



CITY OF JERSEY CITY GENERAL DEVELOPMENT APPLICATION



THIS SECTION TO BE COMPLETED BY CITY STAFF ONLY

Intake Date:

Application No.

Date Validated as an Application for Development:

Date Deemed Complete:

1. SUBJECT PROPERTY

Address: 101 (aka 221) Grove Street
Ward: E

Block & Lots: Block 15906, Lot 1
(f/k/a Block 15901, Lot 2.01)

2. BOARD DESIGNATION



Planning Board



Zoning Board of Adjustment

3. APPROVALS BEING SOUGHT

<input type="checkbox"/> Conceptual Plan/Informal Review	<input checked="" type="checkbox"/> "c" variance(s)/Deviation	<input type="checkbox"/> "A" appeal
<input type="checkbox"/> Minor Site Plan	<input type="checkbox"/> (d) variance(s): use, density, etc.	<input type="checkbox"/> Waiver of Site Plan Requirements
<input checked="" type="checkbox"/> Preliminary Major Site Plan	<input type="checkbox"/> Minor Subdivision	<input type="checkbox"/> Interpretation ("B" appeal)
<input checked="" type="checkbox"/> Final Major Site Plan	<input type="checkbox"/> Prelim. Major Subdivision	<input type="checkbox"/> Site Plan Amendment
<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Final Major Subdivision	<input type="checkbox"/> Other (fill in) _____

4. PROPOSED DEVELOPMENT

Name & Nature of Use (describe project)

One Grove - ground up development of 22,780 sf corner lot into a 12-story (plus mezz), 193-unit market rate rental building with 7 lodging/hotel units on portion of 2nd floor, plus ground floor parking and retail.

5. VARIANCE/ DEVIATION NOTES

Sections of the Land Development Ordinance or Redevelopment Plan from which relief is requested (List Variances/Deviations):

Deviation to (1) reduce minimum parking requirement from 0.50 spaces/dwelling unit (97 spaces) to 0.41 spaces/ dwelling unit (80 spaces); LHNDRP V-3, (2) increase max. ground flr-to-flr height from 20' to 22'; LHNDRP V-10, (3) increase residential signage quantity from 1 to 3; LHNDRP V-5, (4) relief from Green Area Ratio, (5) permit an additional mezz level story, (6) relief from the minimum building height

Applicant's reasons for the Planning Board or Board of Adjustment to grant relief:

See Statement of Principal Points

6. APPLICANT

One Grove Property LLC

Applicant's Name

(201) 876-2789 (201) 876-6737

Phone

Fax

gesue_phillip@strategiccapital.us

e-Mail address

525 Washington Boulevard, Flr 31

Street Address

Jersey City NJ 07310

City

State

Zip

**7.
OWNER**

One Grove Property LLC

Owner's Name

(201) 876-2789 (201) 876-6737

Phone

Fax

525 Washington Boulevard, Flr 31

Street Address

Jersey City NJ 07310

City

State

Zip

**8.
APPLICANT'S
ATTORNEY**

Charles Harrington

Attorney's Name

Connell Foley

Firm's Name

(201) 521-1000 (201) 521-0100

Phone

Fax

185 Hudson Street, Suite 2510

Street Address

Jersey City NJ 07311

City

State

Zip

charrington@connellfoley.com

e-mail address

**9.
PLAN
PREPARERS**

Eric Ballou 42827

Engineer's Name & License Number

Insite Engineering

Firm's Name

(732) 531-7100 (732) 531-7344

Phone

Fax

1955 Route 34, Suite 1A

Street Address

Wall NJ 07719

City

State

Zip

eric@insiteeng.net

e-mail address

Frank Barlowski 24GS03973500

Surveyor's Name & License Number

Matrix New World Engineering

Firm's Name

(973) 240-1800 (973) 240-1818

Phone

Fax

442 State Route 35, Flr 2

Street Address

Eatontown NJ 07724

City

State

Zip

fbarlowski@matrixnewworld.com

e-mail address

Charles Heydt

Planner's Name & License Number

Dresdner Robin

Firm's Name

(973) 384-1071

Phone

Fax

1 Evertrust Plaza, Suite 901

Street Address

Jersey City NJ 07302

City

State

Zip

cheydt@dresdnerrobin.com

e-mail address

Michael Higgins 21AIO130830

Architect's Name & License Number

Marchetto Higgins Stieve

Firm's Name

(201) 795-1505 (201) 795-0171

Phone

Fax

1225 Willow Avenue

Street Address

Hoboken NJ 07030

City

State

Zip

mhiggins@mhsarchitects.com

e-mail address

**10.
SUBJECT
PROPERTY
DESCRIPTION**

Site Acreage (square footage and dimensions):

22,780 sf 180' x 125' (dimensions)

Zone District(s):

Liberty Harbor North

Present use: vacant

Redevelopment Area:

Historic District:

N/A

Check all that
apply for present
conditions:

- ☐ Conforming Use
☐ Conforming Structure
☒ Vacant Lot

- ☐ Non-Conforming Use
☐ Non-Conforming Structure

What is your FEMA flood zone and base flood elevation (BFE)?:

Effective: Zone AE - EI 9.0, Zone X

Prelim: Zone AE - EI 11.0

Check all that Apply:

☒ Application for a new building on
undeveloped tract

☐ Application for new use of
existing building

☐ Application for use of a
portion of a building

Is the subject building or property on the list of properties eligible for the Historic Register?

☐ yes ☒ no

Is demolition proposed? ☐ yes ☒ no If yes, is building 150+ years old? ☐ yes age: _____ ☒ no

Number of New Buildings: 1

Height table:

	Existing		Proposed	
	Stories	Feet	Stories	Feet
Building	-	-	13	139'1"
Addition/Extension			-	-
Rooftop Appurtenances		-		152'6"
Accessory Structures	-	-	-	-

Square Footage of applicable building(s) for
this project by use:

Residential	170,848	sf
Retail	975	sf
Office	-	sf
Industrial	-	sf
Parking Garage	11,799	sf
Other	19,498*	sf
TOTAL:	203,120	sf

*includes 4,015 sf lodging/hotel use

Number of dwelling units (if applicable):

Studio	51	units
1 bedroom	99	units
2 bedroom	39	units
3 bedroom	4	units
4+ bedroom	-	units
TOTAL:	193	units

Number of lots before subdivision:

1

Number of lots after subdivision:

1

% of lot to be covered by buildings:

96 %

% of lot to be covered by buildings &
pavement:

100 %

Gross floor area (GFA):

203,120 sf

Floor Area Ratio (FAR):

8.92

11. PARKING & SIGNAGE

Number of parking spaces & dimensions: number: 80 / Dimensions: varies
 Number of loading spaces & dimensions: number: N/A / Dimensions: N/A

Number of Signs: 4 (3 building and 1 retail)
 Height of monument and/or pylon signs: -

12. INFRA- STRUCTURE

<u>WATER</u>		
Is public water being extended to the tract and/or reused? If yes, specify size and material.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Size	8"	
Material	DIP	
Does the existing water service have a curb stop?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is there existing combined fire/domestic service?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is there existing domestic service only?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is new water service being proposed?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is there new combined fire/domestic service?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is there new domestic service only?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<u>SEWER</u>		
Is existing sewer service proposed to be reused? If yes, specify size and material.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Size	-	
Material	-	
Will there be sewer curb cleanout?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are minimum slope requirements satisfied as per National Standard Plumbing Code?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is new sewer service proposed?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are storm drains proposed?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are any new streets or utility extensions proposed?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<u>MISC</u>		
Are existing streets being widened	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are utilities underground	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is site in a flood plain?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is soil removal or fill proposed? If yes, specify total in cubic yards.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <u>tbd</u>
Are any structures being removed?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the application for additional buildings and/or improvements to a tract having existing buildings and/or improvements?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the property within 200 feet of an adjacent municipality? If yes, which?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Municipalities:	-	
Is the property on a County Road?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there deed restrictions, covenants, and/or easements affecting the tract? If yes, attach 2 copies.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there any performance guarantees and/or maintenance agreements with the City Council? If yes, attach 2 copies.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**13.
TYPE OF
DEVELOPMENT**

REQUIRED FOR ALL DEVELOPMENT APPLICATIONS	Total number of new residential units created	Total number of affordable housing units* created	Total number of residential units demolished
New structure containing residential units	193	-	-
Conversion from a non-residential structure to a structure containing residential units	-	-	-
Conversion from market rate housing units to NJ COAH defined affordable housing units	-	-	-

*According to NJ COAH definitions at *N.J.A.C. 5:94 et seq.*

	Moderate Income	Low Income	Very Low Income	Age Restricted	Rental Units
Number of affordable housing units created*	-	-	-	-	-

*According to NJ COAH definitions at *N.J.A.C. 5:94 et seq.*

Use Group Description (These descriptions are pursuant to NJ Council on Affordable Housing N.J.A.C. 5:94 Appendix E, and are for the sole purpose of calculating affordable housing obligation.)	Gross Floor Area of New Construction	Gross Floor Area of Demolition
B: Office buildings. Places where business transactions of all kinds occur. Includes banks, corporate offices, government offices, professional offices, car showrooms and outpatient clinics.	-	-
M: Mercantile uses. Buildings used to display and sell products. Includes retail stores, strip malls, shops and gas stations.	-	-
F: Factories where people make, process, or assemble products. F use group includes F1 and F2.	-	-
S: Storage uses. Includes warehouses, parking garages, and lumberyards. S group includes S1 and S2.	11,799	-
H: High Hazard manufacturing, processing, generation and storage uses. H group includes H1, H2, H3, H4 and H5.	-	-
A1: Assembly uses including concert halls and TV studios.	-	-
A2: Assembly uses including casinos, night clubs, restaurants and taverns.	-	-
A3: Assembly uses including libraries, lecture halls, arcades, galleries, bowling alleys, funeral parlors, gymnasiums and museums, but excluding houses of worship	-	-
A4: Assembly uses including arenas, skating rinks and pools.	-	-
A5: Assembly uses including bleachers, grandstands, amusement park structures and stadiums	-	-
E: Schools K – 12	-	-
I: Institutional uses such as hospitals, nursing homes, assisted living facilities and jails. I group includes I1, I2, I3 and I4.	-	-
R1: Hotels, motels and dormitories	4,015	-
U: Miscellaneous uses. Fences, tanks, sheds, greenhouses, etc.	-	-

**14.
APPROVAL
HISTORY**

List all past approvals, denials, appeals, or other activity for the subject property. ☐ Check here if none
If there are previous approvals, attach 2 copies of the approving resolution.

	CITY JOB/CASE NUMBER	APPROVED	DENIED	DATE
Subdivision	P12-014	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5/15/2012
Site Plan	P12-015 / P19-088	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5/15/2012 (Rev 7/23/13, 8/26/14, 9/12/17) & 7/9/2019
Variance(s)	-	<input type="checkbox"/>	<input type="checkbox"/>	-
Building Permit	-	<input type="checkbox"/>	<input type="checkbox"/>	-

**15.
FEES**
(see attached fee
schedule)

STAFF CALCULATIONS ONLY	
Subdivision	\$
Site Plan	\$
Variance(s)	\$
TOTAL DUE	\$
Amount Paid	\$
BALANCE DUE	\$

**16.
ATTACHMENTS**

Please Attach the required additional forms and information, if applicable (see attached FORMS and CHECKLISTS)

**17.
CERTIFICATION**

I certify that the foregoing statements and the attached 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. I hereby permit authorized City official to inspect my property in conjunction with this application.

