

In The Matter Of:
CITY OF CAMDEN
ZONING BOARD

TRANSCRIPT OF MEETING
August 1, 2022

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ZONING BOARD
CITY OF CAMDEN

- - - -

Monday, August 1, 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 5:42 p.m.

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

- CHARLES COOPER, VICE-CHAIRMAN
- ISAISA MARTINEZ
- TERESA ATWOOD
- KAREN MERRICKS
- MARITZA ALSTON
- JOSE M. BRITO BUENO

- - - -

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

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1 MS. MUHAMMAD: In conformance with the
2 Sunshine Law of New Jersey, notice of the meeting was
3 posted in the Municipal Clerk's Office on Tuesday,
4 July 26, 2022.

5 MR. EINGORN: At the direction of the
6 Zoning Board Chairman, Darnell Hance, this meeting is
7 being held via ZOOM due to a Declaration of Health
8 Emergency related to the COVID-19 virus and closure
9 of City Hall. Therefore, again, this is being held
10 via the electronic remote conferencing platform,
11 ZOOM. And instructions for accessing this virtual
12 meeting were posted on the City of Camden's website.
13 With that said, we'll take a roll call.

14 MR. EINGORN: I'll take a roll-call vote.
15 Chairman Hance. Vice-Chairman Cooper.

16 VICE-CHAIRMAN COOPER: Present.

17 MR. EINGORN: Reverend Martinez.

18 REVEREND MARTINEZ: Here.

19 MR. EINGORN: Ms. Atwood.

20 MS. ATWOOD: Present.

21 MR. EINGORN: Ms. Merricks. I see a
22 screen that says Ms. Merricks but she's not
23 responding. I'll come back.

24 MR. EINGORN: Ms. Alston.

25 MS. ALSTON: I'm present but I'm having a

1 really difficult time hearing you, Kyle.

2 MR. EINGORN: And then Mr. Brito-Bueno.

3 MR. BRITO-BUENO: Present.

4 MR. EINGORN: Do we have Ms. Washington?

5 I guess that's a no. Ms. Washington, are you there?

6 The first order of business would be to
7 approve the minutes from July of 2022 but it was
8 mis-identified on the agenda as June 2022. Those
9 were already approved. Do we have a motion to
10 approve the minutes for July of 2022?

11 MR. BRITO-BUENO: Motion to approve.

12 MS. ATWOOD: Second.

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

14 Vice-Chairman Cooper.

15 VICE-CHAIRMAN COOPER: Yes.

16 MR. EINGORN: Reverend Martinez.

17 REVEREND MARTINEZ: Yes.

18 MR. EINGORN: Ms. Atwood.

19 MS. ATWOOD: Yes.

20 MR. EINGORN: Ms. Merricks. Ms. Alston.

21 MS. ALSTON: Yes.

22 MR. EINGORN: Mr. Brito-Bueno.

23 MR. BRITO-BUENO: Yes.

24 MR. EINGORN: The motion passes.

25 REVEREND MARTINEZ: Kyle, I'm sorry.

1 MR. EINGORN: Yes.

2 REVEREND MARTINEZ: Why do I got a
3 different name in my name over here?

4 MR. EINGORN: I think whatever --

5 MS. MUHAMMAD: I'll change it for you.

6 MR. EINGORN: Our agenda tonight has a
7 couple of matters. The first matter is Lorenzo
8 Hernandez, NS Thompson 104 E. State Street. The
9 applicant requests an adjournment to the September
10 meeting. They previously had proper notice, I
11 believe, and so this matter will be adjourned. It
12 was an issue regarding the address and so I don't
13 know if they're still figuring it out or what's going
14 on. But they asked to be adjourned to September.
15 This is notice of that adjournment. If you're here
16 tonight for Lorenzo Hernandez, this will be on for
17 the September meeting. You don't have to stay but
18 you're welcome to be here. Thank you.

19 And then we have two matters of New
20 Business, Chana Kanelnsky, 1218 Whitman Avenue. Is
21 the applicant here for that?

22 MS. PALO: Present.

23 MR. EINGORN: Good evening.

24 And then Rodrigo Gonzalez, 3821 Westfield
25 Avenue. Is the applicant present? I don't hear

1 anyone for that application.

2 And then there was a notice for a 3077
3 Stevens Street, Maria Moran. This was not -- this
4 was properly noticed but the Proof of Notice wasn't
5 returned in time. So that's going to be adjourned to
6 September. So if you're here for 3077 Stevens
7 Street, Maria Moran, that will also be heard at the
8 September meeting. I'll note for the record that
9 there is some action in the CHAT from a Sara Peralta:
10 Yes, he is here. I'm assuming that relates to
11 Rodrigo Gonzalez. You're having issues with your
12 microphone.

13 Lastly for the record, we have a number
14 of Resolutions that would be adopted except that due
15 to the late meeting from last month, it was in the
16 middle of the month, the transcript was delayed and I
17 was delayed and, therefore, I haven't drafted the
18 Resolutions yet. And so, those will be on for next
19 month. So there's no Resolutions tonight. If you're
20 here for an Adoption of a Resolution, I apologize to
21 you. That will not be adopted tonight. They have
22 not yet been drafted. So why don't we start with
23 the first matter of business which is Chana Kanelsky.
24 Is that pronounced correctly?

