

In The Matter Of:
CITY OF CAMDEN
ZONING BOARD

TRANSCRIPT OF MEETING
February 6, 2023

Regine A. Ervin Reporting
609-280-2230
RegineCSR@gmail.com

ZONING BOARD
CITY OF CAMDEN

- - - -

Monday, February 6, 2023

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8 Transcript of proceedings in the above
9 matter taken in City Council Chambers, 2nd floor
10 City Hall, 520 Market Street, Camden, New Jersey
11 08101, commencing at 5:45 p.m.

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

- 14 DARNELL HANCE, CHAIRMAN
- 15 CHARLES COOPER, VICE-CHAIRMAN
- 16 ISASIA MARTINEZ
- 17 TERESA ATWOOD
- 18 KAREN MERRICKS
- 19 JOSE M. BRITO BUENO

- - - -

- 19 KYLE F. EINGORN, ESQUIRE
- 20 ATTORNEY FOR THE BOARD
- 21 EVITA MUHAMMAD, ZONING BOARD SECRETARY
- 22 DENA MOORE JOHNSON, P.E., C.M.E. BOARD ENGINEER
- 23 REMINGTON & VERNICK ENGINEERS

24 Regine A. Ervin, CCR
25 Certified Court Reporter
Email: RegineCSR@gmail.com
(609-280-2230)

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1 MR. EINGORN: And a second?

2 CHAIRMAN HANCE: Second.

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

4 Chairman Hance.

5 CHAIRMAN HANCE: Yes.

6 MR. EINGORN: Vice-Chairman Cooper.

7 VICE-CHAIRMAN COOPER: Yes.

8 MR. EINGORN: Reverend Martinez.

9 REVEREND MARTINEZ: Yes.

10 MR. EINGORN: Ms. Atwood.

11 MS. ATWOOD: Yes.

12 MR. EINGORN: Ms. Merricks.

13 MS. MERRICKS: Yes.

14 MR. EINGORN: Mr. Brito Bueno.

15 MR. BRITO BUENO: Yes.

16 MR. EINGORN: All in favor, the motion
17 carries.

18 Good evening, everyone. I will read the
19 list of applications before the Board tonight. If
20 you hear your name or application, please let me know
21 that you're here. I do have a couple of notes.

22 First, 1060 Bergen Avenue, LLC was
23 noticed for this month. It will not be heard. We
24 did not receive the Proof of Service in time. If
25 you're here for that matter, please note it's not

1 being heard tonight. It will be heard on the meeting
2 on March 6th without further notice. This is the
3 notice of the adjournment for 1060 Bergen Avenue,
4 LLC.

5 The first matter on the agenda, Yehuda
6 Kanelnsky and Yachiel Winfield. Please note that this
7 matter has been withdrawn. Next matter, Northgate
8 Preservation Urban Renewal, LLC, 433 North 7th
9 Street. Good evening, Counsel.

10 MR. KROCULICK: We're here.

11 MR. EINGORN: The next matter, Omkarnath
12 Prabhu, 3616 Westfield. Good evening, sir. I see
13 your hands raised. Let the record reflect that
14 Ms. Merricks is present.

15 The next matter, Mt. Ephraim New Jersey,
16 LLC, 2820 Mt. Ephraim Avenue. Are you counsel?

17 MR. DeCLEMENT: Yes. Present.

18 MR. EINGORN: Good evening, sir.

19 The next matter, Najwa Khalil, 1199 North
20 36th Street.

21 MR. KHALIL: Here.

22 MR. EINGORN: East Meridian, LLC, 1208
23 Carl Miller Blvd.

24 MR. HONG: Here.

25 MR. EINGORN: Good evening.

1 The next matter, Howard Lambersky, 1489
2 Broadway. Please note that the notice for this was
3 deficient. It will be not be heard tonight. The
4 Board does not have jurisdiction. If you're here for
5 Howard Lambersky, 1489 Broadway, that matter is not
6 being heard tonight. And the last item matter on our
7 agenda is David Porrato, 111 Main Street.

8 MR. PORRATO: Here.

9 MR. EINGORN: Good evening.

10 Now that everybody is presented and
11 accounted for, we'll take the first matter, Northgate
12 Preservation Urban Renewal, LLC.

13 MS. MOORE: Can I be sworn in?

14 MR. EINGORN: Sure. Please raise your
15 right hand.

16 - - -

17 DENA MOORE-JOHNSON, P.E., C.M.E., having
18 first been duly sworn, was examined and testified as
19 follows:

20 - - -

21 MR. EINGORN: So please note for this
22 matter, Ms. Merricks has a conflict and cannot weigh
23 in being within the 200-foot list.

24 MR. KROCULICK: There are six voting
25 members available?

1 MR. EINGORN: Because of the conflict
2 there are five voting members available so you will
3 need a unanimous decision of the Board.

4 MR. KROCULICK: Good evening. My name is
5 George J. Kroculich. I represent the applicant here.
6 The applicant is Hudson Valley Property Group which
7 you might be familiar with already. They're a
8 leading national affordable housing preservation
9 company. They acquire HUD-assisted tax credit
10 affordable and workforce properties throughout the
11 country and they add thoughtful and sustainable
12 enhancements to deliver a better standard of living
13 for their residents.

14 Currently, 97 percent of their renter
15 households pay less 30 percent of their income for
16 rent. This project at Northgate 1 Apartments will
17 undergo a holistic interior and exterior renovation
18 to improve the property for the current residents.
19 Some of those improvements will include the
20 basement, the garage, the hallways, corridors, each
21 apartment unit, the commercial space. There's going
22 to be additional ADA-accessible parking spaces,
23 ramps, ADA trash rooms, a playground, outdoor
24 furniture, new fencing, lighting, landscaping, trees,
25 et cetera, to create a more esthetic community for

1 the residents.

2 We're here tonight because we need relief
3 from the Board. We'll get into more details on this
4 but just a quick overview. We need a d(2) variance.
5 We need a d(5), d(6). We need site plan approval and
6 various waivers. I have at least two witnesses and
7 potentially three. Would you like to swear them in
8 at once or at the same time?

9 MR. EINGORN: I prefer to swear in
10 everybody at the same time. If everybody could come
11 forward and raise their right hand.

12 MR. KROCULICK: I should have also said
13 is my colleague, Nijgia Snapp who is waving to the
14 crowd.

15 - - -

16 MARTIN J. EUSTACE, III, P.E.; JAMES
17 MILLER, P.E.; ANDREW CAVALUZZI, having first been
18 duly sworn, was examined and testified as follows:

19 - - -

20 MR. EINGORN: If you could each give your
21 name and address for the record.

22 MR. MILLER: James Miller, 222 Nicholas
23 Drive, Morrestown, New Jersey. My corporate name is
24 JA Miller Planning Consultants.

25 MR. CAVALUZZI: Andrew Cavaluzzi, 200

1 Vesey Street, 24th Floor, New York New York 10281.

2 MR. EUSTACE: Martin Eustace, the
3 applicant's engineer, 607 Easton Road, Willow Grove,
4 PA.

5 MR. KROCULICK: I'd like to call my first
6 witness if you're okay with that?

7 MR. EINGORN: Yes.

8 MR. KROCULICK: Jim Miller.

9 Jim, are you familiar with this site and
10 the surrounding area?

11 MR. MILLER: I am.

12 MR. KROCULICK: Could you start out by
13 going through your qualifications, please?

14 MR. MILLER: Yes. I'm a licensed
15 professional planner in the State of New Jersey
16 certified by the American Institute of Certified
17 Planners as a certified planner. And I hold a
18 Master's in City and Regional Planning from Rutgers
19 University. I've been qualified by this Board as an
20 expert as recently as May of 2022. So I won't
21 continue to go through my qualifications unless
22 there's some questions.

23 MR. EINGORN: The Board has no questions.
24 We'll accept Mr. Miller as a professional planner.

25 MR. KROCULICK: Thank you very much.

1 MR. MILLER: Just a few preliminary
2 remarks. This application involves a preexisting
3 high-rise apartment building that's located at 433
4 North 7th Street. The surrounding land uses include
5 a multi-family complex that extends to the north.
6 West of the structure there's also the facilities of
7 the Port Authority and the E-Z Pass offices to the
8 west. And then to the east of the structure is a
9 second high-rise apartment, Northgate 2. And to the
10 south is basically the toll plaza and approaches to
11 the Ben Franklin Bridge.

12 The property is zoned R-2. And the
13 building we're discussing dates to 1962. It's a
14 preexisting nonconforming use that's been present in
15 the City of many years. The application does not
16 propose to change the structure in a significant way
17 other than the extensive renovations that were
18 described earlier. So basically we're here to obtain
19 relief from a use variance because we have a
20 preexisting nonconforming use that's going to be
21 modified.

22 A d(5) variance because the structure is
23 significantly above the height limit of the R-2
24 District. Or rather, that's the d(6). The d(5)
25 variance has to do with the density. The density of

1 the structure is significantly greater than what the
2 R-2 would require. And the height of the building is
3 significantly greater than the height that's
4 permitted in the R-2 District so we need a d(6)
5 variance.

6 There's also some bulk variances.
7 They're relatively minor. Most of them have to do
8 with existing conditions. The only one that I think
9 doesn't is, there's a fence variance. We're
10 requiring the variance to allow the fence to go from
11 four to six feet along a portion of one of the side
12 streets. And, basically, that relief would be
13 considered simultaneously with -- it looks better
14 now, doesn't it?

15 MR. EINGORN: The English is more
16 readable.

17 MR. MILLER: North is now north again.
18 The bulk relief is basically able to be
19 considered simultaneous under the case law provided
20 by Price Himbji which allows all this relief
21 to basically satisfy simultaneously under the d(2)
22 Criteria.

23 Under the Positive Criteria, we have to
24 show that the relief we're seeking would advance
25 purposes in the Municipal Land Use Law and there are

1 three purposes that I would cite this evening.

2 Purpose A, to encourage municipal action to guide the
3 appropriate use or development of all lands in this
4 state in a manner that would promote the public
5 health, safety, morals and general welfare.

6 Purpose G to provide sufficient space and
7 appropriate locations for a variety of agricultural,
8 residential recreational, commercial and residential
9 uses and open space for the public and private
10 according to their respective environmental
11 requirements in order to meet the needs of all New
12 Jersey citizens.

13 And I want to note too that, when you're
14 dealing with the modification of a pre-existing
15 nonconforming use, the criteria is somewhat relaxed
16 over what they would be for a d(1) variance because
17 the law and the courts have recognized that a
18 property right has an underlying -- a property owner
19 has an underlying right to maintain existing
20 structures and uses.

21 So with that, I'm going to go to the
22 Positive Criteria and the reasons that I believe the
23 site meets the appropriate Criteria. And the first
24 series of reasons have to do with the fact, variance
25 to permit the modification or preexisting

1 nonconforming use is justified if the relief does not
2 result in a significant change in the character of
3 the use or a significant intensification of the use.
4 And also, where it allows for the modernization of
5 that use. And here we have this 21-story structure.
6 It's been present in the community for over six
7 decades. And it also contains retail on the first
8 floor so it's a mixed-use complex.

9 But the application that's before you
10 isn't going to change any of those factors. It's
11 going to have an identical number of units, the
12 height of the building is not going to change and the
13 only significant site difference that's going to be
14 that there's going to be three more parking spaces
15 than there were historically. So basically, there's
16 nothing going on here that's going to really alter
17 the impact of the structure on the area.

18 And as a consequence, it meets the
19 Criteria. There's no intensification of the use.
20 There's no change in the character of the use. And
21 the sole purpose for the relief is basically to allow
22 the structure to be modernized and improved in a way
23 that it'll make it a more contributing factor to the
24 surrounding neighborhood.

25 The second set of reasons have to do with

1 the fact that this site remains particularly suited
2 for the use despite the fact that it's nonconforming.
3 There's another high-rise building which is directly
4 across the street. Basically those two structures
5 give this little pocket of the City it's unique
6 character. It's abutting the bridge approaches which
7 gives it terrific access basically to Philadelphia
8 and to the regional highway network so it has very
9 good access. And that's important when you've got a
10 fairly significant residential density.

11 And the retail uses are basically service
12 uses which I believe contribute to the stability and
13 vitality of the surrounding community. They're
14 basically retail uses which are
15 neighborhood-oriented. It's a grocery store deli and
16 a pharmacy that provide obvious services to the
17 surrounding community. And together I think all
18 these uses are fully compatible with the surrounding
19 uses and demonstrate that the site is particularly
20 suited to continue the improvements which are already
21 there.

22 Finally, so the requested relief is going
23 to allow this building to be rehabilitated. And what
24 that does is, it creates an adaptive reuse of the
25 site and also contributes to the City's redevelopment

1 policies and goals and objectives. There's going to
2 be extensive repairs to the paving. There's going to
3 be new fencing. There's going to be updated
4 landscaping. The playgrounds are going to be
5 modernized. And then there's all the interior
6 renovations, painting and what have you to the inside
7 of the building. And all of this is going to be done
8 without any public investment. It's all going to be
9 done primarily by a private developer.

10 And those are all very significant
11 benefits to the City. Basically it's going to result
12 in rehabilitation of a structure with over 300
13 residential units. I think it'll make a great
14 contribution to the neighborhood. So those are the
15 reasons I believe the Positive Criteria met by the
16 application.

17 In terms of the Negative Criteria, we
18 have to show that there's no substantial detriment to
19 the public good. And that the use will not result in
20 a significant impairment or intent or purpose of the
21 Zone Plan and Zone Ordinance. In terms of the public
22 welfare prong, we're dealing, again, with existing
23 use. And the impacts are not going to change.
24 They're basically going to remain consistent with
25 what they were historically. And I think also

1 there's a contribution to the public welfare by
2 virtue of rehabilitating the building, restoring it
3 and the benefits that that's going to have through
4 redevelopment of the parcel to the immediate area in
5 the City as a whole.

6 So basically, I think the use easily
7 satisfies the public welfare criteria. In terms of
8 the prong dealing with the apparent intent or purpose
9 of the Zone Plan and Zoning Ordinance, here again,
10 you're dealing with an existing use. The changes
11 that are recommended or proposed here, are not going
12 to have any material impact on the intensity or
13 character of the use. The real impact is just going
14 to be that it's going to be rehabilitated and
15 modernized and stabilized. So overall, I don't
16 believe there's any potential to impair the intent or
17 purpose of the Zone Plan here.

18 The complex has been present at this
19 location for decades. The renovations are going to
20 make a positive contribution to the City; stabilize
21 the structure; and renew it; and make it a
22 contributing asset to the neighborhood. So based on
23 that, I believe there's no impairment to the intent
24 or purpose of the Zone Plan. And that the
25 application would warrant the Board's approval.

1 MR. KROCULICK: Any questions for
2 Mr. Miller?

3 MS. MOORE: Can we go specifically to the
4 letter? We just heard the testimony for Zoning. Can
5 we just get to the letter and then the rest of the
6 testimony can come from that?

7 MR. EINGORN: Mr. Hance, are you okay
8 with that? We just heard the use variance testimony.
9 Are you okay to proceed with the letter?

10 CHAIRMAN HANCE: Yes.

11 MS. MOORE: That's fine?

12 CHAIRMAN HANCE: Yes.

13 MS. MOORE: All right. We'll get the
14 rest of his testimony through the letter. Is that
15 okay?

16 MR. KROCULICK: We're happy to do that.

17 MR. EINGORN: For the Board, this is
18 where you listen for the site plan testimony related
19 what's going on and the Zoning Board's Engineer's
20 comments.

21 MS. MOORE: So we just heard all the use
22 variance testimony.

23 MR. EINGORN: And all of this
24 information will come from the Remington & Vernick
25 letter dated January 31st which should be in your

1 packet.

2 MS. MOORE: Mr. Chairman, I'm referring
3 to Remington & Vernick's letter dated January 31st,
4 2023. Starting on Page 1, Sheet A-100 was prepared
5 by Kramer & Marks. That plan should be signed and
6 sealed in accordance with state regulations.

7 MR. EUSTACE: Agreed.

8 MS. MOORE: Pages 2, 3, 4 and 5, you've
9 heard all the use variance information. I'm just
10 going to go through looking at the zoning
11 requirements under the Area and Bulk Requirements.

12 The minimum lot area per dwelling unit,
13 those are all preexisting conditions, including the
14 maximum building height and density. Impervious
15 coverage with this application, what's existing is
16 82.58 percent. What's proposed is 80.16 percent.
17 What's required is 60 percent. So the applicant
18 would be requesting a variance for impervious
19 coverage. And then the total parking spaces,
20 required is 313 spaces. Existing, 184 spaces.
21 Proposed, 187 spaces. They would require a De
22 Minimus Exception.

23 Moving on to Site Plan Comments on
24 Page 5. If a street opening is necessary for one of
25 these roadways, this application would be subject to

1 the Street Opening Permit Ordinance of the City. The
2 City Engineer should be contacted concerning the
3 application and fees involved. You acknowledge
4 that?

5 MR. EUSTACE: Yes.

6 MS. MOORE: The following comments are
7 based on the R.S.I.S. So per Table 4.4 of the
8 R.S.I.S. for high-rise apartment buildings, each
9 one-bedroom apartment requires 0.8 parking spaces.
10 Each two-bedroom apartment requires 2.3 parking
11 spaces. Studio efficiencies are not listed in the
12 table. So the requirement for one-bedroom apartment
13 will be utilized. As such, 276 parking spaces are
14 required for the residential component of the
15 building.

16 In addition, per Section 870-230.F,
17 retail and personal service uses require five parking
18 spaces per 1,000 square feet of gross leasable area.
19 The gross leasable area of 7,415 square feet has been
20 provided to determine parking needs for the
21 nonresidential component of the building. A parking
22 variance is required for the retail portion of the
23 site. You acknowledge that?

24 MR. EUSTACE: Thank you.

25 MS. MOORE: If the requested parking

1 variance is granted, the applicant shall then make a
2 cash contribution to the City for each required
3 parking space not provided per Section 870-230.R.
4 The contribution shall be in an amount equal to the
5 cost of providing the required minimum number of
6 parking spaces to be calculated by the City Engineer.

7 MR. KROCULICK: One of the questions that
8 we did have about that is, obviously there are not
9 enough parking spaces here under your current
10 ordinance. It's the same number of parking spaces
11 that have been there forever. We can certainly
12 designate 37 retail. There's never -- as I
13 understand it, there's never been a parking problem
14 at this location for retail or for the residential.
15 So that variance I'm suggesting, may not be necessary
16 if we can simply designate certain of those parking
17 spaces to be for retail.

18 VICE-CHAIRMAN COOPER: But then you take
19 away from --

20 MS. MOORE: But then you take away from
21 the residential but you're already asking for a
22 De Minimus Exception.

23 MR. KROCULICK: We don't have enough no
24 matter which way you slice it or dice it. There's no
25 doubt about that. I'm just suggesting that there's

1 plenty for retail because there's plenty for
2 residential. We have a high-rise that's right here
3 in the -- I won't say it's in the heart of the City
4 but it's easy to get to public transportation. We've
5 never had a parking problem there.

6 CHAIRMAN HANCE: But that was a long time
7 ago. Now people have two and three cars. So it is
8 a difference now.

9 MR. KROCULICK: I understand the Board's
10 position. Thank you.

11 MS. MOORE: Per Section 870-53.C,
12 referencing Section 870-231.B(3), where a parking
13 space abuts a wall or column whether within a
14 structure or not, the minimum size of the space shall
15 be 10 foot wide and 20 feet long. Plans should be
16 revised or a variance requested.

17 MR. KROCULICK: The variance, please.

18 MS. MOORE: Is there a reason why you're
19 not able to make that change to be the ten feet wide?

20 MR. EUSTACE: That is related to the
21 underground garage portion. With the column spacing
22 within the structure itself, makes it extremely
23 difficult to make that comply due to physical
24 constraints from all locations, column locations.
25 And that's going to be the story or the conditions

1 for several of these.

2 MS. MOORE: Okay.

3 MR. EUSTACE: Only due to the existing
4 make-up of the building and the columns.

5 MS. MOORE: I just need to have that on
6 record.

7 MR. EINGORN: I hate to interrupt. If
8 you have a cell phone, if you could please silence it
9 or turn it off, that would be very helpful. Thank
10 you.

11 MS. MOORE: Per Section 870.231.B(1),
12 compact car spaces may be permitted by the Zoning
13 Board only where the total number of spaces proposed
14 to be provided exceeds 50 and shall not exceed 30
15 percent of the total number required. If permitted,
16 compact car parking spaces shall be clearly
17 identified by the markings and/or signage and shall
18 be grouped in one or more locations rather than
19 dispersed throughout the site.

20 Per Section 870.53.C, referencing Section
21 870-231.B(1)(b), compact parking spaces shall be
22 7.5 feet wide and 15 feet long and non-compact spaces
23 shall be 9 feet wide and 18 feet long. A variety of
24 parking stall sizes are proposed in the garage.
25 Plans should be revised or a variance requested.

1 MR. EUSTACE: We need a variance for
2 that.

3 MS. MOORE: Testimony should be provided
4 as to whether the garage spaces will be for residents
5 only and how the space will be secured.

6 MR. EUSTACE: So the entrance to the
7 garage is located in the northeast corner of the site
8 with access coming off of 7th Street. And there is a
9 ramp that goes down. That is open. When the
10 resident makes a turn to come into the garage
11 portion -- so the garage portion I should mention,
12 actually comes into the parking lot and underneath
13 the parking lot under part of the building. When the
14 user comes in and makes his righthand turn, there is
15 a roll-down or there's a gate for security purposes
16 for the residential portion.

17 MS. MOORE: Okay.

18 VICE-CHAIRMAN COOPER: How many spots is
19 underground?

20 MR. EUSTACE: 54.

21 VICE-CHAIRMAN COOPER: 54?

22 MR. EUSTACE: Correct.

23 MS. MOORE: So are for residents only,
24 correct?

25 MR. EUSTACE: They'll have a key.

1 MR. KROCULICK: Answer yes.

2 MS. MOORE: At the bottom of the garage
3 access ramp, the entrance to the garage area and the
4 entrance to the loading dock area are 23 feet wide,
5 whereas at least 24 feet is required for two-way
6 access per Section 870-231.B(1). Plans should be
7 revised or a variance requested. Truck turning
8 movements should be provided.

