

NOTICE: WAIVER REQUESTS MADE IN CONNECTION WITH THIS APPLICATION FOR DEVELOPMENT MUST BE SO INDICATED AND WRITTEN JUSTIFICATION OF THE REQUEST MUST BE PROVIDED.

APPLICATION FOR DEVELOPMENT FORM

TYPE OF APPROVAL REQUESTED:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Site Plan | <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Development Permit |
| <input type="checkbox"/> Waiver | <input type="checkbox"/> Major Subdivision | <input type="checkbox"/> Development Permit Waiver |
| <input type="checkbox"/> Minor | <input type="checkbox"/> Sketch Plat | <input type="checkbox"/> Conditional Use |
| <input type="checkbox"/> Preliminary | <input type="checkbox"/> Preliminary | <input type="checkbox"/> Unimproved Road |
| <input type="checkbox"/> Final | <input type="checkbox"/> Final | <input type="checkbox"/> Major Site Plan |
| <input type="checkbox"/> Certificate of Nonconformity | | |

Variances: Use [] Bulk (c) [] (a) [] (b) []

1. Location of proposed development Block 751 (Lot 1.11, 1.14 & 1.15)
 Block 751 Lot(s) 1.11, 1.14 & 1.15 Zone District HS-2
 Proposed use Mixed use multi family.
 Lot Area 272,195 sq. ft. Building area (sq. ft total) 2,044,096 sq. ft.
 Number of off-street parking spaces 1396
 Area (in feet) of any adjoining property controlled by owner _____

2. Name of Applicant: (Mahafaxmi Bayonne Urban Renewal, LLC) Phone No. (908) 245-6264
 Address: 109 WALNUT STREET ROSELLE PARK, NJ 07204 E-mail: _____
 Name of Owner: Om (Mahafaxmi Bayonne, LLC (persons of 1.11, 1.14) & Ma Durga Choudh, LLC (Lot 1.11, 1.14 & person of 1.15) Phone No. (908) 245-6264
 Address: 109 WALNUT STREET ROSELLE PARK, NJ 07204 E-mail: hiren@rmanigroup.net

3. APPLICANT'S ATTORNEY AND EXPECTED WITNESSES:

Applicant's Attorney Donald M. Pepe, Esq.
 Address SCARINCI | HOLLENBECK 331 NEWMAN SPRINGS ROAD BUILDING 3, SUITE 310 RED BANK, NJ
 Telephone Number 732.568.8370 Fax Number 732.568.8372
 E-mail Address dpepe@sh-law.com

Applicant's Engineer MATTHEW J. NEULS, PROFESSIONAL ENGINEER NJ LICENSE NUMBER 24GE04313300
 Address DRESDNER ROBIN 1 EVERTRUST PLAZA SUITE 901 JERSEY CITY, NJ
 Telephone Number (201) 297-4205 Fax Number (201) 217-9607
 E-mail Address MNeuls@DresdnerRobln.com

Applicant's Planning Consultant Charles Heydt
 Address DRESDNER ROBIN 1 EVERTRUST PLAZA SUITE 901 JERSEY CITY, NJ
 Telephone Number (973) 384-1071 Fax Number _____
 E-mail Address cheydt@dresdnerrobln.com

Applicant's Traffic Engineer _____
 Address _____
 Telephone Number _____ Fax Number _____
 E-mail Address _____

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

Name INSITE SURVEYING, LLC
Field of Expertise SURVEYOR
Address 1955 ROUTE 34 SUITE 1A WALL, NJ
Telephone Number (732) 531-7100 Fax Number: (732) 531-7344
E-mail Address: _____

All reports prepared in support of testimony should be submitted ten (10) days in advance of the public hearing.

5. Attach a detailed explanation (*Statement of the Applicant*) of the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises.

6. Attach a copy of the proposed Notice to appear in the Jersey Journal / Star Ledger and to be mailed to the owners of all real property as shown on the property list obtained from the Tax Assessor, of the homeowners within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Board Secretary for the hearing.

An affidavit of service on all property owners and a proof of publication must be filed before the application will be complete and the hearing can proceed.

7. Dates and types of prior development applications for this property: GDP Approval 9/23/19 P-19-022

Type of Use Proposed: _____ Change in occupancy utilizing existing facilities
_____ Addition(s) or expansion of existing facilities
 All new construction
_____ Site work only
_____ Other

Present (or previous) use: Vacant land

Proposed use: Mixed use multi family.