Sworn to and subscribed before me this date

May 7, 2021

Signature of Applicant

CHARLES J. HARRINGTON, JR.

Property Owner Authorizing Application if
other than Applicant

Notary Public

Gloria Alicea
GLORIA ALICEA
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES DEC. 20, 2025

EXECUTION VERSION

RECORD AND RETURN TO:
David B. Kahan, Esquire
520 Highway 22, P.O. Box 6872
Bridgewater, NJ 08807

Prepared by:


David B. Kahan, Esquire

AMENDED AND RESTATED EASEMENT AGREEMENT

This AMENDED AND RESTATED EASEMENT AGREEMENT (this "Agreement"), dated as of the 30th day of June, 2020 (the "Effective Date"),

BY AND BETWEEN:

GRAND LHN III LLC, a New Jersey limited liability company, having its office at 520 U.S. Highway 22, Post Office Box 6872, Bridgewater, New Jersey 08807 (herein referred to as "**LHN III**") and **ONE GROVE PROPERTY LLC**, a Delaware limited liability company, having an address at 575 Washington Boulevard, 31st Floor, Jersey City, New Jersey 07310 (herein referred to as "**One Grove**").

PREAMBLE.

WHEREAS, LHN III and Grand LHN IV Urban Renewal LLC, a New Jersey limited liability ("**LHN IV**") previously entered into that certain Easement Agreement dated September 22, 2017, which was recorded on October 2, 2017, in the land records of Hudson County at Book 9241, Page 622 (the "**Original Easement Agreement**").

WHEREAS, LHN III is the fee owner of certain land located in the City of Jersey City, County of Hudson and State of New Jersey, designated as Block 15906, Lot 2 as shown on the Tax Map of the City of Jersey City, hereinafter referred to as "**Parcel A**" and more particularly described by a metes and bounds description set forth on Exhibit A attached hereto and made a part hereof.

WHEREAS, LHN III has substantially constructed a roadway, sidewalk and other related improvements on Parcel A (the "**Road**") and is in the process of completing the remaining improvements to the Road as further detailed in that certain Engineer's Bond Estimate dated December 16, 2013, as revised on August 17, 2018.

WHEREAS, pursuant to the terms of the Preliminary and Final Major Subdivision Approval granted by the Jersey City Planning Board in the matter of Case No.: P12-014, which decision was memorialized on May 15, 2012, and any amendments related thereto as well as the Preliminary and Final Major Site Plan Approval granted by Jersey City Planning Board in the matter of Case No.: P-12-015, which decision was memorialized on May 15, 2012, and any amendments related thereto, the Road is to be dedicated by LHN III to the City of Jersey City (the "**Approvals**").

WHEREAS, LHN III is the fee owner of certain land located in the City of Jersey City, County of Hudson and State of New Jersey designated as Block 15906, Lot 3 as shown on the Tax Map of the City of Jersey City, hereinafter referred to as "**Parcel B**". Parcel A and Parcel B shall be referred to herein collectively as the "**LHN III's Parcels**".

WHEREAS, LHN III has constructed a mixed-use residential project on Parcel B.

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WHEREAS, LHN IV was the fee owner of certain land located in the City of Jersey City, County of Hudson and State of New Jersey designated as Block 15906 f/k/a 15901, Lot 1 f/k/a 2.01 as shown on the Tax Map of the City of Jersey City, hereinafter referred to as "Parcel C."

WHEREAS, the Original Easement Agreement granted a temporary easement from LHN III to LHN IV over the Road, for the benefit of LHN IV and the occupants of any buildings constructed on Parcel C for ingress, egress, and regress for vehicles and pedestrians over the Road to enter and exit Parcel C.

WHEREAS, pursuant to that certain Bargain and Sale Deed dated as of the date hereof, and to be recorded immediately prior to this Agreement, One Grove is now the fee owner of Parcel C.

WHEREAS, LHN III (as the owner of Parcel A and Parcel B), and One Grove (as the owner of Parcel C) desire to amend and restate the Original Easement Agreement.

NOW, THEREFORE, for good and valuable consideration paid by One Grove to LHN III and the mutual covenants, terms, and conditions set forth herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Original Easement Agreement. The Original Easement Agreement is hereby amended and restated in its entirety. All provisions thereof are hereby replaced by the provisions of this Agreement.

2. Grant of Easements.

a) LHN III hereby grants and conveys to One Grove a non-exclusive temporary easement (the "Temporary Easement"), upon, on and over Parcel A, for the benefit of Parcel C. The Easement shall serve the purpose of giving One Grove and the occupants of any buildings constructed on Parcel C pedestrian and vehicular ingress, egress and regress to and from Parcel C (including construction equipment, other heavy machinery and vehicles related to and required for construction on Parcel C).

b) LHN III hereby grants and conveys to One Grove, a non-exclusive temporary easement (the "Temporary Utility Easement"; together with the Temporary Easement, collectively, the "Easements") under the surface of Parcel A for the benefit of Parcel C to access, connect, inspect, maintain, construct, reconstruct, relocate, extend, repair, replace and operate utilities, which One Grove shall require now and from time to time, for the purpose of providing utility services to Parcel C.

3. Construction Requirements and Termination of Easement. LHN III shall complete the construction of the Road and take all actions necessary to cause the Dedication, all in accordance with the Approvals and applicable law. Until such time that the Road is completed and the Dedication has occurred, no later than five (5) business days following the end of each month, LHN III shall provide written notice to One Grove detailing the progress of such work and an estimated date for completion and approval, including details of the dedication process. The Easements shall terminate contemporaneously with the dedication of the Road by municipal ordinance and deed to and acceptance by the City of Jersey City (the "Dedication"), at which time the Road shall become public. The termination of the Easements shall be evidenced by a termination of easement agreement in substantially the form attached hereto as Exhibit B (the "Termination").

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Contemporaneously with the execution of this Agreement, One Grove and LHN III shall each deliver to Royal Abstract of New Jersey LLC (the "Escrow Agent") an executed original of the Termination, to be held in escrow. Prior to the completion of Dedication, LHN III shall provide One Grove with copies of the proposed documents evidencing the Dedication (the "Dedication Documents"). The Dedication Documents shall, subject to applicable law and regulatory approval, reserve the rights of One Grove and LHN III to access, connect, inspect, maintain, construct, reconstruct, relocate, extend, repair, replace and operate existing utilities and future utilities within and under the Road for the benefit of their respective parcels. One Grove shall have three (3) business days in which to review and comment on the Dedication Documents. The Dedication Documents shall be subject to the reasonable approval of One Grove. If One Grove fails to respond to such request within such three (3) business day period, the Dedication Documents shall be deemed to have been approved by One Grove. During the completion of the dedication process, LHN III and One Grove shall enter into an agreement (the "Joint Agreement") with the City of Jersey City to ensure that the Termination is recorded contemporaneously with the Dedication, and Escrow Agent shall be required to release the Termination pursuant to the terms of the Joint Agreement.

4. Use.

a) One Grove, its contractors, and representatives and the occupants of any buildings constructed on Parcel C may use the Temporary Easement for the purposes described in Section 2(a), provided such use does not (i) interfere with LHN III's use of Parcel A and Parcel B, nor (ii) interfere with or cause delays with respect to the Dedication. LHN III shall not interfere with One Grove's use of the Temporary Easement.

b) One Grove, its contractors, and representatives may use the Temporary Utility Easement for the purposes described in Section 2(b), provided such use does not interfere with LHN III's use of Parcel A, and Parcel B. LHN III shall not interfere with One Grove's use of the Temporary Utility Easement.

5. Plans. Upon LHN III's request, One Grove shall provide LHN III with as-built drawings and a survey showing the location and depth of the utilities constructed under Parcel A.

6. Costs/Lien-Free Construction. One Grove shall bear and promptly pay without the imposition of any lien or charge on or against all or any portion of Parcel A, all costs and expenses incurred by One Grove in connection with its construction and maintenance of any utilities under Parcel A. Should any mechanics liens be filed against Parcel A by reason of One Grove's acts or omissions, or because of a claim against One Grove, One Grove shall cause the same to be canceled and discharged of record within twenty (20) days after One Grove is notified of such lien. If One Grove does not so comply with this provision, LHN III may cause the lien to be removed, and One Grove shall reimburse LHN III for the cost thereof and any expenses associated with the removal, including reasonable attorney's fees.

7. Compliance with Laws. One Grove's use of the Easements shall be in compliance with all applicable statutes, ordinances, rules, and regulations of all governing public authorities, as those statutes, ordinances, rules, and regulations are amended from time to time.

8. Maintenance and Repair. Until such time as the Dedication occurs, LHN III shall, at its sole cost and expense, maintain the Road, including removal of snow, in a commercially

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reasonable manner as to cause it to be usable and passable for its intended purpose. LHN III shall provide reasonable advance notice to One Grove prior to commencing any repair, restoration, or maintenance work on the Road. Notwithstanding the foregoing, One Grove shall be responsible for the costs associated with damage to the Road relating to One Grove's or its agents' and/or contractors' access to Parcel C and for the obligation to restore any portion of the Road associated with the development of Parcel C (including with respect to the installation of utilities) by One Grove or its agents and/or contractors

9. **Reservation of Rights.** All right, title, and interest in and to Parcel A under this Agreement, which may be used and enjoyed without interfering with the rights conveyed by this Agreement, are reserved to LHN III.

10. **LHN III Not Liable.** In no event shall LHN III be liable for any damage to or loss of personal property or equipment sustained by One Grove within Parcel A, whether or not it is insured, unless such losses, costs, damages, liens, claims, liabilities, or expenses are a result of the acts and/or omissions of LHN III.

11. **Personal Liability.** No owner, and no member, manager, partner officer, director, employee, agent or affiliate of either party hereto, will in any manner be personally or individually liable for the obligations of such party hereunder or for any claim or liability in any way related to the easements granted herein. In enforcing any claim or liability hereunder, One Grove agrees to look solely to the equity of LHN III in LHN III's Parcels, and LHN III agrees to look solely to the equity of One Grove in Parcel C, it being expressly agreed that, except for the respective parcels, no judgment shall attach against any other property of any party.

12. **Limitation on Damages.** NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED IN THIS AGREEMENT, NEITHER PARTY SHALL BE LIABLE TO THE OTHER PARTY FOR ANY INDIRECT, PUNITIVE, SPECIAL, CONSEQUENTIAL OR INCIDENTAL DAMAGES WHATSOEVER, INCLUDING LOSS OF GOODWILL OR LOSS OF PROFITS.

