In The Matter Of: CITY OF CAMDEN ZONING BOARD

TRANSCRIPT OF MEETING September 11, 2023

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

Min-U-Script® with Word Index

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2	CITY OF CAMDEN
3	
4	Monday Contombos 11 2022
5	Monday, September 11, 2023
6	
7	
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.
12	
13	BOARD MEMBERS PRESENT
14	DARNELL HANCE, CHAIRMAN
15	CHARLES COOPER, VICE-CHAIRMAN KAREN MERRICKS
16	MARITZA ALSTON JOSE BRITO BUENO
17	
18	KYLE F. EINGORN, ESQUIRE
19	ATTORNEY FOR THE BOARD EVITA MUHAMMAD, ZONING BOARD SECRETARY
20	DENA MOORE JOHNSON, P.E., C.M.E. BOARD ENGINEER REMINGTON & VERNICK ENGINEERS
21	REPRINCION & VERNICE ENGINEERS
22	
23	Regine A. Ervin, CCR
24	Certified Court Reporter Email: RegineCSR@gmail.com
25	(609-280-2230)

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MR. EINGORN: Good evening. Welcome to
1
2
    the meeting of the City of Camden's Zoning Board of
    Adjustment. This is the regular meeting for
3
    September 11th, 2023. In conformance with the
4
5
    Sunshine Law of the State of New Jersey, notice of
    this meeting was posted in the Municipal Clerk's
6
7
    Office on Wednesday, September 6th, 2023.
                I'll take a roll call. Chairman Hance.
8
                CHAIRMAN HANCE: Here.
9
10
                 MR. EINGORN: Vice-Chairman Cooper.
11
                VICE-CHAIRMAN COOPER:
                                       Here.
12
                MR. EINGORN: Reverend Martinez. Absent.
13
    Theresa Atwood. Absent.
14
                MR. EINGORN: Ms. Merricks.
15
                MS. MERRICKS: Present.
                MR. EINGORN: Ms. Alston.
16
                MS. ALSTON: Present.
17
                MR. EINGORN: Mr. Brito Bueno.
18
19
                MR. BRITO BUENO:
                                  Here.
20
                MR. EINGORN: Great. Thank you all.
21
                Welcome everyone. Please be advised that
22
    we only have five Board members tonight. So if you
    do require a use variance, you will need an unanimous
23
24
    vote of the full Board present. Otherwise, you will
25
    not have enough votes to carry the statutory burden
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so I'm just giving you the heads up. We will not
1
2
    have anymore Board members arriving tonight. It will
    be the five members that we do have.
3
                The first matter, if we could have a
4
5
    motion to approve the minutes for July 2023.
                VICE-CHAIRMAN COOPER: Motion to approve.
6
7
                MR. EINGORN: Do we have a second?
8
                CHAIRMAN HANCE:
                                  Second.
                MR. EINGORN: Roll-call vote. Chairman
9
10
    Hance.
11
                CHAIRMAN HANCE:
                                  Yes.
12
                 MR. EINGORN: Vice-Chairman Cooper.
13
                VICE-CHAIRMAN COOPER:
                                        Yes.
14
                MR. EINGORN: Ms. Merricks.
15
                MS. MERRICKS: Yes.
                MR. EINGORN: Ms. Alston.
16
                MS. ALSTON: Yes.
17
                MR. EINGORN: Mr. Brito Bueno.
18
19
                MR. BRITO BUENO:
                                   Yes.
20
                MR. EINGORN: Motion passes.
21
                I will read the list of items tonight.
22
    If you are here, please let us know that you are
    present. Also, if you have cell phones, please
23
24
    silence them. That will be great.
25
                So the first matter on the agenda will be
```

```
Parkside Business & Community In Partnership, 1454 to
1
2
    1460 Haddon Avenue.
3
                MR. DIDUCH: Counsel is present.
4
                MR. EINGORN: Good evening. Thank you.
5
                The next matter is Aspire Property Group,
    945 North 27th Street.
6
7
                UNIDENTIFIED SPEAKER: We're asking for
8
    an adjournment.
9
                MR. EINGORN: Wilton Torres, 116 State
    Street.
10
11
                MR. IZZO: Ready.
12
                MR. EINGORN: St. Joseph Carpenter's
13
    Society, 2912 Federal Street.
14
                MR. EINGORN: Great. Thank you.
15
                Ronald and Frances Abate, 1929 South 4th
16
    Street.
17
                MR. BERNSTEIN: We're here and ready to
18
    proceed.
19
                MR. EINGORN: Very good. Efrain Reyes,
20
    Jr., 233 Grand Avenue.
2.1
                MR. REYES: Present and ready to
22
    proceed.
23
                MR. EINGORN: Don Ley Group, LLC, 265 Mt.
24
    Vernon Street.
25
                MR. LEYBA: Present.
```

```
MR. EINGORN: Good evening. Kirtty
1
2
    Traveras, 1539 S. 10th Street.
3
                MR. IZZO: Present.
4
                MR. EINGORN: Thank you. Osvaldo
    Fernandez, 1261 Dayton Street.
5
                MR. IZZO: Also ready.
6
7
                MR. EINGORN: Thank you. Jordan &
    Jordan, LLC, 1201 Atlantic Avenue. Anybody? We'll
8
    re-call that.
9
                Tariq S. Alam, 602 Berkley Street.
10
11
                MR. IZZO:
                           That's ready.
                MR. EINGORN: We'll take the first
12
13
    matter, Parkside Business and Community in
    Partnership, 1454-1460 Haddon Avenue.
14
15
                MR. DIDUCH: We are ready.
16
                MR. EINGORN: I'll swear in our
    professional. Please raise your right hand.
17
18
19
                DENA MOORE, P.E., C.M.E., having first
    been duly sworn/affirmed, was examined and testified
20
    as follows:
2.1
22
23
                MR. DIDUCH: Good evening ladies and
24
    gentlemen. My name is Kevin Diduch. I'm the owner
25
    and principal attorney at KD Law in Haddonfield, New
```

1	Jersey. For the record, my last name is spelled,
2	D-I-D-U-C-H. It is my privilege this evening to
3	present an application for approval of a major
4	subdivision application on behalf of Parkside
5	Business and Community in Partnership.
6	The property in question is located at
7	1454-1460 Haddon Avenue identified currently as Block
8	1300, Lot 84 within the City of Camden. It's
9	currently situated in the Commercial/Residential Zone
10	of Parkside Redevelopment area. And the applicant
11	was previously before this Board on July 10th wherein
12	the Board authorized the subdivision of the lot for
13	which we're seeking final approval to subdivide this
14	lot into six lots to construct five individual
15	townhomes which we have immediately on display to my
16	right. As part of our testimony this evening, I do
17	have Mr. Samir Mody from Keller Engineers who I would
18	ask be sworn in by Mr. Eingorn as a professional.
19	MR. EINGORN: Sure. Mr. Mody, please
20	raise your right hand.
21	
22	SAMIR MODY, P.E., having first been duly
23	sworn/affirmed, was examined and testified as
24	follows:
25	

MR. EINGORN: For the record, Mr. Mody 1 2 was accepted as a professional engineer the last time so I think if you would prefer that we just accept 3 him tonight as well. 4 5 MR. DIDUCH: Thank you very much. Ι appreciate that Mr. Eingorn. I am going to turn it 6 to Mr. Mody to address the Board with respect to the 7 8 basis of the application that we're finalizing this evening. And I'll be on standby for any questions. 9 10 Mr. Mody, take it away. 11 MR. MODY: Good evening everybody. 12 MR. EINGORN: Good evening. 13 MR. MODY: I'm Sam Mody. Principal owner 14 of Keller Engineers of New Jersey and we've been 15 contracted by PBCIP to prepare the Site Plan and the lot consolidation and subdivision, major subdivision. 16 Dena, do you want to --17 MS. MOORE: Do you want to just start 18 with the letter? Because the project was approved 19 20 previously, Site Plan approval. So now since the 21 applicant has proposed to subdivide the property as 22 we suspected during the Site Plan review. All right. I'm referring to Remington & Vernick's 23 letter dated August 2, 2023. Starting on page 2 with 24

the area and bulk requirements. As a part of the

```
subdivision the applicant requires multiple variances
1
2
    including the lot area maximum, the lot depth, lot
    width and impervious coverage for multiple locations,
3
    as indicated on page 2 of 5, the area and bulk
4
5
    requirements.
                Moving on to the subdivision comments.
6
    The applicant must obtain the correct block and lot
7
    numbers from the Tax Assessor. Written verification
8
    must be received by my office prior to final review
9
    and signature of the deeds and/or plat.
10
11
                MR. MODY: Yes, we've secured the letter
12
    from the Tax Assessor Abrina Carson. The letter is
13
    dated August 7th, 2023. And basically she has
14
    reviewed the major subdivision plan and memorialized
15
    basically the lot and block numbers and the addresses
    of each parcel that I show on the subdivision plan.
16
                MS. MOORE: Have you forwarded that to my
17
    office?
18
19
                MR. MODY:
                           No.
20
                MR. DIDUCH: For purposes of the record
21
    this evening if we could submit them as A-1.
22
                               Do you have a copy for us?
                MR. EINGORN:
23
                MR. MODY: I'll mark it as A-1.
24
                              You can have this.
                MR. EINGORN:
25
                MS. MOORE: And then I'll just get my
```

copy electronically for the electronic file. 1 2 MS. MOORE: Testimony should be provide as to whether the major subdivision will be filed by 3 deed or by plat. 4 MR. MODY: The major subdivision will be filed by plat. 6 MS. MOORE: Testimony should be provided 7 8 regarding the responsibility of the common property and Block 1300, Lot 84 including the roadway parking 9 10 and stormwater system. 11 MR. MODY: So let me show that response 12 The entire lot area is Block 1300, Lot on the plan. 13 The parcel has been subdivided into six lots, 14 the common area lot which Dena just mentioned, the 5 15 individual lots for the townhouses. This common area is comprised of five parking stalls which actually we 16 saw during the subdivision --17 The Site Plan approval. 18 MS. MOORE: MR. MODY: Okay. And then you have the 19 two drive aisles which also showed on the Site Plan. 20 21 In the area behind which is designated for 22 landscaping, we have rain gardens proposed and other 23 shrubbery that provides the -- along the back side.

So all of this common area, the remainder of Lot 84

will be managed by the HOA in the future. And then

24

the five townhouses will sit on these parcels. 1 MS. MOORE: Now for the HOA -- excuse me. 2 Kyle, is there anything that you would need regarding 3 the development of the HOA to handle this? 4 MR. EINGORN: I mean, it would be nice to see something that at least evidences that the HOA 6 is being created. And then it would have to be 7 8 a condition of approval. 9 MS. MOORE: Okay. So some type of evidence that one will be created and then if you can 10 11 provide that to us too. Thank you. 12 MR. MODY: Thank you. 13 MS. MOORE: The plans should note that 14 the applicant will comply with the "City's Ordinance 15 Establishing Standards for the Submission of Maps and 16 Other Documents in a Digital Format." The applicant should be aware that final signatures of approval and 17 building permits will not be issued until the 18 required information is received. So that's two 19 copies of a flash drive. 20 2.1 MR. MODY: As a condition of approval, 22 we'll comply with the City's Ordinance and provide digital copies of the final plat. 23 MS. MOORE: The signature block on the 24

plans should be revised to add the signature for the

```
Zoning Officer/Administrative Officer and change the
1
2
    signature lines for the City Engineer to Zoning Board
3
    Engineer and Planning Board Chairperson to Zoning
    Board Chairperson.
4
                MR. MODY:
                           And the signature blocks have
    been revised on the updated plan as noted.
6
                            The surveyor and engineer's
7
                MS. MOORE:
8
    certifications should include the term "to the best
    of my knowledge and belief." So for both of those
9
    certifications, can you add "to the best of my
10
11
    acknowledge and belief?"
12
                MR. MODY: And they have been unrevised
13
    also.
14
                MS. MOORE: And your surveyor is aware of
15
    where to add that?
16
                MR. MODY:
                            Yes.
                MS. MOORE: The applicant should correct
17
    the discrepancy between the bearing noted for segment
18
    5 and the plan for Block 1300, Lot 84.
19
                           Yes. So the description of
20
                MR. MODY:
21
    the property that was submitted that were sealed
22
    copies, they've all been addressed. The plan will be
23
    revised once we secure the approval.
                            The applicant should correct
24
                MS. MOORE:
25
    the discrepancy between the bearing noted for segment
```

```
2 and the plan for Block 1300, Lot 84.05.
1
2
                MR. MODY:
                           The same response.
                                                The
    written description, I can provide this as an exhibit
3
    if you'd like.
4
                            I mean, it's just easier if
5
                MS. MOORE:
    you just say that you'll revise it. And then if we
6
    get a full submission should the Board decide to
7
8
    approve it.
                MR. MODY: Okay. No problem.
                            I listed the Summary of
10
                MS. MOORE:
11
    Variances and Waivers granted with the Site Plan
12
    approval. Because that included the building height,
13
    multi-family, the maximum lot area, lot width,
14
    impervious coverage, curb and then trees 40-foot on
15
    center. Also the number of parking spaces and
16
    buffers.
              There were waivers granted for those.
                The Summary of Variances and Waivers with
17
    this application. It's the maximum lot area, the lot
18
    width, lot depth, and impervious coverage. So did
19
20
    you want to put any testimony on record regarding
2.1
    those variances?
22
                MR. MODY:
                                 I covered it during the
                           No.
    Site Plan.
23
24
                MS. MOORE: Right. Okay. It's just the
25
    fact that at this point because they requested the
```

```
subdivision that we have the additional information
1
2
    that -- the additional variances that are required as
3
    opposed to the ones from the Site Plan.
                MR. EINGORN: Right. So by subdividing
4
5
    the property into these six separate lots, it
    triggered these different variances and that's why
6
    they're requesting them tonight. So they're a little
7
8
    different than what was previously granted for the
    Site Plan because --
9
                MS. MOORE: It was the overall.
10
11
                MR. EINGORN:
                              It was the overall site.
                           They needed for the overall.
12
                MS. MOORE:
    Now we need it for the 5 individual lots. I just
13
14
    wanted to make sure that the Board is aware of that.
15
                You're aware of the Approval Process as
16
    listed on page 4. If you have any questions, you can
    contact my office. You're fine with that, Sam?
17
18
                MR. MODY: Yes.
                MS. MOORE: And Outside Agency Approvals
19
20
    I have listed, Camden County Planning Board is the
21
    only one --
22
                MR. MODY: We haven't gotten their
    approval yet. We have coordinated with them.
23
24
    waiting for their final letter. We have spoken to
25
    them.
```

MS. MOORE: For the subdivision it would 1 2 just be their signature. Just their signature on the 3 subdivision. But I know you're working with them on the Site Plan. At this point, they're just 4 5 separate. Because we're going to finalize because you have the time limit associated with the 6 subdivision, you can go ahead and move with the 7 8 subdivision and get that taken care of. And then you can go do everything you need to do with the Site 9 But let's move the subdivision along so that 10 11 you don't hit that time limit where you have to come back. 12 13 MR. MODY: Got you. 14 MS. MOORE: Mr. Chairman, that concludes 15 my review. 16 CHAIRMAN HANCE: Thank you. MR. DIDUCH: For purposes of the record, 17 these were already in your application. 18 I don't think there's a need to admit those separately. 19 we just sort of -- well, I can keep them up in case 20 21 the Board has any questions. At this time, we would 22 open it up to any questions or concerns the Board may 23 have by either myself or Mr. Mody. 24 CHAIRMAN HANCE: On your variances for

each individual home, width and size may change

because of the subdivided each individual? 1 2 MR. MODY: On Dena's letter it kind of summarized all of the dimensions that was required as 3 part of the subdivision testimony. And then you can 4 see how this affected now with each of the 5 subdivision lots how the setbacks are now before you 6 totally different than the complete area. 7 CHAIRMAN HANCE: Now, will that affect 8 9 the parking behind the building? MR. MODY: Parking is still defined by 10 11 the 5 spots that we have back there. No change 12 So we had developed this as a composite and 13 then subdivided. Nothing changes to what we had 14 previously shown as far as the area that was 15 designated from the townhouses. 16 MS. MOORE: Right. Nothing on the site plan changes. This is just the creation of the 17 subdivision for the individual lots. 18 CHAIRMAN HANCE: Okay. Thank you. 19 MR. MODY: You're welcome. 20 2.1 MR. EINGORN: Does the Board have further 22 questions? No. Why don't we open to the public. Is 23 there anybody in the public that would like to be heard with respect to this application regarding 24 25 1454 to 1460 Haddon Avenue, application for

subdivision? Seeing none and hearing none, we will 1 2 close the public portion. Now is the time for the Board to weigh in on this application. 3 something the Board typically sees. It requires a 4 5 vote of the majority of the Board. It's not a use variance. And it is sort of part and parcel of what 6 you heard at the last meeting related to the Site 7 8 Plan. 9 I would ask that the Board put on some record because there are bulk variances being 10 11 requested. Those are max lot area, lot width, lot depth and impervious coverage which were triggered by 12 13 the fact that the single parcel will now be six. a discussion and then a vote -- motion. 14 15 VICE-CHAIRMAN COOPER: I think it's a good thing for the community here and, you know, what 16 they're asking for is not going to be over from what 17 it requires. I think it's a good thing for that 18 neighborhood. All the setbacks, you know, it will be 19 20 good. 2.1 MR. MODY: You've seen the rendering, 22 right? 23 VICE-CHAIRMAN COOPER: Yes. 24 CHAIRMAN HANCE: I'm going to say that

it's something great for Parkside. It's bringing it

```
back to life. As a young man when I use to run the
1
2
    streets around there, it was a lot better than now.
    To bring it back even better, I think is a twist that
3
    we need for Camden to come back strong. And Parkside
4
5
    right now is leading the way. So I think it's a
    great idea.
6
                              Thank you very much.
                MR. DIDUCH:
8
                MR. EINGORN: So any motion that's made
9
    tonight to the extent that the Board is going to make
    a motion to grant this application, should be subject
10
11
    to the discussion tonight, the terms and conditions
12
    of the Remington & Vernick letter dated August 2nd,
13
    as well as the condition of approval that the
14
    applicant provide evidence of the creation of a
15
    HOA --
16
                VICE-CHAIRMAN COOPER:
                                        Right.
                MR. EINGORN: -- for the lot, back lot
17
    parking lot area; common area.
18
                CHAIRMAN HANCE: Can we explain a little
19
20
    bit more about the HOA and that back lot you were
21
    pointing to the righthand side earlier.
22
                MR. EINGORN: Not to cut them off.
23
    the issue is that you have a common area that's not
24
    really going to be owned by any single lot.
```

people who come in and purchase the five lots where

the buildings are, are basically going to share that back area. And there's going to have to be some controlling document which determines the rights of the property owners as to who pays for it; how it's paid for; how it's maintained and those types of issues. And we don't want that to go unchecked because then it could go into disrepair or something of that nature which would create an issue or for the homeowners in-fighting as to who owes what; how it gets split up; who pays for it. So you need some king of governing document for that; that everybody would be guided by it.

MR. MODY: You can't do a direct relationship between Townhouse 1 and Parking Area 1. You also have the common drive aisle here that has to be maintained. And we also have landscaping behind so who would be responsible would that be if you didn't have an HOA because it circumvents all the townhouses. So it just seemed to make more sense to divide it into individual ownership then provide the common area, which is the drive aisle, the five parking spaces, and then the landscaped runs along the back.

VICE-CHAIRMAN COOPER: And then HOA will be covering the grass cutting and all that stuff?

