

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

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*Transcript of Meeting*  
*November 4, 2024*

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ZONING BOARD  
CITY OF CAMDEN

- - - -

Monday, November 4, 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 commencing at 5:59 p.m.

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

- DARNELL HANCE, CHAIRMAN
- KAREN MERRICKS
- MARITZA ALSTON
- GARY STILL
- TAMEEKA MASON

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
- DENA MOORE JOHNSON, P.E., C.M.E., BOARD ENGINEER
- REMINGTON & VERNICK ENGINEERS

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1                   CHAIRMAN HANCE: Good evening ladies and  
2 gentlemen. Welcome to the City of Camden Zoning  
3 Board of Adjustment regular scheduled meeting  
4 November 4, 2024.

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

10                  MR. EINGORN: Chairman Hance.

11                  CHAIRMAN HANCE: Here.

12                  MR. EINGORN: Vice-Chairman Cooper.

13 Absent. Ms. Merricks.

14                  MS. MERRICKS: Present.

15                  MR. EINGORN: Ms. Alston.

16                  MS. ALSTON: Here.

17                  MR. EINGORN: Ms. Nunez. Absent.

18 Mr. Still.

19                  MR. STILL: Present.

20                  MR. EINGORN: Ms. Rivera. Absent.

21 Ms. Mason.

22                  MS. MASON: Present.

23                  MR. EINGORN: Adoption of Minutes from  
24 October 2024. Do we have a motion to adopt the  
25 Minutes for October 2024?

1                   CHAIRMAN HANCE: I make a motion that we  
2 adopt.

3                   MR. STILL: Second.

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

6                   CHAIRMAN HANCE: Yes.

7                   MR. EINGORN: Ms. Merricks.

8                   MS. MERRICKS: Yes.

9                   MR. EINGORN: Ms. Alston.

10                  MS. ALSTON: Yes.

11                  MR. EINGORN: Mr. Still.

12                  MR. STILL: Yes.

13                  MR. EINGORN: Ms. Mason.

14                  MS. MASON: Yes.

15                  MR. EINGORN: All in favor, the motion  
16 passes.

17                  We have a few items for the agenda before  
18 we get started on the actual agenda. There's three  
19 applications that had deficient notice. If you're  
20 here for any of the three applications, they will not  
21 be heard tonight. The first one is regarding 430  
22 Chambers Avenue. Notice was deficient; it will not  
23 be heard. If you're here for that, you can go home.  
24 504 Walnut Street. Notice was deficient for that as  
25 well. And 101 N. 21st Street, again, notice was

1 deficient. Those applications will not be heard.

2 The application for 1470 Princess Avenue  
3 has been granted an adjournment. This is notice of  
4 that adjournment. If you're here tonight for 1470  
5 Princess Avenue, it will not be heard. It will be  
6 heard at the December meeting. This is the final  
7 notice. There will be no further public notice for  
8 that application.

9 The first matter on the agenda is Old  
10 Business, Abraham Ituah, 400 Jackson Street. Is he  
11 here tonight? Not present.

12 New Business: Rachele Aceto, 2115 Mt.  
13 Ephraim Avenue. You will be first, though.

14 MS. ACETO: Present.

15 MR. EINGORN: Camden County Historical  
16 Society, 75 Erie Street.

17 MR. CHWASTYK: Present.

18 MR. EINGORN: Macedonia Baptist Church  
19 812-814 Kaighn Avenue.

20 MR. PLATT: That's ready.

21 MR. EINGORN: Good evening, Counsel.  
22 Real Portfolio 12, LLC, 509 Rand Street.

23 MR. PLATT: That's ready.

24 MR. EINGORN: Buckanor's Property  
25 Management, LLC, 1532 Baird Blvd.

1 MS. JAMES: Here.

2 MR. EINGORN: Good evening.

3 Marciel Green, 1576 Mt. Ephraim Avenue.

4 MR. GREEN: Here.

5 MR. EINGORN: Henstar Homes, LLC, 2770  
6 Thompson Street.

7 MR. IZZO: Here. Ready.

8 MR. EINGORN: Good evening, Mr. Izzo.  
9 Keith Jackson, 515 State Street.

10 MR. JACKSON: Present.

11 MR. EINGORN: Good evening, sir.

12 Without further adieu, let's take Rachele  
13 Aceto, 2115 Mt. Ephraim Avenue.

14 MR. McBRATNIE: Good evening, Members of  
15 the Board, my name is Sean McBratnie and I represent  
16 the applicant, Rachele Aceto, owner of 2115 Mt.  
17 Ephraim Avenue, Block 588, Lot 5. Today we're here  
18 for an application for a Certificate of  
19 Non-Conformity. Before I begin presentation of the  
20 application, I believe I was informed that if the  
21 Board would like photographs of the premises, is it  
22 okay if I distribute copies of those photos at this  
23 juncture?

24 MR. EINGORN: Sure. While you're doing  
25 that, we'll swear your witness in.



1 MR. McBRATNIE: Yes.

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

4 - - -

5 RACHELE ACETO, 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 MS. ACETO: Rachele Aceto, 756 School  
12 Lane, Folcroft, Pennsylvania 19032.

13 MR. McBRATNIE: I would just like to kind  
14 of give a brief overview of our presentation. First  
15 of all, we're seeking a Certificate of  
16 Non-Conformity. My client has owned this bar/liquor  
17 store for decades. And there was an incident with a  
18 fire and there were some issues with her and her  
19 insurance company, whether or not she was allowed to  
20 access the premises to continue the repairs.

21 Today we are trying to present proofs  
22 before the Board that my client never abandoned the  
23 use of the premises which is why we're seeking the  
24 relief of a Certificate of Non-Conformity. The  
25 exhibits I provided in our Affidavit of Service

1 package, show that my client for 2021 through 2025  
2 has been renewing her liquor license at this place.  
3 She's been consistently doing that, as well as the  
4 Zoning Board has also provided her with a use  
5 variance permitting the grant of the use of a liquor  
6 store from October 27, 2020.

7           Again, in December 10th of 2024, it was  
8 understood as a non-conforming use since 2010. So  
9 today my client will be providing testimony and  
10 answering questions that there was no abandonment of  
11 the use. It was merely, she was waiting for her  
12 insurance paperwork to shake out so she could  
13 continue construction on repairing the  
14 slight damage that was done to the property.

15           So Ms. Aceto, please state when you first  
16 had the bar?

17           MS. ACETO: This has been in the family  
18 since 1988. My father bought it, I believe it was  
19 November 1, 1988. After he passed away, I purchased  
20 it from his estate in -- he passed away in 2013. I  
21 believe it was 2014 when everything was finalized.

22           MR. McBRATNIE: Can you tell the Board  
23 what happened in October of 2022?

24           MS. ACETO: We had a fire in December  
25 2022.

1                   MR. McBRATNIE: Could you tell the Board  
2 just about the fire.

3                   MS. ACETO: The fire of the business  
4 happened on December 26 of 2022. I was called in the  
5 middle of the night telling me that there was a  
6 fire. First they thought it was a break-in because  
7 my alarm system had went off. I went over to the  
8 business and found -- by the time I got there, the  
9 fire was put out. I went inside the building and  
10 looked inside and it was damaged from smoke damage  
11 mostly. But there was some fire damage to the actual  
12 end of the bar that we were going to replace. And  
13 hopefully get it up and running.

14                  MR. McBRATNIE: Can you explain to the  
15 Board the process of your insurance claim and the  
16 delays that the adjuster caused?

17                  MS. ACETO: Yes. I had hired the  
18 adjuster that night because I had to obviously get it  
19 boarded up. And I had went to him -- we were going  
20 back and forth with the insurance company. And the  
21 gentleman, his name was Todd, he called me up in, I  
22 believe, it was April of 2023 and said to me: You  
23 cannot go into your building; we're investigating.  
24 So I said, okay, I will not go to the place. I'll  
25 stay out of it. I said to him, you were going to

1 call me and let me know. He said: Don't go in that  
2 building; I will call you; I will let you know when  
3 you're allowed in. I said, okay. I had repeated  
4 this with him like three times.

5 His mother had went into Hospice so he  
6 said it was going to take a little while. So I said,  
7 all right; fine; just let me know so I can get  
8 everything done. And then I had not heard from them  
9 the entire year. I had gotten in touch with my  
10 adjuster every month a couple of times; called;  
11 texted, what's going on; when am I going to be  
12 allowed in my building; when am I going to be allowed  
13 in my building?

14 Finally, I don't know if there's a copy  
15 of the letter I had sent to him at the one-year mark  
16 saying: It has been a year; when am I going to be  
17 allowed into my building? This is outrageous. So  
18 that's when I found out that I'm allowed in the  
19 building. And then I found out about the zoning  
20 problem. I was totally taken back.

21 MR. McBRATNIE: Which is what brought us  
22 here today. Because of this story, it's clear that  
23 the applicant has been trying very vigorously and  
24 diligently to correct the issues so she can continue  
25 operating this business. I'll entertain any new

1 questions from the Board for my client to answer.

2 And that is our application.

3 MR. EINGORN: Any questions?

4 MS. ALSTON: Yes. This was always a  
5 bar?

6 MS. ACETO: It has been a bar and a  
7 liquor store, as far as I know, since it was granted  
8 its original license. We've had it as a bar and  
9 liquor since 1988. Before us it was Ed Carey had it.  
10 He had it for ten years and it was a bar and a liquor  
11 store. Then before that it was Chubby, and I don't  
12 know what Cubby's last name was, a bar and a liquor  
13 store. And I think in the 50's it was some Italian  
14 family. I don't know who they were but they were the  
15 original owners. And at the time it was a called  
16 Lou's Tavern. And I understand, but, again, don't  
17 quote me on this one, that it was a bar and a liquor  
18 store at the time at that point. But I know at least  
19 for the last 50 years, it has been a bar and a liquor  
20 store.

21 MS. ALSTON: Was it open under you as a  
22 bar and liquor store?

23 MS. ACETO: Yes.

24 MS. ALSTON: And on the application it  
25 just says it is selling alcohol beverages, soda,

1 water but then you have food also.

2 MS. ACETO: What would happen is  
3 sometimes I would have parties. So I would have a  
4 little catering thing for the party. I didn't  
5 actually have like a restaurant-sort of situation. I  
6 mostly did the bar and the liquor store. But I had  
7 snacks, selling the peanuts. You need to have the  
8 retail food license selling peanuts, chips so I had  
9 all those licenses to make sure that any time I did  
10 sell any kind of food, I had the license for it.

11 MR. EINGORN: Any other questions?

12 MS. ALSTON: No. I was waiting for the  
13 Chairman because he always has some history.

14 CHAIRMAN HANCE: No questions.

15 MR. EINGORN: Anybody in the public here  
16 tonight that like to be heard on the application  
17 related to 2115 Mt. Ephraim Avenue, an application  
18 for a Cert of Non-Conforming Use? Seeing and hearing  
19 none, we'll close the public portion.

20 The Board has heard testimony regarding  
21 the bar and liquor store preexisting for the last 50  
22 years. The issue related to the insurance and the  
23 non-abandonment of the use. Now is the time for the  
24 Board to do a discussion. This is a Cert of  
25 Non-Conforming Use. So it's not a Positive and

1 Negative Criteria. The issue is whether or not the  
2 use predated the Zoning Ordinance. It looks like the  
3 evidence does support that. So a quick discussion  
4 and a motion.

5 CHAIRMAN HANCE: Okay. I'm familiar with  
6 the bar and liquor store. Actually, I grew up in  
7 that area and as far as I know, it has always been a  
8 bar and a liquor store. If you blink, you'll drive  
9 right past it. Right next to it is a florist which  
10 is where I always get my Christmas tree from and my  
11 flowers. But I can say that I haven't heard any bad  
12 complaints about it. It's always clean. As far as I  
13 know, it's been a liquor store and bar.

14 MR. EINGORN: Quickly for the record, the  
15 applicant did provide a packet containing multiple  
16 photographs and a floor plan. We'll mark that packet  
17 Exhibit A to the application. Any other discussion  
18 or motion?

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

21 MR. STILL: Second.

22 MR. EINGORN: Great. A motion and a  
23 second. We'll take a roll-call vote. Chairman  
24 Hance.

25 CHAIRMAN HANCE: Yes.

1 MR. EINGORN: Ms. Merricks.

2 MS. MERRICKS: Yes.

3 MR. EINGORN: Ms. Alston.

4 MS. ALSTON: Yes.

5 MR. EINGORN: Mr. Still.

6 MR. STILL: Yes.

7 MR. EINGORN: Ms. Mason.

8 MS. MASON: Yes.

9 MR. EINGORN: Five in favor and none  
10 opposed, the motion passes. Congratulations.

11 MR. McBRATNIE: Thank you very much.

12 MS. ACETO: Thank you. Have a wonderful  
13 night.

14 MR. EINGORN: You too.

15 The next matter is Camden County  
16 Historical Society, 75 Erie Street.

17 MR. EINGORN: At this time, I will swear  
18 in Dena.

19 - - -

20 DENA MOORE JOHNSON, P.E., C.M.E., having  
21 first been duly sworn/affirmed, was examined and  
22 testified as follows.

23 - - -

24 MR. CHWASTYK: Good evening, Members of  
25 the Board. I am Anthony Chwastyk. I represent the



1 applicant, Camden County Historical Society for the  
2 property at 75 Erie Street, Block 1, Lot 1 of the  
3 City of Camden. We're making repairs and  
4 improvements to a house constructed at 1734. We  
5 intend to use it as a historic museum and community  
6 meeting space.

7           Tonight we have three requests, a "d(1)"  
8 use variance; a minor site plan approval; and relief  
9 from four area and bulk requirements. So that would  
10 be lot area, minimum lot width, minimum building  
11 height, front yard setback. We'll get into much more  
12 detail as the application proceeds.

13           With me tonight is the executive director  
14 of the Camden County Historical Society, Dr. Jack  
15 O'Byrne. Chris Perks, who is the president of the  
16 Board of Trustees. He's also a professional planner.  
17 Our principal architect will not be here, but James  
18 Giresi is the project architect from Clarke Caton &  
19 Hintz. I guess if you want us to get sworn in now  
20 or?

21           MR. EINGORN: What we usually do is, we  
22 swear everybody in now. That way, when they come up  
23 to testify, they're already sworn in. And if you  
24 have professionals, we can voir dire when they come  
25 up. That's perfect.



1 on Poynt, the Benjamin Cooper House and Ferry  
2 Cooper's Poynt, Camden, New Jersey. We'll mark those  
3 Exhibit A, B & C respectively.

4 MR. CHWASTYK: So I'm going to call  
5 Jack O'Byrne to give a brief a introduction to the  
6 project.

7 DR. O'BYRNE: The Benjamin Cooper house  
8 is the most famous historical property in Camden.  
9 This is Block 1, Lot 1 but it's only a small section  
10 of it, one-third of an acre around what is the  
11 Benjamin Cooper House. It predates the grid pattern  
12 of the City. So the back end of the building abuts  
13 into the sidewalk and actually into the street.

14 The Benjamin Cooper House was occupied by  
15 the British four times during the American Revolution  
16 War. It was the headquarters for the Forging War.  
17 When the British occupied Philadelphia, they needed  
18 to get their food from South Jersey so this was their  
19 headquarters for forging throughout South Jersey.  
20 There was even a skirmish there on March 3, 1778 with  
21 two American generals attacking the British. So it's  
22 a very historic house. We've been stabilizing the  
23 building per state code.

24 We're now putting in the windows to seal  
25 the exterior but there are no utilities in the

1 building. We've only stabilized it. If we didn't do  
2 that, it would be probably a ruin just like the  
3 Joseph Cooper House in Pyne Poynt is right now. So  
4 we've saved the structure of the building and now we  
5 want to move forward with finishing it by July 4,  
6 2026. The use is, we're going to call this the  
7 American Revolution Museum of Southern New Jersey  
8 talking about the overshadowed battles, skirmishes,  
9 important people and the promise of equality in the  
10 Declaration of Independence. Thank you.

11 MR. CHWASTYK: Before you step down, we  
12 presented a poster board with four pictures on it.  
13 Could you just describe to the Board what the  
14 pictures are?

15 DR. O'BYRNE: Certainly. This is the  
16 Erie Street. You're looking at the back of the  
17 original building which was the tavern and the  
18 rooming houses. This has had so many different lines.  
19 The original building is from 1734. It was a house  
20 for a ferry landing and later became also a tavern;  
21 later a rooming house; and then it was the  
22 headquarters for Camden Ship Repair. And then since  
23 the early 80's it has been abandoned.

24 This is looking west on Erie Street. You  
25 can see how we have scaffolding and we're putting in

1 the new windows. This is looking northeast. You can  
2 see the older oxidized stone of the original  
3 building. And this is by the entrance, you could see  
4 there's an existing sign there which we put up.  
5 We're asking for a variance.

6 MR. CHWASTYK: Great. Thank you, Jack.  
7 I'd like to move this into evidence as Exhibit D.  
8 Now we'll go through the letter that was provided by  
9 the City Engineer. And for that I have Chris  
10 Perks.

11 MR. EINGORN: Zoning Board Engineer.

12 MR. CHWASTYK: Zoning Board Engineer.  
13 Did I say Planning Board Engineer?

14 MR. EINGORN: You said City Engineer.

15 MR. CHWASTYK: I'm sorry. The Zoning  
16 Engineer.

17 MR. EINGORN: We can't speak for the City  
18 Engineer.

19 MR. CHWASTYK: Correct. Thank you,  
20 Counsel.

21 MR. PERKS: Just to clarify what Jack  
22 mentioned. This little pamphlet here tells the whole  
23 history of the house during the American  
24 Revolutionary War. This other booklet here, tells  
25 the entire history of the house starting with

1 William Cooper's arrival in 1689. And then this is  
2 actually his grandson who built this house in 1734.  
3 The house is 390 years old -- 290 years old. It's  
4 old. But you might find, it's not just the  
5 Revolutionary War but that area was really important  
6 to the ship building industry in the 1800's and early  
7 20th Century.

8           So as Jack mentioned, we're renovating  
9 the house for use as a house museum and community  
10 center. And our emphasis is to try to get it open  
11 by the time for the 250th anniversary of the American  
12 Revolutionary War. In order to do that, as Jack  
13 mentioned, that scaffolding is stabilization on the  
14 exterior, windows and the outer envelope. And then  
15 in order to move into the interior and repair the  
16 interior and add the systems like the HVAC, water  
17 and sewer where we'll need a building permit from the  
18 City's Building Department and we'll need zoning  
19 approval for that. That's why we're here before you  
20 tonight.

21           This exhibit on the end here shows the  
22 location in relation to the G-2 Zone. Our main  
23 request is for a use variance because a house museum  
24 is not a permitted use in the G-1 Zone. You see the  
25 boundary there. This is Erie Street; a community

1 center; the Pyne Poynt Park; the high school;  
2 the other school here; and what was formerly Weeks  
3 Marine here on the corner; and then this industrial  
4 park here off of 2nd Street. So the house is located  
5 here between Front Street and Point Street. That's  
6 this site today.

7 So I'm prepared to go through the letter  
8 with Dena and address all of the use, the bulk and  
9 area requirements and the performance standards.

10 MR. CHWASTYK: And if we could enter this  
11 poster board showing the overlay of the zoning  
12 districts in relation to the location of the house as  
13 Exhibit E. Thank you.

14 MS. MOORE: Chris will be putting on the  
15 planning testimony too. Do you need to qualify him?

16 MR. EINGORN: Yes.

17 MR. CHWASTYK: We would, yes.

18 MR. PERKS: So this is the site plan  
19 sheet from the drawings that were submitted.

20 MR. EINGORN: Mr. Perks, I believe you've  
21 been qualified by this Board before but if you could  
22 just give us a quick summary of your credentials.

23 MR. PERKS: I'm representing the Camden  
24 County Historical Society as the president of the  
25 Board of Trustees tonight, but I'm also a licensed

1 professional engineer, licensed professional planner.  
2 I've appeared before the Camden Planning Board  
3 probably over two dozen times and have appeared  
4 before this Zoning Board probably five or six times  
5 on use variances.

6 MR. EINGORN: And you'll be providing  
7 some planning testimony tonight?

8 MR. PERKS: Yes.

9 MR. EINGORN: Very good.

10 MR. PERKS: I shall.

11 MR. EINGORN: The Board is satisfied.

12 MR. PERKS: I've summarized my testimony  
13 remarks in a zoning analysis which I have multiple  
14 copies. If you want me to enter it, I could give you  
15 one or ten.

16 MR. EINGORN: That's fine. I just wanted  
17 to qualify you as an expert so that we have that for  
18 the record.

19 MR. PERKS: Well, I have a license.

20 MR. EINGORN: I know.

21 MR. PERKS: I have a driver's license  
22 too.

23 MR. EINGORN: We just need it of the  
24 record. That's all.

25 MR. PERKS: Do you need any more on the



1 qualifications?

2 MR. EINGORN: That's fine.

3 MS. MOORE: I'll go right to the letter.

4 So Mr. Chairman, I'm referring to  
5 Remington & Vernick's letter dated August 30, 2024.  
6 Starting on page 2, Sheet 1 of 1 here your existing  
7 Conditions Plan. You'll have that signed and sealed?

8 MR. PERKS: We shall.

9 MS. MOORE: Okay. Page 2, 3 mention,  
10 according to the Area & Bulk Requirements, they  
11 mention the zoning requirements, the fact as you  
12 stated, the proposed museum is not a permitted  
13 principal use in the GI-1 Zone per Section 870-92.  
14 That's why a "d(1)" use variance is necessary.

15 Moving on to the Area & Bulk  
16 Requirements, I do have 'To Be Determined' for these  
17 proposed and actually the status also. But you  
18 mentioned some of the bulk requirements. So I'm  
19 assuming you went through some of these conformed.  
20 Can you just tell me which ones you would be  
21 requesting a variance for tonight?

22 MR. PERKS: Commenting very rapidly on  
23 those for which we are seeking relief, one, the lot  
24 area. The entire parcel of Block 1, Lot 1, if I  
25 orient this north, this is the entire parcel that

1 we're talking about. It's 17 acres but most of it is  
2 under water. The portion of this that is not under  
3 water is 12 acres. But the house is on the front of  
4 Erie Street and we have -- we are not the owner. We  
5 have a 30-year lease with the owner and the lease is  
6 depicted by this line. It's approximately one-third  
7 of the property.

8                   So what we're doing is, we're treating  
9 that lease area as if it was the boundary of our lot.  
10 And that's what makes it non-conforming for some of  
11 these area and bulk requirements. If we were  
12 submitting with the entire parcel, three of these  
13 area and bulk requirements would go away, because  
14 we'd have more than enough. But I'll just briefly  
15 touch on the ones that we are asking for.

16                   One is lot area. Forty thousand square  
17 feet is required in the zone. We only have 14,059.  
18 And, again, that's because that is the size of our  
19 lease area which we're treating as a lot for the  
20 consideration of these standards.

21                   MS. MOORE: What's the number you have?  
22 I'm sorry.

23                   MR. PERKS: Lot area?

24                   MS. MOORE: Fourteen thousand?

25                   MR. PERKS: Fourteen thousand and

1 fifty-nine square feet or .323 acres.

2 MS. MOORE: Okay.

3 MR. PERKS: The next one is minimum lot  
4 width. The requirement is 200 feet. Again, we could  
5 meet that if we were counting the whole lot but the  
6 area that we have the lease for is only 100 feet and  
7 so we're seeking relief on that. The minimum  
8 building height in the zone is 2-story or 30 feet.  
9 Of course, we have an existing building and there is  
10 an addition that was made in 1915 by the ship company  
11 that was there at the time. And so that portion of  
12 the building is only a one-story building at 14 foot,  
13 6 inches which is not high enough for the minimum  
14 building height.

15 The last and fourth one that we're  
16 seeking relief on is the front yard setback which is  
17 25 feet in the zone. As Jack indicated, and you can  
18 see from this site plan, the existing building  
19 actually extends out into the right-of-way of Erie  
20 Street. And the curb line of Erie Street  
21 which is made out of granite and probably installed  
22 in the late 1800's is set right up against the corner  
23 of the building. So we have zero setback. And we're  
24 seeking relief on that requirement.

25 MS. MOORE: And your testimony, you'll

1 preference some of the use variance comments that  
2 I have listed on pages three and four?

3 MR. PERKS: The use variance comments?

4 MS. MOORE: Yes.

5 MR. PERKS: I can go through them now.

6 MS. MOORE: So let's go to page 4 and the  
7 Performance Standards. Under Streets: Depending on  
8 the extent of the trench repair necessary for the  
9 utility connections, pavement restoration along Erie  
10 Street may be required from curb to curb.

11 MR. PERKS: And we'll comply with that.

12 MS. MOORE: Off-Street Parking and  
13 Loading: Per Section 870-230.F, the proposed use  
14 shall have 1 parking space per each 4 seats in rooms  
15 for public assembly or 1 parking space for each 50  
16 square feet of gross floor area for use by the  
17 public, whichever is greater, plus 1 parking space  
18 of each 2 employees on shift of largest employment.

19 The submitted plans do not address  
20 parking on-site. Testimony should be provided as to  
21 how off-street parking will be accommodated for the  
22 proposed use, and the site plan should be revised to  
23 delineate the location and number of proposed parking  
24 spaces. Proposed parking should comply with all  
25 applicable design and zoning requirements unless

1   waivers, which actually the parking it would be  
2   variances, are requested.

