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CASINO REINVESTMENT DEVELOPMENT AUTHORITY

LAND USE REGULATION and ENFORCEMENT DIVISION

APPLICATION NUMBER 2022-12-3344
HIGH ROLLERS DISPENSARY, LLC.

APPLICANT SEEKS SITE PLAN APPROVAL, VARIANCE RELIEF FOR BUILDING COVERAGE, ROOF SIGN, AND SETBACK TO RENOVATE A PORTION OF THE FORMER COMMERCIAL/MEETING SPACE INTO A CLASS 5 CANNABIS DISPENSARY IN ACCORDANCE WITH N.J.S.A. 40-55D-70 c.

THE PROPERTY IS LOCATED AT 112-120 PARK PLACE, 1800-1804 PACIFIC AVENUE, 106-112 SOUTH INDIANA AVENUE, ALSO KNOWN AS BLOCK 44, LOTS 1, 2, 3, AND 6, BLOCK 46, LOTS 1, 2, 3, AND 4 ON THE TAX MAP FOR THE CITY OF ATLANTIC CITY, LOCATED WITHIN THE RESORT COMMERCIAL DISTRICT.

BLOCK 44, LOTS 1, 2, 3, and 6
BLOCK 46, LOTS 1, 2, 3, AND 4

112-120 PARK PLACE
1800-1804 PACIFIC AVENUE
106-112 INDIANA AVENUE
ATLANTIC CITY, NEW JERSEY

Thursday - January 19, 2023

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2	<p>1 Public hearing in the</p> <p>2 above-referenced matter, conducted at the</p> <p>3 CASINO REINVESTMENT DEVELOPMENT AUTHORITY, 15</p> <p>4 South Pennsylvania Avenue, Atlantic City, New</p> <p>5 Jersey, before Karen A. Haworth, a New Jersey</p> <p>6 Certified Court Reporter (CCR), nationally</p> <p>7 certified Registered Professional Reporter</p> <p>8 (RPR), nationally certified Certificate of Merit</p> <p>9 holder (CM), nationally certified Certified</p> <p>10 Realtime Reporter (CRR), a Delaware Certified</p> <p>11 Shorthand Reporter (CSR), nationally certified</p> <p>12 Certified LiveNote™ Reporter (CLR), and Notary</p> <p>13 Public of the State of New Jersey, on the above</p> <p>14 date, commencing at 10:00 a.m., there being</p> <p>15 present:</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	4	
3	<p>1 APPEARANCES:</p> <p>2 CASINO REINVESTMENT DEVELOPMENT AUTHORITY:</p> <p>3</p> <p>4 LANCE B. LANDGRAF, JR.</p> <p>5 Chairman</p> <p>6 Director, Planning Department</p> <p>7</p> <p>8</p> <p>9 ROBERT L. REID</p> <p>10 Land Use Enforcement Officer</p> <p>11</p> <p>12</p> <p>13 JANE FONTANA, ESQUIRE</p> <p>14 Assistant General Counsel</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 PROFESSIONALS TO THE BOARD FOR THIS HEARING:</p> <p>2</p> <p>3 CHRISTOPHER MORRIS, PE</p> <p>4 ADAMS, REHMANN AND HEGGAN</p> <p>5</p> <p>6</p> <p>7 CHRISTINE NAZZARO-COFONE, PP</p> <p>8 COFONE CONSULTING GROUP</p> <p>9</p> <p>10</p> <p>11 G. JEFFREY HANSON, PE, CME</p> <p>12 ENVIRONMENTAL RESOLUTIONS, INC</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	5

6	<p style="text-align: center;">I N D E X</p> <p>WITNESS(ES) PAGE NO.</p> <p>JON COHN</p> <p> By: Jack Plackter 13</p> <p>MICHAEL SALERNO</p> <p> By: Jack Plackter 23</p> <p>JON BARNHART</p> <p> By: Jack Plackter 43</p> <p>EXHIBITS MARKED AND/OR REFERRED TO:</p> <p>A-1</p> <p>B-1</p>	8	<p>as our attorney for today, our solicitor for the land use hearing.</p> <p>This hearing has been noticed in accordance with the Senator Byron M. Baer Open Public Meetings Act.</p> <p>As I said, we have five items on the agenda today.</p> <p>The first is Application 2022-12-3344, High Rollers Dispensary.</p> <p>The second will be Application 2022-12-3345, BL 51 QOZF, LLC.</p> <p>Third on the agenda is Application 2022-12-3346, CCAM Realty, LLC.</p> <p>Item four will be Application Number 2022-11-3333, Long River Atlantic, LLC.</p> <p>And the last item will be Application 2022-11-3334, Amor Real Estate -- Amor Real Estate Holdings, LLC.</p> <p>So, the first application is High Rollers Dispensary, LLC.</p> <p>I typically do a little preamble, but I see Mr. Plackter is up.</p> <p>[Indiscernible - low speaking background voices]</p> <p>I'll let him introduce the</p>
7	<p>[COURT REPORTER'S NOTE: THE FOLLOWING TRANSCRIPT WAS PRODUCED FROM THE AUDIO TAKEN BY THE VIDEOGRAPHER PRESENT AT THE HEARING.]</p> <p>(Time noted: 10:00 a.m.)</p> <p>LANCE LANDGRAF: Okay. Good morning.</p> <p>We have a very full agenda. This, I think, is the fullest agenda since I've been here, eight years, on our docket today.</p> <p>So, good morning.</p> <p>This is the January 19, 2023 CRDA Land Use Regulation and Enforcement Division hearing.</p> <p>If everyone would please rise for the Pledge of Allegiance.</p> <p>(The Pledge of Allegiance was recited at this time.)</p> <p>LANCE LANDGRAF: Thank you.</p> <p>There's a little change in our lineup today. We have Jane Fontana sitting in</p>	9	<p>application. But, the application is seeking site plan approval, variance relief for building coverage, roof sign, and setback to renovate a former -- a portion of the former commercial/meeting space into a Class 5 cannabis dispensary with a c. variance, as I indicated.</p> <p>The property address is 12 -- 112 to 120 Park Place, 1800-1804 Pacific Avenue, 106 to 112 South Indiana Avenue. Also known as Block 44, Lots 1, 2, 3, and 6, Block 46, Lots 1, 2, 3, and 4 on the tax map of the city of Atlantic City.</p> <p>Rob, we have proper notice? We're good on this one?</p> <p>ROBERT REID: Yes. I reviewed the Proof of Service, and we do have jurisdiction to hear the application.</p> <p>LANCE LANDGRAF: Okay. And from our professionals, we're complete for review on this one?</p> <p>CHRISTINE COFONE: Yes. We are deemed complete.</p> <p>CHRISTOPHER MORRIS: Yes.</p> <p>LANCE LANDGRAF: Okay.</p> <p>JANE FONTANA: Do you want to mark</p>

