

CITY OF CAMDEN
ZONING BOARD OF ADJUSTMENT
SPECIAL MEETING OF OCTOBER 10, 2023

TUESDAY, OCTOBER 10, 2023

Hearing before the Zoning Board of Adjustment, taken remotely via Zoom, before Carolyn J. McCalla, Certified Court Reporter, on the above date, commencing at 5:30 p.m., there being present:

B E F O R E:

- DARNELL HANCE, CHAIRMAN
- CHARLES COOPER, VICE CHAIRMAN
- ISAIAS MARTINEZ
- THERESA ATWOOD
- KAREN MERRICKS
- MARITZA ALSTON
- JOSE M. BRITO BUENO
- EVITA MUHAMMAD, SECRETARY

A-P-P-E-A-R-A-N-C-E-S:

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1 **MR. EINGORN:** Good evening, everyone.
2 Welcome to the special meeting of the Zoning Board
3 of Adjustment for October 10, 2023. This meeting is
4 being conducted via Zoom as a virtual meeting and
5 instructions to access this meeting were posted on
6 the City of Camden's website.

7 In conformance with the Sunshine Law of the
8 State of New Jersey, notice of this meeting was
9 posted in the municipal clerk's office on Monday,
10 October 2, 2023. We will take a roll call.

11 Chairman Vance? Not present.

12 Vice Chairman Cooper?

13 **MR. COOPER:** Here.

14 **MR. EINGORN:** Reverend Martinez?

15 **REVEREND MARTINEZ:** Here.

16 **MR. EINGORN:** Ms. Atwood?

17 **MS. ATWOOD:** Present.

18 **MR. EINGORN:** Ms. Merricks? Ms.

19 Merricks, you are muted.

20 **MS. MERRICKS:** Present.

21 **MR. EINGORN:** Thank you.

22 Ms. Alston?

23 **MS. ALSTON:** Present.

24 **MR. EINGORN:** Mr. Brito Bueno?

25 **MR. BRITO BUENO:** Present.

1 **MR. EINGORN:** Thank you.

2 Now, Ms. Henrietta Washington is not
3 present.

4 **MS. MUHAMMAD:** I think we have
5 Darnell.

6 **MR. EINGORN:** We will give him a
7 second here to log in.

8 Chairman Hance, is that you?

9 **MR. HANCE:** Hello.

10 **MR. EINGORN:** Good evening. Let the
11 reported reflect that Chairman Hance is now present
12 just in time.

13 **MR. HANCE:** Yes.

14 **MR. EINGORN:** The first matter on the
15 agenda would be approval of the minutes from
16 September of 2023. Do I have a motion?

17 **MR. MARTINEZ:** Motion to pass.

18 **MR. EINGORN:** Do I have a second?

19 **MS. ALSTON:** Second.

20 **MR. EINGORN:** Roll call vote.

21 Chairman Hance?

22 **MR. HANCE:** Yes.

23 **MR. EINGORN:** Vice Chairman Cooper?

24 **MR. COOPER:** Yes.

25 **MR. EINGORN:** Reverend Martinez.

1 **MR. MARTINEZ:** Yes.

2 **MR. EINGORN:** Ms. Atwood?

3 **MS. ATWOOD:** Yes.

4 **MR. EINGORN:** Ms. Merricks?

5 **MS. MERRICKS:** Yes.

6 **MR. EINGORN:** Ms. Alston?

7 **MS. ALSTON:** Yes.

8 **MR. EINGORN:** Mr. Brito Bueno?

9 **MR. BRITO BUENO:** Yes.

10 **MR. EINGORN:** The motion carries.

11 We have three matters tonight. Is Aspire

12 Property Group ready to proceed?

13 **MR. NORMAN:** Yes, we're ready.

14 **MR. EINGORN:** Sergio Bent, is Sergio

15 Bent ready to proceed?

16 **MR. NORMAN:** Yes, on behalf of

17 Mr. Bent.

18 **MR. EINGORN:** And Maisha Adams, is Ms.

19 Adams here?

20 **MS. ADAMS:** I'm present.

21 **MR. EINGORN:** Very good. Did I

22 mispronounce your name right?

23 **MS. ADAMS:** Maisha.

24 **MR. EINGORN:** Maisha, very good.

25 Thank you. Sorry about that.

1 **MS. ADAMS:** That's okay.

2 **MR. EINGORN:** My understanding is that
3 Mr. Bent has a little bit of a timing issue here and
4 needs to -- would like to go first. So if that's
5 acceptable to the board we will take Sergio Bent,
6 524 Royden Street.

7 **MR. NORMAN:** Okay, board members.
8 Good evening, my name is Christopher Norman. I'm an
9 attorney at the Platt Law Group and I represent
10 Sergio Bent, the applicant.

11 Our application involves 524 Royden Street
12 at block 211, lot 48. It's listed second on the
13 agenda. The applicant filed a zoning appeal, but is
14 seeking relief by way of a waiver of site plan
15 review in the granting of bulk variances being that
16 this is an undersized lot containing a duplex which
17 has been in existence for a hundred years and we're
18 seeking approval for the bulk variance relief as
19 well as the waiver of site plan as everything is
20 existing conditions.

21 If you would like to swear in Mr. Bent who
22 is here by way of Zoom from Los Angeles.

23 **MR. EINGORN:** Mr. Bent, will you raise
24 your right hand?

25 SERGIO BENT, having been first duly sworn,

1 testified as follows:

2 EXAMINATION BY MR. NORMAN:

3 **MR. EINGORN:** Thank you.

4 Q. Mr. Bent, are you the owner of the property
5 at a 524 Royden Street at block 211, lot 48?

6 **A. Yes, I am.**

7 Q. And when did you acquire the property?

8 **A. Settlement closed on April 15, 2019.**

9 Q. And when you acquired it, was it marketed
10 as a residential duplex?

11 **A. It was.**

12 Q. And the property is located in the R2 zone,
13 correct?

14 **A. It is.**

15 Q. When was the -- it's a two-story duplex.
16 When was it constructed?

17 **A. 1900.**

18 Q. And what's the square footage of the
19 duplex?

20 **A. Approximately 1,700 square feet.**

21 Q. And do you have a certificate of rental
22 approval from the City of Camden for the apartments
23 within the duplex?

24 **A. I have a CO and an RO for both.**

25 Q. And do you have an existing contract with

1 the property management company for renting,
2 operating and managing the premises as a rental
3 property?

4 **A. I do. It is Realty Solutions, LLC in New**
5 **Jersey and Derek Amos is the lead individual at the**
6 **facility.**

7 Q. And your property management agreement is
8 with Realty Solutions, LLC, correct?

9 **A. Correct.**

10 Q. And are you seeking a waiver of site plan
11 review and bulk variances for the preexisting
12 non-conformities of this existing and undersized
13 residential duplex?

14 **A. I am.**

15 Q. Is there available parking for your
16 tenants?

17 **A. There is. The address is on the corner and**
18 **there is ample parking in the front and on the side**
19 **streets. I was just there last week and every time**
20 **I have been there there is more than -- I have never**
21 **had a problem parking there. It's easy.**

22 Q. And if I, if I can screen share, I can, I
23 believe I got, I have some exhibits. Let's see.
24 I'm having a little problem accessing them. Does
25 the board have any questions since I will try and

1 get, retrieve some documents?

2 **MR. HANCE:** Yes. You said you were
3 there for parking?

4 **THE WITNESS:** This past week I was
5 there when I purchased the building to inspect it
6 and every time --

7 **MR. HANCE:** So what time of day were
8 you there.

9 **MR. BENT:** There is always ample
10 parking. So when I went there to inspect it the
11 first time it was the morning about 10:00 give or
12 take. The last time I was there this past week was
13 about, between three and five p.m. I passed by it
14 several times and the block was half empty.

15 **MR. HANCE:** All right, do you know
16 what day, was it a weekday or weekend?

17 **MR. BENT:** So the last time I was
18 there was this past Monday. I couldn't tell you
19 what day it was in 2019. I believe it was a weekend
20 the first time I went there. I can't tell you
21 specifically four years ago what it was.

22 **MR. HANCE:** The weekend wouldn't be a
23 problem, but do you know that there is a school
24 right across the street; am I correct?

25 **MR. BENT:** There is.

1 **MR. HANCE:** And it's major problems
2 parking from eight until about three.

3 **MR. BENT:** The school has its own
4 parking lot and I have been there several times when
5 the school was in session and there was ample
6 parking. They were parking on the school lot not on
7 the street.

8 **MR. HANCE:** So where I'm coming from
9 is we have parents, we have people visiting the
10 school, we have OEO right there on Broadway which is
11 another overspill and that street is a one way.
12 Both the streets are a one-way street.

13 **MR. BENT:** That is correct.

14 **MR. HANCE:** So there is, there is a
15 parking issue unless you have your private parking.

16 **MR. BENT:** I can just represent to you
17 the times that I have been there I have never had to
18 go around the block to find parking. I either pull
19 up right in front of the unit. I have never had a
20 problem. It's either right before the street where
21 the unit begins or right in front of the unit I have
22 been able to park every single time I have been
23 there with no problem.

24 **MR. HANCE:** So I will make it easier
25 for you. I work for Camden County OEO. I'm there

1 every day and I'm letting you know that there is no
2 parking, like on the weekends, yes, but weekdays,
3 very, very seldom.

4 **MR. NORMAN:** Can you see the picture?
5 I tried to screen share and show the building. Can
6 you see that? Can the board members see that?

7 **MR. BENT:** No.

8 **MR. HANCE:** There is no picture. I
9 see an e-mail.

10 **MR. EINGORN:** I'm seeing a list of
11 files? Any better?

12 **MR. HANCE:** Yes.

13 **MR. NORMAN:** That's the building.
14 Sergio, IN this photograph, there doesn't appear to
15 be any issue with parking. I'm not saying that,
16 Mr. Hance is familiar with the property and the
17 neighborhood. Is this an accurate representation of
18 what it's like on a typical day?

19 **MR. BENT:** The times, I mean he has
20 obviously been there more times than I have, but I
21 thought it was for me --

22 **MR. NORMAN:** Has your tenant had any
23 issues with finding parking?

24 **MR. BENT:** No. In fact, every time I
25 come by that truck, that truck was there this past

1 Monday parked the same way and there were no cars in
2 front or in back. It was the same exact look and
3 that picture was taken awhile ago.

4 **MR. NORMAN:** All right, so is there a
5 business across the street from that truck also?

6 **MR. BENT:** Immediately to, if you were
7 standing at the truck's passenger side, facing --
8 I'm sorry.

9 **MR. HANCE:** I'm very familiar with
10 that area.

11 **MR. BENT:** Across the street is a
12 house.

13 **MR. HANCE:** And that house has a six
14 foot fence?

15 **MR. BENT:** The house across the street
16 I can't tell you that I have measured it. I know
17 there is a house across the street. I don't know
18 the business across the street.

19 **MR. HANCE:** All right, I'm quite sure
20 there is a business across the street. There is a
21 six foot fence there and you can't see into the
22 fence. So it's like a wooden six foot fence. I was
23 there. In the summertime there was an issue with
24 parking and people also go, they go actually down
25 that one-way street the wrong way because it's so

1 crowded and there is a school that we're looking at
2 that is further up that they can't get by because
3 there it is all blocked off especially when they are
4 dropping off and picking up.

5 **MR. BENT:** I am very much aware that
6 directly across the street facing away from that
7 pickup truck is the owner who sold the building to
8 me and it's not a business. It is a private
9 residence.

10 **MR. HANCE:** All right, so what I'm
11 saying is where are you going to park? That guy is
12 actually parked on the curb which is illegal. I'm
13 talking about the street right now and the reason
14 why he is up there is because the street is too
15 small and, like I said, people come down that
16 street, it is a one way but they use it for a two
17 way.

18 **MR. BENT:** I mean I can't tell you
19 what people are doing because I haven't seen that.

20 **MR. HANCE:** Exactly, but I have many
21 times. Let's move forward.

22 **MR. COOPER:** I have a question. The
23 front of the house, there is a fire hydrant directly
24 in front of that house. So there is no parking in
25 front of that house. If there is a fire hydrant

1 there, you have to be 50 feet from a fire hydrant.
2 Directly in front of the house there is a fire
3 hydrant.

4 **MR. BENT:** Yes, and right in front of
5 that fire hydrant is street parking and that's
6 why --

7 **MR. COOPER:** On the opposite side you
8 are saying? The school is on the opposite side.

9 **MR. BENT:** I'm not saying -- I'm
10 sorry, I didn't mean to talk over you, but it kind
11 of lags and then I think you are done so I will let
12 you finish.

13 **MR. COOPER:** Again, you have a fire
14 hydrant right at your front step there. So there is
15 no parking there and then it's going to take you to
16 the next person's home. So parking in the front is
17 non-existent at the moment in front of that house so
18 you just have the whole side, the side of the house
19 to park.

20 **MR. BENT:** Commissioner, all I can say
21 to you is the times I have been there, including
22 this past Monday, in front of, not obviously in
23 front of the fire hydrant because I wouldn't park
24 there, but right past that I have had no problems
25 pulling up and parking.

