

DIVISION OF CITY PLANNING  
1 Jackson Square  
JERSEY CITY, NJ 07302  
TEL: 201.547-5010  
FAX: 201.547.4323

# Receipt of Documents

This will serve to confirm that on, January 10, 2020, the Division of City Planning was in receipt of documents filed by Patrick T. Conlon, for:

**Application for Site plan Amendment Approval  
161 Van Wagenen Ave**

The land use review staff of the Division will review this submission for compliance with the City's requirements under the Zoning Ordinance and other applicable ordinances.

You will be notified within 45 days of the date listed above if the documents provided constitute a valid application. You will also be notified within this time period of the planning and zoning issues staff believes are relevant to the proposed Project, as well as our proposed recommendations to the Planning Board or Zoning Board *of* Adjustment.

We endeavor to reduce the statutorily allowed 45 day review period to the absolute minimum we need to certify the validity of your submittal. Please be informed that pursuant to NJSA 40:55D-10.3., and Chapter 345-22 through 345-25 of the Jersey City Code; your case cannot and will not be scheduled for a hearing date until the documents are determined to be a valid application and it is deemed complete by the Director of the Division of City Planning. **Please do not advertise or mail notice for a public hearing on this case until you are given a calendar date for the hearing by this office.** Mailing such notice without a scheduled date only serves to confuse and sometimes anger the members of the public who receive such notices.

If there are any questions in this regard, please direct them to the following personnel:

Planning Board: Matt Ward, 201-547- 5010

Zoning Board *of* Adjustment, Tanya Marione, 201-547-5488

If there are any problems or complaints about the manner in which your application is being processed, please direct your call to Maryann Bucci-Carter, Supervising Planner at 547-4499.

Signature of Staff Member Receiving Documents: \_\_\_\_\_

Signature of Person Filing Documents: \_\_\_\_\_

Patrick T. Conlon, Esq.



A TRADITION OF LEGAL EXCELLENCE SINCE 1938

Connell Foley LLP  
Harborside 5  
185 Hudson Street, Suite 2510  
Jersey City, NJ 07311  
P 201.521.1000 F 201.521.0100

Patrick T. Conlon  
Associate

January 10, 2020

**VIA HAND DELIVERY**

Attn: Tanya Marione, Director  
Jersey City Division of Planning  
City of Jersey City, City Hall Annex  
1 Jackson Square a/k/a 360 MLK Drive  
Jersey City, NJ 07305-3717

**Re: 161 Van Wagenen Avenue  
161 Van Wagenen Ave, LLC  
Block 19301, Lot 18  
Application for Site Plan Amendment (with "c" and "d" variances)**

Dear Ms. Marione:

As you may recall, this office represents 161 Van Wagenen Ave, LLC (the "Applicant"). Applicant is currently the owner of 161 Van Wagenen Avenue also known as Block 19301, Lot 18 on the Official Tax Map of the City of Jersey City (the "Property"). The Property is located within the R-3 Multi-Family Mid-Rise Zoning District ("R-3 District") and is subject to the requirements of the Jersey City Land Development Ordinance (the "JC LDO").

The Property was approved by Resolution Z19-013 on April 25, 2019 by the Jersey City Zoning Board of Adjustment for a Preliminary and Final Major Site Plan Approval with "c" and "d" variances (use; height; density; number of vehicle parking spaces; minimum rear yard setback) for a thirteen (13) story residential building containing one hundred twenty four (124) dwelling units (18 of which will be work force housing affordable units), thirty-nine (39) vehicle parking spaces, and sixty-five (65) bicycle parking spaces (the "Original Approval"). That Original Approval was memorialized on June 27, 2019.

The Property is an oversized 14,070.6 square foot lot that is currently vacant. Applicant proposes to amend the Original Approval by adding a cellar storage area, adding a bicycle storage room, and adding a mezzanine level; Applicant further proposes changes to the windows several material changes (the "Amendments"). The Amendments are described in greater detail in the attached letter from the architecture firm Architectura, dated November 22, 2019.

Please allow this letter to serve as Applicant's request for Site Plan Amendment approval. The Original Approval granted several variances, but the Amendments do not expand those variances or create any additional variances.