10	<p>1 their application as Exhibit A-1?</p> <p>2 LANCE LANDGRAF: Yeah. Scott</p> <p>3 typically does that, so we will do that.</p> <p>4 We'll mark the application from</p> <p>5 Mr. Plackter's office and the applicant as A-1.</p> <p>6 We do have a review letter from ARH</p> <p>7 dated January 13th, 2023. We'll mark that as</p> <p>8 B-1.</p> <p>9 Jack, is there anything different</p> <p>10 in your submission today that you'll be using</p> <p>11 than the application?</p> <p>12 JACK PLACKTER: There are -- there</p> <p>13 are some images that we can --</p> <p>14 LANCE LANDGRAF: Okay.</p> <p>15 JACK PLACKTER: -- mark afterwards.</p> <p>16 LANCE LANDGRAF: Okay.</p> <p>17 JACK PLACKTER: And we'll give you</p> <p>18 a copy of them. But, --</p> <p>19 LANCE LANDGRAF: Perfect.</p> <p>20 JACK PLACKTER: -- otherwise, it's</p> <p>21 the same as what you've seen.</p> <p>22 LANCE LANDGRAF: All right. I</p> <p>23 appreciate that.</p> <p>24 JACK PLACKTER: Yep.</p> <p>25 LANCE LANDGRAF: With that, I'll</p>	12
11	<p>1 introduce Mr. Plackter.</p> <p>2 JACK PLACKTER: Sure. Thank you.</p> <p>3 Thank you for doing my</p> <p>4 introduction. I really appreciate the --</p> <p>5 I just wanted to introduce some of</p> <p>6 the principals here.</p> <p>7 First we have --</p> <p>8 I think everybody knows Jon Cohn</p> <p>9 directly to my right. And then we also have</p> <p>10 Andrew Kirkland and Denise Kirkland. They're</p> <p>11 involved with this project as well.</p> <p>12 We're really excited about this</p> <p>13 project because it's exactly what I think was</p> <p>14 intended when Atlantic City and the CRDA</p> <p>15 supported the green growth zone. And that is,</p> <p>16 you know, adaptive reuse.</p> <p>17 The Claridge, as we know, you know,</p> <p>18 has a lot of additional space. We're taking</p> <p>19 10,000 square feet essentially of what used to</p> <p>20 be the casino floor and we're gonna turn it into</p> <p>21 a very, very nice High Rollers Dispensary.</p> <p>22 We're really not doing a lot to the</p> <p>23 outside of the building, but we're gonna show</p> <p>24 you some images.</p> <p>25 The image that's right there that</p>	13
10	<p>1 the -- our architect will describe is really</p> <p>2 gonna be the entrance.</p> <p>3 It does show a sign. Interestingly</p> <p>4 enough, we call that --</p> <p>5 I don't really believe that we need</p> <p>6 a variance for that sign, but out of an</p> <p>7 abundance of caution, we call it a rooftop sign.</p> <p>8 To me, it looks like a building-mounted sign</p> <p>9 when you really look at it. It's not on the</p> <p>10 roof of the Claridge. And it's -- it's kind of</p> <p>11 -- it's -- it does overhang the canopy. But,</p> <p>12 out of an abundance of caution, we did apply for</p> <p>13 a variance. So, that's one of the variances.</p> <p>14 The only other variance that we</p> <p>15 need for this application is the building is</p> <p>16 non-conforming. It --</p> <p>17 Right now, it's about 77 percent of</p> <p>18 coverage.</p> <p>19 We're not really doing anything to</p> <p>20 the building other than that entrance, which</p> <p>21 would -- I would say -- and Mr. Barnhart will</p> <p>22 cover that -- slightly increases the coverage.</p> <p>23 So, it's a permitted use. It's in</p> <p>24 a green growth zone. The CRDA's approved this.</p> <p>25 And I'd just like to call on</p>	11
11	<p>1 Mr. Cohn for just a very brief --</p> <p>2 We're gonna be brief because of</p> <p>3 your busy agenda.</p> <p>4 LANCE LANDGRAF: I appreciate that.</p> <p>5 [Indiscernible - low speaking</p> <p>6 background voices]</p> <p>7 JACK PLACKTER: But, I'd just like</p> <p>8 to call on Mr. Cohn to just briefly describe a</p> <p>9 little bit about the dispensary.</p> <p>10 JANE FONTANA: Mr. Plackter, we</p> <p>11 view this --</p> <p>12 If he's gonna testify, we should</p> <p>13 swear him in?</p> <p>14 JACK PLACKTER: Yeah. You should</p> <p>15 swear him in. Absolutely.</p> <p>16 JANE FONTANA: Please raise your</p> <p>17 right hand.</p> <p>18 Do you swear or affirm to tell the</p> <p>19 truth and the whole truth in the process of</p> <p>20 these proceedings this morning?</p> <p>21 JON COHN: Yes, I do.</p> <p>22 JANE FONTANA: Okay.</p> <p>23</p> <p>24 DIRECT EXAMINATION</p> <p>25 BY JACK PLACKTER:</p>	12

14

1 Q. Yeah. Jon, you're associated with
 2 the -- the group High Rollers Dispensary, LLC.
 3 Correct?
 4 A. Correct. As an operator.
 5 Q. Yeah.
 6 And would you just describe a
 7 little bit about the operation so the board and
 8 the hearing officer can understand what it is
 9 we're doing with this High Rollers Dispensary?
 10 A. Yeah. It's -- it's a combination
 11 of a dispensary and a lounge, a cannabis
 12 consumption lounge.
 13 The lounge regulations are
 14 currently in public hearing -- or a public
 15 comment from the New Jersey CRC. The 18th
 16 they're set to be adopted.
 17 The space we're occupying is the
 18 old casino floor. It's three levels.
 19 The first level is where deliveries
 20 and intake will occur off of Indiana Avenue.
 21 There will be a secure entrance.
 22 We'll have an inventory process
 23 where everything has to be manifested as it
 24 comes in, reconciled, you know, and --
 25 So, each package -- each container

15

1 actually has to be counted and accepted.
 2 Once it's taken in, it goes right
 3 into the vault.
 4 We'll have a day vault and a night
 5 vault. The day vault's where our products will
 6 be stored, you know, that we --
 7 Runners will go grab them and
 8 inventory control managers will grab them as
 9 orders come in.
 10 We'll accept online orders,
 11 in-store orders and -- really, three fulfillment
 12 methods.
 13 One, it would be in store; people
 14 coming in and shopping and picking out their
 15 products.
 16 One would be home delivery. It
 17 could be to hotel rooms, but it has to be to a
 18 permanent fixed residence of some sort or
 19 curbside.
 20 And those are really the three --
 21 [Indiscernible - cross-talking]
 22 LANCE LANDGRAF: Question. Explain
 23 that again. It can be to a hotel room?
 24 JON COHN: It can be to a hotel
 25 room.

16

1 LANCE LANDGRAF: Okay.
 2 JON COHN: Yeah.
 3 It can't be to a camp or like a
 4 very temporary residence, but a permanent
 5 address it can be delivered to.
 6 LANCE LANDGRAF: Well, how is a
 7 hotel room a permanent address?
 8 JON COHN: Well, it's a -- it --
 9 The room number doesn't change.
 10 The address -- the property address doesn't
 11 change.
 12 The person there could change, but
 13 that's --
 14 LANCE LANDGRAF: Okay.
 15 JON COHN: It's something we've --
 16 we've researched with our regulatory policy.
 17 LANCE LANDGRAF: All right.
 18 BY JACK PLACKTER:
 19 Q. And tell us a little bit about the
 20 -- the cost of the project, the number of
 21 employees, and then also how -- how we're gonna
 22 handle trash.
 23 A. Yeah. So, employees? Between 25
 24 and 35.
 25 It's -- it's a seasonal business

17

1 when it comes to dispensing. So, there are, you
 2 know, winter months. We expect there to be less
 3 -- less people working. Summer months, far more
 4 people working.
 5 Trash. It's --
 6 There's -- there's no cannabis
 7 trash; it's just regular -- the cardboard and,
 8 you know, everything else.
 9 If there's any cannabis products
 10 that's returned or recalled, those go back to a
 11 wholesaler or the cultivator that -- that we've
 12 acquired for the product.
 13 BY JACK PLACKTER:
 14 Q. And trash will be by private
 15 contractor?
 16 A. Private contractor.
 17 Q. And it's -- there's not gonna be
 18 anything on the outside?
 19 A. Nope. No. Just the standard --
 20 We're just a tenant of Claridge
 21 from that perspective.
 22 LANCE LANDGRAF: Okay.
 23 BY JACK PLACKTER:
 24 Q. All right. And what's the
 25 approximate cost of the renovations, if you

18

1 know?

