

CASINO REINVESTMENT DEVELOPMENT AUTHORITY

LAND USE REGULATION and ENFORCEMENT DIVISION

KURT KWART

SEEKING CERTIFICATE OF NON-CONFORMITY

TO ALLOW THE CONTINUED USE AS A

SINGLE-FAMILY DWELLING

BLOCK 164, LOT 19

2419 Trenwith Terrace, Atlantic City, NJ

Thursday - June 15, 2017

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1 above-referenced matter, taken at the CASINO
2 REINVESTMENT DEVELOPMENT AUTHORITY, 15 South
3 Pennsylvania Avenue, Atlantic City, New Jersey,
4 before Karen A. Haworth, a New Jersey Certified
5 Court Reporter (CCR), nationally certified
6 Registered Professional Reporter (RPR),
7 nationally certified Certificate of Merit holder
8 (CM), nationally certified Certified Realtime
9 Reporter (CRR), a Delaware Certified Shorthand
10 Reporter (CSR), nationally certified Certified
11 LiveNote™ Reporter (CLR), and Notary Public of
12 the State of New Jersey, on the above date,
13 commencing at 10:00 A.M., there being present:
14
15
16

17 APPEARANCES:

18 CASINO REINVESTMENT DEVELOPMENT AUTHORITY:

19
20 LANCE B. LANDGRAF, JR.

Chairman

21 Director, Planning Department
22

23 ROBERT L. REID

Land Use Enforcement Officer
24
25

1 PROFESSIONALS TO THE BOARD FOR THIS HEARING:

2

3 SCOTT G. COLLINS, ESQUIRE

RIKER, DANZIG, SCHERER, HYLAND & PERRETTI

4 (Present via conference call)

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WITNESS(ES)

PAGE NO.

KURT KWART

7

EXHIBITS MARKED AND/OR REFERRED TO:

A-1

B-1

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

2

3 LANCE LANDGRAF: All right. I'll
4 call to order the June 15th CRDA Land Use
5 Regulation and Enforcement Division hearing
6 today.

7 Please rise for the Pledge of
8 Allegiance.

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

11 LANCE LANDGRAF: Thank you.

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

15 We have two items on the agenda
16 today. They are both with the same applicant,
17 Kurt Kwart.

18 One is application number
19 2017-05-2209, for 2419 Trenwith Terrace; Block
20 164, Lot 19.

21 And the other is application
22 2017-05-2210, 2418 Trenwith Terrace; Block 164,
23 Lot 96.

24 So, we'll hit the --

25 (Interruption in the hearing by

1 conference call announcer.)

2 JUSTIN AUCIELLO: Justin Auciello,
3 CRDA planner.

4 LANCE LANDGRAF: Okay. Justin, I
5 don't know that we need you today because the
6 reports were done by Rob in-house on these CNCs.

7 JUSTIN AUCIELLO: Oh. Okay.
8 Perfect. I'll talk to you guys this afternoon,
9 then.

10 LANCE LANDGRAF: All right.
11 Thanks, Justin.

12 JUSTIN AUCIELLO: Take care.

13 (Justin Auciello left the
14 conference call at this time.)

15 LANCE LANDGRAF: Okay. So, without
16 that hiccup.

17 Our first item is -- we'll do 2419
18 Trenwith Terrace; Block 164, Lot 19.

19 Kurt, do you want to introduce
20 yourself? You've got to get sworn in, too.

21 KURT KWART: Okay.

22 LANCE LANDGRAF: Scott, can you do
23 the honors?

24 SCOTT COLLINS: I will.

25 Could you raise your right hand,

1 please?

2 KURT KWART: Yes.

3 SCOTT COLLINS: Do you swear to
4 tell the truth, the whole truth and nothing but
5 the truth in your testimony before this board?

6 KURT KWART: Yes.

7 SCOTT COLLINS: Thank you.

8 LANCE LANDGRAF: Okay. Rob, we've
9 got good notice on this one?

10 ROBERT REID: Yes. This
11 application, I've reviewed the Proof of Service,
12 and we have jurisdiction to hear this
13 application.

14 LANCE LANDGRAF: Okay. Kurt, why
15 don't you go ahead and tell us what you're doing
16 and what you're here for?

17 THE WITNESS: I purchased this
18 house on May 10th, and I'm looking to continue
19 its use as a single-family property and rent it
20 out as a single-family house.

21 LANCE LANDGRAF: Okay. And you've
22 provided Mr. Reid with proofs that it's been a
23 continuous single-family residence since prior
24 to 1978, I think is the test year.

25 Right?

1 ROBERT REID: '79 is the test year.

2 LANCE LANDGRAF: '79. Sorry.

3 THE WITNESS: Yes. And -- I'm
4 sorry.

5 ROBERT REID: Go right ahead.

6 THE WITNESS: In addition to that,
7 the -- some of the other evidence were the Polk
8 directories from 1961 and 1965. And the 1960
9 property card also shows that it had been used
10 as a single-family house.