13. **Indemnification.** One Grove shall indemnify, defend and hold LHN III harmless from and against any and all losses, costs, damages, liens, claims, liabilities, or expenses (including, but not limited to, reasonable attorneys' fees, court costs, and disbursements) incurred by LHN III, including but not limited to environmental losses, costs, damages, liens, claims, liabilities, or expenses, arising from or by reason of One Grove's access to or use of Parcel A, unless such losses, costs, damages, liens, claims, liabilities, or expenses are arising from or by reason of the acts and/or omissions of LHN III on or with respect to Parcel A or the Road. LHN III shall indemnify, defend and hold One Grove harmless from and against any and all losses, costs, damages, liens, claims, liabilities, or expenses (including, but not limited to, reasonable attorneys' fees, court costs, and disbursements) incurred by One Grove, including but not limited to costs, damages, liens, claims, liabilities, or expenses, arising from or by reason of LHN III's access to or use of Parcel A, unless such losses, costs, damages, liens, claims, liabilities, or expenses are arising from or by reason of the acts and/or omissions of One Grove with respect to Parcel A or the Road.

14. **Notices.** All notices, demands, requests, consents, approvals, statements, and other instruments or communications required or permitted to be given hereunder shall be in writing and shall be deemed to have been given if (i) personally delivered with proof of delivery thereof or

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sent by email (any notice or communications so delivered being deemed to have been received at the time delivered in person or sent by email, as applicable), or (ii) or when mailed by first-class certified mail (return receipt requested), postage prepaid, or (iii) a nationally recognized overnight delivery service such as FedEx or UPS, addressed to the respective addresses of the parties set forth below, or at such other address as either party may designate by a notice served in accordance with this provision to the other party. Either party may change the address to which notices shall be sent. Notices by an attorney for a party shall be treated as a notice by such party. Notices hereunder shall be addressed as follows:

To: GRAND LHN III LLC
520 U.S. Highway 22, P.O. Box 6872
Bridgewater, New Jersey 08807
Attention: Jeremy Kaplan
Email: JBK@thekregroup.com

With a copy to:

David B. Kahan, Esquire
520 U.S. Highway 22
P.O. Box 6872
Bridgewater, New Jersey 08807
Telephone: (908) 725-8100
Facsimile: (908) 575-2237
Email: dbk@thekregroup.com

To: ONE GROVE PROPERTY LLC
575 Washington Boulevard, 31st Floor
Jersey City, New Jersey 07310
Attn: Linsen Zhang
Email: Zhang_Linsen@strategiccapital.us

With a copy to:

Chiesa Shahinian & Giantomasi PC
One Boland Drive, West Orange, NJ 07052
Gemina M. Giantomasi, Esquire
Telephone: (973) 530-2066
Facsimile: (973) 530-2266
Email: ggiantomasi@csglaw.com

15. **Representations and Warranties.** Each party represents and warrants to the other parties that (i) such party has full right and authority to execute and deliver this Agreement and to consummate the transactions contemplated hereby, (ii) this Agreement constitutes a legal, binding obligation of such party, enforceable against such party in accordance with its terms, and (iii) the execution, delivery and recording of this Agreement and the consummation of the transactions contemplated hereby do not and will not violate, conflict with or constitute a breach or default under any other agreement by which such party is bound. In addition, LHN III represents and warrants to One Grove that LHN III is the sole owner of the Parcel A and Parcel B.

16. **Amendment.** This Agreement may only be modified or terminated by a recorded document executed by LHN III and One Grove.

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17. **Miscellaneous.** If any provision of this Agreement shall be declared invalid or unenforceable, the remainder of this Agreement shall not be affected by such declaration. The paragraph headings are for convenience of reference only and shall not limit or otherwise affect the meaning hereof. This Agreement may be executed in several counterparts, each of which, when so executed and delivered, shall constitute an original, fully enforceable counterpart for all purposes. This Agreement shall be governed by, and construed in accordance with, the laws of the State of New Jersey. This Agreement shall be binding upon, inure to the benefit of, and be enforceable by the respective successors and assigns of the owners of each parcel; and the benefits and burdens contained in this Agreement shall run with the fee simple title to the lands benefited or burdened hereby.

18. **Waiver.** Except as may otherwise be specifically set forth in this Agreement, the failure of either LHN III or One Grove at any time or times to require performance of any provision of this Agreement shall in no manner affect the right at a later time to enforce the same. No waiver by the owner of either parcel of any condition, or of the breach of any term or condition set forth in this Agreement, whether by conduct or otherwise, in any one or more instances shall be deemed to be or construed as a further or continuing waiver of any such term or condition, or as a waiver of any other term or condition or of the breach of any other term or condition set forth in this Agreement.

19. **Course of Performance.** No course of dealing or performance by either LHN III or One Grove shall be admissible for the purpose of obtaining an interpretation or construction of this Agreement at variance with the express language of the Agreement itself.

20. **Further Assurances.** Each party shall execute, acknowledge and deliver any and all such other instruments or documents, and shall do and take all such further acts, as any other party may reasonably request in order to carry out the intent and purpose of this Agreement. Without limiting the generality of the foregoing, upon the reasonable request of any party hereunder (whether in connection with a proposed sale, a proposed financing or otherwise), any other party hereto shall execute and deliver an estoppel certificate confirming that this Agreement is in full force and effect and that, to the best of such party's knowledge, no party is in breach, violation or default under this Agreement (or, if applicable, identifying any breaches, violations or defaults of any other party under this Agreement).

21. **Entire Agreement; Amendments.** This Agreement constitutes the entire agreement among the parties with respect to the subject matter hereof. This Agreement may not be modified or amended except by a written agreement signed by all parties hereto.

22. **Rule of Construction.** Each party and its counsel have reviewed this Agreement, and the normal rule of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement.

23. **Binding Effect.** The rights and obligations set forth in this Agreement shall run with the land and shall be perpetual. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors and assigns, including without limitation all future owners.

[signature page to follow]

EXECUTION VERSION


IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written

GRAND LHN III LLC

By: 235 GRAND STREET HOLDINGS LLC, its sole Member

By: 235 GRAND STREET HOLDING PARENT LLC, its sole Member

Witnessed by:



David B. Kahan

By: KRE GRAND ASSOCIATES LLC, Member
By: Majic Investment Corp., its Manager

By:  (Seal)
Murray Kushner, President

and

Witnessed by:



Filomena Andriuolo

By: APPLIED LIBERTY HARBOR III L.L.C., Member

By:  (Seal)
Michael Barry, Manager

ONE GROVE PROPERTY LLC

Witnessed by:

By: _____
Name: Linsen Zhang
Title: Authorized Signatory

EXECUTION VERSION

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written

GRAND LHN III LLC

By: 235 GRAND STREET HOLDINGS LLC, its sole Member

By: 235 GRAND STREET HOLDING PARENT LLC, its sole Member

Witnessed by:

By: KRE GRAND ASSOCIATES LLC, Member
By: Majic Investment Corp., its Manager

David B. Kahan

By: _____ (Seal)
Murray Kushner, President

and

Witnessed by:

By: APPLIED LIBERTY HARBOR III L.L.C., Member

Filomena Andriuolo

By: _____ (Seal)
Michael Barry, Manager

Witnessed by:

ONE GROVE PROPERTY LLC

By: _____
Name: Phillip Gesue
Title: Authorized Signatory

ROGER MOY

EXECUTION VERSION

STATE OF NEW JERSEY :

ss.:

COUNTY OF HUDSON :

BE IT REMEMBERED, that on this 31st day of June, 2020, before me, an Attorney at Law of the State of New Jersey, personally appeared Murray Kushner, the President of Majic Investment Corp., the Manager of KRE Grand Associates LLC, a Member of 235 Grand Street Holdings Parent LLC, the sole Member of 235 Grand Street Holdings LLC, the sole Member of Grand LHN III LLC, a New Jersey limited liability company (the "Company"), who, I am satisfied, is the person who signed and delivered the within instrument and thereupon he acknowledged that he signed, sealed and delivered the same with due authority and that the within instrument is the act and deed of said Company, for the uses and purposes therein expressed.


David B. Kahan


Attorney At Law, State of New Jersey

STATE OF NEW JERSEY :

ss.:

COUNTY OF HUDSON :

BE IT REMEMBERED, that on this 20th day of May, 2020, before me, a Notary Public of the State of New Jersey, personally appeared Michael Barry, a Manager of Applied Liberty Harbor III L.L.C., a Member of 235 Grand Street Holdings Parent LLC, a Member of 235 Grand Street Holdings LLC, a Member of Grand LHN III LLC, a New Jersey limited liability company (the "Company"), who, I am satisfied, is the person who signed and delivered the within instrument and thereupon he acknowledged that he signed, sealed and delivered the same with due authority and that the within instrument is the act and deed of said Company, for the uses and purposes therein expressed.


Filomena Andriuolo

Notary Public, State of New Jersey

Commission Expires:

FILomenA ANDRIUOLO
A NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES JULY 25, 2020

STATE OF NEW JERSEY :

ss.:

COUNTY OF HUDSON :

BE IT REMEMBERED, that on this ____ day of _____, 2020, before me, an Attorney at Law of the State of New Jersey, personally appeared Linsen Zhang, the authorized signatory of One Grove Property LLC, a Delaware limited liability company (the "Company"), who, I am satisfied, is the person who signed and delivered the within instrument and thereupon he acknowledged that he signed, sealed and delivered the same with due authority and that the within instrument is the act and deed of said Company, for the uses and purposes therein expressed.


Gemma M. Giantomasi

Attorney at Law, State of New Jersey

EXECUTION VERSION

STATE OF NEW JERSEY :

SS.:

COUNTY OF HUDSON :

BE IT REMEMBERED, that on this ____ day of _____, 2020, before me, an Attorney at Law of the State of New Jersey, personally appeared Murray Kushner, the President of Majic Investment Corp., the Manager of KRE Grand Associates LLC, a Member of 235 Grand Street Holdings Parent LLC, the sole Member of 235 Grand Street Holdings LLC, the sole Member of Grand LHN III LLC, a New Jersey limited liability company (the "Company"), who, I am satisfied, is the person who signed and delivered the within instrument and thereupon he acknowledged that he signed, sealed and delivered the same with due authority and that the within instrument is the act and deed of said Company, for the uses and purposes therein expressed.

David B. Kahan

Attorney At Law, State of New Jersey

STATE OF NEW JERSEY :

SS.:

COUNTY OF HUDSON :

BE IT REMEMBERED, that on this ____ day of _____, 2020, before me, a Notary Public of the State of New Jersey, personally appeared Michael Barry, a Manager of Applied Liberty Harbor III L.L.C., a Member of 235 Grand Street Holdings Parent LLC, a Member of 235 Grand Street Holdings LLC, a Member of Grand LHN III LLC, a New Jersey limited liability company (the "Company"), who, I am satisfied, is the person who signed and delivered the within instrument and thereupon he acknowledged that he signed, sealed and delivered the same with due authority and that the within instrument is the act and deed of said Company, for the uses and purposes therein expressed.