2 **A. Oh. Yeah. It's roughly three**

3 **million, 3.2 million.**

4 **Q.** Okay. Thank you.

5 **JACK PLACKTER:** Any questions of

6 Mr. Cohn at this point?

7 **LANCE LANDGRAF:** Not at this time.

8 Christine, unless you have

9 anything.

10 **CHRISTINE COFONE:** Not at this

11 time.

12 **CHRISTOPHER MORRIS:** No.

13 **CHRISTINE COFONE:** Oh. I'm sorry.

14 You mentioned the curbside pickup.

15 **JON COHN:** Mm-hmm.

16 **CHRISTINE COFONE:** Is somebody else

17 gonna speak about that; how it's gonna function

18 or --

19 Is Jon gonna talk about that?

20 **JON COHN:** Functionally, I probably

21 would be more -- more appropriate.

22 **CHRISTINE COFONE:** Okay. Can you

23 tell us a little bit about how the curbside

24 pickup is going to work?

25 **JON COHN:** Yeah. I mean,

19

1 generally, it's online orders. They -- they'll

2 --

3 The big thing with dispensaries is

4 age verification. So, it's done at multiple

5 levels. We ensure online that they're entering

6 their age. And they're kind of accepting it.

7 But, it's self-reported. So, there's no real

8 verification.

9 Cars will pull up. A runner will

10 go out with their iPad or some kind of a tablet.

11 They'll get the order information from the

12 customer in the car.

13 They'll then go back into the

14 dispense --

15 Well, they'll [indiscernible] their

16 driver's license or a picture -- state-issued

17 picture ID. They'll have the order on the

18 screen. So, they'll collect the money at that

19 time.

20 They'll go in. They'll process the

21 order, meaning they'll pay for it. The, again,

22 inventory control people will make sure --

23 ensure that what was packaged for order

24 fulfillment actually meets the order.

25 Bring it back out to the car.

20

1 Return the change to the customer. And provide

2 them with the order.

3 **CHRISTINE COFONE:** Are you gonna

4 have a designated spot for that to occur?

5 **JON COHN:** It's the spots that are

6 right in front of the Claridge. Yeah.

7 **CHRISTINE COFONE:** Okay.

8 [Indiscernible - low speaking

9 background voices]

10 **LANCE LANDGRAF:** So, the spot that

11 fronts on Pacific Avenue.

12 **JON COHN:** I'm sorry?

13 **LANCE LANDGRAF:** That lot that

14 fronts on Pacific Avenue.

15 **JON COHN:** That lot is --

16 Again, it fronts on Pacific Avenue.

17 That's correct.

18 **CHRISTINE COFONE:** And there will

19 be a sign for online pickup?

20 **JON COHN:** Yes. Yep.

21 **CHRISTINE COFONE:** Okay. Thank

22 you.

23 **JON COHN:** Sure.

24 **CHRISTINE COFONE:** No further

25 questions, Lance.

21

1 **JON COHN:** Thanks.

2 **LANCE LANDGRAF:** Thank you,

3 Christine.

4 **JANE FONTANA:** Do you want to just

5 swear in all of our --

6 [Indiscernible - low speaking

7 background voices]

8 **LANCE LANDGRAF:** Yeah. Why don't

9 we do that now?

10 **JANE FONTANA:** If we could just

11 swear in all our professionals right now so that

12 they --

13 **JACK PLACKTER:** Sure.

14 **JANE FONTANA:** -- can ask

15 questions.

16 Would you raise your right hand?

17 [Indiscernible - low speaking

18 background voices]

19 Do you swear or affirm to tell the

20 truth and the entire truth with regard to these

21 proceedings?

22 **CHRISTINE COFONE:** Yes.

23 **CHRISTOPHER MORRIS:** Yes, I do.

24 **JANE FONTANA:** Thank you.

25 **LANCE LANDGRAF:** Just for the

22

1 record, we have Christine Cofone on the near
 2 left. We have Chris --
 3 **CHRISTOPHER MORRIS:** Morris.
 4 **CHRISTINE COFONE:** Morris.
 5 **LANCE LANDGRAF:** -- Morris.
 6 He's new to us today. Next to her.
 7 And Jeff Hanson from ERI. So...
 8 As I said, we have a full docket,
 9 so we have our full consultants here today, full
 10 team of consultants.
 11 All right. Jack.
 12 **JACK PLACKTER:** My next witness is
 13 Mike Salerno.
 14 **JANE FONTANA:** Mr. Salerno, will
 15 you raise your right hand?
 16 Do you swear or affirm to tell the
 17 truth and only the truth with respect to these
 18 proceedings this morning?
 19 **MICHAEL SALERNO:** Yes.
 20 **JANE FONTANA:** Thank you.
 21 **LANCE LANDGRAF:** So, Mike, you've
 22 not been before us before, so why don't you just
 23 put on the record your credentials?
 24 **MICHAEL SALERNO:** I've been a -- a
 25 licensed architect for about 12 years. I work

23

1 at SOSH Architects around the corner. I've been
 2 there for my entire career; 15 years, about.
 3 We -- we work extensively
 4 throughout Atlantic City. Mostly, gaming,
 5 hospitality, food and beverage, but, also, you
 6 know, educational, civic. So, all different
 7 types of project types.
 8 We do work for some of the casino
 9 clients around the country and -- and around the
 10 world. So...
 11 **LANCE LANDGRAF:** Okay. We accept
 12 him as a expert.
 13 **JACK PLACKTER:** Yeah.
 14
 15 DIRECT EXAMINATION
 16 **BY JACK PLACKTER:**
 17 Q. You are a licensed professional
 18 architect --
 19 **LANCE LANDGRAF:** Yeah.
 20 **BY JACK PLACKTER:**
 21 Q. -- in the state of New Jersey.
 22 Correct?
 23 **A. Yes.**
 24 Q. Okay.
 25 **LANCE LANDGRAF:** I will accept him

24

1 as such. Thank you.
 2 [Indiscernible - cross-talking]
 3 **JACK PLACKTER:** ...expert in
 4 architecture.
 5 Thank you.
 6 **BY JACK PLACKTER:**
 7 Q. So, Mike, you were engaged by the
 8 applicant, High Rollers Dispensary, to provide
 9 testimony and -- and work on plans in connection
 10 with this application. Correct?
 11 **A. Yes.**
 12 Q. And have you been to the Claridge
 13 site on at least one or more occasions?
 14 **A. Yes.**
 15 Q. Have you also had occasion to --
 16 The -- the materials that you see
 17 on the screen, were they either prepared by you
 18 or under your direction?
 19 **A. Yes.**
 20 Q. And also, did you have occasion to
 21 look at the Tourism District regulations as well
 22 as professional reports from ARH and also
 23 Christine Cofone?
 24 **A. Yes.**
 25 Q. Okay. So, based upon that, then,

25

1 briefly, just describe a little about the
 2 architecture.
 3 And we're gonna show some images
 4 just so you get a flavor for what it is we're
 5 doing to the Claridge.
 6 So, go right ahead.
 7 [Indiscernible - low speaking
 8 background voices]
 9 **A. Okay. So, as you can see, we're
 10 gonna create a -- a -- a new entry on -- in the
 11 parking lot area, which is currently just a
 12 blank very tall brick wall.**
 13 [Indiscernible - low speaking
 14 background voices]
 15 **You know, our idea to create a new
 16 entry off the parking lot is to -- to create a
 17 direct and secure access into the new facility.**
 18 **We're gonna cover this new weather
 19 break, this new glass vestibule, with a -- a
 20 metal-looking canopy. It's about 11 feet off
 21 the building, about 70 feet wide at the moment
 22 -- 70 feet long, to provide coverage, you know,
 23 for inclement weather for the people that we
 24 expect to be lining up to enter the -- enter the
 25 building.**

