: Andrew.

12 MR. FERANDA: We provided --

13 MS. MOORE: I'm sorry, Andy. Before
14 that, I just wanted to mention in that -- the
15 entirety of that comment. So the applicant's traffic
16 engineer states that the proposed development is
17 anticipated to generate a total of 17 new trips
18 during the AM peak hour; 24 new trips during the PM
19 peak hour; and 39 new trips during the Saturday peak
20 hour based on ITE Trip Generation Data for the ITE
21 Land Use #881 which is the Pharmacy/Drugstore with
22 drive-thru window calculation.

23 The number of new trips falls below the
24 NJDOT and ITE industry accepted standard of a
25 significant increase in traffic of 100 trips, hence

1 it is not anticipated that the proposed use will
2 result in a significant degradation of operating
3 conditions.

4 So if you can, please provide the
5 testimony as to the trip generation information
6 provided in support of the calculated numbers.

7 MR. SHEEHAN: Before you do that,
8 Andrew. Kyle, has Andrew testified before the Board
9 previously and is he recognized as an expert in
10 traffic engineering?

11 MR. EINGORN: Yes. I was kind of waiting
12 for the testimony to conclude so that I can inform
13 you that we haven't accepted any of these
14 professionals yet.

15 MR. SHEEHAN: I know. We'll do Matt next
16 time we go to him.

17 MR. EINGORN: Yes. Every one of your
18 professionals has testified before this Board in the
19 past. I don't see any reason why they shouldn't be
20 accepted as a professional in their respective
21 areas.

22 MR. SHEEHAN: Thank you.

23 MR. FERANDA: I will just add for the
24 record that I'm a professional engineer licensed in
25 the State of New Jersey and my license is current.

1 MR. SHEEHAN: Thanks Andrew. Now you can
2 answer the question.

3 MR. FERANDA: Sure. That was a very good
4 summary that Dena gave. The trip generation is
5 straight out of our report, and it's consistent with
6 the Institute of Transportation Engineers Trip
7 Generation. It's the bible of traffic engineering
8 which for this site, would give us those trip
9 generations again. Again, in the AM we have 17 total
10 trips. In the PM, and this is per new trips, there's
11 17 new trips in the PM. There's 24 new trips. And
12 on a Saturday, there will be 39 trips.

13 I would just note that these trips would
14 be in a peak hour. When I say AM, that's the morning
15 commuter peak. PM is the afternoon commuter peak.
16 Saturday would be some time in the afternoon between
17 11 and 2, 11:00 a.m. and 2:00 p.m. you would find
18 your peak hour. These numbers are consistent with
19 the number of parking spaces provided on site.
20 Again, this would be the number of trips in and out
21 of the site. So if we say 39 trips, roughly half in
22 and half out, and that is very consistent with the
23 number of parking spaces we're providing on-site over
24 an hour with the turnover of parking spaces.

25 So as you can see, the trip generation

1 that ITE gives, is compatible with what we're doing
2 with the site. And, again, as noted in the review,
3 there's less than 100 trips during the peak periods
4 so it's not a significant increase that this site
5 would generate. And there are three driveways for
6 which the trips will distribute. So it's not going
7 to impact at any one driveway which is good
8 distribution of traffic for the site.

9 MR. SHEEHAN: Thanks.

10 MS. MOORE: The applicant should provide
11 testimony regarding number of employees, the types of
12 deliveries on the site and hours of operation
13 anticipated. We've done the last two. I guess it's
14 just the number of employees.

15 MR. SHEEHAN: And Miguel, is that eight
16 employees at a time? Is that the estimate?

17 MR. ARRIAGA: That is correct.

18 MR. SHEEHAN: Thanks.

19 MS. MOORE: The plans should be revised
20 to indicate the vehicular path through the site to
21 ensure that delivery and emergency vehicles can
22 properly circulate the site without conflict.

23 MR. WALSH: We can provide that. We did
24 run the AutoTURN Analysis and both the fire truck and
25 the trash truck will be able to navigate the site.

1 MS. MOORE: And if you can, just show an
2 insert that confirms what you're saying there with
3 the emergency vehicles especially.

4 MR. WALSH: Sure.

5 MS. MOORE: Thank you.

6 The applicant's traffic engineer should
7 provide testimony that the on-site roadway network is
8 expected to safely and efficiently accommodate the
9 anticipated traffic volumes.

10 MR. FERANDA: Yes, it does. Again, the
11 three driveways and the circulation on-site allow
12 that to be safe and efficient noting whatever
13 variances we have for the slight narrowing of the
14 aisle on the drive-thru side of the building. The
15 turning analysis shows that vehicles can safely and
16 efficiently move through the site.

17 MS. MOORE: The applicant's engineer
18 should confirm that adequate sight distance in
19 accordance with AASHTO policies exist at all existing
20 and proposed intersections.

21 MR. WALSH: It does. We show the sight
22 triangle on River Avenue and the site access.

23 MS. MOORE: Yes, I see that.

24 The applicant is to provide testimony --
25 we're on to environment now. The applicant is to

1 provide testimony regarding any and all environmental
2 concerns, studies and remediation pertaining to the
3 site.

4 MR. WALSH: So the applicant sent us over
5 an environmental study that they had done. To my
6 knowledge, no environmental concerns or remediation
7 concerns have been brought up for the site.

8 MS. MOORE: This is a Phase 1 study that
9 was performed?

10 MR. WALSH: It was just some soil
11 testing.

12 MS. MOORE: Soil testing. Okay.

13 MR. WALSH: I have not received a
14 complete Phase 1.

15 MS. MOORE: Okay. And did the soil
16 testing warrant a Phase 1? Was there anything of
17 concern?

18 MR. WALSH: Not that I saw.

19 MS. MOORE: Okay. If you can provide --
20 should this application be approved, if you can
21 provide all the environmental information to our
22 office so that we can review that too.

23 MR. WALSH: We can do that.

24 MS. MOORE: Thank you.

25 The applicant proposes to locate the

1 trash enclosure within the front yard of North 17th
2 Street. A construction detail should be provided.

3 MR. WALSH: We can provide that detail.

4 MS. MOORE: Per Sections 870-255.A(2) and
5 870-224.B(14)(a), additional screening should be
6 provided along the northwest side of the enclosure.
7 Plans should be revised or a waiver requested.

8 MR. WALSH: We'll request the waiver and
9 work with your office to see if we can provide some
10 additional screening around the enclosure.

11 MS. MOORE: So I will note that you're
12 requesting a waiver for both of those requirements.

13 And Per Section 870-255.A(c), a side
14 entry shall be provided.

15 MR. WALSH: I guess we'll request a
16 waiver on that because there's just not enough room
17 there to accommodate the enclosure. We have a gate
18 for the access, the gates for the enclosure itself,
19 and the additional landscaping. It's only going to
20 be used by employees maybe once a day.

21 MS. MOORE: All right. I need to add
22 that you're requesting that waiver.

23 MR. SHEEHAN: It's on the list already.

24 MS. MOORE: It is on the list? Oh, it
25 is. Sorry.

1 A circulation plan should be provided
2 to illustrate how waste haulers, loading vehicles and
3 emergency vehicles will access the site. Where you
4 already noted that you're going to do that.

5 We have Signage. All the signs comply
6 with the Ordinance. So we'll go to fences.

7 The applicant proposes to enclose the
8 property with a 6-foot tall black chain link fence.
9 Per Section 870-197.F, a fence not more than 4 feet
10 tall is permitted along the side lot line from the
11 front building line to the front lot line and along
12 the front lot line. While recognizing the need for
13 security, our office recommends that alternative
14 measures should be considered. And they have been
15 from what I could see.

16 MR. WALSH: Dena, it's not chain link.
17 It's the black aluminum so it's like the slats
18 straight up and down.

19 MS. MOORE: Which we call the black
20 ornamental. That's the typical black ornamental
21 fence. So that's been revised.

22 MR. WALSH: So that will be on the River
23 Avenue side, the 17th Street side and the rear
24 property line. And then the side facing the
25 residences on the north side will be a board-on-board

1 or something along those lines. All 6 feet tall.

2 MS. MOORE: Everything is six feet.

3 MR. WALSH: I guess that's a waiver,
4 correct?

5 MS. MOORE: A variance here regarding the
6 fence height. So that it's noting here as a waiver.
7 But anything regarding fencing is a variance.

8 MR. WALSH: Okay.

9 MS. MOORE: So you're requesting that.
10 And Per Section 870-197.E, all fences
11 must be erected within the property line, whereas it
12 appears the fence is proposed on the property line.
13 Plans should be revised or a waiver requested.

14 MR. WALSH: Everything currently proposed
15 is within the property line and noted in the property
16 line.

17 MS. MOORE: So if you can note that,
18 please, and I will remove that variance.

19 MR. WALSH: Okay.

20 MS. MOORE: Under Miscellaneous: The
21 plan should note that the applicant will comply with
22 the City's "Ordinance Establishing Standards for the
23 Submission of Maps and Other Documents in a Digital
24 Format."

25 MR. WALSH: No problem.

1 MS. MOORE: The signature block on the
2 plans should be revised to add the signature for the
3 Zoning Officer/Administrative Officer and remove the
4 signatures for the Owner and Camden County
5 Chairperson.

6 MR. WALSH: We will add that.

7 MS. MOORE: And a north arrow is missing
8 from the Grading and Utility Plan. You'll add that?

9 MR. WALSH: We'll add that, yes.

10 MS. MOORE: The Summary of Variances and
11 Waivers. For the variances for Redevelopment we have
12 the use, front yard setback, side yard setback.

13 From the Ordinance, the number of parking
14 spaces, the escape lane for drive-thru, lighting
15 levels at a property line, lighting levels, and the
16 6-foot fence in the front yard. Are those all the
17 variances you have noted?

18 MR. SHEEHAN: Yes. The one-way drive
19 aisle width, we don't need, right?

20 MS. MOORE: Right. And the bicycle
21 parking we also no longer need.

22 MR. SHEEHAN: Right.

23 MS. MOORE: And then the Waivers being
24 requested, the parking lot perimeter planting,
25 landscaping around trash enclosure, buffer to

1 residential zone, foundation planting, street trees,
2 residential buffer, parking lot buffer, interior
3 parking lot planting, year-round buffer around trash
4 enclosure and the trash enclosure side entry.

5 MR. SHEEHAN: Yes.

6 MS. MOORE: You're aware of the approval
7 process as listed on page 15?

8 MR. WALSH: Yes.

9 MR. SHEEHAN: Yes.

10 MS. MOORE: If you have any questions,
11 you can contact our office. Also, I wanted to start
12 noting for each of these, when you do a -- should
13 this project be approved and you make submissions for
14 resolution compliance, that you also make an
15 electronic submission of the items.

16 MR. WALSH: No problem.

17 MS. MOORE: So I'll have to start adding
18 that in addition to the one copy of paper, you can do
19 the electronic submission for our electronic files.

20 MR. SHEEHAN: Okay.

21 MS. MOORE: And outside agency approvals
22 I have noted as Camden County Planning Board and
23 Camden County Soil Conservation District.

24 MR. WALSH: We did receive our soil
25 conservation district approval already. I will

1 provide that to you.

2 MR. SHEEHAN: We have no impact from the
3 County.

4 MS. MOORE: And any others that may be
5 necessary.

6 MR. SHEEHAN: None.

7 MS. MOORE: None. Okay. Mr. Chairman,
8 that concludes our review.

9 MR. SHEEHAN: Mr. Chairman, I just have
10 Jim Miller, our professional planner, who can wrap up
11 quickly by reviewing the Positive and Negative
12 Criteria for the variance that Dena had asked for
13 testimony for.

14 MR. EINGORN: Can you take the -

15 MR. MILLER: Good evening. For the
16 record, James Miller, professional planner and my New
17 Jersey license is current. And I'll go right to the
18 proofs for the variances.

19 MR. SHEEHAN: Hold on, Jim. Kyle, I'm
20 sorry, did you want to say something?

21 MR. EINGORN: Yes. Can we just the plan
22 down from the screen?

23 MR. SHEEHAN: Oh, I'm sorry. Yes.

24 MR. EINGORN: That's okay.

25 MR. SHEEHAN: Go ahead, Jim.

1 MR. MILLER: Under the Positive Criteria,
2 we have to show that the site is particularly suited
3 for the use and that the relief will advance purposes
4 of the Municipal Land Use Law. I believe that the
5 relief will advance two purposes. And those are
6 Purpose A: To encourage municipal action to guide
7 the appropriate use of development of all lands in
8 the state in a manner that will promote the public
9 health, safety, morals and general welfare.

10 And Purpose G: To provide sufficient
11 space in appropriate locations for a variety of
12 agricultural, residential, recreational, commercial,
13 industrial uses and open space for the public and
14 private according to their respective environmental
15 requirements in order to meet the needs of all New
16 Jersey citizens.

17 In terms of the particular suitability of
18 the property, I think the first reason that this site
19 is particularly suited, is that drive-thru windows
20 are now a customary accessory component of the
21 permitted pharmacy use. I did a quick review, for
22 example, of CVS pharmacies in the surrounding area.
23 And 20 of the 21 CVSs have drive-thru windows. So it
24 is a typical element of a pharmacy. It can become
25 a -- put the pharmacy at a competitive disadvantage

1 to not have it so I believe that is a customary
2 accessory use to this principal use, pharmacy use.

3 Secondly, I think the drive-thru is going
4 to benefit the public, first, because it provides a
5 means for people to obtain their prescriptions and
6 medications if they're ill and maybe have a condition
7 like COVID that they can transmit to other patrons.
8 And the drive-thru allows them an alternate way of
9 accessing the pharmacy. This also is true of people
10 with disabilities. They, again, have an alternative
11 way to access their medications. So that's a public
12 benefit of the drive-thru window.

13 Finally, this is an appropriate site for
14 the proposed use because of its location. It's on a
15 corner which is a very appropriate location for this
16 use. You already heard the traffic advantages of
17 that corner location. It can accommodate all of the
18 various aspects of the use comfortably on the site.
19 I believe that the 'C' variance is relatively minor.
20 Because of court cases, they can all be considered
21 simultaneously with the use variance.

22 The setbacks are basically there because
23 the building is already existing. And there are some
24 minor modifications to the building being given the
25 shape of the site. It's difficult to not have some

1 minor deviations from the setback standards.

2 Otherwise, every other respect, the building is
3 consistent with the use.

4 There is a parking variance necessary but
5 the parking demand is offset by the drive-thru
6 window. Basically, the drive-thru window more than
7 makes up for any shortage that might be on on-site
8 parking. So from that prospective, I think that
9 variance is merited as well. And all-in-all if you
10 look at the overall design of the project and the
11 location, it meets all the requirements as a
12 particularly-suited site that would advance the
13 purposes I cited of the Municipal Land Use Law.

14 In terms of the Negative Criteria, the
15 first prong that we have to address is the public
16 welfare prong. And here and in most cases that
17 public welfare prong is a function of how the use
18 relates to the neighborhood. Here I believe that the
19 use is consistent with the neighborhood.

20 The pharmacy use itself is a permitted
21 use within the district and the drive-thru window is
22 basically just an accessory use to that otherwise
23 permitted use. And also, it's going to provide a, I
24 think, an important medical and convenience resource
25 to the residential areas that abut this commercial

1 district. I think, if anything, this is going to
2 contribute a positive weight of the district and it
3 will advance the public welfare and, therefore,
4 satisfy that parking lot.

5 We also have to show that we can
6 reconcile the failure to include -- otherwise include
7 this use of the zone with our application and the
8 reliefs were seeking this evening. And here I think
9 there's a number of reasons that we can do that.
10 First of all, again, I believe that the accessory
11 drive-thru use is something that customarily now
12 accompanies contemporary pharmacies.

13 Again, I think it contributes to the
14 Redevelopment Plan by helping to contribute to the
15 redevelopment of what is now a vacant and blighted
16 property. It will also provide a needed service to
17 the surrounding neighborhood and contribute to the
18 public welfare of the residents within the Cramer
19 Hill section of Camden.

20 And for all those reasons, I don't
21 believe there's any impairment or intent or purpose
22 of the Zone Plan. I think overall this use is fully
23 consistent with the requirements of the zone and the
24 purposes of that district. And that the use would
25 satisfy all the applicable prongs of the Negative

1 Criteria and merit the Board's approval.

2 MR. SHEEHAN: I have no further questions
3 of Mr. Miller or any additional testimony. If the
4 Board has any questions, we would be happy to try to
5 answer them. If there are none, Kyle, open to the
6 public?

7 MR. EINGORN: Does the Board have any
8 questions related to either the site plan or the use
9 variance? Again, the use variance is only for the
10 drive-up window. There was some pretty extensive
11 testimony here so I don't know if there's really
12 anything to ask. Reverend Martinez, I see your
13 screen lit up. Do you have something?

14 CHAIRMAN HANCE: I had a comment. On
15 your pharmacy drugstore, are you going to carry any
16 type of food in there or any supplies like alcohol or
17 bandaids or anything like that?

18 MR. SHEEHAN: Miguel, can you tell us,
19 aside from the prescription medication, can you tell
20 the Board what else you will be selling out at the
21 facility?

22 MR. ARRIAGA: No alcohol; no selling of
23 cigarettes. It is a pharmacy after all. We will
24 always be indictive in providing better health care
25 to the residents of the community. Other than

1 pharmacy products, it will be your regular groceries
2 inside and over-the-counter items as we do right now.

3

4 VICE-CHAIRMAN COOPER: I have a quick
5 question.

6 CHAIRMAN HANCE: Regarding the parking,
7 you have -- go ahead.

8 VICE-CHAIRMAN COOPER: My question,
9 you're saying you're going to have like regular
10 grocery items so that will -- in mind, you would need
11 more trucks coming in and out of there to supply your
12 store.

13 MR. ARRIAGA: Not really. We don't have
14 the space. What we will be getting -- right now, I'm
15 getting everything that I need for this pharmacy
16 here, I get it in the back of my jeep. We don't have
17 a huge space like warehouse space or anything like
18 that. We just have over-the-counter stuff that I go
19 to Jethro or I go down 17th Street on Federal Street
20 and I pick up the groceries -- not groceries but
21 anything I need over-the-counter and just drop them
22 off on the shelf.

23 VICE-CHAIRMAN COOPER: So basically,
24 you're going to supply your own store? You're going
25 to go and pick the stuff up and bring it back?

1 MR. ARRIAGA: That is correct.

2 VICE-CHAIRMAN COOPER: Okay.

3 MR. EINGORN: Sounds more like sundries
4 than groceries.

5 MR. SHEEHAN: Yes. What you would
6 typically see in a small pharmacy.

7 MR. EINGORN: Anybody else?

8 We will now open this application to the
9 public. Does anybody in the public appearing tonight
10 on this application, would like to be heard either in
11 favor or against the granting of the requested
12 relief?

