

Exhibit A

TOWNSHIP OF NORTH BERGEN

4233 Kennedy Boulevard
North Bergen, New Jersey
Telephone: (201) 392-2024
Facsimile: (201) 330-7694

**APPLICATION TO THE
ZONING BOARD OF ADJUSTMENT**

The application, with supporting documentation, must be filed with the Building Department, Room 208, Land Use Administration/Zoning Office.

You will be notified of a meeting date by the respective Board Secretary or referred to the Technical Review Committee after review of the application for completeness by this Office.

If additional pages are required to answer an item, identify the page and item number.

This section is to be completed by Township staff only

Date Application Filed: _____

Application Fees: _____

Escrow Deposit: _____

Hearing Date: _____

1. SUBJECT PROPERTY

Location: 6231-6235 Kennedy Boulevard
(Street address, cross streets or other identification)

Lot(s): 11 Block: 204

Dimensions: Frontage: 43.67' Depth: 49.74 Total Area: 2554sf
(Square Feet)

2. APPLICANT

Applicant: 6233 Kennedy Boulevard, LLC

Address: 1704 79th Street

City/State/Zip Code: North Bergen, New Jersey 07047

Applicant is a: LLC: X Partnership: _____ Individual: _____

3. **IF THE APPLICANT IS NOT THE OWNER, THEN PROVIDE THE FOLLOWING INFORMATION ON THE OWNER(S):**

Owner's Name: Same
Address: _____
City/State/Zip: _____ Telephone Number: _____
State Applicant's Relationship to Owner: _____
(i.e., Contract Purchaser)

4. **DISCLOSURE STATEMENT**

Pursuant to N.J.S.A. 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.A. 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 address of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. (Attach pages as necessary to fully comply). Include full address.

Name: Daniel DeOrio Address: 1704 79th Street, North Bergen, NJ Interest %: 50
Name: Michael DeOrio Address: 647 Prospect Avenue, Ridgefield, NJ Interest %: 50
Name: _____ Address: _____ Interest %: _____
Name: _____ Address: _____ Interest %: _____

5. **PROPERTY INFORMATION**

Are there any restrictions, covenants, easements, association by-laws, existing or proposed as to the Subject Property:

Existing: NONE Proposed: _____ None: _____

Note: A copy of all deed restrictions, covenants, easements, association by-laws, existing and proposed, must be submitted with a copy of this application for review and must represent a true, accurate, legible and complete copy in order to be approved.

Present Use of the Premises: vacant land

Proposed Use of the Premises/Change(s) Proposed: Subdivision of existing lot into 2 new lots.
Applicant proposes to construct one new three story mixed use building containing a ground floor commercial unit and two residential units on each new lot.

Attached current sealed survey of property with this application.

6. **APPLICANT'S ATTORNEY – J. Alvaro Alonso, Esq.**

Address: 6121 Kennedy Boulevard, North Bergen, NJ

Telephone Number: 201-295-9977

Fax Number: 201-295-9565

7. **APPLICANT'S ENGINEER –**

Address: _____

Telephone Number: _____

Fax Number: _____

8. **APPLICANT'S ARCHITECT Kaltsis Architecture, LLC**

Address: 901 80th Street, North Bergen, NJ 07047

Telephone Number: 201-662-1001

Fax Number: 201-662-4110

9. **APPLICANT'S PLANNING CONSULTANT**

Address: _____

Telephone Number: _____

Fax Number: _____

10. **APPLICANT'S TRAFFIC ENGINEER**

Address: _____

Telephone Number: _____

Fax Number: _____

11. **LIST ANY OTHER EXPERT WHO WILL SUBMIT A REPORT OR WHO WILL TESTIFY FOR THE APPLICANT**

Name: TBD

Field of Expertise: _____

Address: _____

Telephone Number: _____

Fax Number: _____

12. If any blasting or pile driving will be required in conjunction with this application, please describe same. Also delineate the hours of work proposed in the construction phase of the project.

