

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: South Carolina & Ocean Avenues

Tax Map Page _____ Block 56 Lot(s) 14,15,20,21,22,23,24,25,38,48,49 & 50
Page _____ Block _____ Lot(s) _____
Page _____ Block _____ Lot(s) _____

Dimensions Frontage _____ Depth _____ Total Area 3.4 Ac

Zoning District RC- Resort Commercial

2. APPLICANT

Name DGMB Casino, LLC (aka Resorts Hotel & Casino) c/o Rocky Merrill

Email rmerrill@resortsac.com

Address 1133 Boardwalk, Atlantic City, NJ 08401

Telephone Number 609-344-6000

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 _____	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 _____
 Email _____
 Address _____
 Telephone Number _____

5. PROPERTY INFORMATION:

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

Yes [attach copies] _____ No _____ Proposed _____

Present use of the premises: _____

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 Nick Talvacchia Esq., Cooper Levenson _____
 Email ntalvacchia@cooperlevenson.com _____
 Address 1125 Atlantic Avenue, Suite 320, Atlantic City, NJ 08401 _____
 Telephone Number 609-344-3161 _____
 FAX Number _____

7. Applicant's Engineer Jason T. Sciuillo, Sciuillo Engineering Services, LLC _____
 Email jsciuillo@sciuilloengineering.com _____
 Address 9615 Ventnor Avenue, Suite 3, Margate, NJ 08402 _____
 Telephone Number 609-300-5171 _____
 FAX Number 609-487-5960 _____

8. Applicant's Planning Consultant Jason T. Sciuillo, Sciuillo Engineering Services, LLC _____
 Email jsciuillo@sciuilloengineering.com _____
 Address 9615 Ventnor Avenue, Suite 3, Margate, NJ 08402 _____
 Telephone Number 609-300-5171 _____
 FAX Number 609-487-5960 _____

9. Applicant's Traffic Engineer _____
 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:

_____ Administrative Review of Minor Subdivision Plan
_____ Administrative Review of Major Subdivision Plan
_____ Minor Subdivision Approval
_____ Major Subdivision Approval [Preliminary]
_____ Major Subdivision Approval [Final]
Number of lots to be created _____ Number of proposed dwelling units _____
(including remainder lot) (if applicable)

SITE PLAN:

_____ Administrative Review of Minor Site Plan
_____ Administrative Review of Major Site Plan
_____ Minor Site Plan Approval
 Major Preliminary Site Plan Approval [Phases (if applicable) _____]
 Major Final Site Plan Approval [Phases (if applicable) _____]
_____ Amendment or Revision to an Approved Site Plan
Area to be disturbed (square feet) _____
Total number of proposed dwelling units _____
_____ Request for Waiver From Site Plan Review and Approval
Reason for request: _____

MISC:

_____ Administrative Review
_____ Appeal decision of an Administrative Officer [N.J.S. 40:55D- 70a]
_____ Interpretation of Zoning Map, or Regulations or Special Questions [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] see below

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

Requirements: [attach additional pages as needed] see below

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] _____

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? No

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? None required, no public improvements

12. 19:66-5.10(a)1iv(7) For lot coverage of 84.5% where 80% is permitted. Coverage within parking expansion area = 40,854 SF. The lot area added to the existing parking lot = 51,100 SF. The coverage of only the expanded parking area = 80%, hence, the overall reduction in impervious coverage percentage from existing to proposed conditions. Note that NJDEP Coastal Zone Management Rules (NJAC 7:7) allow 90% coverage in this area.

13. Design Waivers Requested. From NJAC 19:66-7.2(C)5 to provide a private employee parking lot without curbing to allow stormwater runoff to flow overland through vegetated buffers prior to discharge offsite. From NJAC 19:66-7.2(C)10 from providing safety islands on the end of parking space bays. The lot is not open to the general public as it is for Resorts employees.

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>	_____	Pending
NJ Department of Environmental Protection	_____	<u>X</u>	_____
Sewer Extension Permit	_____	<u>X</u>	_____
Sanitary Sewer Connection Permit	_____	<u>X</u>	_____
Stream Encroachment Permit	_____	<u>X</u>	_____
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.

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

Quantity	Description of Item
<u>5</u>	<u>Preliminary & Final Site Plans prepared by Sciuolo Engineering Services, LLC</u>
<u>5</u>	<u>prepared by Marathon Engineering</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</u>
<u>X</u> Engineer	<u>All</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

10th day of JAN, 20 19

Mary Spissinger Nicholas F. Talvacchia
NOTARY PUBLIC SIGNATURE OF 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

10th day of JAN, 20 19

Mary Spissinger Nicholas F. Talvacchia
NOTARY PUBLIC SIGNATURE OF OWNER

29. I understand that the sum of \$ _____ 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.

1-10-19 Nicholas F. Talvacchia
Date SIGNATURE OF APPLICANT

MARY L. SPISSINGER
A Notary Public of New Jersey
My Commission Expires 06/10/2019

2023

MARY L. SPISSINGER
A Notary Public of New Jersey
My Commission Expires 06/10/2019

2023