

CASINO REINVESTMENT DEVELOPMENT AUTHORITY

LAND USE REGULATION and ENFORCEMENT DIVISION
PUBLIC HEARING

RE: SENCIT LIBERTY URBAN RENEWAL, LLC
2019-92-2599

Thursday - March 7, 2019

Public hearing in the
above-referenced matter, taken at the ATLANTIC
CITY CITY HALL, Council Chambers, Room 206,
Atlantic City, New Jersey, before Karen Winkler,



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1 a New Jersey Certified Court Reporter (CCR)
2 and Notary Public of the State of New Jersey, on
3 the above date, commencing at 10:01 A.M., there
4 being present:

5
6
7
8 APPEARANCES:

9 CASINO REINVESTMENT DEVELOPMENT AUTHORITY:

10
11 LANCE B. LANDGRAF, JR.

Chairman

12 Director, Planning Department

13
14 ROBERT L. REID

Land Use Enforcement Officer

15
16
17
18 PROFESSIONALS TO THE BOARD FOR THIS HEARING:

19
20 SCOTT G. COLLINS, ESQUIRE

RIKER, DANZIG, SCHERER, HYLAND & PERRETTI

21
22 JEFFREY HANSON, PE

Engineer and Planning Consultant

23 - and -

EDWARD E. FOX, III, AICP, PP

24 Senior Planner

ENVIRONMENTAL RESOLUTIONS, INC.

25

1 COUNSEL FOR THE APPLICANT:

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3 CLINT B. ALLEN, ESQUIRE

ARCHER & GREINER, P.C.

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WITNESS(ES)	PAGE NO.
RICK RICCIARDI	17
DAVID GINSBERG	17
G. JEFFREY HANSON	47
EDWARD E. FOX, III	47

EXHIBITS MARKED AND/OR REFERRED TO:

- A-1
- A-4
- A-9
- B-1

1 (Time noted: 10:01 A.M.)

2

3 LANCE LANDGRAF: I want to call to
4 order the CRDA Land Use Regulation and
5 Enforcement Division hearing of March 7, 2019.

6 If everyone will please rise for
7 the salute to the flag.

8 (At this time, the Pledge of
9 Allegiance is being recited.)

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 two items on our agenda.
15 However, the second item, Celebrity Corners,
16 LLC, application 2018-03-2364, has been
17 requested to be postponed. That will be heard
18 on April 4th, at 10 A.M., in this hearing
19 chambers. I don't see any attorney here for
20 them, but I did let them know that it will be on
21 for April 4th.

22 The other item on the agenda, which
23 we will hear today, is the Sencit Liberty Urban
24 Renewal, LLC, application 2019-02-2599.

25 Rob, could you confirm that we have

1 proper notice to hear this application?

2 ROBERT REID: I have reviewed the
3 proof of service, and we have jurisdiction to
4 hear this application today.

5 LANCE LANDGRAF: I see Mr. Allen is
6 here. I'll let him go through with the
7 description of the project and produce his
8 witnesses.

9 CLINT ALLEN: Good morning. For
10 the record, my name is Clint Allen. I'm with
11 the law firm of Archer & Greiner.

12 I'm here on behalf of our clients,
13 Sencit Liberty Urban Renewal.

14 Before I really get into what we're
15 asking this board to grant us, we're in the
16 business of renovating old, dilapidated
17 apartments. And we actually have a project here
18 in Atlantic City, the City of Atlantic City,
19 involving the prospective purchase, renovation,
20 revitalization of the Schoolhouse Apartments and
21 the Disston Apartments, here within the CRDA
22 Central Business District.

23 The properties I'm talking about,
24 the Schoolhouse Apartments, is located at 61
25 North Martin Luther King, Jr. Boulevard. It's

1 the former Atlantic City Vocational School. It
2 had been converted to apartments back in 1979,
3 plus or minus a year. For the record -- and I
4 think this is reflected in those materials --
5 it's also known as Block 290, Lot 1 on the
6 official city tax map.

7 The second apartment -- these are
8 really companion projects that need to be
9 considered simultaneously -- is the Disston
10 Apartments. It's located at 1711 Arctic Avenue.
11 That's the former YMCA building. It hasn't been
12 a YMCA for a long, long time, but that's what it
13 was back before it became an apartment building,
14 around 1979 as well. On your tax maps here in
15 the city, it's known as Block 328, Lot 6.

16 This application is all about
17 parking. We're not proposing any exterior site
18 improvements to the buildings themselves. No
19 landscaping plans, no stormwater management
20 parameters or techniques involved.

21 We are proposing a modest redesign
22 of a small parking area located to the immediate
23 rear of the Schoolhouse Apartments themselves.
24 It has been a parking area. Right now, it's
25 gated off. I think it's filled with some

1 rubbish containers and weeds.

2 But, our idea is that we're asking
3 for some site plan approval from this body to
4 allow us to redesign and create some limited --
5 albeit limited, I'll be honest with you --
6 parking opportunities on-site at Schoolhouse.

7 But, the request we're asking
8 for --

9 The official caption -- and this is
10 on your application. I believe it's
11 2019-02-2599, if I got it right. We're asking
12 for preliminary and final site plan approval,
13 but also, at the same time, waiver of, really,
14 the formal strictures and requirements of site
15 plan review. And then bulk variance/de minimis
16 exception relief for parking, parking variance.
17 Call it for what it is.

18 Again, the site plan approval
19 itself really comes into play for what we'll
20 describe as, I think, some modest parking
21 reconfigurations for the rear of the Schoolhouse
22 building. But, really, the gravamen here is
23 parking.

24 Back in 1979, when the City of
25 Atlantic City's planning board and zoning board

1 -- there was a mix. And we have some limited
2 resolution information from '79, both from our
3 own hands and, also, working with the
4 Authority's enforcement officer, Mr. Reid, he
5 also had some ability to find some records that
6 he shared with us, as well, involving
7 development of the Schoolhouse Apartment
8 building.

9 We found some limited information,
10 but not complete information. This is for your
11 engineer's benefit for Disston. We couldn't
12 find an original resolution from '79 or before
13 or after. It really spoke squarely to Disston;
14 its conversion from a YMCA to an apartment
15 building and parking requirements. We did our
16 best, but we couldn't find those records.

17 But, we did find some limited
18 information that when Schoolhouse was approved,
19 it was required to have nine parking spaces
20 on-site, on the actual lot. The lot that exists
21 today was the same lot that existed then. I
22 don't know how they got nine spaces on that
23 site. I don't see how they could squeeze it in.
24 But, that was in the resolution.

25 And then there's also a requirement

1 to go and seek 33 additional parking spaces
2 off-site.

