



Principals
 Richard Rehmman, GISP
 Richard Heggan, PLS, PP
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 Carolyn A. Feigin, PE, PP

January 31, 2025

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 # 2024-04-3628
 Preliminary & Final Major Site Plan w/ Variance Approval
 SECCA, LLC (d/b/a Cocorico f/k/a The Chelsea Beach Bar)
 Block 1, Lots 43-47
 Atlantic City, NJ 08401
 ARH # P2025.0051

Dear Mr. Landgraf:

ARH ASSOCIATES has reviewed the following information towards issuance of Site Plan with Variance Approval for the above-referenced Application:

TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
Cover Letter from Applicant's Attorney	CSG Law	01/03/2025	
CRDA Land Use Application	Owner / Applicant	09/12/2024	
Escrow Setup Information			
Project Narrative			
Corporate Disclosure Statement			
Four (4) Color Photographs of Site			
Major Preliminary Site Plan Checklist (Form #6)	Arthur Ponzio Co.	09/12/2024	
Major Final Site Plan Checklist (Form #7)			
"c" Variance Checklist (Form #12)			
Preliminary & Final Major Site Plan	Arthur Ponzio Co.	07/31/2024	
200' Property List	City of Atlantic City	05/23/2024	
Beach Lease Agreement		02/16/2018	
Certificate of Land Use Compliance	CRDA	05/20/2015	
Certificate of Land Use Compliance		05/03/2018	

Per this information, our office offers the following comments:

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 Tinton Falls Office – 97 Apple Street – Suite 1 – Tinton Falls, NJ 07724 – 609.561.0482 – fax 609.567.8909

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I. PROJECT INFORMATION & CONTACT INFORMATION

The site is located south of the boardwalk on the beach between Montpelier and Morris Avenues. The site is presently developed as a beach bar which has been the subject of previous Certificate of Land Use Compliance approvals dated 05/20/2015 and 05/03/2018. The Applicant also has an existing NJDEP permit for the beach bar set to expire on July 28, 2027. The Applicant now seeks approval to expand the beach bar for construction of a proposed outdoor swimming pool with decking and a food truck.

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

APPLICANT
SECCA, LLC (d/b/a Cocorico f/k/a The Chelsea Beach Bar) 3101 Boardwalk No R-18 Atlantic City, NJ 08401 Phone: 212-542-0999 Email: chelseabeaches@gmail.com

OWNER
City of Atlantic City 1301 Bacharach Boulevard Atlantic City, NJ 08401 Phone: 609-347-5528

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ENGINEER/PLANNER

Arthur Ponzio
Arthur Ponzio Co.
400 N. Dover Avenue,
Atlantic City, NJ 08401
Phone: 609-344-8194
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Email: bponzio@ponzio.com

ATTORNEY

Lisa A. John-Basta, Esq.
CSG Law
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Atlantic City, NJ 08401
Phone: 973-530-2083
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II. ZONING REVIEW

Beach bars are permitted uses in the Beach District. Any use that is customary and incidental to the permitted uses, such as a pool, food truck, storage sheds/container, food concession stands, food trucks, sun shelters, DJ booths, and recreational amenities are permitted accessory uses in the district. It shall be noted there are no setback requirements for the below-mentioned structures since they are proposed directly on the beach, only height requirements are applicable.

Standard	Required	Existing/ Proposed	Complies?
Principal			
Maximum Height (Structures directly on beach) (measured from grade) (FT)	20	16.5: Beach Bar w/ rooftop DJ	C
Accessory			
Maximum Height (Structures directly on beach) (measured from grade) (FT)	10	8.5: Shed	C
		16.5: Food Concession w/ Rooftop DJ	V
		10: Restroom Trailer	C
		9: Shipping Containers	C
		9 & 11: Sun Shelters	V
		N/A: Food Truck (On Pavillion)	N/A (On Pavillion)
		8: Beach Volleyball	C

