

**In The Matter Of:**  
*CITY OF CAMDEN*  
*ZONING BOARD*

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*Transcript of Meeting*  
*May 6, 2024*

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ZONING BOARD  
CITY OF CAMDEN

- - - -

Monday, May 6, 2024

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Transcript of proceedings of the Zoning Board of Adjustment taken in City Council Chambers, 2nd floor City Hall, 520 Market Street, Camden, New Jersey 08101, commencing at 5:45 p.m.

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

- DARNELL HANCE, CHAIRMAN
- CHARLES COOPER, VICE-CHAIRMAN
- ISAIAS MARTINEZ
- KAREN MERRICKS
- MARITZA ALSTON
- YSABEL NUNEZ

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

- KYLE F. EINGORN, ESQUIRE, ATTORNEY FOR THE BOARD
- DEMBO, BROWN & BURNS, LLP
- EVITA MUHAMMAD, ZONING BOARD SECRETARY

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1                   CHAIRMAN HANCE: Good evening. Welcome  
2 to the Zoning Board of Adjustment's regular meeting  
3 scheduled on May 6, 2024. Reading of the Sunshine  
4 Law.

5                   In conformance with the Sunshine Law of  
6 New Jersey, notice of the meeting was posted in the  
7 Municipal Clerk's office on Tuesday, April 30, 2024.  
8 Roll call.

9                   MR. EINGORN: Chairman Hance.

10                  CHAIRMAN HANCE: Here.

11                  MR. EINGORN: Vice-chairman Cooper.

12                  VICE-CHAIRMAN COOPER: Here.

13                  MR. EINGORN: Reverend Martinez.

14                  MS. ATWOOD: Here.

15                  MR. EINGORN: Ms. Merricks.

16                  MS. MERRICKS: Here.

17                  MR. EINGORN: Ms. Alston.

18                  MS. ALSTON: Present.

19                  MR. EINGORN: Ms. Nunez.

20                  MS. NUNEZ: Here.

21                  MR. EINGORN: Good evening everybody.

22 Welcome to the City of Camden Zoning Board of  
23 Adjustment. Do we have a motion to adopt the minutes  
24 from last month?

25                  VICE-CHAIRMAN COOPER: Motion to adopt.

1 MR. EINGORN: Do we 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. Merricks.

11 MS. MERRICKS: Yes.

12 MR. EINGORN: Ms. Alston.

13 MS. ALSTON: Yes.

14 MR. EINGORN: Ms. Nunez.

15 MS. NUNEZ: Yes.

16 MR. EINGORN: Very good. I'm going to  
17 read the list tonight of the agenda. If you're here,  
18 please let us know and we'll mark the mark the record  
19 accordingly.

20 The first matter of Old Business is, A  
21 Gift From God Ministries, 2802 Thompson Street.

22 MS. DAUGHTRY: Here.

23 MR. EINGORN: Good evening.

24 The next matter, Macedonia Baptist  
25 Church, 812-814 Kaighn Avenue has requested an

1 adjournment here tonight. If you're here tonight for  
2 that matter, please note that it will be adjourned to  
3 the monthly meeting of June. There's no further  
4 notice. This is the notice of that adjournment and  
5 it will not be heard tonight. If you're here for  
6 that matter, you're free to stay; you're free to go.  
7 Either way, we will not be hearing it tonight.

8           As for the next matter, Jonathan Gabay,  
9 436 S. 6th Street, this will also be adjourned to  
10 June. It will not be heard tonight. This is the  
11 notice of the adjournment. If you're here for that  
12 matter, you're free to stay; you're free to go;  
13 otherwise, we'll see you in June.

14           The next matter, MIG International  
15 Holdings, LLC, 1291 S. Merrimac Road.

16           MR. GABAY: Present.

17           MR. EINGORN: Good evening.

18           The next matter, Camden County Growth,  
19 LLC, 3300 Federal Street. This matter will also be  
20 adjourned to June. This is the notice of that  
21 adjournment. If anybody is here, you're free to  
22 stay; you're free to go; however, it will not be  
23 heard tonight. No further notice required.

24           The next matter, David Lee, 819 S. 5th  
25 Street.

1 MS. ABED: Here.

2 MR. EINGORN: Good evening.

3 Carlos Supelveda, 509 N. 27th Street.

4 MS. ABED: Here.

5 MR. EINGORN: Good evening.

6 Premier Construction, LLC, 521 Cooper  
7 Street.

8 MR. CALZARETTO: Here.

9 MR. EINGORN: Good evening.

10 3250-3252 River Road, LLC, Southside  
11 River 80 E. Bergen Avenue.

12 MR. CALZARETTO: That's ready.

13 MR. EINGORN: Good evening, Counsel.

14 1060 Bergen Avenue, LLC, 1060 Bergen  
15 Avenue.

16 MR. CALZARETTO: That's ready.

17 MR. EINGORN: All right.

18 Tony Payton, Jr., 2513 Federal Street.

19 MR. PAYTON: Here.

20 MR. EINGORN: Good evening.

21 Elpidio Alcantara, 948 N. 26th Street.

22 MR. ALCANTARA: Here.

23 MR. EINGORN: William Hargrove, 108 N.  
24 7th Street.

25 MR. WILSON: How many members are



1 present?

2 MR. EINGORN: This is the whole Board.  
3 This is everybody. You're not going to get more.

4 MR. WILSON: Okay. Good evening,  
5 Mr. Wilson.

6 MR. EINGORN: Franklin Abreu, 1903 S. 4th  
7 Street.

8 MR. ABREU: Ready.

9 MR. EINGORN: German Enterprises Corp.,  
10 1626 Louis Street.

11 MR. FRANCISCO VARGAS: We're here.

12 MR. EINGORN: Good evening.

13 Abraham Ituh, 400 Jackson Street. Not  
14 present so we'll second-call that. That's our list.  
15 All right. We got a lot of work to do.

16 Let's call Old Business, A Gift From God  
17 Ministries, 2802 Thompson Street. This is a  
18 re-hearing from last month. The Board will recall  
19 the applicant has requested a 6-foot fence and  
20 concrete bollards which will require City Council  
21 approval.

22 We have a new Board member since anybody  
23 hasn't met her, Ysabel Nunez. I was thinking my next  
24 thought which was, this is a recall from last month.  
25 And since you haven't gone over the notes from last

1 month, you can't participate in this application.

2 Okay?

3 MS. NUNEZ: No problem. Thank you.

4 MR. EINGORN: According to my notes, this  
5 was adjourned for pictures. This was adjourned for  
6 pictures. Do you have copies?

7 MS. DAUGHTRY: I made four.

8 MR. EINGORN: Please raise your right  
9 hand.

10 - - -

11 DARLENE DAUGHTRY, having first been duly  
12 affirmed, was examined and testified as follows:

13 - - -

14 MR. EINGORN: Please state your name and  
15 address for the record.

16 MS. DAUGHTRY: My name is Darlene  
17 Daughtry, 205 White Pine Court, Bear, Delaware 19701.

18 MR. EINGORN: Very good. Bring forward  
19 your pictures, please.

20 MS. DAUGHTRY: I have several ones. I  
21 did them in different sections and I'll be quick. I  
22 first just wanted to go over really quick, the reason  
23 why I was requesting the six foot. If you look at  
24 the first page, these are from our digital cameras  
25 that are surrounding. But if I printed them all,

1 we'd be here all day. As you see the people walking  
2 through, you look on the second page and I'm just  
3 going a little fast. If you look at the date of the  
4 camera, the first page says 4/01 is the date at 2:06.  
5 The second one is 4/01 at 3:47 and they dumped right  
6 there near the cars. The third page is all what they  
7 dump along back on the back side.

8           The fourth page is, they allow their pets  
9 to come through and lay their feces. The fifth page  
10 is, as you can see, it's 9:10 at night. Our home is  
11 a transitional home for women and children. And late  
12 at night, one, two o'clock in the morning, the women  
13 who dwell on the first floor, you have men, people  
14 walking past their bedrooms. May 2nd is very  
15 interesting. Undercover police swarm our property  
16 for illegal activity and drugs that are constantly  
17 being hidden on our property.

18           Those are the undercover cops searching  
19 our property. Five three (5/03), you they're  
20 constantly on the property. The next to the last  
21 page is once, again, dumping. The very last page,  
22 cops were called again because those are all stolen  
23 vehicles parked on our property; stolen; no tags on  
24 our property. These pictures here shows the actual  
25 location which you requested.

1           MR. EINGORN: So for the record, we'll  
2 mark this first packet of photos Exhibit 1. And the  
3 second packet of photos we will mark as Exhibit 2.

4           MS. DAUGHTRY: And then the last packet  
5 that I have, these are actual physical photos of  
6 houses on my block and behind my block. Some have  
7 six feet to the front; some have five feet to the  
8 front. And these are corner properties as well.

9           MR. EINGORN: Thank you. So let the  
10 record reflect we received a packet of black and  
11 white photographs from the applicant consisting of  
12 five sheets. We will mark that Exhibit 3.

13           MS. DAUGHTRY: The third packet, I just  
14 wanted to make mention, this is at the top of my  
15 block on the corner. This is a corner resident.  
16 When we had our hearing last month, the suggestion,  
17 it was asked if we could do six foot going around the  
18 perimeter and four foot to the front. And the  
19 argument was that, it would still give the people  
20 access to go over that front of the fence if we did  
21 that. That very first, that resident said that is a  
22 three foot to the front and six foot going around the  
23 perimeter. That's how that particular property  
24 looks.

25           The second one is a five foot in the

1 front of their property. That is five foot in the  
2 front of her property. The third one is a six foot,  
3 six feet on a corner. That's not really the corner  
4 but next to the corner in their front house. But  
5 this one was -- the last one, that is on the corner  
6 of my block across the street, a corner residence as  
7 mine is. They have a five foot to the front; six  
8 foot going all around the perimeter. That is the  
9 front of the house that sits on the corner of my  
10 block with five foot to the front; six foot going  
11 around. They said it's five foot.

12           Then you have the picture of the actual  
13 house, the front page. There's a gentleman walking  
14 there. That's one of our staff members. Because  
15 when we pulled up, the police was checking cause  
16 someone was hiding something on the side. But,  
17 nevertheless, we're looking to fence the front.  
18 There's your front with the sidewalk to the left.  
19 There's the corner that was the one that was in  
20 question. And then there's a corner sidewalk. We  
21 were not able to get the simulation because the  
22 simulation cost over \$275.00.

23           VICE-CHAIRMAN COOPER: I have a question.  
24 You said something about concrete bollards.

25           MS. DAUGHTRY: The bollards, yes.

1                   VICE-CHAIRMAN COOPER:  Where are they  
2 going to go?

3                   MS. DAUGHTRY:  You see -- I sent the  
4 pictures on the first one, but they're in the back of  
5 the house on the back where all the cars are parked  
6 on the sidewalk.

7                   VICE-CHAIRMAN COOPER:  I thank you for  
8 your pictures.  Your pictures are big up here.

9                   MS. DAUGHTRY:  Thanks.

10                  VICE-CHAIRMAN COOPER:  Your five foot  
11 fence in the front and a 6-foot fence on the  
12 side would be --

13                  MS. DAUGHTRY:  Suffice it for us.

14                  VICE-CHAIRMAN COOPER:  You're  
15 accommodating?

16                  MS. DAUGHTRY:  Yes.  And that's what I  
17 wanted to ask the Board if we can just approve -- if  
18 the Board would be so kind and approve us for at  
19 least a five foot in the front and a six foot -- I  
20 don't think the problem was the back.  No one had a  
21 problem with the six foot in the back and on the side  
22 it was the front.  But my concern was still the  
23 front.  And giving the people the access that they  
24 continue to have to go over the fence.  
25 Even though they can go over a five foot and a six

1 foot, I just don't want to make it as easy for them  
2 to have access to our property, the women, the kids  
3 that go out there.

4 We pay a lot of money to try to maintain  
5 the property. We pay a lot of money not to have to  
6 keep picking up needles and drugs. Just even having  
7 the kids -- the cops there this weekend, was very  
8 alarming. They had the entire block swarmed. But  
9 this is what we've been going through for 24 years  
10 because we've been there for 24 years.

11 And I just want to say this. When we  
12 were here, we talked about beautifying Camden. You  
13 said that, sir, to the young lady who was up here  
14 before me. I'm doing my due diligence to try to keep  
15 my property beautiful for the residents that stay  
16 there, but I need help. Because I cannot keep the  
17 riff-raff out when it's just an open field.

18 And you said, Mr. Kyle, you're just not  
19 sure a six foot would be attractive, something to  
20 that regard for the property. But does the dumping  
21 look attractive in the City of Camden? Does all the  
22 illegal parking look -- I mean, stolen cars on my  
23 property? That doesn't make my home look attractive.  
24 That doesn't make the residents across the street any  
25 happy that a transitional home which they were not

1 happy with, is across and it's garnishing so much  
2 attention.

3 MR. EINGORN: Any additional questions  
4 from the Board members?

5 CHAIRMAN HANCE: How many families are  
6 living at the home?

7 MS. DAUGHTRY: Yes, four with children.  
8 And they can't -- the goal was, we would like to put  
9 the fence up so we could put our own playground in  
10 there for the kids. Because the reality is, if  
11 you're familiar with the area, the playground across  
12 the street which the City did a good job of putting  
13 in, it is not safe because of the drug activity that  
14 is across the street. So we would like our kids to  
15 be able to play on our property.

16 MR. EINGORN: Any questions? No. We are  
17 going to open to the public. Is anybody here who  
18 would like to discuss this application either for or  
19 against? Anybody from the public? Hearing none,  
20 we'll close the public portion. So the Board has  
21 heard a request by the applicant. She's now  
22 requesting five feet at the front and six feet around  
23 the sides and the back; is that correct?

24 MS. DAUGHTRY: That is correct.

25 MR. EINGORN: The applicant requires a



1 bulk variance approval for this application. The  
2 bollard issue is something that will be reserved for  
3 City Council. So weigh in on the bulk variance;  
4 further comments about the bollards. You could those  
5 on the record too. We're looking at Exhibit 3 which  
6 is a black and white photograph.

7 MS. DAUGHTRY: Yes.

8 MR. EINGORN: This is not your property,  
9 correct?

10 MS. DAUGHTRY: No, that is not my  
11 property. They're all on the same block or right  
12 behind me. So I just went around and looked at what  
13 everybody else's fences looked like.

14 MR. EINGORN: This is the corner of your  
15 lot; is that correct?

16 MS. DAUGHTRY: That is the corner.

17 MR. EINGORN: So this is her corner so  
18 there's no bush there to block.

19 MS. DAUGHTRY: I did take a picture.  
20 Like I said, there is a house. This house here is on  
21 my block but it's at the other corner and that is a  
22 corner house and it does not block the street in  
23 turning. And that's five foot and six feet.

24 VICE-CHAIRMAN COOPER: Which one of the  
25 houses are hers?

1                   MR. EINGORN: The colored photos. These  
2 black and white photos are of other houses on the  
3 block. So you can see what she's asking is  
4 consistent with what's going on.

5                   MS. DAUGHTRY: Yes.

6                   A discussion of the Positive and Negative  
7 Criteria and a motion.

8                   VICE-CHAIRMAN COOPER: I think it's a  
9 positive. You know, she's trying to beautify her  
10 area in any which way we can. And like she said with  
11 the illegal dumping that's going on behind her  
12 property, you should be able to secure your property.  
13 So, again, I think it's a good thing that you're  
14 trying to secure your property. Do we have other  
15 Board members having anything to say?

16                   CHAIRMAN HANCE: I'll piggyback on that.  
17 To not only secure your property but, also, protect  
18 the people within the property especially the women  
19 and children. My one condition would be, on that  
20 corner where the stop sign is, no bushes, no hedges,  
21 no decorations, no advertisements. So when someone  
22 pulls up to the corner, you're going to look through  
23 that fence to see oncoming traffic.

24                   MS. DAUGHTRY: Yes.

25                   MR. EINGORN: A motion?



1 hand, please.

2 - - -

3 ELPIDIO ALCANTARA, having first been duly  
4 sworn/affirmed, was examined and testified as  
5 follows:

6 - - -

7 MR. EINGORN: Mr. DeJesus, are you going  
8 to interpret on this application?

9 MR. DEJESUS: Yes.

10 MR. EINGORN: Would you raise your right  
11 hand, please.

12 - - -

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

16 - - -

17 MR. EINGORN: Will you state your name  
18 and addresses for the record.

19 MR. ALCANTARA: Elpidio Alcantara, 948 N.  
20 26th Street.

21 MR. EINGORN: So the appeal for zoning  
22 reads as follows: The applicant lives at 948 N. 26th  
23 Street. He is the owner of the property. It's in an  
24 R-2 Zone with frontage of 100 feet on River Road and  
25 26th Street, I think it says, with a depth of 120

1 feet. There are no buildings on the lot. Present  
2 use is parking and storage. The proposed use is  
3 parking and storage. There's no proposed  
4 construction. The use is prohibited in the zone and  
5 a site plan waiver is requested. Appeal is made:  
6 Amendment to the zone and change of use. The lot has  
7 been empty for, I think it says, ten years. And I  
8 can't really read the rest of it. So we'll ask the  
9 applicant about this applicant. So you have a vacant  
10 lot; is that correct?

11 MR. DEJESUS: If I may, I can explain to  
12 you what you're looking at so we can move quicker.

13 MR. EINGORN: Okay.

14 MR. DEJESUS: You have a lot that's on  
15 the corner of 26th & River Road. It used to be a  
16 long time ago, a bar and a residential property in  
17 the back. They have both burned down and then it  
18 became a lot. The previous owner bought the lot and  
19 was told to apply for zoning for the use of the lot  
20 for parking his taxicab cars but he never did. Then  
21 he sold the property to Mr. Elpidio Alcantara. He,  
22 in turn, applied for the use of the lot for the  
23 purpose of parking his -- not parking -- putting in  
24 containers to store merchandise that he ships out  
25 from Camden to various locations in the Caribbean.

1                   He, basically, he's a shipping company,  
2 similar like Camden Cargo. He does exactly the same  
3 thing. It's strictly for the purpose of storing  
4 merchandise. It's inside containers that are parked  
5 inside the lot. They come on specific days, two or  
6 three days out of the week to pick up the merchandise  
7 and then ship it out on the ships up in North  
8 Jersey. The drawings that you look on the  
9 architect's drawing is basically the way the layout  
10 is made. He has approximately eight containers.  
11 They're all laying flat on the ground. He uses the  
12 front end of the store where you have the plans  
13 facing River Road where he parks his trucks which is  
14 used for picking up families' merchandise to bring to  
15 the containers to be shipped and packaged and sent  
16 out. It's just a holding area basically what it  
17 boils down to.

18                   MR. EINGORN: Any questions?

19                   MS. ALSTON: It says trucks and storage.  
20 I think something like this came before us before  
21 like on 27th Street, if you guys recall. And I think  
22 some of the issues were the type of truck sizes that  
23 are going to be coming into --

24                   MR. DEJESUS: It's 24-footers and  
25 26-footers. Oh, because all he has is those size

1 trucks to pick up the merchandise from the consumers  
2 and bring it to his location for the purpose of  
3 putting inside the containers. The only time there  
4 is maybe a truck and trailer, it's only to pick up  
5 what is shipped ready to go into a container that the  
6 truck picks up and takes with him.

7 MS. ALSTON: And how often is that?

8 MR. ALCANTARA: Once a week.

9 REVEREND MARTINEZ: Because the guy  
10 wanted a tractor. That was not a commercial like  
11 River Road. River Road is a commercial area. And  
12 they are right around the corner --

13 MS. ALSTON: I know where it is, the  
14 place.

15 REVEREND MARTINEZ: -- where the music  
16 place is.

17 MR. DEJESUS: That's a big difference  
18 between the two.

19 REVEREND MARTINEZ: Yes, absolutely.

20 CHAIRMAN HANCE: It's not actually on  
21 River Road. It's off of River Road; a turn off of  
22 River Road.

23 REVEREND MARTINEZ: Right.

24 MR. DEJESUS: But the entrance is on 26th  
25 Street.

1 REVEREND MARTINEZ: It's on the side.  
2 But that's a commercial property there. I've seen it  
3 because I go through there every single day and they  
4 keep it nice and clean. There's no traffic, trucks.  
5 I can speak to that.

6 VICE-CHAIRMAN COOPER: What are you  
7 storing?

8 MR. DEJESUS: Merchandise that consumers  
9 want to ship to Santo Domingo, Puerto Rico and any  
10 other countries in the area.

11 VICE-CHAIRMAN COOPER: The only reason  
12 why I'm asking, you can't be storing flammables or  
13 something in there.

14 MR. DEJESUS: There's no flammables.  
15 These are consumers' merchandise. That's the only  
16 stuff that's there. That's why they're metal  
17 containers with security on the gates that are  
18 closing those containers.

19 REVEREND MARTINEZ: By owning them, he's  
20 on the Board so he knows better than the -- he's on  
21 the Planning Board, so it's -- I mean, I see okay.  
22 For me, it's good. Like I said before, it's nice and  
23 clean. You don't see no trucks. I've never seen  
24 them. As a matter of fact, I've never seen a truck  
25 in there. And an entrance on the side. It's not



1 like on River Road. River Road, you know, it's busy.

