

CASINO REINVESTMENT DEVELOPMENT AUTHORITY

LAND USE REGULATION and ENFORCEMENT DIVISION

TRUMP PLAZA ASSOCIATES, LLC

SEEKING RELIEF TO ERECT AN ADVERTISING SIGN ON THE

NORTHWEST WALL OF THE EXISTING PARKING GARAGE

BLOCK 162, LOT 3

2201 Pacific Avenue, Atlantic City, NJ

Thursday - June 2, 2016

Public hearing in the
above-referenced matter, taken at the CASINO



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1 REINVESTMENT DEVELOPMENT AUTHORITY, 15 South
2 Pennsylvania Avenue, Atlantic City, New Jersey,
3 before Karen A. Haworth, a New Jersey Certified
4 Court Reporter (CCR), nationally certified
5 Registered Professional Reporter (RPR),
6 nationally certified Certificate of Merit holder
7 (CM), nationally certified Certified Realtime
8 Reporter (CRR), a Delaware Certified Shorthand
9 Reporter (CSR), nationally certified Certified
10 LiveNote™ Reporter (CLR), and Notary Public of
11 the State of New Jersey, on the above date,
12 commencing at 10:00 A.M., there being present:
13
14
15

16 APPEARANCES:

17 CASINO REINVESTMENT DEVELOPMENT AUTHORITY:

18
19 LANCE B. LANDGRAF, JR.

Chairman

20 Director, Planning Department
21

22 ROBERT L. REID

Land Use Enforcement Officer
23
24
25

1 PROFESSIONALS TO THE BOARD FOR THIS HEARING:

2
3 SCOTT G. COLLINS, ESQUIRE

RIKER, DANZIG, SCHERER, HYLAND & PERRETTI

4
5 CHRISTINE NAZZARO-COFONE

COFONE CONSULTING GROUP

6
7
8
9
10
11
12 COUNSEL FOR THE APPLICANT:

13 JOHN M. DONNELLY, ESQUIRE

DONNELLY LAW

I N D E X

WITNESS(ES)

PAGE NO.

JON J. BARNHART, PE, PP, CME

By Mr. Donnelly

7

EXHIBITS MARKED AND/OR REFERRED TO:

A-1

B-1

1 (Time noted: 10:00 A.M.)

2

3 LANCE LANDGRAF: I'll call the June
4 2nd CRDA Land Use Regulation and Enforcement
5 Division hearing to order.

6 Would everyone please rise and join
7 me in the flag salute?

8 (The Pledge of Allegiance was
9 recited at this time.)

10 LANCE LANDGRAF: Thank you.

11 This hearing has been noticed in
12 accordance with the Senator Byron M. Baer Open
13 Public Meetings Act.

14 We have one item on the agenda
15 today. That is application 2016-05-1910, Trump
16 Plaza Associates, LLC. It's 2201 Pacific
17 Avenue, Block 162, Lot 3. Resort Commercial
18 District.

19 They're seeking relief to erect a
20 -- basically, an off-site advertising sign on
21 the facade wall, as you can see on the -- the
22 screen there, of the Trump Plaza parking garage.

23 Mr. Donnelly.

24 JOHN DONNELLY: Yes. Thank you.

25 Good morning. John Donnelly, Donnelly Law,

1 appearing on behalf of the applicant, Trump
2 Plaza Associates, LLC.

3 I'd like to call my first witness
4 and my only witness, Jon Barnhart.

5 Jon, could you advise the committee
6 as to what licenses you hold?

7 JON BARNHART: Sure.

8 LANCE LANDGRAF: Right before that,
9 I'm going to ask Rob to just make sure we have
10 jurisdiction to hear and we've got proper notice
11 and --

12 ROBERT REID: Yes. I have reviewed
13 the Proof of Service provided by the applicant's
14 attorney, and we do have jurisdiction to hear
15 this application.

16 LANCE LANDGRAF: Thank you.

17 JOHN DONNELLY: Thank you.

18 LANCE LANDGRAF: Mr. Barnhart's
19 been here before. We'll stipulate to his
20 credentials on the record.

21 And if you could just swear him in.

22 JON BARNHART: Fine. Okay.

23 SCOTT COLLINS: Let me just swear
24 you in first, Jon.

25

1

2

3

JON BARNHART,

4

his professional office address stated as

5

Arthur W. Ponzio Company & Associates, 400

6

North Dover Avenue, Atlantic City, New

7

Jersey 08401, having been duly sworn in by

8

Scott Collins, Esquire, was examined and

9

testified as follows:

10

THE WITNESS: I do.

