

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 6/19/15 Application No. 2014-09-1213
Application Fees: CE#61972 \$1,100.00 Escrow Deposit: CE#61971 \$5,450.00
Scheduled for: _____
Review for Completeness _____ Hearing: _____

1. SUBJECT PROPERTY

Location: 3218 Atlantic Avenue

Tax Map Page _____ Block 183 Lot(s) I-8, 20-28
Page _____ Block _____ Lot(s) _____
Page _____ Block _____ Lot(s) _____

Dimensions Frontage 185' Depth 275' Total Area approx. 1.20 acres

Zoning District RS-C & NC-2

2. APPLICANT

Name Cedar Properties, LLC
Email kdavis@npdlaw.com
Address 14000 Horizon Way, Mount Laurel, NJ 08054
Telephone Number 609-927-1177

Applicant is a: Corporation Partnership Individual **LLC**

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 See enclosed Address _____ Interest _____
 Name LLC Disclosure Statement 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 TJM AC Hotel, LLC
 Email _____
 Address 5801 Ulmerton Road, Suite 200, Clearwater, FL 33760
 Telephone Number _____

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: Off-street parking

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 Keith A. Davis, Esq. (Nehmad Perillo & Davis, P.C.)

Email kdavis@npdlaw.com
 Address 4030 Ocean Heights Avenue, Egg Harbor Township, NJ 08234
 Telephone Number 609-927-1177
 FAX Number 609-926-9721

7. Applicant's Engineer Duffy Dolcy McManus & Roesch

Email pdolcy@comcast.net
 Address 634 Lost Pine Way, Galloway, NJ 08205
 Telephone Number 609-652-0105
 FAX Number 609-652-2032

8. Applicant's Planning Consultant same as Engineer

Email wpm-ddm@comcast.net
 Address _____
 Telephone Number _____
 FAX Number _____

9. Applicant's Traffic Engineer Shropshire Associates, LLC

Email nmosley@sallc.org
 Address 277 White Horse Pike, Suite 203, Atco, NJ 08004

Telephone Number 609-714-0400
FAX Number 609-714-9944

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 Stampfl Associates/ Peter Stampfl
Field of Expertise Architecture
Email wgrant@stampflassociates.com
Address 711 Hyde Park, Doylestown, PA 18902
Telephone Number 215-345-4609
FAX Number 215-345-4610

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) 28,770 sf (impervious areas)
Total number of proposed dwelling units N/A
 Request for Waiver From Site Plan Review and Approval
Reason for request: _____

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: _____
Number of off-street parking spaces, maximum ground sign height, dimensions of off-street parking spaces _____
parking located in side yard, off-street parking setback (See site plan for Ordinance sections) _____

13. **Waivers Requested** of Development Standards and/or Submission

Requirements: [attach additional pages as needed] _____
None

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 cover letter. Applicant desires to construct a new Rite-Aide pharmacy building with drive-thru and accessory off-street parking on the property

16. Is a public water line available? Yes

17. Is public sanitary sewer available? Yes

18. Does the application propose a well and septic system? No

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? No

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? Bond or letter of credit

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

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

NJ Department of Transportation
Public Service Electric & Gas Company

<u> </u>	<u> </u>	<u> </u>
<u> ✓ </u>	<u> ✓ </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

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

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

Quantity	Description of Item
<u> 5 </u>	<u>Site Plans prepared by Duffy Dolcy McManus & Roesch</u>
<u> </u>	<u>dated May 11, 2015</u>
<u> </u>	<u>June 15</u>

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
<u> XX </u>	<u>Planner</u>	<u>All</u>
<u> xx </u>	<u>Attorney</u>	<u>All</u>
<u> xx </u>	<u>Engineer</u>	<u>All</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

CERTIFICATIONS

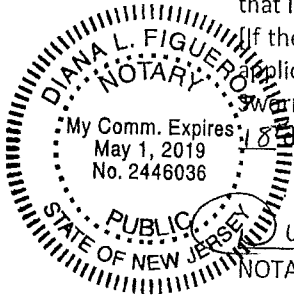
27. I Diana L. Figueroa certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner 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

8 day of June, 20 15

Diana L. Figueroa
NOTARY PUBLIC



[Signature]

SIGNATURE OF APPLICANT
By: KENNETH E. GALT on behalf of Cedar Properties, LLC

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

see attached Agreement of Sale & Addendums

SIGNATURE OF ~~APPLICANT~~ OWNER
By: _____ on behalf of owner TJM AC Hotel, LLC

29. I understand that the sum of \$ 5450 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.

Date 6-18-15

[Signature]

SIGNATURE OF ~~OWNER~~ APPLICANT
By: Michael B. Peacock, Esq. on behalf of Cedar Properties, LLC
Peacock, Esq. - Attorney for Applicant

NOTICE SERVED ON PROPERTY OWNERS
WITHIN 200 FEET OF SUBJECT PROPERTY

Casino Reinvestment Development Authority
Division of Land Use and Regulatory Enforcement
15 S Pennsylvania Avenue
Atlantic City, NJ 08401

Notice is hereby given that a written application has been filed by the undersigned with the Casino Reinvestment Development Authority for a preliminary and final major site plan approval, along with variances for number of off-street parking spaces, dimensions of off-street parking spaces, parking located in the side yard, off-street parking setbacks, maximum business identification ground sign height, and any and all other variances or waivers deemed necessary, in order to allow the Applicant to construct, establish and maintain a new "Rite Aid" pharmacy building with a drive-thru and accessory off-street parking in and upon the property shown as Block(s) 183, Lot(s) 1-8 & 20-28 on the official map of the City of Atlantic City, known as 3218 Atlantic Avenue

A public hearing on the above-mentioned application has been scheduled for the ____ day of June 2015 at _____ a.m/p.m. Said hearing shall take place at:

Casino Reinvestment Development Authority
Division of Land Use & Regulatory Enforcement
15 S. Pennsylvania Avenue
Atlantic City, NJ 08401

The public is invited to attend this meeting.

The application and all plans relative thereto have been filed with the Land Use Administrative Official, Casino Reinvestment Development Authority, Division of Land Use and Regulatory Enforcement, 15 S Pennsylvania Avenue, Atlantic City, NJ 08401, and are available for inspection Monday through Friday, 9:00 a.m. to 5:00 p.m.

This notice is given in compliance with the requirements of Section 163-198 of the Land Use Development Code of the City of Atlantic City and the N.J.S.A. 40:55D-12.

Name of Applicant: Cedar Properties, LLC

Publication Date: _____, 2015

CERTIFICATION OF OWNERSHIP OF APPLICANT
AS REQUIRED BY NEW JERSEY LAW
(P.L. 1977, CHAPTER 336)

Listed below are the names and addresses of all individual owners of 10% or more of the membership interest in the undersigned Applicant Limited Liability Company:

John P. Silvestri, II
14000 Horizon Way, Suite 100
Mount Laurel, NJ 08054

JOHN P. SILVESTRI, II

Print Name/Title: President

3/5/15

Date

CEDAR PROPERTIES LLC