

**Principals**

Richard Rehmann, GISP
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Carolyn A. Feigin, PE, PP

April 1, 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 #4: CRDA # 2024-03-3620
Preliminary & Final Major Site Plan Approval
Puffsie, LLC
Block 151, Lot 3
1536 Atlantic Avenue
Atlantic City, NJ 08401
ARH # 2410091

Dear Mr. Landgraf:

ARH ASSOCIATES has reviewed the following information towards issuance of Preliminary & Final Major Site Plan Approval for the above-referenced Application:

TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
Cover Letter from Applicant's Attorney	Nehmad Davis & Goldstein, PC	10/23/2023	
Response Letter from Applicant's Attorney		02/01/2024	
Response Letter from Applicant's Attorney	Fox Rothschild LLP	04/09/2024	
Response Letter from Applicant's Engineer	Morgan Engineering & Surveying	05/09/2024	
Response Email from Applicant's Engineer	Morgan Engineering & Surveying	07/02/2024	
CRDA Land Use Application	Owner / Applicant	10/17/2023	
Escrow Setup Information			
Corporate Disclosure Statement			
Major Preliminary Site Plan Checklist (Form #6)			
Major Final Site Plan Checklist (Form #7)			
Survey of Property	Morgan Engineering & Surveying	05/05/2023	
Preliminary & Final Major Site Plan		05/18/2023	03/13/2025
Architectural Floor Plans	Tokarski + Millemann Architects LLC	05/26/2023	05/31/2024
Preliminary Sign Package	KC Sign & Awnings	06/23/2023	
Safety and Security Plan Overview	Unsigned	Undated	
Access Agreement	McOmber McOmber & Luber, PC	03/29/2024	
200' Property List	City of Atlantic City	10/23/2024	

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TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
Certification of Taxes Paid		10/20/2023	
Letter of Support from Mayor		05/05/2023	
Resolution No. 309		04/19/2023	
Ordinance No. 62		11/22/2024	03/18/2025 Rev: RLR
Deed Instrument No. 2022042937	Atlantic County Clerk	08/17/2022	

Per this information, our office offers the following comments:

I. PROJECT INFORMATION & CONTACT INFORMATION

The +/- 0.091 acre site is situated along the southerly frontage of Atlantic Avenue approximately 50' to the east from the intersection of Kentucky Avenue. The site is presently developed with an existing commercial/mixed use building with an unknown occupancy status. It also appears there are additional tenant(s) in the building on the lot unaffiliated with this subject application. The Applicant seeks approval to construct a cannabis retail facility with ancillary lighting and signage improvements. Minor alterations to the existing building are proposed. The Applicant has received a Resolution of support from the City of Atlantic City on April 19, 2023.

The following is directly from the ARH Technical Review Letter #2:

The applicant and their professionals appeared at the May 2, 2024 CRDA hearing. Testimony was provided in support of the application; however, additional information was requested from the CRDA officers and professionals. An appropriate loading zone and a trash collection area were required to be depicted on the plan. Although the revised plan indicates an 18' x 8' Loading Area at the westerly end of privately owned Lot 7, this location is not a viable and safe solution.

Another cannabis business also has intentions to utilize Lot 7 for its deliveries and loading area. It shall be noted that Lot 7 is 9 FT wide at the rear (south) of the strip of

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businesses that front on Atlantic Avenue. Each use/unit has a door that exits and swings out into the concrete that is Lot 7, in addition to miscellaneous utility meters and bollards. This reduces the usable width of Lot 7 to below that of the width of a vehicle. In addition, due to its long and narrow configuration, there is no turn-around location for any vehicle that enters Lot 7, without trespassing onto Lot 24.

A prior application to CRDA recently testified that in order to satisfy the trash/refuse screening requirements, a fence would be erected between Lot 7 and Lot 24. This fence would likely prohibit access to Lot 24, creating an alley bounded by buildings and privacy fence, with a usable width of less than 9 FT and no appropriate location for delivery vehicles or trash receptacles and trash pickup. There are safety concerns, as employees may use this rear entrance via the swing out doors, and could be confronted with a delivery vehicle.

Additional information must be provided to CRDA regarding deliveries and trash collection.