9 MR. EUSTACE: Variance requested, again,
10 due to the physical constraints of the existing
11 structure.

12 MS. MOORE: And you'll provide those
13 truck-turning movements to make sure that there's no
14 issue with the foot difference?

15 MR. EUSTACE: That's really just for
16 internal vehicle movements. The truck in the refuge
17 area is separate. It'll come down the main ramp and
18 the refuge area is prior to making the turn into the
19 private garage we'll call it.

20 MS. MOORE: But we still just need to
21 make sure that it's fine.

22 MR. EUSTACE: We'll provide templates.

23 MR. EINGORN: Can we mark -- what do you
24 want to call that board there on the right?

25 MS. MOORE: What are you going to label

1 them, A-1 and A-2 or what?

2 MR. EINGORN: So the board on the left
3 is elected a -- what do you want to call that?

4 MS. MOORE: That's the Existing
5 Conditions and Demolition plan.

6 MR. EINGORN: okay. We will mark that
7 A-1 for the record. And the board on the right is
8 a?

9 MS. MOORE: That's the Land Development
10 Plan.

11 MR. EINGORN: Land Development Plan.
12 That's A-2. I'm sorry. If you could just point
13 again where you were directing the Board in the
14 loading turnaround.

15 MR. EUSTACE: Here's North 7th Street,
16 Pearl. The building is located where I'm pointing.
17 Access is off of 7th Street. There is a ramp, an
18 ingress and egress movement. And down in this
19 location is where we have the dumpster locations.
20 That's really where all the truck movement will be
21 limited to. And as the user, the residential user,
22 makes a lefthand turn into the structure for the
23 restricted area, there will be security that's
24 limiting access just to the residential portion.

25 MR. EINGORN: Thank you.

1 MS. MOORE: But you're still going to
2 provide the truck turning --

3 MR. EUSTACE: We will provide it.

4 MS. MOORE: Electric-vehicle charging
5 facilities should be provided in accordance with the
6 Municipal Land Use Law requirements and the DCA model
7 ordinance requirements. At least one ADA-accessible
8 parking space should offer charging as well.

9 MR. EUSTACE: We'll comply.

10 MS. MOORE: So on revised plans you would
11 show us the locations of those?

12 MR. EUSTACE: That's correct.

13 MS. MOORE: The architectural floor plan
14 indicates a loading dock in the garage. Testimony
15 should be provided as to where loading for the retail
16 stores occurs and where moving trucks park for
17 residences.

18 MR. EUSTACE: We'll comply.

19 MS. MOORE: No. I mean, can you show us
20 where loading occurs for the retail stores and then
21 where moving trucks would park for residents.

22 MR. EUSTACE: It's going to be one of
23 the -- to be honest with you, I would have to get
24 that information for you. But the movement through
25 the parking lot is such that you come off of 7th

1 Street and then you would exit onto Linden. The
2 current operations I would suspect would be that the
3 loading would be out front. The storefronts face 7th
4 Street so it makes sense to come through in here.

5 MS. MOORE: Okay. That's where their
6 loading occurs currently?

7 MR. EUSTACE: I believe that's the --

8 MS. MOORE: Yes?

9 MR. KROCULICK: That's right. That
10 doesn't change.

11 MS. MOORE: Okay.

12 The applicant proposes a 4-foot-wide
13 striped pedestrian area to access the storage units
14 along the outside walls of the garage and a
15 3.5-foot-wide striped pedestrian area to access the
16 storage units along the interior of the garage.

17 Per Section 870-230.A.A, sidewalks
18 between parking areas and principal structures shall
19 be at least 5 feet wide and raised six inches above
20 the parking area. Parked vehicles shall not overhang
21 sidewalks unless the sidewalk is at least 6 feet
22 wide. Plans should be revised or a variance
23 requested.

24 MR. EUSTACE: Variance requested.

25 MS. MOORE: You're asking a variance for

1 which -- what as --

2 MR. EUSTACE: That would be for the width
3 of the pedestrian walkway and also being raised six
4 inches. So if you refer to --

5 MS. MOORE: The sidewalk adjacent to
6 parking?

7 MR. EUSTACE: That is correct. This is
8 all related to the interior, the parking garage. If
9 you refer to the architectural plans, Basement Garage
10 Floor Plan A-100, there's a layout of storage lockers
11 at the tip of the parking stalls. And there is a
12 walkway that's designated through striping on top of
13 the existing concrete. So we're hoping to just
14 simply stripe the area versus having to raise
15 or putting curbing on top of concrete. Just because
16 it's limiting factors of being able to construct such
17 a feature. And it's all existing.

18 MS. MOORE: So I'll note for that,
19 sidewalk adjacent to parking and the raised area --

20 MR. EUSTACE: Correct.

21 MS. MOORE: -- for 230.A.A for a
22 variance?

23 Testimony should be provided that an
24 ADA-accessible route exists to the bus stop and that
25 ADA ramps exist where the site corners abut an

1 intersection. If not, an accessible route shall be
2 provided. The exact location of the placement of ADA
3 ramps must be confirmed by the City Engineer.

4 MR. EUSTACE: We will comply.

5 MS. MOORE: Because we understand that
6 there's construction ongoing now. But my main
7 concern when you did submit revised plans, was the
8 actual ADA accessible route internally.

9 MR. EUSTACE: For the access to the
10 building from the parking lot?

11 MS. MOORE: Yes.

12 MR. EUSTACE: So we are proposing a
13 few -- six handicap parking stalls on the surface.
14 We also have three in the garage. They are in
15 compliance with the regulations for dimensional
16 requirements. We are also providing a painted
17 pathway that would meet the ADA requirements to
18 provide access to the building. But we're also
19 providing access to the playground.

20 So in the northeast corner of the
21 playground, there is a gate. You enter -- and this
22 is all fenced in with ornamental fencing. For
23 non-ADA users, there's fencing so you can enjoy the
24 playground. For those that require assistance,
25 there's a ramp that is being provided to get the

1 residents from the building through the parking lot
2 and into the community area.

3 MS. MOORE: What about from the building
4 to North 7th Street, see where you have an accessible
5 rack noted right there?

6 MR. EUSTACE: I'm sorry?

7 MS. MOORE: You have an accessible rack
8 noted in there.

9 MR. EUSTACE: Here?

10 MS. MOORE: No. On the other side from
11 the building out to the front to the North 7th. Yes,
12 right there. Isn't that curb in there?

13 MR. EUSTACE: There is depressed curbing
14 here.

15 MS. MOORE: Oh, okay. Can you note on
16 your plan that it is depressed curbing?

17 MR. EUSTACE: Sure.

18 MS. MOORE: Construction is currently
19 ongoing along North 7th Street. The full extent of
20 the improvements is unknown at this time for the
21 property's frontage on North 7th Street. The
22 applicant should replace all curb, sidewalk, and
23 driveway aprons along the property's frontages on
24 North 6th Street, Linden Street and Pearl Street.

25 MR. EUSTACE: We will comply.

1 MS. MOORE: The location, size, material
2 and slope of the stormwater collection system within
3 the project site should be shown on the Grading and
4 Utility Plan.

5 MR. EUSTACE: We will comply.

6 MS. MOORE: Storm sewer calculations
7 should be provided to confirm the stormwater
8 collection system is designed to convey a storm event
9 with a 25-year frequency for the current design. The
10 "normal" Manning's roughness coefficient must be used
11 for the pipes in the calculations.

12 MR. KROCULICK: We can comply with this.
13 There are existing structures. We're actually
14 reducing the impervious coverage. We're actually
15 going to have less runoff coming from the site.

16 MS. MOORE: Right. But then also
17 realizing that our requirements, we have to assume
18 good conditions for preexisting. And in Camden,
19 post-development, you have to assume fair. So
20 there's a slight difference sometimes.

21 MR. EUSTACE: Sure. We'll provide it.
22 Thank you.

23 MS. MOORE: Thanks.

24 A stormwater fee is to be calculated for
25 the site as outlined in Appendix XVIII of the City

1 Ordinance. The calculation will be reviewed by our
2 office. The fees must be paid by the applicant prior
3 to final signatures of the plan.

4 MR. KROCULICK: Understood.

5 MS. MOORE: The vertical datum referenced
6 on the plans should be indicated. A conversion
7 factor must be provided if the plans do not reference
8 the vertical datum of 1929 NGVD.

9 MR. EUSTACE: We will comply.

10 MS. MOORE: Spot grades should be
11 provided at all depressed curb locations and all
12 proposed curb, sidewalk and driveway aprons.

13 MR. EUSTACE: We will comply.

14 MS. MOORE: A design should be provided
15 for each ADA ramp.

16 MR. EUSTACE: We'll comply.

17 MS. MOORE: The project must be approved
18 by both the City Engineer and City Fire Chief prior
19 to final approval with written verification provided
20 to our office prior to final signatures on the plan.

21 MR. KROCULICK: Acknowledged.

22 MR. EUSTACE: Understood.

23 MS. MOORE: A CCTV inspection of the
24 sewer (combined, sanitary and storm) system must be
25 performed and reviewed by the City Engineer prior to

1 construction. The applicant will be responsible for
2 any improvements to the existing infrastructure
3 required for the connection of the proposed project.

4 MR. EUSTACE: We'll comply.

5 MS. MOORE: All developers and applicants
6 should note that due to a City Ordinance, a Capacity
7 Fee may be applicable to the proposed development.
8 The applicant shall contact the City Engineer for all
9 costs related to the same.

10 MR. EUSTACE: Acknowledged.

11 MS. MOORE: Storm inlets which are
12 connected directly to City combined sewers must be
13 furnished with a sump and trap per City standard
14 details.

15 MR. EUSTACE: We'll comply.

16 MS. MOORE: So if you can add that note
17 to the plan.

18 MR. EUSTACE: Yes.

19 MS. MOORE: Planting Design.

20 Per Section 870-224.B(1)(e), the visual
21 impact of large surface parking lots located along
22 street frontages shall be minimized with landscaping.
23 Plans should be revised or a waiver requested.

24 MR. EUSTACE: This is probably both.

25 MS. MOORE: Waiver requested, right?

1 MR. EUSTACE: But I also would like to
2 point out the fact that the plans that were
3 previously submitted include 63 additional shrubs.
4 We're removing some of the evasive trees and
5 vegetation. Plus, we're going to -- we're proposing
6 to install two new trees.

7 MS. MOORE: Okay.

8 Parking areas shall be subdivided with
9 planting islands containing trees and other landscape
10 materials per Section 870-224.B(5)(c). Plans should
11 be revised or a waiver requested.

12 MR. EUSTACE: Waiver requested, please.

13 MS. MOORE: All electrical and mechanical
14 equipment should be screened from view per Section
15 870-224.B.19. A note should be added to the plan.

16 MR. EUSTACE: We'll comply.

17 MS. MOORE: Per Section 870-244.D, street
18 trees are required along all frontages and shall be
19 spaced every 40 feet. Additional street trees shall
20 be provided or a waiver requested.

21 MR. EUSTACE: Waiver requested, please.

22 MS. MOORE: Per Section 870-244.E(3)(a),
23 where residential and nonresidential uses abut, a
24 landscaped strip of at least 25 feet is required.
25 Plant material shall be planted in such a fashion

1 that a year-round screen at least eight feet in
2 height shall be produced within three growing
3 seasons.

4 MR. EUSTACE: Waiver requested. Again,
5 this is due to site constraints. Physically, there's
6 not enough room to fit the buffers.

7 MS. MOORE: Per Section 870-244.F(1),
8 there shall be no more than 10 parking spaces in a
9 row without a landscaped island. A waiver is
10 necessary.

11 MR. EUSTACE: Waiver requested, again,
12 reflecting existing conditions.

13 MS. MOORE: Per Section 870-244.F(2),
14 parking lots exposed to view shall have a minimum
15 planted buffer of 4 feet in width on all perimeter
16 areas abutting lot lines or street rights-of-way.
17 This buffer shall include a continuous visual screen
18 which is 5 feet in height at the time of planting and
19 is 50 percent evergreen plant material. Additional
20 landscaping shall be provided or a waiver requested.

21 MR. EUSTACE: Waiver requested. Site
22 constraints.

23 MS. MOORE: Per Section 870-244.F(3), at
24 least 5 percent of the interior parking area shall be
25 landscaped and at least two trees for each 10

1 spaces shall be installed within landscaped islands.
2 Plans should be revised or a waiver requested.

3 MR. EUSTACE: Waiver requested, please.

4 MS. MOORE: Per Section 870-244.F(4),
5 curbed islands with a minimum radius of three feet,
6 shall be located at the end of each parking row and
7 at an interval of every 10 spaces. These islands
8 should contain one shade tree and shrubs. Plans
9 should be revised or a waiver requested.

10 MR. EUSTACE: Waiver requested.

11 MS. MOORE: The applicant proposes to
12 remove 6 trees. The applicant shall address the
13 requirements of Section 870-247 with respect to tree
14 removal and preservation. Compensatory plantings may
15 be required.

16 MR. EUSTACE: Acknowledged.

17 MS. MOORE: So you're removing six.
18 You're replanting how many?

19 MR. EUSTACE: Two.

20 MS. MOORE: Are there any other areas
21 that you would be able to plant additional trees?

22 MR. EUSTACE: All the landscaped areas
23 currently are concrete. We only have about a
24 four-foot strip along the perimeter. We might be
25 able to fit some along the curb. It's tight.

1 MS. MOORE: If you can take a look at it
2 and --

3 MR. EUSTACE: Correct. I'm saying, I
4 think maybe what we can do is take a look at the
5 space that's available and not just stick in trees
6 for the sake of putting them in, but put the -- or
7 placing the trees in a location where they'll
8 actually survive.

9 MS. MOORE: As long as they're outside of
10 sight triangles also.

11 MR. EINGORN: So can we agree as a
12 condition that you'll work with the Zoning Board
13 Engineer on that one?

14 MR. EUSTACE: Yes, we'll comply.

15 MS. MOORE: Thank you.

16 Lighting levels in the underground garage
17 should be provided.

18 MR. EUSTACE: We'll comply.

19 MS. MOORE: The applicant is to provide a
20 traffic impact assessment in accordance with Section
21 870-274.

22 MR. EUSTACE: We'll comply.

23 MS. MOORE: And we understand that it's
24 an existing facility. So it's not strict compliance
25 with that section. But we need to know approximately

1 what's going on now; will that change? Just an
2 impact statement more or less since it's existing.

3 MR. EUSTACE: Sure. We'll comply.

4 MS. MOORE: The applicant is to provide
5 testimony regarding any and all environmental
6 concerns, studies and remediation pertaining to the
7 site. Are there any known?

8 MR. EUSTACE: I am not aware of any.

9 MS. MOORE: No? No studies; no Phase 1?

10 MR. KROCULICK: We found a Phase 1 and a
11 Phase 2.

12 MS. MOORE: None. Okay.

13 The architectural floor plan indicates a
14 trash area in the garage. Testimony should be
15 provided as to how waste is stored and hauled away.
16 In addition, testimony should be provided regarding
17 bulk trash, such as mattresses. How often?

18 MR. EUSTACE: I guess that would be maybe
19 a question for the client.

20 MR. KROCULICK: Andy.

21 MS. MOORE: I guess versus if public; was
22 it private; how often?

23 MR. CAVALUZZI: The trash would be hauled
24 three times a week and we would have special pick up
25 available for bulk including mattresses.

1 MS. MOORE: Okay. And that's private?

2 MR. CAVALUZZI: Yes.

3 MS. MOORE: Testimony should be provided
4 as to whether any changes are proposed to site
5 signage?

6 MR. EUSTACE: At this time it's simply
7 painting one of the signs that needs some touch-up.

8 MS. MOORE: So no additional signage?

9 MR. EUSTACE: No.

10 MR. EINGORN: How about additional ADA
11 signage for the parking spaces?

12 MR. EUSTACE: Well, yeah. And then we
13 would have the standard ADA signage per stall.

14 MS. MOORE: Correct.

15 MR. EINGORN: That would that comply with
16 the ordinance requirements?

17 MR. EUSTACE: Yes.

18 MS. MOORE: Per Section 870-197.F, a
19 fence not more than 6 feet in height is permitted
20 along the rear lot line and along the side lot line
21 to the front building line. A fence not more than
22 4 feet tall is permitted along the side lot line from
23 the front building line to the front lot line and
24 along the front lot line. The applicant proposes a
25 6-foot tall aluminum picket fence in the front yard

1 of Linden Street. A variance is necessary.

2 MR. EINGORN: Could you just show us on
3 the map?

4 MR. EUSTACE: Yes. That's a little
5 complicated.

6 MR. EINGORN: I'm sure it is.

7 MR. EUSTACE: What that all means is that
8 per the Code, is that this is Front Street and a
9 front yard and a side as well. And it's saying that
10 a 4-foot fence is permitted along Linden, along North
11 7th Street and then back to Pearl Street up to the
12 face of the building. And then this section along
13 Linden would also require a 4-foot fence. But what
14 we're seeking to do is simply with our fence, is to
15 have a 6-foot fence in this stretch of Linden and
16 then a return of approximately 20, 20 1/2 feet I
17 think it is which is, that this is the face of the
18 building. Actually, it would be the request for the
19 6-foot fence. The balance of this site where we're
20 proposing fencing is also 6 feet. So for
21 consistency, we're seeking a variance for that
22 portion.

23 VICE-CHAIRMAN COOPER: And that's Linden
24 Street? That's the bridge street, correct?

25 MS. MOORE: Yes.

1 MR. EUSTACE: Correct. The bridge is
2 over here.

3 MR. EINGORN: I think when it comes to
4 the 6-foot high fence, the issue is probably the
5 ability to see around the corner.

6 MR. EUSTACE: This is an ornamental fence
7 so it's --

8 MS. MOORE: Open?

9 MR. EINGORN: So that it's open?

10 MR. EUSTACE: Correct.

11 MS. MOORE: It's black, right?

12 MR. EUSTACE: I'm sorry?

13 MS. MOORE: It's black ornamental?

14 MR. EUSTACE: Black. That is correct.

15 MR. EINGORN: I just want to get this
16 stuff in the record because we don't have a picture
17 of it or anything.

18 MS. MOORE: So you're requesting that
19 variance?

20 MR. EUSTACE: Correct.

21 MS. MOORE: Per Section 870.197.T, no
22 fence or wall shall be erected or maintained if
23 deemed to be a safety hazard in terms of visibility.
24 Sight triangle areas shall be required at
25 intersections and driveways entering streets, in

1 addition to the specified right-of-way widths, in
2 which no grading, planting or structure shall be
3 erected or maintained more than 30 inches above the
4 street center line.

5 MR. EUSTACE: We will comply.

6 MS. MOORE: You'll add those; add the
7 sight triangles?

8 MR. EUSTACE: Correct.

9 MS. MOORE: A signed and sealed copy of
10 the survey referenced on the Existing Conditions and
11 Demolition Plan should be provided for review.

12 MR. EUSTACE: We will comply.

13 MS. MOORE: New tenant storage units are
14 proposed. Construction details and color elevations
15 should be provided. Testimony should be provided as
16 to how pedestrians will access these spaces.
17 Additional crosswalks may be necessary.

18 MR. EUSTACE: So, again, if you could
19 refer to the architectural Exhibit A-100, that is a
20 floor plan of the basement/garage, I should say. And
21 the plan reflects the location of the storage lockers
22 along the perimeter of the wall which would be the
23 east and west walls. And they you'll also see a
24 double row of storage lockers in the middle. And
25 this is where we were looking for relief from the

1 five-foot wide pedestrian access way.

2 We are providing striping on the concrete
3 that would designate the area for the pedestrian.
4 And that ranges, I believe, three-and-a-half to four
5 foot wide. So the resident would gain access to the
6 garage and then go down. He would have his key for
7 his locker and he would be able to enjoy the use of
8 that locker.

9 VICE-CHAIRMAN COOPER: How big are the
10 lockers?

11 MR. EUSTACE: I'm not exactly sure at
12 this point. That's still being flushed out.

13 CHAIRMAN HANCE: So is that going to be
14 in the garage?

15 MR. EUSTACE: That is in the garage in a
16 secured area.

17 MS. MOORE: So they could be like a five
18 by nine unit --

19 MR. EUSTACE: Yes, they're boxes.

20 MS. MOORE: -- for storage?

21 MR. EUSTACE: Correct.

22 MS. MOORE: And they're accessing it just
23 by going down into the room?

24 MR. EUSTACE: Correct. If they were
25 going down to their car, it would be the same access

1 point.

2 MS. MOORE: So then additional crosswalks
3 wouldn't be necessary.

4 MR. EUSTACE: No.

5 CHAIRMAN HANCE: I have a question. When
6 you put these storage bins or whatever you want to
7 call them, how much space is that taking up in that
8 garage, in that area?

9 MR. EUSTACE: I don't have a square
10 footage but --

11 CHAIRMAN HANCE: Could you show on a --

12 MR. EUSTACE: I can show you on this
13 exhibit. This is --

14 CHAIRMAN HANCE: I have one but it's so
15 big.

16 MR. EUSTACE: If you look at -- here is
17 the storage, the center. Also you have storage here
18 at the two perimeter walls.

19 CHAIRMAN HANCE: Okay.

20 MR. EUSTACE: You have a double row in
21 the middle; single row one on the higher perimeter.

22 MS. MOORE: And you said that's on the
23 A-100 Sheet?

24 MR. EUSTACE: That's correct.

25 VICE-CHAIRMAN COOPER: We don't know the

1 size of anything.

2 MS. MOORE: That's the architectural
3 plan. Those are the site plans.

4 MR. EINGORN: Is there a concern with the
5 size of the storage lockers? I mean, what's the
6 complaint? So that the applicant can maybe address
7 your question. What's going with the --

8 CHAIRMAN HANCE: To get more parking out
9 of. If they put those storage units in there, will
10 it give you more or less parking. That's what I'm
11 trying to say.

12 MR. EINGORN: Will the storage units
13 impact the parking?

14 MR. EUSTACE: No.

15 CHAIRMAN HANCE: Would it make a
16 difference putting them or not?

17 MR. KROCULICK: I lot of these things
18 that we've been talking about, don't have enough
19 parking so we're asking for variances from islands
20 from the width of these.

