

# CRDA

Casino Reinvestment Development Authority  
www.njcrda.com



**15 South Pennsylvania Avenue**  
**Atlantic City, NJ 08401**

## **APPLICATION FORM**

The application, with supporting documentation, must be filed with the Land Use Administrative Officer for review at least fifteen [15] business days prior to the meeting at which the application is to be considered.

### **To be completed by CRDA staff only.**

Date Filed \_\_\_\_\_ Application No. \_\_\_\_\_  
Application Fees: \_\_\_\_\_ Escrow Deposit \_\_\_\_\_

Scheduled for:  
Review for Completeness \_\_\_\_\_ Hearing: \_\_\_\_\_

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### **1. SUBJECT PROPERTY**

Location: 114 S. New York Avenue

Tax Map Page \_\_\_\_\_ Block 51 Lot(s) 3,4,5,6,9,10,11,17-31,33-34  
Page \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_  
Page \_\_\_\_\_ Block \_\_\_\_\_ Lot(s) \_\_\_\_\_

Dimensions Frontage 525' Depth 156' Total Area 2.76 Ac

Zoning District R-C (Resort Commercial)

### **2. APPLICANT**

Name B&B Parking, Inc. c/o Tim Boland

Email tim@parkplaceparking.net

Address 114 South New York Avenue, Atlantic City, NJ 08401

Telephone Number 609-347-7500

Applicant is a: Corporation  Partnership  Individual

### 3. 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	<u>See Attached</u>	Address	_____	Interest	_____
Name	_____	Address	_____	Interest	_____
Name	_____	Address	_____	Interest	_____
Name	_____	Address	_____	Interest	_____
Name	_____	Address	_____	Interest	_____

4. If Owner is other than the applicant, provide the following information on the Owner(s):

Owner's Name \_\_\_\_\_  
 Email \_\_\_\_\_  
 Address \_\_\_\_\_  
 Telephone Number \_\_\_\_\_

**5. PROPERTY INFORMATION:**

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes [attach copies] \_\_\_\_\_ No  Proposed \_\_\_\_\_

Present use of the premises: Parking Lot and Office Building

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** Nick Talvacchia, Esq. C/O Cooper Levenson  
 Email ntalvacchia@cooperlevenson.com  
 Address 1125 Atlantic Avenue, Atlantic City, NJ 08401  
 Telephone Number 609-572-7544  
 FAX Number 609-572-7545

**7. Applicant's Engineer** Jason T. Sciuillo, Sciuillo Engineering Services, LLC  
 Email jsciullo@sciulloengineering.com  
 Address 9615 Ventnor Avenue, Suite 3, Margate, NJ 08402  
 Telephone Number 609-300-5171  
 FAX Number 609-487-5960

**8. Applicant's Planning Consultant** Jason T. Sciuillo, Sciuillo Engineering Services, LLC  
 Email jsciullo@sciulloengineering.com  
 Address 9615 Ventnor Avenue, Suite 3, Margate, NJ 08402  
 Telephone Number 609-300-5171  
 FAX Number 609-487-5960

**9. Applicant's Traffic Engineer** \_\_\_\_\_  
 Email \_\_\_\_\_  
 Address \_\_\_\_\_  
 Telephone Number \_\_\_\_\_  
 FAX Number \_\_\_\_\_

10. List any other **Expert** who will submit a report or who will testify for the Applicant: [Attach additional sheets as may be necessary]

Name \_\_\_\_\_  
Field of Expertise \_\_\_\_\_  
Email \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
FAX Number \_\_\_\_\_

**11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:**

SUBDIVISION:

\_\_\_\_\_ Administrative Review of Minor Subdivision Plan  
\_\_\_\_\_ Administrative Review of Major Subdivision Plan  
\_\_\_\_\_ Minor Subdivision Approval  
\_\_\_\_\_ Major Subdivision Approval [Preliminary]  
\_\_\_\_\_ Major Subdivision Approval [Final]  
Number of lots to be created \_\_\_\_\_ Number of proposed dwelling units \_\_\_\_  
(including remainder lot) (if applicable)

SITE PLAN:

\_\_\_\_\_ Administrative Review of Minor Site Plan  
\_\_\_\_\_ Administrative Review of Major Site Plan  
\_\_\_\_\_ Minor Site Plan Approval  
 Major Preliminary Site Plan Approval [Phases (if applicable) \_\_\_\_ ]  
 Major Final Site Plan Approval [Phases (if applicable) \_\_\_\_ ]  
\_\_\_\_\_ Amendment or Revision to an Approved Site Plan  
Area to be disturbed (square feet) \_\_\_\_\_  
Total number of proposed dwelling units \_\_\_\_\_  
\_\_\_\_\_ Request for Waiver From Site Plan Review and Approval  
Reason for request: \_\_\_\_\_

MISC:

\_\_\_\_\_ Administrative Review  
\_\_\_\_\_ Appeal decision of an Administrative Officer [N.J.S. 40:55D- 70a]  
\_\_\_\_\_ Interpretation of Zoning Map, or Regulations or Special Questions [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] See Below

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

Requirements: [attach additional pages as needed] See Below

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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]** Reconfiguration of existing paved passenger car parking lot to accommodate bus parking and fit out of existing vacant space in existing office building for bus driver lounge.

