

In The Matter Of:
CITY OF CAMDEN
ZONING BOARD

TRANSCRIPT OF MEETING
October 3, 2022

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ZONING BOARD
CITY OF CAMDEN

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Monday, October 3, 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 5:35 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
- ISAIAS MARTINEZ
- TERESA ATWOOD
- KAREN MERRICKS
- MARIZTA 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 this meeting
3 was posted in the Municipal Clerk's Office on
4 Wednesday, September 28th, 2022.

5 MR. EINGORN: In addition by direction of
6 the Zoning Board of Adjustment Board Chairman,
7 Darnell Hance, at the City of Camden, the meeting is
8 being held tonight, Monday, October 3rd at 5:30 p.m.

9 Because the City of Camden remains under
10 a Declaration of Health Emergency related to the
11 COVID-19 virus, City Hall remains closed. Therefore,
12 this regularly scheduled meeting is being conducted
13 as a virtual meeting via the remote conferencing
14 platform ZOOM. Instructions on accessing this
15 virtual meeting can be found and were posted on the
16 City of Camden's website www.ci.camden.nj.us.

17 We'll take a roll call.

18 MR. EINGORN: Chairman Hance. I'll mark
19 him absent.

20 MR. EINGORN: Vice-Chairman Cooper.

21 VICE-CHAIRMAN COOPER: Present.

22 MR. EINGORN: Reverend Martinez.

23 REVEREND MARTINEZ: Here.

24 MR. EINGORN: Ms. Atwood.

25 MS. ATWOOD: Present.

1 MR. EINGORN: Ms. Merricks. I'll mark
2 her absent. Ms. Alston.

3 MS. ALSTON: Present.

4 MR. EINGORN: Mr. Brito Bueno.

5 MR. BRITO BUENO: Present.

6 MR. EINGORN: Ms. Washington. I'll mark
7 her absent.

8 The first matter of business if we could
9 have a motion to adopt or approve the minutes from
10 September of 2022?

11 MS. ATWOOD: Motion to adopt.

12 MS. ALSTON: 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. Alston.

21 MS. ALSTON: Yes.

22 MR. BRITO BUENO: Yes.

23 MR. EINGORN: So moved.

24 I'll now run through the list. If your
25 matter is called, please advise us that you're here

1 and ready to proceed.

2 The first matter, Haddon Property Group.

3 MR. SHEEHAN: We're here, Kyle.

4 MR. EINGORN: Very good.

5 Jose A. Santos, 338 Emerald Street.

6 I see a hand raised.

7 MR. SANTOS: Present.

8 MR. EINGORN: Marquise Properties, LLC.

9 MR. GABAY: Present.

10 MR. EINGORN: And SNCR, LLC.

11 MR. DIMEDIO: We're ready. Thank you.

12 MR. EINGORN: Thank you, Counsel.

13 We'll take the first matter, Haddon

14 Property Group, 2621 Mt. Ephraim Avenue. Mr.

15 Sheehan, I do note that there are only five Board

16 members. Are you okay proceeding in this --

17 MR. SHEEHAN: Well -- yes -- I guess what

18 I would ask is, if there's significant concerns by

19 the Board if they can let us know that. Because

20 obviously, we're entitled to seven. But getting

21 seven members of the Board sometimes can be

22 time consuming and take many months. So if there's

23 significant concerns about a Board, we would postpone

24 it. But if there are not then we will move forward.

25 Unless I hear otherwise, we'll move forward.

1 MS. MUHAMMAD: I'm expecting two more
2 Board members?

3 MR. SHEEHAN: Tonight?

4 MS. MUHAMMAD: Tonight, yes. I spoke to
5 Karen off the record. She's trying to get on and the
6 Chairman did say yes so they should be coming on
7 soon. Okay?

8 MR. SHEEHAN: Do you want to take the one
9 after us, Kyle, and see whether they can jump on?

10 MR. EINGORN: I don't want to make you
11 late for your meeting in Cherry Hill.

12 MR. SHEEHAN: I know. I understand that
13 but -- why don't we do this. As I said, we would
14 like to get seven Board members. I would ask the
15 Board, as we go through this, if you have significant
16 concerns, give Kyle the high sign and let us know.
17 And at that point, we can bring in the other members.
18 If you don't and you're comfortable with what we're
19 presenting, I don't want to delay everybody else.
20 Does that work, Kyle?

21 MR. EINGORN: I think that's acceptable.

22 MR. SHEEHAN: Thank you.

23 So this property is -- the applicant is
24 the Haddon Property Group. It's Block 714, Lot 2 and
25 2.01. It's 2621 Mt. Ephraim Avenue. The property is

1 located on Mt. Ephraim Avenue just south of Fairview
2 Street. It's behind an existing Auto Zone and an
3 existing Family Dollar which will remain in place.
4 Also across the street from the DMV; if you know
5 where that is on Mt. Ephraim Avenue.

6 It's a vacant lot located in the rear of
7 those Auto Zone and Family Dollar properties. It's
8 located in the C-3 commercial zoning district. We're
9 requesting a use variance to permit a self-storage
10 use on the property where that use is not
11 specifically listed in the C-3 Zone. And a height
12 variance to permit the height of the building to be
13 44 feet where 35 feet is permitted.

14 We are not seeking site plan approval at
15 this time. If the Board grants approval, we will
16 come back and seek site plan at a later time. I have
17 four witnesses with me tonight. The first is Ryan
18 Tustin who is the owner of the applicant. Rick
19 Clemson who is a professional engineer who prepared
20 the concept plan that we'll show or the variance plan
21 that we'll show. Nathan Mosley, I believe is here, a
22 traffic engineer who submitted a traffic report. And
23 Leah Furey Bruder, a professional planner who will
24 talk about the Positive and Negative Criteria for
25 you. So if we can have them sworn in, I'll get right

1 to the testimony.

2 MR. EINGORN: If you all can raise your
3 right hand.

4 - - -

5 RYAN TUSTIN; RICHARD CLEMSON, P.E.;
6 NATHAN MOSLEY P.E.; LEAH FUREY BRUDER, P.P.; having
7 first been duly sworn/affirmed, was examined and
8 testified as follows:

9 - - -

10 MR. EINGORN: If you can just state your
11 names and addresses for the record.

12 MR. SHEEHAN: We'll start with Ryan, go
13 first.

14 MR. TUSTIN: Ryan Tustin. Address is 206
15 Willmont Avenue in Barrington, New Jersey 08007.

16 MR. SHEEHAN: Richard Clemson.

17 MR. CLEMSON: Richard Clemson, engineer
18 for the applicant, James Sassano Associates, 41 S.
19 Route 73, Hammonton, New Jersey.

20 MR. SHEEHAN: Nathan.

21 MR. MOSLEY: Nathan Mosley, traffic
22 engineer for the applicant with Shropshire
23 Associates, 277 White Horse Pike, Atco, New Jersey.

24 MR. SHEEHAN: And Leah.

25 MS. BRUDER: Leah Furey Bruder, LFB Land

1 Planning, 22 Coates Street, Medford, New Jersey.

2 MR. SHEEHAN: So the first witness we
3 have tonight is Ryan Tustin. Ryan, are you the owner
4 of the applicant, Haddon Property Group?

5 MR. TUSTIN: Yes, I am.

6 MR. SHEEHAN: Do you own this property
7 currently through another entity?

8 MR. TUSTIN: Yes, I do, Tustin Building
9 Company, LLC.

10 MR. SHEEHAN: And you're proposing a
11 self-storage facilities on the property. Can you
12 describe your experience in the self-storage
13 industry?

14 MR. TUSTIN: Yes. I own a portfolio of
15 self-storage facility in New Jersey, Florida and
16 Texas. And then the other part of my business, I
17 advise large storage operators by helping them source
18 acquisitions for their platforms.

19 MR. SHEEHAN: I'm going to share my
20 screen, if that's okay, Kyle.

21 MR. EINGORN: Yes.

22 MR. SHEEHAN: Can you see an aerial that
23 has a concept plan overlay on it?

24 MR. EINGORN: I can.

25 MR. SHEEHAN: Yes?

1 MR. EINGORN: Yes.

2 MR. SHEEHAN: So we'll mark that A-1 and
3 that's the concept plan on an aerial. And is this
4 the site that we're speaking about, Ryan?

5 MR. TUSTIN: Yes.

6 MR. SHEEHAN: Can you describe the site,
7 this context of Mt. Ephraim and what's around it?

8 MR. TUSTIN: Yes. It's on Mt. Ephraim
9 Avenue. It's the former site of the Elgin Diner.
10 Currently in front of the site, there's a Family
11 Dollar and an Auto Zone. Behind the site, it's just
12 four acres of woods right now. So it's currently not
13 being used; what we believe to be the highest and
14 best use for this particular property given that it's
15 a flag lot behind two retail uses would be
16 self-storage. We like the site a lot because it's
17 diagonal from Dunkin Donuts and a McDonald's. Also,
18 the traffic count is really nice on Mt. Ephraim
19 Avenue because there's about 15,000 cars going by per
20 day. And then as Kevin noted earlier, the DMV is
21 across the street.

22 MR. SHEEHAN: And what are you proposing
23 on the site?

24 MR. TUSTIN: On the site we are proposing
25 a four-story self-storage facility. The floor plate

1 would be approximately 40,000 square feet. The gross
2 square footage of the building would be approximately
3 160,000 square feet. That would allow for about
4 110,000 square feet of rentable space or about 900
5 units. This would be climate-controlled storage.
6 And customers would range from business customers
7 accounting for about ten percent of customers up to
8 90 percent being residential customers.

9 MR. EINGORN: Let the record reflect that
10 Board member Karen Merricks has appeared.

11 MR. SHEEHAN: Thanks, Kyle.

12 How tall is the building at, Ryan?

13 MR. TUSTIN: Forty-four feet.

14 MR. SHEEHAN: Thank you. Can you talk
15 about how the site will operate?

16 MR. TUSTIN: So there will be various
17 security features on the site. There will be a gate
18 that will be automated where only current tenants can
19 access, as long as they're current on their bill.
20 Each tenant will have a unique access code. Upon
21 punching in their access code, the gate will move to
22 the side. They'll be able to park at the building.
23 They can access the building by also using an access
24 code to open the sliding doors where they can then
25 either on the various loading docks, close their

1 belongings and store their personal belongings at the
2 storage facility.

3 MR. SHEEHAN: And if they have stuff
4 inside, they can park here and walk in. Is that
5 right, if they're on the upper floors?

6 MR. TUSTIN: It depends on where their
7 unit is. If their unit is near those parking spaces,
8 then that will be best for them. If the unit is on
9 the other side of the building, they would drive
10 around to the other side of the building and then
11 access it from there which would make it convenient.

12 Now, if there unit is on the second,
13 third or fourth floor, they would go to whatever
14 entrance is closest to their particular unit. They
15 would have most likely a flat cart and use that flat
16 cart, go down the hallway and they would use the
17 elevator to go up to their particular floor.

18 MR. SHEEHAN: How often do you find
19 customers generally come to a site like this?

20 MR. TUSTIN: So it depends on the
21 customer. So if it's a residential customer, they're
22 probably maybe only coming by once every couple of
23 months. Most of the time, their busiest time is when
24 they move their stuff there. They're usually moving
25 in between -- their usually in between residences so

1 when they move out of their residence, they're there
2 quite a bit in the beginning. And then they're not
3 there for maybe another six months or eight months
4 when they move out. Business customers could be
5 there once every few days. But they only make up,
6 say, eight or nine percent of the rent roll.

7 MR. SHEEHAN: Did you say eight or nine
8 percent?

9 MR. TUSTIN: Yes. Approximately eight
10 percent of the rent roll.

11 MR. SHEEHAN: Not 80 or 90?

12 MR. TUSTIN: Yes.

13 MR. SHEEHAN: Can you talk about security
14 at the site?

15 MR. TUSTIN: So security, we're planning
16 to have approximately 100 cameras. On the inside of
17 the building, there would be approximately 20 cameras
18 per floor. And then we would have 20 cameras outside
19 on the exterior of the site.

20 MR. SHEEHAN: How are those cameras
21 manned?

22 MR. TUSTIN: So those cameras, we have
23 a -- we would have two full-time employees on the
24 site who would have access to the cameras. We also
25 have a call center of virtual managers. So the

1 virtual managers would be watching the cameras
2 essentially 24/7. We have a lot of coverage from
3 8:00 a.m. to 8:00 p.m. Then we have a little lighter
4 coverage from 8:00 p.m. to overnight to 7:00 a.m.

5 MR. SHEEHAN: I'm going to bring up A-2.
6 Is this a photo of a proposed building on the
7 existing site?

8 MR. TUSTIN: Yes.

9 MR. SHEEHAN: This is your building here.
10 Is this the gate in the driveway on the lefthand side
11 here?

12 MR. TUSTIN: Yes.

13 MR. SHEEHAN: And the access road around
14 the building I'm circling?

15 MR. TUSTIN: Yes.

16 MR. SHEEHAN: And is that the Family
17 Dollar and the Auto Zone in the front, right?

18 MR. TUSTIN: Yes.

19 MR. COOPER: Is this property elevated

20 MR. SHEEHAN: Is the property elevated,
21 Ryan?

22 MR. TUSTIN: It would be the same
23 topography as the Auto Zone and the Family Dollar but
24 it would be four-stories high.

25 MR. COOPER: All right.

1 MR. SHEEHAN: And then A-3, is this a
2 rendering of the building from the south side along
3 the driveway?

4 MR. TUSTIN: Yes.

5 MR. SHEEHAN: And this is the main
6 entrance here in the middle of the screen below the
7 sign?

8 MR. TUSTIN: Yes.

9 MR. SHEEHAN: And the along the side here
10 you have pull-ups for trucks or customers that want
11 to go in?

12 MR. TUSTIN: Yes.

13 MR. SHEEHAN: And then A-4, is that a
14 view of the building from the south side in the rear?

15 MR. TUSTIN: Yes.

16 MR. SHEEHAN: So these are drainage ponds
17 on the left-hand side of the exhibit, right?

18 MR. TUSTIN: Yup. Yes.

19 MR. SHEEHAN: You have wetlands behind it
20 in the back over that's out of sight?

21 MR. TUSTIN: Yes.

22 MR. SHEEHAN: I have no further questions
23 for Mr. Tustin. If the Board has any questions, I'd
24 be happy to try to answer. Hearing none, then Mr.
25 Clemson. Rick, can you give a brief summary of your

1 professional and educational experience so we can
2 qualify you as an expert in professional engineering?

3 MR. CLEMSON: Sure. I am a graduate of
4 Pennsylvania State University. I have been a
5 licensed New Jersey professional engineer since
6 1995. I've testified before over 40 planning and
7 zoning boards in New Jersey. I have not specifically
8 testified before the Camden Zoning Board. I'm the
9 principal engineer with James Sassano Associates and
10 I have well over 25 years of experience in
11 residential, industrial and commercial designs.

12 MR. SHEEHAN: I would submit Mr. Clemson
13 as an expert in professional engineering.

14 MR. EINGORN: We will accept Mr. Clemson
15 as a professional engineer.

16 MR. SHEEHAN: Rick, was this an aerial
17 concept plan overlay prepared by your office?

18 MR. TUSTIN: Yes, it was.

19 MR. SHEEHAN: Can you just give a quick
20 summary of the key access and the circulation issues
21 on the site?

22 MR. TUSTIN: Sure. Absolutely. So
23 access to the site is from Mt. Ephraim Avenue which
24 also is known as New Jersey DOT Route 168. There
25 already exists a curb cut along our frontage. We

1 have a fairly limited frontage of 50 feet. We have a
2 curb cut that is approximately 40-foot wide that
3 already exists. So we will be seeking a full
4 movement approval from DOT if the project moves
5 forward.

6 So access is from Mt. Ephraim Avenue.
7 You would come in along the stem of this flag lot so
8 you would be traveling at a westerly direction.
9 About three-quarters of the way down that driveway,
10 you will hit the security gate. Once you pass
11 through the security gate, you can either go to the
12 parking area or to one of the access doors around the
13 site.

14 We have a paved driveway system that goes
15 all the way around the building. The driveways vary
16 from 25-foot wide to 40-foot wide. The 40-foot
17 dimensions being more towards the north portion of
18 the building and also that southwesterly corner where
19 you just were, Kevin. So that's the access into the
20 site. So we have full movement all the way around
21 the building.

