

CASINO REINVESTMENT DEVELOPMENT AUTHORITY  
  
LAND USE REGULATION and ENFORCEMENT DIVISION

DHARMENDRAKUMAR H. PATEL  
APPLICANT SEEKS VARIANCE RELIEF FOR NUMBER OF  
AWNING SIGNS, NONCONFORMING TYPE OF WINDOW  
SIGNS, NUMBER OF WINDOW SIGNS. THE PROPERTY  
LOCATED AT 1737 ATLANTIC AVENUE, ALSO KNOWN AS  
BLOCK 289, LOT 36 AS SHOWN ON THE TAX MAP OF THE  
CITY OF ATLANTIC CITY LOCATED WITHIN THE CENTRAL  
BUSINESS DISTRICT.

BLOCK 289, LOT 36  
1737 Atlantic Avenue,  
Atlantic City, New Jersey

Thursday - November 4, 2021

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1 Public hearing in the  
2 above-referenced matter, conducted at the  
3 CASINO REINVESTMENT DEVELOPMENT AUTHORITY, 15  
4 South Pennsylvania Avenue, Atlantic City, New  
5 Jersey, before Karen A. Haworth, a New Jersey  
6 Certified Court Reporter (CCR), nationally  
7 certified Registered Professional Reporter  
8 (RPR), nationally certified Certificate of Merit  
9 holder (CM), nationally certified Certified  
10 Realtime Reporter (CRR), a Delaware Certified  
11 Shorthand Reporter (CSR), nationally certified  
12 Certified LiveNote™ Reporter (CLR), and Notary  
13 Public of the State of New Jersey, on the above  
14 date, commencing at 10:04 a.m., there being  
15 present:  
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1 APPEARANCES:  
2 CASINO REINVESTMENT DEVELOPMENT AUTHORITY:  
3  
4 LANCE B. LANDGRAF, JR.  
Chairman  
5 Director, Planning Department  
6  
7 CASINO REINVESTMENT DEVELOPMENT AUTHORITY  
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10 ROBERT L. REID  
Land Use Enforcement Officer  
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1 PROFESSIONALS TO THE BOARD FOR THIS HEARING:  
2  
3 SCOTT G. COLLINS, ESQUIRE  
4 RIKER, DANZIG, SCHERER, HYLAND & PERRETTI  
5  
6  
7 JANE FONTANA, ESQUIRE  
8 Assistant General Counsel, CRDA  
9  
10  
11 G. JEFFREY HANSON, PP, CME  
12 Environmental Resolutions, Inc.  
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1 ALSO PRESENT FOR CRDA:

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3 LIZA BARRICK

4 Assistant to Lance Landgraf and Zoom operator

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1 I N D E X

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3 WITNESS(ES) PAGE NO.  
4 JON BARNHART  
5 By: Brian Callaghan 15

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11 EXHIBITS MARKED AND/OR REFERRED TO:

12 A-1  
13 A-2  
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15  
16 B-1

1 COUNSEL FOR THE APPLICANT:

2  
3 BRIAN J. CALLAGHAN, ESQUIRE  
4 CALLAGHAN, THOMPSON & THOMPSON, ESQUIRES

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10 ALSO PRESENT FOR THE APPLICANT:

11 Dharmendrakumar H. Patel

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1 [COURT REPORTER'S NOTE:  
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12 VIDEOCONFERENCE PLATFORM CUTOUTS WHERE  
13 THE PUBLIC HEARING DID NOT CEASE.]

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17 (Time noted: 10:04 a.m.)

18  
19 LANCE LANDGRAF: All right. I'll  
20 call to order the November 4th, 2021 CRDA Land  
21 Use Regulation and Enforcement Division hearing  
22 to order.

23 Would everyone please rise for the  
24 Pledge of Allegiance?  
25 (The Pledge of Allegiance was

1 recited at this time.)  
 2 LANCE LANDGRAF: Thank you.  
 3 Okay. This hearing has been  
 4 noticed in accordance with the Senator Byron M.  
 5 Baer Open Public Meetings Act, also known as the  
 6 Sunshine Law.  
 7 And, of course, my dog decides to  
 8 bark really loudly.  
 9 We have two items -- or we have one  
 10 item on the list of our agenda today, and that  
 11 is Application 2021-09-3068. Dharmendrakumar  
 12 Patel, Gem Liquor store.  
 13 Did I do --  
 14 BRIAN CALLAGHAN: Yes.  
 15 LANCE LANDGRAF: -- okay with that  
 16 first name?  
 17 BRIAN CALLAGHAN: Perfect.  
 18 LANCE LANDGRAF: Okay. The  
 19 applicant seeks relief from section NJSA -- NJSA  
 20 40:55D-70c, for a number of awning signs,  
 21 nonconforming type of window signs, number of  
 22 window signs.  
 23 The property is located at 1737  
 24 Atlantic Avenue, also known as Block 289, Lot 36  
 25 on the tax maps of the city of Atlantic City.

1 SCOTT COLLINS: Do you swear to  
 2 tell the truth, the whole truth, and nothing but  
 3 the truth in your testimony here today?  
 4 JEFFREY HANSON: I do.  
 5 SCOTT COLLINS: Thank you.  
 6 And, Lance, if you could just  
 7 introduce Jeff and explain that he's --  
 8 LANCE LANDGRAF: Yes.  
 9 Jeff Hanson is our engineer and  
 10 planner for the CRDA Land Use Regulation  
 11 Division, and he's certainly accepted as a -- an  
 12 expert in the field of engineering. Not really  
 13 planning on this application, but I guess -- I  
 14 guess there is some.  
 15 So, he is accepted as -- as an  
 16 engineer and planner in this regard.  
 17 JEFFREY HANSON: Yep. I prepared  
 18 this in -- in -- in concert with one of our  
 19 licensed professional planners, as far as the  
 20 -- the -- the variances.  
 21 LANCE LANDGRAF: Okay. Ed Fox?  
 22 JEFFREY HANSON: Yeah.  
 23 LANCE LANDGRAF: Okay. And Ed Fox  
 24 is also accepted. He's not here today, but he's  
 25 certainly accepted as a professional planner,

1 Rob, can we hear on -- on proper  
 2 notification?  
 3 ROBERT REID: Yes. I've reviewed  
 4 the Proof of Service provided, and we have  
 5 jurisdiction to hear the application today.  
 6 LANCE LANDGRAF: Okay. And, Jeff,  
 7 we're good on completeness?  
 8 JEFFREY HANSON: We are. We just  
 9 ask that they submit a "C" variance checklist  
 10 that wasn't submitted.  
 11 LANCE LANDGRAF: Okay.  
 12 JEFFREY HANSON: There was a  
 13 Atlantic City -- or CRDA/City of Atlantic City  
 14 "C" variance checklist, form 12.  
 15 LANCE LANDGRAF: Okay. And, Scott,  
 16 with that, I'll --  
 17 JEFFREY HANSON: So, other than  
 18 that, as long as they give testimony, we're --  
 19 we have no objection to completeness.  
 20 LANCE LANDGRAF: Okay. Scott, I  
 21 forgot to have Jeff sworn in. If you could do  
 22 that for us real quick.  
 23 SCOTT COLLINS: Good morning, Jeff.  
 24 JEFFREY HANSON: Good morning.  
 25 Scott.

