

**RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY GRANTING PRELIMINARY AND FINAL SUBDIVISION APPROVAL AND PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL TO PERMIT THE CREATION OF 39 LOTS WITH 38 FEE SIMPLE TOWNHOUSES ON THE SUBJECT PROPERTY LOCATED AT DEWEY PLACE, NEW HAMPSHIRE AVENUE AND PACIFIC AVENUE, BLOCK 79 LOTS 3-7, 9-21, IN THE CITY OF ATLANTIC CITY UNDER APPLICATION #2024-11-3740**

**WHEREAS**, pursuant to P.L. 2011, c. 18, as amended (the “Act”), the Casino Reinvestment Development Authority (the “Authority”): (i) designated the Atlantic City Tourism District by Resolution 11-25, adopted April 19, 2011; (ii) established the Land Use Regulation and Enforcement Division to, among other matters, hear applications for development in the Tourism District by Resolution 11-33, adopted April 19, 2011; and (iii) adopted the master plan, zoning and land use ordinances and regulations, and zoning maps approved by the City by Resolution 11-34, adopted April 19, 2011; and

**WHEREAS**, pursuant to Resolution 12-14, adopted February 1, 2012, the Authority adopted the “New Jersey CRDA Atlantic City Tourism District Master Plan” prepared by Jones Lang LaSalle, LLC and dated February 1, 2012 (the “Master Plan”) (as affirmed and readopted pursuant to Resolution 12-23, adopted February 21, 2012), subject to further comment and revision, which master plan shall become effective upon the adoption of design, development and land use regulations on January 2, 2018; and

**WHEREAS**, K. Hovnanian Terraces at Absecon Inlet, LLC (the “Applicant”), seeks Preliminary and Final Subdivision Approval and Preliminary and Final Major Site Approval to create 39 lots with 38 fee simple townhouses at the subject property located at Dewey Place, New Hampshire Avenue and Pacific Avenue, Block 79, Lots 3-7, 9-21, on the Tax Map of Atlantic City, located in the Lighthouse Two (LH-2) Zoning District; and

**WHEREAS**, on January 2, 2025, the Authority’s Land Use Regulation and Enforcement Division convened a public hearing on Application 2024-11-3740 in accordance with the requirements of the Open Public Meetings Act, the Municipal Land Use Law and the Act, and subsequently prepared and delivered a Hearing Officer’s Report and Recommendation dated January 8, 2025 (the “Report”), incorporated herein by this reference and appended hereto as Exhibit “A”; and

**WHEREAS**, the Authority intends to adopt the findings, conclusions and recommendations of the Hearing Officer, as detailed in the Report dated January 8, 2025.

**NOW THEREFORE, BE IT RESOLVED** by the Casino Reinvestment Development Authority that:

1. The above recitals are incorporated herein, as if set forth in full.

2. Based on the record in this matter, the Preliminary and Final Subdivision and Preliminary and Final Major Site Plan under Application 2024-11-3740 is hereby approved in accordance with the Hearing Officer's Report and Recommendation dated January 8, 2024,
3. A copy of this Resolution shall be immediately transmitted to the Governor. This Resolution shall take effect immediately, but no action authorized herein shall have force and effect until the earlier of the passage of ten (10) days, Saturdays, Sundays and public holidays excepted, after the delivery of the copy to the Governor, or the Governor's approval.

I hereby certify that this document is a true and correct copy of Resolution 25-04 of the Casino Reinvestment Development Authority.

  
MICHAEL BESON, SECRETARY

**MEETING OF JANUARY 21, 2025**



# Casino Reinvestment Development Authority Land Use Regulation and Enforcement Division

## EXHIBIT "A" TO RESOLUTION 25- , ADOPTED 1/21/2025

**TO:** Members of the Authority

**FROM:** Lance B. Landgraf, Jr., Land Use Hearing Officer

**COPY:** Eric Scheffler, Executive Director

**SUBJECT:** Hearing Officer's Report and Recommendation  
Application #2024-11-3740  
K. Hovnanian Terraces at Absecon Inlet, LLC  
Preliminary and Final Subdivision Approval and Preliminary and Final  
Site Plan Approval  
Dewey Place, New Hampshire Avenue and Pacific Avenue  
Block 79, Lots 3-7, 9-21  
Lighthouse Two (LH-2) Zoning District and Redevelopment Plan

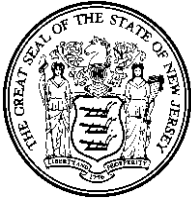
**DATE:** January 8, 2025

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### EXECUTIVE SUMMARY

On January 2, 2025, the Casino Reinvestment Development Authority (the "Authority") heard testimony and public comment on the above-subject application. The Applicant, K. Hovnanian Terraces at Absecon Inlet, LLC (the "Applicant"), seeks Preliminary and Final Subdivision Approval and Preliminary and Final Site Plan Approval to create 39 lots with 38 fee simple townhouses on the subject property. Any existing structures will be demolished. No variances are required.

