

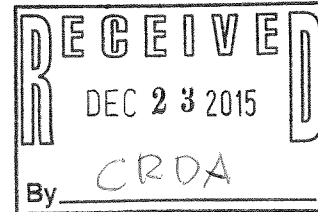


ARTHUR W. PONZIO CO. & ASSOCIATES, INC.
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400 N. DOVER AVENUE, ATLANTIC CITY, NJ 08401
PHONE: (609) 344-8194; FAX: (609) 344-1594

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

12-22-15

Re: Atlantic City Polercoaster
Major Site Plan Application
Checklist Item Response



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 submitted under separate cover.
- (6) A zoning map identifying the subject site has been included on the plan set. Additionally, the site is part of a new re-development area.
- (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.

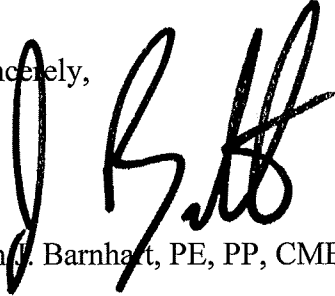
- (16) A traffic study has been provided as part of this submittal.
- (17) The applicant requests a waiver from this requirement. All required public utilities and facilities necessary to properly service the project are in place and readily available. Furthermore, the site has been an operating hotel 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) Not 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 existing or proposed grading detail.
- (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. The Atlantic Ocean is the only existing water body adjacent to the site and has been shown on the plan set.
- (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, including an existing outfall which leads into the Atlantic Ocean.

- (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. Only new sanitary laterals are required for building service and are shown on the enclosed plans.
- (21)n. All existing water service mains are shown on the enclosed plans, as well as proposed new lateral connections.
- (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 adjacent underground systems.
- (21)p[1] The project architectural plans provide all information 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 plan set.
- (21)p[4] See architectural 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 plan set.
- (21)p[7] All proposed perimeter improvements are shown on the plan set.
- (21)p[8] All usable open space is shown on the plan set.
- (21)p[9] Any areas to be reserved for public use are shown on the development plan set.
- (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] Information is shown on the architectural plans
- (21)r [2] The required calculations are included on the plan set.
- (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 parking analysis report.
- (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.
- (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 over the printed name.

Jon J. Barnhart, PE, PP, CME

Cc: Nick Talvacchia, Esq.



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AC Polercoaster

12-23-15

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.

