

EXHIBIT 1

Block 600.05, Lots 1 and 2 - 600 Boardwalk, LLC
Area in Need of Rehabilitation Determination

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

No. 25-62-544

REFERRING A PROPOSED RESOLUTION DECLARING BLOCK 600.05, LOTS 1 & 2, LOCATED AT 600 BOARDWALK, TO BE AN AREA IN NEED OF REHABILITATION TO THE OCEAN CITY PLANNING BOARD

WHEREAS, Block 600.05, Lots 1 & 2 (hereinafter, "the Property") is located at 600 Boardwalk and is in the On-Boardwalk; and,

WHEREAS, the current owner of the Property has requested that City Council declare the Property to be an area in need of rehabilitation pursuant to the New Jersey Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1, *et seq.*); and,

WHEREAS, the request of the current owner is accompanied by a Rehabilitation Designation Report regarding the Property, a copy of which is attached hereto; and,

WHEREAS, N.J.S.A. 40A:12A-14 authorizes the governing body of any municipality, by Resolution, to determine whether, pursuant to the criteria set forth therein, an area within the municipality is in need of rehabilitation and that a program of rehabilitation, as defined in N.J.S.A. 40A:12A-3, may be expected to prevent further deterioration and promote overall development of the community; and,

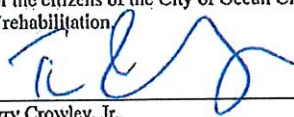
WHEREAS, pursuant to N.J.S.A. 40A:12A-14(a), the governing body must refer the proposed Resolution, a copy of which is attached hereto, to the Planning Board for the Board's recommendation regarding the proposed declaration as an area in need of rehabilitation; and,

WHEREAS, referral of the attached Resolution to the Planning Board would in no way serve as an endorsement or approval of any specific use or project, nor would it confer development rights; rather, the referral would be the first step in a public process to consider the best way to revitalize of the Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City,

County of Cape May, New Jersey as follows:

The Ocean City Planning Board be and is hereby requested to review the Property, its condition, and its impact on neighboring properties and the city in general and make a recommendation to City Council in accordance with N.J.S.A. 40A:12A-14 with respect to whether it is in the best interests of the citizens of the City of Ocean City to declare the Property to be an area in need of rehabilitation.


Terry Crowley, Jr.
Council President

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of Ocean City, New Jersey at a Council Meeting held on Thursday, December 4, 2025, with the voting record as indicated below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes			✓	✓		
Crowley			✓	✓		
Hartwell			✓	✓		
Leychuk	✓		✓			
Madden		✓	✓			
Polcni			✓			
Vinslow				✓		


Melissa G. Rasner, City Clerk

Block 600.05, Lots 1 and 2 - 600 Boardwalk, LLC
Area in Need of Rehabilitation Determination

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION**

**DESIGNATING BLOCK 600.05, LOTS 1 & 2, LOCATED AT 600 BOARDWALK, TO BE AN
AREA IN NEED OF REHABILITATION**

WHEREAS, N.J.S.A. 40A:12A-14 authorizes the governing body of any municipality, by Resolution, to determine whether, pursuant to the criteria set forth therein, an area within the municipality is in need of rehabilitation and that a program of rehabilitation, as defined in N.J.S.A. 40A:12A-3, may be expected to prevent further deterioration and promote overall development of the community; and,

WHEREAS, pursuant to N.J.S.A. 40A:12A-14(a), the governing body referred this Resolution to the Planning Board and has received the Planning Board's recommendation regarding the proposed declaration as an area in need of rehabilitation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, County of Cape May, New Jersey as follows:

1. Block 600.05, Lots 1 & 2, located at 600 Boardwalk, meets one or more of the requirements of N.J.S.A. 40A:12A-14 to be designated an Area in Need of Rehabilitation, including the following:
 - A. A significant portion of the structures at the Property are in a deteriorated or substandard condition; and,
 - B. There is a pattern of underutilization of the Property since the former use was discontinued; and,
2. A program of rehabilitation, as defined in N.J.S.A. 40A:12A-3, may be expected to prevent further deterioration and promote overall development of the community; and,
3. Block 600.05, Lots 1 & 2, located at 600 Boardwalk is hereby designated as an Area in Need of Rehabilitation pursuant to N.J.S.A. 40A:12A-14.

Terry Crowley
Council President

EXHIBIT 2

**REHABILITATION DESIGNATION
BOARDWALK AND SIXTH STREET
BLOCK 600.05, LOTS 1 & 2
CITY OF OCEAN, CAPE MAY COUNTY**

August 11, 2025

Adopted by the Governing Body by Resolution No. ----- on -----

Prepared By:

Tiffany A. Morrissey, AICP, PP#5533

The original of this document was signed and
sealed in accordance with NJAC 13:41-1.3.b

Tiffany A. Cuvillo, PP, LLC
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& Planning

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**REHABILITATION DESIGNATION
BOARDWALK AND SIXTH STREET
BLOCK 600.05, LOTS 1 & 2
CITY OF OCEAN, CAPE MAY COUNTY**

MAYOR

Jay A. Gillian

COUNCIL MEMBERS

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Pete Madden, Council Vice President
Keith Hartzell
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David Scheidegg, Prof. Engineer
Randall E. Scheule, Planner
Jaime M. Felker, Secretary

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EXECUTIVE SUMMARY

The State of New Jersey in 1992 adopted the Local Redevelopment and Housing Law (LRHL) at N.J.S.A. 40A:12A-1 et seq. with the purpose of providing municipalities with tools to help address deterioration of properties which are not likely to be improved or corrected by private effort alone. Since that time municipalities have used the LRHL to create Redevelopment or Rehabilitation areas in their communities and adopt Redevelopment Plans which are designed to encourage investment and improvements. This has resulted in the reuse of formerly underutilized or abandoned properties which have created new investments, housing, employment and other positive impacts to communities.

The City of Ocean City has entertained the use of the LRHL in the past through the creation of three Redevelopment/Rehabilitation areas since 2005. These are listed below:

- July 14, 2005 by Resolution 05-18– Flanders Hotel Site Redevelopment Area
- December 22, 2009 by Resolution 09-46-253 – Central Business/Historic District Rehabilitation Area
- March 14, 2013 by Resolution 13-49-179 - Marine Village Harbor Rehabilitation Area

This report proposes a new Rehabilitation Area for the former Wonderland Amusement Pier along the Ocean City Boardwalk. The Pier closed in October of 2024 and due to extensive repair costs to many of the rides and necessary improvement costs, is not planned to be reopened. The property is an anchor on the City Boardwalk and has been a destination for visitors for just shy of six decades. Over the past several years the property was unable to sustain the changing market conditions and repairs and improvements were deferred resulting in substantial costs for necessary improvements to the rides and pier.

This report reviews the existing conditions of the property and determines that the site does meet the standard to be determined an Area in Need of Rehabilitation. The report further finds that a program of rehabilitation, as provided for by law, would result in future investment back into the property and prevent further deterioration of these conditions, thereby promoting the overall development of the community.

INTRODUCTION

The following study has been prepared for the Governing Body of Ocean City to determine whether the property located between the Boardwalk and Wayne Avenue at Sixth Street qualifies as an “Area in Need of Rehabilitation” in accordance with the New Jersey Local Redevelopment and Housing Law (LRHL) at N.J.S.A. 40A:12A-1 et seq.

On ----- the Ocean City Council by Resolution # ---- directed the Planning Board to provide a recommendation as to whether or not the subject property met the criteria as an “Area in Need of Rehabilitation” in accordance with the LRHL. The primary purpose for this effort is to help strengthen the City’s economic base by improving the conditions and redevelopment opportunities on property suited for such development.

As provided for in the Local Redevelopment and Housing Law, the City must gather and evaluate existing conditions of the study area in order to conclude if the area warrants a finding that the property meets the criteria of an area in need of rehabilitation. Such a designation permits the City to undertake a number of activities to help revitalize and redevelop the Area, activities that would not be possible otherwise. These include the preparation of a Redevelopment Plan which establishes zoning standards for new development, enables the leasing or selling of property without public bidding, contracts with private entities, the use of various tax abatement programs and other actions in conjunction with the adopted Redevelopment Plan.

The LRHL specifies a process which must be followed in designating a rehabilitation area. This is a four-step process as follows:

1. The Governing Body prepares a proposed resolution with any supporting report attached, which would declare identified properties as an area in need of rehabilitation and refers that proposed resolution and any report attached to the Planning Board for its review.

2. Within 45 days of the receipt of the proposed resolution, the Planning Board submits its recommendations, including any modifications recommended, to the Governing Body for its consideration. The Governing Body is not bound by the Planning Board's recommendations and may adopt a resolution with or without modifications. If the Planning Board does not submit recommendations within 45 days, the Governing Body may adopt the resolution with or without modification.
3. The Governing Body adopts the proposed resolution, with or without modification, designating the proposed area as an Area in Need of Rehabilitation.
4. The Rehabilitation Designation is required to be sent to the NJ Commissioner of Community Affairs for review.