1 **MR. COOPER:** Okay. If you could look
2 at the picture it looks like a car is parked
3 directly in front of the fire hydrant. I don't know
4 where that car is, whether it's your tenant's or
5 whoever's car, but it's parked directly in front of
6 the fire hydrant.

7 **MR. BENT:** That is not my tenant's
8 car, but I don't know whose car that is.

9 **MR. COOPER:** All right, you can go
10 ahead.

11 **MR. NORMAN:** That's the sole photo.
12 We have other photos, but they don't really reflect
13 on parking and whatnot, and I know that's a
14 consideration the board is looking at.

15 **MR. HANCE:** Let me just mention one
16 more thing also. If you look at that picture there
17 is a sign saying no parking right behind the truck.

18 **MR. NORMAN:** Would that be for the
19 area in front of the sign or behind it?

20 **MR. HANCE:** The sign is facing --

21 **MR. NORMAN:** It's kind of hard to read
22 it.

23 **MR. HANCE:** So it's facing right in
24 the center. Again, I work a block from there. It's
25 a no parking sign.

1 **MS. ATWOOD:** Is that the sign for the
2 street sweeper?

3 **MR. HANCE:** No, because it doesn't
4 have that on there. It just says no parking.

5 **MS. ATWOOD:** It says something under
6 there.

7 **MR. EINGORN:** Can you tell us how many
8 bedrooms, total bedrooms are in this property?

9 **MR. BENT:** For the two units there is
10 three.

11 **MR. NORMAN:** Those are the --

12 **MR. EINGORN:** Mr. Norman, you are
13 muted so if you are talking I can't hear you.

14 **MR. NORMAN:** My apologies.

15 Yes, as relates to the property itself,
16 it's an undersized lot. It's a preexisting
17 building. They are all nonconforming conditions so
18 to the extent we require any bulk variance relief,
19 we're asking for it, but it's the existing
20 structure, it would be an undue hardship. You
21 really, you couldn't use the property without the
22 granting of the variances.

23 **MR. COOPER:** So he is not changing the
24 footprint of the inside of the building. So how
25 many bedrooms again? How many apartments and how

1 many bedrooms?

2 **MR. BENT:** It's two apartments, one
3 downstairs, one upstairs. The upstairs apartment
4 has one bedroom and the downstairs apartment has --
5 I refer to it as two bedrooms because it's like a
6 loft size. There is a living room and then an open
7 space which I consider a bedroom and then there is a
8 kitchen area.

9 **MR. COOPER:** When you purchased this
10 property it was purchased as a duplex, correct?

11 **MR. BENT:** Yes, sir. It was
12 advertised as a duplex. It had two water meters, it
13 had two gas meters. It had everything that
14 indicated to me it was a duplex.

15 **MR. COOPER:** Okay.

16 **MR. BENT:** It has two separate
17 entrances.

18 **MR. HANCE:** That property has been
19 there for awhile as a duplex? I'm just concerned
20 about the parking. Do both tenants have vehicles?

21 **MR. BENT:** Unfortunately, I can't
22 answer that for you. I know one tenant does, but
23 that goes off to the property management. So I
24 don't know the answer to whether the downstairs
25 tenant has his own car or not. I don't know.

1 **MR. HANCE:** But I can say that the
2 building has been there for a long time and it was
3 always a duplex.

4 **MR. EINGORN:** The issue you have is if
5 you deny this application, I'm not saying you are
6 required to grant it in any way, but to the extent
7 they came back even as a single family residence
8 they would still have the same issue which is you
9 have cars for a residential property. It's clearly
10 residential. It's built as a rule.

11 **MR. COOPER:** And both units are
12 occupied now, correct?

13 **MR. BENT:** Yes, sir.

14 **MR. EINGORN:** Any other questions for
15 the applicant?

16 **MR. COOPER:** No.

17 **MR. EINGORN:** Does the applicant have
18 anything else they would like to add to the
19 application?

20 **MR. NORMAN:** No, just to reiterate
21 this property has been operating as a duplex and I
22 don't know if there is any -- been any parking
23 issues. My client has never received any violations
24 or notice of violations regarding the parking as an
25 existing site. It has been used residentially and

1 we're seeking the board's approval.

2 **MR. EINGORN:** Let's open this matter
3 to the public. Is there anybody in the public here
4 tonight that would like to be heard regarding 524
5 Royden Street?

6 I would ask at this time that you unmute
7 yourself or raise your hand and let us know you
8 would like to be heard.

9 Hearing no public comment, we will close
10 the public portion.

11 At this time I would ask the board to
12 consider the applicant's request for bulk variance
13 approvals related to the minimum lot size, lot
14 width, lot depth, building coverage, off street
15 parking, as well as setbacks for the front, rear and
16 side, or to do a discussion of the positive or
17 negative criteria and propose a motion.

18 **MR. COOPER:** All right, I will start.
19 As far as the positive, you know, hopefully you keep
20 the property up and keep it clean around there. The
21 negative is he purchased this already as a duplex
22 and, you know, I'm looking through his application.
23 He has certificates here and everything. So it's
24 not like he turned this single family home and put
25 three bedrooms downstairs and three bedrooms

1 upstairs. It's a total of three bedrooms. So I
2 think it's -- it could be a good thing for that
3 neighborhood.

4 **MR. MARTINEZ:** I agree with
5 Mr. Cooper. Of course, the house is a duplex.
6 There ain't much you can do about that, and the way
7 things are going in the city, I also work for the
8 city and I'm all over the city. I don't have a
9 problem with it.

10 **MS. ALSTON:** I think this is like a
11 preexisting. It is obviously a hardship. There is
12 nothing that they can do to change the primary
13 issues that we're discussing tonight. It does have
14 its own unique conditions. As far as the parking
15 there may be some safety concerns. That would be a
16 negative and overcrowding it sounds like would be a
17 negative.

18 **MR. NORMAN:** The only thing I would
19 add is that the certificate of rental approval
20 issued by the City of Camden identifies it as a two
21 family dwelling. So it's been recognized by the
22 city as such. That's all I wish to add.

23 **MR. EINGORN:** The issue, Mr. Norman,
24 is that in the past the departments in the city had
25 trouble communicating with each other and so they

1 would issue these rental approvals without first
2 determining whether or not there had been actual
3 approval from the zoning board for the duplexes and
4 that's why a lot of them are now coming up even
5 after certificates of rental approval and other
6 items have been issued.

7 **MR. NORMAN:** Understood.

8 **MR. EINGORN:** Do we have a motion?

9 **MS. ATWOOD:** Motion to pass.

10 **MS. ALSTON:** Second.

11 **MR. EINGORN:** I will take a roll call
12 vote please.

13 Chairman Hance? Mr. Hance, you are muted.
14 I think Mr. Hance just froze.

15 Vice Chairman Cooper?

16 **MR. COOPER:** Yes.

17 **MR. EINGORN:** Reverend Martinez?

18 **MR. MARTINEZ:** Yes.

19 **MR. EINGORN:** Ms. Atwood?

20 **MS. ATWOOD:** Yes.

21 **MR. EINGORN:** Ms. Merricks? Ms.
22 Merricks, you are muted.

23 That's a yes from Chairman Hance.

24 Ms. Alston?

25 **MS. ALSTON:** Yes.

1 **MR. EINGORN:** Mr. Brito Bueno?

2 **MR. BRITO BUENO:** Yes.

3 **MR. EINGORN:** Just looking for Ms.
4 Merricks. Are you there, Ms. Merricks?

5 **MS. MERRICKS:** Yes.

6 **MR. EINGORN:** There we go.

7 **MS. MERRICKS:** I'm sorry.

8 **MR. EINGORN:** There is a unanimous
9 granting of the application. Thank you, counsel.
10 Thank you, Mr. Bent. Have a great night.

11 **MR. BENT:** Thank you. I appreciate
12 it.

13 **MR. NORMAN:** Thank you for your
14 thorough review. Thank you.

15 **MR. EINGORN:** The next matter is
16 Aspire Property Group, 954 North 27th Street.

17 Mr. Wilson, how are you? You are muted.

18 **MR. WILSON:** Good evening. John
19 Wilson on behalf of Aspire Properties. This is our
20 application for the property 954 North 27th Street.
21 My clients purchased the property and desire to
22 redevelop it into a combination retail store on the
23 first floor and one apartment on the second floor
24 providing parking for the retail and reserve parking
25 for the tenants.

1 I would call Luis Japa.

2 **MR. JAPA:** L-U-I-S J-A-P-A.

3 **MR. EINGORN:** Mr. Japa, raise your
4 right hand.

5 LUIS JAPA, having been first duly sworn,
6 testified as follows:

7 EXAMINATION BY MR. WILSON:

8 Q. Mr. Japa, will you tell the board
9 approximately when did you acquire the title to the
10 property?

11 **A. Yeah, we bought the property back in April**
12 **2018.**

13 Q. And what have you done to the property
14 since then?

15 **A. Well, it was basically cleaning and doing**
16 **some plans to redevelop.**

17 Q. And if the board approves your application,
18 what do you want to do with the property?

19 **A. I probably would want to put in there a**
20 **retail space on the first floor and an apartment on**
21 **the second floor.**

22 Q. And describe the size of the apartment on
23 the second floor.

24 **A. The size, we are planning to put three**
25 **bedrooms which is going to be an addition to the --**

1 actually the first floor is a little bigger than the
2 second floor. So we're planning to do an addition
3 on the second floor to add on an additional room and
4 to accommodate the architect will have all those
5 measures, Donaldo. He will be able to explain all
6 the numbers and the apartment and the first floor
7 we're planning to do like a beauty supply smaller
8 store for the neighborhood.

9 Q. Now, approximately how many parking spaces
10 will you have?

11 A. We calculated with the architect and the
12 engineer 18 parking spaces.

13 Q. And how many of them will be reserved for
14 the tenants?

15 A. The tenants will receive three parking
16 spaces for the second floor tenants.

17 Q. And will the rest of the parking be open to
18 the public or reserved for the store?

19 A. Basically for the store.

20 MR. WILSON: I have no further
21 questions of this witness. Does the board have any
22 questions?

23 MS. JOHNSON: Would I be able to be
24 sworn in so I can just go into the report that I
25 prepared?

1 **MR. HANCE:** Do you have any pictures?

2 **MR. EINGORN:** Sure. Dena, if you can
3 raise your right hand please.

4 DENA MOORE JOHNSON, having been first duly
5 sworn, testified as follows:

6 **MS. JOHNSON:** I believe someone asked
7 about pictures.

8 **MR. WILSON:** About what?

9 **MS. JOHNSON:** Pictures. I thought I
10 heard --

11 **MR. WILSON:** We had provided pictures
12 of the prior uses of the property to the board.
13 There is two pictures. One is a picture of the
14 facades of the properties as they existed prior to
15 1950. I can hold that up, but the board has this.

16 **MR. VIDAL:** If I may, Mr. Chairman, I
17 can share my screen. I have a better view. If I
18 can share the screen. My name is Donaldo Vidal, the
19 architect of the property.

20 **MR. HANCE:** Mr. Vidal, can you raise
21 your right hand?

22 DONALDO VIDAL, having been first duly
23 sworn, testified as follows:

24 EXAMINATION BY MR. WILSON:

25 **MR. EINGORN:** Today you are appearing

1 as an architect for the applicant?

2 **MR. VIDAL:** That is correct.

3 **MR. EINGORN:** You have appeared before
4 this board on many occasions, is that correct?

5 **MR. VIDAL:** Yes, I did.

6 **MR. EINGORN:** The board will accept
7 Mr. Vidal as an expert in architecture.

8 Mr. Vidal, do you want to share your screen
9 and show the board what you have?

10 **MR. VIDAL:** This is the corner from
11 27th Street and Concord Avenue. This is how it
12 looks today. This interesting picture to the left,
13 if you may, if I may, that's circa 1950's. So this
14 corner used to be like a commercial corner, River
15 Road, River Avenue and 27th Street. This property
16 is this property. So that was typical back in the
17 days. They had an apartment on the second floor and
18 the store which used to be I think a flower shop for
19 a long time and then it evolves.

20 What I found during my assessment and
21 survey of the building, there was a church, there
22 was a church before Mr. Japa acquired the property.
23 Still the storefront is seen there. So basically it
24 is the same space. It hasn't changed that much.
25 There is a commercial element on the second floor in

1 that commercial space on the first floor since that
2 era from the 50's hasn't changed that much. Then
3 the parking was added to the property.

4 So that's what we have. This is, this is
5 how this store is going to look like. So we're
6 going to renovate the building, the first floor, and
7 recapture the storefront from 27th Street and, of
8 course, the second floor is going to be a three
9 bedroom apartment.

10 The reason why we added that small portion
11 which is like 130 square feet is to give a
12 distinctive access to the second floor from the
13 parking to the apartment right at the back of the
14 building. That was the reason we put that addition
15 there, that small addition.

16 It has also a basement. That's the
17 original basement, but it's going to be for the
18 store, for the retail store. The second floor
19 doesn't have access to the basement, but it has all
20 the services on the same floor.