Filomena Andriuolo

Notary Public, State of New Jersey

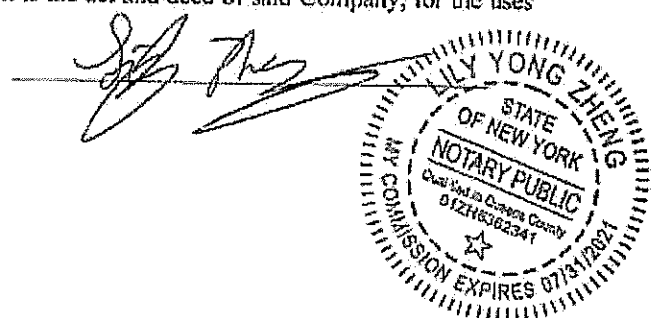
Commission Expires:

New York
STATE OF ~~NEW JERSEY~~ :

SS.:

COUNTY OF ~~HUDSON~~ :

New York
BE IT REMEMBERED, that on this 04 day of June, 2020, before me, a Notary Public of the State of New York, personally appeared Phillip Gesue, the authorized signatory of One Grove Property LLC, a Delaware limited liability company (the "Company"), who, I am satisfied, is the person who signed and delivered the within instrument and thereupon he acknowledged that he signed, sealed and delivered the same with due authority and that the within instrument is the act and deed of said Company, for the uses and purposes therein expressed.



EXECUTION VERSION

AS TO SECTION 3, ACCEPTED
AND AGREED TO BY:

ROYAL ABSTRACT OF NEW JERSEY LLC

Witnessed by:

Nancy Georgiou

By:

Michael Roberts

Name: Michael Roberts

Title: COO & General Counsel

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

On the 26th day of June, 2020, before me, the undersigned, personally appeared Michael Roberts, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual(s) acted, executed the instrument.

Nancy Georgiou
Notary Public

NANCY GEORGIOU
Notary Public, State of New York
Reg. No. 01GE6256421
Qualified in Suffolk County
Commission Expires February 27, 2024

EXECUTION VERSION

EXHIBIT A

METES AND BOUNDS – PARCEL A (BLOCK 15906, LOT 2)

Being known and designated as Tax Lot 2 Block 15906 as shown on current Tax Assessment Map prepared for the City of Jersey City, Hudson County, New Jersey, Tax Map Sheet No. 159; also known and designated as Proposed Lot 2.02 Block 15901 as shown on a plat entitled, "Preliminary/Final Major Subdivision Block 60.04, Lots 20 & 21 Grove Square (Lot 5.10) Block 60.06, Lot 6 Liberty Harbor North "Block 5" situated in the City of Jersey City, Hudson County, New Jersey", recorded in the Hudson County Register's Office on March 25, 2013 as File Map Instrument No. 20130325130000050.

Lot 2 Block 15906 being more particularly described as follows:

BEGINNING at a point along the Southerly line of, (80.0' R.O.W.), Grand Street at the common division line between Tax Lots 2 and 3 Block 15906; Said point being North 81 degrees 52 minutes 26 seconds West a distance of 550.64 feet measured along the said Southerly line of Grand Street from the intersection between the said line of Grand Street and the Westerly line of, (R.O.W. varies, 60.0 shown on Tax Map), Luis Munoz Marin Boulevard; thence running

1. South 06 degrees 35 minutes 58 seconds West, a distance of 205.24 feet along the division line between said Tax Lots 2 and 3 Block 15906 to an angle point therein; thence
2. South 81 degrees 56 minutes 10 seconds East, continuing along the division line between said Tax Lots 2 and 3, a distance of 178.34 feet to a point at the division line between said Tax Lot 2 and Tax Lot 7 Block 15906; thence
3. South 08 degrees 03 minutes 50 seconds West, a distance of 14.00 feet along the division line between said Tax Lots 2 and 7 Block 15906 to a point at the division line between said Tax Lot 2 and Tax Lot 12 Block 15906; thence the following two (2) courses along the division line between said Tax Lots 2 and 12 Block 15906
4. North 81 degrees 56 minutes 10 seconds West, a distance of 71.95 feet to a point of curvature; thence
5. Along a curve to the left in a Southwesterly direction, having a radius of 48.00 feet, an arc length of 53.66 feet, a central angle of 64 degrees 03 minutes 20 seconds, a chord bearing of South 66 degrees 02 minutes 10 seconds West and a chord distance of 50.91 feet to a point in the Northerly line of Tax Lot 10 Block 15906; thence the following two (2) courses along the division line between Tax Lots 2 and 10 Block 15906
6. North 81 degrees 56 minutes 10 seconds West, a distance of 70.91 feet to a point of curvature; thence
7. Along a curve to the left in a Northwesterly direction, having a radius of 48.00 feet, an arc length of 9.94 feet, a central angle of 11 degrees 52 minutes 04 seconds, a chord bearing of North 87 degrees 52 minutes 12 seconds West and a chord distance of 9.92 feet to a point; thence

EXECUTION VERSION

8. North 81 degrees 56 minutes 10 seconds West, a distance of 204.56 feet continuing along the division line between said Tax Lots 2 and 10 Block 15906, then along the division line between said Tax Lot 2 and Tax Lot 24 Block 15801 to a point at the division line between said Tax Lot 2 and Tax Lot 1 Block 15906; thence the following two (2) courses along the division line between said Lots 1 and 2 Block 15906; thence
 9. North 85 degrees 34 minutes 20 seconds East, a distance of 158.04 feet to an angle point therein; thence
 10. North 06 degrees 35 minutes 58 seconds East, a distance of 213.15 feet to a point in the Southerly line of, (80.0' R.O.W.), Grand Street; thence
 11. South 81 degrees 52 minutes 26 seconds East, a distance of 68.02 feet along the said Southerly line of Grand Street to the point and place of **BEGINNING**.
- Containing: 23,966 S.F., 0.55 Acres

EXECUTION VERSION

EXHIBIT B

TERMINATION OF EASEMENT AGREEMENT

RECORD AND RETURN TO:
David B. Kahan, Esquire
520 Highway 22, P.O. Box 6872
Bridgewater, NJ 08807

Prepared by:

David B. Kahan, Esquire

TERMINATION OF EASEMENT AGREEMENT

THIS TERMINATION OF EASEMENT AGREEMENT (this "Termination") is made on this _____ day of _____, 2020, by and between **GRAND LHN III LLC**, a New Jersey limited liability company, having its office at 520 U.S. Highway 22, Post Office Box 6872, Bridgewater, New Jersey 08807 (herein referred to as "**LHN III**") and **ONE GROVE PROPERTY LLC**, a Delaware limited liability company, having an address at 575 Washington Boulevard, 31st Floor, Jersey City, New Jersey 07310 (herein referred to as "**One Grove**").

RECITALS:

WHEREAS, LHN III and One Grove entered into that certain Amended and Restated Easement Agreement, dated June __, 2020 (the "Easement"), with respect to certain property located in the City of Jersey City, County of Hudson, and State of New Jersey, as more specifically defined in the Easement.

WHEREAS, the Easement amended and restated that certain easement agreement dated September 22, 2017, which was recorded on October 2, 2017, in the land records of Hudson County at Book 9241, Page 622.

WHEREAS, the Easement was recorded in the official land records of the Register of Hudson County in Deed Book[], at page [] on [], 2020.

WHEREAS, pursuant to its terms, the Easement terminated upon the Dedication (*as such term is defined in the Easement*).

WHEREAS, LHN III, and One Grove desire to enter into this Termination confirm the termination of the Easement.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Termination. LHN III and One Grove agree and acknowledge that the Easement is terminated, and in confirmation thereof execute this Termination and release the same of record. The Easement is of no further force or effect.

EXECUTION VERSION

2. Counterparts. This Termination may be executed in multiple counterparts, each of which shall be deemed an original and all of which when taken together shall constitute one and the same document.

[Signature Page to Follow]

EXECUTION VERSION

IN WITNESS WHEREOF, the parties hereto have executed this Termination as of the date first above written

GRAND LHN III LLC

By: 235 GRAND STREET HOLDINGS LLC, its sole Member

By: 235 GRAND STREET HOLDING PARENT LLC, its sole Member

Witnessed by:

By: KRE GRAND ASSOCIATES LLC, Member
By: Majic Investment Corp., its Manager

David B. Kahan

By: _____ (Seal)
Murray Kushner, President

and

Witnessed by:

By: APPLIED LIBERTY HARBOR III L.L.C., Member

Filomena Andriuolo

By: _____ (Seal)
Michael Barry, Manager

ONE GROVE PROPERTY LLC

Witnessed by:

By: _____
Name: Linsen Zhang
Title: Authorized Signatory

EXECUTION VERSION

STATE OF NEW JERSEY

SS.:

COUNTY OF HUDSON

BE IT REMEMBERED, that on this ____ day of _____, 2020, before me, an Attorney at Law of the State of New Jersey, personally appeared Murray Kushner, the President of Majic Investment Corp., the Manager of KRE Grand Associates LLC, a Member of 235 Grand Street Holdings Parent LLC, the sole Member of 235 Grand Street Holdings LLC, the sole Member of Grand LHN III LLC, a New Jersey limited liability company (the "Company"), who, I am satisfied, is the person who signed and delivered the within instrument and thereupon he acknowledged that he signed, sealed and delivered the same with due authority and that the within instrument is the act and deed of said Company, for the uses and purposes therein expressed.

David B. Kahan
Attorney At Law, State of New Jersey

STATE OF NEW JERSEY

SS.:

COUNTY OF HUDSON

BE IT REMEMBERED, that on this ____ day of _____, 2020, before me, a Notary Public of the State of New Jersey, personally appeared Michael Barry, a Manager of Applied Liberty Harbor III L.L.C., a Member of 235 Grand Street Holdings Parent LLC, a Member of 235 Grand Street Holdings LLC, a Member of Grand LHN III LLC, a New Jersey limited liability company (the "Company"), who, I am satisfied, is the person who signed and delivered the within instrument and thereupon he acknowledged that he signed, sealed and delivered the same with due authority and that the within instrument is the act and deed of said Company, for the uses and purposes therein expressed.

Filomena Andriuolo
Notary Public, State of New Jersey
Commission Expires:

STATE OF NEW JERSEY

SS.:

COUNTY OF HUDSON

BE IT REMEMBERED, that on this ____ day of _____, 2020, before me, an Attorney at Law of the State of New Jersey, personally appeared Linsen Zhang, the authorized signatory of One Grove Property LLC, a Delaware limited liability company (the "Company"), who, I am satisfied, is the person who signed and delivered the within instrument and thereupon he acknowledged that he signed, sealed and delivered the same with due authority and that the within instrument is the act and deed of said Company, for the uses and purposes therein expressed.

Gemma M. Giantomasi
Attorney at Law, State of New Jersey

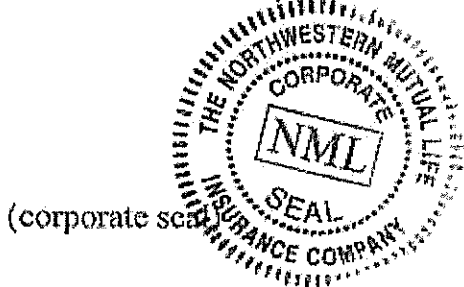
JOINDER AND CONSENT

THE NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY, a Wisconsin corporation, as owner and holder of that certain Mortgage and Security Agreement and Financing Statement dated January 28, 2020, and recorded February 11, 2020, in Official Records Book 19555, page 311 in the Public Records of Hudson County, New Jersey, herein and hereby joins and consents to the Amended and Restated Easement Agreement to which this consent is appended.

