

1 CASINO REINVESTMENT DEVELOPMENT AUTHORITY
2 LAND USE REGULATION AND ENFORCEMENT DIVISION
3 APPLICATION NO: 2022-11-3329
4 BAKING BAD, INC.

5 APPLICANT SEEKS MINOR SITE PLAN APPROVAL
6 ALONG WITH "C" VARIANCE RELIEF FOR ADULT USE RETAIL
7 SALES OF CANNIBIS.

8 THE PROPERTY LOCATED AT 2834 ATLANTIC
9 AVENUE ALSO KNOWN AS BLOCK 176, LOT 1 ON THE TAX MAP
10 FOR THE CITY OF ATLANTIC CITY, LOCATED WITHIN THE
11 CENTRAL BUSINESS COMMERCIAL DISTRICT (CBD)

12 BLOCK 176, LOT 1
13 2834 ATLANTIC AVENUE
14 ATLANTIC CITY, NEW JERSEY

15 THURSDAY - JULY 20, 2023

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1 Public Hearing in the above-referenced.
2 matter conducted at the CASINO REINVESTMENT
3 DEVELOPMENT AUTHORITY, 15 South Pennsylvania Avenue,
4 Atlantic City, New Jersey, before Elisa A. Ciboldi, a
5 Certified Court Reporter and Notary Public of the
6 State of New Jersey, on the above date commencing at
7 10:00 a.m.

8
9
10 APPEARANCES:

11
12 CASINO REINVESTMENT DEVELOPMENT AUTHORITY:

13 LANCE B. LANDGRAF, JR., CHAIRMAN

14 DIRECTOR, PLANNING DEPARTMENT

15 ROBERT L. REID
16 LAND USE ENFORCEMENT OFFICER

17 SCOTT G. COLLINS, ESQUIRE
18 RIKER, DANZIG, SCHERER, HYLAND & PERRETI

19 JUSTIN AUCIELLO, AICP, PP

20 CAROLYN A. FEIGIN, PE, PP

21 TIFFANY MORRISSEY, PP

22 COUNSEL FOR THE APPLICANT:

23 CHRISTOPHER BAYLINSON, ESQUIRE
24 PERSKIE, MAIRONE, BROG, BARRERA & BAYLINSON
25

1 MR. LANDGRAF: Good morning. I'll call
2 to order the CRDA Land Use Regulations Enforcement
3 Hearing for July 20th. Would everyone please rise for
4 the Pledge of Allegiance.

5 (Pledge of Allegiance is recited.)

6 MR. LANDGRAF: This hearing has been
7 noticed in accordance with the Senator Byron M. Baer
8 Open Public Meetings Act.

9 We have one item on the agenda today. That is
10 the Baking Bad application that was tabled from last
11 month, or two weeks ago, excuse me. The application
12 number is 2022-11-3329 Baking Bad, Inc. One question
13 for you. Is it B-A-K-I-N-G or B-A-K-I-N?

14 MR. LANDRY: It is K-I-N-G, Baking Bad
15 Group, Inc.

16 MR. LANDGRAF: So there's a G on it.

17 MR. LANDRY: Yeah.

18 MR. LANDGRAF: We just wanted to make
19 sure we have that correct on the resolution.

20 The Applicant seeks minor site plan approval
21 along with a "c" variance relief for adult use retail
22 sales of cannabis. The property is located at 2834
23 Atlantic Avenue, also know as Block 176, Lot 1 on the
24 tax map for the City of Atlantic City, located within
25 the Central Business Commercial District as well as

1 the Green Zone. I know Mr. Baylinson is here. First
2 thing is I'll start off with Mr. Reid. Do you have
3 jurisdiction in this hearing?

4 MR. REID: Yes. I reviewed the survey
5 provided by Applicant and we do have jurisdiction.

6 MS. FEIGIN: We're all good, but we did
7 ask for a survey so we can have an understanding
8 of non-compliance if any on site. We just don't know
9 yet.

10 (Multiple talking at once.)

11 MR. LANDGRAF: Justin, you're good?

12 MR. AUCIELLO: Yeah.

13 MR. LANDGRAF: Mr. Baylinson. Right
14 there is fine. Welcome. This is your first time
15 here.

16 MR. BAYLINSON: Yeah. My name is Chris
17 Baylinson. I'm a member of Perskie, Mairone, Brog,
18 Barrera & Baylinson in Linwood, formerly Atlantic
19 City. I represent Baking Bad which is a proposed
20 retail business facility on the ground floor of the
21 commercial space in the Brighton Towers which is a
22 positive for Brighton Towers. That space has been
23 vacant, and the condominium has been underwater for
24 years for the taxes, condominium fees. That has all
25 been brought current and the Association is obviously

1 quite pleased about that. It's a significant boost
2 for those guys. The Baking Bad guys are here. I'm
3 going to have them introduce themselves, and then I'll
4 have Tiffany introduce herself for the record. I
5 don't want to repeat a lot that they're going to say.

6 MR. LANDGRAF: Why don't you guys all
7 stand up and we'll swear you in all at once.

8 MR. COLLINS: Do you swear to tell the
9 truth, the whole truth and nothing but the truth?

10 MR. REID: Yes.

11 MR. LANDRY: Yes.

12 MS. MORRISSEY: Yes.

13 MR. COLLINS: If you can just identify
14 yourselves individually.

15 MR. LANDRY: Dominique Landry,
16 consultant for Baking Bad Group, Inc.

17 MR. REID: Michael Reid, same.
18 Consultant for Baking Bad.

19 MS. MORRISSEY: Tiffany Morrissey,
20 Professional Planner.

21 MR. COLLINS: Thank you.

22 MR. BAYLINSON: Dominique, give the
23 Board the benefit of your background a little bit and
24 then you can talk about how you approached the
25 Brighton Towers in order to use that retail space.