N/A

13. THE APPLICANT IS REQUESTING THE FOLLOWING RELIEF:

SUBDIVISION:

_____ Preliminary Minor Subdivision Approval

 X Final Minor Subdivision Approval

_____ Preliminary Major Subdivision Approval

_____ Final Major Subdivision Approval

_____ Conditional Use

Number of lots
to be created 2

Number of proposed
dwelling units 4
(If applicable)

SITE PLAN: (If Site Plan approval is required, the Site Plan Checklist attached to the application must be completed.)

_____ Minor Site Plan Approval

_____ Preliminary Site Plan Approval

 X Final Site Plan Approval

_____ Amended Site Plan Approval

_____ Conditional Use

Area to be disturbed (in square feet): _____

Total number of proposed dwelling units: 4

VARIANCE:

 X Use Variance - N.J.S.A. 40:55D-70d

 C-2 Variances without site plan or subdivision approval pursuant
to N.J.S.A. 40:55D-70C

14. **SECTION(S) OF ORDINANCE FROM WHICH A VARIANCE IS REQUESTED:**

Section of Ordinance! Facts supporting applicant's deviation from the Township's zoning ordinance:

Sec 3.7 (a) (5) (b) Building coverage, lot coverage, rear yard, parking, side yard, lot area, lot width, lot depth, front yard setback, as well as density and use

Section of Ordinance! Facts supporting applicant's deviation from the Township's zoning ordinance: _____

Section of Ordinance! Facts supporting applicant's deviation from the Township's zoning ordinance: _____

15. **WAIVERS REQUESTED OF DEVELOPMENT STANDARDS:** NONE

16. **ZONING DATA**

State current zone in which Subject Property is located: C 1-A

	Required/Permitted Proposed Lot 11.1		Proposed Proposed Lot 11.2	
	<u>4 story/45'</u>	<u>3 story/31'</u>	<u>4 story/45'</u>	<u>3 story/31'</u>
A. Maximum Height				
B. Lot Width	<u>25</u>	<u>21.83'</u>	<u>25</u>	<u>21.83'</u>
C. Side Yard	<u>3/3</u>	<u>0/0</u>	<u>3/3</u>	<u>0/0</u>
D. Total of Side Yards	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
E. Rear Yard	<u>25</u>	<u>5</u>	<u>25</u>	<u>0</u>
F. Lot Area	<u>2500 sf</u>	<u>1216sf</u>	<u>2500 sf</u>	<u>1338 sf</u>
G. Lot Coverage-% of building	<u>75%</u>	<u>90.8%</u>	<u>75%</u>	<u>88.34%</u>
H. Lot Coverage-impervious surface	<u>90%</u>	<u>100%</u>	<u>90%</u>	<u>100%</u>
I. Floor Area	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
J. Parking Stalls	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
K. Front Yard	<u>7</u>	<u>0</u>	<u>7</u>	<u>0</u>
L. Use	<u>C/R</u>	<u>C/R</u>	<u>C/R</u>	<u>C/R</u>
M. Lot Depth	<u>100</u>	<u>49.74'</u>	<u>100</u>	<u>57.60'</u>
N. Landscaping	<u>10%</u>	<u>0%</u>	<u>10%</u>	<u>0%</u>
O. Parking	<u>4</u>	<u>0</u>	<u>4</u>	<u>0</u>
P. Encroachment within ROW	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

17. **ATTACH A COPY OF THE NOTICE** to appear in the official newspaper of the Township and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet of all directions of the property which is the subject of this application. The Notice must specify the section of the Ordinance from which relief is sought, if applicable.

18. **EXPLAIN IN DETAIL** the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises (attach pages as needed).

Applicant proposes to subdivide the existing lot into 2 new lots. Applicant proposes to construct one new three story mixed use building containing a ground floor commercial unit and two residential units on each new lot. The applicant shall request variances for Building coverage, lot coverage, rear yard, parking, side yard, lot area, lot width, lot depth, front yard setback, as well as density and use as well as any variances required by the Board.

