

1 CASINO REINVESTMENT DEVELOPMENT AUTHORITY
2 LAND USE REGULATION ENFORCEMENT DIVISION

3
4 APPLICATION NO: 2025-01-3770

5 REALTY MANAGEMENT SERVICES, INC.
6 215 SOUTH TENNESSEE AVENUE
7 USE VARIANCE/SITE PLAN FOR SFD WITH COMMERCIAL ON
8 GROUND FLOOR.

9
10 APPLICANT SEEKS A USE VARIANCE FOR A
11 SINGLE-FAMILY DWELLING WITH COMMERCIAL ON THE FIRST
12 FLOOR AND SITE PLAN APPROVAL.

13 THE PROPERTY IS LOCATED AT 215 SOUTH
14 TENNESSEE AVENUE, ALSO KNOWN AS BLOCK 54, LOT 27 ON
15 THE TAX MAP FOR THE CITY OF ATLANTIC CITY, LOCATED
16 WITHIN THE RESORT COMMERCIAL DISTRICT (RC).

17
18 THURSDAY, FEBRUARY 20, 2025
19 10:09 A.M.

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21
22 CSR COURT REPORTING SERVICES, LLC
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1 Public Hearing in the above-referenced matter
2 conducted at the CASINO REINVESTMENT DEVELOPMENT
3 AUTHORITY, 15 South Pennsylvania Avenue, Atlantic
4 City, New Jersey, taken before Michelle Gruendel, a
5 Certified Court Reporter and Notary Public of the
6 State of New Jersey, on Thursday, February 20,
7 2025, commencing at 10:09 a.m.

8
9 A P P E A R A N C E S:

10 CASINO REINVESTMENT DEVELOPMENT AUTHORITY:

11 LANCE D. LANDGRAF, JUNIOR
12 CHAIRMAN
13 DIRECTOR, PLANNING DEPARTMENT

14 ROBERT L. REID
15 LAND USE ENFORCEMENT OFFICER

16 PROFESSIONALS TO THE BOARD:

17 SCOTT G. COLLINS, ESQ.
18 RIKER DANZIG

19 G. JEFFREY HANSON, PE
20 ENVIRONMENTAL RESOLUTIONS, INC.

21 COUNSEL FOR THE APPLICANT:

22 NICHOLAS F. TALVACCHIA, ESQ.
23 COOPER LEVENSON
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APPLICANT

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APPLICATION NO: 2025-01-3770
REALTY MANAGEMENT SERVICES, INC.
215 SOUTH TENNESSEE AVENUE

BY MR. TALVACCHIA

4

EXHIBITS MARKED AND/OR REFERRED TO:

A-1, A-2, B-1, B-2

1 [COURT REPORTER'S NOTE: THE FOLLOWING
2 TRANSCRIPT WAS PRODUCED FROM THE
3 AUDIO/VIDEO TAKEN BY THE VIDEOGRAPHER
4 PRESENT AT THE HEARING.]

5 LANCE LANDGRAF: All right. Our next
6 application is Application 2025-01-3770, Realty
7 Management Services, Inc., 2015 South Tennessee
8 Avenue. It's a use variance and site plan for
9 single-family dwelling with commercial on the
10 ground floor. The applicant seeks to use a
11 variance -- a use variance for a single-family
12 dwelling with commercial on the first floor and
13 site plan approval.

14 The property is located at 2015 South
15 Tennessee Avenue, which is known as Block 54, Lot
16 27. It's located in the Resort Commercial
17 District.

18 Rob, we have proper notice here?

19 ROBERT REID: Yes. I reviewed the proof
20 of service provided by the applicant and we do have
21 jurisdiction to hear this application.

22 LANCE LANDGRAF: Great.

23 Want to swear in Jeffrey?

24 G. JEFFREY HANSON, PE, having been first duly sworn
25 according to law, testified as follows:

1 SCOTT COLLINS: We'll recognize --

2 LANCE LANDGRAF: Yes. As a professional
3 engineer, not a planner.

4 G. JEFFREY HANSON: Not a planner.

5 LANCE LANDGRAF: Okay. Just
6 professional engineering.

7 G. JEFFREY HANSON: Not yet.

8 LANCE LANDGRAF: Not yet. Working on
9 it?

10 G. JEFFREY HANSON: I'm approved to take
11 the exam.

12 LANCE LANDGRAF: All right.

13 G. JEFFREY HANSON: So we're getting
14 there.

15 LANCE LANDGRAF: Review for
16 completeness, we're good on completeness?

17 G. JEFFREY HANSON: Yes. We issued a
18 letter dated January 29th, 2025 recommending -- or
19 having no objection to the application being deemed
20 complete.

21 LANCE LANDGRAF: Do you want to mark
22 that one as B-1 and then we'll do his review as
23 B-2?

24 SCOTT COLLINS: Okay. Yeah.

25 LANCE LANDGRAF: We'll do that.

1 SCOTT COLLINS: So B-1 is the
2 completeness --

3 LANCE LANDGRAF: Completeness --

4 SCOTT COLLINS: -- letter dated --

5 LANCE LANDGRAF: -- yup. What is that
6 dated again?

7 G. JEFFREY HANSON: January 29th, 2025,
8 I believe, yes.

9 LANCE LANDGRAF: Okay. Mr. Talvacchia,
10 it's your --

11 NICHOLAS TALVACCHIA: Good morning
12 again. Nick Talvacchia on behalf of the applicant,
13 Realty Management Services, Inc.

14 With me today is Mr. Collazzo, who is
15 the developer here, the applicant, and Mr. Sciullo
16 again.

17 LANCE LANDGRAF: Welcome back, Mark.

18 NICHOLAS TALVACCHIA: And this is --
19 this is in the Orange Loop. It is another
20 continuation in the efforts by Mr. Collazzo to
21 revitalize that street. So, you know, as you know,
22 there's Beer Hall, there's more recently approved
23 container park, which is proceeding, and other
24 things that he has done in this street, which has
25 been tremendous for kind of making -- putting

1 Tennessee Avenue back on the map for many people.

2 I'd like to just bring Mr. Collazzo up
3 for a moment to talk about this project and kind of
4 show how this ties into the rest of the Orange Loop
5 development that Mr. Collazzo's pursuing.

6 Mr. Collazzo, if you could be sworn.

7 MARK COLLAZZO: Sure.

8 SCOTT COLLINS: Good morning.

9 MARK COLLAZZO, having been first duly sworn
10 according to law, testified as follows:

11 SCOTT COLLINS: Thank you.

12 NICHOLAS TALVACCHIA: Mr. Collazzo,
13 thank you for coming.

14 MARK COLLAZZO: Yeah.

15 NICHOLAS TALVACCHIA: Before you get to
16 this project, talk about what else is going on.

17 MARK COLLAZZO: So hopefully, if the
18 board grants us approval on this, we plan on
19 working on three projects this year within the
20 Tennessee Avenue, the shipping container retail
21 park, which you guys offer -- approved a few months
22 back. We're actually just waiting for our building
23 permit. Our plans are in, so we're moving full
24 steam ahead with that. We recently purchased the
25 Endicott, which is that white building next door in

1 this picture, and the board also previously
2 approved that for 12 apartments and commercial. So
3 I've been speaking to Rob about making some minor
4 changes to that approval, but we plan on working on
5 that project, as well, in 2025 and then this
6 project, which will be mixed use. It will be
7 residential above with commercial below. We plan
8 on operating the residential part as a short-term
9 rental. My company has a lot of experience with
10 short-term rentals and we think this would be -- do
11 very well in the market and bring a lot of people
12 to Tennessee Avenue and the Orange Loop, so
13 that's -- that's the plan. We kind of have a very
14 unique Monopoly-themed design.