No development approvals are granted to the property owner or any designated redeveloper of the property by the Area in Need of Rehabilitation Designation. Rather, the Designation would allow – in the future – for a redevelopment plan to be proposed to Council and the approval of that can only be effectuated by the adoption of an ordinance.

STUDY AREA

The Study Area includes the property between the Boardwalk and Wayne Avenue extending along Sixth Street and Plaza Place, known as Block 600.05, Lots 1 and 2 on the City tax maps. Included as Exhibit I is a survey showing the extent of the properties within the Study Area. The Study Area contains the former Wonderland Pier located between Wayne Avenue and the Boardwalk and between Sixth Street and Plaza Place. The property does include the Riparian areas extending from the western edge of the boardwalk toward the Atlantic Ocean. The Boardwalk is a public Boardwalk and the Riparian Area is subject to a Tidelands Grant from 1924 and 1925, however the focus of this report is on that area west of the Boardwalk.

The property was historically known as the Wonderland Pier, containing various amusement rides, food sales and games. The property has an upper and lower level. The amusement rides varied over the years, but the Ferris Wheel, merry-go-round and log flume have been long-standing features. Other amusements include bumper cars, elevated train, swings, and other similar items. The property also provided concessions within the building which ran the full length of the Boardwalk.

Zoning

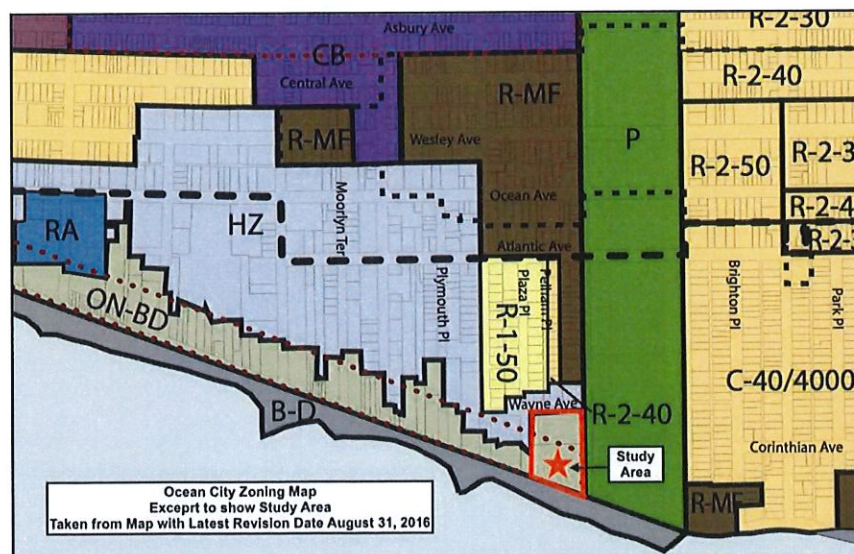
The study area is located in the On Boardwalk (ON-BD) zoning district as shown on the map below. The zoning district permits retail, entertainment, amusement and restaurant land uses. The purpose of the district is provided for under Section 25-205.5.1 as follows:

“The On-Boardwalk Zone established in § 25-201.2 of this Ordinance is intended to reserve a portion of the Atlantic Ocean frontage exclusively for resort commercial and commercial recreational use adjacent to the Boardwalk from 6th Street to 14th Street. This zone contains one of Ocean City's major resort attractions, consisting of many small specialty shops, boutiques, restaurants, amusement and entertainment facilities abutting a sunlit planked promenade with an unobstructed ocean view, which encourages leisurely sitting, strolling, jogging and bicycling for pleasure, recreation and health.”

A portion of the study area is also located within the City's Special Improvement District (SID) which was created in 1995 and is designed to encourage investment which promotes the economic and general welfare of the District and the City. The SID provides for a special assessment to be collected by the City for the funding of the District Management Corporation. The District Management Corporation provides funds and programs for special events, new businesses, improvements to attract new businesses and other similar functions related to the economic development within the SID.

The riparian area of the Study Area extends to the east of the Boardwalk and is located within the City's Beach Dune (B-D) zoning district. The purpose of this district is provided for under Section 25-206.2.1 as follows:

"The Beach and Dune Zone established in § 25-201.3 of this Ordinance delineates areas in Ocean City where beaches and dunes have developed and are deemed to be part of those landforms which provided a natural protection from flooding. The purpose of establishing the Beach and Dune Zone is to regulate the use of this flood preventative land form in ways that will not destroy its flood preventative function, in accordance with N.J.S.A. 40:55D-2(a),(b),(g) and (j), in order to secure safety from flood and other natural disasters; to provide sufficient space for recreational uses in order to meet the needs of all New Jersey citizens; and to promote the conservation of a valuable natural resource."



Surrounding Area

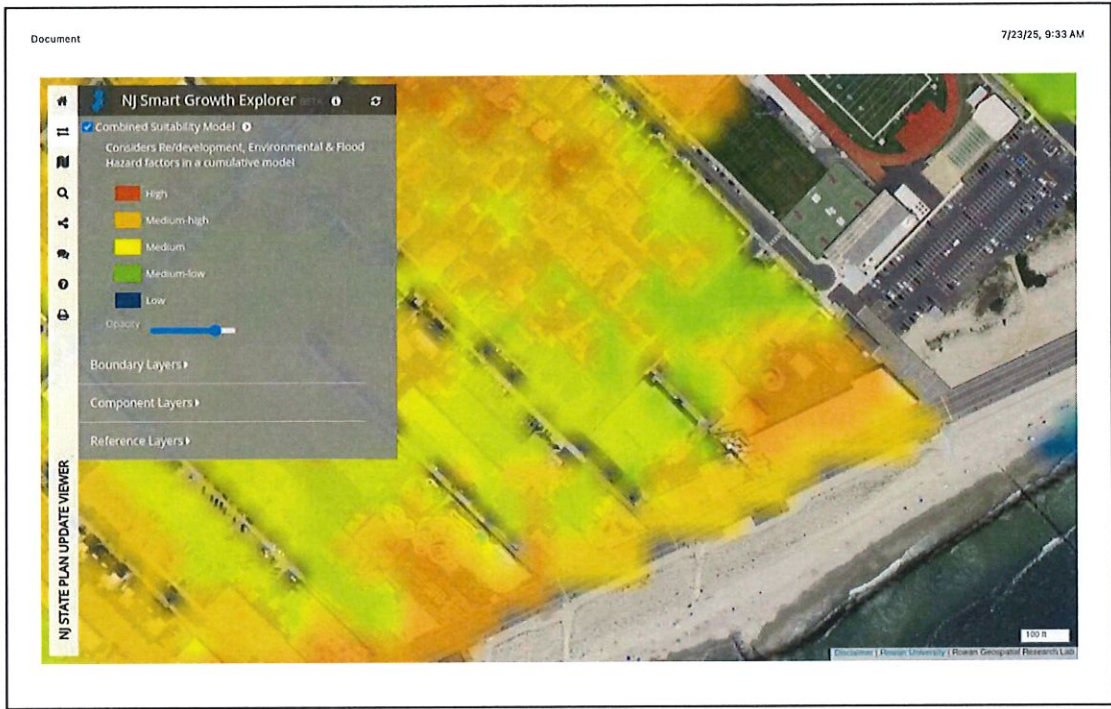
The Study Area is abutted by streets on three sides and the Boardwalk to the east. The properties to the north consist of the Ocean City High School and associated athletic fields. There is also a public parking area and City recreational facilities located between the High School and the Boardwalk. The most prominent feature in the area is the Boardwalk which runs along the property and extends from Saint James Place to the north down to 23rd Street. The Boardwalk is wider between 14th Street and 5th Street, where there are more commercial and entertainment land uses. Along the Boardwalk are a variety of retail, restaurant and entertainment uses. Just off the Boardwalk are various hotels, condominiums and vacation rentals.

To the west of the property are existing residential units and a parking lot. The residential units consist of both single and multi-family structures, with the majority of the units being multi-family condominiums. Single family units are generally located to the west of Wayne Avenue along Plaza Place and further down Pelham Place. To the south of the site along Plaza Place are residential condominiums.

State Plan

The majority of Ocean City is within an Environmentally Sensitive Barrier Island Planning Area (PA5B) under the New Jersey State Development and Redevelopment Plan. There are no designated centers, cores or nodes within the City. Despite this the City is part of a Statewide Sewer Service Area for all of the developed areas. The area of the City within the Sewer Service area is also identified as a Smart Growth Area. The Smart Growth Area is shown on the map below and encompasses the developed areas of the City.

a High and Medium-High suitability for redevelopment; therefore, any redevelopment of the entire property would be consistent with smart-growth principles.



STATUTORY REQUIREMENTS

This document consists of the Study which is a gathering and evaluation of existing conditions in order to conclude if they warrant a finding that the area is in Need of Rehabilitation under the statutory requirements. In accordance with the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-14) an area can be determined to be in Need of Rehabilitation if it is determined that a program of rehabilitation may be expected to prevent further deterioration and promote the overall development of the community. It must also be found that any of the following conditions exist in the area:

1. A significant portion of the structures therein are in a deteriorated or substandard condition;
2. More than half the housing stock in the delineated area is at least 50 years old;
3. There is a pattern of vacancy, abandonment or underutilization of the properties in the area;
4. There is a persistent arrearage of property tax payments on the properties in the area;
5. Environmental contamination is discouraging improvements and investment in properties in the area; or
6. A majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance.