3 At the time, there had been an
4 arrangement to obtain parking from an adjacent
5 lot, immediately adjacent lot, called Block 290,
6 Lot 2. We also found, within the mix of
7 resolutions from the Atlantic City Planning
8 Department, that there was an additional
9 21-parking space lot on Arctic Avenue over at
10 Block 326, Lot 6. So, combined, we had about 63
11 parking spaces, give or take, back in 1979 that
12 they were to provide.

13 But, what's happened over time is
14 there's been changes of ownership, losses of
15 leases, et cetera, where those out-parcels are
16 no longer available to us.

17 So, how this came to rise is my
18 client, Sencit Liberty Urban Renewal, is really
19 preparing itself to go to financial closing to
20 buy these properties, the property called
21 Schoolhouse Apartments and Disston Apartments.
22 As part of that process, we have to see what are
23 lender's counsel; that is, the lenders, the
24 folks lending money, and their attorneys are
25 going to want to see for zoning compliance, as

1 well as any permit approvals and other diligence
2 they require to make sure they're having a sound
3 loan to make.

4 It came to our attention that we
5 have a parking deficiency, we have a parking
6 issue, and the zoning record itself seemed to
7 have a problem, for lack of a better term.
8 Hence, we felt compelled to come before this
9 body and seek relief from what might be the
10 current parking for apartments.

11 We're kind of looking back to '79
12 and trying to bring the entire portfolio of
13 approvals forward. Really, what we're here for
14 today is to ask for parking relief. The form,
15 really, I think, is couched best as a de minimis
16 exception for the residential site improvement
17 standards, which is really the standards that
18 this body is guided by when it comes to
19 residential development. Though, when I'm
20 reading the regulations, it also kind of harkens
21 to be characterized as a bulk variance, as well.

22 Really, the heart of this matter is
23 we're looking for relief for parking, like I've
24 said probably a couple times already.

25 Under the RSIS, we're asking for

1 de minimis exception to reflect what is really
2 the current and probably historic parking needs
3 for the sites.

4 We have with us Rick Ricciardi, a
5 professional planner from Marathon. He and his
6 staff have done some extensive parking counts,
7 of all things, trying to look to see, really,
8 what is the parking need for Disston, as well as
9 Schoolhouse.

10 And we've also interviewed the
11 property managers, current property managers, to
12 poll exactly how many residents own automobiles.

13 In other words, we can come in and
14 ask for a variance and tell you how great it is
15 and there's no problem, but we really want to
16 get a firm, real-time understanding of what are
17 the actual needs, what are we faced with here,
18 going forward, so we can prove to you, one, that
19 for, de minimis exception, that the relief may
20 be granted, and although we may have a practical
21 hardship, we won't see a resulting detriment
22 that would accrue to the community, to the
23 Authority, to our neighbors should we not have
24 on-site parking.

25 And there was a bulk variance. Of

1 course, really, the hallmark there is that we
2 have to show that we're not creating substantial
3 detriment, let alone advancing the purposes of
4 the Municipal Land Use Law and the weigh test of
5 benefits outweighing detriments.

6 You kind of look to the Burbridge
7 v. Mine Hill Township case. Are we going to
8 cause a problem for the surrounding landowners?
9 I can look you in the eyes and say,
10 definitively, no. We've learned that we have
11 about 25 automobiles associated with the
12 residents who live in Schoolhouse. There are 66
13 apartments in Schoolhouse. We've got the
14 breakdown of bedrooms, as requested by your
15 engineer.

16 Under RSIS, if that was a new
17 build, I'd have to provide you 176 parking
18 spaces. That's a lot of parking. But, that
19 would be the obligation. But, we know that we
20 have, right now, 25 residents that own an
21 automobile.

22 For Disston, I've got 20
23 apartments. We have five people living there
24 that have an automobile. So, five out of the 20
25 homes.

1 Under RSIS, I'd be looking at 37
2 parking spaces that I'd have to provide on-site,
3 perhaps on-street, and so forth. The working
4 reality really is, I need to probably provide
5 for about 30 stalls.

6 What we've learned is, there are,
7 probably within 400 feet of either building,
8 we've got 39 free parking spaces; that is, you
9 don't have to put money in a kiosk to park
10 there. That would be available on-street for
11 the Disston Apartment area. And then for
12 Schoolhouse, we have 49 on-street parking
13 spaces. Again, I use the term "free." You're
14 not depositing any money in the kiosk to park
15 there.

16 If you want to count metered
17 parking stalls, you can add another 20 stalls to
18 the counts for both of those apartments. And,
19 again, these are all parking spaces within 400
20 feet.

21 We've also learned, by doing our
22 counts, that most of the folks parking are
23 really trying to park by their front door, to
24 the extent they can. It would make sense. Cold
25 weather, it's been raining and snowing. I don't

1 think people really want to park two blocks away
2 to try to get into their home. But, we are in
3 an urban environment and you have to park where
4 you can. I understand that. But, that's where
5 we are.

6 And that's what we're asking for,
7 is relief from those parking standards. That's
8 why we wanted to put our proofs to our planner.

9 I also want to introduce our client
10 to this body, David Ginsberg, from Sencit
11 Liberty Renewal, who came down. I think he was
12 in New Haven last night or -- I think he was.
13 He's been traveling up and down the Parkway the
14 last two or three days with me.

15 Before I call him in, a couple
16 things. One --

17 And I appreciate Mr. Reid reciting
18 that we have prepared, published and served the
19 appropriate notice, and it was timely.

20 Again, we are a permitted use. So,
21 we are properly before this board's
22 jurisdiction.

23 We were here last Tuesday, not
24 before this particular body, but in the same
25 room where we've appeared before the city

1 planning board.

2 We've got a third property as part
3 of our overall takedown here in Atlantic City,
4 and it's the Liberty Apartments, over on Baltic
5 Avenue, where we received similar relief from
6 that body, where we're also -- we had to ask for
7 parking variance relief, but, also, a limited
8 site plan approval to develop some parking and
9 do some cleanup work in a rear parking area that
10 existed historically as part of that property as
11 well.

12 So, you'll see some commonalties
13 between what we're asking here and what we asked
14 from the city's planning board, which we
15 received on Tuesday.

16 So, three properties, Liberty,
17 which I just described, and then we have
18 Schoolhouse Apartments, here on Martin Luther
19 King and Arctic, and here, on the opposite
20 corner of Martin Luther and Arctic is the
21 Disston Apartments themselves.

22 So, I've probably talked more than
23 I probably needed to, and I apologize for that,
24 but if you have any questions for me, great.
25 Otherwise, I can call a witness or two and get

1 through this thing.

