

CASINO REINVESTMENT DEVELOPMENT AUTHORITY

LAND USE REGULATION and ENFORCEMENT DIVISION

BOARDWALK REGENCY, LLC

SEEKING MINOR SUBDIVISION APPROVAL, BULK

VARIANCE(S) APPROVAL AND TO PERMIT THE

CONSOLIDATION OF LOTS 1 - 6, 9 - 15 AND 22 - 39

BLOCK 157, LOTS 1 - 6, 9 - 15 and 21.02 - 39

1811 Pacific Avenue, Atlantic City, NJ

Thursday - April 19, 2018

Public hearing in the



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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 10:05 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

5 G. JEFFREY HANSON, PE, CME

ENVIRONMENTAL RESOLUTIONS, INC.

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11 ALSO PRESENT:

12 HEATHER WALLS

CRDA STAFF MEMBER

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1 COUNSEL FOR THE APPLICANT:

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3 JOSEPH R. DOUGHERTY, ESQUIRE

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WITNESS(ES)	PAGE NO.
JON BARNHART	9
G. JEFFREY HANSON, PE, CME	10

EXHIBITS MARKED AND/OR REFERRED TO:

A-1

B-1

1 (Time noted: 10:05 A.M.)

2

3 LANCE LANDGRAF: I'll call to order
4 the April 19th, 2018 Land Use Regulation and
5 Enforcement Division hearing.

6 Please rise for the Pledge of
7 Allegiance.

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. It's also been advertised
14 in the Atlantic City Press. And I think that's
15 it. Right?

16 Do we do the Courier-Post, too?

17 ROBERT REID: No. Just the Press.

18 LANCE LANDGRAF: Just the Press.

19 ROBERT REID: Correct.

20 LANCE LANDGRAF: Our agenda today
21 is short. We have one application, for
22 Boardwalk Regency, LLC. Application number
23 2018-04-2365. It's 1811 Pacific Avenue, Block
24 157 and Lots 1 through 6, 9 to 15, 21.02 to 30
25 and 39.

1 Mr. Dougherty.

2 JOSEPH DOUGHERTY: Sure. For the
3 record, Joe Dougherty, here on behalf of
4 Boardwalk Regency, LLC.

5 LANCE LANDGRAF: I'll check with
6 Rob on notice.

7 ROBERT REID: Oh. Yes. I've
8 reviewed the proof of service that was provided
9 by the applicant, and we have jurisdiction to
10 hear the application.

11 LANCE LANDGRAF: All right.
12 Thanks, Rob.

13 Sorry, Joe.

14 JOSEPH DOUGHERTY: Sure. Boardwalk
15 Regency, LLC is the applicant.

16 The application is for a
17 subdivision with use and bulk variance requests.

18 The location is, as Mr. Landgraf
19 just said, Block 157, Lots 1 to 6, 9 to 15, and
20 21.02 to 39.

21 The applicant and property -- and
22 the property owner have entered into an
23 agreement to sell certain of these parcels.

24 This request is, essentially, to
25 realign some of those parcels -- or,

1 specifically, one of those parcels so it creates
2 a more regular boundary line between the parcels
3 that will become the -- the applicant's and
4 those that will be retained by the current
5 owner. And that would -- that parallel -- that
6 line would be parallel to both Atlantic and
7 Pacific Avenue and create, essentially, two more
8 regular parcels within this Block 157.

9 As you'll hear from Mr. Barnhart,
10 the use variance request primarily permits the
11 properties to be -- the use of the properties to
12 be retained in their current -- as they're
13 currently used, as surface parking lots, which
14 are not permitted under the code, but which are
15 very useful in this -- in this -- based on a
16 neighboring service and retail and other
17 commercial uses, office uses.

18 So, I have Mr. Barnhart here to
19 talk about the application. He's done the
20 plans.

21 He could be sworn in. I assume
22 that his credentials have been recognized prior
23 -- previously by this board and are acceptable.

24 LANCE LANDGRAF: Most definitely.

25 JOSEPH DOUGHERTY: Ready?

1 JON BARNHART: Thank you.

2 SCOTT COLLINS: Would you raise
3 your right hand, please?

4

5

6

7

JON BARNHART,

8

having been duly sworn in by Scott

9

Collins, Esquire, was examined and

10

testified as follows:

11

12

SCOTT COLLINS: And I think we just

13

mentioned, you have testified before this board

14

as an expert witness as -- both in planning and

15

engineering. Will you be testifying in that

16

capacity again today?

