



**Principals**  
 Richard Rehmann, GISP  
 Chris Rehmann, PE, CME, PP, PLS  
 Richard Heggan, PLS, PP  
 Robert Heggan, PLS, PP

April 14, 2021

Robert L. Reid, AICP, PP, Land Use Regulation Officer  
 Casino Reinvestment Development Authority  
 Division of Land Use and Regulatory Enforcement  
 15 S Pennsylvania Avenue  
 Atlantic City, NJ, 08401

Re: Land Use Application  
 Dock's Oyster House, Inc.  
 2405 Atlantic Avenue (Block 279, Lots 40, 44, 45, 46, & 48-52)  
 Atlantic City, NJ, 08401  
 ARH File: 24-10014.03

Dear Mr. Reid:

**ARH ASSOCIATES** has received the above captioned Application for review. The Applicant also seeks Major Site Plan Approval to expand the existing parking lot to include area within two small acquired adjacent properties. Additionally, the Applicant requests approval for a 6' by 27' refrigeration unit at the rear of the existing building. There are no new variances associated with this application, and all existing non-conforming conditions are not increased.

Block 279, Lots 40, 44, 45, 46, & 48-52 is in Atlantic City's Ducktown Arts (DA) 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**

**OWNER/APPLICANT**

Dock's Oyster House, Inc.  
 5409 Winchester Avenue  
 Ventnor, NJ 08406  
 609-517-1222  
[jdougherty@jdnjlaw.com](mailto:jdougherty@jdnjlaw.com)

**II. SUBMITTALS**

TITLE / DESCRIPTION	PREPARED / SIGNED / SEALED BY	DATE	DATE LAST REVISED
Site Plan	Arthur W. Ponzio, Jr., PE	5/20/2020	
Copy of Deed for easement within parking area	Robert P. Lang, Esq.	8/15/2018	
Certified 200' Property Owners List	N/A	3/24/2021	
Certification of Paid Taxes	AC Tax Collector	3/23/2021	

**ARH Associates**

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### III. PLANNING REVIEW

#### A. Area & Bulk Standards (19:66-5.11)

ITEM	REQUIRED	EXISTING	PROPOSED	STATUS
MAXIMUM HEIGHT -PRINCIPAL -ACCESSORY	35 FT 15 FT	39.44 FT N/A	39.44 FT N/A	EXISTING NON- CONFORMING
MINIMUM LOT AREA	5,000 SF	22,585 SF	24,660 SF	CONFORMS
MINIMUM LOT DEPTH	100 FT	N/A	N/A	CONFORMS
MINIMUM LOT WIDTH	50 FT	75 FT	75 FT	CONFORMS
MINIMUM LOT FRONTAGE	50 FT	130.10 FT	NO CHANGE	CONFORMS
MAXIMUM BUILDING COVERAGE	30%	28%	26.3%	CONFORMS
MAXIMUM IMPERVIOUS COVERAGE	80%	94%	94%	EXISTING NON- CONFORMING
MINIMUM FRONT YARD	5 FT	1 FT	1 FT	EXISTING NON- CONFORMING
MINIMUM SIDE YARD	0 FT	18.2 FT 67 FT	NO CHANGE	CONFORMS
MINIMUM REAR YARD	20 FT	50 FT	50 FT	CONFORMS
FLOOR AREA RATIO	N/A	N/A	N/A	-
OPEN SPACE	N/A	N/A	N/A	-
19:66-5.8(b) MIN. PARKING	121*	35	44	CONFORMS

**Notes:**

- \* 1 SPACE/30% SEAT COUNT (402 seats) = 121  
85% Reduction – Located on Public Transportation Route = 19

**IV. 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:***

Major Preliminary Site Plan Checklist (Form #6)

<b>ITEM</b>	<b>TITLE / DESCRIPTION (Subdivision Application)</b>	<b>Required</b>	<b>Submitted</b>	<b>Waiver Requested by Applicant</b>	<b>Waiver recommended by Reviewer</b>
1	Completed Land Use Application	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	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	X	N/A		

ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Waiver Requested by Applicant	Waiver recommended by Reviewer
	requirements and no 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	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	Applicant shall provide signature block locations on the plan		
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	X		
19	List of approvals or permits required by other regulatory	X	X		

ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Waiver Requested by Applicant	Waiver recommended by Reviewer
	authorities having jurisdiction and the status of same.				
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	Stormwater management plans and drainage calculations. (19:66-7.5).	X	N/A		
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 provide setbacks lines		