3                   MR. PERKS:   There will not be any  
4   on-site parking similar to the existing historical  
5   society buildings at 1900 Park Blvd. on the corner of  
6   Euclid Street.   We have three buildings there.   One  
7   of them is a historic building, built in 1726.   The  
8   other three were built in the 60's but that's where  
9   the main activities of the Camden County Historical  
10   Society take place, which is also the Historical  
11   Society for the City.   And we do not have any  
12   on-site parking.

13                   Visitors park in the street and we  
14   entertain visitors up to, I think, hundred at a time  
15   is the maximum occupancy of our meeting room at that  
16   facility.   At this facility we will have a community  
17   meeting room.   And its maximum standing capacity is  
18   around 50 persons seated.   It would probably hold 30  
19   max and so parking will be on Erie Street.   We don't  
20   need any on-site parking.

21                   MS. MOORE:   There are no parking  
22   agreements or anything that you can get with  
23   anyone?

24                   MR. PERKS:   What's that?

25                   MS. MOORE:   There is nothing around where

1 you can schedule a parking agreement?

2 MR. PERKS: Like I say, -- well, I should  
3 say that there's a grander plan beyond what the site  
4 plan that you're considering today. The county has a  
5 trail system that is going to originate at this  
6 location and then go all the way down to the end of  
7 the county following the Cooper River down through  
8 all the communities.

9 So here is an aerial photograph blown up  
10 of the house between Point and Front. And this is  
11 taken from a plan that the county and the City had  
12 performed for a park trail. These images that are on  
13 this Board, are taken from this report, North Camden  
14 Cramer Hill Waterfront Trails Project, January 2021  
15 prepared by AE Com, Pennoni and Envision for Cooper's  
16 Ferry. But the county trail comes in and goes around  
17 this industrial park and then comes out to its  
18 beginning point which is right at the house.

19 Here's an enlargement from the same set  
20 of documents showing a conceptual plan for a bicycle  
21 trail that would come through either behind the house  
22 or in front of the house. Now, there is an  
23 opportunity off of Front Street for public parking on  
24 a number of lots that are lots that are unoccupied.  
25 Those lots were owned by PBUM Impact Corporation and

1 I believe that they are in the ownership of the City  
2 right now.

3 But in any event, when the trails project  
4 goes in, this location will be the head of the trails  
5 project and there will probably be some supplemental  
6 parking at the location of the trail. We can't  
7 guarantee that. It's not our project. It's the  
8 county's project. It's not under our control. We  
9 can't make any promises. It could be five, ten  
10 years. But the on-street parking at this time would  
11 be adequate for our needs.

12 MS. MOORE: So then --

13 MR. EINGORN: So they probably need a  
14 variance for the number of parking spaces?

15 MR. PERKS: A variance for no on-site  
16 parking?

17 MR. EINGORN: Right.

18 MR. PERKS: So we add that?

19 MS. MOORE: They would.

20 MR. EINGORN: Yes.

21 MS. MOORE: They would add that.

22 MR. EINGORN: So you want to request a  
23 variance for the parking?

24 MR. PERKS: Yes.

25 MR. EINGORN: We will add that to the

1 back here, 230.F.

2 MS. MOORE: I'm not sure what section  
3 number that is.

4 MR. EINGORN: Number 1 says, 870.230.F.

5 MS. MOORE: Yes, that's it.

6 MR. EINGORN: Number of parking spaces.  
7 That would eliminate ADA parking --

8 MS. MOORE: Right.

9 MR. EINGORN: -- as well as loading. I  
10 mean, there's no loading space, right?

11 MS. MOORE: Right. Do you expect to be  
12 loading from the street, whatever you may do?

13 MR. PERKS: Yes, that's the way we do it.  
14 That's the way we do it at the Historical Society  
15 now. We cater events and whoever brings the food,  
16 you know, parks on the street and brings it in the  
17 front entrance.

18 MS. MOORE: Well, it's not required but  
19 we did want testimony as to the how that would work.

20 MR. PERKS: Okay.

21 ADA access, we'll designate handicap  
22 parking spots on Erie Street and we have an  
23 ADA-code compliant trail that comes up to this patio  
24 area adjacent to the building. As I said, this  
25 portion of the building was a one-story addition made



1 in 1915 by the Mathis Shipyard Company and this will  
2 be our public meeting room.

3 We'll have a handicap accessible  
4 bathrooms so it will open to the inside and to the  
5 outside so that visitors can access the handicap  
6 bathrooms from either the interior or the outside.  
7 There's a little patio here at the level of the  
8 entrance and then a handicap accessible ramp down at  
9 the patio. So we have a handicap access from the  
10 street all the way to the first floor of the building  
11 and then handicap -- ADA accessible bathrooms.

12 MS. MOORE: So you said you have ADA  
13 parking on Erie Street?

14 MR. PERKS: Yes. We're going to  
15 designate spots as required.

16 MS. MOORE: That would have to go to  
17 council?

18 MR. PERKS: Yes. City Council. We have  
19 other City Council requirements in here later on in  
20 your review letter about the occupancy and the  
21 right-of-way.

22 MS. MOORE: Okay. So you'll have to  
23 follow-up with me on that because this is all  
24 contingent upon Council approving that.

25 MR. PERKS: Okay.

1 MS. MOORE: So it's just one ADA space?

2 MR. PERKS: I would say two.

3 MS. MOORE: Two.

4 MR. EINGORN: Are you going to agree to  
5 obtain those as a condition of approval?

6 MR. CHWASTYK: That's correct, yes, we  
7 will.

8 MS. MOORE: So you will be proposing two  
9 ADA spaces for approval by Council along Erie Street,  
10 correct?

11 MR. CHWASTYK: Yes.

12 MS. MOORE: Vehicular and pedestrian  
13 circulation on-site should be addressed through  
14 testimony and a revised site plan. The existing  
15 slate curbing should be replaced with concrete  
16 curbing and the existing sidewalk should be replaced  
17 accordingly along the property frontage.

18 MR. PERKS: Actually, we were going to  
19 request relief from replacement of the sidewalk. The  
20 sidewalk extends down to the north side of Erie from  
21 Front Street but ends at the building. As I  
22 mentioned, the building comes all the way out to the  
23 curb line. There is no sidewalk on the other side of  
24 the building going west on Erie Street. And as a  
25 matter of fact, it's not the same grade. It's got

1 timber retaining walls there and not intended to be  
2 a pedestrian access.

3 MS. MOORE: For the existing sidewalk  
4 that's there?

5 MR. PERKS: There's no existing sidewalk  
6 there. There's no existing sidewalk on this side of  
7 the building. Where we're going to cut the sidewalk  
8 and curb, that comes in later. But we would do those  
9 replacements. But we're not intending to -- the  
10 sidewalk on the east of the building is in good shape  
11 and there is no sidewalk to the west side of the  
12 building on Erie Street.

13 MS. MOORE: Right. I just have noted  
14 the existing sidewalk should be replaced. So we must  
15 have looked at it and we didn't think it was in good  
16 condition.

17 MR. PERKS: Yeah. I've got some photos.  
18 Maybe it could be revisited. If it has to be  
19 replaced, we will replace it. I don't see -- there's  
20 no cracking; no sprawling. Its condition is good.

21 MS. MOORE: All right. I'll have to see  
22 that. Because right now if I'm saying to replace it  
23 but then somehow we looked at it and we thought it  
24 should be replaced.

25 MR. PERKS: All right.

1 MS. MOORE: So especially if it's not  
2 going to be touched for 50 years.

3 MR. PERKS: Right.

4 MS. MOORE: So that's always our mind set  
5 if it's not just recently replaced or in very good  
6 condition, we would say to replace it. But I can  
7 take a look at that and see if we can coordinate.

8 MR. PERKS: Okay. I just looked at that  
9 because when I saw this I wondered about it; what the  
10 detail --

11 MS. MOORE: We'll take a look at it and  
12 we can always coordinate with the City Engineer on  
13 that.

14 MR. EINGORN: So we'll make that second  
15 condition if approved to coordinate the sidewalks.

16 MR. CHWASTYK: That's acceptable. Thank  
17 you.

18 MS. MOORE: Do you have any questions  
19 regarding the Stormwater Collection and Management  
20 System comments?

21 MR. PERKS: No. We're not proposing to  
22 introduce any drainage. The property will drain as  
23 it does now. Primarily the back side of the lot goes  
24 to the river and the front and side drains to Erie  
25 Street. We don't have any re-grading. Unlike a

1 normal application, we're not building anything new  
2 so we're not changing the grade; we're not changing a  
3 drainage. The lot is as it has been for decades.

4 MS. MOORE: And the stormwater fee, you  
5 acknowledge that that would need to be calculated for  
6 the site?

7 MR. PERKS: Yes. James has those numbers  
8 for the amount of impervious that we're adding to the  
9 lot. The only thing that we're adding in the way of  
10 impervious is this patio and the handicap area.

11 MS. MOORE: And grading, do you have any  
12 comments regarding -- you're fine with all the  
13 grading comments?

14 MR. PERKS: Yes.

15 MS. MOORE: The limits of curb and  
16 possible sidewalk replacement?

17 MR. PERKS: Yes. All the spot elevations  
18 that are requested in 2, 3 and 4, have been added to  
19 the plans, top and bottom of the stairs, entrances,  
20 corners.

21 MS. MOORE: Utilities, do you have any  
22 comments regarding what I stated for utilities?  
23 Keeping in mind that the project must be  
24 approved - we have an actual City Engineer now so not  
25 acting - by the City Engineer and the City Fire

1 Chief?

2 MR. PERKS: Right. We'll comply with  
3 that. We'll contact the Fire Chief.

4 MS. MOORE: One thing I do have noted.  
5 You said you have no utilities so the CCTV  
6 requirement?

7 MR. PERKS: Currently we don't have any  
8 new utilities. We'll be adding utilities in the  
9 second phase that we're pursuing which is why we're  
10 here for the zoning approval so that we can get --

11 MS. MOORE: But you wouldn't have CCTV  
12 requirement if you don't utilities so I just wanted  
13 to...

14 MR. PERKS: If the City Engineer requires  
15 it, we'll comply with that, yes.

16 MS. MOORE: Okay.

17 MR. PERKS: We're not asking for a relief  
18 on that.

19 MS. MOORE: I will still note that  
20 because would you be tying into the existing sanitary  
21 and water ultimately.

22 MR. PERKS: That's correct. There's an  
23 existing 36-inch reinforced concrete pipe coming down  
24 Erie Street to a manhole here and our handicapped  
25 accessible bathrooms are in this portion of the

1 building so we would be connecting into the existing  
2 36-inch reinforced concrete pipe. Water is here and  
3 gas is here at the western end of the building in the  
4 street.

5 MS. MOORE: We would need you to do or  
6 the City Engineer will mention the CCTV requirements  
7 so in case you -- you take a look at that, videotape  
8 it. And if there is any replacement that's needed  
9 prior to your connection, then that would be your  
10 responsibility to do that prior to your connection.

11 MR. PERKS: Right. We'll comply.

12 MS. MOORE: Construction Details, you're  
13 fine the comments? You'll revise the plans  
14 accordingly?

15 MR. PERKS: Yes.

16 MS. MOORE: Planting Design: A landscape  
17 plan should be provided for review and approval or a  
18 waiver requested.

19 MR. PERKS: We would just request a  
20 waiver from a separate landscape plan. We have very  
21 little landscaping or it's shown on the site plan.

22 MS. MOORE: And the proposed landscaping  
23 should satisfy the requirements of Sections 870-244  
24 through 870-248 of the Ordinance.

25 MR. PERKS: We'll comply with that.

1 MS. MOORE: Testimony should be provided  
2 regarding the proposed tree removal on the site.

3 MR. PERKS: We're not planning any tree  
4 removal.

5 MS. MOORE: Okay. That's both of those  
6 comments.

7 Lighting: No lighting plan has been  
8 submitted as part of the site plan application.  
9 Plans should be revised. On-site lighting should be  
10 addressed in accordance with the requirements of  
11 Section 870-243.

12 MR. PERKS: Lighting is going to provided  
13 off the building; around the building for security.  
14 And then there's two utility poles that afford us an  
15 opportunity to request lighting from PSE&G. But we  
16 don't have any stand-alone lighting on the site.

17 MS. MOORE: And those poles are along  
18 Erie Street. Do they currently have lighting that's  
19 existing?

20 MR. PERKS: I don't think so.

21 MR. GIRESI: We have temporary lighting  
22 for the structure.

23 MR. PERKS: The contractor has temporary  
24 lighting there.

25 MS. MOORE: But you are going to



1 request --

2 MR. PERKS: There was no lighting  
3 before. So we'll have lighting on the building and  
4 then we'll get lighting off of the poles, the  
5 PSE&G poles that are adjacent to the building and the  
6 street.

7 MS. MOORE: Okay. That's needs to be  
8 shown then what you are going to request --

9 MR. PERKS: Okay.

10 MS. MOORE: -- on revised plans.

11 MR. PERKS: We'll add that to the plan.

12 MS. MOORE: And also the architectural  
13 lighting that you mentioned, you'll add that to the  
14 plan? That's the second comment on page 7.

15 MR. PERKS: Existing lighting, if any of  
16 the new architectural lighting is proposed. Right.  
17 Yes.

18 MS. MOORE: Traffic Report: The  
19 applicant is to provide traffic impact statement  
20 explaining the anticipated site traffic for the  
21 proposed improvements.

22 MR. PERKS: We're going to ask for  
23 relief from the requirement for a traffic report. As  
24 we stated before, the capacity of the facility is  
25 limited. The most that we would have at the site at

1 any one time, would be community meetings with, as I  
2 said, approximately 30 seated or approximately  
3 50 standing. The house --

4 MS. MOORE: But before you get into  
5 anymore testimony on it, we typically do not grant  
6 the waiver for that.

7 MR. PERKS: From the traffic report?

8 MS. MOORE: No. Unless it's one house.  
9 That was something that was decided from the Planning  
10 Board which since this is a site plan review. We  
11 will ask -- it's just a traffic impact statement.  
12 So I'm not asking you to do everything that the  
13 Ordinance requires for that section, but we do need  
14 some type of document regarding the traffic. Just  
15 anticipated traffic. I know if there's nothing going  
16 on there now, there's nothing existing but  
17 anticipated traffic. And what you plan on doing  
18 there and the anticipated traffic associated with it  
19 in a signed and sealed document. Okay? So no  
20 traffic study, nothing like that but some type of  
21 statement.

22 MR. PERKS: Okay.

23 MS. MOORE: Even if it's one or two  
24 paragraphs.

25 MR. PERKS: We'll do it.

1 MS. MOORE: Okay.

2 Environmental Impacts: The applicant is  
3 to provide testimony regarding any and all  
4 environmental concerns, studies and remediation  
5 pertaining to the site.

6 MR. PERKS: The larger part of the site  
7 where the shipyard was, is subject to administrative  
8 consent order of the New Jersey Department of  
9 Environmental Protection. And compliance with that  
10 administrative consent order is being addressed by  
11 the owner of the parcel. The portion of the parcel  
12 that were leased and occupied, does not have any  
13 known contamination. The balance of the parcel has a  
14 consent order from the DEP, but it's the owner of the  
15 parcel who is administering the compliance with the  
16 DEP.

17 MS. MOORE: Can you provide any type of  
18 documentation for us regarding that?

19 MR. PERKS: Yes, we probably could. We'd  
20 probably get a reference number for that facility.

21 MS. MOORE: But for this -- but we're  
22 considering this lot size, it's nothing.

23 MR. PERKS: Right.

24 MS. MOORE: Trash collection and  
25 recycling for the site should be addressed and in

1 accordance with Section 870-224.B.14, including  
2 identifying a location for the trash enclosure area.

3 MR. PERKS: Yes. We're requesting not to  
4 have a trash enclosure. Our existing facility where  
5 we have up to 100 people at a time, we handle with  
6 two 64-gallon trash cans that are normally kept  
7 inside and put outside on trash collection day.

8 MS. MOORE: Just like residents?

9 MR. PERKS: Yes. Exactly. It's not a  
10 commercial activity per se.

11 MS. MOORE: All right.

12 MR. PERKS: Signage.

13 MS. MOORE: But with you not having a  
14 trash enclosure area, that's probably a variance.  
15 You should have a separate trash enclosure area.

16 MR. CHWASTYK: As part of the  
17 application, we'll request a bulk variance for the  
18 trash enclosure.

19 MR. EINGORN: So that's 870-224.B.14?

20 MS. MOORE: Yes.

21 And your facility now, that's fine?  
22 That's adequate? That is your testimony with that  
23 pickup?

24 MR. PERKS: Yes.

25 MS. MOORE: Do you know what the pickup

1 is along Erie Street whether it's once or twice a  
2 week?

3 MR. O'BRYNE: I think it's Wednesdays.  
4 I'm not sure.

5 MR. PERKS: Currently at our existing  
6 facility our pick-up is on Euclid Street. We keep  
7 the trash inside and then put it out on the  
8 pick-up.

9 MS. MOORE: And there would be pickup  
10 available along Erie Street?

11 MR. PERKS: I believe so. Yes.

12 CHAIRMAN HANCE: I have a question. If  
13 there's no pick-up on Erie Street, how would they  
14 remove the trash?

15 MR. EINGORN: They would have to have a  
16 private hauler come and get it.

17 MS. MOORE: Yes. They'd have to have a  
18 private hauler.

19 MR. CHWASTYK: Yes. Chris, can we  
20 testify that if there is no public trash pick-up  
21 that --

22 MR. PERKS: We'll do our trash pick-up.

23 MS. MOORE: Testimony should be provided  
24 on the handling and hauling of trash for the proposed  
25 use. We went through that.

1                   Signage: Per Section 870-253.E.2, no  
2 more than one temporary freestanding construction  
3 sign should be permitted on any lot identifying the  
4 architects, engineers, builders, brokers, bankers,  
5 contractors or others connected with the construction  
6 of any building on a lot or buildings within a  
7 subdivision. The applicant proposes two temporary  
8 signs. Plans should be revised or a variance is  
9 required.

10                   MR. PERKS: I think we're going to  
11 request a variance. I will describe the square  
12 footages and the configuration of the signs.

13                   From this photo taken from the west, you  
14 can see that there's a sign that was already there.  
15 That was pre-existing which we've put a face on.  
16 There's also a sign that's required by -- we have a  
17 grant from the New Jersey Historic Trust. And that  
18 grant requires us to put up this sign saying that  
19 it's preserved and it's using State of New Jersey  
20 Historic Trust money.

21                   The signs configured, here's those signs  
22 again. This is the one for the grantor to the  
23 project. This is the one that describes the opening  
24 of the historic museum. This is on an existing sign  
25 that was already on the site. And then there's a

1 third sign which is an exhibit sign like you would  
2 find in a park that tells the history of the site.  
3 And it's a part of a larger sign project throughout  
4 the county where there are 30-some locations of  
5 historic sites that were involved in the  
6 Revolutionary War.

7           And each one of these has one of these  
8 markers signs. It has a bar code on it so that a  
9 visitor can use their camera to go on the bar code.  
10 And then it leads them to a site which leads them to  
11 the other 30 sites throughout the county. It's like  
12 a driving tour. Or you can listen to Podcasts about  
13 the history of this site or the history of the other  
14 sites. So I think we got approval from the Planning  
15 Board to locate this sign here that's much larger.

16           Now, the larger -- the big sign that was  
17 already on the site which we'd like to keep is 96  
18 square feet. So that one we would require a variance  
19 for. The temporary sign is 3 ft, 4 inches by 6 feet  
20 for 20 square feet but it's temporary. It will  
21 disappear at the end of the construction phase. So I  
22 don't know how many variances that requires.

23           MR. EINGORN: 400.

24           MS. MOORE: Well, the one that you  
25 mentioned, when we get to that comment, just let me

1 know the size.

2           The proposed temporary sign shall not  
3 exceed 40 square feet in area and shall be set back  
4 at least 10 feet from the property line. The two  
5 proposed signs are less than the maximum permitted  
6 sign area. The setback of the signs is unknown.  
7 Plans should be revised to dimension the setbacks.  
8 So are you at least 10 feet from the property line?

9           MR. PERKS: Yes but we're on the wrong  
10 side. We're actually between the property line and  
11 the curb line. We're not set back from the property  
12 line. The existing signage is roughly on the  
13 property line. So it's not set back.

14           MS. MOORE: So that location, you'll need  
15 something not just for the number of temporary signs  
16 but actually the location of temporary signs.

17           MR. PERKS: Right.

18           MR. EINGORN: So temporary signage  
19 location.

20           MS. MOORE: Yes. So it's some variant of  
21 870-252.E. I just know the section offhand.

22           MR. EINGORN: All right. We'll figure it  
23 out.

24           MS. MOORE: The company logos on the  
25 temporary signs should not exceed 9 inches in height



1 per Section 870-253.E.2.

2 MR. PERKS: Yes, we're compliant with  
3 that.

4 MS. MOORE: You are compliant. Okay.

5 Testimony should be provided whether a  
6 facade sign or a freestanding sign identifying the  
7 building is proposed. All applicable sign  
8 requirements under Section 870-253 must be met.

9 So do you have a facade sign or  
10 freestanding sign?

11 MR. PERKS: Facade signs, no.

12 MS. MOORE: It appears that a  
13 freestanding sign exists on the site near the  
14 driveway entrance. Testimony should be provided  
15 regarding this sign and whether appropriate approval  
16 was obtained.

17 MR. PERKS: That's this one here.

18 MS. MOORE: And that was the one you said  
19 was --

20 MR. PERKS: 90 square feet.

21 MS. MOORE: The Planning Board?

22 MR. EINGORN: I think the Planning Board  
23 was the smaller sign.

24 MR. PERKS: That's the one that's three  
25 sheets of 4-by-8 plywood for 8-by-12 feet, 96 square

1 feet.

2 MR. EINGORN; But the one that was  
3 approved by the Planning Board, that's the smaller  
4 one below it?

5 MR. PERKS: Oh this one, yes.

6 MS. MOORE: Okay. So the 96 square foot  
7 one wasn't approved by anyone?

8 MR. PERKS: Is that the preexisting one?  
9 They treated it as preexisting, the Planning Board.

10 MR. GIRESI: The interpretive sign was  
11 approved by the Planning Board?

12 MR. PERKS: The interpretive sign was  
13 approved by the Planning Board. This one they  
14 treated as preexisting.

15 MS. MOORE: Okay. We'll look at all the  
16 subsumed under this, right, Kyle?

17 MR. EINGORN: I'm sorry?

18 MS. MOORE: So the 96 square feet if this  
19 project get's approved with the use, then all of that  
20 is under that. Okay.

21 So moving on to Fences: Testimony should  
22 be provided regarding the removal of the existing  
23 fencing and whether new fencing will be provided.

24 MR. PERKS: No, we're not proposing any  
25 removal of any existing fencing or any proposed

1 fencing.

2 MS. ALSTON: What is the condition of  
3 those fences now?

4 MS. MOORE: I didn't hear the question.

5 MR. EINGORN: What's the condition of the  
6 existing fence.

7 MS. ALSTON: I thought I saw different  
8 heights going on and maybe some wood fencing. Does  
9 that still exist?

10 MR. PERKS: There's some wood fencing but  
11 it's primarily all chain link fencing; 6-foot high  
12 chain link fencing around the perimeter.

13 MS. ALSTON: So you have a mixture of --

14 MR. PERKS: No. It's all chain link.  
15 There's some wood fencing that's left over but it's  
16 inside the chain link fencing near the building. We  
17 can take it down if you want. We can take that wood  
18 fencing down. It was just there.

19 MS. ALSTON: And then it looked -- what  
20 size is it? Is it like 4 or 6?

21 MR. PERKS: I think it's six.

22 MS. ALSTON: It looked like 6.

23 MR. PERKS: But it's pretty continuous  
24 around the whole property.

25 MS. MOORE: A survey of the site prepared

1 by a New Jersey licensed professional land surveyor  
2 should be provided.

3 MR. PERKS: Yes.

4 MS. MOORE: It appears that the existing  
5 structure and the proposed improvements are within  
6 the public right-of-way. Appropriate approval from  
7 City Council should be provided regarding the  
8 proposed improvements within the public right-of-way.

9 MR. PERKS: Yes.

10 MS. MOORE: I'm just noting that you will  
11 obtain those.

12 Testimony should be provided regarding  
13 the existing condition of the site, including the  
14 nature of the other existing buildings on the site  
15 that appear to be abandoned and dilapidated. It  
16 should be clarified whether all the other buildings  
17 will remain or be demolished.

18 MR. PERKS: Again, we don't have any  
19 control over those buildings. They are pretty much  
20 abandoned and unusable but they are the  
21 responsibility of the owner. We anticipate that  
22 they'll be demolished but we don't have any control  
23 over that part of the site.

24 MS. MOORE: Per Section 870.23, no more  
25 than one principal building is permitted on a lot.

1 So since this is -- you're considering --

2 MR. PERKS: If we treat our lease area as  
3 a lot. We have one building. We're not constructing  
4 any new buildings.

5 MS. MOORE: The applicant should provide  
6 testimony on the existing tank on-site and the use of  
7 the same.

8 MR. PERKS: I don't know if it appears in  
9 any of these pictures.

10 MR. O'BRYNE: It's not part of our --

11 MR. PERKS: It's not -- that --

12 MS. MOORE: It's outside of the --

13 MR. PERKS: That fiberglass silo is about  
14 20 feet high; is actually in the right-of-way of  
15 Point Street; and is not on this property.

16 MS. MOORE: I'm just noting it's outside  
17 of the lease area, correct?

18 MR. PERKS: It's outside of the lease  
19 area. It's outside of the property. It's in the  
20 public right-of-way.

21 MS. MOORE: Testimony is to be provided  
22 regarding the proposed hours of operation, number of  
23 employees on-site, activities, et cetera. You  
24 mentioned activities. The proposed hours of  
25 operation?

