



**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: 161-205 New York Avenue and 118-142 St. James Place  
Tax Map Page \_\_\_\_\_ Block 52 Lot(s) 11-18 & 30-40  
Page \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_  
Page \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Dimensions Frontage 487 Depth 75 Total Area 1.2 Ac

Zoning District RC- Resort Commercial

**2. APPLICANT**

Name NYORANGEDEEDS, LLC c/o Patrick Fasano  
Email patfasano@verizon.net  
Address 1005 Main Street, Asbury Park, NJ 07712  
Telephone Number 732-322-5523

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>Patrick Fasano</u>	Address	<u>1005 Main St., Asbury Park, NJ</u>	Interest	<u>100</u>
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 201-205 S. New York Avenue, LLC as to block 52, Lots 16, 17, 18 and 30  
 Email patfasano@verizon.net  
 Address 1005 Main Street, Asbury Park, NY 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  Proposed \_\_\_\_\_  
 Present use of the premises: Existing Bourre Restaurant approved under CLUC 2018-06-2444  
and 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 Sciuolo, Sciuolo Engineering Services, LLC  
 Email jsciullo@sciulloengineering.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 Sciuolo, Sciuolo Engineering Services, LLC  
 Email jsciullo@sciulloengineering.com  
 Address 9615 Ventnor Avenue, Suite 3, Margate, NJ 08402  
 Telephone Number 609-300-5171  
 FAX Number 609-487-5690

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) N/A  
Total number of proposed dwelling units N/A  
\_\_\_\_\_ 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

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

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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

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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	<u>Rcv'd</u>	<u>        </u>	<u>        </u>
<u>        </u> Atlantic County Health Department	<u>        </u>	<u>X</u>	<u>        </u>
<u>        </u> Atlantic County Planning Board	<u>        </u>	<u>X</u>	<u>        </u>
<u>        </u> Atlantic County Soil Conservation Dist.	<u>        </u>	<u>X</u>	<u>        </u>
NJ Department of Environmental Protection	<u>        </u>	<u>X</u>	<u>        </u>
Sewer Extension Permit	<u>        </u>	<u>X</u>	<u>        </u>
Sanitary Sewer Connection Permit	<u>        </u>	<u>X</u>	<u>        </u>
Stream Encroachment Permit	<u>        </u>	<u>X</u>	<u>        </u>
Waterfront Development Permit	<u>        </u>	<u>X</u>	<u>        </u>
Wetlands Permit	<u>        </u>	<u>X</u>	<u>        </u>
Tidal Wetlands Permit	<u>        </u>	<u>X</u>	<u>        </u>
Potable Water Construction Permit	<u>        </u>	<u>X</u>	<u>        </u>
Other	<u>        </u>	<u>X</u>	<u>        </u>
NJ Department of Transportation	<u>        </u>	<u>X</u>	<u>        </u>
Public Service Electric & Gas Company	<u>        </u>	<u>X</u>	<u>        </u>
<u>        </u>	<u>        </u>	<u>        </u>	<u>        </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>Site Plans prepared by Sciuolo Engineering revised to August 16, 2019</u>
<u>        </u>	<u>        </u>
<u>        </u>	<u>        </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>
<u>        </u>	<u>        </u>
<u>        </u>	<u>        </u>

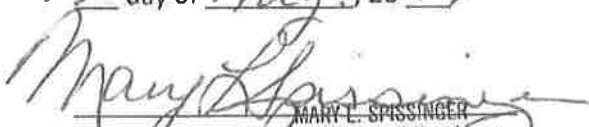
**CERTIFICATIONS**

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

19<sup>th</sup> day of Aug., 20 19



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

19<sup>th</sup> day of Aug., 20 19



NOTARY PUBLIC MARY L. SPISSINGER  
Notary Public of New Jersey  
My Commission Expires 06/10/2019 2023



SIGNATURE OF OWNER

29. I understand that the sum of \$ 5,500 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

CORPORATE DISCLOSURE STATEMENT  
PURSUANT TO N.J.S.A. 40:55D-48.1 AND 48.2

NYORANGEDEEDS LLC

The individuals listed below have a 10% or greater interest in the above-referenced limited liability company:

Patrick Fasano  
1005 Main Street,  
Asbury Park, NJ 07712



PROJECT SUMMARY  
NYORANGEDEEDS, LLC  
BLOCK 52, LOTS 11-18 and 30-40  
August 16, 2019

NYORANGEDEEDS, LLC ("Applicant") received preliminary and final site plan approval with variance relief for hotel, retail and parking uses pursuant to the hearing held on January 3, 2019 and as approved by the CRDA Board pursuant to Resolution Number 19-15 dated February 19, 2019. The property is located at Block 52, Lots 11-18 and 30-40 as shown on the Tax Map of the City of Atlantic City ("Property"). Applicant requests an amendment to the approved site plan together with minor subdivision approval for a portion of Block 52, Lot 39.

Applicant proposes to subdivide a portion of Block 52, Lot 39. Applicant proposes to revise the site plan approval to remove the subdivided portion of Block 52, Lot 39 and provide the land to the adjacent property owner to facilitate a restaurant renovation. Applicant also proposes to amend its application by removing Block 52, Lot 40 from the approved project and also provide this lot to the adjacent property owner to facilitate its restaurant renovation. The reduction in lot area for the Lot 39 subdivision will require variance relief from the setback requirements.

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.



**ESCROW SETUP INFORMATION**

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

Applicant's Name: NYORANGEDEEDS, LLC

Applicant's Address: 1005 Main Street, Asbury Park, NJ 07712

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

Applicant's Phone No.: 732-322-5523

Applicant's Email Address: patfasano@verizon.net

Applicant's Date of Birth: N/A

Tax Identification or Social Security Number: 82-2425036

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).