DUNCAN M. PRIME, Esquire

TYLER T. PRIME, Esquire

SARA R. WERNER, Esquire

JULIA M. HAHN, Esquire

DANIELLE N. KINBACK, Esquire

TIMOTHY M. PRIME, Faquire



### ATTORNEYS AT LAW

\*ALSO ADMITTED TO THE PENNSYLVANIA BAR

\* ALSO ADMITTED TO THE NEW YORK BAR

\* ALSO ADMITTED TO THE BLINGIS BAR

\* ALSO ADMITTED TO THE WASHINGTON, D.C. BAR

\* ADMITTED TO THE NEW YORK BAR, ALW JERSLY PLANDING

July 31, 2023

JASON R. TUVEL, Esquire\*
MICHAEL MICELI, Esquire\*
NANCY A. LOTTINVILLE, Esquire\*
BENJAMIN T.F. WINE, Esquire
DANIEL H. KLINE, Esquire\*
ADAM LAZAROS, Esquire

# **VIA UPS Ground**

City of Jersey City Division of City Planning 1 Jackson Square Jersey City, NJ 07305

Attn: Tanya R. Marione, Director of City Planning

RE: Janelle & Jason Mallari ("Applicant")

629 Liberty Avenue, Jersey City, NJ (the "Property") Block 602, Lot 35.01

File No. P23-050 Affidavit Package

Dear Ms. Marione,

Enclosed please find the original Affidavit of Service, newspaper publication, original green and white certified mail cards and receipts, copy of notice, and a copy of the certified list of property owners, for the public hearing in the above matter, scheduled for *August 8, 2023 at 5:30 pm.*, before the City of Jersey City Planning Board.

Thank you for your kind consideration and assistance with this application.

Very truly yours,

JRT/scl Enclosures

Jason R. Tuvel, Esq. Attorney for Applicant

1 University Plaza Drive, Suite 500 Hackensack, NJ 07601 P 201 883 1010 | F 856 273 8383 W primelaw.com PRIME & TUVEL 1 University Plaza Drive, Suite 500 Hackensack, New Jersey 07601 (201) 883-1010 Attorney for Applicants

IN RE:

Janelle & Jason Mallari

629 Liberty Avenue Block 602 Lot 35.01 on the City of Jersey City Tax Map THE CITY OF JERSEY CITY PLANNING BOARD

AFFIDAVIT OF SERVICE
AND
PUBLICATION OF NOTICE

STATE OF NEW JERSEY )
(SS)
(COUNTY OF BERGEN )

I, SALLY C. LA, of full age, being duly sworn according to law, upon my oath, depose and say:

- 1. I am an employee with the law firm of Prime & Tuvel
- 2. The form of public notice (hereinafter referred to as "Notice") announcing the meeting on **August 8, 2023,** at **5:30 pm** is attached as Exhibit "A."
- 3. The list of property owners within two hundred feet of the subject property prepared by the **City of Jersey City**, as well as other entities to whom the Notice in Exhibit "A" was sent, is attached as Exhibit "B."
- 4. The Notice in Exhibit "A" was sent by United States Certified Mail, Return Receipt Requested, to the property owners within two hundred feet of the site and to the other entities listed in Exhibit "B." Copies of the "white" return receipts post marked **July 28**, **2023**, **2023**, from the United States Post Office are attached as Exhibit "C."
- 5. The Notice in Exhibit "A" was published in **Jersey Journal** on **July 28, 2023.** A copy of the publication is attached as Exhibit "D." The original affidavit of publication will be provided to the Board once received.