17

THE WITNESS: Yes.

18

SCOTT COLLINS: Okay. Thank you.

19

LANCE LANDGRAF: Just real quick,

20

--

21

THE WITNESS: Yeah.

22

LANCE LANDGRAF: -- just to

23

introduce our --

24

We have a new engineering

25

consultant. This is Jeff Hanson. He's with

1 ERI, Environmental Resolutions, Inc. And
2 they'll be one of our consultants randomly --
3 not randomly, but alternate -- alternating
4 between applications for -- in front of this
5 board.

6 So, welcome, Jeff.

7 G. JEFFREY HANSON: Thank you. I
8 look forward to working with everyone.

9 SCOTT COLLINS: We'll need to swear
10 Jeff in and qualify him.

11 LANCE LANDGRAF: Okay.

12 SCOTT COLLINS: Do you want to do
13 that now?

14 LANCE LANDGRAF: Yeah. We can do
15 it now.

16 G. JEFFREY HANSON: I'll give you a
17 little bit of my background.

18 I have a Bachelor's of Science in
19 civil engineering from Drexel --

20 SCOTT COLLINS: I'll swear you in.

21

22

23

24 G. JEFFREY HANSON,

25 having been duly sworn in by Scott

1 Collins, Esquire, was examined and
2 testified as follows:

3

4 G. JEFFREY HANSON: I certainly
5 do.

6 SCOTT COLLINS: And if you could
7 just give us a brief -- brief summary of your
8 education and qualifications.

9 G. JEFFREY HANSON: I graduated
10 from Drexel University with a Bachelor's in --
11 Bachelor's in civil engineering in 1999.

12 I'm currently a licensed
13 professional engineer in the State of New Jersey
14 since the year of 2008.

15 I represent five or six planning
16 boards in Camden County and Burlington County.
17 I've also appeared, on behalf of private
18 clients, in that capacity as an -- as the
19 applicant's engineer.

20 I serve as municipal engineer for a
21 few municipalities in Camden and Burlington
22 Counties as well.

23 And that pretty much summarizes my
24 experience.

25 LANCE LANDGRAF: Great. Thanks,

1 Jeff. And welcome. Like I said --

2 G. JEFFREY HANSON: Thank you.

3 Like I said, I look forward to working with
4 everyone.

5 SCOTT COLLINS: And we'll recognize
6 your credentials and qualify you as an expert in
7 professional engineering.

8 G. JEFFREY HANSON: Thank you.

9 LANCE LANDGRAF: Sorry, Jon. If
10 you want to --

11 JON BARNHART: Good morning.

12 LANCE LANDGRAF: Good morning.

13 JON BARNHART: I think everybody is
14 very familiar with this block. This block is --
15 has, over the years, morphed into a number of
16 different things.

17 But, it -- for the most part, what
18 sits on the property today -- and this is the --
19 this is the block from Pacific Avenue to
20 Atlantic Avenue and then from Ohio Avenue to
21 Indiana Avenue. It's known as Block 157.

22 And the parcels of land that are --
23 that are the subject of this application, as
24 Mr. Dougherty already pointed out, is the
25 majority of the block that you see outlined in

1 red here but for the existing Harrah's human
2 resources center building.

3 The portion of an existing surface
4 lot on the corner of Indiana and Pacific are --
5 is not part of the application. And then you
6 have the Dunkin' Donuts on the corner that is,
7 obviously, not part of the application.

8 The balance of this block is -- is
9 the subject of -- of this morning's application.

10 And as was pointed out already,
11 this is really just a -- a realignment, a
12 cleanup of property boundaries for purposes of
13 -- of -- of land acquisition or -- or land swap,
14 however you -- however you want to look at that,
15 and -- and also, consolidation of lots to -- to
16 -- to really just clean up the block for,
17 hopefully, future development.

18 This was the subject site of the
19 market that was -- that -- that the CRDA was --
20 was -- was moving forward and trying to bring to
21 fruition. That hasn't happened.

22 With this consolidation -- and let
23 -- let me back up a second.

24 So, I'll just explain the
25 consolidation first, and then -- and then give

1 an understanding of what its benefits are.

