

In The Matter Of:
CITY OF CAMDEN
ZONING BOARD

TRANSCRIPT OF MEETING
July 10, 2023

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ZONING BOARD
CITY OF CAMDEN

- - - -

Monday, July 10, 2023

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8 Transcript of proceedings of the Zoning
9 Board of Adjustment SPECIAL MEETING City of Camden,
10 was conducted as a virtual meeting via a remote
11 conferencing platform, ZOOM and commencing at
12 5:38 p.m.

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

- 15 DARNELL HANCE, CHAIRMAN
- 16 CHARLES COOPER, VICE-CHAIRMAN
- 17 ISAISA MARTINEZ
- 18 TERESA ATWOOD
- 19 KAREN MERRICKS
- 20 JOSE BRITO BUENO

- - - -

- 21 KYLE F. EINGORN, ESQUIRE, ATTORNEY FOR THE BOARD
- 22 EVITA MUHAMMAD, ZONING BOARD SECRETARY
- 23 DENA MOORE JOHNSON, P.E., C.M.E.

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1 CHAIRMAN HANCE: Good evening ladies and
2 gentlemen. Welcome to the Camden City Zoning Board
3 of Adjustment. In conformance with the Sunshine Law
4 of New Jersey, notice of the meeting was posted in
5 the Municipal Clerk's Office on Tuesday July 5, 2023.

6 MR. EINGORN: By way of further
7 announcement, this meeting is a "Special Meeting"
8 being conducted virtually. Instructions to access
9 this meeting were posted on the City of Camden's
10 website for public use.

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

13 CHAIRMAN HANCE: Here.

14 MR. EINGORN: Vice-Chairman Cooper.

15 VICE-CHAIRMAN COOPER: Here.

16 MR. EINGORN: Reverend Martinez.

17 REVEREND MARTINEZ: Present

18 MR. EINGORN: Ms. Atwood.

19 MS. ATWOOD: Present.

20 MR. EINGORN: Ms. Merricks is not
21 currently present but we're expecting her.

22 Ms. Alston is absent.

23 MR. EINGORN: Mr. Brito Bueno.

24 MR. BRITO BUENO: Here.

25 MR. EINGORN: We also have with us

1 tonight, Henrietta Washington. Absent. We also have
2 with us, Ms. Dena Moore Johnson who is the Board
3 Engineer.

4 We need approval of the minutes for June
5 2023. Do we have a motion?

6 VICE-CHAIRMAN COOPER: Motion to accept.

7 MR. EINGORN: Do we have a second?

8 CHAIRMAN HANCE: Second.

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

11 CHAIRMAN HANCE: Yes.

12 MR. EINGORN: Vice-Chairman Cooper.

13 VICE-CHAIRMAN COOPER: Yes.

14 MR. EINGORN: Reverend Martinez.

15 REVEREND MARTINEZ: Yes.

16 MR. EINGORN: Ms. Atwood.

17 MS. ATWOOD: Yes.

18 MR. EINGORN: Mr. Brito Bueno.

19 MR. BRITO BUENO: Yes.

20 MR. EINGORN: So moved.

21 I'm going to read the list. If you hear
22 your application, please unmute yourself and let us
23 know that you are here. The first matter is Lowinsky
24 Minier. I saw Taisha Minier and so I know she's
25 present. Is counsel present?

1 MS. IZZO: Oh, yes, we're ready.

2 MS. MINIER: Yes, we're here, Taisha
3 Minier and Lowinsky Minier.

4 MR. EINGORN: Hi, Mr. Izzo. You were on
5 the second page. I apologize. The next matter is
6 Johanna Rivera, 101 N. 21st Street.

7 MR. IZZO: That matter is not prepared to
8 go forward and it's essentially withdrawn.

9 MR. EINGORN: Okay. You're withdrawing
10 the application on the record?

11 MR. IZZO: Yes.

12 MR. EINGORN: Thank you, Mr. Izzo.

13 The next matter is Parkside Business and
14 Community in Partnership.

15 MR. DIDUCH: Counsel is present for
16 Parkside.

17 MR. EINGORN: Good evening. Thank you.

18 MR. DIDUCH: Kevin Diduch is present for
19 Parkside.

20 MR. EINGORN: Very good. Thank you so
21 much. The next matter is 1060 Bergen Avenue, LLC.
22 If this matter is not present again, I would ask that
23 a Board member make a motion to deny this application
24 for lack of prosecution. Do I have that motion?

25 VICE-CHAIRMAN COOPER: Motion to deny.

1 MR. EINGORN: Do I have a second?

2 CHAIRMAN HANCE: Second.

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

4 Chairman Hance.

5 CHAIRMAN HANCE: Yes.

6 MR. EINGORN: Vice-Chairman Cooper.

7 VICE-CHAIRMAN COOPER: Yes.

8 MR. EINGORN: Reverend Martinez.

9 REVEREND MARTINEZ: Yes.

10 MR. EINGORN: Ms. Atwood.

11 MS. ATWOOD: Yes.

12 MR. EINGORN: Mr. Brito Bueno.

13 MR. BRITO BUENO: Yes.

14 MR. EINGORN: Denied for lack of
15 prosecution.

16 The next matter is Monzo Construction
17 Services, 699 Liberty Street.

18 MS. NADEAU: I'm here as counsel.

19 MR. EINGORN: Thank you, Counsel.

20 MS. NADEAU: And also, Eric Meyers for
21 American Tower, the owner of the property, is here
22 and Monzo Construction, Andy Monzo, is here at this
23 point.

24 MR. EINGORN: Looks like you're ready to
25 proceed. Next is Ronald and Frances Abate, 1929 S.

1 4th Street. I apologize for ruining your last name.
2 Are you present?

3 MS. MUHAMMAD: That should be adjourned,
4 Kyle, if they're not here.

5 MR. EINGORN: We'll call it last again.

6 5 Star Properties, LLC, 402 & 420

7 Stevens. Is Ms. Levan here?

8 MS. LEVAN: We're here. We're ready.

9 MR. EINGORN: Thank you.

10 David Fitzgerald, 1486 Kaighn Avenue.

11 MR. FITZGERALD: Here.

12 MR. EINGORN: Thank you, sir.

13 Larcen Veliz, 1489 Broadway.

14 MR. VELIZ: Present.

15 MR. EINGORN: Jander Valentin, 742 Cherry

16 Street.

17 MR. VALENTIN: Present.

18 MR. EINGORN: Heaven Towing & Auto

19 Repair, 1215-1221 S. 6th Street.

20 MR. JAVED: Present.

21 MR. EINGORN: Good evening.

22 MR. JAVED: Thank you.

23 MR. EINGORN: Then we'll get to our

24 Adoptions of Resolutions last.

25 So let's take the first matter of Old

1 Business, Lowinsky Minier, 3821 Mt. Ephraim Avenue.
2 This is a continued case. It has been here a couple
3 of times now. Mr. Izzo is the applicant's attorney.
4 Mr. Izzo, how are you tonight?

5 MR. IZZO: We're 3821 Westfield. This is
6 a mixed use property, commercial, residential and the
7 application before the Board was to expand the
8 residential portion by building on top of the
9 existing apartment wing. When we appeared before the
10 Board, there were concerns about the visuals; about
11 what the site looks like; the parking lot that's
12 already there; the roof expanse where the additional
13 apartments would be constructed. And Ms. Minier has
14 submitted photographic evidence and the Board
15 secretary may have been able to distribute that now.
16 And she's here to describe those pictures and to
17 answer the questions that remain. And also regarding
18 the division of utilities. She has submitted proof
19 on that.

20 MR. EINGORN: I'm just going through the
21 pictures.

22 MR. IZZO: And the side street of 38th
23 Street is where the apartments front.

24 MR. EINGORN: You want to swear in your
25 witness?

1 And then the other thing was the square,
2 the empty squares just so you can have more of info.
3 It's just what we want to do is just to put, you
4 know, finalize with that square and just close it
5 out. So on the bottom of the square there's three
6 existing apartments. So we want to do the same thing
7 for the top part to kind of fill it in so there's not
8 anything extra of anything coming out of the
9 building. Everything is going to be flush with the
10 building.

11 MR. IZZO: You're referring to the
12 footprint of the building remaining unchanged after
13 this destruction?

14 MS. MINIER: Yes.

15 MR. MINIER: Yes.

16 MR. IZZO: And presently there's one
17 level of apartments and you're going to change that
18 to two levels, correct?

19 MS. MINIER: Yes. Because we already
20 have a two-level with the building. Because the
21 building like you had said, it's mixed use and we
22 have already when we went in front of the Board the
23 last time, the apartments that we have up there,
24 there is two more apartments there so we're basically
25 adding the three apartments that are going to be

1 flushing with the two apartments that are already in
2 front of the building. So this will be on the side
3 of the building to finish up with the square.

4 MR. IZZO: That will be new construction;
5 is that correct?

6 MS. MINIER: Yes.

7 MR. MINIER: Yes.

8 VICE-CHAIRMAN COOPER: How many more
9 apartments is going to be up there?

10 MS. MINIER: Just three. Three. That's
11 the endings of the final project. When we purchased
12 the building back in 2000, that was always the vision
13 for the building. Just to give it a little bit more
14 history. The building was initially a heating and
15 electric plumbing supply store. And we subdivide
16 everything from day one. And, you know, we were able
17 to make this a residential building as well as
18 opposed to just commercial. So we have been wanting
19 to serve more the citizens of Camden and bring more
20 residencies.

21 MR. EINGORN: I will note for the record
22 that Ms. Merricks has joined the meeting. Ms.
23 Merricks, so that you're aware, we have started with
24 the first application of Old Business, Lowinsky
25 Minier. That way you can get up to speed.

1 MR. IZZO: Ms. Minier, in your
2 application you said the lot has frontage of 120 on
3 Westfield Avenue and a depth of 150 and it's all one
4 building. And your testimony tonight is, that would
5 stay the same except that you would be partially
6 raising part of the building from a one-story
7 structure to a two-story structure. Is that
8 accurate?

9 MS. MINIER: Yes.

10 MR. MINIER: Yes.

11 MR. IZZO: And what about the parking at
12 the site?

13 MS. MINIER: So we have committed before
14 the parking spaces from the back that we already have
15 to accommodate all the existing apartments and the
16 future apartments. But we also submitted just in
17 case we needed extra more parking space in front of
18 the parkade of the church; that they were able to
19 give us additional parking spaces which would equal
20 to like 28, 26 parking spaces in total that we have
21 access to.

22 MR. IZZO: How many stores are in your
23 building right now?

24 MS. MINIER: We have a 2-story building.
25 But you said -- the question was storefronts or?

1 MR. IZZO: Yes, stores, businesses.

2 MS. MINIER: Yes, businesses. So we have
3 the bakery; we have the Taco Spout; we have my salon.
4 So just three at the moment and then four commercial
5 spaces. Four commercial spaces and then the rest,
6 apartments which are the three apartments on the
7 side, the two apartments on the top level. There's
8 actually apartments on the top row but in front of
9 the building. So there is an entrance in front of
10 the building and an entrance in the side of the
11 building to go to the top level.

12 MR. EINGORN: So there's currently eight
13 residential units?

14 MS. MINIER: Three, four, five, six. Six
15 residential units. And we want to add the three
16 more. On the side of 39th Street, that's the three
17 on the bottom, the three on the bottom apartments are
18 and those where the three on the top are going to be
19 if tonight we get the final approval.

20 So in front of Westfield Avenue you see
21 the three on the top which it already flushes in --
22 you know, it completes the square in front of the
23 Westfield Avenue. Where it needs to be completed,
24 it's on the side which is on 39th Street.

25 VICE-CHAIRMAN COOPER: I'm kind of

1 confused. You're showing me three gas meters, three
2 electrical meters. Are these for the apartments that
3 you have now?

4 MS. MINIER: The ones that are there are
5 for the new construction. Those are already
6 established from day one. Because where all the
7 meters are at, they're all -- if you see the picture
8 of all the meters --

9 VICE-CHAIRMAN COOPER: No. I just see
10 the picture of three meters and three electrical
11 boxes. That's all I see.

12 MR. MINIER: That is for the new
13 construction; for the new three apartments.

14 MS. MINIER: Those three are for the ones
15 that are going to be proposed for the new apartments.

16 MR. MINIER: They're already there.

17 MS. MINIER: Can I see the picture that
18 you're looking at?

19 MS. MINIER: Those are the three meters
20 that are not being used that were established there
21 when we did all the -- when we put all the meters in
22 all the apartments. Those have no service at the
23 moment. I believe one of the Board members have been
24 to the building. And once you see where the
25 pictures, those exact pictures were taken, those are

1 all where all the meters are at.

2 VICE-CHAIRMAN COOPER: In other words,
3 when you purchased the building, these meters were
4 already there?

5 MS. MINIER: No. When we purchased the
6 building, the building was just a heating, electric,
7 plumbing supply store. And so my dad as time passed
8 by, he subdivided the building because it was -- this
9 is a 3-lot building. And he subdivided into the
10 apartments and the other commercial spaces. But
11 because we had the plan in adding the three
12 apartments on top of the three existing apartments,
13 you know, we already did all the paperwork to have
14 those meters there; to have, you know, once we did
15 the gas and the water and all that, once that was
16 being established, that was already a plan that
17 we wanted to go develop in the future.

18 MR. IZZO: Ms. Minier, the interim
19 improvements you've made to the building, you've been
20 to this Board previously about this property and then
21 properly approved as you've made certain changes?

22 MS. MINIER: Yes. Everything we have
23 here and everything is registered; everything has
24 been by the book. We also get inspected by the phase
25 so everything has been approved by the City and by

1 the State.

2 MR. IZZO: So those other things having
3 been approved tonight, you're just here about adding
4 those three second-level apartments that you already
5 have meters for but haven't built yet; is that
6 right?

7 MS. MINIER: Correct. Yes.

8 MR. MINIER: Yes.

9 MS. MINIER: It's just an empty square
10 there that needs to be filled.

11 MR. IZZO: And what do you mean when you
12 say square? You've said that word about four times.
13 What do you mean about a square?

14 MS. MINIER: So what I'm trying to say is
15 that, on the bottom of the level, it's just the three
16 apartments on the side of the building. So just to
17 kind of complete the top level, it's just adding the
18 three apartments that are existing on the bottom
19 three apartments. I can actually walk outside so
20 that way you can see, you know, have a visual if you
21 want to see.

22 MR. EINGORN: Is this the area here
23 you're talking about? Can you see my screen?

24 MS. MINIER: Yes.

25 MR. MINIER: Exactly.

1 MS. MINIER: Yes, to complete that
2 square.

3 MR. EINGORN: Do you have anything
4 further that you want to add to the application?

5 MS. MINIER: No, that's all.

6 MR. EINGORN: Do the Board members have
7 any questions. This matter has been here a couple
8 times now. The applicant is asking for a use
9 variance for the three apartments and for the more
10 than one use on the property. Bulk variance for the
11 off-street parking. They need six spaces. And then
12 a change of use site plan which I believe they're
13 asking for a site plan waiver. Is that correct, Mr.
14 Izzo?

15 MR. IZZO: Yes, that's correct.

16 MR. EINGORN: And so that's what's being
17 requested. Does the Board have questions for the
18 applicant?

19 VICE-CHAIRMAN COOPER: I have seen this
20 property several times now. From the looks of it,
21 they just want to add on to the top of the building.
22 I'm good with this idea as long as they can get final
23 approval from the site plan.

24 MR. EINGORN: That's your job. They're
25 asking you for a site plan waiver.

1 VICE-CHAIRMAN COOPER: Oh, site plan
2 waiver.

3 MR. EINGORN: Yes.

4 MS. MINIER: That's where you come in.

5 MR. EINGORN: So --

6 MS. MINIER: Because we're building on
7 top of the structure that we already have.

8 MR. IZZO: The site has been reviewed
9 previously when some of these other applications were
10 cleared by zoning.

11 MR. EINGORN: So pursuant to the City
12 Ordinance, the applicant's burden of proof on a site
13 plan waiver is to demonstrate that the use will not
14 affect the existing drainage circulation,
15 relationships of the building to each other,
16 landscaping, buffering, lighting and other
17 considerations of site plan approval; that the
18 existing facilities do not require updated or
19 additional site improvements. That's their burden
20 under Section 42 of the Zoning Ordinance.

21 MR. IZZO: I think we have talked about
22 that at a previous meeting. And Ms. Minier tonight
23 has been pretty explicit that she's completing the
24 square. In other words, just building up into the
25 air space and not changing the landscaping on the

1 ground for the parking.

2 MR. EINGORN: So with that standard in
3 mind, does the Board have any questions, any further
4 questions about the application?

5 VICE-CHAIRMAN COOPER: No.

6 MS. ATWOOD: So can we do a motion to
7 pass?

8 MR. EINGORN: We have to open to the
9 public first but I saw you waiting. Let's open to
10 the public. Is anybody in the public here tonight
11 that would like to be heard on 3821 Westfield
12 Avenue? I haven't heard anybody. I don't see any
13 hands raised whether physically or electronically so
14 we will close the public portion.

15 Having heard the testimony tonight and
16 previously, it's the Board's time to do a discussion
17 of the Positive and Negative Criteria related to the
18 use variance request as well as the bulk request.
19 And then a determination of whether or not a site
20 plan waiver is appropriate and then a motion.

21 VICE-CHAIRMAN COOPER: I think this is a
22 good thing for the neighborhood. It's like they've
23 been doing their homework here and everything on this
24 project. As far as the parking, it looks like they
25 have plenty of parking in the back. And they did get

1 approval from the church, I guess, to use some of
2 their parking spots. I feel good with this.

3 REVEREND MARTINEZ: I second that.

4 CHAIRMAN HANCE: Can you hear me now?

5 MR. EINGORN: Yes, sir.

6 CHAIRMAN HANCE: I have been past the
7 property a few times. It's well-kept. It makes the
8 neighborhood look very, very well. I think it's a
9 great idea. So I'm definitely for this one.

10 MR. EINGORN: We have a motion?

11 REVEREND MARTINEZ: Motion to accept.

12 VICE-CHAIRMAN COOPER: I second.

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

14 Chairman Hance.

15 CHAIRMAN HANCE: Yes.

16 MR. EINGORN: Vice-Chairman Cooper.

17 VICE-CHAIRMAN COOPER: Yes.

18 MR. EINGORN: Reverend Martinez.

19 REVEREND MARTINEZ: Yes.

20 MR. EINGORN: Ms. Atwood.

21 MS. ATWOOD: Yes.

22 MR. EINGORN: Ms. Merricks.

23 MS. MERRICKS: Yes.

24 MR. EINGORN: Mr. Brito Bueno.

25 MR. BRITO BUENO: Yes.

1 application on behalf of Parkside Business and
2 Community in Partnership, PBCIP. They're the present
3 owners of a property located at 1454-1460 Haddon
4 Avenue in the City of Camden identified as Block
5 1300, Lot 84 in the Borough's C-1 District. The
6 current use of this property is of a vacant land with
7 an existing structure.

8 The applicant proposes -- the purpose of
9 the application this evening is to submit a site plan
10 for the Board's consideration and review, as well as
11 request certain variances and waivers which I'll
12 delineate now, and my colleague, Mr. Mody, from
13 Keller Engineers will expound upon.

14 The first of those -- overall, the
15 project is to develop a 5-unit, 4-story townhome,
16 five individual townhomes of each will be 4-stories
17 in total. The first of the variances that we would
18 request this evening is for the actual use of the
19 property to permit this type of a development. The
20 second would be for a lot width variance in
21 accordance with the City's Ordinance 870-66; the
22 requirement being 20 feet, whereas 16 1/2 feet is
23 proposed for this project.

24 The second variance would also fall under
25 that same section, 870-66 wherein the building height

1 requirement is 35 feet for a three-story structure
2 where we're proposing 42 feet for a four-story
3 structure. We also have a curb requirement that we
4 are asking the Board to grant relief from our client
5 having to pursue any curbing on the property, as well
6 as any buffers. And those would be under
7 870-231.A for curbing. And then 870-244.E for the
8 buffers. We're also requesting relief from the De
9 Minimus Exception to the parking waiver requirements
10 under our waiver request as well.

11 So I have with me Mr. Samir Mody this
12 evening who is prepared to testify. I also have
13 Mr. Ben Imhoff who is our architect as well on the
14 project. I would ask -- Mr. Mody has been sworn in
15 before the Board in the past but I would ask for Mr.
16 Imhoff to the extent his testimony might be necessary
17 this evening, to also be sworn in. Mr. Imhoff, if
18 you could make yourself known and provide your
19 credentials to the Board for the purposes of swearing
20 in.