Sworn to and Subscribed before me this 315 day of July 2023

Constance K Aginsky NOTARY PUBLIC State of New Jersey ID # 50111602

My Commission Expires
August 29, 2024

AFFIDAVIT OF SERVICE & PUBLICATION | FILE NUMBER 1029.00

# Exhibit "A"

# **NOTICE OF PUBLIC HEARING (VIRTUAL PUBLIC HEARING)**

City of Jersey City Planning Board

PLEASE TAKE NOTICE that the City of Jersey City Planning Board (the "Board") will hold a virtual public hearing on August 8, 2023 at 5:30 PM to review and take formal action upon an application for minor site plan approval along with ancillary bulk variance and design waiver/exception relief (the "Application") by Janelle & Jason Mallari (the "Applicant") with respect to property having a street address of 629 Liberty Avenue, Jersey City, New Jersey 07307, and being designated as Block 602, Lot 35.01 on the City of Jersey City Tax Map (the "Property"). The Property is located in the R-1 Zoning District.

The Applicant seeks approval to construct a new four- (4) story residential building consisting of two (2) residential dwelling units on the Property. The Applicant also proposes related site improvements, including, but not limited to, landscaping, lighting, and stormwater management infrastructure.

The Applicant seeks bulk variance and design waiver/exception relief in connection with the Application, including: (1) Building height greater than permitted (38 ft. permitted; 40.17 ft. proposed); and (2) Number of stories greater than permitted (3 stories permitted; 4 stories proposed).

The Applicant also seeks any additional deviations, exceptions, design waivers, submission waivers, variances, interpretations, *de minimis* exceptions to the State of New Jersey Residential Site Improvement Standards, continuations of any pre-existing non-conforming conditions, modifications of prior imposed conditions and other approvals reflected on the filed plans (as same may be further amended or revised from time to time without further notice) and as may be determined to be necessary during the review and processing of the Application.

Pursuant to the declarations by the Governor of the State of New Jersey [Executive Orders 103 and 107], and the mechanisms that have been used by local governments during emergencies that render in-person meetings less than optimal, the public hearing will be held by **online/virtual means and telephonically only**. During the public hearing, interested parties may appear, either in person (virtually) or by attorney (virtually), and present any comments or questions which they may have regarding this Application by either (a) participating online by visiting <a href="https://us02web.zoom.us/j/86162443723">https://us02web.zoom.us/j/86162443723</a> and following the instructions provided to join the online/virtual meeting, including entering meeting identification number: **861 6244 3723**, if prompted; or (b) participating telephonically by calling +1 929 205 6099 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 and entering meeting identification number: **861 6244 3723**, if prompted. Participating via online/virtual means or telephonically is free of charge to the public.

Members of the public interested in participating in the public hearing on the Application can advise the Jersey City Planning Division (the "Planning Division") of their interest in participating in advance of the public hearing by sending an email to the Board Secretary at <a href="mailto:cityplanning@jcnj.org">cityplanning@jcnj.org</a> or by calling the Planning Division during regular business hours at (201) 547-5010. In addition, if any member of the public has a concern regarding utilizing the

technology set forth above to participate in the public hearing, the member of the public may contact the Board Secretary by email to <u>cityplanning@jcnj.org</u> or by phone at (201) 547-5010 during regular business hours. There will also be a portion of the public hearing dedicated to public questions, public comment, and the opportunity for the public to offer evidence.

The City of Jersey City is utilizing the Zoom service to conduct virtual meetings in compliance with the New Jersey Open Public Meetings Act. More information on how to access virtual meetings, participate, provide public comment, and review agendas and digital plans and applications materials can be can be found on the Jersey City, Division of City Planning website at <a href="https://jerseycitynj.gov/planning">https://jerseycitynj.gov/planning</a>.

The application and supporting materials (including maps and plans) will be available for public inspection free of charge to the public by going to the Jersey City Data Portal at the following webpage: <a href="https://data.jerseycitynj.gov">https://data.jerseycitynj.gov</a> at least ten (10) days before the public hearing. Alternatively, members of the public may contact the Planning Division at (201) 547-5010 during regular business hours or email the Planning Division at <a href="mailto:cityplanning@jcnj.org">cityplanning@jcnj.org</a> in order to make an appointment to review or pick up copies of the Application materials, plans, and related documents at the Division of City Planning, located at 1 Jackson Square, 2<sup>nd</sup> Floor, Jersey City, New Jersey 07305. The public hearing may be continued without further notice on such additional or other dates as the Board may determine.