2 I see the sign. They have a huge gate.

3 MS. ALSTON: If you were to park trucks,  
4 how many trucks can you fit?

5 MR. DEJESUS: He only has two trucks that  
6 he uses, the 24-footers. And they're already parked  
7 in there sometimes. It's in the front towards facing  
8 River Road.

9 MS. ALSTON: Okay.

10 MR. DEJESUS: The right side of the lot  
11 further back which is what you see on the drawings,  
12 is where the containers area at.

13 MS. ALSTON: He already has two trucks  
14 that he has on the property that he owns?

15 MR. DEJESUS: Yes; that he has to use to  
16 pick up the merchandise from the consumer.

17 MS. ALSTON: So he is not renting space  
18 to other trucks to park there?

19 MR. DEJESUS: No. He can't. He can't  
20 afford it. He needs the space.

21 CHAIRMAN HANCE: So right now he's doing  
22 shipping?

23 MR. DEJESUS: He's doing only shipping.

24 CHAIRMAN HANCE: Okay.

25 MR. DEJESUS: There's nothing else.

1                   CHAIRMAN HANCE: So you just want to  
2 ship; you don't want to store anything; you just want  
3 to ship?

4                   MR. DEJESUS: Yes. You're storing for  
5 the purpose of getting it ready to be shipped.  
6 You're not storing for the purpose of keeping it like  
7 a warehouse, no. There's nothing to be sold. It's  
8 consumers' merchandise that doesn't belong to him.

9                   CHAIRMAN HANCE: How long have you  
10 been -- is he a new owner or is the same owner?

11                  MR. DEJESUS: He has been in business for  
12 a good ten years -- three to five years, Mr.  
13 Alcantara?

14                  MR. ALCANTARA: Thirty years.

15                  CHAIRMAN HANCE: So he's been at that  
16 spot how long?

17                  MR. DEJESUS: No. He's only been there  
18 about a year.

19                  MR. ALCANTARA: It's only three and half  
20 years.

21                  CHAIRMAN HANCE: How long has he been  
22 there?

23                  MR. DEJESUS: It's only about three years  
24 because three years ago he's bought it.

25                  REVEREND MARTINEZ: It was an empty lot

1 before and open.

2 MR. DEJESUS: He had to refurbish the lot  
3 and clean it up and get it ready. I had to talk to  
4 Dr. Williams in reference to making sure that he's  
5 going to comply to what Mr. Williams wants for that  
6 location.

7 CHAIRMAN HANCE: So you don't remember  
8 me, right?

9 MR. DEJESUS: Yes, I do.

10 CHAIRMAN HANCE: Not you. This guy right  
11 here, Mr. Alcantara. Do you remember me?

12 MR. ALCANTARA: (Witness speaking  
13 Spanish).

14 MR. EINGORN: Can you interpret what he  
15 just said for the record?

16 MR. DEJESUS: He said that if he can  
17 speak Spanish, he can understand him more.

18 CHAIRMAN HANCE: So you've been there how  
19 long? You've been there for years, right?

20 MR. EINGORN: Mr. DeJesus, you need to  
21 translate back and forth.

22 MR. DEJESUS: Yes, I know. I will.

23 CHAIRMAN HANCE: I'm making a point. So  
24 he's the only one that owns the place. So he runs  
25 the whole place?

1 MR. DEJESUS: Yes, sir.

2 CHAIRMAN HANCE. So when I saw you three  
3 years ago, you spoke to me in English. Because I was  
4 the guy who said, that barbed wire shouldn't be  
5 there. Do you remember that?

6 MR. ALCANTARA: I was told that I had to  
7 take off the barbed wires that were on the fence  
8 which I did immediately upon that request.

9 CHAIRMAN HANCE: Right. What I'm saying  
10 is, I was there. And it was clean. We had a  
11 conversation that afternoon. So I know you, Jose.

12 MR. DEJESUS: A long time. Sufficient.

13 CHAIRMAN HANCE: My only issue is, no  
14 tractor trailers. We passed one guy.

15 MR. DEJESUS: No. We already did that.  
16 We know that song. I was there; which is the one on  
17 North 27th Street, Camden Shipping.

18 VICE-CHAIRMAN COOPER: Yes.

19 MR. DEJESUS: Camden Shipping.

20 VICE-CHAIRMAN COOPER: That's a problem.  
21 We pass these things and then they just do whatever  
22 they want to do. And that's why we're trying to  
23 prevent.

24 MR. DEJESUS: And I understand. I'm  
25 going to tell him what you just said. (Translating

1 in Spanish).

2 He just explained that when they do come  
3 for picking up the merchandise, they're there only  
4 ten minutes. They're in and out.

5 CHAIRMAN HANCE: So you're saying that  
6 a --

7 MR. DEJESUS: It's only once a week.

8 CHAIRMAN HANCE: You're saying that the  
9 tractor trailer is only there for ten minutes to pick  
10 up the merchandise?

11 MR. DEJESUS: That's it. Because he has  
12 to load it. What he does is basically, they'll come  
13 in, back into the back of the container, pick up the  
14 container and take off.

15 VICE-CHAIRMAN COOPER: The whole  
16 container goes?

17 MR. DEJESUS: Yes. Correct.

18 VICE-CHAIRMAN COOPER: And then they  
19 bring in another empty one?

20 MR. DEJESUS: Exactly. They take one and  
21 replace one.

22 MS. ALSTON: Can he just define consumer  
23 goods? Is that clothes? Is that --

24 MR. DEJESUS: Yes. Clothes, furniture,  
25 TV sets. Anything that the consumer wants to send to

1 anywhere in the world. Household goods. Anymore  
2 questions?

3 MR. EINGORN: Do you have questions for  
4 the applicant, Karen?

5 MS. NUNEZ: I have a question. Is Cargo  
6 Express in that same location as this?

7 MR. DEJESUS: That's the name of his  
8 company.

9 MS. NUNEZ: Is the company ran from that  
10 location as well?

11 MR. DEJESUS: I'm sorry.

12 MS. NUNEZ: Is the business ran from that  
13 location as well?

14 MR. DEJESUS: That's where he does his  
15 business. That's correct. That's the only place he  
16 runs his business, which is the one that he  
17 possesses.

18 MR. EINGORN: Any other questions from  
19 the Board? Anybody in the public here that would  
20 like to be heard on this application either in favor  
21 or against? If you have anything you'd like to add  
22 please come forward now. Hearing none, we'll close  
23 the public portion.

24 So the applicant is here tonight  
25 requesting a use variance related to this storage

1 yard shipping business, and a change of use site plan  
2 approval. I don't know; is a site plan waiver been  
3 requested?

4 MR. DEJESUS: Yeah. We need that for the  
5 electricity to put lights in the lot.

6 MR. EINGORN: If you're going to light  
7 the lot --

8 MR. DEJESUS: Yeah, we have to.

9 MR. EINGORN: Right. Then we need a  
10 lighting plan site plan waiver. Because the  
11 applicant is requesting a site plan waiver. So we  
12 have some information about you're going to light the  
13 lot. What else?

14 MR. DEJESUS: Everything else remains the  
15 same.

16 MR. EINGORN: What's the ground made out  
17 of? Is it gravel; is it asphalt?

18 MR. DEJESUS: It's asphalt.

19 MR. EINGORN: Was it asphalt when you  
20 purchased it?

21 MR. ALCANTARA: Yes.

22 MR. EINGORN: So the applicant is  
23 requesting site plan waiver and a use waiver to  
24 operate this property as a storage yard for his  
25 shipping business. You've heard some testimony.

1 Now is your time to ask any last questions and do a  
2 discussion of the Positive and Negative Criteria  
3 regarding the use variance and a discussion of the  
4 requested site plan waiver. That's that.

5 REVEREND MARTINEZ: I make a motion.

6 CHAIRMAN HANCE: You got to discuss it.

7 MR. EINGORN: You got to discuss it a  
8 little first.

9 REVEREND MARTINEZ: It's positive. I  
10 mean, I know the area. I work for the City. And  
11 I know what's good and what is not good. And they  
12 comply with everything. So to keep our City, that's  
13 the most important thing. And they keep that  
14 place nice and clean. That's it.

15 MR. EINGORN: Any other discussion?

16 VICE-CHAIRMAN COOPER: How do you secure  
17 that area? Do you got cameras or anything or an  
18 alarm system?

19 MR. DEJESUS: We can't do that without  
20 electricity. We can't put electricity in until we  
21 get zoning approval.

22 VICE-CHAIRMAN COOPER: So no electricity  
23 on that lot at all?

24 MR. DEJESUS: No.

25 VICE-CHAIRMAN COOPER: Just in the



1 building?

2 MR. DEJESUS: There's no building.

3 MR. ALCANTARA: Just a lot.

4 VICE-CHAIRMAN COOPER: Just a lot. So  
5 you're going to put an office on there?

6 MR. DEJESUS: No.

7 VICE-CHAIRMAN COOPER: So how is he going  
8 to conduct business with no office?

9 MR. DEJESUS: He conducts business  
10 through another location.

11 VICE-CHAIRMAN COOPER: Wait a minute.

12 MR. DEJESUS: That's -- the business is,  
13 the lot is for the purpose of just conducting the  
14 movement of merchandise from one point to another  
15 period. It's not used for anything other than that.

16 VICE-CHAIRMAN COOPER: So where is his  
17 business located?

18 MR. DEJESUS: It's at his home where he  
19 does the paperwork at the location. He doesn't need  
20 a building or an office to run a warehouse storage  
21 place which is what basically this is. Instead of  
22 being a building, it's containers. What is your  
23 concern so I can help you?

24 VICE-CHAIRMAN COOPER: So, again, at  
25 wintertime, is this going to be standing out there?

1 Somebody has to be there on that lot, correct?

2 MR. DEJESUS: Well, they're there every  
3 day of the week because the merchandise has to come,  
4 move around, clean, organize stuff. There's constant  
5 movement because of merchandise coming in and going  
6 out. That's how you stay in business. The paperwork  
7 doesn't necessarily have to be at that location.

8 REVEREND MARTINEZ: You have the lot just  
9 to operate the business. He does not have an  
10 office. Nothing stays there. Once a truck leaves  
11 the property, there's no need for nobody to be there,  
12 right?

13 MR. DEJESUS: That's where it goes.

14 CHAIRMAN HANCE: Can you hear what he's  
15 saying?

16 MS. NUNEZ: Me?

17 CHAIRMAN HANCE: Yes. Can you hear what  
18 he's saying.

19 MS. NUNEZ: Oh, yes. What happened? Is  
20 he asking me?

21 CHAIRMAN HANCE: Yes.

22 MS. NUNEZ: Like how he is moving or  
23 managing the business.

24 MR. DEJESUS: Performing the business  
25 activity. The business activity is performed via

1 phone, via office location at home which he  
2 coordinates with the consumers' information. They go  
3 pick it up in the truck to the location, pick up the  
4 merchandise that's going to be shipped, prepare the  
5 package and put it inside a container and get it  
6 ready for shipping. End of story. It's not  
7 something that stays there six months, eight months.  
8 It's in and out.

9 CHAIRMAN HANCE: Open to the public.

10 MR. EINGORN: That portion is closed.  
11 Now a discussion and possible motion.

12 VICE-CHAIRMAN COOPER: Again, he's  
13 already in business; he's operating; he's set up;  
14 he's established.

15 REVEREND MARTINEZ: Nothing to do.

16 MR. EINGORN: I think the one issue that  
17 has been raised, has issues related to flammable  
18 materials or hazardous materials. To the extent you  
19 want to approve this application, there should  
20 probably be a condition, of some sort, related to  
21 storage of chemicals or pharmaceuticals or whatever  
22 it may be just to cover the Board's own basis.

23 MS. ALSTON: So I don't know whether they  
24 would understand that, and I'm not sure, would hair  
25 product be flammable, like hair spray and things like

1 that? That may still fall under household  
2 kind of goods.

3 MR. EINGORN: Yeah. But if it's  
4 something that could, you know -- there's houses  
5 around this, right?

6 MS. ALSTON: Yes, I mean, I agree.

7 MR. EINGORN: So flammable materials  
8 should be off-limits. It's not like there's like  
9 fire suppression at this empty lot.

10 MS. ALSTON: Huh-huh.

11 VICE-CHAIRMAN COOPER: So no one  
12 regulates what you ship? You just get it from the  
13 household and put it into the container.

14 MR. DEJESUS: No. There's orders of what  
15 can be shipped. It's either clothing, furniture or  
16 any appliances that will be moveable. It's extremely  
17 rare if there's any personal items as you  
18 mentioned --

19 MS. ALSTON: Flammable.

20 MR. DEJESUS: -- it's going to be packed  
21 in something that's going to ship out.

22 MR. EINGORN: He's got to do the talking.  
23 You got to translate. You're not an attorney. We  
24 don't want to create the appearance of impropriety.

25 MR. DEJESUS: I understand.

1                   MR. ALCANTARA: My statement is, nothing  
2 that I collect contains any flammable or anything  
3 that can create a fire hazard.

4                   REVEREND MARTINEZ: May I make a motion?

5                   MR. EINGORN: A motion to?

6                   REVEREND MARTINEZ: Accept the  
7 application.

8                   MR. EINGORN: Any condition on what can  
9 be stored here?

10                  REVEREND MARTINEZ: Everything that has  
11 been said.

12                  MR. DEJESUS: We don't have a problem  
13 with your condition.

14                  MS. ALSTON: I think we should add, to  
15 just insure, that no flammables or no chemicals. I  
16 think that should be added. Only because if he  
17 decides he's going to sell it in the future or he's  
18 going to do something different with it, that there's  
19 like a paper trail of that.

20                  MR. EINGORN: Right. So on the condition  
21 that there's no flammable or hazardous materials. Do  
22 we have a second?

23                  MS. MERRICKS: Second.

24                  MR. EINGORN: We have a second from  
25 Ms. Merricks. I'll take a roll-call vote on the

1 motion with conditions. Chairman Hance.

2 CHAIRMAN HANCE: No.

3 MR. EINGORN: Vice-Chairman Cooper.

4 VICE-CHAIRMAN COOPER: Yes.

5 MR. EINGORN: Reverend Martinez.

6 REVEREND MARTINEZ: Yes.

7 MR. EINGORN: Ms. Merricks.

8 MS. MERRICKS: Yes.

9 MR. EINGORN: Ms. Alston.

10 MS. ALSTON: Yes.

11 MR. EINGORN: Ms. Nunez.

12 MS. NUNEZ: Yes.

13 MR. EINGORN: Having five in favor and

14 one opposed, the motion passes. Congratulations.

15 Have a nice night.

16 MR. DEJESUS: Thank you very much

17 everybody.

18 MR. EINGORN: The next application is MIG

19 International Holdings, LLC, 1291 S. Merrimac Road.

20 MR. EINGORN: Would you raise your right

21 hand, please.

22 - - -

23 JONATHAN GABAY, having first been duly

24 sworn/affirmed, was examined and testified as

25 follows:

1 - - -

2 MR. EINGORN: The applicant tonight, at  
3 least on the agenda, says MIG International Holdings,  
4 LLC. Are you the sole member?

5 MR. GABAY: Sole member.

6 MR. EINGORN: Do you want me to read your  
7 appeal for zoning or are you prepared to proceed?

8 MR. GABAY: I'm prepared to proceed with  
9 what the Board wants to hear --

10 MR. EINGORN: The floor is yours.

11 MR. GABAY: Thank you. My name is  
12 Jonathan Gabay. My address is 1321 Heartwood Drive,  
13 Cherry Hill, New Jersey 08003.

14 So 1291 S. Merrimac Road is located in  
15 Fairview. It's actually right behind the Pantry on  
16 Collings. It's at the corner of Chesapeake &  
17 Merrimac. As it sits right now, it has been blighted  
18 and boarded up for a few years already. It's quite a  
19 big property. It's north of 2,100 square feet.

20 MR. EINGORN: Excuse me, Mr. Gabay.  
21 We're hearing a lot of people talking in the  
22 background so it's making it hard to hear the  
23 applicant. If you have to talk about something, just  
24 take it in the hallway, please, and it will be  
25 greatly appreciated. Thank you.

1           MR. GABAY: So it has been boarded up for  
2 quite some time. The way it's set up at the moment  
3 is a multi-unit property. And we're looking to have  
4 it reinstated as a three-unit property. As I've  
5 mentioned, it has been abandoned for quite some time.  
6 And when we posed it in front of -- when we submitted  
7 our zoning application, it satisfied every criteria  
8 except for a use variance. Because in the Fairview  
9 Redevelopment Plan, it does not allow a three-family  
10 dwelling. I believe that's outside of it so we would  
11 need a use variance. And that was the nature of  
12 being denied.

13           We are proposing a plan that has three  
14 enclosed parking units enclosed from Chesapeake. If  
15 you look at, it'll be later in the presentation, the  
16 outline of where the actual parking space is.  
17 I conducted an OPRA request and pulled the 1959  
18 tax card which shows that it was a multi-family  
19 dwelling at some point in the historical data of the  
20 property as it is today, so it has been consistent.  
21 And then if you look at the proposed floor plan, the  
22 first floor being a studio unit with the three  
23 enclosed parking garages that are accessible from  
24 Chesapeake. The second floor would be a slightly  
25 bigger apartment with an enclosed -- well, a



1 preexisting roof balcony that's existing. And the  
2 third floor also has the same layout as the first  
3 floor with an additional roof balcony as well.

4 In regards to off-street parking, that  
5 would be the next slide I have. It shows where the  
6 designated spots would be. As you can see, it  
7 already has the three meters on it. Everything has  
8 been basically set up to how it was. We're just  
9 looking to reinstate it. We would also be talking  
10 with the Building Bureau as well as the fire marshall  
11 to make sure that there's proper means of egress.

12 Seeing as it is a multi-unit dwelling,  
13 we'll be looking for more common fire code that may  
14 have not existed when this was originally converted  
15 back in the 50's. So that would be at the guidance  
16 of the fire marshall, as well as the building bureau.  
17 I have a couple street-view pictures that will show  
18 you the south side on Merrimac and the north side on  
19 Chesapeake. You would see that it's just a blighted  
20 property that has been like that for quite some time.

21 Again, this doesn't pose any parking  
22 detriment to the surrounding properties. It's all  
23 enclosed in the property itself. This has been a  
24 little bit of a delay with getting it here. But we  
25 are anticipating if we do get it approved, to have it

1 done through the summer and be ready for Fall.  
2 Originally, we wanted it for Spring but there was a  
3 couple adjournments with getting it to today.

4 I've attached a few pictures that will  
5 show you the current state of the property that it is  
6 in. You can see that it's just neglected. There's  
7 mold; there's mildew; there's some distress; there's  
8 quite a bit of rebuilding that has to happen and  
9 we're prepared to do it. And I open it to the Board  
10 to ask if they have any question, concerns, comments.  
11 And we hope that by revitalizing this property, it'll  
12 take a blighted corner out and improve the general  
13 surroundings and the block itself.

14 VICE-CHAIRMAN COOPER: Have you started  
15 any construction on this?

16 MR. GABAY: There has not been any  
17 construction. The only thing we have done is  
18 reinstated the utilities and put a new roof on the  
19 place so it wasn't further distressing.

20 VICE-CHAIRMAN COOPER: I see you have  
21 three meters outside?

22 MR. GABAY: We do have three meters.

23 VICE-CHAIRMAN COOPER: Did you put that  
24 there yourself?

25 MR. GABAY: That was there. We just

1 reinstated the gas service and we turned on the  
2 electric there to do the roof. We needed temporary  
3 electric, but that was preexisting.

4 VICE-CHAIRMAN COOPER: I see you got here  
5 pictures here dated back, I guess, it's in the 60's  
6 of the property.

7 MR. GABAY: Yes. I did an OPRA and tried  
8 to find all the historical data. And there is a  
9 mention on it about there being a multi. I think  
10 it's on page 2. There's a mention and I need to  
11 decipher where it is.

12 VICE-CHAIRMAN COOPER: 1959.

13 And, again, this property, we're not  
14 doing any major restructuring or subdivision to it.  
15 It's pretty much preexisting. We're just trying to  
16 get this back. I mean, it has been mismanaged and  
17 blighted for quite some time.

18 VICE-CHAIRMAN COOPER: Hey, Kyle, you  
19 wouldn't have a parking issue here either?

20 MR. EINGORN: I don't believe so.

21 REVEREND MARTINEZ: How long has it been  
22 empty?

23 MR. GABAY: It has been empty for quite  
24 some time. I wouldn't even be able to tell you.  
25 Based on any map that I've looked at from Google

1 Maps, the street view, it has been empty. That being  
2 said, specifically when we did do it, when did do our  
3 research, this does not pose -- they did not, per Dr.  
4 Williams, need a parking variance because it has it  
5 all enclosed. Given the bedroom count and what  
6 I would need, three parking spots, three parking  
7 spots would be provided.