21 MR. MODY: Good evening everybody. My
22 name is Samir Mody, Sam for short. I'm the
23 president/CEO of Keller Engineers of New Jersey and
24 practicing civil engineering for 41 years. And
25 I have been in front of this Board previously.

1 MR. IMHOFF: Yes. My name is Benjamin
2 Forest Imhoff. I am an architect licensed in New
3 Jersey and in Pennsylvania. I am representing
4 Donovan Architects, architectural firm that has done
5 this work for PBCIP. We are located in Haddonfield,
6 New Jersey. Our address is 9 Tanner Street, Suite
7 201, Haddonfield, New Jersey 08033. Does that answer
8 your questions?

9 MR. EINGORN: Great. Have you appeared
10 before other Boards in the past?

11 MR. IMHOFF: I have appeared this Board
12 once in the past about three years ago.

13 MR. EINGORN: Great. The Board is
14 satisfied and will accept you as a professional
15 architect.

16 MR. DIDUCH: Thank you ladies and
17 gentlemen. Mr. Mody, I'm going to let you take it
18 away. I understand that you've been in contact with
19 the Borough's engineer and professionals and would
20 like to address some of the points raised in a recent
21 review letter that we've received.

22 MR. MODY: Yes. Thank you, Kevin and
23 good evening everybody. I have been in contact with
24 Dena Moore Johnson and we've testified together so
25 I'm going to let her kind of go through the report

1 and I'll provide testimony as she requested
2 point-by-point.

3 MS. MOORE: Thank you. Because I've
4 mentioned to the Board, I'm going to go through a
5 very condensed version of the review letter. If
6 anything I need to get your testimony regarding the
7 use variance on record and any of the variances and
8 waivers. So anything that's not a variance or
9 waiver, I'm going to just go through. And if you can
10 agree that you'll add it to the plan or make whatever
11 revisions necessary, we will do that.

12 MR. MODY: Okay.

13 MS. MOORE: Mr. Chairman, I'm referring
14 to Remington & Vernick's letter dated May 1, 2023.
15 And the use, I'll go on page 2. I'm referring to the
16 use. The applicant's propose residential use is in
17 conformance with the permitted principal uses of the
18 commercial, residential zone of the Parkside
19 Redevelopment area; however, the application does not
20 conform to the height requirements necessitating a
21 d(6) variance. The applicant has the burden
22 demonstrating "Special Reasons" for granting the use
23 variance. The applicant should also demonstrate that
24 the requested relief can be granted without detriment
25 to the public and will not impair the intent and

1 purpose of the Zoning Plan and Zoning Ordinance which
2 is the Negative Criteria.

3 And then I get into -- in the letter I
4 get into the "Special Reasons" and the testimony
5 that's required with the Positive and Negative
6 Criteria. And I'm assuming, did you want to put that
7 information on the record at the end of the meeting
8 or is that something you wanted to do at this point
9 regarding the use? Do you want me to get through
10 everything and you'll provide all the testimony in
11 the end?

12 MR. MODY: You're talking to me or to
13 the solicitor?

14 MS. MOORE: Well, to you and your
15 attorney.

16 MR. DIDUCH: Yes, that's fine. Thank
17 you.

18 MS. MOORE: No problem. So looking at
19 the area and bulk requirements, there are no area and
20 bulk requirements outlined in the Redevelopment Plan.
21 As such, the underlying zone would apply. So the
22 underlying zone is C-1 which is governed by Section
23 870-66. So as was mentioned -- well, besides what
24 was mentioned, there's some items that are TBD (To Be
25 Determined) by the applicant regarding the lot area

1 minimum and lot area maximum. So do you know if you
2 need variances at this time for those lot area
3 minimum and lot area maximum?

4 MR. MODY: They'll be deferred to a later
5 date, Dena.

6 MS. MOORE: So those are to be
7 determined.

8 MR. MODY: Yes.

9 MS. MOORE: And we know that you are
10 ultimately looking to subdivide these properties but
11 at this time, you're coming in with it being all one
12 lot and one owner. And then in the future to
13 subdivide. Okay?

14 MR. MODY: Yes.

15 MS. MOORE: We'll leave that to be
16 determined. And the impervious coverage, we'll also
17 leave that to be TBD (To Be Determined). But besides
18 that, the lot width, you're requesting a variance.
19 It was mentioned previously the building height and
20 the front yard setback of the principal front yard
21 setback.

22 MR. MODY: Correct.

23 MS. MOORE: And the buffer I have from
24 the area requirements and the off-street parking,
25 what's required is 12 spaces and you're providing six

1 so you would request a De Minimus Exception from the
2 residential site improvement standards for that.

3 MR. MODY: That's correct.

4 MS. MOORE: And you can provide the
5 appropriate testimony for those including the
6 appropriate testimony for the use variance.

7 MR. MODY: Yes.

8 MS. MOORE: So I will jump ahead to the
9 site plan comments. We'd also need testimony
10 regarding for the De Minimus Exception for parking.
11 But besides that under Streets, the items that I have
12 listed, are you fine with making those changes to the
13 plans --

14 MR. MODY: Yes.

15 MS. MOORE: -- and you acknowledge a road
16 opening permit?

17 MR. MODY: Yes. The street names have
18 been shown on all the plan sheets. The county route
19 number is now shown on the plan sheets. We've
20 contacted Camden County Highway Department and Public
21 Works to coordinate and submit the required
22 application and fees.

23 MS. MOORE: Okay. So I mention the De
24 Minimus Exception for the 4-bedroom townhouses.

25 MR. MODY: Yes.

1 MS. MOORE: On page 6, per R.S.I.S, the
2 alternative parking standards to those shown in Table
3 4.4 shall be accepted if the applicant demonstrates
4 those standards better reflect local conditions.
5 Factors affecting the minimum number of parking
6 spaces include household characteristics,
7 availability of mass transit, urban versus suburban
8 location, and available off-site parking resources.
9 Testimony should be provided.

10 So is there anything that would affect
11 your alternative parking standards to those in Table
12 4.4 that you want to put on the record?

13 MR. MODY: The only thing we want to put
14 on record is, the project is located in a
15 well-serviced location with mass transit. A bus stop
16 is located directly in front of the property and will
17 be upgraded to the current standards according to the
18 planned improvements of the Camden County Haddon
19 Avenue corridor improvement project.

20 It's a project that has been going --
21 that's going to run parallel with our project in
22 sequence and we have had coordination with the
23 designer and the County. So we feel that there is
24 adequate mass transit in that area as an alternative.
25 The parking spaces due to the confinement of the lot

1 really limits us to one space per townhouse.

2 MS. MOORE: Okay. All parking areas
3 shall be curbed Per Section 870-231.A, whereas it
4 appears no curbing is proposed. You're asking for a
5 variance for the curbing --

6 MR. MODY: Correct.

7 MS. MOORE: -- and we'll get that
8 testimony in the end. Is that for drainage?

9 MR. MODY: That's for drainage, yes.

10 MS. MOORE: Any questions regarding the
11 pedestrian circulation comments?

12 MR. MODY: No question, Dena.
13 Everything is addressed, yes.

14 MS. MOORE: And then stormwater
15 collection and management system?

16 MR. MODY: Yes.

17 MS. MOORE: If you can acknowledge that a
18 stormwater fee is to be calculated for the site as
19 outlined in Appendix XVIII (18) of the City
20 Ordinance. The calculation will be reviewed by our
21 office. And the fees must be paid by the applicant
22 prior to final signature of the plan. You
23 acknowledge that?

24 MR. MODY: We acknowledge that and we
25 have shown -- we've demonstrated through the project

1 that the Q-post and the Q-pre, predevelopment are
2 zones.

3 MS. MOORE: Okay. All right. And
4 grading, let's see. There are no variances and
5 waivers dealing with the grading. So you acknowledge
6 those? You'll make those changes regarding grading,
7 site grading?

8 MR. MODY: Yes. We've addressed them and
9 if you want me to allow the architect to talk about
10 the basement and the front steps, I can allow Ben to
11 expound upon it but we basically have complied.

12 MS. MOORE: So do the dwellings have a
13 basement?

14 MR. MODY: No. There's no basement or
15 crawl space proposed. And no portion of the front
16 steps or the footings are within the County
17 Right-of-Way.

18 MS. MOORE: All right. Perfect. Right.
19 That was another comment I wanted to make sure
20 about. And then you'll provide the architectural
21 drawings to confirm the proper coordination between
22 those drawings and the site plans for the access
23 points, right?

24 MR. MODY: Yes.

25 MS. MOORE: That's fine.

1 And nothing in the County's Right-of-Way.
2 Utilities. Do you have any -- are you
3 fine with the utility comments that I have? The
4 project would be approved -- must be approved by the
5 City Engineer and the City Fire Chief.

6 MR. MODY: Yes. We've addressed your
7 comments, Dena. We've confirmed the material and
8 slope of the sanitary sewer laterals. We've
9 confirmed the location of the fire hydrant on Haddon
10 Avenue. We acknowledge that the full submission will
11 be reviewed by the City Engineer's office.

12 MS. MOORE: Getting back to the fire
13 hydrant, that is within 400 feet?

14 MR. MODY: Yes. It's 43.5 feet from the
15 near-end and 145 from the far-end corner that's
16 proposed. Yes.

17 MS. MOORE: Got it. And you mentioned
18 about the approvals from the City Engineer, the Fire
19 Chief, you'll get those? And then you'll add the
20 notes that I have on here to the plan?

21 MR. MODY: That is correct. We've
22 actually spoken to David Munoz, the Chief Fire
23 Marshall. He sent us an email on the 7th and he has
24 no comments or exceptions to our site plan.

25 MS. MOORE: Did you forward that to me?

1 MR. MODY: No. We got it on Friday and
2 we're just collecting the approvals in one folder.
3 We'll get that over to you. We saw the --

4 MS. MOORE: Thank you.

5 MR. MODY: -- checkmarks at the end of
6 the report.

7 MS. MOORE: And Construction Details,
8 you'll add those details to the plans or add the
9 notes on here?

10 MR. MODY: Dena, can I go back to page
11 12. Regarding the CCTV inspection, we would have
12 done it under our Site Plan Application but in the
13 coordination with GPI, the designer for the County,
14 GPI has agreed to perform the CCTV as part of their
15 project -- our project.

16 MS. MOORE: Okay.

17 MR. MODY: And the Board and Chair can --
18 I think we've talked to you about that in the
19 past.

20 MS. MOORE: Okay. That's fine. As long
21 as it's done, we're okay with whoever does it.

22 MR. MODY: It will be done, yes. It
23 looks like our project is going to go first in the
24 sequence.

25 MS. MOORE: The City Engineer would just

1 need that for his review.

2 MR. MODY: Correct.

3 MS. MOORE: Let's go to the Planting
4 Design because that has more waivers. So it appears
5 that no landscaping is proposed. A landscape plan
6 should be provided.

7 MR. MODY: Yes. The next few sections
8 were not included in our scope. We are in discussion
9 with PBCIP. We will address your comments as we add
10 these components to our project. So they would be
11 the planting design, the lighting, the traffic
12 report. Those were the ones that will be added.
13 Environmental impacts --

14 MS. MOORE: I did receive the supplement.
15 You did a supplemental environmental review --

16 MR. MODY: Yes.

17 MS. MOORE: -- dated July 3, 2023. So I
18 have those comments from the Phase 1 and the Phase 2?

19 MR. MODY: Yes.

20 MS. MOORE: Okay. So we have those.

21 Regarding the Environmental, prior to any
22 site development activities, the applicant should
23 provide testimony regarding the outcome and results
24 of any additional environmental investigations and/or
25 remedial actions including but not limited to the

1 underground storage tank removal and disposal and
2 asbestos and lead paint inspection, and any
3 subsequent LSRP findings or NJDEP review comments
4 and/or recommendations at the time of completion for
5 the recognized environmental conditions noted in our
6 review. And historical recognized environmental
7 conditions in connection with the subject property.
8 Okay?

9 MR. MODY: Yes.

10 MS. MOORE: So you acknowledge that?

11 MR. MODY: Yes, we do.

12 MS. MOORE: And that's basically from our
13 review for both Phase 1 and Phase 2. But I need to
14 get back to the planning design because -- let's see.
15 I do not see if there are any variance that are
16 required. Like the third item, a tree pit detail has
17 been provided on Sheet 7, but it appears no trees or
18 tree pits are proposed on Sheet 3. Per the
19 Redevelopment Plan, trees should be planted 40 feet
20 on center. So at least two trees are required.
21 Would you be able to provide those two trees?

22 MR. MODY: Ben, can you help me with that
23 comment?

24 MR. IMHOFF: I think I can help you.
25 Would it be trees at the front of the site or at the

1 rear of the sites? I think in the architectural
2 renderings we do show two trees at the front of the
3 site.

4 MS. MOORE: So I'm not sure if they also
5 show on the -- well, we would not have looked at the
6 architectural plan for the trees. So it's probably
7 for the site plan.

8 MR. ALDAIRI: I can jump in.

9 MR. MODY: Can Saif Aldairi from my
10 office also jump in to support the testimony?

11 MS. MOORE: Well, he'd have to be sworn
12 in.

13 MR. EINGORN: We can swear him in.
14 I was looking for who was speaking.

15 MR. MODY: He was on page 2, Kyle, I saw.

16 MR. EINGORN: Raise your right hand,
17 please.

18 - - -

19 SAIF ALDAIRI, PROJECT ENGINEER, having
20 first been duly sworn/affirmed, was examined and
21 testified as follows:

22 - - -

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

25 MR. ALDAIRI: My name is Saif Aldairi. I

1 Work for Keller Engineers in New Jersey in
2 Haddonfield. The address is 35 Kings Highway East.
3 The zip code is 08033.

4 MS. MOORE: So it's just a question about
5 the trees because if you aren't able do the two trees
6 per the Redevelopment Plan, then you'd have to ask
7 for a variance from that.

8 MR. ALDAIRI: Right. So we discussed
9 with you regarding the tree removal plan and also
10 planting the trees on the sidewalk of Haddon Avenue.
11 If we planted more than one tree, it would fall
12 within the site triangle which caused a safety
13 hazard, safety issue. That's why we're not providing
14 more than one tree.

15 MS. MOORE: All right. So I'll just note
16 that down as a variance that you are requesting from
17 the Redevelopment Plan. And that would be the trees.
18 I'll just note tree 44 foot on center.

19 Per the Redevelopment Plan, at least five
20 percent of the parking area shall be landscaped.
21 Sheet 3 depicts two areas for potential
22 landscaping/rain gardens. These should be landscaped
23 for the next submission. Are you going to consider
24 that?

25 MR. MODY: Yes. That will be part of our

1 plan. We depicted areas right now which will be the
2 potential rain garden and enhancement of green
3 infrastructure on the project.

4 MS. MOORE: So you'll be able to meet
5 that five percent then?

6 MR. MODY: I believe so. I believe we're
7 within that tolerance.

8 MS. MOORE: All right. And all
9 electrical and mechanical equipment shall be screened
10 from view. That will be screened? Are they on the
11 roof, the electrical and mechanical units?

12 MR. IMHOFF: They're going to be on the
13 roof, yes.

14 MS. MOORE: And you have a parapet or
15 something?

16 MR. IMHOFF: Yes.

17 MS. MOORE: If we can see that on the
18 plans too, please.

19 MR. IMHOFF: I'll note that down and
20 we'll make sure that it's in the final submission.

21 MS. MOORE: Per Section 870-244.A, a
22 buffer is required between residential and
23 nonresidential uses. Where a buffer is not
24 practical, an opaque fence may be substituted if
25 approved by the, in this instance, it's the Zoning

1 Board in accordance with Section 870-197. So I
2 noted, are you going to have a fence or you have a
3 buffer?

4 MR. IMOFF: We will provide a fence and
5 we have a detail for it actually on-hand right now
6 that we'll make sure is in the next submission.

7 MS. MOORE: Okay. And then it's the next
8 section that you are requesting a buffer per Section
9 870-244.E(3).a, where residential and nonresidential
10 uses abut, a landscaped strip of at least 25 feet is
11 required. Plant material should be planted in such a
12 fashion that a year-round screen at least 8 feet in
13 height shall be produced within three growing
14 seasons. So you are requesting a waiver from that,
15 correct?

16 MR. MODY: That is correct.

17 MS. MOORE: And I will correct that
18 section in the back for waiver for buffer.

19 MR. MODY: Okay.

20 MS. MOORE: And Lighting: The
21 architectural plans depict a proposed light fixture
22 in the north corner of the site. The Site Plan
23 should be revised to coordinate with the
24 architectural plan with respect to lighting, lighting
25 levels and construction details should be provided.

1 Per the Redevelopment Plan, parking areas, entrances
2 and exits shall be illuminated to aid in providing a
3 safe environment. Lighting shall be arranged to
4 limit spill and glare on adjacent properties.
5 So you are going to provide the lighting?

6 MR. MODY: This is correct, Dena,
7 yes.

8 MS. MOORE: Okay.

9 And you're going to limit the spill and
10 glare. So will it have the cut-off?

11 MR. MODY: Yes. Calculations will be
12 provided to you for review.

13 MS. MOORE: And a traffic statement
14 should be provided indicating the change in traffic
15 flow from existing to proposed conditions? You'll
16 provide a statement?

17 MR. MODY: Yes, I can provide a
18 statement. I have it also in your Board report if
19 you needed testimony.

20 MS. MOORE: And we went through
21 environmental previously.

22 Trash Enclosure: The architectural plans
23 depict small areas approximately 4 ft. by 4 ft. to
24 accommodate trash cans for each unit at the rear of
25 the property. Details of these areas should be

1 provided including the concrete pad and the surround.
2 It appears that these areas are not large enough to
3 house a trash can and a recycle can. Testimony
4 should be provided that residents will haul the cans
5 to the street for pick-up. So how will that work?
6 If we can have testimony regarding trash enclosure.

7 MR. IMOFF: So upon some coordination
8 that I've done with the civil engineer's office,
9 we've determined that we can eliminate those from the
10 Site Plan as there are two days a week where trash is
11 picked up and recyclables are picked up on that block
12 of Haddon Avenue.

13 We would be comfortable with just having
14 residents take their bags out to the front at those
15 points in time. Ordinarily the enclosures at the rear
16 were there for the purpose of giving people a place
17 to put their bags from their kitchen or what have
18 they once they were full but before collection day
19 was upon them. But since collection day happens
20 twice a week we think they are no longer necessary.

21 MS. MOORE: So I have noted two days a
22 week and that's for public. That's the regular City
23 pick-up, right, on Haddon Avenue?

24 MR. IMHOFF: One of the... If anybody
25 else in Keller's office wants to comment on that, I

1 don't think I have any additional information.

2 MS. MOORE: Okay.

3 MR. MODY: No. That's the information we
4 had too. Thank you, Ben.

5 MS. MOORE: The applicant should indicate
6 if -- a subdivision, you will be seeking that soon on
7 the project?

8 MR. MODY: Yes.

9 MS. MOORE: And then you can provide that
10 testimony. That's under miscellaneous in the
11 future.

12 And the applicant and owner are reminded
13 that site safety is their responsibility. The plans
14 should note that "The owner or his representative is
15 to designate an individual responsible for
16 construction site safety during the course of site
17 improvements pursuant to N.J.A.C. 5:23-2.21 (e) of
18 the New Jersey Uniform Construction Code and CFR
19 1926:32 (f) the (OSHA Competent Person.)" You'll add
20 that note specifically on the plan?

21 MR. MODY: Yes, Dena, that note has been
22 added.

23 MS. MOORE: The Summary of Variances and
24 Waivers. So with this application, the variances
25 you're looking to receive are for the maximum

1 building height which is the d(6) use variance. The
2 multi-family use which is d(1) use variance. Lot
3 width, curb, bicycle parking. And from the
4 Redevelopment Plan, the trees 40 foot on center.

5 And Waivers, you're looking at a De
6 Minimus Exception from the New Jersey Residential
7 Site Improvement Standards for the number of parking
8 spaces and a waiver from the City Ordinance for a
9 buffer. That's it. Am I missing any that you're
10 aware of?