Dated: June 1st, 2020

Signed, Sealed and Delivered
In presence of:

Brian Williams (SEAL)
Brian Williams, Witness



THE NORTHWESTERN MUTUAL LIFE
INSURANCE COMPANY, a Wisconsin
corporation

By: Northwestern Mutual Investment
Management Company, LLC, a
Delaware limited liability company, its
wholly-owned affiliate

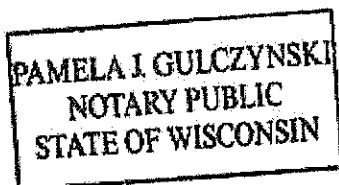
By: Brian D. Bennett (Seal)
Name: Brian D. Bennett
Title: Director

STATE OF WISCONSIN)
)ss.
COUNTY OF MILWAUKEE)

I CERTIFY that on June 1, 2020, Brian D. Bennett personally came before me and stated to my satisfaction that this person:

(a) was the maker of the attached instrument;

(b) was authorized to and did execute this instrument as the Director of Northwestern Mutual Investment Management Company, LLC, a Delaware limited liability company and wholly-owned affiliate of THE NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY, a Wisconsin corporation, the entity named in this instrument;



Pamela I. Gulczynski
Pamela I. Gulczynski, Notary Public
My Commission Expires: 9-18-2022

RESOLUTION OF THE PLANNING BOARD OF THE CITY OF JERSEY CITY

APPLICANT: GRAND LHN III URBAN RENEWAL, LLC

FOR: PRELIMINARY & FINAL MAJOR SUBDIVISION APPROVAL
237 GRAND STREET, "GRAND STREET", 1 CANAL STREET AND
THE "GROVE SQUARE" RIGHT-OF-WAY
ALSO TO BE KNOWN ON THE JERSEY CITY TAX MAPS AS
BLOCK 15901, LOTS 1, 2, 3, 4 AND "GROVE SQUARE"
JERSEY CITY, NEW JERSEY

CASE NO.: P12-014

WHEREAS, the applicant, **GRAND LHN III URBAN RENEWAL, LLC**, (the "Applicant"), per **CONNELL FOLEY, LLC** (Charles J. Harrington, III, Esq., appearing) made application to the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for Preliminary and Final Major Subdivision Approval, to wit: Calendar No. P12-014, to subdivide four (4) existing lots into five (5) lots including two (2) lots for the extension of rights-of-way in connection with the property located at 237 Grand Street, "Grand Street", 1 Canal Street and the "Grove Square" right-of-way, also known on the Jersey City Tax Maps as Block 15901, Lots 1, 2, 3, 4 and "Grove Square"; and

WHEREAS, due notice of a hearing on the above said application before the Planning Board of the City of Jersey City, on May 15, 2012 at 5:30 p.m., was duly published as prescribed in the Zoning Ordinance of the City of Jersey City; and

WHEREAS, the applicant has submitted proof that it has complied with the applicable procedural requirements including the payment of fees and public notices; and

WHEREAS, all testimony having been formally heard for this application; and

WHEREAS, after consideration of the application and the testimony presented at the meeting, the Planning Board has made the following findings of fact:

FINDINGS OF FACT

1. The Applicant, Grand LHN III Urban Renewal, LLC, has filed an application with the Jersey City Planning Board for Preliminary and Final Major Subdivision Approval. The purpose of the application is to subdivide four (4) existing lots and create development lots and right-of-way extensions consistent with the Liberty Harbor North Redevelopment Plan.

2. Under a separate development application, the Applicant is proposing a development that includes a total of 680 residential units in with retail space and approximately 373 on site parking spaces and 8 on street parking spaces (the Applicant requested a valet and/or mechanical parking to maximize parking, if necessary) in connection with a portion of the property located along Grand Street, Jersey City, New Jersey, specifically identified as "Block 5" in the Liberty Harbor North Redevelopment Plan. The subdivision will create the extension of Grove Street (through the proposed development), Regent Street and Sussex Street.

3. The proposed lots conform with the Liberty Harbor North Redevelopment Plan.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for the foregoing reasons, approves the within application for Preliminary and Final Major Subdivision Approval, to wit: Calendar No. P12-014, to subdivide four (4) existing lots into five (5) lots including two (2) lots for proposed extensions of rights-of-way in connection with the property located at 237 Grand Street, "Grand Street", 1 Canal Street and the "Grove Square" right-of-way, also known on the Jersey City Tax Maps as Block 15901, Lots 1, 2, 3, 4 and "Grove Square", in accordance with the plans and testimony submitted to the Planning Board of the City of Jersey City, subject to the following conditions:

1. The conditions of approval set forth on the record by the Planning Board Commissioners and/or Division of Planning.
2. This resolution may be amended to specifically set forth the conditions of approval that were started on the record at the hearing.

APPLICANT: GRAND LHN III URBAN RENEWAL, LLC

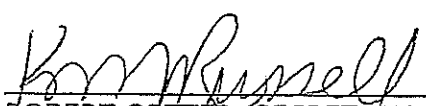
FOR: PRELIMINARY & FINAL MAJOR SUBDIVISION APPROVAL
237 GRAND STREET, "GRAND STREET", 1 CANAL STREET AND
THE "GROVE SQUARE" RIGHT-OF-WAY
ALSO TO BE KNOWN ON THE JERSEY CITY TAX MAPS AS
BLOCK 15901, LOTS 1, 2, 3, 4 AND "GROVE SQUARE"
JERSEY CITY, NEW JERSEY

CASE NO.: P12-014

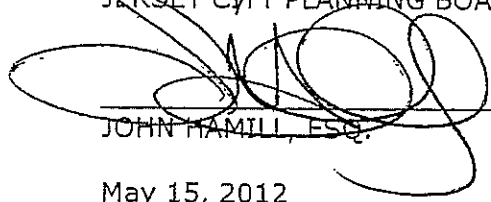
VOTE:

COMMISSIONER:	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
---------------	------------	-----------	----------------	---------------

Michael A. Ryan, Chairman
Karen McIntyre, Commissioner
Leon Yost, Commissioner
Roseanna Petruzzelli, Commissioner
Larry Eccleston, Commissioner
James P. McNeill, Commissioner
Madeline Romano, Commissioner
Michael Sims, Commissioner
Nidia Lopez, Commissioner
Dr. Orlando Gonzalez, Commissioner
Eduardo Torres, Commissioner


MICHAEL RYAN, CHAIRMAN
JERSEY CITY PLANNING BOARD
ROBERT COTTER, SECRETARY
JERSEY CITY PLANNING BOARD

APPROVED AS TO LEGAL FORM:


JOHN HAMILL, ESQ.

DATE OF HEARING:

May 15, 2012

DATE OF MEMORIALIZATION:

May 15, 2012

RESOLUTION OF THE PLANNING BOARD OF THE CITY OF JERSEY CITY

APPLICANT: GRAND LHN III URBAN RENEWAL, LLC

FOR: PRELIMINARY & FINAL MAJOR SITE PLAN APPROVAL WITH A
DEVIATION
237 GRAND STREET, "GRAND STREET", 1 CANAL STREET AND
THE "GROVE SQUARE" RIGHT-OF-WAY
ALSO TO BE KNOWN ON THE JERSEY CITY TAX MAPS AS
BLOCK 15901, LOTS 1, 2, 3, 4 AND "GROVE SQUARE"
JERSEY CITY, NEW JERSEY

CASE NO.: P12-015

WHEREAS, the applicant, **GRAND LHN III URBAN RENEWAL, LLC**, (the "Applicant"), per **CONNELL FOLEY, LLC** (Charles J. Harrington, III, Esq., appearing) made application to the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for Preliminary and Final Major Site Plan Approval with a deviation (same architectural firm on adjacent block, if necessary, to wit: Calendar No. P12-015, to develop two new mixed use developments consisting of a total of 680 residential units (549 + 131) with ground floor retail/commercial space and parking garages for approximately 373 parking spaces in the garage and 8 on street parking spaces (along with an option to maximize the permitted parking through a valet option or through mechanical parking) in connection with the property located at 237 Grand Street, "Grand Street", 1 Canal Street and the "Grove Square" right-of-way, also known on the Jersey City Tax Maps as Block 15901, Lots 1, 2, 3, 4 and "Grove Square"; and

WHEREAS, due notice of a hearing on the above said application before the Planning Board of the City of Jersey City, on May 15, 2012 at 5:30 p.m., was duly published as prescribed in the Zoning Ordinance of the City of Jersey City; and

WHEREAS, the applicant has submitted proof that it has complied with the applicable procedural requirements including the payment of fees and public notices; and

WHEREAS, all testimony having been formally heard for this application; and

WHEREAS, after consideration of the application and the testimony presented at the meeting, the Planning Board has made the following findings of fact:

FINDINGS OF FACT

1. The Applicant, Grand LHN III Urban Renewal, LLC, has filed an application with the Jersey City Planning Board for Preliminary and Final Major Site Plan Approval with a deviation, if necessary, to permit the same architectural firm to design more than one development project within the adjacent block in the redevelopment plan area. The purpose of the application is to develop two new mixed use developments consisting of a total of 680 residential units (549 + 131) with ground floor retail/commercial space and parking garages for approximately 373 parking spaces in the garage and 8 on street parking spaces (along with an option to maximize the permitted parking through a valet option or through mechanical parking) in connection with

the property located at 237 Grand Street, "Grand Street", 1 Canal Street and the "Grove Square" right-of-way, also known on the Jersey City Tax Maps as Block 15901, Lots 1, 2, 3, 4 and "Grove Square".

2. Under a separate application, the development lots and the extensions of rights-of-way (Grove Street, Regent Street and Sussex Street) were approved as part of a major subdivision approval (P12-014).

3. The Applicant has been designated as the redeveloper of the parcels by the Jersey City Redevelopment Agency ("JCRA").

4. The development parcels are currently occupied by the Jersey City Boys and Girls Club ("JCBGC"). The Applicant has entered into an agreement with the JCBGC to develop a new facility for the JCBGC on an alternate site, which is a unique opportunity for the Applicant and JCBGC, and will be a benefit to the community.

5. As part of the development, the Applicant will be extending the Grove Street right-of-way, which is consistent with a recent amendment to the Liberty Harbor North Redevelopment Plan ("Redevelopment Plan"). The development will also result in the widening of other existing right-of-way consistent with the intent of the Redevelopment Plan and its street grid.

6. The developments, which will be separated by the new extension of Grove Street, have been designed to be architecturally distinguishable from each other and from other existing development projects within the Redevelopment Plan area.

7. As part of the development proposal, the Applicant has not maximized the permitted parking for the developments. The Applicant has requested the option to maximize the permitted parking in the future through a valet option or through the use of a mechanical parking system at the developments (for 687 total parking spaces). This request is consistent with the Redevelopment Plan and with other approved projects within the Redevelopment Plan, and is appropriate.