15 LANCE LANDGRAF: As we can see.

16 MARK COLLAZZO: Yeah.

17 NICHOLAS TALVACCHIA: So --

18 MARK COLLAZZO: So I'm happy to answer
19 any questions you may have about this or the other
20 projects.

21 LANCE LANDGRAF: No. I think, you know,
22 what you've started there with the other members of
23 that group that have changed the Orange Loop --

24 MARK COLLAZZO: Yeah.

25 LANCE LANDGRAF: -- for the -- only for

1 the positive, so we look forward to seeing what you
2 got -- what you're doing with The Top Hat.

3 MARK COLLAZZO: Great.

4 NICHOLAS TALVACCHIA: Thank you.

5 MARK COLLAZZO: All right.

6 NICHOLAS TALVACCHIA: Mr. Sciullo, just
7 for the record, I'll offer him again as an expert
8 in planning and engineering.

9 LANCE LANDGRAF: Yup. He's already
10 sworn in. He's an expert in planning and
11 engineering fields.

12 NICHOLAS TALVACCHIA: Thank you.

13 JASON SCIULLO: Thank you.

14 JASON SCIULLO, PE, PP, having been previously
15 sworn, testified as follows:

16 NICHOLAS TALVACCHIA: Mr. Sciullo, can
17 you -- so just for the record, this is a use
18 variance application, because while residential is
19 permitted in this zone, it's only mid-rise and
20 high-rise residential. This is neither, so -- but
21 the board has granted use variance for another
22 project nearby for townhomes. This zone does not
23 permit this type of use, but this is an ideal
24 infill use at this location. There's just,
25 frankly, not enough real estate to build a mid-rise

1 or a high-rise in this area. It needs site plan
2 approval. There are variances for setbacks given
3 the size of the lot, but we think it all works. We
4 think it fits well within the fabric of an urban
5 environment, especially where you're doing infill
6 redevelopment, which is exactly what Mr. Collazzo
7 has been doing. He's been buying these buildings,
8 renovating them, such as the Beer Hall and the
9 buildings next door.

10 So with that, Jay, if you could start
11 talking about the project and then the relief that
12 we require specifically.

13 JASON SCIULLO: Sure.

14 So the rendering that's on the screen
15 now was prepared by the architecture group that's
16 in the project. I don't know that it was part of
17 one of the submission documents but I guess --

18 LANCE LANDGRAF: The color was not. So
19 we'll mark this as A-2, color rendering?

20 SCOTT COLLINS: Yeah. Do we have A-1?

21 JASON SCIULLO: A-1 will be what we
22 submitted as part of the application, of which
23 there are two documents that I'm gonna present.
24 There are site plans that we prepared and the
25 architectural floor plans by the architect.

1 NICHOLAS TALVACCHIA: That were
2 submitted --

3 JASON SCIULLO: They were all part --

4 NICHOLAS TALVACCHIA: -- right?

5 JASON SCIULLO: -- of the submission.

6 NICHOLAS TALVACCHIA: This was not part
7 of the original package.

8 SCOTT COLLINS: Okay.

9 NICHOLAS TALVACCHIA: Okay.

10 JASON SCIULLO: So I'm gonna switch over
11 to --

12 NICHOLAS TALVACCHIA: Jay, before I
13 forget, I just want to mention, we're gonna need
14 some licenses from the city. I already met with
15 the planning and development subcommittee. They
16 were ready to put it on yesterday's agenda but
17 we -- we have to refine the exact degree of
18 projection, but that's in the works, so we will
19 need a --

20 LANCE LANDGRAF: Looks like it's for
21 that one projecting window and --

22 NICHOLAS TALVACCHIA: And also the sign.

23 LANCE LANDGRAF: Okay.

24 NICHOLAS TALVACCHIA: Yeah. So three
25 projections, but they were all on board, happy to

1 see it, so -- go ahead, Jay.

2 JASON SCIULLO: Okay. So you heard Mark
3 mention generally where it is so I'm gonna -- if
4 it's all right, I'll pull up a Google aerial, but
5 it's on Tennessee Avenue, on the beach block, the
6 east side of the block directly adjacent to what
7 you heard Mark call the Endicott Hotel. So the
8 structure that is proposed is new. The existing
9 condition is just a paved parking lot, but the
10 prior condition of the property, it was developed
11 with a residential building that I'm gonna pull up
12 a photo of shortly here but -- so we see kind of
13 where the building is there. That's the site
14 location. We have the Endicott next to us, it's
15 Ocean Avenue behind us, Tennessee Avenue along our
16 frontage, and directly opposite -- or almost
17 directly opposite, a little bit catty-corner is a
18 parking lot that we use to call the bus lot.
19 That's across from the old Irish Pub side. That's
20 been redeveloped as a surface -- actually, a car
21 parking lot that's also owned by Mr. Collazzo.
22 That was approved through CLUC in, I think it was
23 '21. It's operational and available. So this is
24 right down the street from the Beer Hall, which is
25 just to the north of us here, and directly adjacent

1 to it is a parcel owned by Resorts and then former
2 Pic-A-Lilli, now King's Pub. The former building
3 that was on the site -- which I don't know if
4 anyone's seen this. Mark, I don't know when
5 this -- the date of this would be but --

6 MARK COLLAZZO: The picture was probably
7 the '80s. You could tell by that van.

8 LANCE LANDGRAF: Yeah. Right. That's
9 an Astro van.

10 MARK COLLAZZO: Yeah.

11 JASON SCIULLO: And a K-car, it looks
12 like, too.

13 So the Endicott is this brick building
14 here, most of which still looks similar today, and
15 then this building here, which was on the parcel
16 that we're developing, was demoed around 2000. Mr.
17 Reid had done some research of the history of the
18 lot that he forwarded through some Atlas review and
19 it looks like, dating back to, like, the 1920s or
20 so it was called The Boarding House under the name,
21 I think it was Reissler (phonetic) or Ressler
22 (phonetic), something like that. That development,
23 though, that parcel, you could see that building,
24 excuse me, is about four stories. It had a ground
25 floor, looks like a retail component of some sort

1 by that window there and residential above and it
2 generally matched the facade of the Endicott. It
3 filled the lot. The same, more or less, setbacks
4 that we propose now, 0 in the front, 0 on the sides
5 and about 5 feet in the rear, all of which is
6 contributed -- or attributed to, excuse me, the
7 size of this lot. It's way undersized relative to
8 what the CRDA rules require. I'll give you the
9 specifics of that, but the relief that we seek is
10 really just because of that lot size.