1           MR. PERKS: Hours of operation initially  
2 would be on Saturday mornings from, say, eight to one  
3 o'clock. And then if -- as the program grows, hours  
4 of operations would probably be  
5 Wednesday, Thursday and Friday -- Thursday, Friday  
6 and Saturday between like 10 and 3 on Thursday,  
7 Friday and then Saturday in the morning, eight  
8 o'clock til, say, one. I'll go over it again.

9           Thursday, Friday, 10 to 3. And Saturday,  
10 8 to 1.

11           MS. MOORE: Okay. But initially you're  
12 just starting out with Saturday?

13           MR. PERKS: Yeah. There would be like  
14 one employee on-site.

15           MS. MOORE: The plans should note that  
16 the applicant will comply with the City's "Ordinance  
17 Establishing Standards for the Submission of Maps and  
18 Other Documents in a Digital Format"?

19           MR. PERKS: We will.

20           MS. MOORE: You'll add that?

21           MR. PERKS: We will comply.

22           MS. MOORE: While the applicant submitted  
23 an application checklist that indicates submission of  
24 certain items pertaining to the site, the submitted  
25 plans lack these items, including the following, some

1 minor things that need to be added to the plans.

2 You'll add those? Take a look if it's applicable.

3 MR. PERKS: Yes. We've added the title  
4 block and then the signature block. We've added the  
5 adjacent property owners, the zoning table, bulk  
6 requirements, the notes, reference to the survey.  
7 All of the checklist.

8 MS. MOORE: Okay.

9 The Summary of Variance and Waivers.

10 For variances I have the use variance and  
11 then number of temporary signs. In addition to that,  
12 I have the location temporary signs.

13 MR. PERKS: Yes.

14 MS. MOORE: And then Per Section 870-96,  
15 I have minimum lot area, minimum lot width, minimum  
16 building height, front yard setback.

17 Section 870-230.F, the number of parking  
18 spaces, and Section 870-224.B.14, trash enclosure  
19 area. Those were all the variances. And then  
20 Waivers, we have Section 870-244.B, the landscape  
21 plan. Am I missing anything?

22 MR. EINGORN: That's all I have.

23 MR. CHWASTYK: I just want to confirm for  
24 the requirement that only one principal building be  
25 on the lot at any given time. I don't think this lot

1 has been -- I don't think there's been a subdivision,  
2 has there?

3 MR. PERKS: No. But we're treating the  
4 lease -- the purposes of the review, we're treating  
5 the lease area as a lot.

6 MS. MOORE: Right. Because if we're  
7 treating the lease area as separately, that's why you  
8 have all the bulk variances.

9 MR. PERKS: We've dialed down the bulk  
10 variances to that. Because there is only principal  
11 building.

12 MR. CHWASTYK: Building in the area.

13 MS. MOORE: So that's fine but they're  
14 treating the lease area so --

15 MR. EINGORN: Is the lease area its own  
16 lot?

17 MR. CHWASTYK: No. So I think we would  
18 probably need a variance for that. Right?

19 MR. PERKS: Except we don't have any  
20 control over that entire lot.

21 MS. MOORE: Right.

22 MR. CHWASTYK: We don't. But we --

23 MR. EINGORN: But you can still request a  
24 variance for multiple principal uses on the same lot.  
25 That's an additional use variance.



1           MR. PERKS:  It's already existing.  It's  
2 preexisting.

3           MR. EINGORN:  Well, it's a preexisting  
4 non-conforming use.  I get it.

5           MR. CHWASTYK:  Yes.  So I guess -- let me  
6 think about how we present this.

7           MS. MOORE:  Yes.  Because you wouldn't  
8 need the minimum lot area, minimum lot width, minimum  
9 building height and the front yard setback.  You  
10 weren't already treating the lease area separately.  
11 So is it that you need permission to actually say you  
12 want to use the lease area separately?

13           MR. CHWASTYK:  I think the challenge is  
14 the Ordinance specifies by lot.  Because it's not  
15 subdivided, it still counts as one lot.  So I think  
16 we would need probably a variance or at least an  
17 approval of a preexisting non-conforming use.

18           MR. EINGORN:  I agree.  I agree with your  
19 interpretation of the Ordinance.  It's going to be by  
20 lot, not by the small designated area inside the lot.  
21 So I think you should request the variance.

22           MR. PERKS:  So just add it.

23           MR. CHWASTYK:  Yes, just add it to the  
24 list.  Right.  But I think what you were saying was,  
25 because we're treating the leased area as separate,

1 that causes some of the other issues we were  
2 requesting waivers from.

3 MS. MOORE: Right.

4 MR. CHWASTYK: I'm not entirely sure -- I  
5 see what you're saying. Okay I guess -- oh, I guess  
6 the only thing I can respond to that is, I think we  
7 still will need the variances there because we are  
8 limited in what we have control past that line so we  
9 would need --

10 MR. PERKS: Yeah. And we're asking for  
11 them.

12 MS. MOORE: Okay. So what am I  
13 adding?

14 MR. EINGORN: Two principal uses on the  
15 same lot.

16 MS. MOORE: Wait. You said --

17 MR. CHWASTYK: Two principal buildings on  
18 the same lot.

19 MS. MOORE: It's the buildings, not use,  
20 the buildings, right?

21 MR. EINGORN: The buildings.

22 MR. CHWASTYK: The only other thing I can  
23 think of is, at this --

24 MR. EINGORN: What are the other  
25 buildings used for?

1                   MR. PERKS: They're not used. They're  
2 abandoned.

3                   MR. CHWASTYK: Yes. So I don't know --  
4 that's another thing I don't know if we would even  
5 need it. Because if there's no principal use --

6                   MR. EINGORN: But if they're not being  
7 used then they're not principal buildings.

8                   MR. CHWASTYK: Yes.

9                   MS. MOORE: You guys are the attorneys.

10                  MR. PERKS: Sounds mute.

11                  MR. EINGORN: It got dumped on me.

12                  MR. PERKS: The other buildings on the  
13 site are abandoned. They don't have roofs on them.  
14 One has a roof. But none of them are in use.

15                  MR. EINGORN: If they're not being used  
16 and they're not principal --

17                  MR. CHWASTYK: I guess that's the other  
18 part of this. And I guess whenever they develop  
19 going forward, they need to get reviewed anyway.

20                  MR. EINGORN: I agree. I don't think you  
21 need that variance because they're not principal  
22 buildings.

23                  MS. MOORE: So then add the variance for  
24 Section 870-23, one principal building?

25                  MR. CHWASTYK: I don't think we need it

1 at this point because there's no principal use.

2 MR. EINGORN: It's only one principal  
3 building.

4 MS. MOORE: Okay.

5 MR. EINGORN: Right. That makes sense.

6 MS. MOORE: Well, then everything that I  
7 stated for variances and waivers, we're in agreement  
8 with?

9 MR. CHWASTYK: Yes. Thank you.

10 MR. PERKS: Yes.

11 MS. MOORE: You're aware of the Approval  
12 Process as listed on pages 9 and 10. If you have any  
13 questions, you can contact my office.

14 MR. CHWASTYK: Yes.

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

19 MR. PERKS: Yes, we'll get letters from  
20 all of them.

21 MS. MOORE: All right. That concludes my  
22 review. And he would now give testimony regarding  
23 the use.

24 MR. CHWASTYK: Excellent.

25 MR. PERKS: So I'll summarize this in a

1 written zoning analysis from which I'm going to read.

2

3 MR. CHWASTYK: Have we provided them with  
4 it?

5 MR. PERKS: Probably now.

6 MR. CHWASTYK: We are at Exhibit F and  
7 then I'll enter all of these, I guess, at the end of  
8 the application.

9 MR. EINGORN: That's fine. Exhibit F  
10 would be the zoning analysis.

11 MR. CHWASTYK: Yes. Zoning Analysis;  
12 request for a use variance drafted by Chris Perks  
13 dated November 4, 2024.

14 MR. PERKS: All right. I prepared an  
15 analysis to address the two aspects of the  
16 Special Reasons. The first portion, the Positive  
17 Criteria and the two portions of the Negative  
18 Criteria. In that report it describes the existing  
19 conditions, the proposed use, the former uses and the  
20 uniqueness of the site location which you'll hear  
21 from me more than once because that will be the basis  
22 for several of these testimonies.

23 So as we showed before on this photograph  
24 here, the house location is right on the boundary  
25 line between the G-1 General Industrial and the R-2

1 Residential Zone. And because we are repairing and  
2 renovating an existing building, it's not like we  
3 could locate it in another zone where it would be a  
4 conforming use. As a matter of fact, my review of  
5 the zones, I don't think I saw a house museum as a  
6 permitted use in any of the zones. But there's other  
7 related uses that are very similar.

8           So the purpose of the G-1 Zone, the City  
9 of Camden was the center of industry for South Jersey  
10 in the early 20th Century and the late 1800's which  
11 predated the first zoning efforts. And those  
12 zoning efforts established many of the zones  
13 essentially by identifying where the existing  
14 development had already occurred. And that's the  
15 case for the GI-1 Zone along the northern boundary of  
16 the City fronting on the Delaware River that we're  
17 considering today.

18           Although today, all of the industries  
19 that were there that made up the ship building and  
20 repair industry in the late 1800's are gone. And  
21 with the departure of Weeks Marine, this area now is  
22 all park except for the industrial park at 2nd  
23 Street. In fact, Weeks Marine turned over that  
24 parcel to the State of New Jersey who is considering  
25 putting a state park there. So there aren't many

1 industrial uses left in that zone as it was  
2 originally zoned.

3           Okay. Variances allowed by the Positive  
4 Criteria: If the proposed use is particularly fitted  
5 to the particular location for which the variance is  
6 sought and we would say its tasked because we're  
7 renovating that building because it's a historic  
8 building and that's where it is. We can't move it;  
9 can't construct it new in another zone that's more  
10 conforming. And whether or not the use will promote  
11 the general welfare in addition to being particularly  
12 suited for the use proposed. And we would propose  
13 that the general education of the citizens by  
14 presenting a historical building in its historical  
15 context with interpretative materials and programs,  
16 will promote the general welfare. And secondly, the  
17 property is particularly suited for the use because  
18 of its uniqueness. And that's our testimony for the  
19 Positive Criteria.

20           For the Negative Criteria Part 1, we  
21 would testify that the proposed use will not have a  
22 Negative Impact on the adjacent properties. It will  
23 not cause damage to the character of the  
24 neighborhood so as to constitute a substantial  
25 detriment to the public good which is up to you to

1 decide. The appearance of this property is very much  
2 like a residential house. It's buffered from both  
3 the industrial use on 2nd Street in the GI-1 Zone and  
4 buffered from the residents in the R-2 Zone by a  
5 public ballfield and park which have been constructed  
6 directly across the street. So that the first  
7 occupied residents is in its closest configuration of  
8 approximately 200 feet away from the house. In all  
9 other directions, it's many hundreds of feet away.

10 The GI1-Zone list of permitted uses does  
11 not include house museum but it does include a use  
12 that's very similar, Number 'N,' parks, playgrounds  
13 or recreational areas, community center buildings and  
14 libraries. I would argue that that's a very similar  
15 use that we have planned for this. The R-2 Zone also  
16 lists permitted uses that are very similar to our use  
17 which includes parks, playgrounds or recreational  
18 areas, community center buildings and libraries like  
19 the general industrial area. And also public,  
20 private or parochial educational institutions which  
21 this is proposed as.

22 The use is not prohibited in either zone.  
23 And we would testify that, therefore, the proposed  
24 use is very similar to permitted uses in both of the  
25 zones than it's located, not expressly prohibited in



1 either zone and the granting of the variance will not  
2 substantially impair the intent and purpose of the  
3 Zoning Ordinance. We would argue that our proposal  
4 meets both the Positive and Negative Criteria in its  
5 two parts and that the Board is empowered to grant  
6 us the variances that we have requested. Any  
7 questions?

8 MR. CHWASTYK: Before we close out the  
9 application, we are going to enter some of these into  
10 the evidence. We got the poster board depicting the  
11 current signage on the property. I guess that would  
12 Exhibit G we at. I would like that into evidence as  
13 Exhibit G. We have a site drawing designated as  
14 ASP001 drafted by our architects, Clarke Caton &  
15 Hintz.

16 MR. PERKS: That's the survey.

17 MR. CHWASTYK: The survey. My apologies.  
18 We're going to enter that in as Exhibit H. For  
19 Exhibit I, it will be --

20 MR. PERKS: Site Plan.

21 MR. CHWASTYK: Site Plan. That's a  
22 document by Clarke Canton & Hintz, ASP002. So the  
23 sign has been entered. This was --

24 MR. EINGORN: That was the vertical?

25 MR. CHWASTYK: That was the vertical.

1 MR. EINGORN: I think that's all of them.

2 MR. CHWASTYK: Yes. I think that's  
3 everything as have the Planner's Report. That's all  
4 we have so far, yes. So, I guess, we'll close out  
5 our testimony and field any questions from the Board  
6 at this point.

7 MR. EINGORN: Any questions? It seems  
8 pretty straightforward.

9 MS. ALSTON: I think it's a great project  
10 and I wish that it was more like together. It just  
11 sounds like there's a lot of going on around this  
12 Camden County property. It just makes it a little  
13 concerning that we can't -- there's other buildings  
14 that are going to be affected by this. The buildings  
15 are there so you're going to make a beautiful  
16 building. You're going to try to restore it but then  
17 you would have two abandoned buildings like close to  
18 it.

19 So that's my main concern is that I can  
20 see everyone is working really hard to restore this  
21 and I believe in that era. I love the American  
22 Revolution. I got a good grade. And I would love to  
23 visit it. But my only thing is that it just seems  
24 like it's still in what I'm going to say, in like  
25 those baby stages and you can't see the big picture

1 of the entire area.

2 MR. PERKS: Right.

3 MR. CHWASTYK: Well, another challenge  
4 is, one of the sort of a driving force in getting it  
5 done and hopefully this adds some color as to why  
6 we're sort of pushing as hard as we are now is, we  
7 have the 250th anniversary of the Declaration of  
8 Independence. We're expecting a lot of tourism in  
9 connection with that. And we want to make sure that  
10 we're ready and have everything in order to kind  
11 of --

12 MR PERKS: To address your concern, the  
13 restoration of this building is not going to preclude  
14 any uses of the owner of the rest of the property.  
15 If he wanted to demolish those buildings and build  
16 other buildings, you know, commercial or industrial,  
17 they would fit the zoning and we would be able to do  
18 it. He's got access from the main entrance and also  
19 off of Front Street into the property.

20 But there are other very significant  
21 restrictions to the development of that site as an  
22 industrial area, because it's a waterfront  
23 development property that's regulated by the New  
24 Jersey Department of Environmental Protection Land  
25 Use Section, right, which means there's a wetlands

1 buffer on the property of about 300 feet. It has to  
2 be a water-dependent use. It can't have any cut or  
3 any fill. So it's a very hard site to develop  
4 commercially. But what we're doing is not adding to  
5 the burden of the property owner of developing the  
6 balance of the site.

7           In fact, when you look at the aerial  
8 photograph, this whole section of northern Camden is  
9 going in the direction of parks and public recreation  
10 vehicles. As I indicated, they added this ballfield  
11 here. All of this interior to this lot is a  
12 playground, basketball court and another garden area  
13 here, all publically owned and developed. The state  
14 is planning to turn this into a park. This will  
15 probably end up a park. A county trail system will  
16 come through. This part is just as hard to develop  
17 as this part, the old Knox Gelatin site. All of the  
18 industries all the way down to Pyne Poynt Park, the  
19 school, they're all gone. There's the  
20 Amesian(phonetic spelling) Tract; there was Knox  
21 Gelatin factory. This was a shipyard. That's a  
22 shipyard. All gone except for the -- they do  
23 building supplies; pallets and warehousing. So it's  
24 kind of a -- it's a light industrial use.

25           MR. EINGORN: Any summation, Counsel?

1                   MR. CHWASTYK: No. We are very happy and  
2 excited about this project. We think it's going to  
3 bring a lot of good attention to Camden and Southern  
4 New Jersey's role in the American Revolution. We  
5 thank you for your time going through all this and  
6 your careful consideration of this matter.

7                   CHAIRMAN HANCE: I have a question. Of  
8 the other building, is that historical also or is  
9 it just --

10                  MR. PERKS: Oh, yes. The existing Camden  
11 County Historical Society is the largest complex  
12 dedicated to history south of the Trenton State  
13 Museum.

14                  MR. CHWASTYK: Do you mean the other two  
15 buildings on the premises?

16                  MR. PERKS: The other buildings on the  
17 site.

18                  MR. CHWASTYK: I don't believe so.  
19 It's not like --

20                  MR. PERKS: No. They were built early  
21 20th Century for the Mathis Shipyard.

22                  CHAIRMAN HANCE: I was trying to connect  
23 that. That rustic look, you know, what it used to  
24 look like.

25                  MR. CHWASTYK: Right. Yeah.

1 MR. PERKS: You kind of see those --

2 MR. CHWASTYK: I see what you mean.

3 MR. PERKS: -- buildings, they don't have  
4 a roof. This has got a roof; this one doesn't have a  
5 roof. Those are the existing buildings.

6 MR. GIRESI: They're just made out of  
7 cinderblocks.

8 MR. EINGORN: Got it.

9 Anybody in the public here tonight that  
10 would like to be heard on the application of Camden  
11 County Historical Society, 75 Erie Street? Seeing  
12 nobody in the public that would like to weigh in on  
13 this application, we'll close the public portion.

14 The Board has heard substantial testimony  
15 regarding the use variance request, bulk, the  
16 variance request, the waiver request and the site  
17 plan request. The Board should do a discussion of  
18 the Positive and Negative Criterias related to the  
19 use and bulk variances, a discussion of the site plan  
20 and then make a motion.

21 To the extent that a motion is made to  
22 grant the use variance and the bulk variances  
23 discussed and added to the letter, there were also  
24 three discussed conditions of approval. One, that 2  
25 ADA spaces be approved by City Council on Erie Street

1 to coordinate the sidewalk with Remington & Vernick  
2 or the City Engineer whatever you decide that is.  
3 And Council approval for parts of the building that  
4 are in the right-of-way. And then always, with the  
5 site plan, the condition of approval is to comply  
6 with the R&V letter dated August 30th as discussed on  
7 the record. I'll turn it over to you guys.

8 CHAIRMAN HANCE: I think this is  
9 something positive, a piece of history. We have a  
10 lot of history that we're losing, not just for us but  
11 our children. And that is a very important piece of  
12 history, especially in New Jersey. In Philly you got  
13 a lot of that going on. But in Jersey, they have  
14 very minimum. So I think it's something positive;  
15 something that I would like to see. I think it would  
16 give that area an uplift; a piece of history; a big  
17 chunk.

18 MR. CHWASTYK: Absolutely.

19 CHAIRMAN HANCE: I was trying to add  
20 those two other buildings on there but it didn't  
21 fit.

22 MR. CHWASTYK: Understood.

23 CHAIRMAN HANCE: But I think it's a  
24 positive thing to do and we should do more.

25 MR. CHWASTYK: Absolutely. I appreciate

1 those comments, yes.

2 MS. MASON: I'm familiar with the  
3 project. I sit on a couple of other tables where  
4 we've had conversations, one being Camden Lutheran  
5 Housing. We've had multiple conversations with  
6 regards to keeping the trail that you spoke about and  
7 some future development that is going to coincide  
8 with what the vision is for that, what we call the  
9 back yard of North Camden.

10 MR. CHWASTYK: Right.

11 MS. MASON: It's kind of like also near  
12 the waterfront as you mentioned as well. And so one  
13 thing I can say is also, a part of these  
14 conversations with Camden Lutheran Housing and being  
15 a part of the Neighborhood Plan, we've also had lots  
16 of conversations with the community as well who is  
17 very excited about this opportunity for a historical  
18 site to be within North Camden.

19 MR. CHWASTYK: That's great to hear.

20 MS. MASON: So, again, I agree with our  
21 Chair that this is something that's positive. It's  
22 something also that is in reach of our schools. We  
23 have our public schools in that area so you have  
24 Cooper's Poynt and Mastery and some of our Pre-K  
25 sites as well. And I think it's just something that,



1 again, a neighborhood that could also use that as  
2 well as far as learning history. So I think, again,  
3 it's a positive attribute to our community. Thank  
4 you.

5 MR. PERKS: Thank you.

6 MR. CHWASTYK: Thank you.

7 MS. ALSTON: I think it's a positive  
8 project. I love the project. I'm just thinking  
9 about the timing of it and bringing people. And, you  
10 know, we want to show the best, right? So you're  
11 putting all this money into this building and you're  
12 bringing people into the area. But as you drive up  
13 to the area, you have abandoned buildings surrounding  
14 it. And I know that maybe time is going to take care  
15 of itself, but just keep that back in your mind.

16 MR. CHWASTYK: Absolutely.

17 MS. ALSTON: That if you can do anything  
18 about those buildings along the way, you'll hear  
19 about it. It'll add more value to the project.

20 MR. CHWASTYK: Understood. Thank you.

21 MR. EINGORN: Do we have a motion?

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

24 MR. EINGORN: With conditions discussed?

25 CHAIRMAN HANCE: With conditions as was

1 discussed.

2 MS. MASON: I'll second that.

3 MR. EINGORN: We have a motion and a  
4 second. I'll take a roll-call vote. Chairman Hance.

5 CHAIRMAN HANCE: Yes.

6 MR. EINGORN: Ms. Merricks.

7 MS. MERRICKS: Yes.

8 MR. EINGORN: Ms. Alston.

9 MS. ALSTON: Yes.

10 MR. EINGORN: Mr. Still.

11 MR. STILL: Yes.

12 MR. EINGORN: Ms. Mason.

13 MS. MASON: Yes.

14 MR. EINGORN: Having five in favor and  
15 none opposed, the motion carries. The application  
16 has been granted with conditions. Thank you,  
17 gentlemen. Have a great night.

18 MR. CHWASTYK: Thank you, Members of the  
19 Board. Have a great evening.

20 MR. EINGORN: The next matter on the  
21 agenda is Macedonia Baptist Church, 812-814 Avenue.

22 MR. PLATT: Good evening, Members of the  
23 Board. My name is Stuart Platt from the Platt Law  
24 Group. I represent the applicant, The Macedonia  
25 Baptist Church. I will have three witnesses this

1 evening. We have Pastor Rowland who is the  
2 applicant's representative. We have James Miller who  
3 is our planner. And we have Dr. Kris Kluk who is our  
4 engineer.

5 MR. EINGORN: I'll have them all sworn  
6 in.

7 MR. PLATT: Yes, please.

8 MR. EINGORN: Would you raise your right  
9 hand, please.

10 - - -

11 JAMES MILLER, P.E.; DR. KRIS KLUK, Ph.D,  
12 P.E.; PASTOR RODNEY BUSH-ROWLAND, having first been  
13 duly sworn/affirmed, was examined and testified as  
14 follows:

15 - - -

16 MR. EINGORN: Please state your names and  
17 addresses for the record.

18 MR. MILLER: James Miller, 222 Nicholson  
19 Drive, Moorestown, New Jersey.

20 MR. ROWLAND: Rodney Bush-Rowland, 109  
21 Duncan Street, Westville, New Jersey 08093.

22 MR. KLUK: Kris Kluk, 2 Eastwick Drive,  
23 Suite 202, Gibbsboro, New Jersey.

24 MR. PLATT: Good evening. This is an  
25 application for a use variance to permit a funeral

1 home in what is now a vacant church property. Years  
2 ago it had been a funeral home; it became a church;  
3 and now we want to go back to a funeral home. With  
4 the Redevelopment Plan Overlay, it's no longer a  
5 permitted use. And we're also seeking site plan  
6 approval.

7 I can say to you that most of the site  
8 has basically remained the same. The building is  
9 already up. And there are very few changes that we  
10 propose. But I'm going to start off with the pastor.

11 And I'd like you to keep your voice up, if you  
12 could. I just want you to indicate to the Board -  
13 you can step up to the microphone - indicate to the  
14 Board your connection with the Macedonia Church.

15 MR. ROWLAND: I'm the presiding pastor  
16 for Macedonia Baptist Church and one of their  
17 founding members in 2012 at their new location.

18 MR. PLATT: And what is your general  
19 proposal this evening with the existing church  
20 building?

21 MR. ROWLAND: We would like to make this  
22 a funeral home so that we can serve the surrounding  
23 community.

24 MR. PLATT: And why are you making this  
25 application? What's the purpose for the community

1 members; what's your purpose?

2 MR. ROWLAND: We look to employ people in  
3 this neighborhood. We look to revitalize that  
4 neighborhood and bring it back to life to what it  
5 used to be years ago.

6 MR. PLATT: And can you tell the Board  
7 what type of funerals you would have if they grant  
8 your approval this evening?

9 MR. ROWLAND: The type of funeral that  
10 our director would be running and having, would be  
11 funerals in this community and this neighborhood  
12 during the day, business hours traditionally between  
13 nine and five. Occasionally some night funerals but  
14 the majority are during the day.

15 MR. PLATT: And could you tell us a  
16 little bit about the building; the size of the  
17 building; and generally the height and so forth?

18 MR. ROWLAND: The building is a couple  
19 thousand square feet. I don't have the exact  
20 dimensions in my head.

21 MR. PLATT: You're just estimating,  
22 right?

23 MR. ROWLAND: Estimating. It's two  
24 stories and it's a concrete structure. It's solid  
25 and in good condition.



1 visit there and make funeral arrangements directly at  
2 that location?

