

CECININI LAW GROUP

1081 AVENUE C
BAYONNE, NJ 07002

201-354-9305
201-603-6614 FAX
PETER@CECININILAW.COM

PETER CECININI, ESQ.
LAUREN ROSS, ESQ.
JAMES BEGLIOMINI, ESQ.

Narrative Statement

Block 245, Lot 51, 428 Kennedy Blvd Application for Certificate of Non-Conformity

428 Kennedy Boulevard is in the R-2 district. It currently has one commercial unit on the first floor, and two residential units on the second floor. It has been continuously in this configuration since before 1995, when R-2 zoning took effect, and is therefore a non-conforming pre-existing use in the R-2 district.

The subject property is owned by the Testamentary Trust of Antonio Cantale. Antonio Cantale is deceased, and his nephew Anthony Cantale is the Trustee of his Trust. Anthony Cantale has personal knowledge of the configuration of the property since before 1995 because as a young man he assisted his uncle in renovating and making repairs to the property. He will provide testimony at the hearing regarding the use of the property before 1995, and that its use has not been changed or abandoned since then.

The applicant has also provided an expert report from Mr. Steven Kawalek, showing that the appliances and fixtures in the apartments all date before 1995, in further support of the property's use prior to R-2 zoning. Mr. Kawalek will provide testimony as to the age of the construction at the property based on the evidence in his report.

Based on these proofs it would be appropriate to grant a certificate of non-conformity, recognizing the property's legal pre-existing non-conforming use in its existing configuration.