

CASINO REINVESTMENT DEVELOPMENT AUTHORITY

LAND USE REGULATION and ENFORCEMENT DIVISION

CELEBRITY CORNERS

SEEKING SITE PLAN APPROVAL FOR CELEBRITY CORNERS  
RESTAURANT AND BAR TO EXPAND DECKING IN MONTPELIER  
AVENUE RIGHT-OF-WAY FOR OUTDOOR SEATING AREA AND  
VARIANCE RELIEF FOR NUMBER OF OUTDOOR SEATING,  
SIGNAGE AND PARKING

BLOCK 28, PORTION LOT 1.01  
Boardwalk and Montpelier Avenue,  
Atlantic City, New Jersey

Thursday - May 2, 2019

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1                   Public hearing in the  
2   above-referenced matter, conducted in the  
3   meeting room of the CASINO REINVESTMENT  
4   DEVELOPMENT AUTHORITY, City of Atlantic City  
5   Council Chambers, 1301 Bacharach Boulevard,  
6   Atlantic City, New Jersey, before Karen A.  
7   Haworth, a New Jersey Certified Court Reporter  
8   (CCR), nationally certified Registered  
9   Professional Reporter (RPR), nationally  
10  certified Certificate of Merit holder (CM),  
11  nationally certified Certified Realtime Reporter  
12  (CRR), a Delaware Certified Shorthand Reporter  
13  (CSR), nationally certified Certified LiveNote™  
14  Reporter (CLR), and Notary Public of the State  
15  of New Jersey, on the above date, commencing at  
16  10:00 A.M., there being present:

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20   APPEARANCES:

21   CASINO REINVESTMENT DEVELOPMENT AUTHORITY:

22

23   LANCE B. LANDGRAF, JR.

    Chairman

24   Director, Planning Department

25

1 CASINO REINVESTMENT DEVELOPMENT AUTHORITY

2 (CONTINUED):

3

4 ROBERT L. REID

Land Use Enforcement Officer

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10 PROFESSIONALS TO THE BOARD FOR THIS HEARING:

11

12 SCOTT G. COLLINS, ESQUIRE

RIKER, DANZIG, SCHERER, HYLAND & PERRETTI

13

14 G. JEFFREY HANSON, PE

Engineer and Planning Consultant

15

HANSON PLANNING

16

17 EDWARD E. FOX, III, AICP, PP

Senior Planner

18

ENVIRONMENTAL RESOLUTIONS, INC.

19

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1 COUNSEL FOR THE APPLICANT:

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3 ROBERT BECKELMAN, ESQUIRE

GREENBAUM, ROWE, SMITH & DAVIS, ESQUIRES

4 Attorney for Ocean Club Condominium Association

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

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3 LANCE LANDGRAF: I'm going to call  
4 to order the May 2nd CRDA land use regulation  
5 hearing to order.

6 If you would please rise and join  
7 me in the Pledge of 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.

14 We have a slight change to our  
15 agenda this morning.

16 Scott, I'll flip to you for that.

17 SCOTT COLLINS: Okay. If anyone is  
18 here for the Celebrity Corners application, I  
19 received a letter yesterday from the applicant's  
20 attorney, Nick Talvacchia. It's a letter dated  
21 May 1, addressed to me. It says: "Dear  
22 Mr. Collins, we represent Celebrity Corners,  
23 Inc. in connection with the above-captioned  
24 application.

25 "Please allow this letter to

1 confirm that the CRDA has consented to our  
2 request that this application, which was noticed  
3 for the hearing on May 2nd, 2019, be continued  
4 to the May 16, 2019 hearing date.

5 "My client waives the totaling of  
6 time in this matter till the May 16th hearing  
7 date.

8 "We also request that the new date  
9 be announced at the May 2nd hearing so that no  
10 further notice is required."

11 So, this application will not be  
12 heard today. It will be carried to the May 16th  
13 date --

14 UNKNOWN MALE SPEAKER FROM THE  
15 AUDIENCE: Respectfully, we wish to be heard on  
16 this.

17 SCOTT COLLINS: -- without further  
18 notice.

19 UNKNOWN MALE SPEAKER FROM THE  
20 AUDIENCE: Good morning. I'm Robert Beckelman,  
21 of Greenbaum, Rowe, Smith & Davis. I represent  
22 the Ocean Club Condominium Association.

