

In The Matter Of:
CITY OF CAMDEN
ZONING BOARD

Transcript of Meeting
June 5, 2023

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ZONING BOARD
CITY OF CAMDEN

- - - -

Monday, June 5, 2023

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Transcript of proceedings in the above
matter taken in City Council Chambers, 2nd floor
City Hall, 520 Market Street, Camden, New Jersey
08101, commencing at 5:40 p.m.

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

DARNELL HANCE, CHAIRMAN
CHARLES COOPER, VICE-CHAIRMAN
KAREN MERRICKS
MARIZTA ALSTON
JOSE M. BRITO BUENO

- - - -

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

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CASES HEARD:

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| 11) | SINDY ORELLANA
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| 12) | REAL PORTFOLIO 13, LLC.
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| 13) | REAL PORTFOLIO 14, LLC
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436 & 453 Morse Street | 106 |
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(Deficient Notice) | 6, 114 |
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1 CHAIRMAN HANCE: Good evening ladies and
2 gentlemen. Welcome to the City of Camden Zoning
3 Board. In conformance with the Sunshine Law of the
4 State of New Jersey, notice of the meeting was posted
5 in the Municipal Clerk's office on Wednesday, May
6 31st, 2023.

7 MR. EINGORN: We'll take a roll call.
8 Chairman Hance.

9 CHAIRMAN HANCE: Here.

10 MR. EINGORN: Vice-Chairman Cooper.

11 VICE-CHAIRMAN COOPER: Here.

12 MR. EINGORN: Reverend Martinez. Not
13 present. Ms. Atwood. Not present. Ms. Washington.
14 Not present. Ms. Merricks.

15 MS. MERRICKS: Here.

16 MR. EINGORN: Ms. Alston.

17 MS. ALSTON: Here.

18 MR. EINGORN: Mr. Brito Bueno.

19 MR. BRITO BUENO: Here.

20 MR. EINGORN: The motion passes.

21 I'm going to read the list of cases for
22 tonight, matters. If you hear your name, please
23 raise your hand and let us know you're present and
24 ready to proceed. The matter on Old Business,
25 Lowinsky Minier, 3821 Westfield Avenue?

1 MR. IZZO: Present.

2 MR. EINGORN: Good evening, Mr. Izzo.
3 Johanna Rivera, 101 N. 21st Street.

4 MR. IZZO: My case is present.

5 MR. EINGORN: Luis Jaquez, 1317 S. 10th
6 Street.

7 MR. JAQUEZ: Present.

8 MR. EINGORN: Good evening. 1900 Federal
9 Street, LLC.

10 MR. TAYLOR: Present.

11 MR. EINGORN: Good evening, Counsel.
12 1060 Bergen Avenue, LLC?

13 Monzo Construction Service, 699 Liberty
14 Street.

15 UNIDENTIFIED SPEAKER: Present.

16 MR. EINGORN: Good evening. Next, Roy
17 Rivers, 423 Chambers Avenue.

18 MR. RIVERS: Here.

19 MR. EINGORN: Scull and Ham, LLC, 407
20 Atlantic Avenue.

21 MS. KINBACK: Present.

22 MR. EINGORN: Good evening, Counsel.
23 Gary & Iris Ball, 1860 Park Boulevard.

24 MR. MINATO: Present.

25 MR. EINGORN: Good evening. Cindy

1 Orellana, 315 Atlantic Avenue.

2 MS. ORELLANA: Here.

3 MR. EINGORN: Good evening. Real
4 Portfolio 13, LLC, 4106 to 4112 Federal.

5 MR. NORMAN: Present.

6 MR. EINGORN: I guess you're the next
7 matter as well, Real Portfolio 14, LLC?

8 MR. NORMAN: Present.

9 MR. EINGORN: WH Enterprises, 34 to 46
10 North 4th Street.

11 MR. WILSON: Present.

12 MR. EINGORN: I think the next matter,
13 Osvaldo Fernandez, 1261 Dayton Street. Notice was
14 deficient. If anybody is here for that?

15 MR. STEWART: Present.

16 MR. EINGORN: I'm sorry. Your notice is
17 deficient for tonight. It wasn't properly noticed.
18 The Board doesn't have jurisdiction to hear the
19 application.

20 MR. STEWART: May I approach?

21 MR. EINGORN: Yes, please come up.

22 MR. STEWART: Good evening everybody. My
23 name is Duane Edward Stewart.

24 MR. EINGORN: Good evening.

25 MS. MUHAMMAD: Fernandez came to -- yes,

1 he didn't submit to -- when I wasn't in work the
2 other day, he came but he didn't give her any --

3 MR. STEWART: What is it that we need?

4 MS. MUHAMMAD: Proof of Service.

5 MR. STEWART: The Proof of Service from
6 all those envelopes I mailed out?

7 MS. MUHAMMAD: All of those receipts and
8 everything.

9 MR. STEWART: We don't have them back yet
10 from the post office.

11 MS. MUHAMMAD: How about the ones that
12 you filled out yourself?

13 MR. STEWART: The green ones, I mailed
14 them all off, all 62 of them.

15 MS. MUHAMMAD: So the green and white
16 receipts that you --

17 MR. STEWART: Oh, you mean the small
18 green and white. I didn't those. We just got the
19 big green ones when we put them on. And that's what
20 the lady just handed you earlier when she came in.
21 That was my handwriting. So she showed that she
22 received something but I need proof prior to the
23 meeting. She was speaking earlier. I just wasn't
24 made clear of which one exactly you was coming for.

25 MR. STEWART: Yes, ma'am.

1 MS. MUHAMMAD: We would have had
2 discussion earlier.

3 MR. STEWART: Yes, ma'am. May I ask
4 another question if you don't mind. Would this
5 hearing be necessary owing the fact that our duplex,
6 when we bought, it's 35 years old, it has been a
7 duplex prior to my partner when he initially sent the
8 application. I've been six with four strands of
9 COVID. So I'm just now recovering. That's why I'm
10 here. But when I bought this building, this building
11 was already a legal duplex and the owner is in
12 Charleston, West Virginia but he's willing to sign a
13 sworn affidavit saying that when I bought this
14 property, it was a legal duplex.

15 MR. EINGORN: So here's the issues we
16 have. One, the Board doesn't have jurisdiction to
17 hear your application because it hasn't seen the fact
18 that whether or not the application has been properly
19 served.

20 MR. STEWART: Yes, sir.

21 MR. EINGORN: So before ten days, the
22 applicant has to send out the notice to all the
23 people in the 200-foot list --

24 MR. STEWART: Okay.

25 MR. EINGORN: -- and publish the --

1 MR. EINGORN: Why don't we do this. If
2 you can show that your notice was proper for this
3 month, we'll adjourn you to next month. So if
4 anybody is here for 1261 Dayton Street, notice was
5 proper for tonight; that we will hear this on July
6 3rd. Does that sound good?

7 MR. STEWART: That's fine. But can I
8 bring this back?

9 MR. EINGORN: Get the Proof of Service
10 from Evita tomorrow and fill that out and then we'll
11 get it figured out.

12 MR. STEWART: Thank you. Have a good
13 evening.

14 MR. EINGORN: I hope you have a good
15 night.

16 The first matter we're going to hear
17 tonight is going to be 1900 Federal Street. Mr.
18 Taylor promised this was a quick application.

19 MR. TAYLOR: Thank you very much, ladies
20 and gentlemen. It has been 20 years since I've been
21 here so it's good to be back here again. For the
22 record, my name is Dale Taylor. I'm a licensed
23 attorney in the State of New Jersey with offices in
24 Mickleton, New Jersey and I represent the applicant,
25 1900 Federal, LLC.

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

3 - - -

4 MR. EINGORN: If you each can give your
5 name and address for the record.

6 MR. HOLCOMB: George Holcomb.

7 MR. TAYLOR: He's one of the managing
8 members of the applicant.

9 MR. HOLCOMB: Address you need as well?

10 MR. EINGORN: Yes.

11 MR. HOLCOMB: 840 Derius Drive,
12 Mickleton, New Jersey 08056.

13 MR. FLEMING: David Fleming with Marathon
14 Engineering. Our address is 3 Killdeer Court,
15 Swedesboro, New Jersey. I'm a licensed engineer in
16 New Jersey.

17 MR. BLOCH: Daniel Bloch, 53 Frontage
18 Road, Clinton, New Jersey.

19 MR. TAYLOR: And Mr. Holcomb is going to
20 testify as a fact witness in just a second. I would
21 like to have Mr. Fleming and Mr. Bloch, very briefly,
22 testify as to their license and background and
23 experience in the State of New Jersey so we can
24 stipulate them as experts.

25 MR. FLEMING: Dave Fleming, Marathon

1 Engineers. Licensed engineer and said engineer for
2 the project. Licensed in 1987. I've been in Camden
3 since that time and did work for Subaru, CamCare and
4 many others over the years. I've been practicing
5 entire time as a licensed engineer.

6 MR. EINGORN: And you've testified before
7 this Board in the past, right?

8 MR. FLEMING: You know, I've testified at
9 Planning. I don't remember the Zoning Board as the
10 years have gone by.

11 MR. EINGORN: Because you do look
12 familiar. The Board will accept Mr. Fleming as an
13 expert.

14 MR. TAYLOR: Thank you very much. And
15 then Mr. Bloch is our licensed professional planner.
16 He's going to give Positive and Negative Criteria.
17 Mr. Bloch, your background.

18 MR. BLOCH: Yes. I have a Bachelor's
19 Degree from the University of Buffalo in
20 environmental science. I'm a licensed professional
21 planner in the State of New Jersey. I'm a member of
22 the American Institute of Certified Planners,
23 certified. And I have testified before this Board in
24 the past.

25 MR. EINGORN: Very good. The Board will

1 accept Mr. Bloch as a professional planner.

2 MR. TAYLOR: Thank you very much. I'd
3 like to ask Mr. Holcomb to just come and very briefly
4 provide just a little bit of background about your
5 company as related to this particular parcel and what
6 you hope to do with this parcel.

7 MR. HOLCOMB: The company was started
8 actually in 1981 by my mother with one bus and we
9 have a couple locations in South Jersey. We are
10 currently about three blocks away on River Road. We
11 rent a piece of property there. We operate about 50
12 buses. We prefer to own the property that we operate
13 out of just to be a long-term business member of the
14 community. So this piece of property became
15 available to us. It's in close proximity and will
16 only be a couple blocks away. It was previously used
17 as a scrap yard. It will work perfect for us.

18 We operate about 50 buses currently out
19 of the River Road facility. There is about 80
20 percent of our current employees at that location,
21 live in the City of Camden. So it's beneficial to us
22 to stay in the City of Camden. We feel that we give
23 a very good wage. It's currently \$28.00 an hour
24 starting pay for bus drivers. We train. We're
25 trying to stay in the City and be visible to the

1 people of the City. And this piece of property, this
2 works for us for those particular reasons. Thank
3 you.

4 MR. TAYLOR: As I stated previously, if
5 you take a look at some of the uses and I'll have Mr.
6 Fleming address this. This use is a less-intensive
7 use than what would otherwise be permitted. And it
8 does work well and they're happy to stay in the City
9 of Camden, looking to invest in the City of Camden
10 and work as partners. We've already talked to one of
11 the other companies across the street and they're
12 very happy that we're coming in there. And they also
13 want to help us in any way that can.

14 Mr. Fleming, why don't you come up and
15 provide some information.

16 MR. FLEMING: I'll give the Board -- I
17 have an easel to use.

18 As mentioned, there's actually three
19 lots. Federal Street at the top of the sheet.
20 That's the north on the plan. 19th Street which is
21 basically bisecting it, not quite, but it basically
22 bisects it almost evenly. To the west, there's an
23 existing building that will be reutilized. That's on
24 Block 1199. I believe that's Lot 8, if I'm not
25 mistaken. And that building would be rehabbed for

1 office and light service to the building, to the
2 busses.

3 That lot will also contain, I believe
4 it's, 51 parking spots for cars. Obviously,
5 employees. As I mentioned, 19th Street bisects the
6 properties that are being purchased. And Lots 1 and
7 2, Block 1200, that's where the proposed bus spaces
8 will be. There's 57 of them. You see this -- we
9 show a truck and a bus circulating movement just so
10 that the Board can see it. It's more of a site plan
11 issue but we wanted to depict it anyway since we've
12 planned it that way.

13 The only other aspect and I really want
14 to touch on is in terms of proposed conditions, would
15 be an above-ground fueling station that would have to
16 be maintained on site. A modern process. That's a
17 above-ground self-contained. All contained systems
18 are above-ground and meets all the modern
19 regulatory. I've been involved with these before and
20 it's not like the old where put it in the ground and
21 then it leaks. So this is, again, a very modern
22 facility.

23 This particular piece of ground is
24 largely impervious. It's going to remain so we will
25 make sure that it does not increasingly have -- we

1 have some former areas that when we get to the site
2 plan, we'd provide a little bit of green. You can
3 see the circulation would really come off 19th that
4 we know direct driveway, curb cut until Federal.
5 And, again, looking at our surrounding uses, this
6 site is bisected. Block 1199 I believe is the
7 General Industrial GL Zone, GL-2 Zone. And the
8 Commercial District is Block 1200, Lots 1 & 2 for the
9 fuel truck parking spots themselves.

10 MR. EINGORN: The property that's far to
11 my left, is that also part of the property? It looks
12 like there's some trailers or something on the edge
13 of the property.

