

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

3 APPLICATION: 2023-08-3503

4 1124 ATLANTIC, LLC

5
6 APPLICANT SEEKS MINOR SITE PLAN APPROVAL
7 ALONG WITH "C" VARIANCE RELIEF TO EXPAND EXISTING
8 RESTAURANT WITH OUTDOOR SEATING AND ADD A PARKING
9 LOT.

10 THE PROPERTY IS LOCATED AT 1112, 1114,
11 1116, 1118, 1124 ATLANTIC AVENUE, ALSO KNOWN AS
12 BLOCK 139, LOTS 4, 5, 6, 7, 8, 9 AND 10 ON THE TAX
13 MAP FOR THE CITY OF ATLANTIC CITY, LOCATED WITHIN
14 THE CENTRAL BUSINESS COMMERCIAL DISTRICT (CBD).

15 THURSDAY, OCTOBER 19, 2023

16 10:05 A.M.

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1 Public Hearing in the above-referenced
 2 matter conducted at the CASINO REINVESTMENT
 3 DEVELOPMENT AUTHORITY, 15 South Pennsylvania
 4 Avenue, Atlantic City, New Jersey, before Michelle
 5 Gruendel, a Certified Court Reporter and Notary
 6 Public of the State of New Jersey, on Thursday,
 7 October 19, 2023 commencing at 10:05 a.m.

8

9 A P P E A R A N C E S:

10 CASINO REINVESTMENT DEVELOPMENT AUTHORITY:

11 LANCE D. LANDGRAF, JR.
 12 CHAIRMAN
 13 DIRECTOR, PLANNING DEPARTMENT

14 ROBERT L. REID
 15 LAND USE ENFORCEMENT OFFICER

16 PROFESSIONALS TO THE BOARD FOR THIS HEARING:

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

19 CHRISTINE COFONE, PP
 20 COFONE CONSULTING GROUP, LLC

21 CAROLYN FEIGIN, PE, PP
 22 ADAMS, REHMANN AND HEGGAN

23 COUNSEL FOR THE APPLICANT:

24 BRIAN CALLAGHAN, ESQ.
 25 CALLAGHAN LAW

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EXHIBITS MARKED AND/OR REFERRED TO:

A-1, B-1

1 [COURT REPORTER'S NOTE: THE FOLLOWING
2 TRANSCRIPT WAS PRODUCED FROM THE
3 AUDIO/VIDEO TAKEN BY THE VIDEOGRAPHER
4 PRESENT AT THE HEARING.]

5 LANCE LANDGRAF: Okay. Good morning.
6 I'd like to welcome everybody. I'll call to order
7 the CRDA Land Use Regulations Division Hearing on
8 October 19th, 2023.

9 Would everyone please rise for the
10 Pledge of Allegiance?

11 (Pledge of Allegiance is recited.)

12 LANCE LANDGRAF: Okay. Thank you.

13 This hearing has been noticed in
14 accordance with the Senator Byron M. Baer Open
15 Public Meetings Act.

16 We have two items on today's agenda.
17 The first being application 2023-08-3503, 1124
18 Atlantic, LLC. The applicant seeks minor site plan
19 approval with (C) variance relief to expand an
20 existing restaurant with outdoor seating and add a
21 parking lot.

22 The property is located at 1112, 1114,
23 1116, 18 and 24 Atlantic Avenue, known as Block
24 139, Lots 4 through 10. It's located in the
25 Central Business District.

1 Rob, we have proper notice on this
2 application?

3 ROBERT REID: Yes. I reviewed the
4 service provided by the applicant and we have
5 jurisdiction to hear the application.

6 LANCE LANDGRAF: Great.

7 And we're complete, ladies?

8 CAROLYN FEIGIN: Yes.

9 CHRISTINE COFONE: Yes. We are
10 complete.

11 LANCE LANDGRAF: All right, Mr.
12 Callaghan.

13 BRIAN CALLAGHAN: Good morning.

14 LANCE LANDGRAF: Good morning.

15 BRIAN CALLAGHAN: Brian Callaghan on
16 behalf of 1124 Atlantic, LLC.

17 Ricky Hoang is here, he's the managing
18 member. Craig Dothe is our specialist. As Rob has
19 indicated, all jurisdiction requirements have been
20 met.

21 A little bit of quick background. Ricky
22 bought the property back in 2015. We then turned
23 in a redevelopment plan which was reviewed back in
24 2021 and the plans that we submitted today are
25 pretty close to being identical to what was

1 submitted back in 2021 to both the city and the
2 CRDA for their approval. We then entered into
3 negotiations with the City of Atlantic City to
4 purchase the property. Signed a contract to
5 purchase the property. We needed to get appraisals
6 from the city. Got the appraisals from the city,
7 ran the title reports. The city had a problem,
8 that they did not do the tax foreclosure the proper
9 way, they missed a couple IRS liens, so for the
10 last year-and-a-half we've been trying to clear up
11 the IRS liens. Finally got them cleared up in May
12 or June of this year, went to the settlement, paid
13 them, and now we're before you for the application.
14 You're correct, it's a minor site plan, a minor
15 extension of the restaurant to add a kitchen,
16 outdoor seating, I'll call it a cultural icon that
17 we're doing, and adding parking to the existing
18 parking. In answer to the questions, there are no
19 previous land uses for the property that exists or
20 the property that we purchased from the city. It
21 is our intention, and Mr. Dothe will go through it,
22 that the entire parking will be paved, fenced,
23 landscaped, proper trash area and everything else
24 and I'll have Mr. Dothe do that.

25 Let me ask Ricky Hoang and Mr. Dothe

1 sworn in. That way if you have questions of either
2 one, we can jump in and do it.