The LRHL defines Rehabilitation to mean “an undertaking, by means of extensive repair, reconstruction or renovation of existing structures, with or without the introduction of new construction or the enlargement of existing structures, in an area that has been determined to be in need of rehabilitation or redevelopment, to eliminate substandard structural or housing conditions and arrest the deterioration of that area.” If any of the above criteria are met then it must also be found that a program of rehabilitation, as defined herein, may be expected to prevent further deterioration and promote the overall development of the community.

FINDINGS

Where there exist conditions of deterioration of land uses and services and an improper, or lack of proper development, the legislature has adopted the LRHL to aide local governments to help reverse these conditions. This statute was adopted by the legislature to aide local governments in “promoting the physical development that will be most conducive to the social and economic improvement of the State and its several municipalities.” (N.J.S.A. 40A:12A-2a & c)

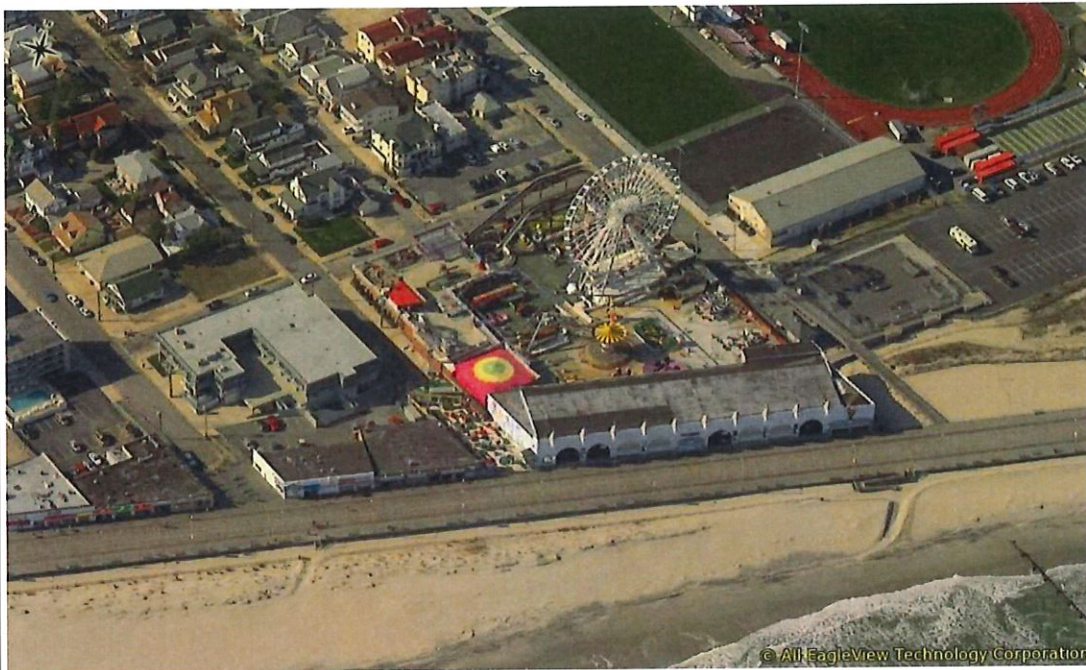
An investigation of the Study Area was completed which included a review of the existing property and improvements, the physical condition of the structures and improvements, reports prepared by licensed professionals relating to the existing improvements and structures on the property and other similar items. The investigation concluded that the Study Area meets the following required criteria to be declared an area in need of rehabilitation as defined by the LRHL.

Historical Use

The property operated as an amusement pier since 1965. The facility closed in the Fall of 2024, with the last day of operation on Sunday October 13, 2024¹. Since then, many of the amusements have been removed. This summer, 2025, a small portion of the pier was reopened with a pizza and bagel shop, a bike rental shop and small amusements such as arcade games and the like. The area being utilized currently accounts for approximately 20% of the entire property. The following maps show the site while fully operational and how it appears as of March of 2025. There is a clear change to the property with the removal of the amusement features that were in fact the core of the site’s operations.

¹ Press of Atlantic City article, “Visitors say goodbye to Gillian’s Wonderland on its Final Day” by John Russo, October 13, 2024

04/16/2005 beach view



04/16/2005

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The above photo from Cape May County Pictometry Imagery was taken in April of 2005. Wonderland was full of amusement attractions including the Ferris Wheel, Swings, Log Flume, and other rides and features on the upper and lower decks and inside the building.

03/08/2016 6th ave



The above photo from Cape May County Pictometry Imagery was taken in March of 2016. The site contains multiple amusement attractions including the Ferris Wheel, Log Flume, Swings and other features on the upper and lower levels.

03/19/2025



03/19/2025

The above photo from Cape May County Pictometry Imagery was taken in March of 2025. The site still contains some of the amusement attractions, but many have been removed. The upper level is empty, the swings are gone and remaining are the Ferris Wheel, Log Flume and some smaller attractions. Many of these have been removed as of the writing of this report.

Property Conditions

The property has existed as an amusement pier since 1965. It has been subject to coastal storms, hurricanes and flooding. The salt water and air also impact the property. This is true for all shoreline communities, however in this instance the impacts of the weather and environment have resulted in conditions which are contributing to the overall deterioration of the property which has suffered from deferred or nonexistent maintenance.

O'Donnell & Naccarato Structural Engineers conducted a site investigation and prepared a report dated March 24, 2025. The report focused on the elevated concrete section which is directly adjacent to the boardwalk on the east side of the Study Area. This area accounts for approximately 64,000 square feet which is 50% of the total property. The report found "that a significant portion of the structure is in a deteriorated and substandard condition."

The following is taken from page 2 of the March 24, 2025 report prepared by O'Donnell & Naccarato.

The concrete framing generally appeared to be in Poor to Extremely Poor condition.

Temporary wood shoring below much of the outer bay adjacent to the boardwalk as well as isolated locations elsewhere including cribbing for rides above were observed.

A summary of the deficiencies noted during the investigation is as follows:

- Cracking, spalling, and deterioration of concrete topping. Cracking was observed consistently at the support beam locations for typically the full length. Miscellaneous cracking was observed at isolated locations, but many did appear to align with the edge of planking below. Concrete spalls were observed throughout the topping and ranged in size from 1 SF to 8 SF. Approximately 10% of the topping was determined to be delaminated when sounded.*
- Deterioration of overhead concrete at underside of hollow core precast concrete plank. Similar to the note above, numerous deficiencies were observed with additional exposed heavily corroded prestressing cables. Prestressing cables are located at the bottom of planks between hollow core cells. Efflorescence was built up and hanging from the underside in many of the planks.*
- Cracking, spalling, and deterioration of concrete beams. Cracking was observed at the bottom of the beams for typically the full length. Miscellaneous cracking was observed at isolated locations and caused spalling which exposed corroded reinforcement.*

Amusement Attraction Conditions

Existing on the property are three primary structures which are integral to the former amusement pier operations. These include the Carousel, the Ferris Wheel and the Log Flume Ride. Each of these components are in need of substantial repairs with estimated costs ranging between \$4,000,000 to \$6,500,000 based on a report prepared by Rides-4-U, Inc., a copy of this report is included in the Appendix.

The Carousel is from 1965, located within the enclosed structure on the pier. It served as a main attraction to the pier and is in need of substantial repair. According to the Rides-4-U report the electrical system requires replacement. The telescopes, which are the poles that support the carousel horses, are worn and in need of replacement or repair. The platforms for the carousel need to be rebuilt. The estimated costs of these repairs range from \$1,000,000 to \$1,500,000

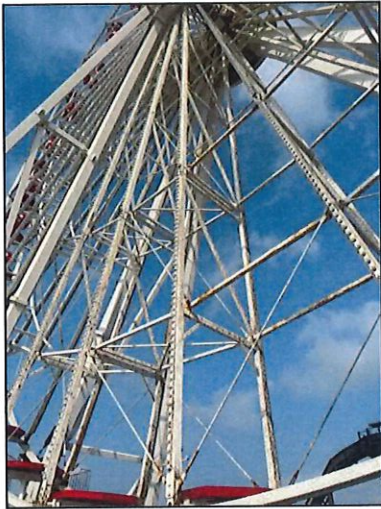


Carousel Decking



Carousel Telescopes

The Ferris Wheel, a primary attraction to the pier, is in need of substantial repairs. According to the Rides-4-U Report the Ferris Wheel lights are non-functional and need to be replaced or repaired. The non-functioning lights were also noted in the October 13, 2024 Press of Atlantic City article where customers commented on how the Ferris Wheel “lights have been out all summer, and even longer” (Visitors Say Goodbye to Gillian’s Wonderland on its Final Day, Press of Atlantic City, October 13, 2024, by John Russo). The center hub and main sweeps, also known as the spokes which extend from the center to the outer edge of the wheel, must be entirely rebuilt. The spreader bars which connect the sweeps and keep them spaced evenly, are worn out and need to be replaced. The estimated costs of these repairs range from \$1,500,000 to \$2,500,000.