21 Then the parking, the parking, let's see if
22 I can share. Okay, this is, this is how it looks.
23 This is, this is the building and this is the
24 parking. At the back we're reserving three spaces
25 for the apartment and then we need these spaces for

1 the, for the commercial space. There is ample
2 parking. We only need like six including the
3 handicapped, but there is plenty of parking. So
4 there's overflow parking for the commercial space
5 and the residents. The residents only needs three
6 since it is a three bedroom apartment.

7 This is how the plan looks like. This is
8 the commercial space. It is an open space with all
9 the improvement, handicapped bathroom, everything,
10 you know, like compliant. It will be compliant to
11 the code, to the current codes, and the second floor
12 which is going to be the three bedroom apartment
13 with stairs just for the apartment.

14 That's basically the makeup of the
15 buildings, nothing else there. It's like almost
16 what it was. It's going to be commercial space on
17 the first floor and residential space which used to
18 be since the 50's on the second floor and the rest
19 is parking. So that's all I have.

20 **MR. HANCE:** Okay, so the apartment is
21 that one entrance that you can get in or is it a
22 separate entrance? Does it have two entrances?

23 **MR. VIDAL:** It's a separate entrance.
24 It doesn't have to -- it doesn't connect with the
25 business. The business may be somebody else. It

1 used to be the same owner. I believe it was the
2 same owner in the 50's, but right now the business
3 is going to be separated from the apartment. So the
4 apartment has a separate entrance right on the back.
5 So you head into the parking, you get into the
6 apartment, it's own stairway. It's only used for
7 them.

8 **MR. MARTINEZ:** But the entrance is not
9 in the front, it is through the back, right?

10 **MR. VIDAL:** No, it's not on the floor.
11 You need to get into from the parking.

12 **MR. MARTINEZ:** From the parking,
13 right.

14 **MR. VIDAL:** Yes, so right at the
15 parking.

16 **MR. MARTINEZ:** Okay. I have seen the
17 construction. I drive by there all time at 27th and
18 River Road, and I remember it used to be a store and
19 I remember the pastor that used to own the church
20 right next door to that building and it sounds good.
21 I mean it's good.

22 **MR. VIDAL:** Yeah, it used to be, the
23 entrance used to be, you know, like in the 50's the
24 original building used to be from the store to the
25 residential aspect because I believe the owner of

1 the store used to be the owner of the -- the owner
2 of the store used to be the owner of the
3 residential.

4 So basically, you know, it used to be
5 typical in that era, but not anymore. We don't find
6 that because we have two tenants. That's the idea.
7 Maybe two tenants or maybe one tenant for both if
8 they want to live on the second floor, but there is
9 a distinction between the entrances. One entrance
10 doesn't have to do anything with the other in this
11 case.

12 **MR. EINGORN:** How about we turn to
13 Dena's letter and get all her questions answered.

14 **MR. VIDAL:** Okay, I will stop sharing.

15 **MS. JOHNSON:** Thank you.

16 Mr. Chairman, I'm referring to Remington &
17 Vernick's letter dated September 1, 2023. As you
18 know, this application is for both the use variance
19 and for preliminary and final site plan.

20 The applicant is seeking a use variance and
21 preliminary final approval to allow the first floor
22 commercial with second floor apartment. The
23 application includes a building addition and parking
24 lot improvements.

25 The applicant's proposed use of a mixed

1 building is not in conformance with the permitted
2 principal use of the R2 zone per the redevelopment
3 plan and that is the Cramer Hill redevelopment plan.
4 Therefore, a D1 variance is necessary and that's why
5 they are in front of the zoning board this evening.

6 The applicant has the burden of
7 demonstrating special reasons for granting the use
8 variance, as well as offering an enhanced quality of
9 proof which states that the variance is not
10 inconsistent with the intent and purpose of the
11 master plan and zoning ordinance which is the
12 positive criteria.

13 The applicant should also demonstrate that
14 the requested relief can be granted without
15 substantial detriment to the public good and will
16 not impair the intent and purpose of the zone plan
17 and zoning ordinance which is the negative criteria.

18 Special reasons, the applicant should
19 demonstrate that the proposed uses carry out the
20 purposes of zoning as listed in Chapter 40:55D-2 of
21 the municipal land use law or that the refusal to
22 allow the project would impose an undue hardship on
23 the applicant.

24 The applicant must present support for the
25 first test within a statement of reasons contending

1 that the proposed use promotes the purpose of
2 zoning.

3 In lieu of the statement of reasons, the
4 applicant should provide a statement regarding the
5 undue hardship which must relate to the land in
6 question or unique conditions of the site.

7 With respect to the first portion of the
8 negative criteria, the applicant must demonstrate
9 that the requested relief can be granted without
10 substantial detriment to the public good. The
11 applicant must demonstrate that the proposed use
12 will not have a negative impact on the adjacent
13 properties and that it will not cause such damage to
14 the character of the neighborhood as to constitute
15 substantial detriment to the public good.

16 The applicant shall provide testimony at
17 the zoning board hearing.

18 In the second prong of the negative
19 criteria, the applicant must demonstrate that the
20 requested relief will not impair the intent and
21 purpose of the zone plan and zoning ordinance.

22 Testimony should be provided as to why the
23 proposal will not impair the intent and purpose of
24 the R2 zone and the city master plan.

25 So that is the testimony that would be

1 requested or required for the use variance portion.

2 In addition, for the area and bulk
3 requirements under impervious coverage what is
4 required is 60 percent. What is being proposed is
5 86 percent. A variance would be required for that.

6 The principal building setback, the front
7 yard what is required is 10 feet. What is proposed
8 is .52 feet. That is a preexisting condition, but
9 that would require the variance and one side yard,
10 what is required is 10 feet and 3.56 feet are
11 provided, is being provided which is a preexisting
12 condition. Once again, that would require a
13 variance for bulk.

14 This evening I heard testimony that you are
15 proposing 18 parking spaces. I had in my report 20.
16 So the plan has since been changed to indicate 18
17 spaces.

18 **MR. EINGORN:** I looked at the plans
19 that were submitted. It does look like there is 20
20 spaces on the plan. Maybe that was misstated.

21 **MR. WILSON:** The engineer will testify
22 to that.

23 **MS. JOHNSON:** I mean so -- but it is
24 18 spaces?

25 **MR. WILSON:** Yes.

1 **MR. JAPA:** It is.

2 **MR. VIDAL:** It is revised.

3 **MS. JOHNSON:** With three being
4 reserved for the second story residential, right?

5 **MR. VIDAL:** That is correct.

6 **MS. JOHNSON:** Which would meet the
7 residential site improvement standards for parking.

8 The other use variance comments which would
9 be in your testimony, the applicant should address
10 the impact of the application on the following: The
11 compatibility of the proposed use with surrounding
12 uses and mitigating factors for the use variance.
13 The applicant should address the following items for
14 the board to be able to evaluate the impact of the
15 proposed application on the neighboring properties
16 in the city, that the use will not injure or detract
17 from the use of neighborhood property, that the use
18 will not detract from the character of the
19 neighborhood, that the use of property adjacent to
20 the area included in the plan is adequately
21 safeguarded, that the property is suitable for the
22 intended use, that the use will serve the best
23 interests of the city, that the use will not
24 adversely affect public services and facilities such
25 as water, sewer, police and fire protection, that

1 the use will not adversely affect the drainage
2 facilities in adjacent neighborhoods, and that the
3 use will not adversely affect the safe flow of
4 highway traffic, and that adequate roadway accesses
5 are provided to protect roadways from undue
6 congestion and hazards.

7 So everything that I have mentioned to this
8 point deals with the use variance. So did you want
9 to get testimony regarding the use variance before I
10 proceed with the site plan or how exactly did you
11 want me to go through it?

12 **MR. WILSON:** Yes, we'll go through
13 with the use variance first.

14 **MS. JOHNSON:** Okay. So you will
15 present testimony now regarding the use variance?

16 **MR. WILSON:** Yes.

17 **MS. JOHNSON:** Okay.

18 **MR. WILSON:** I call Michael Avila.

19 **MR. AVILA:** Michael Avila with Avila
20 Engineering.

21 **MR. EINGORN:** Raise your right hand.

22 MICHAEL AVILA, having been first duly
23 sworn, testified as follows:

24 EXAMINATION BY MR. WILSON:

25 **MR. EINGORN:** Mr. Wilson, do you want

1 to get a little bit of his credentials so that we
2 can accept him as a professional?

3 **MR. WILSON:** Yes.

4 **MR. AVILA:** I am a licensed engineer
5 and a licensed planner in the State of New Jersey in
6 good standing, a graduate of Drexel University where
7 I received my Bachelor's of sciences in civil
8 engineering. I have appeared before this board in
9 previous applications and other boards in Camden,
10 Gloucester, Burlington, Mercer Counties, as well as
11 before county planning boards in Camden, as well as
12 Burlington County.

13 We have prepared these applications and
14 they were done under my supervision and if there is
15 any additional information that I can provide the
16 board, I would be more than glad to.

17 **MR. EINGORN:** Thank you. The board is
18 satisfied and we will accept Mr. Avila as a
19 professional engineer.

20 BY MR. WILSON:

21 Q. You heard the board's engineer's comments,
22 didn't you?

23 **A. I did.**

24 Q. And you reviewed the plan as well as the
25 letter of September 1st?

1 **A. Yes.**

2 **Q.** Would you tell the board what changes
3 you've made to the plan to accommodate the use
4 variance?

5 **A.** So with regards to the use variance one of
6 the things that we want to do is site suitability
7 and that the site is suitable for it. So those are
8 one of the initial tests that we looked at.

9 As indicated in Mr. Vidal's testimony, this
10 building has existed and has been used as both
11 retail at the bottom, as well as residential above.
12 So the site suitability is this has functioned as
13 this in the past and this is actually what we're
14 proposing, a continuation of the previous use.

15 So the site suitability is that it's
16 suitable and that it provides sufficient space which
17 is one of the municipal land use law positive
18 criteria.

19 In addition to that, the site provides
20 sufficient parking, more than ample parking. As has
21 been indicated, it has in excess of parking more
22 than what is needed. So site suitability is it is
23 located, it's the right site, it provides the right
24 ability, it is a corner lot and has the ability to
25 move vehicles in and out either at Concord or 27th.

1 So we believe that traffic circulation is
2 appropriate and the site is suitable.

3 One of the other things I looked at is the
4 municipal land use law what they call a positive
5 criteria. One is that it provides a public good.
6 One of the things that has been requested is I think
7 through this, this particular application we feel
8 that some of the changes that are being done are for
9 the public, especially at the intersection where
10 we're going to provide ADA accessible and that's a
11 public good and I think that providing accessibility
12 throughout the town, throughout the city provides a
13 public good.

14 One of the other positive criteria of the
15 municipal land use law said is it can provide an
16 aesthetically pleasing environment and we believe it
17 does.

18 As you have seen, and if Mr. Vidal can put
19 up, if he can screen share and put up the site plan,
20 one of the things that I think happens is that this
21 site is getting a facelift of sorts and I think it's
22 going to be enhanced and I think that beauty and
23 aesthetics play an important role in making that
24 corner a more attractive corner. So that is a
25 positive to the site.

1 Mr. Vidal, is it possible for you to pull
2 that up?

3 MR. VIDAL: I think I may.

4 A. There you go. So he has shown elevations
5 of the building and what it's going to look like
6 from the front and he is going to enhance the look
7 of it and we believe that's one of the positive
8 criteria that advance the municipal land use law.

9 So you are going to have a nicer looking
10 building. In addition to that, if you go to your
11 other screen we're providing landscaping which one
12 of the comments that was made in the review letter
13 by R&V, what we had was pavement that went basically
14 to the sidewalk area. What we have done is we have
15 provided additional landscaping along Concord
16 Street, along the back of the property and along the
17 front along 27th. So what we're doing is we're
18 providing some greenery, we're providing some
19 shrubbery, combined with the enhancement of the
20 building, we provide that this advances the
21 municipal land use law as a positive criteria and is
22 aesthetically pleasing. It also provides sufficient
23 space in the right spaces. We want -- we don't want
24 to just put up a use and not be able to provide in
25 this case parking, and what we have shown is we

1 provide parking that are 9 X 18, we provided a 24
2 foot wide drive aisle that is actually a one way
3 drive aisle and we have also provided another drive
4 aisle at the bottom that is also 24 feet in width,
5 parking stalls with handicap accessibility.

6 So we've provided this to meet the needs of
7 the tenants, as well as the retail tenant. So we
8 believe these are the reasons by which the municipal
9 land use law is advanced. We believe obviously that
10 these are an enhancement and improvements.

11 In addition to that, you are going to have
12 the overall improvement of the property and to
13 enhance that corner. So we believe that it
14 beautifies obviously that particular corner.

15 So public good, aesthetics, meeting the
16 needs of New Jersey residents, public, commercial,
17 residential and obviously has sufficient space and
18 we believe that it does.

19 So we believe that those are the positive
20 criteria. When you have the second side of that
21 coin and you are trying to provide the negative
22 criteria, you have to consider if there is any
23 adverse impact that it would be, that would be
24 caused or harm to the neighborhood because the use
25 is being permitted.