The following is directly from the ARH Technical Review Letter #3:

We note that the applicant's engineer provided a revised plan and submission dated May 9, 2024, which addressed comments from the ARH Technical Review Letter #1 dated April 26, 2024. We have not conducted a full review of the revised plans or the point-by-point response letter from Morgan Engineering, however we acknowledge that they were received.

A review of the July 1, 2024 plan was conducted by our office. The applicant has provided additional space for a loading zone at the rear of the building within the concrete area (Lot 7, Block 151) and the compacted dirt "alley" (portion of Lot 24, Block 151). The intention is to obtain a lease agreement with the owner of Lot 24 (there is already a lease agreement in place with the owner of Lot 7). The width of this area from building face to curb is approximately 21 FT. The plan indicates that approximately 2 FT of the concrete area will be excluded from the available

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turnaround width, therefore, approximately 19 FT is available for delivery vehicles to access the alley and perform a turnaround to exit back onto Kentucky Avenue. This is an improvement from providing the loading zone in Lot 7 only, as that area did not have sufficient width due to existing utility meters, bollards, etc. While our office agrees that 19 FT is sufficient for this turning maneuver for sprinter vans and smaller vehicles, the concern with the current proposal is the parallel-parked cars which align the length of this alley, alongside the curb, which do not allow the full 19 FT width to be used for these maneuvers. See the street view image from Google Earth below. No parking would be permitted within this alley in order to consider this proposal. "NO PARKING" signage along the curb line would be required to be installed, and this area would have to be monitored and maintained free and clear to allow proper turnaround area. As the applicant does not own this property, testimony shall be provided regarding how this will be accomplished. Frequency of delivery vehicles should be discussed as well. Some improvements to the alley may be necessary, as this is not a paved driveway surface and appears to be in poor condition.



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Upon resolution of the loading zone requirement, ARH will complete the technical review.

We note that the applicant's engineer provided a revised plan and submission dated March 13, 2025, which has now provided the location of the loading zone as per City Ordinance 62, of which has formally adopted the loading zone on the easterly side of Kentucky Avenue from 74' to 95' south of the intersection of Atlantic Avenue. Vehicular loading operations are not to be performed on Lots 7 and 24 as these lots shall only be utilized for loading personnel to access the rear entry of the building from the loading zone on the street. Our office has now conducted a full technical review of the submission as follows.

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

APPLICANT /OWNER
Puffsie, LLC 31 Walnut Drive Burlington, NJ 08016 Phone: 267-592-1376 Email: ernestcaldwell@puffsie.com

ENGINEER
Donna Bullock, PE Morgan Engineering & Surveying PO Box 5232 Toms River, NJ 08754 Phone: 732-270-9690 Fax: 732-2470-9691 Email: donna@morganengineeringllc.com

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ARCHITECT

Tokarski + Millemann Architects LLC

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Wall, NJ 07719

Phone: 732-262.0046

Fax: 732-262-0045

Email: info@tm-architects.com

ATTORNEY

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Fox Rothschild LLP

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Phone: 609-348-4515

Fax: 609-348-6834

Email: jplackter@foxrotchschild.com

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II. ZONING REVIEW

The subject property is situated within the Central Business District (CBD). Cannabis retail sales is a permitted use in the zone as per the Green Zone Redevelopment Plan. The below table summarizes the bulk requirements for this zone:

BULK ITEMS	REQUIREMENT	EXISTING	PROPOSED
Max. Principal Building Height	65 ft (from BFE)	+/- 37.2 ft	NC
Min. Lot Area	5,000 sf	3,950 sf (ENC)	NC
Min. Lot Depth	100 feet	100 feet	NC
Min. Lot Width	50 feet	39.50 feet (ENC)	NC
Min. Lot Frontage	50 feet	39.50 feet (ENC)	NC
Min. Principal Front Yard Setback	5 feet	0 feet (ENC)	NC
Min. Principal Side Yard Setback	0 feet	0 feet (ENC)	NC
Min. Principal Rear Yard Setback	20 feet	0 feet (ENC)	NC
Max. Building Coverage	30 %	+ /- 100 % (ENC)	NC
Max. Impervious Coverage	80 %	100 % (ENC)	NC
Floor Area Ratio	N/A	2.99	3.00
Open Space	N/A	0 %	NC
Maximum Density	25 DU/A	N/A	N/A

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
Retail	1 space per 300 sf of GFA (1,188 sf)	4 spaces	0 Spaces (See Comment III.B.1. below)

No variances appear necessary for this application.

