

FILE NO. 58586/00003

January 5, 2015

Via Hand Delivery

Via E-mail

Robert Reid,
Land Use Regulation Enforcement Officer
Casino Reinvestment Development Authority
15 South Pennsylvania Avenue
Atlantic City, NJ 08401

Re: ACIA Capital Improvement Project- Atlantic City Boardwalk

Dear Mr. Reid:

We are the attorneys for the Atlantic County Improvement Authority (“ACIA”) with respect to a proposed capital improvement project along the Atlantic City Boardwalk. We are submitting a request for a review and recommendation of the proposed project pursuant to N.J.S.A. 40:55D-31. The project is more specifically described in the Project Narrative attached to the Application.

In support of the foregoing, enclosed please find the following:

1. Five (5) copies of CRDA Application with Project Narrative;
2. Five (5) copies (and two (2) digital copies) of the project context plan prepared by Hibbeln Engineering Company, L.L.C. entitled “Capital Improvement Project - Atlantic City Boardwalk Corridor” consisting of sheets 1 through 15 each dated December 9, 2014; and
2. One (1) copy of the Lease Agreement between the City of Atlantic City and the Atlantic County Improvement Authority dated July 2, 2014 evidencing site control.

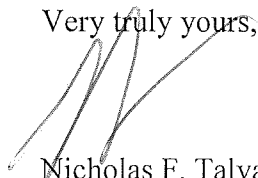
Please review the enclosed information and contact me if you require additional information.

COOPER LEVENSON, P.A.

Robert Reid,
January 5, 2015
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Thank you for your kind attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'NFT', is written over the closing 'Very truly yours,'.

Nicholas F. Talvacchia

NFT/bcl
Enclosures

cc: Roy Foster, Chairman (*via E-mail*)
John Lamey, Executive Director (*via E-mail and Regular Mail*)
Randolph C. Lafferty, Esq.

CLAC 2820866.1

CRDA

Casino Reinvestment Development Authority
www.njcrda.com



15 South Pennsylvania Avenue
Atlantic City, NJ 08401

APPLICATION FORM

The application, with supporting documentation, must be filed with the Land Use Administrative Officer for review at least fifteen [15] business days prior to the meeting at which the application is to be considered.

To be completed by CRDA staff only.

Date Filed 1/5/15 Application No. 2015-01-1311
Application Fees: None Escrow Deposit None

Scheduled for:
Review for Completeness _____ Hearing: _____

1. SUBJECT PROPERTY

Location: Atlantic City Boardwalk from Vermont Avenue to Jackson Avenue

Tax Map Page _____ Block _____ Lot(s) _____
Page _____ Block _____ Lot(s) _____
Page _____ Block _____ Lot(s) _____

