

**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 checked="" type="checkbox"/> Major Site Plan
<input type="checkbox"/> Certificate of Nonconformity		

Variances: Use [ ] Bulk (c) [ ] (a) [ ] (b) [ ]  
N/A

1. Location of proposed development 80-84 East 25th Street, Bayonne, New Jersey, 07002  
Block 442 Lot(s) 14 Zone District Redevelopment Plan  
Proposed use Residential building with 14 residential units, 15 parking spaces, and 9 bicycle parking spaces

Lot Area 6,578 sq. ft. Building area (sq. ft total) See plans  
Number of off-street parking spaces 15  
Area (in feet) of any adjoining property controlled by owner N/A

2. Name of Applicant: 40 Cottage Street, LLC Phone No. 201-401-1044  
Address: 10 Kenneth Ct. Summit, NJ 07901 E-mail: hpm440@gmail.com  
Name of Owner: Joseph Riela Phone No. 201-320-6046  
Address: 10 Kenneth Ct. Summit, NJ 07901 E-mail: hpm440@gmail.com

**3. APPLICANT'S ATTORNEY AND EXPECTED WITNESSES:**

Applicant's Attorney Michael Miceli, Prime Tuvel & Miceli  
Address 1 Evertrust Plaza, Suite 1202, Jersey City, NJ 07302  
Telephone Number 201-399-0137 Fax Number 856-273-8383  
E-mail Address mike@primelaw.com

Applicant's Engineer Jordan Cecinini, PE, Hudson Engineering, LLC  
Address 25 West 8th Street, Ste. B, Bayonne, NJ 07002  
Telephone Number 201-589-0906 Fax Number \_\_\_\_\_  
E-mail Address info@hudsoneng.com

Applicant's Planning Consultant John McDonough, LA, PP, AICP, John McDonough Associates, LLC  
Address 101 Gibraltar Drive, Suite 1A, Morris Plains, NJ 07950  
Telephone Number 973-222-6011 Fax Number \_\_\_\_\_  
E-mail Address jmcdonoughpp@gmail.com

Applicant's Traffic Engineer N/A  
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 Stephen Kawalek, Kawalek, + Kawalek Architects, LLC  
Field of Expertise Architecture  
Address 772 1/2 Broadway, Bayonne, NJ 07002  
Telephone Number 201-437-0648 Fax Number: 201-535-8676  
E-mail Address: steve.kawalek@gmail.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. \* **TBP prior to hearing**

**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: See attached "Prior Approvals"

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

Proposed use: Residential building with 14 residential units, 15 parking spaces, and 9 bicycle parking spaces

Number of Employees TBD Business hours Permitted by law.

**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

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"/>	TBS
Bayonne Municipal Utilities Authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TBS
_____ Bayonne/Hudson County Health Dept.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
_____ Hudson County Planning Board	<input type="checkbox"/>	<input checked="" type="checkbox"/>	LONI Request TBS
_____ Hudson County Soil Conservation District	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TBS
NJ Department of Environmental Protection	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TBS
Sewer Extension Permit (TWA)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TBS
Sanitary Sewer Connection Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TBS
Stream Encroachment Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Waterfront Development Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Water Extension Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TBS
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"/>	TBS

**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 "Disclosure Statement"	_____	_____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____
Name _____	Address _____	Interest _____

Applicant's Attorney in Fact Signature(s) 

\_\_\_\_\_ Indicate title if corporation or partnership

**VARIANCE RELIEF**

1. Application is hereby made for:

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

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

2. Property Description:

Lot size 6,578 sq. ft Size of Building: See Plans No. of stories: 4

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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 X 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?

N/A

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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?

N/A

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

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Explain how the proposed variances can be granted:

a. without substantial detriment to the public good \_\_\_\_\_

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

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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

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

N/A

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

N/A

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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

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8. List all witnesses expected to testify:

Steve Kawalek, Architect

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Jordan Cecinini, Engineer

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John McDonough, Planner

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

See attached "Statement of the Applicant"

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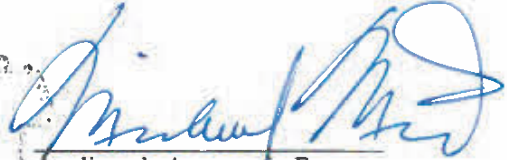
**CERTIFICATIONS**

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 NOVEMBER, 2014


  
David A. Rubin, Esquire  
Attorney At Law  
State of New Jersey  
A Notary Public of New Jersey

  
Applicant's Attorney in Fact

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.]*

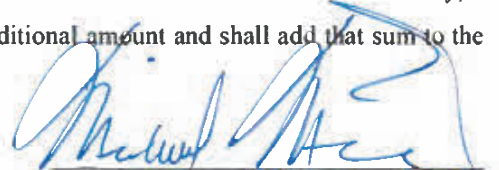
Sworn and subscribed to before me this 11 day of NOVEMBER, 2014

  
David A. Rubin, Esquire  
Attorney At Law  
State of New Jersey  
A Notary Public of New Jersey

  
Owner's Attorney in Fact

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: 11/11/24

  
Applicant's Attorney in Fact

## STATEMENT OF THE APPLICANT

**Applicant:** 40 Cottage Street, LLC

**Property:** 80-84 E. 25<sup>th</sup> Street, Bayonne, New Jersey  
Block 442 Lot 14

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40 Cottage Street LLC (the “Applicant”) owns the property located at 80-84 East 25<sup>th</sup> Street, which is designated as Block 442, Lot 14 on the City of Bayonne (the “City”) Tax Duplicate (the “Property”). The Property is located centrally on East 25<sup>th</sup> Street, between Prospect Avenue and Avenue “F” and is zoned under a redevelopment plan (the “Redevelopment Plan”), which permits multi-family residential dwellings.

The Property previously contained a warehouse building. The prior building is to be demolished. Applicant is seeking preliminary and final major site plan approval along with any other ancillary relief (if determined to be necessary) (the “Application”) to construct a six-story residential building, containing 14 residential units, 15 parking spaces which includes 2 EV spaces, 9 bicycle parking spaces, with various other improvements shown on the filed plans. The Application’s proposed use and structure are permitted as-of-right under the Redevelopment Plan.

The Applicant requests a submission waiver of the following:

Checklist item I.2 – Order of the Administrative Officer because the Municipal Land Use Law permits direct application to this Board.

Expert testimony will be provided at the hearing to support the approvals and any required relief.