11 LANCE LANDGRAF: Okay. And it's
12 continued with that use through today?

13 THE WITNESS: Yes.

14 LANCE LANDGRAF: It has not
15 changed? It's changed hands; not necessarily
16 changed use.

17 THE WITNESS: Correct.

18 LANCE LANDGRAF: Okay. We don't
19 have any exhibits on anything on that?

20 ROBERT REID: Yes. We have
21 exhibits. I did review them. Those exhibits
22 included property record cards from 1910 showing
23 when the building was constructed as a
24 single-family home. A Sanborn Company insurance
25 map shows it as a single-family home in 1952. A

1 map atlas was also provided, dated 1938, showing
2 it as a single-family home. The Polk
3 directories list it as a single-family home.

4 So, the applicant has provided
5 evidence to demonstrate that this structure was
6 originally constructed as a single-family home
7 in 1910 and has continued past the test date of
8 1979, and continues today.

9 LANCE LANDGRAF: Okay. And that
10 information is from your report dated May 31st,
11 Rob?

12 ROBERT REID: That's correct.

13 LANCE LANDGRAF: I'll mark that
14 B-1, Scott?

15 SCOTT COLLINS: Yeah.

16 I just wanted to back up for a
17 second.

18 All of the stuff that was referred
19 to by the applicant that was submitted was part
20 of the application submission package?

21 ROBERT REID: That's correct.

22 SCOTT COLLINS: Okay. So, we'll
23 mark that A-1.

24 And then, Rob, your report and any
25 attachments to it will be B-1.

1 ROBERT REID: Okay. Thank you.

2 LANCE LANDGRAF: All right. And
3 that last property record card that Mr. Reid
4 referenced was -- showed that the house remained
5 residential from '66 to '82, and continues in
6 that same use today.

7 ROBERT REID: That's correct.

8 LANCE LANDGRAF: Okay. And you did
9 purchase it on May 10th, 2017. That's in there,
10 too.

11 Okay. Anything from our side other
12 than that?

13 ROBERT REID: No. That's it.

14 LANCE LANDGRAF: Scott, do you have
15 anything else?

16 SCOTT COLLINS: Nothing for me,
17 thank you.

18 LANCE LANDGRAF: All right. We'll
19 open the meeting up to the public. Anyone here
20 with regard to this application, please stand
21 up, state your name, make your comments.

22 Seeing none, we'll close the public
23 portion.

24 Kurt, what we -- how we operate
25 here -- and we'll do this on the next

1 application as well -- we'll prepare a hearing
2 officer report of today's meeting -- today's
3 hearing and I'll present that to our board in
4 our July meeting. And then we'll get that
5 approval and we'll move it through the process.

6 THE WITNESS: Great.

7 LANCE LANDGRAF: What I will tell
8 you is that we are changing this process with
9 our new land use regulations that we hope to
10 have in effect by the fall of this year. That
11 this will be, for a period of five years, things
12 of this nature, with CNCs, will be an
13 over-the-counter kind of permit.

14 THE WITNESS: Mmm-hmm.

15 LANCE LANDGRAF: And during that
16 time, we will also aggressively reach out to
17 owners such as yourself that own these
18 non-conforming uses and we get them to come in
19 during those five years --

20 THE WITNESS: Right.

21 LANCE LANDGRAF: -- so you wouldn't
22 have to do what you had to do today.

23 THE WITNESS: It will save them a
24 lot of time and money.

25 LANCE LANDGRAF: It does.

1 If someone would have come in 1980
2 and done this, you wouldn't have been here
3 today.

4 THE WITNESS: Okay.

5 LANCE LANDGRAF: You get --

6 The Municipal Land Use Law allows a
7 one-year grace period.

8 THE WITNESS: Hmmm.

9 LANCE LANDGRAF: We're going to
10 extend that when we adopt our regulations to a
11 five-year.

12 THE WITNESS: Okay.

13 LANCE LANDGRAF: We have that
14 ability. So, we're gonna try and help people
15 out a little bit because --

16 You would have had to do --

17 If the city was in charge of the
18 Tourism District, you would have had to do the
19 same thing with them --

20 THE WITNESS: Right.

21 LANCE LANDGRAF: -- for this.

22 So, we're gonna try and streamline
23 that a little bit more.

24

25

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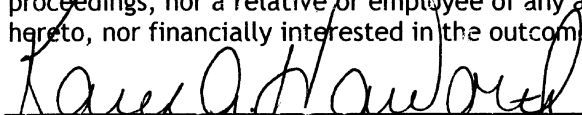
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