21 MS. MOORE: And that's why we would take
22 no exception to all of those plantings. The
23 landscaping waivers we understand. Typically, those
24 are granted because the way that the ordinance is
25 written is because we're in the middle of suburbia

1 with the landscaping.

2 MR. EUSTACE: Right.

3 MS. MOORE: But realizing that parking is
4 a premium, we would prefer to have parking for the
5 residents as opposed to the trees.

6 MR. EINGORN: I think the concern here is
7 that, is the storage being put in a place where you
8 could put additional parking spaces?

9 MR. EUSTACE: No. There aren't enough
10 perimeters.

11 CHAIRMAN HANCE: And the reason why I'm
12 fighting for parking, because if you're coming from
13 North Camden, you have the left side and that's where
14 you go to Philadelphia so you're not going to park
15 there. Now, you got a two-way street here. And then
16 you got parking over on this side. So this is what
17 I'm saying, this is a new time; new era; younger
18 people, more cars. And the place sounds beautiful.
19 But that's going to cause more people to come and
20 want to be here.

21 REVEREND MARTINEZ: And they got 60
22 parking spaces down in the basement also? No?

23 CHAIRMAN HANCE: 54.

24 MR. EUSTACE: 54.

25 CHAIRMAN HANCE: You have 54 parking

1 spaces in the basement, correct?

2 MS. MOORE: In the garage.

3 CHAIRMAN HANCE: In the garage.

4 MR. EUSTACE: Yes.

5 CHAIRMAN HANCE: So how do you designate
6 who gets what? Does it go to the handicap? Does it
7 go to --

8 MR. EUSTACE: There's no designation as
9 to each parking --

10 CHAIRMAN HANCE: So it's first-come-first
11 serve?

12 MR. EUSTACE: Correct.

13 MS. MOORE: Which is how it is now,
14 correct?

15 MR. EUSTACE: It is.

16 Part of the problem we have, basically,
17 we'd love to have more parking but we'd also like to
18 have storage. We'd like to have a lot of things.
19 This building was built in the 60's. If you've been
20 in that garage, what you'll see are those -- and I'll
21 probably give you the wrong name; what I call
22 pilings, the structures --

23 MS. MOORE: The columns.

24 MR. EUSTACE: We can't move those
25 columns. So we're taking advantage of where those

1 columns are to provide storage. We can't get any
2 more parking.

3 CHAIRMAN HANCE: So I'm going to flip it
4 again for you. So you're putting in a playground.
5 I grew up in that area. And I'll tell you, it's not
6 a nice place to live. You're in North Camden. What
7 I'm saying is, I'm looking at safety. Like in the
8 garage, are you going to have security in that garage
9 when people park down there? Are you going to have
10 cameras down there?

11 MS. MOORE: That's my next question.

12 MR. EINGORN: Let's follow-up on the next
13 question while we're at it.

14 MR. KROCULICK: That's the next question.
15 Answer, yes.

16 MR. EINGORN: There will be security
17 cameras?

18 MR. KROCULICK: Yes.

19 MR. EUSTACE: So there is a gate, there
20 is security and there's cameras. To go back to your
21 question about the efficiency of the layout.
22 Basically what drove the interior layout is to
23 maximize the parking. And then you look at what space
24 is left over, and can we fit storage lockers. So
25 we're looking at the maximum number of parking that

1 we can achieve and, yet, still accommodate some of
2 the nicer amenities of having a locker.

3 REVEREND MARTINEZ: Now that you
4 mentioned the parking, having security, I'm aware of
5 how that building is. I'm a minister and my church
6 is about two blocks away from the building, three
7 blocks away. Also, I've got members from the church
8 that live in there and they talk to me about how it
9 is inside. I mean, people -- young people with drugs
10 suspected in there and prostitution and whatever.

11 What are you guys going to do to clean
12 that up? Because I'm kind of worried because we got
13 kids in there. We got youth. And me as a minister,
14 they come to the church with a lot of questions. And
15 I'm pretty sure when this goes out there, I'll be
16 there. And that's what I'm worried about. The most
17 important thing is security, lighting, police in that
18 area.

19 MR. EUSTACE: So we are enhancing the
20 lighting. We're switching out all the overhead
21 lights in the parking area to LEDs. So that would be
22 an enhancement.

23 MR. CAVALUZZI: I want to address a
24 couple of things. One, of course, security. The
25 first regards to parking. I know we're spending a

1 lot of time or your time talking about the parking.
2 And right now, the parking garage is not open. It
3 hasn't been open, that parking deck, for quite some
4 time. So there isn't even a demand at this point for
5 all of the street surface parking that we do have or
6 that is there. I don't own the building yet. But
7 from what's been observed.

8 CHAIRMAN HANCE: You said that there's
9 not a demand for parking right now?

10 MR. CAVALUZZI: Right now I can tell you
11 that at the building, all the street spots or the
12 spots on the surface grade are not taken up. And I
13 could say that at the lower level by the parking
14 garage, that's closed. It's been closed since we've
15 been looking at the building which is over a year.

16 CHAIRMAN HANCE: So a question. How many
17 people are in that building right now?

18 MR. CAVALUZZI: So in terms of units,
19 it's 321 units.

20 CHAIRMAN HANCE: Not you. How many
21 people are living in that building?

22 MR. CAVALUZZI: I can't tell you exact
23 numbers.

24 CHAIRMAN HANCE: Do you know the history
25 of that building?

1 MR. CAVALUZZI: I do.

2 CHAIRMAN HANCE: So you know that it was
3 suppose to be knocked down and demolished? Did you
4 also know that they have shootings and all types of
5 robberies and the seniors wouldn't come out? So if
6 we're getting to the safety point, the garage is not
7 being used because of that reason. And then you got
8 to look at the commercial stores at the bottom.
9 That's going to draw a lot of people.

10 MR. CAVALUZZI: Right. So I could speak
11 to the security. And the idea of the security plan
12 because we've had many conversations about putting
13 together the security plan for the property. We had
14 conversations actually with the Chief of Police in
15 going through that. Our Director of Security
16 internally was part of the conversation, developed
17 the plan that we have in place. And the plan, it
18 deals -- there's many steps to it.

19 Every property that we go into, there's
20 a security plan put in place that involves many
21 different components. You go through lighting. You
22 mentioned security lighting before. There's
23 landscaping and that's an important because you don't
24 want to have trees that are 30 foot tall or 30 feet
25 tall providing shade; providing lots of coverage.

1 You have to be careful of what kind of plants you're
2 putting in place. You want to make sure you have
3 fencing that is put in place. And that's one of the
4 things that we're talking about, access control and
5 cameras that cover basically every inch of the
6 building on the exterior and the inside.

7 CHAIRMAN HANCE: Since you're going to
8 put up cameras, are you going to have monitors; are
9 you going to have a guard sitting there watching
10 those cameras?

11 MR. CAVALUZZI: Sure. The sixth part of
12 that plan is then related to in-person security
13 personnel. So that's the sixth piece. And so our
14 cameras because it is a big part of what we do, those
15 cameras have 24-hour monitor. And those monitoring
16 aren't just by the guard that is in place there. We
17 have multiple guards that will be place that will be
18 able to not just be behind the desk but actually
19 touring and doing verticals through the building.
20 But they're monitored off-site.

21 So off-site then, they have guards that
22 are dedicated to when activity does take place,
23 whether there's smoking in the hallways, that is
24 seen. You actually have -- they're
25 SMART-capabilities. So you end up finding out if

1 someone is walking by the leasing office at 4:00 a.m.
2 Why would somebody be walking by the manager's office
3 at 4:00 a.m.? So that then triggers an alert that
4 would go then to the security monitoring center who
5 is then able to communicate too with the guards who
6 might be at the desk; might be walking around.

7 Guards are great but the reality is,
8 they're affected when they're in a particular
9 location should something be going on in that
10 particular location. It doesn't necessarily help you
11 if something is 10 feet away behind a closed door or
12 behind a different hallway. And that's where the
13 cameras come in. There will be hundreds of cameras
14 that are being installed, that are being installed in
15 the exterior, that are being installed in the
16 interior and that then will be monitored. So it's an
17 extensive plan that we did put in place. And so it
18 is something -- and actually mentioned that the
19 issues that have gone on there, we know very well
20 about those issues.

21 The director of security who we worked
22 with over at Crestbury who is involved in the
23 turn-around over there, he just actually went back
24 over to the Department of Homeland Security. But he
25 was a retired New Jersey State Trooper. He was one

1 of the people that had gone and done a take-down at
2 that site probably about ten years ago and
3 zipped-line in from helicopters that everybody has
4 probably seen. So they understand. This is a big
5 undertaking. No doubt about it. But it's not
6 something that we're coming in and taking lightly.
7 And that's why we're here talking about all of this.

8 I've been in front of the different
9 boards and talked to many of the different powers of
10 be about what our plan is and the undertaking that
11 we're doing here. And so we feel very confident
12 about the plan that we do have in place. It's not
13 going to be easy. And I've made it very clear too to
14 everybody that when we're talking about this. It's
15 not something where day one it's going to turn
16 around. It's not even every month, even sixth that
17 it will turn around. We are thinking about this as a
18 matter of years that it will take. And it's constant
19 face of being persistent with what we're trying to
20 do.

21 But the security plan, it's something
22 that we've done effectively in other locations and we
23 are confident in it, but it will take time.

24 CHAIRMAN HANCE: A question. Since you
25 said shootings and all of that stuff, are your guards

1 armed?

2 MR. CAVALUZZI: We will have armed and
3 unarmed.

4 CHAIRMAN HANCE: Okay. Because I'm also
5 a director of security for 21 buildings.

6 MR. CAVALUZZI: Okay.

7 CHAIRMAN HANCE: And we've stepped up to
8 having armed now. Not that they're terrible
9 buildings, but you never know right now at this time
10 of day.

11 MR. CAVALUZZI: Understood.

12 REVEREND MARTINEZ: You answered my
13 question.

14 MS. MOORE: And you answered my question
15 regarding security cameras.

16 MR. EINGORN: Thank you for stepping in
17 and giving us the information.

18 MS. MOORE: For the last thing.

19 MR. EINGORN: One moment. Ms. Atwood, do
20 you have a question?

21 MS. ATWOOD: I'm having difficulty
22 understanding what's being said. What I don't
23 understand is, you're making all these improvements,
24 why can't you give the residents some relief when it
25 comes to parking? Because it's 300 and some

1 apartments over there. And the people are having
2 their cars towed away and it's costing them
3 \$175. I mean, they need more relief with parking if
4 you're going to be making improvements. I don't
5 understand.

6 MR. EUSTACE: I think maybe you might not
7 have heard what was mentioned in that last
8 statement, is that currently the garage is closed.
9 So there is no parking there down. It's not being
10 utilized. We'd like to reopen that garage and get an
11 additional 54 spaces. Currently what's being
12 available for use is only the surface parking lot.
13 The surface parking lot apparently is not being used
14 to its fullest capacity. Yet, there's going to be an
15 additional 54 available to the residents. So this is
16 almost a 50 percent increase in parking that's going
17 to be proposed.

18 MR. KROCULICK: There shouldn't be a need
19 for anybody to have their vehicle towed any longer
20 not with 54 additional spaces. I don't know that we
21 know of anybody being towed in the last year. I
22 don't we've heard anything about that. But it's one
23 of the reasons why we want to have 54 more spaces.
24 We're trying to make use of this garage. We want to
25 have enough parking as much as possible.

1 CHAIRMAN HANCE: So I'm going to throw
2 you another curve ball. What if I'm having a party
3 at my house. Let's say 30 people. Where do these --
4 are they allowed to park on that parking lot or they
5 got to find parking elsewhere? Because if they do
6 that, now you're taking up parking for the tenants
7 that's there. Do you see what I'm saying?

8 MR. KROCULICK: Huh-huh.

9 MR. EUSTACE: Well, the site is only so
10 big as well. The site can only accommodate so many
11 parking stalls and we're trying to max out the
12 parking.

13 CHAIRMAN HANCE: I would leave the
14 parking for the tenants because where I'm at,
15 when they park in my parking lot, they double-park,
16 triple-park, they block you in. If someone is having
17 an emergency or someone is having to get out, that's
18 a major issue to find that car; who owns that car to
19 get out of that parking lot.

20 MR. EUSTACE: I think going back to the
21 security with all the cameras, I think you're going
22 to have an active presence that is also going to help
23 address those concerns. They'll have the monitors;
24 they'll see -- especially life and safety. If they
25 have a car that's parked blocking an entrance, I'm

1 also certain they're going to be on the phone saying,
2 hey, we have to get that car moved; it's going to go
3 get down to the front desk. It's going to be much
4 different environment than what you're currently
5 experiencing.

6 MR. EINGORN: Is the parking currently
7 designated for residents only? I think that's what
8 he's getting at, is the parking residents only?

9 MR. KROCULICK: We should have enough
10 parking, I think, to be able to designate some
11 visitor parking.

12 CHAIRMAN HANCE: So you think that if
13 someone is having a party, they still don't have
14 enough parking to park there?

15 MR. KROCULICK: We think so especially
16 with 54 more spaces.

17 CHAIRMAN HANCE: Which will give you
18 many spaces total?

19 MR. EUSTACE: 187.

20 CHAIRMAN HANCE: And when I look back
21 here, it says you need 200 and how many?

22 MR. EUSTACE: It's 312 total for parking
23 compliance.

24 VICE-CHAIRMAN COOPER: I'm going to go
25 back to the parking. With permit parking, will the

1 residents have to pay for these parking spaces to be
2 parked in the garage and in the lot?

3 MR. CAVALUZZI: So right now too, I do
4 want to mention with the parking. So aside from the
5 parking garage that is not open and whether or not
6 that's closed, I can't tell you the reason why it's
7 closed. But I can also say that on the surface
8 parking, there is a whole section of that's
9 currently closed off.

10 I think that that section there that is
11 currently not being utilized. We are trying to
12 reactivate it to be able to add parking. There's a
13 good number of spaces that will be added back. But
14 currently right now, I mean, there's -- I can tell
15 you that the parking lot is not full at this point.

16 So in terms of charging for parking,
17 we're not looking to charge for parking. But there
18 will be -- to have a parking space, you must be a
19 resident. So that goes into overall the security
20 plan. And so making sure that all of the
21 residents -- there are active residents in good
22 standing you have parking permits.

23 CHAIRMAN HANCE: I'm going to back up. I
24 got you there. The total spaces is suppose to be
25 313, correct, for parking? I'm just reading what's

1 here.

2 MR. KROCULICK: I believe.

3 MS. MOORE: Yes. That includes the
4 retail and the bedroom according to the residential
5 site improvement standards.

6 CHAIRMAN HANCE: So you're not actually
7 given any extra spaces. You're still under what you
8 need, even though you add the 54 to it? It doesn't
9 add to 313 or over that.

10 MR. CAVALUZZI: I think that's correct.
11 What I'm saying is, from right now what is usable,
12 we're adding back in is what I'm saying.

13 REVEREND MARTINEZ: It's the same at
14 Northgate 2. It's the same units and it's got less
15 parking.

16 CHAIRMAN HANCE: From when they started
17 out, Northgate 1.

18 REVEREND MARTINEZ: It is what it is.

19 MR. KROCULICK: It kind of is what it is.
20 That's the site we have. I guess we get a couple
21 extra spots credit for having an EV charger too.

22 MS. MOORE: You will. You'll get twice
23 as many. Once they put in EV, they get twice as many
24 credits for those spaces.

25 MR. KROCULICK: It doesn't get us to the

1 312 but it adds some more.

2 MS. MOORE: But it's a little more.

3 CHAIRMAN HANCE: I'll just recommend that
4 I would keep the parking strictly for the tenants
5 because to me, you're looking for trouble if you let
6 anyone park there.

7 MR. KROCULICK: We can work that out with
8 your engineer.

9 MS. MOORE: How would you control
10 tenant-only parking when you have retail services at
11 the bottom? I mean, you have retail services so I
12 don't know how --

13 CHAIRMAN HANCE: I mean, the retail is at
14 the front of the building if it's still that way.

15 MR. EUSTACE: That's correct. And that's
16 connected to the thing -- surface field parking. Out
17 front I think there's 41 spaces which would only be
18 used by the retail center.

19 CHAIRMAN HANCE: I'm going to say, I'm
20 going to throw your ball back, they're not going to
21 be in the store. They're not going to live there.
22 They'll go in there and keep moving. Traffic will
23 keep moving in and out. But I'm just recommending, I
24 would, for the tenants themselves, keep that parking
25 for the tenants.

1 MS. MOORE: In the back of the garage.

2 CHAIRMAN HANCE: Right. I think you're
3 going to run into problems for security. Security is
4 going to be working overtime.

5 REVEREND MARTINEZ: But you got about
6 maybe 30 parking in the front of that building?

7 MR. EUSTACE: It says 41 spaces out
8 front.

9 MS. MOORE: I'm going to note then that
10 the Board -- I'll just mention that the Board
11 requested that there be tenant parking only there.
12 Is that fine or designated?

13 MR. KROCULICK: That makes survival of
14 retail there a little more difficult but we can
15 start out that way.

16 CHAIRMAN HANCE: So the parking is in the
17 back for the tenants and you have parking in front,
18 it should be fine.

19 MR. KROCULICK: For tenants only then?

20 CHAIRMAN HANCE: In the rear.

21 MR. KROCULICK: Oh, in the rear you're
22 saying? I misunderstood.

23 CHAIRMAN HANCE: In the rear.

24 MR. KROCULICK: Absolutely. In the
25 garage, yes.

1 CHAIRMAN HANCE: It's beneficial to you
2 guys.

3 MR. KROCULICK: Yes. We don't disagree.
4 I misunderstood.

5 MS. MOORE: So Kyle is aware for the
6 Resolution that the Board requests that.

7 MR. EINGORN: Yes.

8 MS. MOORE: My last comment. The
9 signature block should be moved from the Land
10 Development Plan to the cover sheet.

11 MR. EUSTACE: We'll comply.

12 MS. MOORE: I have noted -- because on
13 the revised plans you did adjust the lighting level
14 at the property line.

15 MR. EUSTACE: That's correct.

16 MS. MOORE: The variances, we have use
17 and I'll repeat that. The use is -- you requested --
18 you're here for the use variance because the
19 applicant's existing mixed use is not in conformance
20 with the permitted principal uses of the R-2 Zone per
21 Section 870-52. A d(2) variance will be required if
22 the applicant proposes to expand a preexisting
23 nonconforming use.

24 In addition, the d(5) variance is
25 necessary for the density and the d(6) variance is

1 necessary for the building height. And you heard
2 previous testimony on that. The other variances
3 include for fence height, sidewalk adjacent parking
4 and raised walkway area, drive aisle width, compact
5 space dimensions, parking space width abutting wall
6 or column, and the number of parking spaces for
7 retail.

8 You're requesting a De Minimus Exception
9 from the New Jersey Residential Site Improvement
10 Standards for the number of parking spaces.

11 And the waivers from the City Ordinance
12 for parking lot buffering, parking lot island
13 landscaping, buffer between residential and
14 nonresidential, street trees, parking lot islands,
15 parking lot perimeter planting, percentage of parking
16 landscape and parking lot island landscaping.

17 MR. KROCULICK: Correct.

18 MR. EINGORN: I'm sorry. Did we
19 eliminate the lighting level at the property line?

20 MS. MOORE: Yes, we did. Their revised
21 plans, they eliminated the need for that variance.

22 MR. EINGORN: Thank you.

23 MS. MOORE: You're aware of the approval
24 process as listed on pages 12 and 13. If you have
25 any questions, you can contact me regarding this.

1 And the outside agency approvals, I have noted
2 as Camden County Planning Board and Camden County
3 Soil Conservation District. Are there any others
4 that you think are necessary?

5 MR. EUSTACE: I don't believe so.

6 MS. MOORE: Mr. Chairman, that concludes
7 our review.

8 CHAIRMAN HANCE: Thank you. So now we'll
9 go back to the fences. Now, you say you want a
10 6-foot fence.

11 MR. EUSTACE: Yes, we do.

12 CHAIRMAN HANCE: Now, the 6-foot fence --
13 let me get up here. I would prefer a 6-foot fence
14 because it's more safe for the kids who use the
15 playground in that area.

16 MR. EUSTACE: That's correct. The 6-foot
17 fence. So we have the playground area which is
18 surrounded by a 6-foot fence. And the common line
19 between the front and the playground will be a 6-foot
20 fence. And it turns to the other property line and
21 here's the police station. It will migrate around
22 and then end here.

23 CHAIRMAN HANCE: So the 6-foot fence
24 would end here?

25 MR. EUSTACE: Yes.

1 CHAIRMAN HANCE: What comes here?

2 MR. EUSTACE: That's only the wall in
3 place.

4 CHAIRMAN HANCE: How high is that wall?

5 MR. EUSTACE: Pretty decent. Five feet

6 MS. MOORE: Four to five feet. Something
7 like that.

8 CHAIRMAN HANCE: This is your parking
9 area, correct?

10 MR. EUSTACE: That's correct. This is
11 the ingress and egress and circulation.

12 CHAIRMAN HANCE: Okay.

13 MS. MOORE: You're proposing to repaint
14 the wall or something, right? Are you doing anything
15 to the wall?

16 MR. EUSTACE: At this point, we have no
17 plans for the walls. That's still, I guess we'll say
18 internal discussions for such matters.

19 CHAIRMAN HANCE: I'm going to jump back
20 to security. You have security there we know that,
21 lifetime security. You said is that it would be
22 monitored off-site. Correct? So is security there
23 24 hours a day; is it certain times a day?

24 MR. EUSTACE: The testimony --

25 MR. KROCULICK: 24/7.

1 MR. CAVALUZZI: 24/7. And it'll be
2 monitored off-site and there also would be live
3 monitor as well.

4 VICE-CHAIRMAN COOPER: My colleague here,
5 he has a question. Where that playground is going to
6 be at, is there going to be any reinforcements there
7 to stop a car?

8 MR. EUSTACE: We don't have anything
9 proposed at this time. The playground area actually
10 comes back in here. One thing is, we have raised
11 planters in here for --

12 REVEREND MARTINEZ: That it won't stop a
13 car.

14 MR. EUSTACE: No. I'm just trying to
15 give you an idea for separation. We have the
16 playground area here, the lawn area. That's really
17 to the back, to the right back corner.

