



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

November 10, 2022

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
Starboard Enterprises NJ LLC
1705-1717 Atlantic Avenue (Blocks 289 (Lots 1, 9, 12, 14) & Block 290 (Lots 2, 3, 4))
Atlantic City, NJ 08401
ARH File: 24-10067

Dear Mr. Landgraf:

ARH ASSOCIATES has received the above captioned Application for review. The Applicant seeks Preliminary and Final Major Site Plan Approval. A Use Variance, as well as bulk 'c' variances, were granted by the CRDA per the Resolution adopted on October 18, 2022 (Application #2022-07-3251).

Blocks 289 (Lots 1, 9, 12, 14) & Block 290 (Lots 2, 3, 4) are located in Atlantic City's Central Business (CBD) Zoning District. Additional street addresses for the entirety of the submission are: 1714 Arctic Avenue, 1736 Arctic Avenue and 19 N. Martin Luther King Boulevard. It is proposed that a 125,000 SF commercial cultivation and manufacturing facility with a tourism component is to be constructed on Block 289 (Lots 1, 9, 12, 14), while Block 290 (Lots 2, 3, 4) is proposed as an employee parking lot for the facility across the street.

This report consists of a review of the Subject Application for conformance with Casino Reinvestment Development Authority checklists as well as N.J.A.C.19:66, the CRDA Tourism District Land Development Rules. 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 (BLOCK 289)

Amelia Associates
truposzms@gmail.com
3000 Boardwalk, Atlantic City, NJ
609-287-8300

OWNER (BLOCK 290)

19 North MLK Boulevard Associates LLC
**Address, phone, email not provided*

***Estate of Eugene Sanderson Beckman Jr is also listed as an Owner, please confirm*

APPLICANT

Starboard Industries NJ LLC
jcohn@agri-kind.com
740 SPRINGDALE DRIVE SUITE 130, EXTON, PA
610-656-8083

ARH Associates

Corporate Headquarters – 215 Bellevue Avenue – PO Box 579 – Hammonton, NJ 08037
Tinton Falls – 97 Apple Street – Tinton Falls, NJ 07724 | Bloomfield – 2 Broad Street – Bloomfield, NJ 07003
tel 609.561.0482 – fax 609.567.8909

www.arh-us.com

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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 Fox Rothschild LLP	10/19/2022	
CRDA Land Use Application	Owner / Applicant	Not Dated	
Proposed Cannabis Facility Architectural Plans	SOSH Architects (not signed)	09/29/2022	
Proposed Cannabis Facility Site Plans	Arthur Ponzio Co., Jon J. Barnhart, PE, PP and Arthur Ponzio, Jr., PP, PLS	08/08/2022	
Major Preliminary Site Plan Checklist (Form #6)	Fox Rothschild LLP	10/19/2022	
Major Final Site Plan Checklist (Form #7)	Fox Rothschild LLP	10/19/2022	
Traffic Engineering and Air Quality Assessment	Shropshire Associates LLC	09/15/2022	
Agri-Kind NJ LLC SOP for Waste Disposal	n/a	Not Dated	
Policy Compliance Report NJAC 7:7E-8.7 Stormwater Management	Arthur Ponzio Co., Jon J. Barnhart, PE	09/22/2022	
Certification of Payment of Taxes	City of Atlantic City	07/04/2022	
Disclosure Statement	Applicant	07/07/2022	
Escrow Setup	Applicant	Not Dated	

III. MAJOR PRELIMINARY AND FINAL SITE PLAN CHECKLISTS

The following addresses conformance with the CRDA's list of Required Application items for Major Preliminary and Final Site Plan (forms #6 & #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.