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

PARKING	REQUIREMENT	REQUIRED	EXISTING	PROPOSED
Beach Bar	Greater of: 1 space per 30% capacity OR 1 Space per 150 SF	-	57 spaces (188 capacity)	134 spaces (capacity to be clarified on site plan)
TOTAL:		77 spaces	0 Spaces	0 spaces (V)

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III. SIGNAGE REQUIREMENTS

The following lists the compliance requirements of the proposed signage located in the Beach District as per N.J.A.C. 19:66-5.7(j):

Standard	Required	Proposed	Complies?
Pole Signs			
Maximum # of Pole Signs per Street Frontage	1	4: Boardwalk	V
		2: Entry Way	
		1: Drink Sign	
		2: Entry Way	
		1: Drink Sign	
Maximum Height of Pole Signs	20 FT	TBP: Boardwalk	TBP
		TBP: Entry Way	
		TBP: Drink Sign	
Wall Signs			
Maximum # of Wall Signs per Street Frontage	2	2: DJ Booth/Sun Shelter	V
		2: Food Concession	
		4: Bar	
		2: Food Trailer	
Maximum Gross Surface Area of Signs	25 % of wall surface per elevation	16 Sf: DJ Booth/Sun Shelter	V
		120 sf: Food Concession	
		12 sf: Bar	
		30 sf: Food Trailer	
Maximum Height of Wall Signs	No higher than roofline of the wall supporting the sign	Below roofline: DJ Booth/Sun Shelter	TBP
		Below roofline: Food Concession	
		Below roofline: Bar	
		TBP: Food Trailer	

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

The Applicant has requested the following variances with their application:

- a. Section 19:66-5.7(j) – Where numerous variances are proposed for various pole and wall signs as listed in Section III of this letter.
- b. Section 19:66-5.8 – Where the existing beach bar required 57 parking spaces, whereas the proposed improvements to the beach bar require 134 parking spaces, creating an increase in demand of 77 parking spaces required, and zero parking spaces are provided.
- c. Section 19:66-5.9(a)(1)iv.(1) – Where the maximum allowed accessory structure height is 10 FT, whereas the food concession with rooftop DJ booth has a height of 16.5 FT.
- d. Section 19:66-5.9(a)(1)iv.(1) – Where the maximum allowed accessory structure height is 10 FT, whereas the sun shelters have a height of 11 FT.

The Applicant should be prepared to provide testimony to the Board in support of the requested variances.

IV. ENGINEERING COMMENTS

A. GENERAL

1. The Applicant shall provide testimony regarding the proposed improvements integrations with the operations of the site and the hours of operations for the proposed amenities. The site plan states that various amenities are to only be in place from May 1st to October 31st.
2. The Applicant shall clarify via testimony any structures and signage that exists vs those that are proposed. It appears the Applicant may now be seeking variances for previous existing non-conformities that never received prior variance approval since the inception of the beach bar.

B. PARKING

1. The Applicant states 57 spaces are grandfathered from the beach bar's original approval in 2015 and states 134 spaces are now required, both based on 30% occupancy, resulting in an increase in parking demand of 77 spaces, whereas zero parking spaces are provided. However, the site plan indicates a proposed occupancy of 390, which equates to 117 spaces being required. This

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discrepancy shall be addressed. Regardless, a variance from the parking requirements per N.J.A.C. 19:66-5.8 is required.

C. SITE LAYOUT & UTILITIES

1. The proposed pool/deck expansion is to be placed in an area that currently serves as the public access to the beach. The Applicant proposes a new 4' x 25' deck for public access to the beach to the northeast of the pool/deck expansion. Our office takes no objection as the public access to the beach is to be maintained with the proposed improvements.
2. The site plan depicts existing utility lines from the boardwalk towards the restroom trailer and calls out for the existing sewer line to be removed. The Applicant shall provide testimony regarding why the existing sewer line is to be removed.
3. The site plan shall be revised to depict the location of the proposed pool equipment. Will it be placed within the proposed pool/deck expansion area?

