

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

CITY OF BAYONNE APPLICATION FORM

Date of Submittal of Application: March 11, 2022

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 checked="" type="checkbox"/> Major Subdivision	<input type="checkbox"/> Development Waiver
<input type="checkbox"/> Minor	<input type="checkbox"/> Sketch Plat	<input type="checkbox"/> Conditional Use
<input checked="" type="checkbox"/> Major	<input checked="" type="checkbox"/> Preliminary	<input type="checkbox"/> Unimproved Road
<input checked="" type="checkbox"/> Preliminary (All Phases)	<input checked="" type="checkbox"/> Final	<input type="checkbox"/> Amnesty Program
<input checked="" type="checkbox"/> Final (Phase One only)		

Variances: TBD and supplemented if applicable

1. Location of proposed development Block 830, Lots 1.05, 1.06 and 1.07 and a portion of Memorial Boulevard (the "Property"), a/k/a, the Bayonne Bay East Redevelopment Area, located on the Peninsula at Bayonne Harbor

Zone District Bayonne Bay East Redevelopment Plan dated June 13, 2017 with Revisions dated July 10, 2018 and December 1, 2019 (collectively, the "Redevelopment Plan")

Proposed Uses Three development phases to construct the following:
Five residential buildings with a total of 1,250 multi-family dwelling units;
Up to 10,000 SF retail (ground floor of one residential building);
Two parking structures; Multiple surface parking areas;
Interior private roadways, sidewalks, utilities and amenities; Landscaped park;
Hudson River Waterfront Walkway; and other items shown on the filed plans.

Lot Area See plans Building Area See plans
 Number of Parking spaces See plans 788 off-street spaces in parking structures and 97 on-street spaces in surface parking lots
 Area (in feet) of any adjoining property controlled by owner NA

2. Name of Applicant Bayonne Partners Urban Renewal, LLC, c/o Sam Boraie, Member
 Address 120 Albany Street, Suite 8, New Brunswick, New Jersey 08901
 Phone 732-846-3636 Email sam@boraie.com

Name of Owner City of Bayonne Phone _____

3. APPLICANT'S ATTORNEY AND EXPECTED WITNESSES

Applicant's Attorney Weiner Law Group LLP, c/o Glenn C. Kienz, Esq.
 Address 629 Parsippany Rd., Parsippany, NJ 07054
 Telephone Number 973-403-1100
 Email gkienz@weiner.law pgogick@weiner.law

Applicant's Engineer Stonefield Engineering & Design c/o Joshua Kline, P.E.
Address 92 Park Avenue, Rutherford, NJ 07070
Telephone Number 201-340-4468

Applicant's Architect NKA Architects c/o Allen R. Kopelson, AIA
Address 95 Washington Street, Morristown, NJ 07960
Telephone 973-539-5353

Applicant's Planning Consultant Stonefield Engineering & Design
Address 92 Park Avenue, Rutherford, NJ 07070
Telephone Number 201-340-4468

Applicant's Traffic Engineer Stonefield Engineering & Design
Address 92 Park Avenue, Rutherford, NJ 07070
Telephone Number 201-340-4468

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 Applicant will revise if applicable
Field of Expertise _____
Address _____
Telephone Number _____

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

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.

See attached Statement of the Applicant with respect to Application for Preliminary and Final Major Subdivision, Preliminary Site Plan Application for Phases One, Two and Three and Final Site Plan Application for Phase One.

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.

To be supplied.

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. Applicant will comply.

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. Applicant will comply.

7. Dates and types of prior development applications for this property.

The Property is part of the Peninsula at Bayonne Harbor, which lands were previously known as the (United States) Military Ocean Terminal, Bayonne (MOTBY). The Property has received various approvals by the City of Bayonne, Owner of the Property, including designation as a redevelopment area and adoption and amendment of redevelopment plans. The Property has received various permits and approvals from the New Jersey Department of Environmental Protection (NJDEP) and the New Hersey Department of Transportation (NJDOT). To the best of Applicant's knowledge, there are no known prior land use applications for development of the subject Property.

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

Present (or previous) use Vacant land

Proposed use Multi-family residential and retail

Number of Employees TBD Business hours TBD

PROPERTY INFORMATION

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:
Deeds Attached X Restrictions X Proposed TBD
See attached title report. Restrictions, if any, will not impede the project .

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. Any existing structures and remains to be demolished and removed.

Is a public water line available? Yes

Is public sanitary sewer available? Yes

Are any off-tract improvements required or proposed? See plans

Is the subdivision to be filed by Deed or Plat? Plat

What form of security does the applicant propose to provide as performance and maintenance guarantees?
Bond, letter of credit, cash or as otherwise permitted by law.

Other approvals which may be required:

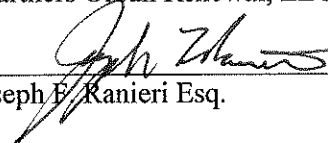
	Yes	No	Date Plans Submitted
Passaic Valley Sewage Commissioners	<u>X</u>	<u> </u>	<u>TBS</u>
Bayonne Municipal Utilities Authority	<u>X</u>	<u> </u>	<u>TBS</u>
Bayonne/Hudson County Health Dept.	<u> </u>	<u>X</u>	<u> </u>
Hudson County Planning Board	<u>X</u>	<u> </u>	<u>TBS</u>
Hudson County Soil Conservation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

DISCLOSURE STATEMENT - Ownership of Applicant Entity

Pursuant to N.J.S. 40:55D-48.1 and 40:55D-48.2, below is a list of the names and addresses of all persons owning 10% or more interest in the Applicant entity known as Bayonne Partners Urban Renewal, LLC.