13 MR. FUENTES: Could I speak? This is
14 Angel Fuentes.

15 MR. EINGORN: I'm looking for you here.

16 MS. MOORE: His hand is raised.

17 MR. EINGORN: I'll swear you in.

18 - - -

19 ANGEL FUENTES, having first been duly
20 sworn/affirmed, was examined and testified as
21 follows:

22 - - -

23 MR. EINGORN: Can you state your name and
24 address for the record.

25 MR. FUENTES: My name is Angel Fuentes.

1 I live at 1205 North 26th Street in Camden.

2 MR. EINGORN: What would you like to say?

3 MR. FUENTES: I would like to say that
4 I've known Miguel and his staff for over 15 years. I
5 can tell you that I live a couple of blocks away from
6 where the site, hopefully with the support of the
7 Board, will take place. I can tell you that it would
8 definitely improve the quality of life. That place,
9 I'm not sure if anyone knows, has been for over a
10 decade, an eye sore, blighted if you will. Young men
11 got killed there when the bar was open. And since
12 then it has been nothing but an eye sore.

13 Let me just say for the record that in
14 the 12 I would say maybe 12 years, we have seen some
15 new residential new businesses, a brand new school.
16 You have the Croc Community Center there. You have
17 the big corporation, the Resin Tech, as well as
18 Abblett Village. All of that is going to come down.
19 We have over 140 million dollars. Thanks to the
20 Housing Authority. All of that is going to be new
21 for residents. As I stated, the Renaissance Schools,
22 the Mastery is there. We just had ground breaking
23 with the Cramer Hill Waterfront Park.

24 So I can tell you that Miguel and his
25 staff, they are known throughout the community,

1 throughout the City and even outside of the City for
2 that matter. But most of all, the City of Camden is
3 the whole notion of good neighbor when it comes to,
4 you know, food distributions to help those who are in
5 need particularly during the COVID period, supplying
6 food distributions to school supplies for our kids.

7 He will always have some health fairs to
8 educate our residents, wellness, if you will. Even
9 every day if you need to get COVID testing, to get
10 your COVID shots, he always welcomes anyone coming in
11 and no need for appointments. And I see everything
12 taking place. I see how residents come in and you
13 could see their smiles. Miguel has earned, not
14 because of his credibility or integrity, but he has
15 received many awards from the Mayor's office, from
16 City Council and from the County Commissioners to the
17 state when it comes to the 5th Legislative District
18 and even from our congressman and our two senators,
19 Menendez and Booker.

20 So he is, as I stated, a person that I
21 believe deserves the support of this Board. And I'm
22 speaking as a resident and I live a couple of blocks
23 away and I've known. And I can tell you that
24 residents are thrilled for him to move and have his
25 own business, his own place, taking ownership instead

1 of renting and spending tens of thousands a month
2 instead of it being two stores that is owned as a
3 business. Again, I ask that you support his
4 redevelopment of the pharmacy in the Cramer Section.
5 Thank you.

6 MR. EINGORN: Thank you, Mr. Fuentes. We
7 appreciate your time. Is there anybody else in the
8 public that would like to be heard on this
9 application? Hearing none, we'll close the public
10 portion. At this time, the Board should ask any last
11 questions; do an analysis of the Positive and
12 Negative Criteria which has been discussed at length
13 both by Dena and Mr. Miller at which the Board is
14 familiar with and propose a motion.

15 REVEREND MARTINEZ: I would like to say
16 that I think Miguel is well known in the City of
17 Camden for his kindness like what was said before.
18 And I think it's positive. I think that place back
19 in the day, I was one of them that used to go in
20 there and spend my time. I think it's great, great
21 news to know and I didn't even know until I found out
22 from the paperwork, that we're going to put a
23 pharmacy there. The pharmacy is just a couple of
24 blocks up in River Road. But I think it's great.
25 I mean, it's got all my support. My church is not

1 too far from him. Yes, I think it's a positive; it's
2 great; and I'm for it.

3 MR. EINGORN: Thanks.

4 VICE-CHAIRMAN COOPER: I think it's a
5 positive for the community. It's going to take some
6 blight out of it and lightened up the area and I
7 think it's a good thing.

8 MS. ALSTON: I believe that it is going
9 to be a great addition to that area. I love the look
10 and feel of it. I love the drive-thru idea; being
11 able to drive out and get your medicine in between
12 the work and maybe lunchtime period, I think. It's
13 definitely a positive:

14 MR. EINGORN: Ms. Atwood, we can see you
15 but we can't hear you.

16 MS. ATWOOD: As a person who is having
17 ambulatory issues myself, I agree that it really
18 should have a drive-in for those of us who would need
19 to just pull our automobile up and get our order and
20 go. Thank you.

21 MR. EINGORN: Does anybody want to make a
22 motion regarding this application?

23 MR. COOPER: I make a motion to accept
24 this application as long as they follow the Remington
25 & Vernick Engineers and do everything that they said

1 they were.

2 MR. EINGORN: So we have a motion to
3 approve the application subject to the terms and
4 conditions of the Remington & Vernick review letter,
5 and with the variances and waivers associated
6 therewith.

7 MS. ATWOOD: Second.

8 MR. EINGORN: And a second by Ms. Atwood.
9 We'll take a roll-call vote. Chairman Hance.

10 CHAIRMAN HANCE: Yes.

11 MR. EINGORN: Vice-Chairman Cooper.

12 VICE-CHAIRMAN COOPER: Yes.

13 MR. EINGORN: Reverend Martinez.

14 REVEREND MARTINEZ: Yes.

15 MR. EINGORN: Ms. Washington. I did see
16 her earlier.

17 MR. SHEEHAN: She's on mute.

18 REVEREND MARTINEZ: I talked to Ms.
19 Washington a little while ago.

20 MR. SHEEHAN: She's still on mute.

21 MR. EINGORN: She's trying. I see her.
22 She's still muted.

23 VICE-CHAIRMAN COOPER: Give her a
24 thumbs-up.

25 MR. SHEEHAN: A thumbs-up or a

1 thumbs-down.

2 MR. EINGORN: Ms. Atwood.

3 MS. ATWOOD: Yes.

4 MR. EINGORN: Ms. Merricks.

5 MS. MERRICKS: Yes.

6 MR. EINGORN: Ms. Alston.

7 MS. ALSTON: Yes.

8 MR. EINGORN: Did we get a thumbs-up or a
9 thumbs-down from Ms. Washington? It looks like she's
10 shaking her head 'yes,' so we'll take that into
11 consideration. All in favor, the motion passes.
12 Have a great night.

13 MR. SHEEHAN: Thank you very much.

14 MR. ARRIAGA: Thank you.

15 MS. MOORE: Kyle, that's it for me for
16 the night.

17 MR. EINGORN: Thank you, Dena.

18 Mr. Baron?

19 MR. BARON: Yes. I see now that
20 apparently you have seven members. Unfortunately,
21 after the first application, there were not seven.
22 And my client needing a use variance, once again,
23 thought that it would be better to have more than
24 five since we need five. So I would ask to be
25 carried to the next agenda and left in a spot as high

1 up as possible.

2 I just want to emphasize for the Board
3 members, this application involves the location where
4 abandoned vehicles from the City are taken to be
5 stored. So it is of some significance. And I
6 apologize if we had known that there would have been
7 seven members, I would have made sure that my client
8 stayed on until we were heard.

9 MR. EINGORN: I appreciate that. If your
10 client is willing to waive the tolling of time, we'll
11 happily adjourn you to July 11, 2022.

12 MR. BARON: We are.

13 MR. EINGORN: Great. See you next
14 month.

15 MR. BARON: July 11th, 2022. Thank you.

16 MR. EINGORN: Yes, sir.

17 The next matter is Camden Apothecary,
18 1205 Haddon Avenue.

19 MR. WELLS: Good evening everyone.
20 Richard Wells here on behalf of the applicant.

21 MR. EINGORN: We are ready if you are.

22 MR. WELLS: Sure. I didn't know if you
23 wanted to -- we did notice and our application and
24 notices are sufficient as well. I will proceed with
25 a brief introduction and we can swear in some

1 witnesses if that's okay with you.

2 MR. EINGORN: That sounds great.

3 MR. WELLS: Perfect.

4 Good evening ladies and gentlemen. Once
5 again, Richard Wells from the firm of Archer
6 & Greiner on behalf of the applicant, Camden
7 Apothecary. This is for the property located at 1205
8 Haddon Avenue, Block 1320, Lot 2. It's an existing
9 vacant commercial structure on Haddon Avenue,
10 adjacent to the intersection of Haddon and Kaighn in
11 the C-1 Commercial District. And because retail
12 dispensaries are not listed as permissible in the C-1
13 Commercial Zone, we require a use variance in order
14 to operate here.

15 There are no changes being proposed to
16 the building footprint. No changes to the
17 functionality. Only interior renovations as well as
18 esthetic upgrades to the exterior if approved.
19 Currently there's no off-street parking that exists
20 at the site, so we are also requesting relief from
21 providing off-street parking.

22 I have four witnesses with me this
23 evening, Mr. Solicitor, if you'd like them all sworn
24 in once we can do so.

25 MR. EINGORN: That would be great. If

1 you could all raise your hand.

2

- - -

3

JAMES MILLER, P.P.; TONY MINNITI;

4

NICHELLE PACE; RAYMOND JONES, having first been duly

5

sworn/affirmed, was examined and testified as

6

follows:

7

- - -

8

MR. EINGORN: I'll have the witnesses

9

state their name and addresses please.

10

MR. JONES: Raymond Jones, 116 N. 2nd

11

Street, Suite 208, Camden.

12

MS. PACE: Nichelle Pace, Brand

13

Enchanting Media, 121 Market Street, Camden, New

14

Jersey 08102.

15

MR. WELLS: Mr. Minniti.

16

MR. MINNITI: Tony Minniti, Bell

17

Pharmacy, 1201 Haddon Avenue in Camden.

18

MR. WELLS: Thank you very much. And

19

we'll get started with Mr. Minniti first as our first

20

witness here. Tony, can you just explain for us a

21

little bit about yourself, your background for the

22

Board.

23

MR. MINNITI: Yes. I'm actually sort of

24

a lifetime Camden business person. I started in 1984

25

at age 14 in my grandfather's pharmacy, Doganiero's

1 Pharmacy on Mt. Ephraim Avenue. I've worked in
2 Camden Pharmacy ever since. I became an owner in my
3 grandfather's business in 1994.

4 Our family purchased Bell Pharmacy from
5 the Schwartz family back in 1997. My partner,
6 Marion, also Ben Doganiero's granddaughter, came into
7 the business. And In 2013, my sister Marion and I
8 became the sole owners of Bell Pharmacy due to
9 retirements and the dissolution of the previous
10 Doganiero ownership group.

11 MR. WELLS: And you're the cofounder and
12 operator of Camden Apothecary, correct?

13 MR. MINNITI: Correct.

14 MR. WELLS: And in addition to being a
15 business owner, a long-time business owner in the
16 community, are you active in any neighborhood
17 associations as well?

18 MR. MINNITI: Yes. I'm on the Board of
19 Trustees of the Camden Schools Foundation. We're
20 active in raising money for scholarships for Camden
21 students. I've been a member of Parkside Business &
22 Community In Partnership, as well as the Haddon
23 Avenue Business Association. I mostly recently, I'm
24 on the Executive Board of the Camden Business
25 Association.

1 MR. WELLS: Thank you. And what I'd like
2 to do is kind of set the stage for the Board to just
3 describe what is in the area. And as we're doing
4 that, I'll pull up what we'll mark as Exhibit A-1.
5 Tony, can you just explain for the Board, what other
6 businesses are located in the area of the proposed
7 dispensary?

8 MR. MINNITI: We have a variety of uses.
9 And it's a real positive to see the improvement
10 that's happened along Haddon Avenue. We have barber
11 shops; we have restaurants. We have a few local
12 bars. We have small grocery stores. It's a variety
13 of uses that are attracting more and more pedestrians
14 and residents shopping in the area of Haddon Avenue.

15 MR. WELLS: And what we've marked as
16 Exhibit A-1, I believe that should be visible on
17 everyone's screen. Is it correct that that's a map
18 of the proposed dispensary and surrounding the
19 dispensary, we see a 200-foot buffer; is that
20 correct?

21 MR. MINNITI: Correct.

22 MR. WELLS: And that 200-foot buffer is
23 based upon the City's Ordinance that effectively
24 prohibits any sensitive uses from being within that
25 buffer area; is that accurate with your

1 understanding?

2 MR. MINNITI: Yes, that's correct.

3 MR. SHEEHAN: And based upon our
4 preparation and submission of Exhibit A-1 and your
5 experience and history operating the pharmacy next
6 door, can you confirm for the Board that there aren't
7 any of these sensitive uses within 200 feet of the
8 dispensary? And by sensitive uses we mean churches
9 or places of worship, any schools, public parks,
10 playgrounds, daycare facilities or behavioral health
11 facilities? And none of those are within 200 feet of
12 the proposed location, correct?

13 MR. MINNITI: That's correct.

14 MR. WELLS: Before we dive into some of
15 the specifics of your proposed operation, can you
16 just give us a brief overview of what your vision is
17 for the dispensary; why you wanted to do this; and
18 why specifically you wanted to put it here?

19 MR. MINNITI: Actually, the vision for
20 the dispensary began back in, I would say, probably
21 2017 and 2018. There was a lot of discussion medical
22 cannabis back then and expansion of dispensary
23 licenses. And we were receiving a lot of feedback
24 from residents in our community. And believe it or
25 not, a lot of senior citizens in particular who were

1 very desirous of having access to medical cannabis in
2 an area that was convenient to them that they could
3 walk to in an area that they knew, as opposed to
4 having to get on a bus and drive out into other
5 areas.

6 Initially, it was an idea that we had but
7 it really was more of us being told of a community
8 need. And that's one of the things that has really
9 maintained Bell Pharmacy for over 90 years now. It's
10 been it's responsiveness through the generations to
11 the needs of our Parkside Community.

12 We came up with an idea that was pretty
13 novel and, in fact, today it still remains a
14 first-in-the-nation concept. And that is, to have a
15 cannabis dispensary that is part and parcel of the
16 pharmacy operation. Currently you have dispensaries
17 and they may or they may not employ pharmacists. But
18 it's never been done where a pharmacy has actually
19 served as a cannabis dispensary.

20 I can go back, way back to the first
21 owner, Henry Bellitz. Back then we've actually found
22 bottles of medical cannabis when we first
23 purchased the store. So this is before the cannabis
24 prohibition days. So in some ways we're actually
25 coming back to -- you know, it's back to the future

1 almost in that we're doing what Bell Pharmacy once
2 did way back in the 1940's when it first opened
3 before prohibition.

4 Our idea for what we're looking to do is
5 a lot different than you might know or might see in
6 many of these other dispensaries. We're not a head
7 shop. We're not a corporate -- you know, we're not
8 some big corporate entity. We're taking the
9 Bell Pharmacy approach that we've had towards health
10 care and we're adding a new product line so-to-speak
11 or new offering in medical cannabis as well as adult
12 use.

13 We're pharmacists. So our approach to
14 everything is from a medical approach. So we're
15 going to be guaranteeing access to our medical
16 cannabis patients, again, particularly our senior
17 citizens that will have access if they're medical
18 cannabis patients, as well as offering the other
19 offerings that come along with the adult use. It's
20 not as restrictive. It's going to be a hybrid sort
21 of model.

22 We're looking to be more of a health and
23 wellness center than we are a dispensary in
24 particular. So there's going to be a tremendous
25 focus on the medical applications of cannabis, not

1 just selling it. So we've spoken with a lot of
2 prescribers in the area and even outside the area who
3 really want to prescribe medical marijuana to
4 patients but they don't -- they're not comfortable
5 with this idea of giving a card and sending them off.
6 They want a bonafide patient-pharmacy
7 position-relationship in the prescription of medical
8 cannabis. We're going to be the only model that
9 actually provides for that dynamic.

10 The state and Governor Murphy is very
11 focused on this idea of insurance coverage for
12 medical cannabis. We're going to be the first
13 dispensary that can actually provide that
14 infrastructure. Dispensaries not being pharmacies,
15 don't have the relationships with your prescription
16 drug benefit that pharmacies do. So we are actually
17 going to be able to provide a vehicle when the state
18 wants no co-pay coverage of medical cannabis, we'll
19 be able to be that outlet where people will actually
20 be able to get their medicine as they do every other
21 prescription. When I say that, we are bringing
22 something that is -- it's truly unique. And to be
23 doing this in Camden, I couldn't be more proud of
24 what we're proposing.

25 MR. WELLS: Thank you, Tony. And just

1 to be clear. You're proposing this as almost an
2 extension of the pharmacy, but it is a separate
3 building so you're proposing that this would be
4 part of the pharmacy operations? It would be a
5 separate structure; a separate license because that's
6 how the state requires it to be; is that correct?

7 MR. MINNITI: Right. There's certain
8 regulations that govern that. We also wouldn't want
9 Bell Pharmacy to not be a pharmacy. I mean, we are a
10 community neighborhood pharmacy. And congratulations
11 to Miguel's. I heard all the wonderful things.
12 They're just fantastic colleagues on the other side
13 of Camden and Camden is fortunate to have them. But
14 much of what Miguel's provides, we're providing also
15 on our site in Parkside. In many ways we're sort of
16 brothers in vision when it comes to a neighborhood
17 pharmacy. So it's important to us that Bell Pharmacy
18 remains a pharmacy while also providing this new
19 opportunity for medical cannabis.

20 MR. WELLS: And you mentioned that a lot
21 of those things were governed by state regs. I just
22 want to be clear. So a lot of the aspects of this
23 proposed dispensary, the ways in which you operate,
24 your recordkeeping, security, everything even down in
25 marketing and branding, those are all governed by

1 strict state standards, correct?

2 MR. MINNITI: Correct. And that's
3 something that's not new to us. Pharmacies probably
4 are one of the, if not, the most highly-regulated
5 professions that there are. I mean, we are
6 regularly background-checked, screened, fingerprints
7 and we have rigorous, rigorous reporting
8 requirements to not only DEA but also to many of
9 these insurance companies who we would do business
10 with. We're routinely audited. In many cases we
11 have to account for tablets down to the tablet. And
12 that's something that we've done for decades.

13 And I would say that what we do as a
14 pharmacy is held to a higher standard than even the
15 rigorous standards that we would have to comply with
16 regard to the State Cannabis Regulatory Commission.
17 So this is not something we're new at. We're experts
18 in this business. This is what we do. So complying
19 with state regulations and DEA regulations, that's
20 part of our every-day world.