1 MR. LANDRY: My name is Dominique
2 Landry. I graduated from St. Joseph University in
3 2008 with a business management degree. I have 15
4 years being in business compliance in Philadelphia,
5 but we do work all over the country in all 50 states.
6 A lot of our clients are in New Jersey. I deal a lot
7 with state governments, federal government, local
8 municipalities when it comes to zoning work and
9 compliance for businesses that we represented over the
10 last 15 years. So Baking Bad, they were seeking to
11 acquire a property. They found a property at 2034
12 Atlantic Avenue. It was up for sale last year. The
13 prior tenant didn't pay their HOA fees or taxes for
14 about two years, so in purchasing the property cash
15 from the old owner, we were able to pay the back taxes
16 and make the fees current. I think the fees were like
17 40K for Brighton, for the Brighton Towers Association.
18 The past tenant didn't have anything in there as far
19 as HVAC. Everything was kind of hot wired. So Baking
20 Bad is looking to obviously improve the space but also
21 improve the value of the building. The Brighton
22 Towers Association has been a great partner with
23 Baking Bad as a group and very understanding of what
24 they're trying to do, not only on the inside but also
25 on the outside with the renovations.

1 MR. BAYLINSON: We submitted a couple
2 pictures with the application of the land use
3 currently, Brighton Towers ground floor. Is that the
4 space you're talking about?

5 MR. LANDRY: That's correct.

6 MR. BAYLINSON: The entirety of the
7 ground floor space?

8 MR. LANDRY: Not the entirety. We have
9 units C1 and C2 so closest to Brighton Avenue. So C2
10 is the larger space, about 2,500 square feet. C1 is
11 a smaller unit that came with the purchase, almost
12 like an office space.

13 MR. BAYLINSON: That's the space that's
14 outlined on the floor plans and we also submitted with
15 the application submission?

16 MR. LANDRY: Correct.

17 MR. BAYLINSON: Do you know if Baking
18 Bad hired a manager to run the site locally?

19 MR. LANDRY: Yes. The board of Baking
20 Bad has appointed Edward Wilson, an AC resident, to
21 manage and operate Baking Bad, LLC.

22 MR. BAYLINSON: And he'll be on site as
23 well?

24 MR. LANDRY: Every day.

25 MR. BAYLINSON: And can you introduce

1 Michael Reid?

2 MR. LANDRY: So Michael Reid, I brought
3 Michael in to assist the company. Not only he has
4 military experience in logistics, working with
5 operations, but also a real estate investor. He
6 helped in the real estate negotiations in acquiring
7 the building and also he's done a lot of work with the
8 zoning. I had to have Mike run back and forth to
9 Atlantic City to deal with it, Ron Casdia to deal with
10 Mr. Reid.

11 MR. LANDGRAF: Who is Mr. Casdia?

12 MR. REID: Ron Casdia is the head of the
13 Atlantic City Construction Department down at City
14 Hall. So he oversees our plans what we designed for
15 the interior of the space with Collier. A lot of
16 feedback was given from Ron Casdia about permitting
17 and approvals and that sort of thing.

18 MR. BAYLINSON: Those are the plans that
19 we submitted?

20 MR. REID: That's correct. We engaged
21 with Colliers, a national firm, for the interior
22 design of the space. A lot of our Atlantic City local
23 architects were super, super busy, so we found a
24 company Colliers who assisted us with the interior
25 design, and we have already engaged a general

1 contractor who's also a New Jersey resident, as well
2 as all New Jersey institutions for HVAC, plumbing,
3 electrical, you name it. So we're proud to say that
4 the interior design with the exception -- I mean the
5 interior space with the exception of the design will
6 all be done by Atlantic City small business
7 contractors, HVAC, electrical, plumbing, general
8 contracting, etcetera.

9 MR. BAYLINSON: Michael, on that subject
10 talk about your proposed hiring practice for when the
11 doors open.

12 MR. REID: Absolutely. Because we're a
13 micro space, because Baking Bad, LLC is a micro
14 licensee, we're capped at ten employees. So, well,
15 we're still waiting for guidance from the State to
16 figure out how we're going to finagle it perfectly,
17 but I'm excited about a partnership that we have with
18 Stockton University, Dr. Caterina. We're looking at
19 meeting with them when they come back from the summer
20 break, and there's a possibility of using some of
21 their students who are cannabis minors -- minor in
22 cannabis education to possibly have a work study
23 partnership, and we also have our first three hires,
24 Edward Wilson and two other New Jersey residents that
25 are going to be our first onboard. We're also working

1 with -- what's the young lady's name -- yes, Chelsea
2 Agency, I forget her name.

3 MR. LANDGRAF: Elizabeth Terenik?

4 MR. REID: Yes, Liz and Dan. Who is the
5 guy from the law firm, Ken Calemme, who also sits on
6 the board of the Chelsea EDC. A partnership with the
7 Chelsea EDC, we are looking at hiring people from
8 Chelsea because they're the closest to the store.
9 Chelsea EDC said they have a lot of people in that
10 development who were looking for work, and we wanted
11 to make sure that we took care of New Jersey,
12 especially Atlantic City, especially Chelsea because
13 they'll have the ease of commute, and it will put more
14 fair-paying jobs right back into the Chelsea area.

15 MR. BAYLINSON: The whole thing is to
16 hire locally?

17 MR. REID: Absolutely, as local as
18 possible. That's why again we wanted that experience
19 from college kids who are looking to get into
20 cannabis. That's why they elected that minor in
21 cannabis study. So that would give us a great
22 partnership for people who have experience in cannabis
23 as well as people from Chelsea EDC who are super local
24 to the community.

25 MR. BAYLINSON: Thank you very much.

1 Let me jump back to Dominique. You have the layout of
2 interior space already?

3 MR. LANDRY: Yes.

4 MR. BAYLINSON: Consistent with the
5 plans that were submitted?

6 MR. LANDRY: Correct.

7 MR. BAYLINSON: There's no on-site
8 lounge?

9 MR. LANDRY: No.

10 MR. BAYLINSON: A testing area?

11 MR. LANDRY: No.

12 MR. BAYLINSON: Why don't you take the
13 Board through the floor plan from where you would walk
14 in off of Atlantic Avenue, and then how the site
15 works, how it operates, I guess what the guests would
16 be expected to do.