11 MR. MODY: No. That's correct.

12 MS. MOORE: You're aware of the approval
13 process as listed on pages 10 and 11.

14 MR. MODY: Yes.

15 MS. MOORE: And Outside Agency Approvals,
16 I have noted Camden County Planning Board, Camden
17 County Soil Conservation District, Camden County
18 Municipal Utilities Authority.

19 MR. MODY: Right.

20 MS. MOORE: Are there any other agencies
21 that I'm missing?

22 MR. MODY: No. The only coordination we
23 have, the additional one is just working with GPI and
24 the folks that are tied in with that project. Your
25 list is complete.

1 MS. MOORE: That's fine. Well, that
2 concludes my review. So I guess at this time, if we
3 can just hear the testimony regarding the variances
4 and waivers being requested, especially the use
5 variance for the project.

6 MR. DIDUCH: Thank you.

7 MR. EINGORN: I just want to interject
8 really quickly. We lost a Board member. Mr. Brito
9 Bueno dropped off because I think he had to be
10 somewhere to be or a conflict or some sort so you do
11 only have five members and would require a unanimous
12 vote. I'm sorry to drop the bomb on you midstream.
13 I don't know if that bothers you at all but that is a
14 consideration.

15 MR. DIDUCH: It doesn't bother me
16 personally. We've been before this Board. It's a
17 very educated Board. There has been fantastic
18 dialogue between the professional engineer as well as
19 our engineer and my office. So I'm comfortable with
20 moving forward. I feel this Board is competent and
21 confident in its decision-making power. So we would
22 like to proceed.

23 MR. EINGORN: Okay. Great. Sorry to
24 interrupt.

25 MR. DIDUCH: No. It's all right.

1 MR. MODY: So, Dena, I'll start with the
2 maximum building height, d(6). And, Ben, you and I
3 will probably be tag-teaming a bit on some of these
4 so I'll ask you to step in when I'm complete.

5 So for the proposed building height, the
6 proposed building height is 42 feet and serves a
7 two-fold purpose to incorporate an
8 esthetically-pleasing features within the
9 neighborhood while promoting energy-efficient and
10 cost reduction through passive heating and cooling
11 design practices.

12 As Kevin mentioned, we're proposing a
13 townhouse, a series of townhouses that are four
14 floors, 42 feet in height which exceeds the 3-story
15 maximum height of 35 feet. We had a lot of
16 conversation with the architect in developing the
17 concept. And I'll let Ben kind of share what kind of
18 went into that decision when we proposed the 42 feet.

19 MR. EINGORN: Do you want to share your
20 screen and just show the Board and the public what
21 these townhouses will look like while you testify?

22 MR. IMHOFF: Sure. I can try to do that.
23 Hold on for a moment. So are you able to see the
24 screen? You should see what looks like kind of the
25 front page of some presentation level architectural

1 drawings with a render and a small sort of site plan?

2 MR. EINGORN: Looks great.

3 MR. IMHOFF: This is our architectural
4 proposal. As has been said, we're looking at
5 building five modern, elegant family townhomes
6 featuring sort of a tall ceiling living space at the
7 front of the property. As you can see here, what is
8 strongly connected to the street but elevated up high
9 enough that it feels sequestered and secure. And
10 there's the presence of a lot of kind of green
11 elements and garden elements at both the front and
12 the rear as we can see in the front render here and
13 the rear-render back here.

14 The idea with these townhomes is that
15 they should be large enough to raise a family; not
16 just a starter house. The net square footage for
17 each home is approximately 1,950 square feet. And,
18 yes, with regards with the building height, what I
19 can say about the building height is, yes, it's
20 4-stories if taken from the rear. At the front it's
21 almost more like 3-stories or kind of 3 1/2 stories.
22 Like I mentioned a moment ago, the livingroom is sort
23 of a tall ceiling space.

24 And you can see where my cursor is here,
25 the idea is that that sort of double-height space is

1 pushed towards the front of the building creating
2 almost like kind of a salon-style living room that is
3 connected to the street with tall windows. But it's
4 elevated up about five feet above, approximately five
5 feet above the front of site grade.

6 So then above that there's only
7 2-stories. As I said, the front of the building,
8 it's almost more as though it's 3 1/2 stories or
9 3-stories. At the rear of the building taken from
10 there, as you can see, it's 4-stories because we have
11 this extra bedroom at the rear that is at grade so
12 that it could be accessible if somebody has
13 accessibility issues. The rest of the bedrooms are
14 on the second to the third floor, top floor that is.

15 Yes, the roof at the front angles upwards
16 and backwards to create an almost mansard-like
17 effect. And this maneuver is done to kind of place
18 the highest point, the 42-foot high point back a
19 little bit from the front of the property which has a
20 couple of affects. It makes it seem a bit less tall
21 going back up to the front render here. It adds some
22 interest to the facade and it also kind of creates
23 this concealed balcony space that you see up here
24 which is really, we think, kind of an awesome design
25 feature of the building that would allow views,

1 potential views of downtown Camden and possibly
2 Philadelphia beyond given the location of these
3 buildings.

4 There are other tall buildings. In fact,
5 there's another 3-story building just through the
6 intersection with Lansdowne just maybe a half a block
7 away from this. And if we look at that building, it
8 seems like it's almost 42 feet probably. I'm not
9 exactly sure how tall it is. So I don't think that
10 these buildings are going to seem very out of place.
11 They'll only be a little bit taller than the
12 buildings that are adjacent to them. And it's also
13 worth noting another 4-story, 45-foot tall building
14 just down the street from here at Haddon and Euclid,
15 has been approved and that will be going forward.

16 So I'm going to unshare my screen at this
17 point unless anybody has any questions about images
18 that I've shown and pass it back to Sam.

19 MR. MODY: Thank you, Ben.

20 MR. IMHOFF: Thank you.

21 MR. MODY: Moving on to the second
22 variance, this really comes down to more of the
23 definition in the Code. We recognize for this
24 zoning, that multi-family is not a permitted use. I
25 think Ben went through a detailed dissertation on why

1 we proposed a townhouse. And I'll just read the
2 definition of the townhouse from the Code which seems
3 to be more accurately defined; that this proposed
4 building is more suitable for this area.

5 A building containing at least three
6 connected dwelling units divided by common party
7 walls with private entrances to each dwelling. For
8 the purpose of this townhouse may include dwelling
9 units with simple condominium or cooperative
10 ownership or combination thereof. That has been the
11 concept that we have proposed and we feel that that
12 is fully-suitable for this neighborhood. Dena, any
13 other questions regarding that?

14 MS. MOORE: No, not for the use. So if
15 you wanted to provide the testimony for the other
16 variances too like the lot width, curb, bicycle
17 parking. We did trees already.

18 MR. MODY: Yes. So the lot width, I know
19 there was some confusion when we submitted the
20 Site Plan. The lot width maximum is 20 feet required
21 by the Code. Our lot width currently as a single
22 owner is 102.10. That is before this project is
23 subdivided. It's one lot basically for five
24 townhouses. So currently when you look at the bulk
25 requirement table, that's the existing -- that's the

1 proposal on the table right now.

2 MS. MOORE: What's your number? I'm
3 sorry, 102?

4 MR. MODY: One zero two point one zero
5 (102.10) and that's what we show on the Site Plan
6 Bulk Table on the cover sheet.

7 MS. MOORE: Okay. That's fine. So for
8 now you conform and when you come back for a
9 subdivision, you'll need a variance?

10 MR. MODY: That's correct, yes.

11 So we talked about curbing and curbing is
12 really eliminated to allow stormwater runoff to flow
13 into the landscaped area. Saif, do you want to put
14 up the Site Plan just so everybody can see the rain
15 gardens and the conformity of the site?

16 MS. MOORE: While you're doing that, Sam,
17 let's just continue with what was in the Area and
18 Bulk Requirements. So with this application, the lot
19 area minimum and maximum, the minimum is 1,000 square
20 feet. The maximum is 3,000 square feet. You're
21 proposing a 10,210 for five units so you would need a
22 variance for that, correct?

23 MR. MODY: Right. So if you divide them
24 right now as it stands, we would need a variance.
25 That is correct.

1 MS. MOORE: Yes. So let's do that so
2 that we're not missing anything.

3 MR. MODY: Yes.

4 MS. MOORE: So right now the lot area,
5 your minimum is fine. It would be your maximum.

6 MR. MODY: Maximum, yes. That is
7 correct.

8 MS. MOORE: So I will add that to the
9 list. So Section 870-66 lot area maximum. We'll say
10 maximum lot area.

11 MR. MODY: Maximum lot area.

12 MS. MOORE: Yes. Did you take a look at
13 the impervious coverage at all with what you have
14 now?

15 MR. MODY: We did.

16 MS. MOORE: So what is your -- what's
17 required is 80 percent so what are you proposing?

18 MR. MODY: The current impervious area is
19 actually 88 percent. We have reduced that impervious
20 coverage to 82 percent.

21 MS. MOORE: Okay. So what you're
22 proposing is 82 percent?

23 MR. MODY: That is correct.

24 MS. MOORE: So then you would need a
25 variance for that also?

1 MR. MODY: Correct.

2 MS. MOORE: So once again, the impervious
3 coverage 870-66, I will add that impervious coverage
4 as a variance.

5 MR. MODY: Yes.

6 MS. MOORE: What I want to make sure is
7 that we get all the variances and waivers on record.
8 So that's the last one. I'm sorry. Saif, if you
9 wanted to proceed with your drawing?

10 MR. MODY: So regarding curbing, you can
11 see how tight the lot configuration is. We have
12 identified areas that are around the perimeter,
13 backside of the perimeter for potential landscaping
14 and rain gardens.

15 MS. MOORE: Yes.

16 MR. MODY: So if we were to put curbing
17 through there, it would just kind of landlock this
18 area. So it allows stormwater to kind of flow from
19 the lot into these rain garden areas. Because we
20 have such limitations on parking, we need every
21 square inch that we have. And we just felt that
22 there would much more of a betterment to provide open
23 flow into the landscaped areas.

24 MS. MOORE: All right.

25 MR. MODY: Regarding the eight percent

1 exceeding the Code by eight percent on the
2 impervious, the proposed design will reduce the
3 existing impervious and building coverage by
4 incorporating green infrastructure consistent with
5 the City's Green Initiative. That includes
6 stormwater management infrastructure, rain gardens,
7 green roof space. This will reduce surface runoff
8 and in turn, reduce the impact of the development on
9 the City's underground water and sewer
10 infrastructure.

11 Furthermore, the proposed development
12 will have no negative effect on surface water
13 quality, groundwater pollution, air quality, sewage,
14 and solid waste disposal or vegetation. Conversely,
15 one of the objectives of the development is to
16 restore and preserve the scenic and historic feature
17 of the neighborhood. That was what we had
18 incorporated into our stormwater design.

19 MS. MOORE: Okay. All right. Sounds
20 good.

21 MR. MODY: Lastly, the bicycle parking,
22 we have provided bicycle racks so that is not needed
23 as a new variance.

24 MS. MOORE: So you do have racks. And so
25 then let me just, the waivers stay the same. Since

1 we made some adjustments during this conversation,
2 the Summary of Variances, I added -- well, you have
3 the maximum building height, multi-family, those are
4 the use variances, lot width, curbing. I removed the
5 bicycle parking. I added from the Redevelopment
6 Plan, the trees 40 foot on center. And then back
7 from the Ordinance, the maximum lot area and the
8 impervious coverage.

9 MR. MODY: Yes.

10 MS. MOORE: Okay. And Waivers, De
11 Minimus Exception, number of parking spaces and the
12 buffers.

13 MR. MODY: And the buffers, yes.

14 MS. MOORE: And that concludes your
15 testimony regarding the variances and waivers?

16 MR. MODY: Yes.

17 MS. MOORE: Thank you. Thank you,
18 Mr. Chairman.

19 MR. DIDUCH: Thank you very much.

20 MR. EINGORN: Does the Board have
21 questions for the applicant or its professionals?

22 CHAIRMAN HANCE: Yes. Parking. You got
23 four townhouses?

24 MR. MODY: Five townhouses.

25 CHAIRMAN HANCE: I'm sorry. Are they

1 three bedrooms each or four bedrooms?

2 MR. IMHOFF: They're four bedrooms.

3 CHAIRMAN HANCE: I'm just concerned about
4 the parking. Because if you have two adults that
5 work, there's going to be two cars. That's my only
6 issue with the project, parking. How many spots do
7 you have, five?

8 MR. DIDUCH: That's right.

9 MR. MODY: That's correct.

10 CHAIRMAN HANCE: So you have one extra
11 parking space. Now do you also because I seen this
12 if I'm right, I saw it online where you have them
13 able to charge an electric car also. Is this the
14 same project?

15 MR. IMHOFF: Yes.

16 MR. MODY: A vision for electric cars,
17 electric vehicles and ADA compliance within the
18 parking lot. They're doubled-up.

19 CHAIRMAN HANCE: Then you have one
20 handicap, correct?

21 MR. MODY: Yes:

22 CHAIRMAN HANCE: So like I said, my only
23 concern is the parking. A beautiful design; love it;
24 it's gorgeous. I'm just concerned with the parking.
25 Can we do anything about that parking?

1 MR. MODY: Mr. Chairman, we've looked at
2 the site circulation in this area. The only
3 opportunity that we see is if there are vacant public
4 lots where we can get some type of agreement. We've
5 done this on a couple of other projects with the
6 City. If we can develop some type of shared
7 agreement with the Parking Authority and provide
8 overflow. But within that configuration that you can
9 see how tight it is there.

10 CHAIRMAN HANCE: Yes.

11 MR. MODY: There is no opportunity. We
12 have drive aisles that are compliant but not much
13 room to move in any way. The circulation within the
14 site works very, very well for safety. We're further
15 away from the intersection. And it works well in
16 concert with the Haddon Avenue corridor that is
17 running in parallel design. So the only thing that
18 we can see is if there are opportunities within this
19 geographic area.

20 And, again, we have to stay within 200
21 feet to find alternate parking if there's vacant land
22 that we can explore to see if that would suffice.
23 But somebody would have to park off the property in
24 order to get additional parking.

25 CHAIRMAN HANCE: So my question is, are

1 these for sale or -- these are for sale, correct?

2 MS. PHIFER: The homes are for sale, yes.

3 MR. MODY: Yes.

4 CHAIRMAN HANCE: I think, me personally,
5 I would rather you look for outside parking because I
6 don't think it would be fair to the owners. And only
7 because -- I have been here all my life and parking
8 is crazy. I would rather park my vehicles somewhere
9 else than to try to find parking. Because even
10 though Haddon Avenue is pretty busy --

11 MR. MODY: Busy, yes.

12 CHAIRMAN HANCE: -- and you guys are
13 bringing it up to look beautiful. So if you keep
14 doing this around Haddon Avenue or Parkside, you're
15 going to have a problem. Because I like the houses.
16 I think the townhouses are gorgeous. Yes, I would
17 think that an owner would prefer to have parking.

18 MS. PHIFER: I don't know if I can
19 interject because I was never sworn. But this
20 Bridget Phifer from Parkside Business.

21 MR. EINGORN: Great. Can you turn on
22 your video?

23 MS. PHIFER: Sure. Absolutely. I'm on
24 my phone this is a little different for me. Give me
25 one second while I figure it out. There I am.

1 MR. EINGORN: Welcome. Raise your right
2 hand, please.

3 - - -

4 BRIDGET PHIFER, having first been duly
5 sworn/affirmed, was examined and testified as
6 follows:

7 - - -

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

10 MS. PHIFER: Bridget Phifer, Parkside
11 Business And Community In Partnership, 1487 Kenwood
12 Avenue, Camden, New Jersey 080103.

13 MS. PHIFER: I just want to kind of weigh
14 in on what the Chairman has indicated. We are in the
15 process now of trying to identify parking, other
16 parking options. And so we understand it fully that
17 that's something that we need to be able to address
18 as it relates to this project as well as several
19 others that have become and will be coming before the
20 Board. So we're thinking through it and we're
21 working on it, believe me.

22 CHAIRMAN HANCE: Thank you.

23 MS. MOORE: So I have noted that the
24 applicant is going to pursue a parking agreement with
25 nearby available parking?

1 MR. DIDUCH: That is correct.

2 MS. ATWOOD: I have a question; concern.
3 This is Teresa Atwood, Board member. So my concern
4 is the trash. I live here in Parkside and trash is
5 definitely a problem. And I don't know where you got
6 your information, but it changed last year that we
7 only have one day-a-week trash pick up. We don't
8 have two days anymore for residential. So my
9 question is, where are the tenants or the owners
10 whatever, going put their trash?

11 MS. MOORE: So just for clarification for
12 me because I was not aware. So Haddon Avenue doesn't
13 get picked up twice a week anymore?

14 MS. ATWOOD: The businesses have a
15 different schedule than a residential. So I'm not
16 extremely -- I'm not sure about that. But I do know
17 residential has changed to one day a week. But I
18 want to know since they're not providing something
19 for the residents, the owners, where are they going
20 to put their trash and trash cans or whatever?
21 Hello. I need someone to answer that question.

22 MR. DIDUCH: I would defer to Sam again
23 on that because I do believe we addressed in part of
24 our testimony how the receptacles were going to be
25 stored. Take it away, Sam.

1 MR. MODY: Yes. I'm a little confused by
2 the response because we had investigated that with
3 the City. We got kind of an allowance from the City
4 that they were picking up trash two days a week.

5 MR. ALDAIRI: We checked the calendar for
6 the pick-up schedule on the City's website and it
7 showed that it's picked up twice a week.

8 MS. ATWOOD: I understand what the
9 calendar says but last year due to the enormous rise
10 in gas prices, I live a few blocks away from where
11 you were talking about. Okay? And we only have --
12 now, unless there's a different schedule for the
13 corridor of Haddon Avenue.

14 But the residential section, we only have
15 one day a week trash and recycle pick up. But I
16 didn't understand or hear what you were providing for
17 the place for them to put their trash. That's what
18 I'm trying to figure out where they're going to put
19 their trash. I didn't hear what you said about the
20 trash.

21 MS. MOORE: The architectural plans at
22 one point showed a separate location for, I assuming
23 it would be any type of can --

24 MR. MODY: Yes.

25 MS. MOORE: -- 4-by-4 concrete area for

1 the can.

2 MR. IMHOFF: The architectural plans had
3 shown an enclosure outside; just a small, basically a
4 small fenced-in area, one for each home that would
5 be -- it was our intention that it would be large
6 enough for a tall exterior garbage can plus a
7 recycling bin or crate. However, when we -- as has
8 been discussed here, when we came under the
9 impression that trash was to be collected at the
10 front on the Haddon Avenue Street side two days a
11 week, we thought that it was no longer necessary to
12 have exterior trash storage at the rear.

13 If that information that we were going by
14 is false, then that's something for us to review.

15 MS. MOORE: You'll probably need to add
16 that back then. If that's a concern, you probably
17 need to do that. And just confirm that trash pick up
18 along Haddon Avenue.

19 MS. ATWOOD: The other problem is but
20 even so, where are people going to put their trash
21 cans? I mean, since it's picked up on the front then
22 that destroys the look of your place if people have
23 to keep trash cans at the front of the building.

24 MS. MOORE: It was in the rear; the
25 concrete area was in the rear of their building.

1 MS. ATWOOD: So whether you have a
2 fenced-in area or not, there's a place in the back
3 for the trash; is that what you're saying or no?

4 MS. MOORE: There was at one time. I
5 think they're going to re-evaluate it. If I hear
6 correctly, they're going to go find out about the
7 trash. I would think even if it is picked up twice,
8 you may want to still have that area for people to
9 have trash.

10 MS. ATWOOD: Yes, that's what I'm
11 saying.

12 MS. MOORE: Because no one is going to
13 keep it. Even if it's twice, no one is keeping
14 enough trash in the house --

15 MS. ATWOOD: In the house, exactly.

16 MS. MOORE: So you may want to evaluate
17 that.

18 MR. MODY: We'll do two things. One,
19 we'll verify the schedule and re-evaluate the trash
20 enclosure on-site to satisfy the Board.

21 MS. ATWOOD: Thank you.

22 MS. MOORE: Thank you.

23 MR. MODY: Thank you for the question.

24 MR. DIDUCH: With nothing further from
25 the Board, we would conclude our testimony. At this

1 point, Mr. Eingorn, if you could put this up for a
2 vote, please.