8 VICE-CHAIRMAN COOPER: In each apartment,  
9 it's two bedrooms?

10 MR. GABAY: One bedroom.

11 VICE-CHAIRMAN COOPER: Okay.

12 MR. GABAY: Studios.

13 MR. EINGORN: It's hard to understand for  
14 the court reporter when we're all talking at the same  
15 time.

16 So I was going to say, based upon the  
17 bedroom count, he doesn't need a parking variance.  
18 Any other questions?

19 CHAIRMAN HANCE: Right behind the  
20 house here, is this parking here or is it the street  
21 back here or what's back there?

22 MR. GABAY: There is an alleyway back  
23 there. So RPM has a development on Collings and  
24 there's a restaurant. And that has nothing to do  
25 with this property. I don't have a good picture of

1 that but that is not parking for this property. It's  
2 more of an old commercial space. If you look on the  
3 street-view picture, I think it's just one page after  
4 that -- or two pages after that. You could see that  
5 there's a white building that's basically, they have  
6 a little parking alley for themselves. As of right  
7 now, there's a commercial food truck in there.  
8 That's a completely different lot. But I guess it's  
9 sort of adjacent on the other side of the trash  
10 alley.

11 CHAIRMAN HANCE: I'm curious. Does this  
12 eatery have parking on its own or is it just street  
13 parking?

14 MR. GABAY: Eatery?

15 CHAIRMAN HANCE: Restaurant or whatever  
16 used to be back there.

17 MR. GABAY: It's still there. There is a  
18 commercial space. I guess that's the parking that  
19 they would use. And it's facing on Collings, the  
20 corner of Collings and Chesapeake, right next to the  
21 Pantry 1. I do see cars back there. I don't know if  
22 it's actively used by the patrons or management or  
23 if they have parking up there by their residence.

24 CHAIRMAN HANCE: I'm curious as to why  
25 you didn't take a picture back there?

1                   MR. GABAY: Would you like me to pull it  
2 up on like a Google Street Map?

3                   CHAIRMAN HANCE: We can't use your phone.

4                   MR. GABAY: I understand. I didn't know  
5 that -- historically if it was parking that was going  
6 to be a concern, I would have done that. I thought  
7 because it was included in the parking with no  
8 variance as it's enclosed in the property itself, I  
9 didn't know it was needed.

10                  MS. ALSTON: Was this a house before?

11                  MR. GABAY: No. This is as it's set, a  
12 multi-unit property. It was always like that. And  
13 that's even why I did the OPRA from the 1959 part to  
14 show that it was a consistent use. It's a little  
15 pixilated. For that I'm sorry due to my printer.  
16 The way I had it, if it was something that I needed  
17 off-street parking or on-street, I would have. And  
18 there are curb cuts as well so you could see it's  
19 something that's being preexisting. And that is the  
20 proposed where you have the yellow squares for the  
21 parking.

22                  VICE-CHAIRMAN COOPER: I think you took  
23 these pictures recently, correct?

24                  MR. GABAY: This is recent, yes. The  
25 picture of this, I did take as well. However, when I

1 say recent, I submitted this application, I want to  
2 say, in the fall, end of fall. And then there was  
3 some lag in me getting here today. But, yes, this is  
4 as recent as it gets. It's not something from 2017  
5 or 2018. This is a 2023 picture.

6 VICE-CHAIRMAN COOPER: Okay.

7 CHAIRMAN HANCE: You're showing three  
8 garages here. Were they there already or?

9 MR. GABAY: They are there. They're  
10 boarded but they're there. I highlighted them. If  
11 you see in the street view looking, you can almost  
12 not tell. But if you look over here, it's so  
13 weathered. They are there.

14 MR. EINGORN: Any further questions from  
15 the Board?

16 CHAIRMAN HANCE: No.

17 MR. EINGORN: We'll open to the public.  
18 Is anybody here tonight that would like to be heard  
19 about 1291 S. Merrimac Road either for or against?  
20 Hearing none, we'll close the public portion. Now is  
21 the time for the Board to do a discussion of the  
22 Positive and Negative Criteria and a motion on the  
23 requested use variance.

24 REVEREND MARTINEZ: I think it's positive  
25 due to the fact that back there right behind of what

1 used to be a 7-11 back there --

2 MR. GABAY: Pantry One.

3 REVEREND MARTINEZ: Pantry One. Yeah,  
4 that's right behind. There's hardly nothing back  
5 there. As a matter of fact, the City has a space all  
6 the way back there. That's way back in Camden.  
7 That's nice. I mean, they clean it up and they want  
8 to do something with it. It has been there so long.  
9 I think it's great.

10 VICE-CHAIRMAN COOPER: I think it's a  
11 good thing too. You're going to convert the  
12 building. And you're trying to put three bedrooms on  
13 one floor. That's the thing. It's one bedroom per  
14 floor so you're not going to over-crowd the property  
15 here. And, again, as long as you can comply with the  
16 fire department as far as getting egress from the  
17 third and second floor.

18 MR. GABAY: If you want to put that as a  
19 condition, I would do that. That's going to be done  
20 anyway.

21 VICE-CHAIRMAN COOPER: I would definitely  
22 add that.

23 MR. GABAY: Absolutely. And I would be  
24 submitting all of that to Dr. Williams after as  
25 well.



1 MS. ALSTON: I also think it's a  
2 positive. Renovating that property, it looks like  
3 what he was saying, whether the pictures look like  
4 stuff is growing out of like out of the building. So  
5 cleaning it up and making it a liveable space is  
6 going to be great for that area there.

7 REVEREND MARTINEZ: Absolutely.

8 MS. MERRICKS: I think it's an awesome  
9 project. I heard something about mold. Do you have  
10 a process to get rid of it?

11 MR. GABAY: So there was a leaking roof.  
12 We did repair that and we ripped out. So this is  
13 prior. I wanted to show what it was existing before  
14 we went in there. We remediated all the debris in  
15 there. We had to basically get a permit from the  
16 building bureau to do a roof. And we ended up having  
17 to take everything out anyway. So that would be  
18 remediated, of course.

19 MR. EINGORN: Any other comments? A  
20 motion?

21 REVEREND MARTINEZ: Motion to accept with  
22 that condition that we just spoke about.

23 MR. GABAY: The fire egress?

24 REVEREND MARTINEZ: Exactly.

25 MR. GABAY: It's not a problem.

1                   VICE-CHAIRMAN COOPER: Is the basement  
2 area going to be basement storage?

3                   MR. GABAY: Yes. It's a walk-out. There  
4 is no basement.

5                   VICE-CHAIRMAN COOPER: Great.

6                   MR. EINGORN: Do we have a second?

7                   MS. ALSTON: I second.

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

10                  CHAIRMAN HANCE: Yes.

11                  MR. EINGORN: Vice-Chairman Cooper.

12                  VICE-CHAIRMAN COOPER: Yes.

13                  MR. EINGORN: Reverend Martinez.

14                  REVEREND MARTINEZ: Yes.

15                  MR. EINGORN: Ms. Merricks.

16                  MS. MERRICKS: Yes.

17                  MR. EINGORN: Ms. Alston.

18                  MS. ALSTON: Yes.

19                  MR. EINGORN: Ms. Nunez.

20                  MS. NUNEZ: Yes.

21                  MR. EINGORN: Having six in favor and  
22 none opposed, the motion carries.

23                  MR. GABAY: Thank you very much.

24                  MR. EINGORN: Have a great night.

25                  MR. WILSON: May I address the calendar,

1 Mr. Eingorn.

2 MR. EINGORN: What is going on,  
3 Mr. Wilson?

4 MR. WILSON: I just found out that our  
5 planner for Hargrove is not available tonight. We  
6 would like to ask for an adjournment to next month.

7 MR. EINGORN: June is packed. Is there a  
8 chance that we could bump you to July? June is  
9 really big.

10 MR. WILSON: What will the date be in  
11 July?

12 MR. EINGORN: It would be the 1st.

13 MR. WILSON: I'm away on the 1st. I'm  
14 away from the 29th to the 10th.

15 MR. EINGORN: The problem is, we have 13  
16 applications already for June. If you can't go in  
17 July then we'll bump you to August. Is August okay?

18 MR. WILSON: Yes.

19 MR. EINGORN: So for the record, William  
20 Hargrove, 108 N. 7th is being adjourned to the August  
21 meeting. There will be no further notice required.  
22 This is notice of that adjournment. Thank you  
23 Mr. Wilson.

24 MR. WILSON: Okay.

25 MR. EINGORN: The next matter is

1 David Lee, 819 S. 5th Street.

2 MR. EINGORN: Would you raise your right  
3 hand, please.

4 - - -

5 JOSE OLAVARRIA; FRANCESCA ABED, having  
6 first been duly sworn/affirmed, was examined and  
7 testified as follows:

8 - - -

9 MR. EINGORN: Please state your name and  
10 address for the record.

11 MS. ABED: Francesca Abed, 401 Kaighn  
12 Avenue, Camden, New Jersey 08103.

13 MR. OLAVARRIA: Jose Olavarria, 1428  
14 Baird Blvd., Camden, New Jersey 08103.

15 MS. ABED: I'd like to state for the  
16 Board, that if you look at the original application  
17 it says, David Lee in care of Jose Olavarria because  
18 it's pending this approval whether or not his  
19 sale goes through. And the Agreement of Sale was  
20 given.

21 MR. EINGORN: So Mr. Olavarria is the  
22 proposed buyer?

23 MS. ABED: Correct.

24 MR. EINGORN: Let me confirm for the  
25 record.

1 MS. ABED: Take your time.

2 MR. EINGORN: I don't have a copy of the  
3 Agreement of Sale in front of me. Do you have a copy  
4 with you?

5 MS. ABED: I do not. I emailed the  
6 original and when we were here at the last meeting, I  
7 gave my entire packet to Ms. Evita.

8 MS. MUHAMMAD: No, I don't have it.  
9 Everything you gave me, it would have been in the  
10 packet.

11 MR. EINGORN: Here is the issue. I don't  
12 have the Agreement of Sale and I don't have a signed  
13 Consent of Owner.

14 MS. ABED: Do you have the original  
15 application because his signature is on the original  
16 application?

17 MR. EINGORN: Right. But I would still  
18 need something. Anybody can fill out an application.  
19 You're saying Mr. Lee?

20 MS. ABED: Yes.

21 MR. EINGORN: I'm suppose to know that  
22 says, David Lee.

23 MS. ABED: Huh-huh. Which is why I gave  
24 Agreement of Sale with it.

25 MS. MUHAMMAD: Do you have a second

1 application for this tonight?

2 MS. ABED: Yes, I have another one after  
3 this, Carlos Supelveda.

4 MR. EINGORN: I don't want to act on  
5 this, have the Board act on this and then there be a  
6 problem.

7 MS. ABED: So can we do it contingent on  
8 the paper being brought to you cause I can run back  
9 to my office after I hear from --

10 MR. EINGORN: We don't even have  
11 jurisdiction to hear about something that says, the  
12 applicant has the right to be here. Right? And so I  
13 think it's a bad risk.

14 MS. ABED: Can he run home and get it and  
15 then I'll hear Carlos' case? Can we push it to the  
16 end?

17 MR. EINGORN: That's fine. We can  
18 second-call this absolutely. I'm not trying to make  
19 it difficult for you. I just want to make sure that  
20 the Board is acting properly.

21 MS. ABED: Just to be clear, you're  
22 looking for the Agreement of Sale with David Lee and  
23 Jose Olavarria, right?

24 MR. EINGORN: Yes, that'll work.

25 The next matter is 509 N. 27th Street,

1 Carlos Supelveda.

2 MR. EINGORN: Would you raise your right  
3 hand, please.

4 - - -

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

8 - - -

9 MR. EINGORN: Please state your name and  
10 address for the record.

11 MR. SUPELVEDA: Carlos Supelveda, 7189  
12 Rosemont Avenue, Pennsauken, New Jersey.

13 MS. ABED: I think Mr. Cooper has all the  
14 pictures also.

15 MR. EINGORN: Mr. Supelveda is here. He  
16 wants a small office with vehicle storage inside of a  
17 garage with an existing fencing. The auto garage for  
18 storage for up to five vehicles; use variance; site  
19 plan approval may be needed; off-street parking may  
20 be needed. We have Mr. Supelveda here. Ms. Abed,  
21 you're going to translate?

22 MS. ABED: Yes.

23 MR. EINGORN: Great.

24 MS. ABED: Can I begin?

25 MR. EINGORN: Please.

1 MS. ABED: Mr. Supelveda is the owner of  
2 C&J Towing. He's been a small towing company for a  
3 long time. But they started giving him a little bit  
4 of grievances for having his tow truck parked in a  
5 residential neighborhood in front his personal house.  
6 And that would be Licenses & Mercantile. So what we  
7 did was, he bought that building which is 509 N. 27th  
8 Street.

9 So this building would be for the storage  
10 for the tow truck of the company and whatever  
11 vehicles he actually tows. He is small so we put  
12 five total because I feel that's all that can fit  
13 there. And for office-wise there would be himself in  
14 there. There is no clientele coming in and out. His  
15 contacts and jobs are most of the time, are pick-up  
16 and drop-off at whatever the home the car is being  
17 towed to.

18 The only contract that he has otherwise  
19 or the only other thing that he has otherwise, is if,  
20 for example, my personal parking lot, if somebody  
21 were to park illegally and tell him, hey, pick this  
22 up. And then he has that business with the City of  
23 Camden. Other than that, there's no real mystery to  
24 it. It's just that it was previously if you look at  
25 the pictures given to you, it was previously a



1 mechanic shop that was overloaded with vehicles for  
2 many years. And he purchased it off the previous  
3 owner.

4 CHAIRMAN HANCE: So is it five vehicles  
5 that are being stored or is one vehicle his?

6 MS. ABED: It's the -- the two of them  
7 are the tow trucks. He has a black tow truck and a  
8 red tow truck. So two of them would be the tow  
9 trucks.

10 MR. EINGORN: No changes to the building?

11 MS. ABED: No changes to the building  
12 other than updating the bathroom when we get the  
13 approvals.

14 CHAIRMAN HANCE: Is this the side of the  
15 build where it's located at?

16 MS. ABED: It's actually this building  
17 right here, this whole building. It goes from that  
18 corner to here and then there's like an already-made  
19 overhang right here that that's where his truck is at  
20 right now. And right here would be like it's an  
21 overhead door that fits a vehicle too.

22 CHAIRMAN HANCE: And you have one  
23 entrance going in and --

24 MS. ABED: One entrance coming in and one  
25 entrance going out. Same entrance.

1 MS. ALSTON: What is the name of the  
2 towing company?

3 MR. SUPELVEDA: CJ Towing.

4 MS. ALSTON: And, normally, someone just  
5 calls you and you pick up the vehicle. Does anyone  
6 ever abandon it?

7 MR. SUPELVEDA: Abandoned. Private.

8 MS. ALSTON: And then from there when you  
9 have it in the lot, what do you do for them?

10 MR. SUPELVEDA: I wait for a plan.  
11 Sometimes I junk it because nobody ever comes.

12 MS. ALSTON: Do you ever sell them?

13 MR. SUPELVEDA: Junk it and scrap the  
14 metal.

15 MS. ABED: Junk it and not sell it like  
16 to clientele. He does not have a dealership license.

17 MS. ALSTON: No tags; no selling?

18 MS. ABED: No.

19 MR. SUPELVEDA: For 22 years; tow for 22  
20 years.

21 CHAIRMAN HANCE: Is this area lit up at  
22 night?

23 MS. ABED: So the only thing that we did  
24 do is do a temporary electric service so that he can  
25 have --

1 MR. EINGORN: Please translate.

2 MS. ABED: He picked it up.

3 MR. EINGORN: I know but you're talking.  
4 Someone has got to, right? You're not a lawyer. You  
5 can't represent him.

6 MS. ABED: Are there lights?

7 MR. SUPELVEDA: Yes.

8 CHAIRMAN HANCE: Yes, a lighted area?

9 MR. SUPELVEDA: Yes.

10 CHAIRMAN HANCE: I see cars here now. So  
11 these are cars that you towed and you're waiting?

12 MR. SUPELVEDA: That's my private. My  
13 private car.

14 REVEREND MARTINEZ: Are you going to keep  
15 the two tow trucks and maybe a personal car or car  
16 that you might --

17 MR. SUPELVEDA: My personal car and the  
18 two tow trucks.

19 VICE-CHAIRMAN COOPER: So it's not a  
20 storage place?

21 MR. SUPELVEDA: No.

22 MS. ABED: But for a merchantile  
23 licensing, for us to get the licensing through  
24 merchantile, I have to have vehicle storage on there.  
25 It's merchantile for licensing.

1                   CHAIRMAN HANCE: So you're saying you.  
2 Or is it, he has to have storage on there?

3                   MS. ABED: Correct.

4                   CHAIRMAN HANCE: Now, the blue part here,  
5 does it stop here at the garages or does it go all  
6 the way around? See how you said to the right, does  
7 he own this also?

8                   MS. ABED: No, that's a separate auto  
9 detailer.

10                  CHAIRMAN HANCE: Okay.

11                  VICE-CHAIRMAN COOPER: So this is all one  
12 conjoining yard then. So there's no property lines  
13 gathered so far from what I'm looking at.

14                  MR. SUPELVEDA: Between those two cars,  
15 there's a fence all the way down to the back.  
16 Between the two garages there's a fence.

17                  VICE-CHAIRMAN COOPER: I think I see it.

18                  MR. EINGORN: Any questions?

19                  MS. ALSTON: I'm just not clear. So this  
20 here, there's like a boat back there. Is that part  
21 of his property?

22                  MR. SUPELVEDA: That is part of my  
23 property.

24                  MS. ALSTON: So this area here. But in  
25 between here there's a fencing so this is two

1 properties kind of, right; is that what he's  
2 saying?

3 MR. SUPELVEDA: Yes. One property  
4 between two cars. Between these two cars is a fence.

5 MS. ALSTON: There's another fence. So  
6 that's actually two properties?

7 MR. SUPELVEDA: Yes. And then this here,  
8 is this your --

9 MR. SUPELVEDA: Yes.

10 MS. ALSTON: Okay. Thank you.

11 MR. EINGORN: Any other questions?

12 Hearing none, we'll open it up to the public. Is  
13 anybody here that would like to be heard on the  
14 509 N. 27th Street application for a use variance,  
15 site plan waiver, off-street parking, bulk variance  
16 potentially? Hearing none, we'll close the public  
17 portion.

18 The Board should do a discussion of the  
19 Positive and Negative Criteria related to the  
20 requested use variance, and a discussion of the  
21 requested site waiver.

22 VICE-CHAIRMAN COOPER: Again, he comes in  
23 front of us and it's already a car lot or storage  
24 area that's already in existence. So I think it's a  
25 positive, as long as you keep the area clean --

1 MR. SUPELVEDA: It's always clean.

2 VICE-CHAIRMAN COOPER: Put some lights up  
3 to protect you.

4 MR. SUPELVEDA: And cameras, TV cameras.

5 REVEREND MARTINEZ: I agree because this  
6 is what the City needs to get all these cars, all  
7 these abandoned cars. I got one next to my fence at  
8 my church. I put a sign in there. A guy ripped it  
9 off and I called the police station and he came and  
10 he didn't do nothing. So the car has been over a  
11 month. And that car is right there. The guy goes  
12 there and does whatever he feels like to do. But to  
13 keep our city clean, this is one of the things we  
14 need, tow trucks guys. You don't know me but I've  
15 seen him work around the City. And this is what  
16 we're talking about, keeping our City clean,  
17 organized and building. Keep the lot clean.

18 Like I said before, we approve stuff and  
19 it comes to us here and we approve it and then a  
20 month from there, we go see it and it looks like a  
21 junk yard. And that's not right. I don't want to  
22 come here and waste my time over here approving  
23 something that in a month, it's going to get worse  
24 than when they came to us. One thing about coming to  
25 us, is maintaining that property or that building

1 like it should be. So I hope you keep that in mind.

2 MS. ALSTON: So there's no change to the  
3 property or the buildings. There's really no  
4 requirement for a site plan approval? He's not  
5 changing anything --

6 MR. EINGORN: Right.

7 MS. ALSTON: -- he's not adding -- some  
8 lighting I think maybe.

9 MS. ABED: I'm his construction liaison  
10 and we're going to fit-out the inside of the  
11 building. And the changes are going to be cosmetic.  
12 The lighting on the interior, switching everything to  
13 LED lights from now it's the old fluorescent  
14 lightbulbs and making an automatic car door garage  
15 versus like rolling it out with a chain, things like  
16 that. Those are the improvements designated for the  
17 area. Other than that, the building, the four walls  
18 and the structure itself, is going to stay the same.

19 REVEREND MARTINEZ: So you already have  
20 electric?

21 MS. ABED: There is an electric meter.  
22 We're waiting for this so that we can apply for a  
23 permit for the inside.

24 REVEREND MARTINEZ: Okay. Got you.

25 CHAIRMAN HANCE: So he's been a resident

1 for 23 years, I think you said?

2 MS. ABED: Yes.

3 CHAIRMAN HANCE: And I hope you haven't  
4 been parking that tow truck in front of your house  
5 for 23 years because I would want you to get a  
6 business too. That would be a sore eye in my  
7 neighborhood. I haven't heard anything bad about it.  
8 And the aerial, when was this taken?

