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**City of Bayonne**  
**DEPARTMENT OF MUNICIPAL SERVICES**  
**DIVISION OF PLANNING & ZONING**  
**MUNICIPAL BUILDING**  
**630 AVENUE C**  
**BAYONNE, NJ 07002**  
**TELEPHONE: 201-858-6110 Fax: 201-858-6185**  
**E-MAIL: ALosonczy@BAYNJ.org**



August 23, 2020

**JAMES M. DAVIS**  
**MAYOR**

Michael Miceli, Esq.  
 Weiner Law Group LLP  
 629 Parsippany Road  
 PO Box 0438  
 Parsippany, NJ 07054

*Rec'd*  
*8-27-2020*  
*AKL*

**Re: 1049 Broadway; Block 45, Lot 24**  
**Your File Number: 23653**

Dear Mr. Miceli:

In response to your August 4, 2020 letter, I have reviewed the file in the Zoning Office for the above-referenced property located in the UBD - Uptown Business District. I understand your your client is seeking to convert a ground floor residential unit to commercial space, however, as per your letter there appears to be an illegal present use for three units at this location; the ground floor apartment (which is approximately 521 square feet), the second floor apartment (which is approximately 732 square feet) and the third floor apartment (which is approximately 729 square feet).

City records reflect the use at this premises to be a three-story, two-unit dwelling. Upon review of the file in the Zoning Office, I discovered an affidavit signed by Nicola Terrana, dated March 21, 2006, attesting to the use as no more than two dwelling units. Please see the attached affidavit. I also have not found a zoning permit for a change of use.

Furthermore, your client proposes a use as a dog grooming facility which is not a permitted use, therefore, a use variance would be required from the Zoning Board of Adjustment. In addition, preliminary and major site plan review and a bulk variance would be required for off-street parking (Section 35-17.6.b) for the third floor apartment.

Review of a complete application and plans by the Board's professionals may determine that additional relief is required. Should your client wish to submit an application to the Board, please contact Lillian Glazewski, Land Use Administrator at 201-858-6182.

Very truly yours,

*Alicia K. Losonczy*  
 Alicia K. Losonczy  
 Zoning Officer

/akl



**City of Bayonne**  
**Department of Finance**  
630 Avenue C  
Bayonne, NJ 07002  
Phone (201) 858-6050 • Fax (201) 823-9825



**Joseph V. Doria, Jr., Mayor**

**Terrence Malloy, Director**

**Joseph G. Nichols, C.T.A., Tax Assessor**

DATE: March 21, 2006

FROM: Rosina J. Bunin, Tax Assessor's Office

TO: John Zgola, Zoning Officer

**RE: Block# 45 Lot# 24**  
**Terrana, Nicola ETUX**  
**1049 Broadway**  
**Bayonne, NJ 07002**

Enclosed please find an affidavit of a two family use for the above-mentioned property. Please note your records accordingly.

If you have any questions, please feel free to call me at 201-858-6051.  
Thank-You.

Encl.

Cc: Michael Feuer - Construction Official/Building Dept.  
Martin Papson - Fire Official/Fire Prevention  
File

**CERTIFICATION AS TO OCCUPANCY & USE OF PREMISES**  
(FEWER THAN THREE DWELLING UNITS)

STATE OF NEW JERSEY ) SS.  
COUNTY OF HUDSON )

**CERTIFICATION IN LIEU OF AFFIDAVIT**

I, Terrana, Nicola, am 18 years of age or older  
(signer of certification)

and do solemnly affirm and say:

1. I own or exercise legal control over the premises located at 1049 B'way  
45/24 in the Municipality of Bayonne, County of Hudson, and the State of New Jersey.
2. As of this date the said premises contain no more than two dwelling units occupied or intended to be occupied by persons living independently of each other.
3. I am not currently using and will not use or allow the use of the premises for more than two dwelling units. I shall notify the City of Bayonne Zoning Officer, Construction Official and Fire Inspection Official as well as the State Bureau of Housing Inspection immediately of any future intention or action taken to convert the premises to contain or to accommodate three or more dwelling units and I understand that permission to do so will be withheld unless I comply with all zoning, fire protection and building codes in effect at that future time.
4. I understand that my statements herein will be relied upon as statements under oath by both state and local officials evaluating building, fire, zoning and housing issues relating to this property.
5. I understand that any person who violates or causes to be violated, any provisions of the Hotel and Multiple Dwelling Law, N.J.S.A. 55:13A-19(a), shall be liable to a penalty of not less than \$50 nor more than \$500 for each violation, and a penalty of not less than \$500 nor more than \$5,000 for each continuing violation; also, I understand, that additional penalties apply for any violation(s) of the fire code, building code and local zoning regulations.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 3/21/06

Nicola Terrana  
Signature of Affiant

Nicola Terrana  
Printed Name of Affiant

1049 B'way - Bayonne, NJ  
Address of Affiant