

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 FORM

TYPE OF APPROVAL REQUESTED:

<input checked="" type="checkbox"/> Site Plan	<input checked="" 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) [X] (a) [] (b) []

1. **Location of proposed development** 1207 – 1211 John F. Kennedy Blvd
Block 24 Lot(s) 2 & 3 Zone District 1207 – 1211 John F. Kennedy Boulevard
Redevelopment Plan
Proposed use The Applicant seeks to construct a seven (7) story multi-family improvement with forty-two (42) units consisting of one (1) bedroom and two (2) bedrooms with a parking system consisting of forty-four (44) parking spaces.

Lot Area 7,500 SF **Building area (sq. ft total)** 6,900 SF (92%)
Number of off-street parking spaces 44
Area (in feet) of any adjoining property controlled by owner N/A.

2. **Name of Applicant:** Adam A Enterprise, LLC **Phone No.** (973) 539-5203
Address: 162 Liberty Street, Hackensack, NJ 07601 **E-mail:** MPP@SPSK.com
Name of Owner: Same as Applicant **Phone No.** _____
Address: _____ **E-mail:** _____

3. **APPLICANT'S ATTORNEY AND EXPECTED WITNESSES:**
Applicant's Attorney Matthew P. Posada, Esq. of Schenck, Price, Smith, & King, LLP
Address 220 Park Ave, Florham Park, NJ 07932
Telephone Number (973) 539-5203 **Fax Number** (973) 540-7300
E-mail Address MPP@SPSK.com

Applicant's Engineer Carl A. Jenne, P.E. of Jenne Associates, LLC
Address 35 Gates Avenue, Warren, NJ 07059
Telephone Number (908) 698-2890 **Fax Number** (908) 926-2359
E-mail Address cjenne@jenneassociates.com

Applicant's Planning Consultant John McDonough of John McDonough Associates, LLC
Address 101 Gibraltar Drive, Suite 1A, Morris Plains, NJ 07950
Telephone Number (973) 222-6011 **Fax Number** (973) 786-6537
E-mail Address JMcDonoughpp@gmail.com

Applicant's Traffic Engineer Lee D. Klein, P.E., PTOE of Klein Traffic Consulting, LLC
Address 156 Walker Road, West Orange, NJ 07052

Telephone Number (973) 985-3464 Fax Number N/A
E-mail Address leekleintraffic@gmail.com

Applicant's Architect Orestes Valella, AIA PC

Address 507 43rd Street, Suite 5W-E, Union City, NJ 07087
Telephone Number (201) 223-7890 Fax Number N/A
E-mail Address OVArchitect@gmail.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 N/A
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: None.

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 lots with macadam.

Proposed use: Forty-two (42) multi-family improvement consisting of one-bedroom and two-bedrooms with forty-four (44) parking spaces.

Number of Employees 1 Business hours 9:00 A.M. - 5:00 P.M.

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 lots with macadam.

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? Deed

What form of security does the applicant propose to provide as performance and maintenance guarantees? Bond

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

	Yes	No	Date Plans Submitted
Passaic Valley Sewage Commissioners	<u>X</u>	_____	_____
Bayonne Municipal Utilities Authority	<u>X</u>	_____	_____
_____ Bayonne/Hudson County Health Dept.	<u>X</u>	_____	_____
_____ Hudson County Planning Board	<u>X</u>	_____	_____
_____ Hudson County Soil Conservation District	<u>X</u>	_____	_____
NJ Department of Environmental Protection	_____	<u>X</u>	_____
Sewer Extension Permit (TWA)	_____	<u>X</u>	_____
Sanitary Sewer Connection Permit	<u>X</u>	_____	_____
Stream Encroachment Permit	_____	<u>X</u>	_____
Waterfront Development Permit	_____	<u>X</u>	_____
Water Extension Permit	_____	<u>X</u>	_____
Wetlands Permit	_____	<u>X</u>	_____
Tidal Wetlands Permit	_____	<u>X</u>	_____
Other (specify) _____	_____	<u>X</u>	_____
NJ Department of Transportation	_____	<u>X</u>	_____
Public Service Electric & Gas Company	<u>X</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 Hava Eva Alter Address 162 Liberty St, Hackensack NJ Interest 100%
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____

Applicant's Signature(s) _____

Owner

Indicate title if corporation or partnership

VARIANCE RELIEF

1. **Application is hereby made for:** Maximum Sign Area Variance Relief

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 7,500 SF Size of Building: 6,900 SF No. of stories: 7

3. **This request for variance relief consists of (list sections of the Ordinance from which variance is requested) :** 1207- 1211 John F. Kennedy Boulevard Redevelopment Plan, Section 2, (3) Other Regulations, (D) Signs, (a) Maximum Sign Area of 30 SF whereas 32 SF is proposed

for the purpose of property identification.

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).

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?

The strict application of the provision will make it difficult for pedestrians and vehicle drivers to identify the site. In addition, pursuant to the c(2) or "flexible c" standard, the Municipal Land Use Law, (N.J.S.A. 40:55D-1 et. seq.), would be advanced by a deviation from the zoning ordinance specifically N.J.S.A. 40:55D-2(a) to promote the public health, safety, and general welfare by providing site identification to assist with the free flow of traffic and the size of the sign is necessary to provide advance warning to motorists, and (i) as the address sign will promote a desirable visual environment as it is aesthetically pleasing and consistent

with the character of the neighborhood. The benefits of the deviation will substantially outweigh any detriment

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.

Explain how the proposed variances can be granted:

- a. **without substantial detriment to the public good:** the signage will have no adverse impact on area properties as it will not impact light, air, or space.
- b. **without substantially impairing the intent and purpose of the Zoning Ordinance or Zone Plan:** the signage will be consistent with the nature and character of the area properties.

7. If the application is made for a use variance, explain the following: N/A

- a. how the proposed use can be granted without substantial detriment to the public good.
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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.
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- c. List the “special reasons” presented by the application.
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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.
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8. List all witnesses expected to testify:

Engineer- Carl A. Jenne, P.E. of Jenne Associates, LLC

Planner- John McDonough of John McDonough Associates, LLC

Traffic- Lee D. Klein, P.E., PTOE of Klein Traffic Consulting, LLC

Architect- Orestes Valella, AIA PC

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

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 15th day
of March, 2021

CHARLENE EAVES
A Notary Public of New Jersey
My Commission Expires: Charlene Eaves
A Notary Public of New Jersey



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 15th day
of March, 2021

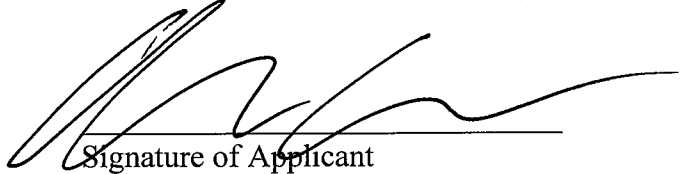
CHARLENE EAVES
A Notary Public of New Jersey
My Commission Expires: Charlene Eaves
A Notary Public of New Jersey



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: March 15, 2021



Signature of Applicant