

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: Beach between Montpeiler Avenue and Morris Avenue
Tax Map Page _____ Block 1 Lot(s) 43, 44, 45, 46 & 47
Page _____ Block _____ Lot(s) _____
Page _____ Block _____ Lot(s) _____

Dimensions Frontage varying Depth varying Total Area 6+/- acres

Zoning District Beach "B" Zone

2. APPLICANT

Name SECAA, LLC (d/b/a Cocorico f/k/a The Chelsea Beach Bar)
Email chelseabeaches@gmail.com
Address 3101 Boardwalk No. R-18, Atlantic City, New Jersey 08401
Telephone Number 212-542-0999
Applicant is a: Corporation Partnership Individual x LLC

3. If Owner is other than the applicant, provide the following information on the Owner(s):
Owner's Name City of Atlantic City
Email _____
Address 1301 Bacharach Boulevard, Atlantic City, New Jersey 08401
Telephone Number 609-347-5528

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	<u>Domenico Gaggiano</u>	Address	_____	Interest	<u>50%</u>
Name	<u>Steven Tabeek</u>	Address	_____	Interest	<u>50%</u>
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] Lease Agreement No _____ Proposed _____

Present use of the premises: Existing beach bar, shed, restrooms, food concession trailer, sun shelters as well as three (3) repurposed intermodal containers for the storage and rental of sundries (chairs, umbrellas, etc.) and other ancillary improvement.

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 Lisa A. John-Basta
 Email Ljohn-basta@csglaw.com
 Address CSG Law - 105 Eisenhower Parkway, Roseland, NJ 07068
 Telephone Number 973-530-2083
 FAX Number _____

7. Applicant's Engineer Arthur Ponzio, Jr.
 Email bponzio@aponzio.com
 Address Arthur Ponzio Co. - 400 North Dover Avenue, Atlantic City, NJ 08401
 Telephone Number 609-344-8194
 FAX Number _____

8. Applicant's Planning Consultant _____
 Email _____
 Address _____
 Telephone Number _____
 FAX Number _____

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) _____
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] See Application Attachment and Sheet C-3 for signage variances
Testimony on planning proofs will be provided during the public hearing.

13. **Waivers Requested** of Development Standards and/or Submission and justification for request.
Requirements: [attach additional pages as needed] None

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] Applicant proposes to maintain the existing improvements and to expand the beach bar area with approximately 1,310 sf of decking in order to install a swimming pool, and to operate a food truck/trailer in northeast portion of lease area.

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? TBD

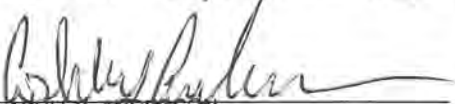
CERTIFICATIONS

27. I Steven TabEEK 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 12th day of September, 20 24

SECAA, LLC







ASHLEY ANDERSON
NOTARY PUBLIC
Notary Public
State of Florida
Comm # 1255939
Expires 1/30/2027

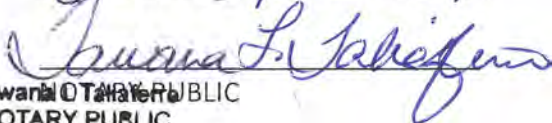
SIGNATURE OF APPLICANT
By: Steven TabEEK

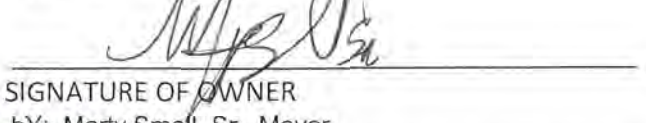
28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

[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 12th day of September, 20 24

CITY OF ATLANTIC CITY





Tawana O'Neil
NOTARY PUBLIC
State of New Jersey
ID # 50090611

SIGNATURE OF OWNER
By: Marty Small, Sr., Mayor

I understand that the sum of \$ 8,910.00 has been deposited in an escrow account (under 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.

9-12-2024
Date

SECAA, LLC

SIGNATURE OF APPLICANT
By: Steven TabEEK

ESCROW SETUP INFORMATION

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

Applicant's Name: SECAA, LLC (d/b/a Cocorico f/k/a The Chelsea Beach Bar)

Applicant's Address: 3101 Boardwalk No. R-18, Atlantic City, New Jersey 08401

*Applicant's Signature: 

Applicant's Phone No.: 212-542-0999

Applicant's Email Address: chelseabeaches@gmail.com

Applicant's Date of Birth: N/A

Tax Identification or Social Security Number: _____

Assigned Escrow #: _____

Should you require assistance or have any questions, please do not hesitate to contact:

Atlantic City Planning:

Lisa D'Alessandro, Board Secretary
City of Atlantic City Planning
1301 Bacharach Boulevard
City Hall-Suite 508
Atlantic City, NJ 08401
Email: LDAlessandro@cityofatlanticcity.org
609-347-5404

CRDA:

Loreta Acevedo, Project Officer
Casino Reinvestment Development Authority
15 S Pennsylvania Avenue
Atlantic City, NJ 08401
Email: lacevedo@njcrda.com
609-347-0500

**LAND USE APPLICATION ATTACHMENT
SECAA, LLC (d/b/a COCORICO f/k/a THE CHELSEA BEACH BAR)
BLOCK 1, LOTS 43, 44, 45, 46 & 47**

Present Use:

The property consists of five (5) tax lots designated as Block 1, Lots 43, 44, 45, 46 & 47 (collectively the "Property"). The Property is currently developed with an existing beach bar along with restrooms, a shed, a food concession trailer, sun shelters as well as three (3) repurposed intermodal containers, which are used for storage and rental of various sundries including chairs and umbrellas.

Proposed Development Name and Nature of Use:

The Applicant proposes to maintain the existing improvements at the Property described above and to expand the beach bar with approximately 1,310 square feet of decking so that it can install an approximately 1,310 square foot swimming pool. The Applicant is also proposing to operate a food truck/trailer in the northeast portion of the Property. In addition to the above-listed improvements, the Applicant is also proposing various signage (as more particularly described on Sheet C-3 of the Site Plan set) to be installed at the Property.

Requested Variances:

1. Variance from N.J.A.C. 19:66-5.8 to permit zero (0) parking spaces, whereas 77 parking spaces (current application requires 134 parking spaces less the existing parking deficiency of 57 parking spaces)
2. Variance from N.J.A.C. 19:66-5.9.(a)iv.(1) to permit the food concession with rooftop DJ booth to have a height of 16.5 feet, whereas a maximum of 10 feet is permitted
3. Variance from N.J.A.C. 19:66-5.9.(a)iv.(1) to permit sun shelters to have a height of 11 feet, whereas a maximum of 10 feet is permitted
4. See Sheet Signage Chart on Sheet C-3 of the Site Plan set with respect to signage variances