2 On the corner of Ohio and Pacific
3 Avenue, there currently sits a park -- a -- a
4 lot, which is a parking lot that was originally
5 built as part of the Harrah's human resources
6 center project. That parking lot was subdivided
7 off during the -- during the market project.
8 However, that lot contains a portion of a lot
9 that, you can see, sticks into what would be the
10 future boundary of the -- of the overall CRDA
11 parcel.

12 So, the proposal is to create a
13 subdivision line between this lot and the
14 balance of the CRDA parcels that creates a
15 straight property line that runs from Ohio
16 Avenue all the way down to Indiana Avenue, to
17 create two relatively regularly --
18 regularly-shaped pieces of property.

19 What that does is it creates a very
20 nice -- nicely-shaped property that the CRDA
21 will retain for -- for future potential
22 development, and then it creates a
23 regularly-shaped property for that existing
24 parking facility to be retained and to continue
25 to exist.

1 The reason that there are variances
2 necessary this morning, there are -- there are
3 two -- two items. One is with regard to
4 impervious coverage.

5 With this -- with this subdivision
6 proposed, we have the current ordinance. The
7 CRDA's ordinance requires a maximum impervious
8 coverage of 80 percent. And the parking lot on
9 the corner will be at 85 percent, which -- which
10 is proposed Lot 21.03.

11 And proposed Lot 21.04, by our
12 calculation -- it's a little bit subjective as
13 to what's impervious, what's not out there right
14 now, because some of these lots are vacant
15 gravel, what have you, but, by our calculation,
16 we've estimated it about 50 percent impervious
17 right now. So, that would not require a
18 variance. So, we believe that we'd need an
19 impervious coverage variance just for the -- the
20 former human resources parking facility.

21 And then the second variance that's
22 requested with this application is a use
23 variance. The reason for the use variance is
24 because, with the CRDA's land use ordinance,
25 freestanding parking facilities are not

1 permitted in this zoning district. And with
2 this subdivision, we have -- we, essentially,
3 already have freestanding parking facilities on
4 these parcels. So -- so -- so, they're existing
5 conditions.

6 I, personally, was involved in
7 approval of that parking lot when -- when it was
8 done for the -- for the Caesars organization.
9 And I've also, personally, been involved with a
10 number of approval processes for the parking lot
11 that sits at the corner of Indiana and Pacific,
12 which makes up a part of the -- the proposed
13 CRDA parcel.

14 So, these are lots that -- these
15 are lots that have legally existed for years, as
16 far as we -- as far as we know.

17 And the proposal is to not change
18 anything with regard to improvements, just to
19 allow those lots to continue to exist. But,
20 because they are freestanding lots on their own
21 parcel, a use variance is required, because --
22 because they're not permitted in the zone.

23 So, justification of those
24 variances. I think the impervious coverage
25 variance is, I think, you know, pretty easily

1 justified. First of all, we would call it a
2 de minimis type of variance. We're only five
3 percent over. It -- it is an existing
4 condition. We're not increasing the coverage on
5 the lot. The coverage is, essentially, going up
6 a little bit because of the fact that we're
7 creating a subdivision line.

8 And there's some landscaping around
9 the perimeter of the lot that's going with the
10 CRDA. But, even with that, it's not really
11 changing the coverage by very much with -- that
12 would -- which is a -- which is a c. variance in
13 -- in this application.

14 With regard to that c. variance, we
15 believe that the benefits of the subdivision, in
16 creating these regular lots clearly outweigh any
17 of the potential negative impacts associated
18 with that slight increase in impervious coverage
19 from what is permitted in the zoning district.

20 And with regard to the negative
21 criteria for the c. variances, we don't see any
22 substantial detriment to the public good.
23 Again, there's no improvements proposed.
24 There's no changes.

25 That lot that is the subject of the

1 variance is actually nicely landscaped, well
2 maintained. It's -- it's -- it has -- has a
3 nice physical appearance to it. So, we don't
4 see any impact to the public good.

5 And with regard to any substantial
6 negative impact to the zone plan or the zoning
7 ordinance, I submit that the deviation is minor
8 in nature. It's a five percent coverage
9 deviation and it's a result of existing
10 conditions.

11 With regard to the d. variance, as
12 I mentioned, because these parking lots are
13 freestanding, a d. variance is necessary.