21 MR. WELLS: Great. And what I'd like to
22 do is to give the Board a little bit of context for
23 how you propose to operate the dispensary. You told
24 us what the vision is. I'd like to introduce what
25 I'll mark as Exhibit A-2. And that's a proposed

1 floor plan for the dispensary. If you wouldn't mind
2 just going through -- I believe that should be up
3 now. This is the proposed floor plan for 1205
4 Haddon, if it is to operate as a dispensary. Could
5 you just walk the Board through briefly what the
6 various areas are; how you propose to operate the
7 dispensary?

8 MR. MINNITI: Sure. What we have is a
9 plan for entry to the -- entry will continue to be
10 through the 1201 Bell Pharmacy entrance. We have an
11 expansive amount of area in the front of our pharmacy
12 and we're going to convert some of that space into a
13 lounge and reception area for the dispensary. It
14 would also allow for controlled ingress and egress.
15 You will only be able to enter the pharmacy through
16 Bell Pharmacy's main entrance as we see with the
17 first floor retail area. That's the adjoining
18 structure which is 1205 Haddon Avenue. You'll enter
19 through an interior door. There's reception where
20 you see the lounge seating area.

21 When you go into 1205 Haddon Avenue which
22 is where we see, again, the first floor retail area,
23 there's going to be, again, more of an area that's
24 more of a spa-lounge area where patients and
25 customers will be able to sit, relax and wait to be

1 taken up to the second floor via an elevator which
2 we're going to install.

3 The first floor is also going to be
4 available for online pick-ups. Again, we anticipate
5 a strong online component of this especially as we
6 get more into the medical applications. So patients
7 will come in through 1201. Those that are going to
8 be picking up an online order, they'll complete that
9 transaction on the first floor and they will exit on
10 to Haddon Avenue from 1205. So it is entrance-only
11 from 1201 and exit-only for 1205. 1205 will have a
12 armed security guard that will be monitoring and
13 controlling the exit allowing people to exit but
14 insuring that nobody tries to sneak in while people
15 are walking out.

16 When we go up to the second floor area
17 which is going to be more of the dispensary proper,
18 this is where you're going to see many of your -- the
19 flowered teeshirts, all the preparations that you're
20 going to be -- that will be available to you will
21 mostly be involved on the second floor.

22 The second floor has no entry or exit.
23 There's a fire exit that we can see where it says,
24 existing office. That one will be used in the case
25 of an emergency. But for security purposes, you'll

1 only be able to take the elevator up to the second
2 floor. You will transact your purchase.

3 We will have CAN-tenders who will have
4 pads with them assisting our patients and customers.
5 They will take the order. The order will be
6 fulfilled downstairs on the first floor in the front
7 preparation area and it will go back up to the second
8 floor via a tube system much like you would see at a
9 bank. When patients are done transacting on the
10 second floor, they will take the elevator back down
11 to the first floor where they will only be able to go
12 out 1205 from the controlled egress where the
13 security officer will be.

14 MR. WELLS: And as far as you know, this
15 is all compliant with the state's regulations for how
16 a dispensary is to operate. But if there are any
17 changes that need to be made either to your floor
18 plan or to your method of operation, would you agree
19 to make those changes in order to comply both with
20 your state license and any local approvals as well?

21 MR. MINNITI: Absolutely. And as I said,
22 we're used to changing regulations so I'm certain
23 that those regulations will continue to evolve as we
24 go towards the anticipated opening. Yes, it goes
25 without saying though I'll say it, we will always

1 comply with all regulations both state and local.

2 MR. WELLS: Great. Now, before just
3 getting into a little bit more of the specifics of
4 your operation, I want to highlight some of the other
5 members of your team. First I'd like to introduce
6 Ms. Nichelle Pace. Nichelle, are you with us still?

7 MS. PACE: Yes, I'm still here, Richard.

8 MR. WELLS: Great. Thank you.

9 Could you please explain, just give us a
10 little bit of background, what you do for a living,
11 and what your role is with Camden Apothecary.

12 MS. PACE: Yes. I own a branding and
13 creative agency, advertising agency for short for
14 those who are unaware. I've been in the industry
15 20-plus years and I've worked with a lot of regulated
16 brands, including health care, pharma, Pfizer,
17 Proctor & Gamble both over-the-counter and RX as well
18 as both the spirits and tobacco industries.

19 MR. WELLS: Do you currently provide
20 these marketing and branding services for Bell
21 Pharmacy as well?

22 MS. PACE: Yes, I do. We are the ones
23 that branded the Camden Apothecary and came up with
24 the entire brand idea and style guide to insure that
25 not only was it regulated at the state level but any

1 future federal regulations the brand could withstand.

2 MR. WELLS: Great. And beyond being a
3 local business owner, are you also active in any
4 Camden business or neighborhood associations?

5 MS. PACE: Correct. I am the
6 vice-president of the Camden Business Association.

7 MR. WELLS: And with respect to cannabis
8 specifically, were you involved in the City's
9 cannabis committee?

10 MS. PACE: Yes. I actually was the chair
11 of a committee of 18 that set forth the
12 recommendations on how the cannabis industry should
13 be rolled out via ordinance in the City of Camden.

14 MR. WELLS: Can you explain for the Board
15 kind of what the purpose of that committee was and
16 who else was on it with you?

17 MS. PACE: Sure. So the purpose of that
18 committee was to have a collaborative committee that
19 was residents, city stakeholders, business leaders,
20 as well as personnel that worked in the City across
21 the clerk's office, planning, the CCPD, risk
22 management. And we all collaborated on this
23 committee to put forth some good recommendations, as
24 well as collect community feedback which we did
25 through Q&A sessions, as well as an online intake

1 form on how could we best roll out the cannabis
2 industry for the City with the community focus in
3 mind and putting the community first and the
4 community's needs first.

5 MR. WELLS: Was it generally recommended
6 or generally the consensus that retail dispensaries
7 should be permitted within the City?

8 MS. PACE: Yes. Actually, our
9 recommendations as a committee was that all licences
10 would be allowed with the differentiation of micro
11 versus standard. We also for zoning, our
12 recommendations that are current, Zone C Retail
13 corridors including downtown central business
14 district, all commercial retail districts and retail
15 corridors designated close to major highways but not
16 Route 76 were -- would to be allowable for both
17 recreational, retail and medical cannabis
18 dispensaries for the best usage of the community and
19 the space that we have being an urban area.

20 MR. WELLS: And based upon that
21 experience some of the feedback that you gained as
22 part of that committee, would this area the proposed
23 location for the dispensary, would that be envisioned
24 as a good fit generally?

25 MS. PACE: Absolutely. Because it sits

1 in the heart of one of our main commercial corridors.
2 And where there are a lot of residual businesses and
3 ancillary businesses in the area that could totally
4 benefit from the additional foot traffic, as well as
5 some of the overall City plans to make the City more
6 of a walkable city where we have things and
7 entertainment and food and retail establishments that
8 people can walk to and visit.

9 MR. EINGORN: I hate to cut in here a
10 second. But I think it's, as the Zoning Board
11 Solicitor, I have an obligation here to at least note
12 for the record that you're here with a use variance.
13 So clearly it wasn't envisioned for this zone because
14 it's not allowed in this zone. In fact, the
15 ordinance which was enacted just in February, only
16 denotes that these uses, retail cannibas uses, are
17 permitted in the C-2 Zone Gateway Waterfront South,
18 C-3 Zone Old Pathmark area, C-4 Zone Admiral Wilson
19 Boulevard, the US Zone/University Services, and the
20 CC Zone Center.

21 So while I appreciate the testimony and
22 the attempt to kind of shoe-horn this use into this,
23 I don't like the testimony that this is what it was
24 envisioned because clearly the Ordinance speaks for
25 itself. And that's planning testimony, I think, that

1 doesn't belong or should be opined to by Ms. Pace.
2 So I think for the record and for my client's
3 edification, I think that testimony needs to be
4 clarified because I don't think it's accurate.

5 MR. WELLS: Understood and I appreciate
6 that, Mr. Eingorn did say, one not meant to be
7 planning testimony just meant to provide some context
8 as to why we feel the use is compatible here.

9 MS. PACE: I was only reading from the
10 recommendation document that is public knowledge
11 that the City has. I just read from it. That's
12 all.

13 MR. WELLS: And we're going to move on
14 from that anyway. We'll focus mostly, Ms. Pace, on
15 your role as branding and marketing for the
16 Apothecary.

17 You mentioned that there's some state
18 regulations and statutes that apply to this. Based
19 on the plan for the dispensary, there's no use of
20 marijuana leaf images or symbols or symbolism that
21 would violate those regulations as to marketing and
22 branding; is that accurate?

23 MS. PACE: Correct. No use of any of
24 those symbols.

25 MR. WELLS: I'll introduce what we'll

1 mark as Exhibit A-3. And it's an example of what the
2 proposed dispensary would look like; just a draft
3 rendering of the general feel. Ms. Pace, is this
4 what you prepared to represent the feel of the
5 dispensary?

6 MS. PACE: Correct. This is the general
7 look and feel that will go into a final rendering
8 overlay of the actual space. But, yes, we're picking
9 out all of the materials currently for interior
10 design.

11 MR. WELLS: And then I'll scroll up which
12 is still part of Exhibit A-3 but we'll note that as
13 page 2. Would that be a rendering or a general
14 example of what the proposed signage would look like
15 if the dispensary was approved?

16 MS. PACE: Correct. That is the logo as
17 it would be seen in an environment of a sign, as well
18 as it follows all the state regulations of having no
19 images of the plant in the branding.

20 MR. WELLS: One of the other aspects of
21 the regulations involves not physically being able to
22 see any of the products from outside of the
23 dispensary; is that correct?

24 MS. PACE: Correct.

25 MR. WELLS: And based upon the proposed

1 design and what you're assisting Mr. Minniti with,
2 would that be compliant; would you be able to see any
3 of the products inside the dispensary from the
4 outside?

5 MS. PACE: No, you will not because there
6 will be a window and logo overlay so you won't be
7 able to see into the dispensary.

8 MR. WELLS: And, of course, any proposed
9 signage or any esthetic facade modifications, we'd go
10 through the City's permitting process and would be
11 compliant with all those regulations; is that
12 right?

13 MS. PACE: Correct.

14 MR. WELLS: Thank you. No further
15 questions for Ms. Pace. I'll move on to Mr. Jones.
16 Are you still with us, sir?

17 MR. JONES: Yes, sir.

18 MR. WELLS: Thank you, Mr. Jones. Could
19 you explain your background, your history and your
20 role with the Apothecary place?

21 MR. JONES: Yes. Again, my name is Ray
22 Jones. I'm a former police captain from UMDNJ. If
23 any of you know what that is, it's now Rutgers on
24 Exit 9 up. And from Exit 9 down, it's Rowan
25 University but that group is where I came from. I

1 retired in '09 and I opened up a security company in
2 2010.

3 During the time I was the captain for
4 about seven or eight years, it was during the time of
5 911. And I was actually told that I had to take
6 charge of emergency management because nobody was
7 ready for that. And because of that, I gained a lot
8 of wealth of information on emergency management,
9 disaster planning, site security, those types of
10 things.

11 During the time after I retired, I opened
12 up a security company and I took that same
13 information and put it into my security company where
14 we offer uniformed guards, we offer site planning,
15 emergency management. I've been doing this for well
16 over 30-plus years. And I really got a handle on it.
17 What I'm doing for Mr. Minniti is the same thing.
18 I'm going to be running his security there which
19 there's a lot of regulations that we have to sift
20 through to make sure that he's in compliance. And
21 more importantly, to make sure that everyone that
22 comes into that facility is safe.

23 MR. WELLS: And as part of -- Mr. Jones
24 you mentioned your security firm provides a number of
25 services. Do you also provide security services for

1 the pharmaceutical industry?

2 MR. JONES: Yes, I do. There were
3 several stops I had through there. The big one that
4 I had was out in Florence, New Jersey. And this
5 particular company had eight sites across the
6 country. So I built his program from the ground up.
7 So they needed everything which they had to comply
8 with the FDA. That's way more than what the state is
9 requiring. And I was able to -- even until today I
10 still consult with them. So, yes, I have done a lot
11 in the pharmaceutical industry, schools, a lot of
12 different industries, but, yes, pharmaceuticals, yes.

13 MR. WELLS: And is your firm active in
14 employing services in the City of Camden?

15 MR. JONES: Absolutely. We -- you know,
16 as quiet as its kept, we probably average around 80
17 employees from the City of Camden. One of the
18 reasons why I started this, because I wanted to give
19 back to the City, and my office is located down there
20 on 2nd & Market, in between Market and Cooper. And
21 I've been successful at employing local residents.
22 So the answer to that is yes.

23 MR. WELLS: Great. And beyond being an
24 active business owner, are you involved in any
25 community associations or business associations in

1 the City?

2 MR. JONES: Yes, I am. I am the
3 president of the Camden Business Association. I'm
4 also on the Board of Directors of the African
5 American Chamber for the State of New Jersey. Those
6 two organizations is what I'm really heavily involved
7 in. And then I'm also part of the South Jersey
8 Chamber. I try to put myself in a position to see
9 what's going on all in the name of helping the
10 people in the City of Camden.

11 MR. WELLS: And I think you answered one
12 of my questions already. But you are familiar with
13 the general security regulations and standards that
14 are applicable to the cannibas industry, correct?

15 MR. JONES: Yes, I am. The regulations,
16 it's a lot. It's 1730-9.10; that's the security
17 regulations. But what I was able to do and look at
18 for Mr. Minniti, is look at some of the other
19 statutes that's in there that actually really applies
20 to security, such as checking of identifications and
21 things like that which might not be under 9.10 but
22 it's still part of security in my mind.

23 MR. WELLS: And I'd like to focus on two
24 as expects of the security for the Board just to
25 provide them with a little information about how we

1 propose to operate in those two aspects are, of
2 course, customer safety and security of the product
3 itself. With respect to customer safety, you
4 mentioned ID checks. But can you walk the Board
5 through what that process is like and how people can
6 feel that they're secure, not only when they're going
7 in but when they're leaving as well?

8 MR. JONES: Absolutely. As far as the ID
9 checks, I'm proposing and staying within the
10 regulations. Again, I'm trying to do more than what
11 the regulations is asking. In our plan, we will
12 check IDs of everybody that comes in, whether they're
13 visiting or whatever. The ID checks are done at the
14 entrance.

15 And if they're purchasing something, they
16 will be checked again at the point of sale. That way
17 we can insure that the product is getting in the
18 right hands. And we're even proposing doing scans
19 with the IDs as far as identification to make sure
20 that there's not fake IDs and that type of thing so
21 that it's not getting into the hands of the children
22 or someone that's trying to sneak in.

23 MR. WELLS: And those checks and those
24 security protocols, will they be handled by on-site
25 security guards?

1 MR. JONES: Yes. Right. So I believe
2 Mr. Minniti mentioned that there will be guards
3 staffed at the entrance and at the exits. But we'll
4 also have but I don't think he did mention, even the
5 passing of the product, we'll be able to pass it
6 through some type of bullet-proofed shattered nice
7 looking window to make sure the esthetics is nice
8 looking. The whole idea is not to allow the product
9 to get out into the streets without the person that's
10 actually purchasing it. So yes.

11 MR. WELLS: And that leads me to the
12 follow-up aspect, is the security of the product
13 itself. So once it's in the store, it's obviously
14 very secure. But can you talk a little bit about the
15 loading and delivery process so that the Board is
16 clear on how that is secured as well?

17 MR. JONES: Right. What we're proposing
18 is -- I don't know -- they've seen the picture of it.
19 There is a rear door in the back of there. And what
20 we're proposing is delivery of the product through
21 there. And it reminds me, you know, it's not like
22 this dispensary is going to be adding, 20, 30
23 thousand pounds. They're coming in vans and little
24 small trucks where they're going to be making the
25 delivery. We will have security at that point of

1 location. That point of location is a double door
2 which is a trap door so that one opens, one closes.
3 You close the other one and you open other one.

4 The storage that we'll have with the
5 vaults where we will be storing the product is
6 surrounded by cement walls. I mean, we're going way
7 above and beyond to make sure that the product is
8 secure so that it stays in the right hands.

9 MR. WELLS: When you mentioned the
10 delivery vehicles, you said vans. Is that kind of
11 similar to like the Amazon, those sprinter vans that
12 you see driving around?

13 MR. JONES: Yes, the sprint vans. That's
14 what we're anticipating that will be used for a
15 facility like this. Again, this isn't a standard
16 size where you're going to have 20 registers. That's
17 not what this is.

18 MR. WELLS: And last question. I know
19 you mentioned you had a broad array of experience,
20 some of which were in the pharmaceutical industry.
21 In general, when we're talking about the risks
22 associated with providing security for a dispensary,
23 is there any greater risk here than what a typical
24 pharmacy would be exposed to, for instance, the
25 pharmacy next door?

1 MR. JONES: Absolutely none. I think the
2 security will be tighter here than over there. So
3 absolutely not.

4 MR. WELLS: Great. No further questions,
5 Mr. Jones. I appreciate your time. We'll turn it
6 back to Mr. Minniti. I just want to go over a few
7 other specifics about the operation. Tony, are you
8 still with us?

9 MR. MINNITI: Yes.

10 MR. WELLS: Perfect. Just so we can
11 confirm for the Board. The City's Ordinance also
12 enacts some hours of operation restrictions which is
13 9:00 a.m. through 8:00 p.m. Monday through Saturday
14 and 10:00 a.m. through 5:00 p.m. on Sunday. Are you
15 going to be compliant with those operational hours?

16 MR. MINNITI: Yes, we will be compliant
17 with the operational hours and will continue even if
18 there -- as the hours evolve. However, I do think
19 that preliminarily it appears that our hours are
20 going to be more reflective of what we have at the
21 pharmacy which right now is more of a nine to six and
22 on Saturdays it's nine to two. We might extend that
23 a little bit for the dispensary.

24 We don't open the pharmacy on Sundays. I
25 don't anticipate us opening on -- we're not planning

1 to open Sundays right now. If that changes, it'll
2 comply with whatever the City has but it's not our
3 intent to be open on Sundays.

4 MR. WELLS: And how many employees are
5 you proposing to have? Let's talk about roughly your
6 peak shift, how many employees would be there?