3 MR. ROWLAND: Yes, they can.

4 MR. PLATT: Walk the Board through a  
5 typical type of funeral service that you would have  
6 at this location if you were approved? How would the  
7 site work?

8 MR. ROWLAND: The site traditionally, we  
9 have parking in the back. We would have attendants  
10 to direct the traffic. We would have signs posted  
11 and cones posted. And the traditional service would  
12 be two to three hours at max.

13 MR. PLATT: You say you have services  
14 primarily during the day, during the week and some on  
15 Saturday and Sunday?

16 MR. ROWLAND: Monday through Friday is  
17 the gist of it. Every now and then a Saturday and  
18 Sunday, we would try and do those funerals at a  
19 different location, if possible.

20 MR. PLATT: What size -- it's hard to  
21 predict how many people come to a funeral obviously.  
22 Generally, what size funerals do you think you'd be  
23 servicing at this location?

24 MR. ROWLAND: Traditionally between 25 to  
25 75 maxed. We would traditionally be 50 but never

1 over 50 to 75.

2 MR. PLATT: That would be attendees to  
3 the funeral including your staff?

4 MR. ROWLAND: Absolutely.

5 MR. PLATT: If your funerals exceeded  
6 that amount, what would you do in that case if you  
7 had large funeral, a famous person?

8 MR. ROWLAND: If we have a famous person,  
9 traditionally it's not going to be there because of  
10 the size and the magnitude. We would secure a larger  
11 location which we have connections with our other  
12 locations which are larger.

13 So that's basically what we would do in  
14 that incidence or that situation. If we do run into  
15 that situation, we have a capacity. So we will not  
16 allow more than that capacity in that building. And  
17 we would maintain that. I have people in attendance  
18 at the door to insure that.

19 MR. PLATT: Which way would the -- the  
20 funeral procession, how would people enter the site  
21 and how would they leave the site in a typical  
22 funeral procession?

23 MR. ROWLAND: We have an entrance at the  
24 back on Liberty Street to our parking lot. We would  
25 be working to make that the potential place of egress



1 and entering for safety and traffic.

2 MR. PLATT: And you would not need any  
3 police escorts for a typical funeral procession  
4 at your location?

5 MR. ROWLAND: A typical funeral  
6 procession under 50, we would traditionally do not  
7 call police because it's not a long motorcade. If  
8 it's larger than that or military personnel, we would  
9 require a police escort.

10 MR. PLATT: Talk to the Board about the  
11 inside of the facility. If they were to grant your  
12 approval, what would be in the first floor, what  
13 would be on the second floor of the existing building  
14 when you build it out?

15 MR. ROWLAND: The first floor, chapel;  
16 two offices possibly; more in the back; and garage  
17 area in the back. Upstairs just storage facilities  
18 as of right now.

19 MR. PLATT: With respect to the disposal  
20 of trash, how do you propose to dispose of trash and  
21 garbage and collectibles?

22 MR. ROWLAND: Trash will be secured in  
23 the location and removed by a removal company,  
24 Leebold(phonetic spelling) Waste Company that will be  
25 removing the waste.

1                   MR. PLATT: So you're proposing to have  
2 the -- no outside enclosure. The trash would be  
3 stored inside the building?

4                   MR. ROWLAND: Inside our garage and point  
5 area, yes.

6                   MR. PLATT: And the trash vendor, the  
7 carting company, how would they remove trash from the  
8 facility?

9                   MR. ROWLAND: We would grant them access  
10 with a code so they can come in and remove the trash  
11 on their appointed day.

12                   MR. PLATT: And how often do you have to  
13 have a private carting company remove the trash from  
14 the facility?

15                   MR. ROWLAND: At least once a week.

16                   MR. PLATT: Talk to the Board about  
17 deliveries to the site; what type of deliveries would  
18 be made to the site?

19                   MR. EINGORN: Mr. Platt, you're kind of  
20 going through the letter. Do you want to just  
21 through it point-by-point?

22                   MR. PLATT: I was just trying to get  
23 through as much of the letter as possible.

24                   MR. EINGORN: Right.

25                   MS. MOORE: We generally go through the

1 letter.

2 MR. PLATT: I understand that. I was  
3 going to actually save you a lot of time with that  
4 but, okay, we'll --

5 MS. MOORE: It's easier for me when I  
6 have to go through in case you have resolution  
7 compliance for us just to do question and answer.  
8 It just makes it so much easier to go through the  
9 letter.

10 MR. PLATT: You got it. That's all I  
11 have for the pastor. Unless you have questions for  
12 the pastor.

13 MR. EINGORN: Dena is the boss.

14 MR. PLATT: I know.

15 MS. MOORE: Did you need to qualify  
16 Mr. Kluk before we get into the testimony? Do they  
17 need to be qualified? Otherwise, I'll go right to  
18 the letter.

19 MR. EINGORN: Mr. Miller is going to  
20 provide planning testimony at the end. He's been  
21 qualified by this Board every month for the last ten  
22 years.

23 MS. MOORE: Okay.

24 MR. EINGORN: Mr. Kluk has been here once  
25 or twice. Why don't they give us a brief --

1 MR. PLATT: Mr. Kluk, are you a licensed  
2 professional engineer in the State of New Jersey in  
3 good standing?

4 MR. KLUK: Yes, I am.

5 MR. PLATT: And have you been qualified  
6 before this Board and other Boards in the State of  
7 New Jersey and have testified at Zoning Board  
8 hearings like this?

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

10 MR. PLATT: You prepared a layout of the  
11 site, a proposed Conditions Plan?

12 MR. KLUK: Yes.

13 MR. PLATT: Let's mark it first as  
14 Exhibit A-1. What is the date of plan, sir?

15 MR. KLUK: It is --

16 MR. PLATT: That's okay. We'll mark it  
17 today's date November 4, 2024, Exhibit A-1.

18 MR. KLUK: That's good enough. It's from  
19 August.

20 MR. PLATT: And you prepared this,  
21 correct?

22 MR. KLUK: That's correct.

23 MR. PLATT: You visited the site?

24 MR. KLUK: Yes.

25 MR. PLATT: Are you familiar with the

1 this location?

2 MR. KLUK: Yes, I am.

3 MR. PLATT: Can you give the Board just a  
4 brief overview of the site and the location and the  
5 accesses, please?

6 MR. KLUK: The site consists of one  
7 building, parking and driveways. That's what's on  
8 this site.

9 MR. PLATT: Move to the microphone and  
10 keep your voice up.

11 MR. KLUK: So I already described the  
12 site and there's not much to it.

13 MS. MOORE: So you said just basically  
14 it's the building, the drive aisles and parking?

15 MR. KLUK: Yes.

16 MS. MOORE: I'll go right to the letter.  
17 Mr. Chairman, I'm referring to Remington  
18 & Vernick's letter dated March 21, 2024.

19 They're specifically here for the  
20 use variance. The applicant seeks a use variance for  
21 preliminary and final site plan approval to convert a  
22 House of Worship to a funeral home. The applicant's  
23 proposed funeral home is not a permitted use within  
24 the R-2 Zone per Section 870-52 and the Gateway  
25 Redevelopment area. Therefore, a D-1 use variance is

1 necessary. We'll hear testimony later regarding the  
2 Special Reasons, Positive and Negative Criteria  
3 regarding the use variance.

4           So the Area and Bulk Requirements.  
5 Regarding the Redevelopment Plan, the lot width,  
6 what's required is 200 feet. What's being proposed  
7 is 100 feet so they would be requesting a variance  
8 for lot width. Requesting a variance for impervious  
9 coverage. What's required is 80 percent. I guess  
10 that's maximum, 80 percent, and they're proposing 82  
11 percent. On the next page, page 3, the  
12 principal setbacks, front yard, what's required is  
13 10 feet. They're proposing 1.5 feet.

14           From the Redevelopment Plan, one side  
15 yard, required is 20 feet. They're proposing zero.  
16 From the Ordinance, the combined side yard is 25  
17 feet. They are proposing zero feet. And the  
18 parking - we're on Section 870-230.F - off-street  
19 parking should be 10 spaces plus one per each 50  
20 square feet of gross area. What's required is  
21 77 spaces and they're proposing 13. So it would be a  
22 variance for parking also.

23           MR. PLATT: For the record, these are all  
24 existing conditions.

25           MS. MOORE: The Redevelopment Plan is

1 silent on the parking requirements for funeral homes  
2 so that's why we did use the Ordinance requirements.

3 The bottom of page 3, it's the use  
4 variance comments which would be incorporated into  
5 the testimony. Moving on to page 4, the Performance  
6 Standards. If a street opening is necessary for  
7 Kaighn Avenue or Liberty Street, this application  
8 would be subject to the Street Opening Permit  
9 Ordinance of the City. The City Engineer should be  
10 contacted concerning the application and fees  
11 involved.

12 MR. PLATT: We agree.

13 MS. MOORE: Per Section 870-230.F, the  
14 proposed use requires 77 parking spaces, whereas only  
15 13 are proposed. A variance would be required.

16 MR. PLATT: Mr. Miller will be testifying  
17 as to that.

18 MS. MOORE: Okay.

19 Per Section 870-230.L, parking is to be  
20 provided on the same lot as the principal use to  
21 which the stalls are ancillary. The applicant has  
22 proposed parking on Lot 67. Plans should be revised  
23 to indicate the lots will be consolidated or a  
24 variance is required.

25 MR. PLATT: We will be doing the lot

1 consolidation.

2 MS. MOORE: So you will not need the  
3 variance for parking on a separate lot?

4 MR. PLATT: Correct. We'll consolidate.  
5 Yes.

6 MS. MOORE: Per Section 870-231.B(1)(a),  
7 parking spaces shall be dimensioned 9 ft. by 18 ft.  
8 The parking spaces should be dimensioned to confirm  
9 compliance.

10 MR. PLATT: We agree.

11 MS. MOORE: So they are 9 by 18 feet?

12 MR. PLATT: Correct.

13 MS. MOORE: Per Section 870-231.B(1)(c),  
14 handicap spaces shall be 8 feet minimum width with 5  
15 feet minimum width access aisle by 20 feet in length.  
16 The ADA parking spaces should be dimensioned to  
17 confirm compliance.

18 MR. PLATT: We believe it can and will  
19 comply.

20 MS. MOORE: Is it going to be 8 by 20 or  
21 8 by 18?

22 MR. PLATT: I think it's going to be  
23 8 by 20. That's actually 14 spaces the ADA space.

24 MS. MOORE: Okay.

25 Per Section 870-241.C, sidewalks should



1 be at least five feet wide and located as approved by  
2 the Board. The applicant has proposed a 4-foot wide  
3 sidewalk. Plans should be revised or a variance is  
4 required.

5 MR. PLATT: What we're doing in those two  
6 sections is, my client has agreed to replace all the  
7 sidewalk and the curbing on the street frontages.  
8 I'm not sure if we want to stay with the exist -- I  
9 don't know if we're going to be able to go with 5  
10 feet.

11 MS. MOORE: What is it existing? Do you  
12 know? Do you know what the existing width is?

13 MR. PLATT: It is 4 feet.

14 MS. MOORE: All right. So then you would  
15 need a variance for -- if you're replacing it. Are  
16 you able to do 5 feet?

17 MR. PLATT: I don't know if they can do 5  
18 feet. I'm going to speak to Mr. Kluk and he's going  
19 to have to -- can you address that, Mr. Kluk? Can  
20 you please stand up and speak up?

21 MR. KLUK: We can do 5 feet. Definitely  
22 will do 5 feet.

23 MR. EINGORN: So that's a yes, it will be  
24 5 feet?

25 MS. MOORE: Right. So is it yes, you

1 guys are going to replace it with 5 feet or do you  
2 need a variance for 4?

3 MR. KLUK: Let's apply for a variance and  
4 we can provide 5 feet definitively.

5 MR. PLATT: So the answer is to my  
6 understanding is, we'll replace it with 5 feet so we  
7 don't need the variance; is that correct?

8 MR. KLUK: That's correct.

9 MR. PLATT: Thank you.

10 MS. MOORE: So you will not need the  
11 variance?

12 MR. PLATT: Correct.

13 MS. MOORE: So you're just going to  
14 replace it with 5 feet?

15 MR. PLATT: Yes.

16 MS. MOORE: Okay.

17 Do you have any comments regarding my  
18 Stormwater Collection and Management?

19 MR. KLUK: No.

20 MS. MOORE: You'll satisfy everything  
21 there?

22 MR. KLUK: Yes.

23 MS. MOORE: Grading, you're fine with  
24 everything in grading?

25 MR. KLUK: Yes.

1 MS. MOORE: Utilities also? The project  
2 has to be approved by the City Engineer and the City  
3 Fire Chief?

4 MR. KLUK: Correct.

5 MS. MOORE: With written approval  
6 provided to our office for both of those.

7 MR. KLUK: Correct.

8 MS. MOORE: So you're fine. Okay.

9 We're going through each of those because  
10 none of those require a variance or a waiver.

11 Construction Details, you're fine with  
12 those?

13 MR. KLUK: Yes.

14 MS. MOORE: Let's jump to planting design  
15 at the bottom of page 5: Per Section 870-244.B, a  
16 landscape plan is required. No landscape plan has  
17 been provided. Plans should be revised or a waiver  
18 is required.

19 MR. PLATT: Pastor, if you can -- I think  
20 our answer to that one is that, we're going to be  
21 providing additional landscaping. It may not be  
22 exactly in a full-blown landscape plan but something  
23 that can be worked out with your office perhaps.

24 MS. MOORE: Okay.

25 MR. PLATT: Would that be acceptable?

1 MR. ROWLAND: Yes.

2 MS. MOORE: So you don't need a --

3 MR. PLATT: I think we need a Submission  
4 Waiver for the full landscape plan. But in terms of  
5 compliance, we're going to agree with whatever you  
6 recommend.

7 MS. MOORE: Okay. So you will be adding  
8 landscaping. It's just going to be on one of the  
9 other plans. So I guess that's a waiver of the  
10 landscape plan.

11 MR. EINGORN: Yes.

12 MS. MOORE: That's fine. Just make sure  
13 you have the notes on the plan for planting notes.

14 Lighting: No lighting has been proposed  
15 as a part of this application. Testimony should be  
16 provided regarding existing and proposed lighting on  
17 site. The lighting shall comply with Section  
18 870-243.

19 MR. PLATT: Mr. Kluk.

20 MR. KLUK: So what we are proposing is,  
21 we will check the lighting density. And if we don't  
22 meet the requirements, we'll add additional lighting,  
23 provide it, to meet the City Code.

24 MS. MOORE: Okay. Do you have any  
25 additional building lighting that you're doing with

1 the change in the use or no?

2 MR. KLUK: No.

3 MR. PLATT: We're not proposing any  
4 because most of the funerals will take place during  
5 the day. But for the funerals that might be like a  
6 twilight like this time of the year, we would propose  
7 that a lighting test be done. And if your office  
8 believes that additional lighting needs to be  
9 provided, then we will do so.

10 MS. MOORE: Okay. So you'll check the  
11 lighting. You'll do the lighting analysis. The only  
12 thing is that if you need a variance regarding the  
13 lighting, you would have to come back to the Board so  
14 you may --

15 MR. EINGORN: You can't grant a variance  
16 without knowing what the lighting is going to be.

17 MS. MOORE: Right, I know.

18 MR. PLATT: We don't think we'll need  
19 one. We'll comply with whatever the standard is.

20 MR. EINGORN: I think the standard is  
21 kind of tight in like the footcandle calculation.

22 MS. MOORE: The thing is, you may exceed  
23 it and we generally accepting you exceeding it  
24 because usually people want to exceed it for safety  
25 reasons.

1 MR. EINGORN: Right.

2 MS. MOORE: As long as you're not  
3 affecting a neighboring property in which there's the  
4 neighboring property guideline, the 0.25 footcandles  
5 or something that usually people can't meet. If you  
6 meet the one you sometimes can't meet the other if  
7 your neighbors is right there.

8 MR. PLATT: Right.

9 MR. EINGORN: The other option is, I  
10 think you're requesting preliminary and final. You  
11 could request preliminary and come back with the  
12 other stuff for final. This is not a huge  
13 application so that's kind of tough. But you could  
14 try to comply with the lighting, that's fine.

15 MS. MOORE: That's fine.

16 MR. PLATT: Maybe we'll address that  
17 through Mr. Miller's testimony. I mean, if you want  
18 to address it right now, we can.

19 MR. MILLER: I don't think the lighting  
20 is going to be a problem with the adjacent  
21 properties because their either another funeral home  
22 or a church which is across the street. And there's  
23 a number of properties that are vacant. There's a  
24 major road there that goes by, the access to the Ben  
25 Franklin Bridge.

1           So there aren't any residential uses that  
2 are proximate enough to the property to be impacted  
3 by the lighting. So I believe that basically they  
4 can comply without doing anything extensive. If  
5 there's a little too much light, it's not going to  
6 really impact anything. There's no uses that are  
7 going to be active while this is active.

8           MR. PLATT: But we would not exceed the  
9 footcandles at the property line if that's the  
10 maximum. We would not exceed it. We wouldn't need  
11 to come back for a variance. Whatever that will be,  
12 that will be.

13           MR. EINGORN: Okay. We'll comply.

14           MS. MOORE: All right.

15           Traffic Impacts: The applicant is to  
16 provide a traffic impact statement explaining the  
17 anticipated traffic changes from the current site  
18 traffic for the proposed improvements.

19           MR. KLUK: I was very well-educated  
20 by you on this previously. I will follow.

21           MS. MOORE: That's what we need. But in  
22 your situation, you do have existing. So we would  
23 need to see with the House of Worship versus the  
24 funeral services.

25           The applicant is to provide testimony

1 regarding any and all environmental concerns, studies  
2 and remediation pertaining to the site. Are there  
3 any? No?

4 MR. KLUK: I am not aware of it.

5 MS. MOORE: No?

6 MR. KLUK: Correct.

7 MS. MOORE: Okay. You provided testimony  
8 regarding the hauling. It's private hauling once per  
9 week, correct?

10 MR. PLATT: From the interior of the  
11 building, correct.

12 MS. MOORE: No signage was proposed for  
13 this application despite the change of use.  
14 Testimony should be provided.

15 MR. PLATT: What we're proposing to do is  
16 to, I believe under the Ordinance we are allowed up  
17 to two facade signs or building signs no greater than  
18 40 square feet. Whatever it is, we're going to  
19 comply so that we don't need any variances. So  
20 whatever the sign requirements are, we would comply.  
21 What we're proposing right now is simply a building  
22 sign.

23 MS. MOORE: Okay. Since you did not --  
24 did you submit that with this application? Did you  
25 show any signage?



1 MR. PLATT: They did not.

2 MS. MOORE: So then at this point, you  
3 would be submitting a separate application to the  
4 zoning officer regarding --

5 MR. PLATT: Right. We would have to get  
6 a sign permit. And if we did need a variance, we  
7 could probably get the permit directly from the  
8 zoning officer. We will comply with whatever your  
9 sign Ordinance is.

10 MS. MOORE: Right. But I mean, no sign  
11 will be approved as part of application?

12 MR. PLATT: Oh, we understand that. Yes.

13 MR. KLUK: Yes.

14 MS. MOORE: Block and Lots: The correct  
15 block and lots involved with this application should  
16 be indicated on the Cover Sheet.

17 MR. PLATT: We'll agree to those, yes.

18 MR. KLUK: Lot consolidation.

19 MS. MOORE: Right, that's the next  
20 comment. So a lot consolidation should be considered  
21 which you said that you were.

22 The applicant must obtain the correct tax  
23 map plates and block and lot numbers from the Tax  
24 Assessor. Written verification must be received by  
25 our office prior to final review and signature of the

1 deeds and/or plat.

2 MR. PLATT: We agree.

3 MS. MOORE: Now, with that with the lot  
4 consolidation, there is the requirement of the City's  
5 "Ordinance Establishing Standards for the Submission  
6 of Maps and Other Documents in a Digital Format."  
7 So two flash drives with the lot consolidation plan  
8 in NAD 1983 should be provided for review to satisfy  
9 this requirement. The applicant should be aware that  
10 final signatures of approval and building permits  
11 will not be issued until the required information is  
12 received.

13 So are you in NAD 1983?

14 MR. KLUK: Yes.

15 MS. MOORE: You are. Okay. So that's  
16 fine. You understand the requirements for that?

17 MR. KLUK: Yes. We will comply.

18 MS. MOORE: The signature block on the  
19 plans should be revised to remove the applicant's  
20 signature line and indicate the signature lines for  
21 the Zoning Board Chairperson, Zoning Board Secretary,  
22 Zoning Board Engineer and the Zoning  
23 Officer/Administrative Officer. Those four  
24 specifically.

25 MR. KLUK: We will comply.

1 MS. MOORE: The applicant should correct  
2 the direction of the north arrow on the plans.

3 MR. KLUK: Correct.

4 MR. PLATT: I can even do that.

5 MS. MOORE: The applicant and owner are  
6 reminded that site safety is their responsibility.  
7 The plan should note specifically as in the quotes,  
8 "The owner, or his representative is to designate an  
9 individual responsible for construction site safety  
10 during the course of site improvements pursuant to  
11 N.J.A.C. 5:23-2.21(e) of the N.J. Uniform  
12 Construction Code and CFR 1926.32(f) the OSHA  
13 Competent Person." You'll add that note  
14 specifically?

15 MR. KLUK: Yes.

16 MS. MOORE: The Summary of Variances and  
17 Waivers: I have for Variances: Use from the  
18 Redevelopment Plan Use; lot width; impervious  
19 coverage, and one side yard setback. From the  
20 Ordinance we have, front yard setback, combined side  
21 yard setback and the number of parking spaces. I  
22 removed the 'parking on a separate lot and  
23 sidewalks.'

24 MR. PLATT: That is correct. Thank you.

25 MS. MOORE: And Waivers I have the

1 landscape plan.

2 MR. PLATT: Yes.

3 MS. MOORE: You're aware of the Approval  
4 Process as listed on page 7. If you have any  
5 questions, you can contact me. And on page 8, the  
6 Outside Agency Approvals, I have Camden County  
7 Planning Board, Camden County Soil Conservation  
8 District.

9 MR. KLUK: Yes.

10 MS. MOORE: Mr. Chairman, that concludes  
11 my review and we'll hear the planning testimony  
12 regarding the use.

13 CHAIRMAN HANCE: Thank you so much.

14 MS. MOORE: You're welcome.

15 MR. PLATT: Mr. Miller, you're still a  
16 licensed planner in the State of New Jersey in good  
17 standing?

18 MR. MILLER: Yes, I am.

19 MR. PLATT: Would you please demonstrate  
20 to the Board why a use variance can be granted and  
21 why a parking variance could be granted based upon  
22 the testimony and the application?

23 MR. MILLER: Yes. As the Board knows,  
24 this is in an R-2 District and also in the  
25 Redevelopment area. The applicant is seeking a

1 "d(1)" variance to reestablish the funeral home use  
2 that had been previously existing on this property.  
3 To do that, they need a "d(1)" variance. Most of the  
4 bulk variances are subsumed within the "d(1)"  
5 variance and they are also existing conditions.

6 So the testimony that supports the use  
7 variance will also support the variances -- the  
8 various bulk variances. The one exception to that is  
9 the parking variance which I will address  
10 separately. So to begin with the testimony under the  
11 Positive Criteria and this site, we're required to  
12 show that there's Special Reasons to justify the  
13 variance that the relief would advance purposes of  
14 the Municipal Land Use Law.

15 I believe there are two purposes that  
16 will be advanced. Purpose A: To encourage municipal  
17 action and guide the appropriate use of development  
18 of all lands in the state in a manner that will  
19 promote the public health, safety, morals and general  
20 welfare. And Purpose G: To provide sufficient space  
21 in appropriate locations, a variety of agricultural,  
22 residential, recreational, commercial and industrial  
23 uses and open space both public and private according  
24 to their respective environmental requirements in  
25 order to meet the needs of all New Jersey citizens.

1           And to meet those proofs again, we have  
2 to show that the site is particularly suited for the  
3 use and I believe that is so for a number of factors.  
4 First, the site contains a preexisting structure that  
5 is suitable for the proposed use. As the Board has  
6 already heard, this structure was originally purposed  
7 as a funeral home. So basically, the use we're  
8 seeking this evening was established at the site  
9 earlier and the building was found to be suitable for  
10 that use under earlier approvals.

11           The building is in good condition. There  
12 haven't been any significant changes to the building  
13 since it was a funeral home in the past. So  
14 basically, the use remains appropriate to the  
15 building. It's basically, again, just a  
16 reestablishment of a use which was already  
17 established in that building earlier in its  
18 existence. I also believe too that there is  
19 sufficient parking for the use and I will get into  
20 in a little more detail when I discuss the parking  
21 variance.

22           The second set of reasons have to do with  
23 the fact that the location itself is appropriate for  
24 the funeral home use. The site is within a  
25 residential zone but it's on the boundary of that

1 residential zone. And it's also in an area where  
2 there aren't any significant residential uses  
3 approximate to the site. Because I testified a few  
4 moments ago, the only established uses in the  
5 vicinity of the site, are the church across the  
6 street and a second funeral home. The balance of the  
7 block is undeveloped currently. There is a parking  
8 lot across the street that services the church. But  
9 basically, those are the only real developed uses  
10 within the vicinity.