2 LANCE LANDGRAF: Thank you. Why
3 don't we start with swearing in your witnesses?

4 But, first, I would like to welcome
5 Councilman Shabazz. Thank you for coming in
6 today. And the city's planning director,
7 Barbara Woolley-Dillon. And I think that's
8 someone else sitting there, but I can't see.

9 UNIDENTIFIED SPEAKER FROM THE
10 AUDIENCE: No. Just us.

11 LANCE LANDGRAF: Thank you for
12 coming.

13 JEFFREY HANSON: Do we anticipate
14 two witnesses testifying?

15 CLINT ALLEN: That's correct.

16

17

18

19 RICK RICCIARDI, sworn.

20 DAVID GINSBERG, sworn.

21

22 RICK RICCIARDI: Rick Ricciardi,
23 with Marathon Engineering, located at 1616
24 Pacific Avenue, in Atlantic City.

25 DAVID GINSBERG: David Ginsberg,

1 senior project director at Winn Development and,
2 also, with the applicant.

3 JEFFREY HANSON: Thank you.

4 Just before we jump in, I just want
5 to note for the record that applicant's counsel
6 has very helpfully prepared a witness list and
7 an exhibit list, which we will be following
8 through. I have made that part of the record.

9 CLINT ALLEN: Thank you.

10 For clarification, Mr. Meringoff
11 and Mr. Robayna and Mr. Disario will not be
12 here. We have Mr. Ginsberg, who's more than
13 capable and confident and knowledgeable of the
14 project design. And Mr. Disario, who's a
15 traffic engineer, unfortunately, was called away
16 to an emergent matter involving traffic.

17 But, we do have, I think, the folks
18 that you do want to talk to and can answer your
19 questions.

20 LANCE LANDGRAF: He's rewriting the
21 ITE standards. Right?

22 CLINT ALLEN: Possibly.

23 So, that said, what I'd like to do
24 is call Mr. Ginsberg forward. I'm going to ask
25 him, really, just a brief, brief summary of what

1 he's trying to do, what his vision and goals for
2 the property is, and then we'll turn it over to
3 our planner.

4 LANCE LANDGRAF: Great. Thanks.

5 CLINT ALLEN: Mr. Ginsberg.

6 DAVID GINSBERG: Thank you all for
7 being here this morning.

8 LANCE LANDGRAF: Welcome.

9 DAVID GINSBERG: Some of this will
10 be fresh for a lot of the folks here.

11 I know we've presented to CRDA on a
12 couple occasions. And, as Clint mentioned, just
13 this Tuesday, we presented to the Atlantic City
14 Planning Board.

15 I'll give you a quick overview of
16 the project as a whole. I might -- at some
17 point, you might hear me reference the entirety
18 of the project, which, as Clint mentioned, is
19 153 units, which includes the Liberty building,
20 which is in CRDA's jurisdiction. So, I
21 apologize in advance if I repeat.

22 I'm David Ginsberg, senior project
23 director with Winn Development. We're
24 headquartered in Boston, with offices in New
25 York, D.C., as well as in California. We are a

1 developer/property manager who specializes in
2 mixed income housing and affordable housing and
3 historic adaptive reuse, all of those things
4 which are present at the Schoolhouse Apartments
5 and Disston Apartments. Currently, we're the
6 largest manager of affordable housing in the
7 country.

8 We've done a number of successful
9 acquisition rehab projects in New Jersey to
10 date, including Jersey City and Bridgeton.

11 Again, we're excited. This is just
12 all a little bit of background. I know it's not
13 necessarily pertinent to the specifics of what
14 we're going over from a planning perspective,
15 but I'm just giving some background on what
16 we're doing here.

17 The goal of this project is to
18 acquire the Schoolhouse Apartments and Disston
19 Apartments, as well as the Liberty Apartments,
20 in the Atlantic City planning jurisdiction, and
21 acquire those assets and rehabilitate them,
22 spending about 70 to \$80,000 in direct hard
23 costs per unit in each unit. That includes
24 items such as new roofs, new windows that are
25 historically compliant up to the interior

1 standards.

2 These are historic assets that I
3 can shed some light on as well.

4 We will also be doing interior
5 upgrades, including new kitchens and bathrooms,
6 upgrading all common areas, and providing new
7 HVAC and mechanical systems.

8 That's the overall vision we have
9 for the project.

10 We'd be looking at an acquisition
11 within the next month and a half and beginning
12 construction late this summer. We're looking at
13 about a 12- to 14-month construction timeline on
14 these assets.

15 Why we're here today. As Clint
16 mentioned, as part of this effort, we are
17 looking to do this. We have financing in place
18 and we have somewhat, I'd say, a strong sense of
19 urgency, specifically with some of our financing
20 sources. So, I'd really appreciate -- you guys
21 taking this matter in an expedited time frame is
22 highly appreciated. We're looking to get
23 underway and close soon.

24 And one of the items, as Clint
25 mentioned, why we're here, is relative to the

1 parking situation of the property.

2 What we're aware of is, given the
3 nature and the tendency of the property, there's
4 not a heavy car ownership rate. There's not a
5 heavy burden on the parking load for the
6 property or the adjacent streets. So, again,
7 we're comfortable with what we're proposing from
8 a parking perspective.

9 What we're ultimately doing here is
10 dramatically improving the quality of life for
11 all the residents, as well as signaling
12 beautification and improvement for the
13 neighborhood at large. We think the overall
14 picture of what we're adding for the property,
15 the residents and the neighbors well outweighs
16 the parking adjustment we're seeking here.

17 Any sort of macro questions that
18 anyone --

19 LANCE LANDGRAF: It's not really a
20 question. A comment. And I know this because
21 we've had the conversation.

22 For the dais's edification, the
23 work will be done where the residents will only
24 be displaced during the day. They'll actually
25 come in in the morning. The residents will have

1 to move out for the day, though. They'll do the
2 kitchen demo and reinstall a new kitchen in a
3 day.

4 Having just gone through that in my
5 home that's taken four months, I should have
6 hired you guys to do this.

7 But, then the same thing. They
8 come back in and do the rest of the bathrooms
9 and things. They won't displace anybody out of
10 the building. If they need a place during the
11 day, you'll have a --

12 DAVID GINSBERG: Hospitality.
13 Exactly. Suites with TV and Internet for those
14 on-site during the day so they have a place to
15 go. It's certainly a complicated set of musical
16 chairs.

17 We hire a clerk of the works, whose
18 specialization is to manage this process.

19 We have security. When
20 construction workers or any other folks are
21 going into individuals' households, security is
22 present. We always document everything in the
23 unit beforehand so there's no conflicts about
24 anything growing legs and walking away. We've
25 had a track record of success with this occupied

1 rehab nature. And again, the goal is to disturb
2 the residents as little as possible. That's the
3 ultimate outcome we're trying to get here.