26	<p>1 You can see, you know -- 2 We really appreciate the historic 3 nature of the building. Even the -- the old 4 brick facade, you know, it's very attractive to 5 me and to non-professionals. 6 So, we're trying to accentuate the 7 historic feel with, you know, black metal, 8 glass. 9 And at the base of our new landing, 10 we're gonna cover that in a nice porcelain tile. 11 Pull in some whites, some greens to -- to relate 12 back to -- to the business inside. 13 So, the -- the height from the 14 existing parking lot to the existing casino 15 floor on the other side is about a foot. 16 So, we have a set of stairs on the 17 left side. 18 On the rear side, there's been some 19 developments since this rendering was produced. 20 We -- we have a -- a ramp system for accessible 21 access. 22 LANCE LANDGRAF: Just to identify 23 that particular -- 24 Because that's not part of the 25 submission, or is that, Jack?</p>	28	<p>1 [Indiscernible - low speaking 2 background voices] 3 The thumb drive? Maybe. 4 JON BARNHART: Do you need that 5 first one? 6 THE WITNESS: Yeah. 7 [Indiscernible - low speaking 8 background voices] 9 LANCE LANDGRAF: So, maybe while 10 you're looking for that. 11 THE WITNESS: Yep. 12 LANCE LANDGRAF: And, Jon, you may 13 be able to -- Mr. Cohn, you may be able to help 14 me with this. 15 You mentioned something about 16 lining up outside. So, my concern is, with 17 that, obviously -- honestly. So, is there any 18 way that we can do that internal to the 19 structure? 20 [Indiscernible - low speaking 21 background voices] 22 THE WITNESS: Yep. 23 JON COHN: Yeah. It will actually 24 happen at multiple levels. 25 [Indiscernible - low speaking</p>
27	<p>1 [Indiscernible - low speaking 2 background voices] 3 JACK PLACKTER: That is not part -- 4 We did not submit that. 5 LANCE LANDGRAF: All right. So, 6 just give me the date and what that -- that 7 image is titled, if you could. 8 JACK PLACKTER: Okay. 9 [Indiscernible - low speaking 10 background voices] 11 THE WITNESS: It's 12/28 -- 12 Yep. I'll go to the next PDF. 13 Sorry. 14 [Indiscernible - low speaking 15 background voices] 16 THE WITNESS: Yeah. That one. 17 Yeah. The middle. 18 JON BARNHART: This one? 19 THE WITNESS: Yeah. Mm-hmm. 20 So, inside the first floor -- 21 Sorry. The next slide. 22 I'm waiting for some images to pop 23 up. 24 So, inside the next floor, I 25 believe --</p>	29	<p>1 background voices] 2 So, there's a vestibule that glass 3 -- has a glass entranceway. It's actually a 4 mantrap security vestibule. 5 So, if there's a line, it will be 6 getting people in through the vestibule and 7 carding them, taking their ID. 8 Inside there is a waiting area as 9 well. 10 So, the anticipation is, you know, 11 before hours, when people, you know, come in -- 12 Before the dispensary opens, if 13 there's a line, it would accumulate outside. 14 But, the idea is to get them inside as soon as 15 possible. 16 LANCE LANDGRAF: And you'll have 17 security out there and -- 18 JON COHN: In the vestibule we'll 19 have security. 20 And then in the early days of 21 operations, until the work flow is really 22 well-established, we'll have security outside as 23 well. 24 LANCE LANDGRAF: So, part of that 25 line of questioning, coming from myself, is --</p>

30

1 is, when the city was looking to adopt the green
 2 redevelopment area, the green zone, as everybody
 3 calls it, there was some concern from
 4 Atlantic City AtlantiCare. They have behavioral
 5 health services at the hospital, which is across
 6 the street.
 7 **JON COHN:** Mm-hmm.
 8 **LANCE LANDGRAF:** So, that is a
 9 concern to me; that there will be people waiting
 10 outside in -- in an area where we have services
 11 that are being provided to others with addiction
 12 problems. So, that's a concern to -- to me.
 13 We are still working through that
 14 process to create a buffer to the -- to
 15 AtlantiCare's properties.
 16 **JON COHN:** Mm-hmm.
 17 **LANCE LANDGRAF:** So, that's a
 18 concern; that we're gonna have people waiting
 19 outside.
 20 I would rather see something set up
 21 where they're internal to the building.
 22 But, we'll go through that.
 23 It's good that you'll -- once they
 24 get in, they're there, but lining up outside is
 25 a concern for me.

31

1 **JON COHN:** Yeah. There are
 2 multiple queues.
 3 **LANCE LANDGRAF:** Okay.
 4 **JON COHN:** I mean, but it's like
 5 any other store. Do you know what I mean?
 6 **LANCE LANDGRAF:** Understood.
 7 **JON COHN:** At the end of the day,
 8 if there's people there that get there before we
 9 open, there -- there's really no way for us to
 10 control that.
 11 **LANCE LANDGRAF:** Well, there may be
 12 some conditions that you're gonna be required to
 13 control that.
 14 **JON COHN:** Okay. And what would
 15 you suggest?
 16 **LANCE LANDGRAF:** I'm not sure yet,
 17 but we're -- we'll have a discussion on that.
 18 **JON COHN:** Okay. Yeah. I think --
 19 Mike, you probably talked to the --
 20 [indiscernible] or --
 21 Internally, there's multiple
 22 queues.
 23 **LANCE LANDGRAF:** Okay.
 24 **JON COHN:** So, we have 12 to 15
 25 Point of Sale systems. We have this -- the

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1 lines behind every one of them. We have the
 2 waiting area. So, this --
 3 I'm just gonna point to it.
 4 **MICHAEL SALERNO:** The large waiting
 5 room, more or less. So, when you come in off --
 6 **LANCE LANDGRAF:** Okay.
 7 **MICHAEL SALERNO:** -- off the
 8 street, you're greeted by the security guard.
 9 If for some reason there's a backup
 10 --
 11 This is a very generously-sized
 12 waiting area with, you know, modern furnishings,
 13 modern finishes.
 14 So, if there is, hopefully, in many
 15 cases, a wait to get in, we've provided a very
 16 generously-sized and -- and new and comfortable
 17 waiting area. So...
 18 **CHRISTINE COFONE:** Will they be
 19 able to access that area, though, if they're
 20 waiting, if it hasn't technically opened?
 21 What are your anticipated hours of
 22 operation?
 23 **JON COHN:** It's gonna depend on the
 24 season. Like, generally, 8 or 9 a.m. to 7 p.m.
 25 **CHRISTINE COFONE:** Okay. So, if I

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1 -- if it opens at 8 and I arrive on site at
 2 7:45, am I gonna be able to access that --
 3 **JON COHN:** No.
 4 **CHRISTINE COFONE:** -- waiting room?
 5 **JON COHN:** Not internally, no.
 6 **LANCE LANDGRAF:** No.
 7 **CHRISTINE COFONE:** Not internally.
 8 So, then I'd be waiting outside.
 9 **LANCE LANDGRAF:** Yeah.
 10 **JON COHN:** There or they're --
 11 In the glass doors, there's --
 12 there's room for five or six people to -- to
 13 wait.
 14 **JACK PLACKTER:** I mean, it's kind
 15 of like any other business. If you're not --
 16 I mean, what do you do if people
 17 come? I mean, and --
 18 **LANCE LANDGRAF:** Understood. But,
 19 this is a new business --
 20 **JACK PLACKTER:** Yeah.
 21 **LANCE LANDGRAF:** -- new type of
 22 business.
 23 **JACK PLACKTER:** Yeah. And we
 24 certainly will work with you --
 25 [Indiscernible - cross-talking]