1 Once again, I take the board back to the
2 initial concept by Mr. Vidal and what this site was
3 since the 1950's. Retail at the bottom, commercial
4 at the top. So this is how the neighborhood is even
5 now so, because one of the things that we look at is
6 the character of the neighborhood, will somehow this
7 particular use be so different than what's in the
8 neighborhood and our answer to that is it isn't.

9 So as I turn to page three of 10 of the
10 review letter that was issued, it talked about the
11 applicant should address the impact of the
12 application on the following. This I'm sure would
13 suffice the negative criteria.

14 Compatibility of the proposed use with the
15 surrounding uses, what are we proposing? Retail on
16 the bottom, residential on top. We have looked
17 around and we know that we have seen Luis' record
18 store is in the vicinity. There is an auto and tire
19 store in the vicinity. There is also a professional
20 office in the vicinity. There is also food market
21 in the vicinity. So it all seems like everything on
22 that first floor will be a retail and this is
23 consistent with the neighborhood. There is also a
24 church that is nearby.

25 So we don't believe that it's going to

1 detract or make the neighborhood something different
2 or it's going to basically destroy the neighborhood
3 or the enjoyment of the other residents or property
4 owners of the neighborhood.

5 The other is mitigating factors for the use
6 variance. When you have something like this you
7 say, well, how do I mitigate, how do I lessen the
8 impact? There is really not much impact to lessen
9 because the uses around it are similar to this. But
10 one of the ways that we have done is that we have
11 pulled back some of the pavement around the
12 perimeter, especially on Concord and around the
13 rear, and we are providing green space, we are
14 providing shrubs and bushes such that when cars are
15 being parked in those areas they provide some kind
16 of screen to be able to mitigate maybe headlights or
17 things of that nature when somebody is parking in
18 those areas.

19 The other is from our letter, is number
20 two, 2A, the use will not injure or detract from the
21 use of the neighboring property. Once again, I
22 believe that I have already stated the fact that the
23 surrounding community is like this. It is of a
24 mixed use combination. So we believe that what
25 we're proposing fits in with what's there. Its

1 history even dictates the same.

2 One of the things that we have said that it
3 doesn't detract from the neighborhood is because I
4 have testified that we believe that we're enhancing
5 not only the look of the building, but the look of
6 the site. So we don't believe it's going to
7 detract. There is nothing going to be manufactured
8 here, burned here, or anything that is going to be
9 used of loud noises such as you would have in an
10 industrial warehouse facility. So we don't believe
11 it's going to detract from the neighborhood. We
12 believe it will enhance the neighborhood.

13 Also we believe that the overall
14 enhancements are not going to detract from the
15 neighborhood and not going to detract from the
16 character of the neighborhood which is comment 2B.

17 Comment 2C of the letter says that the use
18 of the property adjacent to the area included in
19 this plan is adequately safeguarded. Once again,
20 the neighboring properties are safeguarded because
21 we pulled away such that parking is really not that
22 close to the neighboring properties. It's not that
23 close to the sidewalk. We also are putting a fence
24 around it to safeguard the site itself. We're
25 providing parking bumpers so that no vehicles are

1 going to be extended into the sidewalk. So we
2 believe that pedestrian movement up and down Concord
3 more so than along 27th is going to be maintained.

4 The property is suitable for the intended
5 use. That's 2D. We definitely believe the property
6 is suitable. One, because of its size. Two,
7 because of its parking ability to be able to provide
8 sufficient parking above and beyond. So we believe
9 that the property is suitable.

10 The other thing is will the use serve the
11 best interest of the city? I believe so. I believe
12 that having a building that can be, as Mr. Wilson
13 indicated, redeveloped, rehabbed and improved upon
14 serves the interest of the city to have something
15 that is reliable, productive and operating is a lot
16 better than having something that's just sitting
17 there unoccupied which tends to blight and things of
18 that nature. So, yes, avoiding blight, innocuancy
19 and the ability for just people to vandalize the
20 place does serve the best interest of the city.

21 Going on to 2F which is now on page four of
22 10, it will not adversely affect public sewers and
23 facilities such as water, sewer, police and fire
24 protection. The building already exists. These
25 services already have been in use and will continue

1 to be in use. We're not adding anything extra to
2 the infrastructure or water flow or sewer flow. The
3 police and fire already have dealt with and have
4 probably gone to and visited the site because of
5 prior uses. So this is nothing that is going to be
6 a burden to the city I believe by allowing the use
7 that previously existed continuing to exist.

8 The use will not adversely affect the
9 drainage facilities. One of the things that was
10 noted by your board engineer is the fact that we
11 have 18 parking spaces. What I would like to enter
12 into record by way of testimony is the existing
13 impervious coverage is 11,643 square feet, which is
14 a total of an existing impervious coverage of 81.6
15 which exceeds the 60 percent that is allowed. By us
16 taking some of the asphalt on the site, especially
17 along Concord and along the rear of the property, we
18 have been able to create a net reduction of 1,569
19 square feet, such that the total impervious coverage
20 has been now reduced to 10,074 square feet and
21 whereby we have reduced our lot coverage from 81.6
22 to 70.58 and we're not creating a variance. We are
23 actually coming closer to conformity to what the
24 standards are. So --

25 MS. JOHNSON: What was that? I'm

1 sorry, what was that impervious coverage you stated
2 instead of 86 percent what is it now?

3 **MR. AVILA:** 81.6 is the actual
4 existing impervious coverage. That's 11,643 square
5 feet.

6 **MS. JOHNSON:** That's your proposed
7 right now?

8 **MR. AVILA:** That's existing.

9 **MS. JOHNSON:** Okay, so you need a
10 variance. So I want to make sure I get this number
11 correct, correctly on here. So the impervious
12 coverage what is required is 60 percent. What are
13 you proposing?

14 **MR. AVILA:** We're proposing 10,074
15 which is a total of 70.58 and the fact that we did
16 need a variance because we exceeded I don't disagree
17 with you. What I'm saying is before it was 81.6 I
18 have actually reduced it by almost 20 percent from
19 81.6 to 70.58 thereby coming closer to conformity.

20 **MS. JOHNSON:** So 70.58 percent?

21 **MR. AVILA:** Correct, that's the
22 proposed.

23 Having said that, going back to the letter
24 the use will not adversely affect the safe flow of
25 highway traffic and adequate roadway access. Once

1 again, we believe that it does and we believe that
2 we provided driveway widths that are conforming
3 where prior they weren't. We have the ability to
4 then traverse the site. Concord Avenue is a one-way
5 street and it's one way traveling from east to west
6 such that people can get to the intersection of
7 North 27th and then make a right. So it is a wide
8 street and we don't believe that this particular use
9 will provide congestion or an inordinate amount of
10 traffic such that the roadways will experience undue
11 congestion and hazards.

12 So those are the negative things that we
13 believe we have addressed and, therefore, we believe
14 that having provided a reason why we don't believe
15 that this negatively impacts, significantly
16 negatively impacts the use we believe that then it
17 doesn't really detract from the property, doesn't
18 detract from the neighboring property.

19 We believe that the retail at the bottom is
20 consistent with other uses. The residential
21 obviously is something that is in keeping with
22 providing residential uses, and so we believe that
23 this does not detract from the master plan or your
24 zone ordinances. So that would be my testimony with
25 regards to the use variance.

1 **MR. WILSON:** In the same letter, B2
2 asks about the installation of electric charging
3 facilities.

4 **MS. JOHNSON:** Right, we're not on the
5 site plan portion yet. Right now we're dealing with
6 the use variance.

7 So did we want to go ahead and get a vote
8 on the use variance portion or do you want me to
9 continue with the site plan?

10 **MR. HANCE:** Let's go with the use
11 variance and vote.

12 **MR. EINGORN:** Let's discuss it with
13 the board and Chairman Hance here.

14 The applicant has an application before the
15 board. It's two parts. Essentially the use
16 variance and then site plan. The applicant is
17 suggesting that you would ask for a vote and
18 discussion on the use variance application so that
19 if the use variance is not granted they wouldn't
20 have to go forward with the site plan portion.

21 Directing to the board, is that something
22 you would like to consider or would it like to hear
23 the site plan portion and consider it as a single
24 application?

25 Chairman Hance, I see your mouth moving but

1 you are muted.

2 **MS. JOHNSON:** Now I think you are
3 frozen.

4 **MR. COOPER:** Can we move on?

5 **MS. JOHNSON:** Do you want to just go
6 right into that site plan portion?

7 **MR. HANCE:** Yes.

8 **MS. JOHNSON:** Okay. So I will
9 proceed.

10 **MR. EINGORN:** Just so there is no,
11 before you do that so there is no confusion, the
12 applicant showed an old photograph. Can you just
13 confirm that the property in question, that's not in
14 that photograph, right? It is the property to the
15 right on the corner?

16 **MR. WILSON:** That's correct. I
17 believe that is what the testimony was. It is the
18 corner property.

19 **MR. EINGORN:** Very good.

20 **MS. JOHNSON:** I will proceed on page
21 four with performance standards. A road opening
22 permit from the Camden County Highway Department
23 would be required for road opening on North 27th
24 Street. Do you know that?

25 **MR. WILSON:** Yes.

1 **MS. JOHNSON:** If a street opening is
2 necessary for Concord Avenue, this application would
3 be subject to the street opening permit ordinance of
4 the city and the city engineer should be contacted
5 concerning the application and fees involved.

6 **MR. AVILA:** Yes.

7 **MS. JOHNSON:** Per section 870-231 (b)
8 (a) minimum standard aisle widths for one-way drive
9 aisles is 24 feet. The applicant has a proposed
10 drive aisle of 18 feet. Plans should be revised or
11 a variance requested. Did you revise those plans to
12 show 24 feet?

13 **MR. AVILA:** Yes.

14 **MS. JOHNSON:** So then a variance would
15 not be necessary, correct?

16 **MR. AVILA:** Correct.

17 **MS. JOHNSON:** I just need to adjust
18 what is in the back of the letter regarding
19 variances, which I did not have noted because I
20 would have wanted you to change that.

21 Testimony should be provided on the
22 installation of electric charging facilities.

23 **MR. AVILA:** We feel that given the
24 limited parking that already exists and that it's
25 not for public use that we don't believe that that

1 requirement is applicable. We ask that it not be
2 required of the applicant.

3 **MS. JOHNSON:** Mr. Eingorn, is that
4 correct regarding the applicability of EV parking
5 spaces.

6 **MR. EINGORN:** I haven't done the
7 research on that to answer that question. However,
8 the applicant can seek a waiver and the board can
9 consider that.

10 **MS. JOHNSON:** I don't think EV parking
11 is a waiver. I don't think you can do a waiver. I
12 mean it's a state requirement from what I
13 understand. So it's whether or not you meet the
14 applicability of whether it's required for your
15 site. It is my understanding whenever you are
16 providing parking and you have a -- I mean you have
17 a public building that the EV parking is required
18 so --

19 **MR. WILSON:** I disagree.

20 **MS. JOHNSON:** I'm not an attorney to
21 argue with you.

22 **MR. WILSON:** I'm reading from New
23 Jersey Department of Environmental Protection EVSE
24 requirements for new multi-unit dwellings. That's
25 what it applies to. That applies to five or more

1 units or new parking lots or garages. This is not a
2 public development. It's not a development of five
3 or more units.

4 **MS. JOHNSON:** But the retail site is
5 public.

6 **MR. WILSON:** But the parking is
7 limited to the activity on site. It's not, but it's
8 not open to the public. You can't park here and go
9 anyplace else.

10 **MS. JOHNSON:** That's not my, that's
11 not my understanding of the law and, as I mentioned,
12 I'm the engineer. So I'm not the attorney to
13 dispute what you are saying. So I understand it is
14 a retail facility that would be open to the public
15 which would consider it a public parking lot for
16 your facility. I understand the residential
17 portion, but it's a mixed use. The mixed use is
18 commercial on the first floor.

19 **MR. WILSON:** That's correct.

20 **MS. JOHNSON:** But I'll have the
21 attorney, maybe that's something that can be
22 determined at a later time.

23 **MR. WILSON:** Mr. Eingorn I will submit
24 this to you. I will scan it and e-mail it to you
25 tomorrow.

1 **MS. JOHNSON:** And you said that's
2 something from DEP.

3 **MR. WILSON:** Yes.

4 **MS. JOHNSON:** I thought this
5 regulation came from DCA.

6 **MR. WILSON:** This is a mandatory model
7 statewide electric vehicle ordinance effective
8 September 1, 2021.

9 **MS. JOHNSON:** Okay.

10 **MR. WILSON:** Public law. This
11 ordinance is published by the Department of
12 Community Affairs and written with the support of
13 Department of Environmental Protection and Board of
14 Public Utilities to comply with public law 2021 (c)
15 171 which was signed by Governor Murphy July 9,
16 2021.

17 **MS. JOHNSON:** Okay. Mr. Eingorn, you
18 will determine whether or not the EV parking is
19 applicable --

20 **MR. EINGORN:** Yes.

21 **MS. JOHNSON:** -- for this? Okay.

22 **MR. EINGORN:** So just a quick search
23 on-line, the DCA does have a proposed ordinance. I
24 don't know if our municipality has adopted that
25 ordinance. I would have to look at that.