11

SCOTT COLLINS: Thank you.

12

13

DIRECT EXAMINATION

14

BY JOHN DONNELLY:

15

Q. All right. Mr. Barnhart, would you

16

present the particulars of the application,

17

please?

18

A. Certainly.

19

I'm gonna -- I'll start with the

20

exhibit that we have -- have up on the screen

21

right now, which is the -- the survey and use

22

variance application plan that was submitted

23

with the package.

24

THE WITNESS: Scott, do you want us

25

to consider this A-1?

1 SCOTT COLLINS: I'm sorry. Did you
2 say this was submitted with the package?

3 THE WITNESS: This is the same plan
4 that was submitted with the package. Yes.

5 SCOTT COLLINS: Okay. Let's just
6 mark the entire application as A-1, --

7 THE WITNESS: Okay.

8 SCOTT COLLINS: -- if you can, just
9 in your testimony.

10 Just before you start, though,
11 Mr. Landgraf noted you have been qualified as an
12 expert here before, as both a professional
13 engineer and a professional planner?

14 THE WITNESS: That's correct.

15 SCOTT COLLINS: And --

16 THE WITNESS: I hold licenses in
17 both.

18 SCOTT COLLINS: Correct.

19 SCOTT COLLINS: Okay. Thank you.

20 THE WITNESS: Thank you.

21 So, the -- the plan that you have
22 before you on the screen right now, as you can
23 see, is the site of the former Trump Plaza
24 garage. The site is bound by four municipal
25 streets, being Atlantic Avenue, Missouri Avenue,

1 Pacific Avenue, and Mississippi Avenue.

2 This -- this specific site was the
3 -- as I mentioned, was the transportation center
4 for Trump Plaza. And on the front of the site,
5 out on Atlantic Avenue, is the -- is a surface
6 parking area that has existed for a number of
7 years.

8 As we all know, this property
9 currently is -- is closed, it's not being
10 utilized. It is under the ownership and control
11 of the same entity that owns the -- the Taj
12 Mahal site.

13 The proposal this morning is pretty
14 simple. You know, I think we're -- I think
15 we're here out of an abundance of caution, but
16 it's -- it's kind of an interesting situation
17 with what we propose versus what the -- what the
18 ordinance permits with regard to signage.

19 The proposal is to add a
20 wall-mounted sign to the face of the Trump Plaza
21 garage.

22 I'm going to a second exhibit,
23 which was also the same -- this is -- this is
24 the same plan that was also part of the
25 application package.

1 SCOTT COLLINS: Okay.

2 THE WITNESS: Okay?

3 This identifies the face of the
4 former -- former Plaza garage if you were
5 standing on Atlantic Avenue, looking at the
6 garage structure.

7 You can see that we're proposing to
8 put a wall-mounted sign, which will,
9 essentially, be a mesh or a vinyl panel sign
10 that will be affixed to that wall via cabling,
11 grommets or some other structural connection to
12 the -- to the concrete panel of the garage
13 structure.

14 The sign itself will -- the
15 intention is that it will be uplit by the
16 existing -- you can see in that -- in that
17 photograph there is an existing line of low
18 lighting affixed to the existing wall garage
19 that shines up the garage wall that was -- that
20 was installed to wash that wall with light when
21 it was open. The intent would be that that
22 light will be utilized to help illuminate the
23 sign during the night hours.

24 And the sign is intended -- and --
25 and this is why we're here this evening -- this

1 morning -- I'm used to saying this evening --
2 talk about being programmed. Right?

3 The sign is --

4 And why we're here for approval --
5 or a request for a d. variance this morning is
6 because we propose -- we propose to promote
7 functions that will take place at the Taj Mahal
8 Casino as part of this sign. There --

9 We're hopeful that this property
10 will open back up, not knowing -- having any
11 idea right now what it will open back up as or
12 what it will be in the future, but if we're
13 fortunate enough -- the client is fortunate
14 enough that this property opens back up, this
15 sign may, in the future, also be utilized as a
16 -- as an on-premise sign for their use as well.

17 But, the deviation that we are
18 asking for this morning is a d. variance because
19 of the fact that we are proposing to advertise
20 events that will take place at the Taj Mahal.