14 MR. FLEMING. So it's a little tough to
15 see -- maybe I need to come forward. See the yellow,
16 again, it's -- we didn't do any great rendering here
17 but we did highlight the yellow of the parcels that
18 are involved. I believe maybe point to a neighbor.
19 I'm not sure.

20 MR. EINGORN: Do you know what that
21 neighbor is?

22 MR. FLEMING: Off the top of my head, I
23 don't. But I believe of the study of the map,
24 there's other businesses in the area like Resin-Tech,
25 of course is new.

1 MR. EINGORN: The only reason I bring it
2 up is because it looks like it's some kind of
3 similar use.

4 MR. FLEMING: It very well may be. I
5 can't.

6 MR. HOLCOMB: I think it's a construction
7 company that's currently on that next property.

8 MR. FLEMING: As far as the principal
9 use, the planner will touch base. But as far as the
10 site goes, you know, it could work very nicely and
11 meet the needs of Holcomb Bus. And it's almost like
12 the parcels were carved out for them.

13 MR. TAYLOR: Thank you very much.

14 Again, the -- forgiving tonight which we
15 hope are the use variance, the site plan will define
16 this whole area, what we intend to do and I think
17 you're going to be very, very happy with it really.
18 And it's going to provide more jobs for the people of
19 the City of Camden.

20 Now, I'd like to have Mr. Bloch come up.
21 Because it is a use variance, we have an obligation
22 to present what's called a Positive and a Negative
23 Criteria that it won't create a detriment,
24 substantial detriment to the Zone Plan or the Master
25 Plan. We can hand these out. We'll enter these into

1 the record too. This basically is the substance of
2 his testimony. So that the members, if you wish,
3 we'll enter this into record, if we could, Counsel.

4 MR. EINGORN: Sure. What is the title of
5 this document?

6 MR. TAYLOR: Planning Report; Use
7 Variance, Holcomb Bus Service Company. It's signed
8 and sealed by Daniel Bloch.

9 MR. EINGORN: So Planning Report we'll
10 mark as Exhibit A to the record.

11 MR. TAYLOR: Dated June 5, 2023. Why
12 don't you go ahead, Mr. Bloch.

13 MR. BLOCH: I'll quickly summarise. I'm
14 not going to read the whole report you. The property
15 on two different zone districts. We have the GI,
16 General Industrial Zone, which is where Block 1199,
17 Lot 8 is in the GI-2 Zone. And then Block 1200, Lots
18 1 & 2, are in the C(1) Commercial Zone. Neither of
19 those zones permit a bus depo or bus storage lot. So
20 we are requesting a D(1) use variance for both
21 parcels in those zones.

22 Both of those zones permit other types of
23 uses which would be much more intensive than what is
24 proposed for the bus storage. This will be limited
25 to daytime usage or the testimony, the bus drivers

1 will come in with their vehicle, take a bus out, do
2 the pickups and drop-offs and then they bring the bus
3 back and then they leave for the day. So that would
4 be it. There would be no nighttime usage. It would
5 be very limited just to those school day hours.

6 So in terms of the Use Variance Criteria
7 that we have to meet for a D(1) use variance, we have
8 to show Positive and Negative Criteria. This use is
9 actually what's known as an inherently beneficial
10 use. So that's something that the Municipal Land Use
11 Law defines inherently beneficial. And schools are
12 part of that definition and I've included that
13 definition on page 4, which says that an inherently
14 beneficial use means a use that it's universally
15 considered to be of value to the community because it
16 fundamentally serves the public good and promotes the
17 general welfare.

18 And the legislature did include some
19 examples of such uses and you could see, hospital,
20 school, childcare center, group home, or wind or
21 solar votec energy facility or structure. So schools
22 are listed as an inherently beneficial use. And the
23 courts did find in 1999 under that scholastic bus,
24 the Zoning Board case that a bus depo was accessory
25 and serves the schools and, therefore, it also is

1 protected under that inherently beneficial statute.

2 So because this is inherently beneficial,
3 we do not have to show the Special Reasons. It
4 presumably satisfies the Positive Criteria and we
5 have to perform what is known as the SICA balancing
6 test for the Negative Criteria. This is a different
7 way of analyzing because it is an inherently
8 beneficial use, there's a four-step test that the
9 courts have said, this is how you analyze or
10 determine whether this use should be permitted.

11 So that four-step test, number one, is
12 identifying the public interest at stake because we
13 have the school districts do not have their own
14 buses. They rely on the private bus services so it's
15 a pretty high value to get the kids to and from
16 school safely. We need those buses. So this is a
17 pretty high stake in terms of the public interest.

18 The second part of that test is to look
19 at whether there would be any substantial detriments
20 that would ensue from this use being placed in this
21 location. And because I think this is much less
22 intensive than some of the industrial or commercial
23 uses that could go here, I don't see any substantial
24 detriments to the public good that would alter the
25 character of this neighborhood.

1 Step 3 is to look at those detriments if
2 there are any and see if there's any conditions that
3 the Board could impose that might help reduce some of
4 those detriments, and I don't really see any. If
5 there's any that come up during site plan review,
6 the Board could impose maybe some fences or different
7 setbacks or whatever at the site plan level. But on
8 a global level, I think the use itself, I don't see
9 any need to impose any conditions.

10 So the last step then is to look at
11 on-balance, the stake of the public interest, does
12 that outweigh any of the negative impacts and whether
13 there's any substantial impact to the Zoning Plan or
14 Zoning Ordinance. I've cited some of the purposes of
15 zoning that are listed in the Zoning Ordinance which,
16 I believe, this use will promote. Some of those
17 would be, encouraging the public and private
18 procedures that will result in a lessening of cost
19 and the more efficient use of land, promoting a
20 desirable visual environment, encouraging an improved
21 track transportation route. So a lot of these things
22 I think we're really promoting that's part of this
23 application. I'm not going to run through all of
24 them.

25 And then the Master Plan for the City of

1 Camden, I did look at those documents and I believe
2 there's a number of goals and objective from those
3 documents as well that we are promoting. So
4 on-balance I believe that we are consistent or not
5 inconsistent with the intent and purpose of the
6 Master Plan, Zoning Ordinance and, therefore, I
7 believe that the Board could grant this use variance
8 under the SICA Test without any substantial
9 detriments.

10 There are a number of 'C' Variances.
11 Most of these are pretty much existing conditions
12 which are proposed to remain. We have maximum lot
13 coverage and minimum lot area, minimum lot width --

14 MR. EINGORN: Would those be addressed at
15 site plan? Those would be addressed at site plan?

16 MR. BLOCH: Yes, those would be addressed
17 as part of the site plan.

18 MR. TAYLOR: Biforcated?

19 MR. EINGORN: Yes. So why don't we hold
20 off on the --

21 MR. BLOCH: We're going to hold those for
22 the site plan?

23 MR. EINGORN: Okay.

24 MR. BLOCH: And that concludes my
25 testimony on the 'D' Variance.

1 the buses coming off of Federal Street and then
2 leaving on Carman Street or is that a two-way street?
3 How is that set up?

4 MR. FLEMING: They could but it would
5 seem to me -- again, the main access is 19th Street
6 cuts through it. Federal Street being the arterial
7 there that runs up and down through the City. My
8 presumption is, my work presumption is, I'm not the
9 operator, but would be that Federal Street would be
10 the main --

11 CHAIRMAN HANCE: So you're going to
12 Federal Street?

13 MR. FLEMING: Yeah, going to and from.
14 This movement here just depicts a bus movement
15 through the sites.

16 CHAIRMAN HANCE: I understand that. But
17 what I'm saying is, on Carman Street, is that an exit
18 on Carman Street or --

19 MR. FLEMING: No.

20 CHAIRMAN HANCE: Would buses be leaving
21 both ways?

22 MR. FLEMING: That might be depending
23 upon where you're serving the public. As it stands,
24 generally, you know, the main street --

25 CHAIRMAN HANCE: Main street is

1 Federal?

2 MR. FLEMING: I've looked at the
3 surrounding map. I don't know where they would be
4 possibly going. I think they went out the back side.

5 MR. EINGORN: Is 19th two-way at that
6 point?

7 MR. FLEMING: Yes.

8 MR. TAYLOR: One of the companies that I
9 did talk to today, they questioned that because they
10 said that their tractor trailers use 19th Street to
11 get up to their property. We're not going to do
12 anything to block that. We'll have a lot more
13 in-depth information about that when we get to the --

14 CHAIRMAN HANCE: And these are all school
15 buses?

16 MR. FLEMING: School buses.

17 MR. BLOCH: School buses.

18 CHAIRMAN HANCE: And you said there's
19 51 parking spots?

20 MR. FLEMING: Fifty-one parking spots on
21 this lot.

22 CHAIRMAN HANCE: So we're talking about
23 51 parking spots.

24 MR. FLEMING: Yes. I'll move my chart
25 closer.

1 CHAIRMAN HANCE: And how many buses do
2 you think --

3 MR. FLEMING: Fifty-seven bus spots.

4 MR. TAYLOR: That's for parking. Not all
5 of them will be used at one time. They're going to
6 have different access and egress periods and it's
7 going to be a small building there that's going to do
8 light maintenance like oil changes and things of that
9 nature. And some of those buses are going to be
10 back-up reserves. So you're not going see a 50 or
11 more leaving at one time of the day and then come
12 back at the same time of the day. It's going to be
13 staggered. And occasionally when they have school
14 bus trips or whatever on Saturday, there could be
15 some buses that leave or go there but it'll be
16 well-coordinated.

17 CHAIRMAN HANCE: I'm familiar where you
18 are. Another question would be, there's no fence
19 around there. Is it going to be open or is there
20 going to be a fence?

21 MR. TAYLOR: It's going to be fenced and
22 that's one of the things we're going to deal with at
23 the site plan. We're going to show that. We're
24 going to show whatever landscaping we can. We're
25 going to rehabilitate the site and make it far better

1 than what it is now. How long has it been vacant?

2 MR. HOLCOMB: A few years.

3 MR. TAYLOR: It's a real eye sore.

4 MR. HOLCOMB: Off-site repairs as
5 necessary.

6 MR. TAYLOR: So this going to be -- this
7 may be the only deal in town because it has been
8 vacant for many, many years and it sits there. It's
9 an eye sore.

10 CHAIRMAN HANCE: I'm very familiar with
11 Camden. I've been here all my life. But the
12 entrance, there's two entrances, one in the rear and
13 one in the front?

14 MR. FLEMING: Well, again, the entrance
15 is all for 19th. Just for circulation through the
16 two lots that 19th bisects. They can come into the
17 those lots at a different location. You'll see they
18 all enter off 19th. It doesn't make sense going in
19 the other direction.

20 MR. BRITO BUENO: I'm just worried about
21 the traffic. Are we required instead of using that
22 19th Street, use the other street because it has a
23 light, you have a control. Right there, it can be a
24 mess cause so many buses come in and out at the same
25 time.

1 MR. EINGORN: So you want --

2 MR. BRITO BUENO: It's the next street
3 over to the light. It's going to be a light.

4 CHAIRMAN COOPER: Going east from there,
5 going east is a light.

6 MR. BRITO BUENO: I forgot the street
7 name.

8 MR. FLEMING: The opportunity would
9 exist --

10 MR. EINGORN: We're saying on Federal?

11 MR. BRITO BUENO: It's on Federal.
12 There's a light there so they can stop at the light
13 and use Carman Street and then 19th Street to avoid
14 using the stop sign right there because it's going to
15 be a mess.

16 MR. EINGORN: Got you.

17 MR. FLEMING: Well, I mean, again, Carman
18 does parallel Federal. The opportunity does exist.
19 I just spoke from, again, a non-traffic engineer but
20 as a site engineer doing it for 40 years is, again,
21 as you know, people will go generally the shortest
22 path excepting if it makes sense to go towards a
23 traffic light. I personally go the long way to use a
24 traffic light myself.

25 MR. BRITO BUENO: I understand that. I

1 use that stuff so many times. It's really hard to
2 make a left there.

3 MR. FLEMING: Right.

4 MR. BRITO BUENO: It's good if they use
5 the light.

6 MR. FLEMING: And so the opportunity to
7 come along Carman and --

8 MR. BRITO BUENO: I used the street name.

9 VICE-CHAIRMAN COOPER: So this bus
10 facility is going to pretty much use --

11 MR. BRITO BUENO: 18th Street.

12 MR. FLEMING: 18th Street which is the
13 next one down.

14 MR. BRITO BUENO: For their destination,
15 can they use Carman than 19th?

16 MR. FLEMING: Mr. Holcomb could speak to
17 operation. They'll do. The bus drivers will
18 obviously follow the instructions of the operations
19 manager on the site.

20 MR. HOLCOMB: And there's certain ways,
21 certain traffic patterns that we want them to follow.
22 If there's a certain traffic pattern that you want
23 them to follow, it's not a problem for us to instruct
24 the drivers with signs: You cannot go out to
25 Federal.

1 MR. BRITO BUENO: It's going to be easier
2 for the driver and the traffic.

3 MR. TAYLOR: We're going to address all
4 this at site plan. We're going to have Traffic
5 Impact Statement that's going to address all of this.

6 VICE-CHAIRMAN COOPER: And the buses they
7 store here, they're going to service the Camden City
8 schools?

9 MR. HOLCOMB: Yes. We're only currently
10 about three blocks away. All the buses are only
11 moving three blocks. We're on River Road three
12 blocks away. Those buses, those employees are just
13 moving from there to this facility.