Please find attached the following as a supplement to the above-referenced requests:

1. Two (2) General Development receipts;
2. One (1) original completed and executed General Development Application (the "Application");
3. One (1) set of architectural plans prepared by Architectura (Conrad Roncati, R.A.) dated November 22, 2019 containing 10 pages for your review;
4. One (1) set of civil site plans prepared by Bertin Engineering (Eric Hough, P.E.) dated January 3, 2020.
5. Letter from Architectura dated November 22, 2019 that describes the proposed amendments in greater detail.
6. One (1) copy of a draft notice to be distributed by mail and posted within the Jersey Journal pursuant to N.J.S.A. 40:55D-12;
7. One (1) original 10% disclosure form;
8. One (1) certified list of property owners within 200 feet, dated December 30, 2019;
9. One (1) check in the amount of two hundred and fifty dollars (\$250.00) made payable to Precision Reporting;
10. One (1) check in the amount of one hundred and fifty dollars (\$150.00) made payable to the City of Jersey City as a deposit for Application review.

Please note that the following will be submitted under separate cover: additional Site Plans to comply with the requirements of the General Development Application Checklist; Property Survey; letter of rejection from the City Zoning Officer; Certificate of Taxes Paid; an affidavit pursuant to N.J.S.A. 40:55D-12; a Statement of Principal Points and the remaining application balance will be submitted under separate cover. Applicant requests waivers from the Checklist Requirement to provide a Certificate of Water Bills Paid. If you have any questions regarding this application, please do not hesitate to contact the undersigned.

Very truly yours,



Patrick T. Conlon

PTC/  
Enclosures

1037

161 VAN WAGENEN LLC

222 DUNCAN AVE  
JERSEY CITY, NJ 07306-6606

DATE 12-10-2019

55-7262/212

PAY  
TO THE  
ORDER OF

CITY OF JERSEY CITY

\$ 150.00

ONE HUNDRED FIFTY

DOLLARS

 **POPULAR.**800-377-0800 • PopularBank.com  
Popular Bank, Member FDIC.

FOR Initial Application fee.



⑈00001037⑈ ⑆021272626⑆ 6811516522⑈

1038

161 VAN WAGENEN LLC

222 DUNCAN AVE  
JERSEY CITY, NJ 07306-6606

DATE 12-10-2019

55-7262/212

PAY  
TO THE  
ORDER OF

PRECISION REPORTING

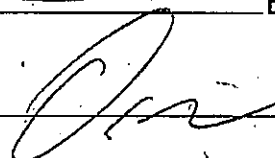
\$ 250.00

Two Hundred FIFTY ONLY

DOLLARS

 **POPULAR.**800-377-0800 • PopularBank.com  
Popular Bank, Member FDIC.

FOR Transcript of hearing.



⑈00001038⑈ ⑆021272626⑆ 6811516522⑈



# Architectura

November 22, 2019

Re: 161 Van Wagenen Avenue

The following narrative, as well as the attached drawings, describe changes to the original plans and elevations that were approved by the Zoning Board of Adjustment. The page numbering refers to the current set.

1. A-101
  - a. In order to utilize the slope of the site more efficiently we added a Cellar Storage area to the west side of the building accessed from the alley on the west side.
  - b. Rearranged the front (east) side of the building.
    - i. The elevator and stair core were turned 90 degrees to facilitate code requirements with regards to egress and fire.
    - ii. Access to the Transformer Vault is now from the shared driveway on the south.
    - iii. Added a bicycle storage room to the garage.
2. A-102 – A-106
  - a. New Mezzanine level for Electrical and Sprinkler rooms as well as building management support functions.
  - b. 2<sup>nd</sup>-12<sup>th</sup> floors:
    - i. Footprint of these floors were enlarged to accommodate the reconfigured elevator and stair core as well as new communications and electrical closets.
  - c. 13<sup>th</sup> floor:
    - i. Footprint enlarged to accommodate the reconfigured elevator and stair core and the communications and electrical closets.
    - ii. New handicapped restrooms and janitor closet.
    - iii. New utility room adjacent to stair 2.
3. A-201
  - a. East elevation:
    - i. Typical for all elevations: Bottom 23'-0" of building was previously Stucco with a 'water table' of stone veneer. We replaced this with a ground face decorative concrete block.
    - ii. Typical for all Elevations: The window types were revised when the PTAC units were eliminated and the new requirements for the VRP units (Variable Refrigerant Packaged Heat Pump) were added to the window types.
    - iii. Entrance area and parking garage were reconfigured because of plan changes. We also expanded the amount of glass and added a revolving door.