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1 **LANCE LANDGRAF:** -- in our state.
 2 **JACK PLACKTER:** ...you want to try
 3 to --
 4 **LANCE LANDGRAF:** So, what -- what
 5 we're gonna look for -- and it will be part of
 6 my hearing officer report as a -- as a condition
 7 -- is that --
 8 And we'll -- we'll talk about some
 9 time frame before you open.
 10 **CHRISTINE COFONE:** Right.
 11 **LANCE LANDGRAF:** That there will
 12 need to be some security outside to make sure
 13 there's an orderly line, --
 14 **JACK PLACKTER:** That's fine.
 15 **LANCE LANDGRAF:** -- they're not
 16 causing any problems to neighboring uses.
 17 **JACK PLACKTER:** Sure.
 18 **LANCE LANDGRAF:** And -- and things
 19 of that sort.
 20 So, that -- that's something that I
 21 think we can work through, --
 22 **JACK PLACKTER:** Mm-hmm.
 23 **LANCE LANDGRAF:** -- understanding
 24 that -- that you're not open, you -- you've got
 25 to control people coming there or you -- you

35

1 don't really control people coming there
 2 whatever time.
 3 But, I think we can work through a
 4 solution to make sure that -- that the
 5 neighboring properties are -- are not negatively
 6 impacted.
 7 **JACK PLACKTER:** Absolutely.
 8 **JON COHN:** That makes sense.
 9 **BY JACK PLACKTER:**
 10 Q. Mike, please continue to --
 11 Just tell -- tell them -- tell them
 12 a little about the images and --
 13 We want to move this along because
 14 they have a busy agenda.
 15 **A. There -- there is one thing, you**
 16 **know, just --**
 17 **Just so you're aware, this**
 18 **dispensary's 10,000 square feet, which is the**
 19 **maximum size allowed by New Jersey**
 20 **[indiscernible].**
 21 **And it should also help the queue**
 22 **issue.**
 23 **To your point about pre-opening,**
 24 **it's -- it's something we'll have to work out.**
 25 **LANCE LANDGRAF:** Right. I'm -- I'm

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1 -- I'm more concerned about the pre-opening line
 2 than I am --
 3 **JACK PLACKTER:** Yeah.
 4 **LANCE LANDGRAF:** Because I think,
 5 once you get the process moving forward, you'll
 6 get people in and --
 7 **JACK PLACKTER:** Sure.
 8 **LANCE LANDGRAF:** -- and quickly
 9 enough.
 10 I think there is adequate room
 11 inside to get people processed quickly and --
 12 and into the facility.
 13 My concern is the queueing outside.
 14 So...
 15 **JON COHN:** Yeah. Before opening.
 16 **LANCE LANDGRAF:** Yeah.
 17 **JON COHN:** But, to the point about
 18 15 POS is the reason for the space and the
 19 number of POSs is this business is highly
 20 centered upon turnover and not having customers
 21 wait. So, the idea is to get them in and out in
 22 15 minutes or less.
 23 **LANCE LANDGRAF:** Okay. Thank you.
 24 **MICHAEL SALERNO:** So, this slide
 25 just represents some of the finishes and the --

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1 the look of, the feel of the space of -- sort of
 2 a play on the High Rollers name of the -- of the
 3 location.
 4 You know, we're gonna keep as many
 5 of the existing casino features, particularly in
 6 the ceiling, as we can. And then we'll blend
 7 in, we'll fold in, you know, some new modern
 8 very well lit millwork panels, metals.
 9 We're gonna build custom millwork,
 10 probably wood-look millwork, with glass, very
 11 well lit.
 12 You know, we, essentially, designed
 13 this portion of this project like a -- a
 14 high-end jewelry store. So, a lot of light on
 15 the product, a lot of space for display, and a
 16 lot of space for circulating around.
 17 How about if we go upstairs? Okay?
 18 **BY JACK PLACKTER:**
 19 Q. Yeah. And just identify that
 20 drawing for [indiscernible] -- as part of the
 21 plan set.
 22 **A. Yeah. This is --**
 23 **So, you know, since the last time**
 24 **we met, the interior design portion of the**
 25 **project has -- has -- has advanced.**

38	<p>1 So, these are, you know, interior</p> <p>2 design finishes and furnishings and -- and</p> <p>3 intent imagery.</p> <p>4 Q. All right. And -- and what's the</p> <p>5 date of that?</p> <p>6 [Indiscernible - low speaking</p> <p>7 background voices]</p> <p>8 A. These are all dated 11/4 of 2022.</p> <p>9 Q. All right.</p> <p>10 LANCE LANDGRAF: And that's a floor</p> <p>11 plan with the finishes.</p> <p>12 THE WITNESS: It's the first floor</p> <p>13 plan, yep, with, you know, some inspirational</p> <p>14 images, we call it. Look -- look of type of</p> <p>15 images for the finishes and furnishings.</p> <p>16 So, we can go upstairs.</p> <p>17 You know, and we had --</p> <p>18 Similar to the --</p> <p>19 The ceilings, the ceiling features</p> <p>20 that -- we intend to try to maintain and -- and</p> <p>21 accentuate. You know, there's a lot of finishes</p> <p>22 like brass handrails that we intend to keep.</p> <p>23 Certain smaller features that -- that hit -- tie</p> <p>24 back and hit back to the old casino we intend to</p> <p>25 keep them and play off. So...</p>	40
39	<p>1 [Indiscernible - low speaking</p> <p>2 background voices]</p> <p>3 We're gonna go up to the second</p> <p>4 level. This -- this is what we will consider</p> <p>5 the lounge areas. It's 14 -- a hundred square</p> <p>6 foot lounge. It will have some comfortable soft</p> <p>7 lounge seating areas. It will have a bar. We</p> <p>8 will not be selling alcohol.</p> <p>9 Also, providing two bathrooms; an</p> <p>10 accessible bathroom and another bathroom.</p> <p>11 And then the back bar of this</p> <p>12 mezzanine level is for support for the</p> <p>13 employees; a couple of offices and a break room.</p> <p>14 So...</p> <p>15 LANCE LANDGRAF: You said the --</p> <p>16 the lounge. And I know that legislation is --</p> <p>17 is moving through state levels.</p> <p>18 Ventilation is gonna be important</p> <p>19 there.</p> <p>20 MICHAEL SALERNO: Absolutely.</p> <p>21 Yeah.</p> <p>22 LANCE LANDGRAF: We had --</p> <p>23 We certainly don't need to bring</p> <p>24 back that expert. He spoke for, like, 45</p> <p>25 minutes --</p>	41

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1 **LANCE LANDGRAF:** Thank you.
 2 **JACK PLACKTER:** Mr. Barnhart.
 3 **MICHAEL SALERNO:** Thank you.
 4 **JACK PLACKTER:** Thanks a lot, Mike.
 5 **JANE FONTANA:** All right.
 6 Mr. Barnhart --
 7 [Indiscernible - cross-talking]
 8 **JACK PLACKTER:** Okay.
 9 Mr. Barnhart's been a --
 10 Well, you have to swear him -- we
 11 have to swear him in, Ms. Fontana, but --
 12 **JANE FONTANA:** Would you like to
 13 raise your right hand?
 14 Do you swear or affirm to tell the
 15 truth and only the truth in connection with
 16 these proceedings this morning?
 17 **JON BARNHART:** I do.
 18 **JACK PLACKTER:** Yeah. Jon's been
 19 accepted as a expert in engineering and planning
 20 by this board a number of times. So, I guess --
 21 **LANCE LANDGRAF:** And will continue
 22 to be so. Thank you.
 23 **JACK PLACKTER:** Thank you.
 24 **JON BARNHART:** Thank you.
 25