22 MR. SHEEHAN: You have room for
23 stormwater in the rear of the site?

24 MR. CLEMSON: Correct. To the far west
25 of the property behind the building, we have a

1 stormwater management illustrated consisting both of
2 small scale and a large scale structure. The intent
3 would be, the property would need to be designed
4 based on the latest New Jersey Stormwater Rules which
5 otherwise would be known as the green infrastructure
6 rules.

7 MR. SHEEHAN: I don't have any other
8 questions, Mr. Clemson. If the Board has any
9 questions, we'd be happy to answer. Hearing none,
10 Mr. Mosley.

11 MR. MOSLEY: I'm here.

12 MR. SHEEHAN: Kyle, I'm sure Mr. Mosley
13 has testified before. Do you want me to put his
14 credentials on the record?

15 MR. EINGORN: Mr. Mosley has testified on
16 numerous occasions before the zoning board and we can
17 accept him as a professional engineer in traffic,
18 traffic engineering?

19 MR. MOSLEY: Yes, that's correct.
20 Licensed professional engineer specializing in
21 traffic.

22 MR. EINGORN: Perfect.

23 MR. SHEEHAN: Nathan, did you prepare a
24 traffic report based on the proposed use?

25 MR. MOSLEY: Yes. My office prepared a

1 report that was dated September 8, 2022.

2 MR. SHEEHAN: Can you give a summary of
3 that report, please?

4 MR. MOSLEY: Sure. So we did a Traffic
5 Engineering Assessment Report for the proposed
6 self-storage facility. Obviously, right now we're
7 just going for the use variance. We're not getting
8 into the site plan issue. But it is important from a
9 traffic prospective that we ensure that we can
10 provide for safe and efficient access to and from any
11 kind of proposed development. I think that's the key
12 item when looking at a use variance application as
13 well. And in addition, we want to look at the
14 potential traffic to be generated by this site and
15 how that would be compared to other permitted uses in
16 the current zoning.

17 So in order to establish base conditions,
18 we went out and did traffic counts at the nearby Auto
19 Zone driveway which is just to our north. You can
20 see on the plans just above the proposed driveway
21 location. Those counts were done during the morning
22 and the afternoon peak periods which kind of
23 represent the peak times for the existing roadway
24 network, as well as the proposed self-storage
25 facility.

1 Then we looked to the trip generation for
2 this site and how much traffic is going to add to the
3 proposed development. Obviously, we're along a state
4 highway here. Mr. Clemson indicated it's Route 168.
5 We have NJDOT's jurisdiction over the driveway
6 location. The existing roadway has a single lane in
7 each direction and a center two-way left turn lane.

8 So when we look to the anticipated
9 traffic to be generated by this site, we look both to
10 the NJDOT trip generation rates, as well as the
11 Institute of Transportation Engineers ITE trip
12 generation rates. ITE has slightly more conservative
13 rates so we looked at those rates for the purpose of
14 this project. Based upon the data they provide us
15 and the proposed 160,000 square foot building size
16 with it being a multi-story building, the
17 anticipations that the site will generate
18 approximately 14 total trips during the a.m. peak
19 hour and 24 total trips during the p.m. peak hour.

20 So how that compares to uses that are
21 currently permitted in the C-3 Commercial Zone, some
22 of those uses include medical or dental office
23 buildings, fastfood restaurants, general or just
24 professional office buildings as well. And when you
25 look at the a.m. and the p.m. peak hour trips to be

1 generated by those uses, they are going to be
2 significantly higher than what's being anticipated
3 for this self-storage facility.

4 As an example, a 2,000 square foot
5 fast-food restaurant which is a little bit smaller of
6 a restaurant itself, would generate 89 total trips
7 during the a.m. peak hour compared to the 14
8 anticipated for our site and 66 total trips during
9 the p.m. peak hour compared to the 24 trips
10 anticipated for our use.

11 Then the other thing we wanted to look at
12 was to ensure that we can provide for safe and
13 efficient access. We will be required to get a NJDOT
14 driveway permit for the access point along Route 168.
15 Under the DOT's access code, that permit would be
16 classified as a minor permit. This is a minor
17 traffic generator. It does not generate a
18 significant amount of traffic under both the peak
19 hour and the daily condition. So, therefore, it will
20 require a minor driveway permit which we will be
21 obligated to obtain assuming we get use variance
22 approval and we move forward with the site plan
23 application.

24 But as far as the operations of that
25 driveway are concerned, we look at what we call

1 levels of service. A Level of Service or a way of
2 identifying the delays experienced by motorists when
3 traveling through an intersection whether it's
4 stop-controlled or signalized. DOT has specific
5 Level of Service criteria for any new driveway along
6 the state highway. They require that a
7 stop-controlled driveway operate at a Level of
8 Service 'D' or better. Level of Service can go from
9 Level of Service 'A,' meaning, minimal delays down to
10 a Level of Service 'F,' meaning, delays of a minute
11 or two in duration experienced by vehicles traveling
12 to that area.

13 So with regards to our driveway and our
14 access point along the state highway, it's
15 anticipated that based on the traffic volumes counted
16 along Route 168 under existing conditions and the
17 traffic that would be generated by this site, that
18 the proposed driveway will operate at a Level of
19 Service 'B' during the a.m. peak hour and Level of
20 Service 'C' during the p.m. peak hour.

21 So, therefore, based upon the positive
22 trip generation comparison, the traffic will be
23 generated by our site compared to other uses
24 currently permitted in the zone, as well as the fact
25 that we can provide for safe and efficient access, in

1 my opinion, based upon the good Levels of Service and
2 meeting the NJDOT Access Code Criteria. It is my
3 opinion that from a traffic prospective, the granting
4 of the use variance for the proposed self-storage
5 facility will not impact or impair the intent of the
6 City of Camden's Zoning Ordinance or Master Plan.

7 MR. SHEEHAN: Does anybody have any
8 questions of Mr. Mosley?

9 Seeing none, then I would ask Ms.
10 Bruder. Leah, have you testified before the Camden
11 Zoning Board in the past?

12 MS. BRUDER: Yes, I have. I'm a licensed
13 professional planner and a member of the American
14 Institute of Certified Planers. I've testified
15 before more than 60 boards in the Southern New Jersey
16 area and this one. I think the most recent example
17 was in September of 2021.

18 MR. SHEEHAN: Kyle, I would submit
19 Ms. Bruder as an expert in professional planning.

20 MR. EINGORN: Yes. Ms. Bruder has been
21 accepted by this Board in the past and she'll be
22 accepted today as well.

23 MR. SHEEHAN: Leah, have you evaluated
24 the criteria necessary for a d(1) and a d(6) variance
25 that we're requesting tonight to determine whether or

1 not we can meet the Positive and Negative Criteria?

2 MS. BRUDER: Yes. In summary, I think
3 this application does meet the Positive and Negative
4 Criteria. In order to format that opinion, though, I
5 have reviewed the City's Master Plan, as well as the
6 2018 Master Plan Re-examination, the applicable
7 sections of the City's Zoning Code. Of course, the
8 conceptual site plan that's been prepared and the
9 renderings for the proposed use, and I have visited
10 the site on a couple of occasions.

11 As it has been described, we're before
12 the Board seeking a use variance to permit this
13 4.06-acre site with only 50 feet of frontage on Mt.
14 Ephraim Avenue, to be developed with a four-story
15 self-storage facility. The footprint is
16 approximately 40,000 square feet. And the total
17 square footage is approximately 160,000 square feet.

18 The property is currently vacant. We
19 have already indicated it's within the C-3 Commercial
20 Zoning District. The tract is surrounded to the
21 east, north and south by other commercial properties
22 in the same zoning district. And to the west by
23 Newton Creek and then the R-2 Residential Zoning
24 District. The surrounding area around Mt. Ephraim
25 Avenue which I'm sure you're all familiar with, and

1 you can see on the aerial photo, has a variety of
2 commercial uses and industrial uses, with the
3 intersecting streets generally leading to
4 residential neighborhoods.

5 The surrounding uses in the immediate
6 surrounding area include the Auto Zone which is on
7 the aerial photo immediately to the right of the
8 proposed building. That is to the east. There's
9 also the Family Dollar which is immediately to the
10 east. And then as has been indicated, there are some
11 commercial uses to the south. There's a radio
12 broadcasting facility. I believe it's an a.m. radio
13 station. Then across the street there's the Farmers
14 Market, there's the DMV, there's Dunkin Donuts,
15 there's McDonalds and then there are a variety of
16 uses and shopping centers. And I believes there's
17 car wash to the north. And there also vacant
18 commercial facilities in the area.

19 So in accordance with Section 870-72 of
20 the City Code, the C-3 Commercial Zone permits banks,
21 business offices, commercial recreation facilities,
22 convenience stores, farm markets, furniture, garden
23 and home centers, medical professional and other
24 offices for personal services, restaurants, retail
25 stores, shopping centers, municipal buildings,

1 communities and education uses. Self-storage
2 facilities are not specifically permitted in the
3 zone. So a d(1) use variance is required to permit
4 this proposed use and structure in a district
5 restricted against it. In addition to the use
6 variance as we indicated, the d(6) height variance is
7 requested.

8 The proposal is for a four-story, 44 foot
9 tall building. The zoning permits a maximum of three
10 stories or 45 feet. I think Mr. Sheehan accidentally
11 indicated 35 feet. But the zone does, in fact,
12 permit 45-foot tall buildings so we're under that.
13 But it anticipates three stories. So we're asking
14 for four stories where only three are permitted.

15 The approval of the requested use
16 variance will enable this commercial property to be
17 put to productive use and to be developed in a manner
18 that we really think is compatible with the
19 surrounding area and complementary to the surrounding
20 area. The City has, of course, already determined by
21 virtue of the commercial zoning, that it's an
22 appropriate location for commercial use so we're
23 talking about what type of commercial use.

24 From a zoning standpoint, self-storage
25 facilities are often included with light industrial

1 uses so though they're really akin to a personal or
2 business service use in my professional planning
3 opinion. Though it's not permitted in this specific
4 location, we believe the proposal for a self-storage
5 facility is ideal for this location and appropriate
6 to the area. And it's also consistent with the
7 City's Master Plan and Zoning.

8 Though the site is along the Mt. Ephraim
9 Avenue corridor which is a commercial corridor, it's
10 really not an ideal location for highway commercial
11 use like a retail or a restaurant because it's not at
12 an intersection or a traffic signal. The narrow
13 frontage is wide enough to accommodate the driveway
14 as Mr. Mosley explained, but it's not wide enough for
15 a building visibility which is often required for
16 restaurant or retail uses. The shape of the lot is
17 somewhat awkward for a development. And there really
18 is an abundance of existing retail and office space
19 in the area.

20 So my testimony will affirm and I hope
21 the Zoning Board will agree, that the proposed
22 self-storage is compatible with this location and it
23 can be developed in harmony with the surrounding uses
24 and it will make efficient use of this currently
25 under-utilized property. It'll make high-quality

1 storage space available to the residents and
2 businesses in the area. And it'll assist in
3 maintaining the vitality of the local economy and
4 certainly won't have a detrimental impact on
5 surrounding uses.

6 In considering the application for the
7 d(1) and the d(6) variance, the Board must consider
8 the Positive and the Negative Criteria. So, of
9 course, for the Positive Criteria, we have to prove
10 to your satisfaction that there are Special Reasons
11 for the Board to grant the requested relief showing
12 that the site and the use are peculiarly fitted to
13 the particular location. And I think some of what
14 I've already explained fits the bill there.

15 This proof requires that we demonstrate
16 that the site is particularly suited to the proposed
17 use and the proposed structures and that "Special
18 Reasons" exist for the grant of the variances. And
19 "Special Reasons," as you know, are defined by the
20 purposes of zoning. The proposal will promote the
21 general welfare and advance the purposes of Municipal
22 Land Use Law and the City's Zoning Code.

23 As to the Negative Criteria, we have to
24 demonstrate that there will be no substantial
25 detriment to the public good and that the variance

1 won't substantially impair the intent and purpose of
2 the Zoning Plan and Zoning Ordinance. So just
3 generally, it's widely acknowledged that the retail
4 and office environment have drastically changed of
5 this last several decades. Several decades ago it
6 was big box stores that were coming in and kind of
7 making it difficult for smaller retailers to survive
8 by putting all the things that people needed in many
9 categories of goods in one place.

10 And then over the last two decades, the
11 rise of E-commerce has been further threatened the
12 viability of brick and mortar retailers capturing
13 significant market share and requiring retailers to
14 adapt. And this trend was, of course, accelerated by
15 the Global Pandemic. Office space along the same
16 lines has really been over-built in suburban
17 locations prior to the Pandemic and the shift to
18 remote work has resulted in more available office
19 space at lower rents.

20 So the retail and office uses that are
21 allowed in the C-3 Zoning District, many of them if
22 they're expanding, they're really not expanding to
23 new physical locations at all. And if they are
24 expanding, they're choosing only the most ideal sites
25 that meet all their site selection criteria which are

1 typically at a signalized intersection on a heavily
2 traveled road with good visibility. So here we have
3 a site that really doesn't have that visibility. So
4 it's really ideal for a lower impact use like the
5 self-storage.

6 So this is an opportunity to move some of
7 those pieces around and to create the best
8 opportunity for this site. It's a use that really
9 does still require brick and mortar; you can't store
10 your things in the Cloud. So self-storage facilities
11 need physical locations. As I've indicated, we
12 believe that this proposed use is appropriately
13 paired with a property that's well-suited to
14 accommodate it, and that the proposal will be
15 harmonious with surrounding uses.

16 As to the particular criteria for
17 "Special Reasons," we believe that this site
18 satisfies Section 2A of the Municipal Land Use Law
19 which encourages municipal action to guide the
20 appropriate use or development of all lands in the
21 state in the manner that will promote the public,
22 health, safety and general welfare. It promotes the
23 general welfare by providing an appropriate use in a
24 location that is suitable for the use. And the grant
25 of the use variance will enable efficient use of land

1 in a suitable location with the access it needs to
2 infrastructure and populations in both Camden City
3 and in the surrounding municipalities.

4 The proposal promotes public health and
5 safety. It will not -- the self-storage facility
6 will not produce any noise or pollution. The
7 lighting will be limited to what's needed for site
8 safety. Traffic will be light especially during the
9 week. And this site will be secured and monitored.
10 The proposed height will enable the site to be
11 developed in a density that makes it economically
12 feasible which will promote the general welfare as
13 mentioned. We also believe that it advances
14 Purpose 2D, to ensure the development of
15 individual municipalities does not conflict with the
16 development and general welfare of neighboring
17 municipalities, the county or the state as a whole.

18 This site, as you know, is in the
19 southeastern portion of the city in good proximity
20 but not directly adjacent to the municipalities of
21 Woodlynne, Oaklyn, Haddon Township and Collingswood.
22 The area is heavily traveled and the proposed use is
23 low-impact, so it'll serve the area without
24 significantly increasing traffic through the City.
25 It's also located in Planning Area 1 on the State

1 Plan Map which is an area targeted for smart growth
2 and in-fill. Not lastly; two more.

3 Section 2(G), to provide sufficient space
4 and appropriate locations for a variety of uses
5 according to their respective environmental
6 requirements to meet the needs of all New Jersey
7 citizens. While the City does have other areas that
8 are zoned for light-industrial and general industrial
9 uses, they're generally and primarily intended to
10 accommodate light manufacturing, warehousing and
11 wholesaling, as well as contractors' yards and
12 machine shops and the like. This is a storage use
13 but it's in a scale that serves a residential and
14 small business population. And the site provides
15 convenient access and it won't measurably impact any
16 residential-zoned areas. Further, the proposed use
17 is appropriate for the location and will be in
18 harmony with the surrounding uses and environment.

19 And then lastly, Section 2(I), to promote
20 a desirable visual environment through creative
21 development techniques and good civic design and
22 arrangement. This proposal will enable the
23 construction of a new building on an unusually-shaped
24 site as shown in the building renderings that were
25 shown when Mr. Tustin was providing his testimony.

1 The building design will be inviting, coordinated and
2 polished. And the view of the building itself will
3 be obscured from view by its location behind the
4 other retail uses. But it will be inviting and
5 attractive to those entering the site. The building
6 itself will be -- again, this isn't -- we haven't
7 prepared the site plan yet but it's estimated that
8 the building will be set back at least 250 feet from
9 Mt. Ephraim Avenue, so the height will be mitigated
10 by that significant setback.

11 So as to the Master Plan, I did, of
12 course, review the City's Master Plan. And as you
13 all know, the City has many redevelopment plans but
14 one has never been prepared, to my knowledge, for
15 this particular area. There are several that are
16 prepared for areas to the north like Centerville and
17 Morgan Village which is actually not to the north but
18 to the west. And then there is the Fairview
19 Redevelopment Plan which is to the south. But this
20 area has never been included in one. So this will
21 enable private investment in this area without the
22 need for intervention by a Redevelopment Planning.

