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November 13, 2013

Our File Number: 13998H

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**PLEASE RESPOND TO THE  
ATLANTIC CITY OFFICE**

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***Hand Delivery***

Casino Reinvestment Development Authority  
15 South Pennsylvania Avenue  
Atlantic City, NJ 08401  
Attn: Rose Ann Lafferty

**RE: The Steel Pier - Minor Site Plan Application  
Supplemental Materials - Response to 2<sup>nd</sup> Completeness Review dated September 3, 2013**

Dear Ms. Lafferty:

Enclosed please find five (5) paper and two (2) electronic sets of the following signed, sealed plans:

1. Site Plans by Arthur W. Ponzio & Associates revised November 12, 2013;
2. Architectural Plans by SOSH Architects revised November 12, 2013; and,
3. Engineering Plans by Czar Engineers dated October 18, 2013.

In addition, below is the requested justification list and legal analysis for the requested waivers in this Application in response to the CRDA's 2<sup>nd</sup> Completeness Review dated September 3, 2013:

*§ 163-97 - Application for Preliminary Site Plan/Subdivision Plan*

- 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

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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:

- (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.

**Waivers requested. The proposed project is essentially an expansion from the existing Boardwalk and will utilize the existing utility services at the existing Steel Pier. There will be no significant impact on the use of the existing public improvements, public sites, rights-of-way, utilities or public/quasi-public facilities. Specific inquiry into any of these areas, if deemed necessary by the CRDA, can be addressed by testimony by the owner and/or experts at the hearing. There will be no impact on schools and *de minimus*, if any, impact on the community in general including fire and police services. Based on the foregoing, the proposed expansion is not of the nature so as to require a formal study.**

- (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.

**Waivers requested. With the exception of the connection to the Boardwalk, the expansion will not require the construction, contribution or dedication of public improvements, public sites, rights-of-way or public/quasi-public facilities to the public. Moreover, the expansion deck will be owned by the City with a license back to the Applicant. The expansion will essentially be independent of the Boardwalk.**

- (21) A preliminary site plan or subdivision plat based on the latest Tax Map information and of a standard size not less than 15 x 21 inches as required by the Map Filing Act (Editor's Note: See N.J.S.A. 46:23-9.9 et seq.) drawn to a scale of not more than 100 feet to the inch, on one or more sheets, illustrating the proposed development and use and including the following:

- (b) Identification and Tax Map information. The plan or plat shall have clearly indicated on it the following information:

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[7] The area of the subject property in square feet and in acres to the nearest tenth of an acre.

[9] Existing zoning classifications of the subject property and properties within 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.

**Enclosed.**

(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.

**Enclosed.**

(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 5%, contour intervals may be five feet. Any proposed regrading shall be shown.

**Enclosed.**

(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.

**Enclosed.**

(j) Easements. The location and extent of existing and proposed drainage and conservation easements, stream encroachment lines and utility easements.

**Enclosed. No other easements exist other than those shown on the enclosed plans.**

(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 overland drainage patterns.

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[2] Storm sewer details: all existing or proposed storm sewer lines on or within 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.

**Enclosed.**

(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.

[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.

**Enclosed.**

(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.

**Enclosed.**

(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.

**Enclosed.**

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- (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.
  - [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.

**Enclosed.**

- (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 200 feet of the subject property and all access points to such uses.

**Enclosed.**

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- (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.

**Waivers requested. Electric, water and other utilities will be serviced by the existing infrastructure on the existing Steel Pier. There should be no significant constraints on the energy conservation potential of the Project.**

*§ 163-111 Application for Final Site Plan/Subdivision Plat*

- D. 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 contain at least the following information and documentation, which information and documentation, taken together, shall constitute a final site plan/subdivision plat:
- (11) Copies of all pre-construction permits and approvals required from any federal or state agency or, for any required permit not yet secured, a copy of the application as filed and a statement of its current status or a statement explaining why an application has not been filed and indicating when it will be filed.

**Applicant requests that this be made a condition of approval.**

- (12) Detailed landscaping plans and cost estimates.

**None.**

- (15) Forms in easements and deeds to be executed upon final plan approval necessary to convey any easements, rights-of-way or other lands or interests in lands to be conveyed or dedicated to any governmental agency or public utility.

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**Enclosed.**

- (16) Forms of the performance guaranty and maintenance guaranty to be submitted pursuant to § 163-136 of this Part 5, upon final plan approval and of any other performance or maintenance guaranties required to ensure installation and completion of the entire development or any specific portion of it or the future provision and improvement of common open space or facilities.

**Waiver requested. The City has never required a performance or maintenance guaranty where the subject property does not abut a public right-of-way (street). If a performance or maintenance guaranty is still necessary, Applicant requests this be made a condition of approval.**

- (18) Such other and further information as the Planning Board shall find necessary to a full consideration of the entire proposed development or any stage or unit thereof.

**To be provided as necessary.**

Kindly advise if this supplement will permit the Applicant to move forward with a formal hearing on the Application in its entirety. Your attention to this matter is greatly appreciated.

Very truly yours,

HANKIN SANDMAN & PALLADINO

  
RAYMOND J. WENT, JR., ESQUIRE

Enc.

cc: J. Timothy Kernan, P.E., P.P., C.M.E. (w/enc.) via e-mail only  
Arthur Ponzio & Associates, P.L.S., P.P. (w/enc.) via e-mail only  
Steel Pier Associates, LLC (w/enc.) via e-mail only