25 MS. PALO: Yes. Thank you.

1 MR. EINGORN: Are you able to show your
2 video?

3 MS. PALO: No. I could not get into the
4 video. That's why I'm on my phone.

5 MR. EINGORN: That's a little bit of a
6 problem because, one, we can't see your hand when we
7 swear you in. And, two, if you have --

8 MS. PALO: Can somebody send me the link?
9 I couldn't find -- I couldn't get into the link. Can
10 somebody resend me the link?

11 MS. MUHAMMAD: It should be the same link
12 that she used to get on through the phone, right?

13 MS. PALO: No. I had to call in because
14 I couldn't get into the link.

15 MR. EINGORN: Do you have a pen and paper
16 available?

17 MS. PALO: I do.

18 MR. EINGORN: The meeting ID is
19 948278601 --

20 MS. PALO: I'm sorry. I have the meeting
21 ID and the passcode. But I cannot get into the link.
22 Can I FaceTime?

23 MS. MUHAMMAD: Can you just try one more
24 time? Everybody has had --

25 MS. PALO: Yeah. Can somebody email me

1 the link?

2 MS. MUHAMMAD: You have it. Can you just
3 try to get in?

4 MS. PALO: I don't have it sweetie. I
5 don't have the email.

6 MS. MUHAMMAD: Okay. It's just a meeting
7 ID and password and I'll try to get it to you.

8 MS. PALO: Can you email me the link.
9 That's why I had to call in.

10 MS. MUHAMMAD: I can't stop -- I'm the
11 host. I can't stop to email you the link. If you
12 have the meeting ID and password, go to Zoom.us and
13 try to get in. Okay?

14 MS. PALO: Okay. Let me try it. Okay.
15 Here I am. I'm in.

16 MR. EINGORN: You're still muted, Ms.
17 Palo. I need you to unmute. Good evening.

18 MS. PALO: Good evening.

19 MR. EINGORN: So this is the matter of
20 1218 Whitman Avenue, Camden, New Jersey. Ma'am, can
21 you raise your right hand?

22 - - -

23 PHYLLIS PALO, having first been duly
24 sworn/affirmed, was examined and testified as
25 follows:

1 - - -

2 MR. EINGORN: Can you state your full
3 name and address for the record?

4 MS. PALO: Yes. Phyllis Palo, 414
5 Peppermill Court, Sewell, New Jersey 08080.

6 MR. EINGORN: Thank you. Do you own this
7 property?

8 MS. PALO: I am working with the owners
9 who are trying to get a CO because it's not
10 properly -- because it's not properly -- because it's
11 not properly zoned, I can't get a CO to sell it for
12 the purchase. So I'm trying to get a CO for the new
13 buyer. It's been traded as a duplex for the past 23
14 years. We bought it in 2020 and I've had it rented
15 for two years. I have Certificates of Occupancy for
16 the rentals.

17 MR. EINGORN: Great. As an initial
18 matter, can you tell me your relationship to the
19 property or the property owners?

20 MS. PALO: Yes. Property manager.

21 MR. EINGORN: Here is part of the
22 problem. If you don't own the property and you're
23 not an attorney, you can't represent the property
24 owner. I know that's a little upsetting that they're
25 not here and you'd like to go forward tonight.

1 But there are legal procedures that are
2 required. Without either the owners here or an
3 attorney on their behalf, I can't let you proceed
4 with this application because you can't represent
5 them. It's an illegal practice of law.

6 MS. PALO: I thought anybody could go in
7 front of the Zoning Board.

8 MR. EINGORN: The Zoning Board is a
9 quasi-judicial Board that requires either the person
10 to appear pro se, meaning, on their own or through an
11 attorney.

12 MS. PALO: Okay. Can I get the owner
13 on?

14 MR. EINGORN: Yes. If the owner is
15 available and they can pop on. And later on we'll
16 start the other application while you try to get the
17 owner; is that okay?

18 MS. PALO: Yes so I can tell them to call
19 in on the Zoom then, right?

20 MR. EINGORN: Yes. We would need to see
21 them to swear them in.

22 MS. PALO: Okay.

23 MR. EINGORN: Then you can testify as a
24 witness with them but you can't represent them here
25 without. All right? So why don't you try to get

1 them on the line and we'll take the next matter while
2 you try to get the applicant.

3 MS. PALO: Okay.

4 MR. EINGORN: Thank you. Is Rodrigo
5 Gonzalez ready to go?

6 MR. GONZALEZ: Yes.

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

9 - - -

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

13 - - -

14 MR. EINGORN: Are you prepared to
15 proceed? Would you like me to read your appeal for
16 zoning?

17 MR. GONZALEZ: Yes, for the sign.

18 MR. EINGORN: State your name and address
19 for the record.

20 MR. GONZALEZ: Rodrigo Gonzalez. The
21 address is 3713 Westfield Avenue, Camden, New Jersey.

22 MR. EINGORN: Thank you.

23 So the appeal for zoning reads as
24 follows: The name and address of the applicant is
25 Rodrigo Gonzalez, 3713 Westfield Avenue, Camden, New

1 Jersey. The applicant's interest in the property is
2 as a tenant. The name and address of the owner of
3 the property is Lowinsky Minier, whose address is
4 3821 Westfield Avenue, Camden, New Jersey.