7 MR. MINNITI: I think we're talking about
8 possibly eight employees independent of the store
9 manager and assistant manager. And that will be
10 divided among the CAN-attenders who will be assisting
11 the patients, as well as those who will be not
12 public-facing, but who will be involved in the
13 processing of packages, orders for these patients and
14 the customers --

15 MR. WELLS: Great.

16 MR. MINNITI: And I don't include
17 security as part of the dispensary staff proper.
18 That will be an addition.

19 MR. WELLS: Okay. What efforts, just
20 briefly, will you undertake to employ City residents?

21 MR. MINNITI: Well, we always employ City
22 residents. That's been one of the hallmarks of Bell
23 Pharmacy through the years. And that's something
24 that we continue. One of the things that we think
25 really makes us different not just as a pharmacy but

1 as a business is, we have a real dedication to
2 keeping ourselves 'Camden First' and that goes
3 through the hiring process; that goes through
4 everything that we do to top to bottom. That's why
5 it was never even a thought for Nichelle and for
6 Ray. And there are other Camden residents that look
7 to be involved in the operation in the future.

8 We have plans also for local clergy to
9 assist in what we view as a second-chancers program
10 where we will be able to specifically mentor those
11 kids in Camden who may have been victims of cannabis
12 prohibition in the past and are looking to become a
13 part of this new market and this new landscape. Our
14 idea is to bring them in. They'll apply with us.
15 They will be mentored by local clergy and we look to
16 hire them and put them through a certificate
17 program.

18 So that when they finish in six months,
19 they will have not only a degree but they'll have
20 work experience which until now, a cannabis
21 conviction may have excluded them from obtaining or
22 participating. So we would love to see them keep
23 working with us. But really what this is, is an
24 incubator to prepare students to go out into the new
25 cannabis market place. We're looking to sort of grow

1 this new retail sector.

2 There's really no colleges for it right
3 now. And we're looking to really help assist with
4 that because you can't go and really get a
5 certificate and intern in any sort of cannibas
6 business right now.

7 MR. WELLS: Thank you. And with respect
8 to some of the potential impacts of the dispensary,
9 odor being one of the concerns that we hear about
10 quite like frequently, you won't have any unopened
11 or -- I'm sorry -- unpackaged product, correct; it's
12 all going to be packaged?

13 MR. MINNITI: Right. There's not going
14 to be -- we're not a cultivator so we're not dealing
15 with some of the unique odors and such so yes.
16 Everything is going to be pre-packaged. However that
17 said, we do have to have certain filtration systems
18 put in place per CRC regs and, of course, we will be
19 conforming with those regulations.

20 MR. MINNITI: Correct.

21 MR. WELLS: And you don't have -- you
22 won't propose any on-site consumption, correct?

23 MR. MINNITI: No.

24 MR. WELLS: So for all intents and
25 purposes, there will be no discernable odor from the

1 outside of the dispensary, correct?

2 MR. MINNITI: No, there won't be.

3 MR. WELLS: With respect to parking, so
4 the existing facility has no available off-street
5 parking on the lot, correct?

6 MR. MINNITI: Correct.

7 MR. WELLS: And that's similar to other
8 retail businesses in the area?

9 MR. MINNITI: If you go up and Haddon
10 Avenue, I mean, it's a typical urban main street
11 block for a lack of a better term, where most of the
12 parking takes place on the street. We don't have
13 park lots. We have a walkable commun -- it's meant
14 to be a walkable community where you park in one
15 place and perhaps you go to the barber shop and then
16 you come to Bell Pharmacy and maybe Donkeys and
17 Corrine's. But it's not really the typical suburban
18 setting.

19 MR. WELLS: And what about the pharmacy,
20 Bell's Pharmacy, do you have any off-street parking
21 on that specific lot?

22 MR. MINNITI: Currently we've maintained
23 over the last, I would say five to ten years, a
24 stretch of vacant lots between our pharmacy and
25 Luby's Bar. We've had all the dead trees removed.

1 We maintain it. We keep it clear of trash and
2 debris. We even started -- we even paid to get PSE&G
3 lighting on the existing poles to illuminate that area.
4 We did that as a safe community service.

5 MR. WELLS: Right. And just to be clear,
6 that's not your lot, though?

7 MR. MINNITI: No.

8 MR. WELLS: So with respect to Bell
9 Pharmacy, there's no off-street parking on that lot
10 either, correct?

11 MR. MINNITI: No. There's never been any
12 off-street parking for the pharmacy.

13 MR. WELLS: Then how do you handle
14 customer demand at the pharmacy particularly during
15 COVID, you know, when there was a large increase in
16 testing and vaccinations, was parking ever an issue
17 for the pharmacy?

18 MR. MINNITI: No, it wasn't. And I think
19 that you mentioned you COVID. I think that's a
20 pretty good parallel. In the height of COVID during
21 the -- especially this past December and January when
22 the Omnicron variant really went crazy, we were doing
23 200 tests a day and 150 vaccines a day. And that is
24 just a large volume. And we were able to maintain
25 and manage that while without having people spilling

1 over into the street and with any sort of parking
2 issues.

3 One of the, I guess somewhat of
4 advantages that we have with Kaighn Avenue because
5 we're sort of located right on the corner there is,
6 there's really not any businesses or very few
7 businesses existing on Kaighn Avenue. So there are
8 large stretches of off-street parking that are rarely
9 if ever utilized. So that even independent of the
10 adopted lots that we have, there's ample off-street
11 parking within very close proximity to the facility
12 that, again, there's no corresponding use there.
13 It's just either vacant and abandoned buildings or
14 vacant lots altogether.

15 MR. WELLS: Would the anticipated
16 customer demand of your dispensary, let's say, you
17 guys are going absolutely great, you're the only one
18 in the area and you're just attracting tons of
19 customers, that level that you are handling for the
20 peak of COVID vaccinations and testing of 200
21 customers a day plus, is that what you anticipate for
22 the dispensary?

23 MR. MINNITI: I mean, listen, we would
24 love that. But I think that -- what we dealt with
25 during COVID was, to keep access open to residents,

1 we never required appointments. So we had to learn
2 to manage sometimes unmanageable or unpredictable
3 situations. Also, keep in mind, we also had to
4 insure social distancing during all this.
5 Logistically, we are adept to that at handling a
6 volume of customers and patients in a way that's
7 safe, that's efficient and that prevents spill-over
8 into the outside and parking issues all over the
9 place. We handled it pretty well. I think it was a
10 good test run.

11 And in many ways, the way -- we never
12 offered COVID vaccines obviously or testing and that
13 was in addition or an extension of what the pharmacy
14 was doing. It was just a new line that we had to
15 install because the need was there. Now, that
16 subsided to a strong degree. But I think that the
17 parallels to medical cannabis or the cannabis that
18 we're going to provide with Camden Apothecary, is a
19 pretty good second act so-to-speak; that we did it
20 with COVID vaccines and testing. And we also did
21 monoclonal antibodies and we were drawing regionally.
22 It wasn't just from Camden. People were coming from
23 all over. So I think we're going to see a lot of the
24 same dynamics but we're going to put a lot of those
25 lessons that we'd already learned to work here.

1 MR. WELLS: Great. Just to clarify that.
2 The anticipated demand is less than 300-plus
3 customers a day. That was kind of an unusual peak
4 demand that you had temporarily?

5 MR. MINNITI: Correct. Yes.

6 MR. WELLS: And, Mr. Minniti, would it be
7 your representation to the Board that based upon
8 existing conditions at the site between public
9 transportation, existing street parking, existing
10 off-street parking on other lots, as well as your
11 ability to provide scheduled online ordering and
12 pick-up times, would those existing conditions be
13 sufficient to satisfy the anticipated customer
14 demand?

15 MR. MINNITI: I believe so. We put a lot
16 of time and effort into this. This isn't something
17 that we've just come up with. This has been a plan
18 that's been in development and sort of evolution
19 since medical cannabis was first opened up again in
20 2018.

21 MR. WELLS: And you mentioned those kind
22 of those adopted lots next to Bell Pharmacy. In your
23 efforts to sort of maintain those and utilize those,
24 so we're not representing that that's a definite.
25 You're making attempts to maintain that and you'd

1 like to use that as off-street parking but that's
2 kind of over and above, correct?

3 MR. MINNITI: Correct. It's just
4 something we've done as a community service. We felt
5 that there was need. We took it upon ourselves to
6 clean it up. It's always our belief that we'll do
7 anything we can to help the City and more importantly
8 help Parkside.

9 MR. WELLS: Great. And lastly, Mr.
10 Minniti, I'll ask you just as an existing business
11 owner in the area, an active member of the business
12 community and your familiarity with this specific
13 business district, would the addition of a dispensary
14 be compatible with other businesses in the area?

15 MR. MINNITI: Oh, I think so. And I
16 think it's not just in the area. I think it's in the
17 City in general. You know, we're going through a
18 real renaissance in Camden as a City right now. When
19 you look at the focus that we've had on EDs and MEDs
20 and everything that's happened, ironically sort of
21 down on one end of Haddon Avenue at Cooper, and then
22 all the activity and reinvestment we've had with
23 Virtual Lady of Lourdes on the other end, the
24 intersection of Haddon and Kaighn Avenue is
25 strategically important for so many reasons. And to

1 have something like this that's innovative, that's
2 first of its kind, it's just going -- I believe it
3 will just go to continue to raise an already-improved
4 profile for the City of Camden as somewhere where
5 medical innovation comes.

6 And I'll point this out, Rich, right now
7 at both Rowan and Rutgers, programs are offered in
8 cannabis business if you're at Rutgers, and cannabis
9 from a medical standpoint at Rowan. But, again,
10 these students have no where to go to intern or to
11 learn. The idea that we would be able to provide
12 that and work with our fellow institutions to have
13 these students to be able to come and learn and
14 intern in a real world environment.

15 And not only that, again, we're taking a
16 medical approach. We're running this like we run the
17 pharmacy. So it's not going to be Spencer's Gifts.
18 I think that nobody's really identified, what do we
19 do with all these students who are in process today
20 and learning; they've got to get real-world
21 experience. And we're better than our own Camden.

22 MR. WELLS: Thank you, Tony. No further
23 questions for Mr. Minniti. I'll move on to then last
24 certainly not least, Mr. Jim Miller. Jim, are you
25 still with us?

1 MR. MILLER: I'm still here.

2 MR. WELLS: Thank you, Jim. Mr. Eingorn,
3 I know Jim was previously sworn in and qualified as
4 an expert. Any objection to maintaining that
5 qualification?

6 MR. EINGORN: Sorry. No objection. My
7 computer decided to restart in the middle of all this
8 so now I'm on my phone. It's a wonder of technology.

9 MR. WELLS: Thank you, Mr. Miller. We
10 will move on with your testimony.

11 Jim, can you just and we explained it
12 before in a prior application but if you can just
13 reiterate for the Board generally, what does someone
14 seeking a use variance have to show, and whether in
15 your professional opinion, this application meets
16 those criteria?

17 MR. MILLER: Yes. Like the former
18 application we heard a minute ago, we need to
19 demonstrate that we satisfy the Positive and Negative
20 Criteria. On the Positive Criteria we have to show
21 that the property is particularly suited for the
22 proposed use. And that the relief we're seeking
23 would advance one or more purposes of the Municipal
24 Land Use Law. And, of course, we've got the two
25 prongs of the Negative Criteria.

1 What I'm going to do is start out with
2 the Positive Criteria. I believe that this
3 application satisfies two purposes of the Municipal
4 Land Use Law. They're the same ones that I cited
5 earlier at the other hearing and they're Purpose A:
6 To encourage municipal action to guide the
7 appropriate use and development of all lands in the
8 state in a manner that will promote the public
9 health, safety and morales of general welfare.

10 And Purpose G: To provide sufficient
11 space in appropriate locations for a variety of
12 agricultural, residential, recreational, commercial,
13 industrial uses and open space for the public and
14 private according to their respective environmental
15 requirements in order to meet the needs of all New
16 Jersey citizens.

17 In terms of the particular suited-ness of
18 this property, I want to begin with the fact that I
19 believe the existing improvements and the character
20 of the location, contribute to its particular
21 suitability for the proposed use. As you've heard
22 from prior witnesses, this is a site with a vacant
23 store. It adjoins an established pharmacy. This
24 pharmacy has been present in the community for, I
25 think, about 90 years according to Mr. Minniti.

1 The prior witnesses have also shown that
2 the appropriate security and operational practices
3 will be in place. And that basically the cannabis
4 activity can be a seamless extension of the pharmacy
5 activity. The two uses sort of have a synergy. And
6 basically the building itself is a good fit for the
7 use. The floor plans show that it's well-adapted to
8 how the use is proposed. A lot of thought has gone
9 into the arrangement of that interior facility,
10 including all the important security provisions that
11 need to be incorporated, as well as compliance with
12 all of the performance standards which are in the
13 City's ordinance. So for all those reasons, I
14 believe the site is particularly suited.

15 Also, I believe that the cannabis
16 products, at least the ones that have medicinal
17 applications, are an important health care service.
18 So this goes back to Purpose A about promoting the
19 public health and welfare. Cannabis products have
20 been shown to be viable treatments for a number of
21 medical conditions. And this facility is going to
22 provide convenient access to those medical
23 applications for the area and the surrounding area
24 and the residential uses in the immediate vicinity.

25 Thirdly, I believe the site is also

1 particularly suited because of its location within
2 the neighborhood. It's at the corner of two streets
3 and this has been cited by prior witnesses as well.
4 It makes an ideal location for both the pharmacy and
5 the cannabis facility that's an extension of the
6 pharmacy. It is in the middle of an important
7 commercial corridor, both Kaighn Avenue is an
8 evolving corridor once again. And Haddon Avenue is
9 certainly is one of the most important commercial
10 streets that traverse the City of Camden.

11 It's been shown that the site can
12 accommodate the patrons in terms of their parking
13 demand, a lot of the patrons who may be walkers or
14 take public transit. And the experience that the
15 applicant had during the COVID pandemic has shown
16 that there's more than adequate facilities to
17 accommodate the patrons within this facility.

18 It also meets the proximity standards
19 that are incorporated into the City's regulations.
20 It's 200 feet from all of the uses or in excess of
21 200 feet from any of the uses in the surrounding
22 community that would be potentially sensitive to the
23 impacts of this use of churches and schools. So it
24 fully meets those standards of the Ordinance.

25 And finally, it's going to provide a

1 means of occupying an otherwise vacant building. And
2 I said with the prior application, that's always a
3 positive for the uses in the surrounding area.
4 Re-occupying the structure, refurbishing the
5 structure with a viable business, is certainly going
6 to contribute to the stability and vitality of the
7 district. So those are the reasons I believe that
8 the site's particularly suited for the use and that
9 it advances the purposes I cited in the Municipal
10 Land Use Law.

11 Under the Negative Criteria, again, we
12 have to show that there will be no substantial
13 detriment to the public welfare or any substantial
14 impairment of the intent or purpose of the Zone Plan
15 and the Zoning Ordinance. And here I believe that it
16 actually -- there will be no detriment or substantial
17 detriment to the public welfare as a function of this
18 use. I believe it's consistent with the character of
19 the commercial area. It's going to occupy a vacant
20 building which is a benefit to the community.

21 There's an overall benefit from the
22 health services it provides. And also, I think it's
23 important to recognize that all the activity that's
24 associated with this use, is contained within a
25 secured building, which means that there aren't

1 spillover impacts on the community. And it allows
2 this use to mirror the impact of the other uses which
3 are permitted within the district.

4 So for all those reasons, I believe there
5 is no detriment to the public welfare because of the
6 benefits of the use and the redevelopment of the
7 properties and significant benefits to the public
8 welfare. I also believe that you can reconcile the
9 use -- the failure to include this use, the relief
10 that's being sought this evening, and the factors
11 that I think allow us to do that, include that
12 it's an extension of an existing use which is already
13 present and existing in an established business and
14 it's also a unique location.

15 And a lot of other potential locations
16 within the City, it won't be possible to associate
17 the cannibas dispensary with the pharmacy. And I
18 think that that association can be very beneficial to
19 both uses and to the community at large. I think it
20 enhances the operation of the cannibas facility. I
21 think the two uses are complementary in many
22 respects. And I would agree with the observations of
23 Mr. Minniti regarding that. And I think that that is
24 a key factor in making this site appropriate for the
25 use and it reconciles the failure to otherwise

1 include it within the zone.

2 Also, I think it's similar. It impacts
3 the character and the uses that are otherwise
4 permitted. There's basically a neighborhood-oriented
5 commercial services uses and that certainly is true
6 of this use as well. And, again, it meets the
7 proximity standards. It's not going to be proximate
8 to any of the uses which the ordinance seeks to
9 protect.

10 And for all those reasons, I think you
11 can reconcile the failure to otherwise include it
12 within the zone. I don't believe that there will be
13 any impairment of the intent or purpose of the Zone
14 Plan as a result of this approval of this
15 application. Primarily again, because of the
16 character of the use, the fact that all of the
17 potential external impacts of the use can be
18 contained within the building. And also, because I
19 think its scale and character is a good fit with the
20 surrounding community. So I believe it does satisfy
21 the Negative Criteria and would warrant the Board's
22 approval.

23 MR. WELLS: Thank you. Ladies and
24 gentlemen, I have no further questions for the
25 witnesses this evening. I'd be happy to entertain

1 any questions you may have or I'll open it up to the
2 public, whatever you find appropriate.

3 MR. EINGORN: I have a couple of
4 questions. How many residences did you serve within
5 the 200-foot list?

6 MR. WELLS: Residences?

7 MR. EINGORN: Yes. Residential
8 properties.

9 MR. WELLS: I'm not sure. I didn't
10 differentiate between residences and commercials.

11 MR. EINGORN: The map that you provided
12 which is the aerial A-1, other than the, looks to be
13 three churches, an Islamic Center, a child care
14 center, and an elementary school, is there any other
15 churches, schools or other community buildings within
16 this area?

17 MR. WELLS: None that we're aware of.
18 This exhibit showed every sensitive use that was
19 listed in the ordinance that we're aware of within
20 the scope of the map.

21 MR. EINGORN: Is there any reason why
22 this use can't be built or located in an area where
23 it has previously been designated by the City of
24 Camden in its Ordinance?

25 MR. WELLS: Well, I don't think the

1 inquiry is whether it could go somewhere else. It's
2 already our argument and our position here, is that
3 this particular site is suitable notwithstanding that
4 it was not included within the Ordinance. I think
5 that based upon the Positive Criteria and Negative
6 Criteria that we've shown, we're effectively
7 demonstrating that. Notwithstanding this specific
8 district being excluded, it does meet the overall
9 intent and purpose of the Ordinance and of the Zoning
10 Plan and that this particular property is suitable
11 for the proposed use. And that's basically the
12 reason why use variances exist under the Municipal
13 Land Use Law, is to account for scenarios such as
14 this that may not have initially been incorporated
15 within the Ordinance.