21 The irony -- or the ironic part of
22 this -- and -- and I agree with -- with the --
23 with the -- with the -- with the review that
24 Miss Cofone has done and the decision that --
25 that the land -- this land use board has -- has

1 determined, but the irony of this is that, you
2 know, these properties are under one control.

3 The Atlantic -- in -- in my entire
4 career in Atlantic City, if you've -- if you've
5 looked at the casino properties, that they've
6 been, you know, multiple -- or single entities
7 that own multiple properties throughout --
8 throughout the community for many, many years.
9 You see advertising from one to the other on
10 different properties. It's been that way
11 forever. I -- we've been involved in many of
12 them. I -- I don't really know of many or any
13 that have come before the board for a variance,
14 but I -- but I agree with -- with the
15 characterization that this would require a
16 variance, especially considering this site is
17 currently closed, not operating as a casino
18 site.

19 So, why are we here? We're here
20 for a d. variance because this sign -- this
21 wall-mounted sign that we propose is considered
22 an off-site advertising sign.

23 The sign itself will meet all of
24 the signage criteria for an on-premise wall
25 sign. What I mean by that is, the sign type --

1 or the structural type of the sign, the lighting
2 of the sign, the total square foot area of the
3 sign, the projection of the sign as it would --
4 would come off of the face of that wall. All of
5 the requirements of the municipal land use
6 ordinance of Atlantic City are met for this sign
7 to be placed on this wall. It's just the
8 advertisement of Taj Mahal events that dictate
9 the functional use of the sign being an
10 advertising sign that creates the -- the
11 d. variance here.

12 So, I just want to be clear with
13 that because I think it's -- it's a -- it's
14 important, because this sign, if we -- if this
15 says Rod Stewart at the Trump Plaza, we're not
16 even here before you this morning. So, I think
17 -- I think we have to -- we have to look at
18 that, because when we -- when we start talking
19 about special reasons and establishing the
20 negative, the -- the two prongs of the negative
21 criteria, this sign, as you -- as it sits right
22 here, if I changed those words Taj Mahal to say
23 Trump Plaza, is not a d. variance.

24 So, let -- let's get into the
25 special reasons, and then --

1 LANCE LANDGRAF: Jon, one question.

2 THE WITNESS: Yes.

3 LANCE LANDGRAF: I think Christine
4 has something.

5 CHRISTINE NAZZARO-COFONE: I -- I
6 do just have a quick question on it. And I'm
7 sorry to interrupt you.

8 THE WITNESS: Sure.

9 CHRISTINE NAZZARO-COFONE: I just
10 felt it would be helpful rather than having put
11 all your testimony in.

12 My question is --

13 I appreciate everything that you're
14 saying. If you were advertising, there's
15 nothing non-conforming about the size or the
16 dimension or the type of signage. And you're
17 advertising --

18 You're here for a variance for
19 off-site advertising for the Taj Mahal.

20 THE WITNESS: Correct.

21 CHRISTINE NAZZARO-COFONE: So,
22 should we anticipate that your testimony will be
23 directed only for Taj Mahal off-site advertising
24 or, say, Bass Pro Shops says, hey, that's a
25 pretty great location, very visible, highly

1 visible and a great area, we would like to
2 advertise there, too, we would like to rent that
3 sign out next month, we'd like you to advertise
4 that we're having -- I'm not much of an outdoors
5 girl, so --

6 THE WITNESS: A fishing event.

7 CHRISTINE NAZZARO-COFONE: How
8 about that?

9 CHRISTINE NAZZARO-COFONE: A
10 fishing event. Crazy lure sale at Bass Pro
11 Shops next month.

12 Would we be --

13 So, should we anticipate that we
14 might see that type of signage or is it your
15 intention to limit this to only off-site events
16 that are gonna occur at the Taj Mahal?

17 JOHN DONNELLY: Let me address
18 that.

19 Right now, there's no plans to do
20 anything like the Bass Pro Shops. I would
21 request that if the board has the authority and
22 jurisdiction to do that, to permit that. I will
23 tell you, as of right now, snapshot now and
24 everything my client has told me, no. Right
25 now, they're just planning on using it for

1 events either at the Plaza or Taj Mahal.

