

**NICHOLAS F. TALVACCHIA**  
Also Admitted to PA Bar  
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FILE NO. 63723/00001

August 19, 2021

**HAND DELIVERY**

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

Re: Shop Rite Project  
Applicant: Village Super Market, Inc.  
1801 Baltic Avenue  
Block 396, Lots 1, 6 and 7

Dear Mr. Reid:

We are the attorneys for the Applicant, Village Super Market, Inc., with respect to an application for preliminary and final major site plan approval and variance relief for the above captioned property. Applicant proposes to convert the existing parking lot and vacant land into a retail supermarket. Supermarkets are a permitted use. In addition to preliminary and final major site plan approval, the application requires variance relief from the maximum impervious lot coverage and signage requirements, and waivers from the requirements for landscaping and buffers, fencing in a front yard, and to permit the outdoor display of merchandise. Additional detail is provided in the attached Project Narrative. Architectural elevations will be provided as exhibits at the time of the hearing.

We are providing five (5) copies and an electronic copy of the application and plans to the NJ Casino Reinvestment Development Authority ("CRDA") and its professionals. Enclosed please find:

1. CRDA Application including Project Narrative and Disclosure Statement;
2. Preliminary and Final Major Site Plan Checklist and C-Variance Checklist prepared by Sciullo Engineering Services, LLC;
3. Site plan prepared by Sciullo Engineering Services, LLC entitled "Atlantic City Supermarket" consisting of twelve (12) sheets each dated August 18, 2021;

Robert Reid, Land Use Regulation Officer  
August 19, 2021  
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4. Proposed Fixture Plan prepared by Wakefern Food Corporation, Retail Engineering, consisting of 1 sheet dated June 1, 2021 and revised to August 5, 2021;
5. Stormwater Management Report prepared by Sciullo Engineering Services, LLC dated August 2021;
6. Copy of the certified list of property owners within 200 feet dated August 13, 2021;
7. Copy of the request for proof of payment of taxes dated August 9, 2021;
8. Escrow Setup Information; and
9. Checks in the amount of \$1,300.00 and \$7,400.00 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/ln  
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*)  
Village Super Market, Inc. (*w/Enclosures, via E-mail*)  
Jason T. Sciullo, PE, PP (*via E-mail*)

**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: 301 N. Ohio Avenue; 267 N. Ohio Avenue; and 1801 Baltic Avenue

Tax Map	Page <u>71</u>	Block <u>396</u>	Lot(s) <u>1, 6 &amp; 7</u>
	Page _____	Block _____	Lot(s) _____
	Page _____	Block _____	Lot(s) _____

Dimensions Frontage Multiple- all Depth varies- lot is Total Area 179,289 SF / 4.11 AC  
conforming irregular in shape

Zoning District CBD - Central Business District

**2. APPLICANT**

Name Village Super Market, Inc.

Email c/o Nicholas F. Talvacchia, Esq./Cooper Levenson, PA @ ntalvacchia@cooperlevenson.com

Address 733 Mountain Avenue, Springfield, NJ 07081

Telephone Number c/o Nicholas F. Talvacchia, Esq./Cooper Levenson, PA- 609-572-7544

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 NJ Casino Reinvestment Development Authority ("NJCRDA") to lease land to Applicant

Email mdoherty@njcrda.com c/o Matthew J. Doherty, Executive Director

Address 15 S. Pennsylvania Avenue, Atlantic City, NJ 08401

Telephone Number 609-347-0500

#### 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] ☒ utility easement No ☐ Proposed ☐

Present use of the premises: Parking lot and vacant land

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 Cooper Levenson, P.A., 1125 Atlantic Avenue, Third Floor, Atlantic City, NJ 08401

