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FILE NO. 62235/1

August 12, 2021

HAND DELIVERY

Robert Reid,
Land Use Regulation Enforcement Officer
Casino Reinvestment Development Authority
15 South Pennsylvania Avenue
Atlantic City, NJ 08401

Re: Cardinal Restaurant Project
Applicant: 151 S NY Avenue LLC
151 S. New York Avenue
Block 52, Lot 6

Dear Mr. Reid:

We are the attorneys for the Applicant, 151 S NY Avenue LLC, with respect to an application for minor site plan approval and variance relief for the above captioned property. Applicant proposes to demolish the existing restaurant and hotel located at 151 S. New York Avenue and replace it with a new restaurant and hotel. The uses are permitted. In addition to minor site plan approval, the application requires bulk variance relief and a parking variance. Additional detail is provided in the attached Project Narrative.

We are providing five (5) copies of the application and plans to the CRDA and its professionals. Enclosed please find:

1. CRDA Application including Project Narrative and Disclosure Statement;
2. Minor Site Plan Checklist and C-Variance Checklist prepared by Sciullo Engineering Services, LLC;
3. Site plan prepared by Sciullo Engineering Services, LLC entitled "Cardinal Restaurant" consisting of three (3) sheets each dated August 12, 2021;
4. Architectural plans prepared by William McLees Architecture, LLC entitled "New Construction Cardinal Restaurant and Hotel" dated August 11, 2021;
5. Subdivision plan prepared by Vargo Associates dated October 8, 2019;

Robert Reid, Land Use Regulation Officer

August 12, 2021

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6. Copy of the 200 foot property owners list dated July 28, 2021;
7. Copy of the request for Certification of Taxes Paid dated July 22, 2021 and WIPP statement of account;
8. Escrow Setup Information;
9. Two (2) digital copies of submission; and
10. Checks in the amount of \$1,100.00 and \$5,054.00 for the application and escrow fees, respectively.

Please review the enclosed information and contact me if you require additional information.

Thank you for your kind attention to this matter.

Very truly yours,

Cooper Levenson, P.A.

Nicholas F. Talvacchia

NFT/rcf

Enclosures

cc: Scott G. Collins, Esquire (*w/Enclosures, via UPS Overnight Mail, via E-mail*)
Christine A. Nazzaro-Cofone, AICP, PP, Cofone Consulting Group, LLC (*via UPS Overnight Mail, via E-mail*)
Kathryn Cornforth, PE, CME, ARH Associates (*w/Enclosures, via UPS Overnight Mail, via E-mail*)
Atlantic City Planning Dept. (*w/ Enclosures, via Hand Delivery*)
Atlantic City Engineering Department (*w/ Enclosures via Hand Delivery*)
151 S NY Avenue LLC (*w/Enclosures, via E-mail*)
Jason T. Sciullo, PE, PP
William C. McLees, AIA

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: _____

1. SUBJECT PROPERTY

Location: 151 S. New York Avenue

Tax Map	Page _____	Block 52	Lot(s) 6
	Page _____	Block _____	Lot(s) _____
	Page _____	Block _____	Lot(s) _____

Dimensions	Frontage 80	Depth 125	Total Area 7,393 sf
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Zoning District RC- Resort Commercial

2. APPLICANT

Name 151 S. NY Avenue LLC

Email sanchez.evan@gmail.com

Address 13 Delray Lane, Absecon, NJ 08201

Telephone Number 609-703-2627

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 Same as Applicant

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	See attached	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: Restaurant and hotel, remainder is vacant _____

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 Nicholas F. Talvacchia, Esquire

Email ntalvacchia@cooperlevenson.com

Address 1125 Atlantic Ave. 3rd Floor, Atlantic City, NJ 08401

Telephone Number 609-572-7544

FAX Number 609-572-7545

7. Applicant's Engineer Jay Sciuillo, Sciuillo Engineering Services, LLC

Email jsciullo@sciulloengineering.com

Address 17 S. Gordon's Alley, Suite 3, Atlantic City, NJ 08401

Telephone Number 609-300-5171

FAX Number _____

8. Applicant's Planning Consultant Jay Sciuillo, Sciuillo Engineering Services, LLC

Email jsciullo@sciulloengineering.com

Address 17 S. Gordon's Alley, Suite 3, Atlantic City, NJ 08401

Telephone Number 609-300-5171

FAX Number _____

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 William McLees Architecture, LLC

Field of Expertise Architect

Email _____

Address 5 MacArthur Blvd, Somers Point, NJ 08244

Telephone Number 609-327-0888

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

_____ 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)] *relief previously granted; unable to conform to lot depth requirement

_____ 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] See attached Project Narrative

13. **Waivers Requested** of Development Standards and/or Submission and justification for request.

