

CASINO REINVESTMENT DEVELOPMENT AUTHORITY

LAND USE REGULATION and ENFORCEMENT DIVISION
PUBLIC HEARING

RE: O&S MANAGEMENT, LLC
2016-09-2011

Thursday - November 3, 2016

CASINO REINVESTMENT DEVELOPMENT
AUTHORITY PUBLIC HEARING, taken in the offices
of CASINO REINVESTMENT DEVELOPMENT AUTHORITY,
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1 Jersey, before Karen Winkler, a Certified
2 Court Reporter of the State of New Jersey, on
3 the above date, commencing at 12:18 P.M., there
4 being present:

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8 APPEARANCES:

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PAUL G. WEISS, ESQUIRE
Hearing Officer

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RYKER, DANZIG, SCHERER, HYLAND
& PERRETTI, LLP

15

BY: SCOTT G. COLLINS, ESQUIRE
Attorney for CRDA

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ROBERT L. REID
Land Use Regulation and
Enforcement Officer

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1 (Time noted: 12:18 P.M.)

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3 PAUL WEISS: My name is Paul Weiss,
4 chief legal counsel with the CRDA and acting as
5 the Land Use Regulation hearing officer for two
6 applications pending before the CRDA.

7 This is a continuation of the Land
8 Use Regulation and Enforcement Division Land Use
9 hearing for November 3rd, 2016, which started
10 this morning at 10 A.M.

11 The first matter that is before us
12 today is application 2016-08-1999, JTD Realty
13 Group, LLC. It's an appeal of the decision of
14 the land use regulation enforcement officer.

15 This matter has been stayed,
16 pending the appellate's submission of a new
17 certificate of land use compliance and, also,
18 compliance with other terms and conditions of a
19 proposed settlement of that matter.

20 So, that matter, as I said, has
21 been stayed, pending further disposition.

22 The other matter that's on the
23 agenda for today is application 2016-08-2011,
24 under the name of O&S Management, LLC.

25 This is also an appeal of a

1 decision of the land use regulation enforcement
2 officer concerning the denial of a zoning
3 permit.

4 The applicant, I believe, is
5 represented by counsel. And so I'd like to turn
6 the matter over to the appellate's counsel.

7 There has been some discussion
8 between the Authority and counsel for the
9 appellate, and I'd like to put -- memorialize
10 that discussion into the record.

11 And so I'll ask Mr. DeLucry, who is
12 here today, representing O&S Management, to
13 enter his appearance and then put forward his
14 client's intentions regarding this appeal.

15 RICHARD DeLUCRY: Thank you, Mr.
16 Weiss.

17 For the record, Rick DeLucry,
18 Cooper Levenson, representing O&S Management,
19 LLC.

20 As Mr. Weiss indicates, we did have
21 the opportunity to discuss the situation, and we
22 have a resolution, the main points of which are
23 as follows:

24 The present appeal will be stayed,
25 pending the following further actions on behalf

1 of O&S Management:

2 We will bring the on-site signage
3 into compliance with the provisions of N.J.A.C.
4 2C:34-7 within 14 days.

5 We will ensure that, within that
6 same time period, that whatever off-site signage
7 is in existence will also be brought into
8 compliance with 2C:34-7.

9 We will submit a new CLUC
10 application reflecting a complying signage plan.

11 Upon the review and approval of the
12 new submission, the Authority will issue a CLUC
13 for the property.

14 PAUL WEISS: And then, I guess,
15 Mr. DeLucry, to be clear, at which point,
16 assuming all of that is satisfactory, then your
17 client's appeal would then be withdrawn, with
18 prejudice, I presume.

19 RICHARD DeLUCRY: Yes. That's
20 correct. That would be the next step.

21 PAUL WEISS: Okay. At this point
22 in the hearing, I'd like to open the hearing to
23 any members of the public who would wish to
24 address this matter.

25 Seeing no members of the public in

1 attendance today, I'll close the public comment
2 session of the hearing and bring it back to the
3 hearing officer.

4 Do we have anything further to add
5 to the record?

6 SCOTT COLLINS: Nothing.

7 ROBERT REID: No.

8 PAUL WEISS: Hearing no further
9 need for testimony, Mr. DeLucry, anything else
10 from the appellate's point of view?

11 RICHARD DeLUCRY: Nothing more.

12 Thank you.

13 PAUL WEISS: Thank you.

14 At this point, I'd like to adjourn
15 today's hearing.

16 Thank you all.

17 We're adjourned.

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19 (This public hearing concluded at
20 12:22 P.M.)