Number of Employees 60 Business hours 24 hours

PROPERTY INFORMATION:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:
Yes [attach copies] _____ No _____ Proposed _____

Note: All deed restrictions, covenants, easements, association by-laws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

Present use of the premises: Vacant land

Is a public water line available? yes

Is public sanitary sewer available? yes

Are any off-tract improvements required or proposed? Yes

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

What form of security does the applicant propose to provide as performance and maintenance guarantees? Performance bond

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

	Yes	No	Date Plans Submitted
Passaic Valley Sewage Commissioners	<u>X</u>	___	_____
Bayonne Municipal Utilities Authority	<u>X</u>	___	_____
_____ Bayonne/Hudson County Health Dept.	___	<u>X</u>	_____
_____ Hudson County Planning Board	___	<u>X</u>	_____
_____ Hudson County Soil Conservation District	<u>X</u>	___	_____
NJ Department of Environmental Protection	___	___	_____
Sewer Extension Permit (TWA)	<u>X</u>	___	_____
Sanitary Sewer Connection Permit	<u>X</u>	<u>X</u>	_____
Stream Encroachment Permit	___	<u>X</u>	_____
Waterfront Development Permit	<u>X</u>	___	_____
Water Extension Permit	<u>X</u>	___	_____
Wetlands Permit	___	<u>X</u>	_____
Tidal Wetlands Permit	___	___	_____
Other (specify) _____	<u>X</u>	___	_____
NJ Department of Transportation	___	<u>X</u>	_____
Public Service Electric & Gas Company	<u>X</u>	___	_____

DISCLOSURE STATEMENT

Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. [Attach pages as necessary to fully comply.]

Name <u>Shaun Gupta</u>	Address <u>1 Flagship, Suite 100, Bayonne, NJ 07002</u>	Interest <u>100%</u>
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____

Applicant's Signature(s) [Signature]

Managing Member
Indicate title if corporation or partnership

VARIANCE RELIEF

1. Application is hereby made for:

_____ Hardship or practical difficulties (See N.J.S.A. 40:55D-70c)

_____ Use and/or structure (See N.J.S.A. 40:55D-70d)

2. Property Description:

Lot size 272,195 sq. ft. Size of Building: 2,044,096 sq. ft. No. of stories: 26

3. This request for variance relief consists of *(list sections of the Ordinance from which variance is requested)* : _____

for the purpose of _____

4. If this application includes both a use variance and either a site plan, subdivision, flood plain permit or conditional use relief, then indicate which of the following is presently being sought by the applicant:

_____ Applicant is presently only seeking the use variance with the subsequent relief to be considered following the granting of the use variance (bifurcate the application).

_____ Applicant is presently seeking all of the necessary relief.

5. Has there been a previous variance appeal or approval of any development application, i.e., site plan, subdivision or conditional use involving the premises? Yes ___ No

If so, attach copies of previous approvals and/or state the date, application number, character of appeal and disposition:

GDP Approval 9/23/19 P-19-022

Site Plan Approval 4/11/23 P-22-018

6. If the application is made for a bulk variance, explain the following:

How will the strict application of the provisions of the ordinance result impractical difficulties or hardship inconsistent with the general purpose or intent of the ordinance?

What are the exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property which do not apply generally to other properties in the same zone or neighborhood?

Explain what efforts have been made by the applicant to acquire adjoining lands so as to reduce the extent of the variance or eliminate the necessity for a variance.

N/A

Explain how the proposed variances can be granted:

a. without substantial detriment to the public good _____

b. without substantially impairing the intent and purpose of the Zoning Ordinance or Zone Plan _____

7. If the application is made for a use variance, explain the following:

a. how the proposed use can be granted without substantial detriment to the public good.

b. how the proposed use can be granted without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance.

c. List the "special reasons" presented by the application.

d. List here any "hardship" related to the nature of the land and/or the neighborhood and which prevents reasonable utilization of the property for any permitted use.

8. List all witnesses expected to testify:

All named professionals


9. Waivers requested of Development Standards, powers or exemptions from N.J. RSIS and/or Submission Requirements: *[attach additional pages as needed]* None

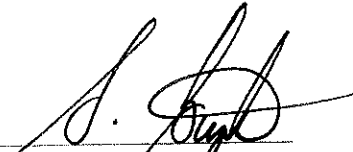
CERTIFICATIONS

I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the corporate applicant and that I am authorized to sign the application for the corporation or that I am a general partner of the partnership applicant.

[If the owner is a corporation an authorized corporate officer must sign this application. If the owner is a partnership a general partner must sign this application.]

Sworn and subscribed to
before me this 11 day
of August, 2023



A Notary Public of New Jersey
Donato - Peck Esq.