Requirements: [attach additional pages as needed] 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.

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] 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? As required by the MLUL

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>TBD</u>
Atlantic County Health Department	<u>X</u>	<u> </u>	<u>TBD</u>
Atlantic County Planning Board	<u> </u>	<u>X</u>	<u> </u>
Atlantic County Soil Conservation Dist.	<u>X</u>	<u> </u>	<u>TBD</u>
NJ Department of Environmental Protection	<u> </u>	<u>X</u>	<u> </u>
Sewer Extension Permit	<u> </u>	<u>X</u>	<u> </u>
Sanitary Sewer Connection Permit	<u> </u>	<u>X</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>X</u>	<u> </u>	<u>TBD</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. See attached request for Certification of Paid Taxes.

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

Quantity	Description of Item
<u>5</u>	<u>Site Plans prepared by Sciullo Engineering Services, LLC dated August 12, 2021</u>
<u>5</u>	<u>Subdivision Plan prepared by Vargo Associates dated Oct. 8, 2019</u>
<u>5</u>	<u>Architecture Plan prepared by William McLees Architecture dated 8/11/2021</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

Attorney All

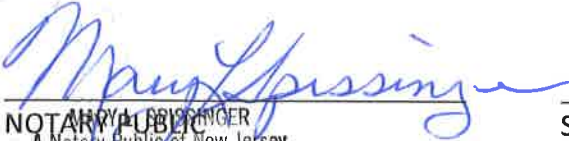
Engineer All

CERTIFICATIONS

27. I Nicholas F. Talvacchia, Esquire 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
12th day of August, 20 21


NOTARY PUBLIC
A Notary Public of New Jersey
My Commission Expires 06/10/2023

SIGNATURE OF APPLICANT Nicholas F. Talvacchia, Esq.
Attorney for Owner/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.]

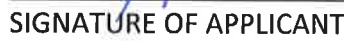
Sworn to and subscribed before me this
12th day of August, 20 21


NOTARY PUBLIC
A Notary Public of New Jersey
My Commission Expires 06/10/2023

SIGNATURE OF OWNER Nicholas F. Talvacchia, Esq.
Attorney for Owner/Applicant

29. I understand that the sum of \$ 5,054 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.

8-12-2021
Date


SIGNATURE OF APPLICANT Nicholas F. Talvacchia, Esq.
Attorney for Owner/Applicant

PROJECT NARRATIVE
151 S NY AVENUE LLC
BLOCK 52, LOT 6
August 12, 2021

151 S NY Avenue LLC ("Applicant") proposes to demolish the existing restaurant and hotel located at 151 S. New York Avenue and replace it with a new restaurant and hotel. The project will be located at 151 S. New York Avenue, known as Block 52, Lot 6, as shown on the tax map of the City of Atlantic City ("Property") and the enclosed subdivision plan as recorded with the Atlantic County Clerk's Office.

A project approval was previously granted to substantially renovate the existing restaurant and hotel. Variance relief was granted for the prior approval pursuant to Resolution 19-118, dated October 15, 2019. After extensive investigation, it became clear that renovation of the existing structure would not be feasible. Applicant's intent remains substantially the same except that Applicant intends to construct a new building rather than renovate the existing building. The project will have additional seating and less hotel rooms.

The Property is located within the Resort Commercial Zone (RC). Applicant proposes to construct a five story building with an approximately: (i) 7,650 sf restaurant, bar and lounge on the first two floors; (ii) a 1,848 outdoor seating area on the roof; and (iii) an 8,540 sf hotel on the third through fifth floors. The restaurant, bar and lounge will have a total of 300 seats, including the outdoor and roof areas. The former 18 room hotel will be reduced to 14 rooms to create a luxury boutique hotel. The proposed uses are permitted in the RC Zone.

Applicant seeks minor site plan approval for the proposed project. The project also requires bulk variance relief from: the minimum rear yard setback requirement (2.55 feet is proposed where 20 feet is required); the minimum front yard setback requirement above 35 feet in height (0 feet is proposed where 20 feet is required); and the minimum side yard setback above 35 feet in height (0 feet is proposed where 20 feet is required). A parking variance is also required. The project is grandfathered for parking purposes for 136 seats and 18 guest rooms which calculates to a total of 59 grandfathered parking spaces. The Applicant proposes 164 additional dining/bar/lounge seats for a total of 300 total seats and four less hotel rooms. The additional 164 restaurant/bar/lounge seats proposed and the reduction in hotel rooms requires a total of 104 parking spaces. When taking into account the 59 grandfathered parking spaces, the project will require a net of 45 parking spaces as detailed in the site plan parking calculation. Applicant is not proposing any parking spaces, thus a variance for 45 parking spaces is requested. Applicant is also grandfathered for one (1) loading space (where only one (1) loading space is required). There are also two (2) existing non-conforming conditions on the property: minimum lot area and minimum lot depth.