17 MR. LANDRY: Yes. Our plan is for
18 ingress is Atlantic and Brighton. There's going to be
19 an entry. That's going to be the ingress to the
20 building. Egress is going to be in a separate door
21 that's also on Atlantic Avenue. So people can enter.
22 There's going to be a vestibule inside of the space.
23 That's where we can have like a waiting area, so
24 people will line up on the space and not outside on
25 Atlantic Avenue so we won't have loitering outside.

1 MR. BAYLINSON: A concern is people
2 lining up on the sidewalk.

3 MR. LANDRY: Absolutely.

4 MR. BAYLINSON: Especially in the early
5 going, and you have addressed that by keeping the
6 people off the sidewalk but on site inside the store?

7 MR. LANDRY: Absolutely.

8 MR. BAYLINSON: Where on the site plan,
9 the floor plan would that be shown?

10 MR. LANDRY: That would be closest to
11 the front. If you look at the site plant you see
12 Atlantic Avenue, there's windows right there, a
13 display case. So how we wanted to display it is like
14 a line inside that kind of serpentine to the POS
15 which are more central in the plan. So we could
16 probably hold a nice amount of people in there to keep
17 the line at a minimum if there is a line outside.

18 MR. BAYLINSON: There is a vestibule on
19 the corner?

20 MR. LANDRY: Yes, sir. There's a
21 vestibule on the corner, so when they come in, that's
22 where the ID will be checked by a security guard,
23 security making sure the person is 21 and older that
24 enter. Once they clear that security check, they'll
25 be able to enter to the left, I guess you can call it

1 the main lobby of the space. And we have --

2 MR. BAYLINSON: The main retail area.

3 MR. LANDRY: The main retail area,
4 correct, and they're able to serpentine to the POS.

5 MR. BAYLINSON: The circulation plan
6 through the retail area, they purchase their product,
7 and then weave through the other door onto Atlantic
8 Avenue?

9 MR. LANDRY: Yes. Our goal it to have a
10 eight to ten-minute turn per customer, so we'll have
11 people on the floor, kind of concierges talking to
12 people while they're in the line, so they're being
13 serviced almost like an Apple store so to speak. So
14 we have displays in the middle of the retail lobby
15 space. They can also see items that they may like
16 while they're also being serviced. The idea is to
17 keep the average person in there no longer than ten
18 minutes. We get them out at the egress to the left
19 which is a secured exit. We'll have a security guard
20 stationed there so nobody tries to come in while
21 people are leaving.

22 MR. BAYLINSON: There's only one point
23 of sale counter and that's to the rear?

24 MR. LANDRY: Right, one point of sale
25 counter, but six stations at that point of sale

1 counter. So we can have six people at a time at the
2 counter and there's also three display cases. So
3 there's nine ways to purchase while you're waiting, so
4 that keeps the line moving.

5 MR. BAYLINSON: You're not selling from
6 the display cases?

7 MR. LANDRY: No. The concierge will be
8 there with kind of like a mobile Apple product.

9 MR. BAYLINSON: They still go to the
10 counter to pay?

11 MR. LANDRY: They still go to the
12 counter to check out, yes. They will place their
13 order and it will be sent to the back end.

14 MR. BAYLINSON: How about the back of
15 the house?

16 MR. LANDRY: The back of the house will
17 be controlled by managers that we're going to vet and
18 screen, so back of the house, the only employees back
19 there are going to be certified management level with
20 the company. The fulfillment will come from the
21 managers. It will come through the display window
22 that's right there right behind the POS, so the people
23 working in the POS station will pick the number and
24 bring it to the station to have the people check out.

25 MR. BAYLINSON: I see a secure entry to

1 the rear of the site on the right-hand side. What is
2 the purpose of that?

3 MR. LANDRY: The purpose of that entry
4 is to separate consumer entry versus product and cash.
5 So on the Brighton side is a secure entry and exit for
6 inventory and for cash only, so there won't be any mix
7 between consumers coming in and, for example,
8 inventory going in or coming out. We have the loading
9 zone right there. That door is already existing.

10 MR. BAYLINSON: Is that loading zone on
11 the street?

12 MR. LANDRY: Absolutely. And that door
13 is already existing. We will change the door, the
14 locking mechanism. Obviously we have another
15 vestibule for the security guard to go there to make
16 sure there's nobody coming in.

17 MR. BAYLINSON: You hired separate
18 entities for your on-site security; is that right?

19 MR. LANDRY: We're vetting them now,
20 yes.

21 MR. BAYLINSON: And who is that?

22 MR. REID: We have two security
23 companies. There's two different types of security
24 obviously. We have the cameras and they're called
25 hold-up buttons.

1 MR. BAYLINSON: Let's talk about the
2 live personnel.

3 MR. REID: The live personnel, we have
4 two New Jersey based companies. One is a veteran
5 company, Semper Secure. They already have contracts
6 with two other dispensaries in New Jersey, and the
7 other one is U.S. Security. One of Baking Bad board
8 members has a relationship with the vice president of
9 U.S. Security, but since we are still in that
10 build-out phase, we have yet to have an engagement
11 with the specific security company. So it's going to
12 be one of those two, both New Jersey based, Semper
13 Secure and U.S. Securities.

14 MR. BAYLINSON: And of those two
15 companies, why would you pick one over the other?

16 MR. REID: Well, it really comes down to
17 experience in the space. Obviously I'm a veteran. I
18 did five years active in the U.S. Navy. So it's
19 really experience in space. U.S. Security has other
20 contracts in Atlantic City. Semper Secure has
21 experience securing cannabis institutions. So it's
22 really just a comfort level as well as a price too.

23 MR. LANDGRAF: I have a couple
24 questions.

25 MR. REID: Yes, sir.

1 MR. LANDGRAF: So, one, you're going to
2 have to share that security plan. I don't know if we
3 have a detailed copy of that yet. We're going to need
4 that.