9 MS. ABED: I think these were taken --

10 MR. EINGORN: This is a Google Maps  
11 photograph.

12 MS. ABED: Yes. Google shot.

13 CHAIRMAN HANCE: I drove past there and  
14 it looks the same.

15 MS. ABED: Yes.

16 CHAIRMAN HANCE: As long as you keep it  
17 clean I think it's a win-win.

18 REVEREND MARTINEZ: Amen.

19 CHAIRMAN HANCE: I make a motion that we  
20 pass.

21 REVEREND MARTINEZ: I second.

22 MR. EINGORN: I'll take a roll-call vote.  
23 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. Merricks.

5 MS. MERRICKS: Yes.

6 MR. EINGORN: Ms. Alston.

7 MS. ALSTON: Yes.

8 MR. EINGORN: Ms. Nunez.

9 MS. NUNEZ: Yes.

10 MR. EINGORN: Having six in favor and  
11 none opposed, the motion passes.

12 MR. SUPELVEDA: Thank you.

13 MS. ABED: Thank you.

14 MR. EINGORN: The next matter is Premier  
15 Construction, LLC, 521 Cooper Street. Good evening,  
16 Counsel.

17 MR. CALZARETTO: My name is John  
18 Calzaretto with the Law Firm of Calzaretto &  
19 Bernstein representing this evening Premier  
20 Construction, LLC.

21 Premier is taking a vacant building  
22 that's has been vacant for some time, located at  
23 521 Cooper Street. The building has had a history  
24 of both commercial and residential use over the  
25 years. He had first intended to do student housing.

1 And, in fact, the agenda tonight says proposes  
2 transitional housing. That's not true. He had  
3 already met with, in a preliminary review, the  
4 Planning Director for the City. And they had talked  
5 a lot about the site. They agreed on a use of  
6 basically market-rate housing. They looked at the  
7 building and what it could be put to.

8           And my client proposed, well, they would  
9 like to build nine one-bedroom units basically for a  
10 lot of single people that live in the City today and  
11 are working at Cooper Hospital, the Federal Building  
12 or the post office. There's a lot of workers that,  
13 you know, they don't want to commute far to and from  
14 work. A lot of people working at least a couple of  
15 days a week at home, they could live in these  
16 apartments. He has a very nice plan for them.

17           However, there were some issues that  
18 needed to be ironed-out. And during the review,  
19 those issues came to light. And those issues  
20 included the fact that the approval would require a  
21 variance, an amendment to the Camden Redevelopment  
22 Plan because there was office use downstairs for some  
23 time. Although even as in the past, the building was  
24 used for rooming quarters. So it also had  
25 residential character to it. However, they would

1 also need some variances due to the parking. The  
2 apartment complex would require 1.2 parking spaces  
3 for each unit and we have nine units here and there's  
4 only four parking spaces.

5 Now, the building was built at a time  
6 when not everyone had a vehicle. So you're not going  
7 to have that. In many, many cities today, you have  
8 apartments where there isn't parking. And that's  
9 because some of the residents choose not to have a  
10 vehicle because they live so close in proximity to  
11 their work location. And that's really what he had  
12 in mind here because the City really doesn't offer a  
13 lot right now.

14 Although Cooper Hospital recently  
15 announced that they're increasing and they may be  
16 hiring as many as 9,000 employees. And with that  
17 kind of work load, I mean, you would imagine that  
18 some people would want to live close to their work  
19 location where they can just -- they wouldn't need a  
20 vehicle and they could just walk to work and that  
21 would be wonderful. I wish I could do that myself.  
22 But, anyway, there be would be the normal variances  
23 here, the minimum lot area, the minimum lot width,  
24 minimum front yard setback, side yard setback, lot  
25 coverage. Again, this building was built at a time

1 and it has existed there for many, many years.  
2 And you're not going to be able to fit that into the  
3 current zoning plans.

4 But my client really believes that  
5 there's a real need for this. Like I said, he's  
6 worked with the City; wants to turn the building into  
7 something viable; something that would add something  
8 to the community. And he believes that market rate  
9 or, you know, available for all types of residents.  
10 There was an appeal filed to change the use, that's  
11 the old, old use that they initially proposed that's  
12 on the agenda tonight. That has been changed and has  
13 been changed by appeal; appealed form file.

14 Tonight I have with me the owner of  
15 Premier Construction, Mr. Kose and Mr. El Donaldo  
16 Vid Al. He's an architect, AIA, certified architect,  
17 and they could be sworn in and maybe describe the  
18 project in a little bit more specific terms.

19 MR. EINGORN: Would you both raise your  
20 right hand.

21 - - -

22 HACI KOSE; EL DONALDO VID AL, AIA, having  
23 first been duly sworn/affirmed, was examined and  
24 testified as follows:

25 - - -

1                   MR. EINGORN: Names and addresses for the  
2 record, please.

3                   MR. KOSE: Good evening. My name is Haci  
4 Kose. I'm the managing director for Premier  
5 Construction. My address is 1736 Route 70 East,  
6 Cherry Hill, New Jersey 08003.

7                   MR. VID: My name is El Donaldo Vid Al,  
8 architect of this project.

9                   MR. EINGORN: Mr. Vid Al is here pretty  
10 often. I think we're safe to accept him as an  
11 architect.

12                   Just before we get started, John, is your  
13 client aware that there is a potential parking fee  
14 for each space you need to get a variance for?

15                   MR. CALZARETTO: Yes.

16                   MR. EINGORN: And that fee can be up to  
17 \$6,000 per space?

18                   MR. CALZARETTO: Thank you. Our client  
19 is aware that there is a parking fee for each space  
20 you need to variance for.

21                   MR. VID AL: This is a condensed version  
22 of the site plan we have enhanced. But basically  
23 this building is a historical building on Cooper  
24 Street. It used to be a mansion. That's why it has  
25 so many rooms. So I imagine that it was a big family

1 in that building. The building evolved into  
2 different things.

3 I think it was capped for residential  
4 from the second and third floors in some commercial  
5 through the years like offices. The owner sold the  
6 building back then, I think, in the 40's or 50's and  
7 then the building evolved into different things, even  
8 a rooming house there. Then it was disbanded.

9 This building, it has the benefit that is  
10 fronting Cooper Street. Fortunately, Cooper Street  
11 doesn't have parking anymore. The meter was removed.  
12 But there's a back street that is like a service  
13 street where you have the parking, used to be the  
14 horses where horses were to be for all those  
15 buildings. But now it's four parking spaces plus the  
16 services to the building. This building also has  
17 accessibility. It has wheelchair lift in the back so  
18 it's fully accessible to the first floor. The  
19 basement will serve as the administration for the  
20 same building.

21 The other thing is, the building was  
22 equipped with exit stairs in the back. So there is  
23 an entrance and an exit from Cooper Street but  
24 there's extra stairs on the back. And the building  
25 is fully sprinklered. So basically, this building is

1 equipped with some modifications for the nine  
2 apartments which is like a fire separation with the  
3 walls. That's basically what we need to achieve nine  
4 one-bedroom units.

5           There are three on the first, floor,  
6 three on the second floor, and three on the third  
7 floor. They are three apartments per floor. And all  
8 of them are connected through stairs from the back  
9 and from the front. That's basically the anatomy of  
10 the building. One has each apartment. It has that  
11 one bedroom, kitchenette, living room and dining  
12 room. They're not big but will serve the purpose for  
13 one person. So that's basically the anatomy of the  
14 project.

15           As you can see, this is the  
16 administration floor of what is called the basement.  
17 It's not like a full basement. It looks like a  
18 split. And this is the first floor, second floor and  
19 third. So it's pretty simple the way it is. And all  
20 of them, they have access to the entrances and exits  
21 through the main corridor door. So that's how the  
22 building is laid out. Most of these, what is called  
23 the apartments, they were like rooms. I cannot  
24 imagine how these rooms were but I think it belongs  
25 to the original house the way it was, the way they

1 were. So it was easy for us to lay-out those  
2 apartments because they were like kind of subdivided  
3 by rooms, big rooms.

4 MS. ALSTON: I was wondering, what's the  
5 size of the rooms that are you potentially --

6 MR. VID AL: You mean the rooms or the --

7 MS. ALSTON: The apartments --

8 MR. VID AL: The apartments, okay.

9 MS. ALSTON: -- that you're hoping for?

10 MR. VID AL: Basically Apartment A, first  
11 floor, is 477; Apartment 1-B is 495 square feet;  
12 Apartment C is 429. Second floor is Apartment 2A,  
13 520; Apartment 2B, 489; Apartment 2C, 446. The third  
14 floor is same, 587; 400; 400. They're mostly like a  
15 studio but they have those amenities. They have  
16 different amenities like kitchenette.

17 VICE-CHAIRMAN COOPER: I'm looking, the  
18 initial application said that it was a transitional  
19 house. This is here like a rooming house now.

20 MR. EINGORN: The denial letter says  
21 transitional house. But if you look at the appeal  
22 for zoning which is the next page: Amended  
23 application requests zoning variances and amendments.  
24 Use subject variances as one-bedroom apartment units  
25 open to all prospective tenants. So that's



1 paragraphs 10 and 11 on the appeal. They were denied  
2 for transitional housing, but they're coming in for  
3 the just market-rate apartments.

4 VICE-CHAIRMAN COOPER: What's the  
5 difference?

6 MR. EINGORN: What's the difference?  
7 Well, let's ask the applicant.

8 VICE-CHAIRMAN COOPER: What's the  
9 difference between this being transitional and these  
10 apartments? In that area, you know, I'm quite sure  
11 we can --

12 MR. EINGORN: Let's let him answer the  
13 question first. Can you describe to us what  
14 transitional housing is?

15 MR. KOSE: The property before I  
16 purchased it, that's what they were using or intended  
17 to use, so we want to go through the same zoning.  
18 And they say it's not.

19 So transitional housing is where you have  
20 one single kitchen for each floor so everybody uses  
21 it. So there's like one full bathroom in the  
22 hallway. Each room has its own powder room. That's  
23 how in the building. But the third floor is already  
24 full, three apartments with living area, kitchenette,  
25 it's own bedroom and full bath. So we want to do the

1 two other floors also as a full one-bedroom  
2 apartment.

3 MR. VID AL: The difference with the  
4 transitional houses, the way it should be designed is  
5 that they share.

6 MR. KOSE: They share --

7 MS. NUNEZ: The common areas?

8 MR. VID AL: They share the amenities,  
9 you know, like kitchen, bathrooms and all of that.  
10 So these Peter, Louis and Bob, they have their own  
11 door; their own bathroom; and their own kitchen. So  
12 basically it's an apartment.

13 MR. EINGORN: Just to confirm, each unit  
14 will have its own kitchen and bathroom?

15 MR. VID AL: That is correct.

16 MR. EINGORN: So really it's a nine-unit  
17 apartment building?

18 MR. KOSE: Yes.

19 MR. CALZARETTO: Again, you have a lot of  
20 major employers in the area. You have the courthouse  
21 there, the Federal Courthouse. You have the Superior  
22 Courthouse. You have the Cooper Hospital there. You  
23 have so many supporting buildings there. This is for  
24 people who want to live in the City. Like most of  
25 these people want to live close to their work. A lot

1 of people don't want a vehicle. They don't want to  
2 deal with the expense of a car, maintenance of a car  
3 but they need to live near work.

4 VICE-CHAIRMAN COOPER: I'll tell you, I'd  
5 be real comfortable renting out a two bedroom  
6 apartment up there, you know, looking right there at  
7 downtown Camden, two bedrooms instead of having a  
8 whole bunch of neighbors.

9 MR. CALZARETTO: Sure. And they don't  
10 want maintenance; they don't want to maintain.  
11 There's a lot of people who don't want to maintain a  
12 home. They want an apartment and they want to live  
13 close to work. They don't want to have to maintain a  
14 vehicle. That's just the way they want to live their  
15 lives. By the way, there's tons and tons of  
16 apartments like this all over Philadelphia and all  
17 over New York. And normally they're near employers.  
18 In fact, employers look for them because Cooper  
19 Hospital wants to create more and more medical and  
20 they're getting busier and busier and they're  
21 creating all these jobs. I mean, the City really  
22 should try to support them and create people that  
23 they can draw from. And people who live in the area  
24 and can get to the hospital in a moment's notice.

25 So, no, the City doesn't want

1 transitional. They want this for young professionals  
2 is really what they want that'll help to regentrify  
3 the City and make the City more viable, and draw  
4 employers to the area. How are you going to draw  
5 employers when you don't have the employee base to  
6 draw from? It's very, very important. So that's  
7 what was proposed and that was proposed after, you  
8 know, some review with the planning people who run  
9 the planning and direct the planning of the City.  
10 So if we can give -- is everybody finished  
11 questioning Mr. El Donaldo? Do you have more  
12 questions?

13 MS. ALSTON: Well --

14 MR. VID AL: I have to add this. I have  
15 experience in designing a building in the outskirts  
16 of Camden. It was like a combination for two and one  
17 bedroom. What happened was, the owner was building  
18 the building and were people paying rent to secure  
19 the one bedroom apartments because they're rare.  
20 I mean, brand new renovated apartments, they're rare  
21 in Camden City. Very expensive. They're becoming  
22 very expensive because you cannot find those. A  
23 two-bedroom for one person is sometimes too expensive  
24 so one bedroom is a good alternative. So I think  
25 this is a good opportunity. You're going to find

1 tenants in the City of Camden.

2 So that's my comment.

3 MS. ALSTON: So I don't have any  
4 questions about the apartment and the usage itself.  
5 I'm looking a little bit forward. And some of the  
6 issues that I've seen downtown in the City of Camden  
7 as Camden spends so much money in trying to beautify  
8 and keep it clean, is the revolving door of the  
9 tenants that are coming in and out. That is not the  
10 big issue.

11 When the tenants are leaving or if they  
12 leave against their will, and they leave their  
13 remaining items in these apartments, the clean-out  
14 sometimes land in front of the street not properly  
15 disposed of and it becomes an issue. Cooper Street  
16 is like a street where you have a lot of traffic.  
17 People are coming in and out either down to the  
18 Freedom Mortgage. So in thinking that way, is there  
19 anything in place to help with the trash removal and  
20 keeping with the City of Camden making sure that it's  
21 kept clean in this downtown area?

22 MR. CALZARETTO: I mean, luckily, for  
23 this particular property, there's a service street in  
24 the rear.

25 MR. KOSE: There is an area designed for

1 trash behind the building. It's already fenced in.

2 VICE-CHAIRMAN COOPER: Do you own that  
3 trash area?

4 MR. KOSE: Yes, I own it. It's right  
5 behind the building.

6 MR. CALZARETTO: I mean, at one time it  
7 was probably a horse stable and they brought their  
8 horses to the rear because horses could be messy.

9 VICE-CHAIRMAN COOPER: So you have trash  
10 pickup. You don't have private removal or?

11 MR. KOSE: We have a spot for it. So  
12 that's what we're going to have. So there's a spot  
13 for the trash can and everything.

14 MR. CALZARETTO: Receptacle.

15 MR. KOSE: To answer your question, I've  
16 been in business for a long time. I've been an  
17 active real estate broker and managed properties so I  
18 know the market. I've already invest a tremendous  
19 amount of money. I purchased it six years ago. So  
20 if I don't have a hope that it's going to be a great  
21 investment, I wouldn't do it. There's a huge amount  
22 of need for good quality apartments in the area.

23 MS. ALSTON: I do believe that there is  
24 the need for the one-bedroom apartment. I'm just  
25 thinking throughout the whole entire process, and

1 just knowing the area because I do live in the  
2 downtown area. Sometimes right there on that 3rd and  
3 Cooper they have apartment buildings because you have  
4 Rutgers. So you have the student living and things  
5 like that. Then a lot of, like I said, a lot of  
6 their things that they leave behind up on Cooper or  
7 even on the little alleyway in between the homes.  
8 And it's just becomes a mess in that area.

9 MR. CALZARETTO: 3rd Street doesn't have  
10 that service street. This one does.

11 MS. ALSTON: Okay.

12 MR. CALZARETTO: So, yes, I understand.  
13 I lived on 3rd Street. There's nowhere to put the  
14 trash except out front. Obviously, it becomes  
15 unsightly especially when, you know, the end of the  
16 semester for the students. They're throwing  
17 everything at the curb and it looks horrible. I  
18 understand exactly what you're saying.

19 MR. KOSE: So it's really going to be  
20 marketing to professionals more so than students.  
21 And I've been getting phone calls literally almost  
22 every day that people need --

23 MR. VID AL: Actually, the moving in and  
24 out is going to happen from the service street. It  
25 doesn't have to happen from Cooper Street. We're

1 going to leave that alone, the entrance and the  
2 exits.

3 MR. KOSE: So that's where the parking  
4 are, where they are going to park their car; when  
5 they're going to be moving in and out. So it's  
6 nothing to do with Cooper Street.

7 MR. CALZARETTO: You want to give a  
8 little bit of background about your history?

9 MR. KOSE: So I'm in the process of  
10 refacing the building. I'll pass this out.

11 MR. EINGORN: Let the record reflect that  
12 the applicant has provided a --

13 MR. CALZARETTO: Facade rendering --

14 MR. EINGORN: -- 3-panel rendering of a  
15 proposed facade which we'll mark as Exhibit A to the  
16 application.

17 CHAIRMAN HANCE: So to gain entrance, is  
18 there a push-button; is it a key to get to the front  
19 door?

20 MR. KOSE: We're going to have the key.  
21 But most of all, it's going to be the back entrance.  
22 That's where the people are going to be using.

23 CHAIRMAN HANCE: Does that building have  
24 an elevator or not?

25 MR. KOSE: It doesn't have an elevator



1 but it has I think like a lift along the back. A  
2 wheelchair elevator to the back of the first floor  
3 but not inside the building.

4 VICE-CHAIRMAN COOPER: Looks very nice.

5 MR. KOSE: We're trying to make it nice  
6 so that it's appealing. I've been in business for  
7 20-plus years managing property, developing and  
8 selling in that manner. It's going to be a good fit  
9 for Camden and knowing the need. And the location of  
10 20 feet from Rutgers University. One block from  
11 here.

12 MS. ALSTON: Very modern-looking.

13 MR. KOSE: So we're going to start that  
14 probably in a week. I already ordered everything.  
15 The stuff is coming from Europe, the windows and  
16 everything.

17 MS. ALSTON: That was my question, what's  
18 the time frame when do you think the project is going  
19 to be done?

20 MR. KOSE: I would have it done  
21 tomorrow if you guys okay it. I have a full crew and  
22 they will work on it right away.

23 MR. VID AL: The structure of the  
24 building is already there like the sprinkler system.  
25 Everything is working, lighting.

1 MR. KOSE: Heating, air conditioning --

2 MR. VID AL: It needs the final fire  
3 separation of the units. I just want to give this  
4 building life.

5 MR. KOSE: So the third floor, we're not  
6 going to touch it. It's already there. It's already  
7 there and we're going to kind of copy them. I think  
8 that's how Mr. Vid Al designed it.

9 VICE-CHAIRMAN COOPER: Any other  
10 questions?

11 MR. EINGORN: We'll open this matter to  
12 the public. Is anybody in the public here tonight  
13 for 521 Cooper Street that would like to heard for or  
14 against? Hearing none and seeing none, we'll close  
15 the public portion. Now is the time for the Board to  
16 do a discussion of the Positive and Negative  
17 Criteria.

18 REVEREND MARTINEZ: I think it's  
19 positive.

20 MR. EINGORN: Wait. So we have a use --  
21 I see a use variance. Is there any bulk variances  
22 requested here?

23 MR. CALZARETTO: Yes but they were all  
24 for preexisting conditions however.

25 MR. EINGORN: I just want to make sure

1 the record is clear on what we're voting on.

2 VICE-CHAIRMAN COOPER: I'm surprised our  
3 City Engineer isn't involved with this project.

4 MR. EINGORN: I do not know the answer to  
5 that. Looks like just a use variance has been  
6 applied for. It's a use variance or an  
7 interpretation regarding the Redevelopment Plan.  
8 That's what we got. We have a few checks here for  
9 eighteen sixty and one for forty-five and five. Do  
10 you own what was actually applied for?

11 MR. CALZARETTO: I'm actually filling in  
12 tonight for Mr. Bernstein. I know that there was  
13 a -- the zone had changed to a US Zone which is the  
14 University Support Zone. And it was for that reason  
15 that the use variance had to be requested and the  
16 amendment to the Redevelopment Plan.

17 MR. EINGORN: The Board can't give an  
18 amendment to the Redevelopment Plan. That's a  
19 Planning Board thing. And if there's a  
20 Redevelopment Plan we do know that -- I mean, you  
21 applied for an interpretation. We need to know what  
22 the legal issue is regarding what the Redevelopment  
23 Plan provides for; what the interpretation being  
24 requested is.

25 MR. CALZARETTO: Well, all the

1 Redevelopment Plan provided for is University  
2 Support. So anything that would support the  
3 university. I mean, it can be interpreted that, you  
4 know, the university has professors and they need a  
5 place to live.