3 LANCE LANDGRAF: Perfect. Gentlemen,
4 please come up. State your name and -- hold it.
5 See if Scott's ready.

6 SCOTT COLLINS: Got it.

7 Please raise your right hand.

8 CRAIG DOTHE, RA, PP, having been first duly sworn
9 according to law, testified as follows:

10 RICKY HOANG, having been first duly sworn according
11 to law, testified as follows:

12 SCOTT COLLINS: And then separately --
13 Craig, could you just give your name?

14 CRAIG DOTHE: Craig Dothe, architect,
15 planner. That's spelled D-O-T-H-E. 33 North
16 Brighton Avenue, Atlantic City.

17 SCOTT COLLINS: Lance, you want to --

18 LANCE LANDGRAF: Yes. We accept
19 Mr. Dothe's credentials before this board.

20 SCOTT COLLINS: Sorry. Could you spell
21 your name, please?

22 RICKY HOANG: Ricky Hoang, R-I-C-K-Y,
23 last name Hoang, H-O-A-N-G. I'm the owner of 1124
24 Atlantic Avenue.

25 SCOTT COLLINS: Thank you.

1 LANCE LANDGRAF: All right.

2 BRIAN CALLAGHAN: Craig, why don't you
3 walk them through the site and give them a short
4 explanation, keyword being short explanation on
5 exactly what we're doing today.

6 CRAIG DOTHE: I only have one page.

7 LANCE LANDGRAF: That's good. That's
8 good.

9 CRAIG DOTHE: Really, really working on
10 it.

11 BRIAN CALLAGHAN: Very, very exciting.
12 That's good, but go ahead.

13 CRAIG DOTHE: We know it's a
14 psychological thing.

15 BRIAN CALLAGHAN: We know that.

16 CRAIG DOTHE: Basically what it was, if
17 my memory serves, there were buildings at one time
18 on the site right here.

19 LANCE LANDGRAF: The fire, yup.

20 CRAIG DOTHE: They caught on fire. One
21 went to the next to the next to the next and we got
22 all the way down to a restaurant presently and way
23 back in '14 we rehabbed this into this restaurant.
24 There was a lot of fire damage and everything but
25 we were able to save that one building and that

1 was -- and then there's another building on the
2 other side. So --

3 LANCE LANDGRAF: The food is very good,
4 by the way.

5 RICKY HOANG: Thank you.

6 CRAIG DOTHE: It's all him.

7 LANCE LANDGRAF: I enjoy it.

8 RICKY HOANG: Thank you.

9 CRAIG DOTHE: So this is our existing
10 building right down here. What we're proposing to
11 do on the first lot, which is Lot 5, is to expand
12 out the kitchen, move the -- since you've been
13 there you've noticed that the bathrooms are like a
14 little less than they could be, that type of thing.

15 LANCE LANDGRAF: So these?

16 CRAIG DOTHE: Yeah. Exactly. And what
17 we're doing is moving those out, as well, so that
18 makes up the interior addition. That's a single
19 story addition. Then in the front of that what
20 we're proposing to do is an outdoor covered seating
21 with a beautiful roof over top of it and that will
22 stretch from the front of the building back to the
23 new addition back here. What that does is in this
24 zone we're supposed to have -- we're required to
25 have a 5 foot front yard setback and a 20 foot rear

1 yard setback but we're proposing to line up our
2 wall with the existing wall so that when we expand
3 the kitchen, it makes sense, because that's in the
4 middle of the cook line so, you know, when you're
5 sitting there cooking along here, and here's your
6 wall, you don't want to come back over here to try
7 to get to the rest of your cook line, and so the
8 continuation, the expansion of the kitchen across
9 the back lines up so that -- that's like an
10 internal means to do that. That does require a
11 rear yard setback but the, the encumbrance crossed
12 here for the lineal length of the encumbrance, it's
13 only about 4 feet of total backyard, rear yard,
14 expansion of rear yard setback nonconforming,
15 because by the time we get over to this property
16 line where it zigs back further, then our rear yard
17 setback becomes monstrous. It's like 70 feet,
18 something like that. Now, from the perspective of
19 whether or not that single story addition that's
20 literally just extending that wall another 4 or
21 5 feet is an obstruction or blocks any light and
22 air, ventilation, that type of thing to the
23 neighboring property, this is an undeveloped
24 prop -- piece of ground. It's been that way for a
25 very long time. The next one back is a parking

1 lot, so there really is no neighbor affected by
2 that proposed. Across the front I had said that we
3 were putting the porch flush with the front face of
4 the existing building, which is approximately 5
5 inches over the property line, so I assume we'll be
6 asked to get a license agreement --

7 BRIAN CALLAGHAN: Right.

8 CRAIG DOTHE: -- for that, as well as
9 our proposed expansion. I'd like to line that
10 porch up with the building for architectural
11 reasons. Plus, it gives more space in here for the
12 outdoor space and it allows the people to get
13 closer to the sidewalk so that, you know, when
14 you're walking down Atlantic Avenue or driving down
15 Atlantic Avenue, it's a little closer to your view,
16 that there's outdoor dining right here. So it's
17 like -- you know, it would be wonderful if each and
18 every store along Atlantic Avenue that offered, or
19 a restaurant that offered these types of amenities
20 had the ability to have an outdoor space in
21 conjunction with their indoor space and if they had
22 the ability to put parking with their individual
23 building, this is one of the few that's able to
24 actually do all that. The -- when we moved back in
25 this direction, these were the buildings that

1 burned down so these are all now vacant pieces of
2 ground. They're unpaved. There's no improvement
3 whatsoever. We're proposing to do a memorial right
4 here on these two lots, which are Lot 6 -- I
5 can't -- and the one, two -- yeah. It's just Lot
6 6. I'm sorry. Now, those memorials are rather
7 large Vietnamese generals. I refer to them as dead
8 generals. They've been already made?