4 LANCE LANDGRAF: Good. I hope they
5 appreciate that.

6 DAVID GINSBERG: Any other
7 questions?

8 LANCE LANDGRAF: Not from me.
9 Everybody good?

10 CLINT ALLEN: If they do arise,
11 Mr. Ginsberg is here.

12 That said, if you'd like, I'd like
13 to call forward our planner. He can talk about,
14 really, the relief we're asking for and maybe
15 walk through some of our proofs.

16 We also have some board-mounted
17 exhibits. They're things you've seen, with the
18 exception of one item, which is a turning
19 movement exhibit for our redesigned parking at
20 the back of Schoolhouse. And we can put that on
21 an easel and talk about that.

22 But, really, our mounted items are
23 what we have here on our boards, what you've
24 already seen in the record. We've got site
25 photographs. We've got our surveys, of course.

1 Then we have our regional plan that
2 Mr. Ricciardi calls this thing. And then we
3 have our more focused plan, which we will have
4 an aerial photograph of the site plan overlay on
5 it for the Schoolhouse Apartments.

6 So, that said, Mr. Ricciardi, if
7 you can. You've already given your name and
8 told them where you work. Maybe you could tell
9 us a little bit about your life.

10 RICK RICCIARDI: Well, I am a
11 professional planner in the State of New Jersey,
12 also certified by the American Institute of
13 Certified Planners.

14 I have to say, I'm somewhat
15 intimidated presenting in front of these two
16 guys to the left here, having worked with them
17 for the last 40 years and studied with them to
18 get our planner's license. This is the first
19 time for me to be in front of them.

20 LANCE LANDGRAF: Let's go back to
21 those tests can we? Stipulate Mr. Ricciardi's
22 credentials.

23 CLINT ALLEN: Thank you very much.
24 So, Mr. Ricciardi, you've heard me
25 describe the project generally. Let's talk

1 about parking. What have you studied? What do
2 you know? What have you learned? And how does
3 it apply to this application?

4 RICK RICCIARDI: Okay. First of
5 all, you went over the parking standards
6 required by CRDA, which references the RSIS
7 standards. There is a provision in there that
8 says, though, in those instances where there's
9 adequate on-street parking -- and I can
10 reference the appropriate section. I think it's
11 section 5:21-4.1 -- 4.14F. It states: When, in
12 the judgment of the local approving authority,
13 on-street parking is available, then only that
14 proportion of the parking requirement which is
15 not available on the street shall be provided in
16 off-street parking facilities. A length of 23
17 feet per on-street parking space shall be used
18 in calculating the number of available on-street
19 parking spaces.

20 So, with that, we undertook a study
21 of the parking in the general area. And just
22 for everyone's purpose in understanding, we
23 don't have the luxury of having parking
24 everywhere in the vicinity of that. We've got
25 one-way streets, where it's limited to one side

1 of the road. We have MLK, where there's no
2 parking, MLK running down here, where there's no
3 parking in this immediate area. We have
4 limitations, such as pay meters, further down by
5 The Walk area. We have limitations on street
6 cleaning, when, depending on the Thursday of the
7 month, the first and third Monday or Thursday,
8 you can park on one side. The second and fourth
9 Thursday, you can park on the other side. So,
10 there's a number of limitations relative to
11 where the parking is.

12 But, in terms of that, we
13 identified approximately 59 spaces in the
14 vicinity of the Disston building where on-street
15 parking could be provided and about 49 spaces in
16 the vicinity of the Schoolhouse area where that
17 could be provided, though I reference it by
18 stating we do have limitations associated with
19 it, depending on which Thursday it is, you can
20 only park on certain sides of the street.

21 We extended our survey outwards of
22 400 feet from both properties, because that's a
23 typical planning standard. And I've done some
24 research, and I saw everything from 300 to 500
25 feet being an appropriate distance for on-street

1 parking. We felt somewhere in the middle, using
2 400 feet, would satisfy that standard.

3 We had the property manager do a
4 survey of the number of vehicles that the owners
5 in each apartment complex had. And, as
6 Mr. Allen had said, I think there were five
7 within the Disston building and 25 within the
8 Schoolhouse Apartment project.

9 We did an inventory of the number
10 of parking spaces. We looked at the available
11 space that was out there during the times of
12 conducting these surveys and found that there
13 was vacancy -- probably 75 to 80 percent of the
14 time, there was vacancy on the streets.

15 We also did a survey of the two
16 parking lots that were part of that 1979
17 approval that was required for on-site parking.
18 We did it on a Sunday evening, around 8:00 at
19 night, to catch people when they probably would
20 be home. We did it on a working weeknight, on a
21 Tuesday, between seven and eight, and we did one
22 during the weekday. And we found that, where
23 the Schoolhouse parking lot is located, there
24 were never any cars parked in there. And in the
25 Arctic Avenue parking lot, there would be

1 anywhere from eight to ten cars parking there at
2 various times throughout the day.

3 So, with that being said, we felt
4 those was definitely on-street parking to
5 accommodate the people within both complexes
6 that have cars.

7 CLINT ALLEN: Okay.

8 RICK RICCIARDI: Okay?

9 CLINT ALLEN: Sure.

10 RICK RICCIARDI: I can get into the
11 proofs and so forth.

12 EDWARD FOX: Can I add something?

13 LANCE LANDGRAF: Sure.

14 EDWARD FOX: Mr. Ricciardi's
15 exhibit also indicated the location of the
16 jitney system that you have in Atlantic City.
17 It didn't show, in addition, the other mass
18 transit; the New Jersey Transit that's available
19 sparsely down here, as anywhere in South Jersey.
20 But, I just wanted to point out that the RSI
21 standards said that the approving authority
22 should take into consideration, with de minimis
23 exceptions, the availability of mass transit,
24 which is quite prevalent in this area. I think
25 that should be added for the record.