5 The property location is 3821 Westfield
6 Avenue in a C1 Zone District. The lot has a frontage
7 of 120 feet on Westfield Avenue and a depth of 150
8 feet. There's one building on the lot. It's a
9 two-story building made of bricks. It's presently
10 used as a bakery. The proposed use is a bakery. The
11 proposed construction is, there's no construction.
12 The zoning officer denied a permit because the sign
13 that's requested exceeds the maximum size of 24
14 square feet. And rooftop signage is prohibited.

15 The appeal is made under the Zoning
16 Ordinance to permit a bulk variance and D1 Use
17 Variance. The reasons why the appeal should be
18 granted, the sign will be placed on the roof above
19 the front porch to identify the business which is a
20 bakery and is needed in the area. Do you want to
21 tell us about your bakery and your proposed sign?

22 MS. PERALTA: Hi, Kyle. Can I help him
23 translate?

24 MR. EINGORN: Sure. Please raise your
25 right hand.

1 MS. PERALTA: Sure.

2 MR. EINGORN: Do you swear/affirm the
3 translation you'll provide tonight will be true and
4 accurate to the best of your ability?

5 MS. PERALTA: Yes.

6 MR. EINGORN: Can you state your name and
7 address for the record.

8 MS. PERALTA: Sara Peralta, 6167 Cedar
9 Avenue, Pennsauken, New Jersey 08109.

10 MR. EINGORN: Good. I asked Mr. Gonzalez
11 to tell us about his signs. So he can tell you and
12 you tell us, that would be perfect.

13 MR. GONZALEZ: I just want to get that
14 sign put up on top of the roof that's in the porch of
15 the bakery. I'm not sure why it was denied. I know
16 I said -- it states that it's larger than what is
17 authorized to be put on that area. I want to know
18 what he has to do to be able to get authorization to
19 put that sign up.

20 MR. EINGORN: Sure. So it's the
21 applicant's burden tonight to show and demonstrate
22 under the use variance and bulk variance standards
23 that the proposed sign is -- it's obviously not in
24 conformance with the Zoning Code. He has to meet the
25 Positive and Negative Criteria showing that "Special

1 Reasons" such as the refusal to allow the project
2 would impose upon the applicant an undue hardship or
3 where the project carries out a purpose of zoning. A
4 purpose of zoning would be, promotes the public
5 health, safety, morals of general welfare.

6 And then the Negative Criteria. Be
7 without substantial detriment to the public good and
8 without substantially impairing the purpose and
9 intent of the Zone Plan and Zoning Ordinance. So I
10 don't know exactly -- so it looks like where you are,
11 rooftop signage is not allowed. So you need to tell
12 us why this signage would benefit the public good.
13 How big is the sign? Let's see. It's 168 inches by
14 30 inches. So it's substantially larger than what's
15 allowed by the zoning denial letter which says a
16 maximum of 24 square feet.

17 One hundred and 68 inches, so it's going
18 to be 14 feet long. That's a rather large sign.
19 It's almost three feet tall. So not to put words in
20 your mouth but it would seem to benefit the public
21 good that people would know what's in the building
22 and what's for sale there. I guess the issue is, why
23 does it need to be so big? Can you make it a little
24 a smaller? I know that 24 square feet is not a very
25 large area. Right? But this is a really big sign

1 which I think is, you know, not in conformance
2 obviously with the Zoning Plan. At this size
3 probably, can't meet the burden. Do you have the
4 ability to make the sign a little smaller?

5 MR. GONZALEZ: Yes. They also -- the
6 person that is doing the sign for me, they also sent
7 me one that is 144 by 22.

8 MR. EINGORN: So 144 by 22 so that's 12
9 feet, right, by almost two feet.

10 MR. GONZALEZ: The reason why I'm doing
11 it that large is because I want it to stand out
12 because it's a large building and I want the sign to
13 stand out.

14 MR. EINGORN: Right. At 12 feet, that's
15 what? About a third of the building?

16 MR. GONZALEZ: Yes. If you see images
17 that was sent because it's just going to take
18 one-third of the building. It's not even half of
19 the -- not even half of the building.

20 MR. EINGORN: Do the Board members have
21 questions?

22 VICE-CHAIRMAN COOPER: Yes. I drove past
23 there today. And there's a sign on that building now
24 that's attached to the wall and I was able to
25 recognize it while driving. And the other thing I

1 noticed, they have windows. And that sign may be
2 blocking two of those windows if it's that size.

3 MR. EINGORN: Can you advise whether the
4 sign will block any windows?

5 VICE-CHAIRMAN COOPER: Yeah. It's two
6 windows up there.

7 MR. GONZALEZ: There's two windows in the
8 second floor -- there's three windows up on the
9 second floor.

10 VICE-CHAIRMAN COOPER: Right. And the
11 sign will block two of them.

12 MR. GONZALEZ: It won't completely block
13 it because it's going to be three feet up. It's not
14 going to be that. It's more wide than high.

