

# 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 \_\_\_\_\_ Application No. \_\_\_\_\_  
Application Fees: \_\_\_\_\_ Escrow Deposit \_\_\_\_\_

Scheduled for:  
Review for Completeness \_\_\_\_\_ Hearing: \_\_\_\_\_

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### **1. SUBJECT PROPERTY**

Location: 156 S. North Carolina Avenue

Tax Map Page 11 Block 57 Lot(s) 9  
Page 11 Block 58 Lot(s) 7, 8, 9, 10 & 11  
Page 11 Block 59 Lot(s) 1

Dimensions Frontage \_\_\_ Depth \_\_\_\_\_ Total Area \_\_\_\_\_

Zoning District RS-C Resort Commercial District

### **2. APPLICANT**

Name DGMB Casino, LLC dba Resorts Casino Hotel

Email RMerrill@resortsac.com (Attn: Rocky Merrill)

Address 1133 Boardwalk, Atlantic City, NJ 08401

Telephone Number 1-800-772-9000

Applicant is a: Corporation  Partnership  Individual

### 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.).

**See Attached Disclosure Information**

Name _____	Address _____	Interest _____
Name _____	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 Same as Applicant

Email \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

**5. PROPERTY INFORMATION:**

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes [attach copies] \_\_\_\_\_ No \_\_\_\_\_ Proposed X

Present use of the premises: Resorts Casino Hotel's ground parking lot for patrons and employees containing approximately 600 spaces and one vacant 3-story building.

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 Cooper Levenson, Attorneys at Law Attn: Nicholas F. Talvacchia, Esq.

Email ntalvacchia@cooperlevenson.com

Address 1125 Atlantic Avenue, Atlantic City, NJ 08401

Telephone Number (609) 572-7544

FAX Number (609) 572-7545

7. Applicant's Engineer Marathon Engineering & Environmental Services - Attn: Jason T. Sciuolo,

Email Jay.Sciuolo@MarathonConsultants.com PE, PP

Address 1616 Pacific Avenue, Suite 501, Atlantic City, NJ 08401

Telephone Number (609) 437-2100

FAX Number (609) 437-2101

8. Applicant's Planning Consultant Marathon Engineering -- Attn: Jason T. Sciuolo, PE , PP

Email \_\_\_\_\_

Address Same as Applicant's Engineer

Telephone Number \_\_\_\_\_

FAX Number \_\_\_\_\_

9. Applicant's Traffic Engineer None

Email \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
FAX Number \_\_\_\_\_

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 \_\_\_\_\_  
Field of Expertise \_\_\_\_\_  
Email \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
FAX Number \_\_\_\_\_

**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) \_\_\_\_ ] **No Phasing**  
 Final Site Plan Approval [Phases (if applicable) \_\_\_\_ ] **No Phasing**  
\_\_\_\_\_ Amendment or Revision to an Approved Site Plan  
Area to be disturbed (square feet) +/- 72,100 s.f.  
Total number of proposed dwelling units Not Applicable  
\_\_\_\_\_ Request for Waiver From Site Plan Review and Approval  
Reason for request: \_\_\_\_\_

**MISC:**

\_\_\_\_\_ 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 and justification for said request: [attach additional pages as needed] Ord. 163-70A(2)(a)[2][a] - Minimum parking lot's front yard setback from a public street, whereas 10 feet is required, 5 feet is provided.

**Justification provided with application materials.**

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

Requirements: [attach additional pages as needed] Design and or submission waiver request lists and justifications are provided with application materials.

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] Proposed reconfiguration of parking lot 'C' resulting in a net increase of 41 parking spaces for patrons and employees. Additional information provided with application.

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? Not Applicable

20. Are any off-tract improvements required or proposed? Potential Realignment of Existing Utilities

21. Is the subdivision to be filed by Deed or Plat? Not Applicable

22. What form of security does the applicant propose to provide as performance and maintenance guarantees? Bonding will be acquired as required

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

	Yes	No	Date Plans Submitted
Atlantic City Municipal Utilities Authority	_____	<u>X</u>	_____
_____ Atlantic County Health Department	_____	<u>X</u>	_____
_____ Atlantic County Planning Board	_____	<u>X</u>	_____
_____ Atlantic County Soil Conservation Dist.	<u>X</u>	_____	<u>To Be Submitted</u>
NJ Department of Environmental Protection	<u>X</u>	_____	<u>TBS (Flood Hazard)</u>
Sewer Extension Permit	_____	<u>X</u>	_____
Sanitary Sewer Connection Permit	_____	<u>X</u>	_____
Stream Encroachment Permit	_____	<u>X</u>	_____

**TBS = To Be Submitted**

Waterfront Development Permit	_____	<u>  X  </u>	_____
Wetlands Permit	_____	<u>  X  </u>	_____
Tidal Wetlands Permit	_____	<u>  X  </u>	_____
Potable Water Construction Permit	_____	<u>  X  </u>	_____
Other	_____	<u>  X  </u>	_____
NJ Department of Transportation	_____	<u>  X  </u>	_____
Public Service Electric & Gas Company	_____	<u>  X  </u>	_____
_____	_____	_____	_____

24. Certification from the Tax Collector that all taxes due on the subject property have been paid. **Provided with Application Materials**

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

Quantity	Description of Item
_____	<u>  Refer to Cover Letter  </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>  X  </u> Attorney	<u>  All Reports  </u>
<u>  X  </u> Engineer	<u>  All Reports  </u>
_____	_____
_____	_____

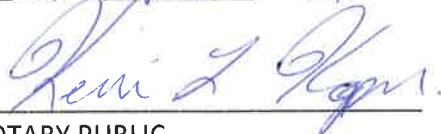
**CERTIFICATIONS**

27. I Nicholas F. Talvacchia 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

12<sup>th</sup> day of September, 20 17



NOTARY PUBLIC



SIGNATURE OF APPLICANT

Nicholas F. Talvacchia, Attorney for Applicant

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

12<sup>th</sup> day of September, 20 17



NOTARY PUBLIC



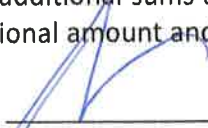
SIGNATURE OF OWNER

Nicholas F. Talvacchia, Attorney for Applicant

29. I understand that the sum of \$ 7,200 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.

9/12/17

Date



SIGNATURE OF APPLICANT

Nicholas F. Talvacchia, Attorney for Applicant

KERRI L. KOPERVOS  
A Notary Public of New Jersey  
My Commission Expires 02/09/2022

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A Notary Public of New Jersey  
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## ESCROW SETUP INFORMATION

The Information below is necessary to initially set up your Escrow Account through TD Bank.

Applicant's Name: DGMB Casino, LLC

Applicant's Address: 1133 Boardwalk, Atlantic City, NJ 08401

\*Applicant's Signature:   
Nicholas F. Talvacchia, Attorney for Applicant

Applicant's Phone No.: 609-572-7544

Applicant's Email Address: ntalvacchia@cooperlevenson.com

Applicant's Date of Birth: N/A

Tax Identification or Social Security Number: 27-3361929

Assigned Escrow #: \_\_\_\_\_

Should you require assistance or have any questions, please do not hesitate to contact Carl Wentzell in the Finance Dept at 609-347-0500 ext. 3215 or [CWentzell @NJCRDA.com](mailto:CWentzell@NJCRDA.com).