1 RICK RICCIARDI: I was going to get
2 into that for everyone's purpose. And I'll
3 explain now.

4 Here's the Schoolhouse Apartments.
5 Here's Disston. You've got --

6 The New Jersey Transit system runs
7 up through here. The New Jersey Transit bus
8 terminal, right here.

9 You've got the jitney service,
10 which runs right through here, up here like
11 this, up in this capacity here.

12 You've got the Atlantic City rail
13 terminal over here.

14 So, yes, both facilities are
15 located within a block to two blocks of a mass
16 transit-type system.

17 Also, you know, the systems such as
18 Uber, Lyft and so forth are readily available to
19 the residents.

20 EDWARD FOX: Sorry, Mr. Ricciardi.
21 I didn't want to rain on your --

22 RICK RICCIARDI: That's okay.

23 One other thing we want to bring up
24 are the improvements to parking.

25 LANCE LANDGRAF: And that exhibit,

1 Rick, that you were referring to, was A-1?

2 CLINT ALLEN: That is A-1 on the
3 board.

4 Mr. Ricciardi's pulling forward a
5 board. I can't read the label because he's
6 reading --

7 It may be A-4. It's on the other
8 side.

9 RICK RICCIARDI: This is the
10 parking alignment that was submitted with the
11 site plan application to the CRDA. And it had
12 four diagonal spaces along the rear of the
13 property, in this fashion like this. Our
14 engineers did a turning -- radius turn that
15 showed that vehicles could adequately enter and
16 exit the property with no problem.

17 We did speak with Mr. Reid about
18 coming up with a better solution, and he
19 suggested that we come up with this design,
20 which would provide four parallel spaces along
21 the rear of the property, like that in this
22 configuration.

23 What we had to do is this one was
24 designed as a handicapped space. These two
25 spaces here were 9-by-18 spaces, and this one

1 was a compact car space, because we just didn't
2 have enough room to fit four cars, as Mr. Reid
3 had suggested. But, we were still able to get
4 four cars back there.

5 The template shows the cars can
6 adequately come in here, parallel park and do a
7 necessary turn to exit without any kind of
8 encumbrance.

9 JEFFREY HANSON: I know one of the
10 comments in our letter and one of the concerns
11 Mr. Reid had was the proximity of the
12 ADA-accessible space to the entrance or possible
13 pedestrian/wheelchair/car conflicts there. So,
14 that's been relocated?

15 RICK RICCIARDI: Yes. It
16 originally was back here.

17 By standard, it's supposed to be
18 the space closest to the entrance. So, we moved
19 it to this location.

20 JEFFREY HANSON: And you believe
21 that'll eliminate those potential conflicts?

22 RICK RICCIARDI: It might. I'm
23 going to have to say it's a very tight
24 configuration there.

25 JEFFREY HANSON: But, it's in a

1 better spot than it was.

2 RICK RICCIARDI: Yes. I can't say
3 that it's perfect.

4 JEFFREY HANSON: But, you've
5 attempted to address the concern.

6 RICK RICCIARDI: You can see the
7 parking lot here. It runs in a linear
8 configuration here, but there's a little bit of
9 a bump-out. So, we would have the benefit of
10 cars entering here; that there's a little more
11 room to the westerly side, where there will be
12 some room to maneuver in without getting close
13 to the handicapped parking spot.

14 JEFFREY HANSON: Will there be some
15 kind of striped crosswalk if there may be a
16 disabled person crossing there?

17 RICK RICCIARDI: We don't show it,
18 but we can put it in there.

19 LANCE LANDGRAF: Won't they be
20 coming out to the sidewalk, though?

21 JEFFREY HANSON: They're going to
22 come out to the sidewalk there or traverse
23 through the parking lot?

24 RICK RICCIARDI: I think, the
25 sidewalk.

1 CLINT ALLEN: In all fairness, they
2 could go however they exit their vehicle. So,
3 we could actually show a crosswalk there so we
4 can demonstrate that we did everything we can to
5 provide safe ingress and egress.

6 LANCE LANDGRAF: Right across the
7 front of the entrance there. Once you get off
8 the apron, put it on the asphalt there.

9 RICK RICCIARDI: Yep. Exactly.

10 LANCE LANDGRAF: Thank you.

11 RICK RICCIARDI: That's a great
12 idea.

13 So, we're going to make it.

14 Thank you.

15 ROBERT REID: Excuse me. Does the
16 plan show a stop sign at that driveway exit?

17 RICK RICCIARDI: No, it does not,
18 Rob.

19 LANCE LANDGRAF: We should probably
20 add that there.

21 JEFFREY HANSON: I would add that,
22 as well.

23 CLINT ALLEN: The current, existing
24 conditions, if you've done a site inspection,
25 really are --

1 There's nothing there, really,
2 other than a busted chain link gate. We've
3 got --

4 Although it's a small pallet, we
5 still have a clean pallet to work with.

6 So, I agree. We need the R5 stop
7 sign. We need a crosswalk, obviously.

8 We're going to be examining the
9 condition of the paving, see what we've got. We
10 may have to do some filling. Obviously, we're
11 going to be doing some striping. We may have to
12 put some kind of sealer on it, too, make
13 everything match so the extra striping --

14 So, that's the kind of stuff we'd
15 like to work with your engineer on moving
16 forward, because we've been in a bit of a hurry.
17 This is not our finest work, but it's certainly
18 work. And we're trying to move forward. We'll
19 willingly work with your professionals.

20 EDWARD FOX: Is there a gate
21 between the two properties or can automobiles go
22 from one side to the other? Is there
23 cross-access easement?

24 CLINT ALLEN: We're going to talk
25 about this.

1 Excuse me, Mr. Ricciardi.

2 Mr. Fox, let me try to turn this so
3 you can see it.

4 EDWARD FOX: I can see it.

5 CLINT ALLEN: You're sure?

6 EDWARD FOX: Yes.

7 CLINT ALLEN: Okay. There's our
8 Schoolhouse Apartments property. And you can
9 see it's this side of the block.

10 This was a former 33-stall parking
11 area that was part of that '79 approval. This
12 is gated off, although you can see it was a
13 common parking facility, probably parking for
14 the school.

15 EDWARD FOX: Yes.

16 CLINT ALLEN: That's my best guess.

17 This is all blocked off on us. And
18 you can see where they are blocking off
19 entrances with wheel stops and stuff elsewhere
20 here. But, this is physically blocked off with
21 fencing.

22 EDWARD FOX: That's fine. Thank
23 you very much.

24 Also, the plan shows that the nine
25 parking spaces were half on this guy's property

1 and half on the other guy's property.

2 CLINT ALLEN: That's exactly right.
3 We've got the Charlie Brown shirt stripe here
4 and parking, as Mr. Fox described, where they
5 were pulling in and taking advantage of that.

6 ROBERT REID: That's how they fit
7 the nine spaces. You know, they just encroached
8 on the other property.

9 CLINT ALLEN: I got eight. I got
10 eight, if I counted right.

11 EDWARD FOX: This is all corrected.
12 And that's wonderful.

13 LANCE LANDGRAF: While it's not
14 ideal, it's a better design than what we had,
15 and I think it'll function and at least give you
16 some on-site parking.