23 There are a number of economic
24 development goals in the City's Master Plan that will
25 be, if not, advanced by this proposal, certainly it

1 won't undermine them, related to promoting vibrant
2 business districts, maintaining and attracting jobs
3 and creating viable major commercial corridors.
4 And then lastly as to the Negative Criteria, there
5 won't be any substantial detriment to the public good
6 resulting from this proposal.

7 But there won't be any substantially
8 detrimental impact on surrounding properties and the
9 proposal will not impair the intent and purpose of
10 the Zoning Code or the Master Plan. It's on the
11 periphery of the commercial corridor separated from
12 the primary commercial artery by a significant
13 setback. It can be developed independently without
14 undermining the City's planning objectives.

15 And the proposal does require the height
16 variance, as well -- it has the existing
17 nonconforming lot width at the property line but,
18 otherwise, it'll comply with the C-3 zoning standards
19 in terms of the setbacks, impervious coverage and
20 things of that nature. And it will enable a
21 commercial use to be developed at the site as
22 envisioned by the City, but in a way that will have
23 less noise, fewer odors and less traffic than
24 permitted uses would have. So overall, we believe
25 that weighed against the positive impacts of the

1 proposal, that any potentially detrimental impacts of
2 the variance are negligible.

3 MR. SHEEHAN: Thank you, Leah. Does the
4 Board have any questions of Ms. Bruder?

5 MR. EINGORN: Let the record reflect that
6 Chairman Hance has made his appearance tonight and
7 will be marked as present.

8 MR. SHEEHAN: Kyle, if there's no
9 questions, that concludes our presentation and we can
10 address any questions the Board has or from the
11 public.

12 MR. EINGORN: Before we open to the
13 public, does the Board have any specific questions
14 for any of the applicant's witnesses or the
15 applicant's counsel?

16 CHAIRMAN HANCE: Yes. Can you explain
17 the parking lot to me? I missed that.

18 MR. SHEEHAN: Let me share the screen,
19 sir. Can you see an aerial with the plan overlay?

20 CHAIRMAN HANCE: Yes.

21 MR. SHEEHAN: So the Auto Zone and Family
22 Dollar are in front. Access on the south, a drive
23 aisle. You've got some parking here in front where
24 the main entrance is. Around the building you have
25 overhead doors for sites for storage facilities that

1 are located around the site and also, some access
2 doors for folks who have upper floors who can pull in
3 and bring their stuff in that way. And then you have
4 complete circulation around the building.

5 CHAIRMAN HANCE: A question. Will this
6 be open 24 hours?

7 MR. SHEEHAN: No. It's six to ten, I
8 believe; is that right?

9 MR. TUSTIN: Yes, that's correct, 6:00
10 a.m. to 10:00 p.m. so it won't be open 24 hours.

11 CHAIRMAN HANCE: Will someone be living
12 on site or will it just be they're going into work
13 and they're leaving?

14 MR. TUSTIN: No one will be living on
15 site.

16 CHAIRMAN HANCE: What about your
17 security?

18 MR. TUSTIN: Security, we're going to
19 have 100 security cameras; 20 cameras on each floor.
20 So it will be 80 cameras inside. There will be 20
21 cameras outside. The security cameras during the day
22 will be monitored by the two employees who work
23 there. And then on off-hours, we have remote
24 property managers who will monitor the security
25 cameras and they can actually speak through the

1 security cameras if somebody is doing something
2 wrong. And then they can also call the police if
3 something was really going wrong.

4 CHAIRMAN HANCE: Question. That be will
5 fenced-in around the back or the sides?

6 MR. TUSTIN: The entire perimeter would
7 have an eight-foot fence.

8 CHAIRMAN HANCE: Thank you.

9 MR. EINGORN: Any other questions from
10 the Board? Hearing none, we will open this
11 application to the public. Is anybody tonight
12 appeared to speak in favor or against the application
13 being proposed by Haddon Property Group regarding
14 2621 Mt. Ephraim Avenue? Not hearing anyone and not
15 seeing any hands raised whether it's virtual or
16 otherwise, we will close the public portion.

17 At this time, the Board should do its
18 analysis of the Positive and Negative Criteria
19 regarding the requests of the applicant for both the
20 height variance and a use variance as discussed by
21 the applicant. This is not a permitted use in the
22 C-3 Zone. And the applicant is proposing four
23 stories where three are permitted, although the
24 applicant did say that they are within the height,
25 maximum height limitation.

1 VICE-CHAIRMAN COOPER: Again, I think
2 this will be a project that may be good for the City
3 because we're definitely running out of storage. We
4 are landlocked pretty much and we have a place where
5 we could go and take additional things to store in a
6 safe environment. I think it would be great for the
7 City here.

8 CHAIRMAN HANCE: I will piggy-back on
9 that. Also, that area has been vacant for a long
10 time. There's been abandoned vehicles there. I
11 think it would be a time for that area to be built
12 back up again so I think it's a great idea.

13 MS. ALSTON: Did they mention about trash
14 disposal and clean up if any is needed on the grounds
15 or around the area?

16 MR. SHEEHAN: So there will be two people
17 working during the six to ten-hours that they're open
18 so they can clean up on the grounds to the extent
19 that any of the clientele leaves stuff outside. And
20 then there's a trash enclosure in the back rear
21 behind the Dollar General, sort in the same, similar
22 locations to which the Dollar General's enclosure is.
23 And that'll be picked up by private hauler at least
24 weekly and more if needed.

25 MS. ALSTON: Thank you. Any mention of a

1 virtual call center or virtual manager? Where is
2 that?

3 MR. TUSTIN: So the virtual folks, they
4 work for my company. They're actually located in the
5 Philippines. But there will be two full-time
6 managers on-site during working hours. And then
7 probably we're going to have a part-time manager for
8 the weekend. So it'll create about two-and-a-half
9 jobs. The virtual managers are really to increase
10 customer experience where we can be reached by phone
11 24 hours a day.

12 CHAIRMAN HANCE: My questions is --

13 MS. ALSTON: One other thing, you said
14 something about business being conducted there. What
15 type of business have you seen that people just
16 coming in, office space are you referring to?

17 MR. TUSTIN: That's a good question. So
18 just business tenants. So, say, like you were a
19 retailer who didn't have enough space for your
20 inventory, you would get, say, a 10-by-20, that would
21 be an extra 200 square feet. Often times it would be
22 cheaper than renting retail space for that storage.
23 You wouldn't actually be able to conduct your
24 business there outside of bringing your extra
25 supplies and storing them there then taking them back

1 to your store.

2 So that's the kind of business that would
3 conducted. Office tenants use it for document
4 storage. So they're not really conducting business
5 there. They're just hauling documents to the site
6 and storing documents there. Contractors will store
7 supplies and tools but they're not actually working
8 on the site. That would be prohibited.

9 MS. ALSTON: I guess one more thing. As
10 far as the security, you had mentioned 100 cameras,
11 80 inside, in your experience, is this sufficient for
12 the area? How about your cameras go down; how about
13 if somebody tries to jump that gate?

14 MR. TUSTIN: Yes, that's a good question.
15 So right now we manage -- we own and operate
16 facilities in urban locations, one in Dallas, Texas,
17 one in Wako, Texas. So we have about ten cameras,
18 exterior cameras on those sites, but those sites have
19 half the amount of land and units and tenants. And,
20 yes, it has been successful.

21 Our folks can see what's going on 24
22 hours a day. If somebody jumps the fence, they can
23 quickly yell at them over the camera. A lot of times
24 that spooks the person where they end up leaving the
25 site. If they don't leave the site and they start

1 tampering with units, we can quickly call the police.
2 So that's always -- that would be after-hours if
3 something like that happened. During the day we
4 would have an on-site manager who would confront the
5 individual.

6 MS. ALSTON: Thank you.

7 CHAIRMAN HANCE: One more question. So
8 the building is four-stories high, correct?

9 MR. TUSTIN: Yes, sir.

10 CHAIRMAN HANCE: Can you hear me? I'm
11 sorry.

12 MR. SHEEHAN: I think you asked whether
13 it was going to be four stories, is that correct, Mr.
14 Hance?

15 CHAIRMAN HANCE: So it's going to be
16 uniformed with Auto Zone or will it be blocking any
17 other buildings?

18 MR. SHEEHAN: No.

19 CHAIRMAN HANCE: So it's set back 250
20 feet?

21 MR. SHEEHAN: Yes. If you can see the
22 aerial, there's about 250 feet between the Auto Zone
23 and Dollar General and Mt. Ephraim Avenue. And then
24 in the back you have Newton Creek in the back here
25 that's wooded and the creek so it's shielded from

1 there and the Auto Zone. And they have got to be at
2 least 15 to 20 feet high so you'll see another 20, 25
3 feet above that but it'll be further back from Mt.
4 Ephraim Avenue.

5 CHAIRMAN HANCE: Because my question
6 was, would it block any other stores on the left or
7 the right?

8 MR. SHEEHAN: No. Because there's --
9 it's far enough back so you have -- you could see
10 there's a car wash up top here. And then everybody
11 else is back. And then below here you have what used
12 to be the Price Rite, that shopping center where it
13 has a lot of parking in the front. They're in the
14 back but this isn't going to block them. It's
15 further down the street.

16 CHAIRMAN HANCE: Thank you.

17 MR. SHEEHAN: You're welcome.

18 MR. EINGORN: Any other questions? Do we
19 have a motion?

20 VICE-CHAIRMAN COOPER: I make a motion to
21 accept.

22 MS. ATWOOD: Second.

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

25 CHAIRMAN HANCE: Yes.

1 MR. EINGORN: Vice-Chairman Cooper.

2 VICE-CHAIRMAN COOPER: Yes.

3 MR. EINGORN: Reverend Martinez.

4 REVEREND MARTINEZ: Yes.

5 MR. EINGORN: Ms. Atwood.

6 MS. ATWOOD: Yes.

7 MR. EINGORN: Ms. Merricks. Ms. Merricks
8 you're muted.

9 MS. MERRICKS: Yes.

10 MR. EINGORN: Ms. Alston.

11 MS. ALSTON: Yes.

12 MR. EINGORN: Mr. Brito Bueno.

13 MR. BRITO BUENO: Yes.

14 MR. EINGORN: All in favor, the motion
15 passes. Have a nice night.

16 MR. SHEEHAN: Thank you very much.

17 MR. TUSTIN: Thank you everybody.

18 MR. EINGORN: The next matter, Jose A.

19 Santos, 338 Emerald Avenue, Block 481, Lot 31.

20 Sir, you are muted. Are you Mr. Santos?

21 MR. SANTOS: Yes.

22 MR. EINGORN: Great. Will you raise your
23 right hand?

24 MR. SANTOS: Yes.

25 - - -

1 Interpretation needed; abandonment of prior use,
2 off-street parking, and site plan approval may be
3 needed. The applicant requests a site plan waiver.
4 Reason why the appeal should be granted, it's a
5 business for personal use; it's located in a good
6 spot; don't need parking.

7 When you say personal use, are you only
8 fixing cars for you?

9 MR. SANTOS: Yes.

10 MR. EINGORN: I'm looking at the
11 photographs you supplied. I have six colored
12 photographs in my possession. In those photographs,
13 there seem to be at least a dozen cars. Do you own
14 all of those cars personally?

15 MR. SANTOS: Yes.

16 VICE-CHAIRMAN COOPER: Kyle, he got a
17 translator there. She needs to be sworn in.

18 MS. TORRES: Those cars are his.

19 MR. EINGORN: Raise your right hand,
20 please.

21 - - -

22 AMELIA TORRES, having first been duly
23 sworn/affirmed, was examined and testified as
24 follows:

25 - - -

1 MR. EINGORN: Can you state your name and
2 address for the record.

3 MS. TORRES: Amelia Torres, 513 Trenton
4 Avenue, Camden, New Jersey 08101.

5 MR. EINGORN: So the testimony is that
6 the applicant owns all of these cars. What happens
7 with the cars after he fixes them, sir?

8 MR. SANTOS: (Inaudible)

9 MR. EINGORN: Is there any chance you
10 could move closer to the microphone. We're having
11 trouble hearing you.

12 MR. SANTOS: I fix the cars down here and
13 after they are done getting fixed, I transfer them
14 over to Philadelphia.

15 MR. EINGORN: Does Mr. Santos
16 sell them in Philadelphia?

17 MR. SANTOS: Yes.

18 MR. EINGORN: The denial letter says,
19 abandonment of prior use. Before you propose to use
20 this building to fix cars, what was it being used for
21 prior?

22 MS. TORRES: According to him, it was the
23 same thing. It was sort like a storage place I guess
24 they had going on because he rents that place. He's
25 a renter in that garage. Before he rented that

1 garage, it was storage in there. It wasn't being
2 used.

3 MR. EINGORN: The pictures seem to show
4 lifts and other items. Are those the applicant's or
5 were those pre-existing?

6 MR. SANTOS: No.

7 MR. EINGORN: No what?

8 MR. SANTOS: Those are mine.

9 MR. EINGORN: So you installed them in
10 the property?

11 MR. SANTOS: They were mine.

12 MR. EINGORN: Is there -- do you have an
13 aerial of this property that you can share with the
14 Zoning Board? The issue is, in addition to the fact
15 that you need an interpretation abandonment of a
16 prior use or a use variance, you also need to
17 demonstrate off-street parking. So how many cars can
18 be parked inside the building?

19 MR. SANTOS: Are you talking inside the
20 garage or are you talking the outside of the parking
21 spot?

22 MR. EINGORN: Let's start with inside.

23 MR. SANTOS: Inside, about nine cars can
24 be parked in there. Inside the garage it could be
25 about nine cars parked in there.

1 MR. EINGORN: Okay. How many cars can be
2 parked inside the building? Not on the street,
3 though; not along the street; just on the property.

4 MR. SANTOS: On the property, about three
5 inside the property, in the lot cause there's like a
6 lot located on the side.

7 MR. EINGORN: How many cars are there?

8 MR. SANTOS: Like about 20.

9 MR. EINGORN: About 20. Is the lot
10 paved?

11 MR. SANTOS: Yes.

12 MR. EINGORN: The whole of the lot is
13 paved. It does look there's look like concrete in
14 this picture here.

15 MR. SANTOS: It has concrete.

16 MR. EINGORN: I'm looking at the
17 photographs. It does appear to be and I'm
18 holding it up for the Board and I don't know if they
19 can see that. It does appear to be concrete, at
20 least in portions of the property that we can see.

21 Does the applicant have anything they
22 want to add to this application? This is your
23 application seeking use interpretation, possibly bulk
24 variance and site plan waiver. Is there anything you
25 want to tell us about the property that the Board

1 should consider?

2 MR. SANTOS: No.

3 MR. EINGORN: Do you want to tell us what
4 else is around here? Is there any other businesses?
5 You're asking for a use that's not allowed in a
6 residential zone. What's the neighborhood like? Mr.
7 Santos needs to testify to this. So if you can ask
8 him and then he can tell you and then you can tell
9 us, please.

10 MR. SANTOS: There's a park across the
11 street from the lot -- from the garage. In the back
12 is another garage. And then on the side of me is a
13 lot, an empty lot. That's about it. That's all I
14 can think about in that area. Next to the lot behind
15 me is those houses.

16 MR. EINGORN: I'm sorry. We can't hear
17 you. Can you just move a little closer?

18 MR. SANTOS: There's a park across the
19 street from the garage. So the park kind of goes
20 down, I guess, like across the street from the
21 garage. And then there's a garage behind me.
22 And then there's a lot on the opposite side of him
23 that's empty. And then there's houses next to Viola
24 where the garage in the back is located of his
25 garage.

1 MS. TORRES: I have not been there in
2 that area. I'm just going by from what he said.

3 MR. EINGORN: That's why we ask you to
4 translate. That's all. Does the Board have
5 questions for the applicant?

6 CHAIRMAN HANCE: Yes. I think he needs
7 to bring more pictures of the area.

8 MR. EINGORN: Anything else the Board
9 would like to see? It is difficult to make a
10 determination without additional pictures.
11 Definitely an aerial. Maybe you can print something
12 from Goggle Maps or something like that. Whatever
13 search engine you like the best. More pictures of
14 the back and side lot area, especially with what's
15 going on in the ground.

16 CHAIRMAN HANCE: Can we get a full
17 picture of the building? Also, I know the building
18 there. I live two streets from that area. I've been
19 there. I would like the Board to see more pictures
20 of the area.