5 MR. REID: Yes.

6 MR. LANDGRAF: And we'll also need that
7 shared with A.C.P.D., and obviously you're going to
8 have to share with the cannabis council in the state.

9 MR. REID: Yes.

10 MR. LANDGRAF: Cameras on the side of
11 the building will have to be shared with A.C.P.D. as
12 well.

13 MR. REID: Yes.

14 MR. LANDGRAF: It will all be
15 commissioned with our approval.

16 MR. REID: Yes.

17 MR. LANDGRAF: So getting back to cuing,
18 so what we have been asking for, and it's been really
19 a result of when these things open up for the first
20 time, there's only one, maybe two, in the city right
21 now that's open as retail. When they first opened,
22 you get a line outside because they're there before
23 you open. What we will ask for is to have the
24 security company to have someone on site an hour
25 before you open the doors.

1 MR. REID: Yes, sir.

2 MR. LANDGRAF: So when there is a little
3 bit of cueing out there, it's controlled?

4 MR. REID: Yes, sir.

5 MR. LANDGRAF: We understand that the
6 vestibule has to be secure, and I like the fact that
7 you get them in quickly into that larger retail space.
8 My concern is prior to opening, we want to make sure
9 we don't have like when the place in Deptford opened
10 up, you had two-hour long waits with people outside.
11 We want that controlled.

12 MR. REID: Yes, sir.

13 MR. LANDGRAF: Because you have a
14 sidewalk here, and you can't block the sidewalk, so
15 those things will be part of any approval that our
16 board might grant.

17 MR. LANDRY: We have a GM come in. He's
18 going to be there two hours before. Security will
19 come in an hour before to make sure nobody is -- you
20 know, any surprise visitors. If anybody comes up,
21 we'll have one option with the security guard to turn
22 them back and come back in 15 minutes or 20 minutes
23 when we're ready to cue them inside. We also have a
24 separate space that we mentioned, C1, which is like
25 lobby that we're going to have a separate door made

1 for. So in the event there is a large line, we can
2 also have them inside and cue them to come back
3 around.

4 MR. LANDGRAF: Is that space shown on
5 this floor plan?

6 MR. REID: It would be the gray area to
7 the left of the plan. Right now -- because the State
8 says we're a micro dispensary, we can only occupy
9 2,500 square feet, but the building is 3,000 square
10 feet, so we have an extra 500 square feet that we
11 couldn't use. We were talking within the groups to
12 possibly making it a convenience store, maybe
13 merchandise thing like that, but based on all of the
14 reports of lines, we could possibly open that up as
15 like a cue or like a holding space in the event that
16 overflow is too much, or, you know, in this instance
17 where people come in a little bit early. They also
18 have the option to place a pickup order from their
19 vehicle, and then they'll just get a text, you know,
20 so that would be another way to deter them from
21 standing in line. We can say you can place your order
22 right now, and at 9:00 or whatever time we open the
23 doors, you should be able to come right back in then.

24 MR. LANDGRAF: Again, I'll ask this
25 question. There is no curb-side pickup?

1 MR. REID: No, not at all.

2 MR. LANDRY: It will be -- if you look
3 on the plan, to the left of the POS, there's a pickup
4 window, a quick pickup.

5 MR. LANDGRAF: I see it.

6 MR. BAYLINSON: Michael, are you
7 familiar with Section 17 of the Administrative Code as
8 to what the security procedures are that the State
9 require?

10 MR. REID: Yes, they are. Both security
11 companies we did before when we had our initial
12 conversation with them, we gave them, both companies
13 copies of all the CRC's regulations for --
14 specifically for the security for cannabis. Obviously
15 Semper Secure was already familiar, but U.S. Security
16 took those on board and are to execute once we make a
17 decision.

18 MR. BAYLINSON: U.S. Security is a
19 surveillance company that you retained?

20 MR. REID: No, no. The surveillance
21 company that we retained is Spartan. Sorry, there's a
22 lot of S's, but U.S. Security is an Atlantic City
23 local security company by two off-duty -- I mean
24 retired police officers from New Jersey. Again, they
25 have contracts in Atlantic City but none in the

1 cannabis space, but actually they were recommended by
2 Brighton.

3 MR. BAYLINSON: That's FBI Johnson,
4 former FBI agent? It's in your SOP.

5 MR. LANDRY: Yeah, that's who we hired
6 to kind of walk us through how security should be laid
7 out. So the person he's referring to gave us intel on
8 how many cameras should be in the space given the
9 square feet.

10 MR. BAYLINSON: You're giving that
11 information you're getting to the security companies?

12 MR. LANDRY: Absolutely.

13 MR. LANDGRAF: One last question from
14 me. This is retail only, no medical?

15 MR. REID: Correct.

16 MR. BAYLINSON: I'd like to present
17 Tiffany Morrissey, our professional planner if you
18 have any additional questions.

19 MR. COLLINS: Can I just jump in for one
20 minute. The floor plan and site plan that you've been
21 referring to, I would like to mark as exhibits. I'd
22 like to mark the application, everything that you
23 submitted with the application as Exhibit A-1. Did
24 you refer to anything else that hasn't been submitted?

25 MR. LANDRY: No.

1 MR. BAYLINSON: Thank you. Tiffany, you
2 are a licensed special planner in the state of New
3 Jersey?

4 MS. MORRISSEY: Yes, I am.

5 MR. BAYLINSON: Would you kindly give
6 the Board the benefit of your experience and
7 professional knowledge in terms of this facility and
8 the proposed plans.