11           So the two closest uses are the church  
12 and the funeral home. I think the funeral home is an  
13 indicator that this is an appropriate location for a  
14 funeral home because there's already one there. And  
15 it seems to be fully appropriate for the site.  
16 It's also a viable location because there's a certain  
17 synergy between having a church and funeral home  
18 because churches are often locations for funerals and  
19 it actually creates a convenient location should that  
20 church parishioner family that's having the funeral,  
21 may want to actually utilize this funeral home or the  
22 one adjacent to it for the funeral itself.

23           So basically it's a very appropriate  
24 location for the use. It's approximate to Kaighn  
25 Avenue which gives it excellent access. Also

1 proximate to I-676 so it has very good accessibility  
2 if people are coming from outside the area to attend  
3 the funeral. And I believe all those factors combine  
4 to make the site particularly suited for the use  
5 to advance the purposes of the Municipal Land Use Law  
6 dealing with the appropriateness of the site for the  
7 use and establish the "Special Reasons" to justify  
8 the variance under the Positive Criteria.

9 We also require a parking variance. And  
10 this is primarily because the Ordinance does not have  
11 a parking standard for funeral homes, so in the  
12 absence of a formal standard, there's a general  
13 standard that the City applies and that's what your  
14 engineer has referenced earlier in the hearing. That  
15 standard is basically got a lot of cushion in it  
16 because you can't anticipate what kind of parking a  
17 given use will require so the City has put a pretty  
18 expansive standard within that general standard. And  
19 what that means is that when you address this from a  
20 zoning perspective, what you really need to look at  
21 is, what are the actual parking demands for the use,  
22 and what is the actual parking that's available to  
23 support that use.

24 We're dealing here with the  
25 reoccupation of this building as a funeral home. And



1 we're also dealing with a situation where potentially  
2 the peak parking demand for the use is going to be  
3 less than it would be for the assembly use which was  
4 the church that was the use that was in between the  
5 last funeral home that was here and the proposal for  
6 the funeral home this evening. So basically, I think  
7 that there's going to be somewhat less demand for  
8 parking for the new use than there would be for the  
9 existing use.

10 In addition, there are 13 spaces on site  
11 plus the 14th space for the handicap space.  
12 Typically, the ratio you would use for this type of  
13 use would be one space for every three visitors.  
14 Basically, it's similar to other assembly uses where  
15 there's an assumption that many of the people are  
16 going to come -- there will be numerous people in a  
17 given vehicle; basically three. There's also the  
18 fact that there may be some pedestrians as well. But  
19 if you look at the 13 spaces and with three visitors  
20 per space, that's 39 people that could be  
21 accommodated by the 13 spaces on site.

22 In addition, there's a significant amount  
23 of on-street parking within the area. And that  
24 supplements that parking very substantially. If you  
25 look at the site plan, you can see that the site has

1 frontage on three streets, Kaighn Avenue, 8th Street,  
2 and then Liberty Street. And there are no other  
3 uses which currently use that on-street parking.  
4 So there's very substantial parking within the area.  
5 And all those factors mean that, first of all, in  
6 most cases the 13 spaces are going to be sufficient  
7 but in the instances where there might be 50  
8 attendees or 60 attendees, there's more than enough  
9 on-street parking available within the area to  
10 support the use.

11           So basically, the benefits of this  
12 variance would be the reoccupation of the building  
13 and the creation of a use which is using potentially  
14 less parking demand than the existing use. I don't  
15 believe there are any adverse impacts from the relief  
16 that we're seeking for the on-site parking. There is  
17 additional parking on the street and then even  
18 potentially some parking that might be available at  
19 the church across the street which won't be occupying  
20 its parking lot at the time that there might be a  
21 funeral.

22           So basically under the Positive Criteria  
23 for a C-2 variance, we have to show that there's  
24 the -- the benefits of the variance would outweigh  
25 any potential detriment. I believe that the

1 benefits of reoccupying the site, reestablishing the  
2 funeral home use here, exceed any potential detriment  
3 from the deviation from the parking standard which,  
4 again, I think is more academic and technical than it  
5 is real because of the combined availability of  
6 parking on-site and also in the surrounding area.

7           So basically I believe all of the relief  
8 satisfies the Positive Criteria. Under the Negative  
9 Criteria, we have to show that there's no substantial  
10 detriment to the public good and no impairment of the  
11 intent or purpose of the Zone Plan or the Zoning  
12 Ordinance. First of all I think this use satisfies  
13 the general welfare prong. That's basically a  
14 function of how the use is going to impact the area.  
15 I think basically this is a use which is going to be  
16 beneficial to the area. It's going to reoccupy a  
17 currently vacant building. It's going to introduce  
18 some activity in an area where predominantly you have  
19 vacant lots at this point.

20           So I think that there's significant  
21 benefit to the area. And also it's a use which is  
22 easily accommodated by the area. It's compatible  
23 with the other uses in the area which are basically  
24 the church and another funeral home. So I believe  
25 the use easily satisfies the public welfare prong. I

1 don't see any detriment whatsoever to the public good  
2 if this variance is granted and the funeral home use  
3 is reestablished.

4           We also have to show that we can  
5 reconcile the grant of this variance with the failure  
6 otherwise included in the district, and that the  
7 relief requested will not substantially impair the  
8 intent or purpose of the Zone Plan and Zoning  
9 Ordinance. I think, again, there's a number of  
10 factors that reconcile the use with the failure to  
11 include it. The site is located in a redevelopment  
12 area and this is a private redevelopment so it's  
13 consistent with the objectives of the Redevelopment  
14 Area to the extent that it is going to redevelop the  
15 site and reactivate this as an occupied use.

16           The building has a character and history  
17 that's consistent with the use. It was a funeral  
18 home in the past and it will be a funeral home once  
19 again. The other uses in the area are nonresidential  
20 so there's very little potential for any adverse  
21 impact on those. So basically it provides a way to  
22 use an existing structure which is currently vacant  
23 in a productive way. And I think all these factors  
24 are consistent with the overall objectives of the  
25 Master Plan and the Redevelopment Plan in the Zoning

1 Ordinance itself which are basically to encourage the  
2 Redevelopment of areas where there are significant  
3 vacancies.

4           And I think that those factors and the  
5 fact that the site is historically been used as a  
6 funeral home and that there's another funeral home  
7 proximate to this funeral home, all work to reconcile  
8 the variance relief with the Ordinance and the  
9 failure to otherwise include it within the Code. And  
10 as a result, I believe it does satisfy the Negative  
11 Criteria. It will not impair the intent or purpose  
12 of the Zone Plan and Zoning Ordinance and would merit  
13 the Board's approval.

14           MR. PLATT: Mr. Miller, the condition  
15 that the applicant agreed to in a larger funeral  
16 situation, agrees as a condition of any approval, to  
17 move them to a different location, that would  
18 alleviate any further concerns regarding the parking  
19 variance, correct?

20           MR. MILLER: Yes, it would.

21           MR. PLATT: And did you give any  
22 testimony on the existing condition variances?

23           MR. MILLER: Yes, I did. I testified  
24 earlier that those would be subsumed within the "d"  
25 variance because basically there are existing

1 conditions and they're also appropriate to this use.  
2 So it satisfies that criteria as well. The case law  
3 basically allows or encourages applicants to argue,  
4 any bulk relief that's associated with a "d"  
5 variance, simultaneously with a "d" variance, because  
6 what you want to do is have the bulk standards be  
7 appropriate to the proposed use.

8 MR. PLATT: Thank you. That's all the  
9 testimony that we have at this time. Open for any  
10 questions you might have for the pastor or any of the  
11 other witnesses.

12 MR. EINGORN: Does the Board have  
13 questions?

14 CHAIRMAN HANCE: Yes. One question. Is  
15 there a funeral home right down, like a half a block  
16 away; am I right?

17 MR. ROWLAND: Not even a half a block.  
18 It's the property in between us.

19 CHAIRMAN HANCE: So if you're having a  
20 funeral at the same time, that would be a little  
21 congestion. Not that he has no more parking than you  
22 have or whoever owns the place. I noticed that he  
23 doesn't have a lot of parking either. But it's like  
24 a business area so you really don't have too much  
25 right there. It's behind. It's in the back but

1 nothing in the front. So you should have parking on  
2 both sides of the street.

3 MR. ROWLAND: Absolutely.

4 CHAIRMAN HANCE: Unless it's Sunday when  
5 the church is there.

6 MR. PLATT: And you don't have very many  
7 Sunday funerals, do you?

8 MS. MASON: I have a question.

9 MS. MOORE: I forgot one thing about the  
10 parking variance and something from the previous  
11 project too which I'll have to talk to them about.  
12 There is a parking variance fee. So that fee has  
13 changed but I believe you would have to talk to the  
14 Zoning Officer/Administrative Officer regarding the  
15 fee. But the fee when calculated at one point, it  
16 was \$6,000 per every parking space not provided. But  
17 there is something that you have to speak with the  
18 Zoning Officer/Administrative Officer about to get a  
19 waiver of that fee. But there is a parking variance  
20 fee so I will let the other application know --

21 MR. EINGORN: And it used to be per  
22 space. Like for every space you get a variance for  
23 that you don't have to comply with, you get charged  
24 per space. The other thing is, we had an application  
25 come in previously for a cafe and they had an

1 agreement to use some of the parking on this  
2 property. So can you at least discuss how that's  
3 going to impact your ability to use the parking?

4 MR. ROWLAND: Absolutely. If they were  
5 to have -- we would let them know when we have  
6 services. So they're going to know ahead of time  
7 when we have services so those areas will be reduced.  
8 But we're trying our best to keep the services under  
9 50 people and not really use other locations which  
10 are larger.

11 MR. EINGORN: So you have how many other  
12 locations?

13 MR. ROWLAND: We have a place in  
14 Philadelphia and we use a place in Westville right  
15 now and we partner with the Zale Funeral Home in  
16 Stratford also.

17 MR. EINGORN: So you're pretty familiar  
18 with how many cars come per, and so you believe  
19 that at this site there's a sufficient amount of  
20 parking to support the size of a funeral?

21 MR. ROWLAND: We believe we can  
22 accommodate the residents of the City of Camden to  
23 give them a good quality of service.

24 MR. PLATT: Between the on-site and the  
25 on-street parking and I think with the other cafe,



1 there's an understanding with the parties that when  
2 there's a service in place, the cafe can't be using  
3 the parking spaces under the lease agreement.

4 CHAIRMAN HANCE: They passed the cafe on  
5 that that they would have parking so that kind of --

6 MR. EINGORN: You've reserved certain  
7 parking for the cafe and so that kind of became --

8 MR. PLATT: So we would notify the cafe  
9 in advance when there's a service. At that point, it  
10 would be at least all but -- or most if not all the  
11 spaces would be available during the services.

12 CHAIRMAN HANCE: The only issue we still  
13 have with the cafe, if they're still going to open  
14 up, you're still going to use parking. And that's  
15 kind of going to be crazy if we pass it on his word  
16 that they give them parking so... Will the cafe  
17 still open up or they just can't park there?

18 MR. ROWLAND: They can open up. It's  
19 just their parking is reduced to that time.

20 MS. MASON: There was an actual lease.

21 MR. STILL: Lease parking.

22 MS. MASON: That was for the cafe.

23 CHAIRMAN HANCE: But we passed it on the  
24 extra parking that he would need for that building.  
25 That's why he agreed to give them parking.

1 MS. MASON: Right.

2 CHAIRMAN HANCE: So if he's having a  
3 funeral that day, and he's saying that he can't park  
4 there that day, that's going to be an overload of  
5 parking for that cafe.

6 MS. MASON: Right.

7 CHAIRMAN HANCE: So now that's going to  
8 affect the church. That's why the church was here.

9 MS. MASON: Exactly. So you have the  
10 church, you have the cafe, the other funeral home and  
11 now this funeral home and 13 parking spots.

12 CHAIRMAN HANCE: Right. Now there is  
13 parking on the street. But if the cafe opens up,  
14 there may not be any parking on the street.

15 MS. MASON: What about the church?

16 CHAIRMAN HANCE: The church is usually  
17 Sunday unless they're having something. So it's like  
18 a -- I'm saying that we passed the cafe because he  
19 offered to give them parking.

20 MR. EINGORN: I don't think there's going  
21 to be hours of operation on Sundays; is that  
22 correct?

23 MR. ROWLAND: We traditionally don't  
24 operate on Sunday. Our normal hours are Monday  
25 through Friday and occasionally Saturday.

1           MR. EINGORN: So they're really not going  
2 to conflict much with the church because the church  
3 is generally going to have the bulk of their  
4 constituents there on a Sunday. So I don't know that  
5 the church is really the issue with the funeral home.  
6 It's the other funeral home and the cafe for which  
7 they pledge parking under a lease.

8           CHAIRMAN HANCE: I have noticed the cafe  
9 didn't do anything yet. The building still looks  
10 abandoned.

11           MS. MASON: Well, who owns the parking  
12 lots? Do you own the parking lots?

13           MR. ROWLAND: Yes.

14           MR. PLATT: Right. They gave a  
15 non-inclusive lease to the cafe that when there's a  
16 need for overflow parking, the cafe can use it.  
17 That's why you passed it.

18           CHAIRMAN HANCE: Right.

19           MS. MASON: So you're leasing it to the  
20 cafe?

21           MR. PLATT: But the cafe can't take up  
22 his spaces when it needs it for a funeral, for the  
23 processions. And also, I'm going to let him testify,  
24 not that it's part of this application. But you're  
25 under contract for the adjoining lot here as well

1 just in case?

2 MR. ROWLAND: Absolutely. Just under  
3 contract.

4 MR. PLATT: Now, again, it's not within  
5 this application but he's under contract right now.  
6 I have a copy of the contract; that if you do have a  
7 concern about parking, this additional lot, that he  
8 can enter into an agreement to allow parking on that  
9 additional lot.

10 CHAIRMAN HANCE: So you do have a copy of  
11 the contract?

12 MR. PLATT: I do.

13 MR. EINGORN: Let's say hypothetically --

14 MS. MOORE: But it's a separate lot so  
15 the --

16 MR. PLATT: It's Lot 75 which is down  
17 here. I believe it's this lot. There may have been  
18 a survey error. I believe it's this lot down here.  
19 But it's not part of this application.

20 Can you describe the lot for the  
21 Board?

22 MR. ROWLAND: I believe it's 28 by 100  
23 feet.

24 MR. PLATT: It's a vacant lot, right?

25 MR. ROWLAND: It's a vacant lot. Vacant.



1 but it's not really part of the application. And  
2 without the details, we really can't consider it. I  
3 will conclude this as part of the application packet  
4 but...

5 MR. PLATT: Right. We are not making  
6 this part of the application per se because we  
7 believe there's sufficient parking both on-site and  
8 off-site. But if there were any concerns, we were in  
9 the process of addressing those concerns as well.  
10 But we think this is sufficient parking to begin  
11 with.

12 CHAIRMAN HANCE: So I'm going to back up.  
13 So it used to be a church and then it was a funeral  
14 home?

15 MR. PLATT: Funeral home then church now  
16 we're requesting funeral home.

17 CHAIRMAN HANCE: Funeral home first then  
18 church. Now you're back to the funeral home.

19 MR. ROWLAND: Yes.

20 MR. EINGORN: Any other questions?

21 MR. STILL: Did I miss something? I see  
22 here the applicant seeks use of variance preliminary  
23 and final plan approval to convert House Of Worship  
24 to funeral home. Did anywhere in their application  
25 did it say it was a funeral home before the House of

1 Worship? Because going off of what we are reading  
2 here, I didn't know it was a funeral home before.

3 MR. EINGORN: Right. Well, usually in  
4 the application packet they tell you what the change  
5 of use is. Right? All that really matters is, what  
6 is it now and what is it going to be?

7 MR. STILL: Yes.

8 MR. EINGORN: So the testimony from  
9 previous gives you a little idea of what's going on.  
10 But it wouldn't usually be in the packet itself.

11 MR. PLATT: Currently it's a vacant House  
12 of Worship. But it had previous to that been a  
13 funeral home.

14 CHAIRMAN HANCE: So that means we can't  
15 make an addition that he had parking cause it's not  
16 in the our packet?

17 MR. EINGORN: You could. The problem is,  
18 it's not part of the application. They'd have to  
19 come back for a use variance. And it would be on the  
20 condition that they buy the property. You can't  
21 force them to buy the property. It's tough. Any  
22 other questions?

23 MR. STILL: Am I clear that he doesn't  
24 own the parking lot?

25 MR. EINGORN: That Lot 75, he does not

1 now. He's under contract to purchase it, the  
2 applicant, but it's not owned by them currently at  
3 this time. Any last comments before we open to the  
4 public?

5 MR. PLATT: The only comments I would  
6 make is if there is a parking concern, what we could  
7 do tonight is bifurcate the vote and deal with the  
8 use variance only and then come back on the  
9 preliminary and final on the parking variance.

10 I don't know if the Board is having those  
11 concerns. I sense that there's some concerns. We  
12 can do it that way. We wouldn't want the entire  
13 application to be addressed with just the parking  
14 issues.

15 MR. EINGORN: That's something to  
16 consider. If the Board wants to do that. Why don't  
17 we get the public portion in and then the Board can  
18 make a decision on that.

19 Anybody in the public tonight that like  
20 to be heard on the application of Macedonia Baptist  
21 Church, 812 to 814 Kaighn Avenue?

22 UNIDENTIFIED SPEAKER: Yes.

23 MR. EINGORN: Would you raise your right  
24 hand, sir.

25

- - -



1 THEO SPENCER, having first been duly  
2 sworn/affirmed, was examined and testified as  
3 follows:

4 - - -

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

8 MR. SPENCER: My name is Theo Spencer,  
9 1382 Haddon Avenue. My father owns Stanley Memorial  
10 Chapel which is the other funeral home in question on  
11 Kaighn Avenue. So my father couldn't be here tonight  
12 so I'm representing him in terms of some of his  
13 contentions about --

14 MR. EINGORN: I hate to do it to you, but  
15 you're not attorney so you can't represent somebody  
16 else. You can raise your own concerns.

17 MR. SPENCER: Okay, I can raise my own  
18 concerns. I'll raise my own concerns on behalf of my  
19 father. So we would contend that this property in  
20 question, Macedonia Baptist Church, has already been  
21 operating as a funeral home for some time now. So  
22 they're trying to give the impression that they're  
23 going to make it into a funeral home, but they've  
24 been operating it as a funeral home for a little bit.

25 Just by way of background, the State of

1 New Jersey allows up to three funeral homes to  
2 operate out of the same building. And so, a few  
3 years ago, the folks that were running Macedonia  
4 Baptist Church and my father, had an agreement and he  
5 was operating the Circle Of Life Funeral Home. And  
6 so if you drive past the property, you'll sometimes  
7 you'll see the signs for Circle Of Life Funeral Home,  
8 Circle Of Life. And so once their agreement to  
9 operate to dissolved, they decided to move into  
10 formerly Tunsil Funeral Home which eventually was a  
11 Baptist Church and now they're trying to make it go  
12 back to a funeral home.

13           The reason why we believe it is still or  
14 that they're operating funerals there, is because my  
15 father's funeral home and Circle Of Life were once  
16 connected, when people put in GPS to Circle Of Life,  
17 sometimes my father's address comes up. And so we've  
18 had people come and knock on the door looking to make  
19 funeral arrangements in Macedonia Baptist Church or  
20 Circle Of Life Funeral Home, whatever you want to  
21 call it, but we're already kind of seeing that, you  
22 know, this is what's going on. In terms of parking,  
23 we've had situations where they've had events going  
24 on there and their folks are just parking right in my  
25 father's lot.

1           Some of the construction that they are  
2 proposing is going on but will go on, I believe may  
3 have already been going on. Because at one point,  
4 there was a lot of construction waste behind them.  
5 Because the properties are kind of like right next to  
6 each other. The back yards are adjacent. There was  
7 a lot of construction waste in the back yard where,  
8 you know, they had basically dumped waste and hadn't  
9 gotten it cleaned up. I reported it to the City.  
10 Some how my father got cited for this even though it  
11 wasn't any of his construction waste at all.

12           So we don't argue about whether it was a  
13 funeral home or not. It was a funeral home at some  
14 point in the past. But we would argue that by  
15 approving this variance, what you're doing is you may  
16 be rewarding someone for operating this as a funeral  
17 home before a zoning had been approved for this  
18 funeral home to operate. So that would be our main  
19 contention that, you know, we shouldn't be rewarding  
20 this sort of behavior. This has come up before the  
21 Zoning Board, I believe, three times before. Once as  
22 Circle Of Life and now as Macedonia Baptist Church.  
23 We've been coming up for a while trying to figure out  
24 what was going on because it has been difficult to  
25 get information about what the plans are and that

1 sort of thing.

2           In regards to the cafe, this is the first  
3 that I'm hearing that a cafe wants to... In between  
4 the two buildings there's this single-standing  
5 building. I have no idea where that parking would go  
6 for somebody that would operate a cafe. In front of  
7 the buildings, there's probably space for two or  
8 three cars to park out in front of the lot without  
9 going into my father's lot. In terms of when you're  
10 going to have funeral services, if you've ever  
11 planned a funeral, you know that families have  
12 funerals whenever or wherever they want to have the  
13 funeral. So if they want to have the funeral in your  
14 facility on Sunday or Saturday, that's where the  
15 funeral is going to be.

16           So in terms of the coordination, I'm not  
17 sure how that works. There are other spaces in  
18 Camden that are available that could have been  
19 converted to a funeral home. The requirements to be  
20 a funeral home aren't super lofty. It's just an  
21 embalming room, a chapel, and an office. There's  
22 plenty of other spaces other than the space basically  
23 a couple hundred feet away from where they were  
24 operating before. So I mean, that's pretty much what  
25 we would offer as our reasons to basically oppose

1 this being zoned as a funeral home moving forward.

2 CHAIRMAN HANCE: So you can't finish off  
3 your parking where?

4 MR. SPENCER: No. The way the parking  
5 lot is, you know, I mean I would have to discuss that  
6 with my father. But we hadn't looked at fencing the  
7 property off. Because of the difficulty that we knew  
8 the property had in terms of being rezoned as a  
9 funeral home, it wasn't something that we had either  
10 really considered. I just started working with my  
11 father trying to help him a lot with the funeral  
12 home. I didn't notice what the challenges were until  
13 recently. Like I said, we had a funeral there and  
14 they had some event. I don't know whether it was a  
15 funeral or not. But they probably had ten cars park  
16 in our lot and it was difficult to try to get people  
17 to move, you know, in the middle of us trying to have  
18 a service there as well. That's it.

19 CHAIRMAN HANCE: Thank you.

20 MR. EINGORN: Anybody else here tonight  
21 that would like to be heard on this application?  
22 Anybody else from the public that like to be heard on  
23 this application? Hearing and seeing none, we'll  
24 close the public portion.

25 MR. PLATT: The pastor has a few remarks

1 to make regarding the public --

2 MR. ROWLAND: Our Place of Worship, we  
3 give out to the community. We do what we have to do.  
4 In regards to the parking that was in his spot, some  
5 of the people that came, they didn't know exactly  
6 where our building -- where our lot was in the back  
7 because it's on Liberty Street. When his father came  
8 over and asked for the cars to be moved on that day,  
9 they were moved. They went and told the people to  
10 move and they moved in the back of our lot with no  
11 problem.

12 As far as Macedonia, Macedonia owns the  
13 building. It's a Place of Worship. And we are under  
14 the agreement with Circle Of Life Funeral Home. So  
15 that is the mixture of all of those together.  
16 Originally, Circle Of Life was with Stanley Funeral  
17 Home because the State of New Jersey allows up to  
18 three funeral homes to operate in one single  
19 location. It was Stanley, Circle Of Life and it was  
20 Flippen Funeral. All three were in the same  
21 building. We just got our own building next door and  
22 we were located in Philadelphia and we have a  
23 partnership and we work with Zale where they can do  
24 all of our work and you could hold a service at a  
25 Place of Worship or any other facility. That's our

1 concerns right there. And that's basically what we  
2 have.

3 MR. EINGORN: So two points of  
4 clarification. The applicant didn't use the  
5 property yet for a funeral; only for House of Worship  
6 purposes?

7 MR. ROWLAND: It is House of Worship.

8 MR. EINGORN: Currently, right?

9 MR. ROWLAND: House of Worship. We went  
10 through other clearances. The State Board of  
11 Mortuary Science approved it. The Fire Marshall came  
12 by and they approved. We have these. We're waiting  
13 for zoning from guys so that we can open up and do as  
14 a funeral home. But we do our funerals at other  
15 locations.

16 MR. EINGORN: There hasn't been any  
17 funerals there yet by the applicant?

18 MR. ROWLAND: A place of -- we have  
19 worship services there.

20 MR. EINGORN: Just worship services right  
21 now?

22 MR. ROWLAND: Worship services. If they  
23 want to come to a memorial, we've allowed them to do  
24 that.

25 MR. EINGORN: But no funerals from that

1 building yet?

2 MR. ROWLAND: No. We aren't doing any  
3 embalming or anything like that there as a funeral  
4 home. We can't do that there.

5 MR. EINGORN: Okay. And once it is a  
6 funeral home if approved --

7 MR. ROWLAND: Then we can put signs up  
8 and we can do mortuary science and --

9 MR. EINGORN: But you wouldn't be doing  
10 any more church services or anything?

11 MR. ROWLAND: No. The church services  
12 would be over.

13 MR. EINGORN: Thank you. Those are my  
14 questions. Any other questions?

15 MR. STILL: I have two concerns. One of  
16 them was parking. Parking is out the way. I just  
17 want to know how long ago it was a funeral home  
18 before it became a House of Worship?