```
MR. MODY: It would maintain --
1
2
                MS. MOORE: It's a responsibility
3
    basically because you have to make sure it's
    understood who is going to be responsible. So those
4
5
    five owners make that decision as to who is
    responsible for snow removal, for certain things.
6
    It's all that.
7
8
                MR. EINGORN: Not to mention repaving.
    You also have an issue where these buildings are kind
9
    of uniform. Right? They have a uniform and solid
10
11
    look.
           They're all consistent with each other.
                                                     So
12
    that may be also be something that's part of the HOA
13
    to determine, hey, if it needs a new roof on one part
14
    of the building, you're going to match the roof to
15
    everybody else, including siding fixes, windows,
16
    things like that. Because once you have people
    making separate decisions as to what goes where, it
17
    can change that, the whole look.
18
                MR. MODY: You need common standards for
19
20
    everybody.
21
                MR. DIDUCH: But to Mr. Hance's point,
22
    it's sort of kind of the place that people take
23
    enough pride in that want to do those things.
    We're pretty excited about it.
24
25
                CHAIRMAN HANCE: This is ownership,
```

```
1
    correct?
 2
                MR. DIDUCH: That's right. Reasonable
    ownership of each individual townhome lot.
 3
                CHAIRMAN HANCE:
                                 So when you are selling
 4
 5
    these homes or whoever will be selling these homes,
    you will mention the HOA?
6
                MR. DIDUCH: Yes, sir.
 7
 8
                MR. BRITO BUENO: Is it like a
    condominium?
9
10
                MR. DIDUCH:
                              Yes.
                                    It's a common
11
    ownership. It's a condominium-style ownership of a
12
    typical townhome. So it's more than one level.
13
                MR. MODY: So they will get basically the
14
    lot they would get with their sale.
                                          The HOA
15
    governing documents would be provided with the sale.
16
                MR. EINGORN: They're also usually
    recorded with the Clerk's Office. Thank you.
17
                CHAIRMAN HANCE: Going back a little bit.
18
    So the HOA it's mostly everything that's in that
19
20
    vicinity; am I correct, like the parking, the roof,
2.1
    the windows, the snow removal? But they're
22
    responsible for removal of their own trash out.
23
    There's not a dumpster or anything like that?
24
                MR. EINGORN: Correct. I think the
25
    testimony when we were here last month was that,
```

```
there's sufficient trash at the curb on a weekly
1
2
    basis that it would be sufficient to service all five
    buildings. And I believe there was testimony from
3
    the public as well that confirmed.
4
                MR. DIDUCH: That the trash will be taken
    out, I believe, three times a week.
6
                MR. MODY: The schedule. Everything is
7
8
    shaded in that common area. The remaining Lot 84 is
    the shaded area in the landscaping.
9
10
                CHAIRMAN HANCE: Let's get this on
11
    record.
             The homeowners, is this a joint thing for
12
    the HOA where they do it together as a unit where
13
    someone --
14
                VICE-CHAIRMAN COOPER:
                                        That's a lot of
15
    money. The state would have a board or something,
16
    right?
                MR. MODY: They would have a board, a
17
    Leadership team.
18
                MS. MERRICKS: They would fix the whole
19
20
    common ground and make sure everything stays the
2.1
    same.
22
                MR. BRITO BUENO: So what type of
    ownership is that? It's not a condominium.
23
24
                MR. DIDUCH: It's fee simple ownership,
25
    right? So I think what you might be thinking of is
```

more like shares of a stock. 1 2 MR. BRITO BUENO: Yes. That doesn't apply here. 3 MR. DIDUCH: It's actually fee simple ownership of each individual 4 5 lot which we have to the six lots altogether. And then the sixth lot, final lot is shared commonly by 6 all the owners. 7 8 CHAIRMAN HANCE: So they come in knowing that it's shared? 9 It's advertised as 10 MR. DIDUCH: Yes. 11 such; it is going to be advertised. 12 MS. MOORE: The only thing I would say 13 since we're talking about it this much, is that 14 should the five owners agree or not decide to do the 15 HOA, that they make some type of contribution in 16 which possibly the City or someone would do it at a I mean, the only thing is, you can have a 17 cost. 18 situation where you have an HOA but then they don't do anything. 19 20 But because it's for what they need, they 21 can do some of the things. I'm sure they'll do their 22 own snow removal and they won't argue with each 23 other, you know, having access. But some of the other things that the City needs them to take care of 24 25 like their stormwater system, I think, there should

```
be something in there that there's, I mean, legally
1
2
    however.
                MR. EINGORN:
                              That's usually something
3
    that the governing document for an HOA would provide
4
5
    in the event of a dispute.
                MS. MOORE:
                            Right. Okay.
6
7
                MR. DIDUCH:
                              That's right.
8
                MR. EINGORN: But also it would be an
9
    enforcement issue.
                MR. DIDUCH: We'll have a whole set of
10
11
    bylaw that govern how the HOA operates and that is
12
    part of the condition of approval tonight.
13
    going to be presented to the Board. Not necessarily
14
    approval but just for presentment to know that it's
15
    in place.
16
                VICE-CHAIRMAN COOPER:
                                        So you're saying
    that whoever buys these properties, the HOA, if they
17
    don't agree to the HOA, they don't have to do it?
18
                MS. MOORE: Oh, no, no.
                                          They would do it
19
20
    but there are some situations where you have an HOA
21
    and then all of a sudden there's no president,
22
    there's no vice-president. You know, people move.
23
    But as along as that legal document is in place early
         And I'm talking about from before where you have
24
25
    other large developments and they may not have
```

realized, hey, there's an HOA that was suppose to handle something.

And then ten years later they need their detention basin fixed. And all of a sudden people didn't realize, oh, we didn't know there was an HOA that was suppose to do this. Because all the original people are gone. So as long as the legal document is written in a way that it's in perpetuity; that everyone who buys these properties understands that they're a part of something in which there's a common ownership for what they're taking care of.

MR. DIDUCH: How to ensure that happens is, there's a Master Deed that is recorded with the City together with the bylaws. And each individual homeowner's deed is going to have what's called Indexing. So they're going to have their own individual deed that's going to be indexed to the original Master Deed and the bylaws attached to that. As you pull up a title search, you're going to be able to pull up both the deed, the Master Deed as well as the byLaws that go with it. That's a good question though.

MS. MOORE: And that's just something that's a little bit different because of the situation where they don't have their individual

```
parking spaces because it's a tight area too.
1
2
    So it's just something -- even on the Planning Board
    when these type of Site Plans come in, it's something
3
    that we just don't normally see. But we may be
4
5
    seeing it more because you have smaller areas and
    you're trying to get people situated into these
6
    smaller areas.
7
8
                MR. DIDUCH:
                             Thank you. Anything
9
    further?
10
                VICE-CHAIRMAN COOPER:
11
                MR. EINGORN: Does the Board want to make
    a motion?
12
13
                VICE-CHAIRMAN COOPER: I make a motion to
14
    accept as long as they follow the guidelines here.
                MR. BRITO BUENO: What happens if they
15
    don't follow it?
16
                MR. EINGORN: Their approvals tonight
17
    would be on these conditions. So to the extent that
18
    they don't comply, they wouldn't fully get their
19
    approvals. So it's a motion --
20
2.1
                MS. MOORE: This approval would give them
22
    subdivision, the subdivision approval where we just
    go through and they're subdividing by deed -- I'm
23
    sorry -- by plat. So we'll just be signing the
24
25
    documents to have them file with the County for the
```

```
1
    subdivision. Because you guys already approved the
2
    Site Plan previously.
                MR. BRITO BUENO: I wasn't here.
3
4
                MR. EINGORN: So it's a motion to approve
5
    on the condition of the HOA and compliance with the
    discussion on the record regarding and with the
6
7
    August 2nd Remington & Vernick letter. So we have a
    motion. Do we have a second?
8
                CHAIRMAN HANCE: Second.
9
                MR. EINGORN: We'll take a roll-call
10
11
    vote.
           Chairman Hance.
12
                CHAIRMAN HANCE:
                                  Yes.
13
                MR. EINGORN: Vice-Chairman Cooper.
14
                VICE-CHAIRMAN COOPER:
                                        Yes.
15
                MR. EINGORN: Ms. Merricks.
16
                MS. MERRICKS: Yes.
17
                MR. EINGORN: Ms. Alston.
18
                MS. ALSTON: Yes.
19
                MR. EINGORN: Mr. Brito Bueno.
20
                MR. BRITO BUENO:
                                   Yes.
2.1
                MR. EINGORN: Having five in favor and
22
    none opposed, the motion carries.
23
                MR. DIDUCH: Thank you very much.
24
    appreciate everone's time.
25
                MR. EINGORN: The next matter this
```

```
evening is -- let's just quickly -- if anybody showed
1
2
    up late, Aspire Property Group, 945 N. 27th Street
3
    will not be heard tonight. They've requested an
    adjournment to October 2nd. If you're here for that,
4
5
    you're welcome to stay; you're welcome to leave.
    leave that up to you.
6
7
                The next matter, Wilton Torres, 116 State
8
    Street.
                MR. IZZO: I have three witnesses.
9
    have the architect and the owner.
10
11
                MR. EINGORN: Great. Would you like them
12
    sworn?
13
                MR. IZZO: Yes.
14
                MR. EINGORN: Please raise your right
15
    hand.
16
                ELDONADO F. VID, AL, R.A.; WILTON TORRES,
17
    FRANK PERALTA, ERIC RODIQUEZ, having first been duly
18
    sworn/affirmed, was examined and testified as
19
    follows:
20
21
22
                MR. EINGORN: Give you name and address
    for the record.
23
24
                MR. PERALTA: My name is Frank Peralta.
25
    Address is 621 E. Allegheny Avenue, Philadelphia,
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Pennsylvania 19134. 1 2 MR. TORRES: My name is Wilton Torres. Address is, 621 E. Allegheny Avenue, Philadelphia, 3 Pennsylvania. 4 5 MR. RODRIGUEZ: My name is Eric Rodriguez. Address, 621 E. Allegheny Avenue, 6 7 Philadelphia, PA. 8 MR. VID AL: I am El Donaldo F. Vid, Al. architect of the project, 344 Camelot Court, 9 Cinnaminson, New Jersey 08077. 10 11 MR. IZZO: The applicant's appeal to 12 allow the architect's plans to be executed involves a 13 three-story residential building at 116 State Street. And Mr. El Donaldo Vid, Al, he had made some specific 14 15 plans to renovate the building; to rescue it from 16 disrepair; and to allow the owners to construct the apartments. 17 18 And they have a parking plan which is mentioned in some rear elevation. And we have a 19 contract with another land owner in relation to 20 21 execution of a parking plan. But I would ask 22 Mr. El Donaldo Vid, Al to describe his plans overall. MR. VID, AL: This building is part of 23 24 the block that has five rowhomes as they were 25 a long time ago. So there are three floors above

ground and one basement, one full basement. And what we're intending to do is to renovate the whole building. In each floor, one, two, three, we're going to have separate apartments. The first floor is going to have one-bedroom apartments. And the second floor and the third floor is going to have 2 two-bedroom apartments. On the third floor, it's going to be half like typical of those blocks back then.

We're providing a new field of the roof of the third floor, the second floor. And then the second floor and the third floor are going to be same, the same area. Each apartment is going to have its own entrance. There are two entrances on State Street and one entrance on Main Street which leads to the parking, to the proposed parking. That parking, actually the whole block they have an access alleyway. It's a small one but they have an access. All those rowhomes, they have an access on the back. And then the area where the parking is going to be located.

I was informed that Main Street is closed. So basically, this area where the parking is going to be, the only use, suitable use right now is going to be parking because it's like a trap into the

block right now. We only need five parking spaces. The owner, the prior owner acquired an agreement with the parking owner for five parking. So in the course, each floor is going to have what is called a fire separation between the floors to separate the units from one to each other plus the stairs. In this case, each one apartment is going to have one

distinct stairs leading to the apartments.

So that's the overall the description of what this building is going to look like. It's only one facade State Street which we're going to keep the same character of the block. We won't change it that much; renovate it and whatever historical feature, we're going to keep it. So basically it's keeping the character of the building. I think that's all I have.

MR. IZZO: Mr. Donaldo, the owner is applying for a use variance from the board tonight?

MR. VID AL: Yes. This area which is C-1, is only good for duplexes where the owner is asking for three uses which is apartments, not two but three apartments.

MR. IZZO: How would that use variance if it's granted, not detract from the character of the neighborhood or how would it enhance the

```
1
    environment?
2
                MR. EINGORN: I don't mean to interrupt.
    Are we sure this is C-1? Because I have this noted
3
    as R-2.
             Not that it would make a huge difference.
4
5
    You'd still need a use variance. I guess the
    difference would be that a duplex would be legal;
6
7
    the extra one unit would not. But I think being in a
8
    residential zone maybe that helps mitigate a little
          I don't know. But I have this indicated as
9
    bit.
          If the Board will recall, this was here
10
11
    previously for four units.
                VICE-CHAIRMAN COOPER:
12
                                        Yes.
13
                MR. EINGORN: I guess the applicant is
14
    now reducing that to three units. But even then I
15
    had this indicated as an R-2 Zone as well. Not that
    it makes a huge difference. I was just curious
16
    whether or not...
17
18
                MR. IZZO: That's consistent with our
    application, I believe.
19
20
                MR. EINGORN: Okay. Sorry to interrupt.
21
    I apologize.
22
                MR. IZZO: What was the use of the
    building, three-family home? The Zoning Officer's --
23
24
                MR. EINGORN: The Zoning Officer's letter
25
    dated April 25, 2023, does indicate an R-2 Zone.
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```
prior resolution indicates an R-2 Zone as well.
1
2
    I said, I'm not here to make a huge issue out of it;
    only that it would be a residential zone as opposed
3
    to commercial.
4
5
                MR. VID AL: It's going to be
    residential. R-2 allows a duplex but not a
6
7
    three-family.
8
                MR. EINGORN: Right. But you'll still
    need a use variance but at least --
9
                MR. VID AL: Right. It's a use
10
11
    variance.
12
                MR. EINGORN: -- you'd still be within
    the residential.
13
14
                MR. VID AL:
                             Yes.
15
                MR. TORRES: My target is for residential
             It's not for commercial. Like we're more
16
    anyway.
    targeted into being an affordable home for like
17
    Rutgers' students and employees since we're so close
18
    to Rutgers and there's a shuttle bus literally around
19
20
    the corner dropping students off and picking up
21
    students every day.
22
                MR. IZZO: Mr. Vid Al, when you look at
    this particular structure, do you have an opinion
23
24
    that it would be suitable for a conversion of this
25
    nature as opposed to other structures in other areas?
```

```
MR. VID AL: I think it is.
1
                                              Those
2
    rowhomes in the past, long time ago, were big
3
    families in there. So they have at least those
    rowhomes in North Camden there were families or five
4
5
    or six so basically the new population in the 3
    one-bedroom and then two-bedroom apartments is not
6
    different than what it was when it was a big family
7
8
    in those houses. In keeping the character of the
9
    building, it's going to look like the same but it's
10
    like the entrance of the building what is going to be
11
    different.
                It's going to have three entrances.
                MR. EINGORN: And this will be five total
12
               Is it five bedrooms total?
13
    bedrooms?
14
                MR. TORRES:
                              Yes.
15
                CHAIRMAN HANCE: Go back to the
16
                You got three entrances. One in the
    entrances.
    front?
17
                MR. TORRES:
18
                              Two.
                MR. VID AL:
                              Two in the front.
19
                                  Two in the front.
20
                CHAIRMAN HANCE:
21
                MR. VID AL:
                              There's one entrance,
22
    natural entrance and then we're going to have the
23
    stairs that is going to go to the second floor.
    then from the parking, there's going to be another
24
25
    stairs on the third floor. So it's like all of them
```

```
they're going to have their own entrance.
1
2
    going to meet at the foyer. The foyer of the
    exterior of the building they have their own
3
    entrance, each one.
4
5
                CHAIRMAN HANCE: I'm just curious.
    you have one main hallway or is it all separate
6
7
    apartments?
8
                MR. VID AL:
                             I would say.
                                            There's no
9
    hallway.
10
                CHAIRMAN HANCE:
                                  Right.
11
                MR. VID AL: So it's like if you recall
12
    in North Camden, you have like a porch. So from that
13
    porch basically you get into the apartment on the
    first floor then there's another entrance to the
14
15
    second floor. And then from the back from the
16
    parking, there's other entrance to the third floor.
17
                CHAIRMAN HANCE:
                                  Talk to me about in case
    of a fire. Does each apartment have two exits or
18
    just one?
19
20
                MR. VID AL: Just one.
2.1
                VICE-CHAIRMAN COOPER: This one is
    landlocked.
2.2
23
                CHAIRMAN HANCE: Yes, I understand that.
24
    It's between two buildings. I'm just curious if
25
    they're going to make the apartments there. They
```

```
should have some type of a fire exit, not just one
1
2
    entrance in and one out. You know what I'm saying?
                VICE-CHAIRMAN COOPER:
3
                                        Yes.
                CHAIRMAN HANCE: Just like if you lived
4
5
    in the basement, you want to have one entrance.
                                                       Τf
    you're in there, you're stuck.
6
                MR. VID AL: Yes.
7
                                    Because from the
8
    technical standpoint from the fire standpoint, fire
    safety the standpoint, there is no Louis and Bob, you
9
    know, using a common hall but they have their own
10
11
    key; their own entrance. Of course in this case, the
12
13
    windows and everything needs to comply with exits and
    all of that.
14
15
                CHAIRMAN HANCE:
                                  I'll bring you back a
16
    little further when it was a single home, right, you
    had a front and a rear exit, correct?
17
                MR. VID AL: Yes.
18
                                    There was a rear, a
    natural rear of the building that goes to the yard,
19
20
    to the rear yard which is a small one.
2.1
                CHAIRMAN HANCE: I'm just saying that
22
    back in the day they had fire ladders. So just in
23
    case they only one exit, that can go out that window
24
    and get out.
25
                MR. TORRES:
                              Yes.
```

```
CHAIRMAN HANCE: So I'm just looking a
1
2
    little further now.
                MR. EINGORN: They would have to get
3
    approval from the Fire Marshall, right, when they go
4
5
    to get their permits and everything and their CO.
                MR. VID AL: Yes.
6
                CHAIRMAN HANCE:
7
                                  Yes.
8
                MR. EINGORN: They're going to have to go
    to the Fire Marshall and have this approved.
9
                CHAIRMAN HANCE:
10
                                  Okay.
11
                MR. EINGORN: So there's that additional
12
    protection. In our Resolutions, our form Resolutions
    do require a list to be submitted to the Fire
13
14
    Marshall, a Resolution. It should get taken a look
15
    at.
16
                MR. VID AL:
                             Because what it is, is that,
    these fire suppression assemblies which is walls and
17
    floors, is good for two hours. So in case of, say, a
18
    fire, something happened, it triggers a system of
19
    alarms for the whole building and everybody gets its
20
21
    own stairway.
22
                CHAIRMAN HANCE: I'm going to go a little
23
    further now. Do you have sprinkler systems in
24
    there?
25
                MR. VID AL: If the fire department
```

```
requires a sprinkler system then it's going to be
1
2
    installed as well.
                CHAIRMAN HANCE: I'm not only covering me
3
4
    but I'm covering your tenants.
5
                MR. VID AL:
                             What it is, a sprinkler
    system when you have a sprinkler system, it's like
6
    the fire assembly protection is less because of the
7
                 That's how it works.
8
    sprinklers.
                CHAIRMAN HANCE: I deal with building new
9
10
    houses.
             And we had to put a sprinkler systems in the
11
    houses that I thought had made the house look ugly,
    but it saves lives.
12
13
                MR. VID AL: It wouldn't be approved if
14
    it doesn't pass the fire department.
15
                VICE-CHAIRMAN COOPER:
                                        I have a question.
    On this third floor, this addition that you're
16
    putting on, that's going to be a 2-bedroom addition
17
    on the back of the house.
18
19
                MR. VID AL: The third floor?
                VICE-CHAIRMAN COOPER: Yes, third floor.
20
21
    Right now it's open so you all are going to add on to
22
    that, right?
23
                                     It's only like half
                MR. VID AL: Yeah.
    of the building. The footprint is just a roof so
24
25
    we're like the others, current neighbors they have
```