1 **MS. JOHNSON:** I can tell you that the
2 EV parking is required. It was something that was,
3 we have been requiring it for the planning board for
4 site plans for well over a year now.

5 **MR. EINGORN:** I will have to look into
6 it further.

7 **MS. JOHNSON:** Okay. And we'll just
8 have noted that we will note, we'll have it I guess
9 generally in here, we'll state that it will be
10 reviewed and as applicable whether or not it
11 actually applies to this site and if so we would say
12 that you would need to provide an electric charging
13 facility if it is applicable.

14 Testimony should be provided to clarify if
15 any reserved parking spaces will be for residents
16 only or if parking signs will be provided that
17 indicate no parking for commercial use. So you are
18 now stating that you are providing it for residents
19 only, a portion that's going to also be signed,
20 there will be signage or is it just marking.

21 **MR. AVILA:** Either signs or painted,
22 correct.

23 **MR. VIDAL:** It is a marking on the
24 surface.

25 **MS. JOHNSON:** In addition to signage,

1 right?

2 **MR. AVILA:** Either painted or signs.
3 If we can just do signs to eliminate the painting
4 we'll just do the signage. Nobody sees it when it's
5 snowing.

6 **MS. JOHNSON:** Right.

7 **MR. AVILA:** If it snows anymore.

8 **MS. JOHNSON:** The applicant should
9 provide testimony regarding loading at the site.

10 **MR. AVILA:** Really a lot of it has to
11 do with small deliveries as I talked to the
12 applicant. So we don't have a dedicated loading
13 zone. It's very small in nature. We are also going
14 to have U.P.S. that kind of delivery, so nothing
15 really specific.

16 **MS. JOHNSON:** Per section 870-241C
17 sidewalks shall be at least five feet wide. Plans
18 should be revised to dimension the sidewalks to
19 conform with compliance.

20 **MR. AVILA:** Yes.

21 **MS. JOHNSON:** The applicant should
22 provide new sidewalks and curbing along the
23 property's frontage on North 27th Street and Concord
24 Avenue unless otherwise directed by the city
25 engineer. Proposed ADA ramps at the intersection of

1 North 27th Street and Concord Avenue should be
2 provided and designed accordingly.

3 **MR. AVILA:** Yes.

4 **MS. JOHNSON:** Roof drain pipes should
5 be shown on the plans with an invert elevation
6 indicated for any clean-outs.

7 **MR. AVILA:** I defer to the architect,
8 but we have nothing shown on our plans as it would
9 just sheet off the roof.

10 Vidal, can you address that?

11 **MR. VIDAL:** Yes. Right now the way
12 the building is I believe the roof, the drain goes
13 to the combined sewer right now.

14 **MS. JOHNSON:** It sheet flows to the
15 combined, I mean for the addition. Is there
16 anything proposed for the addition?

17 **MR. VIDAL:** Not for -- well, for the
18 addition it can be sheet flow, yes.

19 **MS. JOHNSON:** It is just still going
20 to be sheet flow so no roof drain pipes?

21 **MR. VIDAL:** No.

22 **MS. JOHNSON:** It is going to come down
23 the gutter, nothing is going to be on the side or
24 anything to actually sheet flow where everything is
25 the same.

1 **MR. VIDAL:** Yes, it's basically the
2 same because the addition is only like 200 square
3 feet added to the existing, to the existing roof.

4 **MS. JOHNSON:** So no changes?

5 **MR. VIDAL:** No changes.

6 **MS. JOHNSON:** Okay. The applicant
7 should be aware that the post development peak
8 runoff cannot -- well, first of all, this is not a
9 major development for storm water management
10 purposes, which is defined as the disturbance of one
11 or more acres or the creation of .25 acre or more of
12 regulated motor vehicle surface.

13 The applicant should be aware that the
14 post-development peak runoff cannot exceed the
15 pre-development peak runoff for the 25 year storm
16 for the site. Conforming calculations should be
17 provided for review which indicate good conditions
18 for green areas under pre-development conditions and
19 fair conditions for green areas under
20 post-development conditions.

21 **MR. AVILA:** As we've indicated we have
22 less than before. So by that calculation peak
23 development flows are already less.

24 **MS. JOHNSON:** But you will provide
25 that calculation?

1 **MR. AVILA:** We'll provide those
2 calculations, but our testimony is that we have
3 eliminated nearly 20 percent of the impervious
4 coverage and, therefore, by that mere fact we
5 believe that we have reduced the peak runoff rate.

6 **MS. JOHNSON:** I will need the
7 calculation though.

8 **MR. AVILA:** It's a very small site and
9 it's de minimus. Yes, we will provide calculations.

10 **MS. JOHNSON:** Because it cannot
11 exceed, even if it is de minimus, it can't exceed
12 through the agreement with DEP and the Camden County
13 Municipal Utilities Authority, no site can exceed
14 the peak runoff from post-development to pre. They
15 can't exceed the pre-development and you are
16 changing, you are adjusting your, you are adjusting
17 the calculation for good condition for green and
18 fair under post-development. So your numbers will
19 be adjusted a little bit, but I will see that in the
20 calculation.

21 **MR. AVILA:** Yes.

22 **MS. JOHNSON:** A storm water fee is to
23 be calculated for the site as outlined in Appendix
24 18 of the city ordinance. The calculation will be
25 reviewed by our office. The fee must be paid by the

1 applicant prior to final signature of the plan.

2 **MR. AVILA:** Yes.

3 **MS. JOHNSON:** You acknowledge that.

4 And do you, do you have a former, I notice
5 what's on-line does not include Appendix 18. So if
6 you have a former copy of the ordinance you will see
7 that Appendix 18 calculation.

8 **MR. AVILA:** Yes, okay.

9 **MS. JOHNSON:** The horizontal datum and
10 vertical datum should be stated on the plans. If
11 the vertical datum references 1988 NAVD, a
12 conversion factor to 1929 MGVD should be provided.

13 **MR. AVILA:** We will provide.

14 **MS. JOHNSON:** Spot grade should be
15 shown at the building corners and building access
16 points. The finish floor elevation of the building
17 addition should be shown.

18 **MR. AVILA:** Yes.

19 **MS. JOHNSON:** The applicant should
20 confirm that the building addition does not have a
21 basement or a crawl space. So it seems as though
22 there is a crawl space for the building addition?

23 **MR. AVILA:** No.

24 **MR. VIDAL:** There is a current space
25 right now, but it's almost the basement. Basically

1 this addition, we need to create a cutout.
2 Basically we are going to eliminate the back space.
3 The crawl space will be eliminated and then
4 consolidated with the existing basement.

5 **MS. JOHNSON:** So the proposed building
6 addition will have a basement?

7 **MR. VIDAL:** Yes.

8 **MS. JOHNSON:** Okay. So then we would
9 definitely need to see the finish floor elevation of
10 that, of the building addition.

11 **MR. AVILA:** If I can just interject.
12 The existing building, they are building on top of
13 the first floor that portion of it. So it's not
14 like, if you look at the plans, the addition, you
15 might tend to believe that it's actually going up.
16 What we're saying is there is already a first floor
17 at the back end. It doesn't go all the way to the
18 second floor. He is just building on top of the
19 first floor. So when you see a 252 square foot
20 addition, you are taking a rancher and saying I'm
21 going to build a second floor, it's just the same
22 footprint, that's exactly what he is doing.

23 **MS. JOHNSON:** Okay.

24 **MR. AVILA:** So just for clarification.

25 **MS. JOHNSON:** That wasn't clear then

1 at all.

2 **MR. AVILA:** That's why I figured I
3 would interject.

4 **MS. JOHNSON:** If I'm asking for the
5 finish floor of the building addition, then it was
6 not clear.

7 **MR. AVILA:** So, yes, the finish floor
8 of the building is what it is now. There is nothing
9 going to change.

10 **MS. JOHNSON:** So then I guess we can
11 just make sure that it's noted there what the
12 existing finish floor is.

13 Spot grade should be provided at the ADA
14 parking spaces to show compliant slopes and cross
15 slopes.

16 **MR. AVILA:** Yes.

17 **MS. JOHNSON:** Additional spot grade
18 should be shown along the depressed curb locations
19 and proposed curb sidewalk and pavement locations.

20 **MR. AVILA:** Yes.

21 **MS. JOHNSON:** All proposed utilities
22 and related appurtenances on the site shall be
23 located underground or in the building where
24 overhead electric or telephone distribution supply
25 lines and service connections have been installed.

1 From those overhead lines, the connection from the
2 utility overhead lines must be installed
3 underground. The use variance plan should note this
4 specifically.

5 **MR. AVILA:** That's fine.

6 **MS. JOHNSON:** All developers and
7 applicants should know that due to a city ordinance
8 a capacity fee may be applicable to the proposed
9 development. The applicant shall contact the city
10 engineer for all costs related to the same. Do you
11 acknowledge that may be applicable?

12 **MR. AVILA:** Yes.

13 **MS. JOHNSON:** All right, the project
14 must be approved by both the city engineer and the
15 city fire chief with written verification provided
16 to our office prior to final signatures on the plan.
17 Do you acknowledge that?

18 **MR. AVILA:** Yes.

19 **MS. JOHNSON:** A CCTV inspection of the
20 sewer combined sanitary and storm system must be
21 performed and reviewed by the city engineer prior to
22 construction. The applicant will be responsible for
23 any improvements to the existing infrastructure
24 required for the connection of the proposed project.

25 **MR. AVILA:** Yes.

1 **MS. JOHNSON:** Do you acknowledge that
2 also?

3 **MR. AVILA:** Yes.

4 **MS. JOHNSON:** The chain link fence
5 detail should be revised to state a minimum
6 compressive strength of 4,000 psi.

7 **MR. AVILA:** Yes.

8 **MS. JOHNSON:** The applicant should
9 indicate if the details shown on the plans are for
10 on site. The City of Camden detail should be
11 provided for sidewalk, curb and pavement
12 restoration. The Camden County detail should be
13 provided for sidewalk, curb and pavement
14 restoration. The minimum compressive strength of
15 4,500 psi should be stated for the sidewalk and curb
16 details.

17 **MR. AVILA:** Acknowledged.

18 **MS. JOHNSON:** The plan should note
19 that all site work construction and details must
20 conform to the standards of the City of Camden.

21 **MR. AVILA:** Yes.

22 **MS. JOHNSON:** It appears that no
23 landscaping is proposed. A landscape plan shall be
24 provided in compliance with section 870-244. You
25 are now showing landscaping so I'm assuming you

1 would not need a waiver of that requirement,
2 correct?

3 **MR. AVILA:** Correct.

4 **MS. JOHNSON:** So should this project
5 be approved and you submit for resolution compliance
6 plans, you will provide all the appropriate
7 information regarding the landscaping, including
8 landscaping notes, the size of materials and
9 landscaping planting, your planting list, all of
10 that.

11 **MR. AVILA:** Yes.

12 **MS. JOHNSON:** Per section 870-244 (f)
13 (c) parking lots exposed to view shall have a
14 minimum planted buffer of four feet in width on all
15 perimeter areas abutting lot lines or street
16 rights-of-way. This buffer shall include a
17 continuous visual screen which is five feet in
18 height at the time of planting and is 50 percent
19 evergreen plant material. Landscaping shall be
20 provided or a waiver requested.

21 **MR. AVILA:** We --

22 **MS. JOHNSON:** Are you providing that
23 specifically or do you need a waiver of that?

24 **MR. AVILA:** We would like to ask for a
25 waiver of that.

1 **MS. JOHNSON:** Of strict compliance or
2 what?

3 **MR. AVILA:** Strict compliance. We
4 prefer to put shrubbery, low-laying shrubbery to act
5 more of as a screen for lights. So we're asking for
6 a waiver from strict compliance. We provided plans
7 for your review and approval of what we are
8 proposing.

9 **MS. JOHNSON:** I would not take
10 exception to that. That's fine.

11 All right, lighting, the applicant has not
12 proposed any lighting. Plans should be made to
13 comply with section 870-243.D2.

14 **MR. AVILA:** Correct, yes. Also there
15 are some lights there I believe on the property that
16 we would like to reuse and maybe we can work with
17 your office Friday night light function test if
18 that's applicable and see where we need it as
19 opposed to just broadcasting lights.

20 **MS. JOHNSON:** Okay. So then you will
21 provide the existing lighting information and you
22 will do that test so we know exactly?

23 **MR. AVILA:** Correct.

24 **MS. JOHNSON:** Because the section,
25 that section has specific information regarding your

1 minimum light, your maximum and average.

2 **MR. AVILA:** Okay.

3 **MS. JOHNSON:** So you would be able to
4 meet that unless you came back and asked for a
5 variance because lighting is actually a variance.

6 **MR. AVILA:** We want to light the
7 parking lot.

8 **MS. JOHNSON:** So you would meet what
9 that, those requirements are?

10 **MR. AVILA:** Yes.

11 **MS. JOHNSON:** All right, I know
12 typically from regular site plans that most
13 applicants need a variance from this because they
14 are not able, either they are exceeding the minimum
15 or they are exceeding the maximum at certain points.