1 licensed in the State of New Jersey, to assist  
 2 him with the letter.  
 3 Okay. Brian, the floor is yours.  
 4 BRIAN CALLAGHAN: Good morning.  
 5 Brian Callaghan of the law firm of Callaghan,  
 6 Thompson & Thompson, on behalf of Mr. Patel.  
 7 1737 Atlantic Avenue.  
 8 Gem Liquor Store.  
 9 We've had the opportunity to review  
 10 Mr. Hanson's report and, assuming that we don't  
 11 have to deal with items 2, 3, 4, 5, and 6,  
 12 dealing with lot sizes, lot widths, lot depths,  
 13 and areas, since all of those are pre-existing  
 14 nonconformities and we're not doing anything to  
 15 structurally change the property, I'll -- I'll  
 16 just jump right into the -- the signage that we  
 17 have.  
 18 LANCE LANDGRAF: I'm -- I'm fine  
 19 with that. Those are existing nonconforming  
 20 conditions that are not being affected by the  
 21 application.  
 22 JEFFREY HANSON: And we've  
 23 customarily handled those. I -- I -- I just put  
 24 them in there --  
 25 LANCE LANDGRAF: Right.

1 JEFFREY HANSON: -- as a -- a  
 2 customary that we've accepted those before.  
 3 Right, Scott?  
 4 SCOTT COLLINS: Correct.  
 5 LANCE LANDGRAF: Yeah. It just  
 6 documents it and puts it on the record.  
 7 And I -- I appreciate that they are  
 8 in that -- that report. We'll get into that  
 9 report a little later.  
 10 But, that's fine, Brian. Thank  
 11 you.  
 12 BRIAN CALLAGHAN: Mr. Reid had  
 13 originally sent us a Gem Liquor sign inventory,  
 14 which I included as part of the package, which  
 15 talked about the types of signs; that one awning  
 16 sign was permitted, two wall-mounted signs were  
 17 permitted, one window sign to identify a -- a  
 18 business only was permitted, and then one Open  
 19 sign -- one Open, in the sense of that you're  
 20 open, and store hours was permitted.  
 21 And at that time, when we got it,  
 22 we had, depending on how you count the awning  
 23 signs, since it's a corner, two or three awning  
 24 signs, two wall-mounted, eight windows, one  
 25 Open, and one store.

1 So, in speaking with my client  
 2 today and going over it with Mr. Barnhart, what  
 3 we're seeking relief from is, we -- we want to  
 4 have permitted the awning sign as it exists  
 5 right now. It's a corner property. So, we want  
 6 the awning sign to exist as it is now. We  
 7 understand, if it's -- if it is approved, we  
 8 would need to have a --  
 9 LANCE LANDGRAF: Can everybody see  
 10 that? I just brought up what you were talking  
 11 about, Brian.  
 12 BRIAN CALLAGHAN: Yep. I -- I  
 13 think Jon Barnhart may have a --  
 14 Jon, do you want to pop up your  
 15 exhibit?  
 16 JON BARNHART: Yeah. What I'm  
 17 gonna -- I'm -- I'm gonna bring up a photo of  
 18 the site when the site was completely out of  
 19 compliance with regard to the quantity of signs  
 20 when Mr. Reid's report was done, I think it was  
 21 back in 2019, originally. Give me one second  
 22 here.  
 23 Because this kind of gives you a  
 24 good picture of where we were and where we're  
 25 proposing to go so you can see, you know, how

1 much -- how much better we're proposing it would  
 2 be.  
 3 So, can everybody see that?  
 4 LANCE LANDGRAF: Yes.  
 5 JON BARNHART: All right. Do you  
 6 want to swear me real quick, I guess, before I  
 7 start talking?  
 8 SCOTT COLLINS: Yeah. Sure.  
 9 Just -- just to back up for one  
 10 second. Let's start marking exhibits, too.  
 11 We'll call A-1 the -- the  
 12 application materials A-1.  
 13 And then, Jon, do you have anything  
 14 that you're going to be showing that wasn't  
 15 included as part of the submission package?  
 16 JON BARNHART: Only this photo.  
 17 SCOTT COLLINS: Okay. So, we'll  
 18 mark this A-2.  
 19 Okay. And could you raise your  
 20 right hand, please?  
 21 Do you swear to tell the truth, the  
 22 whole truth, and nothing but the truth in your  
 23 testimony here today?  
 24 JON BARNHART: I do.  
 25 SCOTT COLLINS: And will you be

1 testifying as both a professional engineer and a  
 2 professional planner today?  
 3 JON BARNHART: That's correct.  
 4 SCOTT COLLINS: And, Lance,  
 5 obviously, Jon has testified before us many  
 6 times. So, will you continue to accept his  
 7 credentials in both fields?  
 8 LANCE LANDGRAF: Yes.  
 9 SCOTT COLLINS: Thank you.  
 10 JON BARNHART: Thank you.  
 11  
 12 DIRECT EXAMINATION  
 13 BY BRIAN CALLAGHAN:  
 14 Q. All right. Jon, why don't you  
 15 follow-up on what we were -- what we've  
 16 discussed and talk a little bit about what we're  
 17 proposing --  
 18 A. Sure.  
 19 Q. -- to clean up the corner?  
 20 A. So, the photo that you see here was  
 21 -- was from 2019. And you could see that our --  
 22 our client had gotten -- I'll -- I'll use the  
 23 term carried away with signage on the front of  
 24 his -- of the building.  
 25 Mr. Reid had -- did an analysis at

1 that time, came up with as many as eight window  
2 signs in the street wall. Signs, plus the  
3 canopy, plus the mural on the side, and the --  
4 and the prior -- or the building was -- was  
5 completely out of -- out of compliance with  
6 regard to signage.