19. **IS A PUBLIC WATER LINE AVAILABLE?** YES

20. **IS PUBLIC SANITARY SEWER AVAILABLE?** YES

21. **HAVE ANY PROPOSED NEW LOTS** been reviewed by the Township to determine appropriate lot and block numbers? N/A

22. **DESCRIBE ANY OFF-TRACT IMPROVEMENTS REQUIRED AND/OR PROPOSED:** N/A

23. **IS THE SUBDIVISION TO BE FILED BY DEED OR PLAT?** Deed

24. **WHAT FORM OF SECURITY** does the-applicant propose to provide as performance and maintenance guarantees? N/A

25. **OTHER APPROVALS WHICH MAY BE REQUIRED AND DATE SUBMITTED:**

	Yes	No	Date Plans Submitted
A. Hudson County Planning Board	<u>X</u>	<u> </u>	<u>TBD</u>
B. Hudson County Soil Conservation District	<u> </u>	<u>X</u>	<u> </u>
C. New Jersey Department of Environmental Protection	<u> </u>	<u>X</u>	<u> </u>
(1) Sewer Extension Permit	<u> </u>	<u>X</u>	<u> </u>
(2) Sanitary Sewer Connection Permit	<u> </u>	<u>X</u>	<u> </u>
(3) Stream Encroachment Permit	<u> </u>	<u>X</u>	<u> </u>
(4) Wetland Permit	<u> </u>	<u>X</u>	<u> </u>
(5) Tidal Wetland Permit	<u> </u>	<u>X</u>	<u> </u>
(6) Potable Water Construction Permit	<u> </u>	<u>X</u>	<u> </u>
(7) Soil Permit	<u> </u>	<u>X</u>	<u> </u>
(8) Other	<u> </u>	<u>X</u>	<u> </u>

X

X

- PREAMBLE:**

NOTE: If any of the following questions (E1 to E20) are answered yes or other, attach an additional piece of paper to explain.

E6. Will the site development require the import or removal of soil from the area?
YES _____ NO X OTHER _____

E7. Will the site development require directing surface drainage into a watercourse?
YES _____ NO X OTHER _____

E8. Will the site development have any impact on Borough services presently provided such as police, fire, public works, public schools, sewers and drainage facilities?
YES _____ NO X OTHER _____

E9. Will any excavation required for the development penetrate the high water table in existence at the site? YES _____ NO X OTHER _____

E10. Will the site development require special foundation provisions such as piles and/or spread footing to support any structures? YES _____ NO X OTHER _____

E11. Will the operation of the site increase local vehicular traffic?
YES _____ NO X OTHER _____

E12. Will the operation of the site increase the air pollution in the area? YES _____
NO X OTHER _____

E13. Will the operation of the site exceed the existing ambient noise levels?
YES _____ NO X OTHER _____

E 14. Is the site to be developed served by existing public utilities?
YES _____ NO X OTHER _____

E 15. Has the site to be developed ever been used for storage or disposal of, or presently contain, hazardous or toxic wastes? YES _____ NO X OTHER _____

E 16. Is the site to be developed proposed for the use, storage, or manufacture of hazardous materials, toxic substances or dangerous chemicals? YES _____ NO X OTHER _____

E17. Will the site development increase the present intensity levels of light in the area?
YES _____ NO X OTHER _____

E18. Will the site development require the installation of new or removal of existing septic systems or other liquid waste facilities? YES _____ NO X OTHER _____

E19. Will the site development affect the water table in the area?
YES _____ NO X OTHER _____

E20. Will the site development produce odors? YES _____ NO X OTHER _____

30. **LIST OF MAPS, REPORTS AND OTHER SUPPORTING MATERIALS
ACCOMPANYING THE APPLICATION**

<u>Quantity</u>	<u>Description of Item</u>
<u>18</u>	<u>Architectural plans</u>
_____	_____
_____	_____

CERTIFICATIONS

I certify that the foregoing statements and 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.

Sworn to and subscribed before me this
24th day of August, 2012


Notary Public
MONICA CARDENAS

NOTARY PUBLIC OF NEW JERSEY

Commission Expires 3/22/15
I certify that I am the owner of the property which is the subject of this application, 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.


Signature of Applicant

Sworn to and subscribed before me this
24th day of August, 2012


Notary Public
MONICA CARDENAS

NOTARY PUBLIC OF NEW JERSEY

Commission Expires 3/22/15
_____ has been deposited in an escrow account (Builder's Trust Account) in accordance with the Ordinances of the Township of North Bergen. I further understand that the escrow 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 of 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 of notification.