2 CHRISTINE NAZZARO-COFONE: But, the
3 variance, though, if the variance is granted, it
4 would allow you to do that. And I just think
5 the --

6 LANCE LANDGRAF: Yeah.

7 CHRISTINE NAZZARO-COFONE: -- the
8 city needs to be aware of that.

9 THE WITNESS: Yeah. That's --
10 that's --

11 CHRISTINE NAZZARO-COFONE: Because
12 then if you're granting an off-site sign here
13 for the other activities that would occur at
14 other casinos, I can see that being consistent.

15 I have just a little bit of concern
16 that if we open it up to any type of off-site
17 advertising, that the city just needs to be
18 aware of it. And if you're okay with it, that's
19 fine, but just be aware that if we grant the
20 variance for off-site advertising and don't put
21 a condition on it, --

22 LANCE LANDGRAF: Right.

23 CHRISTINE NAZZARO-COFONE: -- then
24 they could advertise --

25 ROBERT REID: Anything.

1 CHRISTINE NAZZARO-COFONE: --

2 anything --

3 ROBERT REID: Yeah.

4 CHRISTINE NAZZARO-COFONE: -- here.

5 LANCE LANDGRAF: So, now we even
6 look at the Tropicana, because that's --

7 JOHN DONNELLY: That -- that --
8 that won't happen because --

9 LANCE LANDGRAF: Okay.

10 JOHN DONNELLY: That, I'm fairly
11 confident, won't happen because there's a
12 divergence of ownership --

13 LANCE LANDGRAF: Okay.

14 JOHN DONNELLY: -- between the
15 properties.

16 CHRISTINE NAZZARO-COFONE: Right.

17 LANCE LANDGRAF: Well --

18 JOHN DONNELLY: But --

19 LANCE LANDGRAF: It's something
20 we'll discuss.

21 JOHN DONNELLY: -- the
22 Bass Pro Shops is a good example.

23 And I'm -- I'm telling you
24 everything I know. You can waterboard me, but
25 no one has suggested anything other than -- than

1 what we're applying for.

2 CHRISTINE NAZZARO-COFONE: But,
3 only because maybe they didn't think of it yet,
4 and then once they have the opportunity, if
5 somebody approaches them, then they may say, you
6 know --

7 JOHN DONNELLY: Not even get their
8 approval.

9 CHRISTINE NAZZARO-COFONE: And I'm
10 just concerned that we don't give some kind of
11 open-ended relief and wind up with signage
12 advertising something we didn't anticipate or
13 want here, and then because we granted a
14 variance for off-site advertising with no
15 stipulations for it, we get something that we
16 didn't consider that we would have here. It's
17 just --

18 LANCE LANDGRAF: That would be a
19 concern of mine as well. So, that's something
20 that we'll mull over.

21 CHRISTINE NAZZARO-COFONE: And I'll
22 --

23 Right. So, from a planning point
24 of view, I see absolutely no problems
25 advertising the Taj Mahal. I think --

1 But, I just am a small bit
2 concerned about something that I don't think you
3 thought of as an applicant, either.

4 I don't -- I truly don't think that
5 that's your intention, but sometimes
6 applications, once they're approved, take on a
7 different intention once the variance has been
8 granted. And I don't want the city to be in
9 that position.

10 LANCE LANDGRAF: Yeah. Thank you.
11 All right, Jon.

12 CHRISTINE NAZZARO-COFONE: Sorry.
13 So, if you -- you could just structure your --
14 your proofs to, maybe, address that, that would
15 be great.

16 THE WITNESS: Sure. Okay.
17 So, we have to establish that
18 special reasons exist and we have to establish
19 the negative criteria with this application in
20 support of the d. variance.

21 With regard to special reasons, you
22 know, it's our opinion that this application
23 would promote the general welfare. The reason
24 that we believe we can make that statement is
25 because this is -- this is a situation where,

1 number one, we are -- we are gonna activate a
2 blank wall right at the main corridor into the
3 City of Atlantic City. You come off the
4 Atlantic City Expressway. This is -- this is
5 the focal point of the city when you come in as
6 a tourist and the very first thing that you look
7 at is a closed garage structure with a -- with a
8 -- the -- the stain of a sign that was formerly
9 there that has been removed.