the same --1 2 VICE-CHAIRMAN COOPER: I see that. MR. TORRES: 3 Yes. MR. VID AL: So the second floor and the 4 third floor are the same. 5 MR. TORRES: And then the third floor, 6 7 we're going to match it with the first and second 8 floor. MR. IZZO: Mr. Wilton, in the back of 9 10 your building there's a 75-foot stretch of property 11 that Mr. Donaldo has designated to be serving as a 12 parking area. 13 MR. TORRES: Yes. MR. IZZO: How did you get the use? 14 15 MR. WILTON: R&J Brothers owns that which he owns many lots around their property. And I got 16 in contact with him about the lot and asked them if 17 he was either selling the lot or renovating. 18 he's not selling it but he's willing to give me a 19 20 lease. 2.1 We came up to an agreement as to payment 22 and all that; not in details because he said wait 23 until I get approved and exactly know how many spaces I'm going to need because the space fits at least 10 24 25 cars. But he did give me a signed paper saying that

he's willing to give me a lease and parking spaces.

MR. EINGORN: Let's mark this Intent to Enter Parking Lease, we'll mark this as Exhibit A-1 to the application.

VICE-CHAIRMAN COOPER: Just a small problem with this. He's offering you a two-year lease. So if he sells this property within two years, what's going to happen? He rented to something for a long term. You understand what I'm saying?

MR. TORRES: Yes.

MR. EINGORN: We have a bigger problem from a legal aspect for this. A few things, one, you're creating a parking lot as a principal use where that's not permitted. Right? You're not combining the two lots. So this parking lot is not going to be an associated on the same lot with the house. So you've got a separate lot with a use that's not a permitted use, so you would need a use variance to create a parking lot as a principal use on that lot; something that hasn't been applied for tonight. Right?

Nobody in the public here and nobody in the area was notified that, hey, we might stick a parking lot on 601 North 3rd Street. People might

oppose that. So the Board really can't sit here and say, hey, we'll let you use this as a parking lot because it hasn't been properly noticed and it's an illegal use. Right? So really what's up for consideration tonight is, a determination that you need 2 1/2 parking spaces to support this use and a request for a bulk variance for that.

This parking lot really is something that shouldn't be heard tonight. It really shouldn't be part of this application because, one, it wasn't notified and, two, it's a completely separate use on a completely separate lot. And you're kind of creating a can worms but trying to bring that in.

It's a great idea, right?

MR. TORRES: Yeah.

MR. EINGORN: Because parking is a premium but we hear about parking all the time. The only problem is, it's not really before the Board based upon the statutory notice requirements. But if you want to put in testimony about the parking in the area, the ability to park on the street, the potential to discuss this and mitigate the parking, you do have a request for a bulk variance that the Board can consider, and with only a need for 2 1/2 spots. How many bedrooms is this house now?

```
MR. WILTON: Right now it's five
1
 2
    bedrooms.
                               It's five bedrooms.
 3
                MR. EINGORN:
                                                    And
 4
    you're keeping five bedrooms?
 5
                MR. TORRES: Yes. We're just splitting
6
    it up.
 7
                MR. EINGORN: Right. You're just
8
    creating division?
9
                MR. TORRES:
                             Yes.
                MR. EINGORN: I didn't look at the
10
11
    pictures.
12
                VICE-CHAIRMAN COOPER: You're adding on
    to more bedrooms.
13
14
                MR. TORRES:
                             No, no. I'm doing the
15
    addition because we're splitting up the units. Like
16
    now it's five bedrooms but, you know, there's a floor
    that's maybe three bedrooms and the second floor is
17
    two-bedrooms but now we're adding a living room and a
18
    dining room so now that's why we have to extend --
19
    that's why there's an extension but it's still five
20
2.1
    bedrooms.
22
                MR. VID AL:
                                    The configuration is
                              Yes.
23
    going to change because the apartments --
24
                MR. TORRES: The only thing now is, we
25
    just have living spaces.
```

1 VICE-CHAIRMAN COOPER: Yes.

2.1

MR. EINGORN: I'm sorry to throw a whole wrench in the works here. I didn't want the Board to consider a parking lot that's technically not a legal parking lot.

VICE-CHAIRMAN COOPER: Do you have anything to show us in front of the house as far as parking?

MR. TORRES: I think I included pictures there to like showing like how the streets being.

Most of the time available parking. I showed Front and State Street which is right on the corner. I also showed the front of State Street which is right in front of the house.

CHAIRMAN HANCE: Is this a part across the across the street, the fenced-off area? What's this back here?

MR. TORRES: That's the Rutgers parking lot and then they use the shuttles every day. So you have parking on both sides on front Street and State Street. And then on the other side on 2nd & State which is the other corner, I also provided pictures of that. Like Mr. Vid Al mentioned earlier, directly behind the houses is Main Street, which now is cut off, it's closed, so it's a dead-end. So that also

```
can be used for parking.
1
2
                CHAIRMAN HANCE:
                                  No.
3
                MR. TORRES:
                              No. Even though it's a dead
4
    end?
5
                MR. IZZO: So what you're saying is, not
    even taking into account, the possibility of use in
6
7
    the rear, you have observed --
8
                MR. TORRES: That there's plenty of
9
    parking.
                MR. IZZO: That there's a lot of
10
11
    parking --
12
                MR. TORRES:
                              Yes.
                MR. IZZO: -- in that lot and below that
13
14
    lot.
15
                MR. TORRES:
                              Yes.
16
                MR. IZZO: On the street is what you're
    saying?
17
18
                MR. TORRES:
                              Yes.
19
                VICE-CHAIRMAN COOPER: How many parking
20
    lots would you need?
                MR. EINGORN: Doctor Williams' denial
2.1
22
    letter says 2 1/2 spaces are required.
23
                MR. EINGORN: To the extent that a bulk
24
    variance is being considered, it's a bulk variance
25
    for two and a half spaces. They have no off-street
```

```
parking but they would need to provide two spots.
1
2
                VICE-CHAIRMAN COOPER: From these photos
    it looks like they should have ample spacing to get
3
    two cars parked on the street.
4
                MR. EINGORN: So anything else you guys
    want to put on the record?
6
7
                MR. TORRES:
                             No.
8
                MR. EINGORN: The applicant rests.
9
                Does the Board have any additional
    questions?
10
11
                MS. ALSTON:
                              I do.
                                     You have a picture
    here of just the one meter.
12
13
                MR. TORRES:
                              Yes.
14
                MS. ALSTON: When I was looking through
15
    the plan, did you consider the three different
    meters, the three different --
16
                MR. TORRES: Yes. Everybody will have
17
    their own meters. I was just showing that the
18
    building is vacant; like there's no electricity or
19
20
    water running through the building and nothing like
21
    that. And that's why I also included pictures of the
22
    inside how it is basically down to the bones.
23
    yes, everybody will have its own meter.
                                              It's four
24
             So each apartment will have its own meter
25
    then the owner's meter as well.
```

```
1
                MS. ALSTON:
                             Okay. For the common
2
    area?
3
                MR. VID AL:
                             The City installed separate
4
    services upon approval of Zoning. That's how they do
5
    it.
                CHAIRMAN HANCE: So the hot water heater
6
7
    as --
8
                MR. TORRES: Yes, yes, hot water
9
    heater.
                                  Is that central or?
10
                CHAIRMAN HANCE:
                MR. TORRES: Central air, yes. Like I
11
12
    said, I'm focused -- we're focused more on Rugters
13
    College and employees so we're trying to put a little
14
    up-to-date where people have central air and they can
15
    monitor it through their phone; turn the lights on
    and all that. Light the outside with lights and all
16
    just in case it's dark.
17
18
                MR. VID AL:
                             Each unit we have like a
19
    mechanical closet where they have a tankless water
    heater and the unit. So it's going to be central in
20
21
    each unit. The basement is going to be for
22
    maintenance.
23
                MR. TORRES:
                             Utilities, yes --
24
                MR. VID AL: Each unit is going to have
25
    their own separate.
```

```
CHAIRMAN HANCE: So let's go back to the
1
2
    basement.
               Is that going to be just a basement for
    storage?
3
4
                MR. TORRES:
                              Storage, yes.
5
                MR. VID AL: Yes. Maintenance of the
    building.
6
7
                CHAIRMAN HANCE:
                                  Is it going to be for
8
    you or for the tenants?
                MR. TORRES:
9
                             For me.
                MR. VID AL:
                              There's no business in the
10
11
    basement for tenants.
12
                              I'm sorry. I didn't quite
                MS. ALSTON:
13
    hear, the 2.5 parking space that it is required, are
14
    they saying that it's going to be street parking,
15
    off-street parking? Is that what you guys said?
16
                MR. TORRES:
                              Yes.
17
                MR. EINGORN: On-street parking.
18
                MR. TORRES:
                             On-street parking.
19
                MS. ALSTON: On-street parking.
20
                MR. EINGORN: So the applicant is here
21
    tonight requesting the use variance for the three
22
    units and then a bulk variance for the two and a half
23
    spaces.
24
                MS. ALSTON:
                              Okay.
25
                MR. EINGORN: Any other questions?
                                                     Why
```

```
don't we open to the he public. Anybody in the
1
 2
    public here want to be heard on the application of
    Wilton Torres, Peralta Family Properties related to
 3
    116 State Street? Yes? No?
                                 Seeing no one
 4
 5
    interested in weighing in on this application, we
    will close the public portion.
6
                Now is the Board's turn to do a
 7
8
    discussion of the Positive and Negative Criteria
9
    related to the applicant's requests for a use
    variance for three units and a bulk variance for two
10
11
    and a half spaces.
12
                CHAIRMAN HANCE:
                                  I think any time you put
13
    extra apartments around a college, it's needed
14
    especially in North Camden which also needs a
15
    facelift. So I think it's a smart move.
                                               T think
16
    it's needed. And, again, my personal thing is, that
    parking lot back there, I would try to purchase that.
17
18
                MR. TORRES: I have tried but he doesn't
19
    want to sell it but I've tried.
20
                CHAIRMAN HANCE: The vice-president was
21
    right.
            Two years may not be enough, but you did show
22
    parking outside.
23
                MR. TORRES:
                             Thank you.
24
                MR. EINGORN: Anybody else?
25
                              I'm just wondering why they
                MS. ALSTON:
```

```
can't just leave it as a two separate, maybe floors,
1
2
    like a two-family home versus the three-family home
    in that area. I know you're trying to maximize the
3
    space. But State Street in general, it's very
4
5
    congested. And I do agree with you, Chairman, any
    time that you're building more apartment spaces, it
6
    is good for the community. You're trying to get
8
    maybe some of the students to have a safe place to
    stay and things like that. Was there something? Why
9
    don't you just leave it as a two-floor?
10
11
                MR. TORRES: It was never a two-family.
12
    It was only a one-family.
13
                MS. ALSTON: Why didn't you just do a
14
    two-floor and just --
15
                MR. TORRES: Just to like basically use
16
    it to that advantage, the space, since you're already
    going to basically construct and build because it was
17
    a single-family. So if you're going to make it a
18
    two, you already have to build and might as well make
19
    it worth it. And make it useful for the students.
20
21
                MR. VID AL: Because the one bedroom,
22
    it's interesting because one bedroom is not for a
             It's for one student; one teacher.
23
    family.
    has the advantage on the first floor. The other
24
25
    small like a family, second and the third. But the
```

```
first one, it's only one bedroom for a single person.
1
2
                CHAIRMAN HANCE: And it was a
    five-bedroom home?
3
                MR. TORRES: Yes.
4
5
                CHAIRMAN HANCE: I would know what you're
    doing because of privacy.
6
7
                MR. TORRES: Yes.
                CHAIRMAN HANCE: You can leave it the way
8
9
    it is right now but your privacy is lost.
10
                MR. TORRES:
                             Exactly.
11
                CHAIRMAN HANCE: You got one entrance and
    everybody goes to their rooms.
12
13
                MR. TORRES: Yes.
14
                CHAIRMAN HANCE: Like when they have a
15
    late night to study or doing something different and
    they need that space. I still think it is a smart
16
17
    move.
18
                MR. EINGORN: Yes.
                MR. TORRES: Are you also pro for leaving
19
    the historical face on it as well?
20
                CHAIRMAN HANCE: I would leave it there.
2.1
22
    You would have to. If it's already historical, you
23
    can't change it.
24
                MR. TORRES:
                            Okay.
25
                MR. EINGORN: Any other discussion, a
```

```
motion?
1
2
                CHAIRMAN HANCE: I make a motion.
3
                MR. EINGORN: Motion to grant the
4
    variances?
                CHAIRMAN HANCE: Yes.
5
                MR. EINGORN: Do we have a second?
6
7
                MS. MERRICKS: Second.
                MR. EINGORN: I'll take a roll-call vote.
8
9
    Chairman Hance.
                CHAIRMAN HANCE:
10
                                  Yes.
11
                MR. EINGORN: Vice-Chairman Cooper.
12
                VICE-CHAIRMAN COOPER: Yes.
13
                MR. EINGORN: Ms. Merricks.
14
                MS. MERRICKS: Yes.
15
                MR. EINGORN: Ms. Alston.
                MS. ALSTON: Yes.
16
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. Thank you,
    gentlemen and have great night. Good luck with your
21
22
    project.
23
                MR. TORRES:
                              Thank you.
24
                MR. VID AL:
                              Thank you.
25
                MR. RODRIGUEZ:
                                 Thank you.
```

```
MR. EINGORN: Next matter, St. Joseph
1
2
    Carpenter's Society, 2912 Federal Street.
3
                MR. CIESLIK: Good evening. My name is
4
    Vincent Cieslak from the Capehart & Scatchard on
5
    behalf of the applicant which is St. Joseph
    Carpenter's Society.
6
                Tonight I have with me, Enrique Rivera
7
8
    who is the director of Neighborhood Development and
    Troy Harris who is with the VISSI Architectural &
9
    Engineering Firm. They're both going to testify
10
11
    tonight. And we also have our head of construction
12
    Tracy Bell who is also available if we have any
13
    construction questions.
14
                The application is for 2912 Federal
15
    Street.
             Just to get your bearings, 2912 Federal
    Street, if the building is to your back, if you look
16
    to your right, Church Street, that's right where
17
    St. Joseph's Carpenter Society the main offices are
18
    at 20 Church Street.
19
20
                VICE-CHAIRMAN COOPER:
                                        That's my
21
    neighborhood, sir.
22
                MR. CIESLIK: That's your neighborhood.
    You know it well.
23
24
                At 2912 Federal Street is a warehouse
25
    with storage. We're requesting the right to continue
```

a non-conforming use. It has been used for years as a warehouse with storage and now we're requesting a variance to merely continue the non-conforming use. The testimony we'll put on tonight will explain that actually the use is going to be less intense, less like a warehouse and more like office; less intense to the neighborhood.

We're not looking to increase the footprint; not in looking to increase the density, traffic nor the negative impacts. I think that a lot of Board members are probably familiar with Carpenter's Society. The focus on a lot things that are beneficial to the City. One of them is affordable housing; building affordable housing which we all know is desperately needed here in the City and the State.

Another focus of Carpenter's Society is on affordable rental. This site will actually be used for both those uses to provide education to consumers about how to purchase affordable housing, credit counseling, property maintenance. And I'll put on some testimony in a minute or two about those different things that the Carpenter's Society does.

The structure is going to be rehabbed from the inside by using DCA State of New Jersey

```
funds.
            So the State of New Jersey DCA is in support
1
2
    of this project and its funding a large part of this
3
    project. We are also going to improve the facade on
    the front of the building which will obviously
4
5
    enhance the appearance of the outside of the building
    for the commercial quarter. So I think there are a
6
    lot of really good benefits to this application and
7
8
    there really are no downsides or negatives to this
9
    application.
                I'm going to call up first Mr. Rivera and
10
11
    I will ask him some questions and he's going to
12
    present some of the background for this application.
13
                MR. EINGORN: Please raise your right
14
    hand.
15
                ENRIQUE RIVERA, having first been duly
16
    sworn/affirmed, was examined and testified as
17
18
    follows:
19
                MR. EINGORN: State your name and address
20
2.1
    for the record.
22
                MR. RIVERA: My name is Enrique Rivera.
    The address is 20 Church Street, Camden, New Jersey.
23
24
                MR. CIESLIK: Mr. Rivera, you were here
25
    as I just kind of gave the general explanation of
```

what this application is about tonight. Did I explain it correctly?

