



ARTHUR W. PONZIO CO. & ASSOCIATES, INC.
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C.R.D.A

JUN 29 2015

Lance Landgraf, PP
Casino Reinvestment Development Authority
15 South Pennsylvania Avenue
Atlantic City, NJ 08401

6-26-15

Re: Dock's Oyster House
Expansion Project

Dear Mr. Landgraf:

Attached please find a completed CRDA Application checklist for the above referenced project. All items have been identified as being included within the submittal package, not applicable to the application, or a waiver is being requested from the requirement. The follow narrative further clarifies our responses to the requirements of the checklist.

(The numbering below is keyed to the checklist)

- (1) The name and address of the applicant are indicated on the enclosed plans.
- (2) The owner's name and address are included on the plans and his consent to filing is included within the application package submitted by the project attorney.
- (3) The name and address of all professional consultants are included in the application package.
- (4) The street address of the subject parcels is included in the application package, as well as a complete survey of the sites with metes and bounds of each parcel. Separate legal descriptions have not been provided.
- (5) The list of property owners within 200 ft has been included on the development plans.
- (6) A zoning map identifying the subject site has been included on the plan set.
- (7) Reserved
- (8) The project attorney has provided the applicant site control of the subject property as part of the application package.
- (9) The project attorney has provided the required written statement describing the proposed development.
- (10) A written statement addressing Section 163-127 Thru 163-133 is included with this submittal.
- (11) We do not believe this requirement is applicable to the proposed application.
- (12) A waiver is requested from this requirement. The applicant has not made any final determination with regard to ownership, sale, etc.
- (13) This item is not applicable to the proposed development application.
- (14) This item is not applicable to the proposed development application.
- (15) A waiver is requested from this requirement. The applicant has not made a decision on methods of project financing at this time.

(16)A Waiver is requested from supplying a traffic study for the proposed project. The proposed site circulation will be improved from the existing condition.

(17)The applicant requests a waiver from this requirement. All required public utilities and facilities necessary to properly service the project are in place and readily available. Furthermore, the site has been an operating restaurant facility for many years. There will be no additional burden on public improvements, sites, etc as a result of the proposed project.

(18) Reserved

(19) This item is not applicable to the proposed development application.

(20) No applicable to this project..

(21)a. A key map is included in the plan set.

(21)b. [1] Name and address of the applicant are provide on the plan set.

(21)b. [2] The name of the proposed development is included on the plan set.

(21)b. [3] The date of all plans are provided on the plan set.

(21)b. [4] Scale, north arrow and reference area included on the plan set.

(21)b. [5] The name and address of all plan preparers are included on the plan set.

(21)b. [6] The project attorney shall be the contact person for the proposed development.

(21)b. [7] The area of all properties are included on the plan set.

(21)b. [8] The municipal tax map is included on the plan set,.

(21)b. [9] A copy of the zoning map is included on the plan set

(21)b. [10] All existing and proposed property lines have been shown on the enclosed development plans.

(21)b. [11] Accurate dimensions of all lot dimensions have been shown on the enclosed development plans.

(21)c. A complete survey of the site has been included with the development plans.

(21)d. No significant natural features exist on the subject site, other than the existing beach dune, which has been shown on the development plans.

(21)e. All existing roadway areas, circulations, etc has been shown on the development plans. The applicant requests a partial waiver from item 2 of this requirement, since no cross-sections have been provided. There are no new streets or driveways proposed as part of this project.

(21) f A partial waiver is requested spot elevations have been shown on the enclosed development plans (existing and proposed), as requested. The site is generally flat in nature and contours do not provide sufficient or proposed grading detail. Contours have been provided for the beach and dune areas.

(21)g. Reserved

(21)h. A soil erosion and sediment control plan has been included within the plan set.

(21)i. Reserved

(21)j All easements are identified on the survey included with this plan set.

(21)k. No water bodies are adjacent to the subject site.

(21)l [1]Existing and overland drainage patterns have been shown on the plans through a complete topographic survey provided.

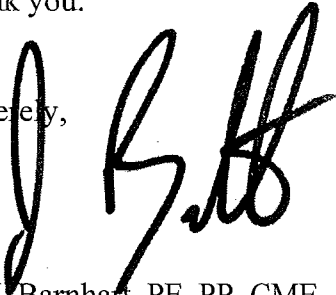
(21)l [2] All storm sewers surrounding the development have been shown on the design plans. There are no storm water systems within 200 ft of the subject site.

