

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"/> Preliminary	<input type="checkbox"/> Preliminary	<input type="checkbox"/> Unimproved Road
<input checked="" 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 148 East 5th Street
 Block 359 Lot(s) 7 Zone District I-H
 Proposed use Warehouse Facility Improvements

Lot Area 7.52 Ac Building area (sq. ft total) Ex Building 1: 20,384 SF Footprint; 40,768 SF Total
 Number of off-street parking spaces 88 Ex Building 2: 8,187 SF Footprint; 16,374 SF Total
 Area (in feet) of any adjoining property controlled by owner N/A

2. Name of Applicant: Prologis, L.P. Phone No. (201) 528-9579
 Address: One Meadowlands Plaza Suite 100, East Rutherford, NJ 07073 E-mail: ebermek@prologis.com
 Name of Owner: Ibar Ventures, LLC Phone No. _____
 Address: 148 East 5th Street, Bayonne, NJ 07002 E-mail: _____

3. APPLICANT'S ATTORNEY AND EXPECTED WITNESSES:

Applicant's Attorney Chris J. Murphy - Murphy Schiller & Wilkes LLP
 Address 24 Commerce Street, 12th Floor, Newark, NJ 07102
 Telephone Number (973) 705-7421 Fax Number _____
 E-mail Address cmurphy@murphyllp.com

Applicant's Engineer Joshua M. Sewald, PE, PP - Dynamic Engineering Consultants, PC
 Address 1904 Main Street, Lake Como, NJ 07719
 Telephone Number (732) 974-0198 Fax Number (732) 974-3521
 E-mail Address jsewald@dynamiccec.com

Applicant's Planning Consultant _____
 Address _____
 Telephone Number _____ Fax Number _____
 E-mail Address _____

Applicant's Traffic Engineer Corey Chase, PE - Dynamic Traffic, LLC
 Address 245 Main Street, Suite 110, Chester, NJ 07930
 Telephone Number (732) 681-0760 Fax Number (732) 974-3521
 E-mail Address cchase@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 _____
Field of Expertise _____
Address _____
Telephone Number _____ Fax Number: _____
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: _____

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: Warehouse Facility

Proposed use: Warehouse Facility Improvements

Number of Employees TBD Business hours TBD

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: Warehouse Facility

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? TBD

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

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

Applicant's Signature(s)

Indicate title if corporation or partnership

VARIANCE RELIEF

1. Application is hereby made for:

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

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

Ex Building 2: 8,187 SF Footprint

2. Property Description: Ex Building 1: 20,384 SF Footprint 16,374 Sf Total

Lot size 7.52 Ac Size of Building: 40,768 SF Total No. of stories: 2 per building

3. This request for variance relief consists of *(list sections of the Ordinance from which variance is requested)*: Front Yard Setback - 35 Attachment 1

Maximum Lot Coverage - § 35-5.17.e.8

_____ 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:

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?

Front Yard Setback (35 Attachment 1) - Strict application would require the demolition of the existing building that is currently occupied by the existing tenant. Therefore, undo financial hardship would impact both the property owner and tenant of the building in question.

Max Lot Coverage (§ 35-5.17.e.8) - In the existing condition the site does not comply. The proposed project will result in reduction of impervious surface coverage, but will still exceed the maximum lot coverage permitted by the ordinance section.

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?

The intensity of development and impervious coverage is similar to the surrounding properties.

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 Both variances sought by this application
represent existing non-conformities that will be reduced in intensity.
 - b. without substantially impairing the intent and purpose of the Zoning Ordinance
or Zone Plan In the proposed condition, the intensity of development will be consistent with the surrounding
properties.
-

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:

Joshua M. Sewald, PE, PP - Dynamic Engineering Consultants, PC

Corey Chase, PE - Dynamic Traffic, LLC

9. Waivers requested of Development Standards, powers or exemptions from N.J. RSIS and/or Submission Requirements: *[attach additional pages as needed]* _____

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 16th day of March, 2022

SYLVIA ANDREU
Notary Public, State of New Jersey
My Commission Expires
February 22, 2023

Sylvia Andreu
A Notary Public of New Jersey

[Signature]
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 16th day of March, 2022

SYLVIA ANDREU
Notary Public, State of New Jersey
My Commission Expires
February 22, 2023

Sylvia Andreu
A Notary Public of New Jersey

[Signature]
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: 3/16/2022

[Signature]
Signature of Applicant



10 PERCENT DISCLOSURE

Subject Property: 148 East 5th Street, Bayonne, New Jersey

Applicant: 148 East 5th Street LLC, a Delaware limited liability company

Applicant's Address: 1800 Wazee Street, Denver, Colorado 80202 (Corporate Office); One Meadowlands Plaza, Suite 100, East Rutherford, New Jersey 07073 (New Jersey Office)

DISCLOSURE STATEMENT:

Applicant is owned 100% by Prologis, L.P., a Delaware limited partnership, with an address of Pier 1, Bay 1, San Francisco, California 94111 (Corporate Office).

The general partner of Prologis, L.P. is Prologis, Inc., a Maryland corporation, with an address of 1800 Wazee Street, Denver, Colorado 80202. Prologis, Inc. owns 97% of Prologis, L.P.

Prologis, Inc. is a publicly traded corporation. No individual or entity owns more than 10% interest in Prologis, Inc. Ownership information is available in the public Securities and Exchange Commission filings.