The Applicant demonstrated by evidence and testimony that the development proposal generally conforms to the subdivision and site plan standards and technical requirements of the Authority's Tourism District Land Development Rules and Redevelopment Plan. Therefore, for the reasons more fully outlined below, the Hearing Officer recommends that the Application be approved by the Authority.



# Casino Reinvestment Development Authority Land Use Regulation and Enforcement Division

## INTRODUCTION

### Application Information

K. Hovnanian Terraces at Absecon Inlet, LLC  
Preliminary and Final Subdivision Approval and Preliminary and Final Site Plan  
Approval  
Dewey Place, New Hampshire Avenue and Pacific Avenue  
Block 79, Lots 3-7, 9-21  
Lighthouse Two (LH-2) Zoning District and the Block 79 Redevelopment Plan

A hearing on the Application was conducted in accordance with the requirements of the Open Public Meetings Act, the Municipal Land Use Law and P.L. 2011, c. 18.

The Applicant seeks Preliminary and Final Subdivision Approval and Preliminary and Final Site Plan Approval to create 39 lots with 38 fee simple townhouses on the subject property. Any existing structures will be demolished. No variances are required.

### Evidence List

- A-1 Application Materials
- B-1 Letter from ARH Associates dated December 30, 2024

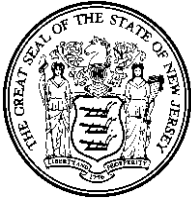
## FINDINGS OF FACT

The Applicant seeks Preliminary and Final Subdivision Approval and Preliminary and Final Site Plan Approval to create 39 lots with 38 fee simple townhouses on the subject property. Any existing structures will be demolished. No variances are required.

The attorney for the Applicant, Nicholas Talvacchia, Esq., introduced the application generally and provided background regarding the specific approvals sought by the Applicant.

The Applicant presented the testimony of Jason Sciullo, P.E., P.P., who was qualified as an expert in the fields of professional engineering and professional planning. Mr. Sciullo described the location of the site, existing conditions, development proposal and site layout. He noted that the property was unimproved, with the exception of an abandoned funeral home.

Mr. Sciullo testified that the Applicant proposes to subdivide the property into 39 fee simple lots. 38 lots will be improved with townhouses and the other with an ally to provide



## Casino Reinvestment Development Authority Land Use Regulation and Enforcement Division

access and circulation and to be owned by a homeowner's association. He testified regarding stormwater management and noted that the development proposal is subject to CAFRA regulations.

Mr. Sciullo testified that each townhouse would have 3 bedrooms and 2.5 baths. Each would also have a first-floor garage with 2 parking spaces, and space to park an additional vehicle in the driveway. Each townhouse will have a dedicated electrical circuit for EV charging.

Mr. Sciullo testified that the community will be served by a group mailbox. He further testified that trash would be stored in the garages of individual units and taken to the curb on trash pick-up day. He testified that site lighting will be accomplished by existing street lighting and building-mounted lighting at garage level. With the exception of "Private Property-No Parking" signs at the entrances to the site, no permanent signage is proposed.

In response to questioning, Mr. Sciullo agreed on behalf of the Applicant to comply with all comments in the ARH Associates letter dated December 30, 2024.

The Applicant presented the testimony of Joseph Lipanovski, R.A., a land acquisition manager and an architect licensed in the State of New Jersey, who was qualified as an expert in the field of professional architecture. He described the location of the site, development proposal and site layout. Mr. Lipanovski provided testimony regarding exterior improvements, floor plans, architectural features and materials.

Carolyn Feigin, P.E., was qualified as an expert in professional engineering and provided testimony on behalf of the Authority. Ms. Feigin testified that the Applicant had provided sufficient testimony to address all issues raised in the review letter and that she supports approval of the Application. Christine Cofone, P.P., was qualified as an expert in the field of professional planning and provided testimony on behalf of the Authority. Ms. Cofone testified that she supports approval of the application.