16 MR. EINGORN: So other than -- clearly
17 not inherently beneficial, right? So you got to have
18 some sort of special reasons here which I didn't hear
19 any testimony about. It doesn't seem to me and you
20 can certainly update your testimony. I think the
21 Board would like to hear it as to what would qualify
22 "Special Reasons" here for the granting of the use
23 variance.

24 MR. WELLS: Absolutely. And either --
25 Mr. Miller would like to take that or do you want me

1 to set the stage for that? I think generally the
2 testimony regarding the fact that it is associated
3 with the pharmacy and associated with the general EDs
4 and MEDs purpose that we have going on with the
5 City. Jim, I don't know if you want to --

6 MR. MILLER: I believe that's where the
7 "Special Reasons" lie. Basically the way you
8 demonstrate "Special Reasons" with a D-1 variance is
9 to show that the site is particularly suited for the
10 use. And I think that there's some unique
11 characteristics of this site that speak to that
12 principle. I cited the fact that its location where
13 it adjoins an existing pharmacy which I think is
14 unique. There aren't that many pharmacies around the
15 City and the ability to have it be an extension of an
16 existing pharmacy, I think, is a unique situation
17 here which overrides some of the prohibitions within
18 the Code.

19 I cited the character of the local
20 business district. And the fact that it also
21 comports with all the distance requirements between
22 the very sensitive uses that are identified within
23 the local codes. And those are the factors which I
24 believe contribute to the particular suitability of
25 the site for the use.

1 MR. EINGORN: Does the Board have any
2 questions for the applicant or its professional?

3 CHAIRMAN HANCE: Kyle, can I make a
4 comment?

5 MR. EINGORN: It's your Board.

6 CHAIRMAN HANCE: Okay. Here were are.
7 You're going to definitely need parking. And Bell
8 Pharmacy we thank you for being in Camden. But what
9 you're trying to do is cannibas and that area is a
10 high-drug area. That area, it's not permitted. It's
11 in an AC-1 Zone and we just shot down a AC-1 for an
12 LED billboard last month.

13 If you're going to get schools to come
14 there and train them, you're definitely going to need
15 parking because the foot traffic, bus traffic and
16 parking is going to triple in that area. I lived in
17 Parkside. And I sat there the other day and there's
18 an umbrella all around you right now. So I think
19 it's bad spot for it.

20 MR. EINGORN: Could you provide how many
21 spots are required? What kind of variance your
22 requesting for parking?

23 MR. WELLS: So under the Ordinance, we
24 would effectively be able to -- be required to
25 provide one space per 250 square feet of floor area.

1 It roughly equates to eight spaces.

2 MR. EINGORN: You understand that you if
3 you do obtain that variance, there's a \$6,000 fee per
4 spot that's charged by the City of Camden to create
5 parking?

6 MR. WELLS: Correct. And we have no
7 other alternative as the existing site doesn't have
8 any way to facilitate that.

9 MR. EINGORN: That's fine. I just have
10 to go on record with it because every time I don't,
11 Dena gets mad at me. Any other questions from the
12 Board?

13 VICE-CHAIRMAN COOPER: No. I have
14 none.

15 MR. EINGORN: Hearing no further --

16 MR. MINNITI: If I may, I'd like to bring
17 up -- I'd like to address one sort of point and it's
18 an interesting one. I think it's pertinent. As a
19 pharmacy, we're authorized by virtue of our license
20 to dispense drugs pursuant to a physician's written
21 order, and also certain medications without a
22 prescription, prescribers' written order.

23 What makes us different is that as a
24 pharmacy, I can make - I really and I tried to make
25 this argument years ago, I don't need anybody's

1 permission from the CRC, granted that doesn't include
2 the municipality, to dispense cannabis because the
3 state has deemed it drug. Correct? And it's
4 prescribed pursuant to a physician's order which was
5 the card. So, you know, I think that it sort of
6 falls into our certain area of expertise and that's
7 kind of why I think we're a little bit different than
8 someone who is just coming in and opening a cannabis
9 dispensary.

10 VICE-CHAIRMAN COOPER: So you can leave
11 it in your pharmacy and don't have to open up a new
12 building next door then if that's the case. You
13 could leave it right in your pharmacy.

14 MR. EINGORN: But we don't have the
15 ability to make that determination.

16 VICE-CHAIRMAN COOPER: Yes, I understand
17 but I'm just -- I got a general statement here.

18 MR. EINGORN: Let the record show --
19 if the applicant wants to go that route, they'll have
20 to go a different length to obtain that approval.
21 We're here tonight for a use variance and a bulk
22 variance for parking.

23 If there's no further questions or
24 comment from the Board, I guess we'll open this to
25 the public. I see two hands raised although one of

1 them is Mr. Fuentes. So I don't know if he still
2 wants to speak on this. But anybody who wants to
3 speaks should come forward now either for or against
4 this application. I see a hand from Ms. Greene.

5 MS. GREENE: Yes. Can you hear me?

6 MR. EINGORN: Yes, ma'am. I can't see
7 you but I need you to raise your right hand.

8 MS. GREENE: I'm in a hospital with my
9 mother right now but I'm being witness for --

10 MR. EINGORN: I need to swear you in.

11 MS. GREENE: I'm doing it. I'm raising
12 my right hand.

13 - - -

14 SHELIA GREENE, having first been duly
15 sworn/affirmed, was examined and testified as
16 follows:

17 - - -

18 MR. EINGORN: Thank you. Can you give
19 your name and address for the record, please?

20 MS. GREENE: Shelia Greene, 1262 Empire
21 Avenue, Camden, New Jersey.

22 MR. EINGORN: What would you like to add?

23 MS. GREENE: I would like to add the fact
24 that Bell Pharmacy has been in our community for a
25 very long time.

1 MR. EINGORN: Ms. Greene, your audio was
2 breaking up. We missed everything after Bell
3 Pharmacy has been here a long time.

4 MS. GREENE: Can you hear me now?

5 MR. EINGORN: Yes, that's better.

6 MS. GREENE: Bell Pharmacy has been here
7 for a long time. So the pandemic brought on a new
8 situation in the Parkside area. I've been a
9 Parkside resident for over 15 years now. I've been a
10 Camden resident for over 60 years. So coming to
11 Parkside was the ideal spot for me to be after living
12 in various parts of Camden.

13 Now, I met Mr. Minniti through services.
14 The services that he provided was to make sure that
15 vaccines were coming into our neighborhood when
16 vaccines were not plentiful to everyone especially
17 people of color. Vaccines were being distributed in
18 various places and people were driving 200 miles to
19 get a vaccine. But the vaccines were readily
20 available in our neighborhood for our communities
21 based on what Mr. Minniti did. Now, I'm going to
22 call him Tony because I know him that way.

23 So as we were going through of all this,
24 the other thing that actually was brought to his
25 attention was the fact that a lot of opioid use was

1 going on at the same time and people were dying from
2 opioid overdoses. As a pharmacist, he understood
3 that. We looked at the situation from a whole other
4 prospective and said, well, why do they have to also
5 have these pharmaceutical drugs that are definitely
6 going to lead to something terrible.

7 So we started looking at the medical
8 marijuana industry. And in looking at the medical
9 marijuana industry, we found that there were so many
10 other ways that people could find relief from pain
11 and from the sufferings that they may have been going
12 through, lack of appetite, et cetera, et cetera. We
13 found that utilizing the pharmacy and making the
14 pharmacy accountable for the measurement of what it
15 is that they are doing, would make it so much easier
16 for the patient.

17 Because currently in all of the
18 dispensaries, and I do mean all the dispensaries
19 across the State of New Jersey, a Budtender only
20 knows the actual strain and they know what the THC
21 and CBD amounts are in it. But they don't know
22 exactly how to administer it to the patient. They
23 don't know based on weight and age and things of that
24 nature how to do that. A pharmacy does. That's the
25 reason why they know how to distribute the opioid

1 medication that most of the pharmaceuticals have had
2 over the last 20, 30, 50 years. That has not
3 actually brought us to any more life and given us any
4 kind of hope as for being cured. But to be actually
5 like hooked on the same stuff that we're actually
6 saying should not be part of our regular mainstream.

7 So what I'm saying is this, the area that
8 it's in, is perfect. The gentleman who said that
9 there was a lot drug traffic in that area, that is
10 not true. I work with the CCPD on a daily basis.
11 Captain Cawley and I are in constant communication.
12 My position in Parkside is the outreach specialist
13 for PBICP at which Tony has been the model citizen,
14 the model standard for us as for whenever we need or
15 we are in some kind of assistance from him, he's
16 right there for us. Not because of anything that he
17 wants from us but because he believes in our
18 community.

19 It is one of the most important things
20 that we've ever had to have a pharmacy and a person
21 who understands the needs of the people. He is not a
22 minority by standard of what people look at
23 minorities as but he understands them. And it
24 doesn't make a difference whether or not they're
25 educated or not educated. He treats them all the

1 same. So what this is going to benefit in the
2 communities and looking back at 2021 -- I'm sorry --
3 for 2021-2022, when the governor announced that
4 cannabis would become recreational legal in the whole
5 State of New Jersey, the medical industry never took
6 a hit. They only had dispensaries. They don't have
7 pharmacies. It's a difference. And a pharmacy is
8 needed in order for us to understand what the
9 medicine is going to do, can do and will do for the
10 patient. Only pharmacists really understand
11 that.

12 When you get into the cannaboid system,
13 you will understand how the brain works and what it
14 does. And if I'm speaking to you like a nerd, I'm
15 sorry. I just finished my cannabis course and I've
16 learned more than I've known before. I have 20
17 years' experience in the United States Senate as a
18 researcher. I just left -- I used to work for United
19 States Senator Frank Launtenberg. And I just
20 finished within 2013. I have done research on my own
21 to find out what the system was, why we ended up in
22 the place that we ended up. Why we're going through
23 what we're going through right now to try to find
24 another means to actually take care of our citizens
25 and our patients a better way.

1 So I see this as a plus. Tony put in a
2 lot of money to light up that corner. That corner
3 was dark and dismal. He put in a lot of money to put
4 the lighting in. Because of what he did, we, PBICP
5 followed suit and I actually attacked the City to a
6 degree and asked them if they could re-light all of
7 these specific areas, Haddon Avenue, Kaighn Avenue,
8 Wildwood Avenue, Baird Boulevard and Park Boulevard.
9 And so far, the lighting has started to come in. It
10 took two years but we're getting it.

11 Because of the things that he has done,
12 the businesses around him are upgrading. They're
13 making themselves look better. We don't have very
14 many residential communities, residential people that
15 live in that area. It's mostly a business district
16 in that area and we're not sure exactly why. As
17 vice-chair, the former vice-chair of the Cannabis
18 committee, I'm not sure why they did not actually
19 include this in the schedule so that we would know
20 exactly where we would be able to be located seeing
21 that Parkside is the major business district outside
22 of downtown Camden that doesn't exist anymore for
23 business. It's all EDs and MEDs down there.
24 Parkside is next.

25 So I feel as though that having this in

1 the community, it's not going to be a hinderance.
2 It's going to be a help. As a matter of fact, we're
3 not going to have foot traffic and all of this extra,
4 extra whatever people think that may happen. It's
5 not going to happen because we have buses that run in
6 two different directions. Uber is everywhere.
7 People come and people go and then that's the end of
8 it. Now, people have their fears about cannibas.
9 I'm sorry that you do. But if you never used it,
10 never tried it, don't understand it, and you all
11 understand exactly what the benefits are for the
12 people who are suffering and they have to go all the
13 way to Bellmawr just to get their medication, that
14 makes no sense to me whatsoever.

15 So I support this 100 percent, as a
16 matter of fact, 1,000 percent. And I'm looking
17 forward to the day that they it happens very soon so
18 that we can actually make sure that all of our
19 residents in the City of Camden and outside of the
20 areas that's closer to Camden City than they are to
21 Bellmawr, can get the medications that they need
22 without having to go through a whole lot of changes;
23 and know that it's being administered based on the
24 knowledge of a pharmacist. Thank you very much.

25 MR. EINGORN: I appreciate your time. Is

1 there anybody else from the public that would like to
2 be heard on that application? Going once, going
3 twice, we'll close the public portion.

4 Now is the time for the Board to do a
5 discussion of the Positive and Negative Criteria; ask
6 any last pressing questions; then propose a motion
7 regarding the use variance and the parking variance
8 that is requested by the applicant.

9 MS. ALSTON: I'd just like to say briefly
10 that I think it is a positive for Bell Pharmacy to
11 have the dispensary where they are suggesting for it
12 to be at. I also agree that they would be able to
13 administer it correctly, and also with the presence
14 of the security team that's going to help with any
15 issues that may arise. I like the feel of it. I
16 think it would be a good thing.

17 VICE-CHAIRMAN COOPER: I have a question
18 about the off-street parking. You know Bell Pharmacy
19 might have been grandfathered in on off-street
20 parking but this is a new business now. It's not
21 Bell Pharmacy. It's a separate entity. And by law,
22 you have to have X-amount of parking spaces for the
23 business. So that's where my hold-up is, off-street
24 parking. And you said you adopted lots or whatever,
25 you know. If you adopted the lots, you have the

1 parking space.

2 MR. WELLS: I'm not clear what exactly
3 was the question? I'm sorry.

4 VICE-CHAIRMAN COOPER: The question is,
5 the off-street parking. You're coming in front of
6 us, you need a variance for off-street parking.

7 MR. WELLS: Correct. So the off-street
8 requirement is effectively unique to cannabis
9 businesses. The other existing retail facilities on
10 Haddon Avenue and along Kaighn Avenue, are similarly
11 situated. So they also don't have off-street parking
12 and there's no way that they could provide them
13 absent removing the structure physically.

14 What we're doing is basically
15 representing to the Board that we're similar to those
16 other locations both in size and impact. We're
17 similar in the capacity that we're able to handle
18 from a retail prospective. And that the existing
19 off-street parking that's not necessarily on this lot
20 but available in the immediate vicinity, is
21 sufficient to handle that demand in the event that
22 off-street parking is necessary.

23 VICE-CHAIRMAN COOPER: Okay. And, again,
24 you know, notice is served to the public. I went
25 over this page here, we had someone testify that's

1 not even on here that says she lives in the
2 neighborhood. You know, it's like --

3 MR. EINGORN: That's okay. She said
4 she's from Camden. I don't dispute that. It
5 wouldn't matter.

6 VICE-CHAIRMAN COOPER: Yeah, that's fine.

7 MR. EINGORN: She may not be on the
8 200-foot list but that doesn't mean she didn't get
9 news or notice. She sounds like she's friendly with
10 Mr. Minniti, so it's open to the public.

11 VICE-CHAIRMAN COOPER: That's fine.

12 MS. ATWOOD: I've received calls from
13 people who are supporting the dispensary. And my
14 thing is, if the people who live here want it so that
15 they can be able to get without having to leave the
16 City, I support it and I think they should have it.

17 MR. EINGORN: Remember, it's not about --
18 the standard is not whether or not they have to leave
19 the City. The standard is whether or not this
20 particular piece of property as opposed to the places
21 where the City has designated this to go, is
22 particularly suited to this use. Right? You have an
23 Ordinance from February that says, C-2 Zone, C-3
24 Zone, C-4 Zone, US Zone, CC Zone, right? This is not
25 one of those zones. That's why they're here. So I

1 don't think -- the standard is not whether there's an
2 access to legal marijuana. That's not what it is.
3 The standard is not whether or not it's a benefit to
4 the public as it relates to, you know, whether or not
5 marijuana is good for people. Right? That's not the
6 issue here.

7 VICE-CHAIRMAN COOPER: I have no further
8 questions.

9 MR. EINGORN: I heard two people at the
10 same time.

11 CHAIRMAN HANCE: I think this. Our Board
12 needs to get out and check out the properties.

13 THE REPORTER: I cannot hear Mr. Hance
14 clearly. His audio is breaking up.

15 MR. EINGORN: I think Mr. Hance
16 encourages the Board to get out and check the
17 properties; is that what're saying?

18 CHAIRMAN HANCE: Go ahead, Mr. Eingorn.
19 I'm breaking up. Yes. Don't rely on papers.

20 MS. ATWOOD: I live around the corner so
21 I've checked it out.

22 MS. ALSTON: I have a question. Was it
23 medical and recreational or just medical that you,
24 Mr. Minniti, that you are seeking for the
25 location?

1 MR. WELLS: The only available licenses
2 right now are for adult use and Mr. Minniti would be
3 able to sell both medical and recreational. There
4 are no further opportunities to apply for purely a
5 medical license.

6 MR. EINGORN: Will there a pharmacist on
7 staff at this location at all times serving every
8 customer?

9 MR. MINNITI: Yes, there will be. And
10 with regard to medical -- why it's sort of what we're
11 doing is important is, there's a lot of restricted
12 access to medical now because adult use means you
13 don't have to get the card anymore. And what we're
14 seeing is a contraction of access to medical
15 cannabis. We're going to insure that medical
16 cannabis, the medical approach to cannabis doesn't go
17 away simply because the medical license is not being
18 offered anymore; everything is just adult use.

19 I often say, it's the equivalent of you
20 can go and buy Tylenol at a pharmacy from a
21 pharmacist and get all the services that go along
22 with it or you can buy Tylenol at a corner store just
23 right off the counter. What we're doing is -- not
24 that they're completely similar but I think the
25 example is apropos that we're still going to maintain

1 that professional medical approach to those that
2 desire it and want it where that's becoming more and
3 more difficult as everybody is converting to
4 adult-use only without the medical.

5 MR. EINGORN: Does the Board have any
6 further discussion or want to make a motion related
7 to this application?

8 CHAIRMAN HANCE: I make a motion that we
9 do not permit.

10 VICE-CHAIRMAN COOPER: Can you repeat
11 that please?

12 CHAIRMAN HANCE: I make a motion that we
13 do not permit.

14 VICE-CHAIRMAN COOPER: I second.

15 MR. EINGORN: We have a motion to deny
16 the application and then a second. We will take a
17 roll-call vote on the application to deny which is
18 any 'yes' vote is in favor of the motion to deny.
19 Chairman Hance.

20 CHAIRMAN HANCE: No.

21 MR. EINGORN: No against the motion or?
22 You made the motion so does that mean you're going to
23 vote yes?

24 CHAIRMAN HANCE: A motion to deny, yes.

25 MR. EINGORN: So are you voting in favor

1 of the motion or against the motion?

