

1 CASINO REINVESTMENT DEVELOPMENT AUTHORITY  
2 LAND USE REGULATION AND ENFORCEMENT DIVISION  
3 SETAARA RESTAURANT

4 THE APPLICANT SEEKS MINOR SITE PLAN APPROVAL  
5 WITH BULK VARIANCES TO LEGALIZE AN EXPANSION TO THE  
6 EXISTING RESTAURANT THAT WAS CONSTRUCTED WITHOUT  
7 PRIOR APPROVALS. THE TWO BUILDINGS HAVE  
8 RESTAURANTS ON THE FIRST FLOOR WITH RESIDENTIAL  
9 DWELLINGS ON THE SECOND AND THIRD FLOORS. THE  
10 APPLICANT PROPOSES ADDING SEATING AREA AND  
11 ADDITIONAL OUTDOOR COURTYARD SPACE SEATING AT THE  
12 FIRST AND SECOND FLOOR DECK LEVELS OF BOTH  
13 BUILDINGS AND ADDING DECK/ROOFTOP DECK AREAS WITH  
14 OUTDOOR SEATING TO BOTH BUILDINGS. THE EXPANSION  
15 REQUIRES VARIANCE RELIEF FROM PARKING REQUIREMENTS,  
16 SETBACKS, IMPERVIOUS COVERAGE, BUILDING COVERAGE,  
17 OUTDOOR SEATING SPACING AND NUMBER, SIGNAGE AND ANY  
18 OTHER VARIANCES, WAIVERS OR OTHER RELIEF THAT IS  
19 DEEMED NECESSARY AND/OR APPROPRIATE

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22  
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<p style="text-align: right;">2</p> <p>1 BLOCK 280, LOTS 2, 3 2 2322-2324 ARCTIC AVENUE 3 ATLANTIC CITY, NEW JERSEY 4 THURSDAY, AUGUST 19, 2021 5 6 Public Hearing in the above referenced matter 7 taken via the videoconference software program 8 Zoom, with all participants in separate locations 9 due to the State of New Jersey's COVID-19 lockdown, 10 before Michelle Gruendel, a New Jersey Certified 11 Court Reporter (CCR) and Notary Public of the State 12 of New Jersey, on the above date commencing at 13 10:00 a.m. There being present: 14 A P P E A R A N C E S: 15 CASINO REINVESTMENT DEVELOPMENT AUTHORITY: 16 17 LANCE B. LANDGRAF, JR. 18 Chairman 19 Director, Planning Department 20 ROBERT L. REID 21 Land Use Enforcement Officer 22 23 PROFESSIONALS TO THE BOARD FOR THIS HEARING: 24 25 SCOTT G. COLLINS, ESQUIRE. 26 Riker, Danzig, Scherer, Hyland &amp; Perretti 27 G. JEFFREY HANSON, PE, CME 28 ALSO PRESENT FOR THE CDRA: 29 LIZA BARRICK, HOST 30 COUNSEL FOR THE APPLICANT: 31 BRIAN CALLAGHAN, ESQUIRE 32 Callaghan, Thompson &amp; Thompson, PA 33 34 35</p>	<p style="text-align: right;">4</p> <p>1 [COURT REPORTER'S NOTE: 2 THIS PUBLIC HEARING WAS CONDUCTED VIA 3 THE VIDEOCONFERENCE SOFTWARE PROGRAM ZOOM. 4 DURING THE TIME OF THIS PUBLIC HEARING, 5 THE STATE OF NEW JERSEY WAS UNDER LOCKDOWN 6 RESTRICTION DUE TO THE COVID-19 PANDEMIC. 7 ALL ATTENDEES TO THIS PUBLIC HEARING 8 WERE PARTICIPATING FROM THEIR OWN WORKSPACE 9 THROUGH THEIR COMPUTER OR CELLULAR TELEPHONE. 10 THE COURT REPORTER WILL ACKNOWLEDGE 11 WITHIN THIS TRANSCRIPT ANY POOR INTERNET 12 CONNECTION AND VIDEOCONFERENCE PLATFORM 13 CUTOUTS WHERE TESTIMONY DID NOT CEASE.] 14 (Time noted 10:09 a.m.) 15 <b>LANCE LANDGRAF:</b> I'd like to call to 16 order the August 19th CRDA Land Use Regulation 17 Enforcement Division Hearing. 18 We're going to dispense with the Pledge 19 of Allegiance. That's just difficult to do in 20 these -- you end up seeing everybody's belly-button 21 when we stand up. We're going to dispose of that. 22 This hearing has been noticed in 23 accordance with the Senator Byron M. Baer Open 24 Public Meetings Act. We only have one item on our 25 agenda today. That is Application 2021-032942,</p>
<p style="text-align: right;">3</p> <p>1 INDEX 2 3 WITNESS PAGE 4 5 CRAIG DOTHE 7 6 7 8 EXHIBITS 9 A-1 Application materials 10 A-2 Aerial photograph 11 A-3 Newspaper articles 12 A-4 Light details 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">5</p> <p>1 Mina Pinah, Setaara Restaurant, 2322-2324 Arctic 2 Avenue, Block 280, Lots 2 and 3 on the Tax Map of 3 the City of Atlantic City. The site comprises a 4 5,000 square foot, roughly, looks like .115 acres. 5 The property is located in the Ducktown Arts 6 District and its proposed uses are permitted in 7 that zone. 8 The applicant seeks minor site plan 9 approval with bulk variances to legalize an 10 expansion to the existing restaurant that was 11 conducted without prior approvals. The two 12 buildings have restaurants on the first floor and 13 residential dwellings on the second and third 14 floors. The applicant proposes seating, providing 15 seating and additional outdoor courtyard space 16 seating at the first and second floor deck levels 17 of both buildings and adding a rooftop deck area 18 with outdoor seating to both buildings. 19 The expansion requires relief from 20 parking requirement setbacks, impervious coverage, 21 building coverage, outdoor seating spacing and 22 number of signage and any other variances and 23 waivers that are deemed necessary. 24 Rob, has proper notice been provided on 25 this application?</p>

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1           **ROBERT REID:** Yes. I've reviewed the  
 2 service provided by the applicant and we have  
 3 jurisdiction to hear the application.  
 4           **LANCE LANDGRAF:** Jeff, we good on  
 5 completeness?  
 6           **JEFFREY HANSON:** Yes, we are. As long  
 7 as they give testimony and supplemental information  
 8 as requested in our letter, I have no objection to  
 9 completeness being granted.  
 10          **LANCE LANDGRAF:** Okay. Thank you.  
 11          Mr. Callaghan, I see you're representing  
 12 the applicant. If you want to introduce yourself  
 13 and the application and swear in any witnesses.  
 14          **BRIAN CALLAGHAN:** Good morning. Brian  
 15 Callaghan of the law firm Callaghan, Thompson &  
 16 Thompson on behalf of Mina Pinah and Setaara  
 17 Restaurant.  
 18          As Mr. Reid said, all jurisdictional  
 19 requirements have been met. Why don't I have Craig  
 20 Dothe sworn in and Mina Pinah sworn in so if you  
 21 have questions to the both of them as we present,  
 22 they will be able to jump in and answer those  
 23 questions.  
 24          **LANCE LANDGRAF:** Great.  
 25          Scott, will you swear in the witnesses,

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1 please?  
 2           **SCOTT COLLINS:** Yeah.  
 3           Are you both in the same place?  
 4           **BRIAN CALLAGHAN:** Yes. Everyone is in  
 5 Mr. Dothe's office.  
 6           **SCOTT COLLINS:** Okay. If you could both  
 7 just raise your right hand and repeat after me. Do  
 8 you swear to -- don't repeat after me. Answer me.  
 9 **CRAIG DOTHE,** AIA, having been first duly sworn  
 10 according to law, testified as follows:  
 11 **MINA PINAH,** having been first duly sworn according  
 12 to law testified, testified as follows:  
 13           **SCOTT COLLINS:** Can you both separately  
 14 state your name for the record?  
 15           **BRIAN CALLAGHAN:** Name and address.  
 16           **CRAIG DOTHE:** Craig Dothe, Craig Dothe  
 17 Architects, 33 North Brighton Avenue, Atlantic  
 18 City, New Jersey.  
 19           **SCOTT COLLINS:** Okay.  
 20           **MINA PINAH:** Mina Pinah, 2322 Arctic  
 21 Avenue, Atlantic City, New Jersey.  
 22           **SCOTT COLLINS:** Okay. Mr. Callaghan,  
 23 Craig has testified before this board many times.  
 24 Do you just want to -- or I should just ask you,  
 25 Lance. Do you want to recognize his credentials?

