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July 22, 2024
31623 55

Re: Marvin's Gardens, LLC (CRDA Application #2023-06-3481)
Minor Site Plan with Bulk Variances
Completeness Review #2
1723 Pacific Avenue
Block 156, Lot 36
Atlantic City, NJ, 08401

Lance B. Landgraf, Jr., AICP, PP, Director of Planning & Development
Casino Reinvestment Development Authority
15 South Pennsylvania Avenue
Atlantic City, NJ 08401

Dear Mr. Landgraf:

Supplemental / revised information for the subject application for a Minor Site Plan with Variances has been received for the subject premise:

Applicant Information

- Applicant: Marvin's Gardens, LLC
5 Greentree Centre
525 Route 73 North, Suite 104
Marlton, NJ 08053
- Owner: NJEC Associates, LLC c/o Jeffrey Feil
7 Penn Plaza, Suite 1100
New York, NY 10001
- Attorney: Damon G. Tyner, Esquire
Damon G. Tyner, LLC
114 Rainbow Trail
Egg Harbor Township, NJ 08234
- Engineer: Jason Sciuillo
Sciuillo Engineering Services, LLC
137 South New York Avenue, Suite 2
Atlantic City, NJ 08401
- Planner: Same as Engineer

- Architect: Craig Dothe
33 N. Brighton Avenue
Atlantic City, NJ 08401

Documents Submitted

1. Application Cover Letter, prepared by Damon G. Tyner, Esquire, Applicant’s Attorney, dated April 29, 2024.
2. Cover letter, prepared by Sciullo Engineering Services, LLC, dated July 8, 2024.
3. CRDA City of Atlantic City Land Use Application, dated April 23, 2024.
4. 200-foot Property List, dated March 4, 2024.
5. Project Narrative, 1723 Pacific Avenue, Marvin’s Gardens LLC, undated.
6. CRDA Minor Site Plan Checklist (Form #5).
7. CRDA “c” Variance Checklist (Form 12).
8. Site Photographs.
9. Site Plan titled “Marvin’s Gardens Dispensary, Minor Site Plan”, 1 Sheet, prepared by Sciullo Engineering Services, LLC, dated April 7, 2024 and last revised July 8, 2024.
10. Commercial Real Estate Lease Assignment for 1723 Pacific Avenue, Atlantic City, Consisting of 6 pages, dated June 20, 2023.
11. Architectural Plans, prepared by Craig Dothe, RA, dated June 18, 2024, consisting of the following sheets:
 - a. Sheet Z-1 – Proposed Floor Plan, last revised July 8, 2024
 - b. Sheet Z-1 – Proposed Elevations & Sign Details.
 - c. Sheet SC-1 – Proposed Security First Floor Plan
12. Resolution No. 389 of the City of Atlantic City, amending prior Resolution No. 274, which supports the suitability of the proposed cannabis business, “Marvin’s Garden, LLC”, dated May 24, 2023.
13. “ALTA/NSPS Land Title Survey”, by Richard C. Matthews, PLS, Stires Associates, dated June 11, 2018, Last Revised September 18, 2018.
14. Certification of Payment of Property Taxes for 1723 Pacific Avenue, Block 156 Lot 36, by Kacey B Johnson, Collector of Taxes, dated April 26, 2024.\
15. Conditional NJ Cannabis Regulatory Commission Approval, dated January 22, 2024.
16. “Marvin’s Garden, LLC Safety and Security Plan”, undated, preparer unspecified.
17. “Report on Title”, dated July 1, 2024, prepared by Jersey National Title, Inc.

Project Description and Background

The application for Minor Site Plan with Bulk Variances approval was submitted by Marvin’s Gardens, LLC which is a proposed Class 5 Cannabis Retailer and requires licensing from the NJ Cannabis Regulatory Commission (CRC) in addition to appropriate land use approvals. The Applicant has a signed lease with the site owner for such purposes. The site is located on the northeast corner of Pacific Avenue and Indiana Avenue and has a total of nine (9) off-street parking spaces, including one (1) ADA accessible space.

The site is located within the Resort Commercial (RC) Zoning District and also within the Green Zone Redevelopment Area. The adopted Green Zone Redevelopment Plan permits the proposed Class 5 Cannabis Retailer. Aside from the interior building improvements it appears that building façade and business identification signage improvements, parking lot striping and signage are also proposed. A loading / unloading zone is provided within the on-site, off-street parking lot. A trash enclosure is also provided within the parking lot area.

Completeness Review / Submission Waivers Required

The Applicant requires submission waivers from Item Nos. 17, 18, 19, 21, 23, 24, 25, 26, 27, 28, 29, 32, 34, 35 & 36 of the Minor Site Plan Checklist (Form # 5). We have no objection to the granting of these waivers, as many are not applicable, on the condition that the following comments are satisfactorily addressed via supplemental information and / or testimony:

1. Regarding Checklist Item No. 19, this item was listed as not applicable, however a Certificate of Occupancy is required from the Construction Official, approval is required from the City's Architectural Review professional for compliance with the Green Zone Redevelopment design standards, issuance of the appropriate cannabis license is required from the NJCRC, and all other outside agency approvals are required as a condition of any approval granted. The waiver should not be granted.
2. Regarding Checklist Item No. 25, Lighting Plan, The waiver can be granted subject to a night light function test to illustrate compliance with ordinance lighting requirements.
3. Regarding Checklist Item No. 29, The Applicant should provide testimony regarding the nature and volume of waste and recycling that is anticipated to be generated by the proposed use how wastes and recyclables will be removed from the site. Additional information shall be provided to demonstrate that the outdoor trash enclosure complies with the requirements of Sections 19:66-7.12(c) and 19:66-7.12(k) of the Land Development Rules, which regulates the storage of waste and recycling.

We have no objection to the application being deemed conditionally complete, provided that the Applicant address the preceding comments to our satisfaction via supplemental information / testimony-

We reserve the right to make further comments as revised submittals are received. Please contact the undersigned if you require any additional information or have any questions.

Sincerely yours,



G. Jeffrey Hanson, PE, CME
CRDA Land Use Board Engineering and Planning
Consultant

Cc: Marvin's Gardens, LLC, Email ron@ronstengsr.com
NJE Associates, LLC c/o Jeffrey Feil, Email: rbriskin@fellorg.com
Damon G. Tyner, Esquire, Email: dytyner@tynerlawteam.com
Jason Sciuillo, Email: jsciullo@sciulloengineering.com
Craig Dothe, Email: craig@cfidarchitect.com
Rob Reid, AICP, PP, CRDA Land Use Regulation Enforcement Officer
Scott Collins, Esquire, CRDA Land Use Board Attorney