



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: 143- 151 S. New York Avenue and 118-120 St. James Place

Tax Map Page _____ Block 52 Lot(s) 5, 6, 39 & 40

Page _____ Block _____ Lot(s) _____

Page _____ Block _____ Lot(s) _____

Dimensions Frontage 80 Depth 125 Total Area 7,393 SF

Zoning District RC- Resort Commercial

2. APPLICANT

Name 151 S. NY Avenue LLC

Email sanchez.evan@gmail.com

Address PO Box 1106, Atlantic City, NJ 08404

Telephone Number 609-703-2627

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	<u>See attached</u>	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 139 South New York Avenue, LLC and NYORANGEDEEDS, LLC (Lots 39 & 40)
 Email patfasano@verizon.net
 Address 1616 Pacific Avenue, Atlantic City, NJ 08401 and 1005 Main Street, Asbury Park, NJ 07712
 Telephone Number 732-322-5523

5. PROPERTY INFORMATION:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:
 Yes [attach copies] _____ No X Proposed _____
 Present use of the premises: restaurant and hotel, remainder is vacant

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, Esq.
 Email ntalvacchia@coopelevenson.com
 Address 1125 Atlantic Ave., 3rd Fl., Atlantic City, NJ 08401
 Telephone Number 609-572-7544
 FAX Number 609-572-7454

7. Applicant's Engineer Jay Sciallo, Sciallo Engineering Services, LLC
 Email jsciallo@scialloengineering.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 Jay Sciallo, Sciallo Engineering Services, LLC
 Email jsciallo@scialloengineering.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 N/A
 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 William McLees Architecture, LLC

Field of Expertise Architect

Email _____

Address 5 MacArthur Blvd., Somers Point, NJ 08244

Telephone Number 609-327-0888

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 attached project summary

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

Requirements: [attach additional pages as needed] See attached 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 attached 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? 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? Bond, if required

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

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

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	Site Plans prepared by Sciallo Engineering dated August 16, 2019
5	Survey prepared by Vargo Associates dated June 6, 2019
5	Architecture Plan prepared by William McLees Architecure dated August 16, 2019

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
<input checked="" type="checkbox"/> Attorney	All
<input checked="" type="checkbox"/> Engineer	All
<input type="checkbox"/>	
<input type="checkbox"/>	

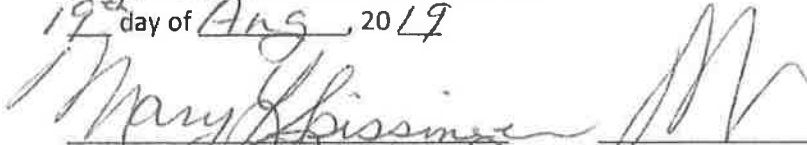
CERTIFICATIONS

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

19th day of Aug, 2019



NOTARY PUBLIC MARY L. SPISSINGER
A Notary Public of New Jersey
My Commission Expires 06/10/2013-2023

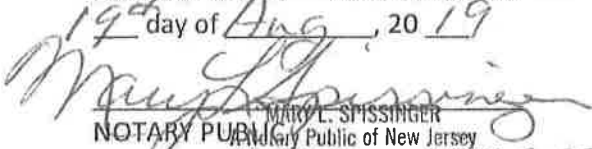
SIGNATURE OF APPLICANT Nicholas F. Talvacchia, Attorney for Applicant

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

19th day of Aug, 2019



NOTARY PUBLIC MARY L. SPISSINGER
A Notary Public of New Jersey
My Commission Expires 06/10/2013-2023

SIGNATURE OF OWNER Nicholas F. Talvacchia, Attorney for NYORANGEDEEDS, LLC

For Block 52,
Lots 39 & 40

29. I understand that the sum of \$ 3200 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.

Aug 19, 2019
Date

SIGNATURE OF APPLICANT Nicholas F. Talvacchia, Attorney for Applicant

PROJECT SUMMARY
151 S NY AVENUE LLC
BLOCK 52, LOTS 5, 6, portion of 39 and 40
August 16, 2019

151 S NY Avenue LLC ("Applicant") proposes to renovate and expand the existing restaurant located at 143-151 S. New York Avenue and to renovate the existing hotel. The project will be located at 143-151 S. New York Avenue and 118-120 St. James Place, and known as Block 52, Lots 5, 6, portion of 39 and 40, as shown on the Tax Map of the City of Atlantic City ("Property").

The Property is located within the Resort Commercial Zone (RC). The project entails a complete renovation of the existing 4,791 sf restaurant, bar and lounge including renovation of the outdoor seating area and the complete renovation of the existing two story hotel. The restaurant, bar and lounge will have a total of 186 seats, with a portion of the seating outside. The existing 18 room hotel will be reduced to 6 rooms to create a boutique hotel containing 2,700 sf. The restaurant includes a new two story addition in the rear to provide support spaces. The project is grandfathered for parking purposes for 136 seats and 18 guest rooms. The Applicant proposes 50 more dining/bar/lounge seats at 186 total seats. The additional 50 seats proposed will require a net of 3 parking spaces as detailed in the site plan parking calculation. The proposed uses are permitted in the RC Zone.

Applicant seeks minor site plan approval for the restaurant expansion. The project will require bulk variance relief from the minimum rear yard setback requirement of 20 feet, a fence in the front yard and a parking variance. The requested bulk variances can be justified because the neighboring buildings have setbacks of less than 5 feet and have no rear yard that would be impacted by the proposed project. The parking variance can be justified on various grounds. First, there is plenty of commercial parking in the surrounding area. Second, many visitors will walk over from the nearby hotels, motels and businesses and those users do not require parking. Third, the Jitney line and Boardwalk trams are in close proximity to this site. Finally, the increasing use of Uber/Lyft and taxi services reduce parking demand for restaurant and bar uses.

The Applicant is requesting waivers from various design items as detailed in the application. The Applicant also requests any other variances, waivers or other relief that the Land Use Board deems necessary for this application.

CRDA

Casino Reinvestment Development Authority
www.njcrda.com



ESCROW SETUP INFORMATION

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

Applicant's Name: 151 S NY Avenue LLC

Applicant's Address: PO Box 1106, Atlantic City, NJ 08404

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

Applicant's Phone No.: 609-703-2627

Applicant's Email Address: sanchez.evan@gmail.com

Applicant's Date of Birth: N/A

Tax Identification or Social Security Number: 83-2809274

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).