- (21)l [3] No new dry wells or water control structures are proposed as part of this application.
- (21)m [1] All existing sanitary sewer lines are shown on the enclosed plans.
- (21)n. All existing water service mains are shown on the enclosed plans.
- (21)o Existing utility lines have been shown on the enclosed plans. Gas, electric, phone, and cable serve to the new areas of construction will come from the existing building. No new site utilities are anticipated for these items.
- (21)p[1] The project architectural plans provide all building for existing and proposed buildings.
- (21)p[2] All existing and proposed yard requirements/setbacks are shown on the enclosed plans.
- (21)p[3] All lighting and signage information has been provided on the enclosed landscape plan set.
- (21)p[4] See landscape plans for all proposed screening elements.
- (21)p[5] A full set of architectural plans are included with the development set.
- (21)p[6] All proposed landscape is shown on the Landscape plan.
- (21)p[7] All proposed perimeter improvements are shown on the Landscape plan.
- (21)p[8] All usable open space is shown on the Landscape plan set.
- (21)p[9] Not applicable.
- (21)q A partial waiver is requested. The plan includes an aerial photo identify surrounding development and approximate stories of the structures, but does not include all elements of this checklist requirement. Existing structures adjacent to the site are shown in further detail on the development plan set. This information adequately provides the detail required to understand any impacts on surrounding properties.
- (21)r [1] Included on the architectural plans
- (21)r [2] The required calculations are included within the architectural plans
- (21)r[3] The proposed number of off-street parking and loading spaces are identified on the enclosed plans.
- (21)r[4] The breakdown of land areas and their uses are identified in the plan set.
- (21)r[5] All easements affecting the subject property are shown on the property survey included with the development plan set.
- (21)r[6] This is the initial project submittal, this item is not applicable.
- (21)r[7] Not applicable at this time.
- (22) A waiver is requested from this requirement. The project will obtain all necessary approvals from the respective utility companies for service prior to construction. The majority of the structure exists and contains service at this time.
- (23) The project attorney will provide a certificate of paid taxes as part of the application package.

The above represents our response to all items required as per the checklist. Further testimony will be provided on these issues at the time of public hearing.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Barnhart', written in a cursive style.

Jon J. Barnhart, PE, PP, CME

Cc: Joseph Dougherty, Esq..

CRDA Application Checklist

Project: _____
Location: _____
Applicant: Dock's Oyster House
Date: 6-26-15

§ 163-97. Application.

C. The application shall be in such form and shall contain such information and documentation as shall be prescribed from time to time by the Land Use Administrator, but shall in all instances, unless an order of the Planning Board entered pursuant to § 163-82C or 163-90B provides otherwise, contain at least the following information and documentation, which information and documentation, taken together, shall constitute a preliminary site plan/subdivision plat:

- (1) The applicant's name and address and his interest in the subject property.
- (2) The owner's name and address, if different than the applicant, and the owner's signed consent to the filing of the application.
- (3) The names and addresses of all professional consultants advising the applicant with respect to the proposed development.
- (4) The street address and legal description of the subject property.
- (5) The names and addresses of all owners of property located within two hundred (200) feet of the subject property as shown in the latest property tax records.
- (6) The zoning classification and present use of the subject property.
- (7) (Reserved)
- (8) Evidence that the applicant has sufficient control over the subject property to effectuate the proposed development, including a statement of all legal, beneficial, tenancy and contractual interests held in or affecting the subject property and including an up-to-date certified abstract of title or commitment for title insurance.
- (9) A written statement generally describing the proposed development and the market which it is intended to serve; its relationship to the Master Plan, the capital improvements program and the Official Map; and how the proposed development is to be designed, arranged and operated in order to permit the development and use of neighboring property in accordance with the applicable regulations of this chapter. The statement shall include a description of the applicant's planning objectives, the approaches to be followed in achieving those objectives and the rationale governing the applicant's choices of objectives and approaches.

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- (10) A written statement addressing each of the standards set forth in §§ 163-127 through 163-133 of this Part 5 and stating specifically how the proposed development relates to or meets each such standard.

