



Principals
 Richard Rehmann, GISP
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May 29, 2024

Lance B. Landgraf, Jr., PP, AICP
Casino Reinvestment Development Authority
 Division of Land Use and Regulatory Enforcement
 15 S Pennsylvania Avenue
 Atlantic City, NJ 08401

Re: TECHNICAL REVIEW #1: CRDA # 2024-04-3637
 Preliminary & Final Major Site Plan w/ Variance Approval
 1519 Boardwalk QOZB LLC
 1517 & 1523 Boardwalk and 120 S. New York Avenue Pacific Avenue
 Block 50, Lots 27, 28, & 29 / Block 51, New Lot 19.01
 Atlantic City, NJ 08401
 ARH # 2410095

Dear Mr. Landgraf:

ARH ASSOCIATES has reviewed the following information towards issuance of Preliminary & Final Major Site Plan Approval for the above-referenced Application:

TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
Cover Letter from Applicant's Attorney	Cooper Levenson	05/06/2024	
Supplemental Letter from Applicant's Attorney		05/16/2024	
Letter to Tax Assessor		05/03/2024	
CRDA Land Use Application	Owner / Applicant	05/06/2024	
Escrow Setup Information			
Project Narrative			
Corporate Disclosure Statement			
Four (4) Color Photographs of Site			
Major Preliminary Site Plan Checklist (Form #6)	Sciullo Engineering Services	Undated	
Major Final Site Plan Checklist (Form #7)			
"c" Variance Checklist (Form #12)			
Taffy Lofts – Preliminary & Final Site Plans	Sciullo Engineering Services	05/01/2024	
Boundary & Topographic Survey	Vargo Associates	11/16/2023	
Architectural Plans and Elevations	William C. McLees Architecture	05/03/2024	
200' Property List	City of Atlantic City	04/03/2024	05/08/2024

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TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
Redacted Deeds	Joseph R. Dougherty, Esq.	Various	
Certificate of Taxes Paid	City of Atlantic City	05/03/2024	05/14/2024

Per this information, our office offers the following comments:

I. PROJECT INFORMATION & CONTACT INFORMATION

The 22,819 SF site is to be consolidated as a through lot with frontages on the Boardwalk and Westminster Avenue. The site is presently developed with a restaurant, candy store, offices and warehouse space. The Applicant seeks approval to construct a hotel and new additional restaurant in the area previously occupied by the James Candy Company Building. The existing restaurant will remain, and the proposed restaurant will share outdoor access space with the existing restaurant. The Applicant is also proposing landscaping, lighting and signage improvements.

Below please find the contact information for the responsible parties associated with this Application:

APPLICANT / OWNER
1519 Boardwalk QOZB LLC 1005 Main Street Asbury Park, NJ 07712 Phone: 732-322-5523 Email: patfasano@verizon.net

ENGINEER / PLANNER
Jason T. Sciuillo Sciuillo Engineering Services, LLC 17 S. New York Avenue, Suite B Atlantic City, NJ 08401 Phone: 609-300-5171 Email: jsciullo@sciulloengineering.com

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II. ZONING REVIEW

The subject property is situated within the Resort Commercial (RC) zoning district. Hotels and restaurants are permitted uses in the zone. The below table summarizes the bulk requirements for this zone:

BULK ITEMS	REQUIREMENT	EXISTING	PROPOSED
Max. Principal Building Height	300 ft (from BFE)	85 ft	NC
Min. Lot Area	7,500 sf	22,819 sf	NC
Min. Lot Depth	150 feet	343 feet	NC
Min. Lot Width	50 feet	63 feet	NC

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BULK ITEMS	REQUIREMENT	EXISTING	PROPOSED
Min. Lot Frontage	50 feet	110 feet / 150 feet	NC
Max. Building Coverage	70 %	71.1 % (ENC)	75.9 % (V)
Max. Impervious Coverage	80 %	100 % (ENC)	NC
Min. Principal Front Yard Setback (Boardwalk)	20 feet (> 35' in height)	0.5' over lot line (ENC) (See Engineering Comment A.7.a below)	NC
Min. Principal Front Yard Setback (Westminster)	20 feet (> 35' in height)	1.5' (See Engineering Comment A.7.b below)	TBP (Canopy over lot line) (V) (See Engineering Comment A.7.c below)
Min. Principal Side Yard Setback	20 feet (> 35' in height)	0 feet / 0 feet (ENC)	NC
Min. Principal Rear Yard Setback	20 feet	N/A	N/A

N/A = Not Applicable; NC = No Change; ENC = Existing Non-Conformity;

