

**CASINO REINVESTMENT DEVELOPMENT AUTHORITY**

**LAND USE REGULATION and ENFORCEMENT DIVISION**

**APPLICATION NO.: 2023-01-3375**

**MPX NEW JERSEY, LLC**

APPLICANT SEEKS MINOR SITE PLAN APPROVAL TO DISPENSE MEDICAL CANNABIS AND ADULT USE RETAIL OF CANNABIS.

THE PROPERTY IS LOCATED AT 120, 122, 124 ST. JAMES PLACE, ALSO KNOWN AS BLOCK 52, LOTS 37, 38, 39 ON THE TAX MAP FOR THE CITY OF ATLANTIC CITY. LOCATED IN THE RESORT COMMERCIAL DISTRICT (RC).

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Block 52, Lots 37, 38, 39  
120, 122, 124 ST. James Place,  
Atlantic City, New Jersey

Thursday - February 2, 2023  
-----

Public hearing in the  
above-referenced matter, conducted at the  
CASINO REINVESTMENT DEVELOPMENT AUTHORITY, 15  
South Pennsylvania Avenue, Atlantic City, New  
Jersey, before Karen A. Haworth, a New Jersey  
Certified Court Reporter (CCR), nationally  
certified Registered Professional Reporter  
(RPR), nationally certified Certificate of Merit  
holder (CM), nationally certified Certified  
Realtime Reporter (CRR), a Delaware Certified  
Shorthand Reporter (CSR), nationally certified  
Certified LiveNote™ Reporter (CLR), and Notary  
Public of the State of New Jersey, on the above  
date, commencing at 10:00 a.m. (precise time  
is indicated on the videotape operator's  
equipment), there being present:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

APPEARANCES:

CASINO REINVESTMENT DEVELOPMENT AUTHORITY:

LANCE B. LANDGRAF, JR.  
Chairman  
Director, Planning Department

ROBERT L. REID  
Land Use Enforcement Officer

PROFESSIONALS TO THE BOARD FOR THIS HEARING:

SCOTT G. COLLINS, ESQUIRE  
RIKER, DANZIG, SCHERER, HYLAND & PERRETTI

CHRISTINE COFONE, PP  
COFONE CONSULTING GROUP, LLC

CHRISTOPHER MORRIS, PE  
ADAMS, REHMANN & HEGGAN

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

COUNSEL FOR THE APPLICANT:

NICHOLAS F. TALVACCHIA, ESQUIRE  
COOPER LEVENSON, ESQUIRES

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I N D E X

<u>WITNESS (ES)</u>	<u>PAGE NO.</u>
SEAN BARRAVECCHIO	
By: Nicholas Talvacchia	11
JASON SCIULLO	
By: Nicholas Talvacchia	24
CHRISTINE COFONE	56
CHRISTOPHER MORRIS	57

EXHIBITS MARKED AND/OR REFERRED TO:

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

[COURT REPORTER'S NOTE:

THE FOLLOWING TRANSCRIPT WAS  
PRODUCED FROM THE AUDIO TAKEN BY THE  
VIDEOGRAPHER PRESENT AT THE HEARING.]

(Time noted: 10:00 a.m. Precise  
time is indicated on videotape operator's  
equipment.)

LANCE LANDGRAF: I'd like to call  
to order the CRDA Land Use Regulation and  
Enforcement Division hearing.

Today is February 2nd, Groundhog  
Day.

Would everyone please rise for the  
Pledge of Allegiance?

(The Pledge of Allegiance was  
recited at this time.)

LANCE LANDGRAF: Thank you.

It's my understanding he did see  
his shadow. So, six more months -- weeks of --

ROBERT REID: Months of -- six more  
months of --

LANCE LANDGRAF: Of -- of what  
they're calling winter this year.

1           This hearing has been noticed in  
2 accordance with the Senator Byron M. Baer Open  
3 Public Meetings Act.

4           We just have one item on today's  
5 agenda, and that is Application 2023-01-3375,  
6 MPX New Jersey, LLC.

7           The applicant seeks minor site plan  
8 approval to dispense medical cannabis and adult  
9 use retail sales of cannabis. There's also some  
10 variance relief with that, I'm -- I'm assuming  
11 Mr. -- and some signage, I think?

12           NICHOLAS TALVACCHIA: Oh. Just for  
13 signage. Yes.

14           LANCE LANDGRAF: Yeah.

15           NICHOLAS TALVACCHIA: Yes.

16           LANCE LANDGRAF: I'll let  
17 Mr. Talvacchia take it from there.

18           But, Rob, if you could confirm that  
19 we have jurisdiction.

20           ROBERT REID: Yes. I've reviewed  
21 the Proof of Service provided by the applicant,  
22 and we do have jurisdiction to hear the  
23 application.

24           LANCE LANDGRAF: And, "Christina"  
25 [pronounced incorrectly], happy birthday, by the

1 way.

2 CHRISTINE COFONE: Thank you.

3 NICHOLAS TALVACCHIA: Happy  
4 birthday.

5 LANCE LANDGRAF: And, Chris, we  
6 good on completeness?

7 CHRISTINE COFONE: Thank you.

8 CHRISTOPHER MORRIS: Yes.

9 CHRISTINE COFONE: Yes.

10 LANCE LANDGRAF: We're good there?  
11 All right. Mr. Talvacchia, the  
12 floor is yours.

13 NICHOLAS TALVACCHIA: Good. Thank  
14 you. Good morning, everyone.

15 So, we represent MPX. This  
16 building, which is under construction. And that  
17 -- that's an artist's rendering.

18 JASON SCIULLO: Wait. Let me see  
19 if I can get to -- because I don't know which  
20 one it is.

21 Is it this one? I can try this  
22 one, too. This --

23 LANCE LANDGRAF: There you go.

24 CHRISTOPHER MORRIS: That looks  
25 good.



1                   NICHOLAS TALVACCHIA: So, as you  
2 probably know, it's under construction.  
3 St. James Place.

4                   It has been previously approved for  
5 retail; 5,000 square feet ground level and eight  
6 residential units above.

7                   And we've been to the board several  
8 times because the project was amended.

9                   So, MPX is gonna be the tenant of  
10 the owner, which is Mr. Fasano, of the building.

11                   And MPX is -- intends to move its  
12 retail med -- medicinal to this location. If  
13 you --

14                   As you know, the CRDA board granted  
15 use variance to allow retail sales in the  
16 building almost directly behind it, on New York  
17 Avenue, and, previously, a CLUC to allow  
18 medicinal.

19                   So, that's behind it. And the plan  
20 has always been to go into a permanent location,  
21 which will be this location.

22                   This use is now permitted under the  
23 city's redevelopment green zone plan, which the  
24 CRDA has consented to.

25                   So, the use is permitted. It was

1 always permitted for retail. So, no change in  
2 parking or any of those other requirements.

3 The only thing we're --

4 In addition to site plan, which is  
5 the mandatory requirement of the redevelopment  
6 plan -- and again, no changes to the site plan  
7 that was previously approved by CRDA -- is some  
8 -- some signage requires variance relief.

9 And so I'll have Jay get into that.

10 We also have Sean from -- and you  
11 remember him when we did the use variance.  
12 He'll -- he can talk about operations. If you  
13 need that testimony, we're happy to have it.

14 Jay, we have two variances. Right?  
15 The number of signs and a --

16 [Indiscernible - cross-talking]  
17 -- setback for a ground sign.