- (11) For any proposed development subject to special standards or conditions beyond those set forth in §§ 163-127 through 163-133 of this Part 5, a written statement addressing each such standard or condition and stating specifically how the proposed development relates to or meets each such standard.
N/A

- (12) A statement of the applicant's intent with respect to the ownership, sale and leasing of the various completed units, structures, spaces and areas within the proposed development.
Waiver

- (13) If the development is proposed for construction in stages or units during a period extending beyond a single construction season, a schedule for the development of such stages or units, stating the approximate beginning and completion date for each such stage or unit; the proportion of the total public and private open space and the proportion of each type of proposed land use to be provided or constructed during each such stage; and the overall chronology of development to be followed from stage to stage.
N/A

- (14) If any stage or unit is proposed to contain a proportion of open space or other public or private recreation or service facilities less than its proportion of other proposed land uses, a statement of what bond, credit, escrow or other assurance is proposed to ensure the development or provision of such open space or other facility.
N/A

- (15) Evidence of the financing plan the applicant proposes to use to complete the proposed development. Evidence of the applicant's prior successful completion of projects of similar scope may, if found sufficient by the Planning Board, be accepted in satisfaction of this requirement.
Waiver

- (16) Traffic, transit and pedestrian circulation studies indicating the relationship of the proposed development to existing and projected transit, vehicular and pedestrian traffic volumes and use in the immediate area, based upon both existing and proposed or planned traffic, transit and pedestrian systems and use and indicating any proposals of the applicant for upgrading those systems.
Waiver

- (17) Studies indicating the adequacy of existing or proposed public improvements, public sites and rights-of-way and essential public or quasi-public facilities and services, such as transportation, police and fire protection, social and health services, education, recreation, sanitation and energy facilities and supplies, and indicating any proposals of the applicant for upgrading those improvements, sites, services and facilities. Such studies shall, when required by the Planning Board, include a full energy impact assessment prepared in accordance with the Board's regulations pertaining thereto.
Waiver

- (18) (Reserved)

CRDA Application Checklist

- (19) An analysis of any dislocations of either residences or business establishments that will result from the proposed development, together with any proposals the applicant may have for ameliorating the impacts of its development upon those whom it will displace.
- N/A
- (20) A summary of the public improvements, public sites and rights-of-way and public or quasi-public facilities, if any, which the applicant proposes to construct, contribute or dedicate to the public in light of the impact of its proposed development upon existing improvements and facilities and the general health, safety and welfare of the community.
- (21) A preliminary site plan or subdivision plat based on the latest Tax Map information and of a standard size not less than fifteen by twenty-one (15 x 21) inches as required by the Map Filing Act, drawn to a scale of not more than one hundred (100) feet to the inch, on one (1) or more sheets, illustrating the proposed development and use and including the following:
- (a) Key map. The plan or plat shall include a key map showing the entire proposed development and the proposed street pattern, if any, within it and the relationship of the tract to the surrounding area, with the proposed development shown in place.
 - (b) Identification and Tax Map information. The plan or plat shall have clearly indicated on it the following information:
 - [1] The name and address of the applicant and, if different, the owner.
 - [2] The name of the proposed development.
 - [3] The date of preparation of the plan or plat.
 - [4] Scale, reference meridian and North point.
 - [5] The name and address of the person who prepared the plan or plat.
 - [6] The name, address and phone number of the person to be contacted concerning any questions on the proposed development.
 - [7] The area of the subject property in square feet and in acres to the nearest tenth of an acre.
 - [8] The Municipal Tax Map plat, block and lot numbers of the existing lots, if any, on or within two hundred (200) feet of the subject property and of proposed lots, if any, and the number of new lots or parcels, if any, to be created, tabulated by each separate use as proposed.
 - [9] Existing zoning classifications of the subject property and properties within two hundred (200) feet of the subject property and any proposed changes in such classifications.
 - [10] The location of existing and proposed property lines and existing and proposed building setback lines from streets or roads.
 - [11] Substantially accurate measurements of each lot or parcel showing front, side and rear lot dimensions.

