

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 checked="" type="checkbox"/> Amended Preliminary	<input type="checkbox"/> Preliminary	<input type="checkbox"/> Unimproved Road
<input checked="" type="checkbox"/> Amended 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 9-11 West 12th and 281, 283-287 & 289 Broadway
 Block 264 Lot(s) 15, 16, 17 18 Zone District 11/2/18 Amendments to 8th St. Rehabilitation Plan, Rehab SIII #7
 Proposed use Amend Dec. 6, 2020 Planning Board Approval of 10 story, 100 unit residential, 2,420 sf ground floor retail, with 106 on-site parking spaces to permit an additional 28 residential units and 34 additional on-site parking spaces to be reconfigured into floor plans of approved 10 story building
 Lot Area Approx. 0.432 acres Building area (sq. ft total) See plans
 Number of off-street parking spaces 140 (106 previously approved)
 Area (in feet) of any adjoining property controlled by owner N/A

2. Name of Applicant: Bayonne Equities B II Urban Renewal, LLC Phone No. c/o Michael Miceli, Esq.
 Address: 3119 Newtown Ave., Ste 302, Astoria, NY 11102 E-mail: mike@primelaw.com
 Name of Owner: Same as Applicant Phone No. c/o Michael Miceli, Esq.
 Address: Same as Applicant E-mail: c/o Michael Miceli, Esq.

3. APPLICANT'S ATTORNEY AND EXPECTED WITNESSES:

Applicant's Attorney Michael Miceli, Esq.
 Address Prime & Tuvel, 2 University Plaza Drive Suite 109, Hackensack, NJ 07601
 Telephone Number 201 883 1010 Fax Number 856-273-8383
 E-mail Address Mike@primelaw.com

Applicant's Engineer Dynamic Engineering, Joseph Sparone, PE
 Address 245 Main St., Suite 110, Chester, NJ 07930
 Telephone Number 908-879-9229 Fax Number _____
 E-mail Address jsparone@dynamicec.com

Applicant's Planning Consultant Dresdner Robin, Edward Kolling, PP
 Address 1 Evertrust Plaza, Ste. 901, Jersey City, NJ 07302
 Telephone Number 201-266-5657 Fax Number _____
 E-mail Address ekolling@dresdnerrobin.com

Applicant's Traffic Engineer Dynamic Engineering, Craig Peregoy PE
 Address 245 Main St., Suite 110, Chester, NJ 07930
 Telephone Number 732-681-0760 Fax Number _____
 E-mail Address cperegoy@dynamictraffic.com

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 Melamed Architect, PC, Yossi Melamed, RA, AIA

Field of Expertise Architect

Address 152 W. 57th St., Ste. 303, New York, NY 10001

Telephone Number 212-203-5053

Fax Number: _____

E-mail Address: yosef@melamedarchitect.com

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: The Planning Bd approved a 10 story 100 residential unit w/ 106 on-site parking spaces and 2460 sf ground floor retail by Resolution dated Dec. 8, 2020, App# 20-020, attached;

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: Masonry mixed use buildings, dilapidated parking area

Proposed use: Amended P&F Site Plan Application proposes internal reconfiguring of 2020 Approval to add 28 residential units and 34 on-site parking spaces

Number of Employees TBA Business hours TBA

PROPERTY INFORMATION:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:
Yes [attach copies] 10/7/20 Redevelopment Agreee 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: older mixed use masonry buildings, parking lot

ADDENDUM TO APPLICATION: DISCLOSURE STATEMENT (September 23, 2021)

The following persons or entities are the owners of a 10% or more interest in

Applicant, Bayonne Equities BII Urban Renewal LLC:

|

B2 Investors LLC - 100%

|

B2 GP LLC - 88.67%

|

(11.33% owned by two entities, each under 10%)

|

25%- Eli Stoli, individually (Laurel Ave. Clifton, NJ)

25% Lior Darel, individually (Plaza Road, Greenvale, NY)

25% Royal Dornack LP (a DE LP), 99% interest in Gabriel Lazar, partner, (Plaza Road, Greenvale, NY)

25% Kapi Holdings 2 LLC (a NJ LLC) 100% interest in Dimitris Vattes, member

Unless indicated, owner addresses are 3119 Newton Ave., Ste. 302, Astoria NY 11102

VARIANCE RELIEF

1. Application is hereby made for:

N/A 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 0.423 acres Size of Building: See Plans No. of stories: 10

3. This request for variance relief consists of (*list sections of the Ordinance from which*

variance is requested): PB 20-020 dated Dec. 8, 2020, found that no variance from number of stories was required under the Land Use Ordinance or

Redevelopment Plan. This Amended Application is variance free: it does not affect number of stories nor any external bulk regulation applicable to the approved building.

Proposed Internal changes to unit count (+ 28) or parking space (+34) meet Ordinance and Redevelopment Plan standards.

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:

N/A 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).

N/A 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:

Planning Board Resolution dated Dec. 8, 2020, #20-020, attached

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?

No variance is required. Testimony to be provided as required

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?

No variance is required. Testimony to be provided as required.

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 N/A

b. without substantially impairing the intent and purpose of the Zoning Ordinance or Zone Plan N/A

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.

N/A

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

N/A

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

N/A

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.

N/A

8. List all witnesses expected to testify:

Professional Experts listed in #3 above; Applicant reserves the right to call other witnesses as deemed necessary in the course of the Application and hearing.

9. Waivers requested of Development Standards, powers or exemptions from N.J. RSIS and/or Submission Requirements: *[attach additional pages as needed]* Waiver of Administrative Item I. #2, "Order of Administrative Officer precipitating application " requested; item not applicable.

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 23 day of AUGUST, 2021



Sally C La
NOTARY PUBLIC BAYONNE EQUITIES BII URBAN
State of New Jersey RENEWAL, LLC
ID # 50111300
My Commission Expires
August 26, 2024

[Signature]
A Notary Public of New Jersey

[Signature]
Signature of Applicant
By: **JASON R. TUVEL**
ATTORNEY FOR 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 ___ day of _____, 201__

BAYONNE EQUITIES BII URBAN
RENEWAL, LLC

A Notary Public of New Jersey

Signature of Owner
By:

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.

BAYONNE EQUITIES BII URBAN
RENEWAL, LLC

Date: _____

[Signature]
Signature of Applicant
By: **JASON R. TUVEL**
ATTORNEY FOR APPLICANT

Is a public water line available? Yes

Is public sanitary sewer available? Yes

Are any off-tract improvements required or proposed? No

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? Bond, cash, letter of credit or as otherwise permitted by law

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"/>	Utility Permit
Bayonne Municipal Utilities Authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Utility Permit
_____ Bayonne/Hudson County Health Dept.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Construction permit
_____ Hudson County Planning Board	<input checked="" type="checkbox"/>	<input type="checkbox"/>	will file for exemption
_____ Hudson County Soil Conservation District	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Permit issued 6.2.21
NJ Department of Environmental Protection			
Sewer Extension Permit (TWA)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TBS
Sanitary Sewer Connection Permit	<input type="checkbox"/>	<input type="checkbox"/>	
Stream Encroachment Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Waterfront Development Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Water Extension Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Wetlands Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Tidal Wetlands Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Other (specify) _____	<input type="checkbox"/>	<input checked="" 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"/>	Utility Permit

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	Address	Interest
See attached Schedule		
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Applicant's Signature(s) Jason R. Turel ESQ.
JASON R. TUREL, ESQ. ATTORNEY FOR APPLICANT

Indicate title if corporation or partnership