The requested bulk variances can be justified because the neighboring buildings have setbacks of less than 5 feet and have no rear yard that would be impacted by the proposed project. Additionally, there is no practical way for Applicant to bring the lot depth and lot area requirements into conformity. The parking variance can be justified on various grounds. First, there is plenty of commercial parking in the surrounding area including 7 parking lots. Second,

many visitors will walk over from the nearby hotels, motels and businesses and those users do not require parking. Third, the Jitney line and Boardwalk trams are in close proximity to this site. Finally, the increasing use of Uber/Lyft and taxi services reduce parking demand for restaurant and bar uses.

The Applicant also requests any other variances, waivers, exceptions or other relief that the Land Use Board deems necessary for this application.

CLAC 6505897.1

**CORPORATE DISCLOSURE STATEMENT
PURSUANT TO N.J.S.A. 40:55D-48.1 AND 48.2**

151 S NY AVENUE LLC

The individuals listed below have a 10% or greater interest in the above-referenced limited liability company:

Patrick Fasano
1005 Main Street,
Asbury Park, NJ 07712

Evan Sanchez
PO Box 1106
Atlantic City, NJ 08404

Zenith Shah
PO Box 1106
Atlantic City, NJ 08404



15 South Pennsylvania Avenue

Atlantic City, NJ 08401

NJ CRDA – City of Atlantic City - Minor Site Plan Checklist (Form # 5)

(An Application for Development that does not exceed one acre in size, maximum building gross floor area of 10,000 square feet, a maximum of three stories and no more than twenty-five parking spaces)

REQUIRED APPLICATION ITEMS

Project Name: 151 S. NY Ave Restaurant & Hotel Application # _____

Prepared by: Jason Sciuillo, Sciuillo Engineering Services Title Principal Engineer date 08/12/2021

Note : Five (5) copies of plans and supporting documents are required as the initial submission. Ten (10) copies of plans are required for final sign-off and distribution.

Item #	Description	REQUIRED	SUBMITTED	WAIVER REQUESTED BY APPLICANT	Waiver Recommended by Reviewer
1	Completed Land Use Application Form	X	X		
2	Payment of Required Application and Escrow Fees (19:66-3.4)	X	X		
3	Name and address, email address of property owner and applicant.	X	X		
4	Proof of real estate taxes and other assessments paid.				
5	Name, signature, license number, seal and address of each professional consultant, as applicable, involved in preparation of required documents.	X	X		
6	Project narrative describing existing conditions, surrounding uses and the proposed development including list of variance and design waiver relief sought, if any.	X	X		
7	Title block denoting type of application, tax map sheet, project address, block and lot, and street location.	X	X		
8	Proof of ownership of property. (Report of title, copy of deed AS FILED with the Atlantic County Clerk's Office, affidavit or other documentation evidencing ownership.)	X	X		
9	Consent of property owner to applicant to development project.	X	N/A		

10	FOR ADMINISTRATIVE REVIEW AND APPROVAL: Certification from Applicant's licensed professional that the development proposed meets all requirements and no variance or design waivers are requested. (19:66-4.6)	X	N/A		
11	Zoning Schedule listing: Use, lot area, lot width, lot depth, yard setbacks, floor area ratio, density, building coverage, building height and parking requirements, including existing and proposed with conformity status of each.	X	X		
12	Certified List of Property Owners within 200' Radius of the subject property by City of Atlantic City Tax assessor's Office.	X	X		
13	Public Notice in compliance with NJSA 40:55D-12.	X	TBP		
14	North arrow, scale and graphic scale.	X	X		
15	Signature blocks for Hearing Officer, Land Use Regulation Enforcement Officer, Engineer and Planner.	X	X		
16	Key map(s) at a legible scale showing location of property with existing structures, uses, streets, public right of ways, municipal boundaries, public parks, beaches, environmental sensitive areas, zoning district boundaries within 200 feet of the subject property. Property tax lots within 200 feet of the subject property taken from the most recent municipal tax map records.	X	X		
17	List of any existing or proposed deed restrictions, easements, covenants, Homeowners Association Agreements, etc. as recorded or in recordable form if proposed.	X	X		
18	List of development stages or phases, if any.	X	N/A		
19	List of approvals or permits required by other regulatory authorities having jurisdiction and the status of same.	X	X		