7 If you visited the building  
8 recently, you -- you would know that the  
9 majority of these have been taken down. And  
10 we're -- we're --

11 The goal this morning is to -- is  
12 to achieve a signage package that everybody is  
13 comfortable with but then, obviously, still  
14 gives our client some flexibility to advertise  
15 and to have -- have some space within his  
16 windows to advertise typical to any -- any  
17 storefront-type building along the avenue and --  
18 and, certainly, typical to a -- to a liquor --  
19 liquor store, which -- which you see  
20 advertisement through -- in liquor store  
21 windows, you know, basically, all over the  
22 county or the state.

23 So, what we -- what we are  
24 proposing this morning -- and I guess I'll --  
25 first, I'll talk about the -- the -- the awning

1 -- the canopy, the awning.

2 The -- the -- your regulation  
3 permits one awning -- or -- I'm sorry -- one  
4 canopy sign. It has -- it has -- it has been  
5 identified that this -- the -- that the shape of  
6 this canopy constitutes three signs. I -- I  
7 don't know that, from -- from a --

8 In my professional opinion, I'm not  
9 certain that I agree with that, but I do  
10 understand the perspective in which that -- that  
11 decision was made.

12 So, what we are asking for is to  
13 allow the canopy to exist exactly as you see it  
14 in this photo and which is what's -- what's  
15 there today. Albeit it is being counted as  
16 three canopy signs, but it is, essentially, one  
17 canopy that wraps -- wraps the corner of the  
18 building.

19 And, you know, as a -- as a -- as  
20 an example, if you had an odd-shaped property  
21 that would have a continuous canopy that might  
22 have an angle to it or something, but was all  
23 along -- on street frontage, I think that would  
24 still be considered one canopy. But, because we  
25 wrapped the corner of the building I guess is

1 why we -- why it's being separated into multiple  
2 canopy sign elements. Which we believe, the way  
3 that this canopy was constructed, it -- it,  
4 essentially, serves the purpose of one canopy  
5 and then -- and then, obviously, the signage on  
6 the canopy.

7 Another way to look at it is, you  
8 do have two street frontages. So, you know, if  
9 you're -- if you --

10 Well, you know, there is a vantage  
11 point where you can see the entire element.  
12 But, if you're on Atlantic Avenue, coming down  
13 the avenue from the -- from the north, you're  
14 really only seeing the one that's on Atlantic.  
15 And, you know, if you're actually on "MLK,"  
16 [stated incorrectly] you're -- you're,  
17 basically, seeing the one that's on "MLK."

18 So, it's kind of like a  
19 back-to-back sign -- sign structure, where you  
20 have signs on each side, but it really is  
21 constituted -- or is counted as one sign.

22 The other thing to keep in mind is  
23 that, you know, the building has a lot of  
24 frontage on -- on "MLK." You know, the -- the  
25 other -- the other option would have been a

1 canopy that goes all the way down "ML" -- "MLK"  
2 that could be nearly twice as long -- or  
3 actually more than twice as long as this canopy.

4 So, what we believe -- what we  
5 believe is that as -- as existing slash proposed  
6 on the building now is an appropriate sized  
7 canopy. It is signage that is -- that is  
8 adequate but not proliferating the face of the  
9 building with the -- with the canopy signs that  
10 would -- would be otherwise permitted if it were  
11 considered one canopy.

12 The second element that we are  
13 asking for this morning is window signage.

14 So, as you saw from Mr. Reid's  
15 report, he identified eight -- eight window  
16 signs. And -- and -- and we're all familiar  
17 with how -- with liquor stores and -- and,  
18 really, all -- all retail shops along the avenue  
19 here. Even the pizza shops and -- and other  
20 retail stores do this. They have different  
21 elements of signage within their windows, and --  
22 and they switch out over time and, you know,  
23 they're identifying things that are being sold  
24 within the building or -- or, you know, within  
25 the use.

1 So, what we are -- what we would  
 2 like to ask for this morning is the ability to  
 3 utilize the three windows. They're not big  
 4 windows and -- and they don't run all the way  
 5 down "MLK" Boulevard. They're just the two on  
 6 the -- on the commercial frontage of -- of  
 7 Atlantic Avenue. And then the one on the corner  
 8 -- that turns the corner onto "MLK," to utilize  
 9 the windows for signage, for advertising of --  
 10 of items such as Coors Light and Bud Light. It  
 11 would also have their Open sign in it.

12 And the -- the tradeoff, if you  
 13 will, would be that we're -- we're proposing and  
 14 -- and would condition the approval on the idea  
 15 that we would have no wall-mounted signage  
 16 whatsoever.

17 So, as you know, the ordinance  
 18 permits -- and Mr. Reid's report identifies this  
 19 as well -- the ordinance permits one window  
 20 sign, albeit it -- it is to identify the -- the  
 21 -- the site -- or the -- the -- the -- the  
 22 tenant and not necessarily goods or services  
 23 within the building, but it does permit one  
 24 window sign. And then it would -- based on this  
 25 layout, it would permit two wall signs. So, you

1 And then the other two sign  
 2 locations, you know, again, as I mentioned, are  
 3 -- are -- the goal is keep making the -- making  
 4 the -- the -- the site successful; letting  
 5 people know, you know, what's in the facility,  
 6 number one. Letting -- letting them know that  
 7 the facility is open or closed. Number two,  
 8 letting them know what products are inside the  
 9 facility that are for -- that are for purchase.

10 So, that is what we are proposing  
 11 this morning with regard to the signage package.

12 Talking about the -- the -- the --  
 13 those window signs again for a moment, I think  
 14 that the -- that the condition of proposing no  
 15 future wall signs beyond the three -- beyond the  
 16 three sign locations within the windows I think  
 17 is a very good tradeoff, because it -- it kind  
 18 of locks in the -- the actual totals of -- of --  
 19 of space the signage could occupy both of the  
 20 frontages of -- of this building.

21 And then the one, I think,  
 22 overlying thing I -- that we need to keep in  
 23 mind is that if you look at the canopy sign and  
 24 you look at the window signs and you add their  
 25 square footages up, even if you were to take

1 would be allowed to have three signs that --  
 2 that are affixed to the face of the building.  
 3 And those three signs, as you know, can't --  
 4 can't exceed 25 percent -- including all the  
 5 signs can't exceed 25 percent of the building  
 6 facades.

7 What we are asking for this morning  
 8 is to have three sign locations, which would be  
 9 the three windows, and have no wall-mounted sign  
 10 -- signage. So, in -- in essence, we would have  
 11 the permitted number of -- of signs, three,  
 12 because you could have one window and two wall,  
 13 but we are proposing to have all three of those  
 14 in the window.