18 CHAIRMAN HANCE: And also a six-foot
19 fence around the playground area?

20 MR. EUSTACE: That's correct.

21 MR. KROCULICK: You're probably right.
22 It probably stops a car.

23 MR. EINGORN: Does the Board have any
24 additional questions for the applicant, its
25 professionals? Hearing none, we'll open this

1 application to the public? Does anybody here tonight
2 that would like to speak regarding this application.

3 MR. RAPACKI: I do.

4 MR. EINGORN: Please raise your right
5 hand.

6 - - -

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

10 - - -

11 MR. RAPACKI: Absolutely.

12 MR. EINGORN: Will you give your name and
13 address for the record.

14 MR. RAPACKI: Thomas Rapacki, 3615
15 Westfield Avenue, Camden, New Jersey.

16 It struck my attention that they said
17 electric vehicle charging. During that period of
18 time, is that for the car to sit overnight charging
19 or a finite window of charging?

20 MS. MOORE: Just to point out, that's
21 state-required now for any development. You have to
22 have the EV charging. So I believe that can take
23 place overnight or it can take place whenever they
24 need the charging station. But that is a mandate
25 from the state. So you'll be hearing that phrase

1 that I said for every application that comes in.

2 MR. RAPACKI: Good. Because I seen on
3 the news, in New York they got that issue. People
4 are pulling into these charging stations all night
5 and all day and whatever.

6 And this is from New Jersey Affordable
7 Housing Guide of 2022. Building 1 has 310 units and
8 Building 2 has 401 units. And it is put down as
9 Section 8. I don't know many Section 8 people
10 that would be driving Teslas. There's something
11 wrong with the way the law is written, I think,
12 because we're going to be giving extra parking spaces
13 for EV. They're going to get credit for two spaces
14 versus one. But how many people in a complex is
15 really going to utilize the charging station?

16 MR. EINGORN: The problem is, it's a
17 state statute and they're required to comply with it.
18 And so, they're really stuck in a spot where if they
19 don't provide it, then they're outside the
20 conformance of the requirements of the statute.
21 I think it's expensive and they'd probably like
22 to do away with it, but the law says what it says and
23 they're required to provide it.

24 MR. RAPACKI: That was my concern, the
25 cost of all of that, the vandalism of the equipment.

1 MR. EINGORN: We've seen other projects
2 in other townships fail because they can't provide
3 access to charging because they can't get the
4 electricity choices or whatever it may be and they
5 need a certain number of spots. So it is something
6 that I think the legislature is looking at. But
7 right now it is what it is.

8 MR. RAPACKI: Okay. Thank you very much.

9 VICE-CHAIRMAN COOPER: With the charging
10 stations, what laws do they have in place for someone
11 to just come and park their regular car in there?

12 MR. EINGORN: That's an enforcement
13 issue. Is there anybody else in the public that
14 would like to speak to this application? Hearing no
15 further public comment, we'll close the public
16 portion.

17 So tonight you have an application for a
18 use variance, multiple items, density height and the
19 use itself. You've heard Mr. Miller and Dena has
20 weighed in on that. You also have the site plan
21 portion of this which you've heard extensive
22 testimony including the discussion of the Zoning
23 Board's Engineer's letter. So right now I request
24 that you do a discussion related to the Positive and
25 Negative Criteria. And then propose a motion.

1 REVEREND MARTINEZ: I propose a motion to
2 pass. For the longest we've seen nothing get done in
3 that building. Through the years this is something
4 that is bad, the jumping. You know how many times
5 I've been there and somebody is jumping. That's the
6 other thing. On that porch, are there going to be
7 some how fenced up or anything? Like we have in our
8 building, we have at Kennedy and Maple Towers, Wesley
9 Towers, they have some kind of like fencing.

10 It's something that -- it's not 100
11 percent but it'll stop somebody from -- it'll make
12 you think twice before I do anything funny about
13 jumping out of a window or porch of the -- I think
14 it's a porch. They have a small balcony there.
15 With that said, I'm for it. I mean, I think it's a
16 great from my opinion as me as a minister, on that
17 block there of North Camden which my church sits
18 there. I wish I could see something different in
19 that building. Glad this guy came up a good idea.

20 MR. CAVALUZZI: I wasn't sure if you
21 wanted a response over talking about the windows.
22 The windows are all being replaced along with all the
23 balcony doors being replaced and the storefronts at
24 the all lower level. In terms of people being able
25 to jump out of a window, there will be window

1 limiters that are put in place. So hopefully, that
2 would be able to help with that situation should it
3 occur.

4 CHAIRMAN HANCE: You have to talk louder.
5 Did everybody hear that?

6 MR. COOPER: Yes.

7 MS. ATWOOD: I can't hear what's going
8 on.

9 MR. CAVALUZZI: I was saying, in terms of
10 all the windows are being changed out at the
11 building. All of the balcony doors are being changed
12 out at the building. And also, all the storefronts
13 on the lower level. And then there will be window
14 limiters that are being installed at all the windows
15 which I don't believe it has now. So, hopefully,
16 that would help should somebody look to jump out of
17 the window.

18 VICE-CHAIRMAN COOPER: I think it's a
19 great idea what you guys are doing. You're going to
20 clean the building up and all. I'm concerned. It
21 has nothing really to do with the building. The
22 tenants that are in there now, when you do your
23 renovations, where are you moving them to? And how
24 are they coming back in?

25 MR. CAVALUZZI: It's a great question.

1 And as of right now, there's a tremendous amount of
2 vacancy over at the property. And so the way it
3 would work is, we would end of keeping approximately
4 30 to 40 units vacant. What we would do is,
5 the first phase and we'd go in for construction the
6 interior, is to be able to renovate those 30 or 40
7 units that are vacant. And then we would go
8 line-by-line.

9 There's a tremendous amount of plumbing
10 issues that are inside that need to get addressed at
11 the property. So you would end up taking the line
12 that you're going to be working on and move them into
13 the vacant units for up to a 30-day period. And
14 you'd do all the work in that line of units during
15 that 30-day period. Then move everybody back, back
16 into their home, their home address and now it
17 becomes their old new home.

18 REVEREND MARTINEZ: A question. The
19 manager, how do they work? Because from I heard, the
20 managers there are, you know --

21 MR. CAVALUZZI: I can't speak to who is
22 there now. We don't own the building. And so I
23 could say that it's going to be a tremendous change
24 and that there's a lot that has to get done from when
25 we were talking about in security, to the physical,

1 to the operations. And there's a tremendous amount
2 of work that has to get done.

3 And it's also too, on the residents side,
4 there's accountability. And there's people who do
5 want to live there and be part of a better life and a
6 better quality of life. And so there's a tremendous
7 amount of change. Which is why when I'm talking
8 about the time it takes to do it, I also don't want
9 to mislead anybody and say it happens overnight
10 because it doesn't. It takes work but we've done
11 this before so we're ready for the challenge here.

12 CHAIRMAN HANCE: Are you satisfied?

13 REVEREND MARTINEZ: Yes.

14 CHAIRMAN HANCE: I think it's positive.
15 Like you said, it has been an eye sore. It's been a
16 lot of hassle and trouble for the police department.
17 I think it does need a facelift. I think you're
18 going at it the right way. You guys are listening
19 and that's definitely a bonus because we live here.
20 And I've lived here all my life. People, do they do
21 need homes and a nice place to live in. And you guys
22 have a lot of experience. I think it's a great idea.
23 Anyone else?

24 MS. ATWOOD: I wanted to know about the
25 rentals. Are they still going to be affordable? Are

1 they still going to be Section 8-eligible; are any
2 going to be market rate?

3 MR. CAVALUZZI: So it will remain 100
4 percent Section 8 property. And so it still will be
5 affordable as the same way it is now where residents
6 pay 30 percent of their income. It doesn't
7 necessarily mean though that you have a building that
8 would be anything less than what you would expect to
9 be in a market-rate building. And that's really what
10 the idea is. It's changing the whole perception.

11 In Northgate you asked if I know the
12 history. I know the history of Northgate very well.
13 I've spent a lot of time and understanding what's
14 going on with that building when it first opened and
15 how it started. It was suppose to be something that
16 was going to turn around the City. It's suppose to
17 be a highlight into the City when you're coming
18 across the Walt Whitman Bridge and seeing that.

19 So I do know all of that background. And
20 I also know when it started to go into a decline and
21 where it is today. And so our idea is to bring it
22 back. And so when you pass by that building and you
23 see it from across the river, you look at it and it's
24 inspirational. It is special. And it doesn't matter
25 the income level of somebody who is there. It's

1 going to be an incredible building. And we want the
2 residents who are there who want to be part of it to
3 be there and be part of it. And that's the goal.

4 So, yes, it will take a good amount of
5 work. It will remain affordable but that's all we do
6 as our company. That's what our mission is; is what
7 our properties are about. And so we think this is
8 going to end up being a great project and a great
9 place for the residents who are living there and for
10 the City of Camden because it is a blight on the
11 whole community. We know that.

12 MR. EINGORN: I know Reverend Martinez
13 was making a motion. We did have, I think, two
14 conditions which were related to the trees and to
15 work with the Zoning Board Engineer in replacing the
16 trees. And then related to the designation of the
17 parking in the rear and in the garage as
18 resident-only.

19 CHAIRMAN HANCE: Correct.

20 MR. EINGORN: Those are for consideration
21 for your motion.

22 MS. MOORE: Along with the other bulk
23 variances.

24 MR. EINGORN: For the bulk variances and
25 waivers and the conditions that are set forth in the

1 letter.

2 REVEREND MARTIN: Yes.

3 MR. EINGORN: So that's a motion to pass?

4 REVEREND MARTINEZ: Motion to pass.

5 MR. EINGORN: Based on all of that. Do
6 we have a second?

7 CHAIRMAN HANCE: Second.

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

10 CHAIRMAN HANCE: Yes.

11 MR. EINGORN: Vice-Chairman Cooper.

12 VICE-CHAIRMAN COOPER: Yes.

13 MR. EINGORN: Reverend Martinez.

14 REVEREND MARTINEZ: Yes.

15 MR. EINGORN: Ms. Atwood.

16 MS. ATWOOD: Yes.

17 MR. EINGORN: Mr. Brito Bueno.

18 MR. BRITO BUENO: Yes.

19 MR. EINGORN: Having five in favor and
20 none opposed, the motion passes.

21 MR. KROCULICK: Thank you very much.

22 MR. EINGORN: Thank you for your time.

23 MR. CAVALUZZI: Thank you. Hope to see
24 you all again soon.

25 MR. EINGORN: The next matter on the

1 agenda is Omkarnath Prabhu, 3616 Westfield Avenue.

2 Please come forward. Good evening, Counsel.

3 MR. D'ELIA: Good evening. My name is
4 Vincent D'Elia. I'm the attorney representing the
5 applicant. This is our application for various
6 relief. This is a little different than, I think,
7 certainly I'm used to doing. Usually, you come
8 before a Board and say, this is what I am proposing
9 for this property and here's why it works.

10 In this case I'm basically coming before
11 you and saying, this is how the property has worked
12 successfully for, I believe, the last 50 years or 70
13 years or so, and we believe it still works. What
14 happened was in this case and I think there's some
15 confusion which I'll try to explain. I'm going to
16 make a brief opening statement.

17 The property is currently used and has
18 been used for I think about 70 years as a four-unit
19 apartment building. When my client purchased the
20 property, he received approvals from the City of
21 Camden, as well as other state agencies, which I'm
22 going to show you, approving it as a four-unit
23 apartment building.

24 CHAIRMAN HANCE: How long has he owned
25 the apartments?

1 comply with the Zone. We were all taken aback by
2 that since everybody thought it has always been used
3 as a four-unit apartment complex. And we tried going
4 back to the prior owner and tried to get as much
5 information as we could.

6 I believe that this is an existing
7 nonconforming use. And I would ask you to declare it
8 accordingly; reverse the decision of the Zoning
9 Officer and ask you to declare it a nonconforming
10 use. Now, in the alternative, I have asked for a
11 variance. A variance of this nature, I'm just going
12 to lay this out. I need five yes votes. I think
13 there's six members here tonight. So I was hoping
14 after I present the evidence to you and you see what
15 I'm saying about the history of this property, I hope
16 you will be able to confirm it, overturn the decision
17 of the Zoning Officer, who did his job, and declare
18 it a nonconforming use so we can complete the sale
19 that we've had under agreement for quite some time
20 now. If not, then I have to make a decision as to
21 whether or not I can think I can get five out of six.
22 Not a legal question. It's math. It's easier to get
23 five out of seven; five out of six; not an odds maker
24 but I would think that's true.

25 Now with that, I'd like to call Omkarnath

1 up and we'd like to go through a series of approvals
2 and items that he's gotten over the years and we've
3 gotten through our investigation to show you that
4 this property has always been recognized by
5 everybody as a four-unit apartment building. Let me
6 start with, when bought the property you received
7 from the City of Camden, a Certificate of Resale; is
8 that correct?

9 MR. PRABHU: That's correct.

10 MR. D'ELIA: And I'm showing you that
11 document right now. I'm going to mark that A-1. And
12 then as we go through this, I'll hand it up left to
13 right. Let's talk about A-1 and today is the 6th.

14 MR. PRABHU: Yes.

15 MR. D'ELIA: I've marked it A-1 with
16 today's date. And can you tell me what that is?

17 MR. PRABHU: That's the Certificate of
18 Resale, the Occupancy Permit that I received as a
19 part of the closing. And it was listed as a
20 four-unit property there.

21 MR. D'ELIA: I'm going to show it to you.
22 I'm pointing here which is highlighted and it says,
23 four units.

24 REVEREND MARTINEZ: I have a question
25 real quick. I see five meters on electrical.

1 MR. D'ELIA: Five meters on the
2 electrical?

3 REVEREND MARTINEZ: Yes.

4 MR. PRABHU: So one meter belongs to the
5 owner. I pay for the basement, the common area. And
6 any other lighting that is outside, I pay for it.

7 REVEREND MARTINEZ: So you got a meter
8 for the basement?

9 MR. PRABHU: All the common area, the
10 outside and the basement, all the electric, I pay for
11 it.

12 MR. EINGORN: I think this is also part
13 of the packet.

14 MR. D'ELIA: I believe it is, but there's
15 a lot more.

16 MR. EINGORN: Okay.

17 MR. D'ELIA: Can you hand it up so we can
18 pass it down so you can take a look. I think that
19 one is already in your packet now.

20 I'm going to hand you the New Jersey
21 Uniform Fire Code Certification of Registration. And
22 explain to the Board what it is.

23 MR. PRABHU: This is the fire department
24 approval for the apartments at 3616 Westfield
25 Avenue.

1 This will be A-4. I'm handing you a receipt from the
2 City of Camden. Can you tell me what this particular
3 document is?

4 MR. D'ELIA: Yes. This is an application
5 for license for a multiple-family dwelling. This is
6 a long form which I file every December or January --
7 by 31st of January every year. And this is for 2023.
8 And I have this for all the years since 2008 and I
9 paid for the four units.

10 MR. D'ELIA: And does it say on there
11 what apartments?

12 MR. PRABHU: Yes. It says, 3616
13 Westfield, four units.

14 REVEREND MARTINEZ: I have a quick
15 question. So why are you here?

16 MR. D'ELIA: When we asked the zoning
17 officer if it was a four-unit apartment building, he
18 denied it. He said it is not zoned for that
19 purpose.

20 MR. EINGORN: The issue is that there's
21 no record of this having obtained a zoning permit for
22 four units. Right? So at some point they obtained
23 permits to build this but it was never built or at
24 least it was never zoned as four units. So while
25 these other municipal agencies or departments have

1 issued Certificate of Occupancy, tenant registration,
2 and we've seen this in the past, those departments
3 don't work within the zoning office and they don't
4 always talk to each other.

5 So sometimes you get these other
6 issuances when you don't actually have a zoning
7 permit. So in this instance, Dr. Williams was
8 unable to locate a zoning permit for a four-unit
9 building for this property. And that's why they are
10 here. So it's tough to argue preexisting
11 nonconformity, and I get why they are, without
12 saying, here's the permit we received when you built
13 the property. We'll let them put on their testimony
14 and --

15 MR. D'ELIA: And it was built according
16 to what my research shows, it was built in 1950. And
17 we'll get into -- we try to go back as far as we
18 could. But in terms of nonconformity, I don't think
19 it's so much that we don't have a zoning permit. I
20 think it's that it -- there seems to be a disconnect
21 between some of the departments in the city and the
22 state and the zoning office. I make no criticism of
23 the zoning office, by the way.

24 I've represented a number of boards in a
25 number of towns in Camden and Burlington and even one

1 in Atlantic for a while. And normally, there is some
2 procedure where before you get a Certificate of
3 Occupancy, there is some check with the appropriate
4 of their agencies which should include the zoning
5 officer. I'm only throwing that out there because
6 I have a feeling there are others. We did get a call
7 from somebody else who had the same situation. And
8 it seems like people get really confused by this.
9 And people think they have all their paperwork in
10 line only to find out, we couldn't sell it because of
11 this. Do you understand?

12 VICE-CHAIRMAN COOPER: What did the deed
13 show?

14 MR. D'ELIA: I'm sorry?

15 VICE-CHAIRMAN COOPER: The deed. Do we
16 have a deed to the property?

17 MR. D'ELIA: We have a deed to the
18 property but the deed doesn't normally address
19 anything in zoning.

20 VICE-CHAIRMAN COOPER: It doesn't say
21 whether it was an apartment building or anything?

22 MR. D'ELIA: No. It just says for us, in
23 other words, you're buying this piece of ground. It
24 could be anything. That would not normally show up
25 in a deed by the way. We'll keep going. We have

1 another one. What number am I up to?

2 MR. PRABHU: A-5.

3 MR. D'ELIA: Why don't you explain this
4 one. I think it's the same as the last one we handed
5 up.

6 MR. PRABHU: So this is a form also I've
7 had since 2008. I filed it for the four units.
8 It's a landlord registration that I do every year.

9 MR. D'ELIA: And who is that filed
10 with?

11 MR. PRABHU: That's filed with the
12 code enforcement.

13 MR. D'ELIA: City of Camden?

14 MR. PRABHU: Yes, City of Camden Code
15 Enforcement.

16 MR. D'ELIA: I'm going to show you this
17 next document and I'm going to mark it A-6.

18 MR. PRABHU: A-7.

19 MR. D'ELIA: Can you explain this one to
20 me?

21 MR. PRABHU: So every five years because
22 it's a multi-unit property, I do a registration with
23 the state. I do an inspection with the state. So
24 they come every five years and I do an inspection.
25 So I've been having certificates. Like this one is

1 from -- is a multi-dwelling Certificate of
2 Registration from the State of New Jersey.

3 MS. MUHAMMAD: I'd like to make a
4 statement to the Board based off of what something
5 the counsel said. I'm making a statement to the
6 Board giving clarity off something you said.

7 MR. D'ELIA: Okay.

8 MS. MUHAMMAD: At one point there was a
9 disconnect between the offices. So where the other
10 offices, like the Building Bureau was giving out
11 Certificates of Occupancies for multi-family
12 dwellings, for rooming houses whatever the case was.
13 But now, that's not happening. That connect is
14 made. So before someone gets a Certificate of
15 Occupancy, they have to provide their zoning permit.

16 If you do not provide your zoning permit,
17 you do not get A certificate of Occupancy. So that's
18 where they are now. They tried to get a CO. They
19 could not because they needed to provide their
20 zoning. Whereas in the past, they would give it out
21 to them. And they would never come to zoning.
22 Never. So now it doesn't happen anymore so that's
23 why we get that influx at the Zoning Board and
24 sometimes the question is asked, why are you here if
25 you already have preapprovals from other departments?

1 And it was because there was a disconnect for some
2 reason. But, again, now that has been rectified so
3 now they're here.

4 MR. D'ELIA: Right. And my only point
5 about the disconnect was, it may be something you may
6 want to address but you've already -- you're way
7 ahead of me.

8 A-8, can you tell us what it is?

9 MR. PRABHU: Yes. This is the
10 Certificate of Inspection, again, from the State of
11 New Jersey. It's a registration and then I paid for
12 the Certificate of Inspection every five years.

13 MR. D'ELIA: The next document, tell us
14 quickly what it is.

15 MR. PRABHU: This is also a Certificate
16 of Inspection saying that the number of units are
17 four and it's from the State of New Jersey.

18 MR. D'ELIA: And it was approved?

19 MR. PRABHU: Yes.

20 MR. D'ELIA: Up to ten, A-10 for
21 identification.

22 MR. PRABHU: Yes. This is Certificate of
23 Registration, same thing, five years. This was the
24 most recent one back in 2020 for the four units. And
25 the most recent one that's from 2015.

1 MR. D'ELIA: And another DCA document,
2 can you tell us what that is? Give us the date of
3 it?

4 MR. PRABHU: This is the Certificate of
5 Registration and it's from 2019. This is the most
6 recent one from the State of New Jersey.

7 MR. D'ELIA: And it was approved?

8 MR. PRABHU: Yes.

9 MR. D'ELIA: With regard to the situation
10 in these apartments, you've had them since I
11 understand you said, 2008?

12 MR. PRABHU: That's correct.

13 MR. D'ELIA: And what kind of issues or
14 problems have you had in the neighborhood of any kind
15 that you can explain to the Board?

16 MR. PRABHU: I don't have any issues.

17 MR. D'ELIA: What about parking? How
18 does the parking work? And I am going to mark this
19 final exhibit so that you can show the Board. I keep
20 forgetting what I'm up to.

21 MR. EINGORN: Eleven.

22 MR. D'ELIA: A-11 is a photograph of the
23 area. I want to hand this out. So as he explains
24 it, you can see what he's referring to.

25 MR. D'ELIA: Why don't you hold that up

1 for the Board so they can see it. Can you point out
2 where the subject property is?

3 MR. PRABHU: This is the subject
4 property.

5 MR. D'ELIA: Very good. And can you give
6 me some description of what the parking pattern has
7 been with respect to this property based on your
8 observation and knowledge having owned it since 2008?

9 MR. PRABHU: So I have a certified
10 property a number of times because I take care of the
11 property and everything. And every time I visit the
12 property, I have always found parking either on 36th
13 Street or on 37th Street. Because 37th Street is
14 also, you know, a street with fewer houses, a church
15 there, a garage here and fewer houses than other
16 streets. So I've never had any problems with
17 parking.