17 CLINT ALLEN: That's the idea.

18 LANCE LANDGRAF: On-site
19 handicapped ADA-compliant, which will be nice.

20 CLINT ALLEN: That is, first and
21 foremost, the concern.

22 Beyond that, you may need a place
23 for craftsmen. When we do our construction,
24 they're going to be parking where they are, but
25 once we're through the renovations, there's

1 going to be a maintenance need at the same time.
2 That's just a fact of life. They may want to
3 park in here. That way, they can pull their
4 wares out of their vans and whatnot and walk in
5 and out.

6 The property manager may want to
7 slide in and out of here from time to time.
8 But, evening hours, weekends, they're going to
9 be for whoever needs them.

10 We also have some solid waste
11 requirements, too. So, we'll be having a
12 Dumpster in there somehow.

13 LANCE LANDGRAF: If you could show
14 that -- when you amend your plans, show us that.

15 CLINT ALLEN: Sure.

16 LANCE LANDGRAF: You'll have access
17 to it as well.

18 CLINT ALLEN: We were trying our
19 best to accommodate that and envision that.
20 That's about the only place we have to put a
21 solid waste container. We'll do better than
22 what's there now. I guarantee that.

23 LANCE LANDGRAF: Mr. Allen, what
24 you'll get from us, once the hearing is
25 concluded, is, actually, a copy of our

1 transcript. So, it will help you with your
2 notes. It helps me with mine.

3 CLINT ALLEN: I appreciate that.

4 We did the same thing when we
5 appeared before the city's planning board.
6 Because there was a lot of input. So, I would
7 appreciate that.

8 So, we've talked about detriments.
9 We've talked about local knowledge, ability to
10 use on-site parking to satisfy RSIS. In a
11 broader brush, any kind of bulk variance relief.

12 What kind of detriments do you see?

13 RICK RICCIARDI: We need the C(2)
14 variance, which, I think, the primary thing we
15 have to justify in that is the benefits outweigh
16 the detriments.

17 So, in terms of positives, I can
18 get into the special reasons cited under the
19 Municipal Land Use Law. I'll save you guys the
20 trouble of citing the language for each
21 particular section, but under section "A," which
22 deals with public health, safety, morals, and
23 general welfare, one of the, really, positives
24 of this project is what it's going to do to
25 address that.

1 There is some asbestos within the
2 buildings. Winn Development will remediate that
3 asbestos and improve that condition.

4 They will put in a new
5 sprinkler/fire alarm system for the residents of
6 that, making residents more aware. If there's a
7 potential fire, they can exit the building
8 safely.

9 There will also be a security
10 system that will be placed outside, with
11 lighting and so forth, to allow for safer
12 conditions.

13 So, that section "A" of the
14 Municipal Land Use Law, that's section 40-55D-2,
15 that would be satisfied.

16 We would satisfy "B," which deals
17 with safety from fire, flood, panic, and other
18 natural and man-made disasters. The fire alarm
19 and the sprinkler system would address section
20 "B."

21 We would address -- we would
22 satisfy section "F," which deals with
23 encouraging the appropriate and efficient
24 expenditures of funds by coordination of public
25 development with land use policies. Winn is

1 going to be spending in excess of \$80,000 per
2 unit to upgrade these units. It's in
3 partnership with the funding from the CRDA, as
4 well as some other federal and state entities
5 will be contributing. So, that's a great
6 partnership between all three agencies.

7 We will satisfy section "H," which
8 deals with location and design of transportation
9 routes. I previously cited the proximity of the
10 properties to the AC bus transit route, the
11 jitney routes, the bus terminal, rail service,
12 as well as Uber, Lyft and cabs and things of
13 that sort.

14 We satisfy section "J," which deals
15 with conservation of historic sites. This
16 property, as well as the Disston property, the
17 Liberty property, and now I'm finding out that
18 there's a number of other properties, are being
19 discussed with the New Jersey State Historic
20 Preservation Office for listing on the National
21 Register of Historic Places. The discussions
22 are revolving around even creating a historic
23 district, which would identify those areas. It
24 also allows for a certain amount of funding to
25 be obtained to upgrade the facade of these

1 buildings so that they will retain the historic
2 architectural nature that was there prior to
3 this becoming a little dated and in need of
4 repair.

5 And then we address section "N,"
6 which promotes utilization of energy --
7 renewable energy resources. As was stated,
8 we're going to have air-conditioning/heating
9 units. And all the units will be much more
10 efficient, thus reducing the carbon footprint,
11 as well as cost to the residents living in the
12 buildings.

13 CLINT ALLEN: Do we see any
14 detriments that that would accrue from what
15 we're proposing?

16 RICK RICCIARDI: In terms of the
17 negatives, no. I think, on the contrary, that
18 this is a plus.

19 This is a pre-existing
20 nonconforming use that's been there since 1979.
21 There's going to be no change to the footprint
22 of the building, no change to the number of
23 units. The, really, only change to that is the
24 fact that we're eliminating the two off-site
25 parking areas.

1 Our studies have shown that the
2 residents are not even using those areas, that
3 they're pretty much using the on-street parking,
4 primarily because it's convenient. It's much
5 easier to park right at your front door than to
6 walk to a parking lot a couple feet away. And
7 that seems to be the case.

8 This is an urban environment, where
9 pedestrian traffic is much more commonplace.
10 Car ownership is not as great.

11 It's also an affordable housing
12 development, where residents don't have the
13 means to purchase cars, maintain the cars and
14 have insurance. So, that justifies the lower
15 number of car ownership within the development.

16 It's consistent with the other
17 residential uses, and so forth.

18 So, I think, in terms of it being a
19 detriment to the neighborhood, I think it will
20 be a tremendous improvement, because, at the end
21 of the day, once these units are improved, they
22 will upgrade the quality of residential stock in
23 the area, thus increasing property values
24 compared to what they are today.

25 MR. ALLEN: Okay. Thank you, Mr.

1 Ricciardi.

2 RICK RICCIARDI: And then in terms
3 of satisfying the zoning ordinance and zoning
4 map, it meets a number of standards relative to
5 that.

6 It satisfies the Atlantic City
7 Master Plan, which I know is really not
8 pertinent here, but it will encourage
9 redevelopment and revitalization of existing
10 neighborhoods, encourage urban design, and
11 establish design criteria and performance
12 standards that improve the quality of
13 development within the city.

14 It promotes and reinforces the city
15 as a desirable residential location. And in
16 terms of the CRDA standards relative to that, I
17 know you cite a lot of the special reasons as
18 goals and objectives in your plan, but it
19 also -- in addition to that, it will guide
20 future residential and nonresidential growth in
21 a coordinated and managed approach.

22 It will continue to use practical
23 and flexible design controls in order to spur
24 market-friendly development.

25 It will provide the Tourism

1 District's fair share of low and moderate income
2 housing and improve the existing housing stock
3 through rehabilitation, as set forth by the
4 housing element and fair share plan.