11 So the proposed building -- let me go
12 back to the rendering. The proposed building is
13 mixed use, as mentioned. The ground floor, most of
14 the ground floor, which will be generally the left
15 side of this dividing line here, will be retail and
16 then the two floors above will be one residential
17 unit of six bedrooms. The access to that
18 residential unit is this door here, on the right
19 side, the beach side of the facade, which is set
20 back slightly from the rest of it. Inside that
21 tower generally is the stairwell and the elevator.
22 On the ground floor -- I'll go into the
23 architectural plans. Not quite as glamorous, but
24 you can see that on the first floor we have that
25 retail space that I mentioned, which goes from that

1 line that was on the beach side, and all this area
2 here, which is also contributing to the height of
3 the structure here, this stairwell and elevator.
4 And then when you get to the second floor you can
5 see that it starts to open up and it has a couple
6 bedrooms on that floor, the living space, and then
7 the third floor also has all bedrooms. The roof
8 area is accessible and will be available for, you
9 know, a roof deck area. The front of the building,
10 which is shown on the roof here, was that
11 architectural fenestration of The Top Hat. So in
12 the application we call it Monopoly House because
13 it was -- you know, but the actual name of the
14 development is gonna be The Top Hat. It has
15 obviously some historical significance tied in with
16 the board game Monopoly, between the hat and the
17 car that's this -- it's called a sign, but that
18 projection on the building there. This is all
19 purposeful themed approach to this. Give it a
20 unique character and hopefully draw some -- some
21 visitors because of it. For some of the other
22 layout information, the ground floor, excuse me,
23 has that retail component that I mentioned.
24 There's a storage room in the back corner of that
25 retail component for trash. The residential trash

1 storage is also inside behind the elevator shaft.
2 It will be taken out through the front. This
3 building is to the lot lines on the sides and the
4 front so the rear yard -- 5 feet deep rear yard is
5 not accessible to the street. So those rear doors
6 are there really just to get out to that small
7 space, but the connection to the street will be
8 fully from the front of the building to Tennessee
9 Avenue. So the trash will come out that way. The
10 egress is on that side. Access to the building is
11 on that side.

12 G. JEFFREY HANSON: So these totes will
13 come out to Tennessee?

14 JASON SCIULLO: The totes will, yes.

15 G. JEFFREY HANSON: Okay.

16 JASON SCIULLO: Yeah. So the
17 residential portion of it gets picked up by the
18 city. The commercial component will be picked up
19 by a private hauler.

20 G. JEFFREY HANSON: Private hauler,
21 okay.

22 JASON SCIULLO: Pulled -- pull it out on
23 the same day, and it's going to be very little
24 waste. It's a really small space, 1,300 and change
25 square feet. It will just be domestic waste from a

1 retail operation.

2 In addition to the requested minor site
3 plan approval, Nick mentioned there's multiple bulk
4 variances. I mention this mostly because of the
5 size of the lot, but for the use variance portion
6 of it, just to frame it properly, mixed use
7 buildings are permitted, as you know. Multi-family
8 is also permitted. Multi-family is defined in the
9 code as three units or more. So what we have here
10 is one unit, so technically it is noncompliant with
11 that use standard so we need a D(1) use variance,
12 but it's for a residential component that's less
13 than -- (Technical interruption.
14 Unintelligible.) -- than what would be permitted by
15 the regulation, so it's not a negative in the
16 aspect of the use request. It's contemplated.
17 It's anticipated. It's encouraged. It's just -- I
18 guess because of the size of the lot, we can't fit
19 more to make it fully compliant.

20 The -- the specific relief is listed in
21 Jeff's letter, but there are nine variances.

22 G. JEFFREY HANSON: I think there's
23 actually -- we've got 10 because there's two --
24 both side yards, Jay. There's nine listed but --

25 JASON SCIULLO: Well, yeah. So I'll say

1 there's nine related so -- okay. We'll call it 10
2 bulk variances and then a parking variance.

3 All right. So we mentioned a D(1) use
4 variance from 19:66-510A(1) (i) for a mixed use
5 building with only one residential unit, and then
6 through the bulk standards sections, under (iv) 2
7 through 5 and 7 it's gonna be minimum lot area,
8 where 7,500 square feet is required, 1,750 square
9 feet exists. Minimum lot depth of 150 feet
10 required, only 50 feet exists. Minimum lot width,
11 50 feet is required, 35 feet exists. Frontage of
12 50 feet required, 35 feet exists. From item 7 in
13 that section, maximum permitted lot coverage is
14 80 percent, 100 percent exists and is proposed.
15 And then setback relief for minimum front yard of
16 20 feet required where buildings are greater than
17 35 feet in height, 0 feet is proposed, and I'll get
18 into the specifics of that. It's not for the
19 entire building. Side yard setback is supposed to
20 be 20 feet if the building is 35 or more in height.
21 We're requesting 0 feet, and that's really, Jeff,
22 only on the beach side, which I'll explain.

23 G. JEFFREY HANSON: Okay.

24 JASON SCIULLO: And then we're also
25 requesting relief for parking. I mentioned that

1 that existing building that was on the site was a
2 rooming house -- excuse me -- boarding house. We
3 don't know how many units were in it and how they
4 were actually divided up by way of apartments
5 versus single rooms or whatever. So just for the
6 sake of conversation or the purpose of the
7 application, we'll go conservative and say two
8 units, at least. Each of those units will require
9 probably two parking spaces, maybe more, so the
10 grandfathered shortfall of four parking spaces.
11 The residential component of this use that we
12 propose requires three parking spaces, so the
13 residential component of parking is -- is less than
14 what is the grandfathered shortfall of residential
15 parking. So in my view we're really only
16 requesting relief to permit the commercial
17 development to have off-site parking, which is
18 permitted in the regulations, but not to actually
19 encumber any ground to provide those three and a
20 half to four spaces that are required on
21 regulation. And again, we'll -- we have the
22 additional one space grandfathered shortfall beyond
23 the residential. So really, the relief we need is
24 three parking spaces off site to not be encumbered
25 specifically with a piece of ground. We have the

1 parking lot across the street that we mentioned
2 that's controlled by Mr. Collazzo. When we
3 submitted the application for CLUC we all
4 recognized it's probably not the highest and best
5 use of that parcel, but it was a parking lot. We
6 just reconfigured it. We don't want to encumber
7 any ground and make sure that in the future we have
8 the ability to redevelop these lots properly. The
9 only reason this works, in my view, and being, you
10 know, a landowner in the Orange Loop and being
11 there every day, we don't have a parking problem.
12 We welcome one. We're looking for that. When the
13 redevelopment process, as Mark's continuing,
14 continues to gain success, maybe we will have a
15 parking shortfall to deal with, but there are a lot
16 of surface lots around the area, as you know. We
17 control a lot of them, or Mark does. We don't
18 anticipate any issues with granting that type of
19 relief so we respectfully request it.