Ferris Wheel Sweeps/Spokes



Ferris Wheel Spreaders

The Log Flume Ride was constructed in 1992. It is a primary structure and attraction and is also in need of repair and maintenance. According to the Rides-4-U report the upper troughs need to be rebuilt. Additionally, the electrical system needs to be entirely replaced. These repairs are estimated to cost between \$2,500,000 and \$4,000,000.

Rehabilitation Findings

Substantial credible evidence exists to support a determination that the properties in the Study Area meet one or more of the criteria outlined in Section 14 of the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-14) to be declared an area in need of rehabilitation. Note, not all of the criteria must be satisfied to warrant a Rehabilitation Designation, if only one criterion is satisfied that provides sufficient cause for the Designation. Specifically, the following criteria are met:

Criterion "14.1"

Under criterion "14.1", a property qualifies as in need of rehabilitation if "a significant portion of the structures therein are in a deteriorated or substandard condition." (N.J.S.A. 40A:12A-14.1).

The Study Area consists of a former amusement park which contains numerous structures including the Ferris Wheel, Carousel and Log Flume attractions. These three attractions are the primary components of the property and all are in need of substantial repairs and improvements. Additionally, the elevated concrete portion of the Study Area, accounting for 50% of the area, is in a deteriorated and substandard condition. The condition of the Study Area therefore satisfies criterion "14.1."

Criterion "14.3"

Under criterion "14.3", a property qualifies as in need of rehabilitation if "there is a pattern of vacancy, abandonment or underutilization of the properties in the area" (N.J.S.A. 40A:12A-14.3).

The existing property is no longer functioning as an amusement pier. There is a small portion of the site that is being utilized for restaurant and entertainment use,

accounting for approximately 20% of the entire property and Study Area. The once active amusement pier no longer contains the extensive rides and attractions. It has not been occupied for ten months and is currently vacant and underutilized. These conditions satisfy criterion “14.3.”

Program of Rehabilitation

When an area meets the statutory criteria to be determined in need of rehabilitation, it must also be found that a program of rehabilitation “may be expected to prevent further deterioration and promote the overall development of the community.” (N.J.S.A. 40A:12A-14)

Rehabilitation is defined by statute under N.J.S.A. 40A:12A-3 to mean “an undertaking, by means of extensive repair, reconstruction or renovation of existing structures, with or without the introduction of new construction or the enlargement of existing structures, in any area that has been determined to be in need of rehabilitation or redevelopment, to eliminate substandard structural or housing conditions and arrest the deterioration of that area.” In this particular case, the Study Area is in need of extensive repairs as evidenced by condition of the rides which form the core component of the former amusement pier, and the condition of the pier. These items are integral parts to the overall property and require significant repair and investment.

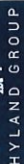
This property is an important part of the Ocean City Boardwalk, former the bookend as the last commercial site along the developed portion of the Boardwalk. The amusement pier has been closed since the Fall of 2024 and this summer season it has been utilized for limited purposes. It is therefore determined that a program of rehabilitation is necessary for this property and that such a program would in fact improve the conditions of the property and area and promote the overall development of the community.

CONCLUSION

The Study Area operated as an amusement pier since 1965. In October of 2024 it was closed and has remained underutilized since that time. Based on an analysis completed by O'Donnell & Naccarato Structural Engineers it was noted that portions of the pier are in substandard and deteriorating condition. Additionally, the three primary amusement rides are in substandard condition and in need of substantial investment and repair. As noted by Rides-4-U, the costs of repairing these amusement rides are exorbitant. Based on these findings, a program of rehabilitation, as provided for by law, would result in future investment back into the property and prevent further deterioration of these conditions, thereby promoting the overall development of the community.

Based upon the above findings, the Study Area meets the criteria of the Local Redevelopment and Housing Law as an area in need of rehabilitation under N.J.S.A. 40A:14. It is therefore recommended that the Governing Body and Planning Board take the action necessary to make that determination according to law.

- **EXHIBIT I – Site Survey**
- **APPENDIX I – Governing Body Resolution**
- **APPENDIX II – Planning Board Recommendation**
- **APPENDIX III – Rides-4-U, Inc. Report**



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400 S. GALT ST. SUITE 100, ST. LOUIS, MO 63104-2020
400 S. GALT ST. SUITE 100, ST. LOUIS, MO 63104-2020

10/1/83, Tenth

declare that, to the best of my professional knowledge and belief, this map or plan is the result of a field survey made on the date shown, by me or under my direct supervision, in accordance with the rules and regulations promulgated by the State Board of Professional Land Surveyors. The professional seal is placed on documents of record, improvements, easements, rights, restrictions, right of ways, exceptions or covenants not visible on or unknown to the surveyor are not shown. The illustration of any mapped or regulated environmental constraints that may be subject to governmental limits shall be within the professional seal. The map or plan shall not affect the property of any person or entity, nor shall it be used in any way not included as part of contract with the client nor as specifically shown.

Thomas R. Deneka
83 Professional Land Surveyor No. 25828

600 Boardwalk
Block: 600.05 Lots: 1 & 2
City of Ocean City
Cape May County
New Jersey

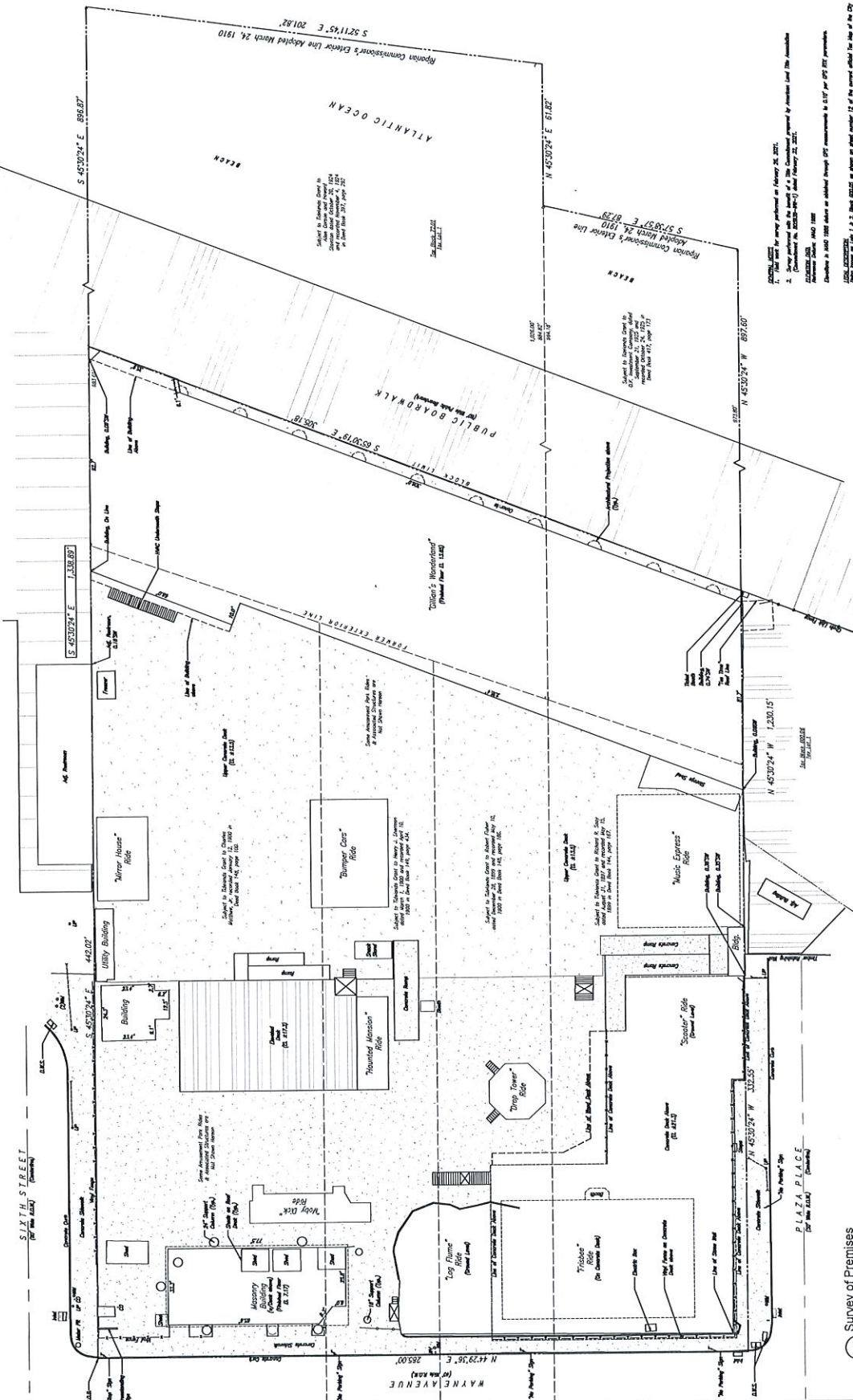
• 600 Boardwalk, LLC
 • The Title Company Jersey
 • American Land Title Association
 • Universal Bank and Trust Co. (ISACA ATP16A)

[illegible]

Survey of Premises
V101
Sheet 01 of 01

01 of 01

EXHIBIT I



1 Survey of Premises

1. *Id.* 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916,



APPENDIX III

Rides-4-U, Inc.