MR. RIVERA: Yes. So just to elaborate a little bit on that, carpenter's Society, we're growing in terms of our staff and the services that we provide. In 2021 we took back property management used to have it with Ingerman Property Managers. We now do it ourselves in-house. Because of that, we needed a place to store toilets, windows, stoves, appliances that we'll need to switch in and out of apartments. And our office right now it's pretty small in that sense because we're pretty much packed with all the people that we have.

And in 2023, we also received a contract with the State of New Jersey DCA to do weatherization in Burlington County. So OEO still does it in Camden County but we're going to be a sister agency with them out in Burlington County, but also bringing that knowledge and expertise in some of our home repairs back into the City of Camden. With that we also need a place to store our equipment that we're using for weatherization. That includes lower door test that you normally see; carbon monoxide measure, those kind of things.

You also mentioned some classes that we

offer. It's also true. It's a warehouse that we're proposing. But it's not really a warehouse. more storing those kind of things and the warehouse is going to be just an open space where we can do community center and events. Some of those events are going to be to teach people maintenance of their homes in an interactive setting. So we'll have like a piece of drywall, break it and we'll have them repair it, those kind of classes. We're trying to be more innovative with some of the programs that we're offering. And that's something that we're trying to achieve here at the warehouse. MR. CIESLIK: Now, in terms of the prior use of the property, we've talked about how it was previously used as a warehouse. What was the prior use? MR. RIVERA: So it's the old Fisler &

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25

MR. RIVERA: So it's the old Fisler & Cassedy building. They had rubber belts for automotive and industrial uses and they would have -- they would do distribution out of there. They wouldn't do any manufacturing.

MR. CIESLIK: So they were distributing to other retailers that were going to use that and sell their products?

MR. RIVERA: Right.

1 MR. CIESLIK: But we're not going to use 2 it for this purpose? MR. RIVERA: No. 3 MR. CIESLIK: Can you talk a little bit 4 5 about the property as it's situated now; what it looks like on the inside? 6 So inside, it's not 7 MR. RIVERA: Yes. 8 materially different than what you have in front of 9 you as proposed. When you walk in to the left, there will be -- there's offices, a little kind of 10 11 vestibule area where they kept files and then there's 12 a kitchen. And then the rest of the building was --13 oh, there's two bathrooms as well on sides. And then 14 the rest of it was like warehouses space where they 15 would keep the belts. It's pretty interesting in 16 They had racks where they would hang the belts at. Trucks would come in, take the belts and 17 18 go out. What we're proposing is very similar to 19 20 that layout but we're really updating a lot of the 21 stuff that's inside of it, especially because the 22 building is really old and they haven't done much to 23 it in the beginning. So we're really keeping the

same layout offices on the left side going through

the bathrooms; we're updating them; making them more

24

25

ADA compliant. We have a little conference room that we're having on the right.

So we're kind of cutting the warehouse space a little bit, separating into a storage area that's going to be more secure. We'll have materials there and make sure we have them locked up. Then we have a little conference room here as well but the rest of it will be a workshop that we'll use for community use.

MR. CIESLIK: Can you start in the front of the property and just walk us through the different things that are going to be renovated and explain to the Board the amount of money that's going into these renovations.

MR. RIVERA: Sure. The most important, I think, is the facade. We're bringing some natural light and the architect will talk a little bit more about that. But we're really making sure that we bring out the -- the building is kind of squat and not that good-looking and there's not many windows. We're bringing the windows back and we're really bringing some natural lighting.

Once you walk through the front door, the offices are going to be renovated. Then we're going to put -- we're going to wall this off to have the

conference room to the right. To make the office area more ADA compliant we had to reconfigure a few things so we have to move the mechanical closet. We had to put some stairs, like a ramp to go into that area. We're also going to update the kitchen, updating the plumbing and all that. It has been vacant for a few years now since they've moved to Pennsauken, Fisler & Cassedy.

The bathrooms like I said before, making those ADA compliant; making sure we have enough stalls there. You do see utility sinks featured here. So while we're doing those maintenance classes that I mentioned to have an area where people can clean; to clean up themselves; clean their hands. They may have like saw dust on themselves. We have those utility sinks there. Then in the back left corner you'll see that storage area where we're going to keep our materials safe and secure.

MR. CIESLIK: Can you explain why this property is so specially-suited for what you want to do, not just in what you explained but your relation to the home office which is right around the corner?

MR. RIVERA: Yes. We're right around the corner. It's very useful for us because it doesn't mean that we're kind of separate in the

neighborhood. We're staying in the neighborhood 1 2 which is really great. It's a great location too because in the Site Plan itself, you see that there's 3 an entrance from Carmen Street so we can drive in and 4 5 out. The traffic that we're going to be seeing is mostly vans. It's going to be our own maintenance 6 people and their vans kind of going in and out. 7 neighborhood itself, too, we've done a few 8 renovations there. The neighborhood knows us. 9 pretty prominent there. We've also had conversations 10 11 with the neighbors as well. MR. CIESLIK: As far as your 12 13 conversations with the neighbors, you haven't had 14 complaints about the proposed use; you haven't heard 15 anything negative about it? 16 MR. RIVERA: No. I think they welcome it being back into productive use. 17 18 MR. CIESLIK: In fact, the Carpenter's Society owns some of the lots that are located in 19 20 that area, right, not just the office; across the street that we mentioned? 2.1 22 MR. RIVER: Yes. 23 MR. CIESLIK: And you talked about or spoke about the rear of the building. So this would 24 25 be a less-intense use in the sense that your

contractors or employees are going to be coming in 1 2 and out in the back of the property? MR. RIVERA: 3 Yes. MR. CIESLIK: As opposed to the trucks 4 5 who are involved with distribution or retail and taking product off? 6 We don't foresee any 7 MR. RIVERA: Yes. 8 18-wheelers coming in and out. We really don't have 9 any space for that either in the building. MR. CIESLIK: And in terms of anything 10 11 else that you wanted to, to what we've discussed so 12 far, is there anything else you wanted to explain to 13 the Board? 14 MR. RIVER: No. I think that covers it. 15 As you said, this project is funded by DCA and we're really just gutting the insides of it and bringing it 16 back to modern use and making it look really nice for 17 the neighborhood as well. 18 MR. CIESLIK: And this will allow you to 19 20 deliver all the different programs and services too for affordable housing, affordable rental; housing; 21 22 credit counseling and all those different programs? 23 MR. RIVERA: Yes. 24 MR. CIESLIK: Does the Board have any 25 questions for the witness?

```
CHAIRMAN HANCE: Yes. No 18-wheelers.
1
2
    Are you going to bring cargo vans in and out or?
                             The biggest would be like --
                MR. RIVERA:
3
4
    we have a Ford Transit. That's the size that we're
5
         That's really what we're going to be using.
    do local pick-ups at the Home Depo; bring the Ford
6
    Transit in and out of there but that's all we're
7
8
    really seeing.
9
                CHAIRMAN HANCE: And your local stock
    probably would be toilets, sinks, cabinets,
10
11
    countertops, whatever the case may be?
12
                MR. RIVERA: Yes.
                                   We don't see it being
13
    anything taller than like a refrigerator bulk-wise
14
    coming in there. We don't see it being anything
15
    related to that.
16
                VICE-CHAIRMAN COOPER: And nothing stored
    outside in the yard?
17
                MR. RIVERA: Nothing stored outside in
18
19
    the yard?
20
                VICE-CHAIRMAN COOPER: Nothing gets
21
    stored outside in the yard.
22
                MR. CIESLIK: Understood.
23
                MR. EINGORN: What about your van?
24
    you parking the van out back?
25
                             It would depend. So right
                MR. RIVERA:
```

```
now are van is being parked by one of our
1
2
    co-workers.
                 The Weatherization Program does require
    us to purchase a vehicle to use for the program.
3
    We still haven't figured out if we're going to park
4
5
    it there or if we're going to park it at an
    employee's house.
6
7
                MR. EINGORN: So I'm looking at the
8
    photograph on the bottom left. Any chance you can
9
    just put that one on the easel for us? Can the Board
    see that?
10
11
                CHAIRMAN HANCE:
                                  Yes.
12
                MR. EINGORN: So I'm assuming the rear of
13
    the property, is that fenced?
14
                MR. RIVERA: Yes there's a fence that is
    blocking Carmen Street.
15
16
                MR. EINGORN: Let's go to the aerial
            Is that a fence there?
17
    photo?
18
                MR. RIVERA: Yes.
                                    This is the fence
    here, here and back here. So there's a rolling fence
19
20
    that will improve to make sure that we can actually
2.1
    (Inaudible). That's where we will have people come
2.2
    in and out of.
23
                CHAIRMAN HANCE: And my question will be,
24
    if needed, how many cars will be parked and can be
25
    parked there?
```

```
MR. RIVERA: I think with the lot itself
1
2
    has about eight to ten spaces.
                MR. CIESLIK: And that's more than enough
3
    for what we need, right?
4
5
                MR. RIVERA: Yes. Oh, yes. We don't
    foresee it having tons of people during the day. Any
6
    staff that are going to be there, it's going to be
7
8
    two or three. And besides, we all park on Church
    Street. We take all the Church Street re-runs.
9
                                                      It's
    within walking distance from our office so we'll make
10
11
    sure to do that.
12
                VICE-CHAIRMAN COOPER:
                                        In your plans
13
    here, you're going to upgrade lighting and things of
14
    that nature in the back?
15
                MR. RIVERA: Yes, LED lighting is part of
16
    our work. We'll be doing it.
                MR. CIESLIK: Any other questions for Mr.
17
    Rivera?
18
19
                                 He's good.
                CHAIRMAN HANCE:
                MR. CIESLIK: Thank you. Mr. Harris.
20
21
                MR. EINGORN: Please raise your right
22
    hand.
23
24
                TROY HARRIS, R.A., having first been duly
25
    sworn/affirmed, was examined and testified as
```

1 follows: 2 MR. EINGORN: Please state your name and 3 address for the record. 4 5 MR. HARRIS: My name is Troy Harris, 113 West Tomlin Station Road, Mickleton, New Jersey. 6 MR. CIESLIK: Thank you, Mr. Harris. 7 8 you explain to the Board what your role was in this 9 project? I was the architect for this 10 MR. HARRIS: 11 project. 12 MR. CIESLIK: Did you help develop the 13 plans for the renovation of the inside of the 14 property and for the exterior improvements? 15 MR. HARRIS: Correct. 16 MR. CIESLIK: Can you just explain in a little greater detail what your plans entail? 17 MR. HARRIS: As Enrique mentioned, on the 18 exterior, of course, we're improving the facade; 19 providing some little brick pier bump-outs; a canopy 20 21 to give more protection where people entering through 22 the front door and to give some shade over the 23 openings that they're reopening and creating 24 storefront to get more light into the office space. 25 And then providing some metal panels a little bit

higher to give, just through various materials and some better street appeal. And then some additional windows up higher to, again, give light into the office space.

Inside, as I indicated, there's already an office space but it's not ADA compliant so we're adding ramps and stairs. We're upgrading to provide new restrooms because they weren't code-compliant. And then creating this conference space and a wall and office storage space in the back here and providing some utility sinks for their workshop area.

MR. CIESLIK: In terms of the exterior in the rear of the property, I think you were when the solicitor was asking some questions about it. Can you just speak to the rear of the property and the parking, lighting and improvements that we made?

MR. HARRIS: Yes. So the rear of the property obviously there's some brush that needs to be cleaned up. As Enrique mentioned, the gate on the fence isn't working so we're going to improve that. So just a general cleanup and making sure that they can enter the lot with the trucks that they need for their use.

MR. CIESLIK: And you heard the testimony that from Mr. Rivera about the proposed vehicular

```
traffic and will come in now. And is it you opinion
1
2
    that there's more than enough space for that to
    happen safely?
3
                MR. HARRIS:
                             Yes.
                                    There's definitely
5
    enough space for a van to enter and drop off
    deliveries into the overhead area.
6
                MR. CIESLIK: Is there anything else
7
8
    you'd like to add to what we've talked about so far;
9
    is there anything else that I haven't covered in
10
    asking them?
11
                MR. HARRIS:
                             No, not that I'm aware of.
12
                VICE-CHAIRMAN COOPER:
                                        I have a question
13
    for someone. What about trash pick-up?
                                              Because
14
    you're going to be doing some remodeling stuff so to
15
    make sure we got some --
16
                MR. RIVERA: Yes.
                                   During construction
    we'll make sure we will have a dumpster in the back
17
    and it'll be locked up at night to make sure that no
18
    one else is dumping it. And then it's just going to
19
    be your typical city pick up, you know, in the front.
20
21
    And we don't foresee much trash being generated
22
    either because during the day it would be just a few
23
    people at the office. And it's mostly going to be
    for storing stuff. There's not going to be a lot of
24
25
    people inside there.
```

CHAIRMAN HANCE: So really they're going 1 2 to pick up and leave and go to their destination and do what they got to do? 3 MR. RIVERA: Yep. Right. They're mostly 4 5 out and about doing maintenance for the units. Τf they have to do paperwork, they'll be there to do he 6 7 paperwork. 8 VICE-CHAIRMAN COOPER: And you're saying 9 municipal trash? 10 MR. RIVERA: Yes. So just your typical 11 street trash. They'll have pick-up that happens in 12 the front like every business does. 13 MR. CIESLIK: Mr. Harris, this is a C-2 14 Commercial Zone. Does anything that we're proposing 15 here tonight detract from the overall zoning plan for this neighborhood, this area? 16 17 MR. HARRIS: No, not that I'm aware of. 18 MR. CIESLIK: And do you understand the proposed intensity and use is less than under the 19 20 prior owners, under the prior nonconforming use based 21 upon the testimony from Mr. Rivera that this use is 22 less intense than the prior distribution of retail 23 uses? 24 MR. HARRIS: Yes. 25 MR. CIESLIK: Does anybody have any other

```
questions for the professional?
1
                MR. EINGORN: Do you want him to be
 2
    accepted as a professional?
 3
                MR. CIESLIK: I would move to have him
 4
 5
    accepted as a professional.
                MR. EINGORN: So if we can just get a
6
    little bit of credentials just to flush the record?
7
                MR. CIESLIK: Sure.
8
9
                MR. HARRIS: So I'm a registered
    architect in the State of New Jersey. I've been
10
11
    registered since 2014. I have a Master's Degree from
12
    Montana State University in architecture.
13
                MR. EINGORN: I think the Board is
14
    satisfied and will accept Mr. Harris as a
15
    professional architect.
16
                MR. CIESLIK: Thank you. I have no other
    testimony to present. I would just like to summarize
17
    our application in a minute or two if it's okay with
18
19
    the Board.
20
                MR. EINGORN: Sure.
                MR. CIESLIK: I think in terms of the
2.1
22
    Positive Criteria, you have a warehouse previously
    was a nonconforming use. We're continuing that use
23
    in a very beneficial way. You have the DCA which is
24
25
    funding this so they see the inherent beneficial use
```

71

of the property, affordable housing, affordable rent 1 2 and all the good programs. And at Carpenter's Society we partner 3 with the City in affordable housing and all these 4 5 different areas as this Board knows very well. And we've heard testimony that this property is 6 particularly suited for this use given the proximity 7 to their offices and their ability to use this 8 property for their various different programs. 9 I don't see any of the Negative Criteria 10 11 present; no increase in traffic or density; no 12 negative impact on the neighborhood. It doesn't 13 substantially impact the Zoning Plan. Offices are 14 permitted in this Zone. Storage is permitted in this 15 Zone. The use is less than the prior use which was 16 in distribution and retail related for an owner that moved out of the area. I have nothing else to add 17 other than to invite you to ask me any questions you 18 have; if there is anything else that we can provide. 19 20 MR. EINGORN: I apologize. Mr. Rivera 21 what was your title or role again? 22 Director of Neighborhood MR. RIVERA: 23 Development at St. Joseph Carpenter's Society. 24 MR. EINGORN: No questions from the

25

Board?

CHAIRMAN HANCE: No.

MR. EINGORN: Does anybody in the public here like to be heard on this application related to St. Joseph's Carpenter's Society, the property located at 2912 Federal Street? Hearing none, we'll close the public portion.

Now is the time for the Board to consider the application. The applicant is here tonight seeking relief stating that this is a legal nonconforming use. They're looking for a Certificate of Nonconformity.

VICE-CHAIRMAN COOPER: I think it's a positive. I've lived in that neighborhood for many years now. The building has been there. Fisler & Cassedy was there for many years. Since they moved out, the building has sat empty. And I see you guys already got some of your banners hanging up on the building. I think it would be a great access to our neighborhood.