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III. ENGINEERING COMMENTS

A. GENERAL

1. The Property Survey shall be revised to provide the FEMA Flood Zone boundary line which appears to traverse through the property according to the latest revised preliminary FIRM containing the site. General Note #6 shall be revised accordingly to include the flood zone as per the latest revised preliminary FIRM. **Not Satisfied. The Applicant stated they will provide a revised Survey containing the revised preliminary FIRM flood zones under separate cover of which our office has not received to date. Also, General Note #7 (previously #6) on the Site Plan shall be revised accordingly.**
2. The existing building overhangs into the City's ROW and the proposed wall mounted lights will be in the City's ROW. The Applicant shall clarify if a license agreement has been obtained from the City for the building protrusions in the ROW. It shall be noted that the building overhangs into Lot 7 in the rear as well. No dimension is provided on the dimension of the protrusion on Lot 7. **Partially Satisfied. The Site Plan has been revised to add General Note # 22 stating the building protrudes 0.6' over into Lot 7. The Applicant shall address the building overhang into the City's ROW comments above.**
3. **The Applicant shall provide the Survey for Lot 24 as referenced in General Note #3 of the Site Plan. It shall be noted that Lot 24 was incorporated into the Site Plan as it contains a 12.1' wide compacted dirt drive south of Lot 7 to be utilized for access.**

B. PARKING & SITE LAYOUT

1. As per N.J.A.C. 19:66-5.8(b)1., for retail uses, one (1) parking space is required per 300 square feet of floor area. The 1,188 sf retail cannabis facility will require four (4) parking spaces, whereas no parking spaces are proposed, and the exiting site contains no parking facilities and never did. As the existing use was retail as well, there is no increase in the demand for parking in proposed conditions. The minor expansion to the building is for security/queuing vestibule and does not increase the retail floor area. Therefore, a parking variance is not required. The Applicant shall provide testimony on the parking for the site and where employees and customers will park.
2. The dimensions of the building addition (portion of existing covered entry area to be walled in) shall be provided on the Site Layout Plan. **Not Satisfied. The dimensions of the building addition have not been provided on the Site Layout Plan.**
3. The Applicant shall provide testimony on the access to the second and third floors as the proposed security/queuing area vestibule addition encumbers the access to the stairs to the upper floors. The door to access these stairs was

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previously externally separated from the retail use. If the upper floors are to be separate tenants than the Applicant, access to these stairs shall be provided externally from the retail use. **Partially Satisfied. The Applicant stated the second floor is for storage and not a separate tenant. Testimony shall still be provided regarding each floor's use and access.**

4. There is no external trash enclosure on site and the interior secured refuse area is for cannabis waste only. The Applicant shall provide testimony regarding the non-cannabis refuse storage for the site, as well as trash pickup. **Satisfied. The revised Architectural Plans now provide separate internal refuse areas for secured cannabis waste and general waste.**
5. The Applicant has obtained an access agreement with Lot 7 to the rear to access their lot for loading operations and refuse collection. The Applicant shall provide testimony regarding the frequency of these operations and vehicles expected to perform these duties. **The Applicant shall also provide testimony regarding accessing Lot 24 during loading and refuse operations as well as the status of an access agreement.**
6. **General Note # 20 on the Site Plan shall be revised to remove references of the loading zone being on Lot 7.**