3 MS. MOORE: It has to be open to the
4 public.

5 MR. DIDUCH: My apologies.

6 MR. EINGORN: Open to the public. Is
7 anybody in the public here tonight that would like to
8 be heard on the application of Parkside Business and
9 Community in Partnership related to 1454 to 1460
10 Haddon avenue?

11 MR. MODY: I see Mr. Spencer has his hand
12 up.

13 MR. EINGORN: Mr. Spencer, can you raise
14 your right hand?

15 - - -

16 OSCAR SPENCER, having first been duly
17 sworn/affirmed, was examined and testified as
18 follows:

19 - - -

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

22 MR. SPENCER: Oscar Spencer, 1442
23 Kenwood Avenue, Camden, NJ 08103.

24 MR. EINGORN: What you would like to
25 state?

1 MR. SPENCER: Just for a point of
2 information to focus. The trash on Haddon Avenue is
3 picked up four to five times a week. I've lived on
4 Haddon Avenue since 1969. And then the last, maybe
5 ten years, they pick up trash four to five times a
6 week. Recycling is twice a week. The trash goes
7 out, put it out front and they pick it up four to
8 five times on the streets of Haddon, Broadway,
9 Federal Street. I think there's other streets. It
10 gets picked up definitely more than just the
11 residents twice a week. Just for clarification
12 purposes.

13 MS. MOORE: Thank you.

14 MR. MODY: Thank you, Mr. Spencer.

15 MR. SPENCER: You're welcome.

16 MR. EINGORN: Is there anybody else in
17 the public that would like to be heard on this
18 application? I don't see any other hands raised
19 whether virtual or physical and I hear no further
20 comments so we'll close the public portion.

21 So now is the time for the Board do its
22 discussion of the Positive and Negative Criteria
23 related to the requested variances, as well as a
24 consideration of the Site Plan request and then to
25 make a vote. If you have any questions or

1 clarification in interim, you can ask those as well.

2 VICE-CHAIRMAN COOPER: I think this is a
3 good plan. It's good for the neighborhood and for
4 the seven feet if they're requiring for the height,
5 the max. I think that outweighs the negative there.
6 If we're going to beautify our neighborhoods, it's a
7 good plan. It's definitely a good plan.

8 MR. IMHOFF: Thank you.

9 CHAIRMAN HANCE: I agree with the
10 Vice-Chairman. It's actually a great plan. It has
11 been way past due where our City gets a facelift. We
12 are way behind. I think Parkside Business and the
13 community partners also. I give them a hand also
14 because they're sticking to the plan. So this is
15 what our City needs. And I believe a little tuck
16 here and a little tip there, will make a difference.
17 So I think it's a great idea.

18 VICE-CHAIRMAN COOPER: I'm going to move
19 to vote. Yes on this and as long as they comply with
20 all the Site Plan waivers from the engineer.

21 MR. EINGORN: So it's a vote in favor --
22 I mean, it's a motion to approve the application
23 subject the discussions on the record and the
24 compliance with the May 1st and July 3rd, 2023
25 engineering letters.

1 VICE-CHAIRMAN COOPER: That's correct.

2 MR. EINGORN: Do we have a second?

3 CHAIRMAN HANCE: I second it.

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

5 Chairman Hance.

6 CHAIRMAN HANCE: Yes.

7 MR. EINGORN: Vice-Chairman Cooper.

8 VICE-CHAIRMAN COOPER: Yes.

9 MR. EINGORN: Reverend Martinez.

10 REVEREND MARTINEZ: Yes.

11 MR. EINGORN: Ms. Atwood.

12 MS. ATWOOD: Yes.

13 MR. EINGORN: Ms. Merricks.

14 MS. MERRICKS: Yes.

15 MR. EINGORN: Having five in favor and

16 none opposed, the motion passes. Thank you

17 everyone. We appreciate your time.

18 MR. DIDUCH: Thank you very much.

19 MR. MODY: Thank you.

20 MR. EINGORN: The next matter is Monzo

21 Construction Services, 699 Liberty Street.

22 MS. NADEAU: Hi, my name is Erin Nadeau.

23 I'm with McElroy Deustch Law firm. And we represent

24 the owner of the property, American Tower Corp.

25 Monzo Construction is the fence company that we

1 hired. Today we have Eric Meyers with American Tower
2 here and also, Andy Monzo of Monzo Construction. I
3 can either have you guys swear them in now in case
4 you have questions and we can begin to give testimony
5 or we can wait until you decide that you need them.
6 That's up to you.

7 MR. EINGORN: Why don't we swear them in
8 real fast that way we can move forward. So we have
9 Mr. Meyers and I'm sorry, who else?

10 MS. NADEAU: Andy Monzo.

11 MR. EINGORN: Mr. Meyers and Mr. Monzo.
12 Mr. Monzo, I need you to show your video and unmute
13 for a second if you could. We will swear in Mr.
14 Meyers. Please raise your right hand.

15 - - -

16 ERIC MEYERS, having first been duly
17 sworn/affirmed, was examined and testified as
18 follows:

19 - - -

20 MR. EINGORN: Please give your name and
21 address for the record.

22 MR. MEYERS: Eric Meyers, 91 Manor
23 Circle, Elkton, Maryland 21921.

24 MR. EINGORN: Thank you.

25 MS. NADEAU: The applicant is requesting

1 a C(1) bulk variance for the installation of a
2 10-foot security fence around the perimeter of the
3 current premises which exceeds the limit of 6 feet.
4 This matter was carried over from the May meeting
5 since our client do not have an attorney present, so
6 no new notices are required since all the notice
7 requirements were met prior to the May hearing date.

8 Just to give a brief history. This
9 property has had a history of vandalism. There are
10 vagrants that live in tents in the area right off the
11 highway. They've cut holes in the current fencing;
12 they break in the site; steal cooper wires, etc.
13 The break-ins increased the crime in the area. They
14 create unsafe conditions for the property and the
15 trespassers since they're cutting wire.

16 The applicant has had to fix the fence
17 six times since January 2023. This is an issue for
18 public safety. And as I mentioned, the trespassers
19 and vandals are cutting and stealing cooper wire and
20 this creates unsafe conditions since the wires are
21 live and creates a fire hazard or danger of
22 electrocution to the vandals. The unsafe conditions
23 resulting from the break-ins open up the City and the
24 applicant to potential lawsuits. There's a potential
25 danger to the public safety since the cutting of the

1 wires can interrupt cell service which impacts the
2 safety of the community and an emergency if the cell
3 service is down. The last cut-out of the cell
4 service fibers costs hundreds of thousands of
5 dollars.

6 The installation of the fence will
7 decrease the need for police presence, as well as
8 deter the vandals from accessing the property. We
9 do, as I mentioned, have an representative from the
10 fence company, Monzo Construction Services, LLC. And
11 they can answer any questions once we get Andy here
12 and on video, we can swear him in. But I'll give you
13 some details. And I I believe the Board has some
14 information from Monzo Construction giving these
15 facts et cetera.

16 But the proposed fence is a 10-foot
17 Guardian Plus Security fence with one egress point
18 just to surround the perimeter of the premises. The
19 cost of the fence is approximately \$58,000 with
20 \$73,000 with installation. It's a curved-anti-climb,
21 very strong material so it cannot be cut through
22 unless you have a heavy-duty saw which most of the
23 potential vandals would not have this type of
24 equipment to be able to access.

25 The installation of the fence would be an

1 esthetical improvement to the corner of Liberty
2 Street. The current fence is kind of a hodge-podge
3 and the new one looks better so it's consistent.
4 It's made of better materials. The installation of
5 the fence will take approximately one day including
6 the removal of the old fence. I'm pretty sure that's
7 the correct time frame but Andy can correct me if
8 that's not the case. The fence company was the one
9 who applied for the permit for the fence and it was
10 denied due to the height.

11 The applicant's other actions to date,
12 the applicant has taken all measures to date in order
13 to address the vandalism issues and make the site
14 safe. They've repaired the fence numerous times,
15 removed the shelter on the premises that people were
16 squatting in and installed LED lights as a deterrent.
17 They've also installed cameras and put in a generator
18 for back up power for customers. There have been no
19 break-ins since the New Year, but we need to finalize
20 the securing of the site. The last piece of this
21 puzzle is the appropriate fence to keep out the
22 vandals in order to protect the applicant's property
23 and the public safety.

24 I just wanted to note that the applicant
25 is willing to comply with any conditions imposed by

1 the Board. And have also worked with the police in
2 the past to protect the public safety and will
3 continue to cooperate in any way they can. And I
4 just wanted to note that under 620 -- Section 620-47,
5 we do meet the requirements because the standards
6 here that it cannot affect the detriment, health or
7 safety of the occupants of the premises and health,
8 safety, welfare of the occupants or owner's with
9 adjacent premises in the neighborhood. So there's no
10 detriment to the public or to any neighbors.

11 And if they were not able to build this
12 10-foot fence, it would create an undue hardship for
13 the owner/occupant because this is really -- they've
14 tried other measures in the past and this is really
15 the only thing that they found that's going to keep
16 people out; keep the premises secure and also keep
17 the copper wire, et cetera which I've mentioned the
18 reasons that we want to protect that.

19 And there are no other feasible means
20 that they could use that would achieve this goal if
21 they were just to keep it at a 6-foot fence. So
22 that's what I have. I don't know if anyone has
23 additional questions either for Eric or Andy. We can
24 swear Andy in if you have additional questions or if
25 you need to see any photos or anything beyond what

1 you guys have been supplied.

2 MR. EINGORN: Does the Board have
3 questions?

4 VICE-CHAIRMAN COOPER: This location is
5 on the corner, correct?

6 MS. NADEAU: Yes.

7 VICE-CHAIRMAN COOPER: And the fence that
8 you're putting up, you are able to see through it,
9 correct?

10 MR. MEYERS: Yes, sir.

11 VICE-CHAIRMAN COOPER: We're familiar
12 with these fences here. As long as it's not a
13 detriment to traffic, you know, somebody trying to
14 see around the corner, whatever. If you're
15 comfortable with that.

16 MR. MEYERS: It's actually very visible
17 when you see right through it. It's actually
18 esthetically, I would say, pleasing. It's black
19 hardened steel and it kind of curves out at the top.
20 The color is like candy-cane so you can't climb it.
21 We've just so much vandalism here. We were working
22 with the Camden City Police and Camden County Police
23 trying to secure this corner. And we've had a real
24 hard time keeping cell service. Verizon, At&T and
25 T-Mobile are all customers on the site. And they've

1 been knocked out multiple times since the first of
2 the year. So it has been tough.

3 VICE-CHAIRMAN COOPER: I have no further
4 questions.

5 CHAIRMAN HANCE: I think it's a great
6 idea. The sad part is, it's been going on around our
7 City, not just there. It should be a 12-foot fence
8 because the people that break in there, they do not
9 sleep. They're up 24/7.

10 MR. MEYERS: We had a shelter there that
11 was not being used by the customer. It was an old
12 shelter. And they actually broke into the shelter,
13 changed the combination and were living in the
14 shelter. We worked with the police, got the vagrants
15 out and we demolished the shelter. It's gone. So we
16 actually had people living in one of our shelters at
17 the site.

18 CHAIRMAN HANCE: I think this is needed
19 and not just there but around our City until we can
20 take control over issues that are going in our City.

21 MR. MEYERS: We have five other sites in
22 the City and we're actually working with the Camden
23 City Police, working with Lieutenant Harvey. They
24 want to put some of the Arctic cameras up near our
25 sites to watch them. And in turn, we were going to

1 let them put some microwave dishes up on our towers
2 for free at no expense to keep it up there, their
3 system. So it's actually been their vision. The
4 Camden County Police have been very helpful.

5 CHAIRMAN HANCE: So I think it would be
6 very helpful if we get this fence up here. Because
7 from what I hear, it's kind of hard to break into.
8 And no one is going to through that much trouble for
9 a couple pieces of copper.

10 MR. MEYERS: We hope so.

11 CHAIRMAN HANCE: And also that would
12 relieve our police force so they can do some real
13 business here.

14 MR. MEYERS: Yes, sir.

15 CHAIRMAN HANCE: So I think it's a great
16 idea

17 VICE-CHAIRMAN COOPER: Agreed.

18 MR. EINGORN: Let's open it to the
19 public. Anybody in the public would like to be heard
20 on this application tonight regarding Monzo
21 Construction Services, 699 Liberty Street; a bulk
22 variance for a 10-foot fence? Hearing none and
23 seeing no hands raised, we'll close the public
24 portion. Now is the time for the Board to do a
25 discussion of the Positive and Negative Criteria and

1 make a motion related to the requested bulk variance
2 for a 10-foot fence where 6-foot is the maximum
3 height.

4 VICE-CHAIRMAN COOPER: I think it's a
5 good thing. It's going to make that corner look a
6 little bit better. I think it's positive.

7 CHAIRMAN HANCE: I'm going to piggyback
8 on the vice-chairman and say that that's a great
9 idea. Not only is it going to make the corner look
10 better, but it's going to keep people from breaking
11 in there and someone may get hurt. And also, it's
12 going to relieve our officers where they can do some
13 real crimes and won't have to run back and forth to
14 the site for wire or whatever the case may be.

15 MR. EINGORN: Do we have a motion?

16 CHAIRMAN HANCE: I make a motion.

17 MS. ATWOOD: Second.

18 MR. EINGORN: We have a motion to approve
19 the requested bulk variance and a second. We'll take
20 a roll-call vote. Chairman Hance.

21 CHAIRMAN HANCE: Yes.

22 MR. EINGORN: Vice-Chairman Cooper.

23 VICE-CHAIRMAN COOPER: Yes.

24 MR. EINGORN: Reverend Martinez.

25 REVEREND MARTINEZ: Yes.

1 MR. EINGORN: Ms. Atwood.

2 MS. ATWOOD: Yes.

3 MR. EINGORN: Ms. Merricks.

4 MS. MERRICKS: Yes.

5 MR. EINGORN: Having five in favor and
6 none opposed, the motion carries. The application is
7 granted. Thank you. Have a great night.

8 MS. NADEAU: Thank you.

9 MR. MEYERS: Thank you very much.

10 MR. EINGORN: Did anybody appear for
11 Ronald and Frances Abate, 1929 S. 4th Street? Evita,
12 was notice for this one proper?

13 MS. MUHAMMAD: Yes.

14 MR. EINGORN: So we wil -- the Board will
15 grant one further adjournment of this matter to the
16 next monthly meeting in August. Since notice was
17 proper for this meeting, this is notice you're
18 receiving now is the only further notice you will
19 receive of the adjournment. If anybody is here for
20 that in the public, this is the notice that will be
21 heard in August.

22 The next matter, 5 Star Properties, LLC,
23 402 to 420 Stevens Street.

24 MS. LEVAN: Good evening, Melanie Levan
25 for the applicant, 5 Star Properties with the Law

1 Firm of Earp Cohn. And I have with me my client, 5
2 Star Properties and Lorenz Komischke will be
3 testifying on behalf of the applicant. Lorenz, if
4 you're here, if you can unmute and share your video,
5 please.

6 MR. KOMISCHKE: Hi, I'm here.

7 MS. LEVAN: Great. I'll go ahead and
8 have him sworn in now if that's appropriate.

9 MR. EINGORN: It is. Mr. Komischke, if
10 you would raise your right hand.

11 - - -

12 LORENZ KOMISCHKE, having first been duly
13 sworn/affirmed, was examined and testified as
14 follows:

15 - - -

16 MR. EINGORN: Could you state your name
17 and address for the record.

18 MR. KOMISCHKE: Lorenz Komischke at 3
19 Baker Street, Lawrence Township, New Jersey 08648.

20 MS. LEVAN: Okay. So this is an
21 application. You may remember actually this
22 applicant was before the Board in, I believe, in May
23 for a different property. This application, 5 Star
24 Properties, is a landlord and property owner. They
25 own several properties throughout Camden. They have

1 purchased, I would say recently but it has been a few
2 years, and you'll hear testimony from Mr. Komischke
3 on that shortly, a property at 402 Stevens Street.
4 It's Block 178, Lot 1 in the R-2 District. It is
5 under a Redevelopment Plan, the Lanning Square
6 Redevelopment Plan so we'll talk about that shortly
7 as well.

8 It's an existing 5-unit property so it's
9 a multi-family property with five units. And it has
10 been vacant for quite some time. And the property
11 owners wish to renovate it, modernize it and be able
12 to use it to provide housing for Camden's residents.
13 It has a number of pre-existing, nonconforming
14 bulk uses or bulk conditions. So we are looking for
15 several bulk variances. One of them is to have a lot
16 area of 2,000 square feet where a minimum of 20,000
17 square feet is required. It's a pre-existing
18 condition. A front yard setback of .37 feet where a
19 minimum of 20 feet is required. Again, a
20 pre-existing condition. And a bulk variance to
21 permit a side yard setback of .24 (point 24) feet and
22 .55 (point 55) feet, and an aggregate of .79 (point
23 79 feet) where the minimum side yard is 20 feet and
24 the aggregate is 50 feet required. Again, these are
25 all pre-existing conditions.

1 The last variance we're looking for is to
2 permit on-street parking. We had originally
3 submitted an application that would utilize a lot a
4 few blocks down for parking. And we are now
5 withdrawing that portion of the application. That
6 lot cannot be used solely for parking which we
7 understand so that is withdrawn. And as a result of
8 communications with the Camden County Parking
9 Authority and with the neighborhood residents, we are
10 asking the Board to grant a variance to permit no
11 off-street parking and instead, provide parking
12 on-street with resident permits which we have a
13 letter from the Camden County Parking Authority that
14 that would be permitted.

15 So with that as a background, we will get
16 some testimony from the applicant. So, Lorenz, can
17 you just give the Board a little history of 5 Star
18 Properties and how many properties they own and what
19 they do in Camden?

20 MR. KOMISCHKE: Yes. Currently we have
21 106 units between Camden County and Philadelphia. We
22 just picked up 20 units last month in Philadelphia
23 We started in Camden. The owner Pedro Rosario, he
24 was raised in Camden and lived there until recently.
25 With this property, we bought it in a vacant

1 condition in 2020. We tried to rehabilitate it.

2 But then upon trying to pull the Zoning
3 back then, it was denied for the reasons Melanie
4 stated. And we need a variance be able to pull the
5 permits to get the utilities turned on. Melanie, do
6 you have the pictures on hand. But at the property
7 there are, and we will get into it later, there are
8 spaces for five meters.

9 MS. LEVAN: We do.

10 MR. KOMISCHKE: There were five
11 electrical meters there.

12 MS. LEVAN: Yes. In a little bit, I'll
13 share my screen and show some pictures to the Board
14 of the meters and of what the property looks like.
15 I'll do that in a moment. So with this particular
16 property, it'S already a 5-unit. You will be
17 rehabbing it to keep the 5 units. And that will be
18 how many 1-bedrooms and how many 2-bedrooms? Can you
19 give a little background on what you plan on doing?

20 MR. KOMISCHKE: There will be 5-one
21 bedrooms. So no 2-bedrooms.

22 MS. LEVAN: Okay. Other than those bulk
23 variances that we talked about, there are no other
24 changes to the property exterior, meaning, you're not
25 planning on adding or doing anything to the exterior

1 of the property. And, in fact, the house or the
2 building, I should say, takes up the majority of the
3 property. Would that be fair?

4 MR. KOMISCHKE: Yes.

5 MS. LEVAN: So with regard to -- may I
6 share my screen? Is that possible to get permission
7 to that. I'd like to share the Board some pictures.
8 These were included, most of them, with the
9 application. But it might be helpful to have them up
10 so that we can look at them at the same time.

11 MR. EINGORN: I don't know that you need
12 permission. I think you can just --

13 MS. LEVAN: Can I just do it?

14 MR. EINGORN: Yes.

15 MS. LEVAN: Okay. Fair enough. Give me
16 a moment. I'll see if I can find that. Hold on.
17 I'm not seeing where I can share my screen here. Do
18 I need --

19 MR. EINGORN: At the bottom in the
20 middle, little green up-arrow.

21 MS. LEVAN: Yes. Thank you very much.

22 The first picture I would like to show
23 the Board would be the picture of the five meters. I
24 will be sharing that. I don't know -- you might be
25 able to -- hopefully you can -- I've got two screens

1 here.

2 MR. KOMISCHKE: They're on the screen.
3 There it is.

4 MS. LEVAN: Yes, yes. You saw my
5 beautiful family and now you see the picture of the
6 five meters. So this is the side of the building.
7 It actually has six meters there. Is one of them for
8 a common area?