9 RICKY HOANG: Yeah.

10 CRAIG DOTHE: And they're in storage and
11 this is -- you know, each and every one, every one
12 of them has a meaning to the Vietnamese community,
13 similar to our Founding Fathers had meaning to us,
14 and if they have that much of a meaning to them,
15 it's really, really quite nice to be able to
16 integrate that into a restaurant, that they could
17 then not only when they come down from New York to
18 go to the casino and they stop over at Ricky's
19 place for a meal, they also get to immerse
20 themselves in a little bit of their history, which
21 would be very good for them. What we did is we put
22 a fence around the whole thing, because we're
23 trying to keep it from becoming a homeless problem,
24 so it's more of a visual thing when you walk by and
25 when you sit here to be able to enjoy them. You

1 can stand along the front edge and that type of
2 thing. They're separated. Right here there's
3 three statutes and then there's some flags back
4 here, which is obviously the American flag and the
5 Vietnamese flag, and then we would be putting
6 planting around the outside edge in planters. All
7 right. So all that, like, becomes -- it is a
8 barrier to getting in there but we need to do that
9 in order to keep it clean and keep it from becoming
10 a problem.

11 LANCE LANDGRAF: Craig, would it also be
12 visible from the outside, though? You'll be able
13 to see into it?

14 CRAIG DOTHE: Oh, quite visible.

15 LANCE LANDGRAF: Good. Good.

16 CRAIG DOTHE: Yeah.

17 BRIAN CALLAGHAN: We're not, we're not
18 planning on putting up 15 foot pine trees, so
19 everything would be low plantings so it's
20 completely visible. You can get out of your car,
21 you can look in. If you're walking the street you
22 can look in. If you're sitting in the outdoor
23 seating area you can look in.

24 CRAIG DOTHE: We're creating the wall
25 out of, like, these piers, a low wall down the

1 bottom with a wrought iron fence and then
2 vegetation, which you should be able to peek-a-boo
3 through, which is, you know, kind of lowish, you
4 know, to be able to see them. You can see -- well,
5 maybe you can't see from all the way back there,
6 but the head of the statutes stick up about
7 13 feet.

8 LANCE LANDGRAF: Okay.

9 CRAIG DOTHE: So they're going to be
10 like -- when you drive by it's going to be like,
11 woe, there's something really serious here, so
12 that's pretty exciting about it.

13 Also -- and right now, by the way, this
14 is an entire blank wall of the building that's been
15 painted. So what we are doing with that is when we
16 build this outdoor patio, it's gonna be built out
17 of wood. It's gonna be, you know, built in a --
18 call it a contemporary Oriental fashion, in that
19 it's iconic Oriental and it gives you that
20 symbolism and then you're like, oh, okay, that's a
21 beautiful place and I can immerse myself in the
22 culture of what that is. At the same time, it's
23 obviously modern because it will be, like, more
24 simple and more refined. Then we would be shooting
25 some lights up this side, you know, for night so

1 that it looks, like, real nice.

2 LANCE LANDGRAF: They're directed on to
3 the building?

4 CRAIG DOTHE: Yeah. Like mounted to the
5 building and directed right up --

6 LANCE LANDGRAF: Okay.

7 CRAIG DOTHE: -- so you see the cone of
8 light. So it's like -- it's got some excitement.
9 LEDs. So that's kind of --

10 BRIAN CALLAGHAN: Talk about the parking
11 lot a little bit.

12 CRAIG DOTHE: Right. Now, over here on
13 the -- on Lot 7 and Lot 8, these are also vacant.
14 What we're proposing to do is provide a curb-cut
15 here and enter off of Atlantic Avenue for the
16 parking. Then we're gonna angle the parking spaces
17 along this way to control traffic flow, you know.
18 When they're 90 degrees, somebody comes out of
19 there, you know, even though they know there's an
20 arrow because they saw the arrow when they came in,
21 they forgot the arrow was there, they backed out
22 and they still go out on Atlantic Avenue, which
23 would not be wise because there's Mansion right
24 next to it, so we're controlling the traffic for
25 safety purposes, where you pull in, you pull out,

1 then you have to go around and then you go down
2 Mansion and then you get out on Atlantic Avenue and
3 that's primarily for safety purposes.

4 LANCE LANDGRAF: Mansion is one way back
5 towards Atlantic, correct?

6 CRAIG DOTHE: Yeah. Mansion is one way
7 to Atlantic, correct.

8 So what we're providing is landscaping,
9 curbing across the, you know, in each of the
10 islands and everything to, you know, kind of match
11 what we put in at the -- around the monument.
12 Also, landscaping around the back side over here,
13 adjacent to the neighbor, and across the front face
14 of Mansion and some trees inside the landscaped
15 area. We're providing 17 cars parking, including
16 one handicap, which is in proximity to the front
17 door. We're providing in the back corner, as far
18 away from view, two trash dumpsters which are
19 shielded with a fence around the outside edge and
20 gates so that when trash is developed inside,
21 they're able to just bring it right back to the
22 trash area. Trash truck comes in and could just
23 pick up the trash and then go, because trash trucks
24 do go down Mansion.

25 LANCE LANDGRAF: Down Mansion, right.

1 They won't be able to get in through the Atlantic
2 Avenue site, it's just too tight.

3 CRAIG DOTHE: Yeah. I think that
4 that --

5 CAROLYN FEIGIN: Well, they're gonna
6 have to go the wrong way because that's a one way.
7 You can't have one way traffic through -- from
8 Atlantic and then out Mansion.