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<p style="text-align: center;">A</p> <p>above 2:3 acting 3:4 actions 4:25 add 6:4 address 5:24 adjourn 6:14 adjourned 6:17 agenda 3:23 anything 6:4,9 appeal 3:13,25 4:14,24 5:17 appearance 4:13 APPEARANCES 2:8 appellate 4:9 appellate's 3:16 4:6 6:10 applicant 4:4 application 3:12,23 5:10 applications 3:6 approval 5:11 assuming 5:16 Atlantic 1:19 attendance 6:1 Attorney 2:15 Authority 1:1,17,18 4:8 5:12 Avenue 1:19 A.M 3:10</p> <hr/> <p style="text-align: center;">B</p> <p>back 6:2 before 2:1 3:6,11 behalf 4:25 being 2:4 believe 4:4 between 4:8 bring 5:2 6:2 brought 5:7</p> <hr/> <p style="text-align: center;">C</p> <p>CASINO 1:1,16,18 certificate 3:17 Certified 2:1 chief 3:4 City 1:19 clear 5:15 client's 4:14 5:17 close 6:1 CLUC 5:9,12 COLLINS 2:15 6:6 commencing 2:3 comment 6:1 compliance 3:17,18 5:3,8 complying 5:10 concerning 4:2 concluded 6:19 conditions 3:18 continuation 3:7 Cooper 4:18 correct 5:20</p>	<p>counsel 3:4 4:5,6,8 Court 2:2 CRDA 2:15 3:4,6</p> <hr/> <p style="text-align: center;">D</p> <p>DANZIG 2:14 date 2:3 days 5:4 decision 3:13 4:1 DeLucry 4:11,15,17 5:15,19 6:9,11 denial 4:2 DEVELOPMENT 1:1,16,18 discuss 4:21 discussion 4:7,10 disposition 3:21 Division 1:4 3:8</p> <hr/> <p style="text-align: center;">E</p> <p>enforcement 1:4 2:19 3:8,14 4:1 ensure 5:5 enter 4:13 ESQUIRE 2:11,15 existence 5:7</p> <hr/> <p style="text-align: center;">F</p> <p>first 3:11 following 4:25 follows 4:23 forward 4:13 from 6:10 further 3:21 4:25 6:4,8</p> <hr/> <p style="text-align: center;">G</p> <p>G 2:11,15 Group 3:13 guess 5:14</p> <hr/> <p style="text-align: center;">H</p> <p>hearing 1:5,17 2:11 3:5,9 5:22 5:22 6:2,3,8,15,19 HYLAND 2:14</p> <hr/> <p style="text-align: center;">I</p> <p>indicates 4:20 intentions 4:14 issue 5:12</p> <hr/> <p style="text-align: center;">J</p> <p>Jersey 2:1,2 JTD 3:12</p> <hr/> <p style="text-align: center;">K</p> <p>Karen 2:1</p> <hr/> <p style="text-align: center;">L</p> <p>L 2:18</p>	<p>land 1:4 2:18 3:5,7,8,14,17 4:1 legal 3:4 Levenson 4:18 like 4:5,9 5:22 6:14 LLC 1:9 3:13,24 4:19 LLP 2:14</p> <hr/> <p style="text-align: center;">M</p> <p>main 4:22 Management 1:9 3:24 4:12,18 5:1 matter 3:11,15,19,20,22 4:6 5:24 members 5:23,25 memorialize 4:9 more 6:11 morning 3:10</p> <hr/> <p style="text-align: center;">N</p> <p>name 3:3,24 need 6:9 new 1:19 2:2 3:16 5:9,12 next 5:20 noted 3:1 Nothing 6:6,11 November 1:14 3:9 N.J.A.C 5:3</p> <hr/> <p style="text-align: center;">O</p> <p>officer 2:11,19 3:5,14 4:2 6:3 offices 1:17 off-site 5:6 Okay 5:21 on-site 5:2 open 5:22 opportunity 4:21 other 3:18,22 over 4:6 O&S 1:9 3:24 4:12,18 5:1</p> <hr/> <p style="text-align: center;">P</p> <p>Paul 2:11 3:3,3 5:14,21 6:8,13 pending 3:6,16,21 4:25 Pennsylvania 1:19 period 5:6 permit 4:3 PERRETTI 2:14 plan 5:10 point 5:15,21 6:10,14 points 4:22 prejudice 5:18 present 2:4 4:24 presume 5:18 property 5:13 proposed 3:19 provisions 5:3 public 1:5,17 5:23,25 6:1,19</p>	<p>put 4:9,13 P.M 2:3 3:1 6:20</p> <hr/> <p style="text-align: center;">R</p> <p>RE 1:9 Realty 3:12 record 4:10,17 6:5 reflecting 5:10 regarding 4:14 regulation 1:4 2:18 3:5,8,14 4:1 REID 2:18 6:7 REINVESTMENT 1:1,16,18 Reporter 2:2 represented 4:5 representing 4:12,18 resolution 4:22 review 5:11 RICHARD 4:15 5:19 6:11 Rick 4:17 ROBERT 2:18 6:7 RYKER 2:14</p> <hr/> <p style="text-align: center;">S</p> <p>same 5:6 satisfactory 5:16 SCHERER 2:14 SCOTT 2:15 6:6 Seeing 5:25 session 6:2 settlement 3:19 signage 5:2,6,10 situation 4:21 some 4:7 South 1:19 started 3:9 State 2:2 stayed 3:15,21 4:24 step 5:20 submission 3:16 5:12 submit 5:9</p> <hr/> <p style="text-align: center;">T</p> <p>taken 1:17 terms 3:18 testimony 6:9 Thank 4:15 6:12,13,16 Thursday 1:14 time 3:1 5:6 today 3:12,23 4:12 6:1 today's 6:15 turn 4:5 two 3:5</p> <hr/> <p style="text-align: center;">U</p> <p>under 3:24 use 1:4 2:18 3:5,8,8,14,17 4:1</p>
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