20	Land Title Survey and topographic survey depicting existing conditions prepared by New Jersey licensed professional land surveyor. All elevations shall be based on NAVD 1988. The horizontal datum shall on the NJ State Plane Coordinate System (NAD 1983) Survey shall include all existing conditions, including buildings, structures, parking areas with parking space striping, driveways, walkways, site lighting/fixtures, fences, stoops, stairs, porches, easements, walls, patios, curbs, roof overhangs, overhead wires, bay windows, building setbacks of building on-site and adjoining the site, landscape areas, trees, utility poles, flag poles, directional and identification signs, spot elevations, contours in one foot intervals, FEMA Flood Zone, State Claim areas, utility poles, utilities such as water, sanitary sewer, storm sewer, electric, gas, cable, telephone, etc. Improvements in adjoining right-of-ways / roadways / streets including painted traffic markings.	X	X		
21	Stormwater management plans and drainage calculations. (19:66-7.5)	X	N/A	Not Major Project Pursuant to NJAC 7:8	
22	Site Plan depicting proposed buildings, structures, existing and proposed building setbacks, landscape areas, lighting / fixtures, lighting intensity, location of identification signage and directional signs, trash enclosure, building setback lines (dashed) and their dimensions from the property lines, parking area plan showing spaces, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions.	X	X		
23	Grading plan depicting direction of flow of surface run-off, spot elevations, contours within 1 foot intervals, stormwater management structures	X	X		
24	Landscaping Plan, details and plant schedule (19:66-7.6)	X	X		
25	Lighting plan and details (19:66-7.10)	X	X		
26	Soil Erosion and Sediment Control Plan. (Required for soil disturbance of 5,000 sq. ft. or greater)	X	X		

27	Plans of proposed utility layouts including sanitary sewer, water, gas, telephone, cable and electricity and showing proposed connections to existing or any proposed utility systems.	X	X		
28	Road and paving cross-sections and profiles.	X	N/A		
29	Solid and liquid waste management plan.	X	X		
30	Vehicular and pedestrian circulation patterns, Traffic control signs, directional signs and Sight triangles	X	X		
31	Preliminary architectural plan and elevations, and areas and type of each proposed use.	X	X		
32	Estimate of costs of on-site and off-site improvements [19:66-3.4 (b)]	X		WD	
33	Electronic copy of the full application including: application, photos, maps, reports, plans and other exhibits in pdf format. Maximum size of file(s) 4 MB.	X	X		
34	Performance guarantee [19:66-3.4 (b)]	X		WD	
35	Maintenance guarantee (19:66-16.3)	X		WD	
36	Inspection Fees (19:66-16.1)	X		WD	

WD= Applicant respectfully requests a waiver to defer these items to become conditions of approval



15 South Pennsylvania Avenue

Atlantic City, NJ 08401

NJ CRDA – City of Atlantic City – “c” Variance Checklist (Form #12)

REQUIRED APPLICATION ITEMS

Project Name: 151 S. NY Ave Restaurant & Hotel Application # _____

Prepared by: Jay Sciuillo, Sciuillo Engineering Services Title Principal Engineer date 08/12/2021

Note : Five (5) copies of plans and supporting documents are required as the initial submission. Ten (10) copies of plans are required for final sign-off and distribution.

Item #	Description	REQUIRED	SUBMITTED	WAIVER REQUESTED BY APPLICANT	Waiver Recommended by Reviewer
1	Completed Land Use Application Form	X	X		
2	Payment of Required Application and Escrow Fees (19:66-4.3)	X	X		
3	Name and address, email address of property owner and applicant.	X	X		
4	Proof of real estate taxes and other assessments paid.	X	X		
5	Name, signature, license number, seal and address of each professional consultant, as applicable, involved in preparation of required documents.	X	X		
6	Color Photographs of site from four (4) different viewpoints.	X		W	
7	Project narrative describing existing conditions, surrounding uses and the proposed development including list of “c” variance(s) and design waiver relief sought, if applicable.	X	X		
8	Title block denoting type of application, tax map sheet, project address, block and lot, and street location.	X	X		
9	Proof of ownership of property. (Report of title, copy of deed AS FILED with the Atlantic County Clerk’s Office, affidavit or other documentation evidencing ownership.)	X	X		
10	Consent of property owner to applicant to development project.	X	N/A		
11	Zoning Schedule listing: Use, lot area, lot	X	X		