Omar Boraie, Member 120 Albany Street, Suite 8, New Brunswick, New Jersey 08901
Sam Boraie, Member 120 Albany Street, Suite 8, New Brunswick, New Jersey 08901
Wasseem Boraie, Member 120 Albany Street, Suite 8, New Brunswick, New Jersey 08901

WEINER LAW GROUP LLP
Attorneys for Applicant,
Bayonne Partners Urban Renewal, LLC

By: 
Joseph E. Kanieri Esq.

Date signed: March 11, 2022

VARIANCE RELIEF

1. Application is hereby made for: TBD and supplemented if required.

TBD Hardship or practical difficulties (See N.J.S.A. 40:55D-70c)
NA Use and/or structure (See N.J.S.A. 40:55D-70d)

2. Property Description:
Lot Size Area See plans Size of Building Area See plans
Number of stories See plans

3. This request for variance relief consists of *(list sections of the Ordinance from which variance is requested)* TBD
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.
NA Applicant is presently only seeking the use variance with the subsequent relief to be considered following the granting of the use variance.
All at this time Applicant is presently seeking all of the necessary relief. *(Bifurcate the application)*.

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 NA No NA
If so, attach copies of previous approvals and/or state the date, application number, character of appeal and disposition.
NA

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

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

b. 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?
NA

c. 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.
NA

d. Explain how the proposed variances can be granted:
Without substantial detriment to the public good; and,

NA

Without substantially impairing the intent and purpose of the Zoning Ordinance or Zone Plan.

NA

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;

NA

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

NA

c. List the "special reasons" presented by the application; and,

NA

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.

NA

8. List all witnesses expected to testify.

The Applicant's professionals will testify about the details of the Application. The Applicant reserves the right to present other witnesses at the hearing.

9. Waivers requested from Development Standards, powers or exemptions from N.J. RSIS and/or Submission Requirements.

Submission Waiver is requested from the checklist submission requirement of providing a denial letter from the Zoning Officer because: (a) this Property is subject to a Redevelopment Plan; and (b) the Municipal Land Use Law permits direct application to this Board.


Additional submission waivers and deviations from the Redevelopment Plan's regulations are TBD and, if required, the application will be supplemented.

The Applicant requests any other applicable approvals or waivers.

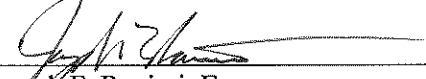
CERTIFICATIONS

I certify that the foregoing statements and the materials submitted are true to the best of my knowledge. I further certify that I am authorized to sign the application for the Applicant.

Sworn and subscribed
before me this 11th day
of March, 2022


A Notary Public of New Jersey
ANNE MARIE PIZZUTO
Attorney at Law of NJ

WEINER LAW GROUP LLP
Attorneys for Applicant
Bayonne Partners Urban Renewal, LLC

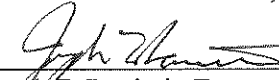
By: 
Joseph F. Ranieri, Esq.
Applicant's Attorney

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.

Property Owner Consent to the Application from the City of Bayonne is to be supplied.

I understand that the Applicant 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 direct the Applicant to add that sum to the escrow account within fifteen (15) days.

WEINER LAW GROUP LLP
Attorneys for Applicant,
Bayonne Partners Urban Renewal, LLC

By: 
Joseph F. Ranieri, Esq.
Applicant's Attorney


Date: March 11, 2022

AFFIDAVIT OF OWNERSHIP

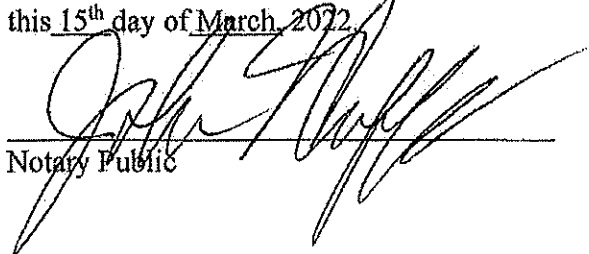
STATE OF NEW JERSEY]

COUNTY OF HUDSON]

James M. Davis, Mayor of the City of Bayonne, being of full age, being duly sworn according to law on oath, deposes and says, that the City of Bayonne is the owner in fee of all that certain lot, piece or parcel of land situated, lying, and being the municipality aforesaid, and known and designated as Block 830, Lots 1.05, 1.06, 1.07 and a portion of Memorial Boulevard.


James M. Davis, Mayor
On Behalf of the City of Bayonne

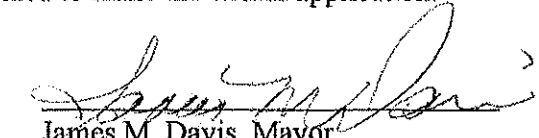
Sworn to and subscribed before me
this 15th day of March, 2022.


Notary Public

If anyone other than the above owner is making this application, the following authorization must be executed:

Bayonne Partners Urban Renewal, LLC is hereby authorized to make the within application.

Date: March 15, 2022


James M. Davis, Mayor
On Behalf of the City of Bayonne