2 CHAIRMAN HANCE: Against.

3 MS. MUHAMMAD: He said against the
4 motion, Kyle.

5 MR. EINGORN: You're voting against the
6 motion that you made or against the application?

7 CHAIRMAN HANCE: Against the application.

8 MR. EINGORN: Vice-Chairman Cooper.

9 VICE-CHAIRMAN COOPER: Yes.

10 MR. EINGORN: Reverend Martinez. You're
11 muted, sir.

12 REVEREND MARTINEZ: Yes to decline.

13 MR. EINGORN: Ms. Washington.

14 MS. WASHINGTON: Yes.

15 MR. EINGORN: Ms. Atwood.

16 MS. ATWOOD: No.

17 MR. EINGORN: Ms. Merricks. It's not Ms.
18 Merricks? I see her name but she's muted.

19 MS. MERRICKS: No.

20 MR. EINGORN: No to the motion?

21 MS. MERRICKS: Yes.

22 MR. EINGORN: Ms. Alston.

23 MS. ALSTON: No.

24 MR. EINGORN: There's static. Is that a
25 'no.'?

1 MS. ALSTON: That is a 'no' to the
2 motion.

3 MR. EINGORN: There is static.

4 MS. ALSTON: I hear it, yes.

5 MR. EINGORN: Four in favor of a denial
6 vote; three against. We have a quorum in favor of
7 denial so the motion would pass.

8 MR. WELLS: I was trying to keep track
9 also, Mr. Eingorn. Was Reverend Martinez, was that
10 in favor of denial?

11 MR. EINGORN: Correct. Thank you for
12 your time.

13 MR. WELLS: Thank you everyone.

14 VICE-CHAIRMAN COOPER: Kyle, let's get a
15 10-minute break here.

16 MR. EINGORN: Yes. We'll be back on at
17 9:00 p.m.

18 - - -

19 (The proceedings are off the record at
20 8:50 p.m.)

21 (The proceedings are back on the record
22 at 9:03 p.m.)

23 - - -

24 MR. EINGORN: Back on the record. The
25 next matter is Sylvester Randall, 412-414 Pine

1 Street. Is the applicant ready? Anybody for
2 Sylvester Randall 412 to 414 Pine Street?

3 MR. RANDALL: I'm right here. He's
4 listed as All Phases.

5 MR. EINGORN: Okay. Sir, can you raise
6 your right hand?

7 MR. RANDALL: Yes.

8 - - -

9 SYLVESTER RANDALL, having first been duly
10 sworn/affirmed, was examined and testified as
11 follows:

12 - - -

13 MR. EINGORN: Can you state your name and
14 address for the record?

15 MR. RANDALL: Sylvester Randall, 1716
16 Cooper Street, Camden, New Jersey.

17 MR. EINGORN: Are you represented by
18 counsel tonight?

19 MR. RANDALL: No.

20 MR. EINGORN: Okay. Would you like me to
21 read the appeal for zoning?

22 MR. RANDALL: The name of the applicant
23 is Sylvester Randall. The applicant's interest in
24 the property is as a tenant. And the current address
25 of the owner of the property is 414 Pine Street. The

1 property location -- I don't think this is correct --
2 maybe he has it backwards -- I think the name and
3 address of the owner is 4716 Cope Street, Camden.
4 The property is 414 Pine Street. It's reverse on the
5 form.

6 The property is in an R-2 Zoning
7 District. It measures 20 feet on a 30-foot depth.
8 One building on the lot; one story. It's presently
9 used for storage and proposes a warehouse. The use
10 is not permitted. A use variance is needed for
11 change of use. The applicant is requesting a site
12 plan waiver. The reasons for appeal: Under new
13 management. I can't read the rest. I apologize.
14 Sale of furniture; and donations. Mr. Randall, the
15 property which you're proposing?

16 MR. RANDALL: I've been for three years
17 and I sell online. And I just use the warehouse to
18 store my bids like my furniture.

19 MR. EINGORN: So you sell furniture
20 online, sir?

21 MR. RANDALL: Yes.

22 MR. EINGORN: How often do you get
23 shipments of furniture?

24 MR. RANDALL: Like two, three times a
25 week.

1 MR. EINGORN: Can you tell me what
2 prompted your need for a variance?

3 MR. RANDALL: Say that again, sir.

4 MR. EINGORN: Sure. You said you've been
5 operating for three years. Why are you now here?
6 Did you get cited for usage?

7 MR. RANDALL: Yes, I got cited for usage.

8 MR. EINGORN: Was there a big truck on
9 the property? What's going on there?

10 MR. RANDALL: Are you saying, is there a
11 truck on the property?

12 MR. EINGORN: Yes. How did they figure
13 out that you didn't have a right use for this?

14 MR. RANDALL: I guess the previous
15 tenant, I guess they were applying for something and
16 they came and knocked on the door and I told them I
17 was the new tenant.

18 MR. EINGORN: What kind of delivery
19 trucks come to the property to deliver your
20 furniture?

21 MR. RANDALL: Like 26-foot trucks, box
22 trucks.

23 MR. EINGORN: Looks like there's some
24 kind of lift or some sort. Was this previously an
25 auto garage?

1 MR. RANDALL: I guess they were proposing
2 to build an auto garage but the lifts are getting
3 removed.

4 MR. EINGORN: Anything else you want to
5 tells about this application?

6 MR. RANDALL: Yes. Well, as far as
7 parking, I guess they denied it, the parking. I
8 guess adopted land where you could fit cars a 26-foot
9 truck can back up into there in and out. So there's
10 no traffic on the streets. I mean, I donate back to
11 the City. I give out free packets to the people that
12 need it. I'm trying -- I'm like the first minority
13 of Camden resident with a furniture company. So,
14 this is like a start. I'm getting denied so...

15 I sell furniture for a lower price right
16 under Raymond and Flanagan and stuff like that. I
17 make the furniture affordable for the people of the
18 City of Camden.

19 MR. EINGORN: So it has been a long night
20 so far. I'm assuming you've heard some of the
21 applications that have come before you. The standard
22 here is the Positive and Negative Criteria. The
23 Positive Criteria being "Special Reasons," due to the
24 size and character of the property. You can't use it
25 for another purpose or it's particularly suited for

1 this purpose. The Negative Criteria being, using the
2 property for its use will not impair the Zoning Plan
3 or Ordinance. It will not have a negative impact
4 upon the public. Do you have any testimony in that
5 regard?

6 MR. RANDALL: Did I bring anybody?

7 MR. EINGORN: No.

8 MR. RANDALL: Oh, as far as like
9 community like I said, I plan on giving -- actually I
10 give out a free Father's Day with the Jumping For The
11 Kids, that's coming up. I give out free food to the
12 community. And sometimes if somebody needs a bed or
13 something, I give it to them for free. So I give
14 back to the community. I don't have no problems with
15 the neighbors. I keep the area clean.

16 MR. EINGORN: Those are great things and
17 those are very appreciated. The issue is not whether
18 or not you're a great person. The issue is whether
19 or not the property is suited for where it's
20 located. Right? You want to put a warehouse on Pine
21 Street. Right?

22 MR. RANDALL: Yes.

23 MR. EINGORN: Is there any impact to the
24 neighborhood? Have you had any complaints? Is there
25 a traffic problem? Why should we allow a

1 warehouse -- why should the Board allow a warehouse
2 at this property?

3 MR. RANDALL: Why should you? I've been
4 here for three years like I said and I had no issues
5 with parking, disturbance. I don't have no calls
6 from no police coming here or nothing. Only they
7 call and ask can they look at the cameras if
8 something happened on the street. I don't have any
9 issues.

10 MR. EINGORN: And you're asking for a
11 site plan waiver. So do you have any changes to the
12 exterior of your property planned, any lighting
13 changes, any drainage changes, any exterior
14 construction?

15 MR. RANDALL: No.

16 MR. EINGORN: Does the Board have
17 questions for the applicant?

18 CHAIRMAN HANCE: Do you have licenses?
19 Do you own the warehouse?

20 MS. WASHINGTON: Can you hear me?

21 MR. RANDALL: I rent the warehouse out.

22 CHAIRMAN HANCE: Do you have a retail
23 license or anything?

24 MR. RANDALL: Say that again.

25 MR. EINGORN: Do you need any business

1 licenses?

2 MR. RANDALL: The only license I need is
3 the license once I get zoned. I got a retail license
4 that I paid for through the state. My business,
5 I pay every year that I pay my taxes.

6 CHAIRMAN HANCE: Are you sure you don't
7 want to come back with a lawyer?

8 MR. RANDALL: Did you say, do I want to
9 come back with a lawyer?

10 CHAIRMAN HANCE: Yes.

11 MR. RANDALL: If I have to.

12 MS. WASHINGTON: Kyle, can you hear me?

13 MR. EINGORN: A little bit.

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

15 MR. EINGORN: Yes, ma'am.

16 MS. WASHINGTON: I would like for him to
17 explain to me the picture on the fourth page.

18 MR. EINGORN: On the fourth page?

19 MS. WASHINGTON: From the front, the
20 fourth page.

21 MR. EINGORN: The one that looks like an
22 office?

23 MS. MUHAMMAD: Can you show the picture?
24 Don't think he has it in order.

25 MR. EINGORN: This picture?

1 MR. RANDALL: That's the office inside of
2 there.

3 MS. WASHINGTON: That --

4 MR. EINGORN: I'm sorry. Could you
5 repeat that?

6 MR. RANDALL: Are you talking to me or
7 her?

8 MR. EINGORN: I was talking to Ms.
9 Washington.

10 MS. WASHINGTON: Explain to me page four.

11 MR. EINGORN: This one?

12 MS. WASHINGTON: A whole lot of stuff.

13 MR. RANDALL: That's the mattresses.

14 MS. WASHINGTON: I'm talking about the
15 fourth page.

16 MR. RANDALL: You're talking about what?

17 MS. WASHINGTON: It needs to be cleaned
18 up.

19 MR. EINGORN: Are you talking about this?

20 MS. WASHINGTON: I can't see nothing.

21 MR. RANDALL: That's the office. I just
22 put a new floor down.

23 MS. ALSTON: I may have to agree with Mr.
24 Hance here. I don't think there is enough
25 information for me to even make a good decision, not

1 with what we have. I don't believe we have
2 everything that we need here in order to make a good
3 decision.

4 MR. EINGORN: What's going on here is, we
5 really don't have enough information for the Board to
6 make a determination as to your application. One of
7 the issues is that the Board is a quasi-legal entity,
8 meaning, that it -- quasi-judicial entity, meaning,
9 that it acts like a judge and is subject to appeal.
10 So in order to make a decision on your application
11 that to withhold or withstand a challenge maybe from
12 a neighbor or otherwise, you have to have a lot more
13 information.

14 I would suggest to you that this is a,
15 you know, because it's a quasi-judicial entity
16 hiring an attorney is a good idea. If you need
17 recommendations for an attorney, you can contact my
18 office. I see Mr. Izzo on tonight. He's regularly
19 before the Board. You can contact him as well.

20 Otherwise, you need to submit -- if
21 you're going to go it alone, you need to submit more
22 photographs of the inside, the outside of the
23 building. An aerial photograph from Google Maps
24 would be helpful so we can see what's around the
25 property. Anything else you want to say, Mr. Hance

1 or anybody else from the Board?

2 CHAIRMAN HANCE: Probably the parking.
3 Can you hear me? There's a bit of an echo right now.
4 Problem with the parking.

5 MR. EINGORN: So more information about
6 the parking that's available on the site.

7 MR. EINGORN: So we're going to adjourn
8 your application until July 11th and you need to
9 submit more information and we'll see you then.
10 Okay?

11 MR. RANDALL: Okay. Thank you.

12 MR. EINGORN: We appreciate your time.
13 The next matter, Edison Martinez, 2944
14 Westfield Avenue.

15 MR. IZZO: Charles Izzo, the attorney for
16 the applicant. My client also would request to a
17 second member Board because he's seeking a use
18 variance. If we could, we'd rather come back to a
19 full Board.

20 MR. EINGORN: I think we have every one.

21 MR. IZZO: We were at five and we needed
22 the five out of five.

23 MR. EINGORN: I see Mr. Hance, Mr.
24 Cooper, Reverend Martinez, Ms. Washington, Ms.
25 Atwood, Ms. Alston and Ms. Merricks.

1 MR. IZZO: What was the count, please?

2 MR. EINGORN: Seven.

3 MR. IZZO: I'm going to get my client now
4 cause he's on a Zoom meeting.

5 MR. EINGORN: So we're going to proceed
6 with the next matter. We'll take you when that one
7 is done.

8 MR. EINGORN: Andres Ventura, 2523 Morgan
9 Blvd. Is that one ready?

10 MR. VENTURA: Yes.

11 MR. EINGORN: Good evening.

12 MR. VENTURA: This is Juan Ventura,
13 co-applicant on behalf of my father.

14 MR. EINGORN: Are you an attorney, sir?

15 MR. VENTURA: No, I'm not.

16 MR. EINGORN: I can't -- what's your
17 relationship to the property itself? Are you an
18 owner, a tenant?

19 MR. EINGORN: No, it's my father. He
20 purchased the property --

21 MR. EINGORN: Can I swear you in? Raise
22 your right hand, please.

23 MR. VENTURA: Sure.

24 - - -

25 JUAN VENTURA, having first been duly

1 sworn/affirmed, was examined and testified as
2 follows:

3 - - -

4 MR. EINGORN: Can you give your name and
5 address for the record?

6 MR. VENTURA: Juan Ventura, 48 Radnor
7 Boulevard, Marlton, New Jersey 08053.

8 MR. EINGORN: Mr. Ventura, is your father
9 there with you?

10 MR. VENTURA: No, he's not. He's not
11 with me right now. I can get him on the phone,
12 speaker phone. Since I'm the co-applicant, he
13 doesn't speak any English so I pretty much do
14 everything for him.

15 MR. EINGORN: Do you have a power of
16 attorney?

17 MR. VENTURA: No, I don't.

18 MR. EINGORN: The problem is, you're
19 putting us in a tough spot because you're trying ot
20 represent your father but you're not a lawyer and
21 you're not a power of attorney. So it would be more
22 comfortable for us if maybe you were to translate for
23 your father; something of that nature. It would
24 much, I guess, more legal.

25 MR. VENTURA: Okay. I understand. I

1 didn't know because as a co-applicant, I thought that
2 I could do the process, the whole process for him. I
3 apologize.

4 MR. EINGORN: It's tough because you're
5 not an owner of the property, right?

6 MR. VENTURA: No, I'm not the owner.

7 MR. EINGORN: And you're not a tenant so
8 you don't have a real interest in the property. So
9 without that, you can't really represent your father.
10 I don't mean to be give you a hard time. That's not
11 my intent. I just want -- like I said, I want this
12 to be able to withstand scrutiny to the extent that
13 there's an appeal.

14 MR. VENTURA: Yes, I understand. He has
15 to be present or can he be on a phone or he has to be
16 present on the video?

17 MR. EINGORN: As long as there's not
18 going to be a lot of feedback, I don't think there's
19 any issue with him. I'd feel a lot better if he were
20 there.

21 MR. VENTURA: Yeah, I understand. The
22 only reason why because since he don't speak any
23 English so normally I do everything for him. My
24 mistake; my error.

25 MR. EINGORN: We give some leeway if

1 you're going to appear as a translator. But once we
2 appear on your own, then that kind of crosses the
3 line a little bit into a territory that's not
4 comfortable for the Board.

5 MR. VENTURA: I understand.

6 MR. EINGORN: Do you want to come back in
7 July or do you want to try to have a run-over to your
8 house and we'll recall Mr. Izzo, if he's available
9 or --

10 MR. VENTURA: Yes. I'm going to call him
11 up. He's not far away so I can call him.

12 MR. EINGORN: Okay. Mr. Izzo, are you
13 ready to go? You're muted, sir.

14 MR. IZZO: We are ready.

15 MR. EINGORN: Let's return to Edison
16 Martinez, 2945 Westfield Avenue.

17 MR. IZZO: Yes. Mr. Martinez will
18 testify in support of his application.

19 MR. MARTINEZ: Yes.

20 MR. EINGORN: Can you raise your right
21 hand, Mr. Martinez?

22 MR. MARTINEZ: Yes.

23 - - -

24 EDISON MARTINEZ, having first been duly
25 sworn/affirmed, was examined and testified as

1 follows:

2 - - -

3 MR. EINGORN: Can you state your name and
4 address for the record?

5 MR. MARTINEZ: Edison Martinez. The
6 address is 109 Lenape Road, Cherry Hill, New Jersey
7 08002.

8 MR. IZZO: Mr. Martinez, do you own the
9 property over at 2944-2946 Westfield Avenue?

10 MR. MARTINEZ: Yes.

11 MR. IZZO: And what is being -- how is
12 that property being used right now today?

13 MR. MARTINEZ: It's empty right now.

14 MR. IZZO: Do you know what the most
15 recent previous use of the property was before it was
16 empty?

17 MR. MARTINEZ: I think it was a church
18 there.

19 MR. IZZO: Were you involved with the
20 church?

21 MR. MARTINEZ: No.

22 MR. IZZO: And did you have residential
23 tenants in that house yourself?

24 MR. MARTINEZ: No.

25 MR. IZZO: You're making an application

1 to the Zoning Board to do what with this
2 property?

3 MR. MARTINEZ: It's for jewelry.

4 MR. IZZO: A jewelry store?

5 MR. MARTINEZ: Yes.

6 MR. IZZO: Would that be situated on your
7 property at 2944, the jewelry store; where would that
8 be?

9 MR. MARTINEZ: In the first floor.

10 MR. IZZO: It would be the entire first
11 floor?

12 MR. MARTINEZ: Yes. Well, the front. In
13 the back it's an apartment.

14 MR. IZZO: And are there apartments above
15 the storefront portion?

16 MR. MARTINEZ: Yes, in the top.

17 MR. IZZO: How many apartments are there?

18 MR. MARTINEZ: One two -- three
19 apartments in total. One in the front and two -- one
20 in the back and in back of the store.

21 MR. IZZO: Do you see the picture that's
22 on the screen?

23 MR. EINGORN: No, we can't see anything,
24 Mr. Izzo.

25 MR. IZZO: Okay. Can the Board see the

1 picture? Or I'll close it.

2 MR. EINGORN: Maybe just close it and
3 reopen it and see if it works.

4 MR. IZZO: Your property on Westfield
5 Avenue, what is that near on the Westfield Avenue?
6 Are you at a residential block or something
7 different?

8 MR. MARTINEZ: These two corner stores,
9 it's a school and a church and that's it, I think.
10 It's more houses. It's residential.

11 MR. IZZO: You understand that even
12 though those businesses are there next to you, that
13 you're in a residential district?

14 MR. MARTINEZ: Yes.

15 MR. IZZO: Now, you haven't opened that
16 business or rented those apartments, have you?

17 MR. IZZO: And how come your building is
18 going to work out well for your plans to open a
19 jewelry store? Why do you see that happening?