Several members of the public appeared and offered public comments on the development proposal. In response to concerns raised by members of the public regarding traffic and on-street parking, the Applicant agreed to provide an as-is assessment by a structural engineer and cooperate in the relocation of the construction entrance to minimize impacts on surrounding property owners.

### **CONCLUSIONS OF LAW**

#### **Preliminary and Final Major Subdivision Approval**



## Casino Reinvestment Development Authority Land Use Regulation and Enforcement Division

A land use agency's authority in reviewing an application for subdivision approval is limited to determining whether the development plan conforms to the zoning ordinance and the applicable provisions of the subdivision ordinance. See Pizzo Mantin Group v. Township of Randolph, 137 N.J. 216 (1994).

Here, based on the evidence and testimony, the Applicant has demonstrated that development plan generally conforms to the technical requirements of the Tourism District Land Development Rules and the grant of Preliminary and Final Major Subdivision approval is appropriate.

### Preliminary and Final Major Site Plan Approval

A land use agency's authority in reviewing an application for site plan approval is limited to determining whether the development plan conforms to the zoning ordinance and the applicable provisions of the site plan ordinance. See Pizzo Mantin Group v. Township of Randolph, 137 N.J. 216 (1994). Here, based on the evidence and testimony, the Applicant has demonstrated that development plan generally conforms to the technical requirements of the Tourism District Land Development Rules and Redevelopment Plan and the grant of Preliminary and Final Site Plan approval is appropriate.

### **RECOMMENDATION**

For all of the foregoing reasons, the Hearing Officer recommends that the Application for Preliminary and Final Major Subdivision and Preliminary and Final Major Site Plan Approval to create 39 lots with 38 fee simple townhouses on the subject property be approved. The grant of approval of this Application shall be expressly conditioned upon the Applicant complying with all conditions of prior approvals, satisfying all representations made by the Applicant or by others on its behalf during the course of the hearing on this matter before the Hearing Officer.

The grant of approval shall be further conditioned upon compliance with all applicable requirements of the Authority's Tourism District Land Development Rules, any applicable City Ordinances, and the requirements of any City agency, board or authority. Any approval granted in accordance herewith shall be further expressly conditioned upon the Applicant obtaining all other necessary governmental approvals, and compliance with all Federal, State and local laws.

**Principals**

Richard Rehmann, GISP  
Richard Heggan, PLS, PP  
Jeffery MacPhee, PLS  
Carolyn A. Feigin, PE, PP

December 30, 2024

Lance B. Landgraf, Jr., PP, AICP

**Casino Reinvestment Development Authority**

Division of Land Use and Regulatory Enforcement

15 S Pennsylvania Avenue

Atlantic City, NJ 08401

Re: TECHNICAL REVIEW #1: CRDA # 2024-11-3740  
Minor Site Plan w/ Variance Approval  
K. Hovnanian Terraces at Absecon Inlet, LLC  
Dewey Place, New Hampshire Avenue, Pacific Avenue and Boardwalk  
(Block 79, Lots 3-7 and 9-21)  
Atlantic City, NJ 08401  
ARH # 2410104

Dear Mr. Landgraf:

**ARH ASSOCIATES** has reviewed the following information towards issuance of compliance with the required application items within the CRDA's Checklist(s) for the above-referenced Application:

TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
Property and Topographical Survey	Robert E. Vargo, PLS, of Vargo Associates	03/04/2024	
Community Signage	Applicant	11/05/2024	
Site Plan, Floor Plans, and Proposed Elevations	Joseph Lipanovski, RA, of K. Hovnanian Companies	11/06/2024	
CRDA Land Use Application	Applicant	11/07/2024	
Escrow Setup Information			
Major Preliminary Site Plan Checklist (Form #6)			
Major Final Site Plan Checklist (Form #7)			
Major Preliminary Subdivision Application Checklist (Form #9)			
Final Major Subdivision Application Checklist (Form #10)			
Stormwater Management Report	Denise W. Bove, PE, of Sciuлло Engineering Services, LLC	11/2024	
Preliminary and Final Subdivision and Site Plans	Jason T. Sciuлло, PE, PP, of Sciuлло Engineering Services, LLC	11/07/2024	
Cover Letter	Nicholas F. Talvacchia, Esq. of Cooper Levenson	11/13/2024	