CHAIRMAN HANCE: You guys have been around for a long time. I'm going to mention this since you mentioned OEO I'm a part of OEO also. But I don't do any weatherization. I think it's a great thing. Again, any time a building stays stale for a long time, things will happen. I'm glad you guys are

```
taking it up. Making a lot of sense. If you're
1
2
    right around the corner you shouldn't be late to
3
           You have your guys there. So I think it's a
    great idea. You guys keep doing what you're doing.
4
5
    You're definitely appreciated.
                MS. MERRICKS: I think it's awesome that
6
7
    you can secure the property for when residents need
8
    toilets and sinks and you'll have access to it and
    it's really close. I think it's a good win-win for
9
    both.
10
11
                MR. EINGORN: Motion?
12
                MS. MERRICKS: Motion to approve.
13
                MS. ALSTON: Second.
                MR. EINGORN: I'll take a roll-call vote.
14
15
    Chairman Hance.
                CHAIRMAN HANCE:
16
                                  Yes.
17
                MR. EINGORN: Vice-Chairman Cooper.
18
                VICE-CHAIRMAN COOPER: Yes.
19
                MR. EINGORN: Ms. Merricks.
20
                MS. MERRICKS: Yes.
2.1
                MR. EINGORN: Ms. Alston.
22
                MS. ALSTON: Yes.
23
                MR. EINGORN: Mr. Brito Bueno.
24
                MR. BRITO BUENO:
                                   Yes.
25
                MR. EINGORN: Having five in favor and
```

```
none opposed, the motion carries. Congratulations.
1
2
    Thank you for your time.
3
                MR. CIESLIK: Thank you.
4
                MR. RIVERA: Thank you. Have a good
5
    night.
                MR. EINGORN: The next matter is going to
6
7
    be Ronald and Frances Abate. You want to come
    forward. We'll take a short break.
8
9
                (Proceedings are off the record at
10
11
          7:05 p.m.)
12
                (Proceedings are back on the record
          at 7:11 p.m.)
13
14
15
                MR. EINGORN: The next matter is Ronald
    and Frances Abate. Counsel.
16
17
                MR. BERNSTEIN: Daniel Berstein for the
    applicants. This is basically a simple application
18
    for a general variance to allow two tenants upon one
19
    property. It's not for a subdivision.
20
                                             The
21
    application sets forth the pertinent information
22
    including who the tenants are. They are both
    industrial.
23
24
                And they are -- basically it's a
25
    non-subdivision but a use of two tenants, both for
```

```
industrial purposes. Both businesses related to port
1
2
    operations. One is an industrial welding service.
    The other is a forklift repair and rental service.
3
    The property is primarily used for a pallets,
4
5
    commercial pallets to be stored. Mr. Abate is
    available. I'd like to have him testify now.
6
                MR. EINGORN: That would be great.
7
8
    Raise your right hand, please.
9
                RONALD ABATE, having first been duly
10
11
    sworn/affirmed, was examined and testified as
    follows:
12
13
                MR. EINGORN: Name and address for the
14
15
    record.
                MR. ABATE: Ronald Abate, 254 Bradley
16
    Avenue in Bellmawr, New Jersey.
17
18
                MR. BERNSTEIN: Are you and your wife the
    record owners of the real property at 1929 S. 4th
19
20
    Street?
2.1
                MR. ABATE:
                             Yes.
22
                MR. BERNSTEIN: And what is the zoning of
23
    that property, do you know?
24
                MR. ABATE: I think it's industrial.
25
                MR. BERNSTEIN: Might it be port
```

```
industrial?
1
2
                MR. ABATE: Yes.
                MR. BERNSTEIN: You intend to have two
3
    sub-tenants on the property?
4
5
                MR. ABATE:
                             Two tenants.
                MR. BERNSTEIN: Could you describe each
6
7
    tenant, please?
8
                MR. ABATE: There's two separate
    buildings on the property. The front building is
9
    East Coast Forklifts. He repairs and rents
10
11
    forklifts. And in the back is John Harper Welding
    and he does welding. He has a welding shop in the
12
13
           Each one has like one or two employees and
14
    there's plenty of parking.
15
                MR. BERNSTEIN: Does the Site Plan that
    we submitted, lay out the parking spaces?
16
17
                MR. ABATE:
                           Yes.
                MR. BERNSTEIN: And is there sufficient
18
    room on the rear of the property for the forklift
19
    repair operator to store his forklifts?
20
2.1
                MR. ABATE:
                             Yes.
22
                MR. BERNSTEIN: Are there going to be any
23
    physical changes to the property whatsoever?
24
                MR. ABATE: Physical changes.
25
                MR. BERNSTEIN: Are there going to be any
```

```
1
    changes to landscaping?
2
                MR. ABATE: No. Everything will stay the
3
    same.
4
                MR. BERNSTEIN: Is there going to be any
5
    on-street parking?
6
                MR. ABATE: No.
7
                MR. BERNSTEIN: Are there any utility
    issues involved?
8
9
                MR. ABATE: No, nothing changes.
                                 No easements. And the
10
                MR. BERNSTEIN:
11
    buildings are currently existing buildings; is that
12
    correct?
13
                MR. ABATE: Yes, currently existing
14
    buildings.
15
                MR. BERNSTEIN: And are there going to be
16
    any major modifications of those properties?
                MR. ABATE: No modifications.
17
18
                MR. BERNSTEIN: In your opinion having
19
    these businesses there generate additional tax income
20
    for the City of Camden?
                MR. ABATE: Definitely.
2.1
22
                MR. BERNSTEIN: I have no other issues.
    It's very straight-forward.
23
24
                MR. EINGORN: Great. Does the Board have
25
    questions?
```

```
CHAIRMAN HANCE: Yes. You're in my
1
 2
    neighborhood now. I live on Broadway, Viola, Ferry
 3
    Avenue.
                MR. ABATE: We're at 4th & Jefferson.
 4
 5
                CHAIRMAN HANCE: I drive past there all
    the time.
               I've seen the forklift back there. It's
6
    kept clean. And he's saying that there's not going
7
8
    to be anymore pallets back there?
9
                MR. ABATE: No. We started our pallet
    business but we're --
10
11
                CHAIRMAN HANCE: I remember a couple of
    fires back there.
12
13
                MR. ABATE: That was on mischief night.
14
                CHAIRMAN HANCE: I remember that. Other
15
    than that, you keep it quiet back there; you keep it
16
    clean back there. I don't have an issue with that.
    In fact, I wouldn't even know you're back there if I
17
    didn't drive back there.
18
                MR. ABATE: It's quiet. I mean a lot of
19
20
    days they're not even in there. They're out on the
21
    road doing work.
22
                MR. BERNSTEIN: I can testify to that.
23
    If was tough to track them down to get them to
    respond to some of the questions.
24
25
                VICE-CHAIRMAN COOPER: That whole area,
```

```
is that fenced in or brick?
1
                MR. ABATE: Yes, it's fenced in. Part of
3
    it is fenced in and part of it has a brick wall.
                MR. EINGORN: How many spaces do you
4
5
    have, parking spaces?
                MR. ABATE: I don't know.
6
7
                MR. BERNSTEIN: I believe we have a
8
    dedicated three-a-piece for employees and additional
    spots for occasional customers. It's a business.
9
    Both operations are business-to-business industrial
10
11
    so there really is no consumer traffic.
12
                VICE-CHAIRMAN COOPER: These plans were
13
    taken recently?
14
                MR. BERNSTEIN:
                                 Yes.
15
                VICE-CHAIRMAN COOPER: We got tractor
    trailers parked around, all around your property.
16
17
                MR. ABATE: That's not us. Yep, all
    around the property.
18
19
                MR. BERNSTEIN: But not on the property.
20
                VICE-CHAIRMAN COOPER:
                                        No.
2.1
                MR. ABATE: It's on the street.
22
                VICE-CHAIRMAN COOPER: On that street,
23
    yeah.
24
                MR. ABATE:
                            They are not ours.
25
                CHAIRMAN HANCE: Do you have an issue
```

```
around there with tractor trailers?
1
2
                MR. ABATE: There's like 20 on the street
    all the time; trashed up all over the place.
3
                MR. BERNSTEIN: These businesses do not
5
    use -- I mean, there's a repair business and an
    off-site welding that's right there.
6
7
                MR. ABATE: That has nothing to do with
8
    me.
9
                VICE-CHAIRMAN COOPER:
                                        Okay.
10
                CHAIRMAN HANCE: They park on Morgan
11
    Boulevard. There's signs saying, no tractor
12
    trailers. They stopped it for a little but it all
13
    came back strong.
14
                VICE-CHAIRMAN COOPER: We got to see
15
    cause the tractor trailers, they got to get them.
                MR. EINGORN: That's an enforcement
16
    issue.
17
                MR. BERNSTEIN: You mean the trucks on
18
    the street?
19
20
                CHAIRMAN HANCE: Yeah.
21
                MR. BERNSTEIN: When I've been there to
    visit, I've noticed there are a lot of trailers seem
22
    to be semi-abandoned.
23
24
                CHAIRMAN HANCE: They eventually go all
25
    the way up to when you walk on the left-hand side,
```

```
there's a big empty vacant lot there and all the
1
2
    tractor trailers, they're all there.
                MR. BERNSTEIN:
                                 It's an eye sore, I
3
4
    agree.
                CHAIRMAN HANCE: I used to work for CCMUA
5
    and I'm retired from that. And that was an issue all
6
7
               It's like a big dead area back there.
    the time.
8
                MR. BERNSTEIN: Yes. Very little
    traffic.
9
10
                CHAIRMAN HANCE:
                                  But I'm on it.
11
                MR. EINGORN: Any other questions for the
12
    applicant.
13
                MS. ALSTON: I see a photo here with a
14
    bunch of tires. How are you disposing of some of the
15
    materials?
16
                MR. ABATE: No, no that's not us.
                                                    That's
    on a lot outside the fence.
17
18
                MS. ALSTON: The one that's in here?
19
                                May I see that?
                MR. BERNSTEIN:
                             This is not part of your --
20
                MS. ALSTON:
                                      This is the forklift
21
                MR. BERNSTEIN:
                                No.
22
                They do forklift repairs so they have to
    operation.
    take the tires off when they do the repair.
23
    you'll notice, they're right next to the forklift
24
25
    that he's working on.
```

MS. ALSTON: Okay. 1 So --2 MR. BERNSTEIN: They're not stored there 3 or abandoned there. They're just taken off to do the work. 4 5 MS. ALSTON: So that was the question. How are you disposing of anything that you're not 6 7 using like the tires and things like that? Are you 8 taking it off the property? 9 MR. BERNSTEIN: Whoever is changing the tires takes the tires away. 10 11 CHAIRMAN HANCE: The reason why I say 12 it's quiet back there because I don't see anybody. 13 MR. BERNSTEIN: I believe that the 14 welding company is mostly off-site, do their work 15 off-site because when I've been there, the welding crew is not there. Just the secretary who is there. 16 I don't believe that the forklift gentleman is 17 there --18 MR. TORRES: With MAFCO moving out that 19 20 did away with a lot of employees and traffic down 2.1 there. 22 CHAIRMAN HANCE: I can say for the record that I've been there and besides the tires, there's 23 no trash. Like I said, looks like it's one of those 24 25 movies where you just don't want to walk back there.

```
MR. TORRES: Tires, they're going on and
1
 2
    off with the forklifts.
                                 I think an operation like
                MR. BERNSTEIN:
 3
    that, quite frankly, has to keep it clean.
 4
 5
                MR. EINGORN: Anybody in the public would
    like to be heard on the application of Ronald and
6
    Frances Abate, 1929 S. 4th Street? Hearing and
7
8
    seeing none, we'll close the portion. The applicant
    is appearing tonight for a use variance for two
9
10
    principal uses on the same lot. And then potentially
11
    a bulk variance for off-street parking. But if you
    can tell us how many spaces you have in general,
12
13
    maybe you won't need a bulk variance; the Board may
14
    be satisfied that you meet the requirements of the
15
    Zoning Ordinance.
16
                MR. BERNSTEIN: I believe there are six
    dedicated spaces for employees. And each of the
17
    company has one employee placed plus there are
18
    additional spaces.
19
20
                MR. ABATE: There's plenty of room to
21
    park cars in there in the yard.
22
                MR. BERNSTEIN:
                                 In addition to having the
23
    spaces that are marked out on the Site Plan.
24
                CHAIRMAN HANCE: How about street
25
    parking; do you have street parking?
```

MR. BERNSTEIN: We don't need street 1 2 parking. 3 MR. ABATE: I mean, there's street-parking outside on 4th if they needed it but 4 5 they don't need it. MR. BERNSTEIN: The lot quite frankly is 6 so big that you can park dozens of vehicles back 7 8 there. MR. ABATE: Plus with all the trailers 9 10 out there you can't park on the street anyway. 11 MR. EINGORN: So the Board is charged 12 with making a determination as to the use variance 13 for the two principal uses. And then, if you read 14 the denial letter, off-street parking both uses may 15 be needed. So the Board should make a determination 16 whether or not a bulk variance is needed based upon the parking that's displayed in the evidence. 17 then if a bulk variance you believe is necessary, 18 then a determination whether that bulk variance is 19 20 acceptable. 2.1 VICE-CHAIRMAN COOPER: As far as the 22 off-street parking, they should have plenty of space in there. 23 24 CHAIRMAN HANCE: Are you satisfied? 25 VICE-CHAIRMAN COOPER: Yes.

```
plenty of space. For the variance, the building is
1
2
    already there; already established.
                MR. EINGORN: We still have to establish
3
4
    the Positive and Negative Criteria. Just because
5
    there's two buildings doesn't mean it couldn't be one
6
    use.
                CHAIRMAN HANCE:
                                 Right.
7
                                          From the
8
    testimony I'm satisfied with the two uses on one
          They're in separate buildings. I'm seeing
9
    lot.
    major space on the inside here.
10
                               It sounds to me like the
11
                MR. EINGORN:
12
    Board is satisfied to make a motion to approve the
    requested use variance with the determination that
13
14
    there's sufficient parking to meet the Ordinance
15
    requirements. Is that what I am hearing?
16
                CHAIRMAN HANCE:
                                  Yes.
17
                MR. EINGORN: So do we have a motion to
    that affect?
18
19
                VICE-CHAIRMAN COOPER:
                                        Motion to
20
    accept.
                MR. EINGORN: And a second?
2.1
22
                MS. MERRICKS: Second.
                MR. EINGORN: I'll take a roll-call vote.
23
24
    Chairman Hance.
25
                CHAIRMAN HANCE:
```

```
MR. EINGORN: Vice-Chairman Cooper.
1
2
                VICE-CHAIRMAN COOPER: Yes.
                MR. EINGORN: Ms. Merricks.
3
4
                MS. MERRICKS: Yes.
                MR. EINGORN: Ms. Alston.
5
                MS. ALSTON: Yes.
6
                MR. EINGORN: Mr. Brito Bueno.
7
                MR. BRITO BUENO:
8
                                   Yes.
                MR. EINGORN: Five in favor and none
9
    opposed, the motion carries. Thank you, Gentlemen.
10
11
                MR. BERNSTEIN:
                                 Thank you.
12
                MR. TORRES: Thank you.
                MR. EINGORN: The next matter is Efrain
13
    Reyes, Jr., 233 Grand Avenue. Good evening.
14
15
                MR. REYES: Good evening.
16
                MR. EINGORN: Please raise your right
17
    hand.
18
19
                EFRAIN REYES, JR., having first been duly
    sworn/affirmed, was examined and testified as
20
    follows:
2.1
22
23
                MR. EINGORN: Please state your name and
24
    address for the record.
25
                MR. REYES: Yes. My name is Efrain
```

```
Reyes, Jr., 6138 Camden Avenue, Pennsauken, New
1
2
    Jersey 08110.
                MR. EINGORN: Would you like me to read
3
    your appeal for zoning?
4
5
                MR. REYES: Sure.
                                   Yes.
                MR. EINGORN: So the name of the
6
    applicant is Efrain Reyes, Jr., 6138 Camden Avenue,
7
8
    Pennsauken, New Jersey. He's the owner of the
9
    property located at 233 Grand Avenue, Camden, New
    Jersey. The lot has frontage of 26 feet and a depth
10
11
    of 100 feet. There's one building on the lot.
                                                     It's
    a two-story building. It's presently a duplex used
12
13
    as rentals. And the applicant is seeking a
14
    certificate of non-conforming use.
15
                The applicant states that he bought it as
    a duplex and it was built as a duplex and never
16
    notified of the change, plus no changes were ever
17
18
    made to the property. Anything else that you want to
          Do you want to walk us through your exhibits?
19
    add?
20
                MR. REYES: No. Everything is
21
    self-explanatory. I did everything that was asked of
22
    me; all the photos to prove that there's two separate
23
    meters both gas, water, hot water heater; everything
24
    separated; CCMUA is doubled like it should be when
25
    you have a duplex. The reason for this is, I'm
```

```
currently selling the property. It's currently under
1
2
    contract for sale. So I'm trying to do my due
3
    diligence to get the CCO. That was part of the
4
    agreement that I would do the CCO for the property
5
    before the new owners take over.
                MR. EINGORN: When did you purchase the
6
7
    property?
                MR. REYES: I believe it was 2014.
8
9
                MR. EINGORN: And it was a duplex at that
    time?
10
11
                MR. REYES: Yes, sir.
12
                VICE-CHAIRMAN COOPER:
                                        That whole
13
    neighborhood pretty much is duplexes like that?
                MR. REYES: Yes. The whole block is --
14
15
    the whole left side and half of the right side of
    that block is all duplexes. I'm born and raised in
16
    Camden so as long as I can remember, that was always
17
18
    like that.
19
                MR. EINGORN: We've only seen one or two
    on this same street before?
20
2.1
                VICE-CHAIRMAN COOPER:
                                        Yes.
22
                MR. EINGORN: We have, right. These even
    look familiar.
23
24
                VICE-CHAIRMAN COOPER:
                                        Right.
25
                MR. REYES: They all look the same.
```

```
are all identical.
1
2
                MR. EINGORN: Does the Board have
3
    questions?
                CHAIRMAN HANCE: I'll just say, we've
4
5
    been there before. I'm looking next door at this
    picture here and it's also a duplex. I see the
6
7
    meters outside, out front here.
8
                MR. EINGORN: Anybody in the public would
9
    like to be heard on this application related to 233
    Grand Avenue, a request for a Cert of Non-conforming
10
11
    Use for a duplex? Hearing none, we'll close the
12
    public portion. Now is the time for the Board to
13
    make a discussion and a determination regarding the
14
    Cert for Non-conforming Use?
15
                CHAIRMAN HANCE: I'll say that, we run
    into this a lot in Camden where someone purchases a
16
    property and it's already a duplex and we find some
17
    and it's a duplex. You don't question them.
18
    should have a lawyer; a real estate person.
19
                                                  I think
20
    this street came up before us --
2.1
                VICE-CHAIRMAN COOPER:
22
                CHAIRMAN HANCE: -- with the same issue.
23
                VICE-CHAIRMAN COOPER: Whenever they go
    to sell, they have to get a CO.
24
25
                CHAIRMAN HANCE:
                                 Right.
```

```
MR. EINGORN: Even those it looks like
1
2
    these were built that way, they're all getting
    flagged. For the record, that was unrelated to the
3
    application.
4
5
                CHAIRMAN HANCE: I can only say that this
    property was kept up from the pictures, there's two
6
7
    separate meters; two separate hot water heaters and
8
    two separate heating systems in there.
                MR. EINGORN: Is the Board satisfied with
9
    the testimony that this use has been in place
10
11
    probably since the construction of the building?
12
                                        Yes, sir.
                VICE-CHAIRMAN COOPER:
13
                MR. EINGORN: Great.
                                       So do we have a
14
    motion related to the request for certificate of
15
    non-conforming use?
16
                                  I make a motion.
                CHAIRMAN HANCE:
17
                MR. EINGORN:
                              Motion to approve.
18
                VICE-CHAIRMAN COOPER:
                                        Second.
19
                MR. EINGORN: I'll take a roll-call vote.
20
    Chairman Hance.
2.1
                CHAIRMAN HANCE:
2.2
                MR. EINGORN: Vice-Chairman Cooper.
23
                VICE-CHAIRMAN COOPER:
24
                MR. EINGORN: Ms. Merricks.
25
                MS. MERRICKS:
                                Yes.
```

```
MR. EINGORN: Ms. Alston.
1
2
                MS. ALSTON: Yes.
                MR. EINGORN: Mr. Brito Bueno.
3
4
                MR. BRITO BUENO:
                                   Yes.
5
                MR. EINGORN: Having five in favor and
    none opposed, the motion carries. Congratulations.
6
7
    Thank you for coming up tonight.
                MR. REYES: Thank you.
8
                MR. EINGORN: We'll take a short restroom
9
    break at this time.
10
11
12
                 (Proceedings are off the record at
13
          7:32 p.m.)
14
                 (Proceedings are back on the record
15
          7:39 p.m.)
16
                MR. EINGORN: The next matter is Don Ley
17
    Group, LLC, 265 Mt. Vernon Street. Sir, if you could
18
19
    raise your right hand.
20
                FALIO LEYBA, having first been duly
21
22
    sworn/affirmed, was examined and testified as
    follows:
23
24
25
                MR. EINGORN: Please state your name and
```

```
address for the record.
1
2
                MR. LEYBA: I'm here for the Don Ley
3
    Group which is 6428 Browning Road, Pennsauken, New
             So I'm presenting an application for a
4
5
    single-family dwelling that happens to be in a
    port-related industry zone and we are just trying to
6
    rehab the home and get it back to use for the
7
8
    community. It has been abandoned for about ten
            It's a hazard for the people that live around
9
            So I think it's in the best interest of the
10
    there.
11
    community to have this house up and running as soon
12
    as possible. That's all I got from my end.
13
                MR. EINGORN: I hate to do this to you
14
    but as a formality, what is your relationship to Don
15
    Ley Group?
                MR. LEBA:
16
                            The owner.
                MR. EINGORN: Are you the sole owner?
17
                MR. LEBA:
18
                           Yes.
                MR. EINGORN: And you operate this as a
19
20
    sole proprietorship?
2.1
                MR. LEBA:
                           Yes.
22
                MR. EINGORN:
                              Great. We ask you that
    because limited liability companies are generally not
23
    authorized to appear without the assistance of an
24
25
    attorney because they're corporations, unless they
```

operate as a sole proprietorship in which case we can create an exception. So you have a single-family property in an industrial zone. And when did you purchase this property? I'm sorry.