21 MS. ALSTON: Where is he getting these
22 cars from?

23 MR. SANTOS: The auto auction.

24 MS. ALSTON: So he buys them off the
25 auction and then fixes them and then takes them over

1 to Philadelphia. And he has a building in
2 Philadelphia?

3 MR. SANTOS: Yes.

4 MS. ALSTON: And then he sells them in
5 Philadelphia?

6 MR. SANTOS: Yes.

7 MS. ALSTON: So it's a business?

8 MR. SANTOS: Yes.

9 VICE-CHAIRMAN COOPER: It's not
10 personal.

11 MS. ALSTON: So it's not personal use.
12 It's a business. He's really running a business.

13 VICE-CHAIRMAN COOPER: Huh-huh.

14 MS. ALSTON: It starts in New Jersey but
15 it's going over the bridge and he has a building in
16 Philadelphia where he's selling them. And not only
17 that, he says he doesn't need parking but when he
18 moves those cars out of the garage and brings them
19 out, they're not pretty cars to look at. And you
20 have a playground right across the street. I have to
21 agree with everyone else. I would like to see more
22 pictures too of what it looks like.

23 MR. SANTOS: Okay.

24 MR. EINGORN: All right. So we'll move
25 this matter to the November meeting, first Monday.

1 Evita, do we know the date of that?

2 MS. MUHAMMAD: November 7th.

3 MR. EINGORN: November 7th with pictures.

4 We'll continue this matter at that time. I don't
5 know if anybody from the public showed up for this
6 matter. Please note that there will be no further
7 notice. This matter will be heard on November 7th at
8 the regular meeting scheduled at that time. Thank
9 you, Mr. Santos and Madam interpreter, I'm sorry,
10 I forgot your last name, have a nice night.

11 MS. TORRES: Thank you. You too.

12 MR. SANTOS: Thank you.

13 MR. EINGORN: The next matter is Marquise
14 Properties, LLC, 436 South 6th Street.

15 MR. GABAY: Good evening, Board, how are
16 you guys?

17 MR. EINGORN: Good evening, Mr. Gabay,
18 how are you?

19 MR. GABAY: I'm doing well. Thank you
20 for hearing this matter tonight.

21 Essentially I have a presentation. Has
22 everyone received a copy of it from the Board?

23 MR. EINGORN: First of all, I need you to
24 raise your right hand.

25 - - -

1 JONATHAN GABAY, having first been duly
2 sworn/affirmed, was examined and testified as
3 follows:

4 - - -

5 MR. EINGORN: Before we get started here,
6 the applicant is a limited liability company.
7 Generally, limited liability companies and other
8 formal entities need to be represented by counsel in
9 order to appear at a judicial or quasi-judicial
10 proceeding such as the one tonight. Are there other
11 members of this LLC besides yourself?

12 MR. GABAY: There are none. So you're
13 acting as a sole proprietor?

14 MR. GABAY: I am.

15 MR. EINGORN: Under that testimony, we
16 can allow you to proceed in this matter as, this is
17 essentially a sole proprietorship and the law does
18 allow such.

19 MR. GABAY: Thank you. I appreciate
20 that.

21 MR. EINGORN: Mr. Gabay, why don't you
22 tell us about your proposal?

23 MR. GABAY: Sure. So essentially,
24 there's a property that's been boarded up for better
25 part of 20 years. It's falling apart at the

1 foundation. Final demo notice from the City of
2 Camden. And I've worked with acquiring the property
3 and trying to work with the Building Bureau to save
4 the property prior to its demolition. I don't think
5 it's going to be in the best interest to have a
6 missing tooth on that block.

7 It's in close proximity to Cooper
8 Hospital. It's on 6th Street between Washington and
9 Berkley Street. And I do have a presentation that I
10 can follow the whole Board through, as well as
11 everyone on this meeting, if I could present. Do
12 they have a copy of it? I did send it out maybe like
13 two weeks ago.

14 MR. EINGORN: I have a black and white
15 copy of it.

16 MR. GABAY: Well, it's going to be color
17 when I show it. I just to want to know if everyone
18 had something to follow through with it.

19 MR. EINGORN: Yes. The Board should have
20 copies.

21 MR. GABAY: So I'll just share my screen
22 real quick.

23 MR. EINGORN: Thank you.

24 MR. SANTOS: I will just share my
25 screen. Can everyone see this presentation?

1 MR. EINGORN: Yes.

2 MR. GABAY: So essentially, 436 S. 6th
3 Street, this would be the zoning and redevelopment
4 presentation that I have. The three pictures on the
5 front, you could see the facade. There is a final
6 demo notice on it. You could see that Operation Safe
7 and Sound secured one of the windows years ago. If
8 you look at any historic picture of this on Goggle
9 Maps, this Operation Safe and Sound, has been there
10 for over ten years.

11 The middle picture, it's the third floor.
12 It's completely caved in. And the rear of the
13 property is on the right. And you could see that
14 it's completely falling apart. So we would be
15 seeking to redevelop that all together and save the
16 property. Proposed use and development plan, we hope
17 to convert 436 S. 6th into a multi-family dwelling,
18 consisting of three studio apartments.

19 The proposed plan would revitalize the
20 property that has been slated to be demolished and
21 has been abandoned for years. We slate that it has
22 been abandoned for about 15 years. I can't tell
23 exactly but there is complete destruction throughout
24 the three floors in the property. Our efforts in
25 revitalizing this property will enhance the general

1 surroundings by removing a boarded-up blighted
2 property in Cooper Plaza which will evidently be torn
3 down. It will be of a newly renovated studio
4 one-bedroom housing option in the Cooper Plaza
5 vicinity.

6 So this was denied on five bases.
7 Minimum lot area is deficient. Lot width is
8 deficient. Number 3, more than 80 percent of the lot
9 is structure which I do not believe is true but I
10 will show that anyway in a plot plan. They're
11 requesting three parking spaces and side, front and
12 rear yard. This is on the uniformed block of rows so
13 the front, side and rear yard variance, I do believe
14 should be given just for the uniformity of the block
15 but I'll still go through that as well.

16 I did some due diligence on the property.
17 I did an OPRA. And historically as of 1959, this
18 property was a multi-unit dwelling. Even furthermore
19 you could see I circled on the right superimposed.
20 They even have a rent schedule of what the property
21 was. It says on the first floor there was one
22 apartment; on the second floor there was one
23 apartment. So I can historically determine that this
24 was a multi-unit property at one point. Furthermore,
25 it states that there were two apartments in the

1 property. And then the room count was seven. As it
2 stands today, you could see that it was a two-bedroom
3 apartment and a five bedroom -- I'm sorry -- a
4 two-bedroom apartment and a three bedroom apartment.

5 Current tax card, it has not been
6 occupied for a quite some time. It even says there's
7 no contact info. This is the current card that has
8 it as a one unit. At the time before the Tax
9 Assessor left, I vocalized that it was a multi-unit.
10 They said this would only come into play if there was
11 a re-val. But the 1959 card is the important card
12 for the zoning matter.

13 On the tax map you could see it's a
14 uniformed block, 16 feet wide by 76 so it would hard
15 to basically get the side yard requirements needed
16 because it would effectively take up the whole lot.
17 The plot plan, this is to scale of what the property
18 is. There is where I don't think the 80 percent of
19 the property frontage on that lot applies because the
20 property is 628 square feet, whereas the yard is 588.

21 If we go over to the proposed floor plan,
22 it's consisting of the floor area on the first floor,
23 628 square feet. Second floor, 628 square feet.
24 Third floor is 352. But if you take the common areas
25 and the staircase, it would be a 570 square foot

1 apartment; 502 square foot apartment; and a 352
2 square foot apartment. And it would all be studios.
3 You can see it would be just one open plan,
4 essentially kitchen, bathroom, closet, washer and
5 dryer. And then it would just be an open space which
6 would be for living, sleeping and dining.

7 With fire egress because that would be of
8 concern in a multi-unit, we'll add all means of
9 egress from all floors. There will be two means from
10 every property, whether that's going to be at the
11 front or fire escape out the back. And we will speak
12 with the fire marshal and fire inspectors to guide
13 the designs; to make sure it's within compliance.
14 Because this would all be reconstructed so we would
15 have to use the two-hour fire code for doors, the
16 sheetrock that would be five-eighths fire rated, as
17 well as any fire egress plans that they would come up
18 with along with the permitting.

19 This is the street view looking north.
20 You could see Shelia Roberts Park up there on the
21 right. It's a uniformed block so it would be a
22 tragedy if this property were to get torn down.
23 You could see it's just basic street parking on both
24 sides. And the property is with the tree in front of
25 it. This is from Google so you could see the

1 Operation Safe and Sound and it has been boarded.
2 This is it looking south on the same regard. A
3 pretty uniformed block. There is a new in-fill. I
4 believe those are M&M and St. Joseph something like
5 that, that were done on the block to close it up. So
6 it would be kind of redundant if the City comes in
7 and now wants to tear this one down.

8 Parking mentioned, our plan poses to
9 create the rarity of a studio rental unit. Our hopes
10 are that because of it's unique proximity to the
11 hospital and public transportation, that this
12 property will pose no new parking detriment to the
13 immediate surroundings. Furthermore, if the
14 occupants are hospital-related, Cooper parking garage
15 is less than 200 feet away, as well it's in close
16 proximity to Walter Rand.

17 And if the historical data of a duplex
18 holds, there's actually less bedrooms in the property
19 reducing the impact on the bedroom requirement needed
20 for the parking. So in the two units, one was a two
21 bedroom and one was a three bedroom. So by
22 ordinance, the whole what it would be today, would
23 have been five parking spots.

24 The repositioning remarks, this property
25 is in such bad shape. It's been slated for

1 demolition through the Building Bureau. Our plan is
2 to reposition it. And financially from a private
3 prospective, just the reconstructing of the structure
4 itself, the brick facade and rebuilding everything,
5 we've had it quoted and we're trying to get it done.
6 It's an excess of \$180,000 with the total project
7 expected to be north of \$280,000.

8 The blight of the vacant abandoned block
9 in Cooper Plaza, I think, will be a blight for years.
10 I don't think that the redevelopment of it would be
11 as easy as it should be because it would be knocked
12 down. And we're actually ready to complete this
13 project. I mean, we have the contractors basically
14 on call. If this gets approved, we'd like to have it
15 completed by the summer. And we're trying to save
16 this from the final demo. So this is the final demo
17 notice. This has been an imminent hazard.

18 I've been working with Inspector Rizzo to
19 try to get this delayed so that we can try to pull
20 emergency permits to fix it. But at the end of the
21 day, it needs to make financial sense and the
22 repositioning of it into a multi-unit given that it
23 was historically a multi-unit, would be the best use
24 for us on a private sector.

25 So the conversion as mentioned, it would

1 be north of \$180,000 and this the only financially
2 feasible option for us to come in and save the
3 property. This would be the first project being
4 saved from the final demo notice per Inspector Rizzo
5 that wouldn't be a publically-funded or a nonprofit
6 sort of situation. As mentioned, most of them saying
7 they're from nonprofits or state-backed grants, this
8 would be a privately-funded project. And, hopefully,
9 it would pave the way for more of like projects.

10 If we don't get granted this conversion, the
11 redevelopment costs will not be financially feasible
12 like \$280,000, a \$180,000 of which would just be to
13 save the structure of it. It wouldn't be feasible
14 for us for our group. And it ultimately could get
15 torn down. I mean, the Building Bureau has made it
16 very clear, this is on the next list to get
17 demolished.

18 And these are just pictures of the
19 inside. Right when you walk in, the whole entire
20 first floor, you could probably see down to the
21 basement. The second floor, the bay out the back is
22 completely collapsing. And the picture on the right
23 is from the rear of the property. You could see
24 straight outside. And this is the first floor
25 looking up the bay on the second floor. This is more

1 pictures. This is the third floor. Every joist
2 needs to be rebuilt. It's in danger of collapse.
3 There's a kitchen on the second floor as it stands.
4 This is how you see it today. That's in complete
5 disrepair.

6 And then this is a front bedroom where
7 the leak on the third floor is being shown on the
8 second floor. It's just raining in that house. It
9 is important that this property does get taken care
10 of. This is the picture of the front and rear that I
11 did present on the first slide. You could see the
12 final demo notice as well as the facade being
13 compromised on the windows and lintels. And to the
14 rear, you could see the third floor is caved in.
15 Second floor bay is falling off, etc.

16 And then I want to close with saying, we
17 believe this project will enhance the immediate area
18 by removing one of the last board-ups in Cooper Plaza
19 bringing this property to occupancy. With your
20 approval of this application, we could save this
21 property. And it won't be a missing tooth. It
22 won't be a vacant lot. And then hopefully once this
23 project is done, it will enhance the immediate
24 property and increase the tax ratable and improved
25 assessment garnishing more rent revenue for the City.

1 So I thank you for your time and thank you for
2 reviewing it. If you have any questions, comments,
3 please free to let me know.

4 VICE-CHAIRMAN COOPER: So this property
5 has been in disarray for many years. And you're
6 going to come and you're going to rehab it. So
7 evidently, the City must think it's feasible. It's
8 easier to tear this down and to rebuild it.

9 MR. GABAY: In response to that, the
10 person who previously owned the property was either,
11 one, incapacitated, not able to fend for the
12 property. So at some point, it comes down to the
13 City protecting their interests with someone not
14 responding to keeping the property, I guess, safe and
15 not being an imminent hazard. We've recently
16 acquired the property and our intentions are to save
17 it from the demo list.

18 VICE-CHAIRMAN COOPER: So you own the
19 property now?

20 MR. GABAY: Yes, we recently acquired the
21 property, yes.

22 VICE-CHAIRMAN COOPER: And you got proof
23 of that?

24 MR. GABAY: Yes. I mean, the deed has
25 been recorded.

1 VICE-CHAIRMAN COOPER: Well, we should
2 see that. Because this is your property, you know,
3 the City is saying it's the final notice to tear it
4 down.

5 MR. GABAY: Oh, this was given to the
6 previous owner before we acquired the property. So
7 now we acquired it with the intentions of
8 revitalizing it. The Building Bureau is working with
9 us to try to save the property which is why the
10 notice was given in February. We took ownership
11 closer to August. And now we're trying to pull
12 emergency permits which are ready to go.

13 I mean, the Building Bureau has worked
14 with us. They want to save the property. They made
15 it very clear. But because of years of neglect of no
16 one answering their requests, they have no choice but
17 to put it on the demo list and we're trying to save
18 it from that list. And the Building Bureau is on
19 board with us saving. They want us to save the
20 property.

21 CHAIRMAN HANCE: What I need to say is,
22 parking at the property. Can you hear me?

23 MR. GABAY: Yes.

24 CHAIRMAN HANCE: Is the parking at the
25 property -- I see pictures of parking but we don't

1 know when they were taken. We need to see it on
2 different days. (Inaudible; audio breaking up)

3 MR. GABAY: Mr. Hance, you're breaking
4 up.

5 MR. EINGORN: I think what Mr. Hance is
6 trying to say is that -- Mr. Hance is saying that he
7 needs to see more photos of the parking. He wants to
8 see it at different times of the day.

9 MR. GABAY: Correct, yes.

10 CHAIRMAN HANCE: It's going to be three
11 studios, correct?

12 MR. GABAY: Correct. Yes.

13 And given the fact the current property
14 is being zoned multi-family with five bedrooms, the
15 current Ordinance would require five spots whereas,
16 we're thinking with a three --

17 CHAIRMAN HANCE: Also, if you can hear
18 me, if there's going to be two or three units, you
19 may have a husband and a wife -- can you hear me
20 now?

21 MR. GABAY: Is it my computer?

22 MR. EINGORN: No.

23 MR. GABAY: I just want to make sure I'm
24 not missing something.

25 CHAIRMAN HANCE: Can you hear me now?

1 I'm breaking up.

2 MR. EINGORN: What we last heard, there
3 may be a husband and wife.

4 CHAIRMAN HANCE: Can you hear me now?

5 MR. EINGORN: Yes.

6 VICE-CHAIRMAN HANCE: So I think Mr.
7 Hance is really concerned about the off-street
8 parking.

9 MR. EINGORN: So I think what he's asking
10 for is the ability to evaluate what the parking looks
11 like at different times of the day so that he can
12 determine whether or not it's appropriate to have
13 three apartments in one building in a row home, you
14 know, in an area --

15 MR. GABAY: I can see parking being -- I
16 can see parking being an issue there. But if I were
17 to fix it up no matter what orientation, the parking
18 would be the same situation whether it be three
19 studios or a five-bedroom house or two-bedroom
20 apartment and three-bedroom apartment, I could see
21 the parking detriment being the same, least of which
22 being a studio. And hopefully, that would encourage
23 either young professionals or some sort of
24 starting-out housing option where maybe they could
25 use public transportation or hospital-related,

1 something along those lines.