**ARH Associates**

Corporate Headquarters – 215 Bellevue Avenue – PO Box 579 – Hammonton, NJ 08037 – 609.561.0482 – fax 609.567.8909  
Tinton Falls Office – 97 Apple Street – Suite 1 – Tinton Falls, NJ 07724 – 609.561.0482 – fax 609.567.8909

**www.arh-us.com**

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Per this information, our office offers the following comments:

**I. PROJECT INFORMATION & CONTACT INFORMATION**

The 64,730 SF site is a vacant lot with frontage on New Hampshire Avenue, Pacific Avenue, and Dewey Place. The site is presently vacant. All existing structures and land cover will be cleared for development. The Applicant seeks approval to build 38 fee simple townhomes in accordance with the site specific Redevelopment Plan.

Below please find the contact information for the responsible parties associated with this Application:

APPLICANT
K. Hovnanian Terraces at Absecon Inlet, LLC 110 Fieldcrest Avenue, 5 <sup>th</sup> Floor Edison, NJ 08837 Phone: 732-623-6880 Email: tsiebold@khov.com

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

OWNER, BLOCK 79, LOTS 10, 14, 15
North Beach Holdings 226 Woodward Avenue Rutherford, NJ 07070

**ARH Associates**

Corporate Headquarters – 215 Bellevue Avenue – PO Box 579 – Hammonton, NJ 08037 – 609.561.0482 – fax 609.567.8909  
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TECHNICAL REVIEW #1: CRDA # 2024-11-3740

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Dewey Place, New Hampshire Avenue, Pacific Avenue and Boardwalk  
(Block 79, Lots 3-7 and 9-21)

Atlantic City, NJ 08401

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**OWNER, BLOCK 79, LOT 11**

221-235 Boardwalk, LLC  
1650 Limekiln Boulevard 19-1043  
Drescher, PA 19025

**OWNER, BLOCK 79, LOTS 12 & 13**

City of Atlantic City  
1301 Bacharach Boulevard  
Asbury Park, NJ 08401

**ATTORNEY**

Nick Talvacchia, Esq.  
Cooper Levenson  
33 N. Brighton Avenue  
Atlantic City, NJ 08401  
Phone: 609-572-7544  
Fax: 609-572-7545  
Email: [ntalvacchia@cooperlevenson.com](mailto:ntalvacchia@cooperlevenson.com)

**ENGINEER**

Jason Sciallo, PE, PP  
Sciallo Engineering Services, LLC  
137 S. New York Avenue, Suite 2  
Atlantic City, NJ 08401  
Phone: 609-300-5171  
Email: [jsciallo@scialloengineering.com](mailto:jsciallo@scialloengineering.com)

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Corporate Headquarters – 215 Bellevue Avenue – PO Box 579 – Hammonton, NJ 08037 – 609.561.0482 – fax 609.567.8909  
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**PLANNING CONSULTANT**

Tiffany Morrissey  
7 Equestrian Drive  
Galloway, NJ 08205  
Phone: 856-912-4415  
Email: [tamorrissey@comcast.net](mailto:tamorrissey@comcast.net)

**TRAFFIC ENGINEER**

Nathan Mosely  
Shropshire Associates, LLC  
277 White Horse Pike, Suite 203  
Atco, NJ 08004  
Phone: 609-714-0400  
Email: [nmosely@sallc.com](mailto:nmosely@sallc.com)

**II. ZONING REVIEW**

The subject property is situated within the Lighthouse 2 (LH-2) zoning district. However, the site is governed by the Redevelopment Plan of Blocks 72, 75, 77 & 79. The below table summarizes the bulk requirements for the Redevelopment Plan. The Applicant is asked to reanalyze their proposed information in their Zoning Schedules as noted below in Engineering Comment A.4.

