

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: _____

=====

1. SUBJECT PROPERTY

Location: 215 South Tennessee Avenue

Tax Map	Page <u>11</u>	Block <u>54</u>	Lot(s) <u>27</u>
	Page _____	Block _____	Lot(s) _____
	Page _____	Block _____	Lot(s) _____

Dimensions Frontage 35 ft. Depth 50 ft. Total Area 1,750 sq. ft.

Zoning District RC - Resort Commercial

2. APPLICANT

Name Realty Management Services, Inc.

Email c/o Nicholas F. Talvacchia, Esquire @ ntalvacchia@cooperlevenson.com

Address c/o Cooper Levenson, P.A., 1125 Atlantic Avenue, 3rd Fl., Atlantic City, NJ 08401

Telephone Number c/o NFT 609-572-7544

Applicant is a: Corporation Partnership Individual
 Limited Liability Company

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

Owner's Name Same as Applicant

Email _____

Address _____

Telephone Number _____

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 _____ 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 _____

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 Nicholas F. Talvacchia, Esquire of Cooper Levenson, P.A.

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 T. Sciuillo, Sciuillo Engineering Services, LLC

Email jsciullo@sciulloengineering.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 Same as Engineer

Email _____

Address _____

Telephone Number _____

FAX Number _____

9. Applicant's Traffic Engineer N/A

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 Rosa Gamarra, RA of Parallel Architecture Group
Field of Expertise Architecture
Email rgamarra@parallelgrp.com
Address 494 Broadway, Suite 3, Long Branch, NJ 07740
Telephone Number 732-229-4400
FAX Number 732-229-4488

11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION: N/A

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] 19:66-5.10(a)li(7) for use, 19:66-5.10(a)liv(6) for building coverage, 5.10(a)liv(8) for min. front yard, 5.10(a)liv(9) for min. side yard, 5.10(a)liv(10) for min. rear yard, 19:66-5.8(b)4 for min. on-site parking and 5.10(aliv(2) through (5) for existing non-conforming conditions and undersized lot.

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] See Project Narrative attached.

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? No

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? _____

*12. 19:66-5.10(a)li(7) for use, 19:66-5.10(a)liv(6) for building coverage, 5.10(a)liv(8) for min. front yard, 5.10(a)liv(9) fo min. side yard, 5.10(a)liv(10) for min. rear yard, 19:66-5.8(b)4 for min. on-site parking and 5.10(a)liv(2) through (5) for existing non conforming conditions and undersized lot.

23. Other approvals, which may be required and date plans submitted:

	Yes	No	Date Plans Submitted
Atlantic City Municipal Utilities Authority	<u>X</u>	<u> </u>	<u> </u>
Atlantic County Health Department	<u> </u>	<u>X</u>	<u> </u>
Atlantic County Planning Board	<u> </u>	<u>X</u>	<u> </u>
Atlantic County Soil Conservation Dist.	<u> </u>	<u>X</u>	<u> </u>
NJ Department of Environmental Protection	<u>X</u>	<u> </u>	<u> </u>
Sewer Extension Permit	<u> </u>	<u>X</u>	<u> </u>
Sanitary Sewer Connection Permit	<u>X</u>	<u> </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> 2 </u>	<u>Site Plan prepared by Sciallo Engineering dated 12/20/2024.</u>
<u> 2 </u>	<u>Survey by FPL Associates dated 9/10/2021.</u>
<u> 2 </u>	<u>Architectural Plans prepared by Parallel Architecture Group.</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 All

Attorney All

Engineer All

DANIELLE THOMAS
NOTARY PUBLIC OF NEW JERSEY
Commission # 50142997
My Commission Expires 11/9/2025

CERTIFICATIONS

27. I Nicholas F. Talvacchia, Esquire 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 January, 20 25

Danielle Thomas
NOTARY PUBLIC

[Signature]
SIGNATURE OF APPLICANT
Nicholas F. Talvacchia, Esquire, 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
7th day of January, 20 25

Danielle Thomas
NOTARY PUBLIC

[Signature]
SIGNATURE OF OWNER
Nicholas F. Talvacchia, Esquire, Attorney for Owner

29. I understand that the sum of \$ _____ 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.

1/7/2025
Date

[Signature]
SIGNATURE OF APPLICANT
Nicholas F. Talvacchia, Esquire, Attorney for Applicant

DANIELLE THOMAS
NOTARY PUBLIC OF NEW JERSEY
Commission # 50142997
My Commission Expires 11/9/2025

DISCLOSURE STATEMENT

**LIST OF NAMES AND ADDRESSES OF OFFICERS, DIRECTORS,
AND INDIVIDUALS OR ENTITIES
OWNING 10% OR MORE INTEREST IN THE APPLICANT
(N.J.S.A. 40:50D-48.1)**

REALTY MANAGEMENT SERVICES, INC.

The persons or entities with a 10% or greater interest in Applicant, **REALTY MANAGEMENT SERVICES, INC.:**

Richard Domanico
106 Union Avenue
Lakehurst, NJ 08733

Mark Callazzo
106 Union Avenue
Lakehurst, NJ 08733

PROJECT NARRATIVE

215 South Tennessee Avenue
Block 54, Lot 27
City of Atlantic City
January 7, 2024

Realty Management Services, Inc. (the "Applicant") seeks preliminary and final minor site plan approval and variance relief for the property located at 215 South Tennessee Avenue, also known as Block 54, Lot 27, in the City of Atlantic City, County of Atlantic and State of New Jersey (the "Property") to develop a mixed use building with retail on the ground floor and one (1) residential dwelling unit on the second and third floors. Currently, the Property is vacant land. The Property is located within the Resort Commercial (RC) zoning district. The zone permits mixed use, but does not permit the type of residential proposed. The zone permits multi-family mid-rise and high-rise. Because the proposed residential use is not a multi-family use and is not a mid-rise or high-rise, use variance relief is required.

Applicant requests variance relief for the following: (a) use variance to allow one (1) residential dwelling unit on the second and third floors; (b) maximum building coverage (70% is required and 90% is proposed); minimum front yard setback (20 ft. when height is greater than 35 ft. and 0 is proposed); (c) minimum side yard setback (20 ft. when height is greater than 35 ft. and 0 is proposed); (d) minimum rear yard setback (20 ft. is required and 5 ft. is proposed); and existing non-conformities for minimum lot area, minimum lot depth, minimum lot width, minimum lot frontage and maximum impervious coverage.

Applicant will provide the required parking, 7 spaces, offsite. Because the residential spaces, 3, are required to be onsite, Applicant requests variance relief to locate such spaces offsite.

Applicant will be requesting a license from the City of Atlantic City for certain encroachments into the public right-of-way as shown on the plans.

The Applicant also requests any other variances, waivers, exceptions or other relief that the Casino Reinvestment Development Authority, Division of Land Use and Regulatory Enforcement, deems necessary for this application.