18 JASON SCIULLO: ...understand.

19 Yeah.

20 NICHOLAS TALVACCHIA: So, do you  
21 want to hear the variances first or the  
22 operations or --

23 LANCE LANDGRAF: Let's talk about  
24 the operation first.

25 NICHOLAS TALVACCHIA: All right.

1 Sean, come on up here. Be sworn in.

2 JASON SCIULLO: Raise your right  
3 hand.

4 LANCE LANDGRAF: Good morning,  
5 Sean.

6 SEAN BARRAVECCHIO: Good morning.

7 LANCE LANDGRAF: Good to see you  
8 again.

9 SCOTT COLLINS: Would you raise  
10 your right hand, please?

11 Do you swear the -- do you swear to  
12 tell the truth, the whole truth, and nothing but  
13 the truth in your testimony here today?

14 SEAN BARRAVECCHIO: I do.

15

16 DIRECT EXAMINATION

17 BY NICHOLAS TALVACCHIA:

18 Q. Your name for the record?

19 A. Sean Barravecchio.

20 Q. All right. And your position with  
21 MPX?

22 A. Director of compliance and  
23 security.

24 Q. And you testified before this board  
25 in connection with the building behind the use

1 variance application. Is that correct?

2 A. That's correct.

3 Q. All right. So, what I'd like you  
4 to go over is essentially what you did last  
5 time.

6 In terms of a new building, how  
7 will it work.

8 You're taking all 5,000 square  
9 feet?

10 A. Yes.

11 Q. And it will be a retail facility?

12 A. Correct.

13 Q. For -- and medical -- medicinal and  
14 adult use?

15 A. Correct.

16 Q. Right.

17 Okay. Walk us through how this  
18 will work.

19 A. Sure.

20 So, ladies and gentlemen of the  
21 CRDA, my name is Sean Barravecchio. Good  
22 morning. I'm the director of compliance and  
23 security for MPX New Jersey.

24 I'm here this morning to provide an  
25 overview of MPX New Jersey's dispensary

1 operations, and will address the operation of  
2 its business, to include staffing, product  
3 storage, patron access, and security.

4 So, as far as our business  
5 operations -- our planned business operations,  
6 our Atlantic City dispensary will be open six  
7 days a week; Monday through Wednesday, from  
8 11 a.m. to 7 p.m., Thursday through Saturday,  
9 from 10 a.m. to 8 p.m., and closed on Sundays.

10 Patients and consumers will access  
11 the facility through the main entrance at the  
12 front of the building.

13 Access will be limited to  
14 New Jersey medicinal cannabis program registered  
15 patients and caregivers and adult use consumers  
16 over the age of 21.

17 So, the dispensary staff will be  
18 comprised of about 12 employees in total,  
19 including management, with about five employees  
20 working at any given time.

21 Shifts vary, but typically consist  
22 of an opening shift, from 9 a.m. to 5 p.m., and  
23 a closing shift from 1 p.m. to 9 p.m.

24 So, on average, you know, what we  
25 see today with our existing dispensary, about 25

1 patients and caregivers will visit on a daily  
2 basis. That number will, obviously, increase  
3 once we move to adult use sales as well.

4 So, MPX New Jersey's standard  
5 operating procedures have -- they cover  
6 everything from dispensing, inventory  
7 management, safety and security. And they've  
8 all been reviewed and approved by the New Jersey  
9 Cannabis Regulatory Commission.

10 Prior to a patient's initial visit  
11 to the dispensary, patients complete an intake  
12 form and present their electronic documents,  
13 including a program ID card and recommendation,  
14 and designate the dispensary as their home  
15 dispensary through the CRC patient portal  
16 registry.

17 An initial teleconsultation is  
18 performed over the phone, where patients submit  
19 documents electronically, and the patient is  
20 counseled as to their desired therapy and pickup  
21 procedure.

22 Patient ID card, practitioner  
23 recommendation and government issued ID card are  
24 verified in the dispensary's reception area  
25 prior to the patient's -- upon the patient's

1 first visit.

2 The patient's allotment is verified  
3 via the patient portal registry.

4 So, patients have the flexibility  
5 to either place orders with the dispensary  
6 online via online portals, such as Leafly, which  
7 is an online e-commerce platform for cannabis  
8 orders, or on a walk-in basis.

9 On-site consumption of cannabis  
10 products by patients or adult use consumers will  
11 not be permitted at the dispensary.

12 So, on average, products will be  
13 delivered to the dispensary by other licensed  
14 cannabis entities at randomized delivery times  
15 about twice a week, generally before business  
16 hours so as to minimize any inconvenience to  
17 patients through the front door of the facility.

18 So, vendors are required by the CRC  
19 to have transport vehicles, staffed by two  
20 transport team members.

21 Products are brought into the  
22 facility prepackaged and labeled at the point of  
23 manufacture to be verified against the shipping  
24 manifest and entered into the dispensary's  
25 inventory.

1           As far as dispensary security, our  
2 measures and equipment, we utilize  
3 state-of-the-art security equipment at our  
4 facilities and, generally, security measures and  
5 equipment utilized at our dispensary locations  
6 are specifically designed to conform to the size  
7 and layout of each facility, including this one.

8           Our security systems and devices  
9 are appropriate for the specific site and are  
10 designed for the purpose of controlling access  
11 to sensitive areas covering regulated cannabis  
12 products on camera at all times and preventing  
13 unauthorized entry to the facility.

14           These security devices include  
15 access control readers activated by employee  
16 photo ID cards, video intercom systems for  
17 communication between staff and patients, fixed  
18 single and multi-lens cameras, including  
19 360-degree view lenses, motion glass break and  
20 vibration sensors, audible panic and duress  
21 alarms and sirens, silent holdup buttons, video  
22 camera monitors in employee break areas and  
23 product storage areas for purposes of  
24 situational awareness, U.S. Drug Enforcement  
25 Agency-compliant nine-gauge barrier steel mesh,



1 deadbolted steel doors, steel buck frames for  
2 cannabis product storage rooms, and deadbolted  
3 exterior doors.

4 All cannabis products are stored  
5 securely in a secure interior storage room,  
6 known as the vault.

7 During the day, some products with  
8 the day's orders and sales are moved to the  
9 locked cabinets behind the point of sale area,  
10 known as day stock cabinets. These cabinets are  
11 locked at all times with a keyed cylinder lock.

12 And products are never left  
13 unsecured in the sales floor area, be it  
14 returns, pickup orders or staging.

15 At the end of each day, all  
16 cannabis products are moved back to the interior  
17 vault for nightly storage.

18 And consistent with our other  
19 facilities in New Jersey, the dispensary's alarm  
20 monitoring services for intrusion, panic, silent  
21 holdup, duress, and motion sensor alarms will be  
22 provided by a third party from central station  
23 monitoring centers in Union, New Jersey and  
24 Houston, Texas.

25 The alarm system will be monitored

1 via IP network with cellular -- cellular radio  
2 backup functionality.

3 Our surveil -- our surveillance  
4 systems are monitored remotely by our security  
5 management team and security guard contractors  
6 at all times.

7 We use network video management  
8 software and hardware, providing advanced IA and  
9 video analytics capabilities.

10 Our security management team has  
11 been trained and certified by the manufacturer  
12 in the use of its surveillance system software  
13 and hardware.

14 Additionally, our assigned  
15 New Jersey CRC field monitor has remote access  
16 to the dispensary facility surveillance system  
17 at all times.

18 And lastly, since January of 2020,  
19 MPX has contracted with a third party to provide  
20 general security services at our New Jersey  
21 facilities.

22 Security guard contractors maintain  
23 security at the presence -- Wilmington Security  
24 at the premises of the Atlantic City --  
25 Atlantic City dispensary and assist with

1 controlling a -- safe and orderly accessibility  
2 by patients and adult use consumers to the  
3 dispensary.