BULK ITEMS	REQUIREMENT
Max. Principal Building Height	50 feet (from BFE)
Min. Lot Area	900 sf
Min. Lot Depth	60 feet
Min. Lot Width	15 feet

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ARH # 2410104

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BULK ITEMS	REQUIREMENT
Min. Lot Frontage	15 feet
Max. Building Coverage	75%
Max. Impervious Coverage	90%
Min. Principal Front Yard Setback (≤ 35' in height)	0 feet
Min. Side Yard Setback (≤ 35' in height)	0 feet interval
	7 feet end units
Min. Rear Yard Setback	8 feet
Maximum Density (low-rise)	28 DU/Ac

N/A = Not Applicable; NC = No Change; ENC = Existing Non-Conformity;  
NP = Not Provided; TBP = To Be Provided; **V = Variance Required**

PARKING	REQUIREMENT	REQUIRED	PROPOSED
Duplex (4-BR)	2.4 spaces per unit (38 units)	91.2 spaces	114 spaces (3 spaces per unit)

The following variances from the Redevelopment Plan appear necessary:

- Section 6.7.A – Where proposed lighting levels in the alleys shall have a minimum of 0.5 footcandles, whereas no lighting is proposed in the alleys. It shall be noted that no lighting plan has been proposed with the subject application.
- Section 6.8.A – Where the maximum allowed temporary sign area is 48 SF, whereas proposed temporary sign #6 is 50 SF in area.
- Section 6.8.D– Where the minimum shade tree height at time of planting shall be 12-14 FT, whereas the proposed shade tree planting heights are 10-12 FT.

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### **III. ENGINEERING COMMENTS**

#### **A. GENERAL**

1. The site plan shall be revised to provide the missing tax map sheet # and the block and lot(s).
2. The Project Legend on the Sheet C0002 – Information Sheet shall be revised to provide the missing graphics for various legend items.
3. The North Arrow on the Tax Map provided on Sheet C0002 – Information Sheet shall be revised to the correct orientation.
4. The Site Plan has two (2) Zoning Schedules (Sheet C0002 – Information Sheet & Sheet C0101 – Site Plan) with slightly conflicting proposed information. The Zoning Schedules shall be revised and reanalyzed per any pertaining comments below for consistency.
5. The Applicant shall reanalyze the proposed building and impervious coverages as provided in the Zoning Schedule on Sheet C0101 – Site Plan for accuracy. Our office computes numbers higher than those listed when analyzing against the smallest sized lots with an area 1,056 SF. The Applicant shall provide testimony regarding if they plan to abide by the maximum allowable coverages or if a variance is anticipated.
6. A graphic and numeric scale shall be provided on the architectural plans.
7. Rear elevation views shall be provided, and side elevation views shall be provided for end units.
8. The Applicant shall reanalyze the building height from the BFE and depict this on a typical elevation view.
9. The architectural elevations and rendering show bay windows that are not shown on the site plans. Please depict them on the site plans if they are intended to be constructed.

#### **B. PARKING, LOADING, & CIRCULATION**

1. The Applicant shall provide testimony regarding where it is anticipated for visitors to park at the subject site. Is there to be any on-street parking along the sides of the private alley roadway where there are no driveways? If not, the Applicant shall consider providing appropriate “no parking” signage in these areas.
2. The Applicant shall provide testimony regarding the refuse collection operations for the site and if it is anticipated for a refuse collection vehicle to traverse the interior of the site, including the easterly-most extension of Lot 3.39; the driveway.

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3. The Applicant shall provide testimony regarding emergency vehicle circulation for the site and if it is anticipated for large emergency vehicles to traverse the alley road.
4. The Applicant shall provide testimony regarding the proposed project's conformance with Section 9.7 – Zero-Emission Vehicle Fueling And Charging Infrastructure.
5. The Applicant shall provide testimony regarding errant vehicle protection at the end of Dewey Place pavement extension as it appears no protection via bollards, guiderail, etc. is proposed.
6. The Applicant shall provide testimony regarding if any striping is to be proposed for the private alley road and if all private alley roads are to be two way access?
7. The Applicant shall provide testimony regarding how an errant vehicle will turn around at the easterly terminus of the private alley road (Lot 3.39).

#### **C. SITE LAYOUT**

1. The Applicant shall provide testimony regarding conformance with Section 6.2.J. of the Redevelopment Plan regarding the centralized mailbox location. The centralized mailbox location shall be depicted on the site plans.
2. It shall be noted that according to Section 6.10 – Site Plan Design Standards of the Redevelopment Plan, any yard area fronting an alley shall be considered a rear yard for the purposes of the Redevelopment Plan.
3. The Applicant shall provide testimony regarding conformance with the fifth paragraph of Section 6.10 of the Redevelopment Plan as it appears no privacy fencing is proposed for rear yards and raised decks/balconies.