15 We think --

16 Or just looking at each one of  
 17 those locations for a moment, the one window,  
 18 the signage that -- that would be the furthest  
 19 to the north, signs on that window is important  
 20 to us because it was built as a -- that you  
 21 can't see in, but you can see out type of screen  
 22 sign, which is our client's office space. So,  
 23 that -- that -- that is important. It gives him  
 24 privacy but still allows him to see out from --  
 25 from a security perspective.

1 those windows and have a sign cover the entire  
 2 window, it would still be well below the 25  
 3 percent that is permitted based on this -- your  
 4 land use regulations.

5 Mr. Reid's report identifies the --  
 6 the facade areas of the -- of both "MLK" and  
 7 Atlantic Avenue. And you could see from that  
 8 that, even when he had way more signs than he  
 9 was permitted to have, he was well below the  
 10 threshold of the 25 percent.

11 So, we believe that this is a case  
 12 of a -- a C(2) type of application, where the  
 13 benefits of the deviation outweigh the  
 14 detriments.

15 The benefits are that, obviously,  
 16 we are proposing to limit our signage type by --  
 17 by eliminating the use of wall-mounted signage  
 18 in trade for utilizing our window spaces for our  
 19 signage on the site.

20 Allowing those signs to take place,  
 21 again, helps -- helps promote this business,  
 22 helps keep the business successful, gives  
 23 motorists, pedestrians, bicyclists that are  
 24 going by know what goods and services are being  
 25 -- are -- are available within the store. But,

1 it's done in what I -- what I would consider a  
2 tasteful manner because we're not -- we're -- we  
3 are proposing to not place banners along the  
4 walls, like you see similar to what was in this  
5 picture.

6 It would still allow you to  
7 maintain the architecture of the building and  
8 see all the brick of the building, you know, on  
9 this prominent corner.

10 And for those reasons, we believe  
11 that a "C" variance can be granted as -- as --  
12 as requested.

13 With regard to the negative  
14 criteria of a "C" variance for an application  
15 like this, is there a substantial detriment to  
16 the -- to the public good? I would argue that  
17 having signage that -- that promotes the  
18 business is a benefit to the public good, as  
19 long as it's not done in any major distracting  
20 way, and which we think that the limitations  
21 that we are proposing this morning would  
22 eliminate any major distraction of a motorist or  
23 a pedestrian but still providing the  
24 information.

25 And the second prong of the

1 discuss that so that --

2 You know, once again, it would just  
3 be one window sign. It would either be like a  
4 Coors Light sticker on their window or, in the  
5 event that a Coors Light person gave him a sign  
6 to hang -- hang from the inside of the building,  
7 down into the window space but inside the  
8 building. So, we're, once again, just one sign  
9 per window. Correct?

10 A. Yeah. So, it --

11 Right. The proposal would be one  
12 sign per window.

13 You know, if you're familiar with  
14 -- with the -- with the liquor and beer and wine  
15 industry, suppliers and vendors will -- will --  
16 would -- will ask the -- the building owners to  
17 -- to display their signage, and they'll give  
18 them the signs. And that's why they switch out  
19 over time.

20 So, you know, sometimes, they come  
21 as a -- as a -- as a -- I don't want to call it  
22 a sticker, but -- but they get placed on the  
23 glass of the window. Then other times, they get  
24 hung inside the building and then they're able  
25 to be seen through the window.

1 negative criteria is that is there a substantial  
2 detriment to the zone plan or zoning ordinance.  
3 And I would argue that, based on the number of  
4 signs affixed to the face of the building that  
5 we propose, being three, that is -- the intent  
6 of the ordinance is to allow one window and two  
7 wall, which still gives you the same quantity of  
8 signage that are -- that are affixed to the face  
9 of the building.

10 So, I believe that there is no  
11 substantial detriment to the zone plan or zoning  
12 ordinance as a result of our -- our client's  
13 proposal.

14 And, Brian, that's really all I  
15 have.

16 Q. On the window signs, we had  
17 discussed --

18 A. I'm gonna stop sharing for a  
19 second, Brian, --

20 Q. Okay.

21 A. -- so we can see everybody.

22 Q. On the window signs, we had  
23 discussed affixed to the window and/or certain  
24 neon signs that could be hung on the inside of  
25 the property, where it would be. And could you

1 The idea here is, rather than, you  
2 know -- as these things are being switched out,  
3 instead of it being, oh, is that legal, is that  
4 not legal, did that comply with the ordinance,  
5 the idea being that we would like the ability to  
6 utilize each of the three windows for different  
7 types of signage that may be appropriate at the  
8 time for advertisement of the goods within the  
9 building. And it would never be a sign that --  
10 that advertised anything other than what's being  
11 sold inside the building itself.

12 ROBERT REID: Lance, I have a  
13 question and comment.

14 LANCE LANDGRAF: Well, let's let  
15 them finish their presentation. Then we'll --

16 ROBERT REID: Okay.

17 LANCE LANDGRAF: -- we'll circle  
18 back.

19 ROBERT REID: Okay.

20 BRIAN CALLAGHAN: We -- we don't  
21 have anything else, Mr. Landgraf.

22 LANCE LANDGRAF: Okay. Then, Rob,  
23 go ahead.

24 ROBERT REID: Okay. Yes. One  
25 thing. I just want to make sure the record's

1 correct. That's Indiana Avenue, not Martin  
 2 Luther King.  
 3 JON BARNHART: Oh. Okay.  
 4 LANCE LANDGRAF: I heard that, too.  
 5 ROBERT REID: So, at least the  
 6 record has that. No big deal.  
 7 The other thing is, are you  
 8 intending that the wall -- window signage will  
 9 conform to the 25 percent maximum in the glass  
 10 or are you asking relief from that?  
 11 JON BARNHART: We're asking --  
 12 [Indiscernible - overtalking]  
 13 ROBERT REID: At the moment --  
 14 JON BARNHART: We would -- we would  
 15 be asking for -- we would be asking for relief  
 16 from that. We're -- we're --  
 17 We would not meet -- we would not  
 18 exceed the maximum of 25 percent of the building  
 19 facade for all signage.  
 20 So, in -- in theory, what we're  
 21 talking about is -- is utilizing, potentially,  
 22 the entire window, but that's -- the reality of  
 23 it, that's not gonna be the case. But,  
 24 potentially, the entire window.  
 25 ROBERT REID: So, we need --