4 We seek high caliber candidates,  
5 preferably -- preferably with prior law  
6 enforcement and/or military experience, wherever  
7 possible, from Atlantic City and surrounding  
8 areas.

9 All security guard contractors are  
10 SORA qualified, the New Jersey Security Officer  
11 Registration Act.

12 Generally, one security guard is  
13 assigned to the dispensary during regular  
14 business hours to patrol the perimeter of the  
15 facility and parking lot and to assist patients  
16 and consumers with access to and egress from the  
17 facility.

18 On behalf of MPX New Jersey, I'd  
19 like to thank you for your time and  
20 consideration in this matter.

21 NICHOLAS TALVACCHIA: Thank you,  
22 Sean.

23 Any questions of this witness?

24 LANCE LANDGRAF: Just -- just a  
25 couple.

1                   And this has been kind of a theme  
2 with the last couple site plans we've -- once  
3 these are starting to come out -- and for the  
4 operations and -- and the sites.

5                   NICHOLAS TALVACCHIA: Mm-hmm.

6                   LANCE LANDGRAF: We -- we hope that  
7 this place is packed.

8                   We saw long lines at the Deptford  
9 facility and Belmawr facilities preopening  
10 hours.

11                   So, what I've been asking is that  
12 we have your security detail there 45 minutes to  
13 an hour ahead of time so there's not milling  
14 around outside and issues that can create issues  
15 with -- with neighboring properties.

16                   There's gonna be residences above.  
17 There's residents behind and -- and even across  
18 the street there's -- there's some commercial  
19 and residential uses there.

20                   So, we would put that as a  
21 condition of approval; that we would have  
22 security there prior to opening to make sure  
23 that there's no issues with -- with queuing and  
24 things of that nature.

25                   NICHOLAS TALVACCHIA: Yeah. We've

1 -- we've talked to MPX about that very issue.  
2 We're aware that that's a concern. And they'll  
3 use security as necessary to make sure there's  
4 order outside, --

5 LANCE LANDGRAF: Good.

6 NICHOLAS TALVACCHIA: -- make sure  
7 people aren't milling about.

8 Is that correct, Sean?

9 THE WITNESS: That's correct.

10 NICHOLAS TALVACCHIA: All right.

11 LANCE LANDGRAF: This is not a -- a  
12 -- a cannabis lounge; this is just --

13 NICHOLAS TALVACCHIA: No.

14 LANCE LANDGRAF: Okay.

15 NICHOLAS TALVACCHIA: Just  
16 dispensary.

17 LANCE LANDGRAF: Deliveries through  
18 the front door, you said. The aspect of --

19 Where would a vehicle come in?

20 Would that be in the parking lot next door, and  
21 then they'll be able to access through a walkway  
22 there?

23 Is that more of a question for Jay?

24 [Indiscernible - cross-talking and  
25 multiple background voices]

1 All right. We can wait till --

2 NICHOLAS TALVACCHIA: Yeah. There  
3 isn't --

4 There is --

5 LANCE LANDGRAF: He's not sworn in.  
6 So, we'll wait till he comes and then gets sworn  
7 in.

8 NICHOLAS TALVACCHIA: Yeah.

9 LANCE LANDGRAF: That's all I have  
10 from a security standpoint.

11 Christine and Chris?

12 CHRISTINE COFONE: Just in online  
13 order pickup.

14 [Indiscernible - cross-talking]

15 ...online orders, where somebody  
16 would then bring the product out, or just  
17 everybody who's gonna come into the facility to  
18 collect the product?

19 THE WITNESS: We do want to offer  
20 curbside pickup. We do have online pickup  
21 ordering, where patients or consumers would be  
22 given a time window for pickup.

23 As part of our expansion into adult  
24 use, the -- the CRC requires us to offer a  
25 number of patient prioritization measures. And

1 one of those will be curbside pickup.

2 CHRISTINE COFONE: So, are you  
3 planning to offer that here?

4 Is Mr. Sciullo gonna talk about how  
5 that's gonna work or --

6 THE WITNESS: We -- we do plan to  
7 offer that. It's -- it's part of the  
8 certification we made to the CRC.

9 CHRISTINE COFONE: Okay.

10 LANCE LANDGRAF: What we're gonna  
11 ask is where that's gonna happen.

12 CHRISTINE COFONE: Right. We -- we  
13 need to know how that's gonna happen, whether  
14 there's --

15 NICHOLAS TALVACCHIA: Yeah. Jay --

16 CHRISTINE COFONE: -- there will be  
17 a spot for it.

18 Mr. Sciullo will address that?

19 NICHOLAS TALVACCHIA: Yeah.

20 CHRISTINE COFONE: Great.

21 NICHOLAS TALVACCHIA: Anything else  
22 for Sean?

23 CHRISTINE COFONE: No.

24 LANCE LANDGRAF: No.

25 NICHOLAS TALVACCHIA: All right.

1 Thanks.

2 LANCE LANDGRAF: Thank you.

3 THE WITNESS: Thank you.

4 CHRISTINE COFONE: Thanks.

5 NICHOLAS TALVACCHIA: Jay, if you  
6 could be sworn and qualified.

7 SCOTT COLLINS: Good morning, Jay.

8 JASON SCIULLO: Good morning.

9 SCOTT COLLINS: Do you swear to  
10 tell the truth, the whole truth, and nothing but  
11 the truth in your testimony here today?

12 JASON SCIULLO: I do.

13 NICHOLAS TALVACCHIA: Mr. Landgraf,  
14 given his past determination that he's an expert  
15 in, what, planning and engineering, --

16 LANCE LANDGRAF: Yes. Yes.

17 NICHOLAS TALVACCHIA: -- he's an  
18 expert?

19 LANCE LANDGRAF: Engineering and  
20 planning expert. Thank you. It's --

21

22 DIRECT EXAMINATION

23 BY NICHOLAS TALVACCHIA:

24 Q. So, Mr. Sciullo, you've been  
25 qualified.



1                   You've been a planner/engineer on  
2 the original site plan for this building.  
3 Correct?

4           A.       Yes.

5           Q.       You're familiar with all the  
6 issues?

7           A.       Absolutely.

8           Q.       And now you represent MPX in terms  
9 of the requirements under the redevelopment plan  
10 for site plan for adult use dispensary?

11          A.       Yes.

12          Q.       Okay.  So, why don't you go through  
13 --

14                   I know we have two things we're  
15 asking for variance relief.

16          A.       Mm-hmm.

17          Q.       Address Mr. Landgraf's question on  
18 the --

19                   [Indiscernible - cross-talking]

20                   -- and -- and curbside pickup from  
21 Miss Cofone.

22          A.       Sure.

23                   So, the -- the first exhibit that  
24 I'm gonna -- well, the one that was on the  
25 screen when we were talking earlier is just a

1 3-D perspective rendering of the building.

2 If you've been by the site  
3 recently, you'll see that most of the -- well,  
4 all of the concrete work is pretty much done.  
5 They're starting siding. As of yesterday, they  
6 got the back started.

7 We're hoping to reopen in the next  
8 few months.

9 This, as you know from the previous  
10 application process, has been approved for quite  
11 a while. It came in for core revisions or  
12 amendments.

13 Nick mentioned in his intro that  
14 now MPX is gonna take the entire ground floor of  
15 this 5,000 square foot footprint.

16 So, what's shown on this rendering  
17 doesn't reflect exactly what they're gonna do.  
18 This is an older one, but I'll -- I'll try to  
19 explain the minor differences.

20 So, on the site plan, which this is  
21 the plan that was submitted to your office as  
22 part of the application, you'll see, at the  
23 bottom left corner, we have a sign detail, which  
24 is the discussion for the variance part of it,  
25 which I'll get to in a minute.