18 MR. D'ELIA: With all that, I would
19 basically like to submit to any questions the Board
20 has. I know you're going to open it up to the public
21 as well. But I wanted you to see that this was a
22 property that apparently was a four-unit apartment
23 building. And we've never had any problems in the
24 area.

25 Like I said at the very beginning, this

1 is the opposite of coming in and saying, here's what
2 I'm doing and here's why it would work. This is
3 something that's already been done and it has been
4 working for a lot of years. I spoke with the prior
5 owner. He owned it for many years. He was shocked
6 when I heard that I got -- he had a zoning issue. He
7 used it as four units and sold it as four units and
8 as you saw, got a CO. Again, I submit on that.

9 MR. EINGORN: Questions from the Board?
10 Any questions down there? No questions. Okay.

11 CHAIRMAN HANCE: Okay, you got four
12 apartments. Are they all occupied right now?

13 MR. D'ELIA: Yes.

14 CHAIRMAN HANCE: I'm pretty familiar with
15 the area. As I've have a friend there, a good friend
16 of mine. The area is kept clean. Usually it's
17 plenty of parking and I've been there during school
18 time. And that's when the parking becomes crazy out
19 there. But even on 37th Street, there's also plenty
20 of parking. And, again, kept clean. So I'll put it
21 this way, I wouldn't even know it was an apartment.

22 MR. D'ELIA: Right.

23 CHAIRMAN HANCE: Because when you drive
24 past it, you can park and go.

25 MR. D'ELIA: Thank you.

1 CHAIRMAN HANCE: I just want to make sure
2 that they were all occupied.

3 MR. EINGORN: Any other questions or
4 comments?

5 MS. ATWOOD: I'm sorry. I noted that the
6 house was built in 1950. When was it converted into
7 to four apartments?

8 MR. D'ELIA: I wish I -- I tried to get
9 the answer to that. I don't know if it was four
10 units in 1950. I don't know if it was converted
11 later. Like I said, I personally spoke with the
12 prior owner and he treated me like I was from Mars.
13 And he didn't know because for all the years he owned
14 it, now, we bought it in 2008. When did you buy
15 it?

16 MR. PRABHU: He bought before that. But
17 he also bought it as a four-unit property. That much
18 he told me.

19 MR. D'ELIA: Yes. That's as far back as I
20 could get, it was a four-unit building. That's as
21 much as I could gather.

22 MR. EINGORN: If we had that answer, we
23 might not be here, right?

24 MR. D'ELIA: It would have made my life
25 a lot easier.

1 CHAIRMAN HANCE: I actually looked up the
2 home. It was actually standing before 1950.

3 MR. D'ELIA: Oh, okay.

4 CHAIRMAN HANCE: And from what they have
5 on record, it says multi-family home. And it also
6 has 2008 when he purchased the property. What they
7 have here, it was built in 1679.

8 MR. D'ELIA: I wasn't off by that much.

9 MR. EINGORN: Anymore comments or
10 questions from anybody?

11 CHAIRMAN HANCE: No.

12 MR. EINGORN: Let's open to the public.
13 Is anybody here tonight to be heard to this
14 application regarding 3616 West Field Avenue?

15 MR. RAPACKI: Yes.

16 MR. EINGORN: Mr. Rapacki, you've
17 already been sworn.

18 MR. RAPACKI: Good evening. Thomas
19 Rapacki, 3615 Westfield Avenue.

20 My property is directly across the street
21 from that property. In 1980 just before that, that
22 was a doctor's office on the first floor, Dr. Acy.
23 And there was another block and lot that was attached
24 to that property. It was 1030-14 which is now 233
25 North 37th Street. That's the auto repair place.

1 I have big issues. We have ordinances in order to
2 promote and protect the public, health, safety,
3 comfort, convenience, prosperity, morals and general
4 welfare. But also, our quality of life.

5 Parking there is a crazy. I almost got
6 into a couple of altercations over people parking in
7 my driveway. Or as I'm backing my truck up into my
8 driveway, somebody pulls directly in right behind me
9 to block my driveway as I'm pulling in. That's a
10 quality of life issue and I'm not going to go to jail
11 because of somebody does a stupid thing.

12 I have a stake in the community. I've
13 been there for 40 years. And the one property I
14 bought, it was in 1980 and never received any zoning
15 things or any notices that property changes was going
16 on because I would have received notice because I'm
17 within 200 feet of that property. I'm really upset
18 because nobody asked how many vehicles are for each
19 apartment; how many bedrooms are there.

20 The general maintenance, there's things
21 to be desired there. How many trash cans do they
22 have out there? I can show you pictures if you want
23 to see it. One. Trash in front of the property. I
24 took pictures today and yesterday. Some of the
25 tenants there, they park their cars there and they

1 sit for months. There's on van that's parked there
2 right now. It was stolen about two months ago and
3 they just recovered it last week and it has sat there
4 for a week.

5 So we had big parking issues. There's
6 enough parking for three vehicles in front of that
7 place. Originally, that other block and lot was
8 tied to that and that's where they used to park in
9 the back. And, currently, the owner of that other
10 property who owned the apartment building originally,
11 but he didn't sell both properties at the same time.
12 He kept the back property for himself; put an auto
13 repair store back there. He's allowing one of the
14 residents from up the street to park on his property
15 because there's a parking issue there on Westfield
16 Avenue.

17 The reason a lot of times in the past,
18 there wasn't any issues because a lot of the property
19 owners were elderly and they didn't drive. The
20 property right next door to them, that rowhouse
21 that's right on the corner, right abutting left,
22 there's oriental people. They didn't have a car.
23 They didn't drive. That was for 20-plus years.

24 The house on the other side of them, that
25 got rehabbed by St. Joe's but for a long time, that

1 was vacant. And the rowhouses now, we have people
2 moving in there with multiple cars so that's making a
3 big problem because a rowhouse is only 18 feet wide
4 and one car is 18 feet long. So what do we do?
5 You know, as owner-occupied properties, we should
6 have a say. You know, I can park two vehicles in
7 front of my place. It's wide enough for two vehicles
8 plus my driveway. You know, it's a shame that I have
9 to fight somebody to get into my driveway or pull out
10 of my driveway.

11 Today there was somebody parked across my
12 driveway. They think they're smart. They leave the
13 car run and put the blinkers on and they leave for a
14 half hour. It's not for that property there. They
15 went to a couple other doors down. So we do have
16 parking issues. I have a lot of empathy for the
17 owner. I told him he's between a rock and a hard
18 spot because, you know, it's affecting the quality of
19 life of owner-occupied property.

20 Sixty percent of Camden is rental
21 properties; transitory people. And it's a shame.
22 Camden is used as a dumping grounds for the whole
23 county and I've got numbers all over the place that
24 show it if you all want to see numbers equating to
25 Camden and what is brought into Camden for Camden to

1 take care the ills of the county. And it's a real
2 shame. But that has nothing to do with this. I
3 would like it on record, how many vehicles per
4 apartment and where do they park. It's just a
5 frustrating besides being taxed out of the city.

6 CHAIRMAN HANCE: Where is your
7 house at?

8 MR. RAPACKI: My house?

9 CHAIRMAN HANCE: This is his property
10 here.

11 MR. RAPACKI: Mine is the big house with
12 the garage in the back, 37th Street. Right here.
13 This is my property right here. That's my truck
14 right there. That's on my property there. But we
15 definitely have issues. We have people that take a
16 quick look at things and they have the De Minimus
17 impact because it's a quick look. They don't endure
18 what we go through. I would like to hear the
19 Positive and Negative Criteria for the judgement of
20 this because I cannot see any Positives except for
21 the owner.

22 All the Negatives impact the community
23 and that's what we should be looking at is the
24 community, and what that property was in the past.
25 It was a doctor's office originally, Dr. Acy's office

1 and he had the back property where he had
2 hand-radio antennas because I remember that because
3 I'm a hand-radio operator. He had a tower in the
4 back and antennas in the back.

5 There's too many things floating around
6 in my head and I don't want to stroke out again from
7 having all this aggravation. Because I think you can
8 have empathy for him, the applicant, but also
9 empathy and some strict consideration for the
10 residents, the tax-paying residents that endure every
11 day. Because if you look at the parking of each
12 parcel of land there, there's four apartments on the
13 corner then there's two stores below that. Where do
14 they all park? There's a duplex. One half has
15 two apartments in it. Where do they all park?

16 There's big parking issues in the City of
17 Camden. The police don't enforce the parking.
18 People park across my driveway and the cops just ride
19 on by. Oh, you should call. I shouldn't have to
20 call you. You see that it's a violation. If you
21 don't see I don't have an inspection sticker, you
22 give me a ticket. I just implore that you have some
23 empathy for the residents. Thank you very much.

24 MR. EINGORN: Thank you, Mr. Rapacki.
25 Are there any other people in the public that would

1 like to be heard on this application? Hearing none,
2 we'll close the public portion. I think a good
3 question was raised. How many bedrooms are in each
4 unit?

5 MR. PARBHU: There are two bedrooms --
6 two one-bedrooms. And one is, I rented it out as a
7 two bedroom because the living room and the kitchen
8 is one room so it's considered like a two bedroom.

9 VICE-CHAIRMAN COOPER: So that's four
10 bedrooms so far.

11 MR. PARBHU: And then there's one
12 three-bedroom.

13 MR. EINGORN: So seven total bedrooms?

14 MR. PARBHU: Yes.

15 VICE-CHAIRMAN COOPER: I have a question.
16 In the basement there, how many heaters do you have
17 down there?

18 MR. PARBHU: Four.

19 VICE-CHAIRMAN COOPER: Four heaters?

20 MR. PARBHU: Yes.

21 VICE-CHAIRMAN COOPER: I don't see but
22 one heater in this picture here.

23 MR. PARBHU: I thought you said water
24 heaters.

25 VICE-CHAIRMAN COOPER: No, no. Heaters.

1 MR. PARBHU: There's only one heater.

2 VICE-CHAIRMAN COOPER: One heater for all
3 the apartments?

4 MR. PARBHU: Yes. And usually I do not
5 charge the tenants for their heat. I pay the heat
6 myself. The thing is about this, over the years for
7 me it was like an investment but also, I never took
8 advantage of the tenant. Let me tell you that.
9 You can go back from 2008 and the rent has been
10 stable. In fact, I have at least three tenants and I
11 can give their names, who went on to buy their own
12 houses in time because I kept the rent stable; I paid
13 for the water; I paid for the heat; I paid for the
14 sewer, the two sewerage payments.

15 The only bill that the tenant had was
16 their own electric which is why I never had problems
17 finding tenants. But my thing was, you know, I
18 wanted to just pay off my mortgage and then if there
19 is any profit. So over time, I did that. But I have
20 never made a substantial increase in rents or
21 anything. The registration statement that you see, I
22 can bring that back with all rents over the years.
23 If you want to see that, you will see that there's
24 negligible increases in rent at my property.

25 So my one bedroom is almost around

1 \$850.00. My two bedrooms are like \$900.00. And my
2 three-bedrooms were up to recently it was \$1,000.00.
3 I just made it \$1,300.00. That was because it was,
4 you know, there was a lot of bills where the
5 electricity bill went way high in the last year.

6 MR. EINGORN: So by my calculation under
7 230.F, the applicant would need an excess of eight
8 off-street parking spaces. So the variance for
9 off-street parking is eight-plus spaces. And
10 the applicant is looking for a use variance for the
11 use and then any other bulk variances that might be
12 necessary related to the bulk area requirements which
13 we don't know, such as, the setbacks, the impervious
14 coverage, the lot size, those types of items which
15 those would be preexisting.

16 VICE-CHAIRMAN COOPER: So right now he
17 can't show he wants a variance for that parking?

18 MR. EINGORN: The applicant has requested
19 alternative relief. One, they're asking for an
20 appeal of Dr. Williams' decision to deny the permit.
21 They're alleging that this is a preexisting
22 nonconformity. And then if that's denied, then the
23 applicant is requesting the use variance and bulk
24 variances.

25 VICE-CHAIRMAN COOPER: When did he take

1 ownership this building, 2008?

2 MR. D'ELIA: 2008, yes.

3 MR. EINGORN: If there are no further
4 questions, a discussion of the Positive and Negative
5 Criteria. You make a motion related to the requested
6 appeal. And then to the extent that you make
7 motions, you should first make a motion related to
8 the requested appeal. And then if required, the
9 motion as to the requested variances.

10 MR. D'ELIA: I'd like to make a very
11 brief summation, if I may.

12 MR. EINGORN: You closed your
13 presentation and we've gone to the public.

14 MR. D'ELIA: And you opened to the public
15 and I should be given a chance to make a summation.

16 MR. EINGORN: Okay. Please.

17 MR. D'ELIA: I didn't know if all were
18 ready . I missed -- the objector was very gracious
19 in indicating his empathy for my client. I'm here to
20 tell you that I have a great deal of empathy for the
21 objector. I grew up in Queens, New York on a real
22 nice corner where people used to park in my
23 driveway. We called the police. We had the police
24 do whatever they had to do, ticket, tow, whatever was
25 necessary. It was important because my mother and

1 father had to get out of the garage in order to get
2 to work, get to the grocery store, to do everything.

3 We were unaware of any traffic or any
4 parking problems involving this property until we
5 were here last month and this nice gentleman brought
6 it to our attention. So we tried and we looked at it
7 and we studied it. And we determined that for all
8 these years that it has been a four-unit apartment
9 complex, people have parked on the street. They park
10 on 37th Street. As you had indicated, there's ample
11 parking for the entire property.

12 In terms of the Negative Criteria, tell
13 me what negative impact this property has had for the
14 last 70 years that it has been used as a multi-unit
15 residential property? There is none. The parking
16 problems, I mean, the same as if somebody parked in
17 my driveway, it's like saying somebody burglarized my
18 house. It's illegal; can't do it. That's not
19 because we have a multi-unit building. The building
20 right next door is a multi-unit building, residential
21 building.

22 So I believe the Negative Criteria has
23 been met. I believe the Positive Criteria has been
24 met from the standpoint that this has been existing
25 for as long as it has without any real problems.

1 You've never heard anything about police being called
2 there or anything like that. And I would say that
3 that variance should be granted. More importantly,
4 before you get to the variance, as your solicitor
5 just properly said, consider reversing the decision
6 of the Zoning Officer to recognize that this properly
7 is a non-conforming use. It has been there long
8 enough to justify it being treated as a nonconforming
9 use and we'll mute out the variance questions. I
10 submit. Thank you.

11 MR. EINGORN: Thank you.

12 VICE-CHAIRMAN COOPER: To the Board, this
13 building here, it's been deemed an apartment building
14 from the paperwork. They have been granting to
15 occupy this as an apartment building. To come back
16 now and say no to them, I didn't see enough Negative
17 Criteria with the parking or any ill effects that it
18 had in the neighborhood.

19 MR. D'ELIA: Thank you.

20 CHAIRMAN HANCE: Can we still ask a
21 question because I'm curious now?

22 MR. D'ELIA: Sure.

23 CHAIRMAN HANCE: Do you know how many
24 tenants have cars that's in that building?

25 MR. PARBHU: Right now there are four,

1 sir. Right now the tenants have four cars.

2 CHAIRMAN HANCE: Four?

3 MR. D'ELIA: Four cars he said.

4 VICE-CHAIRMAN COOPER: Can they park up
5 on the grass? There's no curb cuts and you can't
6 park in front of the house.

7 MR. D'ELIA: Is that a question? I
8 didn't understand it any way.

9 VICE-CHAIRMAN COOPER: Kyle, again, was
10 saying can they park in front of the house. No they
11 can't cause there's no curb cut there.

12 MR. D'ELIA: Thank you.

13 VICE-CHAIRMAN COOPER: I don't think the
14 residents really want them to park in front of the
15 house. He brought evidence that they were deeming
16 this from the lack of people following through.
17 Saying that you can't do it. Kyle, how many parking
18 spaces will he need?

19 MR. EINGORN: Eight.

20 VICE-CHAIRMAN COOPER: He needs eight
21 parking spaces.

22 MR. EINGORN: I think you're required to
23 round up so he really needs about nine off-street
24 spaces.

25 VICE-CHAIRMAN COOPER: He needs nine so

1 it's no way he can get that there.

2 MR. D'ELIA: And there's plenty of
3 street parking.

4 VICE-CHAIRMAN COOPER: I'll tell you
5 what, if you could bring photographs back with the
6 street parking at certain times of the days, maybe
7 that will help us make a decision. But right now,
8 you need eight spots. And we're just seeing pictures
9 of the front of the house.

10 MR. EINGORN: Here is your thing and I
11 don't know mean to deny you the decision to ask for
12 more photographs. But you're going to have as many
13 applications next month as you will this month and
14 you're still going to have to make the decision.
15 I know it's a tough decision.

16 VICE-CHAIRMAN COOPER: Yes. Based on
17 this, at the moment, I don't see enough parking out
18 here.

19 REVEREND MARTINEZ: What are you going to
20 say?

21 VICE-CHAIRMAN COOPER: I'm going to say
22 no. I'm making a motion.

23 CHAIRMAN HANCE: I'll second that.

24 MR. EINGORN: A motion to what?

25 VICE-CHAIRMAN COOPER: Motion to deny.

1 CHAIRMAN HANCE: I will second that.

2 MR. EINGORN: Motion to what?

3 CHAIRMAN HANCE: Motion to deny.

4 MR. D'ELIA: If I may be heard on that.

5 MR. EINGORN: Excuse me. So there's two
6 applications here really. There's an application for
7 an appeal of the decision of Dr. Williams. And then
8 there's the application related to the variance
9 requests.

10 VICE-CHAIRMAN COOPER: So if we vote to
11 grant them the appeal for Dr. Williams, we still
12 have -- that will carry over to the other vote,
13 correct?

14 MR. EINGORN: If you appeal the decision
15 of Dr. Williams, that would mute the other requested
16 relief and they would move on as a nonconforming use
17 and they would, I guess, get their CO and that would
18 be the end of it.

19 Their testimony is, this is a preexisting
20 nonconformity because it's been a four-family for
21 seven years and then you competing testimony from
22 Mr. Rapacki which says, he's lived there and in 1980
23 this was a doctor's office.

24 VICE-CHAIRMAN COOPER: Right.

25 MR. EINGORN: So it's the Board's

1 requirement, the legal obligation to weigh the
2 evidence. Right? And make determination based upon
3 the evidence that's been presented.

4 VICE-CHAIRMAN COOPER: And they're
5 stating -- they're showing us papers from the state
6 and --

7 MR. EINGORN: Right. So the applicant
8 has proposed and it was brought forth documentation
9 where he's obtained certain licenses and
10 registrations from the state, from the city. Right?
11 But those aren't from the Zoning Office. They are
12 from Code Enforcement and from DCA and those types of
13 evidence.

14 MR. D'ELIA: I understood if you want
15 additional photographs or additional evidence,
16 obviously, we're glad to provide it but I do believe
17 there is enough evidence here to justify it as a
18 nonconforming use that has been in existence for as
19 long as anyone can remember.

20 VICE-CHAIRMAN COOPER: But we're having
21 conflicting evidence here. Someone lived in the
22 neighborhood stating that it wasn't this way.

23 MR. D'ELIA: I understand.

24 VICE-CHAIRMAN COOPER: So you see where
25 we're stuck at here?

1 MR. D'ELIA: If you'd like to see more --
2 the public portion has been closed. If you want to
3 see more evidence, you know, I like to get it right.

4 MR. EINGORN: The parking issue and the
5 request for more pictures isn't going to impact
6 whether or not you grant or deny an appeal of
7 Dr. Williams' decision. Right? That's related to
8 the use and how far it dates back. Right? If you
9 deny that and they're required to obtain the variance
10 approvals, then that's when that would come into play
11 as it relates to off-street parking conditions or
12 on-street parking conditions.

13 VICE-CHAIRMAN COOPER: I think I have
14 this now. I think I have it. So with the
15 noncompliance use --

16 MR. EINGORN: Nonconforming use.

17 VICE-CHAIRMAN COOPER: Nonconforming use
18 with Dr. Williams.

19 CHAIRMAN HANCE: So what Dr. Williams is
20 saying, he can't find any evidence they got a
21 four-unit apartment building.

22 MR. EINGORN: There's no --

23 VICE-CHAIRMAN COOPER: So in that case,
24 I'm going to have to deny this application.

25 MR. EINGORN: So we need a motion as it

1 relates to the application for appeal of Dr.
2 Williams' decision.

3 VICE-CHAIRMAN COOPER: I make a motion.

4 MR. EINGORN: So a motion to deny the
5 appeal.

6 VICE-CHAIRMAN COOPER: Yes.

7 MR. D'ELIA: Before you --

8 MR. EINGORN: I've given you a lot of
9 time. We have five other applications.

10 MR. D'ELIA: Okay.

11 MR. EINGORN: So we have a motion. Do we
12 have a second?

13 CHAIRMAN HANCE: Second.

14 MR. EINGORN: So we have a motion to
15 deny. So as the Board will recall, a 'yes' vote is
16 in favor of the motion to deny. I'll take a
17 roll-call vote. Chairman Hance.

18 CHAIRMAN HANCE: Yes.

19 MR. EINGORN: Vice-Chairman Cooper.

20 VICE-CHAIRMAN COOPER: Yes.

21 MR. EINGORN: Reverend Martinez.

22 REVEREND MARTINEZ: Yes.

23 MR. EINGORN: Ms. Atwood.

24 MS. ATWOOD: No.

25 MR. EINGORN: Ms. Merricks.

1 MS. MERRICKS: Yes.

2 MR. EINGORN: Mr. Brito Bueno.

3 MR. BRITO BUENO: Yes.

4 MR. EINGORN: So the motion to deny the
5 appeal has passed five votes in favor and one
6 against. That would leave the application for use
7 and bulk variances.

8 MR. D'ELIA: With respect to the use and
9 bulk variances, there have been a number of questions
10 raised. As I indicated to you, this testimony about
11 the parking in someone's driveway and what have you,
12 was relatively new to us. One member suggested we
13 bring in some pictures with regard to the parking.
14 We can do all that. So if we could leave the
15 variance, I will respectfully request the variance
16 application be postponed to be considered at your
17 next meeting, your next available meeting and we'll
18 present sufficient evidence.