1 Okay. Just so it's understood that  
 2 you'll -- you'll need variance relief from the  
 3 sides of the -- the signs in the glass itself.  
 4 LANCE LANDGRAF: All right. So --  
 5 so, I -- I have a concern with blocking the  
 6 entire windows.  
 7 So, when we wrote these regs, we  
 8 talked to Atlantic City, we talked to the  
 9 Atlantic City Police Department. And one of  
 10 their goals and then what they've started to do  
 11 is have, you know, police officers -- and -- and  
 12 not as much as -- as everyone would like, but  
 13 start walking the streets a little bit more,  
 14 being able to look in the businesses and make  
 15 sure things are okay.  
 16 And that's part of the reason why  
 17 these windows are, you know, supposed to be  
 18 mostly open. Not say "open." Clear, visibility  
 19 going through them.  
 20 And, you know, we have been issuing  
 21 a lot of violations in this regard. You know,  
 22 not everyone is compliant yet. We understand  
 23 that. But, we have issued hundreds of  
 24 violations for signage in the city because they  
 25 were allowed to put up signage like -- like you

1 -- you see up and down Atlantic and Pacific  
 2 Avenue and on the boardwalk. You know, we have  
 3 written violations. We have collected fines.  
 4 We don't want to collect fines. We  
 5 want compliance.  
 6 Atlantic City has for too long  
 7 allowed signage to run rampant.  
 8 So, I am not in favor of -- of any  
 9 recommendation to our board that would allow  
 10 full coverage in the windows. I'm -- I'm just  
 11 not. You know, that's not something I think is  
 12 -- is advantageous to the security of the site  
 13 and doesn't -- doesn't look right.  
 14 You have windows there for a  
 15 reason; not --  
 16 To cover them up completely with  
 17 signage is not something that -- that I would  
 18 support with an application.  
 19 So, we've got to come to some sort  
 20 of an agreement where that will be reduced.  
 21 It's -- it's just not something that -- that I  
 22 support.  
 23 With regard to the canopy, I'm okay  
 24 with the canopy and how that's laid out. It  
 25 does need relief, but I -- but, I think it --

1 it's actually --  
 2 Now, to me, it's got a little bit  
 3 too much signage on it, but it -- it's there.  
 4 I don't have too much of a problem  
 5 with it wrapping around the building. I think  
 6 it does serve a purpose on Atlantic and Indiana  
 7 Avenue by -- by wrapping around that corner.  
 8 Understanding it does need relief,  
 9 but this is -- you know, it's a corner site. It  
 10 gets that -- that little bit of extra signage  
 11 space to put that up.  
 12 A question on the mural. That --  
 13 that -- that doesn't need any relief. That's  
 14 something that was done by the 48 Blocks group.  
 15 It's not -- it's not necessarily signage.  
 16 Correct, Rob?  
 17 ROBERT REID: That's correct. It's  
 18 considered art and --  
 19 [Indiscernible - overtalking]  
 20 LANCE LANDGRAF: Okay. I think it  
 21 looks good.  
 22 [Indiscernible - overtalking]  
 23 I mean, it does add to that side of  
 24 the building. It -- it looks nice.  
 25 So, that -- that's where I'm



1 leaning towards, is we've got to come up with a  
2 different plan for the window signage.

3 The -- the two windows, the one on  
4 the corner on -- on Indiana and then the one  
5 before the doorway, to me, those are fine. They  
6 -- they look okay. They're open signs. They  
7 allow someone from the outside to see into the  
8 property. You know, they're the neon stuff that  
9 I -- that I kind of think goes along with a -- a  
10 liquor store, to me, and a -- and a -- a retail  
11 store in -- in that location.

12 But, having that full -- those full  
13 windows blocked with either an adhesive-attached  
14 sign or something hanging on the inside, I --  
15 that -- that, to me, is -- doesn't -- doesn't  
16 meet the goals of our master plan and the city's  
17 safety requirements that they've looked at  
18 increasing over the last several years.

19 [Indiscernible - overtalking]

20 ROBERT REID: Yeah. Yeah.

21 LANCE LANDGRAF: So, why don't --  
22 with this, why don't we go to --

23 [Indiscernible - overtalking]

24 JON BARNHART: Lance -- Lance, can  
25 we jump in real quick on that topic while you're

1 on outside of his store. But, he's looking for  
2 that -- that privacy so the people can't see  
3 into his office space.

4 LANCE LANDGRAF: Well, that --  
5 that's an office? That's not a -- that's not  
6 the cash register area? That -- that's the --

7 DHARMENDRAKUMAR PATEL: People can  
8 see in. That's it.

9 LANCE LANDGRAF: I have -- I've  
10 been by the store. I have not been in it. So,  
11 is -- is that --

12 [Indiscernible - Mr. Barnhart  
13 speaking in low tone]

14 JON BARNHART: ...right, that  
15 corner.

16 It's not the cash register.

17 [Indiscernible - Mr. Patel speaking  
18 in low tone]

19 ...on the other side.

20 JON BARNHART: On the other window.

21 DHARMENDRAKUMAR PATEL: No. Same  
22 piece of window.

23 JON BARNHART: Oh. Okay.

24 DHARMENDRAKUMAR PATEL: Yeah.

25 BRIAN CALLAGHAN: Yeah. It's --

1 --

2 LANCE LANDGRAF: Sure. Sure.

3 JON BARNHART: -- looking at it?

4 So, --

5 LANCE LANDGRAF: Yep.

6 JON BARNHART: -- we were just  
7 talking with our client while understanding your  
8 concern there.

9 What we're thinking is -- you know,  
10 to address the concern of safety and -- and --  
11 and not blocking those windows, what we're  
12 thinking is to amend our proposal to a maximum  
13 of 50 percent of the -- of the window space.  
14 And it would be the -- it would -- and it would  
15 only be limited to the top half so that, when  
16 you're walking by, you'd have a clear view into  
17 the -- into the store itself.

18 We would still request the office  
19 window -- that's the furthest north window on  
20 Atlantic Avenue --

21 LANCE LANDGRAF: Right.

22 JON BARNHART: -- to be that mesh.

23 It --

24 He can see out. So, he can see  
25 from a security standpoint to see what's going

1 it's his office, and you could see to the cash  
2 register.

3 So, that -- that window we'd like  
4 to still maintain mesh.

5 The other two windows, signage in  
6 them, but only on the top 50 percent so they're  
7 a clear view for anybody else walking by.

8 LANCE LANDGRAF: All right. I -- I  
9 -- I like the fact that it's gonna be on the top  
10 half. On the other two windows, I'm still a  
11 little concerned.