2 And we're really trying -- so the
3 reason -- I actually asked Dr. Williams if this could
4 be heard sooner than later because we're trying to
5 save this property. And in the wintertime is when
6 it's the biggest detriment. And we're really trying
7 to get this at least structurally sound before the
8 wintertime. Because the longer we take, it would be
9 harder for us to be able to revamp all the necessary
10 brick-blocking whatever that might be. And this
11 property is in decay. We are aware of it and we're
12 trying to fix it. And with the Building Bureau's
13 help, we're trying to rebuild it. And the sooner we
14 get it done, that's the ideal situation for us. We
15 really want to begin it as soon as possible.

16 MS. MUHAMMAD: Hi, Kyle.

17 MR. EINGORN: Yes.

18 MS. MUHAMMAD: Mr. Hance called me about
19 the testimony. So he was asking, are there any
20 parking spots proposed? Because he really wants to
21 see photos of throughout the day and we want to avoid
22 adjournment if we can.

23 MR. GABAY: I'd really appreciate that
24 choice so we could try it as soon as possible.

25 MS. MUHAMMAD: So do you have any photos

1 that you can share or do you have any parking spots
2 proposed? That's his question.

3 MR. GABAY: I don't have any parking
4 spots proposed. I can show whatever is on Google.
5 I do have some pictures through my phone of when I'm
6 there. But parking over there, I'm just going to
7 say, it's on-street parking on both sides. It's
8 different than, for instance, 7th Street where it
9 would be one side or Berkley Street where it's one
10 side. This corridor on 6th has parking on both
11 sides.

12 MR. EINGORN: If you could just share
13 your screen one more time. In your package on page
14 3, the street view is looking north and south.

15 MR. GABAY: Let me go back. Hold on a
16 minute. Yes.

17 MR. EINGORN: What time of day did you
18 take this picture?

19 MR. GABAY: So I took this from Google,
20 I'll be honest with you. This is a direct Google
21 image and so is this. I don't want to lie to you.
22 This is straight from Google. You could see that
23 it's on South 6th Street.

24 MR. EINGORN: I see it.

25 MR. GABAY: If I do have a picture, let

1 me see if I've taken pictures throughout the day of
2 when I've been there. But mostly my interest has
3 been on trying to save the property internally. I
4 really don't take pictures from the outside.

5 MR. EINGORN: I don't mean to add to this
6 but the property is on the left side with the plywood
7 over the door; is that correct?

8 MR. GABAY: Yes.

9 MR. EINGORN: And so it shares a party
10 wall on both sides; is that correct?

11 MR. GABAY: It shares a party wall on one
12 side with 434, I believe. So 438 would have been a
13 newer construction by M&M Development. And so it has
14 one party wall. And if I can actually pull up Google
15 Maps like flat out, I -- bear with me a second. Let
16 me stop sharing this for a second.

17 MR. EINGORN: That would be great. On
18 the other side of the building, is there an
19 alleyway?

20 MR. GABAY: No, there isn't. So when
21 they rebuilt the property, they built their own party
22 wall. And so there -- for all intents and purposes,
23 it's a uniformed facade but they have their own party
24 wall.

25 MR. EINGORN: My questioning was whether

1 or not there's really an ability to park on either
2 side of the building with being that --

3 MR. GABAY: It wouldn't. It's a pretty
4 uniformed -- if you look at the tax map, I mean, I
5 run the entire the lot. There wouldn't be a way to
6 park on the side of the property. There wouldn't
7 really be a way to park; only on the street
8 essentially. And I'm hoping to reduce the parking
9 impact of having a two-bedroom and a three-bedroom
10 unit. And I think the one -- the studios would
11 probably be the most ideal on parking impact while
12 being able to keep the multi-family that's
13 historically been there. And this would make it
14 financially feasible for us to pay the rehabilitation
15 costs of the actual structure itself.

16 MR. EINGORN: Right now, Mr. Hance is
17 trying to work on parking. Are you able to pull this
18 up on Google Maps?

19 MR. GABAY: Let me try to pull up Google.
20 I guess maybe I could show like through the years. I
21 mean, they do have the 2012 and the 2019. Just bear
22 with me while it opens up on my other screen.

23 MR. EINGORN: I think what Mr. Gabay is
24 trying to say is that this previously had more
25 bedrooms than he's proposing to have now. So he's

1 actually reducing the number of potential cars that
2 would be generated by this home by making it three
3 studio apartments because it's only going to be three
4 bedrooms as opposed to potentially I think we said
5 was seven. That's his argument.

6 CHAIRMAN HANCE: Can you hear me?

7 MR. EINGORN: Yes.

8 CHAIRMAN HANCE: So if a married couple
9 moves into a studio, that may be two cars. You also
10 have a gentleman fixing properties down the street.
11 So it may be more people parking there. That's my
12 issue.

13 MR. EINGORN: What Mr. Gabay is arguing
14 is essentially in a nutshell, he has a pre-existing
15 nonconforming use. And no matter what he does here,
16 he's going to create a parking situation and he can't
17 provide any off-street parking on his own, right?

18 MR. GABAY: Correct. And I actually
19 opened up --

20 MR. EINGORN: And no matter what he does,
21 he has no ability to put any cars or take any cars
22 off the street. So even if he does a single-family
23 or a duplex, right? He's not here for a use
24 variance. He's here for multiple bulk variances.
25 And so what he's arguing is, he has a hardship due to

1 a pre-existing nonconforming lot where he can't
2 provide parking. That's his argument.

3 MR. GABAY: Yes. And also to mention
4 that I believe with its close proximity to the
5 hospitals and universities and public transportation,
6 that would further reduce it given the fact that it
7 would be a studio. Can everyone see the Google Map
8 now that I have it open?

9 MR. EINGORN: So what you're arguing now
10 is called mitigation, right. You have a mitigating
11 factor which would help reduce the impact of the
12 pre-existing nonconformity. So what you're arguing
13 is, hey, I need a variance but I can mitigate these
14 factors because, and I think in this situation,
15 you're talking proximity to transport and hospital?

16 MR. GABAY: Correct. That's me trying to
17 not impose a new detriment. And I'm trying to show
18 over here that there was an in-fill at some point
19 between 2009 and 2012, so I do not have this space.
20 This is now a property that was a missing lot. And
21 you could see the parking back in 2009 looking south.
22 And I would try to show it in 2012 looking south.
23 And then I have it again.

24 Now, you can see in 2015 from 2012, now
25 there's a property that has been constructed and

1 there's even a for-sale sign on it. This is a new
2 in-fill. And so, this is more what I'm guessing is
3 from M&M Development. And probably that for-sale
4 sign looks like them and I believe they did patch a
5 lot of this block in the mid-2010's so that hold
6 true. Because even at the corner over here, there
7 was a house missing and this entire block looking
8 over there was redeveloped by them around the same
9 time. So it's a fitting situation to say that these
10 houses were built filling up those voids.

11 I don't think it would be an advantage to
12 have another missing tooth on the block. I'm trying
13 to do what I can to save the property. The Building
14 Bureau is willing to issue me the emergency permits
15 to do so. But financially speaking, it would make
16 financial sense for us to be making it a multi-family
17 dwelling which it was historically but three units.
18 Rather than the two five-bedrooms, it would be three
19 studios.

20 VICE-CHAIRMAN COOPER: From this picture
21 that I'm seeing, it looks like most of them are
22 single-family homes.

23 MR. GABAY: Arguably, no. So this is a
24 duplex right next door. And there is another
25 multi-family. I believe this one. Two doors down is

1 also a multi-family. And if you look historically,
2 I'm just going to scroll down the block a little bit.
3 There is multiple meters here. It looks like at some
4 point, this might have been two-family. Maybe now
5 it's a single-family.

6 VICE-CHAIRMAN COOPER: Single-family home
7 there, yeah.

8 MR. GABAY: And then over here. So there
9 has been historically multi-families. And I have one
10 that I manage on the block behind that's a
11 three-family. And there's a few multi-families in
12 this area. And I've even shown that from 1959, I
13 even have the rent schedule on this property showing
14 that it was a multi-family. And it showed the room
15 count historically as seven. Where as here we're
16 proposing three.

17 And I would like to hopefully get this
18 property fixed structurally before the winter freezes
19 it out. Because every time it rains, it's a
20 detriment to this property. And we've been in limbo
21 where we can't pull permits until it goes through
22 zoning due to this factor. So we're trying to do
23 what we can. But I have to follow the procedures
24 through zoning and have this property go in front of
25 the Board for us to be able to pull the construction

1 permits to save this property.

2 CHAIRMAN HANCE: Okay. Thank you very
3 much.

4 MR. GABAY: No problem. Thank you for
5 your questions.

6 MR. EINGORN: Any more questions from the
7 Board? Do you still want more pictures? What's the
8 word?

9 CHAIRMAN HANCE: Okay. I'm satisfied.

10 MR. GABAY: Thank you.

11 MR. EINGORN: Are there any other
12 questions or comments from the Board before we open
13 to the public?

14 MR. TYRONE: Yes, I do have a question.

15 MR. EINGORN: Wait. I think Mr. Tyrone,
16 it says, Iphone Tryone. Just hang on for a second.
17 We haven't opened to the public yet. we'll get to
18 you, I promise.

19 For the Board members, are there any
20 Board members who'd like to just say anything final
21 or ask any final questions before we open to the
22 public? Hearing none, we will open to public
23 portion. I guess we'll start with Iphone Tyrone.
24 Are you able to put your video on?

25 MR. GABAY: Sure. Hold on one moment.

1 MS. ROBERTS: Shelia Roberts is also on
2 the line.

3 MR. EINGORN: We will get to everybody.
4 I promise. Can you raise your right hand.

5 MR. TYRONE: Sure.

6 - - -

7 TYRONE L. GREEN, having first been duly
8 sworn/affirmed, was examined and testified as
9 follows:

10 - - -

11 MR. EINGORN: Please state your full name
12 and address for the record.

13 MR. GREEN: Tyrone L. Green. Address,
14 432 S. 6th Street.

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

16 MR. GREEN: Just once more, concern about
17 the parking. He made mention of a property that he
18 owns on Chambers. I'll give you a little bit of
19 history about this neighborhood. The actual property
20 that he acquired that we are speaking about on 6th
21 Street, the previous owner actually owned the lot
22 here on the corner of Chambers Street which a lot of
23 his current residents are using this lot to park
24 because of the parking hazard created by a
25 multi-family home.

1 So that's another concern that we have
2 that we're actually visually watching. And I'm not
3 sure if he's even understanding the type of problems
4 that he is going to create. We would love the
5 neighborhood enhancement. We would love it to stick
6 to a single-family home like most of the homes
7 occupied on this side of the street. Only three
8 homes on the other side and parking is a concern for
9 them, but they do have other blocks like adjacent
10 like Berkley where they can park.

11 We also have the issue with the Parking
12 Authority and the hospital's employees parking. So
13 after 5:00 p.m. the City shuts down and parking
14 becomes a problem because of the hospital employees.
15 So we already have parking issues on this block. A
16 multi-family home would be more issues added,
17 compounding issues added. So all we wanted to do is
18 make sure that people understand that concern.

19 MR. EINGORN: Thank you.

20 MR. GABAY: To answer that, I understand
21 the concerns with parking. It's been brought up by
22 the Board and it's a common concern. Rightfully so,
23 now the Parking Authority has also given jurisdiction
24 with Camden Police to be able to issue tickets
25 because there is a problem with hospital people

1 parking illegally on those zones that are basically
2 for the residents. That being said, no matter what
3 we do to try to save this property, being that the
4 fact that it is a pre-existing nonconforming use,
5 there will be parking associated with the property.

6 And it more comes so, we believe that our
7 solution to it by lowering the bedroom count, would
8 make it actually lighter on the parking density.
9 Another fact is, there are people that are illegally
10 parking on lots throughout the City and we're trying
11 to solve that ourselves. But by fixing up this
12 property or by actually not letting us fix up the
13 property due to the parking concern, I think it's
14 going to cause a bigger detriment because the City is
15 going to want to deem to demolish it and then there
16 might be a vacant lot there that's going to have
17 illegal cars parking on it and it would be trying to
18 reinforce that. I don't think having a missing house
19 on that block would be a solution because of a
20 parking spot.

21 I do understand their concerns and I
22 think the appeal of having studios would be hopefully
23 getting young professionals or some professionals
24 that work in that Camden business district where we
25 can basically try to encourage parking in a parking

1 garage or using public transportation or something
2 along those lines.

3 MR. EINGORN: I think we heard from Ms.
4 Roberts next. Ms. Roberts, can you raise your right
5 hand?

6 MS. ROBERTS: I'll raise it, yes.

7 MR. EINGORN: Thank you.

8 - - -

9 SHELIA ROBERTS, 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, please?

15 MS. ROBERTS: My name is Shelia Roberts.
16 My address is 578 Washington Street, Camden, New
17 Jersey 08103.

18 MR. EINGORN: You can put your hand
19 down.

20 MS. ROBERTS: Okay.

21 Mr. Gabay, you would have been wise when
22 I tried to introduce myself to you to be considerate
23 and had talked to me because I could have prevented a
24 whole bunch of --

25 MR. EINGORN: Excuse me, Ms. Roberts.

1 You have to speak to us; not to Mr. Gabay. You're
2 addressing the Board.

3 MS. ROBERTS: I just want to mention that
4 because I did try to speak to him. I wanted to say
5 something first. That house, he has already gutted
6 that house out and has done some damage himself in
7 that house by gutting it out. That property was
8 there when M&M came along and reconstructed those
9 houses. We're not concerned about them tearing the
10 house down. What the community is concerned about is
11 that he wants to put a multi-dwelling house back
12 there.

13 When Robert was alive, owned that house,
14 he was the only person living in that house. When
15 he's bringing up 1959, he's going back to when this
16 neighborhood was almost a ghost town. If you can
17 remember what Washington Street in that area looked
18 like; if you looked back at the record about 20 years
19 ago. Robert hasn't been out of that house for 20
20 years. That house has not been derelict for any more
21 than about 12 years.

22 We have a neighborhood plan. We also
23 have an NRT Plan that we're working on on Phase 2
24 through Cooper Ferry Partnership. We're not
25 concerned about it being a vacant lot because it will

1 get done. We have two designated developers in our
2 neighborhood. We have St. Joe's Carpenter; we have
3 M&M. So he wants to be a developer but he wants to
4 be a developer because he knows what's going on here
5 in this neighborhood. He knows he can make money in
6 this neighborhood. That is a historic house. He's
7 worrying about not being financially feasible to do
8 it but by the time he has to put some of that
9 historic stuff back in that house, it may not be
10 financially feasible for him to do it.

11 This is a parking nightmare in this
12 neighborhood. We had new development in this
13 neighborhood. It was such a parking nightmare and a
14 public safety issue, that the people that bought the
15 houses that were developed in Walt Whitman Village
16 and also in M&M Village. When the medical school
17 came on board, we build all kinds of multi-dwelling
18 apartments on Broadway. Three different units.
19 Yes, we have multi-dwelling housing on that street
20 but we also have single-family homes. These people
21 bought these houses because they were single-family
22 homes with four bedrooms in them.

23 He's getting ready to be a cash-cow
24 because he knows the students are willing to pay
25 \$750.00 for a room. This is what this community has

1 turned into. Because of the public safety issues,
2 because of the parking, because it's downtown,
3 because we're saturated with homeless, the people
4 that bought these houses and made the investment in
5 the neighborhood, are now leaving their properties
6 and renting them out to the medical students. So
7 they are no longer single-family houses.

8 The people that made the investments and
9 wants to stay in the neighborhood, is tired of this.
10 We don't have a problem with them tearing it down if
11 he wants to come and put a single-family house in
12 there with three or four bedrooms, not a problem.
13 Build it to the historic specs that the neighborhood
14 requires. We don't need another multi-family
15 dwelling here. There's no parking spaces. When they
16 come in, they bring two and three cars. We're
17 over-saturated. The garages are full. And if
18 they're not full, the people can't afford to pay the
19 amount of money that they're asking to park there.