Benjamin T.F. Wine, Esq. Prime & Tuvel 1 University Plaza Drive, Suite 500 Hackensack, New Jersey 07601

Phone: (201) 883-1010 Email: ben@primelaw.com

Attorneys for Janelle & Jason Mallari

# Exhibit "B"



# **CITY OF JERSEY CITY**

Office of the City Assessor

City Hall Annex 364 M.L. King Drive, 3<sup>rd</sup> Floor Jersey City, New Jersey 07305 Telephone: (201) 547-5131

**EDUARDO TOLOZA, CITY ASSESSOR** 

March 31, 2023

PROPERTY LOCATION OF APPLICATION: 629 Liberty Avenue

BLOCK(S): 602 LOT(S): 35.01

NAME OF APPLICANT: Benjamin T.F. Wine, Esq.

**Prime & Tuvel** 

1 University Plaza, Suite 500 Hackensack, NJ 07601

APPLICANT'S TELEPHONE #: 201-883-1010

Pursuant to your request, attached herewith is a list of properties located in Jersey City within the 200-foot radius of the above-captioned property in the City of Hoboken. This list contains the owner's name, mailing address, block, lot and property location as reflected on the most recent Assessor's Tax List.

CERTIFIED

EDUARDO TOLOZA, City Assessor

3/3//23

# Also be advised that the following companies must be notified:

- 1 2 P.S.E.& G.
- 3 4 COMCAST CABLEVISION
- 5 **WUNITED WATER COMPANY**
- 7 8 JERSEY CITY M.U.A.
- 9 LOVERIZON TELEPHONE
- 80 PARK PLAZA, NEWARK, NEW JERSEY 07102
- 2121 KENNEDY BLVD., JERSEY CITY, NJ 07305
- 200 HOOK ROAD, HARRINGTON PARK, NJ 07640
- 555 ROUTE 440, JERSEY CITY, NEW JERSEY 07305
- 540 BROAD STREET, NEWARK, NEW JERSEY 07102

19.02

19.01

C0002

C0001

Developed by Civil Solutions using myIDV



# CITY OF JERSEY CITY

Office of the City Assessor

Subject Property: Block 602 - Lot 35.01

Block & Lot listing of properties within 200 ft. radius of subject property.

Property Location: 629 Liberty Avenue

Date: March 31, 2023

JERSEY CITY,N.J.	648 LIBERTY AVE.	PATEL, R.A.& D.R.	648 LIBERTY AVE.		25	302
Y AVE.	646 LIBERTY AVE	ALVARADO, ANGEL & AIDA	646 LIBERTY AVE.		24	302
Y AVE	640 LIBERTY AVE	RAVAL, JAYESH & ALPA	640 LIBERTY AVE.		23	302
TY AVE.	642 LIBERTY AVE	BHATT, BIMAL & MANISHA	642 LIBERTY AVE.		22	302
TY AVE.	638 LIBERTY AVE	PATEL, RAMAN & JYOTSNA	638 LIBERTY AVE.		21	302
IA AVE.,#1	299 COLUMBIA AVE.,#1	MEISLICK, NEIL & HERNANDEZ,GRACIELA	299 COLUMBIA AVE.	(0001	20	302
E ST.	80 LAKE ST.	299 COLUMBIA AVE.CONDOMINIUM ASSOC.	299 COLUMBIA AVE.		20	302
NATHAN DRIVE	I NATHA	S & Y REAL ESTATE LLC	301 COLUMBIA AVE.		19	302
303 COLUMBIA AVE	303 COLU	APPANNAGARI, PAVAN & PUROHIT,C.	303 COLUMBIA AVE.		18	302
1035 PARKWAY AVE.	1035 PAR	N.J. DEPARTMENT OF TRANSPORTATION	366-380 TERRACE AVE.		22	301
637 LIBERTY AVE.	637 LIBI	RICHARDSON, GREGORY	637 LIBERTY AVE		21	301
639 LIBERTY AVE.	639 LIBI	KAKADIA, SHAILESH B. & SMITABEN S.	639 LIBERTY AVE.		20	301
RTY AVE.	641 LIBERTY AVE	NDUKA, EMMANUEL JR, BENJAMIN, & JOY	641 LIBERTY AVE.		19	301
BTH ST	1-44 28TH ST	K & J KHALSA MANAGEMENT, LLC.	643 LIBERTY AVE.		18	301
HNGTON DR.	A19 MT WASHINGTON DR.	NAIRAV REALTY, LLC.	645 LIBERTY AVE.		17	301
RTY AVE	647 LIBERTY AVE	PATEL,TEJAS & KAKLOTAR,SHAILESH	647 LIBERTY AVE.		16	301
ADDRESS	MAILING ADDRESS	OWNERS NAME	PROPERTY LOCATION	QUAL	LOT	BLOCK