CRDA Application Checklist

- (c) Survey. The plan or plat shall include a survey, certified by a registered land surveyor, showing the property boundary lines and dimensions, available utilities and easements, roadways, rail lines and public rights-of-way crossing and adjacent to the subject property.
 - (d) Natural features. The plan or plat shall show any significant natural, topographical or physical features of the property. [Amended 6-15-1988 by Ord. No. 1-1988]
 - (e) Circulation layout and planting strips. The plan or plat shall show:
 - [1] The location, dimensions and number of all existing and proposed vehicular and pedestrian circulation elements within or abutting the proposed development, including streets and roadways, driveways, entrances, curbs, curb radii, curb cuts, parking stalls, loading spaces and access aisles; site triangles at all intersections; and sidewalks, walkways and pathways. Slope and gradient of vehicular elements shall be shown. [Amended 6-15-1988 by Ord. No. 1-1988]
 - [2] Typical cross sections of all new streets and roads shall clearly indicate the type and width of pavement and the location of curbs, sidewalks, shade trees and noise abatement planting strips to be provided.
 - (f) Contours. Existing contours, referenced to United States Geological Survey datum, shall be shown at two-foot intervals, except that in areas where the slope exceeds five percent (5%), contour intervals may be five (5) feet. Any proposed regrading shall be shown.
- Partial
Waiver
- (g) (Reserved)
 - (h) Soil erosion. A soil erosion and sedimentation control plan, pursuant to the requirements of N.J.S.A. 4:24-39 et seq., and the standards for Soil Erosion and Sediment Control in New Jersey adopted by the Cape-Atlantic Soil Conservation District.
 - (i) (Reserved)
 - (j) Easements. The location and extent of existing and proposed drainage and conservation easements, stream encroachment lines and utility easements.
 - (k) Existing water bodies. The plan or plat shall show location, extent and normal high, normal low and mean water level elevation of all existing or proposed water bodies on or within two hundred (200) feet of the subject property. Swamps or swampy areas, whether permanent or seasonal, marshes and wetlands are to be designated. [Amended 6-15-1988 by Ord. No. 1-1988]

CRDA Application Checklist

- (l) Storm drainage. The plan or plat shall also show or be accompanied by plans and computations for any storm drainage systems, including the following:
 - [1] Drainage patterns: existing and proposed over land drainage patterns.
 - [2] Storm sewer details: all existing or proposed storm sewer lines on or within two hundred (200) feet of the subject property, showing size of lines, direction of flow, slope and the location of each catch basin, inlet and manhole, if any.
 - [3] Dry wells and water control: the location and extent of any existing or proposed dry wells, groundwater recharge basins, retention or detention basins or other water control or conservation divides. Percolation test results for the area of any proposed dry well shall be submitted.

- (m) Sanitary facilities. The plan or plat shall show or be accompanied by plans showing existing and proposed sanitary sewerage facilities serving the proposed development, including the following:
 - [1] Sanitary sewer distributor: the location, size, direction of flow and slope of all existing and proposed sanitary sewer lines and pumping stations serving the proposed development and all existing and proposed connections to existing facilities.
 - [2] On-site treatment or holding facilities: the location, size, type and capacity of any proposed on-site sanitary sewage treatment or holding facilities.
N/A
 - [3] Percolation tests: if on-site sewage disposal is contemplated, results of percolation tests at suitable locations within the tract showing location, logs and elevations of all test holes.
N/A

- (n) Water supply. The plan or plat shall show existing and proposed connections to the public water system and existing and proposed water mains serving the proposed development and distribution lines on the subject property.

- (o) Public utilities. The plan or plat shall show all existing and proposed gas, electric and telephone lines, mains and related facilities serving the proposed development.

- (p) Proposed development. The plan or plat shall contain at least the following details with respect to the proposed development:
 - [1] The location, size, use and arrangement of proposed buildings and existing buildings which will remain, if any, including outside dimensions, height in stories and feet, floor area ratio, total floor area, total square feet and percent of ground area coverage and the number and size of dwelling units, rooming units and individual commercial, resort or industrial units.
 - [2] Minimum yard dimensions and, where relevant, relation of yard dimensions to the height of any building or structure.