9 MR. KOMISCHKE: I believe so, yes.

10 MS. LEVAN: Okay. And then the picture
11 of the building itself would be something I'm going
12 to pull over next. So this is the picture of the
13 building as it looks now, correct?

14 MR. KOMISCHKE: Yes.

15 MS. LEVAN: All right. So you can see
16 the windows are boarded and the property line
17 really is just at the edge of the front of there,
18 correct, that sidewalk is all municipal property?

19 MR. KOMISCHKE: I believe so, yes.

20 MS. LEVAN: And then I wanted to also
21 show the Board what the street looks like. There's
22 an aerial view of the property taken from the fire
23 escape. If I can get that over. Hold on for a
24 second. Here we go. Sorry. I've got two screens
25 and the camera is in only one. So that is what the

1 street looks like from that fire escape and you can
2 see it's not a lot of cars on the street. There is
3 ample room for parking. Would that be accurate?

4 MR. KOMISCHKE: Yes. I would say this is
5 even on a busy day this picture.

6 MS. LEVAN: And you took these pictures;
7 is that correct?

8 MR. KOMISCHKE: Yes.

9 MS. LEVAN: And then the last I would
10 want to show would be the parking letter. Kyle, this
11 is a letter that was received this morning from the
12 Parking Authority the City of Camden. I'd like to
13 introduce it as an exhibit. This is was not included
14 with the originals. We'd call this, I guess,
15 A-1?

16 MR. EINGORN: That's great. If you would
17 just send a copy to Evita as well.

18 MS. LEVAN: Yes. I did send her one this
19 morning and I'll be happy to do it again as well.
20 So this is the letter received from the Parking
21 Authority this morning again. And it is a letter
22 that verifies there's ample residential parking near
23 402 Stevens Street; that there's two permits
24 available per unit and the tenants will be able to
25 have 10 residential permits to park on the street

1 from the operations managers.

2 Lorenz, it's your understanding and
3 feeling that there is more than enough parking on the
4 street for the residents. And that having off-street
5 parking although required by the Ordinance, it would
6 be feasible to have those tenants park on the street;
7 is that correct?

8 MR. KOMISCHKE: Yes. I would just also
9 like to bring to the attention of the Board that we
10 took this parking requirement very seriously.
11 Melanie indicated we had another piece of land. It's
12 actually on the same block, I would say, four parcels
13 down at 420 Stevens. We're proposing this variance
14 at 402 Stevens. It was a parcel that we bought back
15 in 2020 planning on being able to use that as parking
16 for 402. But we spoke to not only the City, but we
17 also spoke to the neighbors and they really were
18 vehemently opposed to us using that as parking
19 because they didn't it to hinder further development
20 on that block.

21 And then we also were exploring the
22 possibility of putting parking behind our property
23 which is still on the same parcel but just behind the
24 physical structure. There was space for four parking
25 spots. But then, again, in conversations with the

1 neighbors, they didn't want off-street parking on the
2 parcel. So we, again, reached out to different
3 relationships we had in the City, that including the
4 Zoning Department and the Parking Authority. And
5 that's what we came up with the resolution to have
6 off-street parking set.

7 From the real picture that Melanie
8 showed, that's the average day, if not heavier than
9 the average day. There is really no traffic or
10 parking traffic on that street. And then across from
11 402 Stevens there's a massive lot. It's 402 Martin
12 Luther King Blvd. I would say there's at least 100
13 parking spots there available for daily parking in
14 case if people need to park in this area whatever
15 reason.

16 MS. LEVAN: Thank you. The floor plan
17 for the property was included with the application.
18 I can pull it up to here if the Board wants us to go
19 through it for any reason. But the interior floor
20 plan doesn't -- we don't need a use variance. It is
21 zoned for multi-family under the Lanning Square
22 Redevelopment. Again, we can go through it if the
23 Board would like to see it. But really, the bulk
24 variances are all pre-existing nonconforming
25 conditions similar to a lot of the rowhomes or other

1 homes in this area and throughout Camden. And that
2 is why primarily we are in front of the Board.
3 That's really the gist of our application. And we'd
4 be happy to take questions from the Board.

5 MR. EINGORN: Any questions from the
6 Board? Melanie, can you stop sharing your screen so
7 I can see everybody?

8 MS. LEVAN: Yes.

9 MR. EINGORN: Thank you so much. No
10 questions. Let's open to the public while we think
11 of questions. Is anybody in the public here for or
12 against the application related to 402 Stevens
13 Street?

14 MS. ROBERTS: Shelia Roberts.

15 MR. EINGORN: Good evening, Ms. Roberts.
16 Can you raise your right hand?

17 MS. ROBERTS: Yes.

18 - - -

19 SHELIA ROBERTS, having first been duly
20 sworn/affirmed, was examined and testified as
21 follows:

22 - - -

23 MR. EINGORN: State your name and address
24 for the record?

25 MS. ROBERTS: Shelia Roberts, 578

1 Washington Street, Camden, New Jersey 08103. I work
2 pretty closely with the residents in that area and
3 the community organization. and also the daycare
4 center that's right across the street from this
5 property. I don't believe that's a true
6 representation of the parking on that street because
7 working in the downtown with the downtown area, the
8 Hall of Justice is one block away. Yes, there is a
9 parking lot. Right around the corner there's a
10 church directly across the street.

11 When people come to drop off their kids
12 for the daycare, they don't even have spaces to pull
13 over so that they can get their kids into the
14 daycare. The church operates a food distribution
15 during, I think, maybe once or twice a month.
16 There's no parking. People have to double-park in
17 order to pick up the food. You have an apartment
18 building directly across the street. You did see a
19 van and a couple of cars over there. I don't know
20 how many units are in there. Nobody utilizes that
21 lot across the street from the property for parking.

22 There's been a property that was just
23 recently torn down behind that building. The
24 neighborhood would like additional housing built on
25 all the vacant lots that's there. I'm not sure that

1 the Parking Authority has signage or has regulated
2 parking for that area. I'm not completely sure. And
3 that would mean that they put signs up designated as
4 residential parking and give it a zone number. I'm
5 not sure that exists on that block currently. Maybe
6 it's to come but I'm not sure that it's there right
7 now.

8 It would be an inconvenience for people
9 that are going to live in that home to walk down to
10 the middle of the block to try to park on a lot that
11 I don't think that the City would allow them to do
12 because I know the residents want more housing there.
13 It's not a good representation for the parking on
14 that street. It is a very busy street. Also, I'm
15 concerned about the safety of the children and the
16 parents dropping off their children to go to that
17 daycare center. I don't know if the developer took
18 that into consideration. I wanted to share that
19 information.

20 Hopefully there's someone from the
21 community organization that's going to speak to that
22 as well. We thought that maybe they would be able to
23 change their site plans. I know they want to put
24 five units there. But if they could condense it and
25 put the parking in the rear, I know they spoke and

1 said that some of the neighbors were against that.

2 But if they're required to have a minimum
3 amount of parking spaces for each one of those units,
4 they might want to consider changing their plans if
5 they can't get permission to do off-street parking.
6 But I just wanted the Board to know that's not a true
7 representation of the parking in that are. That is a
8 very busy corridor. And during the hours that the
9 court is open, it's hard to find parking even in the
10 lot down in that area. And with the new development
11 coming down in that area, it's going to be tight.
12 It's tight all over in the downtown for parking. So
13 even if they are granted a variance to do off-street
14 parking, those people that are going to reside in
15 that building, are going to have the same problems
16 with parking that everyone else has.

17 MR. EINGORN: Thank you. Anybody else in
18 the public like to be heard on this application?

19 DR. STUKES: Can you hear me?

20 MR. EINGORN: Yes.

21 DR. STUKES: My camera is not working.

22 This is Susan Stukes. I want to speak.

23 MR. EINGORN: Dr. Stukes, I know you said
24 your camera is not working. Please raise your right
25 hand.

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DR. SUSAN STUKES, having first been duly sworn/affirmed, was examined and testified as follows:

- - -

MR. EINGORN: Just state your name and address for the record, please.

MS. STUKES: It's Susan Stukes. I'm at 416 Benson Street. And I'm with the Lanning Square West Residents Association.

MR. EINGORN: What would you like to say about the application?

MS. STUKES: Well, I have been in communication with the residents and with Lorenz. I appreciate that you are trying make a accommodation for us. We do want to see that building rehabbed. It has been deteriorating and it's bringing down that corner entirely. But we are definitely are concerned about the use of the lots for parking. Even the issue of the off-street parking. I know we talked. There was a possibility of less units, maybe four units or something like that which would enable a little less burden to the community as far as parking and even the density of the people that would be coming in.

1 There was also was brought up about the
2 possibility of using the church across the street,
3 their parking lot. And I'm not sure what happened
4 with that, but I did hear on a previous presentation
5 that that was something that was allowed; a church
6 was going to be -- their lot was going to be making
7 certain spots available. So I'm not sure if that's
8 something that still could be considered as well
9 because that church is across the street.

10 And when we spoke, you did mention that
11 you had reached out to the church and they were in
12 favor of some of these parking things. But the
13 problem is that most of the members of the church do
14 not live or participate in any of the community
15 activities. And so really, don't have any vested
16 interest in the development of the street. So that's
17 why we came out and really wanted to let you know
18 exactly the people who live in the community who have
19 invested their time and energy as well to see a
20 community grow and thrive, you know, these are our
21 concerns.

22 So we want to see something done but we
23 don't want to have any negative impact as far as
24 certainly using lots like that for any other use
25 besides houses. So although I did hear that you

1 did -- you rescinded that part of your request,
2 I do want to stress that anywhere down the line, if
3 that's something that gets reconsidered, that we are
4 absolutely opposed to anything like that. I wanted
5 to make sure that was on the record.

6 MR. EINGORN: Thank you. I see Quinn
7 Demenna. Do you wish to be heard on this
8 application?

9 MR. DEMENNA: Yes. Thank you.

10 MR. EINGORN: Can you raise your right
11 hand.

12 - - -

13 QUINN DEMENNA, having first been duly
14 sworn/affirmed, was examined and testified as
15 follows:

16 - - -

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

19 MR. DEMENNA: It's Quinn Demenna, 576
20 Benson Street, Camden.

21 MR. EINGORN: What would you like to
22 add?

23 MR. DEMENNA: I'd just like to follow-up
24 on the discussion of Dr. Stukes and Ms. Shelia
25 Roberts. And also point out that this area, the

1 downtown, is becoming popular for medical students in
2 addition to the Rutgers campus and Cooper Grant. This
3 whole corridor has become attractive because of
4 medical students' housing. And that's why we're
5 seeing developers such as this that have an interest
6 in this area.

7 I just would like to point out that the
8 concerns of developers developing housing for
9 students is different and has a different objective
10 than those residents that live here. And certainly
11 having five units in one spot, is going to tax the
12 parking availability. And I do appreciate the fact
13 that the applicant has not tried to develop the empty
14 lot that I agree also is a further hinderance that
15 will go into -- it'll be forever that you'll never be
16 able to develop that lot.

17 So it is positive that not developing
18 that lot. I am concerned, though, that having five
19 units is quite an overburden. And, again, it reduces
20 the ability for fair market housing for people that
21 really want to be homeowners here in Cooper Plaza or
22 Lanning Square. Thank you.

23 MR. EINGORN: Anybody else in the public
24 would like to be heard on this application?

25 MR. STEWART: Yes. Keith Stewart.

1 MR. EINGORN: Mr. Stewart, please raise
2 your right hand.

3 MR. STEWART: Yes.

4 - - -

5 KEITH STEWART, having first been duly
6 sworn/affirmed, was examined and testified as
7 follows:

8 - - -

9 MR. EINGORN: State your name and address
10 for the record, please.

11 MR. STEWART: Keith Stewart, 312 West
12 Street, actually a block over from the unit in
13 question. I would like to simply say, I triple-down
14 on the sediment as far as no one is in favor of a
15 parking lot in the area. In fact, I'm actually the
16 City Committee-man for this area. And I wasn't
17 notified or there being in discussion at all. And I
18 actually spoke with a resident this morning but three
19 doors from that proposed property, and they hadn't
20 heard of it either.

21 So I don't know about how they went
22 about. Who did they contact with this issue in the
23 first place? But I want to double-down on it again.
24 This one thing, we are definitely opposed to any type
25 of parking lot. Any available vacant lot, we are all

1 in favor of housing put on that variance. So I want
2 to double-down even though it is being withdrawn, we
3 want it to be on the record that absolutely under any
4 circumstances for any developer, for any parking lot
5 to be put in a residential area. That's basically
6 it.

7 MR. EINGORN: Thank you.

8 MR. STEWART: You're welcome.

9 MR. EINGORN: Anybody else in the public
10 that wants to be heard on this application? Hearing
11 none and seeing no further hands raised, we'll close
12 the public portion.

13 MS. LEVAN: Can I just read -- oh, I'm
14 sorry.

15 MR. EINGORN: The Board has had some time
16 to digest everything. If there's any questions from
17 the Board, right now is a good time to ask them.
18 Discussion; motion. Ms. LeVan, is there something
19 you wanted to address quickly?

20 MS. LEVAN: I just wanted to respond to
21 some of the residents' objections and concerns and we
22 hear them. We're not proposing a parking lot any
23 place in the block. So just to be clear for the
24 record, not the vacant lot a few doors down; not the
25 vacant lot behind the subject lot; we're not

1 proposing any kind of parking lot. The church
2 parking lot, from my understanding, is not available
3 as the church doesn't actually own a fair amount of
4 that parking lot. They use the municipal lot.
5 Lorenz, is that correct?

6 MR. KOMISCHKE: From what I understand,
7 that's correct, yes.

8 MS. LEVAN: So that unfortunately is a
9 no-go. And we frankly do have room at the back of
10 our property and the Board has this application in
11 front of them that shows, and I can share my screen
12 and show again if they need it, the original
13 application. There is room for four cars on this
14 property. We would need to get a street-opening
15 permit so it would need to be, of course, a
16 condition of approval.

17 But if the Board is not comfortable or
18 does not want to agree to using on-street parking as
19 per the Parking Authority, we can also put four cars
20 in the back of the parking lot as well. So there are
21 options here for parking. We certainly can't meet
22 the 7-parking that is required, but can accommodate 4
23 cars on the property and perhaps the other two or
24 three cars would be on the street, would be another
25 option.

1 MR. EINGORN: Thank you. Does the Board
2 have any questions or discussion? Chairman Hance you
3 are muted.

4 CHAIRMAN HANCE: My first question is:
5 How long has that been a five-unit building?

6 MR. KOMISCHKE: We purchased this
7 building in 2020. And at that point there was six
8 meters and it was separated into five units. I know
9 Melanie's or someone talked to the City and they
10 said, historically they didn't see that in their
11 system. That might have gone after the 70's. We're
12 not sure. But we bought this as a 5-unit building.

13 MS. LEVAN: I'm sorry, Chairman. I was
14 going to add to that, that the tax records show that
15 this building was constructed in 1900 and presumably
16 was a multi-unit when it was constructed.

17 CHAIRMAN HANCE: Thank you.

18 MR. STEWART: Excuse me. Can I say
19 something about that?

20 MR. EINGORN: The public portion has been
21 closed.

22 MR. STEWART: I've lived here for 58
23 years, man.

24 CHAIRMAN HANCE: Okay. Second question.

25 MR. EINGORN: The Board is certainly free

1 to ask about that.

2 MR. STEWART: Excuse me?

3 MR. EINGORN: The Board is free to ask
4 about that.

5 MR. STEWART: Thank you. I wish someone
6 would.

7 CHAIRMAN HANCE: Let me ask my questions
8 and we'll come back after that.

9 The second one is, it's good to talk to
10 the neighbors. Most people that come before us, they
11 don't talk to the neighbors. They just get it done.
12 You have to give these guys credit. At least they
13 didn't come in and have it done and then you fight
14 over that. So that's actually a plus. You're always
15 suppose to talk to the neighborhood. But, again,
16 they're trying. If you have parking in the rear and
17 it's still a 5-unit building, it's still open. So
18 let's go back to the gentleman and see what question
19 he has to say.

20 MR. STEWART: Again, you say you want to
21 give them credit and I'll give credit where it's due.
22 You said they spoke to some of the residents but I
23 don't know who they spoke to. That church does not
24 represent the neighborhood. Like you said, it's a
25 couple on the same block three doors from that

1 property, they haven't spoken to them. I spoke to
2 them this morning and I verified that.

3 Again, as far as anything involving this
4 neighborhood in general, I would give myself credit
5 as I've been here the longest. I've been in this
6 very house, the same house, same phone number for 58
7 years. There's never been any on-site parking
8 anywhere. Anybody that comes to this neighborhood
9 has always parked on the street. So that's my issue
10 here. Fifty-eight years here. If there's any
11 question about the neighborhood, I have it.

12 CHAIRMAN HANCE: So you're 58 years. Was
13 that multi-place open?

14 MR. STEWART: Yes.

15 CHAIRMAN HANCE: And they parked on the
16 street, correct?

17 MR. STEWART: Yes.

18 CHAIRMAN HANCE: I listened and you said
19 that there's a daycare there --

20 MR. STEWART: Yes.

21 CHAIRMAN HANCE: -- and it's not far from
22 the court house. So, yes, I can imagine the parking
23 issue. That is definitely noted.

24 MR. STEWART: Mr. Stewart.

25 MR. EINGORN: Does the Board have any

1 other questions, comments, concerns?

2 REVEREND MARTINEZ: My question is, now
3 if this building was built for five units and he's
4 taking down another, the reason that I know he was
5 allowed all these years whatever time it was, I mean,
6 if they provide three spots in the back of the
7 building, I mean, I think we can work something out
8 with the residents because we all deserve a chance.

9 This is my opinion and you don't have to
10 share it with me. This is what I'm saying. I think
11 it's nice to talk to the developer and come to a --
12 and from what I know, whenever a developer builds,
13 they send letters out to every resident. I don't
14 know what happened with that. That's my opinion.

15 MR. KOMISCHKE: I got the requirement
16 that you have to send out the 200-foot letter, right,
17 Melanie?

18 MS. LEVAN: Yes, of course. We noticed
19 everybody within 200 feet or we wouldn't be in front
20 of the Board today. It's a requirement for
21 jurisdiction of the Board. So everyone received a
22 certified letter. And, again, I'll just reiterate to
23 the Board. Your ordinance requires off-street
24 parking. So we are not proposing parking because
25 they want to necessarily to it. It's because

1 Camden's ordinances require off-street parking for
2 residential uses.

3 We can accommodate up to four in the rear
4 of the property. If the Board prefers or the
5 neighbors prefer no off-street parking and the Board
6 permits all residents to park on the street, the
7 developer can do that too. We're willing to work
8 with the Board and the residents given the
9 accommodations or the availability of open space on
10 the property to do that. We understand no parking
11 lots but Camden's ordinances require off-street
12 parking so we have to deal with what the ordinance
13 says.

14 VICE-CHAIRMAN COOPER: I have a question.
15 So if we make this a 3-apartment, wouldn't that
16 eliminate all of this off-street parking instead of
17 5-units?

18 MR. EINGORN: Well, I guess the issue is
19 bedrooms, right?

20 VICE-CHAIRMAN COOPER: Yes.

21 MR. EINGORN: The Ordinance that Ms.
22 Levan is referencing is Section 230.F. And that
23 tells you how many spaces you need per unit and
24 everything. The Ordinance does have a requirement to
25 create off-street parking. So as the Board is aware,

1 every month there's no parking on the street. You
2 got to create parking elsewhere. The Ordinance has a
3 fee for off-street parking to try to create parking
4 in other parts of the City.

5 And so 230.F states that, other than a
6 single-family detached, all other dwellings except
7 units for the elderly, require one and a quarter
8 spaces for a 1-bedroom unit; 1.75 spaces for a
9 2-bedroom unit; and two spaces for a 3-bedroom unit
10 or a fraction thereof. So if you'd to take the
11 5-bedroom and make it -- I'm sorry -- five 1-bedrooms
12 and make it three 2-bedrooms or whatever it may be,
13 you're still going to run into an issue where you're
14 still required to have a bunch cars. I can do the
15 math really fast, 1.25 times 5, that's six and a
16 quarter versus, 1.75 times 3, that's five and a
17 quarter. So you're talking about one parking space
18 difference in the requirement. Right?