<u>Or</u>	<u>-</u> +-	w	2	-	0	هر	₹ 1	تد	2	\( \sigma_1 \)	<b></b>	Ü	12	五	ව	α,	a)	2	75	OII	Ŧ	ග	b	r1
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జ	32	31	30	29	28	27	26	25	24	23	41	40	39	38	37	34	33	32	31	30	29	28	27	LOT
																								QUAL
291 COLUMBIA AVE.	293 COLUMBIA AVE.	628 LIBERTY AVE	626 LIBERTY AVE	624 LIBERTY AVE.	622 LIBERTY AVE	620 LIBERTY AVE.	616 LIBERTY AVE.	614 LIBERTY AVE.	612 LIBERTY AVE.	610 LIBERTY AVE.	611 LIBERTY AVE.	615 LIBERTY AVE.	617 LIBERTY AVE.	621 LIBERTY AVE.	625 LIBERTY AVE.	362 TERRACE AVE.	360 TERRACE AVE.	356 TERRACE AVE.	354 TERRACE AVE.	352 TERRACE AVE.	350 TERRACE AVE.	346 TERRACE AVE.	344 TERRACE AVE.	PROPERTY LOCATION
FREIRE, DANIEL I.	OTTO, KENNETH J. & LUCIA	IHENACHO, MARCEL & GLORIA	RANPURA, KUNAL & SNEHA	ATKINSON, DAMIAN & IRINA	KACHALIA, CHARULATA, PRATIK, &KIRIT	PAPARELLA, ISABELA	GAJJAR, ISHAN G.	SILVA, GIOVANI & WENDY LOPEZ	NAVIELLO, GERARD & PATRICIA	PATEL, MANISH	GONZALES, GREGORIO, TERESITA, &RYAN	SAMSON, FORTUNATO R.& LUCILA G.	SINISCALCHI, ANTHONY & ANNA	TRATTLES, BRIÀN & CHRISTINA C.	SHAH, CHETAN N. & TARULATA C.	ARORA, ANAMIKA	ORTIZ, LILIANA	RAI, RAVEEN & KUMAR, SUNAINA	ALTBUCH, ABRAHAM & PHILLIPS, ANDREA	PATEL, YOGESH B.	EDELMANN, FLORENTINA D.	MULLAGHY, GLADYS & BRIAN	EL-TANBEDAWI, WAEL & FAHMY, HOSSAM	OWNERS NAME
291 COLUMBIA AVE.	15 SHERWOOD COURT	628 LIBERTY AVE	626 LIBERTY AVE.	624 LIBERTY AVE.	622 LIBERTY AVE.	620 LIBERTY AVE	616 LIBERTY AVE.	614 LIBERTY AVE.	612 LIBERTY AVE.	610 LIBERTY AVE.	611 LIBERTY AVE.	615 LIBERTY AVE	617 LIBERTY AVE.	621 LIBERTY AVE.	625 LIBERTY AVE.	362 TERRACE AVE.	360 TERRACE AVE.	356 TERRACE AVE.	354 TERRACE AVE.	352 TERRACE AVE.	350 TERRACE AVE.	346 TERRACE AVE.	344 TERRACE AVE.	MAILING ADDRESS
JERSEY CITY, NJ	HOLMDEL, NJ	JERSEY CITY, N.J.	JERSEY CITY, N.J.	JERSEY CITY, NJ	JERSEY CITY, NJ	JERSEY CITY,N.J.	JERSEY CITY, NJ	JERSEY CITY, NJ	JERSEY CITY, N.J.	JERSEY CITY, NJ	JERSEY CITY, NJ	JERSEY CITY, N.J.	JERSEY CITY, N.J.	JERSEY CITY, N.J.	JERSEY CITY, N.J.	JERSEY CITY, NJ	JERSEY CITY, NJ	JERSEY CITY, NJ	JERSEY CITY, NJ	JERSEY CITY, NJ	JERSEY CITY, N.J.	JERSEY CITY, NJ	JERSEY CITY, N.J.	CITY / STATE
07307	07733	07307	07307	07307	07307	07307	07307	07307	07307	07307	07307	07307	07307	07307	07307	07307	07307	07307	07307	07307	07307	07307	07307	ZIP CODE