#### **D. GRADING, DRAINAGE, & UTILITIES**

1. The Applicant shall reanalyze the proposed garage spot elevations associated with Lot 3.10.
2. Pipe capacity calculations shall be provided for the proposed stormwater system on site.
3. The Applicant shall provide additional information at utility crossings to demonstrate no conflicts. Profiles of stormwater, sanitary, and water utilities may be necessary to achieve this.
4. The Applicant shall provide testimony if there will be any increase in stormwater runoff to the surrounding public roadways or adjacent properties. If so, the Applicant shall demonstrate no negative impact of additional runoff.

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5. Our office defers to NJDEP CAFRA for the overall stormwater management system approval and to the appropriate outside agencies for sanitary sewer and water approval, including local and State permits.

#### **E. LANDSCAPING, LIGHTING & SIGNAGE**

1. Outside of the aforementioned temporary sign area variance, the Applicant shall provide testimony regarding conformance with the proposed temporary signage with Section 6.6.A. of the Redevelopment Plan including heights of temporary directional signage, flutter flags/banner signs being outside of sight triangles, and the duration of temporary signage.
2. The Applicant shall provide testimony regarding anticipated compliance of permanent signage per Section 6.6.B as no permanent signage appears to be proposed at this time.
3. The Applicant shall be aware a two (2) year maintenance plan is required for all shade/street trees as per Section 6.8.D of the Redevelopment Plan.

#### **F. DETAILS & MISCELLANEOUS**

1. The Applicant shall clarify the necessity of placing the roadway surface course a minimum of one (1) year after the base course as mentioned in Project Note D.6.
2. It shall be noted that the proposed pavement on site will be keyed in layers at its edge according to the edge of pavement detail rather than curb/depressed curb.
3. Provide rear elevation views and side elevation views for end units.
4. The Applicant shall provide a Final Plat, cost estimate, and applicable bonding as a condition of approval.
5. The Applicant shall provide testimony regarding the status of any proposed easements / HOA agreements for the project site.
6. The Applicant shall provide testimony regarding anticipated development timeframes of Blocks 72, 75, 77, and 79 of the Redevelopment Plan including any anticipated interconnectivity of the Blocks.
7. The property is located within Flood Zone AE 10 with easterly portions within the Limit of Moderate Wave Action per the latest revised preliminary FIRM from FEMA. Testimony shall be provided on any applicable flood damage prevention measures for the proposed improvements in conformance with FEMA standards. It shall be noted that finished first floor living spaces are located above the flood zone elevation.

8. Our office reserves the right to additional technical comments upon resubmission after hearing.

#### **IV. COFONE CONSULTING PLANNING REVIEW**

##### **Zoning Compliance**

The property is located in the Lighthouse Two (LH-2) District but governed by the Block 72, 75, 77 & 79 Redevelopment Plan, which includes parcels extending from the Boardwalk to Rhode Island Avenue between Pacific Avenue to the north and Oriental Avenue to the South.

The Redevelopment Plan “Goals and Objectives” include:

- The stimulation of private investment in the Redevelopment Area by assisting as necessary and appropriate to support such redevelopment and may include entering into a financial agreement with the Redeveloper.
- Foster public-private partnerships to accomplish revitalization of the Redevelopment Area in a manner that best serves the needs of the community, strengthens the local economy and attracts residents to the area and contributes to the continuing vitality of the City.
- To foster the prescribed uses and make available such assistance as may be appropriate to aid in the proposed development.
- To create opportunities for residential development.
- To provide for the reuse of vacant and underutilized properties.
- To provide for the development of townhouse residential enhancing the City’s housing stock and promoting the redevelopment within the Lighthouse district

##### **Master Plan Review**

The subject property is located within the Atlantic City Tourism District. Pursuant to the New Jersey CRDA Atlantic City Tourism District Master Plan, the overall intention and vision is to “reinvigorate Atlantic City in the near-term as the leading resort destination in the Northeast and beyond (Page 4, New Jersey CRDA Atlantic City Tourism District Master Plan). Among others, overarching objectives are to “develop

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an economically viable and sustainable tourism district” and “[expand] Atlantic City’s tourism and economic bases” (Id, Page 1-2).

