

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 1822 Garfield Ave, 1820 Garfield Ave, 1818 Garfield Ave #A, 1818 Garfield Ave, 1816 Garfield Ave,
 Location: _____ 1815 Arctic Ave #A, 1817 Arctic Ave, 1821 Arctic Ave, 1825 Arctic Ave, 1827 Arctic Ave, and 1829
 Arctic Ave

Tax Map Page 57 Block 330 Lot(s) 2, 3, 4, 5, 6, 24, 25, 26, 27, 28 and 29
 Page _____ Block _____ Lot(s) _____
 Page _____ Block _____ Lot(s) _____

Dimensions Frontage 152 feet Depth 150 feet Total Area 24,907 sf

Zoning District CBD (Central Business District)

2. APPLICANT

Name 1829 ARCTIC AVE RE LLC
 Email andrew@yumandchill.com
 Address 163 Washington Valley Road, Suite 104, Warren, NJ 07059
 Telephone Number 732-554-8575
 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 _____
 Email _____ **Please see attached Ownership Information sheet.**
 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.).

Please see attached Disclosure Statement.

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: Please see attached Project Narrative.

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 Michael J. Malinsky
Email mmalinsky@foxrothschild.com
Address 1301 Atlantic Avenue, Midtown Building, Suite 400, Atlantic City, NJ 08401
Telephone Number 609-572-2331
FAX Number _____

7. Applicant's Engineer Jason T. Sciallo, PE, PP, Sciallo Engineering Services, LLC
Email jsciallo@scialloengineering.com
Address 137 South New York Avenue, Suite 2, Atlantic City, New Jersey 08401
Telephone Number 609-300-5171
FAX Number _____

8. Applicant's Planning Consultant Jason T. Sciallo, PE, PP, Sciallo Engineering Services, LLC
Email jsciallo@scialloengineering.com
Address 137 South New York Avenue, Suite 2, Atlantic City, New Jersey 08401
Telephone Number 609-300-5171
FAX Number _____

9. Applicant's Traffic Engineer _____
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 Wallin Gomez Architects, LTD

Field of Expertise Architecture

Email wallin@wgaltd.com

Address 711 S. Dearborn Street, Suite 606, Chicago, Illinois, 60605

Telephone Number 312-427-4702 ext. 212

FAX Number _____

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

X _____ Major Preliminary Site Plan Approval [Phases (if applicable) N/A]

X _____ Major Final Site Plan Approval [Phases (if applicable) N/A]

_____ 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)]

X _____ 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] Please see attached Project Narrative.

13. **Waivers Requested** of Development Standards and/or Submission and justification for request.
Requirements: [attach additional pages as needed] Please see attached Project Narrative.

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. **Will be provided at least three days prior to hearing.**

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] Please see attached Project Narrative.

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? N/A

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? Bond or other payment acceptable to the CRDA.

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

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

24. Certification from the Tax Collector that all taxes due on the subject property have been paid. **Please see attached.**

25. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

Quantity	Description of Item
<u> </u>	<u>See cover letter for list of included items and number of copies.</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

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 All professional reports to be submitted to
 Attorney Applicant's professionals.

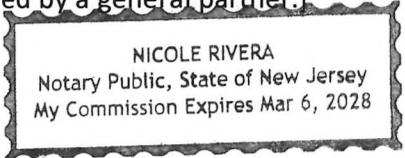
Engineer Please see paragraphs 6, 7, and 10 above for
Applicant's professionals contact information.

CERTIFICATIONS

27. I Michael J. Malinsky certify that the foregoing statements and the materials submitted are true. I further certify that I am the Attorney for the Applicant and that I am authorized to sign the application for the Corporation.

[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 2nd day of February, 2026



Nicole Rivera
NOTARY PUBLIC

Michael J. Malinsky
Michael J. Malinsky, Esquire
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.]

Please see Signatures of Owners attached hereto.

Sworn to and subscribed before me this _____ day of _____, 20 _____

NOTARY PUBLIC

SIGNATURE OF OWNER

29. I understand that the sum of \$ 4,460 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.

2-26
Date

Michael J. Malinsky
Michael J. Malinsky, Esquire
Attorney for Applicant