15 VICE-CHAIRMAN COOPER: Well, right now 30
16 inches is almost three feet, three feet high.

17 MR. GONZALEZ: If you notice, if I do get
18 it a little smaller, the trees that are in front will
19 start covering it eventually.

20 MR. EINGORN: I don't have any pictures
21 of the front of the property. I just have the --

22 MR. GONZALEZ: I sent copies of the front
23 of the property with the sign already -- the image
24 that was already posted on top on the porch.

25 MR. EINGORN: Is there anything on the

1 second floor?

2 VICE-CHAIRMAN COOPER: There's apartments
3 up there.

4 MR. GONZALEZ: Yes, that's what it is.

5 MR. EINGORN: The tenants, part of their
6 windows are going to be blocked?

7 MR. GONZALEZ: The owner is the one that
8 lives there, the owner of the building and he already
9 knows what's going to be built there; what's going to
10 be put there.

11 VICE-CHAIRMAN COOPER: And how are these
12 signs going to be mounted to the roof?

13 MR. GONZALEZ: If you notice, it has a
14 base that's going to be screwed into the roof. And
15 on the paper that we submitted, it shows how
16 everything is going to be installed.

17 REVEREND MARTINEZ: Is that going to be
18 installed by a professional, right?

19 MR. GONZALEZ: Right. That's going to be
20 installed by a company. The name of the company is
21 actually on the forms.

22 REVEREND MARTINEZ: I see it. I don't
23 got a problem with it.

24 MR. EINGORN: Any other questions from
25 the Board?

1 REVEREND MARTINEZ: We don't have no
2 pictures of that sign. That's a problem.

3 MR. EINGORN: I don't have any pictures
4 of the building either.

5 MR. BRITO-BUENO: I have a question.
6 Are you going to make a smaller sign? How small?
7 Because I see your neighbor's building sign and it
8 looks new. I guess it was approved before. Can you
9 make that size?

10 MR. GONZALEZ: What size you said?

11 MR. BRITO-BUENO: Do you see the
12 neighbor's Girl's Beauty?

13 MR. GONZALEZ: Okay.

14 MR. BRITO-BUENO: Can you make that size,
15 those dimensions?

16 MR. GONZALEZ: Is it going to stand out?
17 Because that doesn't look that big? If you notice,
18 the pictures that are --

19 REVEREND MARTINEZ: You don't have no
20 pictures.

21 MR. EINGORN: If you want to share your
22 screen.

23 MS. PERALTA: I'm trying. I had to
24 switch computers because I had everything on the
25 other computer because I didn't have no audio. I can

1 try to go back into the other computer so that I can
2 show you the pictures I have here.

3 MR. EINGORN: Do you want to just try to
4 pull the front of the building up on Google Maps?

5 MS. PERALTA: If you give me one minute,
6 I'll do my best to log in on this computer.

7 VICE-CHAIRMAN COOPER: Approximately how
8 much do these signs weigh?

9 MR. GONZALEZ: It's just giving me
10 measurements here. It's not giving me weight.

11 VICE-CHAIRMAN COOPER: Yeah, because that
12 awning, it's more of an awning than like a roof.
13 Even though it's attached to the house, it's more of
14 an awning that's coming out of there.

15 MR. GONZALEZ: Correct.

16 VICE-CHAIRMAN COOPER: And to put a sign
17 on there, I don't know what weight. It could be a
18 hazard to our community; people walking underneath
19 there and winds and everything.

20 MR. GONZALEZ: That's not that heavy
21 because that's made -- and if you can see the
22 description of the sign. It's made of plastic rods
23 and some lights.

24 VICE-CHAIRMAN COOPER: Okay.

25 MS. PALO: Excuse me, everyone.

1 I have the owner of 1218 on the line when we could go
2 back. I apologize. I don't mean to interrupt.

3 MR. EINGORN: I'm looking at Google Maps.
4 I am sharing my screen. Can everybody see this?

5 MR. GONZALEZ: That was an old bakery
6 that was there before.

7 MR. EINGORN: But fortunately, there's a
8 giant truck in front of it. This is the correct
9 property, though, right?

10 MR. GONZALEZ: Yes.

11 MR. EINGORN: Okay. And you want to put
12 the sign on the roof of the building up here? Can
13 you see my --

14 MS. PERALTA: No. On the porch because
15 now there's a porch there. Like we sent copies to
16 the City. We took copies to the City where it shows
17 the way that they did the construction now. They
18 have a porch up front.

19 MS. MUHAMMAD: Kyle, since she mentioned
20 that, I have to respond. This is all I have. Can
21 you see this?

22 MR. EINGORN: Yes, that's what we have.

23 MS. MUHAMMAD: That's what I have and I
24 have this.

25 MR. EINGORN: Let the record reflect that

1 Ms. Muhammad has shown two pages which depict the
2 pictures of the sign.

3 MS. MUHAMMAD: I don't have anything that
4 reflecting that the application was amended to move
5 the location because this application is for a
6 rooftop-letter signage. I don't have anything
7 indicating that it's being changed to a porch.