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1 **DIRECT EXAMINATION**
 2 **BY JACK PLACKTER:**
 3 Q. Okay. Jon, why don't you go ahead
 4 and describe the site plan characteristics and
 5 --
 6 A. **Sure.**
 7 Q. Also, have you had occasion to
 8 review the ARH report and Miss Cofone's report,
 9 which was combined?
 10 A. **I have, yes.**
 11 Q. Okay. So, based upon that, then
 12 why don't you address what the site plan
 13 characteristics are here and the variances?
 14 A. **Sure.**
 15 **So, as we're all aware --**
 16 **And the exhibit I have up right now**
 17 **is the existing conditions plan that was**
 18 **submitted with the application. There's no**
 19 **changes to it.**
 20 **We're all aware this is a -- this**
 21 **is a project located within the existing**
 22 **Claridge facility.**
 23 **To the top of the plan being**
 24 **Pacific Avenue. The main entry into the -- into**
 25 **the Claridge porte-cochere at the center -- at**

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1 **the center of the -- of the property.**
 2 **The subject location of today's**
 3 **dispensary is the area that I'm highlighting**
 4 **right here. It's a -- it's a --**
 5 **Whoopsie. I don't usually have**
 6 **technical difficulties. I don't know what's**
 7 **going on here today. There we go.**
 8 **LANCE LANDGRAF:** Last week we had
 9 no visual at all.
 10 **JON BARNHART:** Oh, yeah?
 11 **CHRISTINE COFONE:** None.
 12 **LANCE LANDGRAF:** The last -- two
 13 meetings ago. Yeah. Last month.
 14 **JON BARNHART:** So, I'm doing good,
 15 then? Is that what you're --
 16 **LANCE LANDGRAF:** Yeah.
 17 **CHRISTOPHER MORRIS:** You're on a
 18 roll.
 19 **CHRISTINE COFONE:** You're doing
 20 great.
 21 **ROBERT REID:** Don't jinx it.
 22 **JON BARNHART:** So, as I mentioned,
 23 the subject area is -- is regular, the area that
 24 I'm highlighting. It --
 25 The -- the wall that you were

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1 seeing all of the images developed by SOSH,
 2 where the entry is, is that wall right there
 3 just off of a surface parking lot that fronts on
 4 the corner of Indiana and Pacific Avenues.
 5 It's a location that I'm sure
 6 you've driven by many, many times, and it's
 7 pretty blah. It's a blank block -- brick wall
 8 with a parking lot in front of it right up on
 9 Pacific Avenue. It has no character. There's
 10 no activation of the space. And it really,
 11 really is dying for something.
 12 What's being proposed as you -- as
 13 you already heard, is to develop this High
 14 Rollers Dispensary at the location.
 15 SOSH has done, we think, a -- a
 16 terrific job at creating an entry that really
 17 pops, will really activate that area.
 18 And, obviously, it's a use that is
 19 permitted at this location as a result of the --
 20 of the green zone plan that was put in place a
 21 few months ago.
 22 What we're here for this morning is
 23 site plan approval, albeit there are very, very
 24 few changes to the site itself.
 25 You know, Mr. Cohn and his -- and

<p style="text-align: right;">46</p> <p>1 his group are, essentially, tenants of -- of 2 another facility. 3 The exterior improvements will 4 remain entirely intact but for the construction 5 of -- of the front vestibule entry and the 6 canopy structure that you saw Mr. Salerno 7 describe and some minor striping changes to some 8 of the parking spaces that are currently up 9 against the building. That -- 10 And then, additionally, there will 11 be a -- a -- 12 I'm gonna call it a pylon sign, but 13 it's a -- it -- it has kind of full structure to 14 the ground out at Pacific Avenue. 15 Nothing else in the parking lot 16 will change. 17 There's no change required to 18 utilities. 19 There's no change required to 20 drainage. 21 There is no plan to change any of 22 the landscaping. 23 Again, all of those elements are 24 controlled by the owner of the property. Mr. -- 25 Mr. Cohn's group is a tenant of the property.</p>	<p style="text-align: right;">48</p> <p>1 same number. The reason being because the 2 increase is so minuscule that, when you round, 3 it really doesn't even show up. 4 However, we are building a little 5 vestibule. So, we are actually adding building 6 coverage. So, we asked for the variance. The 7 number really doesn't change unless I take the 8 percentage out to the thousandths, which is kind 9 of irrelevant. 10 But, we are asking for the variance 11 because we are creating that little vestibule 12 space. 13 CHRISTINE COFONE: And what is the 14 square footage of the vestibule space, just so 15 that we have an accounting of it in our records? 16 MICHAEL SALERNO: Sure. It's 17 approximately 500 square feet. 18 CHRISTINE COFONE: Thank you. 19 JON BARNHART: And then -- 20 And that -- 21 So, that vestibule, you know, as 22 Mike already showed you, is right up against the 23 face of the existing building. 24 Okay. And then the last variance, 25 as Jack already pointed out, is --</p>
<p style="text-align: right;">47</p> <p>1 With the application, though, there 2 are three variances that are triggered from the 3 CRDA regulations, and we think all three of them 4 are very, very de minimis and really just help 5 to promote -- or to -- to allow the project to 6 -- to be as creative as possible, but we do -- 7 there are a couple variances that are necessary. 8 The first is with regard to the 9 freestanding sign out at Pacific Avenue. It 10 does require a -- a five-foot setback from the 11 avenue. We are proposing a one-foot setback. 12 It is sitting -- it is proposed to 13 sit within an existing landscape planter that is 14 that -- is -- is the width that it is. So, 15 we've placed it there so as not to interrupt the 16 existing parking flow. It is outside the sight 17 triangles and there are actually already two 18 other signs out there that probably are 19 considered obstructions to the sight triangle. 20 But, Mr. Cohn's sign will -- will not create an 21 issue with regard to sight triangle. 22 The second deviation that is 23 requested is with regard to building coverage. 24 If you look on our zoning schedule, we call the 25 existing and proposed building coverage as the</p>	<p style="text-align: right;">49</p> <p>1 And I've had a couple different 2 cases where, depending on how the sign sits and 3 where it sits, this is -- 4 There's an -- there's 5 interpretation on whether this sign that we 6 propose is a roof sign or not. 7 We are building a roof to create 8 some -- some architectural appeal and some 9 coverage for folks coming into the facility. We 10 are putting a sign on top of it. 11 So, as Jack indicated, out of -- 12 out of an abundance of caution, -- 13 LANCE LANDGRAF: Yeah. 14 JON BARNHART: -- rooftop signs are 15 not permitted. 16 But, the reality of it is, the roof 17 of this building is a couple hundred feet or 18 more than a hundred feet above where we're 19 actually placing this sign. 20 So, from the street, it looks like 21 a wall-mounted sign or a canopy sign, but it's 22 sitting on a roof. So, we wanted to make sure 23 all our bases were covered, and we requested the 24 deviation. 25 I -- I think, from a planning</p>

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1 perspective, I -- I could -- there's a very
 2 strong argument that this should not be
 3 classified as a roof sign, but, you know, that's
 4 obviously open for discussion.
 5 And I think --
 6 And I'll -- I'll get into the
 7 justifications of it, but I think that -- that
 8 the architectural appeal that it creates at this
 9 location is -- is a substantial benefit to -- to
 10 this project.
 11 So --
 12 **LANCE LANDGRAF:** Just one second,
 13 Jon.
 14 **JON BARNHART:** Yes.
 15 **LANCE LANDGRAF:** Christine, what's
 16 your thoughts on that? Is that --
 17 **CHRISTINE COFONE:** I think it's an
 18 extremely conservative interpretation of a roof
 19 sign.
 20 **LANCE LANDGRAF:** Yeah.
 21 **CHRISTINE COFONE:** I don't think
 22 that the ordinance was intended to really cover
 23 a mid building or a lower building sign. I
 24 would consider that more like a facade sign.
 25 Yes. Technically, it does sit