8. The proposed development conforms to the Redevelopment Plan with the exception that it is recommended in the Urban and Architectural Standards of the Redevelopment Plan that an architectural firm does not design more than one adjacent block.

9. The Applicant's architectural firm has extensive experience of development within Jersey City and with the Applicant, and is knowledgeable of the intent and purposes of the Redevelopment Plan. In that regard, the Applicant's Architect has worked closely with the Division of Planning staff to create a design of the respective projects that is consistent with the intent to have diversified design schemes throughout the Redevelopment Plan area.

9. The design presented by the Applicant is consistent with the intent of the Redevelopment Plan, and the benefits of permitting the same architectural firm in this matter outweigh any substantial detriments.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for the foregoing reasons, approves the within application for Preliminary and Final Major Site Plan Approval with a deviation (same architectural firm on adjacent block, if necessary, to wit: Calendar No. P12-015, to develop two new mixed use developments consisting of a total of 680 residential units (549 + 131) with

ground floor retail/commercial space and parking garages for approximately 373 parking spaces in the garage and 8 on street parking spaces (along with an option to maximize the permitted parking through a valet option or through mechanical parking) in connection with the property located at 237 Grand Street, "Grand Street", 1 Canal Street and the "Grove Square" right-of-way, also known on the Jersey City Tax Maps as Block 15901, Lots 1, 2, 3, 4 and "Grove Square", in accordance with the plans and testimony submitted to the Planning Board of the City of Jersey City, subject to the following conditions:

1. The conditions of approval set forth on the record by the Planning Board commissioners and/or Division of Planning.
2. This resolution may be amended to specifically set forth the conditions of approval that were stated on the record at the hearing.

APPLICANT: GRAND LHN III URBAN RENEWAL, LLC

FOR: PRELIMINARY & FINAL MAJOR SITE PLAN APPROVAL WITH A
DEVIATION
237 GRAND STREET, "GRAND STREET", 1 CANAL STREET AND
THE "GROVE SQUARE" RIGHT-OF-WAY
ALSO TO BE KNOWN ON THE JERSEY CITY TAX MAPS AS
BLOCK 15901, LOTS 1, 2, 3, 4 AND "GROVE SQUARE"
JERSEY CITY, NEW JERSEY

CASE NO.: P12-015

VOTE:

COMMISSIONER:	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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Michael A. Ryan, Chairman
Karen McIntyre, Commissioner
Leon Yost, Commissioner
Roseanna Petruzzelli, Commissioner
Larry Eccleston, Commissioner
James P. McNeill, Commissioner
Madeline Romano, Commissioner
Michael Sims, Commissioner
Nidia Lopez, Commissioner
Dr. Orlando Gonzalez, Commissioner
Edwardo Torres, Commissioner



MICHAEL RYAN, CHAIRMAN
JERSEY CITY PLANNING BOARD



ROBERT COTTER, SECRETARY
JERSEY CITY PLANNING BOARD

APPROVED AS TO LEGAL FORM:



JOHN HAMILL, ESQ.

DATE OF HEARING:

May 15, 2012

DATE OF MEMORIALIZATION:

May 15, 2012

2013

RESOLUTION OF THE PLANNING BOARD OF THE CITY OF JERSEY CITY

APPLICANT: GRAND LHN III URBAN RENEWAL, LLC
FOR: ADMINISTRATIVE AMENDMENTS TO
PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL
237 GRAND STREET AND 1 CANAL STREET,
JERSEY CITY, NEW JERSEY
BLOCK 15901, LOTS 1.01, 2.01, 2.02, 3.01 AND 23.04
CASE NO.: P12-015

WHEREAS, the Applicant, **GRAND LHN III URBAN RENEWAL, LLC, (the Applicant)**, per **CONNELL FOLEY, LLC** (Charles J. Harrington, III, Esq., appearing) made application to the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for administrative amendments to its Preliminary and Final Major Site Plan Approval, to wit: Calendar No. P12-015, to amend ground level elevations, the Grand Street building facades and elevations, the Grove Street retail/commercial elevations, and related and ancillary minor changes resulting from Applicant's compliance with the current FEMA Advisory Base Flood Elevation guidelines in connection with the property identified as 237 Grand Street and 1 Grove Street, Jersey City, New Jersey, and is also identified on the Jersey City Tax Maps as Block 15901, Lots 1.01, 2.01, 2.02, 3.01 and 23.04; and

WHEREAS, the proposed amendments by the Applicant are minor in nature compared to the overall project; and

WHEREAS, the Division of Planning and the Planning Board have made a determination that the proposed amendments can be reviewed administratively, and that a formal application is not required; and

WHEREAS, due notice of a hearing on the above said application before the Planning Board of the City of Jersey City, on July 23, 2013 at 5:30 p.m., was duly published as prescribed in the Land Development Ordinance of the City of Jersey City; and

WHEREAS, the Applicant has submitted proof that it has complied with the applicable procedural requirements including the payment of fees and public notices, if any; and

WHEREAS, all testimony having been formally heard for this application; and

WHEREAS, after consideration of the application, plans, and the expert testimony presented at the meeting on behalf of the Applicant, the recommendations of the Division of Planning staff and the comments and testimony of the public, the Planning Board has made the following findings of facts:

FINDINGS OF FACT

1. The Applicant, Grand LHN III Urban Renewal, LLC, has made an application to the Planning Board for administrative amendments to its Preliminary and Final Major Site Plan Approval, which was approved May 15, 2012 and memorialized by resolution on May 15, 2012 to develop two new mixed use developments consisting of a total of 680 residential units (549 + 131) with ground floor retail/commercial space and parking garages for approximately 373 parking spaces in the garage and 8 on street parking spaces (along with an option to maximize the permitted parking through a valet option or through mechanical parking) in connection with the property identified as 237 Grand Street and 1 Canal Street, Jersey City, New Jersey, and is also identified on the Jersey City Tax Maps as Block 15901, Lots 1.01, 2.01, 2.02, 3.01 and 23.04.
2. The proposed amendments to the project consist of amendments to the ground level elevations, the Grand Street building facades and elevations, the Grove Street commercial/retail elevations, and related minor changes resulting from Applicant's compliance with the current FEMA Advisory Base Flood Elevation guidelines (the "ABFE").
3. A summary of the proposed changes include the following:
 - a). Architectural Changes:
 - Amendments are being made to the façade and entry way to the building component along Grand Street to address the current FEMA ABFEs.
 - Amendments are being made to the façade and entry way to the retail/commercial component/entrance along Grove Street to address the current FEMA ABFE.
 - The Applicant has requested flexibility with regard to the final design of the electrical vault rooms to be accessed by PSE&G (depending on the requirements of PSE&G).

b). Engineering Changes:

- Amendments are being made to raise the grades of the property throughout the project, including raising the grades of Grand Street, Grove Street and Regent Street. The raising of the grades is in response to the current FEMA ABFEs.
- Amendments were made to the plans to address the prior comments of the Jersey City Review Agents.

c). Landscaping Changes:

- Adjustments are being made to various landscaping throughout the site to accommodate the respective architectural and engineering changes, including adding landscaping adjacent to the electrical vault rooms on the east side of the project.

4. The proposed and requested amendments listed herein and on the development plans are consistent with the Liberty Harbor North Redevelopment Plan, and none of the proposed material changes are substantial.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for the foregoing reasons, approves the application for administrative amendments to the Preliminary and Final Major Site Plan Approval, to wit: Calendar No. P12-015, to amend ground level elevations, the Grand Street townhouse facades and elevations, the Grove Street retail/commercial elevations, and related minor and ancillary changes resulting from Applicant's compliance with the current FEMA Advisory Base Flood Elevation guidelines in connection with the property identified as 237 Grand Street and 1 Canal Street, Jersey City, New Jersey, and is also identified on the Jersey City Tax Maps as Block 15901, Lots 1.01, 2.01, 2.02, 3.01 and 23.04, in accordance with the plans and testimony submitted to the Planning Board of the City of Jersey City, subject to the following conditions:

1. The Applicant shall comply with any conditions of approval, if any, set forth on the record by the Division of Planning and/or the Planning Board. This resolution may be amended and/or supplemented to list in writing any such conditions.

APPLICANT: GRAND LHN III URBAN RENEWAL, LLC

FOR: ADMINISTRATIVE AMENDMENTS TO
PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL
237 GRAND STREET AND 1 CANAL STREET,
JERSEY CITY, NEW JERSEY
BLOCK 15901, LOTS 1.01, 2.01, 2.02, 3.01 AND 23.04

CASE NO.: P12-015


VOTE:

COMMISSIONER:	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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Roseanna Petruzzelli, Chairwoman
Karen McIntyre, Vice Chairwoman
Dr. Orlando Gonzalez, Commissioner
Robert McPherson, Commissioner
Eduardo Torres, Commissioner
Michael Sims, Commissioner

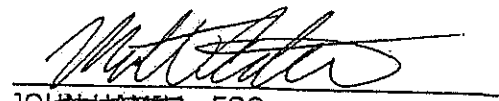
✓
✓
✓
✓
✓

✓
Recused


~~MICHAEL RYAN~~, CHAIRMAN
JERSEY CITY PLANNING BOARD
Roseanna Petruzzelli


ROBERT COTTER, SECRETARY
JERSEY CITY PLANNING BOARD

APPROVED AS TO LEGAL FORM:


JOHN HAMILL, ESQ.
Matthew Cantrell
July 23, 2013

DATE OF HEARING:

DATE OF MEMORIALIZATION:

July 23, 2013

RESOLUTION OF THE PLANNING BOARD OF THE CITY OF JERSEY CITY

APPLICANT: GRAND LHN III URBAN RENEWAL, LLC

FOR: ADMINISTRATIVE AMENDMENTS TO
PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL
237 GRAND STREET AND 1 CANAL STREET,
JERSEY CITY, NEW JERSEY
BLOCK 15901, LOTS 1.01, 2.01, 2.02, 3.01 AND 23.04

CASE NO.: P12-015

WHEREAS, the Applicant, **GRAND LHN III URBAN RENEWAL, LLC**, (the Applicant), per **CONNELL FOLEY, LLC** (Charles J. Harrington, III, Esq., appearing) made application to the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for administrative amendments to its Preliminary and Final Major Site Plan Approval, to wit: Calendar No. P12-015, which include amendments to the lobby entrance design and location, the ground floor layout, to permit minor façade changes and design refinement of the building, and the phasing of the development in connection with the property identified as 237 Grand Street and 1 Grove Street, Jersey City, New Jersey, and is also identified on the Jersey City Tax Maps as Block 15901, Lots 1.01, 2.01, 2.02, 3.01 and 23.04; and

WHEREAS, the proposed amendments by the Applicant are minor in nature compared to the overall project; and

WHEREAS, the Division of Planning and the Planning Board have made a determination that the proposed amendments can be reviewed administratively, and that a formal application is not required; and

WHEREAS, due notice of a hearing on the above said application before the Planning Board of the City of Jersey City, on August 26, 2014, at 5:30 p.m., was duly published as prescribed in the Land Development Ordinance of the City of Jersey City; and