9 CRAIG DOTHE: Yeah. This comes here and
10 then they'd be backing up, where -- but there would
11 be -- they're basically coming in in the morning
12 and that type of thing when --

13 LANCE LANDGRAF: Well, the drive aisle
14 at the back is two way, right?

15 CAROLYN FEIGIN: That's not what it
16 shows. It just shows one way.

17 CRAIG DOTHE: I just put an arrow --

18 LANCE LANDGRAF: How wide is it?

19 CAROLYN FEIGIN: 25 feet. It's enough
20 for --

21 LANCE LANDGRAF: Oh, it's wide. Okay.
22 So it's -- all right. That's fine. They can come
23 in there. It's not going against traffic flow.

24 CRAIG DOTHE: I just really wanted to
25 leave it in everybody's mind that this was the

1 circulation.

2 LANCE LANDGRAF: Understood.

3 Understood.

4 CAROLYN FEIGIN: Okay.

5 LANCE LANDGRAF: What I would suggest,
6 and I don't -- I didn't look at it in detail
7 enough, is that a do not enter sign --

8 CRAIG DOTHE: Yes.

9 LANCE LANDGRAF: -- at that island so
10 people don't come in from Mansion and then go out
11 the other way. You know what I'm saying?

12 CRAIG DOTHE: Yes. Yeah.

13 LANCE LANDGRAF: You put the do not
14 enter in that aisle in there before you go back
15 towards Atlantic.

16 CRAIG DOTHE: Yes.

17 LANCE LANDGRAF: You see what I'm
18 talking about? Right in there, yes. Perfect.

19 CRAIG DOTHE: Right here?

20 LANCE LANDGRAF: Yeah.

21 CAROLYN FEIGIN: Yeah.

22 CRAIG DOTHE: Do not enter, that's a
23 great idea. And we'll put an enter sign here in
24 case they don't see the arrow.

25 LANCE LANDGRAF: Okay. Maybe do that in

1 a decorative kind of way or something or --
2 something to match the building style.

3 CRAIG DOTHE: Okay.

4 BRIAN CALLAGHAN: Maybe we'll do it in
5 English and Vietnamese.

6 CRAIG DOTHE: That would be great.

7 BRIAN CALLAGHAN: Talk about positive
8 and negative. You think this is an enhancement to
9 a blighted area, blighted corner that's been
10 blighted for a pretty long time?

11 CRAIG DOTHE: Yeah. It's been a very
12 long time. It was blighted when they were
13 buildings and then it just continues.

14 BRIAN CALLAGHAN: Once again, low
15 density improvement, landscape improvement.

16 CRAIG DOTHE: Yeah. Sight triangles,
17 things like that, because it's all just low
18 vegetation other than the trees themselves, they're
19 all enhanced by what this is. The view of the
20 building is enhanced. What it is, it's taking a
21 blighted corner, something that's completely
22 undeveloped, been undeveloped for quite some time,
23 could be up to 20 years by now that it's been
24 vacant, that all of a sudden now is getting
25 developed and helping this building become better

1 to serve more people.

2 BRIAN CALLAGHAN: The outdoor dining and
3 the cultural theme added to it is an aesthetic
4 enhancement to not only our property but the
5 corner?

6 CRAIG DOTHE: Yes. Without a doubt.

7 BRIAN CALLAGHAN: Increased employment?

8 CRAIG DOTHE: Yes.

9 BRIAN CALLAGHAN: All right. Parking
10 variance, are we a couple spots short overall?

11 CRAIG DOTHE: Well, I don't understand
12 parking variances anymore. We have a 16 car
13 parking requirement now, if we don't do anything,
14 because we, we apparently don't even have a parking
15 lot back here that is a parking lot, but let's say
16 that's true, that it's not a parking lot, okay, so
17 we're going to not believe our eyes.

18 BRIAN CALLAGHAN: Right.

19 CRAIG DOTHE: This is not a parking lot.
20 16 car parking requirement. We have no cars
21 parking. Okay. So that's a net 16 deficiency and
22 we're moving that 16 car deficiency to a six car
23 deficiency. We're picking up -- well, 17 cars, but
24 the expansion provides a requirement for an
25 additional setting. You're probably frowning

1 because you looked at our drawings and our drawings
2 were wrong. I apologize. I went through them
3 yesterday and I am not over it yet how many
4 mistakes were in the parking calculation. It's not
5 that hard. So they're now correct so that when we
6 give you the next four sets, they will reflect
7 that, the correct information.

8 BRIAN CALLAGHAN: And technically, we're
9 short a little --

10 LANCE LANDGRAF: Just so we're clear,
11 what is the -- the existing parking demand is 16
12 spaces as it is now?

13 CRAIG DOTHE: Yes.

14 LANCE LANDGRAF: The proposed parking
15 demand is what?

16 CRAIG DOTHE: The parking demand total
17 is 23. We're providing 17.

18 LANCE LANDGRAF: Okay.

19 CRAIG DOTHE: And --

20 BRIAN CALLAGHAN: And that 23 includes
21 the outdoor seating, which will probably be only
22 part-time of the year.

23 LANCE LANDGRAF: Right. Okay. So you
24 have that six deficiency, understood, but you're
25 providing 17 where there's none.

1 CRAIG DOTHE: Exactly.

2 LANCE LANDGRAF: Okay.

3 CRAIG DOTHE: Technically.

4 LANCE LANDGRAF: Right.

5 CRAIG DOTHE: Technically none.

6 LANCE LANDGRAF: Correct.

7 BRIAN CALLAGHAN: That's a psychological
8 problem with being technically none.

9 Negative criteria, do you see any type
10 of substantial detriment to the public good or the
11 character of the neighborhood or to the zoning plan
12 by doing this type of a project?