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1 above the canopy, but, I mean, is the canopy a
 2 roof, right, --
 3 **JON BARNHART:** Right.
 4 **CHRISTINE COFONE:** -- or those are
 5 two different things?
 6 **JON BARNHART:** Right.
 7 **LANCE LANDGRAF:** Yeah.
 8 **CHRISTINE COFONE:** In my opinion, a
 9 canopy is not necessarily a roof, because there
 10 is space under the canopy, but it's not enclosed
 11 habitable space.
 12 So, I think it's an extremely
 13 conservative interpretation --
 14 **LANCE LANDGRAF:** Okay.
 15 **CHRISTINE COFONE:** -- of a roof
 16 sign.
 17 **LANCE LANDGRAF:** We'll -- well keep
 18 it as a variance just to make it --
 19 **CHRISTINE COFONE:** Just to make it
 20 --
 21 **LANCE LANDGRAF:** Yeah. Okay.
 22 **CHRISTINE COFONE:** -- to our -- in
 23 a -- in an abundance of caution.
 24 **LANCE LANDGRAF:** Exactly. Yeah.
 25 **CHRISTINE COFONE:** But, I could

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1 probably make a better case that it is not a
 2 roof sign than it is a roof sign. If I had to
 3 argue it, I'd prefer to be arguing on the side
 4 that it's not.
 5 **JON BARNHART:** Right. Understood.
 6 Okay. So, what --
 7 **BY JACK PLACKTER:**
 8 Q. Justification.
 9 A. Yeah.
 10 **With regard to the variances, I --**
 11 **you know, I think all three of these variances**
 12 **are categorized under the (c.)(2) criteria,**
 13 **where the benefits of the deviation outweigh any**
 14 **of the potential detriments.**
 15 **You know, the benefits here are,**
 16 **obviously, the -- this proposal activates a**
 17 **location that -- that -- that really needs**
 18 **something, really needs to be -- to be prominent**
 19 **on Pacific Avenue, have -- have people, have a**
 20 **use more than just that -- more than just that**
 21 **blank wall and the -- and the parking lot that**
 22 **sits in front of it.**
 23 **I believe that the application**
 24 **creates a desirable visual environment through**
 25 **creative design techniques, which is, as we**

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1 know, is a purpose of zoning.
 2 **With -- with the development of the**
 3 **-- of the structure that SOSH has created out**
 4 **front, with the extremely ornate freestanding**
 5 **sign, I think this will create a -- a -- a**
 6 **really nice look and appeal at this location.**
 7 **I also think that this project is**
 8 **-- promotes the general welfare.**
 9 **I believe the site is particularly**
 10 **well suited for the use. First and foremost, it**
 11 **is a permitted use at the location. And it is a**
 12 **-- it is a tourism attraction right in the heart**
 13 **of your Tourism District.**
 14 **So, I --**
 15 **For that reason, I believe the**
 16 **location is particularly well suited; being**
 17 **right on Pacific Avenue within an -- within an**
 18 **existing building in an area that is kind --**
 19 **otherwise unused right now.**
 20 **And so I believe that -- that that**
 21 **first purpose of zoning is also advanced with**
 22 **the application.**
 23 **I think that this is -- this**
 24 **project is clearly consistent with the CRDA**
 25 **Tourism District and master plan by providing --**

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1 by providing and promoting tourism. This use is
 2 all about tourism, as we know. And we believe
 3 that, by placing this use at this location
 4 certainly does promote the -- the Tourism
 5 District master plan.

6 With regard to negative impacts --
 7 or the negative criteria, is there a substantial
 8 detriment to the zone plan or zoning ordinance,
 9 obviously, I would argue this is a permitted use
 10 so there is no detriment to the zone plan or
 11 zoning ordinance.

12 The deviations that are being
 13 requested, in my opinion, are so de minimis, in
 14 some cases, almost immeasurable, that they have
 15 no negative impact.

16 With regard to the second prong of
 17 the negative criteria, is there substantial
 18 detriment to the public good, this is --

19 You know, there --

20 From -- from a public perspective,
 21 it's going to appear as though it's an upgrade
 22 to an existing building. It adds a use to the
 23 interior of the building.

24 You will see more people in this
 25 area. But, that's a good thing.

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1 This is not immediately adjacent to
 2 any residential properties.

3 It's part of an existing facility
 4 that's been there for many, many years, is --
 5 and is trying to reinvent itself and create --
 6 and -- and we think this will create some real
 7 synergy for this property and for, you know, the
 8 other uses along Pacific Avenue.

9 So, for those reasons, I believe
 10 the positive and the negative criteria are
 11 established with the application.

12 We have reviewed all of the
 13 comments in the professional reports.

14 The waivers that we've requested,
 15 as I'm sure you can see, are all a result of the
 16 fact that we are a tenant inside an existing
 17 building. We are not proposing to make any
 18 exterior changes.

19 With regard to the comment on
 20 landscaping, we are not proposing any landscape
 21 changes. So, to the extent that the existing
 22 landscaping doesn't comply, I would request a
 23 waiver from that. There was a comment with --
 24 in that regard.

25 And all of the comments with regard

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1 to ADA compliance, we understand and, obviously,
 2 have to meet.

3 The only other thing I would -- I
 4 would bring up -- and, Jack, maybe you want to
 5 speak to this as well -- is the comment with
 6 regard to EV charging stations.

7 We do recognize that as a
 8 requirement these days. However, Mr. Cohn
 9 doesn't control that parking lot. So, I don't
 10 know that he has the ability to add those at
 11 this point.

12 But, Jack, you might -- I don't
 13 know if you want to add to that.

14 JACK PLACKTER: Well, we'll --
 15 we'll talk to the landlord, but, again, we don't
 16 -- you know, we don't have the right to change
 17 -- necessarily change the parking lot or the
 18 garage. Because they'll be using the garage as
 19 well; some people.

20 LANCE LANDGRAF: All right. Do we
 21 know if there are electric charging stations in
 22 the garage?

23 JACK PLACKTER: I don't know the
 24 answer.

25 JON COHN: We are not aware.

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1 LANCE LANDGRAF: We would ask to
 2 see if you --

3 As a condition, we ask you to
 4 provide that input to see what's on site
 5 already.

6 JACK PLACKTER: We -- we can do
 7 that.

8 LANCE LANDGRAF: Okay.

9 BY JACK PLACKTER:

10 Q. Just a couple follow-up questions
 11 and we'll be done.

12 A. Sure.

13 Q. You also believe, do you not, that
 14 the benefits to the grant of the variances
 15 outweigh any particular detriment as -- as a
 16 result of the grant of the variances?

17 A. Yes. For all of the testimony I've
 18 already given.

19 Q. And also, subject to our compliance
 20 with the professional reports, have you formed
 21 an opinion, within a reasonable degree of
 22 engineering and planning certainty, whether
 23 we're entitled to preliminary and final site
 24 plan approval for the High Rollers Dispensary?