20 I live in a house that has parking on the
21 side. We have a driveway. I can't even park in my
22 driveway because of the amount of cars that's parking
23 on the street, I'm not able to back out. Many of
24 these are the students who have because we have --
25 they're renting out four bedrooms; they have four

1 cars. If it's not the students parking there, it's
2 the employees from the hospital. It's a nightmare.

3 They just made an announcement, twelve
4 point (12.) billion dollars they're going to invest
5 in doing the hospital over. You know the kind of
6 seeds we're going to be under here. There will be no
7 parking nowhere. We get people on Broadway to come
8 down here and park. They live around the corner in
9 the apartments and the condos. Everybody is coming
10 on Washington Street. Everybody is coming around to
11 the park. We get tickets. We get \$54.00-tickets.
12 They don't even give the students tickets. But we
13 live here as residents in a single-family home and we
14 get the ticket. Students aren't getting tickets.
15 The residents are getting tickets.

16 On 6th Street there's no parking at any
17 time during the day. So I don't know where he's
18 getting those pictures at. He must have got the
19 pictures on the side on a Wednesday or the Thursday
20 when they have the parking meter people coming around
21 giving out these \$54.00 tickets. There's no parking
22 anywhere. Robert also owned a lot around the corner
23 where it was a house and the house burned down and
24 the slate was falling off of the house and hitting
25 people and I asked them to come and inspect it and

1 tear the house down so nobody would get hurt.

2 MR. EINGORN: Ms. Roberts, other than the
3 parking concern, do you have any other concerns
4 about --

5 MS. ROBERTS: We don't want a
6 multi-family dwelling there. We would like for our
7 developers to come and develop another historic
8 house in that spot.

9 MR. EINGORN: Okay. Thank you.

10 MR. GABAY: I have can question, Kyle.
11 If there's a five-bedroom house, what's the parking
12 requirement?

13 MR. EINGORN: A single-family -- well, it
14 says single-family detached but it says two spaces
15 per dwelling unit.

16 MR. GABAY: As it stands today with a
17 multi-family, if it's two spaces per unit, the
18 property already has four. They are lowering it to
19 three because it's studio. The parking detriment is
20 actually being reduced which is what I'm trying to
21 adhere to. Because for this property to get torn
22 down is not in its benefit. We are trying to save
23 this property from getting torn down. It don't think
24 it's in the City's best interest for it to get
25 knocked down.

1 have three of them. One on each side of me which is
2 the one property that he showed. The opposite
3 property is the one with the brown double doors, and
4 then the one next to his property. We are asking
5 that that property stay as a single-family dwelling.

6 And the two-car parking, I can respect
7 that. But if the family only has one car then we win
8 again. Apartment building, we really can't go with
9 that. I own two properties in this neighborhood. I
10 own 521 and I own 442. And 521 I'm rehabbing. I buy
11 properties just like he buys properties, rehabbing
12 but I sell my properties because I do not want
13 renters in my neighborhood. I'd rather have
14 family-owned properties.

15 MR. EINGORN: Thank you. Anybody else
16 that would like to be heard? I see a hand raised for
17 an A. Green. A. Green want to be heard?

18 MS. GREEN: I do.

19 MR. EINGORN: Great. Will you raise your
20 right hand, please?

21 MS. GREEN: Yes.

22 - - -

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

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

MS. GREEN: Amelia Green, 432 S. 6th Street, Camden, New Jersey.

I just want to bring up a public safety concern that I have as a parent. On our block there are single-family homes. There are four families in those homes which children with the age of under four. So those children are going to grow on that block. The concern is the rotation of individuals that will be in and out of that home or that dwelling. It's not safe. It's not a good look for the reason why we had settlement in this neighborhood. So I just wanted to bring that to light. If you are concerned about a public safety issue, there's one. We would like to keep our children safe and make sure that anybody who inhabits that home has a vested interest in our neighborhood.

MR. EINGORN: Thanks. Anybody else want to be heard on this one?

MS. PARKER: Yes.

MR. EINGORN: Can you raise your right hand, please.

- - -

1 MUJIBA PARKER, having first been duly
2 sworn/affirmed, was examined and testified as
3 follows:

4 - - -

5 MR. EINGORN: Please state your name and
6 address for the record.

7 MS. PARKER: Mujiba Parker, 430 S. 6th
8 Street, Camden, New Jersey.

9 So I just want to reiterate what everyone
10 said, parking is a nightmare on this street. The
11 pictures that were part his presentation are not
12 indicative of the parking situation that we have on
13 this street. Again, the safety issue of not having
14 transient residents is an issue as well. So I just
15 wanted to reiterate what everyone else said and make
16 a note that I am against the parking situation.

17 MR. EINGORN: Thank you. If I can just
18 let everybody know, Mr. Gabay did testify that he
19 didn't take the pictures; he took them from the
20 Internet. So it's not like he's passing them off as
21 his own. I don't want there to be any confusion.

22 MS. GREEN: No, I didn't say that it was.
23 I just wanted to say that it's not indicative of the
24 parking situation as it is right now.

25 MR. EINGORN: Sounds good. Thank you.

1 MS. GREEN: You're welcome.

2 MR. EINGORN: Anybody else?

3 MS. WATKINS: Yes.

4 MR. EINGORN: Raise your right hand,
5 please.

6 - - -

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

10 - - -

11 MR. EINGORN: Can you state your name and
12 address?

13 MS. WATKINS: Samara Watkins, 438 S. 6th
14 Street. I live right next door to the house.

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

16 MS. WATKINS: So I'm just going off the
17 back of what Ms. Green said, what Mujiba said, Ms.
18 Roberts said. It's the same thing. I moved here for
19 my kids to grow up in a safe environment. So then
20 like what kind of people are moving in? How will my
21 kids feel safe? They walk home to and from school.
22 And then, again, the parking. I have five kids of my
23 own. So how is that going to happen? We already do
24 have people parking. And like they said, Cooper
25 Hospital's employees are parking there. Like you get

1 issues with people sitting on the steps out there.

2 It's just like a lot of traffic already.

3 MR. EINGORN: Thank you.

4 MR. GABAY: To speak to the safety
5 concern. I think that us rehabilitating and
6 stabilizing the property, would probably be an
7 interest of public safety, not to mention there was a
8 tree growing back there for years that the City did
9 not want to cut down. And there was vagrants using
10 that lot for needles and desecrating behind houses.
11 We made it known that we were going to cut it down
12 safely, power lines and all. We made sure that it
13 went down. Because in the interest of public safety,
14 that tree was a hazard prior to our ownership. It
15 was neglected for years. This tree trunk was
16 probably bigger than a car. That's how big it was.

17 So we have the interest of public safety,
18 one, by removing that just so that it would be
19 generally -- that the alley behind everyone's houses,
20 would have just been cleared up. Not to mention that
21 we're trying to stabilize this property so that
22 there's no vagrants going through that house. It was
23 boarded up for a reason. I mean, quite frankly, this
24 property has been a blight and we do know that.

25 We've taken ownership in it with

1 the interests of stabilizing the property and not
2 making it a hazard. We don't want vagrants walking
3 in there and these little kids going at night and
4 maybe going into this property unknowingly. So it's
5 in our interest to save the property. And hopefully,
6 that can translate into a public safety concern
7 because we're trying to save it from being demolished
8 because a lot where vagrants would just congregate is
9 also going to be a public safety issue. So I believe
10 by redeveloping this property, it would mitigate a
11 public safety concern in and of itself.

12 MR. EINGORN: Understood. I see a
13 Mr. McIntosh. You're muted, sir. If you'd raise
14 your right hand.

15 MR. MCINTOSH: Yes.

16 - - -

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

20 - - -

21 MR. EINGORN: Will you state your name
22 and address for the record, please.

23 MR. MCINTOSH: Kevin McIntosh, 440 S. 6th
24 Street. I want to take time for the Board to
25 actually see what's happening today. I really

1 applaud the community coming together. You've heard
2 from some absolute community staples. So I felt that
3 Momma Sheila and the things that she said and Edward
4 Feliciano. I hope that the Board hears that this is
5 a community that is very tight in trying to stick
6 together and knows what's in the best interest of
7 their community.

8 I am a landlord and have been a landlord
9 for multi-units up to 12 in Camden. So I'm coming
10 from both sides. I'm also a father raising kids on
11 this block. My property is also a multi-unit but it
12 has been for many years. I think since 1988.
13 The point is, this particular block is special. We
14 miss Mr. Bobby. We all loved him. So it's kind of
15 painful to see his house go the way it is. Besides
16 that, it's not about a land-grab for us. It's not
17 about, you know, trying to take advantage of the
18 economics of this street. We live here.

19 And so it's a personal thing when an
20 outsider comes in and comes in and just saying, I'm
21 going to do more for their bottom dollar. Like Ms.
22 Shelia said, we have contractors that will come in
23 and fix the property. We're not worried about if it
24 gets knocked down. To start from scratch, might be
25 amazing. I know they said something got denied

1 because if it was 80 percent damaged, I would have us
2 look at that more because it's very damaged in that
3 property.

4 MR. EINGORN: It's 80 percent coverage.
5 It's like where the building covers the lot.

6 MR. MCINTOSH: Got you. My
7 miscommunication.

8 MR. EINGORN: That's okay.

9 MR. MCINTOSH: So we've all dealt with
10 the parking issues, yes. We've all dealt with the
11 transient. We have kids. Like everybody else said,
12 we trying to raise a community there. If I was the
13 contractor, I would say whoa, this is little bit too
14 much push-back for me to try just make a buck. What
15 are the community needs? How can I be an ally with
16 the community instead of being on the other side? So
17 I applaud my neighbors for standing together against
18 something that we all believe to be for the right
19 thing. And I would really suggest to the contractor
20 to sit back and say, is this what I want to do here;
21 how can I make this a win-win for everybody? Thank
22 you very much.

23 MR. GABAY: Can I address?

24 MR. EINGORN: Let's just see if there's
25 anybody else and then you can address everything at

1 once.

2 MS. JOHNSON: Yes. I've been trying to
3 get on for the last ten minutes.

4 MR. EINGORN: Raise your right hand.

5 - - -

6 ERIN JOHNSON, having first been duly
7 sworn/affirmed, was examined and testified as
8 follows:

9 - - -

10 MR. EINGORN: Can you state your name and
11 address for the record?

12 MS. JOHNSON: My name is Erin Johnson. I
13 live at 419 S. 6th Street.

14 So my concern and I definitely echo the
15 sentiments of all of my good neighbors on 6th Street
16 and Washington Street that's before me. My concern
17 is, if a property is deemed structurally unsound and
18 is up for demolition by the City, that for me tells
19 me that the structure is not salvageable and,
20 therefore, making it unsafe to rehab putting the
21 immediate neighbors at risk and potential occupants.

22 So that's my concern, when does a
23 property become at a point where it's not salvageable
24 and if they're ready for demolition? So if it's
25 there already, saving anything of the structure to

1 me, would sound like it's just not a safe thing to do
2 whether it's immediate neighbors next door or for the
3 current occupants. Because what in the structure is
4 causing it not to be structurally sound? That's my
5 biggest concern.

6 But also as far as parking, the biggest
7 issue is not pictures by day. They are pictures by
8 evening at night when we're all home ready to park
9 with our kids, our families, our home. For parking,
10 that's an issue in the evening because we're also
11 battling people from Cooper Hospital who are
12 night-shift workers. So that's also an issue in
13 themselves so that will be a lot more traffic
14 during the evening. So if you want to take pictures,
15 take pictures in the evening. Thank you.

16 MR. EINGORN: Thank you.

17 Anybody else that wants to be heard that
18 haven't already been heard? Hearing no further
19 public comment and seeing no further hands raised,
20 we'll let Mr. Gabay have one last address at these
21 topics and then we will turn back to the Board.

22 MR. GABAY: Thank you. So the reason
23 what triggered the final demo notice was neighbor
24 complaints being the fact that this property was
25 neglected for years. We can salvage it. We've

1 brought on contractors to see how it could be
2 salvaged. And we have the right people on staff to
3 save the property. That being said, based on the
4 historical data that I've shown, this property was
5 historically a multi-family dwelling. We're trying
6 to save it as best we can on the private situation.

7 Now, the way public -- let's say these
8 nonprofits would work, it's actually a long-ended
9 detriment to the property where they put them in
10 pilot programs and then after, it would basically be
11 the taxes are tripled every other property in the
12 neighborhood because it's an added assessment. What
13 we're trying to do is, do it on the private market
14 and it doesn't really have any public detriment
15 thereafter where these properties need to turn over
16 because they are artificially affordable the first
17 five to seven years and then they turn into
18 unaffordable properties where their taxes are going
19 to be double or triple everyone else in the
20 neighborhood.

21 So that's my take on it going to the
22 public sector or the nonprofit sector, whereas this
23 property when they're saying, we don't care if it
24 goes and gets knocked down. This isn't City property
25 where the City can just deem it part of the

1 Revitalization Plan and then years later, they're
2 going to deed it over to a nonprofit. This has
3 always been in the private sector. It's always been
4 privately owned. So the fact that they are
5 supportive of this getting knocked down, I think,
6 would be a bigger detriment at large whereas, we're
7 trying to save it from being knocked down. And we're
8 trying to put our own private capital in place.

9 Now, on a flip side, I have vested
10 interest as a stakeholder in my management interests
11 in other properties in the square block where I did
12 things behind this property where we took
13 City-board-ups and tried to fix them up. So I do
14 have a vested interest in the property being
15 revitalized as a stakeholder in the block as well,
16 because my management on other properties, I have
17 boots on the ground nine to five pretty much Monday
18 through Friday. I'm pretty sure that everyone on
19 that block would know who I am or to some degree have
20 seen me there. Sometimes I'm there with contractors;
21 sometimes I'm there on maintenance calls. Whatever
22 it might be, I am present.

23 I'm not someone who is an outsider that
24 comes once a month. It's more something where I have
25 boots on the ground and other management interests

1 involved in that immediate Cooper Plaza area so I'm
2 always there. You could even talk to the Zoning
3 Officer, the Planning Board. I've been in front of
4 this Board before so I do have an interest in making
5 it a viable-occupant, safe property. Not just for me
6 but for the neighbors involved as well.

7 MR. EINGORN: Thank you.

8 MR. GABAY: Thank you.

9 MR. EINGORN: Now is the time for the
10 Board to discuss the Positive and Negative Criteria,
11 ask any final questions they may have of the
12 applicant and to propose a motion whether to accept
13 or deny the application. For record's sake, the
14 public portion is closed. Everybody has had a chance
15 and who wanted to speak, spoke. And so now is the
16 time for the Board to discuss that.

17 Please refrain from using the CHAT. It
18 doesn't get into the record so it can't be used in
19 the event of appeal or anything like that. I
20 understand that people are very interested in this
21 application. It's great. It's nice to see people
22 from the neighborhood. But the CHAT isn't helpful
23 because it can't become part of the record. That
24 said, I turn it to the Board to discuss the
25 applicant's request for bulk variance approvals.

1 CHAIRMAN HANCE: Question. Did you
2 communicate with the neighbors before you decided to
3 make it into three studios?

4 MR. GABAY: I have not communicated. So
5 we were trying to figure out what we could do with
6 this property before anything. I have not
7 communicated directly with anyone in the neighborhood
8 regarding because we didn't know until we got our
9 OPRA and us trying to push this through to save this
10 property. Because every time it rains, it rains in
11 that property that we're trying to save it. When we
12 got the OPRA back and realized that it was a
13 multi-family property, we were trying to basically
14 analyze a design that would work.

15 CHAIRMAN HANCE: Okay. Then I'll go back
16 to the parking again. This is why we need parking
17 morning, noon and night to determine if --

18 MR. GABAY: I understand. When it comes
19 to the parking, I'm aware of the parking situation.
20 I'm not trying to sugar-coat it. I'm saying, with
21 the historic data on this property whether it would
22 be a five-bedroom house or a two-apartment building,
23 the parking detriment would basically be there and
24 I'm trying to mitigate it, as well as trying to find
25 the highest and best use for us to revitalize the

1 property and fix it up in time where it doesn't last
2 another winter where it needs to get torn down. And
3 that's our interest in trying to save the property.

4 And I'm trying to not have this adjourned
5 on the basis of us trying to save the property
6 through an emergency permit. And I think the
7 adjournment would further cause detriment to the
8 property where I have -- I understand the burden's on
9 me on the property as an owner but we're trying to
10 save it before the wintertime. And that was where
11 we're trying to basically find the highest and best
12 use to try to save it, as well as --- it was
13 previously a two-family dwelling and they're asking
14 for bulk variances, not a use variance. Their bulk
15 variance is based on side yard frontage, things like
16 that and go from there.