	width, lot depth, yard setbacks, floor area ratio, density, building coverage, building height and parking requirements, including existing and proposed with conformity status of each.				
12	Certified List of Property Owners within 200' Radius of the subject property by City of Atlantic City Tax assessor's Office.	X	X		
13	Public Notice in compliance with NJSA 40:55D-12.	X	TBP		
14	North arrow, scale and graphic scale.	X	X		
15	Signature blocks for Hearing Officer, Land Use Regulation Enforcement Officer, Engineer and Planner.	X	X		
16	Key map(s) at a legible scale showing location of property with existing structures, uses, streets, public right of ways, municipal boundaries, public parks, beaches, environmental sensitive areas, zoning district boundaries within 200 feet of the subject property. Property tax lots within 200 feet of the subject property taken from the most recent municipal tax map records.	X	X		
17	List of any existing or proposed deed restrictions, easements, covenants, Homeowners Association Agreements, etc. as recorded or in recordable form if proposed.	X	X		
18	List of development stages or phases, if any.	X	N/A		
19	List of approvals or permits required by other regulatory authorities having jurisdiction and the status of same.	X	X		
20	Land Title Survey and topographic survey depicting existing conditions prepared by New Jersey licensed professional land surveyor. All elevations shall be based on NAVD 1988. The horizontal datum shall on the NJ State Plane Coordinate System (NAD 1983) Survey shall include all existing conditions, including buildings, structures, parking areas with parking space striping, driveways, walkways, fences, stoops, stairs, porches, easements, walls, patios, curbs, roof overhangs, overhead wires, bay windows, building setbacks of building on-site and adjoining the site, landscape areas, trees, utility poles, flag poles, directional and identification signs, spot elevations, contours in one foot intervals, FEMA Flood Zone, State Claim areas, utility poles, utilities such as water, sanitary sewer, storm sewer, electric, gas, cable, telephone, etc. Improvements in adjoining right-of-ways / roadways / streets including painted traffic markings.	X	X		

21	Site Plan depicting proposed buildings, structures, existing and proposed building setbacks, landscape areas, location of identification signage and directional signs, trash enclosure, building setback lines (dashed) and their dimensions from the property lines, parking area plan showing spaces, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions.	X	X		
22	Preliminary architectural plan and elevations, and areas and type of each proposed use.	X	X		
23	Electronic copy of the full application including: application, photos, maps, reports, plans and other exhibits in pdf format. Maximum size of file(s) 4 MB.	X	X		

City of Atlantic City
Department of Planning & Development

Suite 506 City Hall
Atlantic City, New Jersey 08401-4603
TEL 609.347.5404
FAX 609.347.5345
Email: bwoolley-dillon@cityofatlanticcity.org



Barbara Allen Woolley-Dillon, PP, AICP
Director of Planning & Development

July 28, 2021

Cooper Levenson
Nicholas F. Talvacchia
1125 Atlantic Ave, 3rd Floor
Atlantic City, NJ 08401

Re: Block 52 Lot 6 - 151 S. NY Avenue

Dear Nicholas:

Please accept this letter as a response to your recent request to obtain a Certified List of Property Owners Located within 200 feet of the above referenced property and a list of the Utility Companies. Attached to this letter is the official list.

This should satisfy this request. Please do not hesitate to contact this office in the event that you have any questions or require additional information.

Sincerely Yours,
The City of Atlantic City

Barbara Allen Woolley-Dillon

Barbara Allen Woolley-Dillon, PP, AICP
Director of Planning & Development

:bwd



City of Atlantic City

Buffer Report

Highlighted feature(s)

Subject Property (1)

BLOCK	LOT	QUAL	Location	Owner	Street Address	City\State	ZipCode
52	6		151 S NEW YORK AVE	151 S NY AVE LLC	13 DELRAY LN	ABSECON, NJ	08201

§

List of adjoining feature(s) that intersect 200 foot buffer from Subject Property.