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- [3] The location, size and arrangement of all outdoor signs, lighting and refuse storage areas. Lighting details shall include the type of standards, location, radius of light and intensity in footcandles.
 - [4] The location and height of fences or screen plantings and the type or kind of building materials or plantings to be used for fencing or screening.
 - [5] Preliminary sketches of proposed structures.
 - [6] A preliminary landscaping plan.
 - [7] A preliminary plan of the proposed treatment of the perimeter of the proposed development, including materials and techniques to be used.
 - [8] The location and total area of all usable open space, designated as public or private.
 - [9] The location, designation and total area of all land to be dedicated or reserved for public use.
- (q) Surrounding development. The plan or plat shall show the location, use, size and height, in stories and feet, of structures and other land uses on properties within two hundred (200) feet of the subject property and all access points to such uses.
- Partial
Waiver
- (r) Development summary. The plan or plat shall include a tabulation of the following information:
 - [1] The total number of dwelling units and rooming units proposed by type of structure and number of bedrooms.
 - [2] The total square feet of building floor area proposed for commercial uses, for resort uses and for industrial uses by general type of use.
 - [3] The proposed number of off-street parking and loading spaces for each proposed type of land use.
 - [4] The total land area, expressed in square feet and as a percent of the total development area, proposed to be devoted to residential uses, by type of structure; commercial uses; resort uses; industrial uses; public and private open space; streets; off-street parking and loading areas; pedestrian circulation elements and miscellaneous impervious areas.
 - [5] Copies of any easements, declarations or covenants that are to be recorded in connection with the approval of the preliminary plan or plat.
 - [6] A statement summarizing all changes which have been made in any document, plan, data or information previously submitted, together with revised copies of any such document, plan or data.
 - [7] Such other and further information or documentation as the Planning Board may deem necessary or appropriate to a full and proper consideration and disposition of the particular application.
- N/A

CRDA Application Checklist

- Waiver (22) Energy impact statement. Such statement shall include the following:
- (a) An analysis, with documentation, of the annual energy demand anticipated to be generated by the proposed development in terms of Btu's, the type and quantity of fuels and the energy systems which would meet this demand.
 - (b) Information on energy conservation measures which the proposed project would employ and other pertinent data as needed for the assessment of the energy conserving potential of the project.
 - (c) Identification of the constraints, if any, which would restrict the energy conservation potential of the development.
- (23) A certificate from the City Tax Collector certifying that no taxes or assessments are due or delinquent on the subject property. [Added 6-15-1988 by Ord. No. 1-1988]



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Dock's Oyster House

6-26-15

Compliance Statement to Ordinance Standards

§163-127 Consistency with other Standards and Regulations

Requirement:

No application for site plan/subdivision plat approval shall be granted unless the Planning Board shall find that, in addition to complying with each of the standards made applicable to site plans and subdivision plats by Articles XIX through XXV, the proposed development complies, except to the extent waived, varied or modified pursuant to the provisions of this chapter, with all of the standards and conditions applicable in the zoning district in which it is proposed to be located; complies with any special standards applicable to the particular type of development being proposed or to the particular area in which the development is proposed or to any special approvals required in connection with such a development or area; and complies with all other federal, state, county and City laws, ordinances and regulations applicable to it.

Response:

It is the applicant's position that the proposed project will comply with all application standards, unless otherwise waived, as well as all federal, state, county and City laws, ordinances and regulations applicable to it.

§163-128 Adequacy of Public Improvements

Requirement:

General standard. No application for site plan/subdivision plat approval shall be granted unless the Planning Board shall find, pursuant to the provisions of this section, that the proposed use in the proposed location is or can and will be, by reason of the developer's compliance with conditions imposed pursuant to the provisions of this section, adequately served by and will not impose an undue burden upon the public improvements, sites and rights-of-way by which it will be served or benefited or which exist or are planned for installation within its boundaries or their immediate vicinity.

Response:

All public improvements surrounding the subject site are sufficient to adequately serve the project without undue hardship being placed upon the public facilities. The municipal infrastructure, including the utility systems, adjacent roadways, and boardwalk will not be adversely affected by the proposed development.