10 This will activate that. This will
11 now promote tourism within the City of Atlantic
12 City by identifying events that are going to
13 take place currently as opposed to what you
14 drive around and see signs now of the things
15 that are -- that are old and -- and, you know,
16 people have let things go because of the -- of
17 the -- the state of the economy in our town.
18 This is -- you know, this is a location that --

19 It's not -- it's not -- it's not
20 huge, but it's a step to try to activate that
21 wall while -- while the -- the owner tries to
22 move forward with -- with some -- with some
23 potential future plans for the site. We believe
24 that --

25 So, for those reasons, we believe

1 the general welfare is advanced because it
2 promotes the tour -- the tourism and activates
3 that wall at that focal point of the city.

4 With regard -- with regard to the
5 negative criteria -- well, let me back up for a
6 second.

7 With regard to the particular
8 suitedness of -- of the use for this location,
9 if -- as I mentioned, if you look at the site,
10 not only were -- are the former Trump Plaza
11 words still visible at the top of this building,
12 but you can actually see of outline of where
13 this sign once was.

14 The Trump Plaza utilized this
15 almost identical size, width and height, of a
16 wall sign at this location for a number of
17 years, advertising their -- their events at the
18 property and -- and promotions and things that
19 they had. There's been a wall-mounted sign on
20 this structure, off and on, for many, many years
21 throughout my career, and what we're proposing
22 to do is, essentially, put that back onto that
23 wall. So, it's -- it's a --

24 When -- when we talk about
25 particular suitedness, it's a sign location that

1 -- that tourists, customers, residents are used
2 -- or accustomed to seeing as they come through.
3 It's -- it's appropriately positioned and
4 appropriately sized because it does meet all of
5 the municipal land use ordinance requirements
6 for a wall-mounted sign. I just go back to the
7 fact that it's the copy that we propose on the
8 sign that creates the variance.

9 So, I think that the -- that the
10 use is clearly particularly well suited for the
11 -- for the location that we propose.

12 Going to the negative criteria of
13 -- of the request, the first prong of the
14 negative criteria is does the application
15 substantially impair the intent or purpose of
16 the zone plan or zoning ordinance. Well, I
17 would argue that our request actually goes to
18 support the intent and purpose of the zone plan
19 or zoning ordinance.

20 If you look at Miss Cofone's report
21 -- and I love Miss Cofone's reports because she
22 does a lot of my work for me when it comes --
23 when it comes to taking excerpts out of --

24 CHRISTINE NAZZARO-COFONE: We try
25 to be helpful.

1 THE WITNESS: -- out of the land
2 use ordinance.

3 But, Miss Cofone's report
4 identifies the purposes of the RS-C zone, and I
5 think that -- that -- that this sign goes
6 exactly to that, in that, you know, it helps to
7 support that casino industry, it helps to
8 advertise and -- and give information to
9 tourists. So, we believe that it -- that it
10 advances the purposes -- the intent and purpose
11 of the zone plan and zoning ordinance, and
12 certainly does not impair the intent.

13 With regard to the substantial
14 negative impact to the public good, as I've
15 already identified, this is a site that has had
16 a sign for many, many years. When the public,
17 whether it be residents, whether it be tourists
18 coming into the community, they're used to
19 seeing a sign at this location, and I think it
20 is a benefit to the public good in reactivating
21 that wall. As I have already discussed, you
22 have a -- you know, frankly, it's an ugly blank
23 wall right now and it's the first thing you see
24 when you drive into the city. So, this is --

25 You know, as I mentioned, it's not

1 a huge step, but it's a step in the right
2 direction with regard to -- with regard to a
3 betterment on this site itself.

4 So, for those reasons, I believe
5 that both the positive and the negative criteria
6 are established for the -- in support of a
7 d. variance with this application.

8 And just going to some of the
9 technical questions that were brought up within
10 Miss Cofone's report, I've -- we've identified
11 the type of sign already. We've identified the
12 -- the type of illumination.

13 There is no proposal at this point
14 for any additional site improvements as part of
15 this application.

16 And with regard to the change of
17 copy, we really don't know how often it's gonna
18 change. It's really, at this point, you know,
19 based on events and functions that will take
20 place. I can tell you, just based on the pure
21 size of this sign, this is not something that's
22 happening on a daily basis or even a weekly
23 basis. It's an event -- you know, it's -- it's
24 a major event just to put this sign up and take
25 it down and have it made. So, we can't really

1 give you a time frame for how long a sign may or
2 may not be up at this point.

