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March 30, 2015

Our File Number  
13998

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*Via Hand Delivery*

Casino Reinvestment Development Authority  
15 South Pennsylvania Avenue  
Atlantic City, NJ 08401  
Attn: Robert Reid

**RE: Steel Pier Associates, LLC**  
**1000 Boardwalk, Atlantic City (Tax Block 1, Lots 144-147)**  
**CRDA Application No. 2013-06-679**  
**FINAL REVISED PLANS and REQUEST FOR ADMINISTRATIVE APPROVAL**

Dear Mr. Reid:

Enclosed please find eleven (11) signed, sealed sets of final plans by SOSH Architects and Arthur W. Ponzio Co. & Associates for review. There are three (3) minor changes since the final approval that we respectfully request be approved administratively and without an additional hearing pursuant to Code §163-138.A. (a copy of which is attached hereto). Permit me to more fully explain.

First, Steel Pier Associates, LLC ("SPA") proposes to remove the approved building under the observation wheel and to lower the wheel so that its legs sit on the pier deck. The approved height of the wheel from the pier deck with the building is 195' 10" and the height of the wheel without the building would be 184' 4" for a total height reduction of approximately 6%. This proposed change would scale down the approved plan and thus qualifies for an administrative approval under Code §163-138.A.(1)(a) since we are lowering

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the height of the wheel by less than 10%, as well as Code §163-138.A.(1)(d) and (e) since we are, in fact, actually adding more open space. As such, this proposed change qualifies for an administrative approval without a hearing under the Code.

Second, SPA proposes to shift the location of the Slingshot ride. At the prior hearing, it was discussed that the exact location of the Slingshot would be determined at a later time. The Slingshot is being moved 12' closer to the existing pier and 2' 4" further away from the boardwalk edge. SPA is not "altering the volume or dimension of the Slingshot", the final location is "not more than 20 feet or 1/4 of the distance shown on the final plan, whichever is less", and there will be no reduction of open space. Code §163-138.A.(1)(a), (b), and (e). As such, this proposed change qualifies for an administrative approval without a hearing under the Code.

Lastly, SPA proposes to relocate five (5) vendor kiosks from the existing pier to the boardwalk edge of the pier expansion. SPA is also relocating one (1) vendor kiosk and providing one (1) new electrical trailer at the midpoint of the pier expansion. Lastly, one (1) ticket kiosk and one (1) gift kiosk that were initially located inside the building under the wheel will instead be located outside and (1) restroom facility will now be located near the exit side of the wheel with the gift shop. Below is a breakdown of the square footage of these structures:

six (6) kiosks for vendors:	+/- 864 s.f.
one (1) electrical trailer:	+/- 320 s.f.
two (2) kiosks for Tickets & Gifts:	+/- 288 s.f.
one (1) restroom building	+/- 701.25 s.f.
<b>TOTAL</b>	<b>+/- 2,173.25 s.f</b>

However, the ticket kiosk, gift kiosk and restroom building were interior spaces inside the building below the wheel that is being removed. The six (6) vendor kiosks and the electrical trailer are the only "new" structures on the pier expansion. Below is a breakdown of the square footage of these "new" structures as compared to the pier expansion:

six (6) kiosks for vendors:	+/- 864 s.f.
one (1) electrical trailer:	+/- 320 s.f.
<b>TOTAL</b>	<b>+/- 1,184 s.f</b>
<b>TOTAL PIER SQUARE FOOTAGE</b>	<b>31,500 s.f.</b>
<b>PERCENTAGE OF NEW STRUCTURES</b>	<b>3.76%</b>

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Based on the foregoing, the new kiosks and electrical trailer would reduce “the total amount of open space by not more than 5% and the yard area or open space associated with any single structure by not more than 10%.” Code §163-138.A.(1)(e). The relocated kiosks and trailer are otherwise be *de minimus* compared to the scale of the approved expansion. As such, this proposed relocation/addition of the kiosks and restroom building and addition of the electrical trailer qualify for an administrative approval without a hearing under the Code.

Pursuant to Code §163-138.A., SPA respectfully requests that these proposed changes be approved administratively and without the need for another hearing. Kindly advise if the CRDA requires any additional documentation or other information to finalize this application so that SPA can begin work on the approved project. The CRDA’s attention to this matter is greatly appreciated.

Respectfully submitted,  
HANKIN SANDMAN PALLADINO & WEINTROB, P.C.



RAYMOND J. WENT, JR., ESQUIRE  
Enc.

cc: Timothy Kernan, P.E., P.P., C.M.E. (w/enc.) via regular mail and email  
Lance Landgraf, P.P., A.I.C.P. (w/enc.) via e-mail only  
Arthur Ponzio & Associates (w/enc.) via e-mail only  
SOSH Architects (w/enc.) via e-mail only  
Steel Pier Associates, LLC (w/enc.) via e-mail only

## Chapter 163. Land Use Development

### Part 5. Subdivisions

## Article XXV. Site Plan/Subdivision Approval Standards

### § 163-138. Amendments to final plan or plat.

[Amended 6-15-1988 by Ord. No. 1-1988]

During construction of a development and before the issuance of any certificate of occupancy, amendments to the final plan or plat may be permitted as follows:

A. Minor amendments.

- (1) The Planning Board may, upon written request of the applicant or owner and without public hearing, authorize minor amendments to the final plan or plat when such amendments appear necessary in light of technical or engineering considerations first discovered during actual development or of changes in conditions beyond the control of the developer which have occurred since the date of final approval. Such minor amendments shall be limited to the following:
  - (a) Altering the volume or any dimension of any structure by not more than 10%.
  - (b) Altering the location of any one structure or group of structures by not more than 20 feet or 1/4 of the distance shown on the final plan or plat between such structure or structures and any other structure or any vehicular circulation element or any boundary of the development, whichever is less.
  - (c) Altering the location of any circulation element by not more than 20 feet or 1/4 of the distance shown on the final plan or plat between such circulation element and any structure, whichever is less.
  - (d) Altering the location of any open space by not more than 100 feet.
  - (e) Reducing the total amount of open space by not more than 5% or reducing the yard area or open space associated with any single structure by not more than 10%.
  - (f) Altering any final grade by not more than 10% of the originally planned grade.
  - (g) Altering the location, type or quality of landscaping elements.
- (2) Such minor amendments shall be consistent with the intent and purpose of the Master Plan, the capital improvements program, the Official Map and the approved final plan or plat; shall not violate any applicable standard or provision of this chapter or any other law, ordinance or regulation; and shall be the minimum necessary to overcome the particular difficulty.

B. Major amendments. Any other amendments to an approved final plan or plat shall be considered major

amendments and shall be granted only in the same manner and subject to the same standards and conditions as established pursuant to Articles **XIX** through **XXV** for the original review and approval of site plans and subdivision plats.