20 For the use variance itself, as you
21 know, this -- the Authority's authorized to grant
22 this use variance in particular cases and for
23 special reasons. Special reasons aren't
24 specifically defined in the rule, but it's been
25 broadly interpreted to mean reasons which advance

1 the purposes of the Land Use Law and in use
2 variance cases through a court case called Medici
3 there are -- well, two of them, actually, two
4 different cases, but there are really three ways
5 that use variances can be approved. One, if it's
6 an inherently beneficial use, which this is not.
7 For the second version of it would be if there's a
8 hardship that can't be overcome. You don't have
9 that, either. And the third one, which is what we
10 mostly use, is where the use would serve the
11 general welfare because the site is particularly
12 suitable. In addition to that positive criteria,
13 we have to also demonstrate the negative criteria,
14 which is two prongs, for showing that the --
15 there's no substantial detriment to the public good
16 and that the purpose and intent of the zone plan or
17 zoning ordinance is not impaired. So for the
18 positive criteria, again, the site is particularly
19 suitable for this use. As I mentioned, the use is
20 permitted. It's contemplated. It's just the form
21 of it is less intense than we --

22 NICHOLAS TALVACCHIA: Residential is
23 permitted and mixed use is permitted.

24 JASON SCIULLO: Every -- every part of
25 this, yes, mixed use and residential, of which, you

1 know, mixed use is residential, commercial
2 combined. So we are requesting relief because we
3 don't have more than three -- three or more units,
4 we only had one, so that's actually the specific
5 relief that's requested. This section in the city,
6 when you look at the aerial photos, was littered
7 with small buildings. All the lots still remain.
8 Most of the relief that's requested related to the
9 bulk sections of the code are because of the
10 undersized nature of that lot. We have these same
11 size lots on Tennessee Avenue, on Ocean Avenue and
12 this entire block. A lot of them started out as
13 single-family homes, got converted over time to
14 rooming houses, got demolished, got picked back up,
15 whatever. In the end, what existed here
16 historically and what we propose are very similar,
17 in that they're small mixed use buildings. They
18 still exist going down towards Pacific Avenue.
19 Mark owns a good bit of them between the Beer Hall
20 and the strip that's there. On the opposite side
21 of the road from this there are buildings that are
22 taller than this that have more units in them, have
23 no parking. What we propose is -- we very well
24 know the fabric of this neighborhood and that it's
25 not intense, it doesn't overwhelm the lot and we

1 have parking adequate to support it. The building
2 that's directly adjacent, as mentioned, is taller
3 than this, fills the entire lot, has no parking.
4 The entirety of the block, the entire depth of the
5 block between Tennessee and Ocean Avenue doesn't
6 meet the standard. Even if you combine all the
7 lots around us, we wouldn't be able to get to the
8 minimum lot size or minimum lot depth. The --
9 those existing conditions create a hardship for a
10 development of this lot completely compliant with
11 the CRDA Land Use Rules, between the setbacks and
12 the intensity we can fit. So for the lot area, lot
13 width, frontage and coverage, they're all existing
14 nonconforming conditions. They're not being
15 changed as a result of this application. It would
16 be a hardship to try to change it and become
17 compliant. The RC Zone standards weren't created
18 to address these small lots. I mentioned that the
19 entirety of the depth between Tennessee Avenue and
20 Ocean Avenue is 150 feet, so we couldn't meet that
21 standard even if we fully intended to and bought
22 every lot adjacent to us. And then for the lot
23 width and frontage, we don't have any land
24 available on either side of us that can be combined
25 with this that would meet that standard. Resorts

1 owns the piece on the side next to us. Mark bought
2 the Endicott, which is its own separate parcel. It
3 has an existing building that we wouldn't want to
4 demolish. It's gonna be renovated. So we feel
5 it's a hardship to try to meet those standards.

6 Now, for the building height, I'm gonna
7 try not to complicate this but I'm gonna go back to
8 the -- actually, I can go to the elevations on this
9 plan. Would be a little easier. All right. So
10 stick with this view here. This is the front of
11 the building facing Tennessee Avenue and this is
12 the beach side elevation here. So the height of
13 the structure for the majority of the building,
14 which is the portion that's the residential unit
15 and the ground floor retail outside of the
16 stairwell, that is from finished floor 35.67 feet,
17 so it's just a touch over what's permitted, but
18 just to be clear and remind you that building
19 height isn't measured from ground. It's measured
20 from flood hazard elevation. So when you do that
21 math, the first floor elevation is 6.84, so we
22 knock a little over 3 feet off the heights from
23 ground to get to this. So the building -- the
24 majority of the building, by definition, this
25 portion here, this is 32.51 feet in building

1 height. So on this left side here we're compliant.
2 On the right side we're still over because the
3 elevator shaft, or the elevator tower, the lower
4 part of this section here -- I'm sorry, the stair
5 tower is at 38.8 feet and then this upper parapet
6 is at 43.17, so they are over the permitted
7 building height within 20 feet of the lot line and
8 they are for roof access and the elevator parapet.
9 We also don't want to leave out that The Top Hat,
10 the architectural fenestration that's on top of the
11 building, is also above that and that ends up
12 being -- what is it -- 46, so that would be
13 43 feet. Excuse me. So let me get clear the
14 purpose of this part of the conversation is that
15 the entire building isn't just a big box over
16 what's permitted in height. It's got appeal. It's
17 got architectural fenestrations to make it not look
18 like a box. It doesn't overwhelm the road. Every
19 building all around us is taller than this, so the
20 relief, I think, is reasonable based on that. It's
21 basically designed to meet the intent of the height
22 requirements with just really these mechanical
23 features and the architectural -- the architectural
24 hat on top.

25 Lastly, the rear setback relief

1 requested to grant 5 feet in lieu of 20 feet being
2 required and that 20 feet requirement from rear
3 yard is independent of building height, so we could
4 have 35 foot high building at 20 feet or a 300 foot
5 building at 20 feet and still be compliant with the
6 code. We request 5 feet for that rear yard, which
7 is similar to what was there historically, and it
8 also makes it so that we can develop this lot
9 efficiently. If we were to respect that 20 foot
10 rear setback, the building depth would only be 20
11 feet -- or 30 feet, excuse me, which is a difficult
12 depth to make work for anything, especially retail,
13 and obviously residential, we'd lose a lot of
14 square footage. So we feel it's a better planning
15 alternative to allow that setback relief rather
16 than try to squish this a little tighter and go up.
17 And, of course, I mentioned it's not out of
18 character with the development patterns in the
19 area. It's smaller than the neighboring buildings,
20 which when you go back to this one, you can see
21 this is a pretty accurate rendering of how high the
22 Endicott building is and that actually doesn't
23 include all of it. That's just the part closest to
24 us. You can see that there's another bump to the
25 left of that. This is five stories on this portion

1 and another half story up here and the building we
2 propose is very similar in height to the one shown
3 here. I also feel that multiple purposes of zoning
4 are advanced at 40:55D-2, purpose (a), to promote
5 the general welfare. The site's particularly
6 suitable for this use so that purpose is advanced.
7 Purpose (c), to provide adequate light, air and
8 open space. Since a majority of the building is
9 lower than permitted by regulation, lower than
10 other buildings in the area and the setbacks and
11 coverage are similar to that of historic
12 development, I think that purpose is advanced.
13 Purpose (g), to provide sufficient space and
14 appropriate locations for a variety of uses. This
15 use obviously, as I mentioned, is generally
16 permitted, contemplated, it's just in this exact
17 form not permitted, but it will compliment other
18 uses in the neighborhood so I feel that purpose (g)
19 is advanced. And then purpose (i), to provide a
20 desirable visual environment. This is subjective,
21 but to us this -- this is a really interesting
22 approach. The historic theme of Monopoly makes
23 this look interesting, and obviously the colors and
24 materials that are chosen are -- are complimentary
25 and resilient, so -- for the finishes, it's shown

1 on the architectural plan, you can see a cement
2 board siding and then the front has that ground
3 floor glass and this projection that's on the front
4 of it, that's gonna be finished and probably some
5 kind of metal panel along with the window frame.
6 It's a neat looking building, compared to a lot of
7 the older architecture. It's modern but it fits
8 in.