19 MR. ROWLAND: Late 1990's beginning of  
20 2001. Then I can't remember the name of the church  
21 that bought them out. I don't know how they went  
22 through their transition or anything. But it used to  
23 be Tunsil Funeral Home for years.

24 MR. STILL: Right. Got you. The only  
25 thing I ask is because I don't know about the



1 embalming part or anything like that. But I attended  
2 a funeral there on March 14, 2024, so I don't know if  
3 that needs to go in record or how that works.

4 MR. ROWLAND: Okay. You have a casket  
5 there or Place of Worship. You can hold a funeral  
6 at any Place of Worship. But as far as embalming,  
7 Mortuary Science or anything, that's not there.  
8 But it's approved but it's not there. And that's  
9 when zoning and inspectors came out, we expressed  
10 that to them and we gave them clear access to view  
11 our building.

12 MR. STILL: Got you. I just didn't want  
13 to approve anything under false pretenses with all  
14 due respect to you Pastor Rowland, but I just wanted  
15 to present that just because I have been there. I  
16 don't know if any of the embalming or anything is  
17 going on, but I was there for a funeral.

18 MR. EINGORN: What you're talking about  
19 is, you know, evidentiary issues. Right? And the  
20 Board has to take into account what you've heard,  
21 right, and make a decision on the application  
22 based upon the evidence. Right? A use variance  
23 requires a discussion of the Positive and Negative  
24 Criteria. And whether or not the Board feels that  
25 this property is well-suited for this use. Right?

1 That's what we are here for tonight.

2 Now the questions becomes, does the Board  
3 want to bifurcate the application, hear the use  
4 variance and table the site plan for issues related  
5 to parking? Or does the Board want to weigh on both  
6 and discuss the parking variance as it currently  
7 stands?

8 CHAIRMAN HANCE: So let me say this cause  
9 now it's kind of twisted here. So you had a funeral  
10 there but you didn't embalm; it was just a funeral?

11 MR. ROWLAND: As a Place of Worship, you  
12 can hold a service. The embalming takes place at our  
13 other location, the place in Philly and we partner  
14 with other funeral homes such as Zale. They do all  
15 the work; they hold our bodies; they casket; they  
16 dress. Then you bring the body to the location on  
17 the day of the service. And then they go to be  
18 interned.

19 CHAIRMAN HANCE: And state and all that  
20 stuff, they have their certificates that the state  
21 approved that and the Fire Marshall?

22 MR. ROWLAND: This is the issue. The  
23 location that we're at, the state has already come in  
24 and approved. But we can't do any business there  
25 until zoning. That's why we're in front of this

1 Board here today.

2 CHAIRMAN HANCE: And the state approved  
3 it for what?

4 MR. ROWLAND: Mortuary Science for a  
5 funeral home. They knew that it was a funeral home  
6 before; they came in and did the inspection.  
7 Actually City Inspectors came out to our building and  
8 checked and it was nothing in our building --

9 CHAIRMAN HANCE: I'm going to ask you  
10 this. Do you have your certificates with you?  
11 Because this is getting --

12 MR. ROWLAND: For mortuary, I don't have  
13 them but I can get them for you.

14 CHAIRMAN HANCE: But you can bring them?

15 MR. ROWLAND: Yes.

16 CHAIRMAN HANCE: Can we table this and  
17 have them bring it back so we can see it?

18 MR. EINGORN: Yes.

19 CHAIRMAN HANCE: I think we're going to  
20 table it and bring them back.

21 MR. EINGORN: Okay. So you want to see  
22 the certificates?

23 CHAIRMAN HANCE: Yes.

24 MR. EINGORN: And I guess whatever  
25 happens with the parking, that could be brought at

1 that time too?

2 CHAIRMAN HANCE: Right. Is anybody going  
3 to say anything but me? Should we table this and  
4 bring them back with the certificates?

5 MS. MASON: Yes.

6 MS. MOORE: So what you want to see is a  
7 certificate from the state but you realize that until  
8 they get the approval from the City, their  
9 certificates really don't --

10 CHAIRMAN HANCE: They don't --

11 MS. MOORE: -- they can't do anything.

12 MR. PLATT: It's an outside agency  
13 approval.

14 MS. MOORE: Right.

15 CHAIRMAN HANCE: But once we pass him --

16 MS. MOORE: Right. I guess the confusion  
17 is, because what we all know as funeral service is  
18 already taking place. The only thing that's not  
19 taking place is the embalming.

20 CHAIRMAN HANCE: Right.

21 MS. MOORE: So I guess that's where the  
22 use comes in from, you all.

23 MR. EINGORN: I think the distinction  
24 that you're making is that you're saying funeral  
25 services are the dressing and preservation of the

1 body, placing it in the casket, all of those things.  
2 And the Board is more concerned with the funeral  
3 service, meaning, people coming to the building,  
4 paying their respects to the deceased, hosting  
5 whatever the service in question is.

6 I'm assuming you give a sermon or  
7 somebody else does and there's some kind of  
8 reflection of life, whatever it may be where  
9 everybody congregates. And then the body is driven  
10 from the building to the cemetery. I think that's  
11 the distinction that's being drawn here is, you're  
12 talking about funeral services being what we do with  
13 the body. And the Board is more concerned with the  
14 people coming to the building to pay respects and the  
15 service as in, you know, the ceremony. I think that's  
16 where the distinction is.

17 MR. PLATT: And so I think what we've  
18 done is put on a lot of testimony about what you  
19 consider to be a funeral home, the procession part,  
20 people coming in, paying respects and leaving. We  
21 have that -- we put that testimony on there. The  
22 additional piece for a funeral home is, the mortuary  
23 services that take place inside. They want to be  
24 able to do that at this location as well. That's  
25 what makes it a -- let's talk about this as being a

1 full-service funeral home, if you will, that includes  
2 the body preparation, the mortuary sciences and then  
3 the procession that we spent a lot of time testifying  
4 to tonight.

5           If, in fact, it is being used for a  
6 funeral procession already, I believe he's  
7 testified that that is something that can be  
8 done under the auspices of a church service. But if  
9 at worse, it's a compliance issue. It's not  
10 really -- we're not saying we're doing it wrong.  
11 We're saying we think we're doing it right. But the  
12 fact that we may have done in the past, I -- the  
13 question is, can we continue to do this in the  
14 future, whether or not we're violating your Zoning  
15 Code or not?

16           MS. ALSTON: I tend to agree with what  
17 you're saying. Traditionally when we say funeral, we  
18 see it as one whole thing going on, right, the  
19 embalming, the preparation of the body and then  
20 people come in to view it. And I think what's  
21 happening here is that what you're saying is that he  
22 attended a funeral service, but it falls under your  
23 worship under the Baptist Church, and there's no  
24 compliance issue. However, you're asking for the use  
25 variance for a mortuary service or the funeral

1 service?

2 MR. PLATT: For all of it?

3 MS. ALSTON: For the whole thing?

4 MR. PLATT: A full-service funeral home  
5 which includes the mortuary sciences as well as what  
6 you're talking about this evening, the procession  
7 part of it, having the service, people coming to it,  
8 having the service, paying their respects and then  
9 taking the procession out to the cemetery.

10 MS. ALSTON: I know it's a wording thing  
11 and I understand it and I also understand what you're  
12 saying. I'm not sure why we need to see a  
13 certificate if they really can't do anything.

14 CHAIRMAN HANCE: Because when we asked  
15 you the question, was he having a funeral there and  
16 he said, no, we're not having funerals. But then he  
17 said, yes, the body is there and we're having people  
18 come to see the body and leaving. So they take the  
19 body to the graveyard, that's having a funeral.  
20 Am I right or wrong?

21 MS. ALSTON: I understand what they're  
22 saying where there's two parts to it or a couple of  
23 parts.

24 CHAIRMAN HANCE: I understand that. But  
25 still --

1 MS. ALSTON: Are they really violating  
2 any laws? Are they --

3 CHAIRMAN HANCE: I'm not saying that they  
4 did. I'm just saying, he said that there was no  
5 funeral going on there at all.

6 MS. MASON: I think it also concerns us  
7 approving it. Like even if we're approving it for  
8 the second part of the funeral home where the body is  
9 being embalmed. I think you're asking of the  
10 certificate would at least allow us to see that it is  
11 approved by the state that, you know, is a place that  
12 they can do embalming. Because right now it's still  
13 running as a funeral home with services. It's just  
14 without embalming.

15 CHAIRMAN HANCE: So what I'm saying is,  
16 if I said if you're having funeral there, yes, we are  
17 doing a funeral period.

18 MS. MASON: Yes.

19 CHAIRMAN HANCE: Not saying that we're  
20 not doing a funeral but we are doing a funeral.

21 MS. MASON: Right. It's all the same --

22 CHAIRMAN HANCE: We're only doing it at  
23 the second house.

24 MS. MASON: Right. So a funeral is still  
25 happening there --



1                   CHAIRMAN HANCE: Right.

2                   MS. MASON: -- without it being approved,  
3 right?

4                   MR. PLATT: If you want us to bring the  
5 certificates in to add legitimacy and credibility to  
6 our application, we can certainly do that.

7                   CHAIRMAN HANCE: It's not even about  
8 that. I understand that. I understand that it's  
9 legal. But when you say you're not doing it, but you  
10 are doing it, that's conflict to me. Right?

11                  MR. ROWLAND: You're doing it under --

12                  CHAIRMAN HANCE: I understand what you're  
13 saying. You're doing it but you're not doing any  
14 embalming there, nothing like that. The body is  
15 already prepared when it gets there.

16                  MR. ROWLAND: At the traditional Place of  
17 Worship.

18                  CHAIRMAN HANCE: I understand that.

19                  MR. ROWLAND: You use another church,  
20 another funeral facility or Croc Center, they bring  
21 the body there.

22                  CHAIRMAN HANCE: I mean, people have  
23 funerals in their home.

24                  MR. ROWLAND: Yes, absolutely that's what  
25 I mean.

1                   CHAIRMAN HANCE: I understand that.  
2 Trust me. I've been around.

3                   MR. ROWLAND: But the actual funeral  
4 work, service, preparation is done at another  
5 location.

6                   CHAIRMAN HANCE: Listen. We're going to  
7 scratch all that. So here we go again. All you're  
8 having is a funeral at that funeral home, yes or no?  
9 That's all I want to hear.

10                  MR. ROWLAND: Occasionally, we do. At  
11 this Place of Worship, we do bring bodies in.

12                  CHAIRMAN HANCE: That's what I want to  
13 hear. All right.

14                  MR. ROWLAND: That's it.

15                  MS. MASON: So again, it's the same  
16 thing, right? So if I go to a funeral home, they do  
17 the embalming but then I have the actual funeral at  
18 the church. I think that's what he's saying. Right?  
19 It's at the church right now and so they're holding  
20 the services but they're not doing the embalming.  
21 And typically that's what we see especially with the  
22 Baptist community.

23                  CHAIRMAN HANCE: Is everybody done?

24                  MS. MASON: Outside of that, it's still  
25 the parking, right? It's the parking and then it's

1 the not a cohesiveness of the businesses that are  
2 there. So it just sounds like there has to be  
3 something that has to be worked out between the  
4 businesses that's there as far as it pertains to  
5 parking. Otherwise, it's going to create chaos. And  
6 it's going to be as City Council. It's going to  
7 like --

8 MR. EINGORN: Sir, you can put your hand  
9 down. The public portion has been closed. I'm  
10 sorry. That's how procedure goes though  
11 unfortunately. I'm sorry. I'm sure whatever you  
12 have to say is probably very helpful but  
13 unfortunately we can't use it. That's all.

14 CHAIRMAN HANCE: And then we're stuck if  
15 we can't make conditions that he has to have parking.

16 MR. EINGORN: Well, conditions of  
17 approval are conditions of approval. Meaning, if  
18 they can't meet them they don't get approved because  
19 they can't meet the condition. That's how conditions  
20 work. Right?

21 MS. MOORE: I can tell you, when we  
22 prepared the letter, I wasn't aware of this cafe that  
23 had parking improvement. So if it's not presented to  
24 us, those type applications, I wouldn't see it and  
25 wouldn't know.

1 MR. EINGORN: Right.

2 MR. PLATT: Permit me to interrupt, Mr.  
3 Chairman. Why don't we ask that this matter be  
4 continued and carried to the next meeting. We can  
5 probably get you some more information that will  
6 address some of the concerns we're hearing from the  
7 Board members this evening.

8 CHAIRMAN HANCE: So what we need is --

9 MR. EINGORN: Here's the thing. We have  
10 a boat-load, a full agenda. It is really tight in  
11 December. So whatever we do has to be incredibly  
12 brief because there are other applicants who are on  
13 that have full applications that haven't been heard  
14 already. So if you want things, be very specific  
15 about what you want so you can consider it in  
16 December and make a vote. The public portion is  
17 closed; all of it. Got it?

18 CHAIRMAN HANCE: If we bring you back,  
19 we're basically worried about parking with  
20 conditions.

21 MS. MASON: Maybe the owners or somebody,  
22 they can work something out. It has nothing -- you  
23 know...

24 MR. EINGORN: Do you want until January  
25 to try to work out the parking issue?

1           MR. PLATT: That will be fine. Are you  
2 having a regular meeting in January or is that just  
3 reorganization?

4           MR. EINGORN: No. It will be a full  
5 meeting.

6           MR. PLATT: If it has to be carried to  
7 your January meeting, we agree to waive and extend  
8 the action date for same. As I understand, the Board  
9 wants us to address the existing parking issues  
10 between the cafe, church, etc., etc. and give you a  
11 greater analysis of this and also your engineer could  
12 address that issue further as well.

13           MR. EINGORN: That will be great. Let's  
14 do this. This is notice that this application has  
15 been adjourned at the request of the Board and the  
16 applicant to the January 6th, 2025 meeting. Notice  
17 for that has not yet been published but it will be.  
18 There will be no further notice required of the  
19 applicant. January 6, 2024. It's a Monday.

20           CHAIRMAN HANCE: And we're just worried  
21 about the parking. You're coming back to just show  
22 us that you have parking.

23           MR. PLATT: Yes. And we'll give you that  
24 mortuary certificate that you're looking for as  
25 well.

1 MR. EINGORN: And the certificates.

2 CHAIRMAN HANCE: Thanks.

3 MR. EINGORN: At this time, we'll take a  
4 short break.

5 - - -

6 (Off the record at 8:30 p.m.)

7 (Back on the record at 8:38 p.m.)

8 - - -

9 MR. EINGORN: The next application is  
10 Real Portfolio 12, LLC, 509 Rand Street. Good  
11 evening, Counsel.

12 MR. PLATT: Good evening again Members of  
13 the Board, Board professionals, my name is Stuart  
14 Platt from the Platt Law Group. I represent the  
15 applicant. We have tonight a request for a Section  
16 68 prior Non-conforming Use Certification at 509 Rand  
17 Street. I'd like to mark some exhibits for the  
18 record. The first exhibit is the property record  
19 card. It will be Exhibit A-1. And the second would  
20 be a series of colored photographs of the site which  
21 will be A-2. I have with me tonight the property  
22 manager, Rosalina Palcido which she can be sworn in.

23 MR. EINGORN: Would you raise your right  
24 hand, please.

25 - - -

1                   ROSALINA PALCIDO, having first been duly  
2 sworn/affirmed, was examined and testified as  
3 follows:

4   - - -

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

7                   MS. PACILDO: Rosalina Pacildo, 216 N.  
8 Haddon Avenue, Suite 503, Haddon, New Jersey 08108.

9                   MR. PLATT: Ms. Pacildo, what is your  
10 connection with the owner of the property at Real  
11 Portfolio 12, LLC, you're the property manager?

12                   MS. PACILDO: Yes.

13                   MR. PLATT: Could you tell us what kind  
14 of structure is there currently?

15                   MS. PACILDO: It's a brick foundation.

16                   MR. PLATT: It's a duplex, correct?

17                   MS. PACILDO: Yes.

18                   MR. PLATT: Is it an up and down duplex  
19 or a side-by-side?

20                   MR. PACILDO: Up and down.

21                   MR. PLATT: And with respect to each of  
22 the units in there, how many in the lower level, how  
23 many bedrooms and bathrooms are there?

24                   MS. PACILDO: So it's two units. One on  
25 the first floor and one on the second floor. Each

1 one will have one kitchen, one bath and two bedrooms  
2 and a living area.

3 MR. PLATT: You did take photographs of  
4 the site that we have here as Exhibit A-2?

5 MS. PACILDO: Yes.

6 MR. PLATT: And these photographs are  
7 fair and accurate depictions of the property as it  
8 looks now or at the time you took the photographs  
9 which was when, the last couple of weeks?

10 MS. PACILDO: Yes.

11 MR. PLATT: And the first photograph you  
12 see that door that's shown at 509; is that the door  
13 to the first --

14 MS. PACILDO: The first one you see is  
15 Apartment A.

16 MR. PLATT: That's the first floor?

17 MS. PACILDO: Yes, the first one. And  
18 the one to your left there's a door that goes to the  
19 second unit.

20 MR. PLATT: And if you thumb to the  
21 fourth picture in the set, do you see the door to  
22 Apartment B, the second floor, correct, on the left?

23 MS. PACILDO: Yes.

24 MR. PLATT: And to your knowledge, this  
25 has always been a duplex?



1 MS. PACILDO: Yes.

2 MR. PLATT: And with respect to the  
3 property, the street itself, there's rowhomes and  
4 duplexes on both sides of the property, correct?

5 MS. PACILDO: Yes:

6 MR. PLATT: I take judicial notice of the  
7 property record card. We would ask that despite the  
8 change in zoning, the Board grant a preexisting  
9 non-conforming use for this property. This has been  
10 a duplex since 1942.

11 MR. EINGORN: I assume there's no  
12 questions?

13 CHAIRMAN HANCE: No.

14 MR. EINGORN: Anybody in the public  
15 tonight that would like to be heard on the  
16 application of Real Portfolio, 12, 509 Rand Street,  
17 request for a Cert of Non-Conforming Use for a  
18 duplex; for a house that was clearly built as a  
19 duplex? Hearing none, we'll close the public  
20 portion.

21 The Board is charged with making a  
22 determination as to whether or not this is a  
23 preexisting non-conforming use which clearly is.  
24 And we've seen these on Rand Street multiple times  
25 before. A quick discussion and a motion.

1                   CHAIRMAN HANCE: I'm familiar with Rand  
2 Street. I used to live on Boyd. Ninety-nine percent  
3 of them are duplexes. It has been forever. I see  
4 the two separate gas meters and also two separate  
5 electric meters on the property.

6                   MS. PACILDO: Yes.

7                   CHAIRMAN HANCE: Yes, it's been that way  
8 forever in that area.

9                   MR. EINGORN: Motion?

10                  MS. MASON: I make a motion to approve.

11                  MR. EINGORN: Second?

12                  MS. MERRICKS: Second.

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

15                  CHAIRMAN HANCE: Yes.

16                  MR. EINGORN: Ms. Merricks.

17                  MS. MERRICKS: Yes.

18                  MR. EINGORN: Guy Still.

19                  MR. STILL: Yes.

20                  MR. EINGORN: Tameeka Mason.

21                  MS. MASON: Yes.

22                  MR. EINGORN: Having four in favor and  
23 none opposed, the motion passes. Thanks, guys.

24                  MR. PLATT: Thank you and have a good  
25 holiday.

1 MS. PACILDO: Thank you.

2 MR. EINGORN: The next matter is Marciel  
3 Green, 1576 Mt. Ephraim Avenue. Is that ready to  
4 go?

5 MR. GREEN: Yes.

6 MR. EINGORN: Are you Mr. Green?

7 MR. GREEN: Yes, I'm Marciel.

8 MR. EINGORN: Would you raise your right  
9 hand, please.

10 - - -

11 MARCIEL GREEN, having first been duly  
12 sworn/affirmed, was examined and testified as  
13 follows:

14 - - -

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

17 MR. GREEN: My name is Marciel Green,  
18 1576 Mt. Ephraim Avenue, Camden, New Jersey.

19 MR. EINGORN: Mr. Green, do you have  
20 somebody here with you tonight?

21 MR. GREEN: I have a friend.

22 MR. EINGORN: Do you want to tell us who  
23 he is?

24 MR. GREEN: He's just here helping me  
25 with the paperwork.

1 MR. EINGORN: Is he going to talk?

2 MR. GREEN: No, not really.

3 MR. FRAZIER: Hello. My name is Frazer  
4 Frazier. I am a non-attorney representing Mr. Green.

5 MR. EINGORN: You can't represent him.

6 MR. FRAZIER: I'm a friend.

7 MR. EINGORN: But if he asks you  
8 questions, you can answer them.

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

11 - - -

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

15 - - -

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

18 MR. FRAZIER: My name is Frazer Frazier.

19 MR. EINGORN: State your case, Mr. Green.

20 MR. GREEN: I was denied.

21 MR. EINGORN: So you got a restaurant  
22 with two apartments, correct?

23 MR. GREEN: Yes.

24 MR. EINGORN: And you want to do some  
25 renovations?

1                   MR. GREEN: Well, what happened was, I  
2 had the restaurant previously running with a CO and  
3 everything. While I was running the restaurant  
4 I needed somewhere to grill chicken. So  
5 I just made a patio in the back with no intention of  
6 really covering it. So I made a patio in the back so  
7 I could, when the rain falls, still provide grilled  
8 chicken for the customers. And then as time went by  
9 I kind of covered it because when the rain fall, it  
10 would blow in.

11                   MR. EINGORN: Okay.

12                   MR. GREEN: And then I rented it out.  
13 And then they needed a CO for that. And then it came  
14 up that that shed was back there when the new tenant  
15 requested a CO, they said they -- they denied the  
16 zoning.

17                   MR. EINGORN: I'm showing you this  
18 photograph. Did you take this photograph?

19                   MR. GREEN: Yes.

20                   MR. EINGORN: Great. This building here,  
21 this piece here, is this what you're talking about?

22                   MR. GREEN: Yes.

23                   MR. EINGORN: And so you put an addition  
24 on the building?

25                   MR. GREEN: That's the addition.

1                   MR. EINGORN: Okay. And there's like a  
2 little kitchen in there or something?

3                   MR. GREEN: Really that window there is  
4 where we made it for the grill. If you notice,  
5 there's a grill sitting there.

6                   MR. EINGORN: There's a window here?

7                   MR. GREEN: Where that grill is next to  
8 the box, yes.

9                   MR. EINGORN: So it's just this little  
10 awning or it's the whole piece?

11                  MR. GREEN: Can I show you?

12                  MR. EINGORN: Please.

13                  MR. GREEN: This right here where you see  
14 where cover is, it's just a piece right in the back  
15 here. That line right there comes down, that's the  
16 addition right there. I draw a line right here. Can  
17 you see it?

18                  MR. EINGORN: Yes. Draw it and then  
19 we're going to show everybody.

20                  MR. GREEN: This is the addition where we  
21 made for this covering here so that we could grill  
22 chicken right here.

23                  MR. EINGORN: So you stand inside and  
24 grill outside?

25                  MR. GREEN: Yes.

1                   MR. EINGORN: Got it. So do you see this  
2 line here, this is the line that was drawn by the  
3 applicant. He's saying that this piece was added so  
4 that they can grill the chicken from inside the -- on  
5 this grill here. Simultaneously they light these  
6 boxes on fire.

7                   MR. GREEN: There's no electrical or  
8 plumbing inside there.

9                   MR. EINGORN: I want to pass this down.  
10 This blue line is the line that the applicant  
11 indicated constitutes the addition, so everything  
12 after that. And then the grill is here where they  
13 make the chicken. Everybody got to see it?

14                  CHAIRMAN HANCE: Yes.

15                  MR. EINGORN: What else can you tell us?  
16 Anything?

17                  MR. GREEN: Basically we applied for the  
18 zoning and they denied it saying that wasn't done.  
19 There was no permit for that. But the reason why we  
20 didn't apply for a permit, I really didn't plan to  
21 build something back there originally. It was just  
22 to cover it cause when it rained, we couldn't really  
23 grill.

24                  MR. EINGORN: It says, rear setback is  
25 deficient. How far is the property line from the

1 back of this addition?

2 MR. GREEN: It's probably around 25 --  
3 more than 25 feet. There's two garages back there.  
4 So I got a lot of space back there.

5 MR. EINGORN: Are the garages yours?

6 MR. GREEN: Yes.

7 MR. EINGORN: And the garages are how  
8 close to the property line?

9 MR. GREEN: There's a drive-in space in  
10 between the garages. This is an 8-foot gate right  
11 here. You got this open right here. It's two 8-foot  
12 gates so 16 feet.

13 MR. EINGORN: It's deficient by one  
14 foot?

15 MR. GREEN: Yes.

16 MR. EINGORN: Got it. So your rear  
17 setback is deficient by one foot. That means you're  
18 short 12 inches. Because it's probably a preexisting  
19 garage or something that, right, that you didn't have  
20 an issue with before.

21 MR. GREEN: The garage was there.

22 MR. EINGORN: Right. So the applicant is  
23 deficient by one foot. They built this little  
24 addition and now they need a setback variance for the  
25 one foot. Any questions for the applicant?



1                   CHAIRMAN HANCE: I have one. So you  
2 built the addition on the back, correct?

3                   MR. GREEN: Yes.

4                   CHAIRMAN HANCE: You said there's no  
5 plumbing and no electric?

6                   MR. GREEN: No electric; no plumbing.

7                   CHAIRMAN HANCE: So you're going to have  
8 someone professional do that for you or? Are you  
9 going to put any plumbing or electric back there?