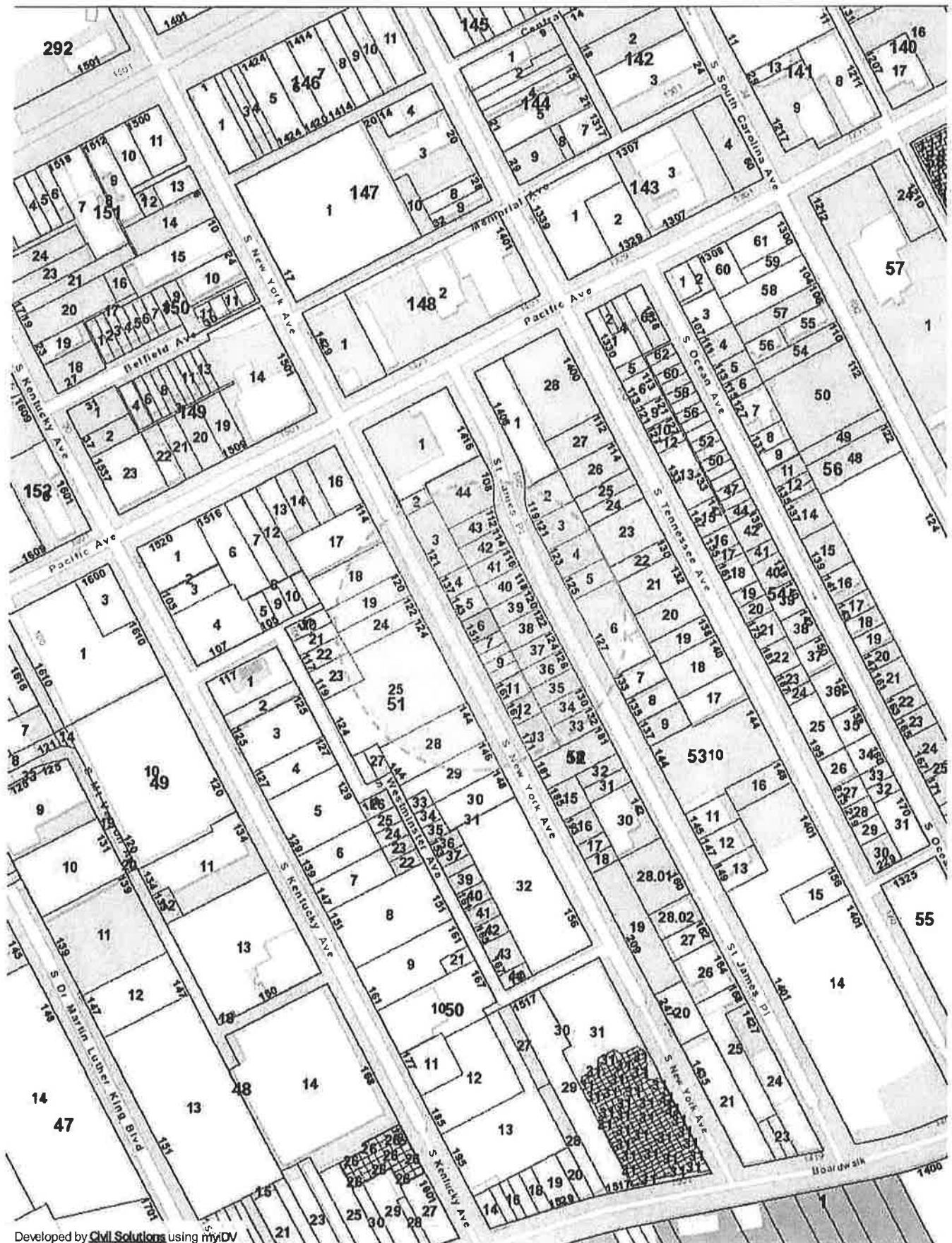
Adjacent Properties (40)

BLOCK	LOT	QUAL	Location	Owner	Street Address	City\State	ZipCode
51	17		114 S NEW YORK AVE	B & B PARKING INC	114 S NEW YORK AVE	ATLANTIC CITY, NJ	08401
51	18		118 S NEW YORK AVE	B&B PARKING INC	114 S NEW YORK AVE	ATLANTIC CITY, NJ	08401
51	19		120 S NEW YORK AVE	B&B, PARKING INC	114 S NEW YORK AVE	ATLANTIC CITY, NJ	08401
51	21		115 WESTMINISTER AVE	B&B PARKING INC	114 S NEW YORK AVE	ATLANTIC CITY, NJ	08401
51	22		117 WESTMINISTER AVE	B&B PARKING INC	114 S NEW YORK AVE	ATLANTIC CITY, NJ	08401
51	23		119 WESTMINISTER AVE	B&B PARKING INC	114 S NEW YORK AVE	ATLANTIC CITY, NJ	08401
51	24		122 S NEW YORK AVE	139 SOUTH NEW YORK AVENUE LLC	1616 PACIFIC AVE	ATLANTIC CITY, NJ	08401
51	25		124 S NEW YORK AVE	B&B PARKING INC	114 S NEW YORK AVE	ATLANTIC CITY, NJ	08401
51	28		144 S NEW YORK AVE	B & B PARKING INC	114 S NEW YORK AVE	ATLANTIC CITY, NJ	08401
51	29		146 S NEW YORK AVE	B & B PARKING INC	114 S NEW YORK AVE	ATLANTIC CITY, NJ	08401
52	2		117 S NEW YORK AVE	ROESCH, EVELYN M	117 S NEW YORK AVE	ATLANTIC CITY, NJ	08401
52	3		121 S NEW YORK AVE	TIDES MOTEL LLC	3001 PACIFIC AVE	ATLANTIC CITY, N.J.	08401
52	4		137 S NEW YORK AVE	137S NEWYORK QOZF LLC	1005 MAIN STREET	ASBURY PARK, NJ	07712
52	5						
52	7		153 S NEW YORK AVE	159 S NY AVE LLC	PO BOX 1106	ATLANTIC CITY NJ	08404
52	8						
52	9						