WHEREAS, the Applicant has submitted proof that it has complied with the applicable procedural requirements including the payment of fees and public notices, if any; and

WHEREAS, all testimony having been formally heard for this application; and

WHEREAS, after consideration of the application, plans, and the expert testimony presented at the meeting on behalf of the Applicant, the recommendations of the Division of Planning staff and the comments and testimony of the public, the Planning Board has made the following findings of facts:

FINDINGS OF FACT

1. The Applicant, Grand LHN III Urban Renewal, LLC, has filed an application for administrative amendments to its Preliminary and Final Major Site Plan Approval, which was approved May 15, 2012, and amended through administrative amendments on July 23, 2013, in connection with the development of two new mixed use developments consisting of a total of 680 residential units (549 + 131) with ground floor retail/commercial space and parking garages for approximately 373 parking spaces in the garage and 8 on street parking spaces (along with an option to maximize the permitted parking through a valet option or through mechanical parking) on the property identified as 237 Grand Street and 1 Canal Street, Jersey City, New Jersey, and is also identified on the Jersey City Tax Maps as Block 15901, Lots 1.01, 2.01, 2.02, 3.01 and 23.04.
2. The property is located in the Liberty Harbor North Redevelopment Plan area.
3. The proposed amendments to the project include amendments to the lobby entrance design and location, ground floor layout and minor façade changes and design refinement.
4. A summary of the proposed changes include the following:
 - a). Architectural Changes:
 - Amendments to the lobby entrance of the 45-story building on Lot 1.01 including changes in design and location. The changes reflect relocation of the lobby entrance from the southwest corner of the building to the northwest corner.
 - Amendments to the location of the ground floor retail space from the corner of Grand Street to the front on Grove Street and Sussex Street.
 - Refinements to the architectural design including a refinement to the building top to replace translucent panels to metal, adjust utility vault size and door locations and a minor shift in the garage door entrance at the

east side of the building.

b.) Phasing:

- The Applicant will be phasing the development of the respective buildings. The development of the 237 Grand Street Development will be Phase 1. The remaining development will be Phase 2.

5. The proposed and requested amendments listed herein and on the development plans are consistent with the Liberty Harbor North Redevelopment Plan, and none of the proposed material changes are substantial.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for the foregoing reasons, approves the application for administrative amendments to the Preliminary and Final Major Site Plan Approval, to wit: Calendar No. P12-015, which include amendments to the lobby entrance design and location, the ground floor layout, to permit minor façade changes and design refinement, and the phasing of the development in connection with the property identified as 237 Grand Street and 1 Canal Street, Jersey City, New Jersey, and is also identified on the Jersey City Tax Maps as Block 15901, Lots 1.01, 2.01, 2.02, 3.01 and 23.04, in accordance with the plans and testimony submitted to the Planning Board of the City of Jersey City.

APPLICANT: GRAND LHN III URBAN RENEWAL, LLC

FOR: ADMINISTRATIVE AMENDMENTS TO
PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL
237 GRAND STREET AND 1 CANAL STREET,
JERSEY CITY, NEW JERSEY
BLOCK 15901, LOTS 1.01, 2.01, 2.02, 3.01 AND 23.04

CASE NO.: P12-015

VOTE: 7-0

COMMISSIONER:	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Christopher Langston, Chairman	X			
Dr. Orlando Gonzalez, Commissioner	X			
Joyce E. Watterman, Councilwoman	X			
Richard Ayala, Commissioner	X			
Michael Sims, Commissioner	X			
Allison Solowky, Commissioner	X			
John Seborowski, Commissioner	X			


CHRISTOPHER LANGSTON, CHAIRMAN
JERSEY CITY PLANNING BOARD


ROBERT COTTER, SECRETARY
JERSEY CITY PLANNING BOARD

APPROVED AS TO LEGAL FORM:


DENNIS P. LILOIA, ESQ.

DATE OF HEARING:

August 26, 2014

DATE OF MEMORIALIZATION:

September 9, 2014

RESOLUTION OF THE PLANNING BOARD OF THE CITY OF JERSEY CITY

APPLICANT: GRAND LHN III URBAN RENEWAL, LLC

FOR: ADMINISTRATIVE AMENDMENTS TO
FINAL MAJOR SITE PLAN APPROVAL
235 GRAND STREET (FORMERLY IDENTIFIED AS
237-241 GRAND STREET)
JERSEY CITY, NEW JERSEY
BLOCK 15906, LOTS 1, 2, 3, AND 12
(FORMERLY KNOWN AS BLOCK 15901,
LOTS 1.01, 2.01, 2.02, 3.01 AND 23.04)

CASE NO.: P12-015.001

WHEREAS, the Applicant, **GRAND LHN III URBAN RENEWAL, LLC, (the Applicant)**, per **CONNELL FOLEY, LLC** (Charles J. Harrington, III, Esq., appearing) made application to the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for administrative amendments to its Final Major Site Plan Approval, to wit: Calendar No. P12-015.001, to amend the Grand Street Townhouse stoops, entries, and landscaping; the Grove Street elevation and lobby entrance; a reduction in the number of on-site parking spaces in the Phase 1 building to 275 parking spaces; and related and ancillary minor changes in connection with the property identified as 235 Grand Street (formerly identified as 237-241 Grand Street), Jersey City, New Jersey, and is also identified on the Jersey City Tax Maps as Block 15906, Lots 1, 2, 3, and 12 (formerly known as Block 15901, Lots 1.01, 2.01, 2.02, 3.01 and 23.04); and

WHEREAS, the proposed amendments by the Applicant are minor in nature compared to the overall project; and

WHEREAS, the Division of Planning and the Planning Board have made a determination that the proposed amendments can be reviewed administratively, and that a formal application is not required; and

WHEREAS, due notice of a hearing on the above said application before the Planning Board of the City of Jersey City, on September 12, 2017 at 5:30 p.m., was duly published as prescribed in the Land Development Ordinance of the City of Jersey City; and

WHEREAS, the Applicant has submitted proof that it has complied with the applicable

procedural requirements including the payment of fees and public notices, if any; and

WHEREAS, all testimony having been formally heard for this application; and

WHEREAS, after consideration of the application, plans, and the expert testimony presented at the meeting on behalf of the Applicant, the recommendations of the Division of Planning staff and the comments and testimony of the public, the Planning Board has made the following findings of facts:

FINDINGS OF FACT

1. The Applicant, Grand LHN III Urban Renewal, LLC, has made an application to the Planning Board for administrative amendments to its Final Major Site Plan Approval (Phase 1), which was initially approved May 15, 2012 and memorialized by resolution on May 15, 2012 to develop two new mixed use developments consisting of a total of 680 residential units (549 + 131) with ground floor retail/commercial space and parking garages for approximately 373 parking spaces in the garage and 8 on street parking spaces (along with an option to maximize the permitted parking through a valet option or through mechanical parking) in connection with the property formerly identified as 237 Grand Street and 1 Canal Street, Jersey City, New Jersey, and is also identified on the Jersey City Tax Maps as Block 15901, Lots 1.01, 2.01, 2.02, 3.01 and 23.04.
2. The Applicant applied for and was approved for subsequent administrative amendment approvals to the project, which were memorialized by resolutions on July 23, 2013 and September 9, 2014.
3. The Applicant is now known as "Grand LHN III, LLC" through an entity name change.
4. The prior administrative amendment approvals included the approval of the phasing of the project into two (2) Phases.
5. The Jersey City tax assessor now identifies the lots that are part of this project as block 15906, Lots 1, 2, 3, and 12.
6. Phase 1 consists of the development of Block 15906, Lots 2, 3, and 12 ("Phase 1").

Phase 2 consists of the development of Block 15906, Lot 1 ("Phase 2").

7. These administrative amendments apply to and affect Phase 1 only.

8. The proposed amendments to the project consist of amendments to the Grand Street townhouse stoops, entries, and landscaping; the Grove Street elevation and lobby entrance; a reduction in the number of on-site parking spaces in the Phase 1 building to 275 parking spaces along with the continued option to maximize the permitted parking through a valet option or through a mechanical parking system and related minor changes

9. Phase 1 of the project will now consist of a forty-five (45) story mixed-use building with 549 residential units, with 1,705 +/- square feet of ground floor commercial space; and a parking garage consisting of 275 parking spaces, along with an option to maximize the parking in the garage through a valet option or through mechanical parking.

10. The proposed and requested amendments listed herein and on the development plans conform with the Liberty Harbor North Redevelopment Plan, and none of the proposed material changes are substantial.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for the foregoing reasons, approves the application for administrative amendments to the Final Major Site Plan Approval, to wit: Calendar No. P12-015.001, to amend the Grand Street townhouse stoops, entries, and landscaping; the Grove Street elevation and lobby entrance; a reduction in the number of on-site parking spaces in the Phase 1 building to 275 parking spaces, along with an option to maximize the parking in the garage through a valet option or through mechanical parking; and related and ancillary minor changes in connection with the property identified as 235 Grand Street (formerly identified as 237-241 Grand Street), Jersey City, New Jersey, and is also identified on the Jersey City Tax Maps as Block 15906, Lots 1, 2, 3, and 12 (formerly known as Block 15901, Lots 1.01, 2.01, 2.02, 3.01 and 23.04), in accordance with the plans and testimony submitted to the Planning Board of the City of Jersey City.

APPLICANT: GRAND LHN III URBAN RENEWAL, LLC

FOR: ADMINISTRATIVE AMENDMENTS TO
FINAL MAJOR SITE PLAN APPROVAL
235 GRAND STREET (FORMERLY IDENTIFIED AS
237-241 GRAND STREET)
JERSEY CITY, NEW JERSEY
BLOCK 15906, LOTS 1, 2, 3, AND 12
(FORMERLY KNOWN AS BLOCK 15901,
LOTS 1.01, 2.01, 2.02, 3.01 AND 23.04)

CASE NO.: P12-015.001

VOTE: 6 - 0

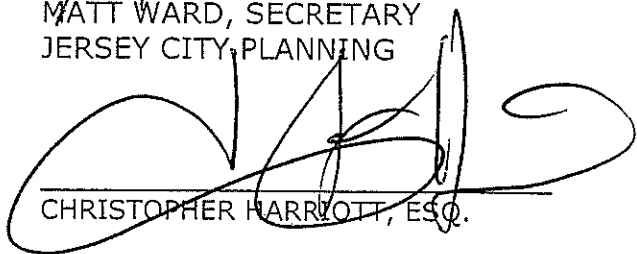
COMMISSIONER:	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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Christopher Langston, Chairman	X			
Dr. Orlando V. Gonzalez, Vice Chairman	X			
John V. Seborowski, Commissioner	X			
Arnold Bettinger, Commissioner	X			
Allison Solowsky, Commissioner	X			
Eduardo Torres, Commissioner	X			


CHRISTOPHER LANGSTON, CHAIRMAN
JERSEY CITY PLANNING BOARD


MATT WARD, SECRETARY
JERSEY CITY PLANNING

APPROVED AS TO LEGAL FORM:


CHRISTOPHER HARRIOTT, ESQ.