16. Is a public water line available? Yes

17. Is public sanitary sewer available? Yes

18. Does the application propose a well and septic system? No

19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block numbers? N/A

20. Are any off-tract improvements required or proposed? No

21. Is the subdivision to be filed by Deed or Plat? N/A

22. What form of security does the applicant propose to provide as performance and maintenance guarantees? To be determined

12. From 5.10(a)1.i(7) to allow parking as a principal use. The proposed use is a bus parking facility for the NJ Motor Coach Association, which provides bus service for visitors to Atlantic City and primarily casino hotels. Pursuant to 7.2(d), parking for commercial and casino hotel uses can be provided offsite within commercial districts. Since this parking is located within the RC Zone, it is compliant with that rule section. The reason the project needs a use variance is the lot is not dedicated to serve as an accessory bus parking facility for one specific commercial property, but instead potentially serves all of them.

From 5.8(b) to provide 14 parking spaces to serve the office space in the existing building where 24 are required. 14 spaces are adequate to serve the office use based on historic parking use at the site for existing building.

13. From 7.2(c)10 to not include five feet wide safety islands at the end of bus parking stalls. In addition to the site not being used for public use, but rather professional bus drivers through a lease arrangement with th NJ Motor Coach Association, safety islands are not necessary. Additionally, inclusion of safety islands would create maneuverability difficulties for the buses, which can use the painted islands proposed with the project for maneuvering into and out of parking spaces.

From 7.6(g)1 to allow continuation of an existing buffer of 3 feet from the R.O.W. line of South New York Avenue and 0 feet from the R.O.W. line of Westminster Avenue to the existing parking spaces on site that will be reconfigured for bus parking. The reduced buffer along New York Avenue will continue to adequately screen the vehicles from neighboring uses. Landscaping will be repaired/replaced within the area provided and the proposed arrangement is not out of character with adjacent parking areas on the opposite side of South New York Avenue. No buffer exists along Westminster Avenue, and has not for decades. The proposed reconfiguration of the existing parking lot will not negatively impact the existing right-of-way or neighboring parking lots on the opposite side of Westminster Avenue.

From 7.7(a)1 to allow continuation and repair/replacement of 6 feet high fencing in the front yard along New York Avenue and Westminster Avenue where fence currently exists at 6 feet in height, and to allow 6 feet high fence. The fence will be decorative on both roadway frontages. Since the majority of the project has roadway frontages, fence in the front yards is unavoidable. Since the majority of the site is fenced along New York Avenue, fence in the front yard is not out of character with the development patterns in the area.

From 7.10(a)3 to allow existing parking lot lighting to remain and provide lighting intensity below levels specified in this section, but at least 0.5 fc to provide minimum security level lighting. Since the site has existed in this condition for well over 20 years, is adequate for security, and is not open for use by the public, this waiver relief is reasonable and appropriate.

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

	Yes	No	Date Plans Submitted
Atlantic City Municipal Utilities Authority	<u>      </u>	<u>  X  </u>	<u>      </u>
<u>      </u> Atlantic County Health Department	<u>      </u>	<u>  X  </u>	<u>      </u>
<u>      </u> Atlantic County Planning Board	<u>      </u>	<u>  X  </u>	<u>      </u>
<u>      </u> Atlantic County Soil Conservation Dist.	<u>      </u>	<u>  X  </u>	<u>      </u>
NJ Department of Environmental Protection	<u>  X  </u>	<u>      </u>	<u>  FHA Permit- by- Rule 9  </u>
Sewer Extension Permit	<u>      </u>	<u>  X  </u>	<u>      </u>
Sanitary Sewer Connection Permit	<u>      </u>	<u>  X  </u>	<u>      </u>
Stream Encroachment Permit	<u>      </u>	<u>  X  </u>	<u>      </u>
Waterfront Development Permit	<u>      </u>	<u>  X  </u>	<u>      </u>
Wetlands Permit	<u>      </u>	<u>  X  </u>	<u>      </u>
Tidal Wetlands Permit	<u>      </u>	<u>  X  </u>	<u>      </u>
Potable Water Construction Permit	<u>      </u>	<u>  X  </u>	<u>      </u>
Other	<u>      </u>	<u>  X  </u>	<u>      </u>
NJ Department of Transportation	<u>      </u>	<u>  X  </u>	<u>      </u>
Public Service Electric & Gas Company	<u>      </u>	<u>  X  </u>	<u>      </u>
<u>      </u>	<u>      </u>	<u>      </u>	<u>      </u>

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

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

Quantity	Description of Item
<u>  5  </u>	<u>  Site Plans by Sciallo Engineering  </u>
<u>  5  </u>	<u>  Survey by Vargo Associates  </u>
<u>      </u>	<u>      </u>

26. The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals:  
Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

Applicant's Professional	Reports Requested
<u>  X  </u> Attorney	<u>  All  </u>
<u>  X  </u> Engineer	<u>  All  </u>
<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>

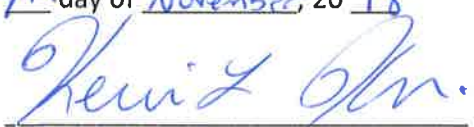
**CERTIFICATIONS**

27. I Nicholas F. Talvacchia, Esquire certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

[If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this

7<sup>th</sup> day of November, 20 18



NOTARY PUBLIC



SIGNATURE OF APPLICANT  
Nicholas F. Talvacchia, 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 \_\_\_

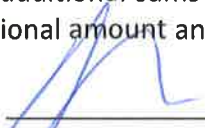
See attached consents

NOTARY PUBLIC

SIGNATURE OF OWNER

29. I understand that the sum of \$ 9,200 has been deposited in an escrow account (Builder's Trust Account). In accordance with Resolution 11-60 of the Casino Reinvestment Development Authority approving 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.

11/7/18  
Date



SIGNATURE OF APPLICANT  
Nicholas F. Talvacchia, Attorney for Applicant

KERRI L. KOPERVOS  
A Notary Public of New Jersey  
My Commission Expires 02/09/2022