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1           **LANCE LANDGRAF:** Yes. Licensed  
 2 architect, we've worked with Mr. Dothe quite a few  
 3 times. He's acceptable as an expert in the field  
 4 of architecture and planning.  
 5           **SCOTT COLLINS:** Excellent. Thank you,  
 6 all.  
 7           **BRIAN CALLAGHAN:** All right. Just  
 8 briefly, as Mr. Landgraf has already indicated,  
 9 we're seeking a minor site plan together with bulk  
 10 variances for the Setaara Restaurant. The property  
 11 had some illegal expansions that we all know about  
 12 so there's no use going into all of that. We're  
 13 here today really for the minor site plan, bulk  
 14 variances and we'll go through -- I think the  
 15 easiest way to do it is to walk through Mr.  
 16 Hanson's report and that way, as questions pop up  
 17 that he had questions on, we can answer them.  
 18          We have various exhibits. As we share  
 19 the screen we'll mark the exhibits. All right. I  
 20 think we're going to have four or five of them,  
 21 running from A-1 through A-5. That would be the, I  
 22 think the easiest way to do it, to give everybody a  
 23 full picture, since we're all on Zoom or webinar.  
 24          So without further ado, let me call Mr.  
 25 Dothe and he can walk you through the site a little

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1 bit and get you familiar with where we're located,  
 2 what's existing and what we're proposing.  
 3          Craig.  
 4           **SCOTT COLLINS:** If I can just interrupt  
 5 for one second, Mr. Callaghan. Let's mark the  
 6 application materials A-1 and then if we come  
 7 across anything that was not submitted with the  
 8 application, we'll take it from there.  
 9           **BRIAN CALLAGHAN:** That's fine.  
 10          **SCOTT COLLINS:** Okay. Thank you.  
 11          **BRIAN CALLAGHAN:** Thank you, Counsel.  
 12          **CRAIG DOTHE:** This is the same drawing  
 13 you have. Can you hear me? First of all, can you  
 14 hear me well?  
 15          **LANCE LANDGRAF:** It's a little  
 16 difficult, Craig. If you can get a little closer  
 17 to the mike, that would be good.  
 18          **BRIAN CALLAGHAN:** We're going to move my  
 19 Zoom one a little closer to him, his second one.  
 20          **CRAIG DOTHE:** Do you want me to -- is it  
 21 okay if I put it --  
 22          **BRIAN CALLAGHAN:** Do it however you  
 23 want.  
 24          **CRAIG DOTHE:** We'll set you up. Just  
 25 take it. You don't need to see me but can you hear

<p style="text-align: right;">10</p> <p>1 me now?</p> <p>2       <b>LANCE LANDGRAF:</b> We can. That's much</p> <p>3 better. Thank you, Craig.</p> <p>4       <b>CRAIG DOTHE:</b> Thank you.</p> <p>5       I just wanted to make sure. This is our</p> <p>6 first time doing it this way and it's, like, a</p> <p>7 little goopy.</p> <p>8       The drawing on the -- that you see on</p> <p>9 your screen right now is the same site plan you</p> <p>10 have on, I think it's the ZO drawing or Z -- yeah.</p> <p>11 It's one of the drawings in our architectural set.</p> <p>12 What it is is based on the two buildings, these two</p> <p>13 white, all the white are -- is the buildings, so</p> <p>14 the original Setaara Restaurant is this area right</p> <p>15 here, as well as all of this area back here.</p> <p>16 There's an existing stair that's in the middle here</p> <p>17 that accesses the secondary means of egress from</p> <p>18 the two residential units above. The pool hall</p> <p>19 that's adjacent to it and is made part of the</p> <p>20 application is this area, right here, that I'm</p> <p>21 highlighting right now. There are two alleys shown</p> <p>22 in gray. This one, that comes through here and</p> <p>23 underneath this stair, which is the entry, and then</p> <p>24 this is another alley, which is an exit, so that</p> <p>25 anything that takes place -- okay. Let me back up</p>	<p style="text-align: right;">12</p> <p>1 attention to the front, is an existing bay window.</p> <p>2 It's been there since the building was built. The</p> <p>3 original building and facade modifications over the</p> <p>4 years have projected the front elevation out a</p> <p>5 little over four, so it's, like, five, six inches</p> <p>6 over the property line so a licensing agreement is</p> <p>7 required for that intrusion over the public</p> <p>8 right-of-way, as well as this bay window, so we</p> <p>9 would be putting together a licensing agreement</p> <p>10 plan which would be for say a rectangle of about</p> <p>11 this size and that was in the engineer's report.</p> <p>12       As far as the floor plans are concerned,</p> <p>13 this is the first floor and all of this area right</p> <p>14 directly across this line is the existing Setaara</p> <p>15 Restaurant. They got it done about maybe 20 months</p> <p>16 ago and it was basically right before the COVID set</p> <p>17 so they -- set in so what they did was, you know,</p> <p>18 they got it open, they relocated their -- Mina's</p> <p>19 sister from Colorado down here to run the place and</p> <p>20 she's the chef. She does a really great job. It's</p> <p>21 a French Afghan cuisine so it's, like, something</p> <p>22 that's pretty exciting to go to as far as an</p> <p>23 additional experience that Atlantic City can offer,</p> <p>24 but you can see, it's rather minimal on the inside.</p> <p>25 There, there's traditional seating here, where you</p>
<p style="text-align: right;">11</p> <p>1 one little bit. This is Georgia Avenue along here</p> <p>2 and there's an empty building right next door here</p> <p>3 on the corner. Then, along here, this is Arctic</p> <p>4 Avenue, so this is a parking lot back here but this</p> <p>5 is a set -- this is the property line here.</p> <p>6 Somebody else owns this so we don't have access to</p> <p>7 the back there as an alley or anything like that,</p> <p>8 so this is our access points to everything in the</p> <p>9 backyard. This area right here is, this area right</p> <p>10 here is, in the gray, is the area where the dining</p> <p>11 takes place out back. This, in black, is the</p> <p>12 opening to the sky, so there is walls along here</p> <p>13 and along here as solid screens to control the</p> <p>14 environment inside of the space for the first two</p> <p>15 levels and then after that, on top of this area is</p> <p>16 a rooftop deck. On top of this area we're</p> <p>17 proposing also a rooftop deck and a second floor</p> <p>18 deck that goes over top of the existing and then --</p> <p>19 so that all of the rooftop deck just will go</p> <p>20 completely over the whole thing in this area and</p> <p>21 then the area immediately below that is a deck area</p> <p>22 on top of the existing roof, that's this building,</p> <p>23 and then of course down here on grade right</p> <p>24 directly below that.</p> <p>25       This, this right here, I want to bring</p>	<p style="text-align: right;">13</p> <p>1 sit down inside these booths but you're sitting at</p> <p>2 the tables, like coffee table height, so this is,</p> <p>3 like, kind of really interesting across here. This</p> <p>4 is the reception. This is a couple tables and then</p> <p>5 there's some tables back here. This is the kitchen</p> <p>6 and the bathrooms.</p> <p>7       What this area right here is the pool</p> <p>8 building, the pool hall building next door. These</p> <p>9 are the secondary means -- that's the secondary</p> <p>10 means of egress right there and that's the one</p> <p>11 existing. This is the extent of the work that was</p> <p>12 performed on the first floor. This area right here</p> <p>13 that I'm highlighting and what's inside of that is</p> <p>14 the stair that goes up and down, a little reception</p> <p>15 counter right here and then there is five tables in</p> <p>16 that space. There's a series of columns around and</p> <p>17 right in this area is the hole that you can see all</p> <p>18 the way up to the sky. There's a little fountain,</p> <p>19 it's a plugged in fountain right there with some</p> <p>20 water and there's a lot of, like, pretty nice</p> <p>21 vegetation that's inside that space.</p> <p>22       Next floor up, once when you get up the</p> <p>23 stairs over here, you got small tables, little</p> <p>24 doses around the outside edge, you know, so there's</p> <p>25 plenty of walking space around and then six tables</p>