12 Now, this --

13 The -- the northern window was what  
14 we were referring to. That would be on the  
15 bottom half, and the top would be open?

16 JON BARNHART: Is the top open  
17 there?

18 DHARMENDRAKUMAR PATEL: Top open,  
19 down open. Yeah.

20 [Indiscernible - Mr. Patel and

21 Mr. Barnhart speaking in low tones]

22 LANCE LANDGRAF: Jon, if you can go  
23 back to that -- that photograph you had up.

24 THE COURT REPORTER: I'm sorry. I  
25 can't hear those --

1 BRIAN CALLAGHAN: Okay.  
 2 THE COURT REPORTER: -- one-to-one  
 3 conversations with Mr. Patel.  
 4 BRIAN CALLAGHAN: I'll bring him  
 5 back up for you.  
 6 Can you see that, Lance?  
 7 LANCE LANDGRAF: Yes.  
 8 BRIAN CALLAGHAN: Okay.  
 9 LANCE LANDGRAF: So -- so, right  
 10 now, that window has -- I'll -- I'll call it a  
 11 neon sign in the top of it, it looks like. And  
 12 then the bottom of it is fully blocked with the  
 13 adhesive sign.  
 14 So, that's -- you -- you -- that's  
 15 what you would want. You'd want to keep that at  
 16 the bottom of it and leave the top half open.  
 17 BRIAN CALLAGHAN: Correct.  
 18 JON BARNHART: Correct.  
 19 LANCE LANDGRAF: All right.  
 20 BRIAN CALLAGHAN: And then on the  
 21 other two signs, the top half with one window  
 22 sign, the bottom half completely open.  
 23 LANCE LANDGRAF: Okay.  
 24 BRIAN CALLAGHAN: And then the  
 25 wall-mounted signs removed.

1 LANCE LANDGRAF: Would go away.  
 2 Yeah.  
 3 All right. Let's hear from --  
 4 let's hear from Jeff real quick -- or not real  
 5 quick. It's whatever time he takes.  
 6 Jeff you've already been sworn in.  
 7 JEFFREY HANSON: I'll try -- I'll  
 8 try not to take too much. Yes.  
 9 We --  
 10 LANCE LANDGRAF: No. That's fine.  
 11 We -- we don't have anything else today. So,  
 12 we're -- we're good.  
 13 JEFFREY HANSON: We have a report  
 14 dated November 3rd that you should all have.  
 15 The first page -- it's four pages  
 16 long.  
 17 It just lists the applicant's  
 18 information on the first page, documents  
 19 submitted on the second page. We already talked  
 20 about the completeness review.  
 21 LANCE LANDGRAF: And we'll -- we'll  
 22 mark that as B-1.  
 23 JEFFREY HANSON: Okay.  
 24 And I think we --  
 25 The project description and

1 background has been pretty adequately laid out  
 2 by everyone, unless you want me to regurgitate  
 3 that.  
 4 Do you want me to go through the  
 5 seven pre-existing nonconformities for the  
 6 record or --  
 7 LANCE LANDGRAF: No. I think  
 8 they're in your report. We'll attach that and  
 9 --  
 10 JEFFREY HANSON: Okay.  
 11 LANCE LANDGRAF: -- and we'll cover  
 12 that in the hearing officer report.  
 13 Unless you think we have to bring  
 14 that out, Scott.  
 15 SCOTT COLLINS: I don't think  
 16 that's necessary. It's part of the record of  
 17 his report.  
 18 LANCE LANDGRAF: It's part of the  
 19 record. And -- and -- and so we're just  
 20 documenting it. And I think that's well  
 21 documented; that the site's existing  
 22 nonconforming.  
 23 JEFFREY HANSON: So, we --  
 24 LANCE LANDGRAF: I do have one  
 25 question before you go into your review. Well,

1 it's in your report, so I'll let you do that.  
 2 Go ahead, Jeff.  
 3 JEFFREY HANSON: Yeah. We had --  
 4 we had identified three -- three nonconformities  
 5 that required variance relief. And from what  
 6 I'm hearing now with the window signs, we're  
 7 gonna -- also gonna need some relief from  
 8 1966-5.7(g)(9), which limits the aforementioned  
 9 requirement to 25 percent of the window areas to  
 10 -- to signage.  
 11 So, number 8 in my letter on page  
 12 3, you can only have one window sign per use  
 13 when accessory to commercial use in the CBD, and  
 14 there -- there were eight window signs that  
 15 existed. From what I'm hearing now, you're  
 16 gonna go down to -- to three. Correct?  
 17 BRIAN CALLAGHAN: Correct.  
 18 [Indiscernible - overtalking]  
 19 JEFFREY HANSON: So, it would only  
 20 be three and not eight?  
 21 BRIAN CALLAGHAN: Correct.  
 22 JEFFREY HANSON: So, that would be  
 23 -- that would be a deviation from our letter.  
 24 They're looking for three instead of one.  
 25 In 5.7(j)(3)(ii), you can only have

1 --  
 2 They already talked about one  
 3 awning or canopy or marquee sign. We've got  
 4 three that we identified; the -- the corner one  
 5 and then one on Indiana and one on Atlantic.  
 6 We'll need a variance for that.  
 7 And then 5.7(g)(10), number 10 in  
 8 my letter on page 4, restricts the type of  
 9 content that's permissible for accessory window  
 10 signs and the -- the type of signage isn't  
 11 permitted. So, that's the third variance.  
 12 And then the one that we just  
 13 talked about, 5.7(g)(9) for the relief. And it  
 14 sounds like they want 50 percent on the -- the  
 15 two corner windows, for lack of a better term.  
 16 And then the easterly sign along --  
 17 going along -- back along Atlantic, adjacent to  
 18 the pizza shop there, they want to be able to,  
 19 basically, cover 100 percent there for privacy  
 20 for the office, if I'm understanding that  
 21 correctly.  
 22 LANCE LANDGRAF: No. The --  
 23 Just the top. The top would be  
 24 open. The bottom --  
 25 They would flip it from the other