19 MR. EINGORN: What am I hearing that's
20 related to the variance application portion?

21 VICE-CHAIRMAN COOPER: He has to prove
22 that he has to come up with the eight spots to park?

23 MR. EINGORN: Well, he's already said he
24 can't come up with eight off-street parking spaces.
25 He's got to rely upon on-street parking spaces.

1 Right? The on-street parking spaces don't come into
2 play with relation to the applicant's obligation to
3 provide off-street parking spaces such as a driveway
4 or a garage or a parking lot.

5 MR. D'ELIA: And all I ask for is to
6 continue the variance vote until I can present
7 additional evidence like you requested, sir.

8 VICE-CHAIRMAN COOPER: He's going to have
9 to bring photos back to the Board.

10 MR. EINGORN: So the Board wants to see
11 additional photographs related to the parking?

12 VICE-CHAIRMAN COOPER: Yes.

13 MR. D'ELIA: We can do that.

14 MR. EINGORN: Evita, when can we put them
15 back on for photos?

16 MS. MUHAMMAD: If it's just for photos, I
17 guess we would bring them back next month.

18 MR. EINGORN: All right. We will adjourn
19 you. You've already -- the appeal portion of this
20 has been denied. But we'll adjourn for photos to
21 next month for just the consideration of that one
22 issue. All right?

23 MR. D'ELIA: The date and time?

24 MR. EINGORN: March 6th at 5:30 p.m.

25 MR. D'ELIA: So that the members of the

1 public are aware of the March 6 at 5:30, no further
2 notices will be sent out, correct?

3 MR. EINGORN: Correct.

4 MR. D'ELIA: Thank you and have a good
5 evening.

6 MR. EINGORN: Thank you. We will take a
7 two-minute recess. I apologize.

8 - - -

9 (Off the record at 8:22 p.m.)

10 (Back on the record at 8:30 p.m.)

11 - - -

12 MR. EINGORN: We're back on the record.
13 The next matter is 2820 Mt. Ephraim Avenue. The
14 applicant is Mt. Ephraim NJ, LLC. Good evening,
15 Counsel.

16 MR. DECLEMENT: Good evening, Board.
17 Thank you for having us this evening. I represent
18 the applicant. What I'd like to do after
19 conversation with your counsel, is have all the
20 professionals sworn in and then we can begin our
21 presentation.

22 MR. EINGORN: Mr. Miller has already been
23 sworn. For the witnesses, please raise your right
24 hand.

25 - - -

1 foot retail that you see and counsel has marked
2 these. And I'm going to call this one A-1. And I'll
3 get you a copy, A-1 and A-2, A-3.

4 MR. EINGORN: So for the record the site
5 rendering plan will be A-1 and the renderings will be
6 A-2. And then, I guess, is this topical?

7 MR. DECLEMENT: We'll call that the line
8 drawing.

9 MR. EINGORN: The topical line drawing
10 will be A-3.

11 MR. DECLEMENT: The applicant will
12 continue with the streetscape of a 3,000 square foot
13 of retail space in the front. It's a 140,000 square
14 foot warehouse in the back. It's really intended to
15 make the best and highest use of this property. It's
16 a unique property and unique in its geometry. So our
17 request is only for a use variance this evening. So
18 with that, I'd like to introduce Mr. Miller to give
19 his testimony.

20 MR. MILLER: Good evening again. For the
21 record, James Miller, professional planner. Dave has
22 already given you a pretty good introduction to the
23 application. The site is located at 2820 Mt. Ephraim
24 Avenue. It's in a C-3 commercial district. And I
25 know you have the rendering. It's been passed out

1 earlier which is Exhibit A-1. And that gives you a
2 good portrait of what the land use patterns are in
3 the surrounding area.

4 To the west of the property is a
5 large-scale community level shopping center. There
6 is a grocery store and different retail uses which
7 you'd expect. I think one is a liquor store. But
8 basically, it's a large shopping center. To the
9 north is another retail center. It fronts on Mt.
10 Ephraim and it's a fairly shallow setback to Mt.
11 Ephraim Avenue so it creates part of that streetscape
12 that we're discussing.

13 Behind that is the post office complex.
14 Basically it's an area where the post office, I
15 guess, loads the trucks and what have you. But sort
16 of like a post office distribution center. And you
17 can see the outline of that on the top of the
18 rendering. Then to the east, there's a vacant area
19 and also parts of a company that operates buses so
20 it's a small bus depot. And then to the south in
21 Haddon Township the adjoining township, there's a row
22 of single-family detached homes in front on Grant
23 Avenue. And that area is zoned R-2 which is a
24 residential single-family district within Haddon
25 Township.

1 So that's basically the zoning parameters
2 in terms of the adjoining uses. As was stated
3 earlier, the use that's currently there now, is an
4 abandoned building. It has as I understand it, a
5 pretty complicated history. I think it was a lumber
6 yard at one time. It was some sort of a retail use
7 over the years. I know from being out to the site on
8 a number of occasions, it's currently blighted and in
9 bad repair. There's gaps in the roof. There's, you
10 know, all kinds of structural problems with the
11 building. And basically, it no longer has any real
12 utility. So it would meet the criteria if you were
13 proceed with the Redevelopment Plan. I think it
14 would easily meet the criteria for an area in need of
15 redevelopment as a blighted structure and a blighted
16 property.

17 The proposed use as described earlier, is
18 retail along Mt. Ephraim Avenue. The goal there is
19 to maintain the street wall; to maintain the retail
20 corridor along Mt. Ephraim and to have uses which are
21 similar to the uses that are along the street. And
22 then to utilize the rear of the property for the
23 warehouse. And part of the reason that we're doing
24 that is the shape of the property. That property
25 cannot sustain retail through it's entirety because

1 it has a lot of depth and it doesn't have the
2 frontage. So what happens with retail is, you'd like
3 to have the retail parallel to the street and that is
4 what this plan proposes. And then the parking that's
5 associated with the retail, that only requires a
6 small portion of the property.

7 So the balance of the property needs to
8 have another use. And historically, that's why the
9 layout was actually somewhat similar to this in terms
10 of the footprint. Because what you have, if you look
11 at the aerial photo, you can see it goes in there the
12 structure that's there now. And basically there's a
13 long building wall that runs along that property line
14 with the Haddon Township properties. And this
15 building is going to sort of replicate that pattern
16 to have the retail in the front and then an
17 industrial use in the rear of the property.

18 That said, it's C-3 District. And as a
19 consequence, we need a use variance to go forward
20 with the warehouse use in the rear of the property.
21 So with that, I'm going to go right to the criteria.
22 This is a d(1) variance so we have to show that
23 there's special reasons to justify the relief that
24 we're requesting and the relief would advance the
25 purposes of the Municipal Land Use Law.

1 There are three purposes that I believe
2 are applicable to this and which would be supported
3 by the variance. Purpose A, to encourage municipal
4 action and guide the appropriate use or development
5 of all lands in this state in a manner that would
6 promote the public health, safety, morals and general
7 welfare. And Purpose G, to provide sufficient space
8 in appropriate locations for a variety of
9 agricultural, residential and recreational,
10 commercial and industrial uses and open space for
11 public and private according to their respective
12 environmental requirements in order to meet the needs
13 of New Jersey citizens.

14 Both Purpose A and Purpose G deal with
15 the appropriateness of the property for the proposed
16 use. And also, with the idea that you need to tailor
17 the uses to the holding capacity of the property
18 itself. Purpose I is to provide a desirable visual
19 environment through creative development, techniques
20 and good civic design and arrangement. We're
21 advancing that purpose in a number of ways. First,
22 we're eliminating the blighted conditions that are
23 currently on the property.

24 And, secondly, we're utilizing the layout
25 which is consistent with the design and the

1 established development patterns along Mt. Ephraim
2 Avenue. So we're maintaining the retail uses along
3 Mt. Ephraim Avenue and we're creating the warehouse
4 use behind that. And I think the combination of
5 those things is certainly going to advance the
6 purposes of good civic design and arrangement.

7 The second part of the Positive Criteria
8 deal with showing that the site is particularly
9 suited for the use in question. And I believe there
10 are a number of factors which make the site
11 particularly suited for the use and which advance the
12 purposes. First of all, this is a site that's
13 located in a mixed use area. You can see from the
14 aerial that this development proposal replicates the
15 development patterns to the north where you have
16 retail uses that are oriented towards Mt. Ephraim
17 Avenue. And then an industrial use in the form of
18 that post office complex behind that.

19 And it really is -- it's a similar
20 situation in terms of the shape of the property.
21 It's relatively narrow but very deep and that
22 provides a way to utilize the property in an
23 appropriate manner. You can support the retail
24 along Mt. Ephraim and also have the industrial in the
25 rear. So, basically, we're following the historic

1 patterns there. There's already a Dunkin Donuts of
2 what was carved out in the frontage of this property.
3 It reflects the character of the site. The depth of
4 the property is 958 feet. It only has a width of
5 318.

6 And, again, because of the size, the
7 orientation of the lot and its shape, this layout is
8 an appropriate means of developing the site and
9 providing it with an efficient use. It also takes
10 advantage of the fact that it is on a road that leads
11 directly leads out to Route 130 so you have good
12 access for both uses. And I think all these factors
13 combined to make it appropriately suited for the use
14 that's proposed.

15 The second set of reasons that I'd like
16 to cite this evening for how this site meets the
17 Positive Criteria, is that the proposed use provides
18 an adaptive reuse of the property that will upgrade
19 the area and contribute to its stability and
20 vitality. As I said earlier, the site is blighted
21 and unoccupied. The proposed building will provide a
22 means to remove the blighted buildings that provides
23 the financing that's necessary for that. And then to
24 replace it with a complex of buildings that preserve
25 the character of Mt. Ephraim Avenue and will restore

1 the property to a productive and viable use that's
2 going to contribute to the City's economy and overall
3 stability of the area.

4 It's also going to support the City's
5 goal toward redevelopment. I've done all types of
6 work in Camden over the years. I know you have a lot
7 of redevelopment plans in place. The reason for that
8 is that it's an older community and there's a need to
9 support the redevelopment of areas when they become
10 blighted and underutilized. This application is
11 going to contribute to those goals without any public
12 funding. So I think that that's another significant
13 benefit to the City and I believe that the
14 redevelopment aspects of this plan also contribute to
15 the particular suitability of the property for the
16 project as proposed. So based on that, that I
17 believe it satisfies the Positive Criteria. It
18 advances the purposes that I cited earlier.

19 Under the Negative Criteria, there's two
20 prongs. And the first is, we have to show that there
21 will not be a substantial detriment to the public
22 welfare. And I believe that this project actually
23 has a net benefit to the public welfare in that it's
24 going to redevelop the property with a viable use.
25 It's going to remove the blighted conditions which

1 are present there. And it's going to do so in a way
2 that's consistent with the established development
3 patterns of that community.

4 So basically you're putting a new and
5 vital use in and you're following the development
6 patterns that are there already and have already been
7 established. So based on that -- and the one other
8 thing I want to add to that. There is a
9 single-family community to the south. And that
10 community is going to have some benefit in terms of
11 this project as well. Even though it's residential
12 and these are business uses, the building is oriented
13 in a way that it can serve as a means of blocking the
14 impact from the activity that's going to occur on the
15 north.

16 Basically, the trucking activities and
17 the loading, are on the north side of the building.
18 And having the wall of the building where you don't
19 have any loading activities, basically just creates a
20 wall that serves as a screening wall. And it doesn't
21 really create any activity. It just serves as a
22 backdrop for those homes along Grant Avenue.
23 And in reality, when you think of the other uses it
24 could potentially locate on this property, a building
25 with this orientation is probably the least intrusive

1 option you would have for a business use on this
2 property in terms of the residential uses to the
3 south. So based on that, I don't believe there's any
4 substantial detriment to the public welfare. And,
5 again, I think it's a net benefit to the public
6 welfare.

7 That brings us to the final prong of the
8 Negative Criteria which is, we have to show that
9 there will not be an impairment of the intent and
10 purpose of the Zone Plan and we can reconcile this
11 use with the failure to otherwise include it within
12 the zoning district. I think there's two factors
13 to reconcile this use with the failure to include it
14 in the C-3 District. The first is that the
15 development patterns are going to remain consistent
16 with what they were historically and we're preserving
17 the retail use pattern along Mt. Ephraim Avenue and
18 the character of the streetscape along Mt. Ephraim
19 Avenue. Again, I think this is going to enhance that
20 pattern and be a benefit to that commercial
21 district.

22 Secondly, we're eliminating the blighted
23 use which is a drag on all the other uses in the area
24 and I think an overall benefit to that section of the
25 City. And I believe those factors reconcile this use

1 with the failure to otherwise include it. I'd also
2 add, it's a business use in a business zone so
3 I think to a great extent, it's consistent in that
4 regard as well.

5 In terms of the impairment, intent or
6 purpose of the Zone Plan, this is a unique property
7 and I believe, again, it's significant that it's
8 replicating the zoning patterns that are there in the
9 past. I think these uses are fully compatible with
10 the other business uses in the surrounding C-3
11 District. And all in all, I think that it's going to
12 contribute to the stability of the area and the
13 streetscape along Mt. Ephraim Avenue in a way that's
14 consistent with what's called for by the zoning
15 and the City's Master Plan. And as a consequence, I
16 do not believe this application will impair the
17 intent or purpose of the Zone Plan. It meets all the
18 criteria and I believe it merits the Board's
19 approval.

20 MR. DECLEMENT: One thing I forgot to
21 point out to the Board was the fact that there's a
22 first-responder emergency access 20-foot buffer
23 between the property line and the proposed building.
24 There isn't one now and there hasn't ever been one.
25 That leads to two things. A, it's a buffer between

1 the properties. Two, it assists in fire and rescue
2 which there is one now basically at the borderline.

3 VICE-CHAIRMAN COOPER: So that green will
4 be asphalt or? Right here that's lawn, the buffer
5 that you're talking?

6 MR. DECLEMENT: Yes. We can ask the
7 engineer.

8 VICE-CHAIRMAN COOPER: Yes, because
9 you're saying you can use that as a --

10 MR. DELCEMENT: It's a first responders'
11 emergency access, yes.

12 VICE-CHAIRMAN COOPER: So they'd be able
13 to take their vehicles down there?

14 MR. DECLEMENT: Yes. That's prescribed
15 by your Ordinance.

16 MR. KORNICK: So just in general if you
17 are familiar with the site, it's 100 percent
18 impervious cover as it sits today. And in our
19 proposal, and this is just a use variance, so we
20 would certainly, if successful, be back for a site
21 plan review. But we've dropped the impervious cover
22 down to 70 percent of the entire site. So 30 percent
23 open space. Obviously, a product of that is going to
24 be some stormwater management so that we meet the
25 intent of your regulation and the new stormwater

1 management rules within the state.

2 But we are providing significant green or
3 open space on the property where it doesn't exist
4 today. So as a professional engineer and planner
5 just to add to Mr. Miller, I think that's also a
6 benefit in the area of the community where right now,
7 we have zero stormwater conveyance or management on
8 the site. So everything sheds to Mt. Ephraim when we
9 have an event.

10 MR. BRITO BUENO: How many loading docks?

11 MR. KORNICK: Loading docks, we don't
12 have that particular count. I think we're up to 14
13 was on that side of the building. But we will
14 certainly have that information again if we're
15 successful at site plan to give you specifics.

16 VICE-CHAIRMAN COOPER: What type of
17 warehouse is this? Is this just a regular one? What
18 are you storing?

19 MR. KORNICK: Just a regular warehouse.
20 We're not a large building per se in the warehouse
21 market. So I believe it's predominantly just holding
22 materials.

23 MR. DECLEMENT: There's three types of
24 warehouses. There's cross-docking which means the
25 truck comes in one side and unloads and then another

1 truck gets loaded on the other side. Clearly that's
2 not what this is. There's another kind called a
3 fulfillment center which is where you go in and
4 things are packed and then it goes back out. The
5 third kind is where you have medium storage for
6 someone like a parts distribution where we put stores
7 in there to take things out. That size building
8 configuration is for what that is. Because you're
9 only going to have access obviously to this.

10 VICE-CHAIRMAN COOPER: Huh-huh.

11 And the smaller building, it will be
12 retail and the retail will be?

13 MR. KORNICK: Undetermined at this point
14 but we'd have to search for a user.

15 VICE-CHAIRMAN COOPER: Okay.

16 MR. DECLEMENT: That actually brings as
17 you can see --

18 VICE-CHAIRMAN COOPER: Yes, I see it.

19 MR. DECLEMENT: We can always have our
20 architect speak to that if you'd like.

21 MR. MILLER: Basically, it's going
22 towards Mt. Ephraim Avenue. The parking is behind
23 the building which creates a very desirable
24 landscape.

25 MR. DECLEMENT: The building currently

1 has five different levels of floors. It has no
2 utility. Zero. There is no plan any way, shape or
3 form to save any of that. It's a total tear-down.
4 As a matter of fact, we just torn some of it down.
5 So this is from the ground up.

6 MR. MILLER: Scrape it and rebuild.

7 MR. EINGORN: Any questions for the
8 applicant's professionals? Do you have anymore
9 testimony that you would like to present?

10 MR. DECLEMENT: Really we'd just like to
11 react to the questions of the Board. If the Board
12 has questions. We have a traffic engineer; we have
13 an architect, engineer and planner.

14 REVEREND MARTINEZ: Security-wise, is
15 there lights?

16 MR. DECLEMENT: When it comes to the
17 site plan approval, it will be obviously 24-hour
18 security. Lights will be sealed. LEDs are very
19 precise. So there will be no emissions to the back.

20 REVEREND MARTINEZ: Now, the entrance,
21 you said the trucks are going to have -- they're
22 going to enter through the back of the warehouse?

23 MR. KORNICK: What we try to do is with
24 the warehouse and the retail with commercial use in
25 the front is separate those two points so there is no

1 conflict. We have a standard, full-access 24-foot
2 wide driveway for the retail and then one for the
3 workers that would at the warehouse. Then we have a
4 separate 35-foot wide entry on the north side of the
5 property for this truck traffic.

6 REVEREND MARTINEZ: How many employees
7 are you going to have there?

8 MR. KORNICK: For which one, sir?

9 REVEREND MARTINEZ: For the warehouse.

10 MR. BRITO BUENO: They don't have a
11 tenant.

12 VICE-CHAIRMAN COOPER: They don't know
13 what it's going to be.

14 MR. DECLEMENT: Generally, I manage
15 warehouses of this size. Generally they're
16 anywhere -- somewhere between seven and ten. And
17 then believe it or not, the retail has more than
18 that. The retail would be about 20.

19 CHAIRMAN HANCE: So you're going to
20 demolish 87,000 square feet of that building?

21 MR. DECLEMENT: All of that building will
22 be demolished.

23 MR. DECELMENT: When I say five floors,
24 they're not even close. There's nothing to save.

25 REVEREND MARTINEZ: I know how it is.

1 MR. DECLEMENT: It's monkey business.

2 REVEREND MARTINEZ: I go through there
3 mostly every other day.

4 MR. DECLEMENT: Yeah. It's a bad spot.

5 CHAIRMAN HANCE: Then you're going to
6 build a 140,000 square feet warehouse?

7 MR. DECLEMENT: Yes, sir. That's here.
8 And then the 3,000 square foot building

9 CHAIRMAN HANCE: So then you got a
10 portion of that which is 3,038 square feet that
11 you're going to rent out or?

12 MR. DECLEMENT: It may be the same.

13 CHAIRMAN HANCE: Well, saying a separate
14 business?

15 MR. DECLEMENT: It may be separate and it
16 may be the same. There are some who want a retail
17 presence but they are looking for a regional
18 distribution center.

19 VICE-CHAIRMAN COOPER: So basically what
20 we're doing here is giving them approvals so they can
21 continue the building process?

22 MR. EINGORN: No. They've come here
23 tonight asking for a use variance. To the extent
24 that the use variance is granted, they would be
25 required to return for site plan approval where you

1 would be able to go through and discuss what's going
2 on on the site.

3 VICE-CHAIRMAN COOPER: Right.

4 MR. EINGORN: So tonight is really just
5 about, they have a piece of property. It's located
6 in the C-3 Zone and they would like to use a mixed
7 use. They want retail in the small building and they
8 want to be able to use it for industrial warehousing
9 in the larger building. That's the crux of why
10 they're here tonight. They brought the site plan.
11 And the other items you can get an idea of what's
12 going on; what they're proposing. Right? And then
13 they're offering that to support their application
14 for the use variance.

15 MR. BRITO BUENO: The only thing I'm
16 worried about is, how are they going to exit, the
17 trucks. They can't make a left there. Because Mt.
18 Ephraim Avenue is very busy. So to make a left
19 there, it's going to be very hard for a
20 truck-trailer.

21 MR. KORNICK: I'll let Andrew hit it.
22 But we did do truck-turning templates on to the
23 property with the largest truck to have entered the
24 site, and it does clear the access point. That's why
25 we have a 35-foot access point. But I think you'll

1 find this size building doesn't yield a heavy traffic
2 load for that particular location. But that's what
3 Andrew is here for.

4 REVEREND MARTINEZ: Are you going to have
5 a 53-footer going back there?

6 MR. KORNICK: Yes. And it can
7 full-circulate back and then get back out.

8 MR. EINGORN: Counsel, do you want these
9 two professionals to be accepted as professionals in
10 their respective fields?

11 MR. DECLEMENT: Yes.

12 MR. EINGORN: Yes. And would you like to
13 just offer some voir dire?

14 MR. DECLEMENT: Sure.

15 MR. KORNICK: Again, my name is John
16 Kornick, professional engineer and professional
17 planner with both licenses in good standing in the
18 State of New Jersey. I've been before this Board
19 actually, I don't remember how long ago, but it was
20 on Ferry Avenue with one of the redevelopment
21 projects; much younger in my career back then. But I
22 have been doing this since 2011 as a licensed
23 engineer and a licensed professional planner since
24 2016. I've presented before about 120 boards
25 throughout the State of New Jersey and Camden County

1 Planning Board and other county planning boards
2 within the State of New Jersey.

3 MR. EINGORN: And the testimony you
4 previously provided tonight was in your capacity as a
5 professional engineer?

6 MR. KORNICK: It was, yes.

7 MR. EINGORN: Very good. And the Board
8 will accept you as a professional engineer.

9 MR. KORNICK: Thank you.

10 MR. FERANDA: Andrew Feranda. I'm with
11 Shropshire Associates, traffic consulting. I'm a
12 professional engineer licensed in the State of New
13 Jersey. I also have a PTOE certificate. That's a
14 higher certificate in traffic engineering. It's a
15 professional traffic operations engineer. I'm also a
16 certified municipal engineer.