Signature of Owner

Date: 8/24/12

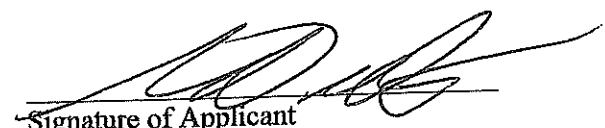

Signature of Applicant

Exhibit B

SITE PLAN REVIEW CHECKLIST

SITE PLAN DETAILS - Information to be indicated on Site Plan. All applications for site plan approval shall be prepared by a professional engineer, land surveyor or architect and shall be drawn to a scale of not less than one inch equals 50 feet.

All site plans shall comply with the requirements hereinafter set forth and shall contain the following information and data where applicable.

- X a. Date of site plan. All revisions shall be noted and dated.
- X b. Layout of proposed building of structures including existing and proposed elevation plan; The elevation of buildings and structures shall be indicated on the site plan in feet and number of stories. The improved lot coverage as defined in the zoning ordinance and its computations shall also be provided.
- X c. Key map showing the location of the tract with reference to surrounding areas and existing street intersections.
- X d. Title of development, North arrow, scale, block and lot number, name and address of record owner, name and address, license number and seal of person preparing the site plan. If the owner is a corporation, the name and address of the president and secretary shall be submitted with the application.
- X e. Location, dimensions and details of signs.
- X f. Lot line dimensions shall be in feet and decimals of a foot of all bearings shall be given to the nearest ten seconds.
- X g. The names of all owners of record and all adjacent property, and the block and parcel number of the property, within 200 feet of the nearest property line. Evidence of notification of all adjoining property owners as provided by law shall be submitted at the public hearing. Land use of all parcels abutting the subject property shall be noted on the site plan.
- X h. Zone boundaries shall be shown on the site plan as they affect the parcel. Adjacent zone districts within 200 feet shall also be indicated. Such features may be shown on a separate map or key on the detail map itself.
- X i. Boundaries of the property, required building or setback lines and lines of existing streets, lots, reservations, easements and areas dedicated to public use, including grants, restrictions and rights-of-way.
- X j. A map or copy of any covenants, deed restrictions or exceptions that are in effect or are intended to cover all or any of the tract.
- X k. All distances as measured along the right-of-way lines of existing streets abutting the property to the nearest intersection with any other public street.
- X l. Location of existing buildings on the site which shall remain and all other structures, such as walls, fences, culverts, bridges, roadways, etc., with spot elevations of such structures. Structures to be removed shall be indicated by dashed lines.

- X m. Location and elevation of all storm drainage structures and utility lines, whether publicly or privately owned, with pipe sizes, grades and direction of flow, and if any existing utility lines are underground, the estimated location of said already underground utility lines shall be shown.
- X n. Existing contours with intervals of two feet where slopes are less than 10% and five feet where slopes are 10% or greater referred to United States Coast and Geodetic datum or other reference system as may be required by the Borough Engineer and to be indicated by a dashed line. Where any changes in contours are proposed, finished grades should be shown as solid lines or as may be required as a separate proposed grade plan.
- X o. Location of existing rock outcrops; high points, watercourses, depressions, ponds, marches, wooded areas and other significant existing features, including previous flood elevations of watercourses, and, where available, ponds and marsh areas, as may be determined by survey.
- X p. A survey prepared, signed and sealed by a licensed surveyor of the State of New Jersey shall accompany the site plan and shall show the boundaries of the parcel and the limits of all proposed streets, recreation areas and other property to be dedicated to public use. The site plan may be accompanied by such other exhibits of an architectural nature submitted by the applicant as may be required by the municipal agency.
- X q. All proposed easements and public and community areas. All proposed streets with profiles indicating grading and cross sections showing width of roadway, location and width of sidewalk and location and size of utility lines according to the standards and specifications of the Township.
- X r. The proposed use or uses of land and buildings and proposed location of buildings, including proposed grades. Such features may be indicated on a separate drawing. Floor space of all buildings and estimated number of employees, housing units or other capacity measurements where required shall also be indicated.
- X s. All means of vehicular ingress and egress and to and from the site onto public or private streets showing the size and location of driveways and curb cuts, including the possible organizations of traffic channels, acceleration and decelerating lanes, additional width and other traffic controls which may be required. Improvements such as roads, curbs, sidewalks and other design detail shall be indicated, including dimensions of parking stalls, access aisles, curb radii, direction of traffic flow and other conditions as may be required in the Zoning Ordinance.
- X t. The location and design of any off-street parking areas or loading areas, showing sizes and locations of bays, aisles and barriers.
- X u. The location of all proposed waterlines, valves and hydrants and all sewer lines or alternative means of water supply or sewage disposal and treatment in conformance with the applicable standards of the Township and appropriate utility companies, where applicable.
- X v. The proposed location, direction of illumination, power and time of proposed outdoor lighting in conformance with applicable standards of the Township, including type of standards to be employed, radius of light and intensity of footcandles.