<p style="text-align: right;">14</p> <p>1 out here, and because population count's going up,  2 then we had to provide some additional bathrooms  3 here and here. There's also, like, some minor  4 things here. There's another bathroom right here,  5 on this side, as well, and secondary means of  6 egress from this floor, as well as the floor above,  7 so you got your primary and your secondary means of  8 egress. Immediately above that is the third floor.  9 This is all open to the sky so you have six tables  10 over here and then you have these tables wrapped  11 around here, and again, that's the hole that you  12 can look down through all the way down to the  13 bottom. Again, this is the one exit and then this  14 was the entry and the exit.  15 <b>BRIAN CALLAGHAN:</b> All right. Now that  16 we're showing the floor plans, let's talk -- let's  17 go back through Mr. Hanson's report and let's talk  18 a little bit about the bulk variances that we're  19 going to be after. First one talks about a front  20 yard variance, so if you want to go through those  21 and let's discuss the variance relief and why we  22 think that they could be granted.  23 <b>CRAIG DOTHE:</b> Yeah. As I touched on  24 before, the existing building does stick over and  25 it would require a licensing agreement. The</p>	<p style="text-align: right;">16</p> <p>1 yard setback. This is the existing building line,  2 right here, so this area that comes out from here  3 all the way across here, so half of the project is  4 already at 2 inches. What we're proposing is we've  5 put up a wall across here and the dimension to the  6 backyard is 6 inches. That's gives enough room to  7 allow the chain link fence that's immediately next  8 door to stay there and allows us to put more of a  9 decorative fence in front between the two  10 buildings, right between the fence and the  11 building.  12 <b>JEFFREY HANSON:</b> So the decks aren't  13 exacerbating the current rear yard setback is what  14 you're saying? It's just we have to reconfirm that  15 because we're building up there, correct?  16 <b>CRAIG DOTHE:</b> It's kind of like an  17 expansion of a nonconforming --  18 <b>JEFFREY HANSON:</b> Yeah.  19 <b>CRAIG DOTHE:</b> -- as opposed to --  20 <b>JEFFREY HANSON:</b> Exactly.  21 <b>CRAIG DOTHE:</b> -- you know, starting the  22 process.  23 <b>JEFFREY HANSON:</b> Okay.  24 <b>BRIAN CALLAGHAN:</b> Building coverage.  25 <b>CRAIG DOTHE:</b> Yeah. The maximum</p>
<p style="text-align: right;">15</p> <p>1 existing bay also sticks out and would require  2 same. We also have, across the front, some  3 planters and I know it goes -- this report goes  4 into landscaping towards the end of it but we have  5 some existing landscaping across the front, two  6 pots here and then two planters across here.  7 <b>JEFFREY HANSON:</b> Brian, I would just  8 make sure you guys include that in whatever lease  9 agreement, however it's worded with the city, that  10 that's included.  11 <b>BRIAN CALLAGHAN:</b> Yeah, we will.  12 <b>JEFFREY HANSON:</b> Okay.  13 <b>CRAIG DOTHE:</b> We also put two across the  14 front of the pool hall to help decorate and make  15 the front better.  16 <b>BRIAN CALLAGHAN:</b> Oh, with respect to  17 the front yard variance, we're not exacerbating  18 that at all. We don't have any other bay windows  19 going to be sticking out or anything along those  20 lines other than the planters in front?  21 <b>CRAIG DOTHE:</b> Correct.  22 <b>BRIAN CALLAGHAN:</b> Talk a little bit  23 about the rear yard setback.  24 <b>CRAIG DOTHE:</b> Okay. Rear yard setback,  25 the existing building sits 2 inches from the rear</p>	<p style="text-align: right;">17</p> <p>1 requirement in the Ducktown Arts is 30 percent.  2 We're existing at 59 percent and 59 percent  3 basically is this area, right here, and then what  4 we're doing is we're building in this area, right  5 here, so we're taking that, okay, we're taking that  6 59 percent and adjusting it up to 72 percent total  7 building coverage. That, that is an increase in  8 building coverage. It is in the back immediately  9 behind the building which is shielding that, that  10 building that we're proposing from the right-of-way  11 over on this side and Georgia Avenue from here by  12 the fact that there's a building immediately  13 adjacent right along here, as well. This, right  14 here, immediately behind our building is a parking  15 lot for Angeloni's and then the next building, it's  16 a residential building, is probably about 30 feet,  17 30, 35 feet away from our building, so if you think  18 about it in terms of impact to the neighborhood,  19 we -- and you said, okay, what is the closest  20 residential building along Georgia Avenue, it's  21 about 30, 35 feet away so we have a minimal impact  22 on that building.  23 <b>BRIAN CALLAGHAN:</b> Lot coverage.  24 <b>CRAIG DOTHE:</b> The impervious and lot  25 coverage requirement is 40 percent and we're</p>

<p style="text-align: right;">18</p> <p>1 already at 100 percent and we're continuing with  2 that 100 percent, with the exception, you know, we  3 are putting some landscaping in pots and everything  4 along the front, even though that's not on our lot,  5 you know, it's still -- we're softening up the site  6 that way and we're softening up the interior of the  7 space right here.  8       <b>BRIAN CALLAGHAN:</b> We had a meeting with  9 both Jeff and Rob to talk about the concept of an  10 outdoor seating area and it was a little tricky  11 because we're, you know, when you think of outdoor  12 seating you think of you're on the sidewalk or  13 you're on the boardwalk or you're -- something like  14 that and the rules are a little bit vague. We  15 decided to ask for the variance because we're  16 technically partially outdoor in the sense that you  17 can see the sky but we're contained within our own  18 building, so we thought from a reasonable point of  19 view that we would say that we would like to have a  20 variance in the event that someone determines that  21 outdoor seating applies even though you're indoor  22 but not under a roof, if that makes any sense, so  23 jump in and further, Craig, clear it up a little  24 bit.  25       <b>ROBERT REID:</b> Excuse me. Lance, I just</p>	<p style="text-align: right;">20</p> <p>1 building, so it's not like I've just put tables out  2 there. Now, at that point, you know, I have an  3 actual UCC application and that falls into their  4 purview, so we've located our tables -- we have a  5 generous amount of space around our tables. It's  6 part of the experience that they're trying to  7 create. They're not trying to cram a lot of people  8 in there. It's a gourmet restaurant and the  9 concept that they have is that it works really well  10 with the architecture in terms of the columns, so  11 instead of just jamming in tables, like, that we  12 would normally do in a lot of our restaurants,  13 they, they've asked to make sure that we spread  14 them out. They were integral in locating those  15 tables where they want them to be. As part of your  16 plans we will be complying with both fire and  17 building with respect to that, so as Mr. Hanson  18 indicated, as part of that overall condition, one  19 of the conditions would be that the table  20 situation, ingress and egress, would comply with  21 fire and building and it's our intention to meet  22 that condition.  23       <b>JEFFREY HANSON:</b> Brian, I have -- I  24 agree with you, that the 5 foot requirement is more  25 geared towards, it seems for passers-by in the</p>
<p style="text-align: right;">19</p> <p>1 want you to know that I made the interpretation  2 that because it's not climate controlled and  3 there's no roof, that it should be all considered  4 outside seating.  5       <b>LANCE LANDGRAF:</b> It's a gray area. I'm  6 willing to let this go forward with the way it's  7 going now so we'll hear the rest of the testimony.  8       <b>CRAIG DOTHE:</b> I mean, from my experience  9 as an architect and doing some work in the Ducktown  10 Arts, like when we did El Charro down the street,  11 the language that's in the ordinance seems to  12 reflect a portion of that development and that was  13 when we put tables out on Fairmount Avenue we  14 maintained a 5 foot space between those tables and  15 the street furniture so that people had enough room  16 to still be able to walk down the sidewalk without  17 walking out on to the cartway. Seems like, to me,  18 my belief, that's what makes sense as it relates to  19 that part of the ordinance. When you start  20 thinking about, okay, I'm on my own property, I'm  21 in my backyard and now I'm putting tables out  22 there, I've got the building code and fire code  23 that regulates distances between tables and access  24 points, especially when I start to build decks and  25 they're multi-story decks, now it's part of a</p>	<p style="text-align: right;">21</p> <p>1 public right-of-way, like the sidewalk or whatever.  2 As long as the building code official and the  3 construction code official or what-have-you is  4 happy with it, I don't have any problem with not  5 treating that as a variance. I would defer to  6 Lance and Rob, of course, too, on that.  7       <b>CRAIG DOTHE:</b> That's why we said we've  8 presented it and if you think we need a variance  9 and we're asking for the variance, but as we  10 indicate, we will be complying with all fire and  11 building code for those, for the spacing and for  12 ingress and egress with respect to the plans,  13 and again, if I may, it's like I look at the future  14 and a future client comes my way and says, you  15 know, because we're up to COVID-35 by then, that  16 they have to do something with tables, we don't  17 want to make it a zoning application to put tables  18 out back when we don't need to.  19       <b>JEFFREY HANSON:</b> Okay.  20       <b>CRAIG DOTHE:</b> So I think we should be a  21 little cautious in that regard and I agree with  22 you, Jeff.  23       <b>BRIAN CALLAGHAN:</b> Okay. Let's move on  24 to the parking demand.  25       <b>CRAIG DOTHE:</b> The existing -- okay.</p>