221 Evans Way, Suite E
Somerville, NJ 08876

e-mail: info@rides4u.com
www.rides4u.com

Tel: 908-526-8009
Fax: 908-526-4535

VIA EMAIL: emita@icona.com

600 Boardwalk LLC
c/o Mr. Eustace W. Mita
2501 Seaport Drive, Suite 400
Chester, PA 19013

RE: Condition of Specified Amusement Rides
Wonderland Pier
Ocean City, New Jersey

Dear Mr. Mita:

You have requested, based upon my significant experience in the amusement industry, that I inspect and provide my opinion as to the condition of specified amusement rides currently existing at the above-captioned location. These include the following:

1. Philadelphia Toboggan (Carousel)
2. 40mt Technical Park Wheel (Ferris Wheel)
3. Odi Hopkins Flume Ride (Flume Ride)

Based upon my review and inspection of these amusement rides, it is my considered opinion that they are all in a deteriorated and substandard condition for the following reasons:

Carousel –

- A. The electrical system needs to be replaced.
- B. The telescopes are worn and in need of replacement and/or repair.
- C. The platforms need to be rebuilt.
- D. Probable estimated repair cost for the Carousel is approximately \$1,000,000 to \$1,500,000.



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Fax: 908-526-4535

Ferris Wheel –

- A. The spreader bars are worn out and need to be replaced.
- B. The lights are non-functional.
- C. The center hub and main sweeps must be entirely rebuilt.
- D. Probable estimated repair cost for the Ferris Wheel is approximately \$1,500,000 to \$2,500,000.

Flume Ride –

- A. The upper troughs need to be rebuilt.
- B. The electrical system needs to be entirely replaced.
- C. Probable estimated repair cost for the Flume Ride is approximately \$2,500,000 to \$4,000,000

As my attached summary of qualifications indicates, I have been in the amusement industry for over forty years. Each of the above amusement rides is, for the reasons set forth above, in a deteriorated and substandard condition needing significant repairs in my professional opinion. I would estimate the cumulative total cost of the repairs to be between \$4,000,000 to \$6,500,000

I thank you for your attention to this matter.

Sincerely,

Leonard Soled
President

EXHIBIT 3



SCHULE

PLANNING SOLUTIONS, LLC

Community Development

Municipal Planning

Master Plans

Zoning Codes

Redevelopment

Memorandum

To: City of Ocean City
Planning Board Members

From: Randall Scheule, PP/AICP
Planning Board Planner

Date: December 23, 2025

RE: 600 Boardwalk, LLC
Block 600.05, Lots 1 and 2

Introduction.

On December 4, 2025, City Council adopted Resolution 25-62-544. Resolution 25-62-544 (attached) was transmitted by the City Clerk to the Planning Board Secretary on December 5, 2025. The primary objective of Resolution 25-62-544 follows:

The Ocean City Planning Board be and is hereby requested to review the Property, its condition, and its impact on neighboring properties and the city in general and make a recommendation to City Council in accordance with NJSA 40A:12A-14 with respect to whether it is in the best interest of the citizens of the City or Ocean City to declare the Property¹ to be an area in need of rehabilitation.

Via City Council Resolution 25-62-544 the City seeks to determine whether an area in need of rehabilitation and a rehabilitation program for the Property, "may be expected to prevent further deterioration and promote overall development of the community."

Resolution 25-62-544 also indicates that, ". . . referral of the attached Resolution to the Planning Board would in no way serve as an endorsement or approval of any specific use or project, nor would it confer development rights; rather, the referral would be the first step in a public process to consider the best way to revitalize the Property."

¹ The "Property" referred to herein is Block 600.05, Lots 1 and 2.

Block 600.05, Lots 1 and 2 - 600 Boardwalk, LLC
Area in Need of Rehabilitation Determination

Referral of Resolution 25-62-544 to the Planning Board represents the initial step in the redevelopment process as described below.

NJSA 40A:12A-14a. Prior to adoption of the resolution, the governing body shall submit it to the municipal planning board for its review. Within 45 days of its receipt of the proposed resolution, the municipal planning board shall submit its recommendations regarding the proposed resolution, including any modifications which it may recommend, to the governing body for its consideration.

Thereafter, or after the expiration of the 45 days if the municipal planning board does not submit recommendations, the governing body may adopt the resolution, with or without modification. The resolution shall not become effective without the approval of the commissioner pursuant to section 6 of P.L.1992, c.79 (C.40A:12A-6), if otherwise required pursuant to that section.

The following documents have been submitted on behalf of the property owner, and provide the basis for the comments in this report.

- o Transmittal to Terry Crowley, Jr. from Keith Davis, August 13, 2025
- o Rehabilitation Designation Boardwalk and Sixth Street, Tiffany Morrissey, August 11, 2025
- o Survey of Premises, The Hyland Group, March 17, 2021
- o Condition of Specified Amusement Rides, Rides-4-U, undated
- o Re-construction Cost Estimate, Caritas Construction, April 16, 2025
- o Investigation, O'Donnell & Naccarato, March 24, 2025

The Local Redevelopment and Housing Law (NJSA 40A:12A-1, et seq).

Local Redevelopment and Housing Law (LRHL) terms defined.

- o "Redevelopment" means clearance, replanning, development and redevelopment; the conservation and rehabilitation of any structure or improvement; the construction and provision for construction of residential, commercial, industrial, public or other structures and the grant or dedication of spaces as may be appropriate or necessary in the interest of the general welfare for streets, parks, playgrounds, or other public purposes, including

Block 600.05, Lots 1 and 2 - 600 Boardwalk, LLC
Area in Need of Rehabilitation Determination

- recreational and other facilities incidental or appurtenant thereto, in accordance with a redevelopment plan.
- "Redevelopment plan" means a plan adopted by the governing body of a municipality for the redevelopment or rehabilitation of all or any part of a redevelopment area, or an area in need of rehabilitation, which plan shall be sufficiently complete to indicate its relationship to definite municipal objectives as to appropriate land uses, public transportation and utilities, recreational and municipal facilities, and other public improvements; and to indicate proposed land uses and building requirements in the redevelopment area or area in need of rehabilitation, or both.
 - "Rehabilitation" means an undertaking, by means of extensive repair, reconstruction or renovation of existing structures, with or without the introduction of new construction or the enlargement of existing structures, in any area that has been determined to be in need of rehabilitation or redevelopment, to eliminate substandard structural or housing conditions and arrest the deterioration of that area.
 - "Rehabilitation area" or "area in need of rehabilitation" means any area determined to be in need of rehabilitation pursuant to section 14 of P.L.1992, c.79 (C.40A:12A-14).

NJSA 40A:12A-14 specifies that, a delineated area may be determined to be in need of rehabilitation if the governing body of the municipality determines by resolution that a program of "rehabilitation", as defined in section 3 of P.L.1992, c.79 (C.40A:12A-3), may be expected to prevent further deterioration and promote the overall development of the community; and that there exist in that area any of the following conditions such that:

- (1) a significant portion of structures therein are in a deteriorated or substandard condition;
- (2) more than half of the housing stock in the delineated area is at least 50 years old;
- (3) there is a pattern of vacancy, abandonment or underutilization of properties in the area;
- (4) there is a persistent arrearage of property tax payments on properties in the area;
- (5) environmental contamination is discouraging improvements and investment in properties in the area; or

Block 600.05, Lots 1 and 2 - 600 Boardwalk, LLC
Area in Need of Rehabilitation Determination

(6) a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance.

A brief summary of the 2-step process for designating an "Area in Need of Rehabilitation" and "Implementing a Redevelopment Plan" is included at the end of this memorandum.

Master Plan and Zoning Ordinance.

Wonderland Pier is located on the Boardwalk between E. Sixth Street and Plaza Place. The Master Plan notes that the Boardwalk provides a focal point for the resort character of the City, and seeks "to preserve this portion of the oceanfront area of the City for resort commercial and commercial recreation uses."²

The Ocean City Zoning Map indicates the subject site is located within the On-Boardwalk Zone. According to the Purpose statement (§25-205-5.1), "The On-Boardwalk Zone established in §25-201.2 of this Ordinance is intended to reserve a portion of the Atlantic Ocean frontage exclusively for resort commercial and commercial recreational use adjacent to the Boardwalk from 6th Street to 14th Street." Permitted use categories include retail stores, entertainment, amusements and restaurants.