Major Preliminary Site Plan Checklist (Form #6)

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

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ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Waiver Requested by Applicant	Waiver recommended by Reviewer
	consultant, as applicable, involved in preparation of required documents.				
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	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		
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	X	X		

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	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.				
17	List of any existing or proposed deed restrictions, easements, covenants, Homeowners Association Agreements, etc. as recorded or in recordable form if proposed.	X	N/A		
18	List of development stages or phases, if any.	X	N/A		
19	List of approvals or permits required by other regulatory authorities having jurisdiction and the status of same.	X	X		
20	Land Title Survey and topographic survey depicting existing conditions prepared by New Jersey licensed professional land surveyor. All elevations shall be based on NAVD 1988. The horizontal datum shall on the NJ State Plane Coordinate System (NAD 1983) Survey shall include all existing conditions, including buildings, structures, parking areas with parking space striping, driveways, walkways, fences, stoops, stairs, porches, easements, walls, patios, curbs, roof overhangs, overhead wires, bay windows, building setbacks of building on-site and adjoining the site, landscape areas, trees, utility poles, flag poles, directional and identification signs, spot elevations, contours in one foot intervals, FEMA Flood Zone, State Claim areas, utility poles, utilities such as water, sanitary sewer, storm sewer, electric, gas, cable, telephone, etc. Improvements in adjoining right-of-ways / roadways / streets including painted traffic markings.	X	X		
21	Stormwater management plans and drainage calculations. (19:66-7.5).	X	X		

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

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Major Final Site Plan Checklist (Form #7)

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

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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	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	N/A		
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	X	X		

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	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	X		
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	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		

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ITEM	TITLE / DESCRIPTION (Subdivision Application)	Required	Submitted	Waiver Requested by Applicant	Waiver recommended by Reviewer
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	To be provided upon approval		
35	Maintenance guarantee (19:66-16.3)	X	To be provided upon approval		
36	Inspection Fees (19:66-16.1)	X	To be provided upon approval		

IV. BULK REQUIREMENTS, COMMERCIAL BUSINESS DISTRICT (CBD)

Standard	Required	Existing	Proposed	Complies?
Maximum Height (measured from BFE), Principal Structure (FT)	65	0	36.5	C
Maximum Height (measured from BFE), Accessory Structure (FT)	35	0	NC	C
Minimum Lot Area (SF)	5,000	161,592	NC	C
Minimum Lot Depth (FT)	100	550	NC	C
Minimum Lot Width (FT)	50	310.75	NC	C
Minimum Lot Frontage (FT)	50	218.85	NC	C
Maximum Building Coverage (%)	30	0	80	VG
Maximum Impervious Coverage (%)	80	30	90	VG
Minimum Front Yard (FT) – Dr. Martin Luther King Jr. Boulevard	5	N/A	3.5	VG

Standard	Required	Existing	Proposed	Complies?
Minimum Rear Yard	20	N/A	N/A	N/A
Minimum Side Yard	0	N/A	10	C
Floor Area Ratio	N/A	N/A	N/A	N/A
Open Space	N/A	N/A	N/A	N/A
Density	25	N/A	N/A	N/A
Parking	310	0	82	VG

C = COMPLIES

ENC = EXISTING NON-CONFORMING CONDITION

V = VARIANCE REQUIRED

N/A = NOT APPLICABLE

NC = NO CHANGE FROM EXISTING

VG = VARIANCE GRANTED

V. REVIEW OF PLANS

a. Parking

- Per N.J.A.C. 19:66-7.2(c)1, a minimum of two (2) feet of landscaped open space is required to act as a buffer between the parking area and adjacent buildings. It does not appear that this buffer is provided; applicant shall confirm if the proposed design meets this requirement. A design waiver may be necessary.
- Applicant shall provide a landscape plan for their parking facility. Waivers may be required.
- Per N.J.A.C. 19:66-7.2(c)10, a 5 FT minimum width safety island is required between the ends of a parking bay, as deemed necessary by the Authority. The applicant shall address this requirement and safety/circulation throughout the parking lot.

b. Loading

- Applicant shall provide a detail of the concrete loading/trash area.

c. Sight Triangle Easement

- In accordance with 19:66-7.4, sight triangle easements shall be provided at all driveways and intersections, meeting AASHTO requirements.

d. Stormwater Management

- A Stormwater Management report has been provided. Our office takes no objection to the runoff water quantity and groundwater recharge conclusion; as the site is tidally influenced and located within Flood Zone AE at Base Flood Elevation 9, no stormwater management is required. Runoff water quality for the loading area has been provided in the water quality swale.
- Although runoff water quantity is not required, it should be noted that 125,000 SF of new impervious roof area will be placed over generally open space area. This increase will create 2.87 acres of runoff which previously was able to recharge into the groundwater on the site. It shall be clarified if a roof drain system will tie into the existing stormwater conveyance system within Martin Luther King Jr Blvd, and capacity calculations for the pipe shall be provided, if so.