NP = Not Provided; TBP = To Be Provided; V = Variance Required

PARKING	REQUIREMENT	REQUIRED	PROPOSED
Hotel	1 space per room (32 rooms)	32 spaces	-
Restaurant	Greater of: 1 space per 30% capacity (442 seats) OR 1 Space per 150 SF (13,893 sf)	133 spaces	-
TOTAL:		165 spaces	0 spaces (V) (See Engineering Comment A.10 below)

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The Applicant has requested the following variances with their application:

- a. Section 19:66-5.7(j)3.i – Where the maximum number of wall signs is two, whereas four wall signs are proposed. See Engineering Comment E.2.a) below.
- b. Section 19:66-5.8 – Where 165 parking spaces are required, whereas 90 parking spaces are grandfathered and 0 spaces are proposed, creating a deficiency of 75 parking spaces. See Engineering Comment A.10 below for clarification on the seating capacity for the restaurant, which may impact the deficiency parking count for this variance.
- c. Section 19:66-5.10(a)(1)iv.(6) – Where the maximum allowed building coverage is 70%, whereas 75.9 % is proposed.
- d. Section 19:66-5.10(a)(1)iv.(8) – Where the minimum required front yard setback is 20 FT, whereas the proposed canopy is over the front lot line at Westminster Avenue. See Engineering Comments A.6, A.7, and C.2 below.

The Applicant has requested the following variances with their application; however, our office identifies these as existing non-conformities:

- e. Section 19:66-5.10(a)(1)iv.(7) – Where the maximum allowed impervious coverage is 80%, whereas 100% is existing and to remain.
- f. Section 19:66-5.10(a)(1)iv.(9) – Where the minimum required side yard setback is 20 FT, whereas 0 FT is existing and to remain.

In addition, the following variances also appear to be necessary:

- g. Section 19:66-5.7(j)3.ii – Where the maximum allowed number of awnings, canopies or marquee signs is one, whereas three awnings, canopies or marquee signs are proposed. See Engineering Comment E.2.b below.

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- h. Section 19:66-5.7(j)5.ii – Where the maximum allowed projecting sign height is 20 FT, whereas the proposed projecting sign height is greater than 20 feet. See Engineering Comment E.2.c below.
- i. Section 19:66-5.7(j)6.ii – Where the minimum setback from any lot line is 5 FT for a pole sign, whereas the proposed pole sign is setback less than 5 FT from the property line. See Engineering Comment E.2.d below.

The Applicant should be prepared to provide testimony to the Board in support of the requested variances.

III. ENGINEERING COMMENTS

A. GENERAL

1. The Cover Sheet and title block throughout the site plans omit #1519 Boardwalk from the listing of the site address. The plans shall be revised to include this address.
2. The architectural plans label the trash enclosure as a one-story structure and the rendering depicts a roof over it, whereas the site plan detail indicates only a solid wall enclosure without a roof. This discrepancy shall be addressed. If the enclosure is to be roofed, the Applicant shall account for the enclosure's area in the proposed building coverage calculations, if not done so already.
3. It appears there are no windows for the hotel rooms on the second floor for units 212-215 according to the architectural floor plans. However, the renderings and elevation view show partial windows for these rooms. No hotel room shall be without a window. The Applicant shall clarify if all hotel rooms have windows. Testimony shall be provided on the building's compliance with building and fire codes, including compliance with secondary means of egress during an emergency.
4. The existing restaurant building at #1527 Boardwalk, known as Loteria, is labeled as one story on the site plans and survey, whereas it is labeled as two stories on the architectural plans. It appears this building is greater than one story. This discrepancy shall be addressed.
5. There are portions of the lot subject to the rights of the public that are directly within Westminster Avenue's roadway. Testimony shall be provided regarding if any ROW dedication, road easement, or agreement from the City has been obtained or is in the works for the lot's protrusion into Westminster Avenue.