<b>ITEM</b>	<b>TITLE / DESCRIPTION (Subdivision Application)</b>	<b>Required</b>	<b>Submitted</b>	<b>Waiver Requested by Applicant</b>	<b>Waiver recommended by Reviewer</b>
23	Grading plan depicting direction of flow of surface run-off, spot elevations, contours within 1 foot intervals, stormwater management structures.	X	Applicant shall provide grading information and ensure ADA compliance at new parking		
24	Landscaping Plan, details and plant schedule (19:66-7.6)	X	X		
25	Lighting plan and details (19:66-7.10)	X	Applicant shall ensure new parking area meets lighting requirements		
26	Soil Erosion and Sediment Control Plan. (Required for soil disturbance of 5,000 sq. ft. or greater)	X	N/A		
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	N/A		
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	N/A		
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		

**Major Final Site Plan Checklist (Form #7)**

<b>ITEM</b>	<b>TITLE / DESCRIPTION (Subdivision Application)</b>	<b>Required</b>	<b>Submitted</b>	<b>Waiver Requested by Applicant</b>	<b>Waiver recommended by Reviewer</b>
1	Completed Land Use Application	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	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		

ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Waiver Requested by Applicant	Waiver recommended by Reviewer
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	Applicant shall provide signature block locations on the plan		
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	X		
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,	X	X		



ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Waiver Requested by Applicant	Waiver recommended by Reviewer
	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.				
21	Stormwater management plans and drainage calculations. (19:66-7.5).	X	N/A		
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 provide setbacks lines		
23	Grading plan depicting direction of flow of surface run-off, spot elevations, contours within 1 foot intervals, stormwater management structures.	X	Applicant shall provide grading information and ensure ADA compliance at new parking		
24	Landscaping Plan, details and plant schedule (19:66-7.6)	X	X		
25	Lighting plan and details (19:66-7.10)	X	Applicant shall ensure new parking		

ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Waiver Requested by Applicant	Waiver recommended by Reviewer
			area meets lighting requirements		
26	Soil Erosion and Sediment Control Plan. (Required for soil disturbance of 5,000 sq. ft. or greater)	X	N/A		
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	N/A		
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	N/A		
32	Estimate of costs of on-site and off-site improvements [19:66-3.4 (b)]	X		X	Conditional Approval
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	X
35	Maintenance guarantee (19:66-16.3)	X		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 Major Preliminary Site Plan Checklist (Form #6), Major Final Site Plan Checklist (Form #7), 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.

The application package has requested submission waivers for several items in the Major Site Plan checklists.

## **V. ENGINEERING REVIEW**

- A. Details for the following items shall be provided:
  - 1. Pavement section
  - 2. Concrete bollards
  - 3. Concrete parking bumpers
  - 4. Fence and any gates
- B. Applicant shall provide an architectural drawing or manufacture type photo of the walk-in freezer box.
- C. Applicant shall provide testimony on the following:
  - 1. The flow/operations of the valet parking including but not limited to:
    - i. When will it be available (i.e. at all time, specific days and/or times, other)
    - ii. What provisions will be in place to ensure cars do not back onto the roadway when valet is in use
    - iii. Where the valet station will be when in use (i.e. outside or inside of the restaurant)
    - iv. How will the valet parking stalls be noted/signed so patrons do not park there?
    - v. How will the No Parking area be indicated to ensure the access easement remains open (i.e. paint)?

## **VI. COFONE CONSULTING REVIEW**

### A. Zoning Compliance

The property is located in the Ducktown Arts (DA) District. As stated at CRDA Land Development Rules Section at N.J.A.C. 19:66-5.11, the purpose of the DC District is as follows:

The purpose of the Ducktown Arts District is to capitalize on the area's dense, historic nature and the existing land use pattern and provide a multitude of opportunities for complementary land uses.

### B. 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).

### C. Planning Analysis and Issues for Consideration by the Board

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

- 1) While the Applicant cited the need for an impervious coverage variance, we discussed the matter with the project engineer who said that the coverage is the same as previously approved when the additional lot area was added. Therefore, no variances are required in conjunction with this Application.
- 2) The Applicant shall provide testimony how the Application will advance the intent of the New Jersey CRDA Atlantic City Tourism District Master Plan and the Tourism District.

## VII. POST APPROVAL CONSIDERATIONS

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

- A. *Make all appropriate plan revisions as directed by the Board.***
- B. *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.***
- C. *Approvals from outside agencies as applicable.***

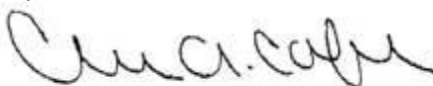
Any resubmissions in response to this report should be accompanied by a point-by-point response to all items. To facilitate the Board's decision-making process, Applicants are strongly encouraged to resolve as many items as possible prior to the hearing on this matter.

Respectfully Submitted,  
**ARH ASSOCIATES**  
By

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Kathryn Cornforth, PE, CME  
CRDA Consulting Engineer

**COFONE CONSULTING GROUP**  
by



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Christine A. Nazzaro-Cofone, AICP, PP  
CRDA Consulting Planner

cc: Lance B. Landgraf, Jr., P.P., AICPM, Director, Planning & Development

KEC/mss

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