9 In addition, there's a goal in the CRDA
10 Tourism District Land Development Rules which is to
11 encourage individual land use and diversify the
12 Tourism District's economic base. I feel that this
13 proposed project will strengthen and diversify the
14 Tourism District's economic base, bringing a
15 short-term rental that's gonna be popular, retail
16 use that's historically been here and hopefully
17 will gain momentum again, and bring back generally
18 residential housing that is -- I mean, everywhere
19 in the city we need it to get more people living
20 and caring about taking care of the town.

21 For the negative criteria, again,
22 there's two prongs. The first is to demonstrate no
23 substantial detriment to the public good, which is
24 generally the impact to the immediately surrounding
25 area. As I previously testified, I don't think

1 there will be any negative impact to the
2 neighboring properties or surrounding area since
3 the use is generally permitted other than, you
4 know, the lower intensity we propose. The
5 undersized lot's not overwhelmed by what we
6 propose. The majority of the building is lower
7 height than permitted by the regulation, and as I
8 mentioned previously, too, the additional parking
9 need above the grandfathered shortfall can easily
10 be met off site within the framework outlined in
11 the rules. The second prong of the negative
12 criteria is to demonstrate the relief to be --
13 while we're not substantially impairing the intent
14 and purpose of the zone plan and zoning ordinance,
15 as I mentioned, mixed use buildings were
16 contemplated, permitted, we're just at a lower
17 intensity than what the rules specifically permit,
18 and then the hardships created by the undersized
19 lot, I think this addressed really well with the
20 way that this has been designed. With an efficient
21 and uniquely themed building, it will contribute to
22 the character of the neighborhood which, as we all
23 know, is an overarching goal of zoning, to make it
24 look good, feel good and fit in. Fostering
25 redevelopment which, you know, all of us in town

1 want to see these types of projects come in, and
2 for us specifically, and me personally in The Loop
3 next to where our office is is obviously, you know,
4 a huge positive impact to the area.

5 So for those reasons I feel that the
6 relief is appropriate and you have jurisdiction to
7 grant it. I can answer any questions.

8 NICHOLAS TALVACCHIA: Yeah. I just have
9 a couple of questions.

10 JASON SCIULLO: Sure.

11 NICHOLAS TALVACCHIA: In terms of
12 particular suitability for the use variance --

13 JASON SCIULLO: Yeah.

14 NICHOLAS TALVACCHIA: -- you mentioned
15 that the zoning really wasn't designed for a lot
16 this size, it's only 1,750 square feet and 7,500
17 minimum.

18 JASON SCIULLO: Yup.

19 NICHOLAS TALVACCHIA: Given this
20 condition, this lot size condition, does that make
21 the use particularly suitable for what we're
22 proposing in terms of -- as you mentioned,
23 residential is contemplated in a much larger scale,
24 mid-rise or high-rise. This lot, could you
25 effectively do that?

1 JASON SCIULLO: It's -- well, it's about
2 five times -- well, say 20 percent of what's
3 permitted. It's a -- or even less than that. It's
4 a small amount, or a small lot compared to what's
5 permitted by regulation, and it's not that it was
6 overlooked. It's that most of the rest of the
7 Tourism District, especially the RC zone, has
8 larger lots and the possibility to do it. It's
9 just this particular area just won't be able to
10 meet it, and with the residential nature around us,
11 we don't want these huge structures. We don't want
12 something that's gonna overwhelm these lots. This
13 is particularly suitable to fit on a small lot. It
14 would fit anywhere in the Tourism District, to be
15 clear, but for this particular lot, this is the
16 type of development that should be proposed on
17 these parcels.

18 NICHOLAS TALVACCHIA: And also, under
19 the use variance you could argue, and I know you
20 didn't, but there is also a hardship component to
21 developing a fully conforming mixed use building on
22 this lot, isn't there?

23 JASON SCIULLO: Yeah. For the -- at the
24 intensity that's prescribed in the regulation, it
25 would be very difficult to do it on this lot, yes.

1 NICHOLAS TALVACCHIA: And then in terms
2 of the negative criteria, you went through that,
3 talked about aesthetics. In terms of the impact to
4 the zone plan, the Medici standard, no substantial
5 detriment to the zone plan, you can reconcile the
6 omission of this use from the zone because a larger
7 lot was contemplated by the zoning than we have
8 available to us, correct?

9 JASON SCIULLO: Yeah. Well, the form of
10 this use. Again, the use generally is permitted.
11 It's just the intensity that we're asking for
12 relief from, but yes, if it were a larger lot, we
13 could fit more units and be fully compliant.

14 NICHOLAS TALVACCHIA: Right. So the
15 zoning really wasn't -- didn't contemplate a 1,750
16 square foot lot for this -- the use that we're
17 proposing, right?

18 JASON SCIULLO: No.

19 NICHOLAS TALVACCHIA: Okay.

20 JASON SCIULLO: In my opinion.

21 NICHOLAS TALVACCHIA: Yeah. And I also
22 want to -- I'm gonna have Mr. Collazzo come up to
23 make one other point, but I'm assuming he's gonna
24 come up. This -- Mr. Collazzo will not rent
25 individual rooms. They'll be rented -- all the

1 residential will be rented as one rental. So it's
2 six rooms, short-term rentals for the foreseeable
3 future, but they are not gonna be six different
4 users. It's gonna be one for the whole residential
5 component. I think that's important in terms of
6 impact.

7 G. JEFFREY HANSON: That will require
8 licensing from the city for short-term rental.

9 LANCE LANDGRAF: I believe they --
10 (Multiple parties speaking.
11 Unintelligible.)

12 G. JEFFREY HANSON: They have a
13 short-term rental --

14 NICHOLAS TALVACCHIA: They have a fee, I
15 think, right?

16 MARK COLLAZZO: Yeah.

17 NICHOLAS TALVACCHIA: It's a fee,
18 basically.

19 ROBERT REID: Rented as one unit, that's
20 certainly acceptable. If it's more than one unit
21 it becomes a hotel use.

22 NICHOLAS TALVACCHIA: Right. We're
23 keeping it at one unit.

24 ROBERT REID: Be careful.

25 NICHOLAS TALVACCHIA: Yeah.

1 I also want to point out --

2 G. JEFFREY HANSON: That doesn't require
3 further relief?

4 LANCE LANDGRAF: Not from us, no.

5 NICHOLAS TALVACCHIA: -- while Jay is up
6 there, on the signage, I know Jeff mentioned we
7 didn't provide a lot of details, but if you look at
8 the board there, there is one sign on the wall.
9 Now, we're right next to the property line so we
10 may need a license from the city -- well, we don't
11 have the details of The Top Hat but the -- there's
12 a car on the side that projects out. We need a
13 license for that, but the car is gonna be -- there,
14 it is. It's gonna be part of the theming, and
15 under the definition of sign it could be deemed to
16 be a sign so we're gonna treat that as a sign. The
17 Top Hat is also gonna be part of the theming and
18 under the definition of sign that could be deemed
19 to be a sign, and even the treatment on the
20 windows -- Jay, if you could go back to the --

21 JASON SCIULLO: The docks.

22 NICHOLAS TALVACCHIA: -- rendering.
23 Yeah. That could also be part -- so we are asking
24 for variance relief to have four signs rather than
25 the two permitted. Because we are anticipating Mr.