6 MR. EINGORN: Yeah, but the Redevelopment  
7 Plan is going to be way more specific than that.  
8 It's going to say what can we put where; what zones  
9 are applicable, all of those items. If this is an  
10 interpretation, we're going to need that information.  
11 If it's a use variance application, it's different.  
12 But it looks like you applied for -- Mr. Bernstein  
13 applied for an interpretation for which we don't have  
14 the information.

15 MR. CALZARETTO: I'm looking at the  
16 paperwork. I am not sure -- like you said, we might  
17 have to go before the Planning Board for that  
18 amendment.

19 MS. ALSTON: Kyle, is the amendment being  
20 requested because of the transitional housing?

21 MR. EINGORN: We can't grant amendment.

22 MS. ALSTON: No. I know.

23 MR. EINGORN: So I think what was  
24 requested was an interpretation of the Redevelopment  
25 Plan. But we don't have any of that information

1 before us. We have a very nice project, but not the  
2 legal that we need necessary to make the required --

3 MS. ALSTON: For the transitional homes  
4 or the studio apartment or just in general?

5 MR. EINGORN: They didn't apply for  
6 transitional housing.

7 MS. ALSTON: No. I know.

8 MR. EINGORN: They applied for market  
9 rate. And so the issue is, an interpretation  
10 regarding whether or not market rate is allowable  
11 within the US Zone or the Redevelopment Plan that is  
12 currently in affect.

13 MS. ALSTON: Okay, the market rate.

14 MR. EINGORN: We don't have the  
15 Redevelopment Plan or the position of the ordinance  
16 to determine whether or not a nine-unit apartment  
17 building would be something that could be consistent  
18 with either the Ordinance or the Redevelopment Plan.

19 MS. ALSTON: Okay.

20 MR. CALZARETTO: So I imagine that we'd  
21 have to adjourn tonight and come back with that  
22 information. I looked through his paperwork here and  
23 I don't see where you would have thought that would  
24 have been discussed.

25 MR. EINGORN: This will be Old Business

1 for next month. All we need is the legal  
2 interpretation part of this.

3 MR. CALZARETTO: Sure.

4 MR. EINGORN: So we've got all the  
5 information about the project. We're going to  
6 adjourn this to the June meeting. We're going to put  
7 it on Old Business. You'll come back with the  
8 interpretation information. If you want a use  
9 variance or you want to apply for that as opposed to  
10 the interpretation, get your notice out there because  
11 we're not going to hear a use variance if it hasn't  
12 been noticed for.

13 MR. KOSE: You said the notice but I  
14 don't know for what. Didn't we send --

15 MR. EINGORN: Right. There was public  
16 notice or you wouldn't be here tonight. Right?  
17 It's a jurisdictional issue. We have to have public  
18 notice or we can't hear you tonight.

19 MS. MUHAMMAD: Just to be clear like with  
20 the applications, there's a fee schedule for  
21 variances, the things that you're applying for. So  
22 if only an interpretation was paid for, you can't  
23 come here and say, I'm requesting a use variance.  
24 That wasn't nothing that was applied for prior to so  
25 you can't come and present an application for that.

1                   MR. KOSE:   Again, I don't know.   That was  
2 handled and everything has been --

3                   MR. EINGORN:   That's more for  
4 Mr. Calzaretto.

5                   MR. CALZARETTO:   Yes.   It looks like he  
6 did ask for a use variance.   The Downtown Camden  
7 Redevelopment Plan is what he asked for that and  
8 I'm looking here.   And he noticed everyone within 200  
9 feet with respect to that variance request.

10                   MR. EINGORN:   Right.   I think the issue  
11 is that we have a check for an amount that's  
12 consistent with an interpretation but not a check  
13 that's consistent with a use variance.   It looks like  
14 an interpretation was requested and not a use  
15 variance.

16                   MR. KOSE:   I sent out so many checks.

17                   MR. EINGORN:   I don't doubt it.

18                   MR. CALZARETTO:   Well, let me get  
19 clarification.

20                   MR. EINGORN:   We got pretty much  
21 everything in the record.   So hopefully next month it  
22 won't be an issue.   So this is notice that Premier  
23 Construction, LLC, the balance of the application  
24 will be heard at the June meeting.

25                   MR. CALZARETTO:   Thank you.

1                   MR. DRUZIAKO: May I address the Board?  
2 My name is Victor Druziako. I represent the  
3 applicant Franklin Abreu, 1903 S. 4th Street. One of  
4 our witnesses is a nursing mother. She has a young  
5 child at home. Her testimony will be very brief.  
6 Our application is relatively straightforward. If  
7 the Board would indulge us to allow her to go sooner  
8 than later, we'd appreciate it.

9                   MR. EINGORN: Mr. Chair?

10                  CHAIRMAN HANCE: Yes.

11                  MR. EINGORN: So let me just deal with --  
12 what do we have left here?

13                  MR. VID AL: I think it's 3250-3252 River  
14 Road. Are you going to skip that?

15                  MR. EINGORN: Yes. We have an issue here  
16 and we have a short -- this is a nonconforming use,  
17 Cert of Nonconforming Use?

18                  MR. DRUZIAKO: Correct.

19                  MR. EINGORN: So we're going to take this  
20 one quickly so that the applicant can get home to  
21 their baby. Is that what --

22                  MR. DRUZIAKO: That's correct.

23                  MR. EINGORN: So we're going to skip to  
24 Franklin Abreu, 1903 S. 4th Street.

25                  MR. DURZIAKO: Again, my name is Victor



1 Druziako, counsel for the applicant, Franklin Abreu.  
2 We have two witnesses here tonight, Michael Abreu,  
3 the owner of the property and Soo Ho Yi, who is the  
4 daughter of the previous owner of the property, who  
5 would testify very briefly as to the continuous use  
6 of the mixed use property which is now a -- we seek  
7 clarification about the nonconforming current use.

8 MR. EINGORN: Everybody raise your right  
9 hand.

10 - - -

11 FRANKLIN ABREU, MILSY PELTRE, SOO HO YI,  
12 having first been duly sworn/affirmed, was examined  
13 and testified as follows:

14 - - -

15 MR. EINGORN: Please state your names and  
16 address for the record.

17 MR. ABREU: Franklin Abreu, 2614 Davies  
18 Avenue, Pennsauken, New Jersey 08109.

19 MS. BELTRE: Milsy Beltre, 2137 Scovel  
20 Avenue, Pennsauken, New Jersey.

21 MS. YI: My name is Soo Ho Yi. My  
22 address is 153 Genesee Lane, Willingboro, New Jersey  
23 08046.

24 MR. EINGORN: Just for the record, Ms.  
25 Nunez has a conflict on this because she's related to

1 the applicant so she's going to recuse herself from  
2 this application which is a good idea.

3 MR. DRUZIAKO: If I may proceed?

4 MR. EINGORN: Please do.

5 MR. DRUZIAKO: Our application has a  
6 number of attachments affixed to it. But I'll cut to  
7 the chase with our witness so she can leave and I'll  
8 come back to them, if I may.

9 Ms. Yi, you are the daughter of the  
10 previous owner of the property; is that correct?

11 MS. YI: Yes.

12 MR. DRUZIAKO: Your father, according to  
13 the deed of record, purchased the property back on  
14 June 22 of 2001; does that sound right?

15 MS. YI: Yes.

16 MR. DURZIAKO: And at the time the  
17 property was used as a mixed deli at the time and  
18 single apartment on the top; is that correct?

19 MS. YI: Yes.

20 MR. DURZIAKO: And you were familiar with  
21 the property at the time they purchased it back in  
22 June of '2001; is that correct?

23 MS. YI: Yes.

24 MR. DURZIAKO: And as far as you know, is  
25 that property used as a mixed use property with the

1 deli on the ground floor and a single apartment on  
2 the top floor?

3 MS. YI: Yes.

4 MR. DURZIAKO: And the property was sold  
5 to the current owner, Franklin Abreu in April of last  
6 year, '23, correct?

7 MS. YI: Yes.

8 MR. DURZIAKO: And at the time of the  
9 sale, is it fair to say that its use and layout  
10 remain the same as when it was purchased?

11 MS. YI: Yes.

12 MR. DURZIAKO: And it remains unchanged  
13 as far as you know?

14 MS. YI: Yes.

15 MR. DURZIAKO: Does the Board have any  
16 questions for Ms. Yi?

17 VICE-CHAIRMAN COOPER: Did you ever open  
18 that up as a deli or the first floor as the store?

19 MS. YI: It was previously open as a deli  
20 so it has been around for about 50 years because  
21 Mary Massi used to work there a long time ago than  
22 the prior owners. There's been a number of owners  
23 and my parents are one of the owners. Sorry.  
24 Previously it was owned by a prior person who ran it  
25 as a deli in a similar way. Prior even to my

1 parents' ownership it has been a deli.

2 VICE-CHAIRMAN COOPER: But it has been  
3 closed now for a while, right?

4 MS. YI: Since it has been sold, yes.  
5 When my dad sold, he stopped operating running the  
6 business. And then it passed over.

7 MR. EINGORN: So it hasn't been changed  
8 form its -- that's I guess for the applicant.  
9 There's been no changes to the --

10 MR. DRUZIAKO: The question he would  
11 testify, it remains unchanged. We have photographs  
12 which we'll go through when we get to his testimony.

13 MR. EINGORN: Any other questions for  
14 Ms. Yi?

15 MS. ALSTON: So what is it going to be?  
16 There's no one there. It was so -- there's no one  
17 there. It's an empty building right now. Anyone  
18 living in the apartments?

19 MR. DRUZIAKO: I believe someone lives  
20 upstairs. Unchanged. It will remain exactly the  
21 same. Only now they call it Bodega because of the  
22 change in character of the neighborhood but unchanged  
23 since decades ago.

24 MS. ALSTON: So they're going to have to  
25 store the Bodega downstairs and then the two

1 apartments upstairs?

2 MR. DRUZIAKO: Right.

3 MS. ALSTON: So it'll still be mixed  
4 use?

5 MR. DRUZIAKO: There will be no changes  
6 to use.

7 MR. EINGORN: So this is a Cert of  
8 Nonconforming Use request. The applicants are saying  
9 this was a deli with an apartment and then the zone  
10 changed and now they're here saying they'd like to  
11 keep it that way?

12 MR. DURZIAKO: Just seeking clarification  
13 because of its currently existing nonconforming use.

14 CHAIRMAN HANCE: It has been that way for  
15 a long time. Actually it's a block from where I  
16 live. I went there a few times. I live right on  
17 Broadway, Ferry & Broadway. That part of Camden is  
18 right here and you guys are on the street behind  
19 here. I know exactly where you're located.

20 MR. DRUZIAKO: Mr. Abreu runs -- he's an  
21 experienced Bodega operator running no fewer than  
22 five prior Bodegas, including another one in the City  
23 of Camden with his brother and sister-in-law, who is  
24 here for translation purposes in the event that it  
25 was needed. His English is very good but for

1 technical details he might need it to be translated.

2 VICE-CHAIRMAN COOPER: I want to  
3 piggyback on the Chairman here. I grew up in the  
4 area and I would frequent that deli as a child.  
5 So I know that store has been there and I've been in  
6 and out of it. It's been a deli.

7 MR. EINGORN: One unit upstairs?

8 MR. DRUZIAKO: One unit.

9 CHAIRMAN HANCE: Did you buy Franks?

10 MR. ABREU: Yes.

11 CHAIRMAN HANCE: So you do know my face,  
12 right?

13 MR. ABREU: Yes.

14 CHAIRMAN HANCE: I can say that he bought  
15 Franks and he keeps it nice and clean in the area.  
16 The store is real nice and the inside a big change.  
17 Because Franks had it back in 1908. Franks had the  
18 best food. I did come and check you guys out. I'll  
19 keep an eye on you because I'm only a block from you.  
20 I'm right down the street. Yes, it has been a store  
21 and one apartment since I can remember.

22 MR. EINGORN: We don't need Ms. Yi  
23 anymore, right, so she can head home?

24 MS. YI: Can I make one comment?

25 CHAIRMAN HANCE: Yes.

1 MS. YI: My dad really loved the deli and  
2 the neighborhood and the people there. So it would  
3 be very nice to have it open because there were some  
4 elderly people there. It's just really a great  
5 community. And my dad specifically, when he had  
6 buyers, chose them because he thought it would be  
7 good for the neighborhood. And I came here, away  
8 from my baby, to support it so that there were no  
9 worries. This is the first time I came to a zoning  
10 board. So I just wanted to state that they have our  
11 support because my parents really loved Camden. It  
12 was a really good place and I look forward to  
13 everything it can be.

14 MR. EINGORN: Thank you for adding that.  
15 That was helpful. I appreciate you coming in. Any  
16 other questions for the applicant? Ms. Merricks?

17 MS. MERRICKS: No.

18 MR. EINGORN: Anybody in the public that  
19 would like to be heard on the application for the  
20 property located at 1903 S. 4th Street? Hearing none  
21 we'll close the public portion.

22 The applicant is appearing tonight for a  
23 Cert of Nonconforming Use. Sounds like we received  
24 some good information both from the applicant and the  
25 prior owner's daughter and the Board. So a quick

1 discussion and a motion.

2 VICE-CHAIRMAN COOPER: I think it's  
3 positive because they're going to reopen the store in  
4 that neighborhood. It makes it easier for everybody  
5 that lives in that neighborhood so they can walk a  
6 couple blocks and get to a store and get something  
7 good and healthy to eat. I think it's a good thing.

8 CHAIRMAN HANCE: I'll piggyback on that.  
9 There's a lot of seniors around there. And Franks  
10 made it a little bit of a walk. And so now come out  
11 and maybe walk 20 feet going to the store, that is  
12 definitely a plus. The area is also a little down.  
13 So that should give you a pick up. What time are you  
14 going to open and close?

15 MR. ABREU: Maybe seven to eight.

16 VICE-CHAIRMAN COOPER: We have an  
17 ordinance in the City that they have to comply with.

18 MR. ABREU: Yes, seven to eight.

19 CHAIRMAN HANCE: Same time that Franks  
20 closed?

21 MR. ABREU: Yes.

22 CHAIRMAN HANCE: That area needs a  
23 pick-me-up. I think it's a positive to bring that  
24 store back and help out the community. That's a  
25 plus.



1                   VICE-CHAIRMAN COOPER: So I make a motion  
2 to pass.

3                   MS. MERRICKS: Wait. I have a question.  
4 I want to ask whether you guys are going to live  
5 there or rent it out so someone else can live  
6 upstairs in the residential part?

7                   MR. DRUZIAKO: You're referring to the  
8 upstairs apartment?

9                   MS. MERRICKS: Yes. You said it was  
10 occupied.

11                  MR. DURZIAKO: He's going to operate the  
12 Bodega and rent out the upstairs.

13                  MR. EINGORN: So we have a motion to  
14 pass. Do we have a second?

15                  REVEREND MARTINEZ: Second.

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

18                  CHAIRMAN HANCE: Yes.

19                  MR. EINGORN: Vice-Chairman Cooper.

20                  VICE-CHAIRMAN COOPER: Yes.

21                  MR. EINGORN: Reverend Martinez.

22                  REVEREND MARTINEZ: Yes.

23                  MR. EINGORN: Ms. Merricks.

24                  MS. MERRICKS: Yes.

25                  MR. EINGORN: Ms. Alston.

1 MS. ALSTON: Yes.

2 MR. EINGORN: Having five in favor and  
3 none opposed, the motion passes. Have a great night  
4 and thanks for coming in?

5 MS. BELTRE: Thank you very much.

6 MR. ABRUE: Thank you very much.

7 MR. DRUZIAKO: And thank you for your  
8 courtesy by allowing us to move ahead.

9 MR. EINGORN: Of course.

10 We're going to go back on the record for  
11 the application which is David Lee, 819 S. 5th  
12 Street. Mr. Olavarria is here today and he has  
13 brought forward an installment payment agreement for  
14 purchase and sale of real estate for the property.  
15 I'm just taking a look at it. Do you have a  
16 purchaser where Mr. Olvarria would be the purchaser  
17 and would have a right to come forward today? Ms.  
18 Abed, are you here in your capacity as a construction  
19 liaison and as an interpreter?

20 MS. ABED: Yes. So just to be on the  
21 record for my presence here today and for the future,  
22 who have come before the Board as both a certified  
23 interpreter and also as a construction liaison. In  
24 this case, I'm just as a construction liaison. Jose  
25 speaks perfect English.

1                   MR. EINGORN: Very good. This looks like  
2 an original.

3                   MS. ABED: That's fine. I have it  
4 scanned into our computer.

5                   MR. EINGORN: So we're going to mark the  
6 agreement for sale as Exhibit A. Is the applicant  
7 ready to proceed or should I read the --

8                   MS. ABED: You could read it for the  
9 Board if you need to or for the members in the  
10 audience. Or if you want me to proceed.

11                   MR. EINGORN: Why don't you just tell us  
12 what you're trying to do with the property?

13                   MR. OLAVARRIA: As you see the picture,  
14 that building has been closed over 10, 15 years. And  
15 I had an opportunity to buy it and do two  
16 apartments. And a got construction business as  
17 well. I use two garages on the bottom like for  
18 storage, wood, plumbing stuff. So there's multiple  
19 pictures that you were presented with from multiple  
20 from angles so that you guys can see the difference  
21 like how the building takes up pretty much that whole  
22 block.

23                   MR. EINGORN: So you're seeking to turn  
24 the property at 819 S. 5th Street into a mixed use  
25 building. It's two apartments, a store front, one,

1 two three four five -- six garages and a storage  
2 unit?

3 MS. ABED: So there's six garage doors  
4 right now inside. We broke it up the way -- if you  
5 look at the plans that were given. We broke it up as  
6 such. Originally we were going to try to do parking  
7 like for the apartments upstairs but the narrow walls  
8 doesn't allow for parking. Then we came into some  
9 fire prevention issues with the roof. There's  
10 certain codes that we would have to meet just in case  
11 a car catches fire; that there's no issues above it.

12 We weren't going to meet those with the  
13 existing structure and still staying under the  
14 Chapter 16 Rehab Code. So we would need to stay  
15 under Chapter 16 Rehab Code so that we are not told  
16 that we have to bring the building down and then  
17 bring the building back up under the Building Code.  
18 So as a result, this is what we're having. So these  
19 are going to be storage garages which are also going  
20 to offered to the tenants upstairs.

21 MR. EINGORN: Anything else you want to  
22 tell us about the building; about the --

23 MR. OLAVARRIA: Right now in the  
24 building, I mean, for myself, I'm paying maybe like  
25 \$300 in taxes where it will be convenient to the

1 City. Because once I build this up into two  
2 apartments, my taxes will go up too. This is an  
3 opportunity for me and an opportunity for the City to  
4 get more taxes on the property.

5 MS. ABED: Also please, if you look at  
6 one of the other pictures, and I don't know exactly  
7 which one is marked what, but you'll see that we took  
8 a picture of a building that's kind of diagonally  
9 across from it that has multiple meters. You can  
10 see.

11 MR. OLAVARRIA: Yes.

12 MS. ABED: Here's the picture.

13 VICE-CHAIRMAN COOPER: Okay.

14 MS. ABED: So that one already has a --  
15 that's already a four-unit building.

16 CHAIRMAN HANCE: I'll say that I am  
17 familiar with the area very much. OEO is all around  
18 it. In fact, you took a picture of our green  
19 building right there.

20 That building is a sore eye. So it needs  
21 a face lift. They're knocking down a lot of homes  
22 also in that area so it's going to be barren pretty  
23 soon so it needs some light to come back to it.  
24 I think it's a good move. It's been abandoned for a  
25 long time.

1 MS. ABED: Absolutely. So just for a  
2 point of reference. Diagonal in the other direction  
3 is Mendos Auto Shop. He's been the only commercial  
4 kind of storefront in that area for quite some time  
5 so he's excited also for us building diagonally so  
6 that we can give each other kind of a little bit of  
7 tech. He's been surrounded by a band of buildings  
8 way too long so he's excited.

9 CHAIRMAN HANCE: The one that fizzled  
10 out, sub shop, they've been on that corner also and  
11 kind of fizzled out. I think they died away or  
12 whatever the case may be. I seen somebody working in  
13 there and the City shut them down.

14 MS. ABED: Yes.

15 CHAIRMAN HANCE: And I haven't seen them  
16 come back.

17 MS. ABED: Yep. And then he's gotten all  
18 his materials at least four or five times.

19 CHAIRMAN HANCE: I probably torn his name  
20 up but they had some good subs there.

21 MR. EINGORN: All right. So you got an  
22 application for a use variance, change of use. Site  
23 plan approval may be needed and off-street parking.  
24 So we have the photographs of the off-street parking.

25 MS. ABED: There's plenty of parking

1 that's really vacant, that whole area. It's super  
2 baron on both sides on the 4th Street side and the  
3 Ramona Gonzalez side. The street is named Ramona  
4 Gonzalez.

5 MR. EINGORN: And I guess cause you're  
6 not using the garages for actual parking, you have a  
7 lot of frontage?

8 MS. ABED: We weren't able to stay within  
9 our structured guidelines on the construction  
10 standpoint and keep it used for parking.