14 We believe that there are special
15 reasons that advance the positive criteria for
16 the application. This is a -- a case of
17 existing conditions, where we have parking lots
18 that are -- that, as far as -- as far as we
19 know, are -- are -- are legally-existing parking
20 lots. And these parking lots, we believe, serve
21 the general welfare, which puts forward special
22 reason number one -- I should say A, in that
23 these parking lots serve the surrounding uses,
24 the surrounding commercial uses, they serve
25 adjacent uses. So, they provide an area for --

1 for customers and businesses, for office
2 facilities to be able to use the -- use the
3 parking in an area that parking is needed.

4 With regard to other special
5 reasons that exist, we believe that allowing
6 these -- these existing lots to remain at this
7 -- at this location serve to promote free flow
8 of traffic, because it does provide off-street
9 parking for surrounding land uses.

10 So, we believe that positive
11 criteria is established with those two purposes
12 of the Municipal Land Use Law.

13 With regard to the negative
14 criteria for the d. variance, is there a
15 substantial detriment to the public good, again,
16 I would submit that this really only benefits
17 the public. These are lots that are going to be
18 utilized by whomever the owners allow them to be
19 utilized by, but they're -- but they will
20 support the surrounding -- the surrounding uses,
21 I'm sure.

22 And with regard to any substantial
23 negative impact to the zone plan or the zoning
24 ordinance, albeit we -- we recognize that the --
25 that the new zoning ordinance doesn't permit

1 surface lots at this location, but these are
2 legally-existing lots. You know, the use
3 variance, in my opinion, only comes into play
4 because we're reconfiguring the property lines.
5 Otherwise, they're existing on conforming --
6 legally-existing non-conforming uses on these --
7 on these sites.

8 So, it's -- it's kind of a, I would
9 say, a reduced burden to -- to -- to -- to
10 obtain a d. variance for this type of scenario.

11 So, we believe that, for both the
12 c. variances and the d. variances, that the
13 positive and negative criteria have -- have been
14 established and that those variances can be
15 granted.

16 We have gone through the report.
17 There are two waivers that we are requesting
18 from the checklist items, and they go right
19 along with the recommendations of the report.

20 We are requesting a waiver from
21 providing topography of the property. It really
22 isn't -- it isn't germane or relevant to the
23 application that we have before you, because
24 we're just realigning property lines. And we
25 are requesting a waiver from providing

1 architectural plans, because, obviously, nothing
2 is being built with this application.

3 The balance of the items in the
4 checklist we would -- we would submit as a
5 condition of any approval if it is granted as --
6 with this application.

7 We looked through the technical
8 items that are in the report, and we can
9 accommodate all of the technical items that are
10 in the report.

11 We did have, I guess, one point of
12 clarification. And maybe Mr. Dougherty can talk
13 about this a little bit as well. There was the
14 request for, as I understood it, make -- I want
15 to make sure I understood it. There was a
16 request for an easement to be placed for
17 utilization of that piece of parking. Is that
18 -- is that what the --

19 G. JEFFREY HANSON: Yes.

20 THE WITNESS: -- that comment was
21 for?

22 G. JEFFREY HANSON: Yes.

23 THE WITNESS: Okay. I -- I guess
24 my -- my point of clarification is, is that
25 something that the CRDA is looking for?

1 LANCE LANDGRAF: Probably not. I
2 saw it in a letter and --

3 THE WITNESS: I would assume that's
4 going to go --

5 The intent is, that -- that won't
6 be parking at some point --

7 LANCE LANDGRAF: Exactly.

8 THE WITNESS: -- in the, hopefully,
9 not too distant future.

10 LANCE LANDGRAF: One of my
11 questions was going to be how are you going to
12 handle the -- where the line goes through that
13 -- that linear parking lot there? Are we going
14 to take --

15 Eventually, you'll have to take
16 those spaces off because there's, hopefully,
17 development coming there soon. We'll have to do
18 something to either fence or landscape, --

19 ROBERT REID: Yeah.

20 LANCE LANDGRAF: -- buffer, or
21 something -- not a buffer, but something to stop
22 cars from --

23 THE WITNESS: Yeah. I would --

24 ROBERT REID: You need a barrier
25 there, for sure.

1 THE WITNESS: There's a fence -- I
2 believe there's a fence along that line now. I
3 believe they can do --

4 LANCE LANDGRAF: Right.

5 THE WITNESS: -- the -- the best
6 thing to do would be just to continue the fence.

7 LANCE LANDGRAF: What we'll
8 probably do, until there's a development there,
9 is get a temporary easement and hold harmless.