D. STORMWATER MANAGEMENT, FLOOD HAZARD AREA, AND COASTAL PERMITTING

1. The site plan does not show any stormwater management structures or proposed grading as the proposed improvements are to be directly placed on the beach.
2. The Applicant states all proposed structures are to be removable and comply with the Flood Hazard Area Control Act Rules and UCC, and alternatively that structures may be constructed on a chassis and removed from the site within 6 months. Our office takes no objection to this.
3. The Applicant states an NJDEP Coastal General Permit approval is required for portions of the project. Testimony shall be provided on the status of the permit with NJDEP. A copy of the permit shall be provided as a condition of approval.

E. SIGNAGE & DETAILS

1. The Applicant shall clarify the heights of the pole signs and the wall signs for the food truck via testimony to determine if additional signage variances per N.J.A.C. 19:66-5.7(j) are necessary. A detail for proposed Sign #8 for the food truck shall be provided if deemed necessary at the hearing.

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F. LANDSCAPING & LIGHTING

1. The Applicant shall provide testimony regarding the existing landscaping on the site and if they anticipate any landscaping to be proposed in conformance with N.J.A.C. 19:66-7.6.
2. The Applicant shall provide testimony regarding the existing lighting on the site and if they anticipate any lighting to be proposed in conformance with N.J.A.C. 19:66-7.10.

IV. COFONE CONSULTING PLANNING REVIEW

Zoning Compliance

The property is located in the Beach (B) District. As stated at CRDA Land Development Rules Section at N.J.A.C. 19:66-5.9, the purpose of the B District is as follows:

The purpose of the B Beach District is to capitalize on the unique land use attributes inherent of the proximity to the Atlantic Ocean through promotion and zoning controls that maximize the value of the zoning district.

The existing and proposed uses are all permitted in the B 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 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

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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 shall provide such statutorily required testimony through a New Jersey licensed professional planner.
- 2) The Applicant’s professional planner shall discuss the required parking variance in the context of the site and immediate area, with a focus on the abundance of off- and on-street parking in the area and ride-sharing service availability.
- 3) The Applicant shall provide brief testimony relative to the entire proposal, its relationship to the surrounding area, as well as the proposed operational aspects.
- 4) As to the operational aspects, the Applicant shall discuss security procedures and access control. In particular, the Applicant shall discuss safety protocols in the event of threatening severe weather and lightning.
- 5) The Applicant shall furnish testimony about the signage package. Based on the information provided, it appears that all but Sign 8 exists, and the Applicant is seeking to legalize the remainder of the signs. Given the location, layout and various uses on the site, the number and scale of the signs appear necessary.
- 6) As to the height variances for the food concession with rooftop DJ booth and sun shelters, it is our understanding that these are existing conditions. The Applicant’s professional planner shall provide brief testimony on the minor required relief, with a focus on appropriateness given this type of use and lower elevation on the beach as compared to the sand dunes and boardwalk.

- 7) The Applicant shall discuss how the proposal advances the purpose of the B District and the Tourism District Master Plan.

V. POST APPROVAL CONSIDERATIONS

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

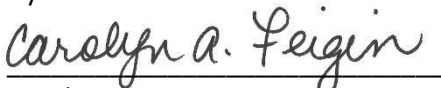
- A. **Submit any required revisions to the Board as outlined above for review.**
- B. **Obtain approvals from all outside agencies, if necessary. Provide copies to the Board.**
- C. **Contact the Board Secretary to reconcile any outstanding review escrow accounts prior to Final Plan Certification, Signature,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

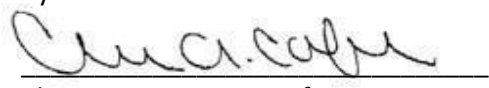
By



Carolyn A. Feigin, PE, PP
CRDA Consulting Engineer

COFONE CONSULTING GROUP

By



Christine A. Nazzaro-Cofone, AICP, PP
CRDA Consulting Planner

cc: Robert L. Reid, AICP, NJPP
Christine A. Nazzaro-Cofone, AICP, PP
Scott Collins, Esq.
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