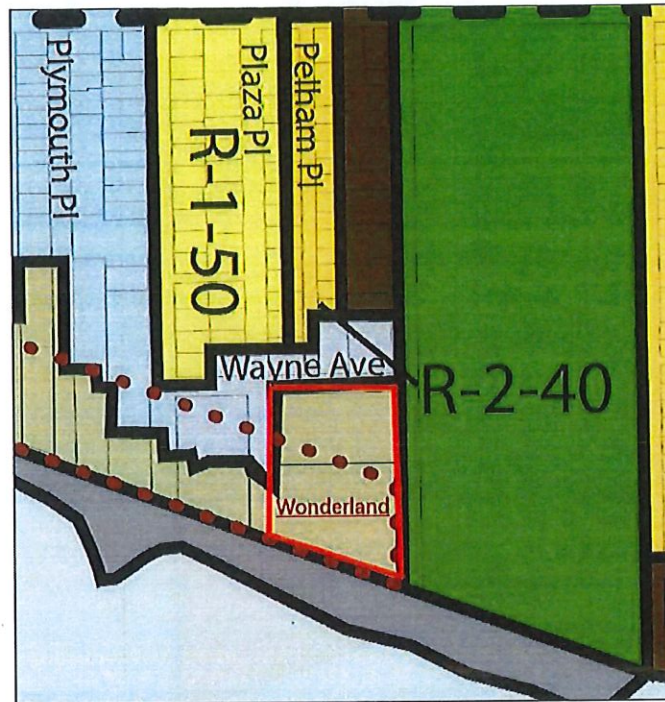
As depicted on the Zoning Map, a portion of the subject property is located within the Special Improvement District (SID), a designated area where property owners pay a special assessment to fund enhanced services, promotions, and beautification, managed by a District Management Corporation (DMC) for economic vitality and tourism, with funding covering events like fireworks, block parties, and beautification projects.

The Zoning Map depicts the location of the Wonderland site and nearby properties relative to the zoning district and SID designations.

² 1988 Ocean City Master Plan, page 7-10.

Block 600.05, Lots 1 and 2 - 600 Boardwalk, LLC
Area in Need of Rehabilitation Determination

Zoning Map



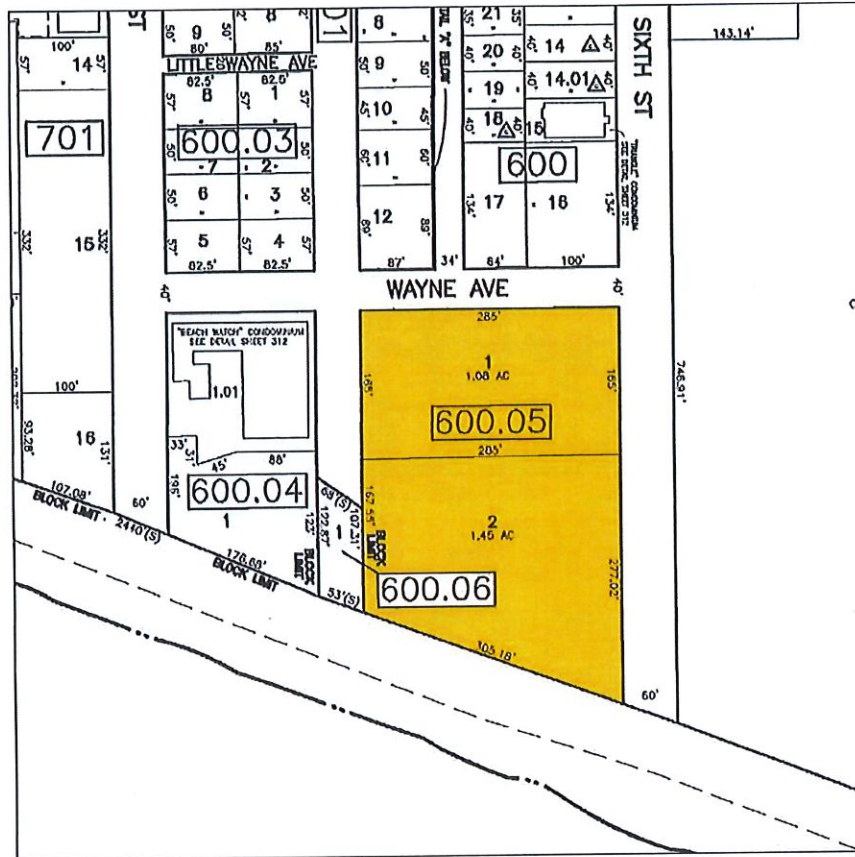
The Property - Block 600.05, Lots 1 and 2.

The August 13, 2025 transmittal indicates the site is presently improved with structures and improvements associated with the former Gillian's Wonderland Pier (the "Pier"), and that the Pier ceased operations on October 13, 2024. The transmittal also describes four (4) small businesses operating in the remnants of the pier building, including Ocean City Pizza Company, Dead End Bakehouse, Wonderland Pier Arcade, and OC Bikes and Rentals.

The following exhibit depicts the location of the Property on the Ocean City Tax Map.

Block 600.05, Lots 1 and 2 - 600 Boardwalk, LLC
Area in Need of Rehabilitation Determination

Tax Map



Current tax assessment information for the two parcels is depicted in the following table.

Block	Lot	Address	Year Built	Land Description	Value(\$)		
					Land	Improvement	Total
600.05	1	641 Wayne Avenue	1953	135' x 285'	2,693,300	400,700	3,094,000
600.05	2	600-640 Boardwalk	NA	220' x 295'	11,097,900	1,614,900	12,712,800
Total	-	-	-	-	-	-	15,806,800

Block 600.05, Lots 1 and 2 - 600 Boardwalk, LLC
Area in Need of Rehabilitation Determination

Summary and Conclusion.

Resolution 25-62-444 requests that the Planning Board, "review the Property, its condition, and its impact on neighboring properties and the city in general and make a recommendation to City Council in accordance with NJSA 40A:12A-14 with respect to whether it is in the best interest of the citizens of the City or Ocean City to declare the Property³ to be an area in need of rehabilitation."

The "Rehabilitation Designation Boardwalk and Sixth Street" (Rehab Report) contends that "substantial credible evidence exists to support a determination that the properties in the Study Area meet one or more of the criteria outlines in Section 14 of the Local Redevelopment and Housing Law (NJSA 40A:12A-14) to be declared an area in need of rehabilitation," and that the following LRHL criteria are satisfied.

NJSA 40A:12A-14(1) - a significant portion of structures therein are in a deteriorated or substandard condition;

NJSA 40A:12A-14(3) - there is a pattern of vacancy, abandonment or underutilization of properties in the area;

The following citation from the Rehab Report is provided in support of a rehabilitation area designation.

- o "... in this instance the impacts of the weather and environmnet have resulted in conditions which are contributing to the overall deterioration of the property which has suffered from deferred or nonexistent maintennce."⁴

The following excerpts are from the O'Donnell & Naccarato investigation which focused on the 64,000 SF elevated concrete structure (accounting for approximately 50% of the total project site) adjacent to the Boardwalk.

- o "Our review of the existing structure determined the concrete framing generally appeared to be in Poor to Extremely Poor condition."⁵

³ The "Property" referred to herein is Block 600.05, Lots 1 and 2.

⁴ Rehabilitation Designation Boardwalk and Sixth Street, Tiffany Morrissey, August 11, 2025, page 17.

⁵ Investigation, O'Donnell & Naccarato, March 24, 2025, page 2.

Block 600.05, Lots 1 and 2 - 600 Boardwalk, LLC
Area in Need of Rehabilitation Determination

- o "It is our assessment that a significant portion of the structure is in a deteriorated and substandard condition. The amount of deterioration and lack of adequate shoring render the elevated pier not safe for occupancy"⁶

The Rides-4-U report identifies amusement components in need of repair and estimates the cumulative cost to repair the Carousel, Ferris Wheel and Log Flume Ride at \$4M - \$6.5M.

Additionally, the Re-construction Cost Estimate prepared by Caritas Construction cites a total cost of \$3,899,769 to repair the pier foundation and piling.

Due to their subjective nature, consideration of the two above-cited LRHL criterion often involves a degree of professional judgment and interpretation. At NJSA 40A:12A-14(1), the phrase "a significant portion of structures therein are in a deteriorated or substandard condition" typically requires a visual and structural assessment to determine whether the criteria is satisfied.

Criterion 1 requires that a "significant portion" of the structures in the area be in a "deteriorated or substandard condition". While the law does not define a specific numerical percentage for "significant," 50% is widely accepted by planners and courts as meeting this threshold.

Although the cost of repairs is not a direct statutory criterion for designating an Area in Need of Rehabilitation, these costs relative to the value of the property may lend support to the argument that the area is in need of municipal intervention to prevent further decline. The total estimated cost for repair of the three rides and reconstruction of the pier foundation and piling is \$10.4M, wherein the property is valued at \$15.8M.

Similarly, determining a "pattern of vacancy, abandonment or underutilization of properties" (NJSA 40A:12A-14(3)) requires analyzing usage over time and making a judgment call on what constitutes a "pattern" or "underutilization".