23 As this board is well aware, there  
24 was a submission earlier this week, on behalf of  
25 the Ocean Club, pointing out, indisputably, how

1 this is an unlawful and unauthorized application  
2 that infringes upon our property rights.

3 Now, this is not news to the  
4 applicant and it's not news to this board. It's  
5 been pointed out to the board over a year ago  
6 when we pointed out to the CRDA and asked for  
7 enforcement --

8 SCOTT COLLINS: Excuse me,  
9 Mr. "Beckman" [pronounced incorrectly]. These  
10 are --

11 You'll be free to make these  
12 arguments, if you like, at the time of the  
13 hearing. This is not a --

14 MALE SPEAKER FROM THE AUDIENCE  
15 (ROBERT BECKELMAN): Well, this --

16 SCOTT COLLINS: -- public hearing  
17 on the application.

18 The application has been adjourned.

19 MALE SPEAKER FROM THE AUDIENCE  
20 (ROBERT BECKELMAN): There was an objection to  
21 that adjournment. While I know that's highly  
22 unusual, this is highly unusual circumstances.

23 First of all, this applicant tried  
24 to do this unlawfully. In fact, they did do it  
25 unlawfully.

1                   SCOTT COLLINS: We're not going to  
2 hear the facts of the application or anything  
3 related to --

4                   MALE SPEAKER FROM THE AUDIENCE  
5 (ROBERT BECKELMAN): It relates to the  
6 adjournment request --

7                   SCOTT COLLINS: The adjour --

8                   MALE SPEAKER FROM THE AUDIENCE  
9 (ROBERT BECKELMAN): -- and the fact that the --  
10 an abuse of this adjournment request to keep  
11 these people coming here time and time again to  
12 be told that this is not going to happen.

13                   They're trying to wear us out,  
14 they're trying to wear us down and make this go  
15 away, and we're not going to do that.

16                   SCOTT COLLINS: I understand your  
17 position. The adjournment request has been  
18 granted.

19                   MALE SPEAKER FROM THE AUDIENCE  
20 (ROBERT BECKELMAN): It has been granted?

21                   SCOTT COLLINS: The application  
22 will be heard on May 16th.

23                   MALE SPEAKER FROM THE AUDIENCE  
24 (ROBERT BECKELMAN): And there's no basis to  
25 hear the indisputable evidence I've shown that



1 this is an unlawful application?

2 They have no control of this  
3 property. And they're including direct  
4 infringement on our property rights.

5 SCOTT COLLINS: The hearing on the  
6 application will be conducted on May 16th.

7 MALE SPEAKER FROM THE AUDIENCE  
8 (ROBERT BECKELMAN): Thank you.

9 SCOTT COLLINS: You'll have your  
10 opportunity then.

11 Thank you.

12 UNKNOWN MALE SPEAKER FROM THE  
13 AUDIENCE: Can -- can I just ask one question?

14 My name is John DiGiulio. I'm  
15 president of the Island Club Condominium  
16 Association, which is across the street from  
17 Ocean Club and Celebrity "Corner" [pronounced  
18 incorrectly] restaurant.

19 Is there a -- is there a -- are  
20 there -- is there a number of times where they  
21 can delay or continue or --

22 Is there some requirement that can  
23 be placed on them to at least give proper notice  
24 of a continuation rather than the day before?

25 We've -- we've been prepared each

1 time to present and be here for this particular  
2 case.

3 You know, is there something that  
4 can be said to -- at least three days' notice or  
5 at least four days' notice or anything like  
6 that?

7 SCOTT COLLINS: I understand your  
8 frustration, but that -- that is not required.

9 This was initially scheduled, I  
10 believe, for May -- March 6th or 16th.

11 MALE SPEAKER FROM THE AUDIENCE  
12 (JOHN DIGIULIO): March -- early March. Then  
13 late March. Then April.

14 SCOTT COLLINS: So, it had been  
15 carried. It was renoticed. So, this -- this  
16 meeting itself was noticed.

17 MALE SPEAKER FROM THE AUDIENCE  
18 (JOHN DIGIULIO): Yes. I have the notice.

19 SCOTT COLLINS: And now it's going  
20 to be carried. You'll just have to --

21 I understand your frustration, --

22 MALE SPEAKER FROM THE AUDIENCE  
23 (JOHN DIGIULIO): Yeah. I mean, I --

24 SCOTT COLLINS: -- but there --  
25 there is no legal --

1 MALE SPEAKER FROM THE AUDIENCE

2 (JOHN DIGIULIO): I understand it's okay, you  
3 know, it could be done, but is there --