13 CRAIG DOTHE: Not at all. I think it's
14 in -- it's consistent with the redevelopment plan
15 for a lot of reasons and, like I said, I don't
16 necessarily --

17 BRIAN CALLAGHAN: Just wanted --

18 CRAIG DOTHE: -- think I need to get
19 into those.

20 BRIAN CALLAGHAN: No, I don't.

21 CRAIG DOTHE: Okay. And the master
22 plan, in general that's promoting this type of
23 development, and like I said earlier, if each and
24 every one of these restaurants -- you know, it's
25 really funny, you know -- sorry to sidetrack. You

1 drive through Phoenix and everything, you got
2 building after building and you have to figure out
3 where to park. Atlantic City used to be like that.
4 Then you get into Scottsdale and you had these
5 beautiful buildings, landscaping and parking next
6 to each of the buildings. It's like a different
7 type of city but it's a city around, designed
8 around the car. Now what we're doing with this
9 type of development is becoming Scottsdale, I know
10 that's crazy, at least on this corner in terms of
11 providing landscaping and parking for the
12 restaurants, thus --

13 BRIAN CALLAGHAN: Right.

14 CRAIG DOTHE: -- making the restaurant
15 more successful, making Atlantic City more
16 successful, bringing it into this next century.
17 More and more of this type of activity takes place,
18 you know, fires happen here and there, they knock
19 down buildings, use that land in a creative fashion
20 like I believe we have here, I think the better off
21 Atlantic Avenue is going to be. It's going to be a
22 little different, though. That would, that would
23 create it to be less of a pedestrian walk and more
24 of a driving city, what Scottsdale is versus
25 Phoenix, but, but the fact that we put these icon

1 statues up and that type of thing, provide that
2 visual excitement, that when you're walking by it's
3 not like a bit of a desert, you know, to get to the
4 next building.

5 BRIAN CALLAGHAN: I don't have any other
6 questions of Mr. Dothe. I'd open it up to the
7 board.

8 LANCE LANDGRAF: Okay. Thank you, Mr.
9 Callaghan, Mr. Dothe.

10 Couple of questions. The curb cut on
11 Atlantic, how far is that back from the Mansion
12 radius, curb radius there? You know what, I'll
13 probably -- Carolyn will look at that.

14 CAROLYN FEIGIN: Yeah.

15 LANCE LANDGRAF: What I would also say
16 is that to the redevelopment plan here, just make
17 sure -- (inaudible) -- and engineering are okay
18 with that.

19 CRAIG DOTHE: Yes.

20 LANCE LANDGRAF: It's an in only,
21 entrance only, so I think it should be okay.

22 CRAIG DOTHE: Yeah.

23 LANCE LANDGRAF: The other similar
24 comment is that the landscaping at that corner of
25 your property, make sure that's out of any kind of

1 sight triangle. Just show that on the plan, if you
2 would. I'm sure Carolyn asked for that.

3 CAROLYN FEIGIN: I'm sorry. Can you say
4 that again?

5 LANCE LANDGRAF: Sight triangle.

6 CAROLYN FEIGIN: Oh, yeah. That's in my
7 letter, yes.

8 LANCE LANDGRAF: That's all I have.

9 I like the fact that you got the
10 dumpster area being put in, you know, paving of the
11 parking lot is great, the landscaping looks good,
12 you know, it's a great improvement to that corner.

13 So with that, we'll go to our
14 consultants. You want to swear them in?

15 SCOTT COLLINS: Sure.

16 Good morning.

17 CAROLYN FEIGIN: Good morning.

18 CAROLYN FEIGIN, PE, PP, having been first duly
19 sworn according to law, testified as follows:

20 CHRISTINE COFONE, PP, having been first duly sworn
21 according to law, testified as follows:

22 SCOTT COLLINS: All right. Thank you.

23 Lance, if you'll acknowledge --

24 LANCE LANDGRAF: Yes. Acknowledge their
25 credentials as engineer and planner.

1 CAROLYN FEIGIN: Thank you.

2 SCOTT COLLINS: And can we mark your
3 September 14th, 2023 letter as B-1?

4 While I'm at it, Mr. Dothe, everything
5 that you've been showing us was part of the
6 application submission?

7 CRAIG DOTHE: That's correct.

8 SCOTT COLLINS: None of this is new that
9 wasn't previously --

10 CRAIG DOTHE: Not that I showed you, no.

11 SCOTT COLLINS: Okay. Then Brian, if
12 it's okay with you, we'll mark the application --

13 BRIAN CALLAGHAN: A-1?

14 SCOTT COLLINS: -- package as A-1.

15 Thank you.

16 LANCE LANDGRAF: All right. Carolyn,
17 you want to go first?

18 CAROLYN FEIGIN: Sure. Thank you.

19 Okay. So referring to our letter dated
20 September 14th, there's a list of minor site plan
21 checklist, submission waivers and we don't have any
22 issues with any of those. We should probably put
23 that on the record.

24 LANCE LANDGRAF: Yeah. I didn't have
25 issues with those, either. We got what we need.

1 CAROLYN FEIGIN: Okay. Same with the
2 variance, the (C) variance checklist. We have no
3 issues with any of those items that are being
4 requested, submission waivers.

5 Okay. Just getting into the parking a
6 little bit, what is the use of the second and third
7 floor? I know it says unoccupiable but is there
8 any, is there any use or something that's going on
9 in there that would have any parking or do they own
10 that part of the building? What's the situation
11 with the second and third floors?