10 G. JEFFREY HANSON: That was item
11 3(c) on page 4 of our letter, I believe.
12 Correct?

13 THE WITNESS: Correct.

14 LANCE LANDGRAF: Yeah.

15 G. JEFFREY HANSON: Okay.

16 THE WITNESS: Yeah. I -- I didn't
17 think you'd want to encumber that lot with
18 another easement -- permanent easement.

19 LANCE LANDGRAF: No. No, no. As
20 you can see, there's -- there's easements for
21 utilities.

22 THE WITNESS: Yeah.

23 LANCE LANDGRAF: I mean, the main
24 one at the bottom that runs across from Pacific
25 -- or Atlantic to Pacific is the geothermal --

1 THE WITNESS: Yes.

2 LANCE LANDGRAF: -- line.

3 JON BARNHART: Yes.

4 LANCE LANDGRAF: Which is
5 problematic.

6 THE WITNESS: Yes.

7 LANCE LANDGRAF: And, from what I
8 understand, the line might not even run in that
9 easement.

10 THE WITNESS: I have heard that.

11 LANCE LANDGRAF: The site plans
12 that we worked on with regard to the public
13 market, some of that --

14 THE WITNESS: Some jumps in --
15 jumps in and out of it.

16 LANCE LANDGRAF: Yeah. Yeah. So,
17 that was kind of a problem.

18 ROBERT REID: That's scary.

19 THE WITNESS: Yeah.

20 LANCE LANDGRAF: But, that will
21 have --

22 So, we'll have to figure out what
23 we want to do with that.

24 There's no reason to remove the
25 parking now, --

1 JOSEPH DOUGHERTY: That's true.

2 LANCE LANDGRAF: -- before we
3 decide what we're going to do with the property.

4 The problem --

5 JOSEPH DOUGHERTY: Maybe we can do
6 a license agreement.

7 LANCE LANDGRAF: I think that might
8 be about the easiest way; just do a license
9 agreement. We'll -- we'll work with Scott and
10 Paul's office to -- to figure out --

11 SCOTT COLLINS: Sure.

12 LANCE LANDGRAF: -- what we need to
13 do with that.

14 Similar, with the other parking lot
15 on the corner of Indiana. We'll have to do
16 something similar there. Why -- why remove the
17 parking until it's needed for something else?

18 THE WITNESS: Right.

19 LANCE LANDGRAF: And I think that's
20 leased out to B & B?

21 JOSEPH DOUGHERTY: He -- he called
22 me on that.

23 LANCE LANDGRAF: You know...

24 JOSEPH DOUGHERTY: Is the whole
25 corner leased out?

1 HEATHER WALLS: Yes.

2 JOSEPH DOUGHERTY: It is. Okay.

3 LANCE LANDGRAF: That's our
4 understanding. Yes.

5 THE WITNESS: Wait a minute. Wait
6 a minute. Are we talking about this or this?
7 (Witness indicating.)

8 JOSEPH DOUGHERTY: No. Indiana.

9 THE WITNESS: You're talking about
10 this.

11 LANCE LANDGRAF: Yeah.

12 THE WITNESS: Right? (Witness
13 indicating.)

14 LANCE LANDGRAF: Yeah.

15 THE WITNESS: And --

16 LANCE LANDGRAF: All the way to
17 Pacific. Yeah.

18 THE WITNESS: Yeah. Yeah.

19 LANCE LANDGRAF: I think that's
20 leased out.

21 And the other -- the other area is
22 leased out to him as well or at least to
23 somebody else. Right, Heather?

24 HEATHER WALLS: No. No. They're
25 both leased out to B & B.

1 LANCE LANDGRAF: Sorry. Heather is
2 on my staff. You might want to --
3 Heather Walls. So you know who's
4 speaking.

5 She doesn't have to be sworn.

6 SCOTT COLLINS: No.

7 LANCE LANDGRAF: Okay. She handles
8 the contracts between the parking leases for our
9 property.

10 All right. I think we can handle
11 that through license agreements, maybe,
12 something like that?

13 SCOTT COLLINS: I think so.
14 Something temporary.

15 LANCE LANDGRAF: Because why remove
16 the parking? Things move kind of slow, so why
17 remove the parking until something actually
18 happens on that parcel?