4 Like you can't put any -- any  
5 stipulation to say further continuations require  
6 three days' notice or four days' notice, at  
7 least so --

8 You know --

9 LANCE LANDGRAF: That notice, my  
10 understanding, is --

11 In accordance with the MLUL, they  
12 are allowed to request this adjournment. And  
13 I'll defer to Scott on it. But, I mean, they  
14 can --

15 They could have been here and  
16 requested it.

17 SCOTT COLLINS: That's correct.  
18 They could adjourn it up until any time.

19 And just so you understand, this is  
20 not unusual in land use practice.

21 MALE SPEAKER FROM THE AUDIENCE

22 (JOHN DIGIULIO): No. I --

23 SCOTT COLLINS: Plaintiffs change  
24 --

25 MALE SPEAKER FROM THE AUDIENCE

1 (JOHN DIGIULIO): Yeah.

2 SCOTT COLLINS: -- and people do  
3 request these adjournments.

4 There have not been many requested  
5 --

6 It would not be --

7 It is not unreasonable for the CRDA  
8 to grant this adjournment.

9 MALE SPEAKER FROM THE AUDIENCE

10 (JOHN DIGIULIO): And there's --

11 Is there anything in writing that  
12 we can present ahead of time or -- or it would  
13 be only at the hearing? Like if we wanted to  
14 present an argument about -- about -- you know,  
15 on the request, is there anything that we can  
16 send in advance for the record or it's only  
17 presented during the meeting?

18 SCOTT COLLINS: You mean an  
19 argument on --

20 MALE SPEAKER FROM THE AUDIENCE

21 (JOHN DIGIULIO): An argument.

22 SCOTT COLLINS: -- the original  
23 request?

24 MALE SPEAKER FROM THE AUDIENCE

25 (JOHN DIGIULIO): Yes. An argument on the

1 variance request.

2 SCOTT COLLINS: Oh. You need to  
3 appear at the public hearing, and everything is  
4 done in a public format.

5 MALE SPEAKER FROM THE AUDIENCE  
6 (JOHN DIGIULIO): Okay. Anything else you could  
7 share --

8 SCOTT COLLINS: I understand --

9 MALE SPEAKER FROM THE AUDIENCE  
10 (JOHN DIGIULIO): -- that's relevant to -- to --  
11 to our well-being, somehow?

12 SCOTT COLLINS: I understand your  
13 frustration.

14 The alternative would be that we  
15 would dismiss the application. They would re --  
16 it would be without prejudice. They would  
17 resubmit it. And it would further delay the  
18 adjudication of the matter. So, if -- if the --  
19 if the intent is to have it heard and then to be  
20 heard, this is the -- the most expedient way for  
21 you all.

22 MALE SPEAKER FROM THE AUDIENCE  
23 (JOHN DIGIULIO): Okay. Thank you for your  
24 time.

25 SCOTT COLLINS: Certainly.

1 UNKNOWN MALE SPEAKER FROM THE  
2 AUDIENCE: Sir, my name is John Shevlin. I own  
3 at the Ocean Club.

4 Can we have some kind of an order  
5 to stop him from -- keep building while he's  
6 waiting for a decision? I mean, he's doing work  
7 on there like a -- like the deal is already  
8 done.

9 SCOTT COLLINS: I'm not aware of  
10 that.

11 LANCE LANDGRAF: Nor am I.  
12 (Multiple speakers from the  
13 audience speaking at once.)

14 LANCE LANDGRAF: If you're going to  
15 speak, you have to be at the dais. So, please  
16 don't shout out. We would just appreciate that  
17 for our stenographer. She can't do that without  
18 --

19 MALE SPEAKER FROM THE AUDIENCE  
20 (JOHN SHEVLIN): We -- we had to wait. Let him  
21 wait.

22 SCOTT COLLINS: He should be  
23 waiting. I was not aware of that.

24 MALE SPEAKER FROM THE AUDIENCE  
25 (JOHN SHEVLIN): Okay. That's your job.

1                   SCOTT COLLINS: I will look into  
2 that.

3                   MALE SPEAKER FROM THE AUDIENCE  
4 (JOHN SHEVLIN): Thank you, sir.

5                   SCOTT COLLINS: Thank you.

6                   LANCE LANDGRAF: Okay. With that,  
7 we're going to move to the item on the agenda,  
8 which is application number 2019 --

9                   SCOTT COLLINS: We have one more.

10                  LANCE LANDGRAF: I'm sorry.

11                  UNKNOWN FEMALE SPEAKER FROM THE  
12 AUDIENCE: My name is Linda Lewis, and I am -- I  
13 have a unit at the Island Club.