10                  MR. GREEN: No. It's just for grilling.  
11 It's just for when it rains.

12                  CHAIRMAN HANCE: To block the rain from  
13 hitting the food?

14                  MR. GREEN: Yeah, and covering that when  
15 you're standing there. There's no intention of  
16 anything else added to it.

17                  MR. EINGORN: We are all good? Anybody  
18 in the public that would like to be heard on the  
19 application of Mr. Green for the property at 1576 Mt.  
20 Ephraim Avenue? Nobody. We're going to close the  
21 public portion.

22                  The applicant has appeared tonight for a  
23 rear setback, bulk variance related to a restaurant  
24 with two apartments where he put in a small covering  
25 for his grill. Positive and Negative Criteria and a

1 motion whether to approve or deny. He's deficient by  
2 one foot.

3 CHAIRMAN HANCE: I think it's positive.  
4 He's making a living. There's a restaurant. He's  
5 grilling outside. And it's only a one-foot  
6 difference give or take.

7 MR. STILL: I make a motion to pass.

8 MR. EINGORN: Do we have a second?

9 CHAIRMAN HANCE: Second.

10 MR. EINGORN: A motion and a second.  
11 We'll take a roll-call vote. Chairman Hance.

12 CHAIRMAN HANCE: Yes.

13 MR. EINGORN: Ms. Merricks.

14 MS. MERRICKS: Yes.

15 MR. EINGORN: Mr. Still.

16 MR. STILL: Yes.

17 MR. EINGORN: Ms. Mason.

18 MS. MASON: Yes.

19 MR. EINGORN: Having four in favor and  
20 none opposed, the motion passes. Congratulations.  
21 Have a nice night.

22 MR. GREEN: Thank you.

23 MR. EINGORN: We're waiting for  
24 Ms. Alston to finish up a phone call. But if  
25 Buckanor's Property Management is ready to go. You

1 want to just come up and get ready?

2 - - -

3 (Off the record at 9:10 p.m.)

4 (Back on the record at 9:26 p.m.)

5 - - -

6 MR. EINGORN: Good evening, Counsel.

7 MS. JAMES: I am Sonia James representing  
8 Buckanor's Property Management, LLC who are coming  
9 before you tonight for a "d(1)" use variance, a  
10 "c(1)" bulk variance and a "c(1)" bulk variance for  
11 building coverage exceeding 40 percent.

12 We have two witnesses that will be  
13 testifying tonight. The first witness is Dinah  
14 Rodchester.

15 MR. EINGORN: Would you raise your right  
16 hand, please.

17 - - -

18 DINAH RODCHESTER, having first been duly  
19 sworn/affirmed, was examined and testified as  
20 follows:

21 - - -

22 MR. EINGORN: Please state your name and  
23 address for the record.

24 MS. RODCHESTER: Dinah Rochester, 219  
25 Winston Road, Mt. Laurel, New Jersey.

1 MS. JAMES: And then we will also have  
2 Alyce Johnson of AJ Graphics & Architectural  
3 Consultants who has prepared drawings that will be  
4 submitted as well.

5 MR. EINGORN: Would you raise your right  
6 hand, please.

7

- - -

8 ALYCE JOHNSON, having first been duly  
9 affirmed, was examined and testified as follows:

10

- - -

11 MR. EINGORN: Please state your name and  
12 address for the record.

13 MS. JOHNSON: Alyce Johnson, 958 S. 8th  
14 Street, Camden, New Jersey 08103.

15 MS. JAMES: Ms. Rodchester, you are a  
16 member of Buckanor's Property Management, LLC,  
17 correct?

18 MS. RODCHESTER: Yes.

19 MS. JAMES: And this LLC purchased a  
20 property located at 1532 Baird Boulevard in March of  
21 2024, correct?

22 MS. RODCHESTER: Yes.

23 MS. JAMES: And you bought this  
24 property. What type of property is it?

25 MS. RODCHESTER: It's a single-family

1 property at the moment.

2 MS. JAMES: And what are your plans for  
3 this property?

4 MS. RODCHESTER: I plan to turn it into a  
5 triplex.

6 MS. JAMES: And can you please share what  
7 is your reasoning for turning it into a triplex?

8 MS. RODCHESTER: Well, it's a three-story  
9 property which is space for a single-family home.  
10 It's not -- you know, it's too big for a single  
11 family home. So we'd like to turn it into a triplex.

12 MS. JAMES: Are you aware of any other  
13 triplex in the area or on the streets?

14 MS. RODCHESTER: Yes.

15 MS. JAMES: Can you identify where it is  
16 located in proximity to your property?

17 MS. RODCHESTER: There's one across from  
18 the property right in front.

19 MS. JAMES: Can you give a description of  
20 how this three-story triplex will be designed?

21 MS. RODCHESTER: So it would be designed,  
22 each property will be like 955 square feet; two  
23 bedroom, one bath, kitchen, etc.

24 MS. JAMES: Will there be any changes  
25 made to the exterior of the property?

1 MS. RODCHESTER: Yes. The back entrance  
2 for the unit that's going to be on the top level is  
3 going to be a deck and a step at the back for an  
4 entrance.

5 MS. JAMES: Will there be any changes to  
6 the front exterior of the property?

7 MS. RODCHESTER: No. No changes to that.

8 MS. JAMES: So just to clarify, the only  
9 changes to the exterior will be in the back of the  
10 property?

11 MS. RODCHESTER: Yes.

12 MS. JAMES: And did you hire Ms. Alyce  
13 Johnson of AJ Graphics to consult on this project?

14 MS. RODCHESTER: Yes.

15 MS. JAMES: Ms. Alyce Johnson, can you  
16 please go through -- we have four drawings that we  
17 would like to move in tonight. Can you please --  
18 were you the designer on this project?

19 MS. JOHNSON: Yes. I was the lead  
20 architect of the Alex Fronay(phonetic spelling). And  
21 here we have a 3-D rendering.

22 So here we have our 3-D rendering. The  
23 main reason we did the 3-D rendering, the rear, so  
24 that's the main area of the structure that we will be  
25 changing. As Ms. Dinah had mentioned, this rear deck

1 will come off the side of the sidewalk to the side of  
2 the driveway for the main entrance of the second  
3 floor apartment. And also the driveway will be also  
4 halfway to the basement apartment as well.

5           The only change that we're making is just  
6 mainly for the site itself is the pillars, the  
7 footings for the deck. And we also have this aerial  
8 view of Baird Blvd. And this is the front view of  
9 the existing structure. There will be some esthetic  
10 changes but nothing. We're just making it look real  
11 pleasing. This is the existing site plan with the  
12 driveway extending to the rear of the building. The  
13 only intrusion will be the two egress windows for the  
14 basement and the stairway to the second floor  
15 balcony, entrance balcony.

16           CHAIRMAN HANCE: So talk to me about the  
17 first floor, the entrance and the exit on the first  
18 floor.

19           MS. JOHNSON: This is our first floor --  
20 I'm sorry. This is the basement. This is the first  
21 floor entrance. So the main entrance will stay for  
22 the first floor. So the first floor would have a  
23 main entrance which includes the porch area, living  
24 space and open concept kitchen. Down towards the  
25 hallway, the restroom, bedroom one and bedroom two.

1                   CHAIRMAN HANCE: So where is your rear  
2 door? If you got a front; you got a rear.

3                   MS. JOHNSON: No rear door for this one.  
4 We can make one. Nothing currently. Egress windows  
5 for the rear, all aluminum, and egress as well as for  
6 the sides.

7                   CHAIRMAN HANCE: So you come in through  
8 the front and?

9                   MS. JOHNSON: The existing building that  
10 I have.

11                  CHAIRMAN HANCE: Right. The front door  
12 is existing. Your second floor?

13                  MS. JOHNSON: My second floor, you come  
14 in from the rear from the side stairwell. I went to  
15 the main entrance up to the rear entrance and come in  
16 through the rear. Egress windows as well.

17                  CHAIRMAN HANCE: And your basement?

18                  MS. JOHNSON: We'll also come in the rear  
19 of the building. Rear of the building, come through  
20 and go downstairs for the living place downstairs.

21                  CHAIRMAN HANCE: And where is your exit?

22                  MS. JOHNSON: This is --

23                  CHAIRMAN HANCE: That's your entrance?

24                  MS. JOHNSON: That's the entrance and  
25 exit here, and two egress windows out the bedrooms.



1                   This is our front entrance. This is the  
2 existing stairwell. Those are front entrance and  
3 steps going up the side of the house. Our rear will  
4 have a rear door to go downstairs to the basement and  
5 same for here, egress windows for the side of the  
6 house.

7                   CHAIRMAN HANCE: And the door up top, is  
8 that the second floor?

9                   MS. JOHNSON: Second floor with the deck,  
10 yes.

11                  CHAIRMAN HANCE: Talk to me about  
12 parking?

13                  MS. JOHNSON: Parking?

14                  CHAIRMAN HANCE: You have a driveway?

15                  MS. JOHNSON: We have a driveway.

16                  CHAIRMAN HANCE: And how many cars you  
17 think that will fit?

18                  MS. JOHNSON: That can fit at least three  
19 cars.

20                  CHAIRMAN HANCE: How about on Baird  
21 Boulevard?

22                  MS. JOHNSON: Baird Boulevard, we can fit  
23 in front of the house, right in front of that  
24 particular house, we can fit at least one, two, three  
25 to start.

1                   CHAIRMAN HANCE: Now is that in the  
2 middle of the block or is that --

3                   MS. JOHNSON: That's not quite in the  
4 middle of the block. It's one building away from  
5 it. One building width from the corner. So there's  
6 another double driveway here. There's actually a  
7 double driveway here for the corner building. But  
8 that's pretty much the parking in their driveway.  
9 So there's parking spaces at least for one or two.

10                  CHAIRMAN HANCE: So how many cars do you  
11 think will fit on Baird Boulevard, three, four?

12                  MS. JOHNSON: Four, five of them --

13                  CHAIRMAN HANCE: So you're talking about  
14 eight parking spots. Three in the driveway?

15                  MS. JOHNSON: Three in the driveway so  
16 about six of them.

17                  MR. EINGORN: This one didn't get cited  
18 for parking. That's a first.

19                  MS. JOHNSON: We have parking spots.  
20 We're looking to have a family rent the home.

21                  CHAIRMAN HANCE: So are you living in the  
22 home or no?

23                  MS. RODCHESTER: No.

24                  CHAIRMAN HANCE: So you're renting out  
25 each?

1 MS. RODCHESTER: Yes.

2 MS. MASON: The driveway, wouldn't the  
3 cars be back-to-back behind each other? When they  
4 need to pull out, how would the driveway work?

5 MS. RODCHESTER: It's not a narrow  
6 driveway, so you can leave space.

7 MS. MASON: Okay. So you can do  
8 side-by-side?

9 MS. RODCHESTER: Yes.

10 MS. MASON: Okay. Just a clarifying  
11 question for the apartments that you have, the  
12 apartments themselves, it's just one entrance and  
13 exit for each apartment?

14 MS. RODCHESTER: For each, but we're  
15 looking to add an exit at the back for each  
16 apartment.

17 MS. MASON: Okay.

18 MR. EINGORN: So the applicant was cited  
19 for lot width. Is the lot width that's preexisting  
20 and non-conforming?

21 MS. RODCHESTER: Yes.

22 MR. EINGORN: And it shares a party  
23 wall. If you're facing it to the right, it's a  
24 rowhome?

25 MS. RODCHESTER: Yes.

1 MR. EINGORN: And on the left there's a  
2 driveway and then a fence?

3 MS. RODCHESTER: Yes.

4 MR. EINGORN: And then the adjoining  
5 property. And what's next door on that side?

6 MS. JOHNSON: Currently there's no fence  
7 here. See the fence that we're proposing --

8 MR. EINGORN: Okay.

9 MS. JOHNSON: -- so it would separate the  
10 two properties.

11 MR. EINGORN: Right.

12 MS. JOHNSON: So this is the proposed  
13 fence, 6-foot fence that we're proposing.

14 MR. EINGORN: So there's no fence.

15 MS. JOHNSON: There's a driveway for the  
16 other corner home.

17 MR. EINGORN: Do the driveways touch? Is  
18 there grass in the middle?

19 MS. JOHNSON: They touch. There's a  
20 little level. The driveway would end --

21 MS. RODCHESTER: There's something to  
22 indicate which side is which.

23 CHAIRMAN HANCE: Like a curb?

24 MS. RODCHESTER: One is like a little bit  
25 higher than the other one. There is something to

1 indicate which side is which.

2 MR. EINGORN: Okay.

3 Is the installation of the fence going to  
4 impair the ability to use either driveway?

5 MS. RODCHESTER: No.

6 MR. EINGORN: It's wide enough?

7 MS. RODCHESTER: Yes.

8 MR. EINGORN: And then building  
9 coverage, are you adding -- so in the back behind the  
10 building, is that little concrete area, is that  
11 pre-existing?

12 MS. RODCHESTER: Yes.

13 MR. EINGORN: So the building coverage,  
14 that is also a preexisting non-conforming condition?

15 MS. RODCHESTER: Yes.

16 MS. JOHNSON: Yes. The footings for the  
17 deck.

18 MR. EINGORN: Right, but that's a  
19 De Minimus addition. Right? any other questions?

20 The basement is going to have the most  
21 fire exits of all of them.

22 MS. MASON: I do have one question.  
23 Actually, I was thinking about like a fire emergency  
24 exit. Is there a fire emergency exit? Because each  
25 of the apartments only have just like one enter and

1 exit.

2 MR. EINGORN: That's pretty common for a  
3 apartments but they'll have to comply with the Fire  
4 Inspector. And the fire inspection is always a  
5 condition of approval.

6 MS. JAMES: There's two windows. Just to  
7 clarify, there are two windows of egress in the  
8 basement.

9 MS. JOHNSON: Each bedroom has an egress,  
10 an egress window well.

11 MS. MERRICKS: I have a question. Is  
12 there an apartment in the basement?

13 MS. JOHNSON: Yes, there's a two-bedroom  
14 apartment in the basement.

15 MS. MERRICKS: Does it have its own exit  
16 to come out?

17 MS. JOHNSON: Yes. It has its own exit  
18 from the rear and has two egress well windows, one in  
19 each bedroom if they need to come right out from the  
20 bedroom.

21 CHAIRMAN HANCE: You're quite sure you're  
22 going to have separate meters?

23 MS. JAMES: Yes.

24 CHAIRMAN HANCE: Heater, Hot water  
25 heater?

1 MS. RODCHESTER: Yes.

2 CHAIRMAN HANCE: And each apartment has  
3 two bedrooms; am I right?

4 MS. RODCHESTER: Yes.

5 CHAIRMAN HANCE: And two baths?

6 MS. RODCHESTER: One bathroom.

7 MR. EINGORN: Any other questions? No?  
8 Anybody in the public tonight that like to be heard  
9 on the application of Buckanor's Property Management,  
10 LLC for the property at 1532 Baird Boulevard?

11 UNIDENTIFIED SPEAKER: Yes.

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

14 - - -

15 L'TANYA BROOKS, having first been duly  
16 sworn/affirmed, was examined and testified as  
17 follows:

18 - - -

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

21 MS. BROOKS: My name is L'Tanya Brooks,  
22 1255 Empire Avenue, Camden, New Jersey.

23 MS. BROOKS: I have concerns about this  
24 property. I didn't see the drawings. However, my  
25 first concern is the parking. There is a very

1 narrow, maybe, ten feet driveway. The house next  
2 door is under construction also. They're gutting it  
3 out and they're working on it. They have a wider  
4 driveway that's right there.

5           So we're going to have multiple cars over  
6 in this area and right now, the County is using some  
7 federal funding to improve Baird Boulevard. So we  
8 have been at several outreach and community meetings  
9 with this explaining and asking for our feedback.  
10 Because they're going to have to take some of the  
11 parking off of Baird Boulevard to have a like an  
12 apron for the buses to come and move over to  
13 alleviate the traffic.

14           If you're at the corner of Park Boulevard  
15 and Baird Boulevard, and this house is almost at the  
16 corner, that traffic out there between three o'clock  
17 and four o'clock with the school buses, the children,  
18 the people who pick up the children, you can't get  
19 through that area. And to put additional and --  
20 there's three units. It would be nice if, three  
21 units, three single people and three cars. But we  
22 know that with a 2-bedroom unit. you're going to  
23 probably have two cars for each unit. We're talking  
24 about six additional cars. And the Department of  
25 Transportation is trying to take away some of the



1 parking spaces there already.

2           So this appears to be a little  
3 complicated and I think maybe some of the parties  
4 should like re-evaluate this and see if we can come  
5 up with some better solution. Because right now, I  
6 think the public needs the opportunity to find out  
7 more about this property and the impacts it's going  
8 to have on Baird Boulevard. And it's going to impact  
9 Baird Boulevard from Kenwood to Park Boulevard.

10           The Department of Transportation and the  
11 County have done several studies about how much  
12 traffic comes through that corner. Now, if I can  
13 reach out and get the other additional information, I  
14 will for your next meeting. So that's my major issue  
15 with the parking that I could think of right now.

16           The parking next door, again, it's wider.  
17 But they're all coming out and exiting at the same  
18 area. So you could have approximately four to six on  
19 this side. And when they do the next property next  
20 door, that one has parking probably for really  
21 side-by-side parking for around four to six. We're  
22 talking about a possibility of 12 cars. And they're  
23 already taking spaces on Baird Boulevard. That's  
24 all.

25           MR. EINGORN: Thank you. Next please.

1 Would you raise your right hand, please.

2 - - -

3 MIOSHA BRADDOCK-LAWRENCE, having first  
4 been duly sworn/affirmed, was examined and testified  
5 as follows:

6 - - -

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

9 MS. LAWRENCE: My name is Miosha  
10 Lawrence, 1427 Kenwood Avenue, Camden.

11 I have a couple of concerns to echo my  
12 neighbor. The parking is not as easy as they think.  
13 It's not going to be side-by-side. They have all got  
14 to pull in behind each other. So literally, you're  
15 going to have stranger neighbors having to say, okay,  
16 you let me out the driveway. So it's not a  
17 parallel. Because as she mentioned, that driveway is  
18 not all of their space. It looks like a double space  
19 but it's actually also owned. So it's basically  
20 split down the middle. Because that's how all the  
21 houses are on that side of Baird Boulevard. They all  
22 have their own driveways so you can see how they both  
23 all pull in. Some of them have like a little line or  
24 maybe a fence so they don't necessarily always have a  
25 fence.

1                   But also a concern with the trend now  
2 that we're seeing here in Camden where they're taking  
3 a lot of these homes and trying to convert them into  
4 a a duplex or triplex or fourplexes to create  
5 housing. Now they're saying they're creating  
6 affordable housing but they also have not mentioned  
7 like what's going to be their rental; like what's  
8 going to be the monthly rent. Is this going to be  
9 affordable?

10                   It's a nice idea to rehab this home and  
11 make it livable but to now cram everybody into what  
12 is a basement. A large part of Parkside has a high  
13 water table. So have they actually gotten the  
14 studies to show that there's no water penetration in  
15 that basement? If you live in Parkside, as you know,  
16 that a lot of these basements get a lot of moisture  
17 and standing water. So that was never meant to be a  
18 living space.

19                   So converting it into a living space  
20 could be a real concern where now you have someone  
21 who is going down into the basement living there and  
22 not knowing that there could be moisture, black  
23 mold. All of these things can happen in that space  
24 back there because that was never a living space. It  
25 was never part of the norm back in the day because

1 that's all concrete so we all know it's porous.  
2 So that's my concern also that there can be  
3 families living in there in a space that it just  
4 continues to retain water and no one knows. That's  
5 all.

6 MR. EINGORN: Thanks.

7 MS. BROOKS: Again, you know Parkside  
8 predominately was single-family homes. This building  
9 is across the street from two multi-unit buildings  
10 and it's going to have a new one right next to it.  
11 So that'll be the two existing that we have and  
12 eventually another two. They're right across the  
13 street from Magnolia Avenue. And at the end of  
14 Magnolia, we have the development at Park Boulevard  
15 and Magnolia with multiple units and another multiple  
16 unit next door. And I was here and I don't know  
17 whether it was the Spring or whatever, but we talked  
18 about all the additional duplexes on Wildwood Avenue  
19 and it continued to be approved for Parkside. And  
20 especially this one area, specific area of Parkside  
21 from Baird Boulevard to Park Boulevard.

22 Is there any --- I mean, as a homeowner  
23 in that section, I would hope that it wouldn't turn  
24 into just everyone would have a duplex. Where do we  
25 have the balance for those of us that are homeowners

1 that think we're moving into a single-homeowner  
2 community because now it's just turning into nothing  
3 but duplexes? Is there any analysis; is there any  
4 limits, a percentage that the Zoning Board wants to  
5 have or based on the City Plan that can say, hey,  
6 this is our number and until we reach that number,  
7 we're going to approve them? But can we have -- is  
8 there some study, anything? This is a suggestion.  
9 I can write Dr. Williams if I have to. I want to put  
10 it down on the table. Thank you.

11 MR. EINGORN: Anybody else in the public  
12 that would like to be heard on this application?  
13 Hearing none, we'll close the public portion. I will  
14 turn it back to the applicant. Would you like to  
15 address any of those concerns?

16 MS. JAMES: Yes. To address the issue of  
17 parking, this home can be a single-family home, a  
18 6-bedroom home which the allotted amount of parking  
19 would be equivalent to what this triplex is that it's  
20 equal to. There's no change in that. This home if  
21 it stays single-family, would still have the same  
22 amount of parking available to its use as if it was a  
23 triplex. So that has not changed. Ms. Johnson will  
24 address as far as the concerns regarding the  
25 basement.

1 MS. JOHNSON: Pretty much -- as counsel  
2 said, if we keep it as a single-family home, we could  
3 get up to like six or seven bedrooms in there  
4 including the basement. If you want me to turn it  
5 into a duplex, you would still have up to six, seven  
6 bedrooms. So with either use, you could still have  
7 the same amount of bedrooms and it would require the  
8 same amount of parking.

9 MR. EINGORN: How many bedrooms is it  
10 now?

11 MS. JOHNSON: Right now it's four on the  
12 second floor. The basement is not renovated yet.  
13 Counsel, anything else?

14 MS. JAMES: No.

15 CHAIRMAN HANCE: Any questions from the  
16 Board?

17 MS. ALSTON: So did you guys just  
18 purchase this property?

19 MS. RODCHESTER: We purchased it in March  
20 28th of this year.

21 MS. ALSTON: This year?

22 MS. RODCHESTER: Yes this year.

23 MS. ALSTON: And you purchased with the  
24 intention to make a duplex, divide it?

25 MS. RODCHESTER: When we purchased the

1 property, it wasn't. But when we start utilizing it,  
2 it's a lot of space. It's not even the basement?  
3 The basement is like a unit itself.

4 MS. ALSTON: Because I agree and I  
5 understand. In Parkside there is a parking issue.  
6 There's a parking issue all over the City. But when  
7 you look at Parkside when you really don't have  
8 any garages or big lots where people have  
9 alternatives into seeking parking then I understand  
10 versus when we're Downtown and you got garages and  
11 all that good stuff.

12 I would rather see a home be a home than  
13 continue on dividing these homes into a bunch of  
14 apartments. Where is the, maybe and I want to keep  
15 calling it a pathway to homeownership, where we can  
16 help the community in building and in gaining a home  
17 where they can build equity? And Parkside has a  
18 great program going on over there. I know  
19 conceptually you guys have gone through this plan.  
20 I just don't understand why we have to convert every  
21 single home into three units versus two units.  
22 I know the problem with the parking. It may still be  
23 there.

24 However, it's a difference to put a  
25 tenant or two tenants or three tenants and have

1 parking issues than putting a family in and they have  
2 their own parking issues where they're sharing that  
3 driveway or can you move your car. So that's a  
4 little bit different, right? And I'm thinking about  
5 people trying to work with each other's schedule and  
6 starting like these arguments over: I can't get out  
7 of my parking spot or where am I going to park; or I  
8 had to park around the corner. So it is sort of a  
9 balancing act. I don't know how the rest of the  
10 group feels.

11 MS. MASON: Well, I could say that I'm in  
12 the housing market or developer market and there is  
13 variations on what the needs are as far as rental  
14 properties versus homeownership. And what we're  
15 seeing is, that a lot of like our younger folks or  
16 younger families are opting out of becoming  
17 homeowners. Right? That's a whole different topic.  
18 But what I would say or ask is, have you had  
19 community input; have you gone out? Each of our  
20 neighborhoods has like a homeownership or a  
21 neighborhood association. We have community folks as  
22 well, residents. Have you guys actually like  
23 connected with the folks that are in the surrounding  
24 area to get input on what is needed?

25 MS. RODCHESTER: I have. And it's a good



1 feedback from everybody that had spoken.

2 MS. MASON: We have PBICP that's out  
3 there as well which is also doing developmental on  
4 housing. And so, again, that's another community  
5 space that, again, trying to figure out if there is  
6 any type of conversation with that organization or  
7 either with the residents too; to be able to see if  
8 this is something. I mean, obviously, there are  
9 other multi-family units in that area so I mean,  
10 obviously, it's something that's needed that folks  
11 are looking at.

12 I think PBICP is also doing affordable  
13 housing as well, which is, I don't know if that's  
14 actually homeownership. But I have to say it's  
15 homeownership. So it's a homeownership program.  
16 So, again, I'm just trying to figure out if there was  
17 some type of conversation or some type of, you know,  
18 community engagement or something like that,  
19 outreach, to say, hey, this is what we're looking to  
20 do to be able to get feedback.