5 And for the special reasons cited
6 above, we feel that it does meet the intent, the
7 goals and objectives to the CRDA Master Plan as
8 well as the Atlantic City Master Plan.

9 CLINT ALLEN: Okay. Great. Thank
10 you.

11 Any questions for Mr. Ricciardi?

12 LANCE LANDGRAF: Just one, really,
13 confirmation. I believe David might be the
14 appropriate person.

15 Historic tax, correct, on this as
16 well?

17 EDWARD GINSBERG: Yes.

18 LANCE LANDGRAF: So, part of the
19 funding for this project will come through
20 historic tax credits. So, that kind of
21 emphasizes the historic value of these two
22 properties within the City of Atlantic City.
23 So, with that aspect, I think it certainly meets
24 those and several of the others that Mr.
25 Ricciardi talked about. So, thank you.

1 CLINT ALLEN: That concludes our
2 case in chief. You have --

3 Your engineer has issued a review
4 letter. And we appreciate the promptness in
5 which --

6 LANCE LANDGRAF: We'll have him go
7 through that real quickly.

8 CLINT ALLEN: Absolutely. We did
9 our best to respond to him as timely as
10 possible.

11 And we have a written response that
12 was, unfortunately, not delivered to your
13 offices until now, but we did try to send them
14 electronically.

15 JEFFREY HANSON: We did receive
16 them last evening and did have a chance to
17 review them.

18 CLINT ALLEN: Great.

19 We also brought paper copies of our
20 response, as well as a copy to anyone who may
21 not have had a chance to download.

22 LANCE LANDGRAF: I think we all got
23 them last night. We're good. I had a chance to
24 review it yesterday evening. And, as always, a
25 detailed response, it's always appreciated.

1 CLINT ALLEN: Thank you. And we
2 appreciate your patience with us as we try to
3 communicate that to you.

4 SCOTT COLLINS: Let's mark that as
5 an exhibit as well, just because it deals with a
6 lot of the -- it resolves a lot of the issues.
7 So, we'll mark that A-9.

8 LANCE LANDGRAF: With that, I think
9 we'll go into Jeff and Ed's report.

10 JEFFREY HANSON: Thank you,
11 Mr. Landgraf.

12 LANCE LANDGRAF: Swear those guys
13 in.

14

15

16

17 G. JEFFREY HANSON, sworn.

18 EDWARD E. FOX, III, sworn.

19

20 SCOTT COLLINS: I'm sorry. I don't
21 know that we've done credentials for you before.
22 If you could just tell us a little bit about
23 your licenses.

24 JEFFREY HANSON: This is Ed Fox,
25 from our office. He's an AICP, here to provide

1 the planning testimony.

2 Considering that the bulk --
3 majority of this application involves planning
4 issues, I thought it would be appropriate to
5 have him here today.

6 LANCE LANDGRAF: Very much so.
7 Thank you, Ed.

8 EDWARD FOX: Thank you.

9 LANCE LANDGRAF: He's dealt with
10 the state.

11 EDWARD FOX: For about 25 years.

12 LANCE LANDGRAF: He is certainly
13 qualified to give us some recommendations here
14 today.

15 Get sworn in.

16 SCOTT COLLINS: I swore them.

17 EDWARD FOX: I'll just add that all
18 the planning issues that we had put -- that Jeff
19 had put in the letter have been addressed.
20 There are just some site plan issues to take
21 care of.

22 LANCE LANDGRAF: Good.

23 JEFFREY HANSON: Are you happy with
24 what has been provided?

25 EDWARD FOX: Yes.

1 I just want to add, the applicant
2 and his professionals have been very helpful in
3 an extremely confusing thing from 40 years ago.

4 It took me a couple hours to figure
5 out that the tax parcel numbers were changed,
6 which makes it very confusing. It's multiple
7 leases, multiple ownerships, lots of different
8 issues. So, it takes a little bit of time.
9 But, we figured it out. So, thank you very much
10 for all the information.

11 CLINT ALLEN: You're welcome. Call
12 us, because we've had a corps of transactional
13 real estate attorneys going through those issues
14 you raised, and it took them probably a week to
15 sort through those old tax block numbers versus
16 new.

17 JEFFREY HANSON: Is there anything
18 outstanding that they didn't cover in the
19 testimony, with exception to the three comments
20 I have in my site plan review?

21 We have a letter dated February
22 28th, 2019, for the record.

23 EDWARD FOX: The one question would
24 be, if the applicant would be able to address
25 the waste management issues at the Disston

1 Apartments, as well as the Schoolhouse
2 Apartments.

3 CLINT ALLEN: Absolutely.

4 EDWARD FOX: It's a tighter site.

5 JEFFREY HANSON: You guys did
6 indicate that you will have a trash enclosure
7 and appropriate receptacle at the Schoolhouse
8 Apartments, I believe, as part of your
9 testimony.

10 CLINT ALLEN: There will be. And
11 we'll also make sure --

12 There's a companion condition we'll
13 address as part of Disston, as well. Although
14 there's no parking on-site for Disston, but we
15 still need to be mindful of our solid waste
16 obligations.

17 JEFFREY HANSON: Thank you.

18 On page nine of our letter, I think
19 we already did cover comment number one under
20 the site plan review, which dealt with the
21 ADA-accessible spaces. And you're going to
22 provide the striping, signage and the space in a
23 relocated -- somewhat relocated location --

24 CLINT ALLEN: Right.

25 JEFFREY HANSON: -- to try to avoid

1 the potential pedestrian conflicts with motor
2 vehicles.

3 And the response letter that we
4 received last evening from the applicant's
5 attorney indicated that they will provide the
6 two tidal -- land tidal surveys that have the
7 most recent FEMA mapping information on them as
8 a condition of any approval that might be
9 granted.

10 CLINT ALLEN: Sure.

11 JEFFREY HANSON: As far as our
12 letter goes, I think everything else has been
13 addressed, as Ed alluded to, unless there are
14 any specific comments or concerns from the board
15 or from the applicant or public at this time.

16 LANCE LANDGRAF: Just that, the
17 list of waivers that you went through in your
18 letter and their response, I think you agreed
19 with all those waivers?

20 JEFFREY HANSON: We did.

21 LANCE LANDGRAF: Most of them
22 were --

23 JEFFREY HANSON: Or we asked for
24 supplemental information be provided to justify
25 them.

1 And what's been provided to us,
2 that will be provided, has been provided by
3 testimony. They've addressed all of those
4 comments, unless I'm missing anything.