The Rehab Report documents the historic use of the property as an amusement pier and its subsequent deterioration beginning in 1965. The Rehab Report also notes that the amusement pier closed October 13, 2024, that approximately 20% of the Property was

⁶ Ibid., page 3.

Block 600.05, Lots 1 and 2 - 600 Boardwalk, LLC
Area in Need of Rehabilitation Determination

open for business in the Summer 2025, and that many of the amusement features have been removed from the site.

The information cited herein documents the deteriorated condition of the Property. The engineering investigation concludes that the concrete framing is in Poor to Extremely Poor condition, and that a significant portion of the structure is not safe for occupancy. Cost estimates to repair three of the primary amusement rides and reconstruct the foundation and piling represent 66 percent of the site's assessed value.

An Area in Need of Rehabilitation designation and implementation of a rehabilitation program, may be expected to prevent further deterioration and encourage improvement and reinvestment at the Property.

The Planning Board shall submit its recommendations regarding the proposed resolution (page 11), including any modifications which it may recommend, to City Council for its consideration no later than January 19, 2026.

Block 600.05, Lots 1 and 2 - 600 Boardwalk, LLC
Area in Need of Rehabilitation Determination

CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY

RESOLUTION

No. 25-62-544

REFERRING A PROPOSED RESOLUTION DECLARING BLOCK 600.05, LOTS 1 & 2,
LOCATED AT 600 BOARDWALK, TO BE AN AREA IN NEED OF REHABILITATION TO
THE OCEAN CITY PLANNING BOARD

WHEREAS, Block 600.05, Lots 1 & 2 (hereinafter, "the Property") is located at 600 Boardwalk
and is in the On-Boardwalk; and,

WHEREAS, the current owner of the Property has requested that City Council declare the Property
to be an area in need of rehabilitation pursuant to the New Jersey Local Housing and Redevelopment Law
(N.J.S.A. 40A:12A-1, *et seq.*); and,

WHEREAS, the request of the current owner is accompanied by a Rehabilitation Designation
Report regarding the Property, a copy of which is attached hereto; and,

WHEREAS, N.J.S.A. 40A:12A-14 authorizes the governing body of any municipality, by
Resolution, to determine whether, pursuant to the criteria set forth therein, an area within the municipality
is in need of rehabilitation and that a program of rehabilitation, as defined in N.J.S.A. 40A:12A-3, may be
expected to prevent further deterioration and promote overall development of the community; and,

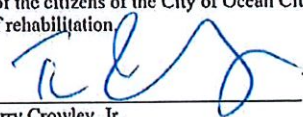
WHEREAS, pursuant to N.J.S.A. 40A:12A-14(a), the governing body must refer the proposed
Resolution, a copy of which is attached hereto, to the Planning Board for the Board's recommendation
regarding the proposed declaration as an area in need of rehabilitation; and,

WHEREAS, referral of the attached Resolution to the Planning Board would in no way serve as
an endorsement or approval of any specific use or project, nor would it confer development rights; rather,
the referral would be the first step in a public process to consider the best way to revitalize of the Property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City,

County of Cape May, New Jersey as follows:

The Ocean City Planning Board be and is hereby requested to review the Property, its
condition, and its impact on neighboring properties and the city in general and make a
recommendation to City Council in accordance with N.J.S.A. 40A:12A-14 with
respect to whether it is in the best interests of the citizens of the City of Ocean City to
declare the Property to be an area in need of rehabilitation.


Terry Crowley, Jr.
Council President

I HEREBY CERTIFY THAT the foregoing resolution was duly adopted by the City Council of the City of
Ocean City, New Jersey at a Council Meeting held on Thursday, December 4, 2025, with the voting record as indicated
below.

NAME	MOTION	SECOND	AYE	NAY	ABSENT	ABSTAINED
Barnes			✓	✓		
Crowley			✓	✓		
Hartzell			✓	✓		
Levchuk			✓	✓		
Madden	✓		✓	✓		
Polcni		✓	✓	✓		
Winslow			✓	✓		


Melissa G. Rasner, City Clerk

Block 600.05, Lots 1 and 2 - 600 Boardwalk, LLC
Area in Need of Rehabilitation Determination

**CITY OF OCEAN CITY
CAPE MAY COUNTY, NEW JERSEY
RESOLUTION**

**DESIGNATING BLOCK 600.05, LOTS 1 & 2, LOCATED AT 600 BOARDWALK, TO BE AN
AREA IN NEED OF REHABILITATION**

WHEREAS, N.J.S.A. 40A:12A-14 authorizes the governing body of any municipality, by Resolution, to determine whether, pursuant to the criteria set forth therein, an area within the municipality is in need of rehabilitation and that a program of rehabilitation, as defined in N.J.S.A. 40A:12A-3, may be expected to prevent further deterioration and promote overall development of the community; and,

WHEREAS, pursuant to N.J.S.A. 40A:12A-14(a), the governing body referred this Resolution to the Planning Board and has received the Planning Board's recommendation regarding the proposed declaration as an area in need of rehabilitation.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ocean City, County of Cape May, New Jersey as follows:

1. Block 600.05, Lots 1 & 2, located at 600 Boardwalk, meets one or more of the requirements of N.J.S.A. 40A:12A-14 to be designated an Area in Need of Rehabilitation, including the following:
 - A. A significant portion of the structures at the Property are in a deteriorated or substandard condition; and,
 - B. There is a pattern of underutilization of the Property since the former use was discontinued; and,
2. A program of rehabilitation, as defined in N.J.S.A. 40A:12A-3, may be expected to prevent further deterioration and promote overall development of the community; and,
3. Block 600.05, Lots 1 & 2, located at 600 Boardwalk is hereby designated as an Area in Need of Rehabilitation pursuant to N.J.S.A. 40A:12A-14.

Terry Crowley
Council President

Block 600.05, Lots 1 and 2 - 600 Boardwalk, LLC
Area in Need of Rehabilitation Determination

The Redevelopment Process.

The Local Redevelopment and Housing Law (LRHL) process follows a highly standardized sequence of steps for designating an "Area in Need of Redevelopment" and "Implementing a Redevelopment Plan." This process is divided into two phases: the Designation Phase and the Planning & Implementation Phase.

Phase 1: Designation Process

The process for designating an Area in Need of Rehabilitation is simplified compared to redevelopment and follows these specific steps under N.J.S.A. 40A:12A-14:

1. Governing Body Initiation
The municipal governing body prepares a proposed resolution and a supporting report (study) identifying why the area meets at least one of the six statutory criteria.
2. Planning Board Referral
The governing body refers the resolution and report to the Planning Board for review.
3. Planning Board Review (45-Day Window)
The Planning Board has 45 days to submit recommendations and any suggested modifications back to the governing body.

Note: A formal public hearing is not strictly required by statute for rehabilitation (unlike redevelopment), though many towns hold one for transparency.
4. Final Adoption
The governing body adopts the resolution, with or without the Planning Board's suggested modifications.
5. State Notification
The municipal clerk must transmit a copy of the final resolution and the Planning Board's recommendations to the Commissioner of the Department of Community Affairs (DCA) for review.

Phase 2: Planning & Implementation

Once an area is designated, the municipality must create a roadmap for its transformation.

Block 600.05, Lots 1 and 2 - 600 Boardwalk, LLC
Area in Need of Rehabilitation Determination

- Redevelopment Plan: The Planning Board or Governing Body prepares a detailed Redevelopment Plan that outlines land uses, building requirements, and infrastructure needs.
- Plan Adoption: The Governing Body adopts the Redevelopment Plan by ordinance, which can override existing local zoning.
- Redeveloper Selection: The municipality (or a designated Redevelopment Entity) selects a redeveloper and enters into a Redeveloper's Agreement, which specifies rights, responsibilities, and timelines.
- Financial Tools: The municipality may offer fiscal incentives such as long-term tax exemptions or Payments in Lieu of Taxes (PILOTs).

Key Differences from Redevelopment

- No Eminent Domain: This designation does not grant the power of condemnation.
- No Long-Term Tax Exemptions: While it allows for 5-year tax abatements, it does not permit long-term PILOT agreements.
- Simpler Procedure: It skips the mandatory preliminary investigation, formal public hearing notice, and 45-day legal challenge window required for "Redevelopment" areas.

EXHIBIT 4

GARY R. GRIFFITH, ESQUIRE
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OCEAN CITY PLANNING BOARD

RESOLUTION

BACKGROUND OF RESOLUTION

1. Consistent with the legal requirements of N.J.S. 40A: 12A-1 *et seq.*, the “Local Redevelopment and Housing Law”, the Governing Body of the City of Ocean City adopted Resolution 25-62-544 on December 4, 2025, a true copy of which is annexed hereto as Exhibit A and expressly made a part hereof [“City Resolution”] authorizing the Ocean City Planning Board to make an investigation and recommendations N.J.S. 40A: 12A-14 to determine whether the premises known generally as Block 600.05, Lots 1&2 located at 600 Boardwalk [the “Property”] should be recommended as an area in need of rehabilitation area according to the criteria set forth in N.J.S. 40A: 12A-14. The Property is owned by 600 Boardwalk LLC [the “LLC”].