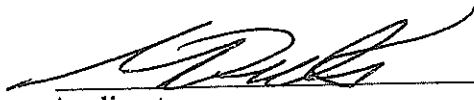
- X w. The proposed screening and landscaping and a planting plan in conformance with the applicable standards of the Township indicating natural vegetation to remain and areas to be planted and type of vegetation to be utilized.
- X x. The proposed storm water drainage system as to conform to designs based on New Jersey Department of Environmental Protection or Residential Site Improvement Standards. All site plans shall be accompanied by a plan sketch showing all existing drainage within 500 feet of any boundary and all areas such as paved areas, grassed areas, wooded areas and any other surface areas contributing to the calculations and should show methods used in the determination.
- X y. The site plan should be prepared by a licensed engineer or architect for general location. For topographical and boundary survey information, the site plan shall be signed and sealed by a licensed land surveyor. For all elements of design, which shall include drainage, pavements, curbing, walkways, embankments, horizontal and vertical geometries utilities and all pertinent structures, drawings shall be signed and sealed by a licensed professional engineer.
- X z. After approval, a mylar or linen shall be submitted for signature and title, and all information appearing thereon shall be in black India ink. Additional prints as required shall also be submitted after approval.

LEGENDS OF SITE PLAN

The following legends shall be indicated on the Site Plan:

1. To be signed before submission:

I consent to the filing of this site plan with the Planning Board/Zoning Board of Adjustment of the Township of North Bergen.


Applicant

2. To be completed before submission:

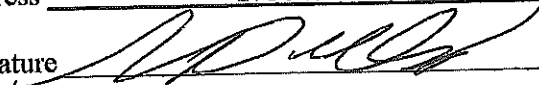
Site Plan of 6231-6235 Kennedy Boulevard

Lot 11 Block 204 Zone C1-A

Date 7-26-12 Scale 1' = 20'

Applicant 6233 Kennedy Boulevard, LLC

Address 1704 79th Street, North Bergen, NJ

Signature 

Date _____



OFFICE OF CONSTRUCTION OFFICIAL

4233 KENNEDY BOULEVARD
NORTH BERGEN, NEW JERSEY 07047

EDWARD BLAKESLEE
ZONING OFFICIAL

TELEPHONE:
(201) 392-2051
FAX:
(201) 864-0208

August 22, 2012

6233 Kennedy Blvd., LLC
1704 79th Street
North Bergen, NJ 07047

Re: 6231-6235 Kennedy Blvd.
Bl.- 204 Lot- 11

Dear Mr. DeOrio,

Your application to subdivide the property at the above address and construct two three story mixed use buildings is denied. You will need to obtain site plan approval from the North Bergen Zoning Board as well as the following variances.