1 Reid will say they're signs, and I actually agree
2 with that, I think, because they identify the
3 business would be the definition of sign.

4 ROBERT REID: Yeah. Anything that can
5 convey a message is a sign.

6 NICHOLAS TALVACCHIA: Right. So we're
7 asking -- and I'll ask Jay to testify, but we think
8 that the aesthetics of what we're showing here
9 justifies the additional relief for the signs. So
10 we think we're well within the 25 percent but
11 certainly looks like, to me, four identifiers, four
12 signs there. So Jay, from a land use perspective,
13 how do you justify the extra two signs? Just on
14 the aesthetics?

15 JASON SCIULLO: Well, it's been
16 something that I guess we've talked about a few
17 times with the Tourism District Rules. There's
18 been multiple projects that have multiple signs
19 that have been granted relief just because it's,
20 you know, it's really not necessarily an issue to
21 have more than two signs. The rules contemplated
22 two signs but if we combine all of these into, you
23 know, generally one structure, it would still be
24 under the permissible sign area, so we'll call it
25 the sign budget, it's under that. Having it broken

1 into these four different pieces, it's just part of
2 the theme of the project. In this case it's not,
3 you know, adding stuff to the windows or bright
4 colors or crazy things that are gonna overwhelm or
5 negatively impact neighboring areas. This is
6 really just to have an architectural appeal with
7 the -- the car clearly, you know, hanging off the
8 building, it looks like a sign. The hat is
9 interesting, because it's on the roof, so
10 technically I guess that's not permitted as a sign,
11 either, because it's on the roof, but it doesn't
12 have any names on it. It's just part of the
13 building. It just happens to be generally painted
14 to look like something different. So again, it's
15 just architectural fenestration.

16 NICHOLAS TALVACCHIA: We'll ask for a
17 roof sign, then, just to cover --

18 JASON SCIULLO: Yeah. Exactly, if you
19 want to, you know, be conservative. So yeah, the
20 only real identifier by way of verbiage is that
21 sign -- or that, you know, the front of the
22 building here says Top Hat, that little band, and
23 that's well under what's permitted by regulation.

24 NICHOLAS TALVACCHIA: So the additional
25 signs really serve aesthetic to provide a desirable

1 visual environment?

2 JASON SCIULLO: I think so. Like, if
3 you took out the part that says Top Hat, I don't
4 know that the rest of it would be necessarily -- I
5 mean, we know the theme of the job because we're
6 talking about it, but it would just look like stuff
7 stuck to the building. It would just look
8 interesting.

9 NICHOLAS TALVACCHIA: Any detriment from
10 either the public good or to the zone plan by
11 having two additional signs like this in terms of
12 the architectural appeal and the roof sign?

13 JASON SCIULLO: No. Absolutely not.
14 There's a lot of other developments in town that
15 have similar treatments that, you know, are for the
16 purpose of just identifying the site -- (Technical
17 interruption. Unintelligible.) -- like, how
18 Ripley's used to be with other stuff and then the
19 casinos have -- (Technical interruption.
20 Unintelligible.) -- because they're large
21 buildings. It's not unusual, not unheard of, for
22 sure, and it's, I think, very tastefully done in
23 that there's not a lot of verbiage. There's no
24 bright colors. There's nothing that will create a
25 negative impact to any of the surrounding area, and

1 although the intent of the master plan and zoning
2 ordinance for the land development rules was to
3 limit signage, I think area is really the
4 controlling factor, and as long as there's not a
5 ton of them all over that look, you know, out of
6 place, something like this, very tasteful, surely
7 fits within the intent of it.

8 NICHOLAS TALVACCHIA: And in a tourism
9 town, having something that's a little whimsical,
10 which this is, adds an appeal in itself?

11 JASON SCIULLO: Yeah. I think everybody
12 here has probably been really frustrated playing
13 Monopoly for six hours and all that. You know this
14 theme, you know that car and that hat, and they're
15 the -- they're probably the coolest pieces other
16 than -- you know, we're not gonna bring the thimble
17 and the dog.

18 LANCE LANDGRAF: I look at it as signage
19 back before people could read were images.

20 ROBERT REID: Yeah, right.

21 LANCE LANDGRAF: You know, if you were
22 looking for a cobbler you looked for a shoe on the
23 signs.

24 NICHOLAS TALVACCHIA: Very true, yeah.

25 LANCE LANDGRAF: So this brings us back

1 to that culture.

2 NICHOLAS TALVACCHIA: And if somebody
3 drives to Atlantic City for the first time, either
4 the retail or the residential, they're gonna see
5 pictures of this in the advertisement and what not.
6 It's gonna be very easy to find this building way
7 before you see the words The Top Hat, because
8 you'll see The Top Hat.

9 JASON SCIULLO: Yeah, right.

10 NICHOLAS TALVACCHIA: So -- all right.
11 Jay, anything further from you?

12 JASON SCIULLO: No.

13 NICHOLAS TALVACCHIA: All right. Mr.
14 Collazzo wants to make one additional point --

15 LANCE LANDGRAF: Okay.

16 NICHOLAS TALVACCHIA: -- about the
17 project schedule.

18 MR. COLLAZZO: Yeah. I just wanted to
19 let everyone know, it's been publicized, we did
20 receive a grant from NJEDA for this and our
21 financing is in place and due to a little screw up
22 with the architect -- I wanted them to finish the
23 construction drawings for the container park first
24 but they finished these, so we actually have
25 construction drawings complete. So should you guys

1 grant us the approval, we'll be moving ahead
2 immediately, but the plan is to have all three of
3 these projects started and a few of them finished,
4 at least the container park, in '25.

5 LANCE LANDGRAF: Good. Look forward to
6 seeing the construction on the street.

7 MARK COLLAZZO: Yeah. Thank you.

8 LANCE LANDGRAF: Maybe not cranes in the
9 sky but at least hammers banging.

10 MARK COLLAZZO: Yeah. Well, they'll be
11 cranes for the containers.

12 LANCE LANDGRAF: That's true.

13 MARK COLLAZZO: The park.

14 LANCE LANDGRAF: That would be a nice
15 photo op.

16 MARK COLLAZZO: And we're gonna -- we
17 still haven't figured out how to build this hat
18 yet, so it may require a crane.