11 MR. EINGORN: Residents with motorcycles  
12 only?

13 MS. ABED: Yeah. I mean -- No. I can't  
14 have a fuel-fired equipment.

15 MR. EINGORN: Any questions from the  
16 Board? No questions. Anybody in the public that  
17 would like to weigh in on 819 S. 5th Street, an  
18 application for multiple uses? Hearing none, we'll  
19 close the public portion. Board want to do a  
20 discussion of the Positive and Negative Criteria and  
21 make a motion?

22 CHAIRMAN HANCE: I think it's positive  
23 that a site that big being brought back to help that  
24 community come back. Like I said, Camden is knocking  
25 down a lot of old houses. If not, they're going to

1 fall down. So they're going to knock them down and  
2 we need some new life over there. I think it's a  
3 positive move.

4 VICE-CHAIRMAN COOPER: I also think it's  
5 a positive. Whenever you can take a building and not  
6 tear it down and rehab it, bring it back to life,  
7 it's a good thing.

8 CHAIRMAN HANCE: I make a motion that we  
9 accept.

10 VICE-CHAIRMAN COOPER: I second.

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

13 CHAIRMAN HANCE: Yes.

14 MR. EINGORN: Vice-Chairman Cooper.

15 VICE-CHAIRMAN COOPER: Yes.

16 MR. EINGORN: Reverend Martinez.

17 REVEREND MARTINEZ: Yes.

18 MR. EINGORN: Ms. Merricks.

19 MS. MERRICKS: Yes.

20 MR. EINGORN: Ms. Alston.

21 MS. ALSTON: Yes.

22 MR. EINGORN: Ms. Nunez.

23 MS. NUNEZ: Yes.

24 MR. EINGORN: Having six in favor and  
25 none opposed, the motion passes.



1 MS. ABED: Thank you.

2 MR. EINGORN: Thanks for coming in. At  
3 this time, we'll take a short break.

4 - - -

5 (The proceedings are off the record at  
6 8:03 p.m.)

7 (The proceedings are back on the record  
8 at 8:10 p.m.)

9 - - -

10 MR. EINGORN: Let the record reflect that  
11 Reverend Martinez was not feeling good and had to  
12 take leave tonight. So if you require a use variance  
13 approval from here on out, you will need five  
14 affirmative votes. So that means, a unanimous vote  
15 of the Board. Just so we understand that and we're  
16 clear. We'll take the next matter on the agenda,  
17 3250-3252 River Road, LLC, SS River 80 E. Bergen  
18 Avenue.

19 MR. CALZARETTO: Good evening, ladies and  
20 gentlemen of the Board. My name is John Calzaretto.  
21 I'm with the Law Firm of Calzaretto & Bernstein  
22 representing 3250-3252 River Avenue, LLC.

23 So we're here tonight because my client  
24 who lives and grew up right around the corner from  
25 this particular property, it was a vacant lot; people

1 would park on the lot for years; people would dump on  
2 the lot; there was a lot of trash and debris. So  
3 he's an investor in the area. He grew up in the  
4 area. He decided to purchase the lot and he cleaned  
5 up the lot; put a fence around it. He put it to a  
6 use for contractor vehicles, small transport buses  
7 and small tractors. And he did that because a lot of  
8 these vehicles would clog up and congest the  
9 roadways. They created a safety hazard for a lot of  
10 children playing in the narrow city streets. And it  
11 really worked out good.

12           However, the City came in and said, well,  
13 you're going to need a variance to do that. And he  
14 found out that the zone he was in, the C-2 Zone,  
15 those properties have to be in a C-2 Zone, it wasn't  
16 a permitted use. However, it was an accessory use.  
17 For that purpose he appealed the zone and said, look,  
18 you know, the community needs this. The lot is being  
19 kept clean; there's no tracks; there's no debris.

20           The trucks that would congest and clog up  
21 the roads, these trucks actually create livelihoods  
22 for a lot of people in the community. They're  
23 painters; they're plumbers; and their electricians  
24 and they come home from a hard day's work and, you  
25 know, they don't really want to park their trucks in

1 the street. And now they have an alternative.

2 A lot of communities have acknowledged  
3 the fact that you do need parking areas in densely  
4 configured neighborhoods like this particular  
5 neighborhood. In and around Bergen Road and River  
6 Road, there's all rowhomes. It's a high-density  
7 area. You need places for these types of vehicles to  
8 park. If not, you have a lot of congestion. If you  
9 look at other areas, they've all done it. You see a  
10 lot of it in Philadelphia. You see a lot of it in  
11 Gloucester City, believe it or not. Gloucester City  
12 has taken a lot of properties over the years. And  
13 instead of re-selling those properties, has committed  
14 those properties to parking uses in high-density  
15 residential areas.

16 In Gloucester City, I had spoken to the  
17 mayor at one time and he showed me how they're doing  
18 that off South King Street which is near parks and  
19 stuff like that. And it was just way too congested  
20 both North and South King Street. So they said, when  
21 we start to take areas because people aren't paying  
22 the property taxes on some of the homes and they  
23 became old and we knocked them down. We build  
24 parking lots now. Behind that whole residential area  
25 are areas to park. It has really been a good fit for



1 area -- some of them, they have like box trucks.  
2 They were clogging the residential streets especially  
3 when it's a one-way street. So even my tenants where  
4 their trucks having issues with all the neighbors  
5 because it was taking so much parking spots. And  
6 that's how the idea came. They asked me as a favor  
7 if they could park in my lot. They wanted to avoid a  
8 conflict with the neighbors. I didn't see no issue  
9 with it. The lot is clear. There's no debris; no  
10 trees. It won't interrupt them from parking and it's  
11 fenced up. So in the same way, it helps me maintain  
12 the lot too.

13           Previously before me fencing it up the  
14 parking lot, people used to come in and park anyway.  
15 They trashed it. I heard of people do activities  
16 down in the parking lot without my consent. So  
17 that's how the idea first came with my own tenants.  
18 One of them is a landscaper. He has a trailer and  
19 parking in the street and he always issues with all  
20 the neighbors. So that's how the idea came with me  
21 allowing them to park in the lot.

22           MR. CALZARETTO: Does anyone have  
23 questions for Mr. Gomez?

24           MR. EINGORN: Yes. The only picture I  
25 see really is the one in this parking zone permit

1 plan. Do you own either the building here or the  
2 building here that are adjacent to the lot?

3 MR. GOMEZ: I don't own no building over  
4 there. It's a property in the corner.

5 MR. EINGORN: The issue we're going to  
6 have here is that, if you're going to argue it's an  
7 accessory use, it has to be accessory to something.  
8 Right? Otherwise, it's a principal use parking lot  
9 which wouldn't be permitted. If you have a building  
10 that's attached somehow then the parking lot could be  
11 accessory to the building. But it can't be accessory  
12 to itself. It has got to be accessory to something.  
13 So, therefore, you either need a use variance or you  
14 need some kind of building for the parking lot to be  
15 accessory too.

16 MR. CALZARETTO: He does own the building  
17 caddy-corner to the lot.

18 MR. GOMEZ: It's 3213-3215 near Miguels  
19 Pharmacy.

20 MR. CALZARETTO: Well, there's a number  
21 of stores there.

22 MR. GOMEZ: There's four commercial units  
23 there. I own that property there near Miguel's  
24 Pharmacy so this lot is --

25 VICE-CHAIRMAN COOPER: Where is it

1 adjacent?

2 MR. GOMEZ: I'm sorry?

3 VICE-CHAIRMAN COOPER: Where is the  
4 pharmacy adjacent to this lot?

5 MR. GOMEZ: It's across the street.

6 MR. CALZARETTO: It's caddy-corner to the  
7 corner.

8 MR. EINGORN: But that's not adjacent.  
9 So you have a principal use parking lot.

10 MR. CALZARETTO: Well, it actually  
11 creates parking for that store area too. It's a  
12 retail area.

13 MR. EINGORN: The accessory has to be  
14 part of the lot. Listen, I --

15 MR. CALZARETTO: Every property owner  
16 owns halfway into the roadway, correct? It's just  
17 it's a right-of-way.

18 MR. EINGORN: That's a real stretch.

19 MR. CALZARETTO: Yes.

20 MR. EINGORN: That's a huge stretch. I  
21 don't want there to be an issue where somebody finds  
22 out about this and some how you're in appeal and then  
23 you lose. Right? If you get what you want and this  
24 seems like a great idea - the Board will make that  
25 determination -

1 MR. CALZARETTO: Sure.

2 MR. EINGORN: - you'd like to be able to  
3 have that stick in the event that there's a problem.  
4 And my job is to advise the Board of the legality of  
5 all of these little bits and pieces, including the  
6 fact that there's nothing for this to be accessory  
7 to. That's my issue.

8 MR. CALZARETTO: My only response to  
9 that, Mr. Eingorn, is that there is a property that  
10 he owns directly caddy-corner to that property. I  
11 mean, to argue technically adjacent use, you got to  
12 remember, everybody owns halfway into the street even  
13 though it's a right-of-way, so really those  
14 properties are connected by the corner. So it's a  
15 stretch, I understand. But it's a large commercial  
16 property and it has multiple uses.

17 MR. EINGORN: You couldn't consolidate  
18 those two properties under one lot designation.  
19 That's the issue. So I get your argument; it's  
20 creative. But I don't think that it passes muster.  
21 That's just my, you know, land use knowledge on this  
22 bit of accessory issue is, it's really not accessory.  
23 It's a stand-alone parking lot.

24 Not only that, you gave us a -- I'm  
25 assuming, I'm guessing this is Mr. Bernstein's



1 application or maybe not. I don't know. But I have  
2 the C-2 Commercial Zone Ordinance which is great but  
3 this is in the Cramer Hill Redevelopment Plan. What  
4 does the Redevelopment Plan say about parking lots?  
5 I hate to do this, let's do it.

6 MR. CALZARETTO: Yes, I provided it right  
7 there.

8 MR. EINGORN: The plan says, "Cramer Hill  
9 will be a neighborhood for vacant lots or turned into  
10 clean side yards or new housing with modern  
11 amenities." I'm looking for the C-2 Commercial Zone.  
12 The purpose of the zone is create permitted uses,  
13 retail stores including but not limited to antiques,  
14 art, dry goods, variety and general merchandise,  
15 clothing fabrics, floor coverings. Personal services  
16 including not limited to barbershops, hairdressers,  
17 dry-cleaning establishments, photographs, funeral  
18 homes, shoe repairs, tailors, laundromats. Business  
19 services, convenience stores, banks, financial  
20 institutes, insurance offices, clubs, social or  
21 fraternal. Professional and private offices,  
22 restaurants sit-down only, shopping centers, public,  
23 private or parochial education. Building structures  
24 and uses owned and operated by the City of Camden.  
25 Parks, single-family dwellings, residential above

1 nonresidential, medical offices. Accessory uses,  
2 off-street parking lots and parking structures.  
3 That's an accessory the same as in the C-2. Any use  
4 that is not listed above shall be prohibited in this  
5 district. And then it has a list of things that  
6 doesn't say parking lot.

7           So based upon the catch-all, it would be  
8 a prohibited use.

9           MR. CALZARETTO: Unless you build a  
10 structure.

11           MR. EINGORN: Well, yeah, but then you  
12 have a whole separate application. You came in for  
13 an interpretation.

14           MR. CALZARETTO: Right.

15           MR. EINGORN: You could come in for a use  
16 variance potentially, notice for it and tell  
17 everybody, hey, we're going to use this as a parking  
18 lot. To argue it's an accessory use, really doesn't  
19 carry the day when there's no building. If you build  
20 the building then you're adding expense, time; whole  
21 new separate -- I mean, Mr. Vid Al is going to feel  
22 great about it because he'll design the building.

23           MR. VID AL: The question is, there's  
24 parking already in that plaza that those buildings  
25 can use. The parking caddy-corner which is this one.

1 It's still parking, I mean, but it's accessory to a  
2 use.

3 MR. EINGORN: Right. It's accessory to a  
4 use that's not here, though, right? It's --

5 MR. VID AL: The additional parking.

6 MR. EINGORN: And the testimony has  
7 already been, we have tenants from all over the City  
8 or wherever it may be. I don't mean to characterize  
9 your testimony. But we have tenants elsewhere that  
10 are storing trucks here so instead they're not out on  
11 the street which I think is -- I mean, my personal  
12 opinion doesn't matter, but we hear about parking all  
13 the time here. So it's probably something that the  
14 City needs. The issue is, it's not an accessory use.  
15 It's a principal use. And we don't have an  
16 application for a use variance. We have an  
17 interpretation related to an accessory use argument.

18 CHAIRMAN HANCE: So if they have  
19 property, can he use that for his tenants to park on?

20 MR. EINGORN: If he owned the house next  
21 door, he could consolidate --

22 MR. CALZARETTO: I don't know if he can  
23 do that. What would be the accessory used to owning  
24 a house next door?

25 MR. EINGORN: It's parking for the house.

1 And you can consolidate the lots and that would be  
2 it. I mean, before you put up a -- or you use the  
3 house and get a use variance for the house to use it  
4 as an office space for the parking lot, to manage the  
5 parking affairs. Then it would accessory to that.  
6 But it's not accessory to itself and it can't be  
7 accessory to something that's off-site. That's not  
8 how it works.

9 MR. CALZARETTO: What if you put up a  
10 parking, like you see a lot of parking lots have a  
11 parking like a trailer there? You could build a  
12 permanent structure and --

13 MR. EINGORN: Right. But, again, you can  
14 just instead of that ask for a use variance and then  
15 you don't have to worry about a structure. You don't  
16 have a structure yet. I mean, I see people do that  
17 for like PODS and stuff like that where they want to  
18 store containers, they throw up a shed of some sort  
19 and say it's an office for the thing and storage is  
20 accessory to the office. We see that. But that  
21 really isn't an accessory use.

22 Parking lots and things like this often  
23 people get upset about. So if you want to withstand  
24 a potential appeal, and I don't know if that's going  
25 to happen; or the fact that it's not really accessory

1 and the Board says no. I think you'd rather do it  
2 the right way. That's my personal opinion. If you  
3 want to move forward, the Board will consider it.  
4 But that's my legal opinion.

5 MR. CALZARETTO: The issue is to ask for  
6 a use variance, that we would have to amend the  
7 Redevelopment Plan too. So it might be better just  
8 to put some kind of structure on there.

9 MR. EINGORN: You may need to talk to the  
10 Planning Office about that --

11 MR. CALZARETTO: Right.

12 MR. EINGORN: -- or the Zoning Board  
13 Engineer. But, I mean, I don't think you want the  
14 Board to rule on an accessory structure and then if  
15 you lose then you have an res judicata issue --

16 MR. CALZARETTO: Right.

17 MR. EINGORN: -- because you're coming  
18 back with another parking lot.

19 MR. CALZARETTO: Right.

20 MR. EINGORN: Trying to give you the  
21 courtesy.

22 MR. CALZARETTO: I understand. All  
23 right. So we'll withdraw and come back with another  
24 application. Thank you.

25 MR. GOMEZ: Thank you.

1           MR. EINGORN: 1060 Bergen Avenue, LLC, is  
2 that already to go?

3           MR. CALZARETTO: John Calzaretto with the  
4 Law Firm of Calzaretto & Bernstein representing  
5 1060 Bergen Avenue, LLC. The property is located at  
6 1060 Bergen Avenue, Camden, New Jersey. In this  
7 case, the property owner owns a rental property at  
8 1060 Bergen. I'm not sure what occurred with the  
9 City but the City said, oh, you can't park in your  
10 front yard and all the people on that street park in  
11 their front yard.

12           So they told us: Well, we're going to  
13 have to go in front of the Zoning Board and get a  
14 zoning permit. Because in this particular zone, the  
15 outdoor storage in any residential district, no  
16 residential vehicle shall be parked in no area  
17 designated for parking. Bulk variance is needed and  
18 license agreement is needed from the City Council if  
19 ZBA approves. The problem with that -- and I'm  
20 going to hand out these pictures. The way these  
21 buildings were --

22           MR. EINGORN: John, do you want to mark  
23 this Exhibit A?

24           MR. CALZARETTO: We can mark it Exhibit  
25 A.

1 MR. EINGORN: Exhibit A, colored photo.

2 MR. CALZARETTO: So 1060 is actually the  
3 one with the red mailbox there on the left. And 1062  
4 is the one with the grey car parked. And you could  
5 see that 1060 also had a gate there for parking and  
6 two concrete pads for the car. And that's the way  
7 everyone utilized that street for years and years and  
8 years.

9 CHAIRMAN HANCE: Is there a curb cut  
10 there?

11 MR. CALZARETTO: Yes, there's curb cuts  
12 too.

13 VICE-CHAIRMAN COOPER: Cause when I went  
14 down that street, it's a couple of houses, right? I  
15 understand you got a few houses with cars parked but  
16 with some houses, trees are there and they can't get  
17 into --

18 MR. CALZARETTO: Well, you don't have to  
19 use it. But from talking to residents in the area,  
20 some people say it's been that way for years, years  
21 and years. Now, you can take your little pads out  
22 and put a garden there if you wanted.

23 VICE-CHAIRMAN COOPER: No, I'm saying on  
24 the sidewalk itself, there's trees where they  
25 couldn't use the curb. They couldn't go up the curb

1 because a tree is planted there.

2 MR. CALZARETTO: Oh, they planted a tree  
3 in front of the property?

4 VICE-CHAIRMAN COOPER: The trees are  
5 actually planted on the curb that stops them --

6 MR. CALZARETTO: But there's also, a lot  
7 of the houses there have the cars parked. If you ask  
8 me why did they do that? Well, they want to  
9 eliminate congestion. It's more and more people.  
10 You got the remember these homes were probably built  
11 in the 20's and stuff like that. There weren't a lot  
12 of cars on the street.

13 MR. GOMEZ: As the actual parking like  
14 for example on this property, my tenant owns two  
15 vehicles. So when they can put one in and then they  
16 put the other one in the street. So as for the  
17 tenant, it acts like an actual parking lot.

18 CHAIRMAN HANCE: I just stated that. In  
19 this picture here, the guy with the silver -- you  
20 can't make it out cause there's a car parked right  
21 there --

22 MR. CALZARETTO: It's probably his wife.

23 VICE-CHAIRMAN COOPER: What the City is  
24 probably getting at here, have you ever seen someone  
25 park a car here and then somebody pull up on the



1 sidewalk? Now the sidewalk is not accessible. See  
2 what I'm saying? When you have this like here, if  
3 that person wanted to pull their car behind there?

4 MR. CALZARETTO: Well, we couldn't do  
5 that because we'd be blocking the right-of-way.

6 MR. GOMEZ: I've never seen that.

7 VICE-CHAIRMAN COOPER: You've never see  
8 that?

9 MR. GOMEZ: No.

10 CHAIRMAN HANCE: But the only issue we  
11 have here is, there's curb cuts here. And curb cuts  
12 means you can park in there. That's why they do a  
13 curb cut. If it was a straight curb where you got to  
14 go on top of it, this is a curb cut.

15 MR. CALZARETTO: Oh no. They've always  
16 been cut.

17 CHAIRMAN HANCE: It was built for cars to  
18 go up there.

19 MR. CALZARETTO: And I don't want to say  
20 anything even if the argument is, you know, it's a  
21 preexisting nonconforming use because if you look,  
22 these houses were there for a long, long time.  
23 People have been parking their cars there for a long,  
24 long time. And probably it became more, I guess,  
25 utilized as, you know, now everybody has their own

1 car. And back in the 40's and 50's the family had  
2 one car. And, you know, we got to change with the  
3 times, I guess.

4 MR. GOMEZ: When I consulted with the  
5 other neighbors, and I thought it was happening  
6 with -- I received a letter regarding to the permit.  
7 They were over-surprised. And they told me, no, they  
8 never received a letter from the City regarding to  
9 the parking situation. They were surprised. So I  
10 was the only person that I know of, that received a  
11 letter regarding to the parking.

12 VICE-CHAIRMAN COOPER: What did City  
13 Council --

14 MR. CALZARETTO: It's almost like spot  
15 zoning. I don't want to say anything. For only one  
16 person to get a letter, maybe they should have given  
17 everybody a letter on the street. I'm sure this has  
18 been going on for some time. But you can see that  
19 the concrete pads preexisted even his purchase of the  
20 property.

21 MR. EINGORN: What kind of letter did you  
22 receive? Do you have a copy?

23 MR. CALZARETTO: Let me see.

24 VICE-CHAIRMAN COOPER: What is No. 3,  
25 Kyle? It says: License agreement is needed for City

1 Council if Zoning Board approves.

2 MR. EINGORN: I don't --

3 MR. GOMEZ: He got a violation before  
4 this, though, and then he went to the City.

5 MR. EINGORN: Right. This is the zoning  
6 permit denial letter. This is when the -- I want to  
7 know what the City sent him that said --

8 MR. CALZARETTO: He got something from  
9 the City that said, you know -- hold on. This might  
10 be it. No, this isn't it. You got something before  
11 that. Grab that. They told him he needed a permit  
12 so he went and figured out it's just a permit issue.  
13 And then they said: No, we're denying your permit.  
14 And that's when it became a zoning matter. I don't  
15 think I have the original letter he received from the  
16 City that said he had to get a zoning permit.