1           But, for the specific questions  
2 just raised about queuing and parking, so -- and  
3 loading, you'll see here, about midway up on our  
4 side, there's a -- a hashed out or -- or  
5 painted-out space for loading. That's been in  
6 the job since the beginning, before MPX was  
7 coming in. It was always gonna be used for  
8 whatever retail use came in.

9           So, Sean mentioned access for  
10 delivery through the front door.

11           They may find that to be practical  
12 at some points. There are rear doors, but we'll  
13 -- we'll figure that part out.

14           So, if they go through the rear  
15 door, it's straight up the parking lot.

16           If they go through the front door,  
17 you'll see that, on the left side of this plan,  
18 right side of the building when you're facing  
19 it, there's a -- an accessible ramp that comes  
20 up. That --

21           If a vehicle were to park in front  
22 in off hours when there's space on the street --  
23 which these delivery vehicles will be consisting  
24 of vans. They're not large vehicles. So,  
25 they're passenger car size. And they're

1 Sprinter vans most of the time, too. Right?

2 So, they're small ones.

3 NICHOLAS TALVACCHIA: Yes.

4 Correct.

5 JASON SCIULLO: So, make them park  
6 in a typical spot, open the side door, bring it  
7 up the -- the ramp, into the front, or parking,  
8 just walk up the steps. It's small boxes.  
9 There's not a lot of -- of heavy lifting.

10 So, there's multiple options.

11 But, this space is here for  
12 loading. And if that's where they park, they  
13 could come down the sidewalk that runs on the  
14 side of the building and up into the front.

15 LANCE LANDGRAF: A no loading zone  
16 will be proposed on St. James Place?

17 JASON SCIULLO: No.

18 LANCE LANDGRAF: Good.

19 JASON SCIULLO: No.

20 And we have street parking on the  
21 opposite side.

22 So, there's -- if it's there, it's  
23 temporary standing.

24 The --

25 LANCE LANDGRAF: So, let's just

1 circle back with that.

2 So, this side of the street does  
3 not permit parking.

4 JASON SCIULLO: No.

5 LANCE LANDGRAF: So, we would not  
6 allow loading and unloading to occur there,  
7 then.

8 That's something that happens far  
9 too often in the city. It blocks traffic. It's  
10 a narrow enough street.

11 So, any loading and un --

12 And there won't be unloading,  
13 hopefully.

14 NICHOLAS TALVACCHIA: And the  
15 parking --

16 [Indiscernible - cross-talking]

17 LANCE LANDGRAF: -- ain't gonna  
18 have to happen in the parking lot.

19 NICHOLAS TALVACCHIA: Right.

20 LANCE LANDGRAF: That's gonna be a  
21 condition of approval.

22 NICHOLAS TALVACCHIA: Okay.

23 JASON SCIULLO: Okay. The --

24 So, for the curbside pickup, if you  
25 recall, this application has multiple uses

1 utilizing this parking lot.

2           There weren't specific spaces  
3 dedicated to any one of these uses, so signs for  
4 curbside pickup, if provided, probably will be a  
5 maximum of two.

6 BY NICHOLAS TALVACCHIA:

7           Q.       They'd be in the parking lot?

8           A.       They'd be in the parking lot. And  
9 most likely, the spaces that are closest to the  
10 entrance here or next to the loading zone so  
11 they have access to the sidewalk to get in.  
12 But, they won't be --

13                    They're gonna be next to the door.

14           LANCE LANDGRAF: There will be  
15 signage on each of those two spaces?

16           NICHOLAS TALVACCHIA: Yes.

17           LANCE LANDGRAF: Okay.

18           JASON SCIULLO: Yes.

19                    So, any other questions about the  
20 -- the site layout?

21                    There's no changes from --

22           LANCE LANDGRAF: Add a detail of  
23 that sign.

24           JASON SCIULLO: Yeah. So --

25           LANCE LANDGRAF: So...

1                   JASON SCIULLO:  So -- so, what we  
2 did, when -- when this --

3                   This use was -- well, I should say  
4 it differently.

5                   It was always planned, since before  
6 the green zone redevelopment plan, for MPX to  
7 occupy this space.

8                   At the time we were laying all this  
9 out, if you recall, for the first application  
10 from the other side of the -- in the -- the  
11 white building, if we were building here, we  
12 needed a use variance.

13                   We anticipated at that time there  
14 -- the green zone redevelopment plan was in  
15 process.  We weren't sure it was gonna happen.

16                   At that time, we had this laid out,  
17 figured out, we found out that it was permitted,  
18 but then the green zone redevelopment plan  
19 limited the number of signs.

20                   Of course, that conflicts with the  
21 land use rules that allow much more signage than  
22 what the green zone redevelopment plan allows,  
23 which is two total signs per site.

24                   This is a pretty large facility  
25 relative to something like the smaller

1 storefronts that are gonna get occupied.

2 So, we have five signs proposed.  
3 They will be a ground sign, which is the one  
4 that we need relief for, which I'll explain,  
5 projecting sign, probably two of them over the  
6 doors, and then two building-mounted signs that  
7 are small, but, again, over the doors. Not  
8 unlike the ones that are at the existing  
9 facility, which are smaller black and yellow  
10 placards that just say MPX New Jersey on them.

11 BY NICHOLAS TALVACCHIA:

12 Q. Jay, and just for clarification,  
13 the projecting signs will be not over the  
14 right-of-way, --

15 [Indiscernible - cross-talking]

16 A. They'll be on the site. The --

17 Q. -- but on --

18 A. The --

19 Q. Because the building is set back.

20 A. The building is ten feet off the  
21 lot line.

22 We have an elevated sidewalk in  
23 front of the building, which I'll show in this  
24 rendering again.

25 Q. And -- and -- and that's what's



1 driving a variance for the --

2 A. Yeah.

3 Q. -- for it.

4 A. They will be over the doors on each  
5 side that will be just blade signs, generally.

6 LANCE LANDGRAF: So, why two of  
7 them?

8 JASON SCIULLO: There's two  
9 different doors.

10 LANCE LANDGRAF: One for medical,  
11 one for recreational or --

12 JASON SCIULLO: That's just the --  
13 the amount of space that's there.

14 There's two access points. One's  
15 accessible, one isn't. So, we don't want to jam  
16 everybody into the one accessible space.

17 LANCE LANDGRAF: Okay.

18 JASON SCIULLO: Marks --

19 [Indiscernible - cross-talking]

20 LANCE LANDGRAF: I believe The Walk  
21 has -- The Walk. Tanger's Walk has blade signs  
22 over each store. I think that works well.

23 But, two of them, I guess, is what  
24 my question --

25 So, you have two doors. All right.



1 the entrance and a sign over the exit.

2 SEAN BARRAVECCHIO: Yes.

3 LANCE LANDGRAF: So, will -- will  
4 those signs say that on them?

5 NICHOLAS TALVACCHIA: It's whatever  
6 you want.

7 JASON SCIULLO: It can.

8 SEAN BARRAVECCHIO: It can.

9 LANCE LANDGRAF: I would say we  
10 would want that.

11 CHRISTINE COFONE: I would think it  
12 would be confusing. Right?

13 LANCE LANDGRAF: Yeah.

14 CHRISTINE COFONE: Because if they  
15 --

16 If you come to the facility and you  
17 see two doors and one has an MPX sign here and  
18 one has an MPX sign here, the public is not  
19 gonna immediately know which to go into.

