

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: _____

=====

1. SUBJECT PROPERTY

Location: 1100 Boardwalk

Tax Map Page 12 Block 1 Lot(s) 142 & 142.01
Page 12 Block 60 Lot(s) 14 & 15
Page _____ Block _____ Lot(s) _____

Dimensions Frontage 150' Depth 1635' Total Area 245,250 sf

Zoning District Tourism District Zone "B"

2. APPLICANT

Name DGMB Casino LLC

Email c/o Nick Talvacchia, ntalvacchia@cooperlevenson.com

Address 1133 Boardwalk, Atlantic City, NJ 08401

Telephone Number _____

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.).

Name See attached 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 N/A
 Email _____
 Address _____
 Telephone Number _____

5. PROPERTY INFORMATION:

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

Yes [attach copies] X No _____ Proposed _____

Present use of the premises: Restaurant, Bar and Grill

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 Nicholas F. Talvacchia, Esquire, Cooper Levenson, P.A.
 Email ntalvacchia@cooperlevenson.com
 Address 1125 Atlantic Ave., 3rd Floor, Atlantic City, NJ 08401
 Telephone Number 609-572-7544
 FAX Number 609-572-7545

7. Applicant's Engineer Jon J. Barnhart, Arthur W. Ponzio Co. & Associates, Inc.
 Email jbarnhart@awponzio.com
 Address 400 N. Dover Ave., Atlantic City, NJ 08401
 Telephone Number 609-344-8194
 FAX Number 609-344-1594

8. Applicant's Planning Consultant N/A
 Email _____
 Address _____
 Telephone Number _____
 FAX Number _____

9. Applicant's Traffic Engineer N/A
 Email _____
 Address _____
 Telephone Number _____
 FAX Number _____

12. Section(s) of Ordinance from which a **variance is requested and justification for said request:** [attach additional pages as needed] See project summary

13. **Waivers Requested** of Development Standards and/or Submission and justification for request.
Requirements: [attach additional pages as needed] See project summary

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] See project summary

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? N/A
20. Are any off-tract improvements required or proposed? N/A
21. Is the subdivision to be filed by Deed or Plat? N/A
22. What form of security does the applicant propose to provide as performance and maintenance guarantees? As required by MLUL

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

	Yes	No	Date Plans Submitted
Atlantic City Municipal Utilities Authority	_____	X	_____
_____ Atlantic County Health Department	_____	X	_____
_____ Atlantic County Planning Board	_____	X	_____
_____ Atlantic County Soil Conservation Dist.	_____	X	_____
NJ Department of Environmental Protection	X	_____	_____
Sewer Extension Permit	_____	X	_____
Sanitary Sewer Connection Permit	_____	X	_____
Stream Encroachment Permit	_____	X	_____
Waterfront Development Permit	_____	X	_____
Wetlands Permit	_____	X	_____
Tidal Wetlands Permit	_____	X	_____
Potable Water Construction Permit	_____	X	_____
Other	_____	X	_____
NJ Department of Transportation	_____	X	_____
Public Service Electric & Gas Company	_____	X	_____
_____	_____	_____	_____

24. Certification from the Tax Collector that all taxes due on the subject property have been paid.

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

Quantity	Description of Item
5	"Survey and Site Plan For Deck Expansion" prepared by Arthur W. Ponzio Co. & Associates
5	Architectural plan prepared by SOSH Architect entitled " Resorts Landshark Bar and Grill Expansion" dated November 19, 2018
_____	_____

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.

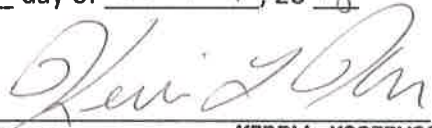
Applicant's Professional	Reports Requested
X Attorney	All
X Engineer	All
X Architect	All
_____	_____

CERTIFICATIONS

27. I Nicholas F. Talvacchia, Esquire 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
20th day of November, 2018

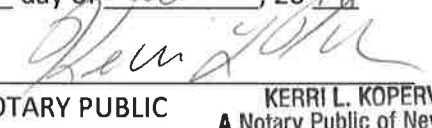

NOTARY PUBLIC **KERRI L. KOPERVOS**
A Notary Public of New Jersey
My Commission Expires 02/09/2022


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
20th day of November, 2018


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


SIGNATURE OF OWNER
Nicholas F. Talvacchia, Attorney for Owner

29. I understand that the sum of \$ 12,600 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.

11/20/18
Date


SIGNATURE OF APPLICANT
Nicholas F. Talvacchia, Attorney for Applicant

PROJECT NARRATIVE
BLOCK 1, LOT 142 & 142.01 AND BLOCK 60, LOTS 14 & 15

Applicant, DGMB Casino, LLC, seeks preliminary and final site plan approval for the renovation and expansion of the Landshark Bar & Grill (“Landshark”). The Landshark is located on Block 1, Lots 142 & 142.01, known as 1100 Boardwalk and is affiliated with the Resorts Casino Hotel located at Block 60 Lots 14 & 15, known as 1133 Boardwalk. The property is zoned Tourist District Zone “B”.

Applicant proposes to convert 2,600 sf of the existing interior retail space into restaurant/bar space with 18 restaurant seats and 32 bar seats. Applicant also proposes to add a new 2,300 sf deck with 94 dining seats on the landward side of Landshark. Applicant requests variance relief to permit the new outdoor seating to exceed the number of new indoor seats. The expansion requires an additional seven (7) parking spaces for which Applicant requests a parking variance. Applicant also requests a sign variance for placement of a roof mounted sign on the West façade.

The Applicant also requests any other waivers or variances that may be deemed necessary and/or appropriate for the project.