1 Atlantic, then. Correct?  
 2 BRIAN CALLAGHAN: Correct.  
 3 JON BARNHART: Correct.  
 4 JEFFREY HANSON: And then the only  
 5 other thing we identified was number 11 in our  
 6 letter on page 4 was that, if you have an awning  
 7 covering a public sidewalk, you need a -- a  
 8 lease agreement with the city for that  
 9 encumbrance.  
 10 And other than that, I didn't have  
 11 anything further, unless there's any questions  
 12 or comments for me.  
 13 LANCE LANDGRAF: Question on that,  
 14 Jon or -- or Brian. Is that canopy, is that out  
 15 over the right-of-way or is that on your  
 16 property?  
 17 JON BARNHART: It's over the  
 18 right-of-way, Lance.  
 19 LANCE LANDGRAF: Okay. So, we'll  
 20 -- we'll ask you, as a condition, just to get a  
 21 -- a license from the city for that.  
 22 JON BARNHART: Okay.  
 23 LANCE LANDGRAF: And again, this is  
 24 something we've been doing. We're trying to  
 25 clean a lot of this stuff up with regard to

1 one.  
 2 JEFFREY HANSON: Bottom?  
 3 Okay. So, 50 percent, just the  
 4 bottom covered on the one?  
 5 LANCE LANDGRAF: Is that correct,  
 6 Brian?  
 7 JEFFREY HANSON: There won't be any  
 8 signage on the top of that window, then?  
 9 BRIAN CALLAGHAN: That's correct.  
 10 JEFFREY HANSON: Okay.  
 11 BRIAN CALLAGHAN: Fifty percent on  
 12 the bottom, no -- no signage on top.  
 13 JEFFREY HANSON: Like --  
 14 Because I see, like, a neon --  
 15 like, on the street, you know, I see like a  
 16 neon, sort of. I didn't know if that was gonna  
 17 stay or whatever above the Bud Light sign or  
 18 whatever that is there.  
 19 BRIAN CALLAGHAN: Everything on top  
 20 -- to be on file -- on top of that northern  
 21 window goes.  
 22 JEFFREY HANSON: Okay. So, we want  
 23 to cover the top on the two corner ones and then  
 24 just the bottom on the one along the east -- the  
 25 easterly sign along -- the easterly window along

1 making sure that -- that everyone follows the  
 2 same rules and that --  
 3 That's where that's coming from.  
 4 So...  
 5 BRIAN CALLAGHAN: Let me ask a  
 6 question on that. My experience with the city,  
 7 it takes them about six months to do a revocable  
 8 license. By the time I prepare it, get it to  
 9 city council, have the two readings, get them to  
 10 sign it, back up to the mayor to sign it, am I  
 11 --  
 12 With -- within that period of time,  
 13 assuming I get a positive recommendation, are we  
 14 able, then, to put the window signs back in?  
 15 LANCE LANDGRAF: Yes. Yeah. We  
 16 wouldn't -- we wouldn't hold you up from that.  
 17 That -- that's --  
 18 Understanding that we would just  
 19 keep --  
 20 BRIAN CALLAGHAN: Right.  
 21 LANCE LANDGRAF: -- keep that in  
 22 our file --  
 23 [Indiscernible - overtalking]  
 24 BRIAN CALLAGHAN: We agree.  
 25 LANCE LANDGRAF: We would circle

1 back on that. That's just something we'll have  
2 to keep track of.

3 Hopefully, the city gets a little  
4 more assistance with getting those done a little  
5 faster. Because, honestly, there's gonna be a  
6 lot of them coming in. The -- the boardwalk is  
7 -- is really egregiously flagrant in -- in not  
8 following that rule. So...

9 ROBERT REID: Yes.

10 LANCE LANDGRAF: That's -- that's  
11 coming around a lot.

12 ROBERT REID: That's right.

13 [Indiscernible - overtalking]

14 LANCE LANDGRAF: All right. Jeff,  
15 is that -- are you complete?

16 JEFFREY HANSON: I'm complete,  
17 unless you have anything further for me, Lance.

18 LANCE LANDGRAF: Not at this point.

19 I'm -- I'm glad you raised the --  
20 the -- the -- the right-of-way issue because  
21 that was something I was gonna say at the  
22 beginning. And I'm glad you brought it up in  
23 your report.

24 Okay. I'll get back to my agenda  
25 here real quick just to make sure I didn't miss

1 no one has raised their hands.

2 LANCE LANDGRAF: Okay. We'll close  
3 the public portion and we'll come back to CRDA.

4 Rob, do you have anything else,  
5 comment-wise?

6 ROBERT REID: Yes. I -- I -- I  
7 guess I wanted -- I wanted Brian to put on the  
8 record that the second and third floor is to be  
9 used for storage only and it's not gonna be  
10 apartments. That's something that we talked  
11 about and, I think, may even be in the  
12 application. But, I wanted to make sure that's  
13 on the record.

14 BRIAN CALLAGHAN: It is --  
15 The second floor is storage. The  
16 third floor was vacant.

17 ROBERT REID: Okay. Well --

18 BRIAN CALLAGHAN: And it will  
19 remain vacant.

20 ROBERT REID: Well, it -- it --  
21 We have to understand what "vacant"  
22 means. Does it mean it's gonna be an apartment  
23 later or is it gonna be storage? What --

24 BRIAN CALLAGHAN: We don't know.  
25 We haven't made a determination.

1 anything.

2 All right. Anything else from you,  
3 Brian or Jon or -- or Mr. Patel?

4 BRIAN CALLAGHAN: No. I think  
5 we're good.

6 [Indiscernible - overtalking]

7 DHARMENDRAKUMAR PATEL: ...sir.

8 Thank you so much for everyone's  
9 time. Thank you.

10 LANCE LANDGRAF: Has he been sworn  
11 in, Scott, Mr. Patel?

12 SCOTT COLLINS: No, he -- he  
13 hasn't, although I wouldn't say he's testified  
14 at --

15 LANCE LANDGRAF: Okay. All right.  
16 That's fine.

17 Then, with that, I'll open it up to  
18 the public.

19 If there's anyone that wishes to  
20 make a comment on this application, please raise  
21 your hand in the Zoom app and you'll be  
22 recognized and able to speak.

23 Liza, if you could check and see if  
24 there's anybody.

25 LIZA BARRICK: Yeah. It looks like

1 ROBERT REID: So, I can't --

2 BRIAN CALLAGHAN: And whatever  
3 determination we would make, I would have to  
4 come back to you for a new land use.

5 ROBERT REID: Well, you're --  
6 you're permitted to have apartments there.

7 And I can't approve something  
8 called vacant. It has to have a use. So, you  
9 have to make a decision on that.

10 LANCE LANDGRAF: Well, is it -- is  
11 it set up as an apartment?

12 What -- what was the last land use  
13 for it?

14 DHARMENDRAKUMAR PATEL: We're not  
15 gonna use anything there.

16 BRIAN CALLAGHAN: It's -- it's not  
17 set up as an apartment right now, no.

18 LANCE LANDGRAF: So, why don't we  
19 just call that storage as well and --

20 BRIAN CALLAGHAN: Okay.

21 LANCE LANDGRAF: -- just so that it  
22 -- it doesn't muck up our -- our system with  
23 trying to get, you know, land uses on each of  
24 the floors.