-								
	BLOCK	LOT	QUAL	PROPERTY LOCATION	OWNERS NAME	MAILING ADDRESS	CITY / STATE	ZIP CODE
R	603	34		289 COLUMBIA AVE.	ZAGMOT, ROBERT	289 COLUMBIA AVE	JERSEY CITY, NJ	07307
<u>ي</u>	603	35		287 COLUMBIA AVE.	RAVAL, JAYESH M.	640 LIBERTY AVE.	JERSEY CITY, NJ	07307
Ø	603	36		285 COLUMBIA AVE.	PATEL, PRAVINBHAI M. & MADHUBEN P.	285 COLUMBIA AVE.	JERSEY CITY, NJ	07307
ど	603	37		283 COLUMBIA AVE.	SALAMANCA, JUAN CARLOS	283 COLUMBIA AVE.	JERSEY CITY, NJ	07307
80	603	38		281 COLUMBIA AVE.	281 COLUMBIA AVE., CONDOMINIUM ASSOC	281 COLUMBIA AVE.	JERSEY CITY, NJ	07307

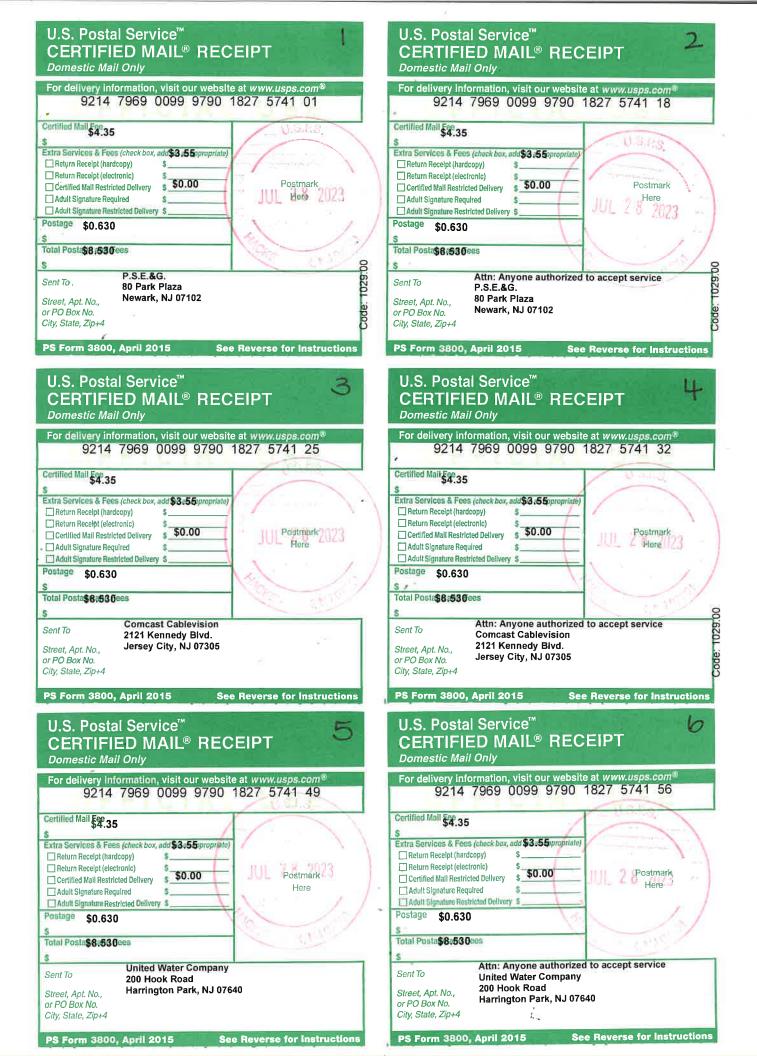
# **Additional Addresses:**

- 62. Attn: Municipal Clerk
  City of Jersey City
  City Hall
  280 Grove St.
  Jersey City, NJ 07302
- 63. Attn: Anyone authorized to accept service City of Jersey City
  City Hall
  280 Grove St.
  Jersey City, NJ 07302
- 64. Hudson County Division of Planning Bergen Square Center, Suite 6A 830 Bergen Ave.Jersey City, NJ 07306
- 65. Attn: Anyone authorized to accept service Hudson County Division of Planning Bergen Square Center, Suite 6A 830 Bergen Ave.

  Jersey City, NJ 07306
- 66. Hudson County Planning Board Bergen Square Center, Suite 6A 830 Bergen Ave. Jersey City, NJ 07306
- 67. Attn: Anyone authorized to accept service Hudson County Planning Board Bergen Square Center, Suite 6A 830 Bergen Ave.
  Jersey City, NJ 07306
