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April 8, 2026

Via Federal Express & Electronic Mail

Zoning Board of Adjustment
Department of Planning, Zoning, and Development
City of Bayonne
630 Avenue C (Room 13)
Bayonne, New Jersey 07002
Attn: Alicia K. Losonczy, Land Use Administrator
alosonczy@baynj.org

Re: Incompleteness Response Letter
App. No.: Z-25-007
Applicant: 177 3rd Street, LLC
Premises: 33 East Second Street
Block 371, Lot 2
Zone District: R-2 Detached/Attached Residential

Dear Ms. Losonczy:

This office represents 177 3rd Street, LLC (“Applicant”) in connection with Application Number Z-25-007 (the “Application”) filed for the property designated as Block 371, Lot 2 on the Tax Maps of the City of Bayonne and commonly known as 33 East Second Street (the “Property”). Please accept this correspondence and the enclosed materials as the Applicant’s response to the “Certificate of Completeness Review” prepared by the City Engineer, Greg A. Valesi, PE, CME, dated November 7, 2025, which deemed the Application administratively “incomplete.”

The Property is currently improved with a one-family dwelling. The Applicant is seeking bulk (“c”) variance relief to modify and convert the existing dwelling into a two-family home. To achieve this, the Applicant is proposing to construct a two-story addition to the existing structure. Additional proposed improvements include grading modifications, the installation of new concrete and pavement, and stormwater management / drainage measures. The Property is in the R-2 Detached/Attached Residential Zoning District, which permits two-family residences.

Pursuant to Section 33-4.3 of the City’s Planning and Development Regulations, the Application

is exempt from site plan approval as it proposes the establishment of a new two-family home.¹ Because the Application requires bulk (“c”) variances but is exempt from site plan review, jurisdiction lies with the Zoning Board of Adjustment, even though the proposed use is permitted.

Although exempt from formal site plan requirements, the enclosed Variance Plan, which has been updated to address the City Engineer’s supplemental requests, provides sufficient detail to confirm that the site will operate safely and efficiently. This includes specific designs for on-site parking arrangements and vehicle circulation.² Additional photographs depicting the rear yard parking area and garage are enclosed. In addition, stormwater management / drainage improvements, including the collection of all roof water runoff, have been incorporated into the design.

As it relates to use of the shared driveway, an entity affiliated with the Applicant owns the neighboring property at 31 East 2nd Street (Block 3771, Lot 1). While there is currently no known recorded easement governing use of the shared driveway, the Applicant is willing to formalize a maintenance and access agreement if required by the Board. This agreement would prohibit parking within the shared driveway to ensure unobstructed ingress and egress for both properties.

Enclosed are four (4) collated packets containing the following documents, plans, and supporting materials:

- Revised “Variance Plan” prepared by EKA Associates P.A. (*Joseph N. Bachi, PE, CME, N.J. Lic. No. 24GE05325200*), dated June 5, 2025 and last revised February 26, 2026, consisting of two (2) sheets and the “Existing Conditions Plan” prepared by EKA Associates P.A. (*Waynes K. Applegate, PLS, N.J. Lic. No. 35347*), dated June 5, 2025, consisting of one (1) sheet.
- Set of four (4) color photographs depicting the rear yard area, garage, and shared driveway taken by a representative of the Applicant on or about December 12, 2025.

Once the foregoing and enclosed are processed and reviewed, kindly please confirm that the Application is “complete.” Thereafter, kindly please schedule this matter for the earliest available hearing before the Zoning Board of Adjustment.

Thank you for your continued assistance with this matter. Please do not hesitate to contact this office with any questions or if additional information or documentation is required.

¹ Prior to the issuance of a permit for the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure, the excavation or filling of soil, or for the use or change of use of an existing property, site plan review and approval shall be required, **except as hereinafter exempted**; provided that **site plan review is not required for new construction of, or additions to, detached one and two dwelling unit buildings and their customary accessory structures**. Chapter 33, Section 4.3 (emphasis added).

² See the Turning Template added to Sheet 2 of 2 of the Variance Plan at the City Engineer’s request.

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177 3rd Street LLC
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Sincerely,

/s/ Matthew P. Posada
Matthew P. Posada

MPP/JJK
Enclosures

cc: 177 3rd Street, LLC
EKA Associates, P.A.
Creative Architecture
Joshua J. Koodray, Esq. (JKoodray@sillscummis.com)