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6. Testimony shall be provided regarding the status of obtaining a revocable license from the City for the proposed overheard canopy's protrusion into Westminster Avenue's ROW. A dimension of the canopy's protrusion into the ROW shall be provided on the site plans.
7. The front yard setback in the zoning schedule on the site plan shall be revised as follows:
 - a) indicate the building is over the lot line by 0.5' for the Boardwalk frontage for existing and proposed conditions.
 - b) The existing front yard setback to Westminster Avenue is 1.5'.
 - c) The proposed front yard setback to Westminster Avenue is over the lot line due to the canopy.
8. The existing building along with overhangs and signs are within the Boardwalk's ROW. Testimony shall be provided regarding whether a revocable license from the City has been obtained to allow these building protrusions into the ROW.
9. The project narrative states the proposed restaurant and existing Loteria restaurant will have shared common outdoor dining space. However, the outdoor dining space appears to only be accessible by the proposed restaurant. Testimony shall be provided clarifying if the existing Loteria restaurant is to contain an outdoor dining space.
10. The Applicant shall clarify if the raised outdoor dining area adjacent to the banquet space is to be used for general restaurant patrons as well. Is the seating count of this area tallied in the banquet seating count or the outdoor seating count? The Applicant shall confirm the total overall seating count for the proposed restaurant on the site plans. The seating count chart and the seating layout depicted on the floor plans shall be consistent with each other.
11. The Applicant shall provide testimony regarding the intended use of the rooftop level of the building near Westminster Avenue. There appears to be a large roof deck area in addition to the rooftop mechanicals area. Will this roof deck be open to public access and contain site amenities?

B. PARKING, LOADING, & CIRCULATION

1. The existing parking and proposed parking calculations on the Information Sheet shall be revised to include the analysis of parking required for the existing restaurant known as the Loteria at #1527 Boardwalk, whose lot is to be consolidated with this application. The Applicant shall confirm if there are any changes to the seating capacity or to the square footage of this restaurant that will impact the required parking. Testimony shall be provided regarding the existing parking operations for this restaurant.

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2. As per N.J.A.C. 19:66-5.8(b), for hotel uses, one (1) parking space is required per room. For restaurants, the greater of one (1) parking space per 30% capacity or one (1) parking space per 150 sf is required. The capacity will control for the proposed restaurant parking. The proposed 32-room hotel and the 442-seated capacity restaurant will require 165 spaces total. The Applicant has demonstrated 90 parking spaces are grandfathered for the existing uses on site, creating a deficiency of 75 spaces. The parking required for the Loteria restaurant at #1527 Boardwalk shall be added to the existing and proposed parking counts. Including the Loteria restaurant will have no impact on the deficiency of parking variance as long as the Loteria restaurant remains the same in proposed conditions. The Applicant shall provide testimony regarding the deficiency of parking.
3. There is an existing parking lot on Westminster Avenue approximately 0.1 miles to the north of the project site at Block 51, Lot 19.01 in which the Applicant stated they may be able to utilize 33 dedicated parking spaces for the hotel guests. Four of these 33 spaces are designated as ADA parking stalls. Are any of these spaces van accessible? Our office has concerns with using four (4) ADA spaces whereas only two (2) ADA spaces are required for a parking area containing 33 spaces, leaving only one (1) ADA space for the remainder of the lot. Will these dedicated parking stalls be designated by striping or signage? If so, it shall be delineated on the plans along with the appropriate details. The Applicant shall provide testimony regarding the status of an agreement with the owner of this lot to dedicate parking and if this dedicated parking area will cause any detriment to the existing required parking demand for this lot.
4. Our office has concerns about pedestrian circulation, particularly ADA pedestrian circulation, from the parking lot at Block 51, Lot 19.01 to the proposed hotel. It appears the sidewalk widths along Westminster Avenue are narrow and contain bollards/barriers reducing the clear width. The Applicant shall provide testimony regarding the pedestrian circulation and if the ADA pedestrian route will be compliant with ADA guidelines.
5. The zoning schedule on the site plan states two (2) loading spaces are required and two (2) loading spaces are proposed, whereas none are depicted on the site plan. Loading docks are labeled, however, the associated loading spaces are not shown. The applicant shall clarify the locations of these two loading spaces on the site plan and demonstrate how the requirement for two loading spaces originated as per N.J.A.C. 19:66-5.8(c).
6. As no new parking areas or reconstruction to existing parking areas are proposed, no EV parking is required.
7. Circulation of a garbage truck traversing the site has been provided. However, the truck does not access the trash enclosure for direct loading. How will the garbage truck collect the refuse? Furthermore, our office has concerns with potential conflicts with the clear width and clearance height of the pole sign when a garbage truck is entering the trash area. The applicant

shall provide testimony regarding the refuse collection operations for the site and the potential impacts the proposed pole sign will have on these operations. Will two trash enclosures be adequate for the hotel and restaurant use, and what is the frequency of trash pickup?