- 68. Commissioner of Transportation
  New Jersey Department of Transportation
  David J. Goldberg Transportation Complex
  1035 Parkway Ave., P.O. Box 600
  Trenton, NJ 08625

- 69. Attn: Anyone authorized to accept service New Jersey Department of Transportation David J. Goldberg Transportation Complex 1035 Parkway Ave., P.O. Box 600 Trenton, NJ 08625
- 70. Mallari, Janelle & Jason629 Liberty Ave.Jersey City, NJ 07307

# Exhibit "C"







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See Reverse for Instructions

PS Form 3800, April 2015

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PS Form 3800, April 2015

See Reverse for Instructions

PS Form 3800, April 2015

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See Reverse for Instructions

PS Form 3800, April 2015

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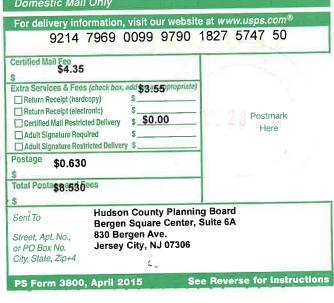
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# Exhibit "D"

### Jersey Journal, Jersey City

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**Publication URL:** 

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Publication County:

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Notice Authentication Number: 202307280904222218617 1626530722

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Notice Publish Date: Friday, July 28, 2023