DATE OF HEARING:

September 12, 2017

DATE OF MEMORIALIZATION:

September 26, 2017

**RESOLUTION OF THE PLANNING BOARD
OF THE CITY OF JERSEY CITY**

APPLICANT: **GRAND LHN III LLC**

FOR: **AMENDED FINAL MAJOR SITE PLAN APPROVALS AND
INTERIM USE APPROVAL**

**221-241 GRAND STREET
JERSEY CITY, NEW JERSEY
BLOCK 15906, LOTS 1, 2 AND 3 (F/K/A BLOCK 60.04 LOTS
20 AND 21)**

CASE NO.: **P19-088**

WHEREAS, the Applicant, **GRAND LHN III LLC, (the Applicant)**, per **CONNELL FOLEY, LLP** (Charles J. Harrington, III, Esq., appearing) made application to the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for Amended Final Major Site Plan Approval and Interim Use Approval, to wit: Calendar No. P19-088, consisting of proposed street improvements to the extension of Grove Street approved under Calendar No. P12-015 as amended on the property identified as 221-241 Grand Street, New Jersey, which is also identified on the Jersey City Tax Maps as Block 15906, Lots 1, 2 and 3 (formerly Block 60.04, Lots 20 and 21), amendments to the street level entrance and proposed signage requiring deviations (number of permitted building identifier signs) and interim use approval for advertising signage for a forty-five (45) story, mixed-use development containing five hundred and forty-nine (549) dwelling units and ground floor retail uses which is nearing completion also approved under Calendar No. P12-015 as amended on the property identified as 235 Grand Street, New Jersey, which is also identified on the Jersey City Tax Maps as Block 15906, Lot 3 (formerly Block 60.04, Lots 20) which is located within the Liberty Harbor North Redevelopment Plan Area and is subject to the Liberty Harbor North Redevelopment Plan; and

WHEREAS, due notice of a hearing on the above said application before the Planning Board of the City of Jersey City, on July 9, 2019 at 5:30 p.m., was duly published as prescribed in the Land Development Ordinance of the City of Jersey City; and

WHEREAS, the Applicant has submitted proof that it has complied with the applicable procedural requirements including the payment of fees and public notices, if any; and

WHEREAS, all testimony having been formally heard for this application; and

WHEREAS, after consideration of the application, plans, and the expert testimony presented at the meeting on behalf of the Applicant, the recommendations of the Division of Planning staff and the comments and testimony of the public, the Planning Board has made the following findings of facts:

FINDINGS OF FACT

1. The Applicant, GRAND LHN III LLC has made an application to the Planning Board of the City of Jersey City for amendments to a Final Major Site Plan consisting of a forty-five (45) story, mixed-use development containing five hundred and forty-nine (549) dwelling units and ground floor retail uses (the "Development") which is nearing completion on the property identified as 235 Grand Street, New Jersey, which is also identified on the Jersey City Tax Maps as Block 15906, Lot 3 (formerly Block 60.04, Lot 20 and hereafter known as the "Development Property"). The improvements consist of changes to the street level entrance and proposed signage requiring deviations from the Liberty Harbor North Redevelopment Plan (number of permitted building identifier signs). Interim Use approval for advertising banner signage is also proposed on the building's façade. Additionally, the Applicant proposes improvements to the proposed Grove Street extension affecting portions of Block 15906, Lots 1, 2 and 3 (f/k/a formerly Block 60.04, Lots 20 and 21 and hereafter known as the "Grove Street Extension"). The Development and Grove Street Extension were approved for Preliminary and Final Major Site Plan under Case No. P12-015 as amended.

2. The Property is located within the Liberty Harbor North Redevelopment Plan Area and is subject to the Liberty Harbor North Redevelopment Plan (the "Redevelopment Plan").

3. Applicant requests the following approvals from the Planning Board:

- a. Amendments to Previously Approved Improvements to the Grove Street Extension – Applicant will construct the Grove Street Extension as previously approved. The Jersey City Division of Engineering, Traffic and Transportation has requested technical revisions to the proposed

improvements to the Grove Street Extension. Accordingly, Applicant is requesting site plan amendments including a decorative pattern utilizing an Endurablend material to form the Morris Canal interpretive graphic, a new bike lane, and a traffic calming speed table at the intersection of Grove Street and Sussex Street.

- b. Street Level Entrance Amendments - Applicant proposes the final design for the entrance as previously approved under Calendar No. P12-015 be amended including landscape changes and an adjustment to the lobby entrance stairs. The previous approval included a terraced landscape seat wall with intermittent plantings between two sets of stairs leading from the building lobby to Grand Street and the Grove Street extension, with an angled stair to Grove Street. The new proposal includes a straight alignment for the stair to Grove Street and replacing the terraced landscape feature with a lower seat wall adjacent to the sidewalk with terraced planter boxes behind
- c. Building Sign Amendments - Applicant proposes, in addition to the previously approved entrance sign above the canopy on Grand street, two (2) new proposed building identifier signs, for a total of three (3) signs. are now proposed. The two (2) new signs shall be located on the entrance columns where only (1) is permitted by the Redevelopment Plan. The new signs will face easterly and westerly respectively.
- d. Interim Marketing Signs - Applicant proposes two (2) Interim Use temporary marketing signs advertising the opening of the Development and the availability of dwelling units for leasing. One banner is approximately 3,325 sq. ft. in area (21'-6" x 154'-8") and will be located on the western façade of the tower. A second banner will be located above the lobby wrapping the corner on the north and west sides and is approximately 2,560 sq. ft.

4. The Development is located at the corner of Grove Street and Grand Street and is currently under construction. The construction is near completion and will consist of retail uses and five hundred and forty-nine (549) dwelling units.

5. The proposed Development is a large building on a major pedestrian and vehicular route. The additional building identifier signs are justified by the location of the building at the corner of Grove Street and Grand Street. The signage will help with identification of the building from both Grove Street and Grand Street by both pedestrians, vehicles, and emergency services. Minor deviations are allowed pursuant to the Liberty Harbor North Redevelopment Plan and can be granted pursuant to N.J.S.A. 40:55D-70(c)(2) as the benefits outweigh the detriments.

6. The proposed development of the property is appropriate as it meets the positive criteria in that there are hardships associated with the property, it is particularly suited for the proposed use, and it will be promoting the establishment of appropriate densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment (N.J.S.A. 40:55D-2.e). The project also promotes a desirable visual environment through creative development techniques and good civic design and arrangement (N.J.S.A. 40:55d-12.i), and the property is also particularly suited for the proposed use and building envelope because of the property size and configuration.

7. The Applicant has met the procedural requirements of the Ordinance, including the payment of fees, and in all other respects the application conforms to the requirements of the Ordinance and the Redevelopment Plan for approval of the Preliminary and Final Major Site Plan application with deviations in the City of Jersey City.

8. In conclusion, based upon review of the development plans, the testimony before the Board, the exhibits presented, the Division of Planning Planner's report, and the reasons set forth on the record, the proposed development of the property is an appropriate development of the property that will benefit the immediate neighborhood and will promote the general welfare, promote the conservation of resources, promote appropriate population densities, and promote a desirable visual environment. The proposed use and the bulk of the project is an appropriate use of the land and an appropriate build out of the land, and the proposed project will not affect any permitted uses in the neighborhood, nor cause any substantial detriments. The proposed deviations will not cause a substantial detriment to the public good, nor impairment to the intent and purpose of the Jersey City Master Plan and JC LDO, and can be granted as such.

9. As to the requested interim signage, the Development consists of a substantially large number of units, and the signage for the interim period will assist in the advertising of and leasing of the dwelling units.

10. The proposed signage may be installed until eighty-five percent (85%) of the residential units are rented, or one (1) year from the date of installation, whichever event occurs first, which the Planning Board finds is an appropriate term of the advertising banners, and this term and the banners will not result in any substantial detriments during this period, and accordingly, can be granted.

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the City of Jersey City, County of Hudson and State of New Jersey, for the foregoing reasons approves the application for Amended Final Major Site Plan Approval and Interim Use Approval, to wit: Calendar No. P19-088, consisting of proposed street improvements to the extension of Grove Street approved under Calendar No. P12-015 as amended on the property identified as 221-241 Grand Street, New Jersey, which is also identified on the Jersey City Tax Maps as Block 15906, Lots 1, 2 and 3 (formerly Block 60.04, Lots 20 and 21), amendments to the street level entrance and proposed signage requiring deviations (number of permitted building identifier signs) and interim advertising signage for a forty-five (45) story, mixed-use development containing five hundred and forty-nine (549) dwelling units and ground floor retail uses which is nearing completion also approved under Calendar No. P12-015 as amended on the property identified as 235 Grand Street, New Jersey, which is also identified on the Jersey City Tax Maps as Block 15906, Lot 3 (formerly Block 60.04, Lots 20) in accordance with the plans and testimony submitted to the Planning Board of the City of Jersey City and subject to the following conditions:

1. All original conditions of approval under application P12-015 and amendment P12-015.001 are to be upheld with the approval of this amendment.
2. All materials and color selections shall be shown on Final Plans. No change to the facade and site design, including materials as well as any changes that may be required by the Office of Construction Code, shall be permitted without consultation with planning staff and approval by planning board.
3. Applicant shall provide an affidavit from the architect of record representing

that the constructed project is consistent with final approved plans.

4. All street trees and landscaping shall be subject to the installation, maintenance, and guarantee periods as outlined in the Jersey City Forestry Standards II.D – II.I
5. The Interim Use Banners will be removed after one (1) years from the date of this resolution or at ~~ninety~~ **EIGHTY FIVE** percent (85%) lease up of the available dwelling units within the Project, whichever occurs first.

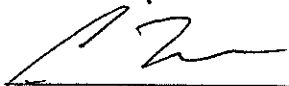

APPLICANT: GRAND LHN III LLC

FOR: AMENDED FINAL MAJOR SITE PLAN APPROVALS AND
INTERIM USE APPROVAL

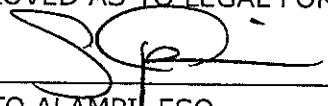
221-241 GRAND STREET
JERSEY CITY, NEW JERSEY
BLOCK 15906, LOTS 1, 2 AND 3 (F/K/A BLOCK 60.04 LOTS
20 AND 21)

CASE NO.: P19-088

VOTE: 7-0

COMMISSIONER:	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Christopher Langston, Chairman				X
Dr. Orlando V. Gonzalez, Vice Chairman	X			
John Sebrowski, Commissioner	X			
Edward Torres, Commissioner	X			
Michael Sims, Commissioner				X
Allison Solowsky, Commissioner	X			
Arhtur Bettinger, Commissioner	X			
David Cruz, Commissioner				X
Harkesh Thakur, Commissioner	X			
DESAI, DR. VIJAYA	X			
				
CHRISTOPHER LANGSTON, CHAIRMAN JERSEY CITY PLANNING BOARD				
				
MATT WARD, SECRETARY JERSEY CITY PLANNING BOARD				

APPROVED AS TO LEGAL FORM:


SANTO ALAMPI, ESQ.

DATE OF HEARING:
DATE OF MEMORIALIZATION:

July 9, 2019
July 9, 2019