Signature of Applicant

I certify that I am the Owner of the property which is the subject of this application and that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

[If the owner is a corporation an authorized corporate officer must sign this application. If the owner is a partnership a general partner must sign this application.]

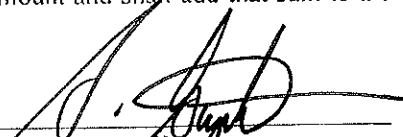
Sworn and subscribed to
before me this 11 day
of August, 2023


A Notary Public of New Jersey
Donato - Peck Esq.


Signature of Owner

I understand that I must submit escrow money in an amount to be determined by the Administrative Officer or his/her designee in accordance with §32-9.2 of the City of Bayonne Land Subdivision and Site Plan Ordinance, which amount will be deposited into an escrow account. I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

Date: 8/11/23


Signature of Applicant

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all

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Variances: Use [] Bulk (c) [] (a) [] (b) []

1. Location of proposed development Block 751 (Lot 1.11, 1.14 & 1.15)
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Number of off-street parking spaces 1396
Area (in feet) of any adjoining property controlled by owner _____

2. Name of Applicant: Om Ganesh Bayonne, LLC Phone No. (908) 245-6264
Address: 109 WALNUT STREET ROSELLE PARK, NJ 07204 E-mail: _____
Name of Owner: RAMANI GROUP Phone No. (908) 245-6264
Address: 109 WALNUT STREET ROSELLE PARK, NJ 07204 E-mail: hiren@rmanigroup.net

3. APPLICANT'S ATTORNEY AND EXPECTED WITNESSES:

Applicant's Attorney Donald M. Pepe, Esq.
Address SCARINCI | HOLLENBECK 331 NEWMAN SPRINGS ROAD BUILDING 3, SUITE 310 RED BANK, NJ
Telephone Number 732.568.8370 Fax Number 732.568.8372
E-mail Address dpepe@sh-law.com

Applicant's Engineer MATTHEW J. NEULS, PROFESSIONAL ENGINEER NJ LICENSE NUMBER 24GE04313300
Address DRESDNER ROBIN 1 EVERTRUST PLAZA SUITE 901 JERSEY CITY, NJ
Telephone Number (201) 297-4205 Fax Number (201) 217-9607
E-mail Address MNeuls@DresdnerRobin.com

Applicant's Planning Consultant Charles Heydy
Address DRESDNER ROBIN 1 EVERTRUST PLAZA SUITE 901 JERSEY CITY, NJ
Telephone Number (973) 384-1071 Fax Number _____
E-mail Address cheydt@dresdnerrobin.com

Applicant's Traffic Engineer _____
Address _____
Telephone Number _____ Fax Number _____
E-mail Address _____

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

Name INSITE SURVEYING, LLC
Field of Expertise SURVEYOR
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Is public sanitary sewer available? Yes

Are any off-tract improvements required or proposed? Yes

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

What form of security does the applicant propose to provide as performance and maintenance guarantees? Performance bond

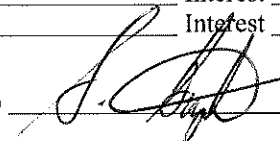
Other approvals, which may be required and date plans submitted:

	Yes	No	Date Plans Submitted
Passaic Valley Sewage Commissioners	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Bayonne Municipal Utilities Authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
_____ Bayonne/Hudson County Health Dept.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
_____ Hudson County Planning Board	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
_____ Hudson County Soil Conservation District	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
NJ Department of Environmental Protection	<input type="checkbox"/>	<input type="checkbox"/>	_____
Sewer Extension Permit (TWA)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Sanitary Sewer Connection Permit	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Stream Encroachment Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Waterfront Development Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Water Extension Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Wetlands Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Tidal Wetlands Permit	<input type="checkbox"/>	<input type="checkbox"/>	_____
Other (specify) _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
NJ Department of Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Public Service Electric & Gas Company	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____

DISCLOSURE STATEMENT

Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. *[Attach pages as necessary to fully comply.]*

Name <u>Sanjay Gupta</u>	Address <u>1 Flagship Street, Suite 100, Bayonne, NJ, 07002</u>	Interest <u>50%</u>
Name <u>Hiren Ramani</u>	Address <u>109 Walnut Street, Roselle Park, NJ 07204</u>	Interest <u>50%</u>
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____

Applicant's Signature(s) , Authorized Rep.