19 THE WITNESS: Right.

20 LANCE LANDGRAF: There is interest.
21 So, hopefully, that will happen, but nothing
22 right now.

23 And I agree, Jon, that that -- the
24 only reason for the use variance is that the
25 lot's getting smaller. It's intensifying the

1 use, if you will, of the parking lot. So, I
2 would agree that that --

3 The lot's been there. And that's
4 the employee parking lot for Caesars, --

5 THE WITNESS: Right.

6 LANCE LANDGRAF: -- their
7 employment -- employee -- HR Department.

8 The other side, I think, is just
9 used for, probably, Caesars' guests. I think
10 hotel guests are allowed to park there.

11 JOSEPH DOUGHERTY: The other side
12 now?

13 LANCE LANDGRAF: It was. Now it's
14 general public.

15 JOSEPH DOUGHERTY: Now it's general
16 public. Yeah. But, it will be larger vehicles
17 -- larger vehicles for Caesars, probably; buses,
18 the stuff they can't fit in the --

19 LANCE LANDGRAF: Right.

20 JOSEPH DOUGHERTY: -- garage.

21 LANCE LANDGRAF: Yeah. We've had
22 conversations about that. There was a -- one of
23 those bucket trucks parked there for like six
24 months.

25 JOSEPH DOUGHERTY: Oh, yeah?

1 LANCE LANDGRAF: And we're like
2 whose truck is this? Because it was out -- we
3 own the property, like --

4 JOSEPH DOUGHERTY: Was it -- was it
5 Caesars' truck?

6 LANCE LANDGRAF: No, it wasn't.

7 JOSEPH DOUGHERTY: Oh.

8 LANCE LANDGRAF: It was just one of
9 their contractors, I'll say.

10 JOSEPH DOUGHERTY: Okay.

11 LANCE LANDGRAF: It was -- it was
12 for change -- to change of lights, high -- high
13 lights somewhere. So...

14 All right. I think --

15 Is that all you've got, Jon?

16 You're good?

17 THE WITNESS: Yep. That's it.

18 LANCE LANDGRAF: All right. Jeff,
19 why don't you go through the highlights of -- of
20 your report and --

21 And I agree that the waivers that
22 -- that you've requested are reasonable.

23 And you'll provide the other ones
24 as a condition of any approval --

25 THE WITNESS: Yes.

1 LANCE LANDGRAF: -- the board might
2 -- might grant?

3 JOSEPH DOUGHERTY: Could we --
4 We have the proof of real estate
5 taxes. They're all CRDA owned. Or do you want
6 something from --

7 LANCE LANDGRAF: No. We don't need
8 to do that.

9 JOSEPH DOUGHERTY: Okay.

10 LANCE LANDGRAF: So...

11 G. JEFFREY HANSON: We know who
12 owns the property, so I think we're good there.

13 LANCE LANDGRAF: Yeah.

14 G. JEFFREY HANSON: As far as the
15 --

16 LANCE LANDGRAF: We don't pay
17 taxes.

18 G. JEFFREY HANSON: Like I said in
19 the letter, I don't have any objection to the
20 waiver for the topography and, obviously, the
21 architectural renderings.

22 Are there any drainage -- just for
23 the record, are there any drainage problems in
24 that area that are known of --

25 THE WITNESS: None that we're aware

1 of.

2 G. JEFFREY HANSON: -- with -- with
3 respect to the impervious coverage?

4 THE WITNESS: No. None that we're
5 aware of.

6 G. JEFFREY HANSON: So, I don't
7 have any --

8 LANCE LANDGRAF: Okay.

9 G. JEFFREY HANSON: -- objection to
10 deeming the application complete.

11 You said that you were -- you were
12 all right with everything in our -- as far as
13 the technical review for the minor subdivision
14 review?

15 THE WITNESS: Yes.

16 G. JEFFREY HANSON: With the
17 exception of your --

18 THE WITNESS: With the couple of
19 exceptions that we talked about already.

20 G. JEFFREY HANSON: -- 3(c) for the
21 easement?

22 JON BARNHART: 3(c). Correct.

23 G. JEFFREY HANSON: Okay. Bulk
24 variance review, I think the applicant provided
25 ample testimony as far as justifying the bulk --

1 the bulk variance for the impervious coverage.
2 And also, the narrative was appropriate for the
3 use variance.