17 VICE-CHAIRMAN COOPER: Sir, when you  
18 bought this house, was this double fence already  
19 here?

20 MR. GOMEZ: I'm sorry?

21 VICE-CHAIRMAN COOPER: When you purchased  
22 this house, was this double fence already there?

23 MR. GOMEZ: Yes, it was already there.  
24 That's where they use to close it up when you park.

25 VICE-CHAIRMAN COOPER: Any questions from

1 the Board?

2 MS. ALSTON: This Resolution that's in  
3 here for the Zoning, was it because he didn't come to  
4 the Zoning Board and it was denied?

5 MR. EINGORN: I'm sorry. I couldn't hear  
6 you.

7 MS. ALSTON: There's a letter, a  
8 Resolution here --

9 MR. EINGORN: So it was on the agenda for  
10 a few weeks -- few months, and we hadn't heard from  
11 anyone so we denied it without prejudice for failure  
12 to prosecute. That's all. We didn't want to deny  
13 them the right to come back, but we didn't also want  
14 them to get automatic approval. So as a courtesy, we  
15 denied it without prejudice.

16 MR. CALZARETTO: He just wanted to do the  
17 right thing and come before the Board and try to get  
18 some relief here. In that everybody, you know, on  
19 the street for the most part, are able to park two  
20 cars in front of their property.

21 CHAIRMAN HANCE: What if they have a curb  
22 cut? You can't pull your car up there. That's what  
23 a curb cut is made for.

24 MR. EINGORN: The only issue is, we can't  
25 see the curb cut in the photo.

1 MR. CALZARETTO: Can you testify that  
2 there's a curb cuts?

3 MR. GOMEZ: Yes, there's a curb cut  
4 there, yes.

5 CHAIRMAN HANCE: Now, do all the houses  
6 have curb cuts where cars are pulling up?

7 MR. CALZARETTO: Yes.

8 MR. GOMEZ: Yes, where the gates are.

9 VICE-CHAIRMAN COOPER: Not all of them  
10 cause I rode down there and not all of them have  
11 them.

12 CHAIRMAN HANCE: So certain ones have the  
13 curb cut?

14 VICE-CHAIRMAN COOPER: Yes.

15 MR. CALZARETTO: I think it was probably  
16 done years and years ago to alleviate congestion on  
17 the street. I'm not sure what the City did back  
18 then.

19 VICE-CHAIRMAN COOPER: This is 2022 that  
20 the picture was taken.

21 MR. EINGORN: I mean, if there's a  
22 preexisting curb cut, that's one thing. But I think  
23 the Board needs to see it.

24 VICE-CHAIRMAN COOPER: See it, yeah.  
25 Do we have a picture of that curb cut? Because,

1 again, when I went down there, I think the house  
2 maybe two doors down that has that tree there where  
3 they couldn't have a curb cut.

4 MR. EINGORN: Also, it looks like there's  
5 a sewer meter right here.

6 MR. CALZARETTO: Do you have a picture of  
7 it?

8 MR. EINGORN: We can't accept things on  
9 phones. The problem is, we can't keep your phone.  
10 It has to go into the record.

11 VICE-CHAIRMAN COOPER: It's getting late,  
12 right? All we need is pictures from him. Can we put  
13 him on the case.

14 MR. EINGORN: Put you on Old Business and  
15 then you come with the pictures of the curb cut --

16 VICE-CHAIRMAN COOPER: Pictures and it's  
17 a done deal.

18 MR. EINGORN: -- then we'll open to the  
19 public, close to the public and weigh on the  
20 application.

21 VICE-CHAIRMAN COOPER: Just show us the  
22 curb cut and you're good to go.

23 MR. GOMEZ: Okay.

24 CHAIRMAN HANCE: Lots and lots of  
25 pictures.

1 MR. EINGORN: Of the whole street. Take  
2 pictures up and down the street of all the cars, all  
3 the curb cuts, and the parking. And then the Board  
4 will take one look at it and they'll make a  
5 determination. Hopefully it will be real quick.

6 MR. CALZARETTO: All right. Thank you  
7 for your time.

8 MR. EINGORN: That will be heard in  
9 June. For the record, 1060 Bergen Avenue, LLC that  
10 application will be continued to the June meeting.

11 Next matter is Tony Payton, Jr., 2513  
12 Federal Street.

13 MR. EINGORN: Would you raise your right  
14 hand, please.

15 - - -

16 TONY PAYTON, JR., having first been duly  
17 sworn/affirmed, was examined and testified as  
18 follows:

19 - - -

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

22 MR. PAYTON: Tony Payton, Jr., 830 Timber  
23 Creek Lane, Wayne, PA 19087.

24 MR. EINGORN: Mr. Payton, why don't you  
25 tell us what you're here for tonight?

1 MR. PAYTON: I am here for a use variance  
2 for a retail store, a former Dollar Store, to use  
3 that as a Cannabis dispensary.

4 MR. EINGORN: The property is located on  
5 Federal Street at 2513?

6 MR. PAYTON: Yes, 2513 Federal Street.

7 MR. EINGORN: This is not within the  
8 Cannabis-related Zone?

9 MR. PAYTON: Yes. So the City when they  
10 passed their ordinance, created a couple of green  
11 zones and that area was not included.

12 MR. EINGORN: Can you tell us a little  
13 bit about what's near this building whether any  
14 sensitive uses are near by, schools, churches --

15 MR. PAYTON: No. We had a survey  
16 conducted. There's a church, I would say it's  
17 probably just about 208 feet according to the survey,  
18 away on 26th Street. Other than that, it's your  
19 typical kind of commercial corridor; the number of  
20 retail stores up in there.

21 VICE-CHAIRMAN COOPER: This used to a  
22 clothing store?

23 MR. PAYTON: It was a Dollar Store so it  
24 was Dollar Point so it was a Dollar Store that used  
25 to sell some kind of clothes. It used to be -- what



1 are those things called? Manikins out front with  
2 clothes on it. There were clothes and other  
3 knick-knacks.

4 VICE-CHAIRMAN COOPER: Rainbow?

5 MR. PAYTON: Yes. Rainbow is next door.  
6 So it's Rainbow, the former Dollar Point and then  
7 that's a -- is that a Metro PCS? I think it's a  
8 Metro PCS.

9 VICE-CHAIRMAN COOPER: I know the area.  
10 I got you now.

11 MR. PAYTON: I guess across the street is  
12 Club DuBai or DoHa.

13 VICE-CHAIRMAN COOPER: Yeah, it's a club  
14 across the street from there.

15 MR. PAYTON: I think it's Dubai, I  
16 believe.

17 VICE-CHAIRMAN COPPER: Do you own the  
18 property or are you --

19 MR. PAYTON: I have it under contract to  
20 purchase. I'll be purchasing the property.

21 VICE-CHAIRMAN COOPER: It says that it's  
22 not -- pretty they're saying it's not a permitted in  
23 that area on Federal Street.

24 MR. PAYTON: So the areas that the City  
25 included in the Cannabis Ordinance, I believe it's

1 like -- their Ordinance, I believe, is 5260. You had  
2 a university area and then downtown. And then you  
3 had a little on Mt. Ephraim as what they included in  
4 the back.

5 VICE-CHAIRMAN COOPER: That was --

6 MR. PAYTON: Those were the green zones  
7 that the City Council created.

8 MR. EINGORN: I have the Ordinance here.

9 CHAIRMAN HANCE: Didn't they extend the  
10 zone?

11 MR. PAYTON: So they've changed it a  
12 couple of times.

13 MR. EINGORN: They actually consulted my  
14 office on the wording on it. They didn't take my  
15 advice. They did put something in the affect of:  
16 Feel free to come in with a use variance application.

17 So we're outside the Cannabis Zone, the  
18 designated areas for Cannabis. There's not much here  
19 by way of proofs or other items. So this store front  
20 is in the middle of a block?

21 MR. PAYTON: Yes. It's one off of the  
22 corner. And then most of these of stores of this  
23 nature require security facilities to maintain the  
24 product in a secured capacity. What can you tell us  
25 about that?

1                   MR. PAYTON: Sure. In alignment with the  
2 CRC Guidelines, we will have -- the way that sort of  
3 your dispensary is laid out is, you have a safe room;  
4 you have a prep room where sort of your deliveries  
5 are done securely. You'll have both physical  
6 security and camera securities at ever angle inside  
7 the building.

8                   And within a couple hundred feet outside  
9 of the building, we'll have both lighting and  
10 security access control points there. Product  
11 overnight is stored in the safe which is a pretty --  
12 I think it's about 14 feet high and close to about 10  
13 feet wide. So it's a pretty big safe where all your  
14 product is stored, all of that stuff overnight.

15                  Now with Cannabis going from Schedule 1  
16 to Schedule 3, you're going to see a world of changes  
17 in that industry particularly around banking being  
18 more legalized. So it'll be less sort of cash.  
19 Right now most stores you can go and use your debit  
20 card. You'll be able to use your traditional kind of  
21 Visa, MasterCard, those kinds of things. So you'll  
22 see less cash transacted as in any retail environment  
23 now. Not many of us carry cash.

24                  MR. EINGORN: Is there rear access to  
25 this building?

1 MR. PAYTON: Yes.

2 MR. EINGORN: Is that how deliveries  
3 would take place?

4 MR. PAYTON: Yes. Deliveries would occur  
5 through the rear access at sort of designated --  
6 it'll be a designated time but they will be kind of  
7 staggered depending on delivery. So we anticipate  
8 deliveries about once a week.

9 MS. ALSTON: The dispensaries themselves,  
10 they're very highly regulated. They require a lot of  
11 security; a lot of cameras like you said and things  
12 like that.

13 MR. PAYTON: And before we would open, we  
14 would have to pass all the requirements of the New  
15 Jersey Cannabis Regulatory Commission. So it is  
16 very, very highly regulated. You have to turn over a  
17 lot of information.

18 MS. ALSTON: I'm familiar with the whole  
19 process. But I'm also familiar with that Federal  
20 Street area. And I know that they have like smoke  
21 shops and vape shops now. And I think some of the  
22 concerns and you said you did a survey, would be the,  
23 I guess, the religious institutions and the schools  
24 and making sure they're within those distance like  
25 100 feet or 200 feet; and I'm sure you've made --

1 you've checked on those.

2 MR. PAYTON: Yes.

3 MS. ALSTON: I think even if you're going  
4 to get a delivery, a Cannabis delivery, it's not  
5 going to be a boat-load of delivery where you need a  
6 whole entire truck.

7 MR. PAYTON: It may be two boxes. Most  
8 of the stuff is prepackaged and either 3 1/2 grams, 7  
9 grams or your ounces.

10 MS. ASLTON: Yes.

11 The biggest thing, I think, it's the  
12 security. But with the presence of the security  
13 team, physical and with the cameras, that helps a lot  
14 to deter any violence or anyone really trying to --  
15 and they're armed. There is required to be armed  
16 security at those locations?

17 MR. PAYTON: I believe so.

18 MS. ALSTON: Like if we're thinking about  
19 is it going to bring violent behavior; is it going to  
20 be a detriment and things like that? I do not think  
21 that's the case. And I did see, like I said, vape  
22 stores and smoke shops coming next to the Jaritza  
23 Restaurant which is like right down the street, there  
24 is a smoke shop there. Not exactly the same --

25 MR. PAYTON: I have had some

1 conversations with the councilman for that area.  
2 There is sort of an element of addiction that is out  
3 on that corridor particularly early in the morning.  
4 We talked about some plans to mitigate some of that  
5 and be proactive about and being part of the  
6 community and making sure that that element, No. 1,  
7 gets the treatment they need. Number 2, there's a --  
8 you know, we give them something to do like clean  
9 that corridor which it needs.

10 MS. ALSTON: So you said you are going to  
11 be proactive. And how do you see that?

12 MR. PAYTON: Part of it is, you got to  
13 build a relationship. So you can't address a problem  
14 without talking to the people that are causing the  
15 problem. That's sort of my approach to it. And then  
16 you figure out what people want or need. Some of  
17 them are looking for employment. And the perfect  
18 opportunity for employment would be to clean that  
19 corridor and make it safe.

20 MS. ALSTON: Now, do you have experience  
21 in this industry?

22 MR. PAYTON: I have a lot of experience  
23 in this industry. I've been in the Cannabis  
24 industry since 2017; done a lot of work for clients;  
25 now doing a lot of it myself. So I have got licenses

1 and helped people in Pennsylvania, New Jersey, New  
2 York, Connecticut, even as far as Australia.  
3 Australia is sounds far away but I've lived there for  
4 a number of years so that's why Australia. So that's  
5 how I'm familiar with Australia. I'm building a  
6 cultivation in Australia, so I have a lot of  
7 experience in the Cannabis industry. And a lot of  
8 experience with community development as I'm a former  
9 Deputy Secretary for Community and Economic  
10 Development in Pennsylvania, and a former elected  
11 official.

12 MR. EINGORN: Keep in mind that the  
13 Board's obligation is to weigh the Positive and  
14 Negative Criteria including site suitability,  
15 whether or not this particular location is suitable  
16 for this proposed use; whether or not it would impair  
17 the Zone Plan and the Zoning Ordinance. Those are  
18 the items you need to keep in mind when addressing  
19 this application.

20 So it sounds like the Board is aware of  
21 the location where this dispensary is proposed.  
22 Maybe you can chime in as to whether or not this is  
23 something that would fit with the character and  
24 nature of this part of the City. It does seem like  
25 it's a commercial corridor. It's a C-1 Zone so it

1 has that going for it.

2 VICE-CHAIRMAN COOPER: The only thing is,  
3 you really have to be proactive because that area is  
4 not the best area for something like this. There's a  
5 lot of drug activity that goes on around there within  
6 a four-block radius. If you come down towards Dollar  
7 General, you get people hanging in the parking lot.  
8 They go to sleep there. I know Cannabis don't cause  
9 that to happen but, you know, it could be a trigger  
10 for these guys to be a nuisance to you.

11 MR. PAYTON: Absolutely. And I have  
12 dealt with sort of issues like. From my elected  
13 life, I had an office underneath the L so I had an  
14 office on the 4900th block of Frankford Avenue. So  
15 it's an element that I have a lot of experience  
16 dealing with. And I have helped a lot of those  
17 people turn themselves around.

18 VICE-CHAIRMAN COOPER: So what's your  
19 hours of operation?

20 MR. PAYTON: So it would be about -- we'd  
21 open about nine to eight-ish.

22 VICE-CHAIRMAN COOPER: So eight o'clock,  
23 right, most corner stores close at eight, right.  
24 That's the Ordinance, I believe?

25 MR. PAYTON: Yes.



1                   VICE-CHAIRMAN COOPER: So you're going to  
2 be in compliance with the corner stores?

3                   MR. PAYTON: Yes.

4                   VICE-CHAIRMAN COOPER: And that store,  
5 that's all you're going to sell is Cannabis,  
6 right?

7                   MR. PAYTON: Absolutely. That's all that  
8 we are licensed to sell is Cannabis.

9                   CHAIRMAN HANCE: I'm going to back-track  
10 to the trigger that Mr. Cooper was saying. Because  
11 the sad part is, no matter where you are, it's a  
12 trigger. I mean, it's so vast that no matter with a  
13 store to the left and to the right or in Cherry Hill  
14 or Philadelphia, it's a trigger. Cause between the  
15 homelessness and the drug addicts and alcoholics,  
16 it's all a trigger.

17                                 How many liquor stores are you seeing?  
18 Just like Chinese food stores, how many do you see?  
19 They're all triggers. It's just how you deal with  
20 the situation and give back to the community. You  
21 either cushion that trigger or show them the right  
22 way. Because if somebody says, well, if you start  
23 doing marijuana then you'll try something stronger  
24 but that's not true. It's a touchy situation. But  
25 go to Parkside on Haddon Avenue at the drugstore --

1 VICE-CHAIRMAN COOPER: Miguels Pharmacy.

2 CHAIRMAN HANCE: Yes.

3 VICE-CHAIRMAN COOPER: I frequent that  
4 place -- not frequent. I went by there and seen  
5 that operation and they have a pretty good operation.

6 CHAIRMAN HANCE: They have an armed guard  
7 in there.

8 VICE-CHAIRMAN COOPER: Yes. If you can  
9 mirror your business to what they're doing there, I  
10 think it'll work.

11 CHAIRMAN HANCE: Cause like you said,  
12 four blocks they're selling drugs over there; five  
13 blocks that way they're selling drugs down there.

14 VICE-CHAIRMAN COOPER: You're not going  
15 to get around it.

16 MR. EINGORN: I don't have a say in this  
17 application, but every time you go by a beer store,  
18 there's 1,000 ads up on the wall. Every time you go  
19 by one of these stores, it's very discreet it seems.  
20 They're usually very-well presented. So least  
21 there's that.

22 MS. MERRICKS: I have a question.

23 CHAIRMAN HANCE: I make a motion that we  
24 pass.

25 MR. EINGORN: Wait. We haven't opened up

1 to the public.

2 MR. PAYTON: I believe Ms. Merricks had a  
3 question.

4 MS. MERRICKS: I just wanted to ask. Is  
5 it both recreational and medical or it's just  
6 recreational?

7 MR. PAYTON: We will serve both  
8 recreational and medical patients.

9 MR. EINGORN: I don't think New Jersey  
10 has medical. It's all recreational.

11 MR. PAYTON: New Jersey still does have a  
12 medical program. And, actually, if you have a  
13 medical card, there's discounts on the product if you  
14 have a medical card. We do still have a medical  
15 program. It's not growing as fast as it once was but  
16 we still --

17 MR. EINGORN: Understood. I don't think  
18 it's like Pennsylvania where they have --

19 MR. PAYTON: Pennsylvania is just  
20 medical. We need to get their act together and free  
21 the plant but that's a whole other --

22 MS. ALSTON: Are you in the beginning of  
23 the process? Have you secured a license from the CRC  
24 or are you just starting -- and are you going to be  
25 set up as a minority or is this going to be like a

1 standard license?

2 MR. PAYTON: So we do have a license from  
3 the CRC. We were issued a license for the CRC for a  
4 different location. Now we are moving that location  
5 to this location. We are set up as a minority  
6 business enterprise. It'll be a standard license,  
7 not micro.

8 MS. ALSTON: A standard and not micro,  
9 you said?

10 MR. PAYTON: Yes. A standard license,  
11 not a micro which means we'll have more than ten  
12 employees.

13 MS. ALSTON: And what I've seen in the  
14 past is like a lot of the employees that are hired  
15 for these positions are not necessarily people from  
16 the City of the Camden. Once you go, I guess,  
17 standard then you would -- up to 25 employees, would  
18 you have to fall under the mayor's or the City rule  
19 to report how many Camden City residents you have  
20 working?

21 MR. PAYTON: Very much so. And I've  
22 spent a lot of time in Camden over the last couple of  
23 years. This job is not rocket science. I can train  
24 people to do it and I've done it. I've trained  
25 hundreds of people to do this job. All you need to

1 do is -- the education part of it is easy. But it's  
2 really customer interface. Anybody can do that.

3 MR. EINGORN: Any other questions?

4 VICE-CHAIRMAN COOPER: None at all.

5 MR. EINGORN: Anybody in the public that  
6 would like to speak on the application of 2513  
7 Federal Street either for or against? Hearing none  
8 and seeing none, we'll close the public portion. Now  
9 is the time for the Board to weigh in on the Positive  
10 and Negative Criteria for the requested use variance  
11 and make a motion.

12 MS. ALSTON: I think it's a positive.  
13 There's nothing in the Ordinance of the Cannabis  
14 Ordinance that really says that they cannot do it. I  
15 was a part of that Ad Hoc Committee and that was a  
16 group of maybe, I don't know, 15 people. And our  
17 original recommendation was to allow the Cannabis  
18 Dispensary throughout the entire City. After that,  
19 it went towards the City, the Council and they sort  
20 of said, these areas.

21 But just knowing Federal Street, I think  
22 knowing that there's smoke shops, knowing that you  
23 have two or three liquor stores already on Federal  
24 Street. You have the club. I know that the hours  
25 are regulated. I know there's hours of operations

1 listed. And I know that as far as for the security  
2 and making sure everyone is safe, I think having the  
3 product inside and being able to buy the product  
4 inside of a dispensary, it's safer than buying out in  
5 the street where it may be wrapped or even mixed with  
6 things that it's going to hurt the person that is  
7 using it. Where, you know, these strands are being  
8 monitored from babies to when they get into the store  
9 and we know that the product is safe.

10 MR. PAYTON: They're also tested for  
11 pesticides, mold, heavy metals.

12 MR. EINGORN: Any other discussion?

13 CHAIRMAN HANCE: I'll just piggyback and  
14 say, you're right. I'd rather go into a store than  
15 go into a dark corner and purchase it because you may  
16 not come out of that dark corner. And, also, you get  
17 a sense of trust with that customer and the customer  
18 trusts you so they won't go looking somewhere else.  
19 The only thing that I see about dispensaries or  
20 stores, that they're high in price and that turns off  
21 the customer.

22 MR. PAYTON: I think you guys already  
23 helped the price part of it by approving the  
24 cultivation facility which we're about to start.