14 CHAIRMAN HANCE: Right around the
15 corner?

16 MR. HOLCOMB: Yes, right around the
17 corner. It's three blocks.

18 CHAIRMAN HANCE: And then also, it'll be
19 early. Buses will be leaving early to get the kids
20 to school?

21 MR. HOLCOMB: Yes.

22 MR. TAYLOR: And, again, we'll address
23 that in detail with a Traffic Impact Statement. And
24 if there's any adjustments that need to be done that
25 the Board is recommending, we'll be happy to do

1 that.

2 MS. ALSTON: How many jobs did you
3 mention you are potentially creating?

4 MR. HOLCOMB: There's currently between
5 bus drivers, a couple of office staff, and there's
6 bus aides, there's about 70 people between bus
7 drivers, bus aides and office staff. And as I
8 mentioned before, about 80 percent of those 70 people
9 live in the City of Camden.

10 We pick up students throughout the City
11 of Camden, take them down to Sicklerville Vocational.
12 We do a lot of the charter schools throughout the
13 City of Camden. So it's beneficial for us to just
14 have people that know the City. And some of the
15 streets aren't the biggest and know how to operate
16 and maneuver around the City.

17 MS. ALSTON: How do they do their
18 training? Do they do the training -- are you going
19 to use your facilities to do the training?

20 MR. HOLCOMB: Yes. We have classroom
21 training; we have behind-the-wheel training. Our
22 drivers get referral bonus to refer more people so we
23 can just pretty much just continue grow within the
24 City.

25 MR. TAYLOR: And how many years have you

1 been in the school bus business?

2 MR. HOLCOMB: So in 1981 is when we had
3 the first bus. We've been on the River Road facility
4 now just about four and a half years.

5 MR. EINGORN: And other questions? We'll
6 open this matter to the public. Is anybody in the
7 public here tonight that would like to address 1900
8 Federal, LLC regarding the properties located at 1842
9 1900 to 1978 Federal Street? Hearing none, we'll
10 close the public portion.

11 So tonight you've heard testimony
12 regarding the application for a bus depo with a small
13 garage for maintenance and a light-fueling area.
14 You've heard testimony from a professional engineer,
15 as well as a professional planner regarding this
16 application. Some of the testimony was regarding an
17 inherently beneficial use. The inherently beneficial
18 use would satisfy the Positive Criteria on its face.
19 And then there would be the discussion of the
20 Negative Criteria.

21 There's been no discussion here by
22 anybody from the public or anybody dissenting
23 that would overcome that inherently beneficial use.
24 Although it would be up to you guys to make that
25 determination. It does sound to me and I haven't

1 checked the case law, but the case law cited does
2 seem to say that this would be and would satisfy the
3 inherently beneficial use standard. So that's
4 something you can rely on in your discussion. If
5 there's any final questions or anything you want to
6 hear before you do your discussion and make your
7 motion, now would be the time. Seems like a pretty
8 straightforward application. Anything?

9 So now would be the time for the Board to
10 discuss the Positive and Negative Criteria including
11 potentially the inherently beneficial use discussion
12 and then to make a motion whether to accept or deny
13 the application for use variance approval.

14 VICE-CHAIRMAN COOPER: I think it's a
15 positive. We're going to clean up the area there a
16 little bit, along with site plan approval. I'm good
17 with this.

18 MR. EINGORN: Site plan approval should
19 be a condition of the --

20 VICE-CHAIRMAN COOPER: Yes.

21 MR. EINGORN: -- approval.

22 MR. TAYLOR: Absolutely. And we'll
23 address -- we have listened to you very carefully.
24 We'll address that. We're looking at -- for
25 attorneys like me, when we have a Board like this and

1 you only have five members here, we need all five
2 votes. We can't take a straw-vote obviously.
3 They're contract purchasers and we are under-the-gun
4 to get this thing done so I can't carry it, carry it
5 and carry it. I'm not asking for a straw vote or
6 anything but I would ask if there's anybody on the
7 Board that does have any serious concerns, you
8 could raise those now if you had any.

9 MS. ALSTON: I like the idea too. My
10 main concern is the traffic and getting the buses
11 off in the morning and coming in, and Federal Street
12 is heaving traffic.

13 MR. EINGORN: So you could also condition
14 any approvals upon provisions of the impact
15 statement --

16 MS. ALSTON: Yes, site plan.

17 MR. BRITO BUENO: Or we'll put the
18 conditions now?

19 MR. EINGORN: So you can impose the
20 condition. I mean, they're going to bring it anyway.
21 Right? But if you want to, you know, confirm then
22 you can say, as part of site plan as a condition of
23 approval, you have to provide a Traffic Impact
24 Statement and provide the relevant testimony.

25 MR. TAYLOR: Absolutely. We'll stipulate

1 to that. We noted that's a concern and we're going
2 to address that. We wouldn't do otherwise even if
3 you never brought it up. It's going to be part of
4 our package. This is like the first step and that's
5 the real giant leap. And then I hope Camden is going
6 to be a little bit better when we get done with it
7 because it's a sight right now.

8 MS. MERRICKS: I think it's very positive
9 because it'll clean up the area, one. And number
10 two, we have a bus shortage. And with the bus
11 shortage that we had prior years, I think it will be
12 a good opportunity for Camden students to be able to
13 get to school and have transportation if a bus
14 shortage occurs.

15 MR. TAYLOR: Right. Have it right here
16 in Camden and get that working relationship, the
17 marriage with the schools and they're going to work
18 with the schools, special events, special functions.
19 They need the buses at all times or maybe the
20 weekend. They're going to be there to work. They
21 want to partnership.

22 MS. MERRICKS: So are they also going to
23 look to the community like if the community is having
24 events, are they able to --

25 MR. TAYLOR: We're open to any and all

1 discussions. Once they're there, they're operating.
2 They want to be part of the community. They want to
3 give back to the community. So we have an open mind
4 and obviously we'd have to wait and see what could
5 be. That's good business when you do that. You know
6 that. That's good business. And these are good
7 operators. I've known them for many, many years and
8 they put their heart and their soul into the
9 different locations.

10 CHAIRMAN HANCE: I think it's very
11 positive. They're coming from around the corner. I
12 use Federal Street all the time and River Road. I
13 work in that area most of the time. I haven't had
14 any problems, any congestion with the buses. And
15 this is something for our kids. So I think it's a
16 plus; easy access; and more space where you guys can
17 do what you have to do to keep everything safe.

18 VICE-CHAIRMAN COOPER: I make a motion --

19 MR. EINGORN: With the conditions --

20 VICE-CHAIRMAN COOPER: -- with the
21 conditions of the site plan for traffic and for
22 redevelopment.

23 MR. EINGORN: Okay. So the Traffic
24 Impact Statement and a site plan based on site plan
25 approval.

1 VICE-CHAIRMAN COOPER: Yes.

2 MR. EINGORN: So we have a motion. Do we
3 have a second?

4 MS. ALSTON: Second.

5 MR. EINGORN: I'll take a roll-call vote.
6 Chairman Hance.

7 CHAIRMAN HANCE: Yes.

8 MR. EINGORN: Vice-Chairman Cooper.

9 VICE-CHAIRMAN COOPER: Yes.

10 MR. EINGORN: Ms. Merricks.

11 MS. MERRICKS: Yes.

12 MR. EINGORN: Ms. Alston.

13 MS. ALSTON: Yes.

14 MR. EINGORN: Brito Bueno.

15 MR. BRITO BUENO: Yes.

16 MR. EINGORN: Having five in favor and
17 none opposed, the motion passes.

18 The applicant is under a little bit of a
19 time crunch. They provided a Resolution which is
20 included in your packets. I have been asked to
21 review this Resolution in advance. I have no issues
22 with it although we do have to add to it. I'm going
23 to write on it because motion was granted five in
24 favor and none opposed. And then in Paragraph 3, it
25 says: Subject to the applicants submitting a formal

1 site plan application as a condition of herein use
2 variance approval. With further condition that
3 applicant provide a Traffic Impact Assessment and
4 relevant traffic testimony at the time of the
5 application. I will sign here. So to the extent
6 that the Board is willing to adopt this Resolution
7 now so that the applicant can get started on their
8 process, we would need a vote or a motion to adopt
9 the Resolution and a second.

10 CHAIRMAN HANCE: I make a motion that we
11 adopt the Resolution.

12 CHAIRMAN COOPER: Second.

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

15 CHAIRMAN HANCE: Yes.

16 MR. EINGORN: Vice-Chairman Cooper.

17 VICE-CHAIRMAN COOPER: Yes.

18 MR. EINGORN: Ms. Merricks.

19 MS. MERRICKS: Yes.

20 MR. EINGORN: Ms. Alston.

21 MS. ALSTON: Yes.

22 MR. EINGORN: Mr. Brito Bueno.

23 MR. BRITO BUENO: Yes.

24 MR. EINGORN: This is now a formal
25 Resolution Evita cause I wrote all over it.

1 MR. TAYLOR: Thank you very much.

2 MR. EINGORN: Thank you, Counsel. Thank
3 you to the applicant.

4 MR. TAYLOR: I'll go ahead and file --
5 your secretary can file with a Notice of Adoption but
6 I'll file one right away anyway to keep it all
7 going. I appreciate it very much. We're looking
8 forward to coming back.

9 MR. EINGORN: Thank you.

10 Let's start to conclude Old Business
11 here, Lowinsky Minier, 3821 Westfield Avenue.
12 I think I mispronounced his name every time and I
13 apologize.

14 MR. IZZO: Charles Izzo appearing on
15 behalf of the applicant. I'm requesting that the
16 matter be continued. My clients did provide
17 additional proof but they're not here to discuss it.
18 I'm going to request this be carried.

19 MR. EINGORN: And will the applicant
20 agree to waive the tolling of time?

21 MR. IZZO: Yes, we waive that.

22 MR. EINGORN: Okay. The next hearing
23 date is July 3rd.

24 MR. IZZO: Yes.

25 MR. EINGORN: You don't have to wait next

1 time. If you want to ask for an adjournment, do it
2 on the call.

3 MR. IZZO: I knew we were early. And
4 also on the Johanna Rivera, GMR Properties, we're
5 also requesting the same situation apply to that
6 case.

7 MR. EINGORN: This is 101 N. 21st
8 Street?

9 MR. IZZO: Right. And we'll be prepared
10 on July 3rd.

11 MR. EINGORN: Thank you, Mr. Izzo.
12 The next matter, Luis Jaquez, 1317 S.
13 10th Street. This also a continued matter from last
14 month. How are you this evening, sir?

15 MR. JAQUEZ: Hello. Good. I have my
16 pictures.

17 MR. EINGORN: Why don't we hand them to
18 the Chair this way. Raise your right hand.

19 - - -

20 LUIS JAQUEZ, having first been duly
21 sworn/affirmed, was examined and testified as
22 follows:

23 - - -

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

1 in an R-2 Zone where a duplex would be permitted?

2 MR. JAQUEZ: Yes.

3 MR. EINGORN: Very good. And the lot
4 size, you have no ability to change that, right?

5 MR. JAQUEZ: Yes.

6 MR. EINGORN: That's preexisting?

7 MR. JAQUEZ: Yes. We have a church right
8 next to it and in front of it is a church as you can
9 see in the pictures. I think parking space up the
10 street is no problem.

11 MR. EINGORN: Do you want to walk the
12 Board through any of your pictures just showing real
13 fast what we're seeing?

14 MR. JAQUEZ: This is the whole row that I
15 got from Google Map. This is the church right here
16 and this is the house. Like on Sundays, the church
17 parks on both streets. There's no sign that you
18 can't park. You can park on both sides of the road.
19 There's plenty of room.

20 VICE-CHAIRMAN COOPER: When you purchased
21 this house, you purchased it as a duplex or was it a
22 single-family home?

23 MR. JAQUEZ: It was as a duplex.

24 VICE-CHAIRMAN COOPER: Any proof of that?

25 MR. JAQUEZ: Yes. I got the meters and

1 the pictures.

2 MR. EINGORN: A duplex is allowed in this
3 zoning district. The issue is the lot size and the
4 parking. Clearly there's no off-street parking.
5 Because it looks to appear to be rowhome, an older
6 rowhome. And the lot size is what it is. It's an
7 older rowhome. I assume the applicant would argue
8 that even if this were a single-family home, you'd
9 have the same issues.

10 CHAIRMAN HANCE: Right.

11 VICE-CHAIRMAN COOPER: Yeah.

12 MR. EINGORN: The applicant is showing a
13 picture of two meters for the record.

14 VICE-CHAIRMAN COOPER: People come in and
15 they just want to turn single-family homes into
16 duplexes. It's not good for our communities. But he
17 comes to the Board already a duplex and there's
18 nothing we can do about that.

19 CHAIRMAN HANCE: And the lot size. Can't
20 do nothing.

21 VICE-CHAIRMAN COOPER: Yes. Two water
22 heaters are already in there.

23 MR. EINGORN: Any additional questions
24 for the applicant? Hearing none, let's open this
25 application to the public. Did anybody appear

1 tonight for 1317 South 10th Street? Having nobody
2 coming forward from the public, we'll close the
3 public portion.

4 Again, the applicant is proposing a
5 duplex. The applicant requires two bulk variances.
6 The lot area is deficient. The lot area is 1,900
7 square feet approximately where 3,000 square feet
8 would be required. The applicant is proposing no
9 off-street parking; however, would require three and
10 three-quarter spaces. The Board should do its
11 discussion of the Positive and Negative Criteria
12 regarding bulk variances and a potential hardship
13 related to the preexisting nonconforming conditions
14 and then make a motion whether to approve or deny the
15 applicant's request.