20 MR. MARTINEZ: There's nothing like that
21 in the area right now. It's good to try something
22 new.

23 MR. IZZO: Your building, why is your
24 building suitable for and not some other building?

25 MR. MARTINEZ: What?

1 MR. IZZO: What would your building be
2 suitable for corner and not some other building?

3 MR. MARTINEZ: Oh, it's the location.

4 MR. IZZO: What about that location?

5 MR. MARTINEZ: It's a lot of traffic like
6 people walk; the school is near. The two stores
7 help.

8 MR. IZZO: So in your plans, you actually
9 have some parking facility in the --

10 MR. MARTINEZ: Yeah, in the back.

11 MR. IZZO: What are those?

12 MR. MARTINEZ: It's a garage and two
13 parking too behind the building.

14 MR. IZZO: What size if the garage that's
15 behind your building?

16 MR. MARTINEZ: It fits three cars.

17 MR. IZZO: Are you proposing to tear down
18 that garage or keep that garage?

19 MR. IZZO: I can fix and put doors for
20 the tenants to park inside.

21 MR. IZZO: When we look at property, it
22 appears to be on a corner on Westfield Avenue; is
23 that correct?

24 MR. MARTINEZ: Yes.

25 MR. IZZO: What side street?

1 MR. MARTINEZ: Westfield is the only
2 street on the side.

3 MR. IZZO: Well, not knowing the name, is
4 that where your garage is accessed from that side
5 street?

6 MR. MARTINEZ: Yeah, the side. Behind
7 the building.

8 MR. IZZO: Besides the three-car garage,
9 you also have some identical parking room behind that
10 vacant building; isn't that true?

11 MR. MARTINEZ: Yes.

12 MR. IZZO: And what kind of additional
13 space do you have, parking space?

14 MR. MARTINEZ: It's three.

15 MR. IZZO: Three what?

16 MR. MARTINEZ: Three parking spaces.

17 MR. IZZO: You've got three surface
18 parking spaces and a three-car garage?

19 MR. MARTINEZ: Yes.

20 VICE-CHAIRMAN COOPER: Hey, Kyle, can we
21 get some pictures, please? I see one picture up here
22 and we're talking about garages and everything that I
23 can't see.

24 MR. EINGORN: Mr. Izzo, do you have more
25 pictures that you can just post and run through? I

1 know that there are some pictures that are attached
2 to the Zoning Plans, one or two. Maybe you have the
3 ability to walk us through Google Maps? Maybe just
4 pull it up and walk us down the side street?

5 MR. IZZO: We can do that.

6 VICE-CHAIRMAN COOPER: I'm looking and I
7 can't find it.

8 MR. IZZO: What Mr. Martinez is
9 describing, the garage that's accessed from the side
10 street off of Westfield and he's also describing
11 three additional surface parking spaces. Are those
12 spaces there or do you have --

13 MR. MARTINEZ: Yeah, it's there.

14 MR. IZZO: And if you were to go over
15 there tomorrow morning, you could park your car?

16 MR. MARTINEZ: Yes.

17 MR. IZZO: So you can park three cars on
18 the three spaces and you could use the garage,
19 correct?

20 MR. MARTINEZ: Yes.

21 MR. IZZO: Now, what kind of renovations
22 are you doing to the building itself?

23 MR. MARTINEZ: I bought the building like
24 it is right now. I don't do any renovation or
25 nothing.

1 MR. IZZO: What are your plans to
2 renovate it?

3 MR. MARTINEZ: My plan is, it's done
4 inside and outside. I try to pull

5 MR. IZZO: Well, the picture I have shows
6 a bunch of random boards. Is that what it's --

7 MR. MARTINEZ: Oh, yeah, yeah. I try to
8 pull out the gates but the only thing is, they're
9 missing.

10 MR. IZZO: You say you don't have to
11 build any walls or any --

12 MR. MARTINEZ: No.

13 MR. IZZO: If you're approved for the
14 store, what are you going to build there?

15 MR. MARTINEZ: When the zoning is
16 approved because I have to submit the permits.

17 MR. IZZO: Right. And what are doing to
18 do; what kind of work are you going to do when you
19 get the permit?

20 MR. MARTINEZ: Paint what needs to be
21 painted. That's it.

22 MR. IZZO: What about this deck where you
23 have all this parking, do you have to do landscaping
24 back there, drain it? Is anything needed back there?
25 Is it ready?

1 MR. MARTINEZ: Maybe a light.

2 MR. IZZO: How many lights are you going
3 to install?

4 MR. MARTINEZ: Two.

5 MR. IZZO: What else do you want the
6 Board to know about your plan? Are you going to
7 operate the business there yourself?

8 MR. MARTINEZ: No, no. It's one of my
9 customers.

10 MR. IZZO: Are you going to have the
11 apartments inspected by the Housing Department before
12 you let people move into them?

13 MR. MARTINEZ: Yes, of course.

14 MR. IZZO: So you're testifying that
15 those three apartments besides the store. What
16 happens to be on the first floor?

17 MR. MARTINEZ: Yes.

18 MR. IZZO: How many bedrooms in that
19 apartment on the first floor?

20 MR. MARTINEZ: One. Like a studio.

21 MR. IZZO: What about the apartments on
22 the second floor, how many bedrooms on those?

23 MR. MARTINEZ: One got two and the other
24 got one. Like a studio too.

25 MR. IZZO: Do you envision that when you

1 have your store opened and if you obtain tenants for
2 those apartments, that they'll be able to park their
3 vehicles some place other than in front of the store?

4 MR. MARTINEZ: Yes, in the back. That's
5 for the tenants in the back.

6 MR. IZZO: For the tenants?

7 MR. MARTINEZ: Yes.

8 MR. IZZO: How will this store that
9 you're going to build, how will that improve that
10 block of Westfield where you own your property, how
11 will that block be if you're allowed to build this
12 store?

13 MR. MARTINEZ: It will help the City to
14 look better. There's a lot of empty houses right
15 now. It's one left.

16 MR. IZZO: Right. And are you concerned
17 that the business is going to bother the people that
18 live across the street or live on that block? Isn't
19 that business going to bother them with extra people
20 coming in?

21 MR. MARTINEZ: I don't think so because
22 it's not that many people buying jewelry every day.
23 It's not going to be traffic problem.

24 MR. IZZO: There's really no houses on
25 your block. There's the Los Primo store there and a

1 church. And does the church have their own parking
2 lot?

3 MR. MARTINEZ: I don't know.

4 MR. IZZO: What else do you want to tell
5 the Board before they start asking you questions
6 about your property?

7 MR. MARTINEZ: I think it helps the City
8 look better and give new people an opportunity to
9 start working.

10 MR. IZZO: I have no other questions for
11 Edison Martinez.

12 MR. EINGORN: So the applicant is
13 requesting a use variance for a multi-family
14 dwelling, commercial use, and it looks like you need
15 a bulk variance because -- actually they might need a
16 bulk variance for the parking. I don't know if they
17 have enough for the commercial space. And then a
18 site plan approval or a waiver is needed. Is the
19 applicant, Mr. Izzo, requesting proposing a site plan
20 or asking for a waiver?

21 MR. IZZO: We're asking for a waiver
22 because essentially he's going to install two lights
23 and everything else is as-is there.

24 MR. EINGORN: Does the Board have
25 questions for the applicant regarding the requested

1 use variances, site plan waiver and potential parking
2 variance?

3 CHAIRMAN HANCE: Yes. We're going to
4 need more pictures. He has three apartments and one
5 store. On that one picture, there's only three
6 meters on the wall. I don't see a fourth meter. The
7 picture of the house, if you look on the side of the
8 wall, there's only three meters there. Where's the
9 fourth meter for the fourth building?

10 MR. EINGORN: Are you asking electrical,
11 gas? Why don't we ask the applicant. What's the
12 meter situation like for the electric?

13 CHAIRMAN HANCE: Yes, the electrical
14 meter.

15 MR. IZZO: Mr. Martinez, you have to
16 answer that question.

17 MR. MARTINEZ: Yes, I bought it like
18 that. I don't fix anything about this, the meters or
19 nothing.

20 MR. IZZO: How many?

21 MR. MARTINEZ: They got four meters.

22 MR. EINGORN: Are they separately metered
23 for electric?

24 CHAIRMAN HANCE: You're showing three
25 meters. You have to bring pictures back to show us

1 that. Also, the hot water tanks and we want to see
2 inside the buildings.

3 MR. MARTINEZ: Okay.

4 CHAIRMAN HANCE: There's also one on that
5 lot on the street. There's two churches and there's
6 also two houses. You've got St. Joseph's Church; you
7 have another church; three churches and another
8 church right by the tennis court. And you have two
9 houses in between this.

10 MR. MARTINEZ: Yes, it's two churches
11 side-by-side.

12 CHAIRMAN HANCE: Yes. Well ---

13 MR. MARTINEZ: I don't understand him.

14 MR. EINGORN: Can you repeat that, Mr.
15 Hance. You kind of got chopped up there.

16 CHAIRMAN HANCE: We are going to need
17 more pictures of the meters, the hot water heaters
18 and inside the building.

19 MR. MARTINEZ: You need more pictures,
20 the water heaters, the meters?

21 CHAIRMAN HANCE: Yes. And the fourth
22 meter.

23 VICE-CHAIRMAN COOPER: Your garages. The
24 pictures, you got a three-garage or something in the
25 back. We can't see none of this stuff. You need to

1 bring us pictures.

2 CHAIRMAN HANCE: I mean, I was there. I
3 checked it out but I didn't see a fourth meter.

4 MR. EINGORN: The next meeting is July
5 11th. We'll see you then guys? Please submit
6 everything to Evita.

7 MR. IZZO: Okay.

8 MR. EINGORN: Is Mr. Ventura back?

9 MR. JUAN VENTURA: No, he's not back yet.
10 I can see how long he's going to take to get here. I
11 can find out.

12 MR. EINGORN: What about Junior Tineo,
13 3500 Federal Street, is that ready?

14 MR. TINEO: I'm here.

15 MR. EINGORN: We'll take the next matter,
16 Junior Tineo, 3500 Federal Street, Block 1060, Lot
17 38. Proposes an event hall with two awnings. Use is
18 not specifically permitted in a C-1 Zone. Use
19 variance needed. Off-street parking is needed. Bulk
20 variance for the parking is necessary. Do you want
21 to proceed or do you want me to read your appeal for
22 zoning before you proceed? How would like to --

23 MS. PERALTA: Kyle, can I translate for
24 him, please?

25 MR. EINGORN: Sure. Okay. So first

1 please raise your right hand.

2 Ms. PERALTA: Yes.

3 MR. EINGORN: Ms. Peralta, you swear or
4 affirm that the translation you'll provide tonight,
5 will be true and accurate as to the best of your
6 abilities?

7 MS. PERALTA: Yes.

8 MR. EINGORN: And then if the applicant
9 can raise his right hand.

10 - - -

11 JUNIOR G. TINEO. Having first been duly
12 sworn/affirmed, was examined and testified as
13 follows:

14 - - -

15 MR. EINGORN: Since Ms. Peralta is going
16 to be translating, everything needs to go through
17 her. Okay? So that's where we'll start.

18 I guess I'll read the appeal for zoning.
19 Name and address of the applicant is Junior G. Tineo,
20 2916 Federal Street, Camden, New Jersey. The
21 applicant is the owner of the property. The property
22 is in the C-1 Zoning District. It has a lot frontage
23 of 40 feet on Federal Street and a depth of 60 feet.
24 There's one building on the lot. It's a one-story
25 building with two entrances and exits, one on Federal

1 Street and the other on 35th Street.

2 It's presently commercial, a hall for
3 events, birthday parties, weddings and special
4 events. And the proposed use is the same. The
5 zoning officer denied a permit because the use is not
6 permitted and off-street parking is needed so a use
7 variance and bulk variances are needed. And it says
8 the last sign variance is also needed because the
9 sign exceeds 24 square feet.

10 An appeal is made under the Zoning
11 Ordinance to permit use because it's on a commerce
12 strip of Federal Street. And the reasons why the
13 appeal should granted, the sign needs a variance
14 because it is mounted on the building and it is the
15 same size of -- I can't read that -- W. Fullen Prof.
16 Serv., which is only 100 feet away. There's parking
17 on the back of the building for six cars plus across
18 the street is a lot for parking plus off-street
19 parking. So what else would the applicant like to
20 tell us about the proposed event hall.

21 MR. TINEO: That's all the information so
22 that's I need zoning.

23 VICE-CHAIRMAN COOPER: I have a question.
24 You say you have a parking lot across the street?

25 MR. TINEO: I said that there's a

1 parking -- I have a parking lot in the back and that
2 there is also is a parking lot across the street that
3 I'm able to use when I have those events. I already
4 spoke to the owner of that property and he said that
5 I'm able to use that property.

6 VICE-CHAIRMAN COOPER: If you get
7 something in writing, that may help you out here.
8 And the other thing, the parking in the back is
9 only -- I live in the neighborhood and that parking
10 in the back it's not six cars.

11 MR. TINEO: If organized, I could fit six
12 cars in the lot in the back. And, yes, I can get a
13 letter from the owner of that property to be able to
14 use that.

15 VICE-CHAIRMAN COOPER: That may help him
16 out with this application.

17 MR. EINGORN: Can you tell us what the
18 maximum capacity is that has been designated by the
19 Fire Marshall?

20 MR. TINEO: The maximum capacity is 85
21 people.

22 MR. EINGORN: Eighty-five people. Has
23 this be used for events already?

24 MR. TINEO: It was used once. I used it
25 once. I wasn't aware that the paperwork was not

1 submitted or that I wasn't able to use it. Because
2 the person that was doing my paperwork did not
3 explain that to him.

4 CHAIRMAN HANCE: Do you know when you
5 used it once? Do you know what date, what month it
6 was?

7 MR. TINEO: It was December 31st.

8 CHAIRMAN HANCE: December 31st?

9 MR. TINEO: December 31st.

10 VICE-CHAIRMAN COOPER: Go ahead, Mr.
11 Hance.

12 MR. EINGORN: Mr. Hance, we didn't get
13 anything you said. Your whole audio cut out on us.

14 CHAIRMAN HANCE: Did you hear me?

15 MR. EINGORN: Now we can.

16 CHAIRMAN HANCE: You have three
17 commercial trucks parked back there.

18 MR. TINEO: No, I apologize. It was used
19 four times.

20 VICE-CHAIRMAN COOPER: Maybe more.

21 CHAIRMAN HANCE: What I'm talking about
22 is parking right now. Behind your building you have
23 three big white refrigerated trucks back there.
24 Where would you put those at?

25 MR. TINEO: That doesn't belong to

1 me.

2 VICE-CHAIRMAN COOPER: That's the
3 bakery's.

4 MR. TINEO: Yes.

5 CHAIRMAN HANCE: Again, you just lost
6 three parking spots.

7 MR. TINEO: Because I share that parking
8 spot with the bakery.

9 CHAIRMAN HANCE: Where are you going to
10 put your trucks? That's a residential area. And I
11 was there Sunday and there's no parking there at
12 all.

13 MR. TINEO: There was a truck on Sunday
14 you said?

15 CHAIRMAN HANCE: There were three trucks
16 there this Sunday. I did see it.

17 MR. TINEO: That's an open space that the
18 bakery uses during the day to off-load their
19 products. So they also use my parking space during
20 the day because I don't use that location all the
21 time.

22 CHAIRMAN HANCE: What I'm saying is, you
23 don't have any parking. If you have an event and use
24 it like Saturday or Sunday, I think you need to tell
25 the owner you need to park across the street because

1 that property you have don't have sufficient parking.

2 MR. TINEO: That hall that I have is
3 actually going to be used during the evening and
4 weekends which are more like after 5:00 p.m.,
5 6:00 p.m. And that I don't use the hall during the
6 weekdays which is when the bakery uses it the most.
7 Also, the parking across the street is not even used
8 as much during the evening on the weekends, Fridays
9 or Saturdays.

10 CHAIRMAN HANCE: The parking across the
11 street, it's an abandoned lot. And it has two feet
12 weeds on top of it.

13 MR. TINEO: No. I can show you the
14 screen here. We're now referring to the lot, that
15 lot in front of the building.

16 VICE-CHAIRMAN COOPER: You're talking
17 about the lot that has the posted signs up
18 there: Private Property; Tow Away.

19 MR. TINEO: Yes.

20 VICE-CHAIRMAN COOPER: Yes. So you need
21 to get permission in order to use that lot.

22 MR. TINEO: Yes. I already spoke to the
23 owner.

24 VICE-CHAIRMAN COOPER: Now, on that lot
25 itself, you got Cartun Hardware that uses that lot;

1 you got the store that's right next to it, Andre's
2 Barber Shop; and you have the Latino store that's on
3 the corner. Understandable that they may not be
4 there at night, but that's a common lot. And you
5 guys need to get permission or something from the
6 landlord stating that you can use that lot.

7 MR. TINEO: Okay. I can actually get
8 that in writing.

9 CHAIRMAN HANCE: Also, that holds maybe
10 15 to 20 cars and it has two broken down trucks on it
11 there.

12 MR. TINEO: Repeat that again?

13 CHAIRMAN HANCE: It may hold 15 cars and
14 it has two broken down trucks parked there.

15 MR. TINEO: I'm saying that most of the
16 time when you got to a party, many people go in one
17 car. They don't all go 85 people in individual
18 cars.

19 VICE-CHAIRMAN COOPER: Okay.

20 MR. TINEO: Some people are dropped off.
21 It's not like everybody drives.

22 VICE-CHAIRMAN COOPER: You guys are going
23 for a variance here. It's not specified and
24 permitted in the zone for one. And you need
25 off-street parking. So off-street parking, you

1 definitely need. And then first for us to make a
2 decision whether or not we're going to allow you to
3 get this variance, you know, you got to tell us a
4 real reason why. Not just because you want to have
5 parties here. Does this building have a kitchen in
6 it?

7 MR. TINEO: I don't have a kitchen. And
8 that I have compared my location with other halls
9 that have less parking than the one I'm providing to
10 the people he's renting the location to.

11 VICE-CHAIRMAN COOPER: I don't know.

12 MR. TINEO: I know of a few approved
13 locations that are halls that are being used as halls
14 and they have less parking than the one he's on.

15 VICE-CHAIRMAN COOPER: And they're
16 approved? I don't think so because they haven't come
17 through us yet. They're going to get an orange
18 sticker too.

19 MR. EINGORN: And they're not before the
20 Board tonight. We have no facts or evidence related
21 to those other locations. There's nothing in the
22 record; there's been no pictures or other testimony
23 provided that would substantiate that. And, you
24 know, we don't even have the names and the locations,
25 the parking counts.