<p style="text-align: right;">22</p> <p>1 Right now we have an existing parking deficiency of  2 42 and our proposed parking deficiency is 75. How  3 do we match up with the rest of the neighborhood?  4 First of all, that's, that's predicated on the  5 application as you see it in front of you, and that  6 is, it's based on the number of tables and chairs,  7 work out the number of occupants that become the  8 number of cars for parking demand. The application  9 you see is, it's a little bit more of a hybrid in  10 that during the wintertime, during inclement  11 weather, things like that, it's a small restaurant  12 where everybody's eating indoors, you know,  13 assuming that we get over COVID issues, you know,  14 we're staying away from COVID issues in the future.  15 When, when we start to look at the outdoor spaces,  16 the outdoor spaces are there for either summertime,  17 because people want to be outside, in which case  18 the indoors really isn't open to the people, and  19 originally this thing was designed because of the  20 pandemic, so it was like it was all outdoor dining,  21 so we're, like, looking at the two numbers in sum  22 when the intention is that the building works  23 either -- kind of like either/or. Now, that sounds  24 like it could be true or it might not be true.  25 It's like an application comes to you, you know, in</p>	<p style="text-align: right;">24</p> <p>1 cars in and is -- he's been negotiating with the  2 city about trying to buy this particular parking  3 lot, so that's item one as it relates to parking  4 and the restaurant use itself. The second thing,  5 and I think this is very important, as well, if you  6 think about it, Georgia Avenue is a connector that  7 goes all the way back to Boardwalk Hall and what's  8 really cool about Georgia Avenue is if you're at  9 Boardwalk Hall and want to go to a nice restaurant,  10 you could walk down there and you could stop at the  11 Ducktown Tavern or if you wanted to have a  12 different experience, you could keep walking down,  13 you could stop here, at Angeloni's, or if you  14 wanted to stop in at Setaara right here, there is a  15 Taqueria right here, Pancho Taco, then there's  16 White House Sub, you know, there's Formica's Bakery  17 right here, and then down a little bit is the Rando  18 Bakery and then right after that, of course, is  19 Angelo's Fairmount Tavern. Also, right over on  20 this block over here, on Florida and Fairmount  21 Avenue is another Mexican restaurant, El Charro,  22 that I described earlier, so the concept that I  23 think that where their people come from that come  24 to their restaurant, a lot of them are coming out  25 of the hotels and they're -- they could be coming</p>
<p style="text-align: right;">23</p> <p>1 the future and you're like, well, that could be  2 true, look at the size of that kitchen, that  3 kitchen can feed an army. In this case, I mean,  4 this is the reality of the space we're looking at.  5 This is the kitchen. It can't feed an army. It  6 can't feed that many people, all these people  7 inside, all these people outside, that would  8 generate that many cars on the street, so that's  9 item one. I think in this case it's, like, clear  10 that architecturally you -- that it's obvious that  11 this kitchen can't do that, therefore, the client  12 wouldn't put their patrons through that difficulty.  13 The -- right directly across the street from the  14 building --  15 <b>BRIAN CALLAGHAN:</b> And this is an aerial  16 photograph --  17 <b>CRAIG DOTHE:</b> Yeah.  18 <b>BRIAN CALLAGHAN:</b> -- you're showing them  19 so we can mark that as A-2?  20 <b>CRAIG DOTHE:</b> And this is right off  21 Google so it's standard.  22 This is the Setaara, right here. This  23 is Arctic Avenue. Right directly across the street  24 from them and down just a little bit is a rather  25 large parking lot that the client had been parking</p>	<p style="text-align: right;">25</p> <p>1 out of the Boardwalk Hall and that sort of thing,  2 where they actually walk into the neighborhood and  3 become part of the neighborhood experience, so  4 there's also the Uber effect where -- when people  5 go out and they're -- they tend to drink when  6 they're out, they tend to know that and don't want  7 to suffer the consequences so they tend to Uber to  8 their places.  9 <b>LANCE LANDGRAF:</b> And then, just if I  10 could, right outside your aerial photograph is the  11 CRDA's 1,300 space parking garage.  12 <b>CRAIG DOTHE:</b> Yeah. Yes. Right here,  13 and there's a couple available parking spaces in  14 it.  15 <b>LANCE LANDGRAF:</b> There's quite a few  16 available parking spaces.  17 <b>BRIAN CALLAGHAN:</b> Back to signage. Talk  18 a little bit about signage.  19 <b>CRAIG DOTHE:</b> These are illuminations of  20 the inside of the space, these two right here, and  21 the back and front. I apologize. These are  22 examples of Formica's, Angelo's, Angeloni's,  23 everybody knows them very well.  24 <b>BRIAN CALLAGHAN:</b> Well, while you're  25 looking for it just talk to them a little bit</p>

26

1 about --

2 **CRAIG DOTHE:** All right. So the maximum

3 signage area in the Ducktown Arts is 10 square feet

4 per building space. The proposed total square

5 footage of signage that we're proposing is

6 75 square feet. One of those signs is a blade sign

7 and it's immediately under the bay window. That

8 shows up on our -- I don't know where they are now.