8. Circulation of an emergency vehicle and a delivery/loading vehicle shall be provided on the site plans.

C. SITE LAYOUT & GRADING

1. There are discrepancies between the site plan and the architectural plan for the proposed stairs and entrance ramp layout in the outdoor area near Westminster Avenue. This includes the number of steps and riser heights as the architectural plans generally provide one less step than the site plans. Also, there is an existing landing with narrow width stairs to the southeast of the raised outdoor seating area that shall be reconstructed in kind with the surrounding improvements. The Demolition Plan shall be revised to show this landing and stairs as to be removed/reconstructed. A proper review of the grading will be performed upon submittal of revised plans addressing the discrepancies. It appears the overall intent is to match existing grades as practical.
2. There are discrepancies between the site plan and the architectural plans for the dimension of the canopy's protrusion from the building. This discrepancy shall be addressed.
3. The site plan shall be revised to label the proposed outdoor seating area along the Boardwalk frontage as roof top outdoor dining, and not second floor outdoor dining. Although a seating layout of this roof top outdoor dining area is provided on the site plan, it shall be provided on the architectural plans as well.
4. The property is located within Flood Zone AE 10 as per the latest revised preliminary FIRM from FEMA. However, the lobby entrance is set at elevation 8.3 and the residential trash room at 6.3, both below the flood elevation. Testimony shall be provided on flood damage prevention measures for the proposed improvements in conformance with FEMA standards. It shall be noted that the majority of the building and the proposed raised outdoor seating area are set above the flood elevation.
5. The finished floor elevation of the building, aside from the lobby, shall be provided on the site plan.
6. There is a negligible increase in building coverage and no increase in impervious coverage, therefore no stormwater management facilities are required. The Applicant shall provide testimony regarding existing roof runoff for the building and if they propose any changes to it.

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7. The survey indicates miscellaneous pipes with inverts along the façade of the building at the outdoor area. The proposed improvements will be in conflict with these existing pipes as they are not called out to be removed on the Demolition Plan. The Applicant shall provide testimony regarding the purpose of these existing pipes and if there will be any negative impacts to the building if removed.

D. LANDSCAPING, LIGHTING & SIGNAGE

1. The Applicant shall provide testimony regarding the proposed landscaping conformance with the design requirements as per N.J.A.C. 19:66-7.6(d).
2. The architectural plans show bollards along the lot line perimeter of the outdoor area whereas the site plans do not provide these bollard lights. This discrepancy shall be addressed. If these bollard lights are to be proposed, a detail shall be provided.
3. Wall mounted lights are proposed to light the outdoor area. However, no lighting is proposed for the entrances to the building at Westminster Ave and Boardwalk. The Applicant shall provide testimony on the proposed lighting's conformance with N.J.A.C. 19:66-7.10. It does not appear the illumination levels for loading areas of 4.0 footcandles and driveway entrances of 2.0 footcandles have been met. House side shields shall be provided if any excess lighting spills onto adjacent lots.

E. SIGNAGE & DETAILS

1. The proposed overhead canopy at the Westminster Avenue building entrance is called out to be 15' high and 14' high on the site plan, and 16' high on the architectural plans. These discrepancies shall be addressed, and the height of the canopy shall be clarified.
2. The following discrepancies shall be addressed with the proposed signage as listed in the zoning schedule on the site plan as it differs from what is depicted in the architectural plan for the following:
 - a) Zoning schedule indicates three (3) wall signs whereas architectural plan depicts four (4) wall signs, one (1) on the west elevation, two (2) on the south elevation, and one (1) on the east elevation above the awning of the northerly façade.
 - b) Zoning schedule indicates one (1) awning, canopy or marquee sign, whereas the architectural plans depict two (2) awning, canopy or marquee signs, one on each façade on the east elevation. Furthermore, there appears to be an existing awning sign for the Loteria building, bringing the total to three (3) signs and a variance

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is required. The Applicant shall clarify if there is any other signage associated with the Loteria building. Information shall be provided in the zoning schedule if so.

- c) Zoning schedule indicates zero projecting signs, whereas the architectural plans depict one (1) projecting sign on the southerly building on the east elevation. Furthermore, the zoning schedule shall be revised to include the existing and proposed projecting sign height. It appears the sign is higher than the maximum allowable 20' height and is an existing nonconformity.
- d) Zoning schedule indicates 20' height for the proposed pole sign, whereas the site plan calls out a height of 15'. Furthermore, the proposed setback of the pole sign shall be provided within the zoning schedule. This includes supporting columns. It appears the pole sign is setback less than five feet from any lot line and a variance will be required.

- 3. Details for the security gate and fence shall be provided on the site plans.
- 4. A detail for the trash enclosure gate shall be provided on the site plans.