20 SEAN BARRAVECCHIO: We'll also have  
21 a security guard on site who will be able to  
22 assist patients and --

23 LANCE LANDGRAF: Right.

24 NICHOLAS TALVACCHIA: And we can  
25 add "entry" to one and "exit" at the --

1                   LANCE LANDGRAF: Exactly. That  
2 would be perfect. That would be --

3                   CHRISTINE COFONE: Yeah. I think  
4 that's a better --

5                   [Indiscernible - cross-talking]

6                   LANCE LANDGRAF: That makes more  
7 sense to me and can justify the variance that I  
8 can recommend to our board that would say, look,  
9 one's an entrance, one's an exit.

10                  CHRISTINE COFONE: Yeah. I agree.

11                  LANCE LANDGRAF: And -- and that --  
12 that works well for me.

13                  Thank you.

14                  NICHOLAS TALVACCHIA: Okay.

15                  SEAN BARRAVECCHIO: Absolutely.

16 BY NICHOLAS TALVACCHIA:

17                  Q.       And, Jay, go ahead. There's some  
18 wall signs?

19                  A.       The wall signs are  
20 building-mounted. That will be, as I mentioned,  
21 just the MPX logo, which is required by CRC  
22 regulation to identify the space.

23                  And because of the -- the large  
24 frontage, two of them, although those will be  
25 modest. They won't be anywhere near the amount

1 of area that's permitted by regulation.

2 LANCE LANDGRAF: So, you're gonna  
3 have one on St. James and one on the parking lot  
4 side?

5 JASON SCIULLO: I'm not sure if we  
6 were gonna put one on the parking lot side, but  
7 they're both [indiscernible] the face of the  
8 building. But...

9 LANCE LANDGRAF: Well, I'm gonna  
10 ask the question again.

11 Why do you need two on the same  
12 face?

13 JASON SCIULLO: The building is a  
14 hundred -- almost a hundred feet long. So, it's  
15 just to identify the space.

16 LANCE LANDGRAF: Okay.

17 BY NICHOLAS TALVACCHIA:

18 Q. So, in other words, we have two  
19 blade signs and two small wall-mounted signs.  
20 All right? So --

21 LANCE LANDGRAF: How -- how big is  
22 "small wall-mounted"?

23 JASON SCIULLO: So, the existing --  
24 Oh. You know what? I didn't bring  
25 that -- that note.

1                   The one that's at the existing  
2 space, I want to say it's a foot and a half  
3 tall, four feet wide. So, it's probably --

4                   I mean, at worst, it will be --

5                   LANCE LANDGRAF: And you're gonna  
6 replicate that with two of them. So, they're  
7 small enough.

8                   JASON SCIULLO: Yeah. Yeah.

9                   LANCE LANDGRAF: All right. That's  
10 fine.

11                  JASON SCIULLO: Yeah.

12                  NICHOLAS TALVACCHIA: Okay.

13 BY NICHOLAS TALVACCHIA:

14                  Q.       And then the other relief is for  
15 the mount --

16                  A.       The ground-mounted sign.

17                  Q.       -- the ground-mounted sign.

18                            That's a setback there.

19                            And is that -- is that sign  
20 permitted, the ground-mounted?

21                  A.       It's --

22                            Yes. The sign is permitted. Well,  
23 I should move back up.

24                            The CRDA land use rules permit it.  
25 The type of sign is determined by that.

1           The green zone development plan  
2 just says two signs, total. So, it doesn't say  
3 what kind of signs; it just says two.

4           Q.       Okay. But, that's not prohibited?

5           A.       No. Absolutely not.

6           Q.       All right. But, the setback is  
7 with the variance --

8           A.       Yeah. And this is -- this is  
9 unique here because, in most cases with the --  
10 the green zone redevelopment plan, the  
11 anticipation of backfill of existing spaces over  
12 on Atlantic Ave. that have zero frontage and  
13 just -- or -- sorry -- zero setback and just the  
14 building along the entire frontage, they  
15 wouldn't have ground-mounted signs because they  
16 don't have space to fit it.

17                   We have a unique condition here,  
18 where we have the building setback ten feet  
19 back. It's elevated, so there's a landscape  
20 space between the sidewalk and the building.  
21 So, as you're walking down the street, this  
22 small ground sign that we propose that will be  
23 in that landscaped area on the sidewalk between  
24 the building and the sidewalk will identify the  
25 space --

1                   LANCE LANDGRAF: So, you'll be able

2                   --

3                   JASON SCIULLO: -- with blade  
4 signs.

5                   LANCE LANDGRAF: -- to see it from  
6 -- at Pacific Avenue or --

7                   JASON SCIULLO: That's the idea.

8                   LANCE LANDGRAF: -- or up by the  
9 boardwalk.

10                  JASON SCIULLO: When you get  
11 closer. It won't be visible from all the way  
12 down there.

13                  LANCE LANDGRAF: Okay.

14                  NICHOLAS TALVACCHIA: I think it --  
15 the street curves. I'm not sure.

16                  LANCE LANDGRAF: Oh. It does. It  
17 has that chicane in it. Yeah.

18                  NICHOLAS TALVACCHIA: Yeah. I'm  
19 not sure you'll be able to see it, but,  
20 certainly, if you're walking down the street, at  
21 some --

22                  LANCE LANDGRAF: Gotcha.

23                  NICHOLAS TALVACCHIA: -- point,  
24 you'll see it.

25                  LANCE LANDGRAF: Where -- where is



1 this proposed, Jay?

2 JASON SCIULLO: So --

3 LANCE LANDGRAF: I looked at it on  
4 the plan.

5 JASON SCIULLO: So, it's --

6 LANCE LANDGRAF: Right there in the  
7 middle?

8 JASON SCIULLO: Yeah. So, it's  
9 generally in the midpoint of the -- the building  
10 here, against the back of the sidewalk.

11 So, on this view, it would be more  
12 or less --

13 LANCE LANDGRAF: In that landscaped  
14 area?

15 JASON SCIULLO: -- where that  
16 purple flower --

17 LANCE LANDGRAF: Okay.

18 JASON SCIULLO: -- is there.

19 BY NICHOLAS TALVACCHIA:

20 Q. So, that's a setback. Instead of  
21 five feet, we have zero feet.

22 And the other signs, they comply  
23 except for the number.

24 A. Yeah. So, the --

25 Yes. And the total area --

1           This -- this sign, as you see, is  
2     ten square feet, well below what would be  
3     permitted by ordinance -- or by regulation,  
4     which is 25 percent of the building wall area.

5           In total, the signage is nowhere  
6     near that amount. So, we're well below the sign  
7     budget, we'll call it, of the total area that's  
8     permitted.

9     BY NICHOLAS TALVACCHIA:

10           Q.       Of 25 percent.

11           A.       25 percent.

12           We just, in -- just want to  
13     request, respectfully, that we're allowed more  
14     than two because of the size of the space and  
15     because of the setback from the road.

16           So, we have visibility for this  
17     sign as you're walking up, and then the two that  
18     identify the -- the entrances, the projecting  
19     signs and the wall signs that identify the  
20     entrances.

21           LANCE LANDGRAF: So, the -- the  
22     tree, I'll call it, that's on there, is not  
23     really on the sign.