8 MR. EINGORN: I don't thing she said it's
9 being changed to a porch. I think it's --

10 MS. MUHAMMAD: The location of it.

11 MS. PERALTA: I cannot share the screen.
12 But you can see it clearly where the letters will be
13 installed.

14 MS. MUHAMMAD: Yeah, I don't have that in
15 my office. That was not submitted to me.

16 MS. PERALTA: So if you can see, there's
17 a porch in the front. They don't have that vinyl
18 part in the bottom anymore.

19 MR. EINGORN: Let the record reflect that
20 Ms. Peralta is holding up a photograph to the screen.
21 I'll need you to submit a copy of that to the
22 Planning and Zoning Office after tonight's meeting.
23 Can all the Board members see what's being displayed?
24 Mr. Cooper, I saw you talking but you're muted.

25 VICE-CHAIRMAN COOPER: Yeah, it's not

1 clear. It's not clear enough.

2 REVEREND MARTINEZ: I don't see nothing.

3 MR. EINGORN: If you can just submit
4 copies of that so we can see it. Because it actually
5 doesn't seem as large as on the photograph as it
6 would in the paperwork we have. So that everybody
7 can get a good look at it and then we can take a
8 second try at this in September. Take a bunch of
9 pictures of the front of the properties as you can
10 and submit them to Evita and we'll distribute them
11 and we'll have them and we'll be able to get a better
12 look at this.

13 MS. PERALTA: Okay. No problem. Thank
14 you.

15 MR. GONZALEZ: Okay. Thank you.

16 MS. PALO: I have the owner of 1218
17 Whitman on.

18 MR. EINGORN: So we will retry 1218
19 Whitman Avenue. The owner is Yudi Kanelsky?

20 MR. KANELSKY: Yes.

21 MR. EINGORN: Great. Can you raise your
22 right hand, please?

23 MR. KANELSKY: Yes.

24 - - -

25 YUDI KANELSKY, having first been duly

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

3 - - -

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

6 MR. KANELSKY: Yudi Kanelsky, 814 Jerome
7 Avenue, Hillside, New Jersey 07205.

8 MR. EINGORN: We have your application
9 here tonight. Very quickly the appeal for zoning --

10 MS. MUHAMMAD: Kyle, can you hold on for
11 a second? Is the property under an LLC?

12 MR. KANELSKY: No.

13 MR. EINGORN: You're the owner of the
14 property, sir?

15 MR. KANELSKY: Yes.

16 MS. MUHAMMAD: My documents have
17 something different.

18 MS. PALO: They do. This property
19 was --

20 MR. KANELSKY: It could be the deed
21 wasn't recorded properly.

22 MS. MUHAMMAD: Ms. Palo, what were you
23 going to say?

24 MS. PALO: So property was traded. I'm
25 trying to get the CO for this owner.

1 MS. MUHAMMAD: Okay. On the documents
2 that I have as the owner on the Assessment
3 Certification page, everybody should have this page
4 who has their packet, on the zoning application, it
5 says, B & E Management Group, LLC. That was the
6 owner at the time of the application being
7 submitted.

8 MS. PALO: Right. So we're trying to --
9 I mean, it has been a duplex since --

10 MS. MUHAMMAD: I know. But I'm just
11 trying to figure out who these names are. It has
12 Chana Kanelsky as the applicant.

13 MS. PALO: Well --

14 MR. EINGORN: We have a court reporter
15 and she needs to take down everything. If we're all
16 talking at once, it's going to be disastrous for the
17 court reporter.

18 MS. MUHAMMAD: I'm just trying to get
19 clarity on who the parties are because the gentleman
20 who was just sworn in, I don't have his name anywhere
21 on my documents.

22 MR. KANELSKY: Chana is my wife.

23 MS. MUHAMMAD: Okay.

24 MR. EINGORN: It looks here that there
25 are two certificates of rental approvals with the

1 name of B & E Management, LLC.

2 MS. PALO: Yes.

3 MR. EINGORN: The question is, do you
4 have a contract to purchase this property?

5 MR. KALENSKY: Yes.

6 MR. EINGORN: Did you submit a copy of
7 that contract?

8 MR. KANELSKY: Tell the City to submit
9 it?

10 MS. PALO: I wasn't told that I needed to
11 do that. But I can email over a contract very
12 easily.

13 MR. EINGORN: Are you able to share it on
14 your screen?

15 MS. PALO: Sure.

16 MR. EINGORN: As the contract purchaser,
17 you would have the right to appear tonight. While we
18 wait for the contract so that we can try to get at
19 least some of this going. The appeal for zoning is
20 as follows: The name of the applicant is Phyllis --

21 MR. KANELSKY: I'm sorry. My wife Chana
22 is here. Do you want to swear her in?

23 MR. EINGORN: Of course. Please raise
24 your right hand.

25 CHANA KANELSKY, having first been duly

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

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

6 MS. KANELSKY: Chana Kanelsky, 814 Jerome
7 Avenue.

8 MR. EINGORN: This property is located at
9 1218 Whitman Avenue. It's an R-2 Zoning District.
10 It's a two-story building. It's presently a rental
11 property. And the applicant seek to use it or
12 continue the use as a rental property. They state it
13 has been a duplex since 1999. The Zoning Officer
14 denied a permit because it's not zoned. You need
15 three variances, C2 Bulk, off-street parking, C2
16 minimum lot width. I can't read the handwriting.
17 And minimum front, side and rear yards are deficient.
18 So they need three bulk variances related to the size
19 of the lot being setbacks and the parking.