12 CRAIG DOTHE: Yeah. They own that
13 building. Part of what we did the last time was
14 restructure all of that area and then we just
15 stopped at the fire protection, so it's been
16 restructured, fire protection is in but it's still
17 vacant.

18 CAROLYN FEIGIN: Empty, okay.

19 CRAIG DOTHE: And in the future, you
20 know, we kicked around ideas about what to do
21 there --

22 CAROLYN FEIGIN: Okay.

23 CRAIG DOTHE: -- but it would always go
24 back to it would require secondary means of egress,
25 that type of thing, so it's become a little bit of

1 a hurdle, you know, to the development of it.

2 LANCE LANDGRAF: So at this point can we
3 label that or tag that as storage area or something
4 like --

5 CAROLYN FEIGIN: Yeah.

6 LANCE LANDGRAF: -- that just showing --

7 CAROLYN FEIGIN: Something that would
8 generate no parking.

9 CHRISTINE COFONE: Right.

10 (Multiple parties speaking.)

11 CHRISTINE COFONE: You can't creep into
12 that space because it would change your parking
13 demand.

14 CRAIG DOTHE: Right.

15 CHRISTINE COFONE: So I think what we're
16 getting at is, if you're gonna encumber that space
17 for any type of use at all, you're gonna have to
18 come back and request additional relief on parking,
19 because whatever you do there will have a parking
20 demand associated with it.

21 CAROLYN FEIGIN: Once you come forward,
22 if you ever can find something that -- you know,
23 some way to make it work for you, then we'll
24 probably see you again because --

25 CRAIG DOTHE: Okay. So I'll label --

1 BRIAN CALLAGHAN: We'll label it now.

2 LANCE LANDGRAF: Consider it storage,
3 just so he's covered so he can use it.

4 CRAIG DOTHE: Yeah. I like that. I'll
5 put that on the plans.

6 LANCE LANDGRAF: Okay.

7 CRAIG DOTHE: Upper floors for storage.

8 CAROLYN FEIGIN: Okay. Thank you.

9 I'm in agreement with your calculation
10 of the 23 required spaces. So I know you said
11 there was some mistakes on the plans of what was --
12 there were one -- there's one comment where it's
13 labeled as 16 spaces but you're really proposing
14 17.

15 CRAIG DOTHE: Yeah.

16 CAROLYN FEIGIN: But I actually think we
17 should maybe consider going back to 16, because if
18 you look at stalls 15, 16 and 17, I don't really
19 think you can exit out of space 15 there, and
20 getting into 17, if you come in the one way traffic
21 from Atlantic Avenue is -- I mean, you could back
22 into it but you're supposed to have an island at
23 the end of every parking bank, so that's one of the
24 CRDA sections, 19:66-7.2(c)(10), so we're either
25 looking at getting a waiver from that and then

1 having the three stalls there with 15 not being,
2 like, super easy to get in and out of, or adding
3 the island, making that two stalls, having a curb
4 return here on space 15 and just having 16 total
5 spaces. I mean, we already have a parking
6 shortage.

7 LANCE LANDGRAF: Right. I think that
8 does make sense.

9 CAROLYN FEIGIN: You know, I think we're
10 better off losing one more here and having that as
11 an island with some plantings in it and then two
12 stalls there.

13 CRAIG DOTHE: And the additional
14 enhancement to the site plan for that is when trash
15 is brought out the back door --

16 CAROLYN FEIGIN: They could have a
17 walkway.

18 LANCE LANDGRAF: They have a walkway
19 through there.

20 CAROLYN FEIGIN: It would be perfect.

21 CRAIG DOTHE: We always thought that
22 Ricky was gonna go into the 15 and he would get
23 used to it and it was because --

24 LANCE LANDGRAF: Owner parking, right?

25 CAROLYN FEIGIN: Yeah, but I like -- I

1 think that's a great idea as far as, like, access
2 to and from the trash, so we could do that. I
3 think an island, two stalls and then that walkway
4 there, so we're gonna lose number 17.

5 Okay. That's one. Okay. Oh, so that
6 was my comment, number four. We would like to have
7 the line of sight shown on the plans at both
8 driveways as Lance, you just indicated.

9 Okay. Grading and drainage, of course
10 you're not a major development.

11 There's an increase in impervious area
12 and there's a variance for coverage so we need to
13 talk about that.

14 CRAIG DOTHE: I did forget. I
15 apologize.

16 I mean, right now the reason our
17 impervious is up so high is the buildings are no
18 longer there. At the time when the buildings were
19 there the site was pretty much almost 100 percent
20 at that time --

21 CAROLYN FEIGIN: Right.

22 CRAIG DOTHE: -- between that and the
23 illegal parking lot.

24 BRIAN CALLAGHAN: Technically.

25 CRAIG DOTHE: Technically.

1 ROBERT REID: You could have researched
2 to see the prior approvals, Room 508.

3 CRAIG DOTHE: I happen to know in Room
4 508 --

5 LANCE LANDGRAF: There's buildings.

6 ROBERT REID: No. The parking lot
7 exists today.

8 LANCE LANDGRAF: Let's not muddle
9 things.

10 ROBERT REID: It's not -- (inaudible).

11 CRAIG DOTHE: They threw out so much of
12 the records. It's crazy. I have old clients --

13 LANCE LANDGRAF: Good. All right.
14 Let's just move on to --

15 (Multiple parties speaking.)

16 CAROLYN FEIGIN: Well, I did want to
17 talk about the coverage with the --

18 CRAIG DOTHE: Yeah.

19 CAROLYN FEIGIN: -- variance because, of
20 course, 40 -- well, 80 percent is required, 89.5
21 percent is proposed and it's only about
22 41.5 percent now, although understood that we're
23 building -- (inaudible).