21 CHAIRMAN HANCE: Okay. So we both got  
22 good points. But believe it or not, no one is  
23 actually buying houses anymore. Just listen to the  
24 story that I read. No one is selling their houses  
25 anymore because of the high rate. So what they're

1 doing, believe it or not, they're renting out rooms  
2 in their houses. Now that's a four-bedroom house.  
3 Right? So let's say two families move in there.  
4 You got a parking issue.

5 But the main issue is this, you got  
6 public service wanting to change the road to suit  
7 them about buses. We had the same problem at the  
8 last meeting with Cooper Hospital. They're building  
9 a new annex; they're taking up all the parking from  
10 the neighbors because they don't have -- the workers  
11 don't want to spend money to park in their garage.  
12 So they park in front of someone's home.

13 So the area, even my area, everyone is  
14 actually making duplexes because they don't  
15 want to move. They can't afford it. Look it up. I  
16 read it a week ago. Because I was looking to buy a  
17 house. And where I wanted to go, right, I couldn't  
18 afford it even with a good job. When it came down to  
19 it, it was cheaper staying where I was because  
20 it was too much money. And the sad part was this, it  
21 wasn't an acre. It was just a house with a little  
22 back yard.

23 MR. EINGORN: The issue really isn't  
24 homeownership. The issue is the Positive and  
25 Negative Criteria. Right?

1           CHAIRMAN HANCE: Right. The positive  
2 thing is, I think it's a good idea because we got so  
3 many people now coming into the United States. All  
4 right here you go. I got an issue in my neighborhood  
5 where they're knocking down the apartments in Cramer  
6 Hill and they're sticking people wherever they can.

7           I had three families in that one house  
8 across from my street. I can't tell you how many  
9 times I called to stop it. The Metro hates me  
10 because they play music 24/7; they take the parking  
11 spots; they even don't respect the neighborhood.  
12 That the heart of Camden, we molded that  
13 neighborhood. And we got one bad neighbor there.  
14 But, again, three families in one house. And that  
15 house has two bedrooms. They have four.

16           So I'd rather them make it a triplex or  
17 even a duplex. And even with the parking like the  
18 driveway, you can note it that everybody on the first  
19 floor park here; second floor park here; third floor  
20 park here. Camden is getting overpopulated.

21           MS. ALSTON: And projects like these  
22 while it's great, the negative piece of it is that  
23 we're overpopulating certain areas by bringing more  
24 people and dividing what is suppose to be homes into  
25 four separate and in this case, three separate

1 apartments. Yeah, we need housing and, yes, we want  
2 people to have a place to live. But when you look at  
3 certain areas, they are becoming overpopulated with  
4 these type of projects.

5 So a valid point can be said for both,  
6 right, positive and negative?

7 CHAIRMAN HANCE: Right.

8 MS. ALSTON: It is a positive project.  
9 The negative part is the overpopulation and the  
10 problem with parking.

11 CHAIRMAN HANCE: And that's happening  
12 north, south and east. And this is the one that we  
13 know about.

14 MS. ALSTON: I know.

15 CHAIRMAN HANCE: This is one that we  
16 don't know about. And people are even renting out  
17 their garages. People are coming to me because I'm  
18 on the Zoning Board like: What can you do? I say:  
19 You got to take it to City Council.

20 MS. MASON: Even if you're looking  
21 going to our neighboring neighborhoods, right, and  
22 you see the homes and they're four and five bedroom  
23 homes and you see four or five cars out there, right,  
24 and they're parking in the driveway and they're  
25 parking outside, I think in this case it doesn't

1 matter. It's already a 4-bedroom home. That's four  
2 parking spaces already.

3           Let's just say they have teenagers,  
4 right, you don't know. You can have in a 4-bedroom  
5 home, you can have about six different cars. So I  
6 don't really think it matters on whether you split it  
7 or don't split it. I think what matters is to this,  
8 is whether it should be converted into three  
9 apartments. Right? Should it be converted into  
10 three apartments? Is it justifiable with the  
11 parking, you know, with the use, with the surrounding  
12 area?

13           So you know as far as like the negatives,  
14 I don't really see a negative besides the parking  
15 which is really a City issue. It shouldn't stunt  
16 the growth of folks trying to develop or bring  
17 housing here. We can't win the race on whether we do  
18 single-family homes or whether we do apartments or  
19 whether we do affordable or market rates. We're  
20 trying to figure that all out, right, based off the  
21 needs.

22           And I think that's still something to the  
23 young lady's point here is, we need to do research on  
24 that maybe not us, but the City. But I think that  
25 that's not the point of tonight. Tonight is whether

1 or not we should change the single-family home into  
2 three apartments. That's the point. So back to you,  
3 Chair.

4 MR. EINGORN: Does someone propose a  
5 motion?

6 CHAIRMAN HANCE: I propose a motion.

7 MR. EINGORN: A motion to what?

8 MS. ALSTON: Is there anything else we  
9 can do about getting more data or something?

10 MR. EINGORN: Motion to approve or a  
11 motion deny?

12 MS. ALSTON: The parking; how it's really  
13 to work on that driveway?

14 MR. EINGORN: The parking is not the  
15 issue.

16 MS. MASON: The parking is parking. It's  
17 an issue anywhere. Like I'm in North Camden and you  
18 have homes that have four or five bedrooms and we  
19 have no parking.

20 MR. EINGORN: The applicant has not been  
21 cited for parking, right?

22 MS. JAMES: No.

23 MR. EINGORN: While you can take into  
24 consideration off-site traffic conditions as part of  
25 the use, the parking is not something that the

1 applicant is here for. The applicant is here for a  
2 use variance for the triplex; a bulk variance for the  
3 lot width; and a building coverage variance which is  
4 also a bulk variance.

5 MS. JAMES: And if I may, the use for  
6 R-2 does allow for duplexes.

7 MR. EINGORN: Right, but this is a  
8 triplex.

9 MS. JAMES: I'm just saying. It's not  
10 just that it's just single-family homes that are  
11 allowed.

12 MR. EINGORN: Right. But you're also in  
13 the Parkside Redevelopment Plan. So I don't know  
14 what that says about duplexes here. I know you're  
15 right, R-2 does allow duplexes, which is something  
16 we'll address with Mr. Jackson.

17 But that said, the issue here is, does  
18 the applicant meet the Positive and Negative  
19 Criteria? Is this property particularly suited for  
20 the use? Does the use impair the Zoning Ordinance,  
21 the Zone Plan? Is it a detriment to the public  
22 good? Right? That's the legal standpoint. And so  
23 that's what the Board has to consider as it relates  
24 to the use variance.

25 MS. MERRICKS: Is it going to be

1 affordable homes or how --

2 MS. JAMES: Yes, affordable homes.

3 MS. MERRICKS: Like meaning, low income;  
4 meaning, affordable like how?

5 MS. RODCHESTER: Affordable homes.

6 MR. EINGORN: Affordable is like a term  
7 of art. Are you going to go to Section 8? That's  
8 the question.

9 MS. RODCHESTER: Not Section 8, no.

10 CHAIRMAN HANCE: I make a motion that we  
11 pass.

12 MR. EINGORN: We have a motion to pass.  
13 Is there a second?

14 MS. MASON: I'll second.

15 MR. EINGORN: We have a motion and a  
16 second. We'll take a roll-call vote. Chairman  
17 Hance.

18 CHAIRMAN HANCE: Yes.

19 MR. EINGORN: Ms. Merricks.

20 MS. MERRICKS: No.

21 MR. EINGORN: Ms. Alston.

22 MS. ALSTON: No.

23 MR. EINGORN: Mr. Still.

24 MR. STILL: I know there's going to be  
25 too much going on down there. But --



1           MR. EINGORN: If it helps you, they  
2 needed five affirmative votes and they can't get five  
3 affirmative votes so regardless of what you do, this  
4 motion is not going to pass and the application is  
5 going to be denied.

6           MR. STILL: I don't think it fits the  
7 community.

8           MR. EINGORN: Okay. So that's a 'no'  
9 vote?

10          MR. STILL: I vote 'no.'

11          MR. EINGORN: And Ms. Mason.

12          MS. MASON: Yes.

13          MR. EINGORN: Having two in favor and  
14 three opposed, the motion doesn't garner enough votes  
15 to pass and, therefore, has been denied by the Board.  
16 Thank you for coming.

17          MS. JAMES: Thanks.

18          MR. EINGORN: The next matter is Henstar  
19 Homes, LLC, 2770 Thompson Street. Good evening,  
20 Counsel.

21          MR. IZZO: Charles Izzo attorney for the  
22 applicant. We're here on the Thompson Street  
23 application. We have the architect, principal of the  
24 corporate owner, and we submitted some plans for  
25 review. We have a very unique type of application.

1 We have El Donaldo F. Vid Al and he's going to  
2 describe the -- he would start with his location plan  
3 that he provided to the Board.

4 MR. EINGORN: We'll swear in the  
5 witnesses. If you can both raise your right hand,  
6 please.

7 - - -

8 EL DONALDO F. VID, AL, AIA; ANEIDA  
9 HENRIQUEZ, having first been duly sworn/affirmed, was  
10 examined and testified as follows:

11 - - -

12 MR. IZZO: Mr. Donaldo Vid Al, can you  
13 just describe the Location Plan and how it's a little  
14 different than some of the other matters you've been  
15 here on?

16 MR. VID AL: Good evening. 2770 Thompson  
17 Street, it's a very unique property. Meaning that,  
18 this used to be a single building, but it's sitting  
19 on a 24,000 square foot lot. Right now what we have  
20 is an existing 3-story masonry framed building which  
21 is an approved duplex.

22 But there's a section, a back property  
23 that used to be a dilapidated garage with a good  
24 size. The owner desires to turn that dilapidated  
25 part of the building into a two-bedroom unit with its

1 own parking. So that's what we designed from that  
2 part of the building. So it's going to become a  
3 triplex in that sense.

4 MR. IZZO: I think you mentioned it's  
5 24,000 square feet. Was that your --

6 MR. VID AL: The whole site has 24,000  
7 square feet. That's the extent of the lot.

8 MR. IZZO: I think the City Assessor  
9 measures that has half an acre; would that be more or  
10 less correct?

11 MR. VID AL: Yes, that is correct.

12 MR. IZZO: And we have an existing duplex  
13 that we're not proposing to renovate or rebuild but  
14 we also have the footprint of a garage that you've  
15 drawn plans for and you've shown the board those  
16 plans and the inside pages; is that correct?

17 MR. VID AL: That is correct.

18 MR. IZZO: And how will that new  
19 construction be laid out; that garage conversion, how  
20 will that be accomplished?

21 MR. VID AL: This site is also bounded by  
22 three streets. That's Thompson Street, 28th Street  
23 and Howell Street. So that portion that we're  
24 talking about for the third unit which is the  
25 triplex, it's going to be fronting 28th Street. So

1 basically, the duplex is on Thompson Street but the  
2 triplex is on 28th Street and Howell Street. It's  
3 in that corner.

4 MR. IZZO: And you're proposing  
5 a second floor addition in order to make that  
6 suitable for a family?

7 MR. VID AL: That is correct. Because on  
8 the first floor that's where the living, dining, and  
9 kitchen and then the one stairway. It has two  
10 bedrooms and one bathroom on the second floor.

11 MR. IZZO: So if completed, you'll have a  
12 single-family residence where it was formerly a  
13 garage structure. And you also have off-street  
14 parking on your plan in front of that new residence;  
15 is that correct?

16 MR. VID AL: That is correct. Actually  
17 the garage, it has its own driveway for two cars  
18 which is the number of vehicles we need for that  
19 unit. Plus the duplex, they have their own driveway  
20 on Thompson Street. So it's like they're separated  
21 but they're on the same lot. That's what makes this  
22 unique.

23 MR. IZZO: So you're able to show the  
24 Board that there's ample parking for the residents in  
25 your judgement; is that what you're showing there?

1           MR. VID AL: Yes, that is correct. We  
2 don't have an issue with parking here. We have  
3 plenty of it. And if we need it, we can expand the  
4 driveways if it's needed. But we have the number of  
5 parking spaces that we need.

6           MR. IZZO: The details mention  
7 installation of fencing and a gate. Can you  
8 describe why and how that would be accomplished?

9           MR. VID AL: See, the area, that lot,  
10 that particular lot, it needs to be fenced because  
11 it's big and people tend to cross from Thompson to  
12 Howell and that's not correct. So they're going to  
13 fence the whole thing just to prevent people  
14 from --

15          MR. IZZO: I think this shows a rolling  
16 gate of some kind and what is the --

17          MR. VID AL: Oh, that's for the duplex  
18 driveway plus the triplex driveway to secure the  
19 cars.

20          MR. IZZO: On the duplex driveway, you've  
21 got four automobiles drawn in there. Is that to show  
22 the Board the available spaces?

23          MR. VID AL: That is correct.

24          MR. IZZO: And then two more with the  
25 garage conversion, two more spaces?

1 MR. VID AL: That is correct.

2 MR. IZZO: So without affecting any of  
3 the grass area that's untouched, you've already shown  
4 six parking spaces on this site?

5 MR. VID AL: Yes. We have six parking  
6 spaces for the whole triplex.

7 MR. IZZO: What else would you point out  
8 to the Board that I didn't delve into?

9 MR. VID AL: The fencing. The fencing,  
10 there's -- we can relate to that. Why do you need  
11 it? Some parts of the house, you need a 6-foot fence  
12 rather than four.

13 MS. HENRIQUEZ: So the reason that I'm  
14 requesting a 6-foot fence is because we have a German  
15 Shepherd. And there's a park behind Howell Street  
16 and there's like little kids playing in there. So my  
17 concern is that the dog would jump the fence and go  
18 to the park. So it's just kind of preventing the dog  
19 to jump the fence and go to the park that is on  
20 Howell Street.

21 MR. VID AL: So the dog is going to be  
22 playing in 24,000 square feet?

23 MS. HENRIQUEZ: So she has a lot of land  
24 here. I know the kids in the park probably getting  
25 her attention.

1 MR. IZZO: You have your own park there.

2 MS. HENRIQUEZ: Yes.

3 MR. IZZO: I guess we'll submit to the  
4 Board for questions.

5 MR. EINGORN: One quick question. The  
6 parking that's shown, is that all preexisting?

7 MR. VID AL: Yes, it is.

8 MR. EINGORN: Great. Questions from the  
9 Board? No question. Open to the public. Anybody in  
10 the public here tonight that would like to be heard  
11 on the application of Henstar Homes, LLC, 2770  
12 Thompson Street? Hearing none, we'll close the  
13 public portion.

14 The Board has been asked to grant a use  
15 variance for a three-family dwelling. A use variance  
16 for two principal uses on the same lot. They're  
17 asking for two homes. And the rear setback is  
18 deficient. I don't know that it's really a rear  
19 setback. It may be --

20 MR. VID AL: Yes. Because it's  
21 interpreted that from Thompson -- this is a unique  
22 site. From Thompson to Howell, Howell is another  
23 front but it's a considered a rear which is sitting  
24 there.

25 MR. EINGORN: Yes. Because the front of

1 the house is here and this is the garage. Either way  
2 it's a setback issue.

3 MR. VID AL: Yes.

4 MR. EINGORN: It's too close to the  
5 sidewalk. So that's what's being requested. This is  
6 a rather large lot; preexisting parking. A  
7 discussion and a motion.

8 MS. MASON: This has gone  
9 backwards, right? A three-family dwelling into a  
10 single-family. That's what we wanted, right?

11 MR. EINGORN: But you already have a  
12 preexisting duplex. And what they're asking to do is  
13 turn a garage into an apartment. Right? And the  
14 garage is a freestanding building with its own  
15 separate parking. This is a far different scenario  
16 than you just saw. What you saw was a preexisting  
17 single-family home. This is not. This is an  
18 approved duplex. They're asking for an additional  
19 unit which is, I mean, essentially for all intents  
20 and purposes, a whole separate lot. I use that word  
21 in quotes because it's not a separate lot. In the  
22 colloquial sense. So it's a different scenario for  
23 sure.

24 MS. MASON: Yes.

25 CHAIRMAN HANCE: I think it's a great



1 idea. You got a single-standing garage. And you  
2 convert that into a single apartment and --

3 MS. HENRIQUEZ: It will be a home like a  
4 little house.

5 CHAIRMAN HANCE: And that's another big  
6 thing coming now, small houses. We don't want the  
7 hustle and bustle anymore. We want to get in and get  
8 out.

9 MS. HENRIQUEZ: And it has the parking.

10 CHAIRMAN HANCE: It's an energy-saver  
11 also so I think it would be a good addition to that  
12 area. My brother lives right around the corner.

13 Ms. HENRIQUEZ: That property is being  
14 abandoned for a lot of years so we're trying to make  
15 it an affordable home for a family and make it look  
16 nice and beautiful with the park behind there.

17 CHAIRMAN HANCE: And a 6-foot fence also,  
18 safety issues. And we've been doing that from 4-foot  
19 to 6-foot.

20 MS. MASON: It's a lot of land;  
21 beautiful.

22 MS. HENRIQUEZ: Parking will not be an  
23 issue at all.

24 MS. MASON: Right.

25 CHAIRMAN HANCE: I am done.

1 MR. EINGORN: Do we have a motion?

2 MR. STILL: Motion to pass.

3 CHAIRMAN HANCE: Second.

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

5 Chairman Hance.

6 CHAIRMAN HANCE: Yes.

7 MR. EINGORN: Ms. Merricks.

8 MS. MERRICKS: Yes.

9 MR. EINGORN: Ms. Alston.

10 MS. ALSTON: Yes.

11 MR. EINGORN: Mr. Still.

12 MR. STILL: Yes.

13 MR. EINGORN: Ms. Mason.

14 MS. MASON: Yes.

15 MR. EINGORN: Having five in favor and

16 none opposed, the motion passes. Congratulations.

17 The next matter is Keith Jackson, 515

18 State Street.

19 MR. EINGORN: Raise your right hand,

20 please.

21 KEITH JACKSON, having first been duly

22 sworn/affirmed, was examined and testified as

23 follows:

24 MR. EINGORN: Please state your name and

25 address for the record.

1 MR. JACKSON: My name is Keith Jackson.  
2 May address is 509 Hudson Street.

3 MR. EINGORN: Mr. Jackson is here tonight  
4 seeking approval for a duplex. It says two-family  
5 dwellings are not permitted, but this is in an R-2  
6 Zone which does allow duplexes. So I'm a little  
7 confused about that but that's okay. Lot size is  
8 deficient so bulk variance, lot width and depth are  
9 deficient. Bulk variance, building coverage is  
10 deficient and off-street parking is needed which is a  
11 bulk variance. We have a photograph of the property.  
12 Mr. Jackson, is it the middle property?

13 MR. JACKSON: Yes.

14 MR. EINGORN. I'm colorblind. Is it gray  
15 or blue?

16 MR. JACKSON: Gray.

17 MR. EINGORN: Very good. So this is,  
18 I guess, what they call a twin?

19 MR. JACKSON: Yes.

20 MR. EINGORN: And so it shares a party  
21 wall in the middle?

22 MR. JACKSON: Correct.

23 MR. EINGORN: And then on the other side  
24 there's what, an alleyway?

25 MR. JACKSON: Yes.



1 MR. JACKSON: Yeah.

2 MR. EINGORN: Can you call it 12 feet?

3 MR. JACKSON: Yeah, about ten.

4 MR. EINGORN: So we have a 10-foot back  
5 yard, and there's a property behind that.

6 MR. JACKSON: Yeah.

7 MR. EINGORN: Got like a rear neighbor?

8 MR. JACKSON: Yeah.

9 MR. EINGORN: And that's preexisting as  
10 well, correct?

11 MR. JACKSON: Correct.

12 MR. EINGORN: And you can't change that.

13 And when you bought this property, was it  
14 single family or duplex?

15 MR. JACKSON: When I bought it, I believe  
16 it was a single-family.

17 MR. EINGORN: And you want to convert it  
18 to a duplex?

19 MR. JACKSON: Correct.

20 MR. EINGORN: Have you started the work  
21 to convert it o a duplex?

22 MR. JACKSON: Yes.

23 MR. EINGORN: You have?

24 MR. JACKSON: Well, it was already a  
25 duplex inside. But it was down as a single-family.

1 So when I went inside, it was already preexisting  
2 like somebody already had it as that.

3 MR. EINGORN: Got you. So you didn't do  
4 the work to make it a duplex. You bought the house  
5 thinking it was single-family?

6 MR. JACKSON: No. I actually bought it  
7 thinking it was a duplex.

8 MR. EINGORN: Okay. Got it. Lot size is  
9 deficient.

10 MR. JACKSON: There wasn't a meter for  
11 the second property -- for the second addition.

12 MR. EINGORN: So you went in for another  
13 meter; is that what happened?

14 MR. JACKSON: Yes. Well, I wouldn't be  
15 zoned for the duplex. Once I noticed it was only  
16 single-family, I tried to get it zoned for a duplex.

17 MR. EINGORN: Got you. No off-street  
18 parking, right? Takes up the whole lot pretty much?

19 MR. JACKSON: Yes.

20 MR. EINGORN: What's the parking like on  
21 the street?

22 MR. JACKSON: It's pretty clear to me.

23 MR. EINGORN: Are the neighboring  
24 properties, is there people living in them?

25 MR. JACKSON: Yes. The one next door is

1 a duplex. Somebody is living in the upstairs. I  
2 don't think anybody is living downstairs. On the  
3 opposite side I think it's -- I don't know if it's  
4 like a boys' group home or something. You know, it's  
5 like a bunch of kids that live in there. None of  
6 them drive. They have their own off-street parking.

7 CHAIRMAN HANCE: The house when you said,  
8 you got it, inside was already converted into a  
9 duplex?

10 MR. JACKSON: Yes.

11 CHAIRMAN HANCE: So you got a separate  
12 meter; you got a separate hot water meter?

13 MR. JACKSON: That's the only thing it  
14 didn't have, separate meters. Like I said, when I  
15 seen it --

16 CHAIRMAN HANCE: It looked like a  
17 single-family home?

18 MR. JACKSON: Yes. When it was proposed  
19 to me, it was not being proposed until I asked about  
20 a duplex. I said, okay, I'll go to do. But when I  
21 ride down the street I see a bunch of houses from  
22 basically from 5th all the way down to about 2nd is  
23 all duplexes and triplexes and commercial properties.  
24 So I said, okay. I figured it wouldn't be a problem  
25 for me.

1                   CHAIRMAN HANCE: So do you have two  
2 separate entrances when you go to the door?

3                   MR. JACKSON: Correct.

4                   MS. MASON: State Street does have those  
5 homes that are either rooming homes or duplexes,  
6 triplexes. That's just the State Street corridor.

7                   MR. EINGORN: Is this the plan sketch you  
8 provided --

9                   MR. JACKSON: Yes.

10                  MR. EINGORN: -- or did you take it from  
11 some place else?

12                  MR. JACKSON: Yes.

13                  MR. EINGORN: So the bottom unit is two  
14 bedrooms and the upper unit is four?

15                  MR. JACKSON: Correct:

16                  MR. EINGORN: Any questions from the  
17 Board? No questions?

18                  MR. STILL: Just a clarity question. You  
19 did say it was entrances in and out, two of them,  
20 right?

21                  MR. JACKSON: Yes.

22                  MR. EINGORN: Anybody in the public here  
23 tonight that would like to be heard on the  
24 application of Keith Jackson, 515 State Street?  
25 Hearing none, we'll close the public portion.



1           The Board is asked to grant the use  
2 variance for a duplex in the R-2 Zone where duplexes  
3 are allowed, the lot size, lot width and depth,  
4 building coverage, and off-street parking, bulk  
5 variances. The Board should do a discussion of the  
6 Positive and Negative Criteria and make a motion.

7           MS. MASON: I make a motion to approve.  
8 Are we there yet?

9           MR. EINGORN: Okay. We have a motion to  
10 approve.

11          MR. STILL: Second.

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

14          CHAIRMAN HANCE: Yes.

15          MR. EINGORN: Ms. Merricks.

16          MS. MERRICKS: Yes.

17          MR. EINGORN: Ms. Alston.

18          MS. ALSTON: Yes.

19          MR. EINGORN: Mr. Still.

20          MR. STILL: Yes.

21          MR. EINGORN: Ms. Mason.

22          MS. MASON: Yes.

23          MR. EINGORN: Five in favor and none  
24 opposed, congratulations.

25                 We have one Resolution tonight because I

1 was way too busy; busier than I'd like to be. And  
2 that's Briana Hernandez, 1709 Broadway. Do we have a  
3 motion to adopt?

4 MS. ALSTON: I make a motion to adopt.

5 MR. EINGORN: Great. Do we have a  
6 second?

7 CHAIRMAN HANCE: Second.

8 MR. EINGORN: This is from the Special  
9 Meeting. We'll take a roll-call vote. Chairman  
10 Hance.

11 CHAIRMAN HANCE: Yes.

12 MR. EINGORN: Ms. Alston.

13 MS. ALSTON: Yes.

14 MR. EINGORN: Ms. Mason.

15 MS. MASON: Yes.

16 MR. EINGORN: Thank you. Three in favor  
17 and none opposed. That's everybody who was there.  
18 Now I need a motion to adjourn.

19 CHAIRMAN HANCE: Motion to adjourn.

20 MS. MASON: Second.

21 MR. EINGORN: All in favor.

22 THE BOARD: Yays.

23 MR. EINGORN: So adjourned.

24 - - -

25 (\*Meeting concluded at 10:28 p.m.\*)

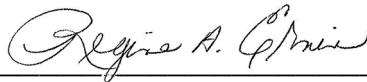
## 1 CERTIFICATION

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

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

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

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

18 

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