19 At that point, I mean, you're already
20 talking adding five or six cars to the street. And
21 so, I think to Mr. Stewart I know there's an
22 objection to put cars being parked off the street.
23 But there is a requirement in the Zoning Ordinance of
24 the City of Camden to try to get more cars off the
25 street so that the streets could be a little freer

1 because the City is old like most cities. It's not
2 planned for cars and so they're trying to get some of
3 the cars off the street.

4 Now, if the objection, and I'm not going
5 to speak for the applicant, but if the objections, we
6 don't want cars off the street; we would rather have
7 them parked on the street to preserve the historical
8 nature or the current condition of the land, the
9 area, I mean, I think that's for the Board's
10 consideration certainly. It would make it easier for
11 the applicant obviously because they wouldn't have to
12 create off-street parking. But that's certainly
13 something to be discussed in your determination.

14 MR. STEWART: Can I say something,
15 please. No disrespect to anyone but like to Mr.
16 Martinez, he doesn't live here so there is absolutely
17 nothing to be worked out with the residents. Under
18 any circumstances, we're not going for that. So if
19 you want to prepare for a legal fight then we have to
20 do that.

21 MR. EINGORN: I don't think that's what
22 he's saying. I don't think we need to be adversarial
23 here. Right? The issue is that the applicant was
24 trying to do what it thought was best by creating
25 off-street parking to satisfy its legal requirements

1 under the City's Ordinance. The City, City Council
2 and the Mayor, at least the Mayor past and the
3 Council past, enacted an ordinance and they thought
4 it was best to try to get cars off the street and on
5 to the property.

6 So the applicant is doing its best to try
7 to comply with that desire of the City. But if the
8 area residents are against it then the applicant will
9 just simply seek a bulk variance which they're doing
10 for the parking and the cars will stay on the street.

11 MR. KOMISCHKE: I just want to add. We
12 originally -- like the attorney said, we were just
13 going to go in -- we have a lot of houses in Camden
14 and we know how to do this, just do the four parking
15 spots off-street. We spoke to all the neighbors - I
16 guess not all - but we missed one. We spoke to a lot
17 of the neighbors and they all said the same you're
18 saying is, we don't want any parking -- we don't want
19 any cars on the land; only the street. So we said:
20 That's fine. We'll work with the neighbors.

21 We have over 80 properties in Camden.
22 We're here to stay. We don't want to create enemies
23 with any neighbor. So we said, okay, instead of
24 having off-street parking, we'll do on-street. If
25 that works for the Board, we'll do it that way. If

1 the Board wants to see us to put a parking lot on the
2 parcel to get the variance, we're going to have to do
3 that. But we're going into this first respecting the
4 neighbors and trying to get the eight on-street
5 parking spots.

6 CHAIRMAN HANCE: Kyle, so what I
7 understand is, they can get four behind the building
8 and the street is actually public parking so we can't
9 tell them not to park on the street.

10 MR. EINGORN: That's correct. Even if
11 you -- and this completely hypothetical. Let's just
12 say for sake argument they create a parking tower on
13 top of the building with a ramp and they can park ten
14 cars off the street, technically, not a single car
15 would actually have to go in that parking garage.
16 They could also park on the street. The requirement
17 is that they park off the street even it's made. The
18 requirement is just that they make the parking
19 available.

20 And so if what you're hearing is, well,
21 the neighbors don't want parking off-street because
22 it doesn't jive with the, you know, current look
23 and feel of neighborhood which is a historic area,
24 then I think you're hearing what you need to hear.
25 As long as you think that the applicant has met its

1 burden of proof under the Positive and Negative
2 Criteria, then the Board is free to grant a parking
3 variance for all the spaces. Then I think with the
4 discussion of, hey, we can get permit parking from
5 the Parking Authority, maybe that's some mitigation
6 for the Board to consider.

7 VICE-CHAIRMAN COOPER: I like that idea
8 there better, Kyle. If they can get something from
9 the Parking Authority stating that they can use a
10 lot --

11 MR. EINGORN: They did. That's
12 Exhibit -- well, not use a lot but what they did in
13 Exhibit A was, they obtained a parking letter and it
14 said that the Parking Authority will issue two
15 permits per unit and ten permits total for the
16 building.

17 VICE-CHAIRMAN COOPER: Okay. Well, I'm
18 definitely with that because they got permission --
19 they got parking permits.

20 REVEREND MARTINEZ: And I agree with
21 that.

22 VICE-CHAIRMAN COOPER: I'm fine with
23 that.

24 CHAIRMAN HANCE: I'm going to say that
25 they should use the available parking behind the

1 building also and get the permits for the street,
2 when you're trying to go half way. You know what I'm
3 saying?

4 VICE-CHAIRMAN COOPER: The Parking
5 Authority gave them up to ten spots, though.

6 CHAIRMAN HANCE: Yes. What I'm trying to
7 do is, I'm trying to work with the neighborhood and
8 also work with the owners so we can come to an
9 agreement.

10 REVEREND MARTINEZ: I'd like to say that
11 I've worked for the City of Camden for many years and
12 I know the City of Camden pretty well. With that
13 said, I mean, what Kyle said is pretty good. If they
14 could park in a lot and the rest could go on the
15 street.

16 MR. STEWART: Neither one of you
17 guys live here.

18 MR. EINGORN: Sir, I understand you're
19 upset. I get it. These people are serving the City
20 for free at the goodness of their heart to try to
21 help out the City --

22 MR. STEWART: I've lived here for 58
23 years.

24 MR. EINGORN: That's great but I don't
25 see --

MR. STEWART: We need to talk about the

1 law. There's no cars on the lot period.

2 MR. EINGORN: Sir, I understand sir
3 you're upset. I get that. You've had your time.
4 If you'd like to be part of the Board, please apply.
5 We haven't seen you here before. These members have
6 been here for every month for years and they're doing
7 their best to do what's best for the City with their
8 understanding. They all live in this City. It's a
9 requirement to be on the Board.

10 MR. STEWART: They don't live in the
11 neighborhood.

12 CHAIRMAN HANCE: To be honest with you
13 with all due respect, if they own a property, they
14 can still turn into a parking lot. So what we're
15 trying to do is come to an agreement. Because you
16 are correct, we don't live on that block but we do
17 live -- I live on Broadway and it is no parking here.
18 But we work together so everybody will be
19 comfortable.
20 You know, no one is going to be totally satisfied.
21 But at least we can come an agreement.

22 VICE-CHAIRMAN COOPER: I'm understanding
23 here is that they're willing not to use the back of
24 their lot as a parking lot because they have
25 permission from the City to park on the street. So

1 the parking lot issue in the back of the house
2 shouldn't be.

3 MS. MUHAMMAD: Can I say something real
4 quick, Kyle? Because the Board members didn't
5 receive the letter from the Parking Authority because
6 I received that today, so I was not able to share
7 that out. Can they read that again because the
8 Parking Authority is not giving them parking.

9 MR. EINGORN: It's not giving spaces --

10 MS. MUHAMMAD: I just want the language
11 because nobody saw it. They have to apply for it.
12 They can read that letter again because they might
13 not have read it the first time the exhibit, or if
14 one passed that and just somebody just clarify that
15 they're not giving the parking away; they have to
16 apply for it as a condition.

17 MR. EINGORN: It's not just that they
18 have to apply for it and they're not being assigned
19 spaces. They'd be given permits to park in
20 permit-parking areas.

21 MS. MUHAMMAD: It still says they have to
22 apply for it. If she can show that again just so
23 that they --

24 MR. EINGORN: Ms. Levan, can you share
25 your screen one more time?

1 MS. LEVAN: Sure. Hold on for a second.

2 MR. EINGORN: It's much appreciated.

3 MS. LEVAN: Can you see that?

4 MR. EINGORN: Yes.

5 MS. LEVAN: Do you want me to read it
6 into the record as well?

7 MR. EINGORN: I will read it into the
8 record if that's okay.

9 MS. LEVAN: Yes.

10 MR. EINGORN: This is a letter dated July
11 10, 2023 stating, To Whom It May Concern: This
12 letter is to verify that ample residential parking
13 exists in the vicinity of 402 Stevens Street, Camden,
14 New Jersey 08103 with two permits available per
15 unit. The tenants will be able to apply for up to
16 ten residential parking permits through the Parking
17 Authority. Please reach out with any questions or
18 concerns. My Best, Matt Mosely, Operations Manager,
19 Parking Authority, City of Camden.

20 So I hope that clears up any issues the
21 Board may have with regard to the ability to apply
22 for permit parking.

23 MS. LEVAN: All right. Do you want me to
24 leave that up or stop sharing?

25 MR. EINGORN: Give me another second if

1 you will so that the Board can see.

2 MS. LEVAN: Sure.

3 MR. EINGORN: Does the Board have any
4 questions about this letter; any further questions
5 about the parking?

6 VICE-CHAIRMAN COOPER: No.

7 REVEREND MARTINEZ: No.

8 MR. EINGORN: Is the Board ready to make
9 a motion?

10 REVEREND MARTINEZ: Yes.

11 MR. EINGORN: What motion is being --

12 MS. LEVAN: I'm going to stop sharing
13 now, Mr. Eingorn? I'm sorry to interrupt.

14 MR. EINGORN: That would be great. No
15 worries. I appreciate that. I need a motion from
16 the Board and I need to know --

17 MS. MERRICKS: I want to ask one question
18 about that letter. You all took it down that letter.

19 MS. LEVAN: I can put it back up.

20 MS. MERRICKS: Okay. I lost my train of
21 thought. Just one second. They said that there's
22 ample parking. So it says it was ample parking. So
23 this is what the Parking Authority is saying. But
24 the residents are saying that is not, correct? Am I
25 hearing right; am I understanding correctly?

1 MR. EINGORN: Ms. Roberts testified that
2 she didn't believe that the photograph that was shown
3 from the fire escape was a true representation
4 of the parking and that it was far busier than the
5 photograph showed.

6 MS. MERRICKS: Okay.

7 MS. ROBERTS: Can I speak to that again?

8 MR. EINGORN: We've already heard all of
9 this. I'm trying to get moving forward because it's
10 eight o'clock and we have other things to hear.

11 MS. ROBERTS: If you would just give me
12 an opportunity to explain part of what that letter
13 is saying and clear it up.

14 MR. EINGORN: You can't speak for
15 Mr. Mosely so I don't think --

16 MS. ROBERTS: In other words, I can speak
17 as a resident that has residential parking.

18 MR. EINGORN: I understand and you have.

19 MS. ROBERTS: And I can tell you what
20 happens when you get permits. And when you have
21 students that live in your area, I can you tell you
22 what happens. And when you're in the downtown
23 regardless of whether you have a permit or not, there
24 is no parking. You have to find parking no matter
25 what.

1 MR. EINGORN: Right. So the issue is
2 this, no matter what goes there, let's say they make
3 a single-family house. They are still going to have
4 park on the street, otherwise they have to make a
5 parking lot in the back of the house which the
6 residents don't want. So the Board needs to make a
7 determination - that's the Board's job - as to what
8 it is willing to grant and deny related to the
9 applicant's application. They're asking for a use
10 variance --

11 MS. LEVAN: No, I'm sorry, Mr. Eingorn.
12 We don't need the use variance anymore because we're
13 not using that vacant lot.

14 MR. EINGORN: That's right. I'm sorry.
15 They're asking for bulk variances related to the lot
16 and the parking. It's lot area, front yard setback,
17 side yard setback, and then the parking.

18 MS LEVAN: Not to belabor the point, but
19 the applicant is willing to do whatever the Board
20 feels is appropriate. So if the Board determines
21 that they want four spots in the back and that's the
22 parking variance, that is fine with us. If the Board
23 determines they want no parking in the back and
24 everything on the street, that is fine with us.
25 Either way, the Board just wants to be good neighbors

1 and satisfy the Zoning Code at the same time which is
2 a difficult task in this particular situation.

3 CHAIRMAN HANCE: I have a question. Are
4 there four original parking spots in the back of the
5 building?

6 MS. LEVAN: There are not. When you say
7 original, there is space for four cars in the back of
8 the building. It will need to get a curb-cut
9 approval from the City and create that but there is
10 room for that.

11 MR. STEWART: There was never anything
12 for parking in the back.

13 MR. EINGORN: Wait. They're agreeing to
14 that, sir. That's what they're saying.

15 VICE-CHAIRMAN COOPER: So here's the
16 thing. Just allow them to park on the street and
17 from this point we just have to vote on the other
18 variance.

19 MR. EINGORN: Right. We need a motion
20 related to the lot variances and the parking
21 variance.

22 VICE-CHAIRMAN COOPER: Motion to accept
23 the variance for on-street parking.

24 MR. EINGORN: Okay. So you want to make
25 a motion to grant bulk variances for all the parking

1 spaces as well as lot area, front yard setback and
2 side yard setbacks?

3 VICE-CHAIRMAN COOPER: Correct.

4 MR. EINGORN: So we have a motion. Do we
5 have a second?

6 CHAIRMAN HANCE: Second.

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

9 CHAIRMAN HANCE: Yes.

10 MR. EINGORN: Vice-Chairman Cooper.

11 VICE-CHAIRMAN COOPER: Yes.

12 MR. EINGORN: Reverend Martinez.

13 REVEREND MARTINEZ: Yes.

14 MR. EINGORN: Ms. Atwood.

15 MS. ATWOOD: Yes.

16 MR. EINGORN: Ms. Merricks.

17 MS. MERRICKS: Yes.

18 MR. EINGORN: Having five in favor and
19 none opposed, the motion passes for bulk variances
20 for the parking and the lot.

21 MS. LEVAN: Thank you very much.

22 MR. KOMISCHKE: Thank you everybody.

23 MR. EINGORN: Have a nice night. Thank
24 you to all the members of the public that showed up.
25 It was very helpful. Five to zero.

1 MS. LEVAN: Thank you.

2 MS. MUHAMMAD: Kyle, I'm sorry. They got
3 the parking in the back?

4 MR. EINGORN: No. No parking in the
5 back.

6 MS. MUHAMMAD: Okay.

7 MR. EINGORN: The next matter, David
8 Fitzgerald, 1486 Kaighn Avenue.

9 MR. FITZGERALD: Here.

10 MR. EINGORN: Great. Are you ready to
11 proceed with your application?

12 MR. FITZGERALD: Yes, sir.

13 MR. EINGORN: Very good. Are you able to
14 use your camera so that we can see your face?

15 MR. FITZGERALD: Yes. Is it showing
16 now?

17 MR. EINGORN: No, sir.

18 MR. FITZGERALD: One second.

19 MR. EINGORN: There he is. Good evening.

20 MR. FITZGERALD: Good evening to you too.

21 MR. EINGORN: Thank you. If you could
22 raise your right hand, please.

23 - - -

24 DAVID FITZGERALD, having first been duly
25 sworn/affirmed, was examined and testified as

1 follows:

2 - - -

3 MR. EINGORN: Will you please state your
4 name and address for the record?

5 MR. FITZGERALD: David Fitzgerald, 3901
6 Conshohocken Avenue, Philadelphia, PA 19131.

7 MR. EINGORN: Would you like me to read
8 your appeal for zoning?

9 MR. FITZGERALD: Yes.

10 MR. EINGORN: The name and address of the
11 owner of the property is David Fitzgerald, 3901
12 Conshohocken Avenue, Philadelphia, Pennsylvania.
13 Property location is 1486 Kaighn Avenue, Camden, New
14 Jersey. The property is located in an R-2 Zoning
15 District. The lot has frontage of 20 feet on Kaighn
16 Avenue and a depth of 115 feet. There's one building
17 on the lot. It's a twin 2-story building with a full
18 basement. The present use of the building is a twin
19 2-story building, two units plus a basement which is
20 converted to a 2-bedroom, 1-bath unit with both side
21 and rear entrances.

22 The proposed use is a triplex, two units
23 plus basement converted to a 2-bedroom, 1-bath unit,
24 both sides and rear entrances. The Zoning Officer
25 denied a permit because a 3-family dwelling is not

1 permitted in the R-2 Zoning District and off-street
2 parking is needed. And the reasons why the appeal
3 should be granted are, both there are four apartment
4 units connected on this block. 1484 Kaighn is a
5 triplex which is the same as 1486, to provide
6 affordable housing to the community. 1486 Kaighn
7 also has two entrances for the third unit, both
8 egress and ingress.

9 So Mr. Fitzgerald, would you like to add
10 to that? Tell us a little bit about the property;
11 when did you buy it; how long have you owned it.

12 MR. FITZGERALD: Okay. I bought the
13 property in question, 1486, in 1989 at a Sheriff's
14 Sale. I bought two other ones two houses away. The
15 one next door, 1484, also in 1989. And 1480 Kaighn
16 in 1988 all at the Sheriff's Sale. Those were all
17 abandoned and they were renovated. And 1480 was
18 granted a variance for a 3-unit. 1484 was granted a
19 variance for a 3-unit. And now I'm applying for
20 1486. And it has -- it's slightly different because
21 it has two means of egress and access.

22 I wanted to renovate these properties
23 because it's in a very nice area of Camden. The
24 properties, at the time I got them, were abandoned
25 for many years. And I think they're beautiful in the

1 neighborhood. I think right now turning them into
2 three-family units, makes them even more appealing
3 and raises the value of the neighborhood. There is
4 also parking in the rear. And then there is also
5 ample off-street parking. Right in front of the
6 building is a mass-transit bus stop right in front of
7 the building.

8 MR. EINGORN: Will you just explain. So
9 you already have two units in the building; is that
10 correct?

11 MR. FITZGERALD: Correct.

12 MR. EINGORN: Where is the third unit
13 going to go?

14 MR. FITZGERALD: In the basement.

15 MR. EINGORN: Got it.

16 MR. FITZGERALD: There was a side door --

17 MR. EINGORN: You wouldn't change the
18 other two units. You would just add another unit in
19 the basement?

20 MR. FITZGERALD: Yes.

21 MR. EINGORN: I'm looking at the
22 photographs. It looks like the systems like the
23 heater elements and things like that are in the
24 basement. Would you have to move those?

25 MR. FITZGERALD: No. There is a separate

1 area in the back that's just for hot water heaters
2 and the furnaces.

3 MR. EINGORN: Understood:

4 VICE-CHAIRMAN COOPER: And I see there's
5 two egresses too; two egresses down there.

6 MR. FITZGERALD: Yes, sir.

7 MR. EINGORN: How many cars do you think
8 you can park at the back of the property?

9 MR. FITZGERALD: With the property next
10 door, it's 30 feet by 30 feet. If you really made it
11 tight, you could stack six cars back there, one
12 behind each other, a row of three.

13 MR. EINGORN: So you have about
14 potentially three spaces for this one unit?

15 MR. FITZGERALD: Correct.

16 MR. EINGORN: Does the Board have
17 questions?

18 VICE-CHAIRMAN COOPER: No.

19 MR. EINGORN: Let's open to the public.
20 Is anybody in the public here tonight to be heard
21 regarding 1486 Kaighn Avenue? Hearing none and
22 seeing no hands raised, we'll close the public
23 portion.

24 So the applicant is here tonight
25 requesting a use variance for a multi-family use and

1 an off-street parking bulk variance. The applicant
2 is seeking to put a, I believe it's a two bedrooms in
3 the basement; is that correct?

4 MR. FITZGERALD: Yes.

5 MR. EINGORN: A 2-bedroom apartment in
6 the basement. The Board should ask any questions it
7 may have at this time or do a discussion of the
8 Positive and Negative Criteria and propose a motion.

9 VICE-CHAIRMAN COOPER: Looking at these
10 photos, he already has three meters, three hot water
11 heaters, three electrical boxes. He has egress from
12 the basement itself right to the outdoors so I think
13 he's compliant with all this stuff here. And the
14 pictures that I'm looking at, there's already
15 apartments in the basement, correct?

16 MR. FITZGERALD: Yes. I had set it up
17 for one of my family members years ago. It was one
18 of my brothers and he needed some place to stay.

19 VICE-CHAIRMAN COOPER: The other unit
20 will look similar to this?

21 MR. FITZGERALD: Yes.

22 VICE-CHAIRMAN COOPER: On the side here,
23 so this side access, you have another exit from the
24 basement, the side view?

25 MR. FITZGERALD: The side view of the

1 driveway?

2 VICE-CHAIRMAN COOPER: Yes. You see
3 the --

4 MR. FITZGERALD: That's a door that leads
5 into the basement, as well as there's one from the
6 rear of the building down the steps that leads to
7 that side of the basement also, 1486.