Proposed Block 204 Lot 11.1

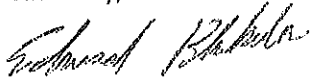
	<u>Proposed</u>	<u>Required</u>
Min. lot area	1216 square feet	2500 square feet
Min. lot width	21.83'	25'
Min. lot depth	49.74'	100'
Front yard setback	0	7'
Side yard setback	0	3'
Rear yard setback	5'	20'
Max. bldg coverage	90.8'	75%
Max. lot coverage	100%	90%
Min. off street parking	0	4

Proposed Block 204 Lot 11.2

	<u>Required</u>	<u>Proposed</u>
Min. lot area	1338 square feet	2500 square feet
Min. lot width	21.83'	25'
Min. lot depth	57.60'	100'
Front yard setback	0'	7'
Side yard setback	0'	3'
Rear yard setback	5'	20'
Max. bldg coverage	88.34	75%
Max. lot coverage	100%	90%
Min. off street parking	0	4 spaces

If you have any questions, please contact my office.

Sincerely,



Edward Blakeslee
Zoning & Building Subcode Official

cc: Chris Pianese, Township Administrator
North Bergen Board of Adjustment



TOWNSHIP OF NORTH BERGEN
TAX COLLECTOR'S OFFICE
4233 KENNEDY BOULEVARD
NORTH BERGEN, NJ 07047

(201) 392-2017

Fax (201) 392-8276

STATEMENT OF TAX ACCOUNT

Date: 8/24/2012

Block: 204

Lot: 11

Qual:

Property Location: 6233 Kennedy Blvd

Owner of Record: Bayview Loan Servicing LLC

Account Number: 352600

To Whom It May Concern:

The information below reflects the property tax records of North Bergen on the address referenced above.

Year	Quarter	Amount	Interest	Disposition Of Tax
2012	1 st Qtr.	<u>\$812.42</u>	<u> </u>	<u>paid</u>
2012	2 nd Qtr.	<u>\$812.41</u>	<u> </u>	<u>paid</u>
2012	3 rd Qtr.	<u>\$849.32</u>	<u> </u>	<u>paid</u>
2012	4 th Qtr.	<u>\$849.31</u>	<u> </u>	<u>Due 11/1/2012</u>
2013	1 st Qtr.	<u>\$830.87</u>	<u> </u>	<u>Due 2/1/2013</u>
2013	2 nd Qtr.	<u>\$830.86</u>	<u> </u>	<u>Due 5/1/2013</u>
2013	3 rd Qtr.	<u>Not determined</u>	<u> </u>	<u> </u>
2013	4 th Qtr.	<u>Not determined</u>	<u> </u>	<u> </u>

Township of North Bergen
Tax Collector's Office
4233 Kennedy Blvd.
North Bergen, NJ 07047

Tax Collector's Office
Township of North Bergen

ALONSO & NAVARRETE, LLC
ATTORNEYS AT LAW

J. ALVARO ALONSO, ESQ.

EDGAR J. NAVARRETE, ESQ.

6121 KENNEDY BOULEVARD
NORTH BERGEN, NEW JERSEY 07047
TEL: 201-295-9977
FAX: 201-295-9565

187 SPEEDWELL AVENUE
MORRISTOWN, NEW JERSEY 07960
(PLEASE REPLY TO NORTH BERGEN)

PROPERTY OWNER

RE: 6233 Kennedy Boulevard, LLC
P/A: 6231 – 6235 Kennedy Boulevard
Block: 204 Lot: 11

Dear Sir or Madam:

Please be advised that this office represents **6233 Kennedy Boulevard, LLC** in a Site Plan and Variance Application regarding the above referenced property.

On **DATE**, a public hearing will be held at 7:00 p.m. by the North Bergen Board of Adjustment at Town Hall located at 4233 Kennedy Boulevard, North Bergen to consider the application of my client who proposes to subdivide the existing lot into 2 new lots. Applicant proposes to construct one new three story mixed use building containing a ground floor commercial unit and two residential units on each new lot. The applicant shall request variances for Building coverage, lot coverage, rear yard, parking, side yard, lot area, lot width, lot depth, front yard setback, as well as density and use as well as any variances required by the Board.

All documents related to this application can be inspected at the office of the Municipal Clerk, Municipal Building, 4233 Kennedy Boulevard, in the town of North Bergen, NJ during regular business hours of 9:00 a.m. and 4:00 p.m.

Sincerely,

J. Alvaro Alonso

JAA/mc