14                  I don't live here. I live in York,  
15 Pennsylvania. I drove three and a half hours to  
16 get here for this hearing. And to come here and  
17 have absolutely no notice that it's been  
18 postponed, for the third or fourth time, is not  
19 fair to those of us who went out of our way to  
20 come here.

21                  And I'm very angry right now and I  
22 think I -- rightfully so.

23                  I think, at least, the very least,  
24 is at least one or two days' notice so that we  
25 don't go driving for hours and spending money on

1 the Turnpike and the Expressway to get here just  
2 to be slapped in the face again by this lawyer.

3 Thank you.

4 SCOTT COLLINS: I understand your  
5 frustration.

6 FEMALE SPEAKER FROM THE AUDIENCE

7 (LINDA LEWIS): Not you, sir. That person.

8 SCOTT COLLINS: Okay. Understood.

9 LANCE LANDGRAF: It's not Jeff and  
10 it's not me.

11 UNKNOWN MALE SPEAKER FROM THE  
12 AUDIENCE: Good morning, sir.

13 SCOTT COLLINS: Good morning, sir.

14 LANCE LANDGRAF: Your name, please?

15 UNKNOWN MALE SPEAKER FROM THE

16 AUDIENCE: John Hepler. I'm here for the Island  
17 Club.

18 Is this postponed?

19 LANCE LANDGRAF: Yes, sir.

20 MALE SPEAKER FROM THE AUDIENCE

21 (JOHN HEPLER): I'd like to know who gave the  
22 authority or the okay to have it postponed for  
23 the fourth time.

24 SCOTT COLLINS: The CRDA has the  
25 authority.



1 MALE SPEAKER FROM THE AUDIENCE

2 (JOHN HEPLER): So, it's going to be a person,  
3 not a group, who gave the okay to say this is  
4 postponed for the fourth time. It doesn't  
5 matter how many times, but it was postponed.

6 SCOTT COLLINS: The request for --  
7 for an adjournment or to have the application  
8 carried was granted by the hearing officer.  
9 It's Paul Weiss, general counsel to Casino  
10 Reinvestment Development Authority.

11 MALE SPEAKER FROM THE AUDIENCE

12 (JOHN HEPLER): He's general counsel? He's an  
13 attorney. Right?

14 SCOTT COLLINS: Yes.

15 MALE SPEAKER FROM THE AUDIENCE

16 (JOHN HEPLER): General counsel for?

17 SCOTT COLLINS: CRDA.

18 MALE SPEAKER FROM THE AUDIENCE

19 (JOHN HEPLER): Pardon me?

20 SCOTT COLLINS: Casino Reinvestment  
21 Development Authority.

22 MALE SPEAKER FROM THE AUDIENCE

23 (JOHN HEPLER): Who? Who?

24 LANCE LANDGRAF: CRDA. It's easier  
25 than writing it out.

1 SCOTT COLLINS: Yeah.

2 MALE SPEAKER FROM THE AUDIENCE

3 (JOHN HEPLER): So, he's general counsel.

4 He requested it or he okayed it?

5 SCOTT COLLINS: He granted it.

6 He's the hearing officer for that matter.

7 MALE SPEAKER FROM THE AUDIENCE

8 (JOHN HEPLER): So, is there any precedence or  
9 anything about something being postponed 350  
10 times? And it's in the archives somewhere. Is  
11 there any precedence about how many times  
12 something can be postponed?