### **Planning Analysis and Issues for Consideration by the Board**

In regard to the “c” variances, the Municipal Land Use Law (MLUL) at NJSA 40:55D-70c sets forth the standards for variances from the bulk regulations of a zoning ordinance. A “c(1)” variance is for cases of hardship due to factors such as shape or topography, or due to “an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.” A “c(2)” variance may be granted where the purposes of zoning are advanced and the benefits of deviating from the ordinance requirements outweigh any detriments. The benefits derived from granting a “c(2)” variance must include benefits to the community as a whole, not just to the applicant or property owner. A “c” variance application also must address the “negative criteria.”

We offer the following for your consideration in reviewing the Application:

- 1) The Applicant’s professional planner shall provide the required statutory proofs for the proposed variance.
- 2) The Applicant’s professionals shall provide detailed testimony relative to the proposed design, materials, lighting, landscaping, landscape architecture, signs, and curb appeal elements.
- 3) We note that the variance relief is minimal and the applicant shall make an effort to comply with the lighting, temporary sign area, and shade tree height requirements. The lack of lighting in the alleys is a concern and should be rectified.
- 4) The Applicant shall discuss how the application will advance the intent of the New Jersey CRDA Atlantic City Tourism District Master Plan, the Tourism District, and the Block 72, 75, 77 & 79 Redevelopment Plan.
- 5) The Applicant shall comply with the conditions of all previous approvals received for the site.
- 6) The Applicant shall furnish any resolution and/or prior approvals from, and agreements with, the City of Atlantic City, if any.

### **ARH Associates**



## **V. POST APPROVAL CONSIDERATIONS**

Should the Board grant the desired approval for this Application, Applicant, and/or its professionals must:

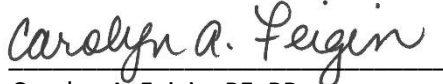
- A. Submit any required revisions to the Board as outlined above for review.**
- B. Obtain approvals from all outside agencies, if necessary. Provide copies to the Board.**
- C. Contact the Board Secretary to reconcile any outstanding review escrow accounts prior to Final Plan Certification, Signature, or the issuance of building permits, as applicable.**

Any resubmissions in response to this report should be accompanied by a point-by-point response to all items. To facilitate the Board's decision-making process, Applicants are strongly encouraged to resolve as many items as possible prior to the hearing on this matter.

Respectfully Submitted,

**ARH ASSOCIATES**

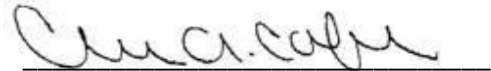
By



Carolyn A. Feigin, PE, PP  
CRDA Consulting Engineer

**COFONE CONSULTING GROUP**

By



Christine A. Nazzaro-Cofone, AICP, PP  
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cc: Robert L. Reid, AICP, NJPP  
Christine A. Nazzaro-Cofone, AICP, PP  
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Tetje Linsk

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# Tally

DATE: JANUARY 21, 2025

**K. HOVNANIAN TERRACES AT INLET, LLC - RESOLUTION OF THE CASINO REINVESTMENT DEVELOPMENT AUTHORITY GRANTING PRELIMINARY AND FINAL SUBDIVISION APPROVAL AND PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL TO PERMIT THE CREATION OF 39 LOTS WITH 38 FEE SIMPLE TOWNHOUSES ON THE SUBJECT PROPERTY LOCATED AT DEWEY PLACE, NEW HAMPSHIRE AVENUE AND PACIFIC AVENUE, BLOCK 79 LOTS 3-7, 9-21, IN THE CITY OF ATLANTIC CITY UNDER APPLICATION #2024-11-3740**

**Motion:** **MB**

**Second:** **PO**

Michael Beson	<u>Y</u>
Chris Brown <i>for the DCA Commissioner</i>	<u>Y</u>
Daniel Cosner	<u>Y</u>
Christopher Glaum <i>for the State Attorney General</i>	<u>Y</u>
Michael Hanley	<u>Y</u>
Michael Laughlin	<u>Y</u>
Brett Matik	<u><b>Absent</b></u>
William Mullen	<u>Y</u>
Paulina O'Connor	<u>Y</u>
James Plousis	<u>Y</u>
Mayor Marty Small, Sr.	<u><b>Absent</b></u>
William Sproule	<u>Y</u>
Robert Tighue <i>for the State Treasurer</i>	<u><b>Absent</b></u>
Joseph Tyrrell	<u>Y</u>
Chairman Mo Butler	<u>Y</u>