Telephone Number 609-572-7544

FAX Number 609-572-7545

**7. Applicant's Engineer** Jason T. Sciullo, P.E., P.P.

Email jsciullo@sciulloengineering.com

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

Telephone Number 609-300-5171

FAX Number \_\_\_\_\_

**8. Applicant's Planning Consultant** (same as above - Jason T. Schiullo, P.E., P.P.)

Email \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

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 Debarbieri Architects  
Field of Expertise Architecture  
Email DESIGN@DEBARBIERIARCHITECTS.COM  
Address 97 Chestnut Street, Rutherford, NJ 07070  
Telephone Number 201-939-5469  
FAX Number 201-939-5466

**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)]  
☐ 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] NJAC 19:66-5.12(a)(1)(iv)(7)- Maximum Impervious Coverage and NJAC 19:66-5.7- signage

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

Requirements: [attach additional pages as needed] NJAC 19:66-7.6- landscaping and buffer design and NJAC 19:66-7.7- fence location; and NJAC 19:66-7.12(m)- outdoor display of merchandise.

To be provided. 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? N/A

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.

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

\*See  
continuation  
below

Quantity	Description of Item
5	"Atlantic City Supermarket" Site Plan by Sciuolo Engineering Services, LLC consisting of 12 sheets, dated August 18, 2021
5	Stormwater Management Report prepared by Sciuolo Engineering Services, LLC dated August 2021

26. The Applicant hereby requests that copies of the reports of the professional staff reviewing

Engineer Jason T. Sciullo, P.E., P.P.

Architectural plans prepared by Debarbieri Architects to be provided at the hearing




**CERTIFICATIONS**

27. I Nicholas F. Talvacchia, Esq 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

19 day of August, 20 21

  
Kelly A. Harms  
ID # 50138404  
NOTARY PUBLIC - STATE OF NEW JERSEY  
My Commission Expires August 4, 2025



SIGNATURE OF APPLICANT

Nicholas F. Talvacchia, Esq., 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.]

Sworn to and subscribed before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

NJCDA to lease property to Applicant

NOTARY PUBLIC

SIGNATURE OF OWNER

29. I understand that the sum of \$ 7,400.00 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.

8/19/21  
Date



SIGNATURE OF APPLICANT

Nicholas F. Talvacchia, Esq., Attorney for Applicant

## **DISCLOSURE STATEMENT**

### **LIST OF NAMES AND ADDRESSES OF OFFICERS, DIRECTORS, AND INDIVIDUALS OR ENTITIES OWNING 10% OR MORE INTEREST IN THE APPLICANT (N.J.S.A. 40:50D-48.1)**

#### **VILLAGE SUPER MARKET, INC.**

***The persons or entities with a 10% or greater interest in applicant, Village Super Market, Inc..  
("Applicant"):***

Six persons comprise the Sumas Family Group (Robert Sumas, William Sumas, John P. Sumas, Nicholas Sumas, John J. Sumas and the Estate of James Sumas). The Sumas Family Group beneficially owns 778,901 shares of Class A Stock and 3,413,771 shares of Class B Stock, or 65.6% of the combined voting power. By virtue of the existence of this "group", the Company is a controlled company under the corporate governance rules of NASDAQ. The address of each of these six persons is in care of the Company, 733 Mountain Avenue, Springfield, New Jersey 07081.

**PROJECT NARRATIVE**  
**Block 396, Lots 1, 6 & 7**  
**August 19, 2021**

Village Super Market, Inc. ("Applicant") proposes to construct a retail supermarket at the property located at 301 N. Ohio Avenue, 267 N. Ohio Avenue and 1801 Baltic Avenue in the City of Atlantic City, also known as block 396, lots 1, 6 and 7, respectively, as shown on the tax map of the City of Atlantic City ("Property"). The Property is located within the Central Business District (CBD) of the Atlantic City Tourism District. The site is currently improved with a paved parking lot. Applicant proposes to construct an approximately 54,609 square foot supermarket that includes an approximately 44,192 square foot ground floor for the supermarket and an approximately 10,417 square foot mezzanine for administrative support of the facility (the "Project"). The Project also includes 227 parking spaces. The proposed use is permitted in the CBD Zone.