MR. LEBA: 2022. Did you need the exact date? June 13th.

MR. EINGORN: Can you tell us a little bit about the nature of the neighborhood that the property is located?

MR. LEBA: Absolutely. Mount Vernon

Street, there's an abandoned school right next to the property. There's also a big empty lot that happens to be abandoned next to the house. So I think the nature of the neighborhood is that, this is the only house left on that block; on that particular block that's abandoned.

So I see that the fact of us rehabbing this property is just recreating a benefit to the neighbors that live there. Being the fact that we get so many suburban drug users that are coming in and using that area to kind of sit there and do what they have to do or doing what they're doing, I think that this house being up and running again, can deter that from happening more.

MR. EINGORN: The house clearly looks

```
like it was a single-family residence from its
1
2
    construction. You did not construct this building,
3
    correct?
4
                MR. LEBA: I did not.
5
                MR. EINGORN: Did you paint it this
    color?
6
7
                MR. LEBA: Yes, I did.
8
                MR. EINGORN: Okay. Any other
9
    changes?
                MR. LEBA:
10
                           No.
                MR. EINGORN: Very good. Does the Board
11
12
    have any questions related to this preexisting
13
    non-conforming use?
14
                VICE-CHAIRMAN COOPER: None at all.
15
                CHAIRMAN HANCE: This house is, what,
    three bedrooms, two bedrooms?
16
17
                MR. LEBA: Three bedrooms; one bathroom.
    All that were there before. We didn't change
18
19
    anything; no layout.
20
                CHAIRMAN HANCE: The color is good.
21
                MR. LEBA: We can change the color if
22
    it's --
23
                CHAIRMAN HANCE: That would definitely
24
    bring attention to the neighborhood.
25
                MS. MERRICKS: So you are just
```

```
rehabbing?
1
2
                MR. LEBA: Just rehabbing.
                                 You have a little
3
                CHAIRMAN HANCE:
4
    alleyway here. Is that going back to the back yard
5
    here?
                           That's part of the house, yes.
6
                MR. LEBA:
                CHAIRMAN HANCE: Okay. Did you do any
7
8
    fixing up in the house or anything?
9
                MR. LEBA:
                           The house is pretty much --
               It's cosmetics inside like flooring,
10
    not much.
11
    painting and stuff like that. But we can't actually
    pass this step to get electric and the gas.
12
13
    all we need is electric and gas and the house will be
    with a tenant in less than a couple of months.
14
15
                MR. EINGORN: Anybody from down there?
16
                MS. ALSTON:
                             No.
                                   I'm good.
                MR. EINGORN: Anybody in the public that
17
    would like to be heard on 265 Mt. Vernon Street?
18
    Hearing none, we'll close the public portion.
19
    discussion from the Board?
20
2.1
                VICE-CHAIRMAN COOPER:
                                        I think this is a
22
    good thing. He's coming in front of us and not
23
    trying to turn a single-family home into a duplex.
24
    He wants to rehab it and hopefully he'll get some
25
    good tenants in here and move forward.
```

```
positive.
1
2
                CHAIRMAN HANCE: He said that this is the
    only abandoned house that is on that --
3
                MR. LEBA:
                            That's the only one left.
4
5
    Actually the one right across the street was just
    gone. But that's the only one left on Mt. Vernon on
6
7
    that piece.
8
                CHAIRMAN HANCE: I think it's great.
    Anytime someone steps up and takes an abandoned
9
    house, purchases it, put it back together again and
10
11
    put a family in there, I think it's a great idea.
12
    That's what we love to see. As I said earlier,
    bringing Camden back to life is what we'd love to
13
14
          I think it's a smart move especially for Mt.
15
    Vernon.
             We should move forward.
16
                CHAIRMAN HANCE: Anyone else?
                VICE-CHAIRMAN COOPER:
                                        I make a
17
18
    motion.
19
                MR. EINGORN: Motion to approve?
20
                MR. BRITO BUENO:
                                   Second.
2.1
                MR. EINGORN: We have a motion to approve
22
    and a second. I'll take a roll-call vote. Chairman
    Hance.
23
24
                CHAIRMAN HANCE:
                                  Yes.
25
                MR. EINGORN: Vice-Chairman Cooper.
```

```
VICE-CHAIRMAN COOPER:
1
2
                MR. EINGORN: Ms. Merricks.
                MS. MERRICKS: Yes.
3
4
                MR. EINGORN: Ms. Alston.
5
                MS. ALSTON: Yes.
                MR. EINGORN: Mr. Brito Bueno.
6
7
                MR. BRITO BUENO:
                                   Yes.
                MR. EINGORN: Five in favor and none
8
    opposed, the motion carries. Congratulations.
9
    Thanks for coming out.
10
11
                MR. LEBA: Thank you.
12
                MR. EINGORN: The next matter is Kirtty
13
    Taveras and you can correct me if I butchered that.
    Are you available? Address is 1539 S. 10th Street.
14
15
                MR. IZZO: Charles Izzo, attorney for the
    applicant. Please raise your right hand.
16
17
18
                KIRTTY TAVERAS, having first been duly
19
    sworn/affirmed, was examined and testified as
20
    follows:
2.1
22
                MR. EINGORN: Please state your full name
    and address for the record. Does the applicant speak
23
    English?
24
25
                MR. IZZO: Yes, she speaks English.
```

```
Are you nervous?
1
                MR. EINGORN:
 2
                MS. TAVERAS:
                               I speak a little English.
                MR. EINGORN:
                               Can you just state your
 3
 4
    name and where you live for the record?
 5
                MR. TAVERAS:
                               My name is Kirtty Taveras.
                MR. EINGORN: And your address.
 6
                MS. TAVERAS: 1539 S. 10th Street,
 7
8
    Camden, New Jersey.
9
                MR. IZZO: Ms. Taveras is the owner of
    the business but not the building at 1539 S.10th
10
11
    Street.
             The business she has there is a food store,
    J & E Food Store. And she is here because when she
12
13
    applied to change the awning on the building, it was
    noted that the zone does not include a food-store
14
15
    use, although this store was there for many years
16
    before Ms. Taveras became the owner.
                                           So her
    objective is to get her non-conforming use approved
17
    and also improve her simple corner awning sign that
18
19
    has been installed in the building.
20
                MR. EINGORN: In the pictures that we're
21
    seeing here, this is the side that we're seeking
22
    approval for?
23
                MR. IZZO: Yes.
                                 That's the sign that she
24
    had installed.
25
                MR. EINGORN:
                               Okay.
```

1 VICE-CHAIRMAN COOPER: So the sign is 2 already up here? MR. IZZO: Yes. That sign that she 3 installed is smaller than the one that was removed 4 5 obviously. But that is what her application was prompted by the installation of that awning. 6 VICE-CHAIRMAN COOPER: 7 Because she 8 doesn't own the store, the building, do you need permission from the landlord or something? 9 10 MR. EINGORN: Let's see what's in the 11 packet here. So the applicant had submitted a 12 commercial lease agreement between herself and 13 Lissette Jimenez. It looks like the applicant was 14 granted the right to make some limited changes. 15 so I would think by the application of this lease, the applicant would have a standing to come tonight 16 to request the relief that's currently before you. 17 MR. IZZO: This lady is running that 18 She's been there about one year now; less 19 store. 20 than one year. 2.1 MR. EINGORN: Also, page 3 of the lease 22 does require the applicant to obtain any license and 23 permits. So she definitely has standing to be here to make the application. 24 25 MR. IZZO: She has provided a drawing

```
which shows the typical corner store.
1
2
    property with a wrap-around sidewalk. The corner
3
    entrance would be on apparently on 10th Street at
4
    Thurman.
5
                CHAIRMAN HANCE: I know exactly where it
    is.
6
                MR. EINGORN: So the applicant is here
7
8
    seeking a Certificate of Non-conforming use related
    to the store, and a bulk variance for the size of the
9
    sign. This looks like it has been a corner store.
10
                VICE-CHAIRMAN COOPER: Yes, for many
11
12
    years.
13
                MR. EINGORN: The Board seems to be
    familiar.
14
15
                VICE-CHAIRMAN COOPER:
                                        Yes.
16
                MR. EINGORN: Is there questions for the
    applicant related to the use; how far the use dates
17
    back of the sign? Do you know how long that this has
18
19
    been used as a retail?
20
                MR. IZZO: She has a typical corner store
2.1
    business there.
22
                MS. ALSTON:
                              So she's been there less
23
    than one year. Someone had the store before you did
24
    you or was it an empty spot at first and then you
25
    turned it into a store?
```

```
1
                MS. TAVERAS: It was a store already.
2
    When we buy, they working. Not the same name.
3
    changed the name. It was working when we buy the
4
    store.
5
                MS. ALSTON:
                             So it was already a store
    and then you guys bought it and --
6
7
                MR. IZZO: Never closed?
8
                MS. TAVERAS:
                              No, never closed.
                               I think that's the
9
                MR. EINGORN:
    testimony we needed. Is anybody in the public here
10
11
    tonight that would like to be heard on 1539 S. 10th
12
    Street? Hearing none, we'll close the public
13
    portion. If the Board has any final questions,
14
    discussion, a motion.
15
                VICE-CHAIRMAN COOPER: The store has been
    in existence here for many years. I make a motion to
16
17
    accept.
                MS. ALSTON: Are they trying to change
18
19
    the awning?
20
                MR. EINGORN: This is what they put up
21
    which is what triggered the application. They
22
    already changed it to this from the prior store.
23
    that's why they got cited because they changed the
24
    sign.
25
                MS. ALSTON: Oh because they had this and
```

```
switched to this. Is that what that is?
1
2
                MR. EINGORN: Right. I'm assuming
3
    it's --
4
                MR. BRITO BUENO: I think it's the
5
    awning.
                MR. EINGORN: -- similar but a different
6
7
           I think it looks like an awning at least by
8
    its construction.
9
                MR. BRITO BUENO: The glass looks like an
10
    awning.
11
                MR. EINGORN: I know but when you usually
    see the awning, it usually has the felt cover on
12
13
    it?
14
                MS. ALSTON: Yes.
15
                MR. EINGORN: That's not this. This is
    the sign that she's asking about.
16
17
                CHAIRMAN HANCE: Is that painted on the
18
    wall?
                MR. IZZO: It's a white fabric awning.
19
    We are looking at it in the daytime, of course.
20
                                                      This
    is a slightly different, more compact style.
21
22
                MR. EINGORN: I think they -- it looks
    like they fabricated it to meet the corner of the
23
24
    building.
25
                MR. BRITO BUENO: It's like a oval awning
```

```
which it covers the sidewalk.
1
2
                CHAIRMAN HANCE: No, it doesn't overhang.
3
    It's not an overhang.
4
                MR. EINGORN: Right. It's flush with the
    facade.
5
                CHAIRMAN HANCE: What I do know is that
6
7
    the store has been here for many years on that
8
    corner. I drive past this store every day. That's
9
    my work area. I drive past there every day. I've go
    to Sheridan Apartments very day. I'm very familiar
10
    with the area.
11
12
                MR. BRITO BUENO: Is there any lighting?
13
                MR. IZZO: Do you have light under the
14
    awning at night?
15
                MS. TAVERAS: Yes.
16
                VICE-CHAIRMAN COOPER: Motion to accept.
                MR. EINGORN: Motion to accept. Do we
17
18
    have a second?
19
                MS. MERRICKS: Second.
20
                MR. EINGORN: I'll take a roll-call vote.
    Chairman Hance.
2.1
22
                CHAIRMAN HANCE: Are we doing the bulk
    variance?
23
24
                MR. EINGORN: It's a Certificate of
25
    Non-conforming Use and then a bulk variance related
```

```
to the sign.
1
2
                CHAIRMAN HANCE:
                                  Yes.
3
                MR. EINGORN: Vice-Chairman Cooper.
4
                VICE-CHAIRMAN COOPER:
                                       Yes.
5
                MR. EINGORN: Ms. Merricks.
                MS. MERRICKS: Yes.
6
7
                MR. EINGORN: Ms. Alston.
                MS. ALSTON: Yes.
8
                MR. EINGORN: Mr. Brito Bueno.
9
                MR. BRITO BUENO:
10
                                   Yes.
                MR. EINGORN: Five in favor and none
11
12
    opposed, the motion carries. Thank you very much.
13
    Good luck with you store.
14
                MS. TAVERAS: Thank you. Good night.
15
                MR. EINGORN: The next matter is Osvaldo
16
    Fernandez, 1261 Dayton Street.
17
                MR. IZZO: Charles Izzo appearing on
18
    behalf of Mr. Fernandez on his application.
19
                MR. EINGORN: Would you like the
20
    applicant to be sworn?
2.1
                MR. IZZO: Yes.
22
                MR. EINGORN: Raise your right hand,
23
    please.
24
25
                OSVALDO FERNANDEZ, having first been duly
```

```
sworn/affirmed, was examined and testified as
1
2
    follows:
3
                MR. EINGORN: Can you state your name and
4
5
    address for the record, please.
                MR. FERNANDEZ: Osvaldo Fernandez, 17 S.
6
    Bell Road, Bellmawr, New Jersey 08031.
7
                MR. IZZO: I believe we're here on a
8
    continuation of proceedings. Mr. Fernandez had
9
    showed the information about his project to the Board
10
    and he was asked to return with some additional
11
12
    material. And when he showed me his file, he had a
13
    nice parking plan with spaces in the rear and a
14
    driveway. Mr. Fernandez, what did you tell the Board
15
    the first time that you were here?
16
                MR. FERNANDEZ: I wasn't here.
                                                 This is
    my first time.
17
                MR. EINGORN: This is his first time
18
    before the Board.
19
20
                MR. IZZO: It's a duplex in a permitted
21
    zone and his property is particularly suited in that
22
    he has the parking plan to accompany his proposal.
23
    It's off-street on-the-premises-parking.
    proposing for bulk variances for the setbacks.
24
25
                MR. EINGORN: So the applicant has a
```

```
1
    duplex in an R-2 Zone where a duplex is permitted.
2
    And he's seeking off-street parking, minimum depth --
    hold on -- minimum depth of the front yard is
3
4
    deficient so a front yard setback and a side yard may
    be deficient. Sir, is this your property?
5
                MR. FERNANDEZ:
6
                                 Yes.
7
                MR. EINGORN: Is this a driveway that I'm
8
    indicating here?
9
                MR. FERNANDEZ: Yes.
10
                MR. EINGORN: How many cars can you
11
    fit in this driveway?
                MR. FERNANDEZ: Like three.
12
13
                MR. EINGORN: About three cars?
14
                MR. FERNANDEZ: And there's a curb-cut
15
    where you can access the driveway?
16
                MR. EINGORN: Yes. And that's a
    pre-existing curb-cut?
17
18
                MR. FERNANDEZ:
                                 Yes.
19
                MR. EINGORN: And did you buy the house
    in its current configuration?
20
2.1
                MR. FERNANDEZ:
                                 Yes.
22
                MR. EINGORN: As a duplex?
23
                MR. FERNANDEZ:
                                 Yes.
24
                MR. EINGORN: Did you make any changes to
25
    the property?
```

```
MR. FERNANDEZ:
1
                                  No.
2
                MR. EINGORN: When did you buy the
3
    property?
4
                MR. FERNANDEZ: July of last year, 2022.
                MR. EINGORN: As I look at the property
5
    if we're standing in the street looking at the
6
7
    property this way, as I indicated, to the
8
    right on this side here, what's over here?
9
                MR. FERNANDEZ: That's like a yard.
10
    a green area. That's where it starts.
11
                MR. EINGORN: Is that part of your
12
    property?
13
                MR. FERNANDEZ: Yes.
14
                MR. EINGORN: What's the distance between
15
    the edge of the building to the next building over,
    the property line?
16
17
                MR. FERNANDEZ: It's about the same size
    of the house.
18
                   The space?
19
                MR. EINGORN: Approximately.
20
                MR. FERNANDEZ: I would you say maybe 35,
    40 feet.
21
22
                MR. EINGORN: Did you say 35, 40 feet?
23
                MR. FERNANDEZ: I would 30. I'm not
24
    sure.
25
                MR. EINGORN: I'm just asking for an
```

```
estimate. We're just trying to get an idea.
1
2
                MR. FERNANDEZ: About like 30.
                MR. EINGORN: What's the width of the
3
4
    driveway, do you think? More than enough to fit a
5
    car, though, right?
                MR. FERNANDEZ: Yes.
6
                MR. EINGORN: And the driveway, is that
7
8
    abut the neighboring property?
9
                MR. FERNANDEZ: It's two driveways.
                                                      Like
    bot properties got driveways. It's separated by a
10
    fence between.
11
12
                CHAIRMAN HANCE: Ouestion.
13
                MR. FERNANDEZ: Yes.
14
                CHAIRMAN HANCE: Do you have three, four
15
    garages back there?
16
                MR. FERNANDEZ: Yes.
17
                CHAIRMAN HANCE: Are they yours?
18
                MR. FERNANDEZ: Yes.
                                       They are part of
    the property? And there's a lot of parking area too
19
    behind the house close to the garage too.
20
2.1
                MR. EINGORN: Is it your intention to
22
    rebuild this garage?
23
                MR. FERNANDEZ:
                                Yes.
24
                MR. EINGORN: So you'll fit at least four
25
    cars back there?
```

```
MR. FERNANDEZ:
1
                                Yes.
2
                MR. EINGORN: Is it your position that
3
    the front yard and side yards are preexisting
4
    non-conforming conditions?
                MR. T770:
5
                           That's correct.
                                             The
    streetscape there is all consistent with Mr.
6
    Fernandez's house. The frontages are virtually on
7
8
    the street. And, of course, it's a rowhouse in the
9
    neighborhood.
                MR. EINGORN: As we look at this
10
11
    photograph here, this house is also up against the
12
    sidewalk without a front yard setback. I know it's
13
    just corner.
14
                MR. IZZO: From the corner of your
15
    neighbor's house, are they on the street?
                MR. FERNANDEZ: Yes.
                                       It's like 20 homes.
16
    Like two houses. Sorry if I don't explain myself
17
           I try my best.
18
    well.
19
                MR. EINGORN: We'll make it.
                CHAIRMAN HANCE: Yes, I do see a curb-cut
20
21
    right here also.
22
                MR. EINGORN:
                               It looks like it.
23
                The applicant is here requesting three
24
    bulk variances, off-street parking. Two and a half
25
    spaces are required but he's going to have four so he
```

```
probably meets the Ordinance requirements, so the
1
2
    Board could make that determination as it sees fit.
    And then two bulk variances for the depth of the
3
    front yard which is zero but is consistent with the
4
5
    neighboring property of preexisting non-conforming.
    And possible a minimum side yard, also a preexisting
6
7
    non-conforming condition of the land.
8
                MR. BRITO BUENO: What do you mean side
9
    yard?
10
                VICE-CHAIRMAN COOPER:
                                        The driveway.
11
                MR. EINGORN:
                               It's really the driveway
12
    that meets the neighboring driveway. Because I think
13
    the other side there's probably enough side yard to
    meet the Ordinance which I think is 10 feet on each
14
15
    side but an aggregate of 30 feet. So he probably has
    enough on the right side. The left side would be the
16
    issue. Are there any questions relating to those
17
    issues?
18
19
                MR. BRITO BUENO:
                                   No.
20
                MR. EINGORN: Anybody in the public that
21
    would like to be heard tonight on 1261 Dayton Street?
22
                MS. WAY:
                          Yes.
23
                MR. EINGORN: Please come forward.
24
    Please raise your right hand.
```