17 MR. EINGORN: Any other questions from
18 the Board, discussion?

19 VICE-CHAIRMAN COOPER: I have a question.
20 Again, if this house was slated for demolition, how
21 did he become an owner of it? That's just blowing my
22 mind. It was slated for demolition.

23 MR. GABAY: So it was slated for
24 demolition due to the fact that it was neglected for
25 years and so we acquired the property. And, now,

1 what we're trying to do is revitalize the property.
2 We even have the Building Bureau who is issuing us
3 permits to save the building. Even the Building
4 Bureau -- the building inspectors walk through there.
5 It is salvageable but they have no choice when --
6 essentially, there was no one answering to the basic
7 demands of the City to fix it up; that there's
8 basic -- a lot of the reasons why they're going on
9 the demo notice is because they're just neglected
10 over the years.

11 We're here to try to save that. And
12 that's where we're coming in and trying to revitalize
13 the property. And properties do get removed from the
14 demo list if they're being adhered to and cared for.
15 And I'm trying to save the property. That's the
16 whole intentions here, is to save the property. And
17 it's not because the City wants to tear it down.
18 It's because there's been neighbor complaints and no
19 one has been there to act on them. And so the City
20 would basically essentially hold no other recourse
21 other than knocking it down. Or making the owner
22 responsible but no one was there to answer to it
23 due to whatever the previous owners limitations were.

24 If you're okay with the intentions on
25 saving it, we've worked with the Building Bureau to

1 secure permits to fix it. They are okay with us
2 fixing it. I spoke with Inspector Rizzo directly who
3 says, the Building Bureau does not want to knock it
4 down but no one has been answering to the demands to
5 fix the property so they saw no choice other than to
6 knock it down. But here we are trying to save it so
7 that's why it's been halted. So the property won't
8 get knocked down assuming that we can fix it and then
9 go from there.

10 VICE-CHAIRMAN COOPER: To fix it, can we
11 put that -- again, you're going to have three rental
12 properties there. Two was bad enough but when you go
13 three. And then if you make it a single-family home,
14 we got people in the City that need multiple rooms;
15 they have kids. That you still could make and be,
16 you know, help our community.

17 MR. GABAY: That I understand. With the
18 rehab costs of the property which is where we are
19 trying to navigate this situation because this is
20 unchartered territory to budget. Just to revitalize
21 the structure is over north of what these properties
22 would trade for on normal circumstances. It would
23 be -- like I said, our quote came in at \$180,000 just
24 stabilize the property which it's cheaper to knock it
25 down. I'm not saying that -- but we're trying to not

1 have to do that. It's uniform. It's historical.

2 We're trying to save what's there but we
3 need to do the proper protocols. And for it to be
4 financially feasible given also the fact that
5 historically we have mentions of it of being a
6 multi-family. It's already a pre-existing
7 nonconforming use. And I think that's where the
8 push-back is coming from. The fact, it's not a
9 single-family dwelling; it's a multi-family; but
10 historically it has been that way.

11 So when I go in front of Dr. Williams and
12 submit a zoning permit and they show something from
13 an '88 card or a 2010 card, that is motions where
14 they go back to the '59 card to see what was
15 historically there. So historically, this was a
16 multi-family dwelling which is why it fits into the
17 premise of us trying to basically hold it a
18 multi-family dwelling, but also revitalize it in a
19 sense that there is also need for a one-bedroom
20 studio in that general area.

21 I mean, yes, four bedroom, five bedroom
22 whatever it might be. But that's not to say there
23 isn't going to be a parking detriment as well from it
24 being a single-family. It's just us from a
25 stabilization standpoint, I don't think we can get

1 there. We actually can't get there because we were
2 weighing analyses on how to do it. It's not
3 financially feasible for us.

4 For us to reduce the bedroom count is
5 also a creative way of reducing the parking
6 detriment. And I understand there's a parking
7 detriment in the area. I have never negated that
8 whatsoever. It's more so with a multi-family of a
9 two-bedroom and a three-bedroom that would require
10 two spots per dwelling where it would be four to five
11 parking spots which is already associated with the
12 property, whereas here, we're requesting -- they were
13 requesting. The bulk variances, they were requiring
14 a front side and rear. It's a uniformed block. It
15 wouldn't be able to be held because it also is a
16 pre-existing nonconforming use.

17 Another variance they were requiring of
18 the building density being 80 percent. That's
19 uniformed with the rest of the properties as well.
20 So I'm saying, a lot of these bulk variances that
21 they are requiring, I believe, are just standard,
22 simple bulk variances that need to occur and it's
23 necessarily a use variance which is what they are
24 trying to fight over here.

25 MS. ALSTON: I have to say that whether

1 it's a single-family home or a three studios, it's
2 not going to solve the parking issue. I see
3 single-families with maybe five cars, four cars.
4 I just think that having a single-family you have
5 maybe a couple of teenagers driving, maybe a mother
6 and father driving, everybody going to work, you
7 still have the issue.

8 I know parking is an issue in the City.
9 I know what it is to get home at eight o'clock at
10 night, go around the block and try to find parking.
11 So I understand that. However, I just don't think
12 that whether it's three studios or one single-family
13 home, is going to solve that issue. I don't think
14 knocking down that building is going to solve the
15 issue either because, yes, you're going to get people
16 congregating in that area. You might get people
17 wanting to park in there. Who knows. It's just what
18 I'm thinking.

19 VICE-CHAIRMAN COOPER: So do the Board
20 want to vote on this? Somebody want to make a
21 motion?

22 CHAIRMAN HANCE: I make a motion that we
23 deny.

24 MR. EINGORN: I couldn't hear you,
25 Chairman Hance.

1 CHAIRMAN HANCE: I make a motion that we
2 deny.

3 VICE-CHAIRMAN COOPER: I second.

4 MR. EINGORN: So we have a motion to
5 deny. As the Board will recall, when you vote 'yes,'
6 you're voting yes in favor of the motion. If you say
7 'no,' that means you're voting against the motion to
8 deny. So we'll take a roll-call vote.

9 MR. GABAY: I have a quick question for
10 you just in general because I have the historical
11 data on it being a multi-family. Would that hold any
12 weight on the decision? Because if so, I'm telling
13 you that it's a two-unit historically. So I don't
14 really know the motion of denial would be on the
15 basis of it being a multi-family dwelling which would
16 be a use, because it's already been that
17 historically. So I just want to clarify it. If it's
18 being denied based on it's use, it already exists as
19 a multi-family.

20 MR. EINGORN: Remember, you're not here
21 for a use variance. You're here for bulk variances.

22 MR. GABAY: Correct.

23 MR. EINGORN: Just to deny the bulk
24 variances?

25 MR. GABAY: Understood. Is there a

1 solution to mitigate if parking is the issue? If
2 parking is the issue, would there be a solution for
3 the parking variance essentially? I don't know if
4 there was that one motion of where you have to make
5 to the City? I don't know. There was historically
6 something where you can get out of that parking
7 variance if needed. And I just wanted to know if
8 that --

9 MR. EINGORN: What you're referencing is
10 that there's a City Ordinance which requires
11 applicants who obtain parking variances to pay a fee
12 to the City for each space in order to create
13 additional parking throughout the City. That's what
14 you're referencing. But that only triggers if you
15 obtain a parking variance.

16 MR. GABAY: Correct. So if that would be
17 a solution, if the Board would see fit, I don't know
18 which way they're going to vote, but if I have to
19 come in front of the Board today stating that it's a
20 multi-family and requesting that it remains a
21 multi-family, the bulk variances would apply based on
22 the fact of it being zoned multi-family versus
23 single-family or is it because I'm requesting three
24 studios? That's what I'm trying to ask, what the
25 denial would be based on.

1 Because if it's a pre-existing
2 nonconforming use, the side, front, and rear yard
3 variances, what would that entail? Because I
4 actually asked Dr. Williams that same question when
5 he gave me the denial. And he said, well, that's
6 for -- essentially, we have to state what overarching
7 if it was a new situation. But it was pre-existing
8 as a multi-family and I'm trying to keep it a
9 multi-family, which is why I'm trying to ask on what
10 basis the denial would be on. Is it the overarching
11 all bulk variances because the property is already a
12 pre-existing nonconforming use?

13 MR. EINGORN: So I get what you're asking
14 and you'll have your opportunity to do whatever it is
15 you need to do after this has been completed.

16 MR. GABAY: Right.

17 MR. EINGORN: There's a motion and a
18 second so we have to take a vote on this.

19 MR. GABAY: Okay. No problem.

20 MR. EINGORN: So we're going to go ahead
21 and do that. First, Chairman Hance.

22 CHAIRMAN HANCE: Yes.

23 MR. EINGORN: Vice-Chairman Cooper.

24 VICE-CHAIRMAN COOPER: Yes.

25 MR. EINGORN: Reverend Martinez.

1 REVEREND MARTINEZ: Yes.

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: No.

8 MR. EINGORN: Mr. Brito Bueno.

9 MR. BRITO BUENO: Yes.

10 MR. EINGORN: Having six in favor of
11 denial and one opposed, the motion passes. I'm
12 sorry, Mr. Gabay, your application has been denied.

13 MR. GABAY: Is there a means for appeal
14 given certain parameters on the denial?

15 MR. EINGORN: I can't give you legal
16 advice because I represent the Board. I would
17 suggest you retain the services of an attorney. If
18 you need a referral, please contact me after the
19 meeting tomorrow morning and I can point you toward
20 attorneys that help to work in that area. Have a
21 nice night.

22 MR. GABAY: You as well. I understand.
23 Thank you. Thank you all.

24 MR. EINGORN: The last matter on the
25 agenda, SNRC, LLC, 1200 to 1202 Atlantic Avenue. I

1 believe counsel was here tonight for that matter. If
2 you're here from the public and you're only here for
3 the one issue, you're still free to stay, otherwise
4 you're free to leave but it is an open meeting.
5 Good evening, Counsel. Would you like to get
6 started?

7 MR. DIMEDIO: Certainly. Kevin DiMedio
8 on behalf of the applicant, SNRC, LLC. We have two
9 witnesses, Kyle, if you'd like to swear them in?

10 MR. EINGORN: Sure.

11 MR. DIMEDIO: The witnesses are Stephanie
12 Ross Copes and Alyce Johnson.

13 MR. EINGORN: I'll swear you both in. If
14 you raise your right hand.

15 - - -

16 ALYCE JOHNSON, STEPHANIE ROSS COPES,
17 having first been duly sworn/affirmed, was examined
18 and testified as follows:

19 - - -

20 MR. EINGORN: If you could state your
21 names and addresses for the record. I guess we'll
22 start with Ms. Copes. Maybe we won't because we
23 can't hear you. We're having trouble hearing Ms.
24 Copes. Ms. Johnson, would you like to put your name
25 and address on the record, please?

1 MS. JOHNSON: Yes. My name is Alyce
2 Johnson. I reside at 958 S. 8th Street, Camden, New
3 Jersey 08103.

4 MR. EINGORN: Thank you. Mr. DiMedio,
5 while we wait for Ms. Copes to fix her microphone, is
6 there testimony or a synopsis you'd like to provide
7 to the Board?

8 MR. DIMEDIO: Yes. Certainly. The
9 application, the applicant, SNRC, LLC, is presenting
10 to address a denial of a permit for use of this
11 particular property. The property is on the corner
12 of Atlantic Avenue, 1200 and 1202 Atlantic Avenue is
13 the address. And, Kyle, am I able to share my
14 screen?

15 MR. EINGORN: Ms. Copes, can we hear you
16 now?

17 MS. COPES: Kevin, I'm here. I'm on my
18 husband's -- I'm here. I'm logged in. I don't know
19 why you couldn't hear me. I wasn't muted. But I'm
20 on my husband's now.

21 MR. EINGORN: That's great. Ms. Copes,
22 you've been sworn. If you could just state your name
23 and address for the record and we can complete that.

24 MS. COPES: Sure. Stephanie Ross Copes,
25 SNRC, LLC, 4511 Shapley Court, Pennsauken, New Jersey

1 08109.

2 MR. EINGORN: Mr. DiMedio, I'm sorry for
3 the interruption. Yes, you can certainly share your
4 screen.

5 MR. DIMEDIO: Can you see that, Kyle?

6 MR. EINGORN: Yes, sir.

7 MR. DIMEDIO: Thank you. I appreciate
8 it. I'm trying to get better with the advanced
9 technology and time we're in here. With that said,
10 this is basically an application relative to this
11 corner property here. Again, the address is
12 1200-1202 Atlantic Avenue. My client has acquired
13 this property. They're looking to bring it back into
14 use. The property was vacant and out of use for a
15 little bit of a while and a little bit of a time
16 here.

17 There was a prior existing commercial
18 and/or other type of use here. And that's what my
19 client is looking to do. They're not looking to make
20 any improvements to the property itself. Just
21 looking to rehab this building and bring back a
22 residential use on the second floor and a commercial
23 use on the first floor. With that said, if there's
24 no questions, I'd like to move forward, Kyle, and I
25 can have the witnesses testify to the application.

1 MR. EINGORN: That would be great.

2 MR. DIMEDIO: Ms. Copes, can you hear me?

3 MS. COPES: I can.

4 MR. DIMEDIO: Are you the authorized
5 member of SNRC, LLC?

6 MS. COPES: Yes.

7 MR. DIMEDIO: Okay. Great. When did you
8 acquire the property?

9 MS. COPES: This particular property was
10 in March of this year, 2022.

11 MR. DIMEDIO: And what are your
12 intentions? Do you seek to refurbish this existing
13 property, this existing structure like I mentioned
14 earlier?

15 MS. COPES: That is correct.

16 MR. DIMEDIO: Do you intend to make any
17 other improvements on the property or just refurbish
18 the existing structure?

19 MS. COPES: Refurbish the existing
20 structure.

21 MR. DIMEDIO: And when you acquired the
22 property, do you recall the prior uses for the
23 property?

24 MS. COPES: The property has been
25 closed. The entity dissolved in 2014. The property

1 was the office space and partial business of BPUM
2 Daycare Center.

3 MR. DIMEDIO: So it was some type of
4 commercial use prior to?

5 MS. COPEES: Yes.

6 MR. DIMEDIO: And your intention for the
7 first floor is a commercial use, correct?

8 MS. COPEES: Yes.

9 MR. DIMEDIO: And the second floor is a
10 residential use?

11 MS. COPEES: Yes. The intention is to
12 take the existing office spaces and we have two
13 apartments upstairs.

14 MR. DIMEDIO: Okay. Is there anything
15 else you like to add, Ms. Copes, before I ask
16 Ms. Johnson some questions?

17 MS. COPEES: Not at this time.

18 MR. DIMEDIO: Ms. Johnson, can you hear
19 me okay?

20 MS. JOHNSON: Yes, I can.

21 MR. DIMEDIO: What is your involvement
22 with this application, Ms. Johnson?

23 MS. JOHNSON: I am the design drafting
24 consultant on this project under the lead of
25 licensed engineers. Can I share my screen?

1 MR. DIMEDIO: Sure.

2 MR. EINGORN: Mr. DiMedio, we might need
3 you to take your screen down first.

4 MR. DIMEDIO: Yes, coming down.

5 MR. EINGORN: Thanks. Kevin, do you want
6 to voir dire Ms. Johnson a little bit for the
7 record?

8 MR. DIMEDIO: Ms. Johnson, again, you're
9 working in what capacity with regards to this
10 application?

11 MS. JOHNSON: I am the architect design
12 and consulting engineer -- design and drafting
13 consulting working under the lead of licensed
14 professional engineers.

15 MR. DIMEDIO: Understood. Go ahead.

16 MS. JOHNSON: Can you see my screen?

17 MR. EINGORN: No, ma'am.

18 MS. JOHNSON: I believe you all have a
19 copy of a drawing. Can you see?

20 MR. EINGORN: Yes, ma'am, it's on the
21 screen now.

22 MS. JOHNSON: I believe the entire panel
23 should have a copy of the drawings that were
24 presented for this project which was done under AJ
25 Graphic Designs Consultant which is owned by myself.

1 And as Ms. Copes first stated that we're trying to --
2 we're proposing to renovate the existing 3,000 square
3 foot building which is comprised of two separate
4 buildings but with the previous owners, they were
5 used as one building. The second floor -- well, the
6 first floor is for apartment/commercial and used as a
7 daycare. And the second floor was used as office
8 space.

9 And this is the proposed drawings. And
10 this page consists of the proposed which was pretty
11 much open retail space to be outfitted for those who
12 choose to lease the space. And the second floor is
13 to provide the two 2-bedroom apartments. And that's
14 pretty much the only changes to the outside. There's
15 no additions or anything like that. The only change
16 on the outside would be the facade. No change to the
17 facade or the look of the building and to complement
18 the neighborhood.