16 VICE-CHAIRMAN COOPER: He purchased this
17 as a duplex. He can't control the parking or
18 anything. So I think it's nothing you could do as
19 far as denying or whatever. It's already
20 preexisting.

21 MR. EINGORN: So it's your analysis that
22 he has a preexisting nonconforming condition and that
23 this would be acceptable to you?

24 VICE-CHAIRMAN COOPER: Yes.

25 MR. EINGORN: Any other discussion from

1 the Board? A motion?

2 CHAIRMAN HANCE: So you're going to keep
3 it as a duplex; is that what you're going to do?

4 MR. JAQUEZ: Yes.

5 CHAIRMAN HANCE: I guess you're going to
6 rent them out? You're not going to live in one?
7 You're going to rent both of them out?

8 MR. JAQUEZ: Yes.

9 MS. MERRICKS: A motion to approve.

10 MR. EINGORN: We have a motion to
11 approve. Do we have a second?

12 MS. ALSTON: Second.

13 MR. EINGORN: We have a second. I'll
14 take a roll-call vote. Chairman Hance.

15 CHAIRMAN HANCE: Yes.

16 MR. EINGORN: Vice-Chairman Cooper.

17 VICE-CHAIRMAN COOPER: Yes.

18 MR. EINGORN: Ms. Merricks.

19 MS. MERRICKS: Yes.

20 MR. EINGORN: Ms. Alston.

21 MS. ALSTON: Yes.

22 MR. EINGORN: Mr. Brito Bueno.

23 MR. BRITO BUENO: Yes.

24 MR. EINGORN: Having five in favor and
25 none opposed, the motion carries. Congratulations,

1 sir.

2 MR. JAQUEZ: Thank you. I appreciate
3 it.

4 MR. EINGORN: Have a nice night.

5 MR. JAQUEZ: Take care, guys.

6 MR. EINGORN: Thank you for bringing back
7 the pictures.

8 MR. JAQUEZ: No problem.

9 MR. EINGORN: The next matter on the
10 agenda is 1060 Bergen Avenue. Did anybody appear for
11 1060 Bergen Avenue?

12 Hearing none, the next matter is Monzo
13 Construction Services, 699 Liberty Street.

14 Good evening, sir.

15 UNIDENTIFIED SPEAKER: How are you?

16 MR. EINGORN: Doing well. And yourself?

17 UNIDENTIFIED SPEAKER: Doing good. Thank
18 you.

19 MR. EINGORN: Glad to hear it. Are you
20 an attorney, sir?

21 UNIDENTIFIED SPEAKER: No.

22 MR. EINGORN: Are you the sole owner of
23 Monzo Construction Services?

24 UNIDENTIFIED SPEAKER: Actually, I work
25 for American Tower Corporation. We hired Monzo to

1 install the 10-foot fence for us. So I'm actually
2 from the owner of the cell tower company.

3 MR. EINGORN: The issue is this, a
4 corporation can't appear on its own without the
5 assistance of counsel, unless the corporation is like
6 a sole proprietorship. I'm assuming American Tower
7 is not a sole proprietorship. Probably got multiple
8 owners and other peoples, right?

9 UNIDENTIFIED SPEAKER: It's a big
10 company, yes.

11 MR. EINGORN: Yes. So I'm sorry to do
12 this to you but I can't let you appear without an
13 attorney.

14 UNIDENTIFIED SPEAKER: Okay. Fair enough.
15 If Monzo came, could they --

16 MR. EINGORN: Monzo is the applicant.
17 They're a limited liability company and they would
18 also need an attorney.

19 UNIDENTIFIED SPEAKER: Okay.

20 MR. EINGORN: I'm sorry to do that to
21 you. We can adjourn you. If you come back with an
22 attorney, the next hearing date is July 3rd. I just
23 don't want you to go forward and then your approvals
24 aren't valid. That's all.

25 UNIDENTIFIED SPEAKER: If July 3rd

1 doesn't work and it has to be after that --

2 MR. EINGORN: Just contact Evita.

3 UNIDENTIFIED SPEAKER: Okay.

4 MR. EINGORN: I'm sorry to do that to
5 you. I appreciate you showing up.

6 UNIDENTIFIED SPEAKER: Thanks.

7 MR. EINGORN: Is Roy Rivers, 423 Chambers
8 Avenue here?

9 MR. RIVERS: Yes.

10 MR. EINGORN: Good evening.

11 MR. RIVERS: Good evening everybody.

12 MR. EINGORN: Please raise your right
13 hand, sir.

14 - - -

15 ROY RIVERS, having first been duly
16 affirmed, was examined and testified as follows:

17 - - -

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

20 MR. RIVERS: My name is Roy Rivers, 423
21 Chambers Avenue, Camden, New Jersey.

22 MR. EINGORN: Can you tell us about your
23 application?

24 MR. RIVERS: Yes. Basically I moved into
25 the house in 2012 as a multi-family. And I had a

1 fire just before COVID. I'm basically trying to just
2 move forward with renovations and put it back like it
3 was. It was minor damage as far as smoke and water
4 damage to the front parts of the unit. So I have to
5 appear before the Zoning Board before I could get
6 approval to do my renovations. And I do have a form
7 here showing that, you know, I don't know if the
8 grandfather law still apply, I have a paper of
9 approval here. It's in my packet.

10 MR. EINGORN: Is this from 1998?

11 MR. RIVERS: Yes. And I bought it as a
12 multi-family and use it as such. I want to continue
13 using it as such.

14 MR. EINGORN: Great. So the applicant is
15 referencing an August 24, 1998 zoning permit. In
16 relevant part it identifies the property and states
17 that -- it says, Used: Conversion of duplex to five
18 studio apartments. And now, the current
19 configuration, is it still five studio apartments?

20 MR. RIVERS: It's current -- I bought it
21 as three units.

22 MR. EINGORN: So it's now three units?
23 And you own the whole of the building?

24 MR. RIVERS: Yes, I do.

25 MR. EINGORN: And you stated you live in

1 one of the units or you were living in one of the
2 units?

3 MR. RIVERS: Yes. I like to get back to
4 it.

5 MR. EINGORN: Understandable.

6 The applicant was cited for off-street
7 parking for three spaces. That's all I see in the
8 Zoning Permit Denial Letter. Can you describe what
9 the parking is at the property?

10 MR. RIVERS: Well, I mean, they have what
11 they call it an overspill. If everybody doesn't know
12 where Chambers is, it's about a block or so from
13 Cooper Hospital. And you have the medical school two
14 blocks from there. You have the nursing school. You
15 have Cooper Plaza. You have the cancer facility. So
16 there's overspill for people to go in and pay for
17 their parking.

18 And then you have the employees at the
19 places that sometimes don't want to pay for parking
20 and the patients and the patients' visitors. So
21 parking is, you know, it's always something there.
22 But, yes, I've been there a while. I have been
23 there -- I've actually lived in the unit since 2012.
24 I don't know if my space was relinquished or somebody
25 told me that I no longer have a space. I'm not

1 sure. I just want to continue with my renovations.

2 MR. EINGORN: Sure. I'm showing you a
3 photograph. Is this the property in question?

4 MR. RIVERS: Yes, it is.

5 MR. EINGORN: I see that there's cars
6 parked directly next door to the property. Do you
7 own that space where the cars are?

8 MR. RIVERS: No. I did use it. One of
9 the developers bought it since my fire.

10 MR. EINGORN: Okay.

11 MR. RIVERS: I'm not sure what their
12 plans are with that. I did have an agreement with
13 the previous owner where I was using that. But now
14 since the fire situation has changed.

15 MR. EINGORN: So as we sit here today,
16 the property itself has no off-street parking;
17 parking that you pull off the street?

18 MR. RIVERS: Excuse me. I don't
19 understand.

20 MR. EINGORN: There's no driveway or
21 garage or anything, right?

22 MR. RIVERS: No.

23 MR. EINGORN: So all the parking --
24 assuming that the neighbor doesn't allow you to park
25 there, all your parking would be on the street?

1 MR. RIVERS: And then there's a garage.
2 I think it's a five or six-unit garage. I don't know
3 if I have a picture there of it. I didn't have it in
4 my on packet. Directly across the street there's a
5 park right on the side of the Shelia Roberts Park
6 which is next to my house right there, right across
7 the street. And then across the street from there,
8 there's a five or six-unit parking where most of the
9 families that actually have lived there, have a space
10 there at the garage. And I was using the empty lot
11 at the time so I didn't secure one of the garages
12 yet.

13 MR. EINGORN: Any questions?

14 MS. ALSTON: I just would like to see a
15 plan for parking. I understand that he is saying
16 that they're going to use the off-street parking.
17 However, even if the application is calling for some
18 type of parking, there's a plan, right, whether it is
19 to talk to, get the owner of this lot to give you
20 approval or even one of those garages, or even if you
21 would taken some pictures to show the street-type
22 parking. I have no idea from the photos. I can see
23 from the photos that you are renovating which is
24 great. However, the issue is the parking and I would
25 like to see some of that.

1 MR. EINGORN: So I don't know and I'm not
2 here to testify on behalf of the applicant. But
3 looking at the application, this was previously five
4 units with no off-street parking. They have
5 increased the intensity of the property by reducing
6 it to three units. The fact remains, that there's
7 never going to be off-street parking for this house.
8 The lot itself, would you have to demolish the house
9 in order to make parking?

10 MR. RIVERS: For my unit, for my house?

11 MR. EINGORN: Let's just make pretend in
12 a fanciful world that you just knock down the house
13 right now, right?

14 MR. RIVERS: Uh-huh.

15 MR. EINGORN: You would have to do that
16 in order to make parking on site, right?

17 MR. RIVERS: Correct.

18 MR. EINGORN: Because the house takes up
19 the frontage --

20 MR. RIVERS: Yes.

21 MR. EINGORN: -- of your lot. Right. So
22 I think the issue is, no matter what the applicant
23 does, he's going to be stuck with street parking.
24 And having reduced the units from five to three, I
25 mean, that's kind of, it is what it is. And even if

1 this was a single-family house, he'd have the same
2 issue.

3 So I don't mean to interject or try to
4 convince the Board. I am here to say, though, that
5 we do have a big agenda next month. We just
6 adjourned two items or three. And I don't know what
7 else the applicant can provide that's going to change
8 the current situation. And so in an interest of our
9 sanity next month --

10 MS. ALSTON: I understand what you're
11 saying.

12 MR. EINGORN: You have these preexisting
13 multi-family houses. They're all in rowhomes and
14 they've all been purchased by people under the
15 auspices that they were what they were previously.
16 They've existed in these forms. And some are more
17 egregious than others, right? And it's the Board's
18 job to weigh whether or not the area can support what
19 they're asking for. In this case you had a
20 preexisting five-unit apartment. I don't know that
21 there's been any complaints. Well, I guess we'll
22 find out if anybody is here for this application.
23 But that'll be something to take into question.
24 And then you can determine whether or not you think
25 he meets the Positive and Negative Criteria for an

1 off-street parking variance for a house that's been a
2 five-unit since 1998. Right?

3 MS. ALSTON: I get it. I understand
4 that. But I also understand that in the City of
5 Camden, and I've seen it a lot where people actually
6 have gotten into arguments over parking in the
7 street. I mean, it would be nice to see if there's
8 anyone here to --

9 MR. EINGORN: We have to open to the
10 public.

11 MS. ALSTON: Yeah, just think about it.

12 VICE-CHAIRMAN COOPER: I have question.
13 Do they have permit parking down there?

14 MR. RIVERS: Yes. I have approval for a
15 permit for my parking. Yes, you have to have a
16 permit if you want to park there and not get a ticket
17 for more an hour. You should have a permit.

18 VICE-CHAIRMAN COOPER: And that's one
19 per house?

20 MR. RIVERS: I believe you can have a
21 visitor also.

22 CHAIRMAN HANCE: So you have three
23 apartments there, correct?

24 MR. RIVERS: Yes.

25 CHAIRMAN HANCE: So you said the other

1 two have the garage?

2 MR. RIVERS: No, no, none of them have a
3 garage. There's garages across the street.

4 CHAIRMAN HANCE: Right. You said that
5 you didn't get one but they did?

6 MR. RIVERS: There's some garages there
7 and some of the residents that have been there for a
8 while, retain a garage unit. I didn't --

9 CHAIRMAN HANCE: You didn't get one for
10 yourself?

11 MR. RIVERS: Yeah, because the lot --
12 there's a lot right next to me and I had an
13 arrangement with the previous owner. And that was
14 actually -- he let me use it, the whole lot --

15 CHAIRMAN HANCE: Okay.

16 MR. RIVERS: -- down there. Our cars are
17 on it. That's the situation.

18 CHAIRMAN HANCE: Right. Okay.

19 MS. MERRICKS: With the medical school
20 and Cooper and all that, there's never going to be
21 enough parking. But like you said throughout the day
22 there's transition parking; they come out and come
23 in, --

24 MR. RIVERS: Yes.

25 MS. MERRICKS: -- move in, move out and

1 there would be some spots. So I know that there will
2 be some spots. And to get you back into your home
3 that was burned down and also to help other people
4 too for other families to have somewhere to live. I
5 think it's great for a family in Camden, and to get
6 you back into your home.