25 A. Yes. I believe we've met all of

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1 **the requirements for preliminary and final site**
 2 **plan approval.**
 3 Q. Okay.
 4 Yeah. Also, as the applicant
 5 indicated --
 6 Is the applicant willing to work
 7 with the CRDA to control the -- you know, the
 8 outdoor security prior to opening to do
 9 whatever's reasonable to secure -- secure that
 10 area to the satisfaction of the CRDA?
 11 **A. Yes. Our -- our client has -- has**
 12 **indicated such.**
 13 Q. Okay. Thank you. I have no
 14 further questions.
 15 **LANCE LANDGRAF:** Okay. Before we
 16 go into our consultants' report, one of the
 17 things that we're gonna ask all applicants for
 18 this use in the redevelopment area is that these
 19 plans be forwarded over to Jim Rutala at the
 20 city's planning office and have them review it
 21 for --
 22 They have some -- I don't want to
 23 say architectural, but design standards that
 24 they've created.
 25 And we'll incorporate that into --

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1 I -- I think it's --
 2 From -- from looking at the -- the
 3 architectural plans, the one you've presented
 4 today, I think your --
 5 You've -- you've done that.
 6 **MICHAEL SALERNO:** Yes.
 7 **LANCE LANDGRAF:** But, we want a
 8 sign-off from the city to say that -- that
 9 you've done that.
 10 This is new. This -- this process
 11 is a little new with the redevelopment area.
 12 And they're -- they're standard.
 13 So, that -- that will be --
 14 **JON BARNHART:** Are you talk --
 15 [Indiscernible - low speaking
 16 background voices]
 17 Are you talking about the -- are
 18 you talking about the design standards in the
 19 green zone plan?
 20 **LANCE LANDGRAF:** Correct.
 21 **JON BARNHART:** Yes.
 22 **LANCE LANDGRAF:** Correct.
 23 Sorry. Thanks for that
 24 clarification. Yep.
 25 [Indiscernible - low speaking

60

1 background voices]
 2 So, that -- that would be a
 3 condition.
 4 Just the conditions that I'm coming
 5 up with is review for that -- the design
 6 standards, the outdoor line security,
 7 ventilation, and -- and information on the EV
 8 charging stations on the site.
 9 With that, Christine or Chris, do
 10 you guys want to start on -- on this or --
 11 **CHRISTOPHER MORRIS:** Yeah. You
 12 mentioned the --
 13 **LANCE LANDGRAF:** Chris, you might
 14 want to give your information to the -- our --
 15 so our -- we can have it on the record.
 16 **CHRISTOPHER MORRIS:** Yeah. My name
 17 is Chris Morris. I'm a project manager with
 18 ARH. I'm a professional engineer in the state
 19 of New Jersey.
 20 **LANCE LANDGRAF:** Okay. Thank you.
 21 **CHRISTOPHER MORRIS:** You mentioned
 22 the EV station.
 23 What about handicapped parking? A
 24 lot of this size requires two. Do you have the
 25 ability to provide restriping for handicapped?

61

1 **JON BARNHART:** We'll have to
 2 discuss that with -- with the -- with the owner
 3 of the property. To the extent that they will
 4 allow us to, you know, I don't see any -- any --
 5 And we have to do some restriping
 6 anyway. So...
 7 **CHRISTOPHER MORRIS:** Yeah.
 8 **JACK PLACKTER:** I don't think it's
 9 --
 10 **JON BARNHART:** Yeah. I -- I can't
 11 imagine that's an issue.
 12 **CHRISTOPHER MORRIS:** Okay. Yeah.
 13 That was my -- my only comment.
 14 **JON BARNHART:** Yeah. The plan --
 15 our plan, as long as they're okay with it, would
 16 be that we will be doing that.
 17 **CHRISTOPHER MORRIS:** Okay.
 18 [Indiscernible - low speaking
 19 background voices]
 20 **LANCE LANDGRAF:** Let's ask that
 21 question.
 22 **CHRISTINE COFONE:** So, I have the
 23 same question that I had from the prior witness.
 24 I --
 25 And if I missed it in the review

62	<p>1 packet, in the plans, I apologize.</p> <p>2 But, I didn't see any designated</p> <p>3 signage. So, if you order online and you arrive</p> <p>4 on site, you know, as Lance said, we have</p> <p>5 behavioral health neighbors that we're concerned</p> <p>6 about. We want to make sure that if somebody's</p> <p>7 coming to pick up their order, that they get to</p> <p>8 the right space.</p> <p>9 So, if I missed their -- the signs</p> <p>10 for --</p> <p>11 JON BARNHART: Yeah. We -- we are</p> <p>12 not currently showing any designated space</p> <p>13 signage. You -- you are correct about that.</p> <p>14 CHRISTINE COFONE: So, then how</p> <p>15 would they know exactly where to go?</p> <p>16 JON BARNHART: So, I think Mr. Cohn</p> <p>17 just indicated that he will --</p> <p>18 JON COHN: Yeah.</p> <p>19 JON BARNHART: -- he will be adding</p> <p>20 that.</p> <p>21 CHRISTINE COFONE: He's gonna add</p> <p>22 it. Okay.</p> <p>23 JON BARNHART: Yes.</p> <p>24 CHRISTINE COFONE: Thank you.</p> <p>25 And you'll provide us a detail of</p>	64	<p>1 that, we'll open this up to the public. Anybody</p> <p>2 wishing to speak, please come up, state your</p> <p>3 name, ask your question or make your comment.</p> <p>4 Please be -- speak clearly. We do have a</p> <p>5 recording here happening today. So, if anyone</p> <p>6 would like to speak, please step forward.</p> <p>7 Don't all rush at once.</p> <p>8 All right. Seeing nobody, we will</p> <p>9 close the public portion.</p> <p>10 We will provide our hearing officer</p> <p>11 report to you, Jack, once -- once that's</p> <p>12 completed.</p> <p>13 If there's no additional testimony,</p> <p>14 we'll close the testimony on this matter.</p> <p>15 I anticipate this being on our</p> <p>16 February board meeting. We hope. It should be</p> <p>17 on for February. We'll try our best to get it</p> <p>18 on for then.</p> <p>19 So, with that, thank you very much</p> <p>20 for the presentation.</p> <p>21 JACK PLACKTER: Thank you very much</p> <p>22 on behalf of the applicant.</p> <p>23 CHRISTINE COFONE: Thank you.</p> <p>24 LANCE LANDGRAF: We'll take a</p> <p>25 two-minute break for the next applicant to come</p>
63	<p>1 that so we see what it looks like?</p> <p>2 JON BARNHART: Certainly. Yes.</p> <p>3 CHRISTINE COFONE: Thank you.</p> <p>4 LANCE LANDGRAF: Okay. And that --</p> <p>5 Those comments were from your</p> <p>6 letter dated January 13th, 2023. And we've</p> <p>7 marked that as B-1.</p> <p>8 CHRISTINE COFONE: Yes. Correct.</p> <p>9 The applicant has testified to all</p> <p>10 the other things we requested testimony on in</p> <p>11 our letter dated January 13th.</p> <p>12 LANCE LANDGRAF: Okay.</p> <p>13 JANE FONTANA: B-1?</p> <p>14 LANCE LANDGRAF: Anyone else from</p> <p>15 -- from Chris or Christine?</p> <p>16 CHRISTINE COFONE: Not at this</p> <p>17 time.</p> <p>18 CHRISTOPHER MORRIS: Nothing else.</p> <p>19 LANCE LANDGRAF: Okay. Rob, do you</p> <p>20 have any question, comments?</p> <p>21 ROBERT REID: I do not.</p> <p>22 LANCE LANDGRAF: Okay. Jane, are</p> <p>23 you good with everything here?</p> <p>24 JANE FONTANA: I'm good.</p> <p>25 LANCE LANDGRAF: All right. With</p>	65	<p>1 up and get set up.</p> <p>2</p> <p>3 (This public hearing concluded at</p> <p>4 the time indicated on the videographer's</p> <p>5 equipment.)</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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