9 Sorry. That blade sign is right directly below the

10 bay window and is there presently to alert people

11 passing by, because the signage is up rather high,

12 up in the bay window, and so when the passers-by,

13 you know, then they realize that they arrived at

14 their destination, they go right in, so blade signs

15 are very important for pedestrians and they're

16 actually forbidden in the Ducktown Arts. One of

17 the things that we did when -- we put together the

18 Atlantic Avenue design guides, guidelines and one

19 of the things that we put in there, in the design

20 guidelines was blade signs. We did it for two

21 reasons. One, blade signs tend to be pretty

22 exciting if they're designed well. They add a lot

23 of architectural interest to the exterior of the

24 building. It helps with merchandising and letting

25 pedestrians know that they've arrived at their

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1 destination, because pedestrians don't necessarily

2 look up when they're dri -- when they're walking

3 down the street, so blade signs are very good for

4 that and that's why we incorporated it in the

5 design guidelines along Atlantic Avenue. When we

6 did it many years ago for the CRDA. I was

7 surprised that in our ordinance didn't allow for

8 the blade signs but in my opinion the blade sign is

9 a very important integral part of the merchandising

10 and letting passers-by know where your place sits,

11 so what we have is a variance just for the blade

12 sign, as well as for total signage. So you can see

13 the Setaara is right here. It also is on the other

14 side, so you add up what used to formerly be a

15 window and this over here, including this sign, and

16 then we end up with the 75 square feet.

17 **BRIAN CALLAGHAN:** I guess stop right

18 there for a second on the bulk variances, before we

19 move to site plan review. With respect to the bulk

20 variances there are technically, you know, positive

21 and negative criteria, do you want to talk about

22 that a little bit, the positive, because that's an

23 aesthetic enhancement, the population density, the

24 general welfare and then, you know, go through that

25 a little bit?

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1 **CRAIG DOTHE:** Yes. I believe this is

2 such a unique project as it relates to what it

3 means to Atlantic City, and I don't, I don't

4 really, I'm not just saying that. I mean --

5 **BRIAN CALLAGHAN:** Hold on one second.

6 You're bringing up on your screen some newspaper

7 articles?

8 **CRAIG DOTHE:** Sorry.

9 **BRIAN CALLAGHAN:** Let's mark the

10 newspaper articles A-3.

11 **CRAIG DOTHE:** Okay. And these are four

12 newspaper articles. Okay. One is local. This one

13 I've never heard of before. Philadelphia Inquirer

14 we all know about, that's a pretty big paper, and

15 then I heard there's a city on the west coast

16 that's a pretty good size, the Los Angeles Times.

17 When I saw that these were in Los Angeles Times and

18 that this restaurant was in the Los Angeles Times

19 and the Philadelphia Inquirer, it made me stop. I

20 was, like, wow, that's really impressive, because

21 Atlantic City pays a lot of money for good

22 publicity or trying to get the word out that

23 Atlantic City is a true destination to the rest of

24 America, and we should, we have to do that. In

25 this particular case, this is free publicity, you

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1 know, to the city. I mean, I can't think of a

2 better use of public dollars than not spending it

3 and getting benefit from it in that perspective.

4 Inside this one article on Los Angeles Times, it's

5 about, you know, real creative responses to the

6 COVID problem as it relates to dining. They

7 included a picture in there and I bring your

8 attention to this picture of what it looks like at

9 night. When we were there during the day and

10 everything, it doesn't look like this, obviously,

11 but with the light string, you know, out there, the

12 vegetation, the little fountain in the middle that

13 sort of thing, this is the little fountain right in

14 the middle and then looking back up to the sky,

15 that's extremely attractive and I would imagine,

16 you know, somebody in Los Angeles opened up their

17 newspaper and saw this and were, wow, that's a very

18 good response to a big problem that we were

19 suffering last year, so I think it puts a little

20 burden there here, that maybe they need to come

21 here, to Atlantic City. The aesthetic enhancement

22 of the property itself, I mean, yeah, it was a

23 vacant building when they bought it years ago,

24 before they opened up the Setaara, you know, like

25 20 months ago and this, of course, just expanded on



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1 that. They've been getting great reviews, people  
 2 love going there, so they've expanded the services  
 3 to people by adding the outside space.  
 4 **BRIAN CALLAGHAN:** Once again, when  
 5 you're talking about general welfare and population  
 6 density, you already briefly talked about the fact  
 7 that people can walk from the convention hall down  
 8 passed the Ducktown, down passed the docks, down  
 9 towards Angeloni's, so you have a walking safe area  
 10 to do things in?  
 11 **CRAIG DOTHE:** Yeah. It's kind of crazy.  
 12 These neighborhoods are under stress and one of the  
 13 things I look at is, of course, what buildings look  
 14 like, is there activity, is it a use that can  
 15 attract people, that sort of thing. How about the  
 16 lighting, you know, things like that that provide  
 17 for safety. You can have 100 cops on the street in  
 18 one night and if it's all dark, you know, that's  
 19 going to -- you're still going to have a lot of  
 20 crime, so lighting is very important. The message  
 21 that they sent -- that they -- a restaurant like  
 22 this opens up into a neighborhood like this, the  
 23 message that's sent is, hey, guess what, this  
 24 area's coming back, this area's improving, and  
 25 when, as I touched on before, when you have several

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1 restaurants in the area, it's starting to become  
 2 like a restaurant district. It's like what we want  
 3 to do is encourage even more of this type of  
 4 activity. Everything is unknown right now, right?  
 5 Everybody's getting, like, you know, are we going  
 6 back under, shut down, are we going to stay the way  
 7 we are, what's really going on. The outdoor space  
 8 is going to be massively important on whether or  
 9 not they're going to be able to continue to remain  
 10 open into the future.  
 11 **BRIAN CALLAGHAN:** Swing to the negative  
 12 criteria. The first prong is, is there a  
 13 substantial detriment to the public good or the  
 14 character of the neighborhood?  
 15 **CRAIG DOTHE:** No. I absolutely do not  
 16 believe that it is at all a detriment to the  
 17 neighborhood. As a matter of fact, I think it's a  
 18 creative response that, like, a flexible C would be  
 19 type of response, where zoning wishes to create,  
 20 you know, like a district, like I touched on  
 21 before, a restaurant district. Some wonderful  
 22 walking space that connects -- that creates the  
 23 ability of future development to take place. All  
 24 it takes is bodies on the street, you know, and  
 25 lighting and safety. When that happens, the

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1 buildings start to get bought up, they start to get  
 2 renovated, they start to get more and more useful  
 3 spaces that will add more and more safety to the  
 4 streets, so the ordinance is actually encouraging  
 5 this type of development in my belief.  
 6 **BRIAN CALLAGHAN:** Second prong talks  
 7 about, is there any type of substantial detriment  
 8 to the zone plan or zoning ordinance? In this  
 9 particular case we are a pertinent use so, you  
 10 know, once again, taking a vacant building and  
 11 turning it into a productive new restaurant in the  
 12 area is a positive type thing for the zone and zone  
 13 plan.  
 14 **CRAIG DOTHE:** Absolutely.  
 15 **BRIAN CALLAGHAN:** Let's take a look at,  
 16 go back now, second prong of the report, they  
 17 talked about site plan review. Item number one I  
 18 can answer, as it is consolidated, so I will  
 19 provide proof of the consolidation as a condition  
 20 so that that could be forwarded to you.  
 21 Item number two, I don't know if you  
 22 want us to jump over that one a little bit. We  
 23 talked about the landscaping, the planters, we'll  
 24 put that in, we'll include that as part of our  
 25 revocable license type of application.