25 [Indiscernible - overtalking]

1 This way, storage. And if  
2 Mr. Patel decides he wants to renovate it and --  
3 and put apartments in there, it's certainly a  
4 permitted use. You'll just have to come in for  
5 a CLUC.

6 BRIAN CALLAGHAN: Right.

7 ROBERT REID: No. Well, one thing

8 --

9 There -- there's -- there's also a  
10 fire escape on the side that's out over the  
11 sidewalk. They might as well get a license for  
12 that as well while they're going in and asking  
13 for the --

14 LANCE LANDGRAF: I -- I don't know  
15 that you need licensings for a fire escape.

16 ROBERT REID: Well, it's out over

17 --

18 It's -- it's a structural member  
19 that's out --

20 LANCE LANDGRAF: I understand that,  
21 but I --

22 I don't believe you need, for --

23 For a fire escape that's only used  
24 in emergency, I don't believe that that --

25 Because then it would be all over

1 --

2 I'm still a little uncomfortable  
3 with blocking the view, but I'm -- I'm getting  
4 more comfortable with being able to see, through  
5 the corner, both sides of that corner. I think  
6 that provides some security looking into the  
7 building.

8 I -- I get that he wants some  
9 privacy in his office there and -- and I  
10 understand that.

11 And as long as we can keep the top  
12 of that open, I think we're moving in a -- in a  
13 better direction there.

14 So, with that, we'll close the --  
15 the testimony, unless --

16 Scott, do you have anything else?

17 SCOTT COLLINS: Nothing here.

18 Thank you.

19 LANCE LANDGRAF: Jeff or Jane?

20 JEFFREY HANSON: No, sir.

21 BRIAN CALLAGHAN: Mr. Landgraf, I  
22 just asked the client. We do have lights on  
23 inside the building at night and we do have  
24 cameras.

25 LANCE LANDGRAF: Good.

1 the city.

2 ROBERT REID: Well, the -- the  
3 purpose of that is to make sure it's approved  
4 and secured properly for liability.

5 LANCE LANDGRAF: That's beyond our

6 --

7 Rob, that's not our -- our role  
8 here. That's the fire department and the  
9 building office. We're -- we're not stepping  
10 out of -- of our role. We're gonna stay within  
11 our -- our parameters in land use.

12 So, if -- if the city thinks it  
13 needs a license, that's not part of our purview  
14 to approve or deny a -- a fire escape. Because  
15 we're not inspecting it for any --

16 ROBERT REID: Oh. No, no.

17 LANCE LANDGRAF: -- compliance.

18 ROBERT REID: I'm not saying that  
19 we have any jurisdiction over the fire escape.

20 LANCE LANDGRAF: Well, the -- the

21 --

22 I -- I want to be very, very clear  
23 with that and not bring that into the land use  
24 role. So, just -- just be aware of that. So...

25 All right. So, the -- the signage

1 Let me ask you this: Is -- are  
2 those cameras tied to the Atlantic City Police  
3 Department?

4 DHARMENDRAKUMAR PATEL: Yes. We  
5 have them inside and outside. And show camera  
6 on is --

7 [Indiscernible - overtalking]

8 ...police officer from  
9 Atlantic City Police Department is handling.

10 And only my [indiscernible] ...  
11 camera outside.

12 Anytime any [indiscernible]  
13 ...corner, the officer comes to me and I call  
14 them and say, come here, and take the page --  
15 videos or what they were.

16 Like during -- on Father's Day we  
17 have a shooting and all this stuff.

18 LANCE LANDGRAF: Right.

19 DHARMENDRAKUMAR PATEL:  
20 [Indiscernible] ...and say come here. And I  
21 have a camera. They took my pictures, videos  
22 and everything.

23 LANCE LANDGRAF: Hey, Scott, with  
24 him testifying, we should probably put him under  
25 oath.

1 SCOTT COLLINS: All right. Yeah.  
 2 I was just gonna --  
 3 Or are we gonna just let  
 4 Mr. Callaghan represent that the -- that there  
 5 are lighting and cameras and they're tied to  
 6 the -- to the PD, or do you want to --  
 7 LANCE LANDGRAF: If the --  
 8 BRIAN CALLAGHAN: I'll make that  
 9 representation; lightings and camera tied to the  
 10 PD, and they have accessed it in the past.  
 11 LANCE LANDGRAF: Okay.  
 12 SCOTT COLLINS: I just made that  
 13 since we have already closed the hearing,  
 14 technically.  
 15 LANCE LANDGRAF: Right. Right.  
 16 All right. With that, we will --  
 17 we'll formally close the -- the testimony on  
 18 this matter.  
 19 And we will look to get this on for  
 20 December. I don't have that date -- yes, I do.  
 21 It's right here.  
 22 So, the -- December 21st is our  
 23 next board meeting. We will look to get this  
 24 item on that board meeting for action.  
 25 And, Brian, I'll certainly send you

1 CERTIFICATION  
 2 I, KAREN A. HAWORTH, a New Jersey  
 3 Certified Court Reporter (CCR), nationally  
 4 certified Registered Professional Reporter  
 5 (RPR), nationally certified Certificate of  
 6 Merit holder (CM), nationally certified  
 7 Certified Realtime Reporter (CRR), a Delaware  
 8 Certified Shorthand Reporter (CSR),  
 9 nationally certified Certified LiveNoteTM  
 10 Reporter (CLR), and Notary Public of the  
 11 State of New Jersey, hereby certify that the  
 12 proceedings were reported by me fully and  
 13 accurately stenographically, reduced to  
 14 typewritten form under my personal direction  
 15 and supervision and that this is a true and  
 16 correct transcript of the proceedings in this  
 17 matter.  
 18 I further certify that I am  
 19 neither an attorney nor counsel of any of the  
 20 parties in the subject proceedings, nor a  
 21 relative or employee of any attorney or  
 22 counsel employed by the parties hereto, nor  
 23 financially interested in the outcome of the  
 24 subject proceedings.  
 25  
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1 a copy of the hearing officer report before  
 2 that.  
 3 And with that, that's all we have.  
 4 If there's no other public comment,  
 5 I'll close the meeting, and we are adjourned.  
 6 BRIAN CALLAGHAN: Thank you very  
 7 much.  
 8  
 9 (This public hearing concluded at  
 10 10:41 a.m.)  
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