Applicant seeks preliminary and final major site plan approval for the Project. The Project also requires bulk variance relief from: the maximum impervious coverage limit (87.9% is proposed where 80% is permitted); and sign regulations, including, but not limited to, the number of permitted signs and the height of a freestanding sign (25 feet where 20 feet is permitted). The Project also requires various waivers including waivers for certain landscaping and buffer design standards, fence location and to permit the outdoor display of merchandise.

The relief from the impervious coverage requirement can be justified because the coverage proposed, while higher than permitted, is compliant with what is permitted in the NJ Coastal Zone Management Rules (a.k.a. Coastal Area Facilities Review Act [CAFRA] regulations) and is similar to that of the surrounding developed area including the Atlantic City Outlets – The Walk retail center which is adjacent to the site. The relief from the signage requirement can be justified as the request for additional signage permits better identification of the store for customers and promotes traffic safety. With regard to the waiver requested for the outdoor display of merchandise, this is a common practice at supermarkets and adds life and vitality to the area and eliminates dead zones in front of the store. The waiver for relief from landscaping and buffer design standards is needed in order to accommodate site characteristics. The fencing in the front yard area is needed for public safety and security purposes and justifies the waiver requested.

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



15 South Pennsylvania Avenue

Atlantic City, NJ 08401

**NJ CRDA – City of Atlantic City - Major Preliminary Site Plan Checklist (Form # 6)**

**REQUIRED APPLICATION ITEMS**

Project Name: Atlantic City Supermarket Application #                     

Prepared by: Jay Scullo, Scullo Engineering Services Title Principal Engineer Date                     

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.		TBP		
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	X		
10	FOR ADMINISTRATIVE REVIEW AND APPROVAL: Certification from Applicant's licensed professional that the development proposed meets all requirements and no	X	N/A		

	variance or design waivers are requested. (19:66-4.6)				
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	X	X		

	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.				
21	Stormwater management plans and drainage calculations. (19:66-7.5)	X	X		
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	X		
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	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		



15 South Pennsylvania Avenue

Atlantic City, NJ 08401

**NJ CRDA – City of Atlantic City - Major Final Site Plan Checklist (Form # 7)**

**REQUIRED APPLICATION ITEMS**

Project Name: Atlantic City Supermarket Application # \_\_\_\_\_

Prepared by: Jay Sciuolo, Sciuolo Engineering Services Title Principal Engineer Date \_\_\_\_\_

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.		TBP		
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	X		

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	
				Using survey from 2001 in the process of being updated	
21	Stormwater management plans and drainage calculations. (19:66-7.5)	X	X		
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	X		

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		X	
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		X	
35	Maintenance guarantee (19:66-16.3)	X		X	
36	Inspection Fees (19:66-16.1)	X		X	

32, 34, 35 & 36 Waiver to defer to 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: Atlantic City Supermarket Application # \_\_\_\_\_

Prepared by: Jay Sciuillo, Sciuillo Engineering Services Title Principal Engineer date \_\_\_\_\_

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	TBP		
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		X	
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	X		
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 Using survey from 2001 in the process of being updated	

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](mailto:bwoolley-dillon@cityofatlanticcity.org)



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

August 13, 2021

**Cooper Levenson**  
**Nicholas F. Talvacchia**  
1125 Atlantic Ave, 3<sup>rd</sup> Floor  
Atlantic City, NJ 08401

**Re: Block 396, Lots 1, 6 & 7 - Village Supermarket**

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, PP, AICP  
Director of Planning & Development

:bwd



# City of Atlantic City

## Buffer Report

### Highlighted feature(s)

#### Subject Property (3)

BLOCK	LOT	QUAL	Location	Owner	Street Address	City\State	ZipCode
396	1		301 N OHIO AVE	CRDA	15 S PENNSYLVANIA AVE	ATLANTIC CITY, NJ	08401
396	6		267 N OHIO AVE	ATLANTIC COUNTY IMPROVEMENT AUTH	1333 ATLANTIC AVE #700	ATLANTIC CITY, NJ	08401
396	7		1801 BALTIC AVE	CRDA	15 S PENNSYLVANIA AVE	ATLANTIC CITY, NJ	08401