2. The Ocean City Planning Board considered the City Resolution and in order to fulfill the directions set forth in the City Resolution, a public hearing was conducted on January 7, 2026 [the “Public Hearing”] at which time the Ocean City Planning Board considered, among other things, the Memorandum dated December 23, 2025 [the

“Memorandum”] prepared by the planner for the Ocean City Planning Board, Randall E. Scheule, P.P. & A.I.C.P. [the “Planner”] in fulfilling its duties under New Jersey law, and specifically as such duties relate to an area in need of rehabilitation analysis. A true copy of the Memorandum is attached hereto as Exhibit B and expressly made a part hereof.

WITNESSETH

NOW, THEREFORE, the Ocean City Planning Board based upon submissions by the LLC, the exhibits marked and received into evidence, and the testimony presented makes the following findings of fact:

1. Paragraphs 1 and 2 set forth above in the Background of Resolution are incorporated by this reference as if specifically set forth herein at length; and, all notices required by law have been given.

2. Keith Davis, Esquire represented the Owner at the time of Public Hearing. Mr. Davis provided an opening statement and introduced the witnesses to testify on behalf of the Owner. The following witnesses were sworn in: Matt Mowrer, P.E., Jody Arena, Tiffany Morrissey, A.I.C.P. & P.P., and Will Morey.

3. Matt Mowrer, P.E. was the first witness to testify on behalf of the Owner at the Public Hearing. Mr. Mowrer is a professional engineer employed by O'Donnell & Naccarato Structural Engineers. He testified concerning the structural integrity at the Property known generally as Wonderland Pier. He testified that a significant portion of the structure is in a deteriorated, substandard condition. He further testified that the elevated concrete section is in poor to extremely poor condition. He also testified that he last inspected the Property on December 31, 2025. He incorporated page 14 of the

Rehabilitation Designation prepared by Tiffany A. Morrissey [the "Morrissey Report"] in his testimony. During his testimony, Mr. Mowrer referred to and presented a photographic log consisting of 9 photographs showing the Property in its current state [the "Photographic Log"]. The Photographic Log was marked A-1 at the time of the Public Hearing and received into evidence by the Ocean City Planning Board. Ocean City Planning Board Members Vanderschuere, Halliday, Loeper, and Adams and the Planner raised questions at the conclusion of Mr. Mowrer's testimony about the condition of the Wonderland Pier.

Jody Arena was the next witness to testify on behalf of the Owner. Mr. Arena is the CEO of Caritas Construction. He opined that in current market conditions, it would cost approximately 5 Million Dollars to repair the Property. During his testimony the Caritas Construction Report was marked into evidence as a portion of A-2. Ocean City Planning Board Member Barnes inquired as to the business relationship between Caritas Construction and the Owner.

Will Morey was the next witness to testify on behalf of the Owner. Mr. Morey is a second-generation partner of Morey's Piers (located in Wildwood, NJ), a business started in 1969. He testified that operations in the amusement business were very challenging from start-up through and including operations. During his testimony a report submitted by Rides 4U was entered into evidence as part of A-2. Ocean City Planning Board Member Loeper inquired about state inspections for rides.

The final witness to testify on behalf of the Owner was Tiffany A. Morrissey, A.I.C.P. & P.P. Ms. Morrissey prepared the Morrissey Report dated as of March 11, 2025. She testified concerning the substandard condition of the Property and a pattern of

vacancy for the Property. She testified that portions of the Property were vulnerable to collapse and that the cost of removal and replacement would exceed 4 Million Dollars. She further testified that the Property was under-utilized and she opined that the Owner satisfied the necessary criteria to establish an area in need of rehabilitation. The Morrissey Report is attached hereto as Exhibit C and expressly made a part hereof.

At the conclusion of Ms. Morrissey's testimony, Ocean City Planning Board Member Barnes reported his disagreement with the land use perspective offered by Ms. Morrissey in the Morrissey Report.

4. The Planner presented a summary of the Memorandum and geographically described the proposed rehabilitation area. He testified that his purpose was to provide the Ocean City Planning Board with information to enable the Ocean City Planning Board Members to make an informed response to the City Resolution. He reviewed the statutory criteria to establish a rehabilitation area.

5. During the presentation on behalf of the Owner and the Planner's presentation, there were significant discussions and questions raised by Ocean City Planning Board members about the proposed rehabilitation area concerning the condition of the Property and its under-utilization.

6. Upon conclusion of the Planner's presentation, the meeting was then opened to the public. There was considerable public comment. The following individuals offered comments:

1. Helen Struckmann—21 Asbury Avenue; In Opposition/General Comments.
2. Bob Duffy—5 Walnut Road; In Opposition/General Comments.
3. Peter Muhic—309 9th Street; In Opposition/General Comments.
4. Donna Saber—In Opposition.

5. Kimberly Sehl—374B Asbury Avenue; In Opposition/General Comments.
6. Deborah Berdel—612 Ocean Avenue; In Opposition.
7. Mark Benevento—807 East 8th Street; In Favor.
8. Eustace Mita—2501 Seaport Drive, Chester, PA; In Favor/Answered Questions.
9. James Ford—2009 Simpson Avenue; In Favor/General Comments.
10. Paul Ryan—510 23rd Street; In Favor.
11. Mark Grimes—109 34th Street; In Favor.
12. Bill McGinnity—104 Asbury Avenue; In Favor.
13. Liz Nicoletti—4061 Asbury Avenue; In Favor.
14. Barbara Petrillo—605 Ocean Avenue; General Comments.
15. Patrick Gill—852 Plaza Place; In Opposition/General Comments.
16. Charles Jurman—812 Plaza Place; In Opposition/General Comments.
17. Effie Russell—807 7th Street; In Opposition.
18. Jacob Gutenkunst—809 East 7th Street; In Opposition.
19. Chuck Bangle—816 East 9th Street; In Favor.
20. Marie Crawford—835 Pelham Place; In Opposition.
21. Dave Hayes—641 Battersea Road; In Opposition.
22. Caitlyn Quirk—956 Asbury Avenue; In Favor.
23. Marie Hayes—641 Battersea Road; In Opposition.
24. James Turteltaub—98 Main Street, Madison, attorney for Ocean City 2050; In Opposition.
25. Mark Raab—12 West Aberdeen Road; In Favor.
26. Patrick McMahon—130 West Atlantic Boulevard; In Favor.
27. Sam Shurgott—Wildwood; General Comments.
28. Bill Westerman—710 Bridge Road; In Favor.
29. Bill Nicoletti—4061 Asbury Avenue; In Favor.
30. Wayne Wagner Jr.—808 Boardwalk; In Favor.
31. Bernadette Bechta—53 Spruce Road; In Favor/General Comments.
32. Jim Tweed—1512 Wesley Avenue; In Opposition/General Comments.
33. George Bauer—5133 Central Avenue; In Favor/General Comments.
34. David Breeden—114 Victoria Lane; In Opposition/General Comments.
35. Lisa Tifft—14 Asbury Road; In Opposition/General Comments.

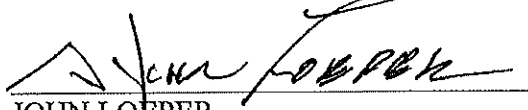
7. Keith Davis, Esquire proceeded with closing on behalf of the LLC.

8. After Mr. Davis' closing on behalf of the LLC, there was significant Ocean City Planning Board discussion and deliberation: Barnes (Redevelopment), Loeper (Additional Information), Vanderschuere (Engineering), Adams (Engineering), Allegretto (Costs).

9. A Resolution was offered upon a motion, to be considered in the affirmative to designate the Property as an area in need of rehabilitation, made by Ocean City Planning Board Member Birch and seconded by Ocean City Planning Board Member Bekier on January 7, 2026 [the "Birch Motion"]. The vote on the Birch Motion was four (4) in favor of and four (4) against with Ocean City Planning Board Members Allegretto, Adams, Bekier, and Birch voting in the affirmative, and Barnes, Halliday, Vanderschuere, and Loeper voting in the negative.

As a result of the tie vote, the Ocean City Planning Board does not find that the Property is an area in need of rehabilitation and makes no recommendation concerning the Property to the Governing Body of the City of Ocean City.

OCEAN CITY PLANNING BOARD

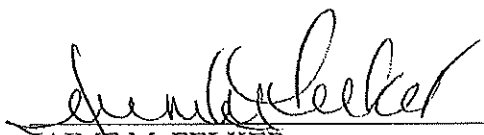


JOHN LOEPER,
CHAIRPERSON

Dated: February 4, 2026

CERTIFICATION

I, JAIME M. FELKER, Secretary to the Ocean City Planning Board, do hereby certify that the foregoing Resolution was duly adopted at the meeting of the Ocean City Planning Board held on January 7, 2026 and memorialized herein pursuant to N.J.S. 40:55D-10 g. (2) on February 4, 2026. This Resolution has been filed in the Office of the Ocean City Planning Board and is available for inspection upon request.



JAIME M. FELKER,
Secretary, Ocean City Planning Board