9 MS. MORRISSEY: In terms of this
10 application, this is a refit-out of a prior commercial
11 space. This property has existing non-conformities
12 associated with it. We are located in the Central
13 Business District which is part of the Green
14 Redevelopment Area so the use is permitted, but does
15 require a site plan approval here before the Board.
16 In terms of the existing non-conformities, clearly
17 this property is not in conformance with the CBD
18 requirement in terms of the building's height, the
19 building's coverages and the building's setbacks being
20 a preexisting situation. This fit-out space does not
21 change any of those existing conditions, and as noted
22 earlier in the hearing, we'll provide you with the
23 actual status for what each one of those items are
24 that is not conforming. I will tell you I believe the
25 lot area is conforming, the depth and the width are

1 conforming, and the frontage are conforming, but the
2 coverages, the setbacks, the height and parking is
3 nonconforming. In terms of those nonconforming
4 conditions, they result in some type of variance, but
5 this situation here doesn't exacerbate those
6 conditions because we're not adding onto the building
7 or expanding the building in any way. In terms of
8 your requirements for a variance related to parking,
9 again, this existing space has been a retail space,
10 and there is no change to that, so anything that goes
11 in there would have a parking condition. There is
12 on-street parking in the surrounding area. There are
13 parking lots in the vicinity, not necessarily right
14 next door, but on surrounding streets there are public
15 parking lots that can be utilized. What's nice about
16 this location is that it's actually proximate to
17 people being able to walk to it, and that's part of
18 what the incentive and the intent of the Green
19 Redevelopment District is to provide an opportunity
20 for that increased pedestrian and commercial traffic
21 on Atlantic Avenue, and filling in this space and
22 being proximate to the casino area, people can walk
23 out and utilize the commercial space on Atlantic
24 Avenue. People going to other commercial businesses
25 in the area can stop here on their way to get

1 something to eat. So there's a lot of opportunity
2 here that advances that without impacting the parking,
3 despite the fact that we do not have that adequate
4 parking according to your ordinance requirement.

5 MR. BAYLINSON: But the parking for the
6 commercial facility provided by Brighton, that is able
7 to be used and those spaces obviously will be
8 grandfathered in for this retail facility?

9 MS. MORRISSEY: Correct. And so in
10 terms of that aspect, all of those existing
11 non-conformance conditions not being exacerbated, in
12 my professional opinion, there is an appropriate reuse
13 and retrofit of this building that advances the
14 purpose of the Green Redevelopment District, including
15 redeveloping Baking Bad in underperforming properties
16 and increasing the retail commercial occupancy rate in
17 the Atlantic and Pacific Avenue commercial corridor.
18 Those public policy goals of the Green Redevelopment
19 Plan which are really being advanced by this
20 application providing a great reuse of the area, and
21 as you heard from the applicants, tying into the local
22 community, and Stockton Campus, and the Stockton
23 facilities, and the students which is really part of
24 what is trying to be enabled by bringing Stockton here
25 into Atlantic City. Now you're bringing their

1 students into other aspects of activity, and retail,
2 and entertainment uses that are provided for, so it's
3 really a great marriage advancing the purposes of the
4 Green Redevelopment Plan. In terms of the existing
5 nonconformance conditions not being exacerbated by
6 this, I believe that they don't impact any aspect of
7 the negative criteria in terms of impairment of what
8 your ordinance otherwise intends and creating any
9 substantial detriment to the public good. I will note
10 we did talk about loading, because loading is a
11 concern, and this site has a perfect loading zone. If
12 you go onto Brighton Avenue, there's that side door.
13 There's an existing loading zone already marked there.
14 We're not losing any parking. It's not changing
15 anything, and it reconfigured that retail the way it
16 has been used and has that opportunity. And then with
17 the entering and exit on Atlantic Avenue, it flows the
18 people through, and, of course, as you heard the
19 additional ability to provide indoor cueing also
20 minimizing any expense to the Association. For those
21 reasons I think everything that has been provided to
22 you this morning to show that this site is suited for
23 this use, that the existing non-conformities are not
24 being exacerbated by this proposed use, and that
25 putting this use in this location because it has that

1 adequate loading and has that adequate space to
2 facilitate the function of this property, the security
3 plan being a condition of approval as well which would
4 meet all State requirements which are very detailed in
5 terms of how the site operates. I believe that it
6 works on this property, advances the purpose of zoning
7 and can be approved in this location.

8 MR. BAYLINSON: Thank you. The use of
9 what is encouraged in the Green Zone.

10 MS. MORRISSEY: Exactly, the whole
11 intent of the Green Zone.

12 MR. BAYLINSON: Michael, a couple more
13 questions.

14 MS. MORRISSEY: One more thing. There
15 were distance requirements on the boardwalk, and this
16 site is over a thousand feet from the boardwalk which
17 meets the requirements of the Green Zone, and so the
18 Brighton Avenue School is about 500 feet away.

19 MR. BAYLINSON: Michael, obviously you
20 worked with the condominium association at Brighton
21 Towers coming into the project?

22 MR. REID: Correct.

23 MR. BAYLINSON: And they're obviously
24 familiar with what you're doing?

25 MR. REID: Correct.

1 MR. BAYLINSON: And you've kept them
2 abreast of what's going to take place when you open?

3 MR. REID: Daily.

4 MR. BAYLINSON: And they don't have any
5 objections as far as you know to what is proposed?

6 MR. REID: None at all.

7 MR. BAYLINSON: That's all I have.
8 These guys are here to answer any questions.
9 Otherwise, we will wrap it up.

10 MR. LANDGRAF: Thank you, Mr. Baylinson.
11 I'll go to Justin to start off.

12 MR. AUCIELLO: Thanks for the
13 presentation, really thorough. I do have a few
14 questions. I'll refer over to Page 8 of our joint
15 letter, ARH and Cofone Consulting.

16 MR. COLLINS: Can we mark that as B-1?

17 MR. AUCIELLO: Sure. Let's go with, you
18 talked about the product storage access, on-site
19 security, etcetera. Number four, you said the
20 architect, there's an architect here. That's fine.
21 Can someone speak to -- you talked about the design
22 generally. I'm interested in specifically lighting,
23 signage, stuff to that extent. Can you just speak
24 about the on-site --

25 MR. BAYLINSON: Exterior lighting?

1 MR. AUCIELLO: Yes.

2 MR. BAYLINSON: To address your lighting
3 concerns real quick, we just received a license
4 agreement or authorization from the City to use a
5 portion of the air space for an awning?