17 I serve as a traffic consultant to
18 Cranbury Township Exit 8A off the turnpike. I review
19 their traffic. We do warehouses, a lot of warehouses
20 in Cranberry. I also review traffic for Freehold in
21 Monmouth County. I'm their traffic consultant. I've
22 been before over 120 boards. I've been before Camden
23 County, Burlington County, Gloucester County. I'm
24 past president of the American Society of Civil
25 Engineers South Jersey and also the state past

1 president.

2 MR. EINGORN: Very good. We'll accept
3 you as a professional traffic engineer.

4 MR. FERANDA: Thank you very much.

5 MR. DECLEMENT: So at this time, I'd like
6 you to direct your testimony to that Board member's
7 question.

8 MR. FERANDA: The question was about the
9 truck traffic and how it's going to enter the site.
10 Again, we will have to provide a traffic-turning
11 analysis. This is just a layout, a rendered layout.
12 We will also have to prove to the DOT because this is
13 a state highway. So we're going to have to go to the
14 DOT for an access permit.

15 We're going to have to show the DOT that
16 trucks can enter and exit the site. And then we'll
17 show the turning templates on to and off of the site.
18 So we will have that covered as part of the site
19 plan. But we want to let you know now that as part
20 of this use variance, that will be done as part of
21 the site plan.

22 MR. EINGORN: And this isn't for your
23 traffic engineer but just to confirm, you will not be
24 seeking a height variance, correct?

25 MR. DECLEMENT: That is correct.

1 MR. EINGORN: And the building will
2 conform with the bulk area requirements for height?

3 MR. DECLEMENT: Yes.

4 MR. EINGORN: Thank you. Any other
5 questions? Does the Board have any questions
6 regarding the use variance application?

7 MS. ATWOOD: I want to know what is going
8 to be in the warehouse?

9 MR. EINGORN: They don't know yet.

10 MS. ATWOOD: Oh, okay.

11 MR. DECLEMENT: We would characterize it
12 as dry, nonhazardous bulk material.

13 REVEREND MARTINEZ: I think this is a
14 great move to see our city change especially that
15 part of our city. Before that I remember it was a
16 farmers market back in the day. And the city
17 especially Mt. Ephraim Avenue from the Dunkin Donuts
18 all the way to that property all the way, I think
19 there's another warehouse down there. Metal. I
20 don't know if it's still there.

21 CHAIRMAN HANCE: Still there, the metal.

22 REVEREND MARTINEZ: So it's great. I
23 mean, seeing our city change. This is great.

24 MR. DECLEMENT: We believe it represents
25 the highest and best use of that property most

1 particularly because of its unique configuration and
2 the layout, the geometry of the property while still
3 keeping the streetscape of Mt. Ephraim Avenue and
4 having the retail.

5 MR. EINGORN: Any other questions?
6 Do you guys have any questions down there? Have you
7 completed your case in chief?

8 MR. DECLEMENT: We have.

9 MR. EINGORN: Very good. And so with
10 that in mind, we will open this application to the
11 public. Anybody here tonight? I see your hand
12 raised. Please come forward.

13 - - -

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

17 - - -

18 MR. EINGORN: Give you name and address
19 for the record.

20 MR. KRAPF: Richard Karpf, 46 Coles
21 Avenue, Cherry Hill, New Jersey.

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

23 MR. KRAPF: I'd like to say it's nice
24 that they're investing in Camden. I'm always
25 pro-Camden. I used to work in City Hall years ago

1 for one of your famous mayors.

2 The question is, the buffer between the
3 building on Route 130 South Crescent Blvd. where the
4 bus company is and you're now putting a fire lane
5 there, how will you protect the -- when you demolish
6 the building, how wide is your fire lane? And I
7 don't want the debris going over there because I'm
8 involved with that other building also. So how
9 would you protect me when this large building that
10 you're going demolish? Right now a lot of the crap
11 from the old building is blowing over on to my
12 property. And I just want to be protected.

13 I'd like to know a little more about your
14 idea for water runoff. And I want to make sure --
15 you said you're going to push water. Which
16 directions are you pushing it? We have enough water
17 out on Route 130. So if you give me some idea, the
18 engineers, of your water design, when we can look at
19 it because we don't want flooding to occur when you
20 build this large building. And how big is the fire
21 lane? I'd like an nice buffer there. Right now we
22 don't have a fire lane like you're saying between the
23 buildings. I'd like to know how wide will you make
24 that fire lane and the water runoff. They are my two
25 questions.

1 MR. EINGORN: Sure. We can ask the
2 applicant to address those. Those are site plan
3 issues though, not use variance issues. But --

4 MR. KRAPF: But maybe they have an idea
5 to tell the Board where the water is going to go.

6 MR. KORNICK: And we did. And that's a
7 great question and that's why we did this concept the
8 way they did. So general flow and just to give you
9 an idea of the orientation of the plan actually
10 north is to the top of the plan, east is to the
11 right. And with the topography, the flow runs from
12 east to west. So it flows from Route 130 all the way
13 to Mt. Ephraim. And, again, it's 100 percent
14 impervious. So what we did is, pushed a basin to the
15 back portion of the property. Once we get into site
16 plan, we'll be able to show the engineer how we
17 comply and then where that runoff would go.

18 With regard to the buffering around the
19 building, right now on the south side of the property
20 where the existing building sits today, the setback
21 from that property runs about 2.1 feet along the
22 entire property line. So there really isn't any
23 availability for fire access or a buffer around the
24 building. That's why we've proposed 20 feet that
25 allows for access around that building.

1 And with current fire suppression
2 requirements with the building this size, that would
3 probably have fire suppression inside so that's also
4 an added benefit to that building and new building
5 design. For right now we don't have that
6 capability. And the hope and the intent with the
7 concerns about the debris falling off the site, is
8 that that building is going to be taken down. We'll
9 have a new state-of-the-art building facility and
10 clean site at end of the day if this Board so chooses
11 to approve.

12 MR. KRAPF: I just want to ask you about
13 the construction when you start it and when you start
14 breaking apart the affects of foundation of
15 neighboring buildings that are so close, how will you
16 protect me, as a neighbor, and can you make the
17 buffering any wider than what you planned or are you
18 set in stone to do the, what is it, 20 feet we're
19 going to have a buffer?

20 MR. KORNICK: Twenty feet. With regards
21 to construction, what they typically do is, record
22 the site in the area, do a recording with a video
23 camera and then we have professional demolition
24 companies especially in Camden that have done
25 close-up demolition and I'm certain they'll do a good

1 job in doing that and protecting the neighboring
2 properties.

3 MR. KRAPF: Is there a reason why you
4 made it 20 feet instead of 30 feet? I just don't
5 know the code?

6 MR. KORNICK: Well, the ordinance setback
7 in that zone is 20 feet so that's why we utilized
8 that setback. That's the minimum setback requirement
9 on the side yard.

10 MR. KRAPF: Because in most towns it's as
11 narrow as 10 feet when it comes to emergency access.

12

13 CHAIRMAN HANCE: Where is your property
14 located?

15 MR. KRAPF: I'm the bus company property
16 that was behind this building that they're going to
17 demolish. The debris right now is blowing over into
18 my area. I just want this to be a little -- you to
19 protect me as a good citizen, that my foundation
20 doesn't get out of wack and the debris from the
21 construction is not going to blow all over. Will
22 they put a net up, a mesh or something to stop it?
23 And then, of course, I'm pro-fire truck to go behind
24 there. I just don't know why they don't make it a
25 little wider, the buffer.

1 CHAIRMAN HANCE: So maybe you guys should
2 talk to your neighbor.

3 MR. KRAPF: I did chat with him on the
4 phone earlier.

5 CHAIRMAN HANCE: You talked to him
6 already?

7 MR. KRAPF: I did.

8 CHAIRMAN HANCE: Okay.

9 MR. KRAPF: We didn't have any
10 discussion. He didn't know who I was when I called.
11 He sent me diagrams and that's why I'm here at the
12 meeting with some concern. But we didn't talk about
13 buffers. And this is the first time I've really
14 gotten to meet him in person. I had a phone call to
15 him just to ask him what restaurant is going to go
16 there because I am pro-Camden. I'm glad that they're
17 doing something to a blighted property. But I just
18 like the buffering to be a little wider to protect
19 me, another ten feet.

20 CHAIRMAN HANCE: Are you saying 20 feet?

21 MR. EINGORN: Again, that will be
22 something for site plan. This is something for use
23 variance application.

24 MR. KRAPF: And the thing to protect me
25 and nothing happens. But right now, I'm not even

1 protected. The stuff from that building, the
2 neighboring building, the one that they bought, they
3 stripped those air conditioners off the roof and all
4 the crap seems to flow over on to my side of the
5 property.

6 CHAIRMAN HANCE: You're actually welcomed
7 to come back when they do the site plan and you can
8 voice your opinion at that time.

9 MR. KRAPF: Okay. Thanks.

10 MR. DECLEMENT: As a matter of record, we
11 had Hargrove Demolition, who you are all familiar
12 with, take down a number of the roofs over there and
13 clean out the debris that was there. There was
14 illegal dumping and it has all been cleaned out.
15 There was illegal tires there and that's also been
16 removed.

17 MR. EINGORN: Anybody else in the public
18 that would like to be heard on this application?
19 Hearing no further comment from the public, we'll
20 close the public portion. Having closed the public
21 portion, this is the time for the Board to do a
22 discussion of the Positive and Negative Criteria
23 related to the use variance that's requested and then
24 make a motion.

25 REVEREND MARTINEZ: I think it's great.

1 As I said before and I'll say it again, I think this
2 is great to see that part of Mt. Ephraim to have
3 something like this. I mean, it's great. I'm
4 positive. A motion to pass the plan.

5 CHAIRMAN HANCE: I'm going to piggyback
6 and state that any time you have a business coming
7 into the Camden to bring it back up again because
8 that area is going south. We need some life put back
9 in that area. Hopefully, we have jobs coming into
10 the area for our City. So it should be a great idea.

11 MR. EINGORN: Anymore comments? We're
12 all good? We had a motion to grant the use variance
13 application. Is there a second?

14 CHAIRMAN HANCE: Second.

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

17 CHAIRMAN HANCE: Yes.

18 MR. EINGORN: Vice-Chairman Cooper.

19 VICE-CHAIRMAN COOPER: Yes.

20 MR. EINGORN: Reverend Martinez.

21 REVEREND MARTINEZ: Yes.

22 MR. EINGORN: Ms. Atwood.

23 MS. ATWOOD: Yes.

24 MR. EINGORN: Ms. Merricks.

25 MS. MERRICKS: Yes.

1 MR. EINGORN: Mr. Brito Bueno.

2 MR. BRITO BUENO: Yes.

3 MR. EINGORN: Having six in favor and
4 none opposed, the motion passes. Thank you, Counsel.
5 Thank you to the applicant. Hope you have a nice
6 night.

7 MR. DECLEMENT: Thank you, Board.

8 MR. EINGORN: The next matter on the
9 agenda is Najwa Khalil, 1199 North 36th Street.
10 Is the applicant ready to proceed?

11 MS. ABED: Yes, we're both here.
12 We can both swear in. Raise your right hands.

13 - - -

14 NAJWA KHALIL, FRANCESCA ABED, having
15 first been duly sworn/affirmed, was examined and
16 testified as follows:

17 - - -

18 MR. EINGORN: Can you state your names
19 and addresses for the record.

20 MS. ABED: Francesca Abed, 401 Kaighn
21 Avenue, Camden, New Jersey.

22 MR. KHALIL: Najwa Khalil, 1147 N. 36th
23 Street, Camden, New Jersey.

24 MR. ABED: Good evening, Board. I come
25 before you as the construction liaison and the

1 contractor for the project. Mr. Khalil retained me
2 after making the initial application so do not judge
3 me for the drawings that you have in front of you.

4 He has a single-family home. He's been
5 an owner for 23 years now. And has a decent-sized
6 family of which daughters have come back to live with
7 their children and they need parking for their
8 vehicles, additional parking. So he would like to
9 construct a garage and we have been denied because
10 the accessory building can't occupy the front yard.

11 The use variance is needed and a portion
12 of the side yard is deficient. Five feet is required
13 and three feet is proposed. So taking this one step
14 at a time, the accessory vehicle -- excuse me --
15 structure shall not occupy the front yard. The
16 property is a corner lot. So the front part of the
17 property, the actual front door faces 36th Street.
18 But if I put a garage in the back, it will also face
19 Harrison. So that because it has two frontages, it
20 mentions it as a front yard.

21 The drawings submitted to you will show
22 you that it is a 50-by-19 proposed garage. It is 45
23 feet away from the actual structure of the home so
24 it's not going to grab water drainage or anything
25 from the home. It is literally just to house the

1 vehicles such as growing family. And the property
2 itself is shaped in like concave. It starts wider at
3 the front and concaves down to the end.

4 So, of course, on one side we do have a
5 deficiency. The required is five feet and we will be
6 at three feet. So, therefore, the bulk variance is
7 needed. I do have some pictures of the neighbor who
8 already has a large-scale garage already similar to
9 it. If you guys want, I have a couple of those out
10 here and you can guys can kind of flip through it.
11 It's kind of overgrown.

12 MR. EINGORN: I'm looking at the map
13 that's provided. What is this big lot behind it?

14 MS. ABED: So this is just an empty -- I
15 think it's just a city garden, if I'm not mistaken.
16 This lot behind it, Najwa? Let me double-check real
17 quick.

18 VICE-CHAIRMAN COOPER: Do you guys
19 require a street cut-out, curb-cut out?

20 MS. ABED: Najway, who is this lot?

21 MR. KHALIL: Empty lot.

22 MS. ABED: It's an empty lot. It's a
23 city lot.

24 MR. KHALIL: Sewer main line, I believe.
25 between Harrison and Farragut Avenue.

1 MS. ABED: It's like a sanitary. All the
2 storm drains. And that area, Harrison Avenue, has a
3 separate storm drain and a sewer drain. So the storm
4 drains all eventually go to that lot. I have more.

5 VICE-CHAIRMAN COOPER: Will you guys need
6 cut-out or one is already there?

7 MS. ABED: No. He would go in through
8 the main lot. If you look at the front, he would go
9 in through the front of the property and reach it.
10 There's no additional cut-cut that we're going to
11 need. So it's still going in through his driveway.
12 It's just extending the concrete further back so that
13 he has a place to park his vehicle.

14 VICE-CHAIRMAN COOPER: Because when I by
15 there, I had seen -- so the garage is going to be
16 back here so you can drive right up and keep going
17 right into it.

18 MS. ABED: Correct. Approximately about
19 45 feet. There used to be a garage there at one
20 point. So he's being taxed for it. There used to be
21 a garage at one point. It got in poor condition and
22 he knocked it down and kept it the way it was but he
23 just wants to put it right back.

24 MR. KHALIL: When I replaced the sidewalk
25 23 years ago, it used to be a garage and it used to

1 be a lot of damage in it so I decided to knock it
2 down years later.

3 CHAIRMAN HANCE: So it used to be a
4 garage there and you're putting it right back there?

5 MS. ABED: In the same location. It's
6 not the same size. It's definitely larger than it
7 was before but it's in the same location. There was
8 nothing there, no remnants, no footings, no
9 foundation. Everything has been cleared out so it's
10 just basically clear.

11 VICE-CHAIRMAN COOPER: So you're not
12 going to come up to the door or the existing house --

13 MS. ABED: No. It's a 45-foot separation
14 between the back of the houses to the actual garage.
15 The construction of the actual building is going to
16 be a cinderblock building with a regular flat roof so
17 it's going to be a solid cinderblock building.

18 CHAIRMAN HANCE: Who actually owns the
19 building?

20 MS. ABED: We are.

21 VICE-CHAIRMAN COOPER: And the height
22 requirement is not going to be higher than this house
23 that's there?

24 MS. ABED: Correct. It's not going to be
25 higher than the house.

1 MR. EINGORN: Any other questions from
2 the Board? Any other testimony you want to provide?

3 MS. ABED: Just to note that the neighbor
4 did a -- if you look at the pictures that I provided,
5 there is a newer construction almost like a
6 trailer-type thing. They did that also and they
7 exceeded and they have a huge garage back there. So
8 it wouldn't be -- I mean, the whole area is
9 nonconforming. And, ideally, it's just to get the
10 vehicles off the street. Anybody who is from that
11 area, knows that Harrison and the kids use it to race
12 their cars and nothing is safe over there, so it gets
13 parked on the street.

14 MR. EINGORN: If there's no questions,
15 I'll open this matter to the public. Is anybody here
16 wishing to be heard regarding the application at 1199
17 N. 36th Street for the construction of a garage?
18 Hearing none, we'll close the public portion.

19 Now is the time for the Board to discuss
20 the Positive and Negative Criteria related to the use
21 and bulk variance request of the applicant to
22 construct a garage which shall not occupy a front
23 yard and for the deficient side yard which needs a
24 bulk variance.

25 REVEREND MARTINEZ: I think it's good.

1 Whatever I see in the pictures, you should have no
2 problem.

3 MS. ABED: Thank you.

4 REVEREND MARTINEZ: You're welcome.

5 CHAIRMAN HANCE: I think it's more
6 of a safety issue. You know, if they're driving and
7 racing on that street where I used to coach baseball,
8 I think it's a safe haven to have a garage where you
9 can build to put one there because you never know if
10 someone is racing a car and hit someone else's car.
11 I've been right there on Broadway when they'd be
12 racing down Broadway. All the cars would hit mine.
13 So I can feel it.

14 CHAIRMAN HANCE: So it's going to be back
15 here on this side?

16 MS. ABED: So you would go in through
17 this way. This is the front of the property. You
18 would come in through this way in the back kind of
19 where that pile of cinderblock is.

20 CHAIRMAN HANCE: Heading this way?

21 MS. ABED: Yep. So you're going to be
22 headed this way. And the community garden actually
23 doesn't start until half of this. So where this --
24 it will be 45 feet off of here which is approximately
25 where this black jeep is will be the start of the

1 construction. But further into the property. That
2 property goes very -- in an awkward side.

3 MR. EINGORN: So there's almost two
4 curb-cuts here? Because you got like a driveway here
5 and another driveway as well?

6 MS. ABED: Correct. But there's not
7 like -- but there's not like -- his question before
8 was, whether there's going to be an additional
9 curb-cut. It's not going to be.

10 MR. EINGORN: Got you.

11 MS. ABED: The actual garage door will be
12 facing the 36th Street side.

13 MR. EINGORN: Right. So in this picture
14 here that you presented, the garage is going to be
15 here where these bricks are --

16 MS. ABED: No. It's just for -- so from
17 this wall if you measure 45 feet, each one of these
18 are 20-foot slabs so you have about four and a half
19 feet, 20 and 20, so it's going to start right about
20 here. And then their property doesn't start until --
21 there's like a little chain linked fence back here.
22 It'll be up in this area.

23 MR. EINGORN: Thanks.

24 MS. ABED: You're welcome.

25 VICE-CHAIRMAN COOPER: Ms. Abed, this

1 picture here is Harrison Avenue, correct?

2 MS. ABED: Yes, Harrison Avenue. This is
3 the issue that we're having. So there is a -- it's a
4 depression. It's not a curb-cut because it's not.
5 Technically the curb-cut is on the other side. But
6 there is an actual limited depression. It's already
7 been there. So this way, the garage doors will be
8 facing the 36th Street side.

9 VICE-CHAIRMAN COOPER: So they're going
10 to come in and turn into the garage?

11 MS. ABED: So they're going to come in
12 through 36th Street. Let me show you.

13 VICE-CHAIRMAN COOPER: Here?

14 MS. ABED: Correct.

15 VICE-CHAIRMAN COOPER: Would it be easier
16 from here?

17 MS. ABED: It would be but the problem
18 is, he wants two bay doors and a side Man-Door so we
19 won't be able to fit it on this side. So we're going
20 to have to make the two bay doors a Man-Door and then
21 come in this way.

22 VICE-CHAIRMAN COOPER: Okay. Got it.

23 MS. ABED: The issue that they had is,
24 it's too -- between the neighbor. And if you look
25 here, there's no real separation. Like they have

1 like a neighborly relationship where everybody kind
2 of goes off. There is no real separation. But still
3 he needs to get back in there. Everybody has an
4 issue on 36th Street. I don't know if you're
5 familiar with 36th Street but it is narrow and then
6 when cars park on the 36th Street side, they're
7 usually losing a side mirror.

8 VICE-CHAIRMAN COOPER: Is this his car
9 here?

10 MS. ABED: Yes.

11 VICE-CHAIRMAN COOPER: That's still the
12 back of the house.

13 MS. ABED: Because it's a corner
14 property, it's considered two frontage lots. That's
15 why.

16 MR. EINGORN: Discussion. Motion.

17 REVEREND MARTINEZ: Motion to accept the
18 application.

19 CHAIRMAN HANCE: For a use variance and a
20 bulk variance?

21 MR. EINGORN: Yes. The use variance is
22 because the garage will occupy the front yard. The
23 bulk variance is because they'll have a deficient
24 side yard setback.

25 CHAIRMAN HANCE: I second that motion.

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

3 CHAIRMAN HANCE: Yes.

4 MR. EINGORN: Vice-Chairman Cooper.

5 VICE-CHAIRMAN COOPER: Yes.

6 MR. EINGORN: Reverend Martinez.

7 REVEREND MARTINEZ: Yes.

8 MR. EINGORN: Ms. Atwood.

9 MS. ATWOOD: Yes.

10 MR. EINGORN: Ms. Merricks.

11 MS. MERRICKS: Yes.

12 MR. EINGORN: Mr. Brito Bueno.

13 MR. BRITO BUENO: Yes.

14 MR. EINGORN: Having six in favor and
15 none opposed, the motion passes. Have a nice
16 evening.

17 MS. ABED: Thank you and a great evening.

18 MR. KHALIL: Thank you.

19 MR. EINGORN: The next matter, East
20 Meridian, LLC, 1208 Carl Miller Boulevard. Are you
21 an attorney, sir?

22 MR. HONG: No. I'm the owner.

23 MR. EINGORN: It says the owner is a
24 limited liability company.

25 MR. HONG: Yeah. I purchased it myself

1 and later on I transferred to my company.