16 **MR. AVILA:** We ask for the variance
17 from meeting the strict requirements of it.

18 **MS. JOHNSON:** And that I guess maximum
19 for safety reasons or we just can't have you
20 lighting up everything. Since you have the roadways
21 you are probably better in your situation with
22 having excess light on the neighboring properties,
23 but I do know that if you need the variance to avoid
24 you coming back.

25 **MR. AVILA:** So we would ask for the

1 variance then at this point.

2 **MS. JOHNSON:** Okay.

3 **MR. AVILA:** We would ask for the
4 lighting variance whether we -- whether we exceed it
5 or are below the minimum.

6 **MS. JOHNSON:** Or above the minimum.

7 **MR. AVILA:** Above the minimum.

8 **MS. JOHNSON:** I wouldn't let you be
9 below. So above. I'm sorry, I'm just adding that
10 to the variance portion in the back.

11 **MR. EINGORN:** Is that D2.

12 **MS. JOHNSON:** Yes, 243 D2 lighting
13 levels, it's just understanding the way that things
14 are lit now they always need a variance. It's
15 typical. It's common.

16 Per section 870-243.H all outdoor lighting
17 not essential for safety and security purposes shall
18 be activated by automatic control devices and turned
19 off during non-operating hours. The plan should
20 note this.

21 **MR. AVILA:** Okay.

22 **MS. JOHNSON:** You will add that note?

23 **MR. AVILA:** Yes.

24 **MS. JOHNSON:** It is the applicant's
25 responsibility to contact PSE&G concerning

1 modifications required to make proposed or installed
2 lighting fixtures within the city's right-of-way
3 tamper resistant. So I'm not sure if you are
4 putting in any lighting in the city's right-of-way.

5 **MR. AVILA:** No, we're not.

6 **MS. JOHNSON:** No dedication would be
7 accepted by the city without required modification,
8 but I will just none proposed.

9 **MR. AVILA:** Correct. We have that
10 buffer strip now so if anything would go it would be
11 within the buffer strip.

12 **MS. JOHNSON:** The applicant is to
13 provide testimony regarding any and all
14 environmental concerns, studies or remediation
15 pertaining to the site.

16 **MR. AVILA:** Mr. Japa.

17 **MR. JAPA:** I'm sorry, can you clarify
18 a little bit more on the question? Can you repeat
19 the question?

20 **MS. JOHNSON:** The applicant is to
21 provide testimony regarding any and all
22 environmental concerns, studies and remediation
23 pertaining to the site.

24 **MR. JAPA:** No, we do not have any
25 knowledge that there was any problem in that area or

1 in that particular property.

2 **MS. JOHNSON:** No studies or
3 remediation were done?

4 **MR. JAPA:** Not that I know, but I
5 don't think the use was, you know, light retail or a
6 church. It's nothing that we know there was any
7 problem in there.

8 **MS. JOHNSON:** Okay.

9 **MR. JAPA:** We have been doing business
10 in the area. We haven't had any problem.

11 **MS. JOHNSON:** The applicant is to
12 provide a traffic impact statement explaining the
13 anticipated traffic changes from the current site
14 traffic to the anticipated site traffic for the
15 proposed improvements.

16 **MR. AVILA:** Given that we went from 25
17 parking spaces to 18 parking spaces in a somewhat
18 residential in nature we are asking for a submission
19 waiver from this given the low volume that we're
20 anticipating.

21 **MS. JOHNSON:** Right. What I'm asking
22 for is just a traffic impact statement so if you can
23 provide a statement. There is no, there isn't a
24 waiver that would be granted for this. We ask, it
25 was something that we decided probably five to 10

1 years ago that any time someone comes in with
2 something other than I believe three residential
3 houses we need to have some type of traffic impact
4 statement because you are proposing residential on
5 top of that and the bottom you have commercial and
6 so we want on file exactly a statement regarding the
7 traffic what you are anticipating with regard to the
8 general rules.

9 **MR. AVILA:** Okay. We will go to the
10 traffic engineer and he can provide that letter.

11 **MS. JOHNSON:** Just a statement, no
12 traffic count, nothing like that, just a statement
13 explaining what you are expecting under proposed
14 conditions as compared to existing.

15 **MR. AVILA:** Sure.

16 **MS. JOHNSON:** Per section 870-255 (a)
17 (1) all non-residential development shall provide
18 for the collection, storage and disposition of solid
19 waste and recyclables. No trash enclosure was
20 proposed with this application and testimony should
21 be provided.

22 **MR. AVILA:** We have provided the
23 behind the proposed addition what we called a 5 X 5
24 concrete pad for a waste collection.

25 **MS. JOHNSON:** Was that on the plans

1 that we reviewed?

2 **MR. AVILA:** Was it on the original?
3 It was on the new set of plans that we had proposed.
4 In speaking with the applicant we would like to put
5 it in the grass area by the entrance along Concord.

6 **MS. JOHNSON:** Typically is that the
7 front yard?

8 **MR. AVILA:** That would be the front
9 yard, correct. It would allow for trash, the
10 vehicles to come in and pick up curbside on Concord
11 Avenue which is a one-way street.

12 **MS. JOHNSON:** Now that you are
13 proposing something because there may be additional
14 variances required because it's my understanding
15 that you can't have the trash enclosures in the
16 front yard. This is why we typically like for you
17 to have it on the plan so that at this meeting I
18 don't have to try and remember what the requirements
19 are. So if you can please review the requirements
20 and then propose something so that a variance
21 wouldn't be necessary.

22 **MR. AVILA:** We'll comply. I just
23 spoke with the applicant. We will comply with the
24 location.

25 **MS. JOHNSON:** So is it going to be an

1 actual --

2 **MR. AVILA:** What we are proposing is
3 going to be a concrete pad where the cans will be
4 stored. We can put shrubbery around it to kind of
5 hide it from Concord Avenue from view because that's
6 the only view you will have. It will be taken to
7 the corner for pickup.

8 **MS. JOHNSON:** So it's something, so
9 someone will physically take the cans out --

10 **MR. AVILA:** Yes.

11 **MS. JOHNSON:** -- for pick up. That
12 would be by the regular pick up on Concord Avenue?

13 **MR. AVILA:** Correct.

14 **MS. JOHNSON:** I'm sorry, location on
15 revised plans.

16 No signage has been proposed as part of
17 this application. Testimony should be provided.

18 **MR. AVILA:** I defer to the architect
19 and to the signage that is going to be placed on the
20 banner or the awning or anything like that, but
21 we're not proposing any signage.

22 **MR. VIDAL:** No, we haven't decided on
23 the signage because we don't have a tenant yet
24 exactly what it is going to be. So it's going to be
25 provided. It's going to be supplied according to

1 the city standards.

2 **MS. JOHNSON:** So that would be under
3 separate zoning application and I'm just noting that
4 signage is not a part of this application.

5 **MR. VIDAL:** It's not a part of this
6 application, that's correct.

7 **MS. JOHNSON:** All right, the applicant
8 should propose to consolidate the lots and obtain
9 the correct tax map plates and block and lot numbers
10 from the tax assessor. Written verification must be
11 received by our office prior to final review and
12 signature of the deeds and/or plat. So will you be
13 proposing a consolidation?

14 **MR. AVILA:** Consolidation by deed.

15 **MS. JOHNSON:** Okay, by deed.

16 Then for number two you should note that
17 the plan, there is a plan that is required even if
18 you are consolidating by deed. So the plan should
19 note that the applicant, or these plans should note
20 that the applicant will comply with the city's
21 ordinance establishing standards for the submission
22 of maps and other documents in a digital format.

23 So because you have a consolidation we
24 request that you put that, you have the
25 consolidation on a plan that you place on a flash

1 drive and you submit two flash drives to our office
2 to comply with this statement. So the applicant
3 should be aware that final signatures of approval
4 and building permits will not be issued until the
5 required information is received.

6 **MR. AVILA:** Flash drives you said to
7 your office?

8 **MS. JOHNSON:** Right. Two of them.
9 Now, that -- the plan needs to be a NAD 1983.

10 **MR. AVILA:** Got it.

11 **MS. JOHNSON:** Thank you. So we will
12 have that reviewed. We will check it and make sure
13 everything is okay. We keep one of the flash drives
14 for our files and the other is submitted to the tax
15 assessor for the city's files.

16 **MR. AVILA:** Will the tax assessor then
17 issue us a new lot and block number as well as an
18 address?

19 **MS. JOHNSON:** That would be a separate
20 discussion or e-mail. Normally I get an e-mail
21 response. So that would be a separate discussion
22 with the tax assessor to find out exactly what that
23 tax map, what that block and lot number would be
24 with the consolidation.

25 **MR. AVILA:** Okay.

1 **MS. JOHNSON:** Then once you get that
2 from the tax assessor if you can please forward it
3 to me for my files.

4 **MR. AVILA:** Yes.

5 **MS. JOHNSON:** But that takes place
6 before the submission of the flash drives because
7 you would want to know what that number is as soon
8 as possible.

9 **MR. AVILA:** Okay.

10 **MS. JOHNSON:** Per section 870-197 (f)
11 a fence not more than four feet tall is permitted
12 along the side lot line from the front building line
13 to the front lot line and along the front lot line.
14 The applicant has proposed a six foot fence along
15 the side and front yard. Plans should be revised or
16 a variance requested.

17 **MR. AVILA:** We're asking for a
18 variance. There is actually an existing six foot
19 high fence now that is going to be removed and
20 replaced in kind. I think it provides a certain
21 level of additional safety.

22 **MS. JOHNSON:** That's fine. We
23 wouldn't take any exception to that. So you are
24 requesting a variance. And then the use variance
25 plan should be revised to reflect the zoning as

1 indicated in the Cramer Hill Redevelopment Plan.

2 Can you revise that?

3 **MR. AVILA:** Yes.

4 **MS. JOHNSON:** And a signature block
5 should be added to the use variance plan to include
6 the planning board chairman, planning board
7 secretary, planning board engineer and zoning
8 officer/administrative officer.

9 **MR. EINGORN:** Should that read zoning
10 board?

11 **MS. JOHNSON:** Yes, zoning for each of
12 those. Zoning board chairman, zoning board
13 secretary, and zoning board engineer for that
14 comment.

15 **MR. AVILA:** Yes.

16 **MS. JOHNSON:** Now, the summary of
17 variances and waivers, we have variances for the
18 redevelopment plan would be for use. Also the
19 redevelopment plan impervious coverage, section
20 870-197 (f) for fence height and section 870-243-D
21 (2) I added for lighting levels.

22 The residential site improvement standards,
23 you are not asking for any waivers from that from
24 the city ordinance. I removed the one for the
25 landscape plan because you will be providing

1 landscaping.

2 **MR. AVILA:** Yes.

3 **MS. JOHNSON:** We're keeping the buffer
4 section 870-244.F (2) and the trash enclosure, you
5 would be requesting a waiver from having to provide
6 a trash enclosure.

7 **MR. AVILA:** Right.

8 **MS. JOHNSON:** But you are providing
9 trash so we are keeping the trash enclosure section
10 870-255.A (1).

11 **MR. AVILA:** Yes, we are providing a
12 landscaping plan, the buffer, but we are asking for
13 a waiver of the trash enclosure, right.

14 **MS. JOHNSON:** The buffer. You weren't
15 doing that completely, right? You still needed a
16 waiver for that?

17 **MR. AVILA:** I think it said you needed
18 a four foot wide buffer.

19 **MS. JOHNSON:** Right, around the
20 entire, I think it's the entire building though.

21 **MR. AVILA:** The entire building, yes.

22 **MS. JOHNSON:** Yes. So that's from
23 strict compliance, you asked for that one so I kept
24 that.

25 **MR. AVILA:** Yes.

1 **MS. JOHNSON:** The approval process,
2 you are aware of the approval process as listed on
3 page eight and nine. If you have any questions you
4 can contact my office.

5 **MR. AVILA:** Okay.

6 **MS. JOHNSON:** And outside agency
7 approvals, I have noted Camden County planning board
8 and Camden County soil conservation district. So
9 are there any others that may be necessary that you
10 are aware of?

11 **MR. AVILA:** No. Those would be the
12 two.

13 **MS. JOHNSON:** All right, well,
14 Mr. Chairman, that concludes my review.

15 **MR. EINGORN:** I don't know what you
16 were reading from earlier about the electric vehicle
17 charging, but what I found was New Jersey statute
18 40:55B-66.20 subsection C.

19 **MR. WILSON:** Can you repeat that
20 please?

21 **MR. EINGORN:** Of course. It's
22 40:55B-66.20 subsection C which says "A retailer
23 that provides 25 or fewer off street parking spaces
24 for the developer or owner of a single-family home
25 shall not be required to provide or install any

1 electric vehicle supply equipment or make ready
2 parking spaces."

3 With 18 spaces and a retail store I guess a
4 single family sort of home, I mean I think that
5 would apply. It would exempt this applicant from
6 the requirement of an electric vehicle charging
7 station.

8 **MS. JOHNSON:** Okay. I will note that
9 it's not applicable.

10 **MR. COOPER:** Can we take a five minute
11 break here?

12 **MR. EINGORN:** All right, 7:25.

13 **MR. COOPER:** Please.