3 And we talked about the advancing
4 -- or the objectives of the Tourism District.

5 You know, again, tour -- the -- the
6 objectives of the -- the CRDA master plan and
7 Tourism District is to support -- is to
8 certainly support the casino industry. This
9 application goes directly to helping advance
10 those objectives.

11 So, I think we've covered the
12 technical questions in Miss Cofone's report. I
13 think that we've provided adequate testimony in
14 support of the variance. And, obviously, I can
15 answer any questions that you -- that you may
16 have.

17 LANCE LANDGRAF: With that, I'll
18 ask, Miss Cofone, if you can go through,
19 briefly, your report.

20 CHRISTINE NAZZARO-COFONE: Sure.
21 Thank you.

22 My office issued a report on May
23 20th of 2016.

24 And, as usual, Mr. Barnhart has
25 done an excellent job of walking through the

1 proofs that we asked for and answering the
2 questions.

3 I would agree with you that my
4 finding is that you do comply. There's a table
5 on page 3 of our report that indicates the sign
6 requirements and that I would agree with your
7 characterization that the only thing
8 non-conforming about this sign is that it
9 advertises its messages off-site.

10 I also agree with your testimony.
11 You cited criteria of promoting the general
12 welfare, which is criteria A. My opinion as a
13 professional planner is that you could also rely
14 on criteria I of the land use law, which is
15 talking about a desirable visual environment
16 because you're activating that blank wall.

17 Would you agree with that?

18 THE WITNESS: Yes, I would.

19 CHRISTINE NAZZARO-COFONE: So, I
20 think you could rely on criteria I as well for
21 the positive criteria. And I agree with you
22 that that does activate a blank wall.

23 Again, my only concern at this
24 point is the Medici reconciliation; that this
25 zoning district specifically does not allow

1 off-site advertising.

2 So, in order to reconcile the --
3 the continued omission of those off-site signs
4 in this area, I think the city needs some level
5 of control over the copy on this. And I -- I
6 have somewhat of a concern with a carte blanche
7 allowance of off-site. I have no issues at all
8 with the sign or advertising, you know,
9 tourism-related activities at other casinos. I
10 just raise that issue for your consideration in
11 -- you know, in the Medici proofs.

12 LANCE LANDGRAF: I have that --
13 that same concern. I wouldn't have an issue if
14 it advertised anything at any of the other
15 casinos.

16 CHRISTINE NAZZARO-COFONE:
17 Absolutely not.

18 LANCE LANDGRAF: That's what --

19 CHRISTINE NAZZARO-COFONE: Even
20 Bass Pro Shops.

21 So, I have somewhat of a problem
22 limiting it to just casinos, --

23 LANCE LANDGRAF: Right.

24 CHRISTINE NAZZARO-COFONE: --
25 because I can see if there is something going on

1 at Bass Pro Shops.

2 You know, it's -- it's at a great
3 location to advertise things that create a
4 healthy vibrancy for the city, but I think there
5 has to be some limitation on it. And I'm not
6 sure how you go about doing that. You know, I
7 -- I think there -- there might be certain
8 things the city might not want on that sign.
9 But, certainly, anything tourism related that
10 relates to the casinos --

11 LANCE LANDGRAF: Right.

12 CHRISTINE NAZZARO-COFONE: -- or
13 Bass Pro Shops or --

14 LANCE LANDGRAF: Airshow.

15 CHRISTINE NAZZARO-COFONE: Correct.

16 LANCE LANDGRAF: You know, things
17 of that nature.

18 CHRISTINE NAZZARO-COFONE: Would be
19 reasonable. But, I also can think of a handful
20 of things that you might not want on there.

21 ROBERT REID: You mean like
22 advertising casinos in other states?

23 CHRISTINE NAZZARO-COFONE: Sure.
24 Correct. Exactly.

25 ROBERT REID: Things like that.

1 CHRISTINE NAZZARO-COFONE: And
2 right now, there's nothing -- I mean, I don't
3 know why you would do that, but -- it would seem
4 counterintuitive that you would, but I would
5 think that there has got to be even other things
6 that, as we sit here today, that the city might
7 have up there and then be horrified as somebody
8 drives past it and -- and says who was sleeping
9 when we allowed this to go through.