13 SCOTT COLLINS: The requests need  
14 to be reasonable. And at some point, it would  
15 become unreasonable.

16 This is not, in the view of the  
17 hearing officer, unreasonable, but within 60  
18 days --

19 UNKNOWN FEMALE SPEAKER FROM THE  
20 AUDIENCE: We can't hear you.

21 LANCE LANDGRAF: Speak into the  
22 mic.

23 SCOTT COLLINS: The law requires  
24 that the -- that the adjournment request be  
25 reasonable. And at some -- at some future

1 point, it may not be. But, we're in the very  
2 early stages of this application. It's only  
3 been about 60 days.

4 The law is clear that the  
5 adjournment request is granted.

6 As I said, you can't compel someone  
7 to come in and present their application. And  
8 the alternative is to dismiss it.

9 And as I understand, you want this  
10 to be heard. The most expedient way to do that  
11 would be to carry it two weeks.

12 MALE SPEAKER FROM THE AUDIENCE

13 (JOHN HEPLER): Hmm. Okay. Is there anything  
14 you can add to what's going on with this  
15 application or is that not what we're doing  
16 today?

17 SCOTT COLLINS: No. The hearing on  
18 the application will be on the 16th.

19 MALE SPEAKER FROM THE AUDIENCE

20 (JOHN HEPLER): I'm sorry?

21 SCOTT COLLINS: The hearing on the  
22 application will be held on the 16th.

23 MALE SPEAKER FROM THE AUDIENCE

24 (JOHN HEPLER): That's May 16th.

25 SCOTT COLLINS: May 16th.

1 MALE SPEAKER FROM THE AUDIENCE

2 (JOHN HEPLER): Okay. Thanks for your time.

3 SCOTT COLLINS: Thank you.

4 UNKNOWN FEMALE SPEAKER FROM THE

5 AUDIENCE: I'll be very brief.

6 I just hope that you all take into  
7 consideration the character --

8 LANCE LANDGRAF: We need your name,  
9 please.

10 UNKNOWN FEMALE SPEAKER FROM THE

11 AUDIENCE: Oh. I'm sorry. I'm Harriet Diamond,  
12 from the Ocean Club.

13 Just take into consideration the  
14 character of the applicant and how he is  
15 treating this hearing and has treated it, how he  
16 is ignoring the fact that --

17 LANCE LANDGRAF: This is not --

18 FEMALE SPEAKER FROM THE AUDIENCE

19 (HARRIET DIAMOND): -- he shouldn't be building.

20 LANCE LANDGRAF: This is not  
21 appropriate.

22 SCOTT COLLINS: We're not taking  
23 the character of the applicant. That's not our  
24 job under the law. We're following the process  
25 that's established by the law. And this is --

1 everything that is happening here is according  
2 to that law.

3 FEMALE SPEAKER FROM THE AUDIENCE  
4 (HARRIET DIAMOND): Okay. Well, when you --  
5 when you start reviewing all of the information  
6 when you finally do have a hearing, know who  
7 you're dealing with.

8 SCOTT COLLINS: Thank you.

9 UNKNOWN FEMALE SPEAKER FROM THE  
10 AUDIENCE: And I will be very brief.

11 My name is Linda Kemmerer, from  
12 Ocean Club.

13 I wasn't going to speak today  
14 because I'll come back on the 16th, but you just  
15 said that you're in the very early stages of  
16 this, it's been 60 -- only 60 days.

17 Has anybody counted how many days  
18 it's been that Ocean Club and New Jersey  
19 residents have lost access to public property  
20 because somebody just decided to take away a  
21 ramp?

22 So, it may only be 60 days into his  
23 application, but I think we're going a lot  
24 longer that public access has been denied  
25 because of, you know, what somebody did -- I'm

1 not going to say illegally, I'm not a lawyer,  
2 but what somebody did without the proper permits  
3 in the first place.

4 SCOTT COLLINS: Our jurisdiction is  
5 over the application.

6 FEMALE SPEAKER FROM THE AUDIENCE

7 (LINDA KEMMERER): Okay.

8 SCOTT COLLINS: Again, I understand  
9 your frustration.

10 FEMALE SPEAKER FROM THE AUDIENCE

11 (LINDA KEMMERER): Okay. Thank you.

12 SCOTT COLLINS: Thank you.

13 LANCE LANDGRAF: Okay. With that,  
14 we're going to move on to the first agenda --  
15 item agenda. It's application 2019-04-2637.  
16 Showboat Renaissance, LLC.

17 Take a minute?

18 We'll take a minute to clear the  
19 room.

20 (A brief recess was taken.)

21

22

23

24

25

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