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1 **CRAIG DOTHE:** May I interrupt for one  
 2 second? As far as the landscaping that's  
 3 concerned, what I would like, and I don't know if  
 4 it requires a waiver or if it's acceptable to do  
 5 what I wish to do without the waiver. Either way,  
 6 it doesn't really matter, but the concept is that  
 7 we show now, we put them on our plans, the same  
 8 plans you presently have, all the landscape  
 9 planters on that plan, so what I would like to do  
 10 is say is that acceptable for satisfying number  
 11 two?  
 12 **JEFFREY HANSON:** It works for me. It's  
 13 up -- I mean, it's treated as a waiver to grant or  
 14 deny. As long as they're shown somewhere, I'm good  
 15 with it.  
 16 **BRIAN CALLAGHAN:** Okay. Item  
 17 number three, Craig, talks about entrance and exit  
 18 doors. You want to discuss that a little bit?  
 19 **CRAIG DOTHE:** Exit -- okay. All the  
 20 doors, whether they swing towards the path of means  
 21 of egress or against the path of means of egress,  
 22 is covered under the building code and it's based  
 23 upon population count, travel distance, type of  
 24 building, that sort of thing, suppression. All  
 25 that's covered under the UCC process, so as far as

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1 the width of the alleys, any intrusion that's  
2 inside of the path of means of egress, number of  
3 stairs, space around tables or anything else, I  
4 would like to defer to the Building Department and  
5 Fire Department.  
6 **BRIAN CALLAGHAN:** And you will comply  
7 with whatever the requirements are?  
8 **CRAIG DOTHE:** Absolutely.  
9 **JEFFREY HANSON:** We're just asking you  
10 to comply with the construction official, that's  
11 all, or building code official.  
12 **BRIAN CALLAGHAN:** That's fine. Thank  
13 you.  
14 Number four talks about removable lounge  
15 furniture and that goes back to what you were  
16 discussing in your plans and the area around the  
17 plans that, once again, from a UCC point of view,  
18 that we will comply with fire and building codes  
19 for the furniture inside and outside?  
20 **CRAIG DOTHE:** Yeah. That -- but also  
21 from an architectural standpoint, I could see how  
22 number four and five are kind of like coupled  
23 together, because obviously wherever the table is  
24 you need to have a light over the top of the table  
25 and the lights don't really move, so the idea is

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1 that we designed it around the furniture, and the  
2 column placement and everything, so that that's  
3 where the furniture stays and so we showed that  
4 furniture on the plan and I'd like that to suffice  
5 to solve number four. Is that acceptable, Jeff?  
6 **JEFFREY HANSON:** Yes. That's fine.  
7 **BRIAN CALLAGHAN:** Okay. As far as  
8 number five, then, talk a little bit about the  
9 lighting and the concept and addition to lighting  
10 that we were contemplating, some cameras to assist  
11 both the neighborhood and the police in case  
12 anything happens in our neck of the woods.  
13 **CRAIG DOTHE:** Correct. As far as the  
14 lighting is concerned, we did show that on the plan  
15 and you could think of it in terms of general  
16 lighting, exit signage and egress lighting, all of  
17 which are shown on the plan with the exception of  
18 the rooftop, on the rooftop, and again, the general  
19 lighting is basically a light over the back egress  
20 but also over top of each table. As far as when  
21 you get to the rooftop, what we're supposing to do  
22 is similar to what we did at El Charro and I  
23 include this light detail -- you want to mark it  
24 A-4? This is a manufactured item that's designed  
25 to be strung across the -- above the table, so what

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1 we do is we put our -- when we put our railings up  
2 on the upper floors, what we do is we extend up  
3 four-by-fours and then what we do is we string the  
4 lights across it so that these lights are up there  
5 in a similar manner to what we did at El Charro and  
6 in a way is kind of similar to, to this picture  
7 right here, where you could see the light source is  
8 right directly in that open space, so I'd like that  
9 to be able to suffice for the lighting plan.  
10 **BRIAN CALLAGHAN:** The outdoor lighting,  
11 as it comes in the building are we going to have  
12 outdoor sconces so that people walking down the  
13 sidewalk, in addition to the blade sign, will be  
14 able to identify and to also throw some lighting on  
15 to the sidewalk to make sure it's well lit?  
16 **CRAIG DOTHE:** Yeah. I actually think  
17 that's a great idea, add lighting, because  
18 there's -- there still isn't enough lighting on the  
19 front, on Arctic Avenue side.  
20 It was also our idea, combined with the  
21 clients, to add some cameras, front and back, so  
22 that anybody, even though it's Angeloni's parking  
23 lot, that we just thought it was a great idea to  
24 have some cameras back there in case something was  
25 going on behind the building, to have some wireless

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1 cameras in the front of the building, once again,  
2 just pointing up and down the street to make it a  
3 little safer. Once again, we want to encourage  
4 people that they come out of convention hall and  
5 come down the street, if they want to go visit us,  
6 fine, if they want to visit the taco place across  
7 the street, if they want to visit White House Sub,  
8 if they want to visit Frankie Barbera's Fish  
9 Market, the Barbera, so, I mean, we want to be able  
10 to say that if anything happens, that at least  
11 we're providing some lighting and camera action  
12 that would help everybody in the neighborhood.  
13 **BRIAN CALLAGHAN:** And Jeff, we can put  
14 those cameras on our plan.  
15 **JEFFREY HANSON:** Yeah. That would be  
16 acceptable.  
17 **BRIAN CALLAGHAN:** Perfect. Thank you.  
18 **CRAIG DOTHE:** You had a couple questions  
19 about hours of operation. In talking with the  
20 clients the hours of operation, what we're  
21 proposing would be Wednesday and Thursday 4 to 9,  
22 Friday and Saturday 4 to 10. Technically Sunday is  
23 always going to be closed. Depending on what  
24 happens with COVID, Monday and Tuesday could become  
25 open and, once again, 4 to 9 would be the hours of

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1 operation. We're not intending to do a breakfast.  
2 We're not intending to do a lunch. With respect to  
3 sound systems, there's no live music but there is  
4 soft Pandora music being played throughout. No  
5 hard rock or none of the above, soft, as I said --  
6 **JEFFREY HANSON:** It's not going to be  
7 heard outside the restaurant basically is what  
8 you're saying?  
9 **CRAIG DOTHE:** No. No. That's correct.  
10 **BRIAN CALLAGHAN:** Lastly, Craig, you  
11 want to talk about item number eight, the solid  
12 liquid management?  
13 **CRAIG DOTHE:** Yeah. I have to go to  
14 the -- I'm here on the plan. It's not on the, it's  
15 not on -- right in here. It's right on the first  
16 floor, right under the stair, right here. We're  
17 going to put trash containers and our barrel for  
18 the grease, so it's out of the way, it's tucked  
19 away, it's not in anybody's vision. When we went  
20 there last time with Rob and Jeff we walked through  
21 here and they had pulled some, pulled some of the  
22 trash out in this area. When they're open that  
23 would never, never be there, so that would be  
24 underneath the stair over here and people would  
25 never even go by but has great access down this

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1 alley to be put out.  
2 **BRIAN CALLAGHAN:** I think, as you guys  
3 know, for right now the trash from a commercial  
4 establishment is handled by a private hauler so  
5 it's not put out by the city and the grease that's  
6 being picked up is being picked up by a private  
7 person, also, so it's no impact on the Gold Medal  
8 people who handle the city trash.  
9 **JEFFREY HANSON:** Okay.  
10 **CRAIG DOTHE:** So I'll show those on the  
11 plan when we resubmit back to you and hopefully  
12 that will resolve number eight.  
13 The lighting details, we'll put -- that  
14 was item number nine, and the landscape details we  
15 talked about before. The lighting detail, I'll put  
16 that detail --  
17 **JEFFREY HANSON:** You'll put it on the  
18 plan?  
19 **CRAIG DOTHE:** Yeah. We'll put that on  
20 the plan and we'll show a little more of the  
21 strings, how they work on the third floor.  
22 **JEFFREY HANSON:** Okay. The only other  
23 thing I had on the lighting, Craig, was just make  
24 sure, you know, analyze, make sure there's no glare  
25 from those lights. The ones that you're going to

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1 put out on the front of the restaurant, make sure  
2 there's no glare going to the street or off the  
3 property, whatever, if you're gonna put shields on  
4 them or whatever, just make sure that's not going  
5 to be a nuisance issue.  
6 **CRAIG DOTHE:** Okay.  
7 **BRIAN CALLAGHAN:** I don't have any other  
8 questions of Mr. Dothe. I would open it up to the  
9 board here.  
10 **LANCE LANDGRAF:** If I may, we do want to  
11 make sure they do light up the sidewalk. That's  
12 kind of the purpose of them, so --  
13 **JEFFREY HANSON:** Yeah. No. I mean,  
14 just for motorists, just so it's not glaring in  
15 people's vehicles.  
16 **CRAIG DOTHE:** We were thinking about  
17 some neon signs saying Setaara, Setaara, stop here,  
18 but we passed.  
19 **LANCE LANDGRAF:** All right. So Brian,  
20 you're complete?  
21 **BRIAN CALLAGHAN:** We are complete.  
22 **LANCE LANDGRAF:** It looks like they went  
23 through your letter. Do you have anything -- we'll  
24 mark your letter that is dated July 21st as B-1.  
25 **JEFFREY HANSON:** No. Lance, you did a