20 The denial letter states that the
21 applicant needs 1.75 spaces for each unit. According
22 to the appeal for zoning, this property has been a
23 two-unit rental duplex since 1999. And they're
24 looking for the Certificate of Occupancies for both
25 Units A & B.

1 Ms. Palo, were you able to locate the
2 contract?

3 MS. PALO: Yes, I have the contract in
4 front of me. I am not sure how to share it.

5 MR. EINGORN: At the bottom there should
6 be a button that says 'share screen'. It's got an
7 arrow.

8 MS. PALO: When I hit share screen, do I
9 just pull up the contract?

10 MR. EINGORN: Yes, please.

11 MS. PALO: Then I'm at Desktop 1. Do
12 I hit share?

13 MR. EINGORN: I can't see what's on your
14 screen. So I assume that's correct.

15 MS. PALO: Okay.

16 MR. EINGORN: I am not seeing anything.

17 MS. PALO: Okay. At least I have it in
18 front of me. I don't know what to do.

19 MR. KANELSKY: Here's a copy of the
20 contract.

21 MS. PALO: Okay.

22 MR. EINGORN: Okay. Great. So let the
23 record reflect that the applicant has shown a copy of
24 a contract to purchase the subject property. This
25 will establish their right to appear tonight before

1 the Board. Perfect. You can take that down. I'll
2 need you to send a copy of that to Evita, please, --

3 MS. PALO: Sure.

4 MR. EINGORN: -- so we can have it for the
5 record. And so now it's your burden to tell us about
6 the property; why the applicant should be granted the
7 three requested bulk variances, including the
8 description of the property and the parking.

9 MS. PALO: Okay. So okay, we have got
10 two great tenants in there for two years now. It's
11 been renovated. It's a beautiful rental. Marva
12 doesn't drive so as far as the car goes, we really
13 don't need that. However, you know, as I said, it
14 has been a rental.

15 We purchased -- it's been a rental, a
16 duplex. We purchased it as a duplex. And I'm trying
17 to get a CO for this gentleman. I worked very hard
18 with the plumbing and electrical and housing to do
19 everything that we needed to do up until the last
20 minute. And only to find out that it's not zoned as
21 a duplex. So that's why it's holding up the CO. So
22 I'm just imploring the Zoning Board to help me to get
23 this completed for this new buyer.

24 MR. EINGORN: Understood. So the first
25 requested variance is the minimum lot width. It says

1 4,000. I don't know if this is suppose to be width
2 or area because it's described in square feet on the
3 denial letter. It says, 4,000 square feet where
4 1,940 are proposed.

5 MS. PALO: I mean, it has a back and side
6 yard. It has a side entrance. I included all the
7 pictures and the entrances. We put a beautiful
8 kitchen in on the first floor. Second floor is a
9 two-bedroom as well. So we're all over. So over the
10 years it has served as a duplex and we like to keep
11 it as a duplex so we can, of course, get what we need
12 and bring this property to where it needs to be
13 legally with the township.

14 MR. EINGORN: I'm looking at the
15 photograph. This one building, but it's two
16 side-by-side units. Is that what it is?

17 MS. PALO: It's a twin; it is.

18 MR. EINGORN: Okay.

19 MS. PALO: And the side entrance is
20 Apartment A. Marva and her son live in there. And
21 we've got a young fellow and his girlfriend upstairs,
22 Christopher.

23 MR. EINGORN: It's a twin and it's
24 divided into two units, upstairs and downstairs?

25 MS. PALO: Yes. The front being

1 Apartment B and that's where Chris is, steps going
2 up. And then Apartment A is a side door. I put a
3 brand new kitchen in. That's a two-bedroom. They're
4 very happy there. So it's serving the residents.
5 It's serving the township as a duplex and has been
6 for years.

7 MR. EINGORN: Is there a neighbor to the
8 nonadjoining wall?

9 MS. PALO: There is.

10 MR. EINGORN: And the property size, that
11 is consistence with the other buildings in the
12 neighborhood?

13 MS. PALO: Yes.

14 MR. EINGORN: And the lot size is
15 consistent with the other lots in the neighborhood?

16 MS. PALO: It actually has a bigger lot
17 than most. It actually has a pretty big lot on the
18 side.

19 MR. EINGORN: No ability to increase the
20 lot size, correct?

21 MS. PALO: Pardon me?

22 MR. EINGORN: The applicant doesn't have
23 the ability to increase the size of the lot?

24 MS. PALO: Well, I mean --

25 MR. EINGORN: Does the applicant own the

1 building --

2 MS. PALO: Yes. Well --

3 MR. EINGORN: If you're facing the twin
4 building, right?

5 MS. PALO: Yes.

6 MR. EINGORN: The left, does the
7 applicant own that property on the left?

8 MR. KANELSKY: No. I just own 1218.

9 MR. EINGORN: That's what I'm asking. So
10 there's no ability to expand the lot size.

11 Now, the next question is related to the
12 minimum front, side and rear yard setbacks which are
13 deficient. Meaning, that they're not in conformance
14 with the Zoning Ordinance. Let's see.

