

HANK N. ROVILLARD, ESQUIRE, LLC
ATTORNEYS AT LAW

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Atlantic City, New Jersey 08401

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HANK N. ROVILLARD
EDWARD O. LIND III

January 20, 2025

E-mail: hnr@hnrjlaw.com

Robert L. Reid, AICP, NJPP
Land Use Regulation Enforcement Officer
NJ Casino Reinvestment Development Authority
& Land Use Regulation and Enforcement Div.
15 South Pennsylvania Avenue
Atlantic City, New Jersey 08401

**Re: City of Atlantic CRDA Zoning Board Application-Phase II
Caring, Inc.
Block 169 Lots 7 & 8
2611 & 2619 Pacific Avenue
Atlantic City, N.J 08401.
Our file #13,183-44**

Dear Mr. Reid:

Enclosed are the following documents filed in support of the above noted application:

1. Two (2) written copies of the City of Atlantic City Land Use Application;
2. One (1) additional copy of the City of Atlantic City Land Use Application in PDF format;
3. Two (2) copies of Variance Plans Phase II Roof Deck prepared by Daniel Scott Mascione, Architect, LLC;
4. Two (2) copies of property survey & site development plan prepared by Arthur Ponzio Co.;
5. Flash drive of the Application in PDF format; and
6. Two (2) checks made payable to CRDA for the application fee in the amount of \$250.00, along with a check made payable to CRDA for the escrow fee in the amount of \$2,200.00.

Upon your receipt and review, if you have any questions, please contact me. Thank you for your attention.

Very truly yours,


Hank N. Rovillard, Esquire

HNR:ld
Enclosures

cc: City of Atlantic City Planning Department
City of Atlantic City Engineering Department

CARING INC
14 SOUTH CALIFORNIA AVE
ATLANTIC CITY, NJ 08401

OCEANFIRST BANK
55-642/312

Jan 8, 2025
DATE

108905
CHECK NO.

Pay Two Thousand Two Hundred Dollars and 00 Cents

\$2,200.00

To the Order of:

CRDA - CASINO REINVESTMENT DEVELOPMENT AUTHORITY
15 S PENNSYLVANIA AVE
ATLANTIC CITY, NJ 08401

Checks \$2,000 and over require two signatures.

⑈ 108905 ⑈ ⑆ 231270353 ⑆ 6101539146 ⑈

CARING INC
14 SOUTH CALIFORNIA AVE
ATLANTIC CITY, NJ 08401

OCEANFIRST BANK
55-642/312

Jan 8, 2025
DATE

108906
CHECK NO.

Pay Two Hundred Fifty Dollars and 00 Cents

\$250.00

To the Order of:

CRDA - CASINO REINVESTMENT DEVELOPMENT AUTHORITY
15 S PENNSYLVANIA AVE
ATLANTIC CITY, NJ 08401

Checks \$2,000 and over require two signatures.

⑈ 108906 ⑈ ⑆ 231270353 ⑆ 6101539146 ⑈

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: 2611 & 2619 Pacific Avenue
 Tax Map Page _____ Block 169 Lot(s) 7 & 8
 Page _____ Block _____ Lot(s) _____
 Page _____ Block _____ Lot(s) _____

Dimensions Frontage _____ Depth _____ Total Area _____

Zoning District RC Resort Commercial District

2. APPLICANT

Name Caring, Inc.
 Email jdougherty@jdnjlaw.com
 Address 14 South California Avenue, Atlantic City, NJ 08401
 Telephone Number (609) 484-7050
 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 N/A
 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: _____

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 Hank N. Rovillard, Esquire
 Email hnr@hnrnjlaw.com
 Address 31 N. Brighton Ave., Atlantic City, NJ 08401
 Telephone Number (609) 347-7301
 FAX Number (609) 344-5044

7. Applicant's Engineer Arthur Ponzio Co.
 Email jbarnhart@aponzio.com
 Address 400 N. Dover Ave., Atlantic City, NJ 08401
 Telephone Number (609) 344-8194
 FAX Number (609) 344-1594

8. Applicant's Planning Consultant Arthur Ponzio Co.
 Email jbarnhart@aponzio.com
 Address 400 N. Dover Ave., Atlantic City, NJ 08401
 Telephone Number (609) 344-8194
 FAX Number (609) 344-1594

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 Daniel S. Mascione A.I.A.
Field of Expertise Architect
Email DSMASTAFF@gmail.com
Address 1409 New Road, Northfield, NJ 08225
Telephone Number (609) 383-9000
FAX Number (609) 272-8226

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] NJAC 19:66-5.10 (See Attachment).

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] Renovation of the subject building to include a rooftop deck area to be used by the residents of the subject property.

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? N/A

12. ATTACHMENT

VARIANCE JUSTIFICATION

Applicant seeks "C" variance relief for an encroachment into the front yard setback above 20 feet.

It is respectfully submitted that the implementation of a roof top deck and railing system will provide a more desirable visual environment through creative development techniques and good civic design and arrangement.

In addition, the proposed roof top deck area will provide an outside living area that doesn't exist at grade level.

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

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

Quantity	Description of Item
_____	_____
_____	_____
_____	_____

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 _____
 Attorney Hank N. Rovillard, Esquire
 Engineer Jon Barnhart, P.P. & P.E.


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.

[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 _____ day of _____, 20 _____

NOTARY PUBLIC



SIGNATURE OF APPLICANT
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 _____ day of _____, 20 _____

NOTARY PUBLIC

SIGNATURE OF 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.

Date

SIGNATURE OF APPLICANT