7 MR. EINGORN: Let's open to the public.
8 Anybody in the public here to be heard on
9 423 Chambers Avenue, the application of Roy Rivers?
10 We'll close the public portion hearing nobody from
11 the public. We do note that we did have Proof of
12 Service so everybody within 200 feet has been noticed
13 and nobody seemed to have anything to add to the
14 application.

15 So you've heard the testimony which is,
16 Mr. Rivers wants to move back into his house where
17 it's three units. It has no parking but needs three
18 spaces and is requesting a bulk variance. The Board
19 can do Positive and Negative Criteria discussions and
20 make the appropriate motion they seek in accordance
21 with that discussion.

22 CHAIRMAN HANCE: This is not the first
23 time that we were involved with Cooper Hospital and
24 where their people spill over into the neighborhood
25 and take their parking because they don't want to pay

1 to park or whatever the case may be. So he's stuck
2 between a rock and a hard place. Nothing he can do
3 left or right.

4 VICE-CHAIRMAN COOPER: I think it's
5 positive that he's going to rehab your house there
6 and you're going to move into it and help the
7 community there. It's a good thing.

8 CHAIRMAN HANCE: In fact, if his house
9 didn't catch on fire, he wouldn't be here right now,
10 right?

11 MR. RIVERS: Right.

12 VICE-CHAIRMAN COOPER: It's a good thing.

13 MR. EINGORN: He'd be living easy-peazy,
14 right, enjoying life?

15 MR. RIVERS: I don't know about
16 easy-peazy but...

17 MR. EINGORN: Well, you wouldn't be
18 here.

19 MR. RIVERS: Yeah, I wouldn't be here,
20 yeah.

21 MR. EINGORN: A lot easier.

22 VICE-CHAIRMAN COOPER: I make a motion to
23 accept.

24 MR. EINGORN: Okay.

25 CHAIRMAN HANCE: I'll second that

1 motion.

2 MR. EINGORN: I'll take a roll-call vote
3 on the application for bulk variance approval.
4 Chairman Hance.

5 CHAIRMAN HANCE: Yes.

6 MR. EINGORN: Vice-Chairman Cooper.

7 VICE-CHAIRMAN COOPER: Yes.

8 MR. EINGORN: Ms. Merricks.

9 MS. MERRICKS: Yes.

10 MR. EINGORN: Ms. Alston.

11 MS. ALSTON: Yes.

12 MR. EINGORN: And Mr. Brito Bueno.

13 MR. BRITO BUENO: Yes.

14 MR. EINGORN: Congratulations.

15 MR. RIVERS: Thank you very much.

16 MR. EINGORN: The next matter on the
17 agenda I have will be Scull and Ham, LLC, 407
18 Atlantic Avenue.

19 MS. KINBACK: Good evening, Chairman and
20 Members of the Board. My name is Danielle Kinback.
21 I'm an attorney at Prime and Tuvel. I represent the
22 applicant, Scull and Ham, LLC.

23 The property that is the subject of the
24 application is located at 407 Atlantic Avenue. It's
25 known as Block 341, Lots 1, 3, 4, 5, 6, 7, 16, 20,

1 21, 22, 23, 24, 25, 26, and 27. The property is
2 approximately .61 (Point 61) acres and located in the
3 L-1 Light Industrial Zone. The property currently
4 contains an approximately 9,500 square foot vacant
5 industrial building and gravel parking area.

6 The applicant seeks approval to operate a
7 business that creates custom furniture, cabinets and
8 architectural pieces such as, ornamental metalwork
9 and household furniture which will revitalize an
10 underutilized parcel and bring skilled jobs to the
11 City.

12 The application before you tonight seeks
13 an interpretation pursuant to N.J.S.A 40:55D-70(b);
14 that applicant's proposed use is permitted as
15 manufacturing and/or fabricating under City Code
16 Section 870-82 which sets forth the permitted uses in
17 the L-1, Light Industrial Zone. Alternatively, if
18 the Board determines applicant's proposed use is not
19 permitted under the permitted uses in the L-1 Zone,
20 applicant seeks a D(1) Use Variance to permit the
21 manufacturing and/or fabrication of wood and metal
22 pieces at the property.

23 It's applicant's position that its
24 proposed operations do fall under the permitted uses
25 of the L-1 Industrial Zone. We think there was some

1 confusion on their zoning permit application wherein
2 they listed millwork as an operation on the property.
3 When really applicant is only fabricating and
4 customizing wood pieces to incorporate in the
5 furniture. And they're not performing any heavy
6 industrial operations such as milling which is
7 prohibited under the Code.

8 As part of the application, applicant
9 also will demonstrate that it can meet the off-street
10 parking requirements required by Section 870-230.
11 Additionally, the applicant requests approval
12 pursuant to N.J.S.A. 40:55D-68 to permit the
13 continuation of any preexisting nonconforming
14 conditions, although no exterior modifications to the
15 building are proposed that would impact any setbacks
16 or other existing bulk nonconformities.

17 With me tonight to provide testimony in
18 support of the application, I have our professional
19 planner, Ms. Leah Furey Bruder. I also have a
20 representative of the applicant and property owner to
21 answer any questions the Board may have. So if we
22 can have them sworn right now.

23 MR. EINGORN: Yes. Please have all your
24 witnesses come forward. We have someone from the
25 applicant as well?

1 MS. KINBACK: Yes. Mr. Scull will come
2 forward.

3 - - -

4 LEAH FUREY BRUDER, P.P.; JOSHUA SCULL,
5 having first been duly sworn/affirmed, was examined
6 and testified as follows:

7 - - -

8 MR. EINGORN: Names and addresses for the
9 record.

10 MS. BRUDER: My name is Leah Furey
11 Bruder, professional planner.

12 MR. SCULL: Joshua Scull. My address is
13 328 Crafton Avenue, Pitman, New Jersey.

14 MS. KINBACK: Thank you. If we could
15 have Ms. Bruder qualified as a professional planner
16 for the Board. Ms. Bruder, can you describe your
17 educational and professional background, please?

18 MS. BRUDER: I certainly can. Again, my
19 name is Leah Furey Bruder. I apologize. I did not
20 state my address. My business address is 22 Coates
21 Street in Medford, New Jersey.

22 I have a Bachelor's Degree from American
23 University in Washington, DC. I have a Masters of
24 City and Regional Planning from the Bloustein School
25 at Rutgers. I am a licensed professional planner in

1 the State of New Jersey and a member of the American
2 Institute of Certified Planners. I have been working
3 in the field of community development and land
4 planning for over 22 years and licensed for 19.
5 I have been qualified and testified as a professional
6 planner in about 60 municipalities in New Jersey.
7 And I have been here, although it was when we were on
8 ZOOM last in October of 2022.

9 MR. EINGORN: The Board is satisfied with
10 the qualifications of Ms. Bruder and will accept her
11 as a professional planner.

12 MS. KINBACK: Thank you.

13 MS. BRUDER: Thank you. So in
14 preparation for this hearing, I have done my homework
15 and reviewed the City's Master Plan, the 2018 Master
16 Plan Reexamination Report, the City's Comprehensive
17 Economic Development Strategy from 2012, the
18 applicable sections of the Zoning Code, the Site
19 Survey, Floor Plan and application materials that
20 were submitted in support of this application. And I
21 have visited the site and the surrounding area.

22 So as Ms. Kinback has described, the
23 applicant is here before the Zoning Board seeking an
24 interpretation of Code Section 870-82.A and a use
25 variance in the alternative. But after you hear our

1 testimony, we believe you'll find that the
2 applicant's proposed use is, in fact, permitted in
3 the Light Industrial 1 Zoning District.

4 The 26,415 square foot site which is .6
5 (point 6) of an acre, is situated on the north side
6 of Atlantic Avenue, the east side of 4th Street and
7 the south side of Mechanic Street within the L-1 --
8 LI-1 Light Industrial Zone. It's surrounded in all
9 directions by other properties in the same zoning
10 district except to the southwest diagonally by the
11 Port-Related Industrial Zoning District.

12 The property is improved with a masonry
13 and metal building and a gravel parking area. It has
14 been vacant for several years, I believe around ten
15 years. It was previously occupied by Jensen
16 Enterprises who also occupied the building across
17 Atlantic Avenue, at least if you believe the sign on
18 the building.

19 The applicant proposes to adaptively
20 reuse the building at 407 Atlantic Avenue for their
21 architectural wood and metal shop. The applicant
22 fabricates custom furniture, cabinetry and staircases
23 and the like. And they currently operate in
24 Cinnaminson and they propose to relocate to this
25 site. It's located at the south-end of the Bergen

1 Square neighborhood with Atlantic Avenue being the
2 dividing line between what is delineated as Bergen
3 Square and Waterfront South. And the City's Zoning
4 Code at Section 870-82, provides the permitted uses
5 in the LI-1 Light Industrial Zoning District.

6 So in accordance with 870-82.A quote,
7 Manufacturing or preparing, processing such as food
8 processing or fabricating are permitted. The
9 standard also includes the following guidance as to
10 what types of manufacturing are permitted, i.e.,
11 light industrial operations such as electronics,
12 machine parts, small component assembly and
13 packaging, paper products assemblage or printing,
14 as opposed to heavy industrial operations such as
15 automobile assembly or milling operations.

16 When the applicant submitted their zoning
17 permit application, the applicant explained the
18 proposed use as follows, quote and this is from the
19 applicant's original zoning permit: Fabrication of
20 custom architectural millwork and metalwork, we
21 hand-build all custom heirloom furniture, fine
22 cabinetry and staircases. We will equip a wood shop
23 and a metal shop. We do not mill our own material or
24 provide structural products.

25 So the Zoning Denial Letter that was then

1 received indicated that the applicant should seek an
2 interpretation to determine whether the applicant's
3 use falls under the meaning of fabricating as used in
4 Section 870-82.A. Further, the zoning denial
5 indicated that a use variance may be needed for
6 millwork. As the applicant described, architectural
7 millwork, as part of their operations, and milling
8 operations are considered a heavy industrial use
9 which are not permitted.

10 So we want to clarify the difference
11 between architectural millwork and milling
12 operations. We believe that the applicant's proposed
13 use falls under the uses permitted by-right in the
14 Light Industrial 1 Zoning District. The City Zoning
15 and Land Use Code includes a definition of
16 manufacturing as follows in Section 870-18. I quote
17 from the Zoning Code: Manufacturing, an activity
18 which involves the fabrication, reshaping, reworking,
19 assembly or combining of products for sale to the
20 general public from previously prepared materials,
21 including the synthesis of chemical or chemical
22 products or the processing of any rare materials in a
23 manner duly-regulated by the New Jersey Department of
24 Environmental Protection. Manufacturing also
25 includes light industrial operation such as

1 electronic machine parts, small component and paper
2 product assembly packaging or printing but excludes
3 automobile assembly or milling activities.

4 So back to the applicant's use. The
5 applicant's proposed use is custom fabrication and
6 assembly consistent with the definition in Section
7 870-18. And the permitted uses in 870-82.A. When
8 that initial zoning permit application was submitted,
9 the specific details of the use were not presented in
10 a manner that compared the use to the zoning
11 requirements. But now that an elevation has
12 specifically been made and presented, we hope the
13 Board agrees that the use is one that is consistent
14 with those permitted in the LI-1 District.

15 Because it involves custom work, the
16 volume that's produced in this facility, will be much
17 less than it would be if it were an
18 assembly-line-type of manufacturing facility. And
19 the term millwork is used by the applicant because
20 milled materials are used in the fabrication of their
21 custom products which are finished products that are
22 sold directly to customers. The materials that the
23 applicant uses have already been processed in a saw
24 mill. This facility is not a saw mill. They buy
25 materials from another vendor and use them in the

1 facility to construct, fabricate, assemble new
2 products.

3 The applicant purchases milled wood for
4 use, for example, in cabinet-making furniture or
5 furniture making, for example. So we do believe that
6 this is a permitted use in the zoning district. I
7 also have some information about the proposed use
8 that you may be interested in. I'll just share a
9 little bit. We have the survey on a Board but I do
10 believe you have the survey as part of your package.

11 But the site essentially consists of the
12 building which is what I'm pointing to now, which is
13 a rectangular building that fronts directly on the
14 Atlantic Avenue Right-of-Way. And then there is an
15 open parking area on the west side of the site which
16 goes all the way from Atlantic back to Mechanic
17 Street. It was fenced. The fence has right been
18 taken down because it was in disrepair but the
19 applicant will re-install a fence around that parking
20 area.

21 The applicant has about ten employees
22 that work a single shift so only during the day.
23 They may expand the number of employees in the future
24 because they will have more space at this facility
25 than their current facility. Again, they operate

1 during the day. They have one single box truck that
2 they utilize for making deliveries to their
3 customers. Other vehicles will be employee vehicles.
4 And there is adequate parking in this parking area
5 on-site, adequate, to meet the zoning requirements.

6 In accordance with Section 870-230,
7 parking and loading requirements, assembly operations
8 require 1.25 parking spaces per 1,000 square feet.
9 And manufacturing operations require one parking
10 space for every 800 square feet. This is actually
11 the same standard stated another way. So the
12 required number of parking spaces for the entire
13 building is 15. The parking area is large enough to
14 comfortably fit 26 vehicles. This evaluation is
15 assuming a setback from the edges of the
16 Right-of-Way. And it's assuming a 24-foot wide drive
17 aisle for two-way travel of vehicles with 90-degree
18 parking on each side and the spaces being about 10
19 feet wide by 18 foot long. So it's comfortable.
20 It's for at least 26, possibly more.