### **Notice Content**

NOTICE OF PUBLIC HEARING (VIRTUAL PUBLIC HEARING) City of Jersey City Planning Board PLEASE TAKE NOTICE that the City of Jersey City Planning Board (the "Board") will hold a virtual public hearing on August 8, 2023 at 5:30 PM to review and take formal action upon an application for minor site plan approval along with ancillary bulk variance and design waiver/exception relief (the "Application") by Janelle & Jason Mallari (the "Applicant") with respect to property having a street address of 629 Liberty Avenue, Jersey City, New Jersey 07307, and being designated as Block 602, Lot 35.01 on the City of Jersey City Tax Map (the "Property"). The Property is located in the R-1 Zoning District. The Applicant seeks approval to construct a new four- (4) story residential building consisting of two (2) residential dwelling units on the Property. The Applicant also proposes related site improvements, including, but not limited to, landscaping, lighting, and stormwater management infrastructure. The Applicant seeks bulk variance and design waiver/exception relief in connection with the Application, including: (1) Building height greater than permitted (38 ft. permitted; 40.17 ft. proposed); and (2) Number of stories greater than permitted (3 stories permitted; 4 stories proposed). The Applicant also seeks any additional deviations, exceptions, design waivers, submission waivers, variances, interpretations, de minimis exceptions to the State of New Jersey Residential Site Improvement Standards, continuations of any pre-existing non-conforming conditions, modifications of prior imposed conditions and other approvals reflected on the filed plans (as same may be further amended or revised from time to time without further notice) and as may be determined to be necessary during the review and processing of the Application. Pursuant to the declarations by the Governor of the State of New Jersey [Executive Orders 103 and 107], and the mechanisms that have been used by local governments during emergencies that render in-person meetings less than optimal, the public hearing will be held by online/virtual means and telephonically only. During the public hearing, interested parties may appear, either in person (virtually) or by attorney (virtually), and present any comments or questions which they may have regarding this Application by either (a) participating online by visiting https://us02web.zoom.us/j/86162443723 and following the instructions provided to join the online/virtual meeting, including entering meeting identification number: 861 6244 3723, if prompted; or (b) participating telephonically by calling +1 929 205 6099 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 and entering meeting identification number: 861 6244 3723, if prompted. Participating via online/virtual means or telephonically is free of charge to the public. Members of the public interested in participating in the public hearing on the Application can advise the Jersey City Planning Division (the "Planning Division") of their interest in participating in advance of the public hearing by sending an email to the Board Secretary at cityplanning@jcnj.org or by calling the Planning Division during regular business hours at (201) 547-5010. In addition, if any member of the public has a concern regarding utilizing the technology set forth above to participate in the public hearing, the member of the public may contact the Board

Secretary by email to cityplanning@jcnj.org or by phone at (201) 547-5010 during regular business hours. There will also be a portion of the public hearing dedicated to public questions, public comment, and the opportunity for the public to offer evidence. The City of Jersey City is utilizing the Zoom service to conduct virtual meetings in compliance with the New Jersey Open Public Meetings Act. More information on how to access virtual meetings, participate, provide public comment, and review agendas and digital plans and applications materials can be can be found on the Jersey City, Division of City Planning website at https://jerseycitynj.gov/planning. The application and supporting materials (including maps and plans) will be available for public inspection free of charge to the public by going to the Jersey City Data Portal at the following webpage: https://data.jerseycitynj.gov at least ten (10) days before the public hearing. Alternatively, members of the public may contact the Planning Division at (201) 547-5010 during regular business hours or email the Planning Division at cityplanning@jcnj.org in order to make an appointment to review or pick up copies of the Application materials, plans, and related documents at the Division of City Planning, located at 1 Jackson Square, 2nd Floor, Jersey City, New Jersey 07305. The public hearing may be continued without further notice on such additional or other dates as the Board may determine. Benjamin T.F. Wine, Esq. Prime & Tuvel 1 University Plaza Drive, Suite 500 Hackensack, New Jersey 07601 Phone: (201) 883-1010 Email: ben@primelaw.com Attorneys for Janelle & Jason Mallari 07/28/23 \$124.88

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