

City of Atlantic City

LAND USE APPLICATION

City of Atlantic City: (Check where applicable)



AC Planning Division Jurisdiction

City of Atlantic City Planning Board
1301 Bacharach Boulevard
City Hall-Suite 508
Atlantic City, NJ 08401
609-347-5404

CRDA: (Check where applicable)



NJ CRDA LURED Jurisdiction

Casino Reinvestment Development Authority
15 S Pennsylvania Avenue
Atlantic City, NJ 08401
609-347-0500

To be completed by staff only.

Date Filed _____

Application No. _____

Application Fees: _____

Escrow Deposit _____

Scheduled for:

Review for Completeness _____ Hearing: _____

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1. SUBJECT PROPERTY

Location: Dewey Place, New Hampshire Avenue, Pacific & Boardwalk

Tax Map Page 15 Block 79 Lot(s) 3-7 & 9-21

Page _____ Block _____ Lot(s) _____

Page _____ Block _____ Lot(s) _____

Dimensions Frontage _____ Depth _____ Total Area _____

Zoning District Redevelopment Plan Blocks 72, 75, 77 & 79 Pacific Avenue, From Rhode Island Avenue to Absecon Inlet, South to Oriental Avenue, Atlantic City, N.J.

2. APPLICANT

Name K. Hovnanian Terraces at Absecon Inlet, LLC

Email tsiebold@khov.com

Address 110 Fieldcrest Avenue, 5th Floor, Edison, NJ 08837

Telephone Number 732-623-6880

Applicant is a: Corporation ☒ Partnership ☐ Individual ☐

3. If Owner is other than the applicant, provide the following information on the Owner(s):

Owner's Name *See Below

Email _____

Address _____

Telephone Number _____

*Owners Name

Block 79, Lots 3-7,9,16-21- Block 79 QOZB, LLC, 1005 Main Street, Asbury Park, NJ 07712

Block 79, Lots 10, 14, 15- North Beach Holdings, 226 Woodward Ave., Rutherford, NJ 07070

Block 79, Lot 11- 221-235 Boardwalk, LLC, 1650 Limekiln B 19-1043, Drescher, PA 19025

4. 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	See attached	Address	Interest
Name		Address	Interest
Name		Address	Interest
Name		Address	Interest
Name		Address	Interest

5. PROPERTY INFORMATION:

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

Yes [attach copies] _____ No _____ Proposed Condition of approval _____

Present use of the premises: Vacant Land _____

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, Third Floor, Atlantic City, NJ 08401

Telephone Number 609-572-7544

FAX Number 609-572-7545

7. Applicant's Engineer Jason Sciuillo, Sciuillo Engineering Services, LLC

Email jsciuillo@sciuilloengineering.com

Address 137 S. New York Avenue, Suite 2, Atlantic City, NJ 08401

Telephone Number 609-300-5171

FAX Number

8. Applicant's Planning Consultant Tiffany Morrissey

Email tamorrissey@comcast.net

Address 7 Equestrian Drive, Galloway, NJ 08205

Telephone Number 856-912-4415

FAX Number

9. Applicant's Traffic Engineer Nathan Mosely, Shropshire Associates, LLC

Email nmosely@sallc.org

Address 277 White Horse Pike, Suite 203, Atco, NJ 08004

Telephone Number 609-714-0400

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 N/A
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 39 Number of proposed dwelling units 38
(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]
_____ Map or Ordinance Interpretation of Special Question [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] N/A

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

Requirements: [attach additional pages as needed] N/A

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] Thirty-eight (38) fee simple townshomes pursuant to Redevelopment Plan Blocks 72, 75, 77 & 79 from Rhode Island Avenue to Absecon Inlet, South to Oriental Avenue, Atlantic City, N.J. dated 4/11/24

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? not yet

20. Are any off-tract improvements required or proposed? yes, sanitary sewer

21. Is the subdivision to be filed by Deed or Plat? Plat

22. What form of security does the applicant propose to provide as performance and maintenance guarantees? Bond

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

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

Quantity	Description of Item
5	Vargo Survey
5	Sciullo Engineering Plans and Storm Report
5	KHov Architectural Plans

Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

Attorney all

Engineer all

CERTIFICATIONS

27. I Tracy Siebold 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
7th day of November 2024

KIM A. DONNELLY
Notary Public, State of New Jersey
My Commission Expires August 22, 2026

Kim A. Donnelly
NOTARY PUBLIC

[Signature]
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
____ day of _____, 20 ____

Block 79 QOZB, LLC

NOTARY PUBLIC

By: _____
SIGNATURE OF OWNER

29. I understand that the sum of \$ 9,360 has been deposited in an escrow account (Builder's Trust Account). In accordance with 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.

November 4, 2024
Date

[Signature]
SIGNATURE OF APPLICANT

CERTIFICATIONS

27. I _____ 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.

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Sworn to and subscribed before me this
_____ day of _____, 20 _____

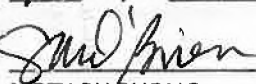
NOTARY PUBLIC

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Sworn to and subscribed before me this

4th day of November, 2024

Susan M. O'Brien
NOTARY PUBLIC
State of New Jersey
ID # 50015929
My Commission Expires 5/15/2025

North Beach Holdings, LLC

By: _____

NOTARY PUBLIC

SIGNATURE OF OWNER

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Sworn to and subscribed before me this
_____ day of _____, 20 _____

NOTARY PUBLIC

SIGNATURE OF APPLICANT

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[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
6TH day of NOVEMBER, 20 24

221-235 Boardwalk, LLC

Caithlin B. Doran
NOTARY PUBLIC

By: *[Signature]*
SIGNATURE OF OWNER

29. I understand that the sum of \$ 9,360 has been deposited in an escrow account (Builder's Trust Account). In accordance with 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.

Date

SIGNATURE OF APPLICANT



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Sworn to and subscribed before me this
_____ day of _____, 20 _____

NOTARY PUBLIC

SIGNATURE OF APPLICANT

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[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

4th day of NOVEMBER 2024

Paula Geletei

NOTARY PUBLIC

City of Atlantic City

By: Marty Small Sr.

SIGNATURE OF OWNER

MARTY SMALL SR.
MAYOR



29. I understand that the sum of \$ 9,360 has been deposited in an escrow account (Builder's Trust Account). In accordance with 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.

Date

SIGNATURE OF APPLICANT

Disclosure of Ownership

- A. K. Hovnanian Holdings NJ, LLC, with a business address located at 90 Matawan Road, Floor 5, Matawan, New Jersey 07747 is the only person or entity that owns more than ten percent (10%) of the Applicant.
- B. K. Hovnanian Developments of New Jersey, Inc., with a business address located at 90 Matawan Road, Floor 5, Matawan, New Jersey 07747, is the only person or entity that owns more than ten (10%) percent of K. Hovnanian Holdings NJ, LLC.
- C. Hovnanian Enterprises, Inc. with a business address located at 90 Matawan Road, Floor 5, Matawan, New Jersey 07747, is the only person or entity that owns more than ten (10%) percent of K. Hovnanian Developments of New Jersey, Inc.
- D. Hovnanian Enterprises, Inc. is a publicly traded company and no person or entity owns more than ten (10%) percent of its stock.

Date: November 4, 2024



Signature of Applicant
Title: Area Counsel