### §

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

#### Adjacent Properties (38)

BLOCK	LOT	QUAL	Location	Owner	Street Address	City\State	ZipCode
328	1		117 N INDIANA AVE	ATLANTIC CITY BOARD OF EDUCATION	1809 PACIFIC AVE	ATLANTIC CITY, NJ	08401
328	2		1714 BALTIC AVE	551 LAFAYETTE BOULEVARD LLC	4241 ATL-BRIGANTINE BLVD	BRIGANTINE, NJ	08203
329	1		138 N INDIANA AVE	CITY OF ATLANTIC CITY	BACHARACH BLVD	ATLANTIC CITY NJ	08401
329	11		1810 BALTIC AVE	BALTIC AVE REALTY ASSOC LLC	14 LAKE DRIVE	LINWOOD, NJ	08221
329	12		129 N OHIO AVE	DURANT, GLADSTONE	239 W 113TH ST	NEW YORK, NY	10026
329	13		1824 BALTIC AVE	ATLANTIC CITY MUNICIPAL UTILITIES AU	PO BOX 1686	ATLANTIC CITY, NJ	08404
331	1		1924 BALTIC AVE	CRDA C/O ATLANTIC CITY ASSOCIATES	15 S PENNSYLVANIA AVE	ATLANTIC CITY, NJ	08401
331	2		1900 BALTIC AVE	CRDA C/O ATLANTIC CITY ASSOCIATES	15 S PENNSYLVANIA AVE	ATLANTIC CITY, NJ	08401
331	3		138 N OHIO AVE	CRDA C/O ATLANTIC CITY ASSOCIATES	15 S PENNSYLVANIA AVE	ATLANTIC CITY, NJ	08401
331	4		136 N OHIO AVE	CRDA C/O ATLANTIC CITY ASSOCIATES	15 S PENNSYLVANIA AVE	ATLANTIC CITY, NJ	08401
331	5		132 N OHIO AVE	CRDA C/O ATLANTIC CITY ASSOCIATES	15 S PENNSYLVANIA AVE	ATLANTIC CITY, NJ	08401