1 To that end, those halls may pre-exist
2 the Zoning Ordinance. We have no idea. There's way
3 too many factors to take that into consideration.
4 This is a new application. We have to weigh it on
5 its face. And it's hard to do that with what we have
6 in front of us.

7 MS. WASHINGTON: Hey Kyle, I'm talking
8 about the people coming in in individual cars, I've
9 been to many dances and people drive their own cars.

10 MR. EINGORN: If you go to an event, you
11 want to show off your new Mercedes, right?

12 MS. WASHINGTON: So you just can't
13 surmise that there's going to be four or five people
14 in one car. You can't do that. It don't work like
15 that.

16 MR. EINGORN: For a maximum capacity of
17 85 people, I don't know that a total of 18 cars is
18 going to cut it.

19 MR. TINEO: I am saying that the reason
20 why I was specific on the information of my
21 application that the clients, that this is more for
22 family members. It's not so much for just public
23 persons to come and rent his location. It's more for
24 people that are having like a family event like a
25 birthday party; like a wedding; like a Baptism.

1 MR. EINGORN: Sure. The issue is this
2 and you might have heard me say this previously. The
3 approvals you may be granted tonight run with the
4 land. Meaning that, if Mr. Tineo sells this property
5 to whoever and they're under the impression that
6 they've gotten approvals that his is a banquet hall.
7 And, now, three times a week, they've got banquets
8 running all the time. And the next thing we know,
9 there's 85 people looking for parking spots. There's
10 been a creation of a mess that could have been
11 avoided and maybe this belongs in a different spot.
12 Right? Just because the applicant proposes small
13 events, doesn't mean that when he sells it, the next
14 person is going to abide by that.

15 So when taking into consideration
16 everything, the Board has to look at, hey, this
17 property is going to be an event hall and what could
18 that mean for the future. Right? Which is why we
19 have the Zoning Code, to put things in places where
20 they belong. And when you ask for a use variance,
21 you say, hey, this isn't really suppose to be here
22 but we'd like do it anyway. But then the Board is
23 saying, hey, if you let me do it anyway, we got to
24 know for sure that it really should be. Right?

25 MR. TINEO: My responsibility is to

1 actually, you know, when I do a contract, what is the
2 place being rented for. I also want to take care of
3 my location. I don't want to just rent it to anybody
4 to go and destroy his place.

5 VICE-CHAIRMAN COOPER: Here's the thing.
6 When you have an event hall or something like that,
7 you can't control what comes. Because once you put
8 out there on Facebook or whatever, anybody can show
9 up, anybody will come.

10 MR. EINGORN: The other issue is, this
11 building is going to last longer than a lot of us,
12 right? Unfortunately or maybe fortunately people
13 aren't permanent, right, and we're not going to last
14 forever. And when we all go away, whether we move or
15 die or we just sell the property because it was worth
16 a lot a money or maybe it's a sink hole and you
17 want to get rid of it, somebody else is going to show
18 up. And that somebody else may not have the same
19 ideas as Mr. Tineo does as to what he can do with an
20 event. Right?

21 So part of te Board's function isn't just
22 the way, hey, he's going to do this. It's also to
23 say, is this part of the City and is this location
24 specifically good for what's being proposed for the
25 future going forward regardless of who the applicant

1 is. Right? And so that's one of the bigger issues
2 here.

3 Mr. Tineo may be only having 20 people at
4 a time and there may be sufficient parking for 20
5 people at a time. And then next guy comes in and he
6 has 85 people and he's got a crazy business going on
7 and everybody wants to rent it because it's an
8 interesting thing. And this intersection which looks
9 like it could be a busy area, becomes congested with
10 cars and parking and traffic. And the next thing you
11 know, the intersection is being blocked or people
12 pulling in and out and all kinds of other issues that
13 Board's foreseeing because we've seen it in other
14 parts of the City.

15 MR. TINEO: What I'm saying is that I
16 understand what you guys are saying. My plans are
17 not to sell and I do understand that the location
18 will be there for many years. But my plans are to
19 keep it as a family thing. I don't know if you guys
20 took a look at the pictures inside and seen how nice
21 it is in the inside. So my plans are not to have
22 people that will destroy the place. And that's the
23 reason why I have invested so much money in that
24 location.

25 VICE-CHAIRMAN COOPER: If you're not

1 going try to convince us or, you know, get more
2 parking or whatever --

3 MR. TINEO: I'm going to get the
4 letters.

5 VICE-CHAIRMAN COOPER: Okay. Let him get
6 the letter and let him come back in front of the
7 Board and then we'll make a decision then. But right
8 now, just -- he definitely wouldn't be approved on my
9 behalf.

10 MR. EINGORN: Do yourself a favor and
11 take a look at the Zoning Code and find out how many
12 spots are needed for an event hall for a maximum
13 capacity of 85 people. Because, remember, if Mr.
14 Tineo gets a bulk variance and, say, he needs 10
15 spots and he can't provide and he gets a variance for
16 that, he may get a bill for \$6,000 per spot. That's
17 \$60,000 to run this event hall just to provide
18 parking. Right?

19 MR. TINEO: Okay.

20 MR. EINGORN: So that's something to look
21 into. Maybe this isn't, you know, the best idea if
22 you need a lot of parking spaces that you can't
23 provide.

24 MR. TINEO: Okay. Thank you.

25 MR. EINGORN: See you in July. Thank

1 you.

2 I think I saw that Mr. Juan Ventura is
3 back with his father there.

4 MR. ANDRES VENTURA: Yes.

5 MR. EINGORN: Very good. I think you're
6 our last matter for tonight, last but not least as
7 they say. I have to get my packet here. Hold on.

8 Mr. Juan Ventura, can you raise your
9 right hand?

10 MR. JUAN VENTURA: Yes.

11 MR. EINGORN: Do you swear or affirm that
12 the translations that you provide tonight are true
13 and accurate to the best of your abilities?

14 MR. JUAN VENTURA: Yes.

15 MR. EINGORN: Can the applicant raise his
16 right hand.

17 MR. ANDRES VENTURA: Yes.

18 - - -

19 ANDRES VENTURA, having first been duly
20 sworn/affirmed, was examined and testified as
21 follows:

22 - - -

23 MR. EINGORN: The applicants are Juan
24 Ventura and Andres Ventura, 48 Radnor Boulevard,
25 Marlton, New Jersey. The property is located at 2523

1 Morgan Boulevard, Block 644, Lot 24 in the R-2 Zoning
2 District with a frontage of 32 feet and a depth of 65
3 feet. There's one building on the lot. It looks
4 like a home but it's two stories. It's presently
5 empty. Proposed use is single-family. There's no
6 construction needed. A bulk variance is needed.

7 The reason why the appeal should be
8 granted: My father purchased the property and he
9 didn't know the process. The paperwork needed to be
10 filed before he could live in the house because it
11 was a church. So the zoning permit denial requires a
12 bulk variance for off-street parking and site plan
13 approval or waiver because it's a change of use from
14 a church to a single-family home. Is that all
15 accurate?

16 MR. VENTURA: Yes. Correct.

17 MR. EINGORN: Can you tell us a little
18 bit about the property; what was the condition when
19 it was purchased; what kind of construction was done;
20 how long has it been owned; is your father living
21 there?

22 MR. VENTURA: He purchased the property
23 last year, beginning of last year. To be honest, we
24 didn't know the process. I didn't even help him get
25 it properly. He's been in the country for only like

1 two, three years somewhere around that. And when he
2 told me about the property that it was a church, I
3 was like, I don't know how the process works here. I
4 believe you have to do some paperwork; not like in
5 the DR, in the Dominican Republic which is where's
6 we're from, normally there's no process to be honest.

7 After he did I said, I don't know how
8 difficult it's going to be. I can try to help you
9 out with the process. That's all I can do. So
10 basically the property, it was in good standing. It
11 used to be a church. So it's pretty much -- the
12 space was pretty much empty but they already had
13 bathrooms inside. They already have a kitchen
14 inside. And as you can see in the pictures. So
15 basically, he sold a small business that he had in
16 the DR. He purchased the property to be here close
17 to family, to his grandkids basically.

18 And, you know, after he did, I was really
19 worried because I was like, I don't know what you're
20 really getting into by purchasing this church because
21 he was desperate to get a place to live. And then --
22 you know, where he lived they didn't explain him the
23 process like you're buying a church and you got to
24 apply for paperworks and all that. Again, I said,
25 I'll do my best to help and see, you know, God help

1 us to get this approved so he can live in the
2 property.

3 MR. EINGORN: How many bedrooms are in
4 there currently?

5 MR. VENTURA: There's three.

6 MR. EINGORN: Three bedrooms.

7 MR. VENTURA: Yes.

8 MR. EINGORN: How many bathrooms?

9 MR. VENTURA: There is one -- no, there's
10 two. Sorry. Two.

11 MR. EINGORN: Two bathrooms.

12 MR. VENTURA: Yes.

13 MR. EINGORN: Is it a single kitchen?

14 MR. VENTURA: There is one in the
15 basement. And he was working on getting one in the
16 livingroom which used to be the open space for the
17 church.

18 MR. EINGORN: So you're trying to move
19 the kitchen up a floor?

20 MR. VENTURA: Right. He's just trying to
21 live in the house, not in the basement, when it's his
22 own place.

23 MR. EINGORN: Got it. Is there parking?

24 MR. VENTURA: Yes. Actually there's
25 three. Even though Morgan Boulevard, there's traffic

1 but it's pretty quiet. So normally there's no people
2 parking there. And there's also like an entrance on
3 the side. If you can see on the picture, it actually
4 looks like a driveway and nobody parks there. I
5 would say it's kind of like in the property area on
6 the side. I mean, there's plenty of parking for him.

7 MR. EINGORN: Is there a curb-cut access
8 to that area?

9 MR. VENTURA: I'm sorry? What would be
10 the question?

11 MR. EINGORN: So you're saying there's
12 kind of like a driveway. Is there a curb-cut where
13 you can drive over the curb and get to that space?

14 MR. VENTURA: Yes. There's like an
15 entrance actually, yes. I don't know if that would
16 be -- because I don't see any traffic going there but
17 there's really an entrance. It's not going over the
18 sidewalk. I don't know if you can see it in one of
19 the pictures that I sent.

20 MR. EINGORN: Is that owned by your
21 father that little strip of land or is that part of a
22 different piece of property?

23 MR. VENTURA: No. That would be in his
24 property?

25 MR. EINGORN: How many cars do you think

1 you can park on that space?

2 MR. VENTURA: On that space, I would say
3 only one car. And then the street, the Hunter
4 Street, it's pretty much always like no much traffic
5 on that street.

6 MR. EINGORN: Right. That's street
7 parking, right? We're talking about off-street
8 parking on the property. Because a three-bedroom
9 unit needs -- a three-bedroom house needs two spaces
10 at the very least off the street, so you'd still need
11 a variance for one space.

12 MR. VENTURA: Let me see --

13 MR. EINGORN: Is there any changes
14 proposed to the exterior of the property?

15 MR. VENTURA: No. Actually probably you
16 have the -- I don't know if you're going to be able
17 to see the picture.

18 MR. EINGORN: Let the record reflect
19 that the applicant is showing a phone to the screen.
20 We're unable really to see the picture.

21 MR. VENTURA: Right. Like on the side, I
22 believe, like two cars can really be there. It's
23 just that I said it from my mind. I don't really --
24 we've been in the property and just one vehicle every
25 time we go to the property. I would assume two

1 vehicles. He said that even three vehicles might fit
2 in there. That's my father.

3 MR. EINGORN: Did you check the tax
4 records? This looks like it may have been a house
5 before it was a church.

6 MR. VENTURA: That is correct.

7 MR. ANDRES VENTURA: And I believe it was
8 a three-bedroom house when I was looking into the
9 records.

10 MR. EINGORN: Does the Board have any
11 questions for the applicant?

12 VICE-CHAIRMAN COOPER: He's just turning
13 this house into a single-family home, correct?

14 MR. VENTURA: Correct.

15 VICE-CHAIRMAN COOPER: No duplex or
16 anything?

17 MR. VENTURA: No.

18 VICE-CHAIRMAN COOPER: You're going to
19 live in it?

20 MR. VENTURA: Yes.

21 VICE-CHAIRMAN COOPER: All right.
22 Okay.

23 CHAIRMAN HANCE: My question is, the
24 picture of the area with the fence, is that your
25 backyard or front?

1 MR. VENTURA: I apologize. There's some
2 bad connection. I couldn't hear you.

3 MR. EINGORN: The area with the fence, is
4 that the backyard or the front yard?

5 MR. VENTURA: The fence, that would be
6 the front yard and kind of side.

7 CHAIRMAN HANCE: With the two big trees?

8 MR. VENTURA: Yes, with the streets; with
9 the big streets.

10 CHAIRMAN HANCE: Okay that's a street. So
11 you don't own that -- it looks like an alleyway. You
12 don't own the alleyway, right? Where the fence
13 stops, that's your property?

14 MR. VENTURA: Right. The fence is there,
15 right. And then that alley, that kind of driveway,
16 it's pretty much like on the side of the property.
17 To be honest, I don't have the whole -- I mean, I
18 would assume it belongs to the property but I cannot
19 guarantee it to be honest. But it's only
20 like -- his property is the only one on that space.
21 No other property connects or is next to it.

22 CHAIRMAN HANCE: You would have to find
23 out because that looks like an alleyway for anybody.

24 MR. EINGORN: Is that the road that's
25 next to that little strip, what road is that?

1 MR. VENTURA: I believe it's Hunter on
2 that picture. No vehicle goes that way as specific
3 on this. I don't know if you guys can see it,
4 because I don't have the pictures on me. But the
5 alley on the driveway, there's no other traffic going
6 that way. Only his driveway basically facing him.
7 And then there's Hunter Street and then Morgan
8 Boulevard on the other side.

9 MR. EINGORN: I was trying to read the
10 legal description attached to the deed here but it's
11 hard to do it without a visualization and a map.

12 MR. EINGORN: Is there any further
13 questions for the applicant?

14 REVEREND MARTINEZ: Looking at the
15 pictures, he's doing nothing. He only wants to make
16 it into his dad's apartment. I don't see nothing
17 wrong with it. The alleyway, we all know the
18 alleyway. It's sitting. Nobody owns the alleyway.

19 But due to the fact that by looking at
20 the pictures, the pictures show themselves that it
21 was a church. It's even blessed that he's purchasing
22 a church. Changing a church into a one-family like
23 that for this dad, honestly, I don't got nothing
24 against it.

25 MR. EINGORN: Let's open this application

1 to the public. Is there anybody in the public that
2 wants to be heard on this application either for or
3 against? Who is Vanessa's Ipad? Hearing no public
4 comment, we will close the public portion.
5 Discussion of the Positive and Negative Criteria, any
6 last questions?

7 UNIDENTIFIED SPEAKER: Vanessa's Ipad,
8 I was here for the 3500 property. No comment.

9 MR. EINGORN: Sorry, I couldn't hear you.

10 CHAIRMAN HANCE: I think it's a good idea
11 if he turns it back into a house.

12 MR. EINGORN: Reverend Martinez, you're
13 muted but I saw you speaking.

14 REVEREND MARTINEZ: I agree. I agree
15 with the Chair. I mean, I think we all, especially
16 for my dad, I will do anything for my dad. I think
17 it's fantastic that he's trying to convert that
18 church into a single-family house. It's not going to
19 change nothing in there so I don't see nothing wrong
20 with it. I think it's a positive

21 MR. EINGORN: I see a lot of duplex
22 applications. It's nice to see a single-family home
23 application once in a while.

24 REVEREND MARTINEZ: Yes.

25 MR. EINGORN: Do we have a motion?

1 REVEREND MARTINEZ: Motion to accept the
2 application.

3 MS. ATWOOD: Second.

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

6 CHAIRMAN HANCE: Yes.

7 MR. EINGORN: Vice-Chairman Cooper.

8 VICE-CHAIRMAN COOPER: Yes.

9 MR. EINGORN: Reverend Martinez.

10 REVEREND MARTINEZ: Yes.

11 MR. EINGORN: Ms. Washington.

12 MS. WASHINGTON: Yes.

13 MR. EINGORN: Ms. Atwood.

14 MS. ATWOOD: Yes.

15 MR. EINGORN: Ms. Merricks.

16 MS. MERRICKS: Yes.

17 MR. EINGORN: Ms. Alston.

18 MS. ALSTON: Yes.

19 MR. EINGORN: Motion is granted.

20 Congratulations.

21 MR. VENTURA: Thank you. We appreciate
22 it.

23 MR. EINGORN: I'm just going to recall
24 Dajua Fussell. Did Ms. Fussell appear? She did not
25 so I would suggest that the Board make a motion to

1 deny the application without prejudice, I guess, is
2 fine.

3 VICE-CHAIRMAN COOPER: A motion to deny.

4 MS. ALSTON: Second.

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

7 CHAIRMAN HANCE: Yes.

8 MR. EINGORN: Vice-Chairman Cooper.

9 VICE-CHAIRMAN COOPER: Yes.

10 MR. EINGORN: Reverend Martinez.

11 REVEREND MARTINEZ: Yes.

12 MR. EINGORN: Ms. Atwood.

13 MS. ATWOOD: Yes.

14 MR. EINGORN: Ms. Merricks.

15 MS. MERRICKS: Yes.

16 MR. EINGORN: Ms. Alston.

17 MS. ALSTON: Yes.

18 MR. EINGORN: The motion passes.

19 The final order or second to last order
20 of business is Adoption of Resolutions. The
21 following Resolutions are up for adoption: Granting
22 Use Variance Approval and Site Plan for Maytav Bus
23 Company.

24 Granting Site Plan Approval for QOZ
25 Self-Storage.

1 need a motion to adjourn.

2 CHAIRMAN HANCE: Motion to adjourn.

3 MS. ATWOOD: Second.

4 MR. EINGORN: All in favor?

5 THE BOARD: Yays.

6 MR. EINGORN: See you all in July.

7 - - -

8 - (**Meeting concluded at 10:20 p.m.**) -

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1 CERTIFICATION

2
3
4 I HEREBY CERTIFY that I am a Certified Court
5 Reporter and Notary Public.

6 I FURTHER CERTIFY that the witness was sworn
7 to testify to the truth.

8 I FURTHER CERTIFY that the foregoing is, to
9 the best of my ability, a true and accurate
10 transcript of the testimony taken stenographically by
11 me at the time, place, and date hereinbefore set
12 forth.

13 I FURTHER CERTIFY that I am neither a relative,
14 employee, attorney or counsel to any of the
15 parties to the action, nor a relative or employee of
16 such attorney or counsel and that I am not
17 financially interested in the action.

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