6 MR. LANDRY: Correct. On June 7th we
7 had the air space meeting with Jack Howard and that
8 board approved on June 7th of 2023, and we're waiting
9 for an e-mail from Sheena Williams, but we got
10 confirmation of approval at that meeting.

11 MR. BAYLINSON: Those awnings are shown
12 on the Colliers plan?

13 MR. LANDRY: Correct.

14 MR. BAYLINSON: And that's the signage
15 that's proposed on the awning?

16 MR. LANDRY: Correct.

17 MR. AUCIELLO: So the dimensions, can
18 you please submit that to us and also how that is
19 going to be lit and illuminated. That would be
20 helpful for us as a condition of approval to really
21 have a complete record of how it's going to be lit at
22 night, stuff like that.

23 MR. LANDRY: The sign won't be
24 illuminated because it's a cloth awning. I'm not sure
25 if you have the full site plan, but the dimensions, we

1 can send those to you. They were in the site plan,
2 but I'll get full copies of it.

3 MR. BAYLINSON: You want lighting plans
4 for the exterior lights?

5 MR. AUCIELLO: That would be helpful
6 just from a safety standpoint so we can be comfortable
7 that it's going to be well-lit.

8 MR. REID: Brighton Towers, the space
9 that we own in Brighton Towers there are 32 12-foot x
10 48-inch wide windows, so the entire space will be
11 see-through. As far as exterior lighting, our
12 lighting plan now is to have two 6-inch floodlights at
13 each entrance or egress, so that's going to be two on
14 the left-hand door, two on the right-hand door and
15 then two more on the Brighton Avenue side. That's the
16 only exterior lighting, but we just submitted our
17 rebate to the Atlantic City Electric which was an
18 amazing -- I know you guys don't have anything to do
19 with that, but right now our lighting configuration
20 for in store is 96 6-inch halos, as well as 16 5-foot
21 bulb florescent lights. So they're all white in
22 color, so nothing like super colorful, but because of
23 the windows are so big and so large and wrap around
24 the entire space of the building, the light coming
25 from the showroom will illuminate the corner like a

1 Christmas tree.

2 MR. BAYLINSON: Is that overnight?

3 MR. REID: The building will be lit
4 24/7.

5 MR. LANDGRAF: Just to be clear, the
6 City has -- and Justin may not be aware of this. We
7 defer to the City's architect review board to review
8 the redevelopment plan requirements for exterior
9 architecture. I don't think they're going to allow
10 you to keep those window glass panes clear. They're
11 going to require you to make them opaque.

12 MR. REID: All of them?

13 MR. LANDGRAF: Yes, frost them or
14 something.

15 MR. REID: As you can see in the plan,
16 the Brighton Avenue side where we have the secure
17 entry and exit for loading, there's like a figure of
18 like some doves or something there. We are going to
19 opaque those windows out. From our understanding,
20 they did not want any barriers.

21 MR. LANDGRAF: We'll leave that up to
22 the City. That's their jurisdiction on this.

23 MR. COLLINS: Part of the redevelopment
24 plan is part of our approval. We will condition our
25 approval that our board might grant that you comply

1 with the City's redevelopment exterior facade
2 treatments.

3 MR. LANDRY: The information on that,
4 our building is a little bit different because we're
5 part of a larger condominium space. We thought if we
6 change the tint on the windows, they have to be
7 uniform across the building, so what we were planning
8 to do was have like a display case behind the windows
9 to block them so the windows wouldn't necessarily have
10 to change.

11 MR. BAYLINSON: You're working with the
12 City's architect for approval and what they require?

13 MR. LANDRY: Absolutely.

14 MR. AUCIELLO: I think that's it.
15 Actually, one last question. Garbage collection and
16 storage, how is that going to work?

17 MR. LANDRY: The building has an
18 internal garbage unit in the parking lot and also on
19 the top, so we just use the trash collection process
20 that they have, so nothing would be on the street.
21 They have a trash can in the parking lot that we have
22 access to.

23 MR. BAYLINSON: You're actually a
24 condominium unit in their building, in the
25 association, so you use their trash?

1 MR. LANDRY: Absolutely. We have to pay
2 HOA fees so we get the amenities like trash.

3 MR. AUCIELLO: That's very convenient.
4 I think that's it. I think it's covered. There are
5 no variances required. Just I think the planner went
6 through -- no need to go to Colliers for the negative
7 criteria, but I think it was afforded the safest
8 policy goals that are being advanced. I think you
9 guys are doing great work working with the local
10 community and Stockton. I think that's really unique,
11 and it's nice to see that integration with the city
12 and local residents, so I thank you for that. I
13 commend you on that.

14 MR. REID: Thank you.

15 MR. AUCIELLO: That sums it up.

16 MR. LANDGRAF: Thanks, Justin.

17 MS. FEIGIN: Justin and I, we have a lot
18 of overlapping comments, so we don't have a need to
19 repeat all of that. The only thing I believe that
20 remains outstanding and we didn't touch on it are the
21 hours of operation. You said the number of employees
22 would be maxed at ten, and we understand the general
23 business statement of operations and security, so I
24 think that's probably it, just probably the hours of
25 operation. We got lighting. We got loading. We got

1 parking. We got signage.

2 MR. LANDRY: Atlantic City's ordinance
3 says we have to close at 8:00, so it will probably be
4 10:00 to 8:00 right now, but if that changes --

5 MR. REID: Hopefully.

6 MS. FEIGIN: So about 10:00 a.m. to
7 8:00 p.m. I agree everything else is here. We just
8 do want to see the survey or some record of the
9 existing conditions on the site so we can document
10 what all the nonconforming conditions are.

11 MR. REID: Absolutely. Colliers did do
12 a survey before we started this operation, and I'll
13 make sure they forward those dimensions to you.

14 MR. COLLINS: I would like to inject,
15 the survey should also show the existing businesses on
16 the adjoining sidewalk and show the loading areas, and
17 parking areas and lighting areas.

18 MR. REID: Yes, sir.

19 MS. FEIGIN: I would add to that, I
20 would like the dimensions that the awning sticks out
21 into the sidewalk even though it's in air space, just
22 all of those dimensions.