Authorized Representative
Indicate title if corporation or partnership

VARIANCE RELIEF

1. Application is hereby made for:

Hardship or practical difficulties (See N.J.S.A. 40:55D-70c)

Use and/or structure (See N.J.S.A. 40:55D-70d)

2. Property Description:

Lot size 272,195 sq. ft. Size of Building: 2,044,096 sq. ft. No. of stories: 26

3. This request for variance relief consists of (*list sections of the Ordinance from which variance is requested*): Relief is requested from the requirement to provide 10% landscaping in parking areas where 0% is proposed where all parking is provided in interior structures

for the purpose of _____

4. If this application includes both a use variance and either a site plan, subdivision, flood plain permit or conditional use relief, then indicate which of the following is presently being sought by the applicant:

Applicant is presently only seeking the use variance with the subsequent relief to be considered following the granting of the use variance (bifurcate the application).

Applicant is presently seeking all of the necessary relief.

5. Has there been a previous variance appeal or approval of any development application, i.e., site plan, subdivision or conditional use involving the premises? Yes No

If so, attach copies of previous approvals and/or state the date, application number, character of appeal and disposition:

GDP Approval 9/23/19 P-19-022

GDP Approval 4/11/23 P-22-018

6. If the application is made for a bulk variance, explain the following:

How will the strict application of the provisions of the ordinance result impractical difficulties or hardship inconsistent with the general purpose or intent of the ordinance?

It is impractical if not impossible to provide landscaping indoors

What are the exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property which do not apply generally to other properties in the same zone or neighborhood?

Explain what efforts have been made by the applicant to acquire adjoining lands so as to reduce the extent of the variance or eliminate the necessity for a variance.

N/A

Explain how the proposed variances can be granted:

- a. without substantial detriment to the public good The requested relief will have no impact on the public good and will in fact further the public good through compliance with the requirement to provide on-site parking
 - b. without substantially impairing the intent and purpose of the Zoning Ordinance or Zone Plan The zone plan requires on-site parking at a ratio of 1.1/1 which can only be provided in structured parking
-
-

7. If the application is made for a use variance, explain the following:

- a. how the proposed use can be granted without substantial detriment to the public good.

- b. how the proposed use can be granted without substantially impairing the intent and purpose of the Zone Plan and Zoning Ordinance.

- c. List the "special reasons" presented by the application.

- d. List here any "hardship" related to the nature of the land and/or the neighborhood and which prevents reasonable utilization of the property for any permitted use.

8. List all witnesses expected to testify:

All named professionals

9. Waivers requested of Development Standards, powers or exemptions from N.J. RSIS and/or Submission Requirements: [attach additional pages as needed] None

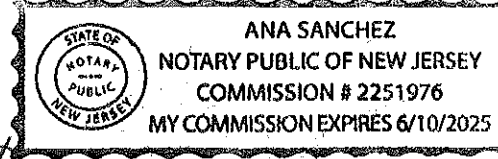
CERTIFICATIONS

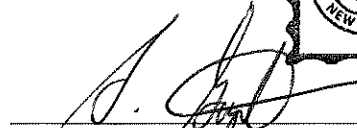
I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the corporate applicant and that I am authorized to sign the application for the corporation or that I am a general partner of the partnership applicant.

[If the owner is a corporation an authorized corporate officer must sign this application. If the owner is a partnership a general partner must sign this application.]

Sworn and subscribed to
before me this 17 day
of May, 2023


A Notary Public of New Jersey

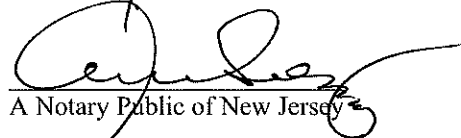


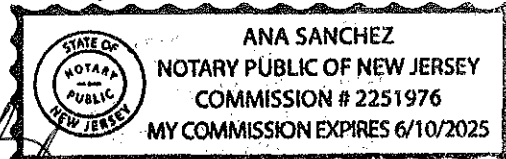

Signature of Applicant


I certify that I am the Owner of the property which is the subject of this application and that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

[If the owner is a corporation an authorized corporate officer must sign this application. If the owner is a partnership a general partner must sign this application.]

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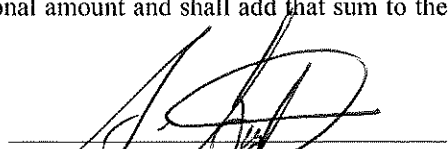

A Notary Public of New Jersey




Signature of Owner

I understand that I must submit escrow money in an amount to be determined by the Administrative Officer or his/her designee in accordance with §32-9.2 of the City of Bayonne Land Subdivision and Site Plan Ordinance, which amount will be deposited into an escrow account. I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

Date: 5-17-23.


Signature of Applicant