14 **MR. EINGORN:** We appreciate the
15 applicant humoring us.

16 (At which time a break was taken.)

17 **MR. EINGORN:** I think we are missing
18 Reverend Martinez and Chairman Hance is just coming
19 back now. Let's go back on the record.

20 So we've concluded the testimony regarding
21 the Remington & Vernick review letter dated
22 September 1st.

23 Mr. Wilson, does the applicant have any
24 further testimony to provide to the board tonight?

25 **MR. WILSON:** No. We rest.

1 **MR. EINGORN:** Does the board have any
2 questions for the applicant?

3 Hearing no questions from the board
4 regarding this application, I see Chairman Hance
5 talking, but I can't hear him.

6 **MS. JOHNSON:** Did you mute your
7 microphone by mistake, chairman?

8 **MR. COOPER:** Can you call me, Darnell?

9 **MS. JOHNSON:** He is not muted.

10 **MR. COOPER:** Can you call one of us
11 and put your phone up.

12 **MS. MUHAMMAD:** Okay, go ahead.

13 **MS. JOHNSON:** He asked about the time
14 of operation for the store.

15 **MR. WILSON:** I'm sorry, I didn't hear
16 the question.

17 **MS. JOHNSON:** The store hours.

18 **MR. WILSON:** They haven't been
19 determined because there is no store there. We
20 can't tell you that somebody is going to operate
21 seven to seven when there is no one there. The only
22 thing we can say it would be normal retail store
23 hours.

24 **MS. JOHNSON:** Okay.

25 **MR. WILSON:** This anticipation that

1 someone may ask, we can't tell you what the staffing
2 would be because, again, if it's a little mom and
3 pop store, it might just be two people. If it's a
4 beauty supply there might only be one person. So we
5 cannot tell you what an entrepreneur is going to do
6 in his business.

7 **MR. HANCE:** From the beginning you
8 said beauty supply store. It was mentioned as I
9 recall.

10 **MR. WILSON:** That was just an example
11 of what type of small business would go in there.
12 It could be a beauty supply, it could be a little
13 candy store. That was meant that it's not going to
14 be a giant CVS. It's a small space and only a small
15 business could go in there.

16 **MS. JOHNSON:** I misunderstood that
17 testimony also because I thought when you said
18 beauty supply as an example that you meant it was
19 going to be a beauty supply store.

20 **MR. WILSON:** Let me ask. My client
21 says he is in discussion with a beauty supply store
22 but he cannot at this point tell you that is what
23 it's going to be.

24 **MS. JOHNSON:** Okay. So then your use
25 variance request is just for a use, any type of

1 commercial use for that first floor?

2 **MR. WILSON:** Yes, any commercial use.

3 **MR. COOPER:** So then we really need
4 clarification on trash pickup. Like you said, it
5 could be a mom and pop place or it could be a full
6 blown store where we need proper trash pickup not
7 just cans, you might need dumpsters. You are not
8 supplying anything. You are just saying you are
9 taking the cans to the front and then, again, on
10 Concord Street that trash is picked up once a week.
11 On River Road it may be picked up every day. So you
12 got to have some type of explanation here on the
13 trash.

14 **MR. WILSON:** Well that's why we're
15 telling you that it's going to be a small business.
16 It's not going to be, like I said, a CVS or a
17 Walgreen's. It's going to be a small business
18 because it's a small space.

19 **MR. COOPER:** How big is the store,
20 store area? The building looks like it's pretty
21 long.

22 **MR. VIDAL:** It's under 1,000 square
23 feet. It's small. It's considered a small store.

24 **MS. JOHNSON:** It's more than 1,000
25 square feet because we have what's required is six

1 spaces and you are required five spaces for every
2 1,000 square feet of gross leasable area. Does the
3 architect have the actual square footage?

4 **MR. VIDAL:** Yes, the existing space
5 right now is 904 and then we are adding 205. So
6 that's what it is.

7 **MS. JOHNSON:** So it's 904 plus 205.
8 That is the first floor.

9 **MR. VIDAL:** The first floor is what it
10 is.

11 **MS. JOHNSON:** So what's the total?

12 **MR. VIDAL:** 1,021 square feet.

13 **MS. JOHNSON:** All right. So right,
14 that's why there is six parking spaces --

15 **MR. VIDAL:** Yes.

16 **MS. JOHNSON:** -- required. I just
17 want to make sure we're clear.

18 **MR. VIDAL:** But if you, I need to
19 clarify this, you know, like that's the total
20 interior square footage, but we have auxiliary areas
21 in the back of the store which is the handicap
22 bathroom and other areas, stairs to the basement.
23 So, in essence, it's like the store floor area is
24 going to be like 70 percent of that. So it's not a
25 big store is what I'm trying to say.

1 For any, typically for any retail for a
2 business, normal hours is nine to seven. That's my
3 experience, even Luis Records has a big sale, it's
4 like nine to seven. So I don't think we should
5 anticipate more than that.

6 **MR. COOPER:** The issue with if this is
7 a mom and pop store, you have to put in electrical
8 chargers and everything.

9 **MS. JOHNSON:** No, they don't have to.

10 **MR. COOPER:** They don't have to.

11 **MS. JOHNSON:** That's not applicable,
12 right.

13 **MR. COOPER:** It seems a lot here. It
14 seems a lot.

15 **MR. EINGORN:** Does the board have any
16 additional questions?

17 **MR. MARTINEZ:** My question would be
18 security.

19 **MR. VIDAL:** Security as far as what.

20 **MR. MARTINEZ:** Security around the
21 place.

22 **MR. AVILA:** Security is going to be
23 relegated to the fence around the perimeter along
24 Concord and 27th along the rear of the property,
25 also providing lighting to actually light the place.

1 So those are security measures.

2 **MR. MARTINEZ:** I'm asking are you
3 going to have cameras?

4 **MR. JAPA:** There is already a camera
5 in the parking lot. There is a camera right now.
6 The store, usually most of the store owners put
7 cameras, additional cameras. We are recording 24/7
8 right now, even providing video to police most of
9 the time that they come in and ask for it.

10 **MR. COOPER:** One other question. The
11 storm water runoff, so when you add on to the back
12 of the building the water is going to come to the
13 back or the front of the building?

14 **MR. WILSON:** Mr. Vidal, would you
15 answer that?

16 **MR. VIDAL:** The existing building
17 right now we have is sloped. The roof has a slope
18 to the back of the building.

19 **MR. COOPER:** To the back.

20 **MR. VIDAL:** Yes, there is nothing to
21 the front. Typical buildings where you see the
22 parapet on the building, front of the building, but
23 basically it's a flat roof, but actually has a slope
24 that slopes to the back of the building. So you
25 don't see the water like running anywhere else. Old

1 buildings were built that way.

2 **MR. COOPER:** So that runs out to the
3 parking lot, right?

4 **MR. VIDAL:** Yes.

5 **MR. COOPER:** On the driveways you have
6 some type of fence to close it in at night to keep
7 people out I guess, right? Some type of closure.

8 **MR. VIDAL:** Yes.

9 **MR. WILSON:** Yes, it will be closed at
10 night.

11 **MR. VIDAL:** They will be closed at
12 night. The gates are going to be approved actually.
13 It's going to be like a rolling gate that you don't
14 see when it's open, you just roll the panel to the
15 fence so you don't see it and then just close it.
16 Motorized is an option.

17 **MR. COOPER:** I have no further
18 questions.

19 **MR. MARTINEZ:** That's good.

20 **MR. EINGORN:** Hearing no further
21 questions, let's open this application to the
22 public.

23 Is there anybody in the public here tonight
24 that would like to address 954 North 27th Street?

25 Hearing no voices and seeing no

1 electronically or physically raised hands we will
2 close the public portion.

3 The applicant is here tonight requesting a
4 use variance and preliminary and final site plan
5 approval, including the waivers and bulk variances
6 that were discussed and are set forth on page eight
7 of the September 1st letter.

8 The board should do its discussion of the
9 application including a use variance discussion
10 regarding the positive and negative criteria for
11 this proposed first floor retail property with
12 second floor residential and the 18 proposed parking
13 spaces and then obviously after that make a motion.

14 **MR. MARTINEZ:** Motion to accept the
15 application. I know the area real good and that's
16 been for years kind of bad looking to that corner
17 between 27th and River Road. I have a motion to
18 accept the application.

19 **MR. EINGORN:** So we have a motion to
20 accept the application for use variance and
21 preliminary and final site plan approval and the
22 waivers and variances subject to the discussions on
23 the record and agreements regarding the September
24 1st letter, correct?

25 **MR. MARTINEZ:** Correct.

1 **MR. EINGORN:** Okay. Do we have any
2 other discussion or second or both?

3 **MS. ATWOOD:** Second.

4 **MR. EINGORN:** We have a second on the
5 motion.

6 We will have a roll call vote. Chairman
7 Hance? We will get back to Chairman Hance.

8 **MS. ATWOOD:** I think he said no.

9 **MR. EINGORN:** Without an audible yes
10 or no for the record I can't register that. So we
11 will come back to him.

12 **MS. MUHAMMAD:** I will confirm.

13 **MR. EINGORN:** Vice Chairman Cooper?

14 **MR. COOPER:** No.

15 **MR. EINGORN:** Reverend Martinez?

16 **MR. MARTINEZ:** Yes.

17 **MR. EINGORN:** Ms. Atwood?

18 Ms. ATWOOD: Yes.

19 **MR. EINGORN:** Ms. Merricks?

20 **MS. MERRICKS:** Yes.

21 **MR. EINGORN:** Ms. Alston?

22 **MS. ALSTON:** Yes.

23 **MR. EINGORN:** Mr. Brito Bueno?

24 **MR. BRITO BUENO:** Yes.

25 **MR. EINGORN:** We are just waiting for

1 the final vote from Chairman Hance.

2 **MS. MUHAMAD:** Go ahead.

3 **MR. HANCE:** I'm denying the
4 application. We didn't really discuss the
5 application. We really didn't discuss anything
6 about the application.

7 **MR. EINGORN:** That is a no vote.

8 **MR. HANCE:** That's a negative on the
9 application.

10 **MS. MUHAMAD:** He said no.

11 **MR. EINGORN:** So five votes in favor
12 and two opposed. The motion carries with five
13 affirmative votes. Congratulations.

14 **MR. WILSON:** Thank you. Do you still
15 want me to send you that information?

16 **MR. EINGORN:** Yes, if you don't mind.

17 **MR. WILSON:** I will e-mail it to you
18 tomorrow.

19 **MR. EINGORN:** Sounds good. Have a
20 nice night.

21 **MR. WILSON:** You too. Have a good
22 evening.

23 **MR. EINGORN:** You too.

24 The last application on the agenda is
25 Maisha Adams, 2801 Arthur Avenue.

1 **MS. JOHNSON:** Excuse me I also wanted
2 to be noted that I'm also checking out.

3 **MR. EINGORN:** Have a good night.

4 **MS. JOHNSON:** Take care everyone.

5 **MR. EINGORN:** All right, Ms. Adams,
6 are you prepared to proceed?

7 **MS. ADAMS:** I am. Yes, I am.

8 **MR. EINGORN:** If you will raise your
9 right hand.

10 MAISHA ADAMS, having been first duly sworn,
11 testified as follows:

12 **MS. ADAMS:** Maisha Adams, 2801 Arthur
13 Avenue, Camden, New Jersey 08105.

14 **MR. EINGORN:** Great, I see that you
15 are unrepresented. Would you like me to read your
16 appeal for zoning into the record?

17 **MS. ADAMS:** Yes.

18 **MR. EINGORN:** The name and address of
19 the applicant is Maisha Adams, 2801 Arthur Avenue,
20 Camden, New Jersey. The applicant is the owner of
21 the property which is located in R2 zone district.
22 The lot has a frontage of 300 feet and a depth of
23 1,000 feet. There is one building on the lot which
24 is a single family residential two-story home. The
25 present use is a single-family home. The proposed

1 construction is a retaining wall. The zoning
2 officer denied a permit because the masonry wall is
3 prohibited due to the Cramer Hill Redevelopment
4 Plan. The applicant states the reason why the
5 appeal should be granted is that the yard is not
6 ground level and sits on a slope. A retaining wall
7 is needed to support the soil and water from flowing
8 downward.

9 Go ahead, Ms. Adams. I'm looking at the
10 photograph you provided. It looks like construction
11 has already begun. This is the photograph I'm
12 looking at. Did you take this photograph?

13 **MS. ADAMS:** Yes.

14 **MR. EINGORN:** Very good. For the
15 record, I'm holding up a photograph that says 8, it
16 was taken on August 8th, 2023 showing an existing
17 masonry wall. Did you hire a contractor to
18 construct this wall or did you construct it
19 yourself?

20 **MS. ADAMS:** We hired a contractor.

21 **MR. EINGORN:** Is there more work to be
22 completed on this retaining wall?

23 **MS. ADAMS:** No.

24 **MR. EINGORN:** Can you tell me just a
25 little bit more about what's going on at the

1 property?

2 **MS. ADAMS:** The retaining wall that
3 was previously there needed to be replaced because
4 it was damaged and that's pretty much it. We just
5 replaced the original retaining wall that was there.