Dimensions Frontage ___ Depth _____ Total Area _____

Zoning District RSC, SFRA, GRA, RSRA, ARRRR, R-2, RVRA

2. APPLICANT

Name Atlantic County Improvement Authority

Email lamey-john@aclink.org; rfoster@ibew351.org

Address 1333 Atlantic Ave., 17th Floor, Atlantic City, NJ 08401

Telephone Number 609-343-2156

Applicant is a: Corporation Partnership Individual

3. DISCLOSURE STATEMENT

Pursuant to N.J.S 40:55D-48.1 [Application by corporation or partnership; list of stockholders owning 10% of stock or 10% interest in partnership.] Disclosure of owners of organization and property subject to application. [A corporation or partnership applying to a governing body of a municipality] Any organization making an application for development under this act [for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes] shall list the names and addresses of all members, stockholders or individual partners (collectively, "interest holders") [owning at least 10% of its stock of any class or at least 10% of the interest in the partnership], including any other organization holding at least a 10% ownership interest in the organization, and shall also identify the owner of the property subject to the application, including any organization holding at least a 10% ownership interest in the property [as the case may be]. In accordance with 40:55D-48.2 [Disclosure of 10% ownership interest of corporation or partnership which is 10% owner of applying corporation or partnership.] Listing of names and addresses of interest holders of applicant and owner organization. If [a corporation or partnership] an organization owns an interest equivalent to 10% or more of another organization the stock of a corporation, or 10% or greater interest in a partnership, subject to the disclosure requirements hereinabove described, [pursuant to section 1 of this act that organization shall list the names and addresses of its interest holders holding 10% or greater interest in the [partnership, as the case may be, and] organization. [this requirement shall be followed by every corporate stockholder or partner in a partnership, until the names and addresses of the stockholders and individual partners, exceeding the 10% ownership criterion established in this act, have been listed.] In accordance with recently added 40:55D-48.3 Disclosure of all officers and trustees of a non-profit organization. A non-profit organization filing an application for development under this act shall list the names and addresses of all officers and trustees of the non-profit organization. In accordance with 40:55D-48.4 [Failure to comply with act; disapproval of application.] Approval of application. a. No municipal planning board, board of adjustment or [municipal] governing body shall approve the application of any [corporation or partnership] organization or non-profit organization which does not comply with this act. Any approval not in compliance with this act shall be voidable in a proceeding in lieu of prerogative writ in the Superior Court. b. Any party, including any member of the public, may institute a proceeding in lieu of prerogative writ in the Superior Court to challenge any PROPOSED AMENDMENTS TO MUNICIPAL LAND USE LAW approval granted by a municipal planning board, board of adjustment or governing body on the grounds that such action is void for the reasons stated in subsection a. of this section, and if the court shall find that the approval was not in compliance with this act, the court may declare the approval to be void. In accordance with 40:55D-48.5 [Concealing names of owners;] Organization or non-profit organization failing to disclose; fine. Any [corporation or partnership which conceals] organization or nonprofit organization failing to disclose in accordance with this act, [the names of stockholders owning 10% or more of its stock, or of individual partners owning a 10% or greater interest in the partnership, as the case may be,] shall be subject to a fine of \$1,000 to \$10,000, which shall be [recovered] recoverable in the name of the municipality in any court of record in the State in a summary manner pursuant to the "Penalty Enforcement Law" (N.J.S.A. 2A:58-1 et seq.).

Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____

4. If Owner is other than the applicant, provide the following information on the Owner(s):

Owner's Name City of Atlantic City
Email _____
Address 1301 Bacharach Boulevard, Atlantic City, NJ 08401
Telephone Number 609-347-5300

5. PROPERTY INFORMATION:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes [attach copies] _____ No _____ Proposed _____

Present use of the premises: Boardwalk

Note: All deed restrictions, covenants, easements, association bylaws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

6. **Applicant's Attorney** Nicholas F. Talvacchia, Esquire
Email ntalvacchia@cooperlevenson.com
Address 1125 Atlantic Ave., 3rd Fl., Atlantic City, NJ 08401
Telephone Number 609-572-7544
FAX Number 609-572-7545

7. **Applicant's Engineer** Hibbeln Engineering Company, LLC
Email mnb@hibbelnengineering.com
Address 593 Skippack Pike, Suite 300, Blue Bell, PA 19422
Telephone Number 215-619-9070
FAX Number 215-619-9071

8. **Applicant's Planning Consultant** N/A
Email _____
Address _____
Telephone Number _____
FAX Number _____

9. **Applicant's Traffic Engineer** N/A
Email _____
Address _____

Telephone Number _____

FAX Number _____

10. List any other **Expert** who will submit a report or who will testify for the Applicant: [Attach additional sheets as may be necessary]

Name N/A _____

Field of Expertise _____

Email _____

Address _____

Telephone Number _____

FAX Number _____

11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION:

_____ Minor Subdivision Approval

_____ Subdivision Approval [Preliminary]

_____ Subdivision Approval [Final]

Number of lots to be created _____ Number of proposed dwelling units _____
(including remainder lot) (if applicable)

SITE PLAN:

_____ Site Plan Approval

_____ Preliminary Site Plan Approval [Phases (if applicable) _____]

_____ Final Site Plan Approval [Phases (if applicable) _____]

_____ Amendment or Revision to an Approved Site Plan

Area to be disturbed (square feet) _____

Total number of proposed dwelling units _____

Request for Waiver From Site Plan Review and Approval

Reason for request: Section 31- review and recommendation

_____ Informal Review

_____ Appeal decision of an Administrative Officer [N.J.S. 40:55D- 70a]

_____ Map or Ordinance Interpretation of Special Question [N.J.S. 40:55D-70b]

_____ Variance Relief (hardship) [N.J.S. 40:55D-70c(1)]

_____ Variance Relief (substantial benefit) [N.J.S. 40:55D-70c(2)]

_____ Variance Relief (use) [N.J.S. 40:55D-70d]

_____ Conditional Use Approval [N.J.S. 40:55D-67]

_____ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S. 40:55D-34]

_____ Direct issuance of a permit for a lot lacking street frontage [N.J.S. 40:55D-35]

12. Section(s) of Ordinance from which a **variance is requested:** _____

13. Waivers Requested of Development Standards and/or Submission Requirements: [attach additional pages as needed] see attached project narrative

14. Attach a copy of the Notice to appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property, which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing. An affidavit of service on all property owners and a proof of publication must be filed before the application will be complete and the hearing can proceed.