24           NICHOLAS TALVACCHIA: No. No.  
25     That's what I thought when I first saw it.

1 [Indiscernible - cross-talking and  
2 multiple background voices]

3 LANCE LANDGRAF: Me, too. I'm like  
4 --

5 And then I'm looking --

6 CHRISTINE COFONE: Me, too. I  
7 thought that, too. I'm like, is that like a --

8 [Indiscernible - cross-talking]

9 JASON SCIULLO: No.

10 CHRISTINE COFONE: -- or something?

11 LANCE LANDGRAF: Because they're  
12 not allowed -- they're not allowed to put a  
13 cannabis leaf on the sign.

14 NICHOLAS TALVACCHIA: No.

15 Yeah.

16 [Indiscernible - cross-talking]

17 JASON SCIULLO: That's to  
18 demonstrate the --

19 [Indiscernible - cross-talking]

20 NICHOLAS TALVACCHIA: I caught that  
21 at first, too.

22 LANCE LANDGRAF: Which, to me,  
23 makes no sense.

24 I mean, if you go back to signage  
25 back in colonial times, people couldn't read, so

1 they put a picture of a --

2 CHRISTINE COFONE: Right.

3 LANCE LANDGRAF: -- a shoe, like --  
4 Right?

5 ROBERT REID: Mm-hmm.

6 LANCE LANDGRAF: They had an anvil  
7 for the -- the smith, all that.

8 ROBERT REID: Yeah. Yeah.

9 LANCE LANDGRAF: Never mind.

10 JASON SCIULLO: We -- we put that  
11 on there to show that the reason the sign is  
12 five feet high was to clear the landscape.

13 LANCE LANDGRAF: Understood. All  
14 right.

15 ROBERT REID: Oh.

16 JASON SCIULLO: And that was one of  
17 the guys in the office got a little artistic.  
18 So...

19 CHRISTINE COFONE: Yeah.

20 [Indiscernible - cross-talking and  
21 multiple background voices]

22 ROBERT REID: Yeah. It was --

23 [Indiscernible - cross-talking]

24 CHRISTINE COFONE: That's funny.

25 NICHOLAS TALVACCHIA: No. It was

1 Brian before.

2 ROBERT REID: Brian?

3 A dead tree.

4 JASON SCIULLO: It's a dead tree.

5 Yes.

6 LANCE LANDGRAF: Now that makes  
7 sense. Okay. All right.

8 JASON SCIULLO: It's the winter.  
9 That's what --

10 [Indiscernible - cross-talking]

11 LANCE LANDGRAF: So, it's,  
12 basically, five foot high and it's two foot  
13 wide.

14 CHRISTOPHER MORRIS: Exactly.

15 JASON SCIULLO: And then, at the  
16 sign, you'll see the logo is only the top part  
17 of it.

18 LANCE LANDGRAF: Good.

19 Internally lit?

20 JASON SCIULLO: I don't know that  
21 we're gonna have to light it.

22 NICHOLAS TALVACCHIA: We're gonna  
23 light --

24 SEAN BARRAVECCHIO: Actually, the  
25 sign itself won't be internally lit, but it --

1 it will be back -- it will be lit by high hat  
2 lighting.

3 CHRISTINE COFONE: Okay. On the  
4 building.

5 LANCE LANDGRAF: From where? On  
6 the building?

7 SEAN BARRAVECCHIO: I -- I believe  
8 it will be on -- on the face of the building.

9 LANCE LANDGRAF: Okay. So, spot  
10 lighting?

11 SEAN BARRAVECCHIO: Spot lighting.  
12 Correct.

13 LANCE LANDGRAF: Okay. Is this  
14 underneath that overhang? It's not underneath  
15 the overhang. Right?

16 JASON SCIULLO: It's -- it's close  
17 to the one --

18 The -- the city overhang gets to  
19 the edge of the -- the concrete.

20 LANCE LANDGRAF: All right.

21 JASON SCIULLO: This one here.  
22 It's more or less right below it.

23 LANCE LANDGRAF: Can you do --  
24 Well, you bring out all the --

25 I -- I would think uplighting would

1 be better.

2 SEAN BARRAVECCHIO: So, are we  
3 allowed to uplight?

4 NICHOLAS TALVACCHIA: Not at --  
5 It's too small.

6 LANCE LANDGRAF: I don't think  
7 there's any prohibition for that.

8 JASON SCIULLO: No?

9 NICHOLAS TALVACCHIA: Yeah.

10 ROBERT REID: As long as it doesn't  
11 glare.

12 NICHOLAS TALVACCHIA: Yeah. We'd  
13 like to be able to put up light from the --

14 LANCE LANDGRAF: Uplighting it.  
15 Yeah. That's what I would --

16 NICHOLAS TALVACCHIA: -- from the  
17 landscaping area.

18 Just two spot --

19 [Indiscernible - cross-talking]

20 LANCE LANDGRAF: Honestly, I would  
21 think --

22 NICHOLAS TALVACCHIA: Yeah.

23 LANCE LANDGRAF: -- put a bulb  
24 behind the -- the letters would be internally  
25 lit.

1 SEAN BARRAVECCHIO: There -- well,  
2 there are restrictions from the medical cannabis  
3 regulations.

4 LANCE LANDGRAF: Oh. Okay. All  
5 right.

6 SEAN BARRAVECCHIO: So, it's what  
7 we've done at our existing locations.

8 LANCE LANDGRAF: And -- and,  
9 honestly, I would like to see it uplit, as --

10 And, Nick, you may or may not know  
11 this. What happens now, because this is in a  
12 redevelopment area, we will ask for the city to  
13 take a look at the architectural design --

14 [Indiscernible - cross-talking]

15 -- and the signage design.

16 Jim Rutala is putting together a  
17 group that will do that for the city.

18 So, what I would suggest is, as  
19 soon as you update these plans from the things  
20 we've talked about today or after our board  
21 approval, get that over to the city for them to  
22 get their comments. Because we will condition  
23 our approval on the redevelopment plan  
24 architectural design standards.

25 NICHOLAS TALVACCHIA: Understood.



1 Thank you.

2 LANCE LANDGRAF: So, we don't  
3 review them --

4 NICHOLAS TALVACCHIA: I'll talk to  
5 -- reach out to Mr. Rutala.

6 LANCE LANDGRAF: It's their  
7 document.

8 So, we're gonna allow the city --  
9 not allow -- we ask the city to do that.

10 NICHOLAS TALVACCHIA: So, the sign  
11 you suggested, is the one where I'm thinking the  
12 letters are a little proud and -- and it's just  
13 lit right behind the letters or --

14 LANCE LANDGRAF: You could do that,  
15 but I think, from what Sean is saying, the state  
16 may regulate that.

17 NICHOLAS TALVACCHIA: Right. So,  
18 the idea, then, is --

19 [Indiscernible - cross-talking]

20 -- up --

21 LANCE LANDGRAF: Yeah.

22 NICHOLAS TALVACCHIA: -- just a  
23 couple spotlights --

24 LANCE LANDGRAF: Yep.

25 NICHOLAS TALVACCHIA: -- in the --

1 in the landscaped area.

2 LANCE LANDGRAF: Yep.

3 JASON SCIULLO: Yeah.

4 And since the -- since the sign  
5 goes all the way to the ground, it will block  
6 glare from vehicles going either direction. The  
7 sign will just be lit. It won't glare up.

8 So, that's good.

9 NICHOLAS TALVACCHIA: Yeah.

10 BY NICHOLAS TALVACCHIA:

11 Q. So -- so, Jay, your justifications  
12 for the variance is the size of the building,  
13 which was, apparently, not contemplated by the  
14 redevelopment plan --

15 [Indiscernible - cross-talking]

16 A. I don't -- I don't think that it  
17 was.

18 Q. -- nor the set -- nor the setback.

19 A. Yeah. This is a much larger space  
20 than a lot of the other ones, by way of  
21 frontage, especially.

22 So, based on that and, you know,  
23 not knowing the purpose of the limitation on the  
24 signage, I can only gather that it's because  
25 they didn't want it cluttered on the face of

1 these smaller spaces. But, we --

2 This --

3 Even with five signs, it's nowhere  
4 -- it won't look cluttered at all. It's -- it's  
5 a huge space with small signs.