6 **MR. EINGORN:** What materials was the
7 original wall made out of?

8 **MS. ADAMS:** Cement, blocks.

9 **MR. COOPER:** Did you build this wall
10 higher than the original wall?

11 **MS. ADAMS:** Yes, it is higher.

12 **MR. COOPER:** Any measurements how much
13 higher?

14 **MS. ADAMS:** 22, about 22 inches
15 higher.

16 **MR. COOPER:** 22 inches higher. It's
17 not on the corner, correct?

18 **MS. ADAMS:** No. It sits in the back.

19 **MR. COOPER:** Okay.

20 **MR. EINGORN:** Anything else you would
21 like to add to your application regarding your
22 request?

23 **MS. ADAMS:** No, that was it.

24 **MR. EINGORN:** Does the board have any
25 other questions regarding the retaining wall?

1 **MS. ALSTON:** What's the total height?

2 **MS. ADAMS:** The total height is four
3 feet.

4 **MR. EINGORN:** Did we lose Chairman
5 Hance?

6 **MR. COOPER:** Maybe.

7 **MR. EINGORN:** Does the board have
8 additional questions or can we open this matter to
9 the public.

10 **MR. COOPER:** Open it to the public.

11 **MR. EINGORN:** Is there anybody in the
12 public here tonight that would like to be heard on
13 this application?

14 Hearing none and seeing no hands raised, we
15 will close the public portion.

16 The applicant come before the board seeking
17 an interpretation to determine whether an amendment
18 is needed. Interpretation if approved the D-1
19 variance is needed. Let's see what is in the
20 letter. The denial letter doesn't come with a
21 description of what the ordinance actually or what
22 the Cramer Hill Redevelopment Plan actually says
23 regarding the masonry wall. So I guess the board is
24 being asked here to discuss if possible a D-1
25 variance for this wall that is a reconstruction of a

1 prior wall.

2 **MR. COOPER:** The concrete wall that
3 was there was 22 inches higher than the wall that
4 she had already and it's made out of cinderblocks
5 instead of concrete.

6 **MR. EINGORN:** Right. It is a little
7 bit different.

8 **MR. COOPER:** Yeah, it is a little bit
9 different but, you know, I don't think it's going to
10 be a detriment to the neighborhood or anything.

11 If no one else has any questions, anyone on
12 the board? I will make a motion to accept.

13 **MR. MARTINEZ:** I used to live in that
14 house about 25 years ago. I don't think it's a big
15 issue. You are trying to fix your house.

16 **MS. ADAMS:** Correct.

17 **MR. MARTINEZ:** I don't see nothing
18 wrong with it.

19 **MR. EINGORN:** Mr. Hance, to catch you
20 up, we're on Maisha Adams, 2801 Arthur Avenue. The
21 applicant is seeking essentially a use variance for
22 a cinder block retaining wall. The applicant
23 testified that there was a preexisting concrete
24 retaining wall that needed to be replaced. This
25 wall is approximately 22 inches higher and that the

1 applicant hired a contractor to perform the work
2 without a permit.

3 **MR. BRITO BUENO:** I have a question.

4 **MR. EINGORN:** Yes, go.

5 **MR. BRITO BUENO:** I was looking at a
6 picture on Google Map and I see a fence. I don't
7 see a retaining wall. The retaining wall I see is
8 like a foot or two high, maybe less. It's not as
9 high as the picture here I see the retaining wall
10 with the blocks.

11 **MR. MARTINEZ:** That was a four footer.

12 **MR. BRITO BUENO:** It was a four
13 footer, but a metal fence, chain link.

14 **MR. MARTINEZ:** What is the height
15 right now?

16 **MS. ADAMS:** Four feet.

17 **MR. BRITO BUENO:** I'm trying to say
18 before the picture that I see the fence was chain
19 link.

20 **MS. ADAMS:** That's an old picture.
21 There is no -- that's an old picture.

22 **MR. BRITO BUENO:** So when was that
23 wall installed, not the new one, the old one, the
24 one that was previously approved?

25 **MS. ADAMS:** I bought this house in

1 1996 and it was here.

2 **MR. BRITO BUENO:** Sorry, I cut you
3 off. I apologize. I see the picture was 2012. I
4 don't see the retaining wall. The retaining wall I
5 see is maybe like a foot or two foot high.

6 **MR. COOPER:** I see a three foot
7 retaining, about a two, three foot retaining wall,
8 about two foot.

9 **MR. BRITO BUENO:** On Google Maps.

10 **MR. COOPER:** Yes, Google Maps about
11 two foot maybe.

12 **MR. EINGORN:** Hold on a second. So
13 let's try to, let me see if I can share my screen
14 here, hold on. This is Arthur Avenue. Does
15 everybody see this? Is this the house here on the
16 corner? No, this --

17 **MS. ADAMS:** Yes.

18 **MR. EINGORN:** We need to go around the
19 block here. Here we go.

20 **MR. COOPER:** She has a little
21 retaining wall around here now.

22 **MR. EINGORN:** So this is what was
23 there before?

24 **MS. ADAMS:** Yes.

25 **MR. EINGORN:** And that's what you are

1 replacing.

2 **MS. ADAMS:** Yes.

3 **MR. EINGORN:** Does everybody on the
4 board see that?

5 **MR. BRITO BUENO:** Yes. It's not as
6 high in the picture.

7 **MR. COOPER:** She made it higher than
8 it originally was.

9 **MR. BRITO BUENO:** Not two inches.

10 **MR. COOPER:** Yes, she --

11 **MS. ADAMS:** It is two feet higher than
12 the original height.

13 **MR. HANCE:** Can you hear me now?

14 **MR. EINGORN:** Yes.

15 **MR. HANCE:** So you are building on the
16 same footprint, correct?

17 **MS. ADAMS:** Yes.

18 **MR. HANCE:** And it's four feet high?

19 **MS. ADAMS:** Yes.

20 **MR. HANCE:** And let me ask you a
21 question. Do you have any dogs or are you trying to
22 keep people out of the yard or I see right there you
23 are on the main street it looks like.

24 **MS. ADAMS:** We do want to keep people
25 out, no pets.

1 **MR. HANCE:** Now at the front of that
2 brick work going toward the front of the house, is
3 that closed off right there or is that open? Could
4 I walk back through there?

5 **MS. ADAMS:** Yes. It's an alleyway.

6 **MR. HANCE:** I go past the alleyway and
7 go to the backdoor, is that closed off right there?
8 Does that cinder block go to your house or does it
9 enclose your backyard?

10 **MS. ADAMS:** No, it goes around down
11 28th Street and inside the alleyway.

12 **MR. HANCE:** So if I was walking from
13 your front door to your backyard, can I walk on that
14 grass and go right to your backyard?

15 **MS. ADAMS:** No.

16 **MR. HANCE:** So that's blocked off?

17 **MS. ADAMS:** Yes.

18 **MR. HANCE:** Okay. Thank you.

19 If she is building on the same footprint
20 and it's four feet high and she didn't make any
21 changes, but you just put a cinder block wall up
22 there?

23 **MS. ADAMS:** Yes.

24 **MR. HANCE:** When we build houses and
25 we build on the same footprint we're not changing

1 anything. We're reinforcing it, but we're not
2 changing anything.

3 **MS. ADAMS:** Uh-huh.

4 **MR. HANCE:** Now, what I heard was you
5 didn't have a permit to do this.

6 **MS. ADAMS:** Right.

7 **MR. COOPER:** Did you obtain a permit
8 yet?

9 **MS. ADAMS:** Yes, I did, the
10 application.

11 **MR. COOPER:** Okay, you have the
12 application for it.

13 **MR. HANCE:** And you own the property,
14 correct?

15 **MS. ADAMS:** Correct.

16 **MR. HANCE:** In my opinion, she is
17 within four feet high. She built on the same
18 footprint. I guess they wrote her up so she went
19 out and got a permit. I have no problem with that.
20 I'm talking to the board right now. We are trying
21 to raise four feet to six feet. So this is what I'm
22 saying I don't see any problem with that.

23 **MR. COOPER:** Uh-huh.

24 **MR. HANCE:** And she is still, like I
25 said, she is still building on the footprint so she

1 didn't do any changes. She kind of replaced the
2 fence.

3 **MR. COOPER:** Right. From the looks of
4 it it's not within the wooden fence that is across
5 from it, it's shorter. You are not planning on
6 putting a fence on top of this, are you?

7 **MS. ADAMS:** No.

8 **MR. COOPER:** Okay.

9 **MR. HANCE:** My only other question is
10 are you going to paint that wall?

11 **MS. ADAMS:** Yes. We are going to
12 paint it.

13 **MR. HANCE:** That would be great.
14 Other than that I see it as a safety and also no
15 maintenance, but like I said, she is on the same
16 footprint or they are on the same footprint. They
17 reinforced the wall. So we all know these days have
18 changed and wooden fences they don't last and chain
19 links they fall apart too. So she is on a main
20 road. It gives her a little bit of privacy. So I
21 have no quarrels with that.

22 **MR. COOPER:** Are you making a motion,
23 chairman?

24 **MR. HANCE:** I make a motion that we
25 accept.

1 **MR. COOPER:** I second.

2 **MR. EINGORN:** Who is going to claim
3 the second? I heard two.

4 **MR. COOPER:** I second.

5 **MR. EINGORN:** Very good. Roll call
6 vote.

7 Chairman Hance?

8 **MR. HANCE:** Yes.

9 **MR. EINGORN:** Chairman Cooper?

10 **MR. COOPER:** Yes.

11 **MR. EINGORN:** Reverend Martinez?

12 **MR. MARTINEZ:** Yes.

13 **MR. EINGORN:** Ms. Atwood?

14 **MS. ATWOOD:** Yes.

15 **MR. EINGORN:** Ms. Merricks?

16 **MS. MERRICKS:** Yes.

17 **MR. EINGORN:** Ms. Alston?

18 **MS. ALSTON:** No.

19 **MR. EINGORN:** Mr. Brito Bueno?

20 **MR. BRITO BUENO:** Yes.

21 **MR. EINGORN:** Having six in favor and
22 one opposed, the motion passes. The application has
23 been granted. Have a nice night.

24 **MS. ADAMS:** Thank you.

25 **MR. COOPER:** Thank you.

1 **MR. EINGORN:** The last item on the
2 agenda would be the adoption of resolutions from the
3 prior meeting. Everyone can vote on these except
4 for Reverend Martinez and Ms. Atwood.

5 The resolutions are granting major
6 subdivision for Parkside Business and Community
7 Partnership, granting use and bulk variance for
8 Wilton Torres, granting nonconforming use for Saint
9 Joseph's Carpenter Society, granting use variance
10 approval of both variance approval for Ronald and
11 Frances Abate, granting nonconforming use approval
12 Ephrain Reyes, Junior, granting nonconforming use
13 approval Don Ley Group, LLC, granting nonconforming
14 use and bulk variance approval Kirtty Taveras,
15 K-I-R-T-T-Y, granting bulk variance approval Osvaldo
16 Fernandez, granting nonconforming use approval and
17 bulk grant approval for Jordan & Jordan LLC,
18 granting bulk variance approval for Tariq Alam. Do
19 we have a motion to adopt?

20 **MR. COOPER:** Motion to adopt.

21 **MR. EINGORN:** Do we have a second?

22 **MR. HANCE:** Second.

23 **MR. EINGORN:** I will take a roll call
24 vote.

25 Chairman Hance.

1 **MR. HANCE:** Yes.
2 **MR. EINGORN:** Vice Chairman Cooper?
3 **MR. COOPER:** Yes.
4 **MR. EINGORN:** Ms. Merricks?
5 **MS. MERRICKS:** Yes.
6 **MR. EINGORN:** Ms. Alston?
7 **MS. ALSTON:** Yes.
8 **MR. EINGORN:** And Mr. Brito Bueno?
9 **MR. BRITO BUENO:** Yes.
10 **MR. EINGORN:** Having five in favor and
11 none opposed the motion carries.

12 Do we have a motion to adjourn. Do we have
13 a motion to adjourn?

14 **MR. COOPER:** Motion to adjourn.

15 **MS. ALSTON:** Second.

16 **MR. EINGORN:** All in favor, aye.

17 (The board hearing was concluded at
18 8:07 p.m.)

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25

1 C E R T I F I C A T E O F O F F I C E R

2

3 I, (CAROLYN J. MC CALLA), a Certified Court
4 Reporter and Notary Public, do hereby certify that
5 prior to the commencement of the examination, the
6 witness was duly sworn by me.

7 I DO FURTHER CERTIFY that the foregoing is
8 a true and accurate transcript of the testimony as
9 taken stenographically by and before me at the date,
10 time and location aforementioned.

11 I DO FURTHER CERTIFY that I am neither a
12 relative nor employee, nor attorney or counsel to
13 any parties involved; that I am neither related to
14 nor employed by any such attorney or counsel, and
15 that I am not financially interested in the
16 action.

17

18

19

Carolyn McCalla, CCR, C.R., R.P., RMR



20

Notary Public

21

My Commission expires (March 22, 2023)

22

23

NJ C.C.R. License No. XI-1219

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