



## Principals

Richard Rehmann, GISP  
Chris Rehmann, PE, CME, PP, PLS  
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March 25, 2021

Lance B. Landgraf, Jr., P.P., AICPM  
Casino Reinvestment Development Authority  
Division of Land Use and Regulatory Enforcement  
15 S Pennsylvania Avenue  
Atlantic City, NJ, 08401

Re: Land Use Application  
North Beach Mini Golf LLC  
120 Euclid Avenue (Block 82, Lot 2)  
Atlantic City, NJ, 08401  
ARH File: 24-10048

Dear Mr. Landgraf:

**ARH ASSOCIATES** has received the above captioned Application for review. Applicant seeks Minor Preliminary and Final Site Plan Approval to permit the construction of an 8,500 square-foot mini golf facility. Also, the Applicant seeks Variance relief from the following:

1. Allow a non-permitted use
2. Front yard setback
3. Side yard setbacks
4. Onsite parking

Block 82, Lot 2 is located in Atlantic City's Light House-2 (LH2) Zoning District.

This report consists of a review of the Subject Application for conformance with Casino Reinvestment Development Authority checklists. Comments are limited to the information presented to date. The Applicant may present additional information and testimony at the Board hearing on this matter.

## I. OWNER & APPLICANT INFORMATION

North Beach Mini Golf LLC  
9 North New Hampshire Avenue  
Atlantic City, NJ, 08401  
Michael Intrieri  
(484) 685-6900  
[Mike.intrieri@gmail.com](mailto:Mike.intrieri@gmail.com)

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## ARH Associates

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## II. SUBMITTALS

TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
Cover Letter From Applicant's Attorney	Applicant's Attorney Perskie, Mairone, Borg, Barrera, & Baylinson (PMB&B)	2/22/2021	3/2/2021
CRDA Land Use Application	Owner / Applicant	2/16/2021	3/2/2021
Certification of Payment of Taxes	City of Atlantic City	2/17/2021	
Color Renderings	Unknown	Unknown	
200' Property Owners List	City of Atlantic City	2/17/2021	
Minor Site Plans	Arthur Ponzio, Jr., PLS, PP Thomas Dase, PE, PP	11/25/2020	2/26/2021
CRDA Minor Site Plan Checklist	N/A	2/25/2021	
"d" Variance Checklist	N/A	3/2/2021	
"c" Variance Checklist	N/A	3/2/2021	
Ownership Disclosure	Applicant's Attorney PMB&B	3/2/2021	
Real Estate Purchase & Sale Agreement	N/A	10/20/2020	
Escrow Setup	Applicant	3/2/2021	

## III. COMPLETENESS REVIEW

The following addresses conformance with the Board's Checklists and does not reflect adequacy of submissions for review purposes. The correct number of copies are assumed to have been submitted. Column entries reflect **ARH's** review of Applicant's submissions.

***This office recommends that this Application be deemed Complete at this time. Applicant is asked to address submission deficiencies as follows:***

Minor Site Plan Checklist (Form #5)

ITEM	TITLE / DESCRIPTION (Subdivision Application)	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.	X	X		
5	Name, signature, license number, seal and address of each professional consultant, as applicable, involved in preparation of required documents.	X	It appears the Applicant has made an error in		

ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Waiver Requested by Applicant	Waiver Recommended by Reviewer
			checking the wavier box		
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	It appears the Applicant has made an error in checking the wavier box		
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	Applicant is requesting variance relief. We recommend approval
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	X		
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	X	Applicant shall provide scale for all key maps		

ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Waiver Requested by Applicant	Waiver Recommended by Reviewer
	of the subject property taken from the most recent municipal tax map records.				
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	Applicant shall indicate plans are based on NAVD 1988 datum		
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	Applicant shall show setback lines and location of proposed sign		
23	Grading Plan depicting direction of flow of surface run-off, spot elevations, contours within 1-foot intervals, stormwater management structures.	X	Applicant shall show proposed grades for sidewalk,		

ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Waiver Requested by Applicant	Waiver Recommended by Reviewer
			deck, and course		
24	Landscaping Plan, details, and plant schedule (19:66-7.6)	X	N/A		
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	N/A		
30	Vehicular and pedestrian circulation patterns, Traffic control signs, directional signs and Sight triangles	X	N/A		
31	Preliminary architectural plan and elevations, and areas and type of each proposed use.	X	X		
32	Estimate of costs of on-site improvements [19:66-3.4 (b)]	X	The Applicant shall provide an estimate for approval	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		

The following addresses conformance with the CRDA's list of Required Application items for Minor Site Plan Checklist (Form #5) and does not reflect adequacy of submissions for review purposes. The correct number of copies are assumed to have been submitted. Column entries reflect **ARH's** review of Applicant's submissions.