23 MR. LANDRY: The plan has it in there.
24 I'll resend it to you guys. There's no dimensions on
25 the awning. We can see it on the rendering. It would

1 be similar to the site survey and the graphics. It
2 has the dimensions on the awning.

3 MS. FEIGIN: Perfect. That's it.

4 MR. LANDGRAF: That would have been nice
5 to have the site survey.

6 MR. LANDRY: My apologies on that.

7 MR. COLLINS: Just one thing so my notes
8 are complete. This is a Class 5 license?

9 MR. REID: Correct.

10 MR. COLLINS: And it's recreational
11 only.

12 MR. REID: Correct.

13 MR. COLLINS: Thank you very much.

14 MR. LANDGRAF: With that we'll open it
15 to the public. I see we have some people here this
16 morning. If you have any comments, please step
17 forward, state your name and ask your question or
18 raise your comments.

19 PASTOR WEER: My name is Thomas Weer.
20 I'm the pastor of Chelsea Baptist Church at 2900
21 through 2908 Atlantic Avenue. We're right across the
22 street from Brighton Avenue. We were disappointed
23 because some municipalities put these types of
24 businesses at a certain distance from churches,
25 playgrounds, schools. The only distinction here in

1 this area is it has to be a thousand feet from the
2 boardwalk, but we've been battling behind our property
3 addicts and homeless people. We were cited by the
4 City to get rid of all the addicts and homeless people
5 that were trying to make a camp behind our property.
6 We've done that, and now we're going to have this
7 dispensary across the street from our church. But the
8 big issue is there is absolutely zero, no parking, and
9 the only parking that is going to be available to all
10 of these people is our church parking lot. And to say
11 that the people are not going to park in our church
12 parking lot, we're just kidding ourselves. It's right
13 there. It's right across the street. If they come
14 early and they're looking for a place to park, that's
15 where they're going to be. And we're going to have
16 people possibly that go in and get their product and
17 come out and get in their car and decide to use it,
18 and they're going to be sitting in our church parking
19 lot, and that's a big concern for us. We have over a
20 hundred-year-old church. The auditorium has no air
21 conditioning because of its historic age, and the
22 windows always have to be open in the summer, and we
23 just can't have that coming in constantly during our
24 services. But the parking is a very big issue because
25 we're the only lot anywhere near this facility, and

1 there is no other place to park on Brighton other than
2 that loading zone, and there's really no place in
3 front of Brighton Towers for people to park. They're
4 going to come to our lot, and that's really concerning
5 to us. We need help to deal with that situation. I
6 can't go outside and patrol the lot 24 hours a day
7 trying to chase people away. It's a big concern, but
8 I thank you for the opportunity.

9 MR. LANDGRAF: Pastor, so do you have a
10 towing service there?

11 PASTOR WEER: Yes, we do have a towing
12 service.

13 MR. LANDGRAF: I would say post signs
14 and then --

15 PASTOR WEER: And we have them there,
16 but I can't spend all my time outside looking for
17 who's there.

18 MR. LANDGRAF: What we do here, we have
19 a flat order with our towing company here at CRDA for
20 our lots, that if they see a car there that's not
21 licensed to be there with either a tag or something,
22 they tow it.

23 PASTOR WEER: Our company says they
24 can't tow it unless I call, so maybe we need a
25 different company.

1 MR. LANDGRAF: Either that or if you
2 give them direction they can. That's how we work
3 here. We typically do call, but if we see somebody
4 there after hours, they tow the vehicle.

5 PASTOR WEER: Some of our people are
6 concerned. We have services at night on Monday,
7 Tuesday, Wednesday and Sunday, and some of them are
8 concerned about getting out of their cars and being
9 around that area. They're just concerned. We have a
10 ladies meeting, we have kids, children and teens
11 coming, and that is a concern to us.

12 MR. LANDGRAF: This is a legal use in
13 the zone, so you have to understand that. It's new to
14 our culture. I certainly understand.

15 PASTOR WEER: I just wanted to share our
16 concerns.

17 MR. LANDGRAF: I will ask that the
18 applicant work with the church and maybe put some
19 signage up in your facility, please do not park in the
20 church's lot or you will be towed.

21 MR. LANDRY: Pastor and I have met
22 before. We have shared dinner before in the church.
23 We have toured the church. We're also committed to
24 assisting them with security of the space, so we have
25 24-hour camera security surveillance as required by

1 the New Jersey CRC. So to the best of our ability,
2 our guards will prevent people from, A, parking
3 illegally in the space, and also, B, you can't smoke
4 within certain feet range of this dispensary.

5 PASTOR WEER: I wanted to get that on
6 the record.

7 MR. LANDGRAF: I appreciate that,
8 Pastor, and I hope it becomes a good relationship
9 between yourself and the business coming in.

10 MR. LANDRY: Absolutely.

11 MR. LANDGRAF: Anyone else? State your
12 name.

13 MRS. WEER: My name is Cecelia Weer.
14 This is hard for me to say, because we've been in the
15 ministry for 40 years and usually I'm in the ministry
16 of encouragement. What I'm not encouraged today, and
17 I hate to say that because Dominique came to our
18 house, and we had a wonderful time. We had pizza and
19 banana bread and all these things, and I know that
20 they need to make a living, and it's a good living,
21 but I'm opposed. I'm totally opposed to the site.
22 And one of the things, there's a lot of things, but
23 the whole subject of all the security that's needed
24 with all the cameras and all the security, I mean all
25 of that just shows how dangerous it is, and it's a

1 community. It's a neighborhood. We live there, and
2 kids live in Brighton Towers. I think that it's
3 dangerous. And I feel like the Casino Redevelopment
4 cares very much about the boardwalk, but I'm not sure
5 that they care about neighborhoods where children are,
6 and the school is right down the street, and the
7 church is -- you know, the church is right there, and
8 it's going to keep families away. I'm just opposed to
9 it. My husband said I shouldn't say anything at all
10 about God because that turns people off, and usually
11 when we watch movies it's always the crazy Christians,
12 that's how, you know, we're portrayed, and I'm willing
13 to take that. But it's just -- I don't even like the
14 name Baking Bad, because it -- and the word, you know,
15 that sounds really cool, but cool is overrated.
16 Righteousness is beautiful. And over these years we
17 have to deal with the people that lose their children
18 to overdoses, and I feel like the casinos are more
19 important to the City than the neighborhoods, and the
20 people and the children. But I really like Dominique.
21 I don't want to be a downer, but this is just how I
22 feel, and if any of you that -- I try not to refer to
23 scripture and the bible, but righteousness is good for
24 our nation. But thinking of the movie that we all
25 watch at Christmastime, It's a Wonderful Life and

1 imagine Potterville, and that's what our corner is
2 going to look like. Thank you for listening to me. I
3 really do like you.

