

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

Variances: Use [] Bulk (c) [X] (a) [] (b) []

1. **Location of proposed development** 196 – 200 Avenue E
Block 458 **Lot(s)** 7, 8 & 9 **Zone District** 196-200 Avenue E Redevelopment Plan
Proposed use Applicant proposes to demolish the two (2) existing residential buildings and construct a six (6) story multi-family improvement with forty (40) units and forty-one (41) parking spaces, and consolidate the three (3) lots into a single lot.

Lot Area 12,500 SF **Building area (sq. ft total)** 11,370 SF
Number of off-street parking spaces 41
Area (in feet) of any adjoining property controlled by owner N/A

2. **Name of Applicant:** J & J Builders, LLC **Phone No.** (973) 539-5203
Address: 711 Commerce Road, Linden, NJ **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 Posada, Esq. of Schenck Price
Address 220 Park Avenue, Florham Park, NJ
Telephone Number (973) 539-5203 **Fax Number** (973) 540-7300
E-mail Address MPP@SPSK.com

Applicant's Engineer & Architect Anthony D'Agosta of Inglese Architecture + Engineering
Address 632 Pompton Ave, Cedar Grove, NJ 07009
Telephone Number (201) 438-0081 **Fax Number** _____
E-mail Address Anthony@Inglese-ae.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 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 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: N/A

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: Residential and surface parking lot.

Proposed use: Residential- Multi-family

Number of Employees 1 Business hours _____

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: Residential and surface parking lot

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> </u>	<u>X</u>	<u> </u>
Bayonne Municipal Utilities Authority	<u>X</u>	<u> </u>	<u> </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> </u>
<u> </u> Hudson County Soil Conservation District	<u>X</u>	<u> </u>	<u> </u>
NJ Department of Environmental Protection	<u> </u>	<u>X</u>	<u> </u>
Sewer Extension Permit (TWA)	<u>X</u>	<u> </u>	<u> </u>
Sanitary Sewer Connection Permit	<u>X</u>	<u> </u>	<u> </u>
Stream Encroachment Permit	<u> </u>	<u>X</u>	<u> </u>
Waterfront Development Permit	<u> </u>	<u>X</u>	<u> </u>
Water Extension Permit	<u>X</u>	<u> </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>X</u>	<u> </u>
NJ Department of Transportation	<u>X</u>	<u> </u>	<u> </u>
Public Service Electric & Gas Company	<u>X</u>	<u> </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>Joe Gomes</u>	Address <u>711 Commerce, Linden, NJ</u>	Interest <u>100%</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) 

Attorney Person Eq Attorney for Applicant
Indicate title if corporation or partnership State of NJ
#68522413

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)

2. Property Description:

Lot size 12,500 SF Size of Building: 11,370 SF No. of stories: 6

3. This request for variance relief consists of (list sections of the Ordinance from which variance is requested): N.J. Residential Site Improvement Standards Minimum Parking Space Requirement.

for the purpose of parking space capacity.

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 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?

The strict application of the N.J. Residential Site Improvement Standard for parking will cause impractical difficulties and a hardship as the site is constrained by the size and location to the street to accommodate additional parking spaces and provide adequate vehicle circulation.

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 available space for curb cuts to provide adequate vehicular circulation.

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 site can accommodate the required parking as it satisfies the parking requirement for the redevelopment plan.
 - b. **without substantially impairing the intent and purpose of the Zoning Ordinance or Zone Plan:** the site satisfies the parking requirement for the redevelopment plan and the Master Plan encourages redevelopment.
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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.

- 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:

Architect & Engineering: Anthony D' Agosta of Inglese Architecture and Engineering
Planner- John McDonough of John McDonough Associates, LLC

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

RSIS Minimum Parking Space Requirement whereas 76 spaces are required, and 41 spaces are provided.

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 1st day of June, 2021

Charlene Eaves
A Notary Public of New Jersey

[Signature]
CHARLENE EAVES Signature of Applicant *Member Person Attorney for Applicant State of New Jersey #068522-0*
A Notary Public of New Jersey
My Commission Expires 9/7/2022

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 1st day of June, 2021

Charlene Eaves
A Notary Public of New Jersey

[Signature]
CHARLENE EAVES Signature of Owner *Member Person Attorney for Property owner State of New Jersey #068522-0*
A Notary Public of New Jersey
My Commission Expires 9/7/2022

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: *[Signature]*

[Signature]
Signature of Applicant *Member Person Attorney for Applicant State of New Jersey #068522-0*