10 LANCE LANDGRAF: Yeah. Certainly,
11 content that is -- that is not --

12 CHRISTINE NAZZARO-COFONE:
13 Adult-oriented or --

14 LANCE LANDGRAF: Exactly.

15 CHRISTINE NAZZARO-COFONE: Exactly.
16 Right. So, we would not want any explicit
17 content. We would not want any, you know,
18 out-of-state events being advertised.

19 LANCE LANDGRAF: Right.

20 CHRISTINE NAZZARO-COFONE: So,
21 there are certainly recommendations that we can
22 make to ensure that the copy is Tourism District
23 related for events happening in the city that
24 are not of an adult-oriented nature.

25 LANCE LANDGRAF: Do you think we

1 could put something in a -- in a --

2 CHRISTINE NAZZARO-COFONE: In a
3 condition of -- any recommendation for a
4 conditional --

5 LANCE LANDGRAF: As a condition of
6 approval, that we put in something like that?

7 CHRISTINE NAZZARO-COFONE: --
8 approval.

9 SCOTT COLLINS: I think that we
10 can. I'd be reluctant to talk about content,
11 but if it were to be limited, for instance, to
12 particular events; something that was going to
13 happen on a date certain.

14 I mean, is that, more or less,
15 what's contemplated here?

16 JOHN DONNELLY: Well --

17 SCOTT COLLINS: I mean, what if it
18 was Coca-Cola or Budweiser?

19 JOHN DONNELLY: You know, again,
20 that's not contemplated at this time. I --

21 If --

22 The -- the suggestion that it be
23 related to events in the Tourism District makes
24 sense to me. I certainly don't think anyone
25 would contemplate advertising casinos outside of

1 the casino -- out of the city and no one has
2 suggested to me that -- that people would be
3 using this as a -- a money-generating thing, but
4 I had --

5 CHRISTINE NAZZARO-COFONE: Till
6 they realize they can make money.

7 JOHN DONNELLY: -- not thought
8 about the Bass Pro Shops issue, which makes some
9 sense.

10 And there's other possibilities,
11 like the airshow or other events, that may make
12 sense. So, I wouldn't --

13 I don't think it's a good idea to
14 limit it much. I -- I would suggest, if that's
15 kind of the thinking, that we would have no
16 problem in submitting to this -- to CRDA or else
17 other people, potential copy in the future. And
18 I wouldn't have an objection to that at all.

19 But, I can't foresee what
20 everything --

21 You know, advertising people are
22 always dreaming up some new idea, so --

23 LANCE LANDGRAF: Right.

24 CHRISTINE NAZZARO-COFONE: Right.
25 Exactly.

1 JOHN DONNELLY: -- I don't -- I
2 can't foresee everything that -- that -- that
3 might happen in the future.

4 LANCE LANDGRAF: And that's what we
5 have to kind of worry about, what -- if it's --

6 I wouldn't want to see something up
7 there, obviously, if it was out-of-state, out of
8 the city. Yeah.

9 SCOTT COLLINS: For instance,
10 Hooters.

11 LANCE LANDGRAF: Right.

12 SCOTT COLLINS: It's not a
13 prohibited use and if there's an -- there's a
14 use here.

15 LANCE LANDGRAF: That's right. Not
16 on this site, but --

17 CHRISTINE NAZZARO-COFONE: Right.

18 THE WITNESS: Lance, what -- what
19 if the condition was something like -- I don't
20 know how you'd word this, I'm not a lawyer, but
21 if the copy was -- if it was something like the
22 -- the copy is required to support the --

23 LANCE LANDGRAF: Goals.

24 THE WITNESS: -- the intent or
25 goals of the -- of the Tourism District master

1 plan, and it would be -- and it would be subject
2 to review by the land use administrator as to
3 whether it does or does not. And if you believe
4 it does not, you'd be sending this back to this
5 board.