4 MR. LANDGRAF: Cecelia, just some
5 answers for you. The City created the redevelopment
6 area. The CRDA did not. They put the restrictions on
7 the distance from the boardwalk, and there is a buffer
8 to schools. There is not a buffer to churches. There
9 are certain things they put in that we didn't really
10 control, so that was their -- the City created this
11 for this area and those rules, so that's not something
12 we can change. We have some jurisdiction. The
13 language does come to us, but the City set this up in
14 the community as being a permitted use in certain
15 areas of the community. I don't disagree with some of
16 your comments, but this is a permitted use at this
17 location. We are trying to work in some of the issues
18 you're concerned about. Security is one of them. The
19 State actually put those requirements in, the State
20 Cannabis Council I guess it's called. They put those
21 rules in to help protect the neighborhoods. It's a
22 product that's very valuable. That's why the security
23 teams are there. There's also a lot of cash, because
24 right now a lot of banks, you can't use credit cards
25 to purchase this because they're all federally

1 insured, and the federal the government still says
2 cannabis is not legal, so that's why it's mostly a
3 cash business. So that's why there's a lot of
4 security there. We've seen quite a bit of these here
5 now. This is probably our 19th application for
6 cannabis in the city. We are told that there's going
7 to be a pause on them from the City that the licenses
8 they're going to recommend. That hasn't happened yet.
9 Last night they approved 12 more. So this is
10 something that is going to be coming forth more
11 throughout the city.

12 MRS. WEER: And I know there's big money
13 in it, and the preacher once said if you want big
14 money, you can have money, but vice isn't good for
15 neighborhoods. And I know that everything everybody
16 is saying is according to the law, but what about --
17 I remember hearing the statement, and it's a very sad
18 but true statement, and that is truth gets lost in the
19 law, and I feel like truth has gotten lost in the law
20 here, so I'm still opposed.

21 MR. LANDGRAF: Thank you. Sir.

22 MR. MARCHESKI: Frank Marcheski, vice
23 chairman for Chelsea Baptist Church. I'm not
24 comfortable speaking. Pastor covered the concerns of
25 the church, but I did pick up on a couple of things

1 while listening. You say the hours of operation are
2 going to be 10:00 to 8:00. I don't know what the
3 school hours are, but when I went to Brighton it was
4 9:00 in the morning. I don't know what the hours are
5 now, but I know a lot of kids walk to school. A lot
6 of kids get driven to school which creates traffic at
7 that time. With the call-in service where people can
8 call in an order and then sit and wait in their car
9 and wait for the text to come and pick it up, that's
10 going to create issues with the children going to
11 school, and also when school is dismissed, I know they
12 have a crossing guard right there on the corner of
13 Brighton and Atlantic, and there will be children
14 walking past, right past your front doors. And so
15 that's a concern that I have. That's what I wanted to
16 bring to light.

17 MR. LANDGRAF: Okay. It's a permitted
18 use, so there's not much we can do. They're going to
19 have security there. They'll have security outside if
20 they are people waiting outside, so hopefully that
21 will offset some of your concerns. Thank you. Anyone
22 else from the public?

23 Seeing none, Mr. Baylinson, anything in
24 closing?

25 MR. BAYLINSON: The only thing I would

1 like to say, Mr. Landgraf, Mr. Reid and the board has
2 been very, very helpful. Talking with these guys, to
3 reach out and their interaction, it's been very
4 helpful in being able to present the application today
5 and understanding what we needed to present. We
6 really appreciated that.

7 MR. LANDGRAF: We are a little different
8 here. We're not actually the Board. The Board will
9 get this in September. This application will be --
10 we'll put together a report and it will be on our
11 September 19th board meeting, which at this point we
12 believe is going to be live and in person in this
13 room, not on a cell or telephone call. That will be
14 the first time in three years that we've met in
15 person, so that will be nice. With that, anything
16 else from you guys?

17 MR. AUCIELLO: I'm good. Thank you.

18 MR. LANDGRAF: With that, we'll close
19 the hearing on the Baking Bad application. The next
20 land use hearing will be August 3rd at 10:00 a.m. in
21 this room, and as I said, this item is anticipated to
22 be on our September 19th board meeting.

23 MR. BAYLINSON: Just so these guys
24 understand, when you prepare a report and make a
25 recommendation to the full board, and that will be

1 dealt with on the 19th?

2 MR. LANDGRAF: That's correct. With no
3 further public comment, we'll close this meeting. We
4 are adjourned.

5 (This public hearing concluded at
6 10:56 a.m.)

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C E R T I F I C A T E

I, ELISA A. CIBOLDI, a Certified Court Reporter and a Notary Public of the State of New Jersey, do hereby certify that prior to the commencement of the examination, the witness was duly sworn by me.

I DO FURTHER CERTIFY that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the date, time and place aforementioned.

I DO FURTHER CERTIFY that I am neither a relative nor employee, nor attorney or counsel to any parties involved; that I am neither related to nor employed by any such attorney or counsel, and that I am not financially interested in the action.

Elisa A. Ciboldi



ELISA A. CIBOLDI, C.C.R.
Notary Public of the State of New Jersey
My Commission expires March 28, 2026
NJ C.C.R. License No. XI-01795

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