



137 South New York Avenue, Suite 2
Atlantic City, New Jersey 08401
Phone (609) 300-5171
www.sciulloengineering.com

February 6, 2025

STN 001.01

Robert Reid, AICP, PP, Land Use Enforcement Officer
Casino Reinvestment Development Authority
15 South Pennsylvania Avenue
Atlantic City, NJ 08401

Re: Final Approval Compliance
Minor Site Plan with Bulk Variances
Applicant: Marvin's Gardens, LLC
Block 156, Lot 36; 1723 Pacific Avenue
Atlantic City, Atlantic County, New Jersey

Dear Mr. Reid:

Sciullo Engineering Services, LLC ("SE") is assisting Marvin's Gardens, LLC ("Applicant") with the subject project. We are providing this letter to address conditions of approval contained in CRDA Resolution #24-135 adopted November 19, 2024 which were to address comments contained within the Hearing Officer's Report and Recommendations dated October 30, 2024 and ERI's review letter for the subject application dated August 7, 2024. For ease of reference, the review comments are provided below in *italicized text*, followed by our responses in **bold**. Only those comments requiring a response are included:

Hearing Officer's Report and Recommendation dated October 30, 2024:

- *Comply with all standards and requirements of the Green Zone Redevelopment Plan, including architectural standards.*

The Applicant submitted to the City for review in compliance with Green Zone architectural standards.

- *Have its security plan approved by the Atlantic City Police Department.*

Enclosed is an email from the City Police Department approving the security plan.

- *Make all security cameras subject to monitoring by the Atlantic City Police Department.*

The Applicant agreed during testimony to provide access to their security camera system to the City Police Department.

- *Comply with all requirements of the Cannabis Regulatory Commission.*

The Applicant will comply with CRC requirements as necessary obtain licensure to operate.

Environmental Resolutions, LLC Technical Review #1 dated August 7, 2024

B. Completeness Review/Submission Waivers Required

2. *Regarding Checklist Item No. 19, this item was listed as not applicable, however a Certificate of Occupancy is required from the Construction Official, approval from the City's Architectural Review professional for compliance with the Green Zone Redevelopment standards, issuance of the appropriate cannabis license from the City of Atlantic City, and all other outside agency approvals are required as a condition of any approval granted. The waiver should not be granted.*

The Applicant has submitted to the City for both architectural review pursuant to Green Zone redevelopment plan standards as well as required construction permits.

3. *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. It should be noted that the Applicant has agreed to the performance of a night light function test as a condition of approval, as per the Sciallo Engineering letter of July 8, 2024. Same should be affirmed by the Applicant via testimony.*

The Applicant agreed to provide results of a light survey after construction is completed to confirm parking lot lighting is adequate.

4. *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 and screening of same.*

The requested testimony was provided at the public hearing. The hearing officer requested that the existing trash enclosure fence be replaced with white vinyl fence, which is shown on the enclosed updated site plan.

C. Zoning/Bulk Variance Review

5. *Section 19:66-5.8(b)1. of the Land Development Rules requires a minimum of one (1) off-street parking space per 300 SF of floor space for retail uses, consequently twenty-two (22) parking spaces are required for this size*

structure (6,401 SF), whereas nine (9) spaces are proposed. A variance is required.

The requested variance relief was granted.

6. Green Zone Redevelopment Plan Section 5.1.2.d.7.q limits the maximum number of signs per site to two (2) total, whereas a total three (3) wall signs are proposed (2 along the Indiana Ave. frontage and 1 along the Pacific Ave. frontage). A variance is required. It should be noted that the existing site currently has five (5) total signs.

The requested variance relief was granted.

7. With respect to "c" variances the applicant must demonstrate that the strict application of the zoning regulations to the property creates a hardship or results in exceptional practical difficulties by reason of the exceptional shape of the property or the exceptional topographic conditions uniquely affecting the property. In addition, the applicant will have to demonstrate that the benefits of granting any variance outweigh the detriments.

The required testimony was provided and the requested variance relief was granted.

D. Site Plan Review/General Comments

1. The Applicant should provide testimony regarding how the loading and unloading of the delivered products, cash, and any other products/supplies will be achieved safely and securely. The proposed loading / unloading area appears to potentially conflict with cars backing out of the off-street parking spaces. It may be preferable to designate one of the parking spaces for loading / unloading purposes to eliminate the potential conflict.

As discussed during testimony, the loading operation will take place using vans outside of operating hours when customers are not using the parking lot. As discussed during the hearing, keeping the space available for customers was more beneficial than removing it for use by infrequent deliveries during off hours.

2. Approval of the design standards promulgated in the Green Zone Redevelopment Plan is required from the City of Atlantic City. The Applicant should provide testimony regarding the status of the City's review of this application.

The Applicant submitted to the City for architectural review pursuant to Green Zone standards.

3. Per the Green Zone Redevelopment Plan Section 5.1.d.8 which governs security and surveillance measures, an electronic alarm system that automatically notifies the police and the business owner shall be installed. The Applicant shall provide testimony / supplemental information regarding the proposed security and surveillance measures. It is recommended that any

approval be conditioned upon the proposed measures being submitted to the City Police Department for their review and approval before the issuance of a Certificate of Land Use Compliance.

Enclosed is an email from the City Police Department approving the security plan.

E. Outside Agency Permits and Approvals

1. *The following permits and approvals are required:*

a. *Atlantic City Building Code Official*

Construction permits will be obtained after CLUC issuance by CRDA.

b. *City of Atlantic City- Green Zone Redevelopment Zone Design Standards*

The Applicant submitted to the City for this review.

c. *Atlantic City Police Department*

Enclosed is proof of acceptance of the security plan by the City Police Department.

d. *NJ Cannabis Regulatory Commission*

The CRC will issue a license to operate the facility once construction is complete and inspected by their office.

e. *All others as necessary*

None required.

Please find enclosed two (2) copies of the following documents for your review:

- Plan entitled "Marvin's Gardens, LLC Cannabis Retail Sales Facility, Atlantic City, Minor Site Plan, 1723 Pacific Avenue, Block 156, Lot 36, Atlantic City, Atlantic County, New Jersey, Site Plan" sheet C2701 prepared by SE, project no. STN 001.01, last issued 02/04/2025;
- Email approval of security plan from AC Police Department dated January 30, 2025.

Should you have any questions or require additional information, please feel free to contact me at (609) 300-5171 or jsciullo@sciulloengineering.com.

Sincerely,

Sciullo Engineering Services, LLC



Jason T. Sciullo, PE, PP
Principal Engineer

Cc: Ron Stenger, Applicant
Damon Tyner, Esq.
Craig Dothe, Dothe Architects