6 So, I feel that, based on being so  
7 far below what's permitted by way of area, that  
8 the number of signs shouldn't really be a factor  
9 in how we determine the -- the need for relief.

10 Q. So, in order to promote visibility,  
11 these -- the number of signs and clarity of  
12 people coming there, in terms of where they're  
13 going --

14 A. Yeah. And they're --

15 There's --

16 I'm assuming --

17 You talked about different purposes  
18 for the signs. And I feel like the -- the  
19 number is -- is justified based on the size of  
20 the building.

21 Q. Okay. Any detriment from --

22 If the -- the CRDA were to grant  
23 relief from the sign requirements?

24 A. No. As I mentioned, we're so far  
25 below the -- the allowable area, to be

1 restricted to just two signs I think will create  
2 even more confusion.

3 Like we talked about already,  
4 trying to align the signage with the entrances  
5 and exit. Yes.

6 Q. Potential customers missing it and  
7 then having to make a U-turn --

8 A. Yeah.

9 Q. -- at the end of St. James?

10 A. Yeah. If --

11 For drive up. Yeah, absolutely.  
12 Because they -- they will be relatively subdued.  
13 They're small, which is a CRC regulation.

14 But, yeah. There will be no  
15 detriment to the public at all --

16 Q. Okay.

17 A. -- based on that.

18 Q. And that signage is the only  
19 variance relief we have. Correct?

20 A. That's it. Yeah. And there's  
21 really no -- no changes proposed other than  
22 occupying the space and adding some signs.

23 Q. And just for the record, the --  
24 the --

25 A. Just to be clear -- I'm sorry --

1 the signage that we propose is permitted with  
2 every other type of retail use, with no relief.  
3 It's just because of the green zone trying to  
4 limit the amount of signage on some of these  
5 smaller storefronts.

6 Q. Gotcha.

7 And the CRDA has previously  
8 approved this space for retail. So, all the  
9 site plan issues have been previously addressed  
10 and --

11 [Indiscernible - cross-talking]

12 A. Yes.

13 Q. And no changes --

14 A. The building is under construction.  
15 We're not changing anything --

16 Q. It's under construction.

17 A. Yeah.

18 NICHOLAS TALVACCHIA: All right.  
19 That -- that's our presentation, --

20 LANCE LANDGRAF: Okay.

21 NICHOLAS TALVACCHIA: --  
22 Mr. Landgraf.

23 And we're available for any  
24 questions.

25 I know there is a report.

1                   LANCE LANDGRAF:  Yep.  Thank you,  
2                   Nick.

3                   With that, I'll go to our  
4                   consultants' report.

5                   Christine, do you want to start us  
6                   off?

7                   SCOTT COLLINS:  Can I just  
8                   interrupt for a minute?

9                   CHRISTINE COFONE:  Sure.

10                  LANCE LANDGRAF:  Sure.

11                  SCOTT COLLINS:  Nick, --

12                  NICHOLAS TALVACCHIA:  Yes.

13                  SCOTT COLLINS:  -- as always, we're  
14                  -- we're too efficient.

15                  Why don't we mark the application  
16                  A-1?

17                  NICHOLAS TALVACCHIA:  Correct.

18                  SCOTT COLLINS:  And then, Jay, is  
19                  that --

20                  NICHOLAS TALVACCHIA:  We can send  
21                  that to you.

22                  JASON SCIULLO:  That will --

23                  NICHOLAS TALVACCHIA:  We'll make  
24                  that A-2?

25                  JASON SCIULLO:  Yeah.

1                   And the other one was -- the other  
2 was the -- wasn't a new exhibit; it was the  
3 submission plan.

4                   NICHOLAS TALVACCHIA: So, that's  
5 already gonna be A-1.

6                   SCOTT COLLINS: Okay. So, this is  
7 --

8                   [Indiscernible - cross-talking]

9                   NICHOLAS TALVACCHIA: That's the  
10 only new -- the new item. Yeah.

11                   SCOTT COLLINS: Got it. Thank you.

12                   NICHOLAS TALVACCHIA: This --

13                   SCOTT COLLINS: And while we're  
14 here --

15                   [Indiscernible - cross-talking]

16                   NICHOLAS TALVACCHIA: Artist  
17 rendering.

18                   SCOTT COLLINS: -- our -- our  
19 letter as well.

20                   LANCE LANDGRAF: It's a January  
21 31st, 2023 ARH review letter dated --

22                   Yeah. As B-1.

23                   SCOTT COLLINS: Thank you.

24                   LANCE LANDGRAF: All right.

25                   Christine. Thank you.

1                   CHRISTINE COFONE: We were sworn in  
2 already. Right?

3                   LANCE LANDGRAF: No, you weren't.

4                   CHRISTINE COFONE: I didn't think  
5 so.

6                   LANCE LANDGRAF: You should do both  
7 of them.

8                   CHRISTINE COFONE: I'm like, oh,  
9 I'm not sure. I don't remember.

10                  SCOTT COLLINS: Hang on one second.  
11 Raise your hand.

12                  Do you swear to tell the truth, the  
13 whole truth, and nothing but the truth here  
14 today?

15                  CHRISTINE COFONE: Yes, I do.

16                  SCOTT COLLINS: And, Lance, this is  
17 --

18                  LANCE LANDGRAF: Yes. We recognize  
19 their expertise in planning, and engineering for  
20 Chris.

21                  SCOTT COLLINS: Okay. I need to  
22 swear you as well, too.

23                  Do you swear to tell the truth, the  
24 whole truth, and nothing but the truth here  
25 today?



1 CHRISTOPHER MORRIS: I do.

2 SCOTT COLLINS: Okay. And for  
3 purposes of today, Christine will be presenting  
4 planning testimony and Chris will be presenting  
5 engineering?

6 CHRISTOPHER MORRIS: Yes.

7 SCOTT COLLINS: Okay. Thank you.

8 CHRISTINE COFONE: So, our issue --  
9 our -- our office issued a joint letter with ARH  
10 dated January 31st, which has been marked into  
11 evidence.

12 The planning comments start on Page  
13 11 of that report.

14 Mr. Sciullo has already gone  
15 through the statutory proofs.

16 This is really a substantially  
17 conforming application, I would say, with the  
18 intent of the sign program.

19 I do agree with Mr. Sciullo that,  
20 given the size of this building, that the sign  
21 program is really even modest compared to the  
22 size of the building. The -- the underlying  
23 zone would allow for much, much more signage on  
24 this building.

25 You know, we like to say, as

1 planners, that signs have, really, three  
2 intentions.

3                   They have an advertising. Right?  
4 We want our businesses to be successful.

5                   They have a way-finding component.  
6 We need people to get where they're going to  
7 get.

8                   And then they have an architectural  
9 element, in that they break up the elevations of  
10 the building.

11                   And I think your sign package does  
12 all of that without offending the zone plan.

13                   So, I think we did make some  
14 clarifying points this morning just so that  
15 there's no confusion to get the people into and  
16 out of the store.

17                   But, with that said, I have -- I  
18 take no exception to any of the testimony that  
19 was offered by the applicant this morning.

20                   I agree with the testimony of  
21 Mr. Sciullo. As always, he's done a good --  
22 good job of walking us through the proofs and  
23 what's before us. And I think that the sign  
24 package, in my opinion, is reasonable related to  
25 the building.

1                   NICHOLAS TALVACCHIA: Thank you.

2                   CHRISTINE COFONE: You're welcome.

3                   LANCE LANDGRAF: Chris, do you have  
4 anything on that?

5                   CHRISTOPHER MORRIS: Yeah.

6                   The only thing in testimony that  
7 wasn't addressed was the sight triangles. Is  
8 there any interference with the sign and the  
9 sight triangles from the parking lot?