C. LIGHTING & SIGNAGE

1. There appears to be existing wall mounted lighting on the front of the building. The Applicant shall provide testimony regarding existing lighting and if it is intended to remain or be removed. If to remain, the existing footcandles shall be incorporated within the Lighting Plan. **Satisfied. The Applicant proposes to remove the existing lighting and proposes two (2) new 8' wall mounted lights above the doors. Our office takes no objection to this.**
2. The Applicant is proposing two (2) wall mounted lights at a 6' mounting height. It appears these proposed lights are in conflict with the first floor commercial entry doors. The proposed wall mounted lights' mounting heights shall be raised to avoid conflict with the entry doors or relocated elsewhere. It shall be noted that the westerly proposed wall mounted light appears to be above the commercial use separate from this application. **Satisfied. The Applicant proposes to remove the existing lighting and proposes two (2) new 8' wall mounted lights above the doors. Our office takes no objection to this.**
3. The location and height of the proposed wall identification sign shall be provided on the Site Layout Plan. The applicant shall provide testimony regarding the sign's conformance with Section 19:66-5.7(j) and the Green Zone Redevelopment Plan. Are there to be any additional signs proposed such as a window or projecting sign? **Satisfied. The Applicant states the existing sign is to be utilized in its current location and size and has provided a detail of the new graphic. It appears the sign will conform with 19:66-5.7(j) and the Green Zone Redevelopment Plan.**

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IV. COFONE CONSULTING PLANNING REVIEW

Zoning Compliance

The property is located within the Green Zone Redevelopment Area, encompassing the CBD Central Business Zone District. The proposed use is a principal permitted use in the Green Zone Redevelopment Area.

The intent of the Green Zone Redevelopment Area is for diversifying the local economy, increasing opportunities for private investment, increasing pedestrian traffic, with collateral reduction in crime, and reducing the existing commercial vacancy rate and abandoned commercial space along Atlantic Avenue and Pacific Avenue and in the Orange Loop.

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

The following comments were provided in our Technical Review Letter’s #1 and 2:

- 1) There are no new "c" variances, although as indicated in the engineering portion of this letter, there are existing non-conformities that will not change. For the record, the Applicant should briefly provide testimony about the existing non-conformities.*
- 2) The Applicant shall provide testimony on the operation of the business, with a specific focus on product storage, patron access, on-site product consumption, security, etc.*
- 3) The Applicant’s engineer shall provide testimony about the functionality and type*

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of the proposed site lighting and refuse storage and collection.

- 4) The Applicant's engineer or architect shall provide testimony about the proposed signage and any building alterations.*
- 5) There is an existing parking deficiency on the site that will not be exacerbated in conjunction with this Application. We note that there are ample parking options available throughout the area, as well as a well-defined pedestrian circulation network along with the availability of public transit and ride-sharing.*
- 6) The Applicant shall discuss how the application will advance the intent of the New Jersey CRDA Atlantic City Tourism District Master Plan, the Green Zone Redevelopment Area, and the Tourism District.*
- 7) The Applicant shall comply with the conditions of all previous approvals received for the site.*
- 8) The Applicant shall furnish prior approvals from, and agreements with, the City of Atlantic City that involved the site, if any.*

The following comments were provided in our Technical Review Letter #3:

- 1) We acknowledge that the only remaining item with this application is the loading area. Accordingly, the planning review is limited to this issue.*
- 2) While we defer to the CRDA consulting engineer on the technical aspects of the proposed loading area turn around, it does appear that there is sufficient space for vehicular access, parking, and turning.*
- 3) The applicant's engineer states that the applicant is seeking a lease agreement from the owner of Lot 24 for use in conjunction with adjacent Lot 7 (existing lease agreement in place) for a suitable loading area for deliveries located in the rear of the proposed use.*

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- 4) *The applicant shall provide testimony on how the area will remain free of parked vehicles to ensure that the loading area can function and if there will be an agreement with the adjacent property owner to enforce and achieve same.*

The following additional comments are now provided:

- 1) **Security cameras for the loading zone on Kentucky Avenue and along the drop-off path in the rear alleyway shall be installed as a condition of approval. Permission will be needed from the adjacent building/lot owners for the installation of security cameras on their property.**

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.**

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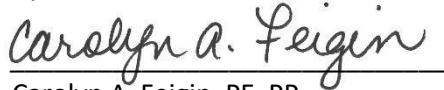
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Any resubmissions in response to this report should be accompanied by a point-by-point response to all items. To facilitate the Board's decision-making process, Applicants are strongly encouraged to resolve as many items as possible prior to the hearing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

Respectfully Submitted,

ARH ASSOCIATES

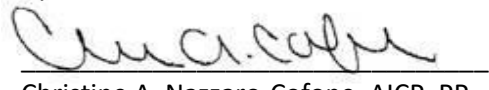
By



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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