15. **Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises:**
[attach pages as needed] See attached project narrative

16. Is a public water line available? N/A

17. Is public sanitary sewer available? N/A

18. Does the application propose a well and septic system? N/A

19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block numbers? N/A

20. Are any off-tract improvements required or proposed? N/A

21. Is the subdivision to be filed by Deed or Plat? N/A

22. What form of security does the applicant propose to provide as performance and maintenance guarantees? N/A

23. Other approvals, which may be required and date plans submitted: N/A

	Yes	No	Date Plans Submitted
Atlantic City Municipal Utilities Authority	_____	_____	_____
_____ Atlantic County Health Department	_____	_____	_____
_____ Atlantic County Planning Board	_____	_____	_____
_____ Atlantic County Soil Conservation Dist.	_____	_____	_____
NJ Department of Environmental Protection	_____	_____	_____
Sewer Extension Permit	_____	_____	_____
Sanitary Sewer Connection Permit	_____	_____	_____
Stream Encroachment Permit	_____	_____	_____
Waterfront Development Permit	_____	_____	_____
Wetlands Permit	_____	_____	_____
Tidal Wetlands Permit	_____	_____	_____
Potable Water Construction Permit	_____	_____	_____
Other	_____	_____	_____

NJ Department of Transportation _____
 Public Service Electric & Gas Company _____

24. Certification from the Tax Collector that all taxes due on the subject property have been paid. N/A

25. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

Quantity	Description of Item
5	Project Context Plan Capital Improvement Project- Atlantic City Boardwalk Corridor - Sheets 1 of 15 through 15 of 15 Dated December 9, 2014

26. The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals:
 Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

Applicant's Professional	Reports Requested
<input checked="" type="checkbox"/> Attorney	All
<input checked="" type="checkbox"/> Engineer	All
_____	_____
_____	_____

CERTIFICATIONS

27. I John C. Lamey, Jr. certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

[If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this

5th day of JANUARY 2015

Rebecca C. Ruffetto

NOTARY PUBLIC

Attorney-at-Law

John C. Lamey, Jr.

SIGNATURE OF APPLICANT

28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

[If the owner is a corporation, this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this

___ day of _____, 20___

NOTARY PUBLIC

SIGNATURE OF APPLICANT

29. I understand that the sum of \$ 0 has been deposited in an escrow account (Builder's Trust Account). In accordance with Resolution 11-60 of the Casino Reinvestment Development Authority approving Land Use Fees and Escrow Deposit Requirements, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

See attached Lease

Date

SIGNATURE OF OWNER

PROJECT NARRATIVE

Dated: January 2015

On behalf of the City of Atlantic City, the Atlantic County Improvement Authority proposes a capital improvement project along the Atlantic City Boardwalk from Jackson Avenue to Vermont Avenue. The project consists of a number of components described below.

The first aspect of the project consists of an outdoor digital network comprised of double sided high resolution outdoor LED matrix screens placed at 110 locations at discreet intervals along the length of the Boardwalk from Roosevelt Avenue to Vermont Avenue. The LED screens will provide public service announcements and third party advertising. The second component of the project is the installation of uniform Boardwalk LED light and poles to provide safe lighting levels from Jackson Avenue to Vermont Avenue for a total of 164 locations. Each fixture also will be fitted with a decorative theatrical LED head which will accentuate the night life activity. The third part of the project is the proposed installation of a network of 64 Pan-Tilt-Zoom (PTZ) cameras that would be powered by a newly wired electrical circuit extended from the electrical circuit and networked via a new fiber optic line back to the City Police Department. A street-end pole would be installed at 64 locations and would extend 16,850 linear feet along the Boardwalk between Jackson Avenue and Vermont Avenue. The project also proposes to provide ground-breaking 3D imaging and audio technology to three City spaces. The concept includes imaging and audio that is state of the art, and to the eyes and ears appears to move the Boardwalk in all directions utilizing the 3D imaging projection and sound.

As part of the project, an electronic digital data storage center would be installed to operate and store data for the surveillance/security camera network. This data storage system would be located in an existing suitable City building and/or "Cloud", then operated and maintained by the City and/or vendor.

The existing 187 Victorian lamp and post units are in varying states of condition. These would be removed from the Boardwalk, refurbished and retrofitted to LED, and then relocated to City parks and other suitable areas as designated by the City.