15 Obviously, one side yard setback is going to be
16 impossible to change, right? Because it shares a
17 party wall. Yes?

18 MS. PALO: There's a party on the right.

19 MR. EINGORN: And then the other front
20 and rear setbacks, they are preexisting nonconforming
21 conditions; do you agree?

22 MS. PALO: Yes.

23 MR. EINGORN: As well as the rear yard?

24 MS. PALO: Yes. And how many spaces
25 off-street does the property have? Off-street,

1 meaning, like in a driveway or a garage?

2 MS. PALO: Well, I mean, it has a -- I
3 mean, it's practically on the corner so it has a lot
4 of parking going all the way up to a vacant lot.

5 MR. EINGORN: What you're talking about
6 is parallel parking on the street, correct?

7 MS. PALO: Yes.

8 MR. EINGORN: I'm not talking about
9 parking on the property itself.

10 MS. PALO: No. There is no parking. It's
11 a residential street with, you know, mostly townhomes
12 and duplexes. There is no parking. There's not a
13 parking driveway, no.

14 MR. EINGORN: Does the Board have
15 questions for the applicant? Hearing no questions
16 from the board regarding this application, we open
17 this application to the public. Is there anybody in
18 the public that would like to be heard in regard to
19 this application? If so, you should speak now. I
20 see a Ms. Stacy's Galaxy but she's muted. I think
21 she's speaking but I can't hear her. You need to
22 unmute.

23 MR. EINGORN: Could you raise your right
24 hand, please.

25 MS. DAILY: I got it raised. See it?

1 MR. EINGORN: Thank you. Perfect.

2 - - -

3 STACY DAILY, having first been duly
4 sworn/affirmed, was examined and testified as
5 follows:

6 - - -

7 MR. EINGORN: Can you state your name and
8 address for the record, please?

9 MS. DAILY: My name is Stacy Daily. My
10 address is 1484 Lewis Street right here in Camden.

11 MR. EINGORN: Can you spell your last
12 name?

13 MS. DAILY: D-A-I-L-Y like the daily
14 prayer.

15 MR. EINGORN: Thank you. I didn't know
16 if it was an E-Y or an I-L-Y.

17 MS. DAILY: Okay.

18 MR. EINGORN: Can you tell us what you'd
19 like to say tonight?

20 MS. DAILY: Yes. I received a letter
21 stating about 1218 Whitman, the Zoning Board and all
22 zoning. And I'm not sure if I have anything to do
23 with it. I'm just a renter.

24 MR. EINGORN: Very good. I appreciate
25 you appearing tonight. So the applicant, you heard,

1 is trying or has purchased the property at 1218
2 Whitman. They bought it as a duplex but apparently
3 it was never approved for a duplex. They're here
4 tonight seeking approvals so that they can continue
5 to use the property as a duplex. If you're in favor
6 or against that, you're welcome to speak up now.
7 Otherwise, you're free to leave. But you're only
8 being noticed because you're within 200 feet of the
9 property.

10 MS. DAILY: I'm not sure. I thought it
11 had something to do -- cause I live next to an
12 abandoned building. So I thought it had something to
13 do with that building.

14 MR. EINGORN: No.

15 MS. DAILY: Now that I see it doesn't
16 have anything to do with the building living next to
17 me, I have no qualms about them being approved for it
18 to be a CO. It doesn't affect my vote, no.

19 MR. EINGORN: You're in favor of it then?

20 MS. DAILY: Yes. I just want to keep the
21 community going and for people to have a place to
22 live. I am more for it.

23 MR. EINGORN: Awesome. Thank you so much
24 for your time tonight.

25 MS. DAILY: You all have a good night.

1 MR. EINGORN: Thank you. Anybody else in
2 the public that would like to heard in support or
3 against this application? Hearing none, we will
4 close the public portion.

5 Now is the time for the Board members to
6 do their discussion of the Positive and Negative
7 Criteria, ask any last questions and/or propose a
8 motion regarding this application for three bulk
9 variance approvals.

10 REVEREND MARTINEZ: How long ago was this
11 purchased since before the new owner purchased it?

12 MR. KANELSKY: We purchased this property
13 in May, I believe.

14 MS. PALO: Let me look at the date on the
15 contract.

16 MR. KANELSKY: You mean, when did we
17 close on it? We closed on it June 1st.

18 REVEREND MARTINEZ: You purchased it as a
19 duplex, right?

20 MR. KANELSKY: Yes.

21 REVEREND MARTINEZ: Before you purchased
22 it, how long ago was this a duplex?

23 MR. KANELSKY: 1999. So 23 years.

24 REVEREND MARTINEZ: Because I've seen --
25 I saw the electrical, the meter.

1 MR. KANELSKY: Yes.

2 MS. PALO: Everything -- I mean, I worked
3 very hard with all the guys, electrical, plumbing,
4 housing to bring everything to get the CO. And then
5 zoning is holding it up for me.