**IV. VARIANCE**

"d" Variance Checklist (Form #11)

ITEM	TITLE / DESCRIPTION (Subdivision Application)	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	Narrative presenting justification for the "d" Variance relief sought that includes a statement of legal basis for granting of variance which must include: a) A list and explanation of the specific special reason(s) demonstrating that the proposed variance relief would not cause detriment to the intent and purpose of the municipality's zone plan and zoning regulations. b) Explanation of how requested variance would be consistent with goals and provisions of the Master Plan. c) Reasons why proposed development would pose no substantial harm to surrounding properties or the municipality in general.	X	X		
7	Color Photographs of site from four (4) different viewpoints.	X	X		
8	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		
9	Title block denoting type of application, tax map sheet, project address, block and lot, and street location.	X	X		
10	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		
11	Consent of property owner to applicant to development project.	X	X		

ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Waiver Requested by Applicant	Waiver recommended by Reviewer
12	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		Applicant is requesting variance relief. We recommend approval
13	Certified List of Property Owners within 200' Radius of the subject property by City of Atlantic City Tax assessor's Office.	X	X		
14	Public Notice in compliance with NJSA 40:55D-12.	X	X		
15	North arrow, scale and graphic scale	X	X		
16	Signature blocks for Hearing Officer, Land Use Regulation Enforcement Officer, Engineer and Planner.	X	X		
17	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	Applicant shall provide scale for all key maps		
18	List of any existing or proposed deed restrictions, easements, covenants, Homeowners Association Agreements, etc. as recorded or in recordable form if proposed.	X	Pedestrian bridge; Sheet C-3 of plans		
19	List of development stages or phases, if any.	X	N/A		
20	List of approvals or permits required by other regulatory authorities having jurisdiction and the status of same.	X	X		
21	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	X	Applicant shall indicate plans are based on NAVD 1988 datum		

ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Waiver Requested by Applicant	Waiver recommended by Reviewer
	in adjoining right-of-ways / roadways / streets including painted traffic markings.				
22	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	Applicant shall show setback lines and location of proposed sign		
23	Preliminary architectural plan and elevations, and areas and type of each proposed use.	X	X		
24	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		

"c" Variance Checklist (Form #12)

ITEM	TITLE / DESCRIPTION (Subdivision Application)	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	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	It appears the Applicant has made an error in checking		



ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Waiver Requested by Applicant	Waiver recommended by Reviewer
			the wavier box		
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 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		Applicant is requesting variance relief. We recommend approval
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	X		
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	NONE		
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,	X	Applicant shall indicate plans are based on NAVD 1988 datum		

ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Waiver Requested by Applicant	Waiver recommended by Reviewer
	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.				
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			
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		

The following addresses conformance with the CRDA's list of Required Application items for "d" and "c" Variance Checklists (Forms #11 and 12) and does not reflect adequacy of submissions for review purposes. The correct number of copies are assumed to have been submitted. Column entries reflect **ARH's** review of Applicant's submissions.

## **V. COFONE CONSULTING REVIEW**

### **Zoning Compliance**

The property is located in the Lighthouse Two (LH-2) District. As stated at CRDA Land Development Rules Section at N.J.A.C. 19:66-5.19, the purpose of the LH-2 District is as follows:

The purpose of the Lighthouse Two District is to reinvent the area with the rehabilitation and redevelopment of several historic blocks, providing additional housing at lower intensity, commercial uses, and economic diversity.

The Application requires a d(1) Special Reasons Use Variance since the proposed use is not permitted in the LH-2 District. While the Applicant's engineer has identified various "c" variance relief, as enumerated earlier in this report, since the LH-2 District does not contemplate the use and thus does not contain bulk requirements applicable to single-family residential, any identified "c" variances are subsumed by the "d" variance in accordance with *Price V. Himeji*.

### **Master Plan Review**

The subject property is located within the Atlantic City Tourism District. Pursuant to the New Jersey CRDA Atlantic City Tourism District Master Plan, the overall intention and vision is to "reinvigorate Atlantic City in the near-term as the leading resort destination in the Northeast and beyond (Page 4, New Jersey CRDA Atlantic City Tourism District Master Plan). Among others, overarching objectives are to "develop an economically viable and sustainable tourism district" and "[expand] Atlantic City's tourism and economic bases" (Id, Page 1-2).