10                  JASON SCIULLO: From the driveway?  
11 No.

12                  CHRISTOPHER MORRIS: Yeah. Was it  
13 --

14                  JASON SCIULLO: They're completely  
15 --

16                  CHRISTOPHER MORRIS: That was  
17 analyzed?

18                  [Indiscernible - cross-talking]

19                  JASON SCIULLO: Yeah. They're --  
20 Nothing's changed based on what we  
21 had before. The --

22                  Being the sign's out of the  
23 right-of-way -- out of the right-of-way, we're  
24 not having issue with that.

25                  And then the first driveway is the

1 exit out. So, that -- that is the closest one  
2 where we'd be looking left to make a right,  
3 which, quite honestly, never really happens out  
4 of a driveway. Most everybody goes back towards  
5 Pacific. But, in the event it were to happen,  
6 it won't be an issue.

7 CHRISTOPHER MORRIS: Okay.

8 LANCE LANDGRAF: All right. That's  
9 it?

10 NICHOLAS TALVACCHIA: Yep.

11 LANCE LANDGRAF: Thank you.

12 Anything else? You got anything?  
13 Comments?

14 ROBERT REID: No. Only -- only I  
15 just want to state that, regarding the signage,  
16 that to compare it to the -- the situation at  
17 the boardwalk, Pacific Avenue and Atlantic  
18 Avenue, if any property that has a hundred feet,  
19 there would be numerous signs along there, with  
20 storefronts, ranging from 15 feet to 25 feet  
21 wide.

22 NICHOLAS TALVACCHIA: True.

23 ROBERT REID: So -- so, this  
24 signage package here is -- is small compared to  
25 what it could actually --

1 LANCE LANDGRAF: Right.

2 ROBERT REID: -- occupy.

3 LANCE LANDGRAF: Okay. All right.

4 With that, I'll open the meeting up to the  
5 public.

6 If anybody here wants to make a  
7 comment on the application or ask a question,  
8 please step forward, state your name, and  
9 provide your testimony.

10 Seeing none, we'll close the public  
11 portion and --

12 SCOTT COLLINS: Can I ask one  
13 clarification?

14 LANCE LANDGRAF: Sure.

15 SCOTT COLLINS: I don't know if  
16 this was said in testimony. Did you discuss  
17 what the class of license that -- that this is?

18 NICHOLAS TALVACCHIA: Oh. This  
19 will be a Class 5.

20 Right?

21 SEAN BARRAVECCHIO: Yes.

22 NICHOLAS TALVACCHIA: Class 5.

23 SCOTT COLLINS: Oh. I just wanted  
24 to make sure that I had that.

25 NICHOLAS TALVACCHIA: For retail.

1 Correct.

2 LANCE LANDGRAF: Okay. Thank you.  
3 I'll skip down because we have no  
4 comment.

5 NICHOLAS TALVACCHIA: Can I just  
6 make one sort of --

7 LANCE LANDGRAF: Yeah. I was  
8 coming back here anyway.

9 NICHOLAS TALVACCHIA: They do --  
10 they do intend to do deliveries from the site,  
11 as permitted by state law, --

12 LANCE LANDGRAF: Right.

13 NICHOLAS TALVACCHIA: -- from the  
14 site.

15 LANCE LANDGRAF: Yep.

16 NICHOLS TALVACCHIA: Just so  
17 there's no misunderstanding.

18 LANCE LANDGRAF: To what we heard  
19 as -- as semi-permanent residences. Because  
20 you're allowed to deliver to hotel rooms in --  
21 in a previous application.

22 [Indiscernible - cross-talking and  
23 multiple background voices]

24 CHRISTINE COFONE: Oh. Yeah. We  
25 learned that.

1 LANCE LANDGRAF: I'm like --

2 ROBERT REID: Amazing.

3 LANCE LANDGRAF: That was -- that

4 --

5 [Indiscernible - cross-talking and

6 multiple background voices]

7 Because it has to be stationary.

8 They can't deliver to campgrounds or campers,

9 apparently.

10 NICHOLAS TALVACCHIA: No.

11 LANCE LANDGRAF: That -- that was

12 the --

13 ROBERT REID: Park benches?

14 CHRISTOPHER MORRIS: Yeah.

15 NICHOLAS TALVACCHIA: No.

16 [Indiscernible - cross-talking]

17 ...address?

18 Beach? Beach?

19 LANCE LANDGRAF: Beach. Right.

20 CHRISTINE COFONE: Beach chairs.

21 CHRISTOPHER MORRIS: Beach chairs.

22 Right?

23 LANCE LANDGRAF: So, that's it,

24 Mr. Talvacchia? You're done?

25 NICHOLAS TALVACCHIA: Yes, it is.

1 I thank you for your --

2 LANCE LANDGRAF: Okay.

3 NICHOLAS TALVACCHIA: -- time and  
4 attention.

5 LANCE LANDGRAF: Thank you.

6 With no other testimony, we'll  
7 close the hearing on this matter.

8 And this will be on our March  
9 agenda. This February is full with seven land  
10 use applications.

11 CHRISTINE COFONE: Mm-hmm.

12 LANCE LANDGRAF: The board members  
13 -- Jane -- are gonna be tired of hearing me talk  
14 on -- on the 21st.

15 NICHOLAS TALVACCHIA: So, we'll  
16 submit a package to Mr. Reid for --

17 Even though it's premature, we'll  
18 start working on the package for CLUC. I guess  
19 we'll wait till March to get it in.

20 LANCE LANDGRAF: Yeah. Understood.

21 With that, for the public's  
22 benefit, our next scheduled land use hearing is  
23 February 16th, which is my wife's birthday. Not  
24 that -- never mind. At 10 a.m.

25 The next CRDA board meeting is



1 February 21st. However, we anticipate this item  
2 being on the March 21st board agenda.

3 With no other public comment, we  
4 will close the meeting, and we are adjourned.

5 Thank you.

6 NICHOLAS TALVACCHIA: Thank you.

7  
8 (This public hearing concluded at  
9 the time indicated on the videographer's  
10 equipment.)  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

**C E R T I F I C A T I O N**

I, KAREN A. HAWORTH, a New Jersey Certified Court Reporter (CCR), nationally certified Registered Professional Reporter (RPR), nationally certified Certificate of Merit holder (CM), nationally certified Certified Realtime Reporter (CRR), a Delaware Certified Shorthand Reporter (CSR), nationally certified Certified LiveNote™ Reporter (CLR), and Notary Public of the State of New Jersey, hereby certify that the proceedings were reported by me fully and accurately stenographically, reduced to typewritten form under my personal direction and supervision and that this is a true and correct transcript of the proceedings in this matter.

I further certify that I am neither an attorney nor counsel of any of the parties in the subject proceedings, nor a relative or employee of any attorney or counsel employed by the parties hereto, nor financially interested in the outcome of the subject proceedings.

---

KAREN A. HAWORTH, CCR, RPR, CM, CRR, CSR, CLR  
 Certified Court Reporter (NJ)  
 (License No. 915)  
 Registered Professional Reporter (RPR)  
 Certificate of Merit holder (CM)  
 Certified Realtime Reporter (CRR)  
 Certified Shorthand Reporter (CSR) (DE)  
 Certified LiveNote Reporter (CLR)  
 Notary Public of the State of NJ  
 (Identification No. 2192424)

The foregoing certification of this transcript does not apply to any reproduction of the same by any means, unless under the direct control and supervision of the certifying reporter.