4 We did provide several color
5 photographs in our letter, so that should cover
6 -- unless you want more.

7 LANCE LANDGRAF: No. We know the
8 property.

9 G. JEFFREY HANSON: And I believe
10 that pretty much covers my review letter, unless
11 anybody has any further questions or comments
12 for myself.

13 ROBERT REID: Yeah. I -- I just
14 would ask Jon, if you could, as a condition of
15 approval, revise the zoning schedule --

16 THE WITNESS: Sure.

17 ROBERT REID: -- to reflect the
18 changes.

19 THE WITNESS: Yes. We will do
20 that.

21 ROBERT REID: Okay. And also, if
22 you could, with this and future applications,
23 add a column with ordinance section.

24 THE WITNESS: Okay.

25 ROBERT REID: Okay?

1 So, it would be much easier --

2 THE WITNESS: No problem.

3 ROBERT REID: -- for it to be

4 tracked.

5 Okay?

6 THE WITNESS: Great.

7 ROBERT REID: That would be

8 helpful.

9 LANCE LANDGRAF: Regulations.

10 ROBERT REID: Yes. Regulation

11 section.

12 G. JEFFREY HANSON: Regulation

13 section.

14 LANCE LANDGRAF: I know. And that

15 --

16 ROBERT REID: Or rule section.

17 LANCE LANDGRAF: Exactly.

18 Formally.

19 ROBERT REID: I am so --

20 LANCE LANDGRAF: We'll smack you in

21 the back of the head.

22 ROBERT REID: I am so used to

23 saying "ordinance."

24 LANCE LANDGRAF: You and me, both.

25 ROBERT REID: You know what I mean.

1 LANCE LANDGRAF: I still say it.

2 G. JEFFREY HANSON: Going -- going
3 forward, we'll make sure that those kind of
4 things are addressed in --

5 ROBERT REID: Great.

6 G. JEFFREY HANSON: -- our review
7 letter so that --

8 ROBERT REID: Okay. Great.

9 G. JEFFREY HANSON: -- they could
10 be taken care of.

11 ROBERT REID: Thank you very much.

12 G. JEFFREY HANSON: Absolutely.

13 ROBERT REID: I have 44 years of
14 saying "ordinance."

15 LANCE LANDGRAF: I know. I'm right
16 with you. It's difficult to change that habit.

17 All right. Thanks, Rob.

18 And, Jeff, you pass. You were
19 nice, succinct and short and that was perfect.

20 G. JEFFREY HANSON: Thank you,
21 Mr. Chairman. Brevity is our friend here is
22 what I like to say.

23 LANCE LANDGRAF: That's right.
24 That's right.

25 All right. Anything else, Joe or

1 Jon? You guys are good?

2 JOSEPH DOUGHERTY: No. We're good.

3 LANCE LANDGRAF: All right. We'll
4 open it up to the public.

5 Seeing no one here, we'll close the
6 public portion.

7 SCOTT COLLINS: I just want to mark
8 the exhibits.

9 LANCE LANDGRAF: Just B-1?

10 SCOTT COLLINS: Yeah. For purposes
11 of the record, let's mark the application
12 materials A-1 and the ERI letter dated April
13 16th, 2018 as B-1.

14 LANCE LANDGRAF: Okay. I kind of
15 skipped over those things.

16 Okay. That's --

17 We'll close the testimony on this
18 matter.

19 And, as always, Joe, we should be
20 able to get this on our May 15th -- or next
21 board meeting, --

22 JOSEPH DOUGHERTY: All right.

23 LANCE LANDGRAF: -- if it gets
24 done.

25 Our next land use hearing is May

1 3rd, at 10 A.M.

2 And as I said, our next board
3 meeting is May 15th, 2018. We hope to have this
4 on the agenda for action. It should -- should
5 be. It should be fairly simple.

6 With no other public comment, I'll
7 close the meeting.

8 And we are adjourned.

9 Thank you.

10 JOSEPH DOUGHERTY: Thank you.

11

12 (This public hearing concluded at
13 10:27 A.M.)

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