21 The applicant will not store any
22 materials outside. Everything will be inside the
23 building. They will add a building-mounted sign
24 which they'll get a permit for and it'll be compliant
25 with the code requirements. And they will add

1 building-mounted shielded lights for security.
2 So we hope that you'll find that the proposed use is,
3 in fact, permitted in the Light Industrial Zone.

4 MS. KINBACK: Thank you. So the Board
5 heard Ms. Bruder's testimony as to the interpretation
6 and the off-street parking. We'd like to hear from
7 the Board whether -- maybe we can get a vote on the
8 interpretation. And then, if necessary, put on the
9 proofs for the use variance.

10 MR. EINGORN: I think that's appropriate.

11 So here is what's going on. I'm trying
12 to make this a little simple. The applicant is
13 saying, we would like a determination from the Board
14 that what we want to do here is actually what is
15 allowed to be done here. They're saying, hey, we're
16 going to build furniture and we're going to make
17 pieces of staircases and architectural items for, I
18 guess, houses or whatever it may be. And that this
19 constitutes fabricating but not milling. And,
20 therefore, hey, we comply with the Ordinance and we
21 should be allowed to be here. So what they're asking
22 the Board is for a legal interpretation that their
23 use is consistent with the uses that are allowed now.

24 The Board is a quasi-judicial Board
25 being, meaning, that you have the ability to act in

1 terms of like a judge. And have the ability to make
2 these legal determinations. In hearing the testimony
3 of the professional planner, Ms. Bruder, and the
4 discussion of counsel, it does seem to me that they
5 would constitute fabricating within the terms of the
6 Ordinance. Obviously, if the Board has questions
7 about that, now is a good time to ask. It does look
8 like the applicant's representative is here to answer
9 those questions. Otherwise, we can open it to the
10 public if you don't have any questions.

11 CHAIRMAN HANCE: I have one question.

12 MS. KINBACK: Sure.

13 CHAIRMAN HANCE: If anyone knows anything
14 about millwork, you need giant saws and all types of
15 water to cut the wood properly and all that stuff.
16 You're not going to have none of that there, are
17 you?

18 MR. SCULL: Say again?

19 CHAIRMAN HANCE: Any type of saws in
20 there or any type of raw lumber?

21 MS. KINBACK: We did submit a floor plan
22 that showed some of the proposed equipment. But Mr.
23 Scull can answer that question.

24 MR. EINGORN: Let me ask it this way.
25 You're not taking logs and turning them into the

1 boards, right?

2 MR. SCULL: No. That's done by a
3 sawmill.

4 MR. EINGORN: You're taking the pre-cut
5 wood and turning it into furniture and other smaller
6 items?

7 MR. SCULL: Right. What you would call
8 dimensional lumber; already dimensioned lumber from a
9 sawmill and then reproduce that into fabrical parts
10 like kitchens and desktops and that sort of thing.

11 MR. EINGORN: Does that answer your
12 question?

13 CHAIRMAN HANCE: Yes.

14 MS. ALSTON: Chemicals, varnishes,
15 anything like that?

16 MR. SCULL: We don't do anything that's
17 not waterborne finish. So we make sure that we
18 comply with that. A lot of our finishes are shipped
19 to another vendor where they are able to do those
20 types of finishes, especially like a varnish or epoxy
21 finish or anything like that.

22 VICE-CHAIRMAN COOPER: So your project as
23 far as wood, will it be like a bookshelf or a
24 staircase or something?

25 MR. SCULL: Yes. And assembly

1 staircase. But, again, like the application said,
2 nothing structural. We're not a structural building
3 company. So we're providing stair threads and
4 fixtures that can be assembled once it gets delivered
5 to the residents.

6 MR. EINGORN: And you use a standard box
7 truck to deliver these so nothing would be bigger
8 than that?

9 MR. SCULL: Right.

10 MS. ALSTON: You mentioned ten employees?

11 MR. SCULL: Yes. Right now.

12 MS. ALSTON: Are you hoping to grow and
13 make --

14 MR. SCULL: Yes. I think that the way
15 that we see it within the next year or two, to at
16 least expand to another six. That's the hope. I
17 mean, we really want to bring a little bit of life
18 into the area, if possible; employing local, if
19 possible.

20 MR. EINGORN: Anymore questions?

21 VICE-CHAIRMAN COOPER: No.

22 MR. EINGORN: Are you satisfied?

23 CHAIRMAN HANCE: Yes.

24 MR. EINGORN: So why don't we open to the
25 public. Is anybody here tonight to be heard only

1 right now on the request for an interpretation at 407
2 Atlantic Avenue? Hearing none, we'll close the
3 public portion.

4 I think we're going to need probably two
5 votes regardless, right, because you're asking
6 regarding parking.

7 MS. KINBACK: Off-street parking, yes.

8 MR. EINGORN: You want a determination
9 that there's a sufficient amount of parking. So
10 assuming that the interpretation is granted just for
11 sake of argument, we would still need a second vote.
12 Do you agree?

13 MS. KINBACK: Yes, I agree.

14 MR. EINGORN: The Board needs to first do
15 a discussion regarding the request for an
16 interpretation. That would be the Board's
17 understanding of what's proposed to happen at the
18 property. And whether or not the Board believes that
19 it fits within the standard of the Ordinance, right,
20 is it fabricating and does it comply? If the Board
21 agrees with that, we can make a motion for the
22 interpretation. If you disagree, you'd make a motion
23 to deny the interpretation at which point they would
24 request a use variance.

25 MR. BRITO BUENO: The question is, he's

1 going to be open in the daytime?

2 CHAIRMAN HANCE: Yes.

3 So I make a motion that we go forward
4 with the interpretation; that is not a mill but
5 fabrication.

6 MR. BRITO BUENO: The materials come from
7 a mill?

8 MR. EINGORN: Right.

9 VICE-CHAIRMAN COOPER: I second that.

10 MR. EINGORN: So we have a motion to
11 grant an interpretation and a second.

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

14 CHAIRMAN HANCE: Yes.

15 MR. EINGORN: Vice-Chairman Cooper.

16 VICE-CHAIRMAN COOPER: Yes.

17 MR. EINGORN: Ms. Merricks.

18 MS. MERRICKS: Yes.

19 MR. EINGORN: Ms. Alston.

20 MS. ALSTON: Yes.

21 MR. EINGORN: Mr. Brito Bueno.

22 MR. BRITO BUENO: Yes.

23 MR. EINGORN: Now, we have a second
24 application here which is, the applicant would like a
25 determination along the same vein that they do not

1 need a bulk variance for parking; that they have
2 sufficient parking on site. The applicant did show
3 what is the survey. If the Board has any questions,
4 further questions regarding the parking, now would be
5 the time to ask that question.

6 CHAIRMAN HANCE: You guys have a box
7 truck, correct?

8 MR. SCULL: That's correct.

9 CHAIRMAN HANCE: So you have one box
10 truck.

11 MR. SCULL: It's a 15-foot box truck,
12 yes.

13 CHAIRMAN HANCE: Will anybody be coming
14 to pick up stuff or are you just delivering?

15 MR. SCULL: As far as like freight?

16 CHAIRMAN HANCE: Freight or --

17 MR. SCULL: We typically do our on
18 shipping.

19 CHAIRMAN HANCE: And you have 26 parking
20 spaces?

21 MR. SCULL: It's capable of 26, I
22 believe.

23 CHAIRMAN HANCE: And about ten employees
24 right now?

25 MR. SCULL: Right now, yes.

1 MS. KINBACK: And I believe Ms. Bruder
2 testified under the Code we need 12 based on the
3 square footage.

4 MS. BRUDER: Fifteen -- was it 12 or
5 15?

6 MR. EINGORN: I think it was 15 is what
7 you testified.

8 MS. KINBACK: Fifteen.

9 MS. BRUDER: That's the Code requirement,
10 yes. Based on one per 800 square feet. And I
11 believe the question related to the parking arose,
12 because when the applicant first submitted their
13 zoning permit application, they gave the lot number
14 for the building only, not the parking gravel lot
15 because at that point he didn't realize that needed
16 to be part of the application. So, now, this
17 application does include that area all as part of one
18 site and there is adequate space.

19 MR. EINGORN: Any other parking
20 questions?

21 VICE-CHAIRMAN COOPER: You're going to
22 have gravel, gravel parking?

23 MS. BRUDER: Correct.

24 CHAIRMAN HANCE: And you're going to put
25 the fence back up again?

1 MS. BRUDER: That is the intent.

2 MS. KINBACK: Yes.

3 MR. SCULL: Yes, at the same line. The
4 posts are there; another cyclone fence.

5 MR. EINGORN: But you're going to exceed
6 I think it's four feet along the frontage or --

7 MS. BRUDER: We won't. I think it was
8 previously three or four feet, right, and that's your
9 intent to replace it at that same height?

10 MR. SCULL: Yes. Nothing different than
11 what was there.

12 MR. EINGORN: You're probably still going
13 to need a fence permit so talk to Evita when you
14 decide to put the fence back up.

15 MS. KINBACK: Okay.

16 MR. EINGORN: I opened to the public and
17 nobody was here. I'm assuming nobody is still here
18 for the parking. Does anybody want to be heard
19 on the parking at 407 Atlantic? Hearing none, we'll
20 close the public portion. It seems to be like
21 there's -- an ability to park 26. So in this
22 case --

23 VICE-CHAIRMAN COOPER: They meet the
24 criteria.

25 MR. EINGORN: All right. So I guess --

1 this is basically a second interpretation of some
2 sort; a determination that the applicant has
3 sufficient parking and a bulk variance wouldn't be
4 required.

5 CHAIRMAN HANCE: I see no issue with the
6 parking. They have 26 spots; ten employees; and the
7 quota was 15. I think we're over, almost double of
8 the parking spaces that they need.

9 VICE-CHAIRMAN COOPER: I make a motion.

10 MR. EINGORN: A motion for determination
11 that there's sufficient parking?

12 VICE-CHAIRMAN COOPER: Yes.

13 MR. EINGORN: Do we have a second?

14 CHAIRMAN HANCE: Second.

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

16 Chairman Hance.

17 CHAIRMAN HANCE: Yes.

18 MR. EINGORN: Vice-Chairman Cooper.

19 VICE-CHAIRMAN COOPER: Yes.

20 MR. EINGORN: 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.

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

3 - - -

4 MR. EINGORN: State your name and address
5 for the record.

6 MR. HARGROVE: William Hargrove, 107 S.
7 17th Street, Camden, New Jersey.

8 MR. WILSON: While being Mr. Hargrove's
9 attorney in the past, I've been the attorney for the
10 owners of this property. This property was
11 originally developed by Leon Cooperson and his
12 brother. They operated Cooperson's Auto Body Shop
13 there from 1923 until FDS Esposito purchased the
14 property and operated Cooperson's Auto Body Shop
15 there. FDS Esposito operated -- owned the property
16 in one corporation or another until his death. And
17 his estate sold the property to Mr. Hargrove. During
18 all that time -- that sale was in 19 -- strike
19 that -- in February of this year, 2023.

20 During all that time, this property was
21 used as either an auto body repair facility or an
22 auto body shop. And the last use was by the Camden
23 Special Services District where they stored their
24 vehicles in there and they did some repairs to those
25 vehicles in that same property.

1 Mr. Hargrove, when you purchased this
2 property, did I tell you that you should do some
3 research on the history of the property?

4 MR. HARGROVE: You did, John.

5 MR. WILSON: You heard my statement to
6 the Board. Did that statement accurately reflect
7 what you learned when you did the history on your
8 own?

9 MR. HARGROVE: Yes, that's correct.

10 MR. WILSON: And did your research
11 confirm that Leon Cooperson and his brother operated
12 an auto body repair facility in that property?

13 MR. HARGROVE: Yes, they did.

14 MR. WILSON: And who, if you know, if
15 your research disclosed, who was the next operator in
16 that property?

17 MR. HARGROVE: The last operator was the
18 group that cleans up the City.

19 MR. WILSON: Would that be Camden Special
20 Services?

21 MR. HARGROVE: Yes. I'm sorry, John.
22 Special Services, yes.

23 MR. WILSON: Now, they were a tenant in
24 the property when you purchased it?

25 MR. HARGROVE: That's correct.

1 MR. WILSON: And that was in February of
2 this year?

3 MR. HARGROVE: That is correct.

4 MR. WILSON: And, now, so the property,
5 your research shows, since 1923 until 2023, was
6 used as an auto storage and repair facility?

7 MR. HARGROVE: That's correct.

8 MR. WILSON: If the Board approves, what
9 do you intend to do with the property?

10 MR. HARGROVE: The same as everybody else
11 did. We're going to store equipment; we're going to
12 do some repair work on cars just as the Coopersons
13 and everybody did.

14 MR. WILSON: Thank you. I have nothing
15 further.

16 MR. EINGORN: John, I hate to do this to
17 you. What are you specifically requesting?

18 MR. WILSON: Pardon me?

19 MR. EINGORN: What specifically
20 requesting? I don't totally understand the denial
21 letter. I'll read it into the record just so that
22 the Board can hear it.

23 MR. WILSON: Mr. Eingorn, what we're
24 actually asking for is approval for the continuing of
25 the preexisting nonconforming use.

1 MR. EINGORN: Okay. Got it. That makes
2 sense. So the applicant is asking for a Certificate
3 of Nonconforming Use --

4 MR. WILSON: Yes.

5 MR. EINGORN: -- and a determination that
6 they're going to and can continue to store and repair
7 vehicles in the building which was previously
8 Cooperson's Auto Body. Does the Board have
9 questions?