6 CHRISTINE NAZZARO-COFONE: I love
7 that.

8 LANCE LANDGRAF: I think that's
9 good.

10 CHRISTINE NAZZARO-COFONE: I think
11 that's great.

12 LANCE LANDGRAF: You should be an
13 attorney, Jon.

14 CHRISTINE NAZZARO-COFONE: Right.
15 Maybe we should --

16 THE WITNESS: I have no interest.

17 CHRISTINE NAZZARO-COFONE: Yes.

18 THE WITNESS: I have marginally --
19 I marginally have interest in being a planner.

20 CHRISTINE NAZZARO-COFONE: Oh. I
21 think you're an excellent planner. You do a
22 very nice job doing your planning.

23 I think that that's good. I just
24 --

25 LANCE LANDGRAF: Okay.

1 CHRISTINE NAZZARO-COFONE: You
2 know, like I said, I have no problem with the
3 sign. I think it's great. I completely agree
4 with your testimony about it activating the
5 wall. I just have just a little bit of pause
6 that a cart blanche --

7 THE WITNESS: Oh. I agree.

8 CHRISTINE NAZZARO-COFONE: --
9 approval to advertise anything off-site.

10 Thank you. I appreciate that.

11 LANCE LANDGRAF: Yeah. I think
12 that -- that would be a good --

13 CHRISTINE NAZZARO-COFONE: Yeah. I
14 think that's fine.

15 LANCE LANDGRAF: All right. With
16 that, do we have -- do we have anything else,
17 Rob?

18 ROBERT REID: No. That's it.

19 LANCE LANDGRAF: I think we both
20 had that same question in mind, so...

21 ROBERT REID: Yeah.

22 LANCE LANDGRAF: Mmm-hmm.

23 LANCE LANDGRAF: We'll open it up
24 to the public at this point, seeing anybody from
25 the public.

1 Elaine, do you have any comments?

2 You're our marketing person here.

3 UNIDENTIFIED FEMALE SPEAKER: No.

4 LANCE LANDGRAF: CRDA in 12 foot
5 tall letters?

6 CHRISTINE NAZZARO-COFONE: That
7 would be nice. Right? That, we would like.

8 LANCE LANDGRAF: And have Taj pay
9 for that? That would be great.

10 Okay. Seeing no public comment,
11 I'll close that portion and bring it back to us.

12 Do we have anything else?

13 SCOTT COLLINS: Just for the
14 record, I'd like to mark, --

15 LANCE LANDGRAF: B-1.

16 SCOTT COLLINS: -- as B-1, the
17 Cofone letter dated May 20th, 2016.

18 LANCE LANDGRAF: All right. Seeing
19 no public comment and nothing else from the
20 board, we'll close the -- the testimony on this
21 matter.

22 John, as I -- as I said, what I'm
23 gonna try and do is get this on our June --

24 When is our next meeting?

25 CHRISTINE NAZZARO-COFONE: The

1 16th.

2 LANCE LANDGRAF: Well, that --
3 that's our meeting.

4 I want to try and get this on the
5 June --

6 CHRISTINE NAZZARO-COFONE: Oh. The
7 --

8 LANCE LANDGRAF: When is our board
9 meeting?

10 JOHN DONNELLY: 21st, did you say?

11 LANCE LANDGRAF: 21st. Yeah.

12 I'm gonna try. I'll put that
13 request in. It might be a little quick for us
14 to get it on this month.

15 I understand you do want to get it
16 up for -- for the -- the concert. I will do my
17 best to get it on that agenda. If I can't,
18 we'll work out where we do a -- a letter to
19 proceed at your own risk kind of thing.

20 JOHN DONNELLY: Okay.

21 LANCE LANDGRAF: We've done that
22 before for other applicants.

23 Worst case, you'll be on for July.

24 JOHN DONNELLY: Okay. Great.

25 Thank you.

1 LANCE LANDGRAF: With that, we have
2 our next land use hearing on June 16th, at
3 10 A.M.

4 Do we have anything on that agenda
5 for now?

6 ROBERT REID: I'm still waiting for
7 fees for the only application.

8 LANCE LANDGRAF: Okay. We
9 anticipate one application on that agenda.

10 And with that, I'll -- I'll close
11 today's hearing.

12 Thank you.

13 JOHN DONNELLY: I want to thank
14 Rob, who walked me through this process. I
15 haven't done one of these for 25 years and --

16 CHRISTINE NAZZARO-COFONE: Oh.

17 JOHN DONNELLY: I used to rely on
18 -- on --

19 CHRISTINE NAZZARO-COFONE: It's
20 like riding a bike, Mr. Donnelly.

21 JOHN DONNELLY: -- on the old Art
22 Ponzio, where you just wound him up and --

23 So, thank you. I appreciate it.

24 ROBERT REID: You did a fine job.

25 LANCE LANDGRAF: Thanks, guys.

1 ROBERT REID: Thank you very much.

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3 (This hearing concluded at

4 10:24 A.M.)

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