e. Landscaping

1. Applicant shall confirm that no plants that will exceed 30 inches in height at maturity are located within the sight triangle, in accordance with N.J.A.C. 19:66-7.6(d)1.
2. Per N.J.A.C. 19:66-7.6(d)2, one shade tree shall be provided for every 40 LF of frontage. Applicant shall demonstrate compliance with this section or request a waiver. Shade trees shall be planted at a minimum of 2-½" - 3" caliper and 12 FT in height. In addition, there is a discrepancy in the quantity of crepe myrtle trees from the plan view to the plant schedule.
3. Per N.J.A.C. 19:66-7.6(d)3, one shade tree shall be provided for every 10 parking spaces, or one shade tree for every 3,000 SF of parking area, whichever is greater. No landscaping is proposed within the parking area; a waiver may be required.
4. Per N.J.A.C. 19:66-7.6(d)4, at least five shrubs shall be provided for each 40 LF of frontage. Applicant shall demonstrate compliance with this section or request a waiver.
5. Per N.J.A.C. 19:66-7.6(d)5, a minimum of five shrubs shall be provided for every 10 parking spaces or a minimum of five shrubs for each 3,000 SF of parking area, whichever is greater. No landscaping is proposed within the parking area; a waiver may be required.
6. Compliance with N.J.A.C. 19:66-7.6(d)6 shall be addressed regarding screening of parking areas.

f. Fences and Walls

1. Per N.J.A.C. 19:66-7.7(a)1, fences in excess of 24 inches shall not be located in front yards, where a 6 FT fence is located in the front yard of the parking lot and 8 FT fence is located along the Indiana Avenue frontage. Waivers will be required.

g. Lighting

1. Lighting has been shown surrounding the building on Sheet C-6 of the plans, however, no details or information about the fixtures or pole heights are provided. Compliance with N.J.A.C. 19:66-7.10 should be provided, including pole height and illumination levels.
2. In parking lots, a minimum of 1.0 footcandles is to be maintained throughout the uncovered areas during non-daylight hours per N.J.A.C. 19:66-7.10(a)3i. The parking area lighting plan is not depicted on the site plan set. The applicant shall provide a lighting plan for the parking area.
3. In loading and unloading areas, a minimum of 4.0 footcandles is required throughout the entire uncovered areas during daylight hours in accordance with N.J.A.C. 19:66-7.10(a)3ii. The loading zone lighting plan is not depicted on the site plan set. The applicant shall provide a lighting plan for the loading area.

h. Zoning

1. A Use Variance and multiple bulk 'c' variances were granted at the October 18, 2022 CRDA meeting, and all approved dimensions have been adhered to on this plan. It does not appear that any new variances are required.

i. Miscellaneous

1. ADA Compliance – the Applicant shall confirm if the ADA parking spaces comply with the maximum permitted slope.

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2. EVCS – The applicant shall provide Electric Vehicle Charging Stations (EVCS) as required by the State’s Model Ordinance.
3. Per N.J.A.C.19:667.12(b), blank walls at ground level are to be avoided. The renderings indicate that two of the four walls are proposed to have some form of decoration. The applicant shall comment on the status of the other two walls and the intention to provide improvements to lessen the impact of the blank walls.
4. The applicant shall provide a CAFRA Jurisdictional Determination or CAFRA applicability letter to verify whether CAFRA approval is required.
5. The Property Survey identifies numerous easements and portions of the parcels to be vacated. The applicant shall provide information regarding the status of those vacations. Any approval of the Site Plan shall be contingent on the vacations being filed.

POST APPROVAL CONSIDERATIONS

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

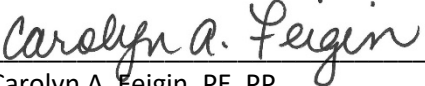
- A. Submit any required revisions to the Board as outlined above for review.**
- B. Obtain approvals from all outside agencies, if necessary. Provide copies to the Board.**
- C. Contact the Board Secretary to reconcile any outstanding review escrow accounts prior to Final Plan Certification, Signature, or the issuance of building permits, as applicable.**

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



Carolyn A. Feigin, PE, PP
CRDA Consulting Engineer
CRDA Consulting Planner