10 VICE-CHAIRMAN COOPER: That's an auto
11 body shop now, correct? They're going to work there
12 now, auto body?

13 MR. WILSON: Right now it's -- because of
14 the denial, it's not in use. Until the Board
15 determines whether you will permit the continuation
16 of that use that had to be ceased.

17 MR. EINGORN: We get these sometimes with
18 a duplexes that are preexisting nonconforming. And
19 people come in and say, hey, it has always been a
20 duplex, can you give me a Cert so I can sell the
21 property. This is essentially what they're asking,
22 the same thing except it's commercial.

23 CHAIRMAN HANCE: So you're not changing
24 anything. You're going to use it like it was
25 being used?

1 is that, while it would mainly be for Mr. Hargrove's
2 company's use, there could be some public work
3 done.

4 MS. ALSTON: I was just wondering, how
5 many vehicles can be stored?

6 MR. WILSON: I don't know. And I don't
7 think -- do you know how many vehicles can be stored
8 in that building?

9 MR. HARGROVE: Probably 15 vehicles.
10 It's an 11,000 square foot building.

11 MR. WILSON: I've never -- while I was
12 the attorney for the prior owners, I was never
13 involved in it so I don't know.

14 MS. ALSTON: How are you getting the cars
15 in and out? Are they disabled vehicles or vehicles
16 that are working?

17 MR. HARGROVE: I'm not hearing what
18 you're saying.

19 MR. WILSON: How do you get the
20 vehicles --

21 MS. ALSTON: In and out of the location.

22 MR. HARGROVE: Pardon me?

23 MS. ALSTON: How would you be getting the
24 vehicles in and out of the location be they disabled
25 vehicles; are you going to be using a tow truck or?

1 MR. HARGROVE: Occasionally, we might use
2 a tow truck but mainly they would drive in.

3 MS. ALSTON: Okay.

4 MS. MERRICKS: How long will the vehicles
5 be stored there? How long will the vehicle be held
6 there at that location?

7 MR. WILSON: How long would vehicles be
8 there?

9 MR. HARGROVE: Maybe at most, a month.

10 MR. EINGORN: Any other questions?

11 Anybody in the public here tonight to weigh in on the
12 application of WH Enterprises regarding 34 to 46 N.
13 4th Street? Hearing and seeing none, we'll close the
14 portion.

15 Now is the time for the Board to ask any
16 last question, discussion. The applicant, again, is
17 asking for a Certificate of Nonconforming use.

18 CHAIRMAN HANCE: Well, there's not going
19 to be any changes in the building. It has been that
20 way since 1923. They're still going to use it as a
21 repair shop, body shop. I see no harm.

22 VICE-CHAIRMAN COOPER: I see no harm in
23 that either.

24 CHAIRMAN HANCE: And, again, it's going
25 to be another building that's going to be ran and

1 taken care of and not shut down to just sit there and
2 go to waste. So anything to keep Camden moving
3 forward, I'm agreeing with it.

4 MR. EINGORN: Any more discussions; a
5 motion; a question?

6 VICE-CHAIRMAN COOPER: I make a motion to
7 accept it.

8 MS. MERRICKS: I second it.

9 MR. EINGORN: We have a second from
10 Ms. Merricks.

11 MR. EINGORN: I'll take a roll-call vote.
12 Chairman Hance.

13 CHAIRMAN HANCE: Yes.

14 MR. EINGORN: Vice-Chairman Cooper.

15 VICE-CHAIRMAN COOPER: Yes.

16 MR. EINGORN: Ms. Merricks.

17 MS. MERRICKS: Yes.

18 MR. EINGORN: Ms. Alston.

19 MS. ALSTON: Yes.

20 MR. EINGORN: Mr. Brito Bueno.

21 MR. BRITO BUENO: Yes.

22 MR. EINGORN: All in favor, the motion
23 passes. Thank you, Gentlemen.

24 MR. WILSON: Thank you.

25 MR. HARGROVE: Thank you.

1 MR. EINGORN: The next matter, Gary &
2 Iris Ball, 1860 Park Boulevard.

3 MR. MINATO: Good evening. Alan Minato
4 on behalf of the applicant/owner, Gary & Iris Ball.
5 And this is also an application for a preexisting
6 nonconforming duplex. If it may please the Board, I
7 have a few pictures that were not originally attached
8 to the application which may shed light if I can
9 approach.

10 MR. EINGORN: I'm sorry, Mr. Minato. I
11 need you to speak a lot louder. I don't know if the
12 microphone works.

13 MR. MINATO: Oh, I'm sorry. I'll turn
14 the microphone on.

15 MR. EINGORN: Great.

16 MR. MINATO: Good evening, Alan Minato,
17 attorney, South Jersey Law Center on behalf of the
18 owner/applicant, Gary & Iris Ball. Mr. Ball is
19 here tonight. This is an application for a
20 continuing nonconforming use with respect to a duplex
21 in Camden. I have pictures, if the Board would like
22 to see them, that were not attached to the
23 application. If I can approach.

24 MR. EINGORN: Yes.

25 MR. MINATO: It looks like you have the

1 pictures in your application.

2 So just by way of background, I won't
3 belabor the evening for Board members. Mr. & Mrs.
4 Ball are under contract to sell the property. It's
5 1860 Park Boulevard in Camden. It is Block 1278, Lot
6 71; approximately .185 (point 185) acres.

7 In connection with the responsibility
8 under the real estate contract to provide a
9 Certificate of Occupancy, it came to their attention
10 that it is a nonconforming use so that they should
11 come into compliance and appear before the Board and
12 that's why we are here. They seek permission from
13 this Board to simply continue the use of the property
14 as a duplex. They're not seeking to alter, renovate,
15 modify the property in any way or change its use.
16 They merely seek approval this evening so that they
17 may continue to use the property in the same manner
18 than it has been since they purchased the property in
19 1989. Applicable notices were provided in accordance
20 with the Statute and Ordinance. And at this time, I
21 would like to introduce the testimony of Mr. Gary
22 Ball.

23 MR. EINGORN: Mr. Ball, would you raise
24 your right hand?

25 MR. BALL: Yes.

1 - - -

2 GARY BALL, having first been duly
3 sworn/affirmed, was examined and testified as
4 follows:

5 - - -

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

8 MR. BALL: Gary Ball, 1093 Madison
9 Avenue, Teaneck, New Jersey 07666.

10 MR. EINGORN: Thank you.

11 MR. MINATO: Mr. Ball, are you the owner
12 and applicant of the current application before the
13 board?

14 MR. BALL: Yes, I am.

15 MR. MINATO: Is also your wife part of
16 the application?

17 MR. BALL: Yes, me and my wife.

18 MR. MINATO: And what is the address of
19 the property in question?

20 MR. BALL: 1860 Park Boulevard, Camden.

21 MR. MINATO: Are you the sole owners of
22 the property?

23 MR. BALL: Yes, we are.

24 MR. MINATO: When did you purchase this
25 property?

1 MR. BALL: In 1989.

2 MR. MINATO: At the time you purchased
3 the property, was it being used as a duplex?

4 MR. BALL: Yes, it was.

5 MR. MINATO: Are there separate utilities
6 at the property?

7 MR. BALL: Yes, it is.

8 MR. MINATO: Has there always been
9 separate utilities at the property?

10 MR. BALL: Yes, since I've owned it.

11 MR. MINATO: Is the property currently
12 being rented?

13 MR. BALL: Yes. Presently.

14 MR. MINATO: Are both units being
15 rented?

16 MR. BALL: Correct.

17 MR. MINATO: Are there separate tenants
18 in the units?

19 MR. BALL: Yes.

20 MR. MINATO: As long as you've owned the
21 property, has it always been a duplex with separate
22 utilities and separate tenants?

23 MR. BALL: Yes.

24 MR. MINATO: Have you ever received any
25 complaints from any neighbors about the property

1 being used as a duplex?

2 MR. BALL: No.

3 MR. MINATO: Have you ever received any
4 violations from the City or anyone else for the
5 property being used as a duplex?

6 MR. BALL: No.

7 MR. MINATO: Has the property ever been
8 inspected by the City?

9 MR. BALL: It's inspected each year.

10 MR. MINATO: What's the purpose of the
11 annual inspection?

12 MR. BALL: For rental purposes.
13 Inspection.

14 MR. MINATO: Have the inspections passed?

15 MR. BALL: Yes. About 34, 35 times.
16 Once a year.

17 MR. MINATO: Just to refresh your
18 recollection, you purchased it in 1989?

19 MR. BALL: 1989, yes.

20 MR. MINATO: And to the best of your
21 knowledge, has the property always been used as a
22 duplex?

23 MR. BALL: Yes, it has.

24 MR. MINATO: Have you always used the
25 property as a duplex?

1 MR. BALL: Yes, I have. I think that
2 whole block is duplexes.

3 MR. MINATO: And to the best of your
4 understanding, are there also tenants located in
5 those other properties?

6 MR. BALL: Yes.

7 MR. MINATO: So why have you brought this
8 application to the Board if you could just explain to
9 them?

10 MR. BALL: While we were doing the
11 contract negotiations, the buyer requested it. To
12 buy and request it. So it's the seller's
13 responsibility to get the CO. That's why I told my
14 realtor to file for me.

15 MR. MINATO: And if the Board would grant
16 your application, is it your intention and desire to
17 continue to use the property as a duplex?

18 MR. BALL: Yes.

19 MR. MINATO: Do you propose to make any
20 changes or alterations to the property?

21 MR. BALL: Not really. I'm doing a
22 little cosmetics like the overhang in the front. I'm
23 putting a new one in.

24 MR. MINATO: In connection with the sale
25 to the buyer?

1 to sell the property; is that what you're going to
2 do?

3 MR. BALL: Yes.

4 CHAIRMAN HANCE: Do you need us to say,
5 okay because it has been a duplex since 1989, I think
6 you said?

7 MR. BALL: Yes.

8 MR. MINATO: When he purchased it, it was
9 a duplex. I believe your testimony was, it was your
10 understanding it was a duplex prior to that as
11 well?

12 MR. BALL: Yes, it was.

13 MR. EINGORN: We had one in this area
14 recently; last month maybe.

15 MR. BALL: I was reading on the history
16 of Camden. I think they were saying there's a whole
17 lot of houses that were altered cause they were
18 one-family and they changed them into duplexes.

19 VICE-CHAIRMAN COOPER: Yes. That's what
20 we're trying to avoid here, people changing
21 single-family homes into duplexes. But you're
22 already established here.

23 MR. BALL: I bought it that way.

24 VICE-CHAIRMAN COOPER: Yes. It's already
25 established. We just don't want people coming and

1 changing single-family homes into duplexes.

2 MR. EINGORN: Anybody in the public would
3 like to weigh in on 1860 Park Boulevard, a request
4 for a Certificate of Preexisting Nonconforming Use?
5 Hearing none, we'll close the public portion because
6 now it's time to discuss and make a motion.

7 CHAIRMAN HANCE: I believe we've recently
8 had one of these where it's a duplex and someone
9 wanted to sell it and we had to go through the same
10 issues here as we're going through right now.

11 VICE-CHAIRMAN COOPER: This is pretty
12 well set up. It has a fire escape and everything in
13 the back of the house. It looks like it has been
14 there for a while.

15 MS. MERRICKS: Motion to approve.

16 MR. EINGORN: We have a motion to approve
17 from Ms. Merricks. Do we have a second?

18 VICE-CHAIRMAN COOPER: Second.

19 MR. EINGORN: I'll take a roll-call vote.
20 Chairman Hance.

21 CHAIRMAN HANCE: Yes.

22 MR. EINGORN: Vice-Chairman Cooper.

23 VICE-CHAIRMAN COOPER: Yes.

24 MR. EINGORN: Ms. Merricks.

25 MS. MERRICKS: Yes.

1 MR. EINGORN: Ms. Alston.

2 MS. ALSTON: Yes.

3 MR. EINGORN: Mr. Brito Bueno.

4 MR. BRITO BUENO: Yes.

5 MR. EINGORN: Five in favor and none
6 opposed, the motion passes. Thank you.

7 MR. BALL: Thank you.

8 MR. MINATO: Thank you and good evening.

9 MR. EINGORN: We are going to take a
10 five-minute restroom break.

11 - - -

12 (Whereupon the proceedings are off the
13 record 7:30 p.m.)

14 (Whereupon the proceedings are back on
15 the record 7:35 p.m.)

16 - - -

17 MR. EINGORN: Let's start the matter of
18 Real Portfolio. Is it 13 or 15?

19 MR. BINGHAM: It's 14.

20 MR. EINGORN: I got 13 and 14 and then I
21 got 14 and 15 on the appeals.

22 MR. BINGHAM: They're all wholly-owned.
23 So it depends on which ones we're going on.

24 MR. EINGORN: Do we have a 13 and 14
25 or a 14 and a 15?

1 MS. MUHAMMAD: So this is what I have,
2 right. And that's why I requested deeds for the
3 applications. So the deeds are attached. Kyle, you
4 and I have it. And what was highlighted and what's
5 on the agenda, is what's on the deed.

6 MR. EINGORN: Okay.

7 MS. MUHAMMAD: So you have to see if they
8 agree to that.

9 MR. EINGORN: Let's start with the first
10 item on the agenda which is listed as Real Portfolio
11 13 LLC, 4106 to 4112 Federal Street, Block 1067,
12 Lot 15.