### **Planning Analysis and Issues for Consideration by the Board**

In regard to the "d(1)" variance, the Municipal Land Use Law (MLUL) at NJSA 40:55D-70.d sets forth the standards for variances from the use regulations of a zoning ordinance. A "d(1)" variance is required when an applicant submits an application for a use that is not permitted in the list of permitted uses within a specific zoning district. The applicant must satisfy the *Medici* proofs:

- Is the site particularly suited for the proposed use?
- Does the proposed use advance special reasons and further the purposes of the Municipal Land Use Law (MLUL)?
- Does the proposal substantially impair the purpose and intent of the master plan, zone plan, and zoning ordinance? Does the proposal satisfy the enhanced quality of proof that the variance sought is not inconsistent with the intent of the master

plan and zoning ordinance, proof which must reconcile the proposed use variance with the zoning ordinance's omission of the use from those permitted in the district?

- Can a variance for this use be granted without substantial detriment to the public good?

We offer the following for your consideration in reviewing the Application:

- 1) The Applicant has provided a narrative in its submitted application regarding the use variance request. The Applicant is required to provide testimony by a New Jersey licensed professional planner in accordance with statutory and case law requirements.
- 2) While the Applicant's engineer has identified various "c" variance relief, since the LH-2 District does not contemplate the use and thus does not contain bulk requirements applicable to the proposed use, any identified "c" variances are subsumed by the "d" variance in accordance with *Price V. Himeji*. We note that the Applicant has also provided justification for the "c" variance relief in its submitted application.
- 3) The Applicant shall provide detailed testimony about all improvements proposed.
- 4) In its Application, the Applicant notes that the exact signage dimensions have not been and that it is seeking to discuss the signage with the hearing officer. The Applicant shall provide a visual representation of the proposed signage for review at the hearing.
- 5) The Applicant shall discuss the parking availability in the surrounding area and particularly the importance of a boardwalk connection to spur pedestrian access.
- 6) The Applicant shall discuss all operational aspects of the proposal, including security and the function of all site access points.
- 7) The Applicant shall provide testimony regarding how the proposal will advance the intent of the Tourism District and the Tourism District Master Plan.

## **VI. REVIEW OF PLANS**

- a. Site Plan
  - i. Applicant shall provide a break down of what materials are proposed within the mini golf course (i.e. concrete, turf, grass, other)
  - ii. Applicant shall clarify the site identification sign location. The provided renderings show a free standing sign, the building and signage schematic detail indicates the sign is on the building. Additional detail shall be provided related to the sign; dimensions if attached to the building, full details if free standing.
  - iii. The proposed access ramp is within the right of way of Euclid Avenue. The Applicant shall address if permission from the City has been/will be sought in order to construct this permanent improvement.
  - iv. Applicant shall show the limits of roadway repair within Euclid Avenue for all utility connections required for the site.
- b. Lighting Plan
  - i. It is unclear if the illumination levels provided near the deck are for the under deck lighting or above deck lighting. The Applicant shall clarify what illumination levels are provided on the plan. Additionally, if the proposed illumination levels between the upper and lower deck are different the Application shall provide the missing lighting levels.
- c. SCD Plan
  - i. The proposed construction entrance is partially on Atlantic City property. The Applicant shall address if permission from the City has been/will be sought in order to construct this temporary improvement.
  - ii. Should the City grant permission, the Applicant shall address how they will provide a barrier between the existing sidewalk and proposed construction entrance since the City property is a public park.
- d. Engineering Details
  - i. Applicant shall provide testimony during the hearing on the materials types for the proposed access ramp, elevated deck, and pedestrian bridge. Additionally, details for these items must be included on the plans.
  - ii. Applicant shall add roadway restoration details associated with the utility trenches required for the project.
- e. Other
  - i. No grading plan has been provided. Various sheets include existing grades and some proposed grading along the proposed access ramp in public ROW. The Applicant shall provide proposed grading and elevation information at a minimum for the golf course, elevated deck, and pedestrian bridge. Additionally, more grading information shall be provided on the access ramp to ensure ADA compliance.
  - ii. Applicant shall add a note to the grading sheet stating that all proposed sidewalk and/or boardwalk locations shall not have more than a 2% cross slope and must meet ADA design regulations.
  - iii. Applicant shall provide testimony as to how ADA accessibility works within the site.

## **POST APPROVAL CONSIDERATIONS**

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

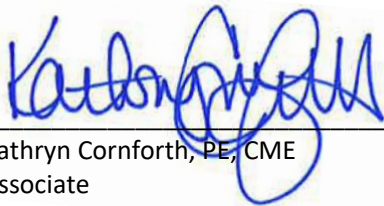
- A. Make all appropriate plan revisions as directed by the Board.**
- B. Obtain approvals from all outside agencies.**
- C. Contact the Board Secretary to reconcile any outstanding review escrow accounts prior to Final Plan Certification, Signature, or the issuance of building permits, as applicable.**
- D. Address all issues identified above.**

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

Respectfully Submitted,

**ARH ASSOCIATES**

by



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Kathryn Cornforth, PE, CME  
Associate

*KEC/mss*

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