24 CRAIG DOTHE: Yes. So from a
25 perspective of the impervious surface, yes, it's a

1 variance. From the perspective of the built
2 environment, when we start to look at, like, the
3 actual building coverage, we're required to be
4 30 percent, which is, like, another perception of
5 overdevelopment. The requirement is 30 percent.
6 It is -- we're proposing 21.84 percent so we're
7 considerably low on the building coverage which is,
8 to me, a larger perception of overdevelopment than
9 what impervious works out to be.

10 LANCE LANDGRAF: Let me ask you a
11 question. Would you say that the paving of the
12 parking lot and creating a parking lot outweighs
13 the negative impact of the site being 89 percent
14 covered?

15 CRAIG DOTHE: 100 percent. In a city,
16 yes, I do.

17 LANCE LANDGRAF: Thank you.

18 BRIAN CALLAGHAN: Thank you, very much.

19 CHRISTINE COFONE: And that will not be
20 creating any -- the additional coverage will not be
21 creating any adverse drainage situation on any of
22 the adjoining properties?

23 CAROLYN FEIGIN: Well, yeah, and on
24 that, would you consider dry wells for the roof
25 runoff? That way we could mitigate some of that

1 additional runoff that's coming from the increase
2 in impervious. All of that together.

3 CRAIG DOTHE: I was going to --

4 BRIAN CALLAGHAN: Say yes.

5 CRAIG DOTHE: -- all of the pavement
6 away from the neighbors and down, across and into
7 the city system, which was, when it was put in, was
8 designed for 100 percent coverage, so --

9 CAROLYN FEIGIN: I'm okay with that.
10 I'm okay with that but we need a grading plan,
11 please.

12 CRAIG DOTHE: Okay. Absolutely.

13 CAROLYN FEIGIN: Because there was not a
14 grading plan in the packet.

15 CRAIG DOTHE: You got it.

16 CAROLYN FEIGIN: That was comment (e).
17 Landscaping, I know you show a lot of
18 landscaping but I don't believe any of the species
19 are labeled with sizing.

20 CRAIG DOTHE: They're not.

21 CAROLYN FEIGIN: Okay. So we need a
22 landscaping plan, please.

23 And the same with the lighting plan, to
24 be sure that we have lighting in the parking lot --

25 CRAIG DOTHE: You got it.

1 CAROLYN FEIGIN: -- that meets the
2 requirements.

3 Are you needing anything different with
4 sewer and water approvals or anything or it's just
5 what's going -- the expansion doesn't change any of
6 your --

7 CRAIG DOTHE: Not at all.

8 CAROLYN FEIGIN: Okay.

9 LANCE LANDGRAF: Can I just step back to
10 the drainage?

11 CAROLYN FEIGIN: Okay.

12 LANCE LANDGRAF: Carolyn, you said
13 you're okay with him just grading the driveways to
14 the street, you don't need the dry wells?

15 CAROLYN FEIGIN: I don't think we need
16 the dry wells, especially considering there were
17 buildings there before, the whole thing was
18 impervious.

19 LANCE LANDGRAF: Gotcha.

20 CAROLYN FEIGIN: You know, imagine that
21 the --

22 LANCE LANDGRAF: Just want to make
23 sure --

24 CAROLYN FEIGIN: Yeah. Yeah.

25 LANCE LANDGRAF: -- it's clear for when

1 we put the conditions in.

2 CAROLYN FEIGIN: I'm okay with that.

3 LANCE LANDGRAF: Okay.

4 CAROLYN FEIGIN: Although we show right
5 now 41.5 percent coverage, we all know it was
6 probably 100 before so --

7 Okay. And then, lastly, two comments on
8 (i). I know the trash enclosure is back there but
9 I'm trying to figure out how a truck gets into that
10 tiny, squeezie little spot there. Are those cans
11 gonna be rolled out or are they supposed to back in
12 and pick them up with the truck or --

13 CRAIG DOTHE: Yeah. They're the
14 dumpsters that are on wheels.

15 CAROLYN FEIGIN: They're rolled, okay.

16 CRAIG DOTHE: They'll pull them out and
17 the truck comes and puts them right back in.

18 CAROLYN FEIGIN: Okay. And then I just
19 want -- well, just demonstrating that a refuse
20 vehicle can access the trash receptacles, but as
21 long as they can get in the driveway, they're fine.

22 And then lastly, testimony regarding
23 hours of operation, number of employees and
24 deliveries. Although a loading zone isn't
25 required, we just want to know how that's gonna

1 work, you know, where will the loading -- where
2 will the truck park for deliveries and whatnot,
3 just to keep them off of the street and --

4 CRAIG DOTHE: Yeah. I would imagine
5 that --

6 BRIAN CALLAGHAN: Ricky, you want to
7 just get up?

8 RICKY HOANG: Yeah.

9 BRIAN CALLAGHAN: Hours of operation?

10 RICKY HOANG: I'll operate from 11 in
11 the morning until 9 o'clock at night.

12 BRIAN CALLAGHAN: Is that seven days a
13 week?

14 RICKY HOANG: Yeah.

15 CAROLYN FEIGIN: 11 a.m. to 9 p.m.
16 seven days a week.

17 BRIAN CALLAGHAN: Number of employees?

18 RICKY HOANG: Eight.

19 CAROLYN FEIGIN: Okay. And then just if
20 you could speak on the deliveries a little bit.
21 Where would you -- you know, what type of vehicles
22 do you envision bringing you your supplies and
23 where will they go during that loading and
24 unloading or unloading and --

25 RICKY HOANG: Basically, they come

1 before we open so they can --

2 LANCE LANDGRAF: So they'll be able to
3 use that parking lot --

4 RICKY HOANG: Yeah.

5 LANCE LANDGRAF: -- to pull in and
6 they'll be able to get out of there?

7 RICKY HOANG: Yeah.

8 BRIAN CALLAGHAN: Your employees will
9 come out, pick up all the deliveries, bring them
10 inside and the delivery truck leaves?