13 MR. NORMAN: We'll do the Federal Street
14 one.

15 MR. EINGORN: That is what is first on
16 the agenda so why don't we start there.

17 MR. NORMAN: Sure. My name is
18 Christopher Norman. I'm from the Platt Law Group on
19 behalf of Real Portfolio 13, LLC. The property is
20 4106 through 4112 Federal Street, Block 1067,
21 Lot 15. With me tonight is Thomas Bingham who is a
22 managing member of the LLC and a principal.

23 And this application, we were directed by
24 the Zoning Officer to make a request for a
25 Certificate of Nonconforming Use. The property is in

1 the LI-1 Zone. Essentially, it's 20 apartment units
2 that have existed long before your Zoning Ordinance
3 came into being back in 1978. And I'll allow Mr.
4 Bingham to be sworn in and we'll present.

5 MR. EINGORN: Raise your right hand.

6 MR. BINGHAM: Sure.

7 - - -

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

11 - - -

12 MR. EINGORN: State your name and address
13 for the record.

14 MR. BINGHAM: Thomas Bingham. My address
15 is 608 Oneida Avenue, Haddon Township, New Jersey.

16 MR. EINGORN: I'm sorry. You said LI-1
17 but the appeal says C(1). Can you just confirm?

18 MR. BINGHAM: Yes. The denial letter
19 that we have is from LI-1. On the tax map we're
20 getting taxed as a 4-C Commercial building, apartment
21 building. It's shown as different things on
22 different maps depending --

23 MR. NORMAN: You acquired the property,
24 the apartment buildings?

25 MR. BINGHAM: Yes. We purchased the

1 property last year. So the purpose of the
2 applications, we're just trying to get a Certificate
3 of Occupancy. It's an existing 20-unit building.
4 Two separate 10-unit buildings that have been
5 historic. They're probably built in the 30's.

6 MR. NORMAN: Here's a photograph.

7 MR. BINGHAM: It has never been used as
8 anything but an apartment complex. It is an
9 apartment complex. We own the lot next door to it.
10 That's also part of the -- it's a separate tax lot
11 but it's a parking lot that we use for it. And we're
12 just trying to get a Certificate of Occupancy for the
13 building.

14 MR. EINGORN: So the applicant has
15 provided a colored photograph of the property.
16 We'll mark this as Exhibit A to the application and
17 I'll share this with the Board.

18 MR. NORMAN: Is there other evidence from
19 the City of Camden that indicates that these are
20 apartments such as the water and the sewer bills?

21 MR. BINGHAM: Yes. It has CCMUA. We pay
22 the 20 CCMUA bills. It's getting taxed as an
23 apartment building.

24 MR. NORMAN: Do you have a rental
25 license?

1 MR. BINGHAM: Yes. Rental licenses and
2 everything. It's occupied. We just need that we
3 follow up with all inspections. And it holds up
4 work. We can't do any improvements on it, pull
5 permits, anything without the zoning permit.

6 CHAIRMAN HANCE: So you just purchased it
7 last year?

8 MR. BINGHAM: Yes. We purchased it
9 mid-to-late last year, I think, and just have been
10 working to try to get to this point.

11 CHAIRMAN HANCE: And people are living in
12 them?

13 MR. BINGHAM: That's correct.

14 VICE-CHAIRMAN COOPER: I go by there all
15 the time.

16 MR. NORMAN: Unless the Board has any
17 questions, that's our application for this one.

18 CHAIRMAN HANCE: None.

19 VICE-CHAIRMAN COOPER: None.

20 MR. EINGORN: Any questions. Anybody in
21 the public here to be heard on the application which
22 has been identified in the agenda as Real Portfolio,
23 13, LLC, 4106 to 4112 Federal Street? Hearing none,
24 we'll close the public portion. Does the Board have
25 any other questions? Doesn't seem to be. Now a

1 discussion and a motion.

2 MS. ALSTON: I believe we cleared up the
3 fact that it says it's 13 on the agenda but we're
4 really looking at paperwork that says it's Real
5 Property 15, LLC although the address is correct. Is
6 that what I heard?

7 MR. EINGORN: So here's what we're
8 looking at. The agenda says 13 because the deed
9 that's been submitted with the application states
10 that it was sold by Real Portfolio 11 to Real
11 Portfolio 13. So is Real Portfolio 13 the current
12 owner?

13 MR. BINGHAM: It's 15. So in New Jersey
14 we can transfer inner an entity without any
15 consideration. For financing purposes, we weren't
16 allowed to bundle it with any other properties so we
17 had to transfer it to 15. So right now it's a sole
18 property in Real Portfolio 15.

19 MR. EINGORN: So it has since been
20 transferred to another --

21 MR. BINGHAM: Yes. And it might not
22 be -- the deed might not be recorded with the county
23 yet.

24 MR. NORMAN: The important thing, it's
25 still an apartment building.

1 MR. EINGORN: But you're the managing
2 member for both 11, 13 and 15?

3 MR. BINGHAM: That's correct.

4 CHAIRMAN HANCE: And basically you need
5 to see us and then you're going to start fixing or
6 painting?

7 MR. BINGHAM: Yes. Just so we can get
8 rental approvals. Like we can't do anything without
9 a Certificate of Occupancy. We can't get the
10 Certificate of Occupancy until we get through
11 Zoning.

12 VICE-CHAIRMAN COOPER: I make a
13 motion.

14 MR. EINGORN: Motion to approve a
15 Certificate of Nonconforming Use?

16 VICE-CHAIRMAN COOPER: Yes.

17 MR. EINGORN: Do we have a second?

18 CHAIRMAN HANCE: Second.

19 MR. EINGORN: I'll take a roll-call vote.
20 Chairman Hance.

21 CHAIRMAN HANCE: Yes.

22 MR. EINGORN: Vice-Chairman Cooper.

23 VICE-CHAIRMAN COOPER: Yes.

24 MR. EINGORN: Ms. Merricks.

25 MS. MERRICKS: Yes.

1 MR. EINGORN: Ms. Alston.

2 MS. ALSTON: Yes.

3 MR. EINGORN: Mr. Brito Bueno.

4 MR. BRITO BUENO: Yes.

5 MR. EINGORN: Motion passes. Let's move
6 on to the next one, Real Portfolio 14, LLC.

7 MR. NORMAN: And that's correct. This
8 property consists of nine existing duplexes at 451
9 Morse Street, Block 1258, Lot 99. 453 Morse Street,
10 Block 1258, Lot 43. 416 Morse Street, Block 1256,
11 Lot 32. 420 Morse Street, Block 1256, Lot 91.
12 424 Morse Street, Block 1256, Lot 93. 426 Morse
13 Street, Block 1256, Lot 94. 430 Morse Street, Block
14 1256, Lot 95. 432 Morse Street, Block 1256, Lot 96.
15 And 436 Morse Street, Block 1256, Lot 98. These are
16 nine duplexes. This is located, this property is in
17 the R-2 Zone. Can you tell us about these particular
18 units and we have photographs too.

19 MR. BINGHAM: Sure. This is on the 400
20 block of Morse Street. We own the majority of the
21 street. These are designed-built duplexes. They're
22 designed duplexes similar to the gentleman who was
23 here for 1860 Park. They have two separate
24 entrances. They're separately metered. They were
25 built that way as duplexes. There is no rear

1 parking. The whole frontage of the street is
2 available for the tenant parking. Not for the same
3 purpose we needed for CCO. They're all occupied. We
4 need it for CCO purposes just to be able to do work
5 on them, get rental approvals and such.

6 MR. NORMAN: And the interesting thing
7 with this one, it's in the R-2 Zone which allows
8 duplexes. So, technically, may not even need a
9 Certificate of Nonconforming use but we need some
10 sort of approval to get the zoning permit.

11 MR. BINGHAM: We do have three that we
12 purchased from the same owner actually last year that
13 we were able to get certificates. And we didn't have
14 to come through the Board for it but, I guess, there
15 have been some changes so we're just trying to catch
16 up with these nine as well; for these newer
17 purchases.

18 MR. EINGORN: The R-2 zone does permit
19 duplexes.

20 MR. NORMAN: These units were all
21 constructed before 1978?

22 MR. BINGHAM: Yes.

23 CHAIRMAN HANCE: I guess you purchased
24 these last year also?

25 MR. BINGHAM: Yes, various times. I

1 think we did it December 2022 these purchases.

2 MR. EINGORN: Any other questions?

3 CHAIRMAN HANCE: And these are all
4 rentals, correct?

5 MR. BINGHAM: They are.

6 MR. NORMAN: And Zillow says they were
7 built in 1942.

8 MR. BINGHAM: Yes.

9 MS. ASLTON: And you already have tenants
10 in all of these?

11 MR. BINGHAM: Yes. They were purchased
12 occupied.

13 MR. EINGORN: No more questions? Is
14 anybody in the public that are here that would like
15 to be heard on the application of Real Portfolio 14,
16 LLC regarding numerous properties located on Morse
17 Street? Hearing none, we'll close the public
18 portion.

19 MR. EINGORN: The Board should do a
20 discussion and make a motion.

21 CHAIRMAN HANCE: I'm going to piggyback
22 on the last case. They look to be in good shape. A
23 clean area. They are all occupied. He's not going
24 to change anything with them. So I make a motion.

25 MS. ALSTON: I second.

1 MR. EINGORN: I'll take a roll-call vote.
2 Chairman Hance.

3 CHAIRMAN HANCE: Yes.

4 MR. EINGORN: Vice-Chairman Cooper.

5 VICE-CHAIRMAN COOPER: Yes.

6 MR. EINGORN: Ms. Merricks.

7 MS. MERRICKS: Yes.

8 MR. EINGORN: Ms. Alston.

9 MS. ALSTON: Yes.

10 MR. EINGORN: Mr. Brito Bueno.

11 MR. BRITO BUENO: Yes.

12 MR. EINGORN: All in favor, the motion
13 passes. Thank you, gentlemen. Good luck with your
14 project.

15 MR. BINGHAM: Thank you.

16 MR. NORMAN: Thanks. Have a good
17 evening.

18 MR. EINGORN: You too.

19 Next application is 315 Atlantic Avenue.
20 Have we found an interpreter for Ms. Orellana? I see
21 none.

22 MS. ORELLANA: I'm sorry but I don't
23 speak so good English. I can't wait a long time.
24 Everybody is stealing my wood. I need my house for
25 my son.

1 legal description, survey and photographs, as well as
2 site plans. The pictures seem to show that this
3 property is a pre-existing residential house with a
4 door on the front facade and four windows. The
5 applicant, I believe, was looking to fix the house
6 and move in.

7 MS. ORELLANA: Yes.

8 MR. EINGORN: It has been confirmed.

9 VICE-CHAIRMAN COOPER: Kyle, she just
10 came in here.

11 MR. EINGORN: The issue is this, she's
12 got a residential house in a residential area which
13 has been rezoned Light Industrial. So in order to
14 fix her house which is preexisting, she needs a
15 Certificate of Nonconforming use so that she can get
16 a permit. That's all this is.

17 CHAIRMAN HANCE: We have been through
18 this before.

19 VICE-CHAIRMAN COOPER: It's holding her
20 up. She's trying to provide shelter for her family.

21 MR. EINGORN: Any questions?

22 CHAIRMAN HANCE: No.

23 MR. EINGORN: Anybody in the public here
24 for 315 Atlantic Avenue? Hearing none, we'll close
25 the public portion. The Board want to do a quick

1 discussion or just make a motion?

2 CHAIRMAN HANCE: Yes. She's here to get
3 a home for her family. She did her homework. She
4 has professional plans here. They changed the area
5 to Light Industrial 1. But the house looks like it
6 has been standing here forever. She's doing her
7 best. She barely understands us as well as we barely
8 can understanding her. It's like a hardship. She's
9 stuck with a hardship. With the sight of
10 professional plans, she's willing to, again, take a
11 house and bring Camden back with her family. I just
12 can't deny that.

13 MS. ALSTON: She has all the work done
14 already.

15 MR. BRITO BUENO: Everything is
16 professional.

17 MR. EINGORN: This is more than what we
18 see from most people.

19 MS. ALSTON: Yes. She has everything.

20 MR. EINGORN: I need a motion.

21 CHAIRMAN HANCE: Motion.

22 MR. EINGORN: A second?

23 MS. MERRICKS: Second.

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

1 Chairman Hance.

2 CHAIRMAN HANCE: Yes.

3 MR. EINGORN: Ms. Merricks.

4 MS. MERRICKS: Yes.

5 MR. EINGORN: Ms. Alston.

6 MS. ALSTON: Yes.

7 MR. EINGORN: Mr. Brito Bueno.

8 MR. BRITO BUENO: Yes.

9 MR. EINGORN: Having four in favor and
10 none opposed, the motion passes. We need a motion to
11 adjourn to July 3rd.

12 MS. ASLTON: Motion to adjourn.

13 MR. BRITO BUENO: Second.

14 MR. EINGORN: All in favor.

15 THE BOARD: Yays.

16 MR. EINGORN: So moved.

17 Just real fast for the record, the matter
18 of Osvaldo Fernandez, 1261 Dayton Street, had no
19 Certificate of Service and, therefore, we're going to
20 review service. If it was proper for tonight then
21 it will be adjourned to July 3rd. If it's improper,
22 they'll have to re-notice.

23 - - -

24 (**Meeting concludes at 8:03 p.m.**)

25

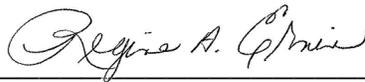
1 CERTIFICATION

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

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

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

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

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