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1 good job of giving a background before we even  
2 started and then I commend Brian and Craig for just  
3 going through the letter item by item and making it  
4 easy on us. I'll just add that this is 726 feet of  
5 courtyard space seating on the first and second  
6 floor deck levels of both buildings and they're  
7 adding the deck and rooftop seating, which they've  
8 already gone through, but everything has been  
9 covered in my letter, unless you have any questions  
10 or comments from me.  
11 **LANCE LANDGRAF:** You're comfortable with  
12 the planning testimony that we've heard today?  
13 **JEFFREY HANSON:** Yes.  
14 **LANCE LANDGRAF:** Okay. Scott, you have  
15 anything you need to get on the record here or  
16 you're good?  
17 **SCOTT COLLINS:** Jeff is here at the  
18 hearing today on behalf of the CDRA as their  
19 engineering consultant.  
20 **LANCE LANDGRAF:** Yes. Thank you.  
21 You have to swear Jeff in or not?  
22 **SCOTT COLLINS:** I think we can  
23 acknowledge that he's previously testified and been  
24 sworn and qualified and just ratify all that.  
25 **LANCE LANDGRAF:** Bob, we're good on your

<p style="text-align: right;">42</p> <p>1 end?</p> <p>2       <b>ROBERT REID:</b> Yup. I'm satisfied with</p> <p>3 everything.</p> <p>4       <b>LANCE LANDGRAF:</b> With that, I'll open</p> <p>5 the meeting up to the public. Liza, if there's</p> <p>6 anybody in the public, would you please allow them</p> <p>7 in? I didn't see anybody other than our</p> <p>8 participants. I do see the city planner, Planning</p> <p>9 Director Barbara Woolley-Dillon is here. Barbara,</p> <p>10 do you have any comments?</p> <p>11       <b>BARBARA WOOLLEY-DILLON:</b> I actually have</p> <p>12 some questions and I'm just making sure I'm reading</p> <p>13 the plans correctly. It looks like right now with</p> <p>14 the building -- and it's hard to tell because I</p> <p>15 don't have existing architectural elevations. It</p> <p>16 looks like at the back of the building they're</p> <p>17 taking out some windows and redoing doors. I'm not</p> <p>18 sure how the apartments are laid out and maybe Mr.</p> <p>19 Dothe can shed some light on this. Does the -- is</p> <p>20 the change to the elevation of the building with</p> <p>21 the new doors, is that going to impact anybody, any</p> <p>22 ability -- I'm concerned about light, air and open</p> <p>23 space on the inside of the building above the</p> <p>24 billiards so I'm trying to figure out if this is</p> <p>25 going to create a dark pocket in the back at both</p>	<p style="text-align: right;">44</p> <p>1 and everything and make it the proper width and</p> <p>2 that's right in this area. They have a -- they</p> <p>3 have the door of the apartment right here and</p> <p>4 that's a door to the apartment right here, which is</p> <p>5 the door that they get out of, so that's your</p> <p>6 secondary means of egress. Once when you enter the</p> <p>7 secondary means of egress what happens is you come</p> <p>8 down here and you go right out this alley this way.</p> <p>9 You don't get back in this way because this stair</p> <p>10 right here is -- well, this is the way that the</p> <p>11 restaurant people back here gain access to this</p> <p>12 alley. It's their secondary means of egress. So</p> <p>13 what happens is at this point, right underneath</p> <p>14 this area, that's where they converge, so at that</p> <p>15 point that could theoretically be a conflict.</p> <p>16 Also, there is a stair, this stair right here</p> <p>17 presently comes out here, passed the kitchen and</p> <p>18 joins the entry to this back area and is also in</p> <p>19 the path of means of egress. Because of those two</p> <p>20 things, because of those two facts the people, the</p> <p>21 clients, they closed this apartment and they closed</p> <p>22 this apartment. They don't rent either apartments</p> <p>23 anymore to people so I think that situation goes</p> <p>24 away, because those apartments, they conflict with</p> <p>25 the restaurant and they truly want to create this</p>
<p style="text-align: right;">43</p> <p>1 the second and third level of the residential units</p> <p>2 in the back of the billiards building, and I'm also</p> <p>3 looking, and tell me if I -- please correct me if I</p> <p>4 read this wrong. It appears now as though the back</p> <p>5 entrance for the residents to get out of the</p> <p>6 second -- they are now being -- they have to go</p> <p>7 through this courtyard to exit the building for an</p> <p>8 emergency access? Do I understand that correctly?</p> <p>9 I guess it's two different questions.</p> <p>10       <b>CRAIG DOTHE:</b> Do I have the screen</p> <p>11 again?</p> <p>12       <b>LANCE LANDGRAF:</b> Yes. Yes, you do.</p> <p>13       <b>CRAIG DOTHE:</b> I have the screen, okay.</p> <p>14       This is one apartment and this is the</p> <p>15 other apartment for the other building. This is</p> <p>16 the area that Barbara is referring to, the brown</p> <p>17 right here, which is the -- this is an existing</p> <p>18 deck that's across the back with the existing exit</p> <p>19 stairs which is the secondary means of egress from</p> <p>20 these apartments. Right here, this is the other</p> <p>21 apartment. What we're doing over here is the new</p> <p>22 stair, because there presently is a stair in this</p> <p>23 area that's not built according to the requirements</p> <p>24 of the building code, so we're going to tear that</p> <p>25 down and we're going to, you know, move the stair</p>	<p style="text-align: right;">45</p> <p>1 restaurant as the primary focus of this site. The</p> <p>2 apartments are vacant and they intend to keep it</p> <p>3 that way. At this point Mina's sister stays up</p> <p>4 here on the second floor because she works down</p> <p>5 below in the kitchen itself, so from her</p> <p>6 perspective she's real close to work, so there</p> <p>7 really isn't a conflict because she's, you know,</p> <p>8 responsible for maintaining this.</p> <p>9       <b>LANCE LANDGRAF:</b> I'm completely confused</p> <p>10 by how you described -- can you use your site plan</p> <p>11 that you submitted with this? As you scroll over</p> <p>12 your drawing it highlights different areas and it's</p> <p>13 very difficult to follow what's going on, so I</p> <p>14 think Barbara's first question was how are --</p> <p>15 you're telling me, regarding access to the</p> <p>16 apartments upstairs, are those, all of those</p> <p>17 apartments going away?</p> <p>18       <b>CRAIG DOTHE:</b> Yes.</p> <p>19       <b>LANCE LANDGRAF:</b> All of them?</p> <p>20       <b>CRAIG DOTHE:</b> Well, except the one right</p> <p>21 now which is on the second floor of the existing</p> <p>22 restaurant where her sister lives and she's</p> <p>23 maintaining the whole place so she's living</p> <p>24 basically on the site.</p> <p>25       <b>LANCE LANDGRAF:</b> So I'm looking at -- I</p>