8 VICE-CHAIRMAN COOPER: And 1486 is where
9 you want to get this approved at?

10 MR. FITZGERALD: Yes. Yes, sir.

11 VICE-CHAIRMAN COOPER: I have no further
12 questions. Do the Board members?

13 CHAIRMAN HANCE: Yes. Right now I'm
14 listening but I don't have the paperwork for that
15 case. So the basement, you have an entrance and an
16 exit in that basement?

17 MR. FITZGERALD: Yes, sir.

18 CHAIRMAN HANCE: So I'm listening. So in
19 the driveway, there's an entrance down into the
20 basement; am I correct?

21 MR. FITZGERALD: Correct. From the side
22 of the driveway, if you can see the pictures, the
23 driveway leads to --

24 MR. EINGORN: Let's start here. Mr.
25 Fitzgerald, what side of this -- can you see this?

1 MR. FITZGERALD: That's the driveway.
2 That's an entrance for the basement.

3 MR. EINGORN: Let me see if I can find
4 the other one. Hold on.

5 MR. FITZGERALD: There should also be a
6 rear picture, a couple rear pictures.

7 MR. EINGORN: Is this the other --

8 MR. FITZGERALD: Correct.

9 MR. EINGORN: Glad I could be of
10 assistance. A discussion; a motion?

11 REVEREND MARTINEZ: My point of view,
12 just in case of a fire, how are people going to get
13 out?

14 MR. FITZGERALD: Either doorway, the side
15 or the rear. The building next door, that was also
16 mine, 1484, that was granted the variance also for
17 three units. That only has one means of egress, the
18 rear. 1480 which was also granted a variance, that
19 also had only one means of egress, a rear.
20 This has two.

21 MR. EINGORN: Obviously, the applicant
22 would be required to comply with anything the Fire
23 Marshall would have to say.

24 REVEREND MARTINEZ: Yes.

25 VICE-CHAIRMAN COOPER: Yes. Are you

1 opening it to the public, Kyle?

2 MR. EINGORN: I was waiting to see if we
3 had any other questions. Is anybody in the public
4 here tonight that would like to be heard on 1486
5 Kaighn Avenue requesting a basement apartment?
6 Hearing none and seeing no hands raised, we'll close
7 the public portion.

8 VICE-CHAIRMAN COOPER: So, Kyle, I have
9 no problem as long as this is legal with the Fire
10 Marshall and I think it's up to Code.

11 MR. EINGORN: My standard resolution has
12 a requirement that he meet all of the obligations of
13 the Fire Marshall, pay all his taxes, and meet all
14 building requirements. Those are all the general
15 conditions of approval.

16 VICE-CHAIRMAN COOPER: Right.

17 MR. ENGORN: In order to get a CO for
18 this third unit, he'd have to pass all inspections
19 and everything.

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

22 MS. ATWOOD: Second.

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

25 CHAIRMAN HANCE: Yes.

1 MR. EINGORN: Vice-Chairman Cooper.

2 VICE-CHAIRMAN COOPER: Yes.

3 MR. EINGORN: Reverend Martinez.

4 REVEREND MARTINEZ: Yes.

5 MR. EINGORN: Ms. Atwood.

6 MS. ATWOOD: Yes.

7 MR. EINGORN: Ms. Merricks.

8 MS. MERRICKS: Yes.

9 MR. EINGORN: Having five in favor and
10 none opposed, the motion carries. Thank you, Mr.
11 Fitzgerald. Hope you have a great night.

12 MR. FITZGERALD: Thank you, Board. Thank
13 you to everybody.

14 MR. EINGORN: The next matter, Larcen
15 Veliz, 1489 Broadway. Are you there? Is the
16 applicant ready?

17 MR. LAMBERSKY: I'm the owner of the
18 property, Howard Lambersky. I'm waiting for my
19 tenant to come back online.

20 MR. EINGORN: Mr. Veliz.

21 MR. LAMBERSKY: Angel? Give me one
22 minute, sir. I'm seeing if his phone died or went
23 out.

24 CHAIRMAN HANCE: I'm saying that we have
25 no pictures of the property here at all.

1 MR. LAMBERSKY: The original application,
2 sir, had the original pictures of the property that
3 the tenant took and the corresponding area.

4 MR. EINGORN: I have pictures. Mr.
5 Veliz.

6 MR. LAMBERSKY: Here he is.

7 MR. BORIA: Yeah, I have it.

8 VICE-CHAIRMAN COOPER: If they can show
9 what they want to fence in.

10 MR. EINGORN: Mr. Veliz, are you there?

11 MR. VELIZ: Yes.

12 MR. EINGORN: Very good. Can you
13 raise --

14 MR. VELIZ: Give me one second, sir.
15 This is Mr. Veliz.

16 MR. BORIA: My name is Angel.

17 MR. EINGORN: Angel, does Mr. Veliz speak
18 English.

19 MR. BORIA: A little bit. I'm speaking
20 for Mr. Veliz.

21 MR. EINGORN: So you'll translate for
22 him, yes?

23 MR. BORIA: I was just going to speak
24 but, yes.

25 MR. EINGORN: Okay. Mr. Lambersky, are

1 you going to testify as well?

2 MR. LAMBERSKY: Only as an supplement,
3 sir.

4 MR. EINGORN: So let's do this. Mr.
5 Angel, what's your last name?

6 MR. BORIA: My last name is Boria.

7 MR. EINGORN: Mr. Boria, can you raise
8 your right hand?

9 MR. BORIA: Yes.

10 - - -

11 MR. EINGORN: Mr. Angel Boria, do you
12 swear or affirm that the translation you'll provide
13 tonight will be true and accurate to the best of your
14 ability?

15 MR. BORIA: Yes, sir.

16 - - -

17 MR. EINGORN: Great. Can you ask Mr.
18 Veliz to raise his right hand and I'll ask Mr.
19 Lambersky to raise his right hand as well.

20 - - -

21 LARCEN VELIZ; HOWARD LAMBERSKY, having
22 first been duly sworn/affirmed, was examined and
23 testified as follows:

24 - - -

25 MR. EINGORN: And then if you could ask

1 Mr. Veliz to state his name and address for the
2 record and if you can translate for him, that would
3 be great.

4 MR. VELIZ: Larcen Veliz, 232 Gibbsboro
5 Road, Gibbstown.

6 MR. EINGORN: Mr. Lambersky, can I just
7 get your name and address for the record, please.

8 MR. LAMBERSKY: Yes. My address is 121
9 Gainesboro Road, Cherry Hill, New Jersey. And I have
10 also have a residence at 28 Pendleton Court, Medford.

11 MR. EINGORN: So the applicant has an
12 auto repair shop/dealership. They want to add a
13 fence, a metal cyclone material. The height of the
14 fence would exceed four feet along the street
15 frontage and so a bulk variance is necessary.

16 Mr. Boria, I'm going to ask you now to
17 translate for the applicant and tell us what he wants
18 to say about this application.

19 MR. VELIZ: I am applying for the fence
20 and the use variance for the dealership.

21 MR. EINGORN: Okay.

22 VICE-CHAIRMAN COOPER: He's here for the
23 fence.

24 MR. VELIZ: The issue with the fence was
25 that we are located on Broadway and the variance was

1 zoned differently. Next to door us there's currently
2 a fence that's seven feet, six-and-a-half, seven feet
3 may be more taller because it has the barbed wire.
4 And we've been at this existence for I believe since
5 2015 -- 2008-2015. I'm at another shop. I
6 apologize. I have two in my head. So what's
7 happening is that cars are being broken into, caps
8 are being stolen and you also have individuals who
9 overnight were sleeping in the car.

10 So you also have the clients whose cars
11 are here. We can only fit so many inside the garage
12 so sometimes at night, some cars have to stay out.
13 And individuals was breaking the windows and stealing
14 things inside the car or the caps. So the expenses
15 are coming out-of-pocket in order to take of care of
16 these costs. In addition, customers who have been
17 our clients for many years, don't feel as safe
18 leaving their car overnight so it has hurt us
19 financially also.

20 VICE-CHAIRMAN COOPER: Sir, the fence you
21 that you want to put up, you're going from where?
22 You're going to have like four feet of sidewalk and
23 then the fence is going to go around the entire
24 building?

25 MR. VELIZ: Correct. So everything that

1 is there for the spacing from the street, everything
2 is on there and it should be done up to code.

3 VICE-CHAIRMAN COOPER: You really should
4 have to show still where the fence is going to go.
5 You got cars that were flooded up to Broadway here.
6 And you got cars that's behind. You need to get the
7 property line. You need the fence on your property
8 line all the way around the building. If you own all
9 of that.

10 MR. VELIZ: Yes.

11 VICE-CHAIRMAN COOPER: Don't know if you
12 own it or not.

13 MR. EINGORN: No. Mr. Lambersky owns
14 it.

15 MR. VELIZ: Yes, he's the owner.

16 MR. LAMBERSKY: May I interject, sir?

17 MR. EINGORN: Please.

18 MR. LAMBERSKY: So in the application you
19 could see a plot plan of the fence line.

20 MR. EINGORN: I don't see it.

21 MR. VELIZ: In there is the chan link
22 fence and everything the way it's suppose to be, the
23 measurements.

24 VICE-CHAIRMAN COOPER: I have 70 feet by
25 71 feet by 15 feet. That property is not bigger than

1 that. The property is a lot bigger than 130 feet.

2 MR. EINGORN: I don't see a plot plan.

3 MR. LAMBERSKY: Angel, do you have a plot
4 plan that you could show on the camera?

5 MR. BORIA: Well, everything that I have,
6 I submitted. There's about 12 pages. Is it
7 something like this?

8 MR. LAMBERSKY: Yes. I believe that
9 might be it, yes, from MJW Consulting, engineer.

10 MR. BORIA: Yes, MJW Consulting.

11 VICE-CHAIRMAN COOPER: Okay, got you.
12 I've got it now.

13 MR. BORIA: And behind that page is the
14 whole breakdown.

15 MR. EINGORN: I see it now. Sorry. It's
16 tucked in between two other pages. My apologies.

17 MR. BORIA: And the picture of the green
18 fence with the barbed wire, that's next door.

19 MR. LAMBERSKY: That is correct, sir.

20 MR. EINGORN: And the proposed fence,
21 that would meet at the juncture of that pre-existing
22 fence?

23 MR. BORIA: I'm sorry?

24 MR. EINGORN: The proposed fence, would
25 that meet with the pre-existing fence?

1 MR. BORIA: Yes.

2 MR. EINGORN: Okay.

3 VICE-CHAIRMAN COOPER: I'm good now.

4 MR. EINGORN: I did check the applicant's
5 notice and they did notice for a use variance for the
6 dealership as well. Can you tell us a little bit
7 about the endeavors of the dealership?

8 MR. BORIA: We just got our dealer
9 license in March of 2022 for 2009 Broadway. And I
10 submitted to New Jersey Motor Vehicle Commission for
11 branch location at 1489 South Broadway. And that is
12 the reasoning for the use variance so that we can
13 piggyback to be able if we get the fence approved, we
14 can be able to store more cars safely and also the
15 clients' cars, customers' cars.

16 MR. EINGORN: Is it the intent to sell
17 cars directly from 1489 Broadway?

18 MR. BORIA: We're selling cars from 2009
19 Broadway. All paperwork must be done over there at
20 that location. All files must be at 2009 locked in a
21 file cabinet. Once we become a branch location at
22 1489, I will know more if we will be selling cars
23 from here. But we will be able to store and not have
24 a problem. For instance, if they come to audit us
25 and the vehicle is not at 2009 and it's at 1489 being

1 repaired, it's not a problem because it's being
2 repaired. But currently, we cannot sell any vehicles
3 at 1489 until we get approved as a branch location
4 and if the use of variance is approved.

5 MR. EINGORN: Okay. How many cars can be
6 accommodated on the property?

7 MR. BORIA: Twenty to 30. Thirty is like
8 the max but we're trying to keep it around 20, 30 max
9 so that we can have room for everyday customers.

10 MR. EINGORN: Okay. And all cars would
11 be behind the fence, right?

12 MR. BORIA: Correct.

13 MR. EINGORN: Does the Board have any
14 other questions?

15 VICE-CHAIRMAN COOPER: No.

16 MR. EINGORN: Hearing no further
17 questions, we will open this application to the
18 public. Is anybody in the public here tonight would
19 like to be heard on the application regarding use
20 variance approval and bulk variance for a chain link
21 fence at 1489 Broadway? Hearing none and seeing no
22 hands raised, we'll close the public portion. It's
23 the Board's turn to do its discussion of the Positive
24 and Negative Criteria and make a motion.

25 REVEREND MARTINEZ: I make a motion to

1 pass.

2 MR. EINGORN: Okay. Is there a second?

3 MS. ATWOOD: Second.

4 MR. EINGORN: We'll take a roll-call
5 vote. Chairman Hance.

6 CHAIRMAN HANCE: Yes.

7 MR. EINGORN: Vice-Chairman Cooper.

8 VICE-CHAIRMAN COOPER: Yes.

9 MR. EINGORN: Reverend Martinez.

10 REVEREND MARTINEZ: Yes.

11 MR. EINGORN: Ms. Atwood.

12 MS. ATWOOD: Yes.

13 MR. EINGORN: Ms. Merricks.

14 MS. MERRICKS: Yes.

15 MR. EINGORN: Having five in favor and
16 none opposed, the motion carries and the application
17 is granted. Thank you, Gentlemen. Have a nice
18 night.

19 MR. LAMBERSKY: Thank you very much to
20 the Board.

21 MR. EINGORN: The next application is
22 Jander Valentin, 742 Cherry Street.

23 MR. BORIA: Angel Boria with Jander
24 Valentin.

25 MR. VALENTIN: Present.

1 MR. EINGORN: Mr. Valentin, can you raise
2 your right hand?

3 MR. VALENTIN: Yes.

4 - - -

5 JANDER VALENTIN, having first been duly
6 sworn/affirmed, was examined and testified as
7 follows:

8 - - -

9 MR. EINGORN: I'll read the appeal for
10 zoning for the record. The applicant's name is
11 Jander Valentin 742 Cherry Street. The property is
12 located at 742 Cherry Street in an R-2 Zone. The lot
13 has a frontage of 14 feet with one building. The
14 building is 14 feet by 96 feet and two stories. It's
15 a single-family home with a studio attached. The
16 proposed use is to continue to be a home with a
17 studio extended back 20 feet and change zoning to a
18 duplex.

19 Proposed construction is repair,
20 renovation and addition. The lot size is deficient;
21 lot width is deficient; lot depth is deficient; and
22 off-street parking is needed. The reasons why it
23 should be granted is, applicant purchased the
24 property as a rear-addition home included considered
25 a duplex. I want to rehab and it occupy it as a

1 legal duplex. So a duplex is permitted in an R-2
2 Zone. The applicant is requesting bulk variances,
3 the lot size, lot width, lot depth and off-street
4 parking.

5 Mr. Boria, can you have the applicant
6 tell us a little bit about the property and what he's
7 requesting, provide a translation?

8 REVEREND MARTINEZ: Do we have pictures?
9 I don't see no pictures here.

10 MR. VALENTIN: I'm requesting for the
11 renovations and to be able to be a duplex.

12 MR. EINGORN: The pictures are fuzzy. Is
13 this the picture; is this the property here?

14 MR. VALENTIN: Correct. So that's the
15 front and then, of course, the roof on top and then
16 that's the addition that's behind it, correct?

17 MR. EINGORN: Is this what he's seeking
18 approval for or he's going to make this bigger?

19 MR. BORIA: Both. What happened if I may
20 speak?

21 MR. EINGORN: Yes, please.

22 MR. BORIA: What happened was, in April
23 2022 the back of the house was on fire; went on fire.
24 So when the house was burning, the fire department
25 had to cut the meter for the electric. In the

1 single-family home that there's two bedrooms, all
2 that occurred was smoke damage. So the unit is good.
3 The unit in the back is burnt. So instead of keeping
4 it as a single-family home with the studio, he is
5 requesting to renovate the studio, make it a duplex
6 because he felt it should have its own meter, its own
7 utility separate. In addition, if it's allowed while
8 renovating, he wanted to extend.

9 VICE-CHAIRMAN COOPER: When you say,
10 extend, what are you extending?

11 MR. BORIA: For instance, the property
12 where you see the picture, it has another about 25 --
13 26, I believe, or 20 feet. So instead of going all
14 the way to three from the fence, was going to go to
15 six feet from the fence so there was extra space.

16 MR. EINGORN: So you'd have a 6-foot rear
17 yard; is that what you're saying?

18 MR. BORIA: Because the studio had its
19 own livingroom, kitchen, bathroom and then the
20 bedroom was open.

21 VICE-CHAIRMAN COOPER: Was this all added
22 on to this house or is this the way you bought the
23 house originally?

24 MR. VALENTIN: That's how it was. It has
25 been like that for a long time. I don't know exactly

1 how many years it has been but, I believe, over
2 ten-plus years.

3 CHAIRMAN HANCE: So what you're saying
4 is, you want to add on to what you have?

5 MR. BORIA: Correct. And the most
6 important thing that we're trying to do is get the
7 electric back on. It has been over a year. So the
8 house, again like I said, the 2-bedroom front of the
9 house unit is good to go. I'm just waiting for the
10 electric to be turned on to do some minor
11 renovations. The major part is the back. The front
12 is ready to go once I get electric back on.

13 CHAIRMAN HANCE: So you want to turn the
14 back into an apartment?

15 MR. BORIA: Yes. The front is going to
16 be where Jander will be living there or if it's going
17 to be rented out. I told him about getting a CO and
18 all the proper steps. If you're going to be a
19 landlord. But the addition of the back is also
20 important. Again, and I was just going there for a
21 duplex because I figured keep every utility separate
22 for each individual instead of saying, okay, you
23 might owe only this using the same meters.

24 CHAIRMAN HANCE: So who wants to extend
25 the house for you?

1 MR. BORIA: What construction company?

2 CHAIRMAN HANCE: I was looking at
3 Wingate. And then for the electric, the gentlemen
4 who has been helping me with the meter when
5 I had to first submit some papers, is Phoenix
6 Electric.

7 VICE-CHAIRMAN COOPER: Well, shouldn't
8 they have an architect floor plan so we can see --

9 CHAIRMAN HANCE: Yes.

10 VICE-CHAIRMAN COOPER: -- instead of them
11 just coming and saying they're just going to extend
12 the back of the house?

13 MR. BORIA: If that's what required or
14 you need me to do, I have no problem.

15 VICE-CHAIRMAN COOPER: Yeah, we would
16 like to see some plans; like to see something.

17 MR. BORIA: That's not a problem as far
18 as the back but is there anyway that I can get
19 something approved in order to get the electric?
20 Because I'm losing out on a home and I'm losing out
21 on a home as far as living there or renting out. And
22 it's been since April 22, 2022.

23 VICE-CHAIRMAN COOPER: So why do you need
24 us to have your electric come back on?

25 MR. BORIA: Because that's what they're

1 requiring. That's who the electric company had me go
2 to the fourth floor and then on the fourth floor I
3 had to go the second floor for the zoning. So these
4 are the steps that were provided to me and told me
5 that I had to take. And then I have a paper from the
6 electric company that will not do anything until the
7 City gives the green light, the okay. I don't have
8 that packet in front of me but I have the next steps
9 already noted.

10 MR. EINGORN: I don't mean to make this
11 more difficult or expensive. But if the issue is the
12 extension, the applicant can drop the extension, seek
13 the current requested approvals and then come back
14 when he's ready to do the extension.

15 MR. BORIA: I'm okay with that as long as
16 my application with the fees and everything is still
17 continuing or is it something where I have to
18 resubmit?

19 MR. EINGORN: I mean, you'd have to
20 resubmit for the extension once you get your plans
21 and everything together.

22 MR. BORIA: Oh, yes. But I mean, as far
23 as being able to --

24 MR. EINGORN: You'd have to submit a
25 whole new application, fees, all that stuff,

1 renotice.

2 MR. BORIA: For the addition?

3 MR. EINGORN: Yes.

4 MR. BORIA: Yeah, that's fine. As far as
5 being able to get something so I can get the electric
6 on for the home?

7 MR. EINGORN: Right. So the Board could
8 consider the requested bulk variances related to the
9 home. And then you can come back for the extension.

10 MR. BORIA: Sounds good.

11 MR. EINGORN: That would make it easier
12 for the Board.

13 MR. BORIA: That's fine with me. I just
14 want to get into the home and then I can go in and
15 resubmit for the back. I have no problem.