5 Ed?

6 EDWARD FOX: No. They've addressed
7 them all.

8 LANCE LANDGRAF: I'm not going to
9 go through each one of them. Landscaping,
10 lighting plan, those things are not necessary
11 because this isn't a formal site plan, really.

12 JEFFREY HANSON: It's a site plan
13 waiver.

14 They submitted a checklist anyway.
15 So, obviously, if you have a site plan waiver,
16 you're going to be requesting a lot of
17 submission waivers.

18 And there aren't a ton -- very many
19 exterior improvements. The bulk of the work
20 here is interior renovation of the actual
21 apartments, from what I understand, --

22 CLINT ALLEN: Right.

23 JEFFREY HANSON: -- from what's
24 been submitted.

25 LANCE LANDGRAF: So, we'll accept

1 those in as B-1, you said, Scott?

2 SCOTT COLLINS: Yeah.

3 LANCE LANDGRAF: Anything from your
4 end, Rob?

5 ROBERT REID: I'm good. Thank you.

6 LANCE LANDGRAF: I'll open up the
7 hearing to public comments.

8 Anyone here wishing to speak,
9 please come forward. State your name and the --
10 Councilman Shabazz.

11 COUNCILMAN KALEEM SHABAZZ: I'm
12 city Councilman Kaleem Shabazz, for the third
13 ward, of which this project is residing in.

14 I wrote a couple things down
15 because I wanted to make sure --

16 First of all, Mr. Landgraf, thank
17 you for allowing me to speak, and gentlemen who
18 are on the dais.

19 I wrote a couple points down
20 because I wanted to make sure I'm very clear for
21 the record.

22 I think this is a very, very
23 important project for the third ward, which, as
24 I said, the project resides in, but also, for
25 the City of Atlantic City.

1 Because of the number of units --
2 it's 152 units. And I can say, without
3 hyperbole, that the number of complaints that we
4 have received just since the four years I've
5 been on council in each one of these properties
6 is exceedingly high.

7 What the applicant has suggested
8 that they're going to do would be a substantial
9 upgrade to the quality of life for the residents
10 in these three properties. Not only there, but
11 also, into the neighborhood that they're in.

12 I can also tell you that the
13 Liberty project that they are talking about
14 doing, that upgrade will coincide with a church
15 in our area that's building five tiny houses on
16 the lots between it. So, we already are
17 starting to get an upgrade.

18 Again, I can say, without
19 hyperbole, that the approval of this project
20 will substantially increase the quality of life
21 of the people living there and the neighborhood
22 that is surrounding it and, hopefully, will spur
23 more development.

24 I can tell you that the city
25 council did a unanimous resolution of support

1 for this project.

2 I can tell you, as Mr. Allen
3 indicated in his testimony, that it passed the
4 planning board, but I should tell you that that
5 planning board vote was unanimous.

6 I normally don't speak for my
7 council colleagues, but I can say that they are
8 in unanimous support.

9 And also, the administration of the
10 City of Atlantic City. And I say that because
11 the mayor is also a member of the planning
12 board, and he also voted in the affirmative.

13 So, the council, the
14 administration, the planning board are totally
15 in support of this project.

16 And, finally, let me just say that
17 I believe that, hopefully, with the credibility
18 of this firm --

19 And I reached out to my colleague
20 in Bridgeton who's on the city council and also
21 happens to be with the Gateway development,
22 which is a -- not a nursing -- but a preschool.

23 RICK RICCIARDI: Head Start.

24 COUNCILMAN KALEEM SHABAZZ: Head
25 Start. Thank you.

1 They have an agreement with Gateway
2 to provide social services.

3 So, this is a complete project, a
4 very good project, and I would encourage you to
5 support this project.

6 Thank you so much.

7 LANCE LANDGRAF: Thank you,
8 Councilman. Thanks for coming out today.

9 Anyone else in the public wish to
10 speak?

11 JEFFREY HANSON: We're familiar
12 with the Gateway program. It's a wonderful
13 thing.

14 LANCE LANDGRAF: They have a new
15 building here that's been open two years. It's
16 a good program.

17 And I've had some experience with
18 WinnCompanies and the Bridgeton project as well,
19 and it's a positive for that community. And we
20 hope to see it happen here, as well.

21 With that, if there's no one else
22 wanting to speak from the public, I'll close the
23 public portion and bring it back to the dais.

24 Anyone else, further comments?

25 Mr. Allen, anything in closing?

1 CLINT ALLEN: No, other than to
2 express gratitude for this body having us in
3 today. I felt that we've been given more than
4 our fair share of cooperation and patience by
5 this body and its professionals.

6 We presented our case in chief. We
7 hope you'll accept our proofs for granting the
8 relief we've requested, both the site plan
9 approval, but, also, the de minimis exception
10 relief, and the bulk relief necessary for the
11 parking.

12 That said, unless there's questions
13 for us, we ask this board to move all of our
14 testimony, our submissions, applications into
15 your record. And also, we would ask that you
16 act favorably upon our request for approval.

17 LANCE LANDGRAF: Okay. Thank you,
18 Clint.

19 And it's your first time in front
20 of us. We're a recommending board, I'll say.
21 So, what'll happen over the next few weeks is
22 myself and Mr. Collins and Mr. Reid will prepare
23 what's called a hearing officer report. We'll
24 submit that to our full board. I know we were
25 looking to get it on for March. I don't think

1 that's going to happen, David. I apologize for
2 that. It's going to be the April meeting,
3 which, I think, coincides with your other
4 application pending before us as well. So, I
5 think they'll both be on for April. So, we'll
6 probably act on both of them at the same time.

7 So, we will provide that hearing
8 officer report to you in draft form, before it's
9 adopted, Mr. Allen, --

10 CLINT ALLEN: Okay.

11 LANCE LANDGRAF: -- to make sure
12 we're all on the same page.

13 So, that gets put into a
14 resolution. A little differently here, but we
15 get to the same result.

16 CLINT ALLEN: To me, right now, a
17 referral is an approval, as long as it's
18 favorable. You'll find that I take small steps.
19 And that's certainly how I see that.

20 So, I appreciate that and thank you
21 for the advisement.

22 LANCE LANDGRAF: So, there's
23 nothing else from your side, nothing else from
24 ours. I'll close the hearing at this point.

25 For the benefit of the public, our

1 next scheduled land use hearing is March 21st,
2 at 10 A.M.

3 This meeting and all future
4 meetings will be held at Atlantic City City Hall
5 council chambers.

6 We'll make every effort to get
7 today's items on the April 16th board meeting,
8 for action.

9 And with no other public comment,
10 we'll close the meeting.

11 Thank you.

12

13 (This public hearing concluded at
14 10:51 A.M.)

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A			B
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