6 REVEREND MARTINEZ: When did you do the
7 electrical, how long ago?

8 MS. PALO: Just before closing. You
9 know, before June I've been trying to get in front
10 of the zoning.

11 REVEREND MARTINEZ: So you knew it was
12 not a duplex?

13 MS. PALO: Well, I knew --

14 MR. KANELSKY: No. Phyllis, he's asking
15 when was the second meter put in. I think that's
16 what he's asking.

17 MS. PALO: That was ages ago. I have no
18 idea. I mean, years ago.

19 MS. MUHAMMAD: I just want to be clear.
20 I want to tell Ms. Palo. Zoning was not holding it
21 up. Twenty-two years ago -- it might have been a
22 duplex for 22 years, but 22 years ago it wasn't made
23 into a legal duplex so that's why we're here today.

24 MS. PALO: Exactly. Right.

25 MR. KANELSKY: But the electric meter was

1 put in before Phyllis's client even purchased it.

2 VICE-CHAIRMAN COOPER: When was it deeded
3 as a duplex?

4 MS. PALO: It was never. That's why
5 we're here.

6 VICE-CHAIRMAN COOPER: So you bought
7 something not knowing that it wasn't a duplex? So
8 what about the single-family home then?

9 MS. PALO: Well, no. We were both under
10 the understanding when we bought it in 2020, we were
11 with the understanding that it was a duplex. And
12 when Yudi bought it in June, we thought that it was
13 also zoned a duplex.

14 MR. KANELSKY: And it was mortgaged as a
15 duplex because it's got two meters, two gas meters,
16 two electrical meters, two tenants, two separate
17 entrances.

18 MR. EINGORN: So the deed itself might
19 never reflect that it's a duplex. Right? It might
20 just state the name of the owner and the address.

21 MR. KANELSKY: The property was mortgaged
22 as a duplex.

23 MR. EINGORN: Hold on for one second.

24 Just because the deed doesn't say duplex
25 on it, doesn't mean that it might not be a legal

1 duplex. A deed is a legal document which reflects
2 the ownership of the property itself, not always a
3 description of what the use is for the property. So
4 he may have a deed, the owner before them may have
5 had a deed, and it may never, going forward, ever
6 reflect the fact that it is a duplex. Right? It's
7 just going to state the name of the owner, what kind
8 of --

9 MR. KANELSKY: And address.

10 MR. EINGORN: -- property address. The
11 identification of the property maybe through a legal
12 description. But it may never itself state whether
13 it's single family, whether it's a duplex, whether
14 it's an apartment building. Those are types of
15 descriptions that are not always reflected in deeds.
16 Just for your edification, that's not always
17 something that would be dispositive in this case.

18 VICE-CHAIRMAN COOPER: Thank you for the
19 explanation.

20 MR. EINGORN: Sure. Now, now it does --
21 I don't know if the Board saw this. The applicant
22 did submit two certificates of rental approval.

23 VICE-CHAIRMAN COOPER: Yes.

24 MR. EINGORN: So that is there as well.

25 VICE-CHAIRMAN COOPER: I have no further

1 questions.

2 MR. EINGORN: Any other questions; any
3 discussion of the Positive and Negative Criteria?

4 REVEREND MARTINEZ: It's a Positive
5 because the neighborhood -- we come to the
6 neighborhood; we're trying to get the neighborhood
7 straight. Clean. I don't have a problem with it.

8 MS. PALO: I think it's a great
9 neighborhood. I mean, I know all the neighbors. I
10 was there a lot. I know Marva and Christopher.

11 MR. EINGORN: Thank you.

12 Any other discussions from the Board
13 members; a motion.

14 VICE-CHAIRMAN COOPER: I move to accept.

15 MS. ATWOOD: Second.

16 MR. EINGORN: We'll take a roll-call
17 vote. Vice-Chairman Cooper.

18 VICE-CHAIRMAN COOPER: Yes.

19 MR. EINGORN: Reverend Martinez.

20 REVEREND MARTINEZ: Yes.

21 MR. EINGORN: Ms. Atwood.

22 MS. ATWOOD: Yes.

23 MR. EINGORN: Ms. Merricks.

24 MS. MERRICKS: Yes.

25 MR. EINGORN: Ms. Alston.

1 MR. KANELSKY: She's on mute.

2 MR. EINGORN: That's why I'm calling on
3 her.

4 MS. ALSTON: One moment.

5 MR. EINGORN: While we wait for Ms.
6 Alston: Mr. Brito-Bueno.

7 MR. BRITO-BUENO. Yes.

8 MR. EINGORN: Thank you.

9 MS. ALSTON: Oh, I see it. Yes.

10 MR. EINGORN: Very good. Six in favor
11 and none opposed, congratulations. Your application
12 has been granted.

13 MR. KANELSKY: Thank you very much.

14 MS. PALO: I appreciate that. Thank
15 you.

16 MR. EINGORN: As previously stated, there
17 are no Resolutions tonight. That being our last
18 application, I will entertain a motion to adjourn.

19 REVEREND MARTINEZ: Motion to adjourn.

20 MS. ATWOOD: Second.

21 MR. EINGORN: All in favor?

22 THE BOARD: Yays.

23 MR. EINGORN: See you in September.

24 - - -

25 (*Meeting concluded at 6:41 p.m.*)

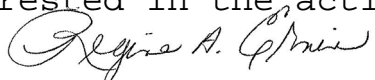
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2
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12 forth.

13 I FURTHER CERTIFY that I am neither a relative,
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