<p style="text-align: right;">46</p> <p>1 have a plan that was submitted with the plans, I'm  2 looking at sheet Z1. If you can zoom in on the  3 right-hand side of that page there is a site plan  4 there. That might be easier for you to explain how  5 access is occurring from upstairs, if we even need  6 to, if the residential component is going away.  7 <b>CRAIG DOTHE:</b> Well, the one apartment is  8 being used as storage and will continue to be used  9 as storage. The other apartment at the present  10 time has Mina's sister living in it --  11 <b>LANCE LANDGRAF:</b> Right.  12 <b>CRAIG DOTHE:</b> -- which they brought in  13 from Colorado to manage the property.  14 <b>LANCE LANDGRAF:</b> All right.  15 <b>CRAIG DOTHE:</b> That's the intent. That's  16 the intent of the two apartments. One is for Mina  17 to live there, the other is for storage.  18 <b>LANCE LANDGRAF:</b> Will you go to that  19 sheet Z1 that doesn't have all the cuts on it and  20 kind of do the same thing you did before?  21 <b>CRAIG DOTHE:</b> I have to get into that  22 file because that's been taken out of this drawing.  23 <b>LANCE LANDGRAF:</b> The way I'm looking at  24 those stairs, there seems to be stairs that are  25 blocked. You can't use how you were describing</p>	<p style="text-align: right;">48</p> <p>1 And that side of the building is going  2 to be storage.  3 <b>LANCE LANDGRAF:</b> Right.  4 <b>CRAIG DOTHE:</b> This whole upper floors.  5 <b>LANCE LANDGRAF:</b> And the other side  6 where the operator is living, you have those stairs  7 to get them down to the first floor, they can go  8 out the main entrance?  9 <b>CRAIG DOTHE:</b> Right, and these all are  10 there presently.  11 <b>LANCE LANDGRAF:</b> Okay. Barbara, did  12 that answer your question?  13 <b>BARBARA WOOLLEY-DILLON:</b> Yes, it does.  14 Do you need to have me sworn in or  15 anything, Lance, by the way?  16 <b>LANCE LANDGRAF:</b> No. You're part of the  17 public.  18 <b>BARBARA WOOLLEY-DILLON:</b> Okay.  19 <b>LANCE LANDGRAF:</b> We don't swear in the  20 public, right, Scott?  21 <b>SCOTT COLLINS:</b> Correct.  22 <b>LANCE LANDGRAF:</b> If you want to get  23 sworn in, you're certainly welcome.  24 <b>BARBARA WOOLLEY-DILLON:</b> I just  25 wanted -- I didn't -- was just making sure we were</p>
<p style="text-align: right;">47</p> <p>1 them.  2 <b>CRAIG DOTHE:</b> I don't know if it's --  3 <b>LANCE LANDGRAF:</b> I think it's titled  4 exterior seating for Setaara. It's on sheet --  5 yes, if you can zoom in on that. That's it. If  6 you could explain -- if you look at the left-hand  7 side of the plan, where the stairs go up and down  8 and then you have the short run that goes down to  9 the patio area, right?  10 <b>CRAIG DOTHE:</b> This one here?  11 <b>LANCE LANDGRAF:</b> Out along that walkway  12 there, because that's blocked.  13 <b>CRAIG DOTHE:</b> Okay. I see the  14 confusion.  15 Okay. What this is is a site plan, so  16 it's not a first floor plan.  17 <b>LANCE LANDGRAF:</b> Gotcha.  18 <b>CRAIG DOTHE:</b> So this is seeing what,  19 you know, if you flew over top of the project and  20 you have this open deck, you come down a couple  21 steps to join in with the stair that then comes all  22 the way down the grade and then this way.  23 <b>LANCE LANDGRAF:</b> Thank you. It's  24 underneath that, gotcha. Thank you.  25 <b>CRAIG DOTHE:</b> You're welcome.</p>	<p style="text-align: right;">49</p> <p>1 all set there. Thank you. That explains it.  2 The other thing that I'd like to offer  3 from the city's perspective about the parking lot  4 across the street that is city owned, there seems  5 to be some testimony in the record about that. It  6 is city owned. It continues to be city owned. The  7 city potentially has plans for that and I'm not  8 sure that we would be able to indicate that this  9 would be, and as you testified, there are other  10 parking garages but I'm not sure that I would  11 include that area as potential use for parking for  12 the site. That's all I'd add to it.  13 <b>CRAIG DOTHE:</b> We agree with Barbara. We  14 didn't include it. We just said that it had been  15 in negotiations. Never panned out and it's still a  16 city owned lot sitting there as a vacant lot for  17 whatever use the city wants to put it through and  18 that was the only intent of the conversation.  19 <b>BARBARA WOOLLEY-DILLON:</b> We look forward  20 to receiving some information from you, Brian, with  21 regard to whatever happens for the revocable  22 licenses for signage and the planters that are  23 currently located outside that have been installed.  24 <b>BRIAN CALLAGHAN:</b> Yup. I'll have to get  25 a surveyor to put together plans that have</p>

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1 dimensions and I'll get the survey prepared and  
2 sent over.  
3 **BARBARA WOOLLEY-DILLON:** Okay. Great.  
4 Do you have our sample of the revocable  
5 license that we typically -- and I'm sure you have  
6 probably done them before so I'm sure you have  
7 them.  
8 **BRIAN CALLAGHAN:** Yup, I do.  
9 **BARBARA WOOLLEY-DILLON:** Okay. Great.  
10 Thank you. We look forward to that. Thank you.  
11 That's all I have.  
12 **LANCE LANDGRAF:** Thank you, Barbara.  
13 Anybody else out there in the public?  
14 I'm looking through the -- I don't see anybody  
15 there.  
16 So with that, we will close the public  
17 portion. Anything else from Rob or Scott?  
18 **ROBERT REID:** No. I'm good.  
19 **SCOTT COLLINS:** Nothing here.  
20 **LANCE LANDGRAF:** Brian, are you  
21 complete?  
22 **BRIAN CALLAGHAN:** We're complete.  
23 **LANCE LANDGRAF:** With that, then, we  
24 will close the hearing on this application.  
25 For everybody's benefit, there's really

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1 no public here today, our next land use hearing is  
2 September 2nd at 10:00 a.m. and that will again be  
3 via Zoom platform, as most of our meetings in the  
4 near future will continue to occur. We will make  
5 every effort, I'm pretty sure we can get everyone  
6 for our September 21st meeting of the full CRDA  
7 board to get the hearing officer report on the  
8 agenda for the board's consideration on, as I said,  
9 September 21st and that meeting was held at  
10 2:00 p.m. in the afternoon on that day so I --  
11 **BRIAN CALLAGHAN:** We'll get you the  
12 revised plans back and I'll get -- so Jeff and Rob  
13 and everybody else can review those, make sure  
14 we're up to snuff and I'll get the -- as part of  
15 that revised plans back to you, I'll show you the  
16 deed of consolidation and I'll show you the copies  
17 of the revocable licenses that we'll be turning  
18 into the city.  
19 **LANCE LANDGRAF:** Okay. Thank you,  
20 Brian.  
21 They would be conditioned on any  
22 approval the board would grant at that time,  
23 anyway, so you don't have to rush to get them to us  
24 by the 21st. It would be conditions of any  
25 consideration the board would be given.

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1 All right. Thank you. If no other  
2 public comment, I'll close the meeting. Thank you,  
3 Liza, for stepping in and doing a good job on the  
4 Zoom meeting. Thank you, everybody. Have a great  
5 day.  
6 **SCOTT COLLINS:** You, too.  
7 **BRIAN CALLAGHAN:** Thank you, very much.  
8 (At 11:10 a.m. proceedings were  
9 concluded.)  
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1 **CERTIFICATE**  
2  
3 **I, MICHELLE GRUENDEL, a Certified Court**  
4 **Reporter and Notary Public of the State of New**  
5 **Jersey, do hereby certify that the foregoing is a**  
6 **true and accurate transcript of the testimony as**  
7 **taken stenographically and digitally at the time,**  
8 **place and on the date hereinbefore set forth, to**  
9 **the best of my ability.**  
10 **I DO FURTHER CERTIFY that I am neither a**  
11 **relative nor employee nor attorney nor counsel of**  
12 **any of the parties to this action, and that I am**  
13 **neither a relative nor employee of such attorney or**  
14 **counsel, and that I am not financially interested**  
15 **in the action.**  
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*Michelle Gruendel*  
**MICHELLE GRUENDEL, C.C.R.**  
**C.C.R. License No. 30X100190500**  
**Notary Public of the**  
**State of New Jersey**

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