11 RICKY HOANG: Yes.

12 BRIAN CALLAGHAN: Most of the time it's
13 like a box truck?

14 RICKY HOANG: Yeah.

15 BRIAN CALLAGHAN: Okay.

16 CAROLYN FEIGIN: Okay. Thank you.

17 LANCE LANDGRAF: I've seen 30, something
18 like that, they can fit in there and they can make
19 those turns.

20 CAROLYN FEIGIN: Yeah, because I was
21 gonna say, getting -- if we're trying to get a
22 tractor trailer through this, it may be a little
23 tight. I don't think they could get -- make the
24 180.

25 BRIAN CALLAGHAN: No Sysco tractor

1 trailers.

2 CAROLYN FEIGIN: Okay. Thank you. I'm
3 satisfied. Thank you.

4 LANCE LANDGRAF: Christine?

5 CHRISTINE COFONE: Most of my comments
6 have already been addressed through our discussions
7 this morning. Did we have all of the testimony we
8 needed on the sign plan that you're proposing, if
9 any?

10 LANCE LANDGRAF: Any changes to the
11 signage other than traffic stuff we talked about
12 already?

13 CRAIG DOTHE: Well, the building signage
14 is back here. It's going to stay. We're not
15 changing anything word wise on it.

16 RICKY HOANG: No.

17 CHRISTINE COFONE: Okay. So that stays.

18 CRAIG DOTHE: That's across here, and
19 we're not going to put any signage on this wall.

20 RICKY HOANG: No.

21 CRAIG DOTHE: So there's no building
22 signage changes and we did talk about, like, two
23 signs for parking.

24 LANCE LANDGRAF: Yeah. That's just --

25 CHRISTINE COFONE: Yeah. I meant the

1 building sign, any other building signage.

2 No. You know, my only comments would be
3 that the setbacks are sort of consistent with what
4 exists on the site today and in the area so from a
5 planning point of view I take no exception to the
6 testimony offered on the front yard setback.

7 LANCE LANDGRAF: Great. Question -- or
8 a condition we would put on is you get the license
9 from the city to extend that building or the porch
10 within the right-of-way. That's all. I don't see
11 any issues with that, either.

12 Okay. You guys are good?

13 CHRISTINE COFONE: Yup.

14 CAROLYN FEIGIN: Yeah.

15 LANCE LANDGRAF: You have anything
16 before I open it to the public?

17 SCOTT COLLINS: Give me a second.

18 LANCE LANDGRAF: Okay.

19 ROBERT REID: I do have one suggestion.
20 When you do your lighting and landscaping plan, you
21 might want to include the existing conditions along
22 the sidewalk and show the lighting, the light pole
23 and the trees that are going to be removed and how
24 you're gonna restripe the parking area that's in
25 the public street that's being removed so that it's

1 clear exactly what improvements you're doing in the
2 public street.

3 LANCE LANDGRAF: So when you go to the
4 city they'll have it on the plan.

5 ROBERT REID: Yeah. Yeah. We need to
6 know what -- it looks like two trees may have to
7 come out, a light pole has to come out and we're
8 gonna lose two parking spaces and we got to
9 restripe that so people can have a line of sight
10 when they pull in, so we may end up losing two
11 parking spaces in the public street, but it is what
12 it is, but that should be illustrated on the plan
13 so it's understood.

14 LANCE LANDGRAF: Good comments.

15 CAROLYN FEIGIN: Thank you.

16 LANCE LANDGRAF: At this point we'll
17 open up to the public. Anybody here from the
18 public wants to make any comments, ask any
19 questions, please step forward, state your name.

20 Seeing none, close the public portion.

21 Anything else?

22 SCOTT COLLINS: No.

23 LANCE LANDGRAF: Just some comments. I
24 think it's a really good proposal here. I think
25 adding the parking, as Mr. Dothe said, is a great

1 addition to your business and I think it's gonna be
2 an asset to that corner, so thank you guys for
3 coming in today and we'll get this on for our
4 November -- hopefully November, maybe December
5 meeting.

6 BRIAN CALLAGHAN: Thank you, very much,
7 for having us. Sorry it took us a long time to get
8 here but, as I said --

9 LANCE LANDGRAF: Sometimes good projects
10 take a while.

11 BRIAN CALLAGHAN: -- sometimes, yeah,
12 the city does things the right way, sometimes you
13 got to wait for them to catch up to us.

14 LANCE LANDGRAF: And Covid hit in the
15 middle of it.

16 BRIAN CALLAGHAN: Yeah. Thank you
17 again.

18 LANCE LANDGRAF: Thank you, guys.

19 CHRISTINE COFONE: Have a good day.

20 LANCE LANDGRAF: Okay. We'll take a
21 minute or two pause and we'll go out and get the
22 other applicant. I saw at least their attorney was
23 here. We'll take a minute or two -- or a five
24 minute pause.

25 (A brief recess was taken.)

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(At 10:42 a.m. proceedings were
concluded.)

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CERTIFICATE

I, MICHELLE GRUENDEL, a Certified Court Reporter and Notary Public of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the testimony as taken stenographically and digitally at the time, place and on the date hereinbefore set forth, to the best of my ability.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

Michelle Gruendel



MICHELLE GRUENDEL, C.C.R.
C.C.R. License No. 30X100190500
Notary Public of the
State of New Jersey

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