IV. COFONE CONSULTING PLANNING REVIEW

Zoning Compliance

The property is located in the Resort Commercial (RC) District. As stated at CRDA Land Development Rules Section at N.J.A.C. 19:66-5.10, the purpose of the RC District is as follows:

The purpose of the RC Resort Commercial District is to provide an array of land uses that will capitalize on the zoning district's geographical advantages of the zoning district's proximity to the boardwalk and the Atlantic Ocean. The Resort Commercial District also offers the highest intensity residential offerings within the Tourism District with a variety of supportive commercial and services uses. The vision is to create an environment where residential and resort offerings seamlessly integrate.

The proposed hotel is a permitted use in the RC District.

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Master Plan Review

The subject property is located within the Atlantic City Tourism District. Pursuant to the New Jersey CRDA Atlantic City Tourism District Master Plan, the overall intention and vision is to “reinvigorate Atlantic City in the near-term as the leading resort destination in the Northeast and beyond (Page 4, New Jersey CRDA Atlantic City Tourism District Master Plan). Among others, overarching objectives are to “develop an economically viable and sustainable tourism district” and “[expand] Atlantic City’s tourism and economic bases” (Id, Page 1-2).

Planning Analysis and Issues for Consideration by the Board

In regard to the “c” variance, the Municipal Land Use Law (MLUL) at NJSA 40:55D-70c sets forth the standards for variances from the bulk regulations of a zoning ordinance. A “c(1)” variance is for cases of hardship due to factors such as shape or topography, or due to “an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.” A “c(2)” variance may be granted where the purposes of zoning are advanced and the benefits of deviating from the ordinance requirements outweigh any detriments. The benefits derived from granting a “c(2)” variance must include benefits to the community as a whole, not just to the applicant or property owner. A “c” variance application also must address the “negative criteria.”

We offer the following for your consideration in reviewing the Application:

- 1) The Applicant’s professional planner shall provide the required statutory proofs for the proposed variances.
- 2) The Applicant’s architect shall provide detailed testimony relative to the proposed design, materials, lighting, landscape architecture, signs, and curb appeal elements. Relative to signage, the Applicant shall discuss design and lighting.
- 3) The Applicant has provided a general narrative about the proposed site usage. The Applicant shall provide detailed testimony about the layout, operations, and function of the proposed uses in the building, and the extent to which there will be interconnections between the uses and shared resources/services (including but not limited to the shared outdoor service area with the restaurant on Lot 28,

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housekeeping, and refuse collection and disposal).

- 4) As noted in the engineering comments section of this letter, the Applicant shall explain how ventilation, natural light, and fire escape/suppression will be accommodated for the hotel rooms since there are no proposed windows.
- 5) In terms of the parking deficiency, the Applicant shall provide testimony about the potential use of 120 S. New York Avenue to accommodate parking. We note that there are multiple parking options in the surrounding area, as well as the availability of other transit options.
- 6) The Applicant shall discuss how loading will be accommodated, the types of trucks expected, and the adequacy of circulation.
- 7) The applicant shall provide testimony regarding proposed security, whether there will be staff on-hand 24 hours a day, and the adequacy of egress/escape points during a fire.
- 8) The Applicant shall discuss how the application will advance the intent of the New Jersey CRDA Atlantic City Tourism District Master Plan and the Tourism District.
- 9) The Applicant shall comply with the conditions of all previous approvals received for the site.
- 10) The Applicant shall furnish any resolution and/or prior approvals from, and agreements with, the City of Atlantic City, if any.

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V. POST APPROVAL CONSIDERATIONS

Should the Board grant the desired approval for this Application, Applicant, and/or its professionals must:

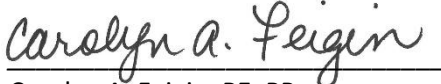
- A. Submit any required revisions to the Board as outlined above for review.**
- B. Obtain approvals from all outside agencies, if necessary. Provide copies to the Board.**
- C. Contact the Board Secretary to reconcile any outstanding review escrow accounts prior to Final Plan Certification, Signature, or the issuance of building permits, as applicable.**

Any resubmissions in response to this report should be accompanied by a point-by-point response to all items. To facilitate the Board's decision-making process, Applicants are strongly encouraged to resolve as many items as possible prior to the hearing on this matter.

Respectfully Submitted,

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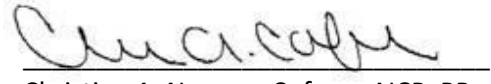
By



Carolyn A. Feigin, PE, PP
CRDA Consulting Engineer

COFONE CONSULTING GROUP

By



Christine A. Nazzaro-Cofone, AICP, PP
CRDA Consulting Planner

cc: Robert L. Reid, AICP, NJPP
Christine A. Nazzaro-Cofone, AICP, PP
Scott Collins, Esq.
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