2 MR. EINGORN: Are you the sole owner of
3 the company?

4 MR. HONG: Correct.

5 MR. EINGORN: Is it a pass-through
6 entity?

7 MR. HONG: Yes.

8 MR. EINGORN: And you declare this entity
9 as part of your own tax return?

10 MR. HONG: Yes.

11 MR. EINGORN: Okay. On that
12 representation, we can proceed. Please raise your
13 right hand. Do you swear or affirm that the
14 testimony you're about to give to the Zoning Board
15 tonight is the true and nothing but the truth,
16 including the testimony you just gave us regarding
17 your ownership of the limited liability company?

18 MR. HONG: Yes.

19 MR. EINGORN: Very good. State your name
20 and address, please.

21 MR. HONG: My name is Zheng Hong.

22 MR. EINGORN: Tell us what you have going
23 on?

24 MR. HONG: This property is located at
25 1208 Carl Miller Boulevard, Camden, New Jersey. And

1 when I was trying to sell the property as a two
2 units, I went to the Zoning Department to get a
3 certificate and then they say, oh, no, this not a
4 two-family. This is a one-family. So we found out
5 the issue. And we were told to get a zoning approval
6 and that's why I'm here.

7 And I also was told according to the
8 zoning law, the minimum lot is 4,000 square feet.
9 This lot is only 2,000 square feet. And the lot
10 width is suppose to be 40 feet but this lot actually
11 is only 20 feet. And the number three issue will be
12 the side and rear yard. And the number four is,
13 since this is a two-unit, I need a three and a half
14 spaces for parking. So that's basically the issue.

15 I bought this property under my own name
16 back in 2017. And when I was going through the
17 purchasing process, I went to the Zoning Department
18 and they issued me an inspection report. And it
19 shows that this is two-units at the time. And also
20 later on I purchased it and then rehabbed, did
21 renovations when I had some money because it
22 wasn't -- before I bought it, it was not habitable.
23 And then later on I spent money and made it
24 habitable. And when I applied for the zoning permit
25 again, I was given unit number one and unit number

1 two. So I put two tenants into those units in the
2 building. Ever since until last year, I decided to
3 sell it and then we had a problem with one unit
4 versus two units.

5 Let me give you a brief description of
6 this building. There are two bathrooms and four
7 bedrooms in total. Total square footage is 1,496
8 square feet. This building was built in 1918.
9 So it's literally 105 years ago according to the
10 records at that time. The lot size is 2,000 square
11 feet. The width of the property is 20. The length
12 of the property is 100. So that's 2,000 square
13 feet. And there is a kitchen on each floor. There
14 is a bathroom on each floor. Two bedrooms on each
15 floor. And apparently there is no parking because
16 there is no driveway. There is a side yard which is
17 four feet wide, so that will give you the second
18 floor apartment tenants access to the building.

19 The building -- the first floor exterior
20 door is located at the front of the building. And
21 the second floor exterior door is located on the side
22 of the building. And the tenant walks from the side
23 door to go up to the second floor to access the unit.
24 So there are a total two gas meters and a total
25 two electrical meters. And we were receiving bills

1 for those two units ever since. And so basically,
2 we're not seeking to make any change of the existing
3 use. So we would ask the Board to consider this as a
4 confirmation of the existing nonconforming use.
5 That's our first request, if that's possible.

6 MR. EINGORN: I hate to stop you but you
7 don't need a use variance. A duplex is allowed in
8 the R-2 Zone. You only need bulk variances related
9 to the lot size, lot width, rear and side yards and
10 the parking. Right?

11 MR. HONG: Okay.

12 MR. EINGORN: You don't need a use
13 variance. You just need these bulk area variances
14 which I think your argument still goes to that
15 fact, which is, this building was built in a way that
16 in a lot that doesn't conform with the new zoning
17 ordinance. So I think you still have the same
18 argument. It's just that you don't need a use
19 variance. You need a bulk variance. Actually four.

20 MR. HONG: Okay. So basically, I'm here
21 to present some evidence and arguments for the Board
22 to consider my appeal or application. So first of
23 all, since this building was built in 1918, 105 years
24 ago, and we are not sure if at the time, there was a
25 zoning law, zoning ordinance in existence at that

1 time. And if there is no such zoning ordinance at
2 that time, any law passed later on, we should be
3 grandfathered. That's my first argument.

4 The next, I would present our argument if
5 the Zoning Board of Adjustment grants a condition of
6 approval, and if there is any condition we can't
7 comply, and we are going to meet the conditions.

8 MR. EINGORN: I'm going to be honest with
9 you sir, I don't know what kind of conditions we can
10 really impose, the Board can impose, because I'm
11 going to show this picture here. The property here,
12 does this adjoin the house next door?

13 MR. HONG: Yes.

14 MR. EINGORN: And you got an alleyway
15 here so there's a house here too, right?

16 MR. HONG: Correct.

17 MR. EINGORN: So you really don't have an
18 ability to change the size of the lot, right?

19 MR. HONG: We are not.

20 MR. EINGORN: It's permanent, isn't it?
21 I'm assuming the lot and I don't have -- did you
22 provide that?

23 MR. HONG: The lot is 20 by 100.

24 MR. EINGORN: Right. So you have a lot
25 that's preexisting nonconforming. Whatever you do

1 with this, if you agree with me, whatever you do with
2 this, it's not going to comply, right, --

3 MR. HONG: Not going to comply.

4 MR. EINGORN: -- whether it's a
5 single-family, a duplex, a triplex, an industrial,
6 the lot is not going to change, right?

7 MR. HONG: No, it's not go change.

8 What I'm trying to present to the Board is --

9 MR. EINGORN: Right. So you would argue
10 that this is a preexisting, nonconforming condition
11 of the land that you can't change?

12 MR. HONG: Correct.

13 MR. EINGORN: And, therefore, you have a
14 hardship?

15 MR. HONG: Yes. My hardship is going to
16 be for, we're not allowed to use it as a two-family.
17 And then if we limit it to one-family, one single
18 family, they have to go around the building to go to
19 the second floor. They have to go outside of the
20 building first from the front door and then go around
21 the building to the side door to the second floor.
22 And in that sense, in extremely cold weather like the
23 winter at this time of the year or if it's raining or
24 snowing, it's going to be very inconvenient and
25 unsafe for the renters, my tenants because that's not

1 practical. That's one of the hardships we are
2 facing.

3 MR. EINGORN: I don't want to cut you
4 off. But I think we got the idea. Does the Board
5 have questions?

6 VICE-CHAIRMAN COOPER: Yes. When you
7 bought this house, it was already a duplex?

8 MR. HONG: Yes, I bought it as a duplex.
9 I didn't do anything to it.

10 VICE-CHAIRMAN COOPER: You didn't do
11 anything to it?

12 MR. HONG: No.

13 MR. EINGORN: I think the testimony was
14 that he renovated the interior, right?

15 MR. HONG: Yes.

16 VICE-CHAIRMAN COOPER: So you renovated
17 it. So did you move the steps or it was already like
18 that when you purchased it.

19 MR. HONG: No. It was already like
20 that.

21 MR. EINGORN: Any other questions?
22 Anybody in the public here tonight that would like to
23 be heard on 1208 Carl Miller Boulevard, application
24 for bulk variances?

25 MR. EINGORN: Hearing none, we'll close

1 the public portion. Now is the time for the Board to
2 do a discussion of Positive and Negative Criteria,
3 propose a motion related to the request for four bulk
4 variances of East Meridian, LLC related to
5 1208 Carl Miller Boulevard?

6 VICE-CHAIRMAN COOPER: Again, we got the
7 parking issue, man. Carl Miller Boulevard is very
8 busy. It's a turn right there.

9 MR. HONG: If I can address that issue.
10 From the Google Map and the Google Map picture and
11 everytime I saw, it's like half empty, the street
12 parking. Because both sides are allowed to park.
13 Number two, I don't go there every day but when I go
14 over, I never had a problem with the parking, my side
15 or the cross street.

16 Number three, my two tenants before, they
17 don't drive a car at all. And the neighbors parking
18 in front of my building, my building is 20 feet which
19 allows for two cars parking over there and we don't
20 have any issue with that. Thank you.

21 CHAIRMAN HANCE: What I see, the problem
22 is that people are buying homes that's been changed
23 over. And if you look at the electric boxes, they're
24 super old. So it's been there for them for a while.
25 We can't chance anything between the front or back of

1 it because it's all connected.

2 VICE-CHAIRMAN COOPER: It's landlocked,
3 yes.

4 MR. HONG: First floor and second floor,
5 they're totally connected. One is in the front and
6 the other one is on the side. It's a very much of a
7 hardship.

8 CHAIRMAN HANCE: I will make a motion on
9 hardship for both bulk variances.

10 MR. HONG: Thank you.

11 REVEREND MARTINEZ: Second.

12 MR. HONG: Thank you.

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

15 CHAIRMAN HANCE: Yes.

16 MR. EINGORN: Vice-Chairman Cooper.

17 VICE-CHAIRMAN COOPER: Yes.

18 MR. EINGORN: Reverend Martinez.

19 REVEREND MARTINEZ: Yes.

20 MR. EINGORN: Ms. Atwood.

21 MS. ATWOOD: Yes.

22 MR. EINGORN: Ms. Merricks.

23 MS. MERRICKS: Yes.

24 MR. EINGORN: Mr. Brito Bueno.

25 MR. BRITO BUENO: Yes.

1 Porrata prepared by John Wilson who you all are aware
2 of. And it does reflect that Mr. Porrata is the
3 tenant of the building. Mr. Porrata is here tonight
4 requesting a use variance for an auto repair,
5 detailing and tinting shop. The use is not permitted
6 in the C-2 Zone so he needs a D-1 variance.
7 Off-street parking needs to be identified and there's
8 a request for a site plan waiver. So let's start
9 with the use variance. Can you tell us about what
10 you propose to use the property for?

11 MR. PORRATA: For car detailing and
12 tinted windows.

13 MR. EINGORN: It says auto repair. Are
14 you going to do actual repairs or are you just --

15 MR. PORRATA: No. We are just going to
16 do car cleaning and tinting.

17 MR. EINGORN: You provided multiple
18 colored photos. I'm going to show the first photo
19 which is the front of the garage. Is this the
20 property in question?

21 MR. PORRATA: Yes.

22 MR. EINGORN: Very good. And this area
23 in front, is that the entrance to the building?

24 MR. PORRATA: Yes.

25 MR. EINGORN: And what's the street that

1 would be facing the building?

2 MR. PORRATA: Main Street.

3 MR. EINGORN: Main Street. Very good.

4 The next photo is this photo. It looks like, is this
5 the side of the building?

6 MR. PORRATA: Yes.

7 MR. EINGORN: Very good. All this area
8 here, is that all part of the property being leased?

9 MR. PORRATA: Yes.

10 MR. EINGORN: And what kind of surface is
11 that? Is it gravel; is it grass?

12 MR. PORRATA: Gravel like rocks.

13 MR. EINGORN: So it can all be used for
14 parking?

15 MR. PORRATA: Yes.

16 MR. EINGORN: And when you were shown
17 this building, were you told that's what it was
18 for?

19 MR. PORRATA: Yes.

20 MR. EINGORN: Very good. How big would
21 you say the building is?

22 MR. PORRATA: Like wide?

23 MR. EINGORN: Yes, wide and long.

24 MR. PORRATA: I'm not too sure but I
25 think it's like 30 feet wide, I think it is. I'm not

1 too sure.

2 MR. EINGORN: It's about two bays
3 wide?

4 MR. PORRATA: Yes, two bays wide. The
5 first bay, two cars can park side-by-side and then
6 the other bay, three cars, almost three cars facing
7 back-to-back, like lined up.

8 MR. EINGORN: So you could pull three
9 cars straight in?

10 MR. PORRATA: Two cars straight in. And
11 the other one is two cars inside.

12 MR. EINGORN: So you could put four cars
13 in there?

14 MR. PORRATA: Yeah.

15 MR. EINGORN: Okay. Got it. Is there an
16 office space?

17 MR. PORRATA: Yes.

18 MR. EINGORN: And a bathroom?

19 MR. PORRATA: Yes.

20 MR. EINGORN: How many employees will be
21 working at the space?

22 MR. PORRATA: As of me right now.

23 MR. EINGORN: Just you?

24 MR. PORRATA: Only me and then later on,
25 I'm planning on having like six or seven.

1 MR. EINGORN: Okay. And you think
2 there's plenty of parking to accommodate six or seven
3 employees?

4 MR. PORRATA: Yes.

5 MR. EINGORN: Perfect. And how many cars
6 do you anticipate working on at one time?

7 MR. PORRATA: I would work on like
8 three.

9 MR. EINGORN: Three or four. Okay. Tell
10 us about the surrounding area? Is this a home to the
11 right of the entrance?

12 MR. PORRATA: Yes. That's the only house
13 right next to it.

14 MR. EINGORN: What's to the other side of
15 the building?

16 MR. PORRATA: The other side is a
17 parking lot, Phone Records.

18 MR. EINGORN: And what's behind the
19 building?

20 MR. PORRATA: Behind the building is --
21 Um --

22 MR. EINGORN: This is the house, right?

23 MR. PORRATA: This is the house; this is
24 the houses here. Then on this side, there's nothing.
25 It's the parking lot. Then in front of it, it's like

1 a big land and then there's houses more here.

2 MR. EINGORN: So there's a vacant lot
3 across the street?

4 MR. PORRATA: Yes.

5 MR. EINGORN: And how much noise do you
6 anticipate making?

7 MR. PORRATA: No noise actually because
8 everything is there. There's really no machine.
9 Maybe like a drill or something.

10 MR. EINGORN: So you don't believe this
11 would have any impact on the neighboring house?

12 MR. PORRATA: No.

13 CHAIRMAN HANCE: How many cars do you
14 think you can park there?

15 MR. PORRATA: In the parking lot?

16 CHAIRMAN HANCE: Yeah, from around the
17 building. How many cars can fit there?

18 MR. PORRATA: Easily like nine, maybe
19 ten.

20 CHAIRMAN HANCE: This is the side door,
21 right?

22 MR. PORRATA: Right here I could park
23 like four, five, six cars. Over here. Right here.
24 I got a lot of space.

25 CHAIRMAN HANCE: How about back here?

1 MR. PORRATA: Two.

2 CHAIRMAN HANCE: Looks like --

3 MR. PORRATA: I can fit more than five,
4 nine cars.

5 CHAIRMAN HANCE: Give me a total?
6 Because remember, if you get six employees, that's
7 six spots. You can park four cars inside. On your
8 lot, the total amount of cars? Just give me a rough
9 estimate.

10 MR. PORRATA: Like at least 13, 14 cars.

11 MR. EINGORN: As it relates to the
12 building itself, are you going to make any changes to
13 the building?

14 MR. PORRATA: No.

15 MR. EINGORN: No changes; no lighting
16 changes?

17 MR. PORRATA: I got cameras and lighting
18 outside. I'm going to paint it, of course, stuff
19 like that, and make it look real nice.

20 MR. EINGORN: But you're not going to do
21 any other construction?

22 MR. PORRATA: No construction, no.

23 MR. EINGORN: And you're not going to
24 change the surface of the parking area?

25 MR. PORRATA: No.

1 MR. EINGORN: Very good. Any questions
2 from the Board.

3 MR. BRITO BUENO: How about a sign
4 outside?

5 MR. PORRATA: We are going to put a
6 sign.

7 CHAIRMAN HANCE: Are you going to paint
8 that on the wall or are you going to put a sign
9 standing?

10 MR. PORRATA: I'm thinking I'm putting a
11 light on the sign on the wall.

12 VICE-CHAIRMAN COOPER: You're going to
13 have to come back.

14 CHAIRMAN HANCE: Are you going to put a
15 sign on the wall with lights or are you going to have
16 a standing sign?

17 MR. PORRATA: I think a standing sign.
18 I'm not sure yet.

19 MR. EINGORN: Is there a standing sign
20 there now?

21 MR. PORRATA: No, there's no sign at all.

22 MR. EINGORN: When you go for the sign,
23 make sure you talk to the Planning Office to get a
24 permit for a sign.

25 MR. PORRATA: Yes.

1 MR. EINGORN: Very good. Any other
2 questions for the applicant?

3 REVEREND MARTINEZ: No. Anybody in the
4 public that would like to be heard on the application
5 related to 111 Main Street, asking for a use variance
6 related to auto detailing and tinting? Hearing none,
7 we'll close the public portion. Now is the time to
8 do a discussion of the Positive and Negative Criteria
9 and, thereafter, propose a motion.

10 REVEREND MARTINEZ: I think it's
11 positive. He showed us a picture, proof,
12 everything. It's great. I don't have a problem with
13 it.

14 CHAIRMAN HANCE: I'm going to back up.
15 You're not going to do auto repair; you're going to
16 do detailing and what else?

17 MR. PORRATA: And tinting windows.

18 CHAIRMAN HANCE: Okay. I'll say, any
19 time we help a man who is trying to better his life
20 and start his business, I think it's a plus for
21 Camden. And he's thinking of hiring six more people
22 or four.

23 CHAIRMAN HANCE: I think it's a great
24 idea. He's trying to make a honest living also in
25 that area; pick that area back up again. It's good

1 to have businesses come back into Camden.

2 REVEREND MARTINEZ: A motion?

3 MR. EINGORN: Is that a motion or are you
4 asking for a motion?

5 VICE-CHAIRMAN COOPER: Motion.

6 REVEREND MARTINEZ: Second.

7 MR. EINGORN: We got a motion from Mr.
8 Cooper and a second from Reverend Martinez.

9 CHAIRMAN HANCE: We're making a motion
10 for a use variance, right?

11 MR. EINGORN: I think we've identified
12 that we don't need a bulk variance because there's
13 three spots. I'll note that in the Resolution. And
14 then a requested site plan waiver. That's what's on
15 the table.

16 MR. EINGORN: I'll take a roll-call vote.
17 Chairman Hance.

18 CHAIRMAN HANCE: Yes.

19 MR. EINGORN: Vice-Chairman Cooper.

20 VICE-CHAIRMAN COOPER: Yes.

21 MR. EINGORN: Reverend Martinez.

22 REVEREND MARTINEZ: Yes.

23 MR. EINGORN: Ms. Atwood.

24 MS. ATWOOD: Yes.

25 MR. EINGORN: Ms. Merricks.

1 MS. MERRICKS: Yes.

2 MR. EINGORN: Mr. Brito Bueno.

3 MR. BRITO BUENO: Yes.

4 MR. EINGORN: Having six in favor and
5 none opposed, the motion passes. Don't forget, if
6 you want a sign, talk to the Planning Office.

7 MR. PORRATA: Thank you.

8 MR. EINGORN: We just have a couple more
9 matters here. Adoption of Resolutions for December
10 of 2022. Everybody I believe can vote on these.
11 So for December it's, Use Variance and Site Plan for
12 Franklin Matias, Jr. He had the auto repair garage
13 they put up.

14 Granting Non-Conforming Use for
15 ANVC, LLC, 316-322 Pine Street. That was the
16 warehouse.

17 Granting Bulk Variance for Nhat Nguyen,
18 824 Morgan Blvd. That was the sunroom replacement.

19 Granting Non-Conforming Use for Yehuda
20 Kanelsky & Yachiel Winfield. That was the apartment
21 complex on Randolph Street.

22 Another Non-Conforming Use for Yehuda
23 Kanelsky and Yachiel Winfield, that was the apartment
24 complex on 1117-1125 Magnolia Avenue.

25 And those the December Resolutions. Do

1 we have a motion to adopt?

2 CHAIRMAN HANCE: I so move to adopt.

3 REVEREND MARTINEZ: Second.

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

5 Chairman Hance.

6 CHAIRMAN HANCE: Yes.

7 MR. EINGORN: Vice-Chairman Cooper.

8 VICE-CHAIRMAN COOPER: Yes.

9 MR. EINGORN: Reverend Martinez.

10 REVEREND MARTINEZ: Yes.

11 MR. EINGORN: Ms. Atwood.

12 MS. ATWOOD: Yes.

13 MR. EINGORN: Ms. Merricks.

14 MS. MERRICKS: Yes.

15 MR. EINGORN: Mr. Brito Bueno.

16 MR. BRITO BUENO: Yes.

17 MR. EINGORN: And then January, Chairman

18 Hance, Vice-Chairman Cooper, Ms. Merricks, and Mr.

19 Brito Bueno are those available to vote for the

20 January Resolutions which are:

21 Granting Bulk Variance Approval for Edwin

22 A. vote Batista. That was a duplex on 1445 Kenwood

23 Avenue.

24 Granting Use Variance Approval and Bulk

25 Variance Approval for Ice Station Zebra, LLC. That

1 was the three-unit apartment building. Do I have a
2 notion to adopt those Resolutions?

3 VICE-CHAIRMAN COOPER: Motion.

4 CHAIRMAN HANCE: Second.

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

7 CHAIRMAN HANCE: Yes.

8 MR. EINGORN: Vice-Chairman Cooper.

9 VICE-CHAIRMAN COOPER: Yes.

10 MR. EINGORN: Ms. Merricks.

11 MS. MERRICKS: Yes.

12 MR. EINGORN: Mr. Brito Bueno.

13 MR. BRITO BUENO: Yes.

14 MR. EINGORN: All in favor. The motion
15 passes. The last thing we need is a motion to
16 adjourn.

17 VICE-CHAIRMAN COOPER: Motion to adjourn.

18 MS. ATWOOD: Second.

19 MR. EINGORN: All in favor?

20 THE BOARD: Yays.

21 - - -

22 (*Meeting concluded at 9:41 p.m.*)

23

24

25

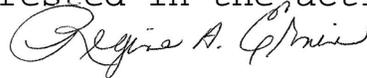
1 CERTIFICATION

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

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

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

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

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25 means, unless under the direction, control and/or
supervision of the certifying reporter.)

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