25

```
ANTOINETTE WAY, having first been duly
1
2
    sworn/affirmed, was examined and testified as
    follows:
3
4
5
                MR. EINGORN: Can you state your name and
    address for the record, please?
6
                MS. WAY: Antoinette Way, 1240 Dayton
7
8
    Street.
9
                MR. EINGORN: What would you like to
10
    say?
11
                MS. WAY: I just want to make sure that
    he will be building those garages because the parking
12
13
    on Dayton Street is tight. And having a duplex is
14
    bringing more cars on the street than the residents.
15
                MR. EINGORN: I believe Mr. Fernandez
    confirmed that he --
16
                MS. WAY: So it would done at the time of
17
    the building or?
18
                MR. FERNANDEZ: Also it is the garages
19
20
    plus it's like parking spaces all around about 12
21
    cars between the driveway. The back of the house,
    it's like six or seven cars there plus the garages.
22
    So it's like lot of space for parking spaces.
23
24
                MS. WAY: Okay. Because what happens is,
25
    when people don't have parking, they park on the
```

```
sidewalks and then the children they have to walk in
1
2
    the street.
                MR. EINGORN: It sounds like there's
3
4
    going to be plenty of parking.
                MS. WAY: So it'll all be in the back of
5
    the residence?
6
7
                MR. FERNANDEZ: In the driveway as well.
8
                MS. WAY: Okay.
9
                MR. EINGORN: Anything else?
                MS. WAY:
10
                          No.
11
                MR. EINGORN:
                               Awesome. That was easy.
12
                          That was my main concern.
                MS. WAY:
13
                MR. EINGORN: Thank you. You'd be
14
    surprised how often it's not. Anybody else in the
15
    public that would like to be heard? Hearing none,
    we'll close the public portion. Any final questions
16
    from the Board?
17
                CHAIRMAN HANCE: So we established that
18
    they're not going to park on the street. They're
19
    going to park in the driveway or behind the house?
20
2.1
                MR. FERNANDEZ:
22
                CHAIRMAN HANCE: And to your advantage,
23
    they're going to fix the garages where they can just
24
    pull into the garage and back out?
25
                MR. FERNANDEZ:
                                 Yes.
```

```
MR. FERNANDEZ: I mean, it takes a
1
2
    little time.
3
                CHAIRMAN HANCE:
                                  In time.
                MR. FERNANDEZ: That truck is there too.
4
5
    They can back in there.
                CHAIRMAN HANCE: Cause you have plenty of
6
7
    parking behind the house.
8
                MS. WAY: That no-parking sign, would
9
    that be displayed in the driveway?
                VICE-CHAIRMAN COOPER:
10
                                        Excuse me.
11
                MS. WAY: People park right on the
12
    driveway because I have -- my property has a front
13
    driveway. If there's no parking on the street, they
14
    park in my front driveway which goes to back to
15
    Browning. So would help too.
16
                MR. EINGORN: That would help. That's
    also an enforcement issue so you may need to talk to
17
    the Parking Authority or whoever is in charge of that
18
    to see if you can put up that sign. But that's a
19
    great idea if you can swing it.
20
2.1
                MR. FERNANDEZ: I really have like a
22
    small sign up there. I paint it a little bit like
23
    the driveway, two, two and four. They're going to
24
    notice that.
25
                MR. EINGORN: That's a good idea.
                                                    Thank
```

you. Do we have a discussion of the Positive and Negative Criteria? A motion?

CHAIRMAN HANCE: Again, it's always positive if someone buys a home and puts families in there. The most important part is to keep it clean and that helps our City come back and that's what we need.

VICE-CHAIRMAN COOPER: His setback is preexisting. I don't think he can do anything with that. He got trees and everything. I guess earlier in life the cars were a lot smaller. They can get down here but now everybody got a bigger car so you can't extend it so...

MR. EINGORN: To the extent that the Board is inclined to grant this application,
I would suggest that a determination be made that there's sufficient parking to meet the Ordinance and not grant the bulk variance which would be unnecessary. So the motion to the extent that you wish to make it, would be to grant the bulk variances for the front yard depth and the minimum side yard and a determination that parking is sufficient to meet the Ordinance.

VICE-CHAIRMAN COOPER: He don't need a variance for the parking?

```
1
                MR. FERNANDEZ: Right.
2
                MR. EINGORN: Does someone want to make
3
    that motion?
4
                MR. BRITO BUENO: I make the motion.
                MR. EINGORN: Do we have a second?
5
                CHAIRMAN HANCE:
                                  Second.
6
                MR. EINGORN: I'll take a roll-call vote.
7
    Chairman Hance.
8
9
                CHAIRMAN HANCE: Yes.
                MR. EINGORN: Vice-Chairman Cooper.
10
11
                VICE-CHAIRMAN COOPER: Yes.
12
                MR. EINGORN: Ms. Merricks.
13
                MS. MERRICKS: Yes.
                MR. EINGORN: Ms. Alston.
14
15
                MS. ALSTON: Yes.
16
                MR. EINGORN: Mr. Brito Bueno.
17
                MR. BRITO BUENO: Yes.
                MR. EINGORN: Five in favor and none
18
19
    opposed, the motion carries. Congratulations.
20
                Did anybody show up for Jordan & Jordan,
    LLC?
21
                MR. EINGORN: Great. Just in time to be
22
    heard.
23
24
                MR. DOUGHERTY: Paul Dougherty for the
25
    applicant, Jordan & Jordan, LLC. The property
```

```
involved is 1201 Atlantic Avenue and I have with me
1
 2
    the principal, the member, Samir Jordan to my right.
 3
    He can testify and answer the Board's questions.
    are seeking a use variance because the first floor,
 4
 5
    he's seeking commercial use. And the second floor,
    are two-bedroom apartment. I don't know if that was
6
    clear in the initial application.
7
8
                He can tell the Board what he plans to do
    there. We do need the bulk variance for parking.
9
    Three to six are needed from what I can from the
10
11
    denial. He'll testify that there's a spot for the
12
    tenant with a one-car garage. We'll confirm that in
13
    testimony. I'll defer to you, sir, if there's any
14
    additional sought relief.
15
                MR. EINGORN: Would you like to have your
16
    witness sworn?
17
                MR. DOUGHERTY:
                                 Yes.
                MR. EINGORN: Would you raise your right
18
19
    hand, please?
20
                SAMIR JORDAN, having first been duly
21
22
    sworn/affirmed, was examined and testified as
    follows:
23
24
25
                MR. EINGORN: I need you to speak louder
```

```
because we turned off the microphones because you
1
2
    probably heard the mess earlier. Please state your
    name and address for the record.
3
                MR. JORDAN: Samir Jordan, 2105 S. 7th
5
    Street.
                MR. EINGORN: So can you tell us a little
6
7
    bit about the property; what's intended in the
8
    commercial space; is the property currently rented;
    all those items.
9
10
                MR. DOUGHERTY: Right now, Samir, what's
11
    the current status of the property.
12
                MR. JORDAN: It's not being rented right.
13
          It's vacant. But what I want to do, I want to
14
    turn it into a smoothy shop at the bottom and then an
15
    apartment upstairs on the top.
16
                MR. DOUGHERTY: Is there parking for the
    upstairs?
17
18
                MR. JORDAN: Yes for the upstairs.
19
                MR. DOUGHERTY: How many spots?
20
                MR. JORDAN: One spot.
21
                MR. DOUGHERTY: So you understand that
22
    you're asking for the Board to grant you the bulk
    variance to allow on-street parking --
23
24
                MR. JORDAN:
                             Yes?
25
                MR. DOUGHERTY: -- for your facility,
```

```
1
    correct?
2
                MR. JORDAN: Yes.
                MR. DOUGHERTY: And tell me, why do you
3
4
    think that's available in this current location?
                MR. JORDAN: It's a lot of parking on
5
    both sides of the street.
6
                MR. DOUGHERTY: On Atlantic?
7
                MR. JORDAN: Yes and on Louis too; on the
8
    Louis side too.
9
                MR. DOUGHERTY: And on Louis, can they
10
11
    park on both sides of the street?
12
                MR. JORDAN: Yes.
13
                MR. DOUGHERTY: And this is a corner
14
    property, correct?
15
                MR. JORDAN: Yes.
16
                MR. DOUGHERTY: And you are currently
    the -- you are the owner of the property?
17
18
                MR. JORDAN: Yes.
                MR. DOUGHERTY: As well as the applicant,
19
20
    correct?
2.1
                MR. JORDAN: Yes.
22
                MR. DOUGHERTY: Do you know what the
    prior use of the building was?
23
24
                MR. JORDAN: It was a dry cleaners
25
    before.
```

```
MR. DOUGHERTY: Do you know how long it
1
2
    has been vacant? You can say approximately?
3
                MR. JORDAN: Probably about 15 years or
4
    so.
                MR. DOUGHERTY: And has it been vacant
5
    all together for that period of time or less?
6
7
                MR. JORDAN: Yes.
                MR. DOUGHERTY: Why do you think there's
8
9
    Special Reasons? Why do you think this is a good
    place to have a smoothy location and a commercial
10
11
    property there?
12
                MR. JORDAN: You got the hospital right
13
    there on Haddon Avenue West Jersey. And you got
14
    Virtua right there. So there's a lot of traffic as
15
    far as -- just doing something good for the
    community; bring something different.
16
17
                MR. DOUGHERTY: So you plan on serving
    smoothies.
18
                MR. JORDAN: Smoothies; fruit salads;
19
20
    juices; and stuff like that.
2.1
                MR. DOUGHERTY: Healthy impact for the
22
    community?
23
                MR. JORDAN: Yes.
24
                MR. DOUGHERTY: Do you think you'll have
25
    employees at the spot? Do you plan on running this?
```

```
1
                MR. JORDAN: Yes, I plan on running it
2
    and working in there until I get things rolling. And
    I think it should be up to par before I hire somebody
3
4
    and let them run it.
5
                MR. DOUGHERTY: So you think it's an
    appropriate place for the proposed use that you
6
7
    have?
                MR. JORDAN:
8
                              Yes.
9
                MR. DOUGHERTY: And do you think many of
    the customers are going to be walking customers?
10
11
                MR. JORDAN: Some probably walking; and
12
    some probably driving up.
13
                MR. DOUGHERTY: Do you have anything else
    you want to tell the Broad?
14
15
                MR. JORDAN: Not really.
16
                MR. DOUGHERTY:
                                 Thank you. That's all
    I have.
17
                CHAIRMAN HANCE: You're very soft-spoken.
18
    You got to speak a little louder.
19
20
                MR. JORDAN:
                             Yes.
2.1
                CHAIRMAN HANCE: You want to do an
22
    apartment upstairs?
23
                MR. JORDAN:
                              Yes.
24
                CHAIRMAN HANCE: Was it already one there
25
    or do you just want to make it --
```

```
CHAIRMAN HANCE: No. It was already one
1
2
    there.
                VICE-CHAIRMAN COOPER: Two bedrooms?
3
                MR. JORDAN: Yes.
4
5
                MR. BRITO BUENO: Just one apartment?
                MR. DOUGHERTY: Yes.
6
                MR. JORDAN: Yes.
7
8
                MR. DOUGHERTY: It's not occupied now.
9
    It's totally vacant, top and bottom.
                CHAIRMAN HANCE: When did you purchase
10
11
    the property?
12
                MR. JORDAN: About 2017.
13
                CHAIRMAN HANCE: I am definitely familiar
    with this area also. On Atlantic Avenue where the
14
15
    stop sign is, that's a yellow house. You know that
    there's no parking there?
16
17
                MR. JORDAN: Right. From a certain
    distance where you put the other right there so the
18
    apartment is close to the corner.
19
                CHAIRMAN HANCE: Where no one can see.
20
2.1
                MR. JORDAN: When you pull up to the
22
    corner, you'll be able to see --
23
                CHAIRMAN HANCE: Oncoming traffic?
24
                MR. JORDAN: Right.
25
                MR. EINGORN: Is it your position that
```

```
you need a use variance or that you need a
1
2
    Certificate of Nonconforming Use?
                MR. DOUGHERTY: Well, again, I'm just
3
    going for the denial. Forgive me. I would suggest
4
5
    that it's a nonconforming continued use.
                MR. EINGORN: It sounds to me like --
6
                MR. DOUGHERTY: It was a dry cleaners
7
8
    before; commercial, and it was an apartment upstairs.
                MR. EINGORN: It sounds to me like this
9
    was commercial under a residential for a while.
10
11
    don't know. I was just asking out of curiosity
    because they're both on the denial letter. Okay.
12
    That's all.
13
14
                MR. DOUGHERTY: The testimony is that it
15
    was a dry cleaners for a number of years. It has
16
    been vacant. It was always residential on top.
    There's other areas. I think Samir can tell you,
17
    there's other locations only a block up every other
18
    corner that has the same type of commercial
19
    downstairs and apartment upstairs.
20
2.1
                MR. EINGORN: Based upon the entry way on
22
    the corner of the building, it kind of seems to lend
23
    itself to at least looking like a commercial property
24
    as opposed to --
25
                MR. DOUGHERTY: My guess is that it was a
```

corner store in the 40's. 1 2 MS. MERRICKS: Always a cleaners. MR. DOUGHERTY: It was always a cleaners? 3 VICE-CHAIRMAN COOPER: It was a cleaners 4 when I used to walk to school there. Coming through 5 there, it used to be a cleaners down there on that 6 7 corner. That was back in the 80's. 8 MR. JORDAN: Eddy's Cleaners. 9 VICE-CHAIRMAN COOPER: Yes. 10 MR. EINGORN: So the Board, I guess, can make a determination after we open to the public, as 11 12 to whether or not they believe a use variance is required or whether or not a Certificate of 13 14 Nonconforming Use would be appropriate. I don't know 15 that either is the right or wrong way to go but from the testimony and from the knowledge of the Board, it 16 might seem like a Certificate of Nonconforming Use 17 would be appropriate. 18 Are there any other questions for the 19 20 applicant? I'm not hearing or seeing any. Let's 21 open to the public. Anybody here like to be heard on 2.2 1201 Atlantic Avenue? Hearing and seeing none, we'll close the public portion. 23 24 Now is the time for the Board to do its 25 determination. If the Board determines a use

```
variance is required, then a discussion of the
1
2
    Positive and Negative Criteria related to the use
    variance. Otherwise, a determination that a
3
4
    Certificate of Nonconforming Use is appropriate.
                                                        In
5
    addition, the applicant is requesting a bulk variance
    for parking one spot where potentially up to six
6
7
    would be required.
8
                VICE-CHAIRMAN COOPER: Now, on Louis
9
    Street, I mean, along side there, is there parking on
    Louis Street itself?
10
11
                MR. JORDAN: Parking on Louis Street?
12
                VICE-CHAIRMAN COOPER:
13
                MR. JORDAN:
14
                MR. BRITO BUENO: So the garage in the
15
    back, does that belong to the property?
16
                              Say that again?
                MR. JORDAN:
                MR. BRITO BUENO: The garage in the
17
18
    back?
19
                MR. JORDAN:
                              I can't hear you.
20
                MR. BRITO BUENO: There's a garage in the
21
    back, right?
22
                              Yes, a garage in the back.
                MR. JORDAN:
23
                MR. BRITO BUENO: It belongs to the
24
    building?
25
                MR. JORDAN:
                              Yes.
```

```
MR. BRITO BUENO: How many cars?
1
 2
                MR. JORDAN:
                              One.
 3
                VICE-CHAIRMAN COOPER: So you think you
4
    can get four cars along Louis Street there?
                MR. JORDAN:
 5
                            Yes.
                VICE-CHAIRMAN COOPER: I did say it was
6
7
    commercial.
8
                MR. EINGORN: Yes. And if you look at
9
    the bottom photograph, it does appear that as a
10
    corner property, it takes up a large portion of the
11
    frontage.
                                        Right.
12
                VICE-CHAIRMAN COOPER:
13
    Atlantic Avenue, you can't park on that one side, I
14
    don't think, so all the parking would have to be on
15
    Louis Street.
16
                MR. JORDAN: Not coming in on that side
    but on the opposite side --
17
18
                VICE-CHAIRMAN COOPER: Where BPM used to
19
    be?
20
                MR. JORDAN: Yes, right.
2.1
                VICE-CHAIRMAN COOPER: And no one is in
22
    that building?
23
                MR. JORDAN:
                              No.
24
                VICE-CHAIRMAN COOPER: Well, I can say
25
    that it was a commercial building.
```