BLOCK	LOT	QUAL	Location	Owner	Street Address	City/State	ZipCode
52	10						
52	11		161 S NEW YORK AVE	NY ORANGE DEEDS LLC	1005 MAIN ST POB 737	ASBURY PARK, NJ	07046
52	12		167 S NEW YORK AVE	NY ORANGE DEEDS LLC	1005 MAIN ST POB 737	ASBURY PARK, NJ	07046
52	13		171 S NEW YORK AVE	NYORANGEDEEDS, LLC	1005 MAIN STREET	ASBURY PARK, NJ	07712
52	33		132 ST JAMES PL	NYORANGEDEEDS, LLC	1005 MAIN STREET	ASBURY PARK, NJ	07712
52	34		130 ST JAMES PL	NYORANGEDEEDS, LLC	1005 MAIN STREET	ASBURY PARK, NJ	07712
52	35		128 ST JAMES PL	NYORANGEDEEDS, LLC	1005 MAIN STREET	ASBURY PARK, NJ	07712
52	36		126 ST JAMES PL	NYORANGEDEEDS, LLC	1005 MAIN STREET	ASBURY PARK, NJ	07712
52	37		124 ST JAMES PL	NYORANGEDEEDS, LLC	1005 MAIN STREET	ASBURY PARK, NJ	07712
52	38		122 ST JAMES PL	NYORANGEDEEDS, LLC	1005 MAIN STREET	ASBURY PARK, NJ	07712
52	39		120 ST JAMES PL	NY ORANGE DEEDS LLC	1005 MAIN ST	ASBURY PARK, NJ	07712
52	40						
52	41		116 ST JAMES PL	TIDES MOTEL, LLC	3001 PACIFIC AVE	ATLANTIC CITY, NJ	08401
52	42		114 ST JAMES PL	COSTAS CORP % G GEORGES	4 S NEWPORT AVE	VENTNOR, NJ	08406
52	43		112 ST JAMES PL	COSTAS CORP % G GEORGES	4 S NEWPORT AVE	VENTNOR, NJ	08406
52	44		108 ST JAMES PL	COSTAS CORP % G C GEORGES	4 S NEWPORT AVE	VENTNOR, NJ	08406
53	1		1408 PACIFIC AVE	NEJ NJ LLC	3851 BOARDWALK # 2702	ATLANTIC CITY, NJ	08401
53	2		119 ST JAMES PL	COSTAS CORP % G GEORGES	4 S NEWPORT AVE	VENTNOR, NJ	08406
53	3		121 ST JAMES PL	COSTAS CORP % G GEORGES	4 S NEWPORT AVE	VENTNOR, NJ	08406
53	4		123 ST JAMES PL	COSTAS CORP % G GEORGES	4 S NEWPORT AVE	VENTNOR, NJ	08406
53	5		125 ST JAMES PL	POM ASIAN LLC	101 S RALEIGH AVE #833	ATLANTIC CITY, NJ	08401
53	6		127 ST JAMES PL	NY ATLANTIC LLC	8746 VAN WYCK EXPRESSWAY	JAMAICA, NY	11432
53	7		133 ST JAMES PL	ST JAMES PARTNERSHIP	5702 VENTNOR AVE	VENTNOR, NJ	08406

City of Atlantic City - Map

Buffer Report



Developed by Civil Solutions using myIDV



**This is a list of utility companies that service the City of Atlantic City.
Please notify all entities listed at least ten (10) days in advance of the public hearing.**

ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY

Attn: Garth Moyle, Deputy Director – (609) 345-3315
P.O. Box 117 @
401 N. Virginia Avenue
Atlantic City, New Jersey 08404-0117
gmoyle@acmua.org

ATLANTIC CITY SEWERAGE COMPANY

Attn: Walter Miller – 609-345-0131
1200 Atlantic Avenue, Suite 300
Atlantic City, New Jersey 08401
bbruckler@acsewerage.com