19 LANCE LANDGRAF: Well, it looks like the
20 rooftop water tower, so something similar to that.

21 MARK COLLAZZO: Yeah. We have some
22 ideas but we haven't completely figured that part
23 out yet.

24 LANCE LANDGRAF: That would be
25 interesting to build.

1 JASON SCIULLO: Everything starts with a
2 vision.

3 LANCE LANDGRAF: That's right.

4 MARK COLLAZZO: Yeah. I'm really happy
5 with the design.

6 LANCE LANDGRAF: I like it. It's a
7 modern twist that is -- you don't really see.

8 MARK COLLAZZO: Yeah. It's not --

9 LANCE LANDGRAF: Some -- (Multiple
10 parties speaking. Unintelligible.) -- having that
11 look but this is --

12 MARK COLLAZZO: It's not too
13 gimmicky but it --

14 LANCE LANDGRAF: No.

15 MARK COLLAZZO: -- still screams
16 Monopoly so --

17 LANCE LANDGRAF: It does.

18 JASON SCIULLO: A lot of times
19 developments -- it's unfortunate that the money
20 that used to be put into this type of stuff for the
21 old designs -- like, I think I would have told you
22 stories when you all worked together about taking
23 tours when we were in school of, like, even like
24 sewers and add, like, gargoyles in them and crazy
25 stuff. People used to really care about what they

1 did. That's kind of gone away with the cost of
2 things and now you get these vinyl boxes. This is
3 not that. This has investment, and it's grant
4 money so it's, you know, it's going to be
5 prevailing wage.

6 LANCE LANDGRAF: You got to make the car
7 silver, though.

8 MARK COLLAZZO: Yeah. Yeah.

9 LANCE LANDGRAF: Then it will pop,
10 though.

11 MARK COLLAZZO: Yeah. We're not --
12 yeah.

13 LANCE LANDGRAF: I'm not a designer.
14 Leave that to the architect.

15 MR. COLLAZZO: Yeah. I'm available if
16 you had any questions or --

17 LANCE LANDGRAF: No. I don't think so.

18 ROBERT REID: If you figure it out, let
19 us know.

20 LANCE LANDGRAF: All right. Is that it?

21 JASON SCIULLO: Yeah.

22 LANCE LANDGRAF: We'll go to our
23 professional report. Jeff, your report from
24 February 13th, we'll mark that as B-2.

25 G. JEFFREY HANSON: Thanks, Lance.

1 As Lance said, I got a report dated
2 February 13th, 2025. First page just lists that
3 we're looking for minor site plan, bulk variance
4 and use variance approval today. Lists the
5 applicant's contact information, the various
6 professionals. On page 2, the documents submitted.
7 We talked about completeness. And then going on, I
8 think Jay and Nick and Mark gave a pretty thorough
9 presentation so I won't be redundant with what's
10 being proposed here, which is listed on page 3,
11 along with the relief sought. I made the note
12 about the two additional variances that are
13 required with respect to the signage. Moving on to
14 page 4, it just lists the variances and the actual
15 relief being sought. I'll get on to page 5 where I
16 have the actual site plan comments. Number one,
17 they did talk about the additional lot that Mr.
18 Collazzo has parking rights to. We just made a
19 note that it might be appropriate to have a written
20 agreement to allow the grandfathered shortage to be
21 accommodated by one of those lots, as we've done
22 with a lot of our developments. So would you have
23 any objection to providing a written agreement with
24 one of your lots to allow people to -- to give
25 parking rights there?

1 JASON SCIULLO: Well, I had mentioned
2 during testimony with this, the wording of this
3 comment, I know it wasn't intended to be, say
4 aggressive, but to preserve the rights for these
5 spaces in perpetuity. I mentioned that the lot
6 that Mark owns across the street isn't gonna be a
7 parking lot forever, but we don't want to
8 necessarily say this lot, these spaces reserved
9 through an easement or something. If it's a
10 written agreement, like we've done in a lot of
11 other applications, that probably can be
12 accommodated, but the perpetuity thing is what --

13 NICHOLAS TALVACCHIA: We don't want to
14 encumber any specific real estate because --

15 G. JEFFREY HANSON: Okay.

16 NICHOLAS TALVACCHIA: -- flexibility --

17 LANCE LANDGRAF: That's not what we've
18 asked for. I think what we've come from, instead
19 of -- initially we looked at those -- naming
20 spaces. We just looked at a position where if you
21 can provide a letter saying, look, I own these
22 parking spaces, these parking lots, I'll say, these
23 folks from this site will be able to park there.

24 NICHOLAS TALVACCHIA: Yeah.

25 LANCE LANDGRAF: No specific

1 designation.

2 NICHOLAS TALVACCHIA: (Multiple parties
3 speaking. Unintelligible.) -- over time.

4 LANCE LANDGRAF: Yup. Absolutely.

5 G. JEFFREY HANSON: I'm comfortable with
6 that if you are. Also, I think you gave testimony
7 to justify the variance, that there's ample parking
8 in the area, street, for the various lots, et
9 cetera.

10 LANCE LANDGRAF: We would agree. We
11 hope to have a parking issue in this area.

12 JASON SCIULLO: Hope so. The
13 interesting part, too, is, you know, we -- it's
14 self-policing in a way, in that if we don't have
15 space, people just won't patronize it. We don't
16 want that, either. So we don't have overflow in a
17 residential neighborhood that would be impacted.
18 No one's gonna park on Ocean Avenue and try to,
19 like, climb through. It will on Tennessee Avenue
20 or the lots that we have.

21 LANCE LANDGRAF: Okay. Do we have a
22 thought or any idea what the commercial use is
23 gonna be at this point? I'm just curious.

24 JASON SCIULLO: Not a dispensary.

25 MR. COLLAZZO: Yeah, not a dispensary.

1 I am in talks with a few places. I can say it's
2 just early talks but we're talking to the Garden
3 State Growers Association about having a New Jersey
4 wine tasting room and then showcasing --

5 LANCE LANDGRAF: Okay.

6 MR. COLLAZZO: -- all the different
7 wineries. We're trying to work that before we go
8 to market with something else, so that would --

9 LANCE LANDGRAF: Nice.

10 MARK COLLAZZO: I think it would be a
11 great compliment to everything we have on the
12 block, but other than that, it's not gonna be set
13 up for food, you know. The tasting room will
14 really be just wine.

15 LANCE LANDGRAF: Okay.

16 MARK COLLAZZO: So not food but more
17 focused on retail. We do have a lot of interest in
18 the container park. We have 22 containers planned.
19 We have 20 letters of intent signed, so I think
20 those, you know, pretty good demand for the space.

21 LANCE LANDGRAF: Good.

22 MARK COLLAZZO: But that's the only
23 proposed tenant we're talking to.

24 LANCE LANDGRAF: Thank you.

25 MARK COLLAZZO: All right.

1 G. JEFFREY HANSON: The next -- we good
2 to go on?

3 LANCE LANDGRAF: Yes. You're fine.

4 G. JEFFREY HANSON: The next comment was
5 with regard to an ADA accessible space, since the
6 ground floor will be open to the public. Will you
7 go to the city and try to have an on-street space
8 in front of the building designated as ADA
9 accessible, as we've done in the past?

10 JASON SCIULLO: I don't see any
11 reason --

12 NICHOLAS TALVACCHIA: Yeah. We can ask.

13 G. JEFFREY HANSON: You're going to have
14 to have an accessible route, obviously, by
15 regulation.

16 We talked about the trash and recycling.
17 The licensing agreement for all the projections
18 into the right-of-way.

19 Whatever security and surveillance
20 measures you're gonna have for the ground floor
21 and/or the second or third floor, you'll run
22 through ACPD? Is there gonna be any security
23 surveillance measures?