16 Now, part of the Board is requesting for
17 me to get an architect and a plan, correct?

18 MR. EINGORN: So in order to this
19 addition, they want to see plans from an architect or
20 builder of some sort, whoever is going to prepare
21 these plans to show the Board, hey, this is --

22 MR. BORIA: This wouldn't be from a
23 contracting company?

24 MR. EINGORN: I mean, if they have
25 somebody that can do that, sure. The Board is just

1 looking for something that shows what this is going
2 to be; where it's going to go; how it may look; a
3 dimension of what the rear would look like, the side;
4 like an informal survey maybe.

5 MR. BORIA: Sounds good.

6 MR. EINGORN: Does the Board have
7 questions, concerns?

8 CHAIRMAN HANCE: Yes. When you say that
9 we can give him the variance for the house that's
10 already built, I'm still trying to figure out the
11 electric part. Why do we need to do anything about
12 the electric?

13 MR. BORIA: The electric company is
14 requesting it from the City.

15 MS. MUHAMMAD: Mr. Chairman, they
16 wouldn't be able to get electric without a CO. A CO
17 is a part of the process. He couldn't get a CO
18 because he has to get it as a duplex. And that's why
19 he's here to see if he can get it approved as a
20 duplex before the City can provide any permits.

21 VICE-CHAIRMAN COOPER: So he's dropping
22 the duplex altogether now?

23 MR. EINGORN: No, no. The back is the
24 studio apartment. He wants to extend the studio, I
25 guess, maybe to make an extra bedroom or make the

1 living area bigger, whatever that may be. We don't
2 know yet. And he's going to provide those plans at a
3 later application. But what has happened here, I
4 think, is that the person before him made this a
5 duplex maybe without a permit. And so in order to
6 get the permit for the duplex and the Certificate of
7 Occupancy, he needs to obtain zoning which is why
8 he's here tonight. So once he gets his zoning
9 approval, he can seek the CO and then he can get his
10 electric turned back on.

11 VICE-CHAIRMAN COOPER: I'm still lost.

12 MR. BORIA: That's how I was, sir. I'm
13 still lost. Explain it.

14 MS. MUHAMMAD: Vice-Chair, he has to get
15 a Certificate of Occupancy. You have to have a CO
16 for the use of the property. He's trying to get the
17 use of the property as a duplex because he's here
18 seeking that use. He wouldn't be able to get a CO
19 until he's granted a use of a duplex. Right now he's
20 not granted; that he's looking for that right now.

21 VICE-CHAIRMAN COOPER: And he's saying
22 that it's a single-family home. That's all he wants
23 to get the front part and the electric turned back
24 on.

25 MR. EINGORN: I think the issue is the

1 use of the terminology. He's got a duplex. The
2 front is a big family home. And in the back there's
3 a smaller unit which is a studio apartment. That's
4 that area you saw; that's the one, the one-story.
5 So I think it's just how he's using the term. It's
6 not a single-family home. It's a duplex and the
7 duplex is really just that addition in the back which
8 is the studio apartment.

9 VICE-CHAIRMAN COOPER: Well, if we
10 approve him, he still has to get a CO, right?

11 MR. EINGORN: You still have to apply for
12 a CO, correct?

13 VICE-CHAIRMAN COOPER: Okay. That's
14 fine.

15 MR. EINGORN: That's part of his process.

16 VICE-CHAIRMAN COOPER: That's fine.
17 Okay.

18 MR. EINGORN: As I understand it, this is
19 a quote unquote one home here, right? And then this
20 back here is the studio, correct?

21 MR. BORIA: Yes.

22 MR. EINGORN: Does that make more sense,
23 Mr. Cooper?

24 VICE-CHAIRMAN COOPER: Yeah, I
25 understand.

1 MELVINA L. WEST, having first been duly
2 sworn/affirmed, was examined and testified as
3 follows:

4 - - -

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

7 MS. WEST: Melvina L. West, 746 Cherry
8 Street, Camden, New Jersey 08103. I also own 744
9 Cherry Street. So my only concern, if it was to be a
10 duplex, again, would be the parking. Because we have
11 several, I think it's only maybe three homeowners on
12 the block that live on the block and we have a lot of
13 tenants. Like we may have one house that may have
14 four, five cars. So my concern would be primarily
15 the parking if it were to be a duplex.

16 MR. EINGORN: Did we lose the applicant?
17 Mr. Boria, are you still there?

18 MR. BORIA: Hello. Sorry. Someone kept
19 calling. I'm sorry.

20 MR. EINGORN: Did you hear what Ms. West
21 had to say?

22 MR. BORIA: She was saying something
23 about if it becomes a duplex, she was concerned with
24 the parking?

25 MR. EINGORN: Yes. So can you describe

1 parking? Is there ability to provide off-street
2 parking?

3 MR. BORIA: Yes. Basically all the
4 parking is off-street parking except for if -- there
5 was like one or two that had their driveway before
6 742 because it's a one-way. And then anything after
7 742, if a house was demolished or not there, then
8 someone parks on there. So all the parking that
9 there is, is on the street. And she's right, there's
10 not much parking. But that's how it is with all the
11 houses. Everything is on the street. There's some
12 homes that got, you know, multiple cars and they park
13 on the sidewalk across from 732.

14 MS. WEST: So that's correct. But I'm
15 saying like if it's like the example for one of the
16 other zoning issues earlier where one of the Board
17 members brought up. I think it was the property that
18 was going to be on Haddon Avenue. I think it was a
19 family. And it's like a two-person family, then each
20 person has a car. But if it's a two-person times
21 two, then that -- I mean, parking is bad, yes. But
22 it's more -- yeah, they park on the sidewalk which
23 belongs to the Board of Education. But, again,
24 that's just my concern.

25 And there is an empty lot next to the

1 demolished. But I guess people can park there but
2 then you can't because of the trash and everything
3 else. And I'm going to clean up that lot but, you
4 know, again, my concern is just -- I don't want to
5 park all the way down the street. I mean, anything
6 can happen; which just last month I'm parked in front
7 of my house and somebody visited one of the renters.
8 And, again, it can happen anywhere. But my car was
9 totalled right in front of my house, like on the
10 sidewalk total at three o'clock. So that's not
11 necessarily a parking issue but I'm just saying more
12 cars, more probability of things happening. That
13 would be my only concern.

14 MR. EINGORN: Is there anybody else that
15 would be like heard from the public? Hearing none,
16 we'll close the public portion.

17 MR. BORIA: May I piggyback real quick,
18 sir?

19 MR. EINGORN: You'd like to respond,
20 sure.

21 MR. BORIA: Sure. Next to 742, there's
22 the lots that are vacant. I was looking into it and
23 there's six -- I don't if -- it's six lots, three to
24 four different owners. Now the one that's directly
25 next door to 742 Cherry Street that Hargrove

1 demolished on January of 2022, we was looking to see
2 if we could that get one because then we would park
3 to the side of the house. I just don't know if the
4 City is the one that took over or if the owner still
5 owns it.

6 MR. EINGORN: Okay. Does the Board have
7 any other questions about this application;
8 discussion; motion.

9 VICE-CHAIRMAN COOPER: I make a motion
10 that we accept this for the bulk variance.

11 MR. EINGORN: But not for the addition,
12 correct?

13 VICE-CHAIRMAN COOPER: Not the addition.

14 MR. EINGORN: Okay.

15 CHAIRMAN HANCE: I second.

16 MR. EINGORN: So we have a motion and a
17 second to approve the bulk variances but not for the
18 addition.

19 VICE-CHAIRMAN COOPER: And, Kyle, can we
20 put on there because they need to get a CO too,
21 right?

22 MR. EINGORN: That's a requirement
23 regardless.

24 VICE-CHAIRMAN COOPER: Got you. I'm
25 good.

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

3 CHAIRMAN HANCE: Yes.

4 MR. EINGORN: Vice-Chairman Cooper.

5 VICE-CHAIRMAN COOPER: Yes.

6 MR. EINGORN: Reverend Martinez.

7 REVEREND MARTINEZ: Yes.

8 MR. EINGORN: Ms. Atwood.

9 MS. ATWOOD: Yes.

10 MR. EINGORN: Ms. Merricks.

11 MS. MERRICKS: Yes.

12 MR. EINGORN: Having five in favor and
13 none opposed, the motion passes to grant the bulk
14 variances but not for the rear addition. Thank you
15 Mr. Boria and Mr. Valentin. I hope you have a nice
16 night.

17 MR. BORIA: Thank you all for your time.
18 I appreciate it.

19 MR. VALENTIN: Thanks.

20 MR. EINGORN: The last application for
21 the evening, Heaven Towing & Auto Repair, 1215 to
22 1221 S. 6th Street.

23 MR. JAVED: Good evening guys.

24 MR. EINGORN: Good evening. Can you
25 raise your right hand?

1 - - -

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

5 - - -

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

8 MR. JAVED: My name is Umair Javed. My
9 address is 232 Welsh Avenue, Bellmawr, New Jersey
10 08031.

11 MR. EINGORN: And what's your
12 relationship to the applicant?

13 MR. JAVED: Husband.

14 MR. EINGORN: You're the husband to the
15 towing company?

16 MR. JAVED: No. I mean, I'm sorry.

17 MR. EINGORN: That's okay.

18 MR. JAVED: I mean, my wife is the owner
19 but I'm basically the manager.

20 MR. EINGORN: Is this a corporation of
21 some sort?

22 MR. JAVED: Yes.

23 MR. EINGORN: Is it wholly-owned by your
24 wife?

25 MR. JAVED: Yes.

1 MR. EINGORN: Is she available?

2 MR. JAVED: Yes, she is.

3 MR. EINGORN: Can you just put her on the
4 screen and we can swear her in?

5 MS. JAVED: Hi, I'm here.

6 MR. EINGORN: Good evening. Can you
7 raise your right hand?

8 - - -

9 AYESHAZAHID JAVED, having first been duly
10 sworn/affirmed, was examined and testified as
11 follows:

12 - - -

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

15 MS. JAVED: Ayes hazahid Javed, 232 Welsh
16 Avenue, Bellmawr, New Jersey 08031.

17 MR. EINGORN: Ma'am, are you the owner of
18 Heaven Towing & Auto Repair?

19 MS. JAVED: Yes.

20 MR. EINGORN: Are you the only owner?

21 MS. JAVED: Yes.

22 MR. EINGORN: Great. So I'll read the
23 appeal for zoning quickly. I'm sorry to drag you
24 into this mess but your husband is not an attorney
25 and he can't appear on your behalf.

1 So the name of the address of the
2 applicant is Heaven Towing & Auto Repair, 1213 S. 6th
3 Street, Camden, New Jersey. The owner of the
4 property is Yousaf Javed, 236 Bergen Street. The
5 property is located at 1213 S. 6th Street in an LI-1
6 Zone. The property is presently vacant and the
7 proposed use is towing and an auto repair service.
8 There's no construction needed or planned.
9 Off-street parking may be needed. A use variance is
10 needed.

11 An appeal is made to permit and there's a
12 citation to a statute which I don't know off the
13 top of my head. The reason why an appeal may be
14 granted: We corrected the two things needed to grant
15 our appeal. So you want a towing and auto repair
16 business and I'm looking at pictures. We have
17 pictures. Okay. Is this the property that I'm
18 showing here on the screen?

19 MS. JAVED: Yes.

20 MR. EINGORN: Great. And is that door
21 wide enough to fit a car?

22 MS. JAVED: Yes.

23 MR. EINGORN: Great. And how many cars
24 can you fit in the building?

25 MS. JAVED: Inside four.

1 MR. EINGORN: Is there going to be a
2 lift?

3 MS. JAVED: Yes.

4 MR. EINGORN: And this picture here, is
5 this the parking?

6 MS. JAVED: Yes.

7 MR. EINGORN: And this is on the side of
8 the building or the rear?

9 MS. JAVED: Yes, the side of the
10 building.

11 MR. EINGORN: How many cars can you put
12 here?

13 MS. JAVED: 35.

14 MR. EINGORN: 35?

15 MS. JAVED: Yes.

16 MR. EINGORN: Okay. Great. Did you draw
17 this? Who drew this?

18 MS. JAVED: My husband.

19 MR. EINGORN: This here, this is the
20 proposed building interior with office space and
21 storage?

22 MS. JAVED: Yes.

23 MR. EINGORN: Very good. You produced
24 the zoning permit from December of 2018. Is that
25 this?

1 MS. JAVED: Yes.

2 MR. EINGORN: Use permitted by
3 ordinance. It doesn't say what the use is, though.

4 So the property looks like an auto garage
5 already and that's what you want to use it for; is
6 that correct?

7 MS. JAVED: Yes.

8 MR. EINGORN: And you have 35 parking
9 spaces, yes?

10 MS. JAVED: Yes.

11 MR. EINGORN: Great. Does the Board have
12 any questions for the applicant?

13 VICE-CHAIRMAN COOPER: This building here
14 has been in front of us before.

15 CHAIRMAN HANCE: Yes.

16 VICE-CHAIRMAN COOPER: It's been in front
17 of us before so they changed the ownership, I guess.
18 And it's been a garage and --

19 MR. JAVED: Dealership.

20 VICE-CHAIRMAN COOPER: Excuse me?

21 MR. JAVED: Garage and dealership used to
22 be.

23 VICE-CHAIRMAN COOPER: Yes. It was in
24 front of us before.

25 CHAIRMAN HANCE: When did they purchase

1 the building?

2 MR. JAVED: My brother purchased it, I
3 think, five years ago.

4 VICE-CHAIRMAN COOPER: So you're buying
5 it from your brother?

6 MR. JAVED: No, I'm not buying it from my
7 brother. I'm renting it.

8 CHAIRMAN HANCE: Okay. Because this was
9 before us. It was probably last year.

10 MR. EINGORN: Why do I remember this one?

11 CHAIRMAN HANCE: That's when they had all
12 those cars parked on the other side.

13 MR. EINGORN: Oh, yes. You're not going
14 to have a dealership, correct?

15 MR. JAVED: In the future maybe but not
16 at the moment.

17 MR. EINGORN: You can come back, though,
18 if you had a dealership, correct?

19 MR. JAVED: Yes.

20 CHAIRMAN HANCE: Let me ask you a
21 question. Behind the building there was a lot of
22 homeless living back there. Did you clean all that
23 out?

24 MR. JAVED: I always do but they keep
25 bringing so much stuff along the building but, I

1 mean, I cannot stop it. But the only thing is, I can
2 just clean it.

3 CHAIRMAN HANCE: Question. Do you know
4 own the back of the building? Do you have a spot
5 back there?

6 MR. JAVED: Behind the building there is
7 a church.

8 CHAIRMAN HANCE: Well, when I say that,
9 the church is pretty far away. I work in that area
10 so I drive past there constantly. So if you can put
11 a fence behind your building, then they won't -- you
12 had cars back there, tents, everything back there, so
13 you have to keep that area clean.

14 MR. JAVED: Okay. We do.

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

17 CHAIRMAN HANCE: So you're going to
18 strictly use it for a tow yard; is that what you're
19 going to do?

20 MR. JAVED: Yes. It's going to be for
21 tow and for auto repair.

22 MR. EINGORN: Autobody or like --

23 MR. JAVED: No. Auto repairs; not body.

24 VICE-CHAIRMAN COOPER: It was an autobody
25 before, yeah.

1 MR. EINGORN: Is anybody in the public
2 want to be heard on the application regarding 1215 to
3 1221 S. 6th Street? Hearing none and seeing no hands
4 raised, we'll close the public portion.

5 The Board want to do an analysis and make
6 a motion regarding the request for use variance and
7 bulk -- well, it looks like they probably have enough
8 parking. That will be the Board will decide.

9 VICE-CHAIRMAN COOPER: Yes.

10 REVEREND MARTINEZ: Motion to accept.

11 CHAIRMAN HANCE: Before you make that
12 motion, it states that the towing is a d(1).

13 MR. EINGORN: They need a use variance.

14 CHAIRMAN HANCE: Make a motion.

15 MR. JAVED: Are you asking me a
16 question?

17 CHAIRMAN HANCE: No. Reverend, make your
18 motion.

19 REVEREND MARTINEZ: Motion to accept the
20 application.

21 CHAIRMAN HANCE: Second.

22 MR. EINGORN: We'll take a roll-call
23 vote. Chairman Hance.

24 CHAIRMAN HANCE: Yes.

25 MR. EINGORN: Vice-Chairman Cooper.

1 VICE-CHAIRMAN COOPER: Yes.

2 MR. EINGORN: Reverend Martinez.

3 REVEREND MARTINEZ: Yes.

4 MR. EINGORN: Ms. Atwood.

5 MS. ATWOOD: Yes.

6 MR. EINGORN: Ms. Merricks.

7 MS. MERRICKS: Yes.

8 MR. EINGORN: Having five in favor and
9 none opposed, the motion passes. Have a nice night
10 guys. Good luck with your new business.

11 MR. JAVED: Before you close, can I ask
12 you a question really quick if you don't mind?

13 MR. EINGORN: Go ahead.

14 MR. JAVED: My question was, we are
15 trying to also to do an impound and I would like to
16 see if I can -- the first thing is, my thought is to
17 try to buy a lot somewhere in the near by my
18 location. But if not, is there any way we can adopt
19 the City lot?

20 MR. EINGORN: I don't know. You have to
21 talk to the City.

22 MR. JAVED: Okay.

23 MR. EINGORN: That's not our purview.

24 MR. JAVED: Good night. Thank you, guys.
25 Have a good night.

1 MR. EINGORN: We still have Adoption of
2 Resolutions related to May and June.

3 VICE-CHAIRMAN COOPER: Motion to adopt
4 Resolutions.

5 MR. EINGORN: Hold on because I don't
6 know who was there. So give me a second.

7 For May we have: Site Plan Waiver for
8 Emelyn Peralta. Use Variance Approval for Genaro
9 Lopez. Legal Non-Conforming Use for Knights
10 Crossing Home Partners, LLC. Use Variance Approval
11 for 5 Start Properties. And a Bulk Variance for
12 Holding 13, LLC.

13 Those that can vote -- everybody can vote
14 on that except for Mr. Cooper who was not present in
15 May. Do I have a motion to Adopt the May
16 Resolutions?

17 REVEREND MARTINEZ: Motion to adopt.

18 MR. EINGORN: Do I have a second?

19 CHAIRMAN HANCE: Second.

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

22 CHAIRMAN HANCE: Yes.

23 MR. EINGORN: Reverend Martinez.

24 REVEREND MARTINEZ: Yes.

25 MR. EINGORN: Ms. Atwood. Did we lose

1 Ms. Atwood? We did. Ms. Merricks.

2 MS. MERRICKS: Yes.

3 MR. EINGORN: Having four in favor and
4 none opposed, that motion carries.

5 And then for June, Ms. Merricks, Chairman
6 Hance and Vice-Chairman Cooper can vote on the June.

7 So for June we have: Bulk Variance
8 Approval for Luis Jaquez. Bulk Variance Approval for
9 Roy Rivers. Interpretation for Scull and Ham, LLC.
10 Non-conforming Use for Gary & Iris Ball.
11 Non-conforming Use for Sindy Orellana. Bulk Variance
12 Approval WH Enterprises. Non-conforming Use for Real
13 Portfolio 15, LLC. And Non-Conforming Use for Real
14 Portfolio 14, LLC. Do we have a motion to adopt?

15 CHAIRMAN HANCE: I make a motion to
16 adopt.

17 MR. EINGORN: Do I have a second?

18 VICE-CHAIRMAN COOPER: Second.

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

21 CHAIRMAN HANCE: Yes.

22 MR. EINGORN: Vice-Chairman Cooper.

23 VICE-CHAIRMAN COOPER: Yes.

24 MR. EINGORN: And Ms. Merricks.

25 MS. MERRICKS: Yes.

1 MR. EINGORN: The motion passes three to
2 nothing. Do we have a motion to adjourn?

3 CHAIRMAN HANCE: Motion to adjourn.

4 VICE-CHAIRMAN COOPER: Second.

5 MR. EINGORN: All in favor.

6 THE BOARD: Yays.

7 - - -

8 (*Meeting concluded at 9:09 p.m.*)

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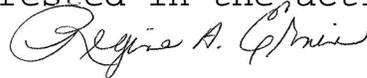
1 CERTIFICATION

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

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

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

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

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