ATLANTIC COUNTY UTILITIES AUTHORITY

P.O. Box 996
Pleasantville, New Jersey 08232-0996

ATLANTIC CITY ELECTRIC

Attn: Mr. Gregory Brubaker, PE
2542 Fire Road
Egg Harbor Township, New Jersey 08234

SOUTH JERSEY GAS COMPANY

Atlantic Division
Attn: Jim Brun – (609) 645-2690 ext. 6313
111 N. Franklin Boulevard
Pleasantville, New Jersey 08232-0996

NICHOLAS F. TALVACCHIA
Also Admitted to PA Bar
EMAIL: ntalvacchia@cooperlevenson.com

Direct Phone (609) 572-7544
Direct Fax (609) 572-7545

FILE NO. 61568/00001

July 22, 2021

Municipal Tax Collector
City of Atlantic City
City Hall, Room 126
1301 Bacharach Boulevard
Atlantic City, New Jersey 08401

Re: BLOCK 52, LOT 6

To Whom it May Concern:

We represent 151 S. NY AVENUE LLC in support of an application with regard to the above-captioned property and therefore request that you provide this office with a current Proof of Payment of Taxes.

Enclosed please find our firm check in the amount of .75¢ for the cost of the proof. For your convenience, we enclose a self-addressed stamped envelope to send us the requested information.

Please feel free to contact me with any questions. Thank you.

Very truly yours,


Nicholas F. Talvacchia

NFT/sjw
Enclosures
CLAC 6480526.1





CITY OF ATLANTIC CITY

Block/Lot/Qual:	52. 6.	Tax Account Id:	1156
Property Location:	151 S NEW YORK AVE	Property Class:	4A - Commercial
Owner Name/Address:	151 S NY AVE LLC	Land Value:	220,000
	13 DELRAY LN	Improvement Value:	174,300
	ABSECON, NJ 08201	Exempt Value:	0
		Total Assessed Value:	394,300
		Additional Lots:	None
Special Taxing Districts:		Deductions:	

Taxes

[Make a Payment](#)
[View Tax Rates](#)
[View Current Bill](#)
[Project Interest](#)

Year	Due Date	Type	Billed	Balance	Interest	Total Due	Status
2021	02/01/2021	Tax	2,425.31	0.00	0.00	0.00	PAID
2021	05/01/2021	Tax	2,425.31	0.00	0.00	0.00	PAID
2021	08/01/2021	Tax	5,429.15	0.00	0.00	0.00	PAID
Total 2021			10,279.77	0.00	0.00	0.00	
2020	02/01/2020	Tax	2,988.00	0.00	0.00	0.00	PAID
2020	05/01/2020	Tax	2,988.00	0.00	0.00	0.00	PAID
2020	08/01/2020	Tax	1,924.27	0.00	0.00	0.00	PAID
2020	11/01/2020	Tax	1,800.97	0.00	0.00	0.00	PAID
Total 2020			9,701.24	0.00	0.00	0.00	
2019	02/01/2019	Tax	2,649.75	0.00	0.00	0.00	PAID
2019	05/01/2019	Tax	2,649.75	0.00	0.00	0.00	PAID
2019	08/01/2019	Tax	3,326.25	0.00	0.00	0.00	PAID
2019	11/01/2019	Tax	3,326.25	0.00	0.00	0.00	PAID
Total 2019			11,952.00	0.00	0.00	0.00	

Last Payment: 08/05/21

[Return to Home](#)

ESCROW SETUP INFORMATION

The Information below is necessary to initially set up your Escrow Account.

Applicant's Name: 151 S. NY Avenue LLC

Applicant's Address: 13 Delray Lane, Absecon, NJ 08201

*Applicant's Signature:  Nicholas F. Talvacchia, Attorney for Applicant

Applicant's Phone No.: 609-703-2627

Applicant's Email Address: sanchez.evan@gmail.com

Applicant's Date of Birth: N/A

Tax Identification or Social Security Number: 83-2809274

Assigned Escrow #: _____

Should you require assistance or have any questions, please do not hesitate to contact:

Atlantic City Planning:

Lisa D'Alessandro, Board Secretary
City of Atlantic City Planning
1301 Bacharach Boulevard
City Hall-Suite 508
Atlantic City, NJ 08401
Email: LDAlessandro@cityofatlanticcity.org
609-347-5404

CRDA:

Loreta Acevedo, Project Officer
Casino Reinvestment Development Authority
15 S Pennsylvania Avenue
Atlantic City, NJ 08401
Email: lacevedo@njcrda.com
609-347-0500