24 JASON SCIULLO: I mean, if we -- if it's
25 possible, but since there's no requirement to

1 provide security and surveillance, if we do have
2 anything, we'll give access to the police
3 department. We want to make sure it's clear,
4 though, that we're not obligated to provide a
5 security system that has cameras. We will but --

6 LANCE LANDGRAF: It's just something
7 that ACPD has asked to us to put in place.

8 JASON SCIULLO: Oh, okay.

9 LANCE LANDGRAF: If there's a commercial
10 use, they just ask for access to the cameras. It
11 just helps with the overall safety feel for the --

12 NICHOLAS TALVACCHIA: Yeah. We'll talk
13 to the police.

14 LANCE LANDGRAF: They do it wirelessly.
15 It's not --

16 G. JEFFREY HANSON: Site and
17 architectural plans should go to the fire marshal
18 and to the building code official, obviously.

19 Since we don't have any side yard
20 setbacks, it looks like you probably need an
21 agreement with the adjacent property owner to be
22 able to do construction and maintenance. You'll
23 seek that with the neighbor next door?

24 JASON SCIULLO: So on the beach side,
25 yeah. To be clear --

1 G. JEFFREY HANSON: On the beach side,
2 yeah.

3 JASON SCIULLO: The other side has 0
4 setback on that building and we own it, or Mark
5 owns it. Excuse me. The back has 5 foot so that
6 can be installed, but access to that rear yard area
7 and that side yard area during construction, Mark
8 will talk to the neighbors, which I think is
9 Resorts.

10 MR. COLLAZZO: Yes. Resorts owns that
11 so I don't think they will have an issue on that.

12 LANCE LANDGRAF: Okay.

13 G. JEFFREY HANSON: Just something I
14 want to point out.

15 How are the lighting levels out there on
16 Tennessee, Jay? Are they appropriate or do you
17 have any lights that are being installed on the
18 facade of the building?

19 JASON SCIULLO: The building facade will
20 have lights, for sure.

21 G. JEFFREY HANSON: Okay.

22 JASON SCIULLO: Shown in the -- in this
23 rendering just, you know, generically is some kind
24 of, like, sconces or whatever and then some lights
25 underneath, but we -- and over those windows. We

1 talked about doing that, so we'll talk to the
2 lighting consultant and the architect and try to
3 show them on the plan as a condition of approval.

4 G. JEFFREY HANSON: Nine was just a note
5 about if there's any existing proposed easements or
6 deed restrictions, that they be listed on the plan.

7 JASON SCIULLO: We don't know of any.

8 G. JEFFREY HANSON: None noted, okay.

9 JASON SCIULLO: (Multiple parties
10 speaking. Unintelligible.) -- or came up on any --

11 G. JEFFREY HANSON: And the last thing I
12 had was that you talked about the -- we didn't have
13 details for the signage yet. Whenever the final
14 dimensions are determined, can you just provide me
15 with the calculations to display if we're under
16 that 25 percent of the facade area so that no
17 further relief is --

18 JASON SCIULLO: Yes.

19 G. JEFFREY HANSON: -- necessary beyond
20 what was sought this morning?

21 JASON SCIULLO: Absolutely.

22 G. JEFFREY HANSON: That covers
23 everything in my letter, unless there's any further
24 questions, comments.

25 LANCE LANDGRAF: No. I think that

1 covers it for me. Thank you.

2 NICHOLAS TALVACCHIA: I want to note
3 that, as we always do, we copy the city on these
4 applications, the planning and engineer's office,
5 so they've had this application. Just so that, you
6 know, we did let them know about the application.
7 I'm sure if they had a concern, they'd be here,
8 but --

9 LANCE LANDGRAF: Anything from your
10 side?

11 SCOTT COLLINS: No. I'm good.

12 LANCE LANDGRAF: You're good, Rob?

13 ROBERT REID: Yes.

14 LANCE LANDGRAF: Mr. Talvacchia,
15 anything else besides that?

16 NICHOLAS TALVACCHIA: No. We're done.

17 LANCE LANDGRAF: All right. With that,
18 we'll open this meeting to the public. Anybody
19 here with any comments or questions, please step
20 forward, make your comment or ask your question.

21 Nothing, okay. Seeing no public
22 comment, at this time we'll close the public
23 portion.

24 Any closing comments, Mr. Talvacchia?

25 NICHOLAS TALVACCHIA: No.

1 Do you need to get this on for March?

2 MR. COLLAZZO: It would be helpful. I
3 have to have the project completed to comply with
4 the grant by December 31st, 2026.

5 LANCE LANDGRAF: Okay.

6 MARK COLLAZZO: So we're not under the
7 gun but every -- every bit of time we can get could
8 help.

9 NICHOLAS TALVACCHIA: All right. So
10 March 18th.

11 MR. COLLAZZO: Perfect. Thank you.

12 LANCE LANDGRAF: We'll do our best to
13 get it on for the March 18th board meeting.

14 NICHOLAS TALVACCHIA: Thank you.

15 LANCE LANDGRAF: We'll close the
16 testimony on this matter, and for that matter, we
17 will announce our next meeting is March 6, 2025.

18 With that, is there anything else?
19 Ma'am, you came for --

20 UNIDENTIFIED SPEAKER: I came for the
21 Ocean Club.

22 NICHOLAS TALVACCHIA: That's March 6th.

23 LANCE LANDGRAF: Okay. They moved it to
24 March 6th.

25 UNIDENTIFIED SPEAKER: I had a number of

1 dates so -- I'm fairly new, but you brought back
2 56 years ago. I lived in Upstate New York and I
3 went -- needed a variance to build my house and --
4 but I didn't have casinos, you know, and all that.
5 It's been very interesting. I'm glad I came. I
6 learned something.

7 LANCE LANDGRAF: It was entertaining,
8 right?

9 UNIDENTIFIED SPEAKER: Yes.

10 LANCE LANDGRAF: We try.

11 JASON SCIULLO: There's so much history
12 in this town.

13 LANCE LANDGRAF: We try.

14 UNIDENTIFIED SPEAKER: Yeah. I don't
15 understand it all but I came and --
16 (unintelligible.)

17 MR. COLLAZZO: I'm glad we dodged the
18 beach bar.

19 LANCE LANDGRAF: There, you go.

20 SCOTT COLLINS: Yeah, right.

21 LANCE LANDGRAF: We'll close the
22 testimony on this matter and, as I said, we'll
23 close this hearing. Our next hearing is March 6th,
24 2025 at 10 a.m.

25 NICHOLAS TALVACCHIA: Thank you.

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LANCE LANDGRAF: Thank you. We are
adjourned.
(At 10:58 a.m. proceedings were
concluded.)

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CERTIFICATE

I, MICHELLE GRUENDEL, a Certified Court Reporter and Notary Public of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the testimony as taken stenographically and digitally at the time, place and on the date hereinbefore set forth, to the best of my ability.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

Michelle Gruendel



MICHELLE GRUENDEL, C.C.R.
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