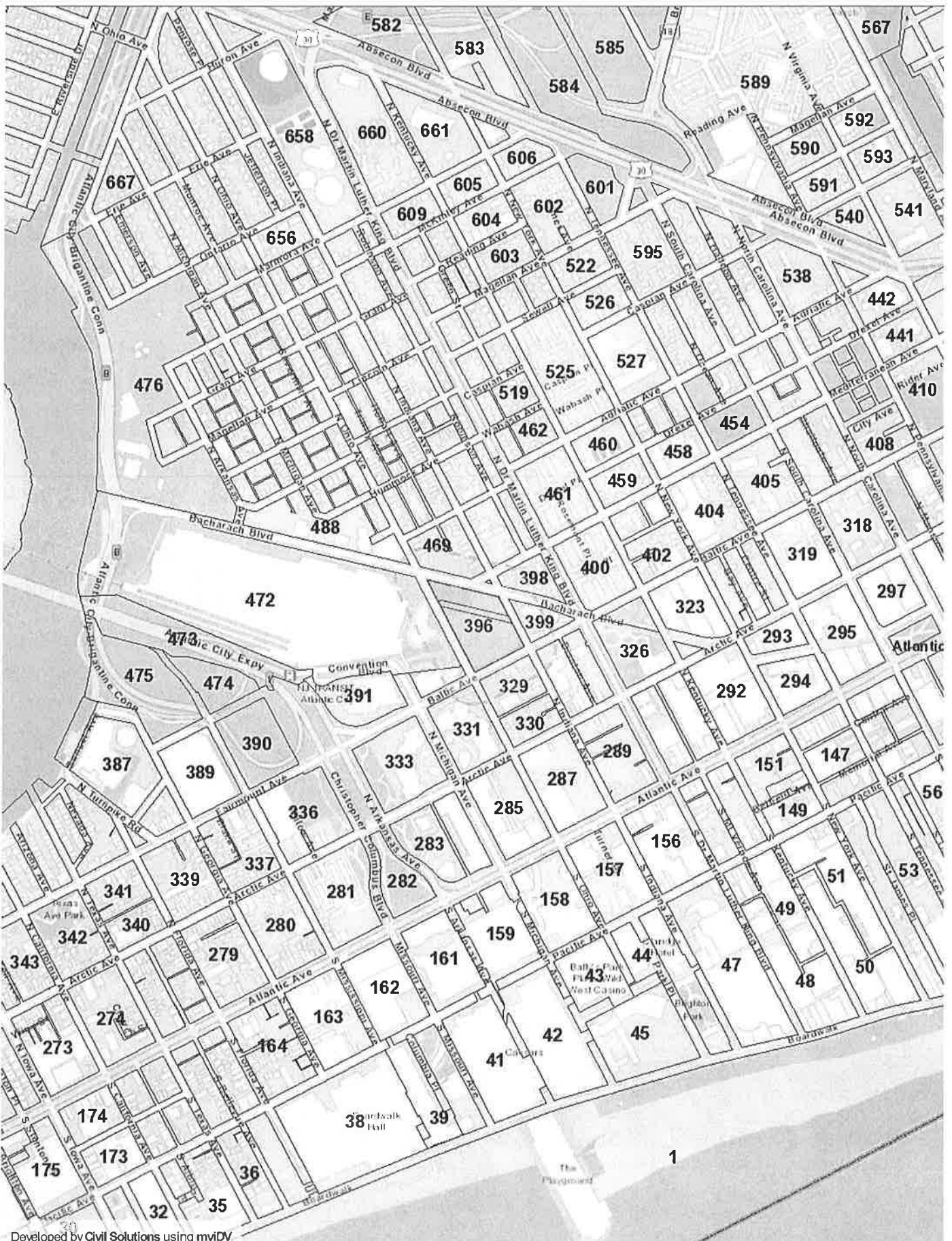
BLOCK	LOT	QUAL	Location	Owner	Street Address	City\State	ZipCode
395	1		1923 BALTIC AVE	CRDA	15 S PENNSYLVANIA AVE	ATLANTIC CITY, NJ	08401
397	1		1800 MEDITERRANEAN AVE	CITY OF ATLANTIC CITY	BACHARACH BLVD	ATLANTIC CITY, NJ	08401
398	1		263 N INDIANA AVE #A	BRIGHTS VILLA INC	263 A N INDIANA AVE	ATLANTIC CITY, NJ	08401
399	1		1750 BACHARACH BLVD	CRDA	15 S PENNSYLVANIA AVE	ATLANTIC CITY, NJ	08401
399	2		205 N INDIANA AVE	CRDA	15 S PENNSYLVANIA AVE	ATLANTIC CITY, NJ	08401
399	3		201 N INDIANA AVE	CRDA	15 S PENNSYLVANIA AVE	ATLANTIC CITY, NJ	08401
399	4		1741 BALTIC AVE	ROSEANNA LLC	750 W CALIFORNIA AVE	ABSECON, NJ	08201
466	9		301 N INDIANA AVE	BROCK, STEVEN & BROCK, SHAMIYA	301 N INDIANA AVE	ATLANTIC CITY, NJ	08401
466	10		303 N INDIANA AVE	DORN, NICOLE	303 N INDIANA AVE	ATLANTIC CITY, NJ	08401
469	1.04		329 N OHIO AVE	IQBAL, KHURAM	206 W PLAZA PL	PLEASANTVILLE, NJ	08232
469	1.05		327 N OHIO AVE	WILLIAMS, NOLAN	327 N OHIO AVE	ATLANTIC CITY, NJ	08401
469	1.06		325 N OHIO AVE	NOBLE, JOHN	111 CARA MIA LN	GALLOWAY, NJ	08205
469	1.07		323 N OHIO AVE	TANK, SUREKHA	323 N OHIO AVE	ATLANTIC CITY, NJ	08401
469	1.08		321 N OHIO AVE	KING, WAYNE & DEBORAH	321 N OHIO AVE	ATLANTIC CITY, NJ	08401
469	1.09		1818 BISHOP RICHARD ALLEN	STATION HEIGHTS HOMEOWNERS ASSOC	318 N INDIANA AVE	ATLANTIC CITY, NJ	08401
469	1.10		1811 BACHARACH BLVD	1811 BACHARACH BLVD LLC & EIGHTEEN	78 JOHN MILLER WAY	KEARNY, NJ	07032
469	1.11		318 N INDIANA AVE	ALVARENGA, ANANIAS MELGAR & ANA F AN	318 N INDIANA AVE	ATLANTIC CITY, NJ	08401
469	1.12		316 N INDIANA AVE	BACH, LINH & SON N NGUYEN	316 N INDIANA AVE	ATLANTIC CITY, NJ	08401
469	1.13		314 N INDIANA AVE	PATEL, PIYUSH & KUNDAN	314 N INDIANA AVE	ATLANTIC CITY, NJ	08401
469	1.14		312 N INDIANA AVE	ATALLAH, MOUNIR	141 E NIGHTINGALE WAY	GALLOWAY, NJ	08205
469	1.15		310 N INDIANA AVE	ATALLAH, MAGDY	141 NIGHTINGALE WAY	GALLOWAY, NJ	08205
469	1.16		308 N INDIANA AVE	HARRIS, JOSEPH	1132 FERNWOOD CT	NEW BRUNSWICK, NJ	08901