§163-129 Elimination of Impacts of Specified Developments

Requirement:

General Standard:

1. The requirements set out in § 163-128 above for public improvements and public sites shall be deemed the minimum requirements necessary to protect the public health, safety and welfare in connection with all developments requiring site plan/subdivision approval but otherwise permitted as a matter of right as permitted uses in the various zoning districts established by this chapter. In addition to such requirements, the Planning Board shall have authority, in connection with its review and approval of any site plan/subdivision plat for any proposed development requiring planned development, conditional use or variance approval, to impose as a condition on any of said discretionary approvals and on any related site plan/subdivision approval pursuant to Articles XIX through XXV additional requirements intended and designed to eliminate or ameliorate the physical, economic and social impacts of the proposed development on its immediate environs and on the general health, safety and welfare of the City and its residents and visitors.
2. No application for such a development shall be granted unless the Planning Board shall find, pursuant to the provisions of Subsection **B** below and the provisions of this chapter applicable to the granting of the aforesaid discretionary approvals, that the proposed use in the proposed location will not result in any undue adverse physical, economic or social impacts upon its immediate environs or the general health, safety and welfare of the City, its residents and its visitors, which will not be eliminated by reason of the developer's compliance with conditions imposed pursuant to Subsection **B** below and the provisions of this chapter applicable to the aforesaid discretionary approvals

Response:

It is the applicant's position that the proposed use in the proposed location will not result in any undue adverse physical, economic or social impacts upon its immediate environs or the general health, safety and welfare of the City, its residents and its visitors.

§163-130 Installation of Public Improvements, Site and rights-of-way

Requirement:

General standard. No application for site plan/subdivision approval shall be granted unless the Planning Board shall find that the proposed development is adequately served by public improvements, either existing or to be provided by the developer pursuant to § 163-128 or 163-129 above, which are in compliance with the provisions of the Master Plan, the capital improvements program, the Official Map and this chapter.

Response:

It is the applications position that the proposed development is adequately served by public improvements, either existing or to be provided by the developer, which are in compliance with the provisions of the Master Plan, the capital improvements program, the Official Map and this chapter.

§163-131 Standards for Visibility at Street Corners

Requirement:

Standards for visibility across corners. Except as provided in § 163-71D(7)(b) of this chapter with respect to sign poles, no building, structure, landscaping or other obstruction to sight shall be located more than 2 1/2 feet above grade and less than nine feet above the grade at the curb or street line within a triangle formed by connecting the center lines of any two intersecting streets as herein provided.

Response:

The subject site is not located at the intersection of two street corners that permit vehicular traffic. Accordingly, this section of the ordinance is not applicable.

§163-132 Energy Efficiency Standards

Requirement:

No application for site plan/subdivision approval shall be granted unless the Planning Board shall find that the proposed development meets the energy efficiency requirements.

Response:

The proposed project will comply with all applicable energy efficiency standards required as part of the project construction code review.

§163-133 Negative Standards

Requirement:

No application for site plan/subdivision approval shall be granted unless the Planning Board shall find that, in addition to meeting the specific standards set forth in §§ 163-127 through 163-132 above, the proposed development is not subject to any of the deficiencies specified in this section. Compliance with the aforesaid specific standards shall create a presumption that no such deficiency exists, and the Planning Board shall not deny any application pursuant to this section except on the basis of specific written findings fully documenting one or more of the following deficiencies

1. The application is incomplete in specified particulars or contains or reveals violations of this chapter or other applicable development regulations which the applicant has, after written request, failed or refused to supply or correct
2. In the case of a site plan/subdivision plat submitted in conjunction with an application for a planned development, a conditional use or a use variance, the site plan fails to adequately meet specified standards required by this chapter with respect to such development or use
3. The proposed development interferes unnecessarily, and in specified particulars, with easements, roadways, rail lines, utilities and public or private rights-of-way
4. The proposed development unnecessarily, and in specified particulars, destroys, damages, detrimentally modifies or interferes with the enjoyment of significant natural, topographic or physical features of the site
5. The proposed development unnecessarily, and in specified particulars, is injurious or detrimental to the use and enjoyment of surrounding property
6. The circulation elements of the proposed site plan unnecessarily, and in specified particulars, create hazards to safety on or off tract, disjointed pedestrian or vehicular circulation paths on or off tract, undue dependence on automobile travel or undue interferences and inconveniences to pedestrian travel
7. The screening of the site does not provide adequate shielding from or for nearby uses which may be incompatible with the proposed use
8. The proposed structures or landscaping unnecessarily, and in specified particulars, is lacking amenity in relation to or is incompatible with nearby structures and uses
9. The proposed development unnecessarily, and in specified particulars, creates drainage or erosion problems

Response:

It is the applicant's position that all negative standards itemized above have been adequately addressed within the submitted development plans.