25 CHAIRMAN HANCE: Okay.

1                   MR. PAYTON: So if you control the  
2 production, you can be the lowest price provider.

3                   CHAIRMAN HANCE: I think it's a smart  
4 move.

5                   MS. ALSTON: I think the other concern  
6 is, like he said, having those people that are  
7 actually selling it illegally, sort of want to take  
8 you down like: Let's get rid of his dispensary.  
9 But I think with your background and what you have  
10 said, you've worked in areas like this in that you  
11 are prepared to come and try to offer something  
12 harmoniously that's going to work, although not  
13 everything is going to make everyone happy. And  
14 you're not coming in here with thinking it's going to  
15 be one thing and it may turn out to be another. So  
16 you've already know that this may be a problem in the  
17 future.

18                   MR. PAYTON: I've got these big ears to  
19 listen more than I talk.

20                   MS. ALSTON: Okay. Very good.

21                   MS. MERRICKS: I think it's a good idea  
22 because all the people that are, you know, succumbing  
23 to a lot of stuff that's on the street. And when  
24 you're doing like marijuana, they might get into it.  
25 I think it might save lives because of all the OD's

1 and stuff that we do have in the City of Camden; that  
2 they can get a hold of something that has been  
3 monitored. Like you said, check for mold; check for  
4 metals, heavy metals, Fentanyl, all that kind of  
5 stuff. It could be a life-saving situation.

6 CHAIRMAN HANCE: I make a motion to  
7 pass.

8 MS. ALSTON: I second the motion.

9 MR. EINGORN: We have a motion and a  
10 second. We'll take a roll-call vote. Chairman  
11 Hance.

12 CHAIRMAN HANCE: Yes.

13 MR. EINGORN: Vice-Chairman Cooper.

14 VICE-CHAIRMAN COOPER: Yes.

15 MR. EINGORN: Ms. Merricks.

16 MS. MERRICKS: Yes.

17 MR. EINGORN: Ms. Alston.

18 MS. ALSTON: Yes.

19 MR. EINGORN: Ms. Nunez.

20 MS. NUNEZ: Yes.

21 MR. EINGORN: Having five in favor and  
22 none opposed, the motion passes. Congratulations.

23 The last next matter is German  
24 Enterprises, Corp., 1626 Locust Street, unless  
25 Abraham Ituh showed up. But I don't see him.



1 MR. EINGORN: Good evening, Gentlemen,  
2 please your raise right hand, please.

3 - - -

4 PHILIP VARGAS; FRANCISCO VARGAS, having  
5 first been duly sworn/affirmed, was examined and  
6 testified as follows:

7 - - -

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

10 MR. PHILIP VARGAS: Philip Vargas, 1269  
11 Sheridan Street, Camden, New Jersey.

12 MR. FRANCISCO VARGAS: My name is  
13 Francisco Vargas and I have the same address.

14 MR. EINGORN: So here's my question. You  
15 have a corporation here.

16 MR. PHILIP VARGAS: Yes.

17 MR. EINGORN: Who owns the corporation?

18 MR. PHILIP VARGAS: That's mine.

19 MR. EINGORN: Is it 100 percent, the  
20 whole thing? Is it a limited liability company?

21 MR. PHILIP VARGAS: Yes. It's an LLC.

22 MR. EINGORN: Does it say LLC on the --

23 MR. FRANCISCO VARGAS: I have two  
24 companies.

25 MR. EINGORN: You have too many

1 companies.

2 MR. FRANCISCO VARGAS: That's my company  
3 for construction. And my enterprise for the house,  
4 personal house.

5 MR. EINGORN: You declare this on your  
6 personal taxes?

7 MR. PHILIP VARGAS: Yes.

8 MR. EINGORN: We can accept that. Let's  
9 go forward with a Cert of Nonconforming Use for a  
10 commercial with apartment.

11 MR. PHILIP VARGAS: I brought a lot of  
12 pictures showing the outside.

13 MS. ALSTON: So, Kyle, did you say: Did  
14 you declare this on your personal taxes?

15 MR. EINGORN: Yes.

16 MS. ALSTON: So corporations do not get  
17 declared on personal taxes. I'm sorry. They file a  
18 tax return on its own.

19 MR. EINGORN: But if he declares it like  
20 a sole proprietorship then --

21 MS. ALSTON: If you're a corporation,  
22 you're not a sole proprietor which would go on a  
23 Schedule C. I do taxes for a living. So a  
24 corporation actually files an 1120. So you do file a  
25 separate return. I just wanted to make sure. I'm

1 sorry, Kyle. Because I kind of heard that on the  
2 end. So you do file a corporation tax, right?

3 MR. FRANCISCO VARGAS: I'm a corporation.

4 MS. ALSTON: Right, you file the  
5 corporation tax on it too?

6 MR. FRANCISCO VARGAS: Yeah. My English  
7 not so good.

8 MS. ALSTON: Okay. Sorry.

9 MR. EINGORN: So we have a building, yes.  
10 And the building is located at 1626 Louis Street; is  
11 that correct?

12 MR. PHILIP VARGAS: Yes.

13 MR. EINGORN: Very good. He's answering  
14 with a yes. I like that. We have a couple of floor  
15 plans?

16 MS. PHILIP VARGAS: Yes.

17 MR. EINGORN: We have the photographs.  
18 Has the Board all had gotten a chance to see the  
19 photographs?

20 VICE-CHAIRMAN COOPER: Yes.

21 MR. EINGORN: Great. So tell us about  
22 your building?

23 MR. PHILIP VARGAS: Yes. My father and I  
24 are planning to extend the rear end of the building.  
25 The bottom of the garage, we want to like put it with

1 the house as parking for our personal vehicles for  
2 the company. And the second floor, he wants to  
3 extend it. But it's like, extend it but it's part of  
4 the garage as like a office space. And then in the  
5 house where it is originally, he wants the top  
6 portion as the residential, an apartment, and the  
7 bottom as a commercial, barber shop, salon.

8 MR. EINGORN: Your application is a  
9 Certification for Nonconforming Use. So you need to  
10 show us that this was a commercial on the first floor  
11 and a residential on the second floor dating back as  
12 far as you can. Do you have the ability to do that?  
13 What do you got?

14 MR. PHILIP VARGAS: Do you need pictures  
15 or?

16 MR. EINGORN: Were you here for the  
17 application where they brought the prior owner's  
18 daughter and they brought --

19 MR. PHILIP VARGAS: No. It was like a  
20 bar.

21 MR. FRANCISCO VARGAS: It was like a bar  
22 and room on the top and the bottom.

23 MR. PHILIP VARGAS: It was an apartment  
24 before on top and the first floor was a bar.

25 MR. EINGORN: Okay. It was a bar?

1 MR. FRANCISCO VARGAS: Yes.

2 MR. EINGORN: Now you want to use it for  
3 what? What do you want to put on the first floor?

4 MR. FRANCISCO VARGAS: On the first floor  
5 I make it for rent. Maybe a barber shop for me.

6 MR. PHILIP VARGAS: And for the second he  
7 wants what looks like an apartment, two-bedroom  
8 apartment.

9 MR. FRANCISCO VARGAS: With livingroom  
10 and dining room together like an open area and  
11 kitchen open area.

12 MR. PHILIP VARGAS: The rear is like --  
13 the garage, he wants to make it this side, a small  
14 area like part of -- like open with the garage.

15 MR. EINGORN: So here's what's happening.  
16 You want a commercial space on the first floor?

17 MR. PHILIP VARGAS: Yes.

18 MR. EINGORN: You want an apartment on  
19 the second floor?

20 MR. PHILIP VARGAS: Yeah.

21 MR. EINGORN: And you want to build an  
22 office above the garage where you're going to store  
23 construction materials?

24 MR. PHILIP VARGAS: No. It's like  
25 personal office because we don't have it right now.

1 MR. FRANCISCO VARGAS: I don't have  
2 office right now.

3 MR. EINGORN: So you really want three  
4 uses on this lot?

5 MR. PHILIP VARGAS: Yes.

6 MR. EINGORN: But that's not a Cert of  
7 Nonconforming Use. A Cert of Nonconforming Use is,  
8 it was previously 'X,' right? And I want to keep it  
9 as that but the Zone Ordinance changed in the  
10 interim. And I just want to confirm that I can use  
11 it for what it was used for before.

12 What you really need is a use variance  
13 for three uses on the same lot. That's really what  
14 you need. And, so, unless you want to bail on the  
15 office space and just go with the apartment and the  
16 commercial on the first floor, you're really not  
17 asking for the correct relief.

18 MS. NUNEZ: Do you understand what he's  
19 saying?

20 MR. FRANCISCO VARGAS: Not really.

21 MS. NUNEZ: Before it was used for a  
22 certain thing, right?

23 MR. PHILIP VARGAS: Yes.

24 MS. NUNEZ: So now what you're trying to  
25 do is use it for that kind thing and then something

1 else, and something else. So you need a use  
2 variance. I'm trying to explain it to them.

3 MR. EINGORN: Why don't we do this.  
4 Unless you want to abandon the office space which I  
5 don't think you want to do.

6 MR. PHILIP VARGAS: No.

7 MR. EINGORN: Then what you need to do is  
8 withdraw the application and talk to the Planning  
9 Office about what you're really looking for.

10 MR. PHILIP VARGAS: Okay.

11 MR. EINGORN: Because asking for this  
12 doesn't get you the office you want. It only gets  
13 you what you already had which was a bar and an  
14 apartment. And you don't even have the stuff here,  
15 to be honest with you, to support that determination  
16 because it's a legal -- you're making a legal  
17 argument for a Cert of Nonconforming Use. We really  
18 don't have the info for that. So really you need a  
19 use variance. Call the Planning Office and see what  
20 you need to get what and where want to go. All  
21 right?

22 MR. PHILIP VARGAS: Okay.

23 MR. EINGORN: If you need help, Mr. Vid  
24 Al is here all the time. He creates great plans. He  
25 comes here and he explains everything really well.

1 And he'll be able to explain to you what you need.  
2 So I recommend his services. You don't have to.  
3 It's just a suggestion. Seriously.

4 MR. PHILIP VARGAS: He's asking if he can  
5 maintain how it was like the apartment is just the  
6 commercial and not have the office space or the  
7 garage, can he continue with the process?

8 MR. EINGORN: Do we have the ability to  
9 show that it was commercial dating back before the  
10 zone change?

11 MS. NUNEZ: So he's saying that he not --  
12 can we disregard the part of doing the adjacent  
13 office to that building and just keep it as it is?  
14 Or is it still that he needs a use variance for what  
15 he wants to do with this?

16 MR. EINGORN: No, no. If you just want  
17 to keep it as it is and you want to ask for the Cert  
18 of Nonconforming Use, you can certainly do that. But  
19 in order to get the office space over the garage and  
20 all that, you're going to need a use variance.

21 MR. PHILIP VARGAS: Okay.

22 MS. NUNEZ: Come back with a separate.

23 MR. EINGORN: Right. This doesn't get  
24 you the office. This only gets you what you have.  
25 Can I see the picture?



1 MR. FRANCISCO VARGAS: Yes.

2 VICE-CHAIRMAN COOPER: Kyle, can I see  
3 the pictures? The pictures don't show the garage or  
4 anything.

5 MR. EINGORN: No, no. I'm not worried  
6 about the garage. Did you get a Stop Work Order?  
7 You were working and they told you to stop working?

8 MR. FRANCISCO VARGAS: I no working. I  
9 just buy it like this.

10 MR. EINGORN: You bought it like this?

11 MR. FRANCISCO VARGAS: Yes. That one is  
12 my material for my company. I no touch. Just clean  
13 it out and that's it.

14 MR. EINGORN: There's nothing left here  
15 to show that there was a bar or a commercial space.

16 MR. PHILIP VARGAS: So we need proof of  
17 that?

18 MR. EINGORN: You own this whole building  
19 or just a piece of it?

20 MR. PHILIP VARGAS: No.

21 MR. EINGORN: The whole building.

22 MR. PHILIP VARGAS: Yes.

23 MR. EINGORN: So you have these roll-ups,  
24 right?

25 MR. FRANCISCO VARGAS: That's for the

1 door for the second floor, this door.

2 MR. EINGORN: For the apartment?

3 MR. FRANCISCO VARGAS: For the apartment.

4 MR. EINGORN: And the front is right here  
5 and one on the back.

6 MR. EINGORN: And here, is there a  
7 large --

8 MR. FRANCISCO VARGAS: That's for the  
9 glass. Front window.

10 MR. PHILIP VARGAS: That used to be the  
11 window.

12 MR. EINGORN: The front window?

13 MR. PHILIP VARGAS: Yes. It has one on  
14 the front and one on the side.

15 MR. EINGORN: So now we're getting  
16 somewhere. So we have a little something based upon  
17 the pictures to show because generally a house  
18 doesn't have a large window with a roll-up door in  
19 front of it. So like I said, if you want to go  
20 forward tonight --

21 MR. FRANCISCO VARGAS: This is for the  
22 front.

23 MR. EINGORN: That's much more helpful.

24 VICE-CHAIRMAN COOPER: I've been by  
25 there. I definitely went by there.

1           MR. EINGORN: So the question is, do you  
2 want to go forward with what you already have to get  
3 the permit.

4           MR. FRANCISCO VARGAS: It's better for me  
5 to finish this -- to continue to work. You approve  
6 like that, give me like that.

7           MR. EINGORN: Okay. And then you can  
8 always come back and ask for the use variance later.

9           MR. FRANCISCO VARGAS: Okay.

10          CHAIRMAN HANCE: So that means you're not  
11 going to get the office.

12          MR. FRANCISCO VARGAS: No.

13          MR. EINGORN: You just get what you have  
14 which would be commercial and residential.

15          CHAIRMAN HANCE: So you can come back and  
16 apply.

17          MR. EINGORN: So it has been in this  
18 configuration since you bought it.

19          MR. FRANCISCO VARGAS: Yes.

20          MR. EINGORN: And do you know how old the  
21 building is?

22          MR. FRANCISCO VARGAS: I buy it in 2019.

23          MR. PHILIP VARGAS: He bought in 2019.  
24 He's not sure old.

25          MR. EINGORN: And it has been in the same

1 condition since you bought it in '19'?

2 MR. FRANCISCO VARGAS: I buy in 2019.

3 VICE-CHAIRMAN COOPER: Now, you put the  
4 gates up?

5 MR. FRANCISCO VARGAS: Oh, and the gates.

6 MR. PHILIP VARGAS: The security gates.

7 VICE-CHAIRMAN COOPER: Like I said, I've  
8 been through there and I seen what you guys have been  
9 doing with the property. You cleaned up the front of  
10 it and everything.

11 MR. FRANCISCO: Do you see the fence?  
12 Is nothing here. That garbage is all the way back.  
13 I clean it out and I put the fence. For now when  
14 they go to church it's more garbage that somebody  
15 throws. It's no repair. There is no respect; no  
16 nothing.

17 MR. EINGORN: So the applicant is mainly  
18 the office space.

19 MS. NUNEZ: So where is the office space  
20 going to be? Here?

21 MR. FRANCISCO VARGAS: Yes. The top of  
22 the garage. That would sit on the top of the garage.

23 MS. NUNEZ: So you would have build up.

24 MR. FRANCISCO VARGAS: The door is right  
25 here. I pull right here. Not together. The door

1 is here. Is separate door.

2 MR. EINGORN: So you have an application  
3 for a certification of nonconforming use for  
4 commercial on the first floor and apartment on the  
5 second floor. It looks like based upon the  
6 configuration of the building itself, that that's how  
7 this was. If the Board has any additional knowledge  
8 related to this, it's probably helpful making a  
9 determination.

10 VICE-CHAIRMAN COOPER: Again, I've been  
11 by this property. He's cleaned it up. He put the  
12 steel doors on it to keep people out of it. And it  
13 has been a commercial use on the first floor back at  
14 least when it was Polak Town.

15 MR. FRANCISCO VARGAS: Yes, that's Polak  
16 Town.

17 VICE-CHAIRMAN COOPER: It used to be a  
18 commercial. I don't know what it was. I can't  
19 recall but I know it was commercial. I'm sorry.  
20 It's the Whitman Park Section maybe. Is that better?  
21 Sorry. Again, I think it's a good thing that they're  
22 doing with this property here when you're trying to  
23 bring back a structure that's been dilapidated for a  
24 few years now.

25 MR. EINGORN: From the photographs it

1 doesn't appear to be exactly what they're claiming it  
2 is. Anybody in the public want to be heard, for or  
3 against.

4 MR. FRANCISCO VARGAS: Nobody here.

5 MR. EINGORN: I got to do it anyway. I  
6 Hearing none, I'll close the public portion.

7 The applicant came for a Cert of  
8 Nonconforming Use and appears that the building is a  
9 commercial first floor with an apartment on the top.  
10 The Board can do a quick discussion and a motion.

11 CHAIRMAN HANCE: I think it's great that  
12 Camden is slowly but surely coming back to ownership  
13 and people are proud to be here. So I think it's a  
14 great idea to bring that piece of land back.

15 VICE-CHAIRMAN COOPER: Piggybacking on  
16 the Chairman there, it's a great thing that you guys  
17 are willing to come into the community and rehab some  
18 of these older properties. I make a motion to  
19 accept.

20 CHAIRMAN HANCE: Second.

21 MR. EINGORN: I'll take a roll-call vote.  
22 Chairman Hance.

23 CHAIRMAN HANCE: Yes.

24 MR. EINGORN: Vice-Chairman Cooper.

25 VICE-CHAIRMAN COOPER: Yes.

1 MR. EINGORN: Ms. Merricks.

2 MS. MERRICKS: Yes.

3 MR. EINGORN: Ms. Alston.

4 MS. ALSTON: Yes.

5 MR. EINGORN: Ms. Nunez.

6 MS. NUNEZ: Yes.

7 MR. EINGORN: Having five in favor and  
8 none opposed, the motion passes.

9 You got a Cert of Nonconforming Use. You  
10 can go for your permits for what you have. But if  
11 you want more, you got to come back.

12 MR. PHILIP VARGAS: Yes.

13 MR. EINGORN: Thank you very much. It  
14 was nice meeting you both.

15 We have Adoption of Resolutions for  
16 March: Granting Use Variance Approval for Melanie  
17 Garcia, NS Sherman 60 E. 28th Street. That was the  
18 parking lot with auto garage.

19 Granting Interpretation for Benson  
20 Investments, LLC, 620, 622, 624 & 632 Benson Street.  
21 Those were the townhouses across from Cooper.  
22 Everybody can vote on those except Ms. Nunez. Do we  
23 have a motion to adopt the March Resolutions.

24 CHAIRMAN HANCE: I make a motion to  
25 adopt.

1 MR. EINGORN: Do we have a second?

2 VICE-CHAIRMAN COOPER: 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: Ms. Merricks.

9 MS. MERRICKS: Yes.

10 MR. EINGORN: Ms. Alston.

11 MS. ALSTON: Yes.

12 MR. EINGORN: So moved.

13 Then for April we have the Wash Clean  
14 Sun, Incorporated, 80 S. 27th Street. That was the  
15 Cert of Nonconforming Use for the laundromat.

16 Granting Bulk Variance Approval for  
17 Katrina Fountain, 442 N. 38th Street. Chairman  
18 Hance, Vice-Chairman Cooper and Ms. Alston can vote  
19 on this

20 Do we have a motion to adopt?

21 VICE-CHAIRMAN COOPER: Motion to adopt.

22 MR. EINGORN: Do we have a second?

23 MS. ALSTON: Second.

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

25 Chairman Hance.



1 CHAIRMAN HANCE: Yes.

2 MR. EINGORN: Vice-Chairman Cooper.

3 VICE-CHAIRMAN COOPER: Yes.

4 MR. EINGORN: Ms. Alston.

5 MS. ALSTON: Yes.

6 MR. EINGORN: So moved. Lastly, we need  
7 a motion to adjourn. Do we have a motion to adjourn?

8 CHAIRMAN HANCE: Motion to adjourn.

9 MR. EINGORN: A second?

10 MS. ALSTON: So moved.

11 MR. EINGORN: All in favor?

12 THE BOARD: Yays.

13 MR. EINGORN: So moved. Have a good  
14 night.

15 - - -

16 (\*\*Meeting concluded at 9:30 p.m.\*\*)

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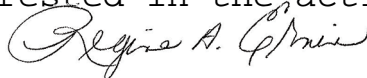
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12 forth.

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  
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	<b>accommodating (1)</b> 13:15	<b>adopt (6)</b> 4:23,25; 158:23,25;159:20,21	<b>allowing (2)</b> 97:8; 108:21	84:4,16;89:18;90:1; 92:9;93:21;96:8; 145:10;147:6,23; 148:7,8,18;149:15; 150:14;151:5;153:2, 3;156:4;157:9
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<b>\$300 (1)</b> 99:25	<b>accordingly (1)</b> 5:19	<b>advertisements (1)</b> 17:21	<b>along (2)</b> 10:7;80:1	65:16;66:8;70:2,7, 23;71:2,7,8;72:3,10, 24;74:16;75:19,20; 76:13;77:22;91:18; 92:1;98:16,25;99:7; 100:2
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