19 But as far as the location of this
20 project, this is the existing -- this is Atlantic
21 Avenue and this is Lewis Street. And this is the
22 building we are referring to. Right now there's
23 nothing much going on in this neighborhood right
24 now. But walking down Lewis Street, I believe that
25 we're here for parking as well.

1 MR. EINGORN: Let the record reflect that
2 Ms. Johnson is referring to a Google Map or Google
3 Earth View and that she is showing us around the
4 neighborhood via that service.

5 MS. JOHNSON: Yes. Thank you. Looking
6 up and down the street, as it pertains to the parking
7 or anything, I'm not sure if I should speak on that
8 now. But this property is owned by Ms. Copes, SNRC.
9 So I don't believe any parking will be an issue for
10 the proposed use of the building. We will not be
11 going outside of the existing use because the
12 existing use was used as commercial, all commercial.
13 So I think we're well within our requirement for
14 parking for the proposed use.

15 Also in this neighborhood as of, I guess,
16 two weeks ago, they're definitely tearing down
17 buildings. So I want to go up to that street. This
18 building right there as of last week, it was totally
19 torn down; demolished. So it's actually an empty
20 lot. As far as parking, will not still be an issue
21 in that case.

22 In looking back, all this area is also an
23 empty lot. Including on needing additional parking,
24 I think we're pretty much safe on our parking for
25 this project as well. And I think that's all right

1 now. Any questions?

2 MR. DIMEDIO: Ms. Johnson, let me ask you
3 a question regarding the use variance that we're
4 seeking here. From the Positive Criteria standpoint,
5 in your opinion, does this use promote the general
6 welfare?

7 MS. JOHNSON: Yes, I do. The prior use
8 of it was, it was a daycare. So I worked there over
9 20 years ago. And just the daycare by itself brought
10 in about 10, 15 cars every couple of hours. Just
11 that one class, they had over 100 children in that
12 entire facility. So the parking was pretty much
13 primarily up and down the street.

14 MR. EINGORN: For the record, Mr.
15 DiMedio, I would object to you attempting to use Ms.
16 Johnson as a professional planner. If you want to
17 make legal argument, I understand that but Ms.
18 Johnson hasn't been accepted as a professional
19 planner.

20 MR. DIMEDIO: Understood. Just asking
21 Ms. Johnson's take. I was just getting Ms. Johnson's
22 as a witness here and help planning this out; just
23 getting her take on that particular position. She
24 has a lot of history with this property. Is that
25 correct, Ms. Johnson?

1 MS. JOHNSON: Yes.

2 MR. DIMEDIO: Ms. Johnson, are there
3 other types of properties that have these mixed uses
4 in the area?

5 MS. JOHNSON: Actually, right down on the
6 next block that little corner store right here. This
7 is pretty much a living space on top and a commercial
8 on the bottom on the first floor. And then there's a
9 couple of other, two to three blocks up as well.
10 And these are properties right here that I believe
11 that is on the list for demolition as well. So I
12 believe revitalizing this corner will be a great help
13 to the neighborhood.

14 MR. DIMEDIO: Understanding, Ms. Johnson,
15 that there is no current use but you're basically --
16 does your client seek to basically bring back the
17 pre-existing use, that kind of thing?

18 MS. JOHNSON: It's all commercial use. I
19 believe we're asking for a mixed use for apartments
20 on the second floor and the commercial on the first
21 floor; multi-unit on the second floor. And I'm not
22 sure it matters or not but just to state, that these
23 are deemed as two separate properties but it hasn't
24 been legally adopted as one. But they are on the tax
25 map as two separate properties. So the first floor

1 is a commercial floor and second floor office space
2 as presently. So they're two separate properties per
3 the tax maps but they have been used as one.

4 MR. DIMEDIO: Thank you. Anything else,
5 Ms. Johnson?

6 MS. JOHNSON: That will be all unless you
7 have any questions. Thank you.

8 MR. DIMEDIO: Ms. Copes.

9 MS. COPEs: Yes, I'm here. Anything else
10 you'd like to add?

11 MS. JOHNSON: Not specifically. Any
12 questions, I'm prepared to answer. If anyone has any
13 questions. I think Alyce did a great job in
14 explaining the parking and the purpose and intent of
15 our project.

16 MR. EINGORN: Let ask a question. Is
17 there going to be cross-over between these two
18 properties? Will you be able to access one from the
19 other through the interior?

20 MS. JOHNSON: Downstairs from the
21 commercial, yes. Not for the residential. It's
22 strictly private. It has a separate entrance.

23 MS. JOHNSON: Well, per the drawings
24 right now -- I'm sorry. This is the proposed. So we
25 have in the rear of the first-floor plan, so

1 first-floor commercial would have its own entrance.
2 And it has three egresses. This is considered a
3 option for the proposed tenants for the commercial so
4 this would be closed off. This is the cross-over
5 right here that would be a cross-over per the
6 tenants.

7 If the one tenant decides to take the
8 whole space for commercial, they'll be able to
9 according to their lease or whatever. If not, this
10 will be closed off per the tenant for commercial. As
11 for the second floor for the apartment, the residents
12 will enter through the rear, the side door. And this
13 is pretty much a common lobby area where they would
14 go up the steps for their spaces. And this is where
15 it would be.

16 MR. EINGORN: So as I'm looking at the
17 screen, would I be able to access -- so if I were to
18 come into that area where it says foyer, would I be
19 able to access both commercial spaces from that
20 foyer?

21 MS. JOHNSON: No. Just the one
22 commercial space.

23 MR. EINGORN: Can you stop sharing your
24 screen for a second? I want to check the ordinance
25 for one moment. I need to go online here. Let's go

1 to R-2. I thought that residential over commercial
2 was permitted in the R-2 but I had the wrong zone. I
3 apologize. That's why I was checking the zoning
4 code. I thought I was going to help solve one of
5 your problems there but not the case. I apologize.

6 MS. JOHNSON: Which problem was that?

7 MR. EINGORN: Well, if you were allowed
8 to have residential over, like a single residential
9 apartment over a single commercial space, then if you
10 had kept the properties completely separate, and you
11 might have dodged the use variance. Right? But I
12 was in the wrong -- my hunch was in the wrong zone
13 apparently.

14 MS. JOHNSON: So you're saying if we did
15 not have access -- if the commercial did not have --
16 if the residential did not have access, the same
17 access to the commercial, it would okay?

18 MR. EINGORN: No. I thought that might
19 have been the case but I was wrong. That's why I
20 wanted to check the Ordinance because I didn't want
21 to say something and then give you the wrong
22 determination there.

23 MR. DIMEDIO: Kyle, it's the R-2 Zone;
24 is that correct?

25 MR. EINGORN: That's what's cited in the

1 Zoning Permit Denial Letter of July 1st, 2022.

2 MR. DIMEDIO: Right.

3 MR. EINGORN: I think I got that crossed
4 up with maybe C-1.

5 CHAIRMAN HANCE: So I have a question.
6 Do we know what the commercial space is going to be
7 used for?

8 MS. COPES: Are you directing the
9 question to me, sir? I'm sorry.

10 CHAIRMAN HANCE: Yes.

11 MS. COPES: At this time, I'm leaving the
12 commercial space as a shell space because my
13 intention, as a resident and born and raised in
14 Camden City, is to work with the community. And I
15 don't want to outfit it for any particular need
16 because I'm trying to work with the community on the
17 need. So at this time, it's not specified. It will
18 be a shell to be open for options.

19 CHAIRMAN HANCE: Thank you.

20 MS. COPES: You're welcome.

21 CHAIRMAN HANCE: Second question.
22 Separate hot water heaters; separate meters for
23 electric?

24 MS. COPES: Yes. Absolutely. Everything
25 will be separate, yes.

1 CHAIRMAN HANCE: Did I see something
2 different or are there actual garages or was that the
3 other building? Car parking garages, does that
4 building have that? I'm sorry. I have a bad
5 connection. Does it have two-car garages or no?

6 MS. COPES: No.

7 CHAIRMAN HANCE: Thank you.

8 MS. COPES: You're welcome. Thank you.

9 MR. EINGORN: Are there any other
10 questions for the applicant? Mr. DiMedio, do you
11 have any further testimony or anything else you'd
12 like to proffer for the record?

13 MR. DIMEDIO: I'll ask. Ms. Johnson,
14 anything else for the record?

15 MS. JOHNSON: I just want to make note
16 that I believe I said, so far as for the outside of
17 the building, the facade will be upgraded and much
18 different for the neighborhood.

19 VICE-CHAIRMAN COOPER: I have one
20 question before we move on. The downstairs, you said
21 it's two separate buildings at the moment, correct?
22 So you're going to keep those buildings separate are
23 you going to combine both of those buildings and open
24 them up as one big area, one common area?

25 MS. COPES: Certainly, it's already

1 open. The daycare already had it open with a
2 walkway. Our intention is to have it where you could
3 have it open or separate for a smaller space
4 depending on the need. So it can be -- if it was an
5 office space or a service provider that wanted it for
6 the community. It's not necessarily retail. It
7 could be a service provider. A service provider may
8 want to come in and have half the space downstairs or
9 two service providers. So it's to benefit the space
10 that's most available for the needs of the tenant in
11 the community.

12 VICE-CHAIRMAN COOPER: All right.

13 MS. JOHNSON: Can I also share my screen
14 again just to confirm, verify?

15 MR. EINGORN: Yes, please.

16 MS. JOHNSON: This is the existing
17 house -- I'm sorry. This is the existing floor
18 plan. And currently, the rear has where -- they
19 combined the entire floor them two buildings from the
20 rear. This was like a foyer that they used to come
21 to the side and to the left side. They also had the
22 same door; come in and come through this door. This
23 was a kitchen back there that provided services for
24 that entire downstairs -- for the entire building.

25 VICE-CHAIRMAN COOPER: So that's a solid

1 wall that I'm looking at coming down there?

2 MS. JOHNSON: Right here is a solid
3 wall. And then they had two openings in that wall
4 and then an open back here.

5 VICE-CHAIRMAN COOPER: Okay.

6 MS. JOHNSON: But on the proposed, we're
7 closing in that solid wall back here. And according
8 to the access of the tenants, this will be closed off
9 and this will be closed. But this is closed off
10 already. So this will be the only source of access
11 between the two unless they decide they'll outfit it
12 for the entire first floor. And this will be closed
13 off if they decide to do two tenants.

14 VICE-CHAIRMAN COOPER: Got you.

15 CHAIRMAN HANCE: Do we have pictures of
16 the original building like right now?

17 MS. JOHNSON: Interior or outside?

18 CHAIRMAN HANCE: Interior.

19 MS. COPES: No.

20 MS. JOHNSON: I don't have them.

21 MS. COPES: No, we don't have any. It
22 was just space when we got it. No, we don't have
23 any.

24 MS. JOHNSON: Let me see. No, I don't
25 think so. No interior.

1 MR. EINGORN: Any last questions for the
2 applicant?

3 MR. DIMEDIO: Nothing else.

4 CHAIRMAN HANCE: One more question. The
5 building in the rear, what are you doing with that
6 building that's in the rear?

7 MS. JOHNSON: I'm not sure what building
8 are you referring to. I don't think -- that's not
9 our building. In the very rear, that's not --

10 CHAIRMAN HANCE: The old PPP Center back
11 there or daycare?

12 MS. COPES: Oh, you mean the building
13 that's adjacent to it?

14 CHAIRMAN HANCE: See, I really can't tell
15 by this picture.

16 VICE-CHAIRMAN COOPER: It's the church
17 area. Yeah, right there.

18 MS. COPES: What about that building?
19 What is your question? I'm sorry.

20 CHAIRMAN HANCE: That's your building
21 here? Is that connected?

22 MS. COPES: Yes, it is, sir.

23 CHAIRMAN HANCE: So that building is
24 going to stay the way it is?

25 MS. COPES: For now. That's another

1 phase. Right now we're working on the right
2 building, 1200 and 1202.

3 CHAIRMAN HANCE: Thank you.

4 MS. COPEL: You're welcome.

5 CHAIRMAN HANCE: And you don't have
6 access from that building to that building? It's two
7 separate buildings?

8 MS. COPEL: Yes. Totally two separate
9 buildings.

10 MR. EINGORN: Any last questions before
11 we open it up to the public? Not seeing any further
12 questions, did anybody in the public appear tonight
13 to speak in favor or against the application, have
14 anything to add regarding this application, please
15 speak up now or raise your hand virtually or
16 physically? Hearing none and seeing no hands raised,
17 we'll close the public portion. Now is the time for
18 the Board to ask any last questions, discuss the
19 Positive and Negative Criteria.

20 Again, the applicant is seeking first
21 floor commercial with second floor apartments. The
22 applicant has been denied because the use is not
23 permitted, the commercial use or the apartment use so
24 they need a use variance for both. Off-street
25 parking is needed. Three and a half spaces is needed

1 for the apartments; ten spaces for the retail. And
2 then the applicant is seeking a site plan waiver.

3 CHAIRMAN HANCE: I think it's Positive.
4 The area is pretty much It needs a facelift over
5 there. So I think it's a great idea.

6 VICE-CHAIRMAN COOPER: Kyle, they still
7 have to get site plan waiver on this?

8 MR. EINGORN: They are asking for a site
9 plan waiver. The testimony I heard was that there
10 are no changes to the exterior of the property other
11 than to make the facade look better for lack of a
12 better word. I think they said it more eloquently
13 than I did.

14 REVEREND MARTINEZ: I second.

15 MR. EINGORN: There's not a motion
16 pending yet, sir, but I appreciate it unless you want
17 to make the motion. Do you have any questions for
18 the applicant, Reverend Martinez?

19 REVEREND MARTINEZ: No, I'm sorry.

20 MR. EINGORN: Don't be sorry. You're a
21 Board member. This is your time to --

22 REVEREND MARTINEZ: I'm good with it.
23 We're seeing that they're trying to fix this building
24 and it's good. I'm fine with this plan, yes.

25 MR. EINGORN: Do you want to make a

1 motion?

2 REVEREND MARTINEZ: Motion to pass.

3 VICE-CHAIRMAN COOPER: I second it.

4 MR. EINGORN: I'll take a roll-call vote
5 on the motion to pass. 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. Atwood.

12 MS. ATWOOD: Yes.

13 MR. EINGORN: Ms. Merricks. I think we
14 lost Ms. Merricks. Ms. Alston.

15 MS. ALSTON: No.

16 MR. EINGORN: Mr. Brito Bueno.

17 MR. BRITO BUENO: Yes.

18 MR. EINGORN: Having five in favor and
19 one against, the motion passes.

20 MR. DIMEDIO: Thank you.

21 MS. JOHNSON: Thank you.

22 MS. COPES: Thank you. I appreciate your
23 time and the opportunity to service the community.

24 MR. EINGORN: I appreciate your time as
25 well. Evita, were you able to circulate the one

1 Resolution or no?

2 MS. MUHAMMAD: Sorry. No.

3 MR. EINGORN: Don't be sorry. It's okay.

4 We have no Resolutions for this month. We will have
5 them for next month. I apologize for that if anybody
6 is here waiting for the approval of the Resolutions
7 from September. So all we need now is a motion to
8 adjourn. Do we have a motion to adjourn?

9 MS. ALSTON: Motion to adjourn.

10 MS. ATWOOD: Second.

11 MR. EINGORN: All in favor?

12 THE BOARD: Yays.

13 MR. EINGORN: So moved. See you all in
14 November.

15 - - -

16 (**Meeting concluded at 8:27 p.m.**)

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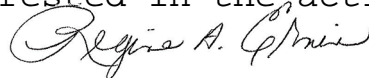
1 CERTIFICATION

2
3
4 I HEREBY CERTIFY that I am a Certified Court
5 Reporter and Notary Public.

6 I FURTHER CERTIFY that the witness was sworn
7 to testify to the truth.

8 I FURTHER CERTIFY that the foregoing is, to
9 the best of my ability, a true and accurate
10 transcript of the testimony taken stenographically by
11 me at the time, place, and date hereinbefore set
12 forth.

13 I FURTHER CERTIFY that I am neither a relative,
14 employee, attorney or counsel to any of the
15 parties to the action, nor a relative or employee of
16 such attorney or counsel and that I am not
17 financially interested in the action.

18 

19 _____
20 Regine A. Ervin, CCR
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24 does not apply to any reproduction of the same by any
25 means, unless under the direction, control and/or
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