MR. EINGORN: Back here. 1 2 CHAIRMAN HANCE: It was a commercial 3 building and it should be changed to a conforming 4 use. 5 MR. EINGORN: What? It should be a Certificate of Nonconforming Use because it was 6 7 previously a commercial? 8 VICE-CHAIRMAN COOPER: MR. EINGORN: Now, you would make that --9 so you would ask to make a motion that -- you would 10 11 make a motion to grant a Certificate of Nonconforming 12 Use. VICE-CHAIRMAN COOPER: I make a motion to 13 14 grant a nonconforming use to the building. 15 MR. EINGORN: There's also the issue with 16 the bulk variance for the parking. My understanding is that the applicant did not pay the application fee 17 for that. So, well, you could make it a condition of 18 approval that he pays the relative fee for the bulk 19 20 variance. That way you don't have to drag him back. 2.1 Is the acceptable? 2.2 MR. DOUGHERTY: He will pay the fee if 23 that's a possibility. 24 MR. EINGORN: It seems reasonable. 25 It is a motion to grant a Certificate of

```
Nonconforming Use and a bulk variance for parking
1
2
    with the condition that the applicant pays the
    application fee?
3
                CHAIRMAN HANCE: Yes.
4
5
                MR. EINGORN: Okay. Great. Do we have a
    second?
6
7
                MS. MERRICKS: I want to ask. Do you
8
    have a garage? Is it a garage?
9
                MR. JORDAN: Yes, it's a garage
    attached.
10
11
                MR. EINGORN: Do you want to second the
    motion?
12
13
                MS. MERRICKS: We have a second from
    Ms. Merricks.
14
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: Ms. Merricks.
21
                MS. MERRICKS: Yes.
22
                MR. EINGORN: Ms. Alston.
23
                MS. ALSTON: Yes.
24
                MR. EINGORN: Mr. Brito Bueno.
25
                MR. BRITO BUENO: Yes.
```

```
MR. EINGORN: Five in favor and none
1
2
    opposed. Congratulations. Good luck with your
3
    smoothy shop.
                MR. EINGORN: The last application for
    tonight is Tariq S. Alam, 126 Berkley Street.
5
    Wilson, good evening.
6
                MR. WILSON:
                              Good evening. John Wilson
7
8
    here on behalf of the applicant, Mr. Alam.
                MR. EINGORN: Would you like to have your
9
    witnesses sworn?
10
11
                MR. WILSON: Yes.
12
                MR. EINGORN: If you would raise your
    right hand.
13
14
15
                TARIQ S. ALAM; ERNEST BUCHER, having
    first been duly sworn/affirmed, was examined and
16
17
    testified as follows:
18
19
                MR. EINGORN: If you could each state
20
    your name in turn and your address.
2.1
                MR. ALAM: Tarig Alam, 14 Union Drive,
22
    West Windsor, New Jersey 08550.
23
                MR. BUCHER: Ernest Bucher, Colonial
    Realty Company, 136 Haddon Avenue, Westmont, New
24
25
    Jersey 08108.
```

```
MR. WILSON: Just a short introduction.
1
2
    This is an application by my client to convert a 602
    Berkley Street into a duplex. This property is
3
    directly across from Cooper Hospital. And I'm sure
4
    the Board is more than familiar with the area.
5
                I call Mr. Alam. Mr. Alam. are you the
6
7
    owner of the property?
                MR. ALAM: Yes.
8
9
                MR. WILSON: Could you tell the Board
10
    what you want to do with the property and describe
11
    what your plan is?
12
                            So the goal is to make this
                MR. ALAM:
13
    property gut it, brand new inside out, and be able to
14
    market this property to the local community where
15
    they can enjoy living there and be happy. And open
16
    to everybody whoever wants to rent that property.
                             How many units would be in
17
                MR. WILSON:
18
    the property?
                MR. ALAM:
                            It will be a total of two
19
20
    units.
2.1
                MR. WILSON:
                              Tell the Board what would be
22
    on the first floor?
23
                            So it will be one bedroom, one
                MR. ALAM:
24
    living room, dining room and then a kitchen and then
25
    the basement.
```

```
MR. WILSON: Is there a bathroom?
1
2
                MR. ALAM: Oh, yes, and a bathroom.
3
                MR. WILSON:
                              Describe the upper floors.
4
                MR. ALAM: So the upper floor, it has
5
    it's own access, so it will have a living room,
    dining room, kitchen, one bathroom and three
6
7
    bedrooms.
                MR. WILSON: On the second floor?
8
                MR. ALAM: The second floor has one
9
              The third floor has two bedrooms.
10
    bedroom.
11
                MR. WILSON: That's important for the
    Board to understand.
12
13
                MR. ALAM: Do you know how long the
14
    property has been vacant?
15
                MR. ALAM: About 12 months.
16
                MR. WILSON: Does the Board have any
    questions for Mr. Alam?
17
18
                CHAIRMAN HANCE: How long have you owned
19
    the property?
20
                MR. ALAM: About three years.
2.1
                CHAIRMAN HANCE: I'm noticing up front
22
    which is the picture here of two gas meters on the
    outside.
23
24
                MR. ALAM:
                            Yes.
25
                CHAIRMAN HANCE: So is it already a
```

```
1
    duplex?
2
                MR. ALAM: It has two gas meters, two
    electric meters, two heating systems. Everything
3
4
    was like duplex. Now we're going through the formal
5
    process.
6
                VICE-CHAIRMAN COOPER: So now you're
7
    trying to do a triplex?
8
                CHAIRMAN HANCE:
9
                MR. EINGORN: No. Just a duplex.
10
                MR. WILSON:
                              Duplex.
11
                VICE-CHAIRMAN COOPER: You're using the
12
    first floor, right?
13
                MR. ALAM:
                            Right.
14
                VICE-CHAIRMAN COOPER: And you're going
15
    to use the second floor and then the third floor,
16
    right?
17
                MR. WILSON: Yes.
18
                MR. EINGORN: The second and third floor
19
    are going to be one unit.
20
                VICE-CHAIRMAN COOPER: Oh, one unit.
2.1
                MR. WILSON:
                             Yes.
22
                VICE-CHAIRMAN COOPER: Okay. Got you.
23
                MR. WILSON: When I first viewed the
24
    property with my client, I was surprised because I
25
    always thought that was a single-family unit. But
```

```
when they were doing the clean-up, they found that it
1
2
    was not.
              That it had been a duplex so that's why
    we're here.
3
                CHAIRMAN HANCE:
                                 So I'm guessing that
5
    when you bought your property and you thought it was
    a single-family home?
6
7
                MR. ALAM:
                            Yes.
8
                VICE-CHAIRMAN COOPER:
                                        So you bought it
9
    and the two meters was already out there; you put the
10
    meters in?
11
                MR. ALAM: That was done before and I
12
    bought it.
13
                MR. WILSON: When he was doing the
14
    clean-out and took some coverings off the wall,
15
    that's when he found the two meters for both gas and
    electric. Strike that. I should call them meters.
16
    They were the meter boxes.
17
                MR. BUCHER: When they did the street,
18
    when they put all these services, gas service in,
19
20
    they put the two meters in as you can see in the
21
    picture. Mr. Wilson, I was telling the Board that
22
    when they re-did the gas on Berkley Street, when they
23
    came to your property, they put the two gas meters
         That's why it shows --
24
    in.
25
                MR. WILSON: Mr. Bucher, tell the Board
```

```
your background, please.
1
                MR. BUCHER: I've been in the real estate
2
3
    business just about 30 years. I've done a lot of
4
    business in Camden; helped a lot of people. So with
    respect to Berkley Street, there's quite a number of
5
    duplexes. Then you go further down on the -- what's
6
7
    that little street? Benson.
                                  There's also about
8
    three or four duplexes. I think one of them might
    even be a triplex. So we're not the only show in
9
    town so there's quite a few duplexes in the
10
    immediate area.
11
12
                MR. WILSON:
                             And if the Board approves
13
    this, it would not be an aberration in the
14
    community?
15
                MR. BUCHER:
                             No.
16
                MR. WILSON:
                             Does the Board have any
    questions?
17
18
                VICE-CHAIRMAN COOPER: Off-street
19
    parking.
20
                MR. WILSON: We have an application for
    different -- of C-variances for lot coverage, for lot
21
2.2
    size. Now is there room to expand this property?
23
                             In terms of?
                MR. BUCHER:
24
                             The Code calls for a 2000
                MR. WILSON:
25
    square foot property. This is only about 800 square
```

```
feet.
           Is there room to expand the lot?
1
2
                MR. BUCHER:
                              I don't believe so.
                MR. WILSON:
                             Is there on-site parking?
3
                MR. BUCHER:
                              Yes.
4
5
                MR. WILSON:
                              Where?
6
                MR. ALAM:
                            Not on the property.
7
                MR. BUCHER:
                              On the street parking.
8
                MR. WILSON:
                              No.
9
                MR. BUCHER:
                              I'm sorry.
                              I said, on-site.
10
                MR. WILSON:
11
                MR. BUCHER:
                              No.
12
                MR. WILSON:
                              Is there any area on the
13
    property on-site where you could make parking?
14
                MR. BUCHER:
                              No.
15
                MR. WILSON: I have nothing further.
16
                MR. EINGORN: Does the Board have any
    questions?
17
18
                                   I just believe, we've
                MS. ASLTON:
                              No.
    seen this before just recently someone else came here
19
20
    and all of the issues that you're facing here is
21
    something that other owners have faced. There's
22
    nothing they can do about it. They can't add I guess
23
    a driveway or they can't change the fact that there's
24
    a difference in that 20 feet. So these are things
25
    that just cannot be changed. They were existing.
```

```
He's not -- it was already a duplex so he's not
1
2
    changing any of that. I don't have any questions.
                MR. EINGORN:
                              Right. So what you're
3
4
    describing is a hardship based upon the way the
5
    building was constructed in pre-existing
    nonconforming conditions of the land.
6
                MR. BRITO BUENO: I have a question.
8
    he buy it as a duplex or just single-family?
                MR. ALAM: No, we bought it as a
9
    single-family.
10
11
                MR. EINGORN:
                               I think the testimony was,
12
    that he thought it was single-family when he started
13
    doing the work, it turned out it was a duplex.
14
                VICE-CHAIRMAN COOPER: And you said the
15
    gas company put the two meters here?
16
                MR. BUCHER: Yes. They put it in when
    they did that street --
17
18
                MR. ALAM: Gas and electric.
                MR. BUCHER: -- on Berkley Street I guess
19
20
    within the last year.
2.1
                CHAIRMAN HANCE: I'm curious, right next
22
    door, what is this building right here?
                MR. BUCHER: That's 600 Berkley.
23
24
                MR. EINGORN: Are there any other
25
    questions related to the application?
```

VICE-CHAIRMAN COOPER: None from me. 1 2 MR. EINGORN: Are you guys satisfied with 3 the testimony? 4 MS. ALSTON: Yes. We were just 5 clarifying the fact that they bought it thinking it was a single-family home but after going in there 6 and cleaning it up, it already had two meters, two 7 8 everything, water heaters and it turned out that they 9 had a duplex. MR. EINGORN: And if you look they are in 10 11 an R-2 Zone so they do not need a use variance 12 approval. 13 MS. ALSTON: No. 14 MR. EINGORN: They're only here for bulk 15 variance approval. How about we open to the public. 16 I do think we saw some comments. Why don't you come forward to the podium. If you could raise your right 17 18 hand. 19 20 SHANITA BOWEN, having first been duly sworn/affirmed, was examined and testified as 21 22 follows: 23 24 MR. EINGORN: Please state your name and 25 address for the record.

```
1
                MS. BOWEN: Shanita Bowen, 1983 Gleason
2
    Avenue, Bronx, New York 10472.
3
                MR. EINGORN: What would you like to
4
    say.
5
                MS. BOWEN: We are neighbors. I own 600
    Berkley Street and I'm just here for support. I have
6
7
    been inside of his property when he first bought it
    and I do see where there's clearly able to have two
8
9
    apartments.
                CHAIRMAN HANCE: So you're the neighbor
10
11
    so you own the building here on the opposite side?
12
                MS. BOWEN: Yes.
13
                CHAIRMAN HANCE: It's like a store here?
14
    So this is you here?
15
                MS. BOWEN: Right.
16
                CHAIRMAN HANCE: What do you have in
17
    there?
18
                MS. BOWEN:
                            So it's empty now.
19
    also working on it. My contractor is here.
                MR. EINGORN: Great. So support for a
20
21
    duplex. We don't get that very often.
22
                CHAIRMAN HANCE:
                                 No.
23
                MR. EINGORN: Great. We appreciate you
24
    showing up.
25
                MR. WILSON:
                             Thank you.
```

MR. EINGORN: Any other questions? 1 Nobody else is here. We will close the 2 public portion. Discussion of the Positive and 3 4 Negative Criteria. A motion. The applicant is 5 requesting four bulk variances related to the minimum lot area, minimum lot width, the building coverage 6 7 and the off-street parking. 8 VICE-CHAIRMAN COOPER: Again, he's landlocked. He can't create land; make land or 9 anything. As far as the variances, I'm going to have 10 11 to grant the variance for the lot sizes. Now for the 12 off-street parking, you don't need anything for that, 13 correct? 14 MR. EINGORN: What do you mean? 15 VICE-CHAIRMAN COOPER: It says he has 2.5 16 spaces are need; zero spaces is proposed. 17 MR. EINGORN: Right. So he needs a bulk variance for the parking spaces because he has no 18 off-street parking. 19 20 VICE-CHAIRMAN COOPER: Right and he can't 2.1 make it. 22 CHAIRMAN HANCE: That's close to the 23 hospital. 24 MR. EINGORN: Right. We've heard a lot 25 of testimony about the parking around the hospital.

1 VICE-CHAIRMAN COOPER: Is there a parking 2 garage in that area somewhere? The hospital has one but MR. WILSON: 3 there's no public parking. 4 5 CHAIRMAN HANCE: I would say this, it's a duplex and it's been a duplex. So the people who did 6 live there, they had to scrounge around for parking 7 8 like everybody else. It's that kind of 9 neighborhood. I was impressed when the young lady 10 came up and agreed to it as a neighbor. Like I Kyle 11 said, we don't get that. Also, again, this 12 neighborhood looks like it's pretty stern and 13 straight. Is that the only empty duplex there or 14 house? 15 MR. ALAM: Yes. 16 CHAIRMAN HANCE: Again, it's close to the I think we should keep all our 17 hospital. neighborhoods tight because it's bad to keep it empty 18 because people go through there and start fires or 19 whatever the case may be. And we have a lot of 20 21 homeless around and they will get on that porch and 22 make a tent and do what they have to do. I would rather someone live there. And I do it all the time, 23 I chase the homeless off the property and then next 24 25 day, they're right back. It's best to have someone

```
live there and not have abandonment.
1
2
                MR. EINGORN: So do we have a motion?
                MS. ALSTON: I make a motion.
3
4
                MR. EINGORN: A motion to grant?
                MS. ALSTON: Yes.
5
                MR. EINGORN: Do we have a second?
6
                CHAIRMAN HANCE:
7
                                  Second.
                MR. EINGORN: I'll take a roll-call vote.
8
9
    Chairman Hance.
                CHAIRMAN HANCE:
10
11
                 MR. EINGORN: Vice-Chairman Cooper.
12
                VICE-CHAIRMAN COOPER:
13
                MR. EINGORN: Ms. Merricks.
                MS. MERRICKS: Yes.
14
15
                MR. EINGORN: Ms. Alston.
                MS. ALSTON: Yes.
16
17
                MR. EINGORN: Mr. Brito Bueno.
                MR. BRITO BUENO:
18
                                   Yes.
19
                MR. EINGORN: Having five in favor and
    none opposed, the motion carries. Thank you,
20
2.1
    Gentlemen. Have a nice night.
2.2
                MR. WILSON:
                              Thank you.
23
                MR. ALAM: Thank you.
24
                MR. EINGORN: And then as the last matter
25
    for the agenda, we have Adoption of Resolutions. Let
```

```
me take a look at who can vote. So Chairman Hance,
1
2
    Vice-Chairman Cooper, Ms. Merricks and Mr. Brito
    Bueno can all vote. We have the Resolutions for July
3
4
    and I'll be fast.
5
                 Granting Use Variance Approval for
    Lowinsky Minier.
6
                 d (6) Height Variance, Bulk Variance for
7
    Parkside Business and Community in Partnership.
8
                 Granting Bulk Variance for Monzo
9
    Construction.
10
11
                 Granting Bulk Variance for 5 Star
12
    Properties, LLC.
                 Granting Use Variance Approval for David
13
14
    Fitzgerald.
15
                 Granting Use Variance Approval for Larcen
16
    Veliz.
17
                 Granting Use Bulk Variance Approval for
    Jander Valentin.
18
19
                 Use Variance Approval for Heaven Towing &
20
    Auto Repair.
2.1
                 And Denying Without Prejudice, 1060
22
    Bergen Avenue, LLC.
23
                 Do we have a motion to adopt?
24
                 VICE-CHAIRMAN COOPER: Motion to adopt.
25
                 CHAIRMAN HANCE: Second.
```

```
MR. EINGORN: I'll take a roll-call vote.
1
2
    Chairman Hance.
3
                CHAIRMAN HANCE: Yes.
4
                 MR. EINGORN: Vice-Chairman Cooper.
                VICE-CHAIRMAN COOPER: Yes.
5
6
                MR. EINGORN: Ms. Merricks.
7
                MS. MERRICKS: Yes.
                MR. EINGORN: Mr. Brito Bueno.
8
9
                MR. BRITO BUENO: Yes.
                MR. EINGORN: Motion passes. Motion to
10
    adjourn?
11
12
                CHAIRMAN HANCE: Motion to adjourn.
                MR. EINGORN: Second?
13
                MS. ALSTON: Second.
14
15
                MR. EINGORN: All in favor?
16
                THE Board: Yays.
17
          (***Meeting adjourned at 8:39 p.m.***)
18
19
20
21
22
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
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