BLOCK	LOT	QUAL	Location	Owner	Street Address	City\State	ZipCode
469	1.17		306 N INDIANA AVE	MALIK, MUHAMMED	410 N INDIANA AVE	ATLANTIC CITY, NJ	08401
469	1.18		304 N INDIANA AVE	CONCEPCION, CYNTHIA L.	304 N INDIANA AVE	ATLANTIC CITY, NJ	08401
472	2		1 CONVENTION BOULEVARD	CASINO REINVESTMENT DEVELOPMENT	15 S PENNSYLVANIA AVE	ATLANTIC CITY, NJ	08401
472	17		CONVENTION BOULEVARD	CASINO REINVESTMENT DEVELOPMENT	15 S PENNSYLVANIA AVE	ATLANTIC CITY, NJ	08401
488	26		1900 ADRIATIC AVE	3 LEVENDES, LLC	200 PARK AVE	ABSECON, NJ	08201

# City of Atlantic City - Map

Buffer Report



Developed by Civil Solutions using myiDV



Division of Planning

**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](mailto: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](mailto: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](mailto:ntalvacchia@cooperlevenson.com)

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

FILE NO. 63723/00001

August 9, 2021

City of Atlantic City  
Attn: Tax Collector's Office  
City Hall, Room 126  
1301 Bacharach Boulevard  
Atlantic City, New Jersey 08401

Re: BLOCK 396, LOTS 1, 6 AND 7

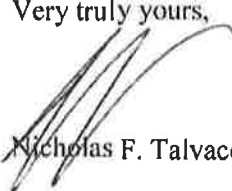
To Whom it May Concern:

We represent VILLAGE SUPER MARKET, INC. 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 \$2.25 for the cost of our request. 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 6179722.3

**ESCROW SETUP INFORMATION**

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

Applicant's Name: Village Super Market, Inc.

Applicant's Address: 733 Mountain Avenue, Springfield, NJ 07081

\*Applicant's Signature:   
c/o Nicholas F. Talvacchia, Esq.

Applicant's Phone No.: ntalvacchia@cooperlevenson.com

Applicant's Email Address: c/o Nicholas F. Talvacchia, Esq.  
ntalvacchia@cooperlevenson.com

Applicant's Date of Birth: N/A

Tax Identification or Social Security Number: 22-1576170

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