Architectura, Inc. One Executive Drive, Suite LL100, Fort Lee, New Jersey 07024 201.346.1400 fax 201.346.1418

Fort Lee

New York

San Francisco

Miami

Bridgehampton

Seoul

- b. North Elevation:
  - i. See typical above.
  - ii. Passive ventilation was added to the garage in the form of screened opening in the block wall. Extruded frames with steel mesh infill.
- c. West elevation:
  - i. See typical above.
  - ii. Passive ventilation was added to the garage in the form of screened opening in the block wall. Extruded frames with steel mesh infill.
- d. South elevation:
  - i. See typical above
  - ii. Passive ventilation was added to the garage in the form of screened opening in the block wall. Extruded frames with steel mesh infill.
  - iii. On a portion of the exterior (along the corridor wall) that is inset and less visible from the street, Metal Panel was replaced with thin brick. The thin brick is grey and will not change the overall appearance of the façade.

**END OF SUMMARY**

Respectfully,

Dorleen Klein  
Senior Project Manager



# 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: 161 Van Wagenen Avenue Block & Lots: Block 9301, Lot 18  
Ward: C

2. **BOARD DESIGNATION** ☐ Planning Board ☒ Zoning Board of Adjustment

3. <b>APPROVALS BEING SOUGHT</b>	<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 checked="" type="checkbox"/> (d) variance(s): use, density, etc.	<input type="checkbox"/> Waiver of Site Plan Requirements
	<input type="checkbox"/> Preliminary Major Site Plan	<input type="checkbox"/> Minor Subdivision	<input type="checkbox"/> Interpretation ("B" appeal)
	<input type="checkbox"/> Final Major Site Plan	<input type="checkbox"/> Prelim. Major Subdivision	<input checked="" 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 &amp; Nature of Use (describe project)

Applicant was approved for a thirteen (13) story multi-residential building with one hundred twenty-four (124) residential units, including thirteen (13) affordable units, and thirty-nine (39) parking spaces. Amendments include: addition of a cellar storage area, bicycle storage room, and mezzanine level. Window revisions and material changes. See letter from architect for more details.

5. **VARIANCE/ DEVIATION NOTES**

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

Height; density.

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

The benefits outweigh any substantial detriments; see Principal Points Statement for further reasoning.

6. **APPLICANT**

161 Van Wagenen Ave, LLC

Applicant's Name

917-346-0009 N/A

Phone

Fax

ARVIKIRAN7@GMAIL.COM

e-Mail address

101 Hudson St., Suite 21101

Street Address

Jersey City New Jersey 07302

City

State

Zip

**7.  
OWNER**

Same

Owner's Name

Street Address

Phone

Fax

City

State

Zip

**8.  
APPLICANT'S  
ATTORNEY**

Charles J. Harrington, III

Attorney's Name

5 Harborside, 185 Hudson St., Suite 2510

Street Address

Connell Foley, LLP

Jersey City New Jersey 07311

Firm's Name

City

State

Zip

201-521-1000

201-521-0100

charrington@connellfoley.com

Phone

Fax

e-mail address

**9.  
PLAN  
PREPARERS**

Brian J. Shortino 33942

Engineer's Name &amp; License Number

66 Glen Avenue

Street Address

Bertin Engineering

Glen Rock New Jersey 07452

Firm's Name

City

State

Zip

201-670-6688

201-670-9788

info@bertinengineering.com

Phone

Fax

e-mail address

Surveyor's Name &amp; License Number

Street Address

Firm's Name

City

State

Zip

Phone

Fax

e-mail address

Planner's Name &amp; License Number

Street Address

Firm's Name

City

State

Zip

Phone

Fax

e-mail address

Theodore S. Hammer

Architect's Name &amp; License Number

1 Executive Drive, Suite LL100

Street Address

Architectura

Fort Lee New Jersey 07024

Firm's Name

City

State

Zip

201-346-1400

201-346-1420

Phone

Fax

e-mail address



**10.**  
**SUBJECT**  
**PROPERTY**  
**DESCRIPTION**

irregular lot

Site Acreage (square footage and dimensions):

14,070.6 sf 61.71 x 240 (dimensions)

Zone District(s): R-3 Multi-Family Mid-Rise

Present use: Vacant lot

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)?:

TBP

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	N/A	N/A	13	141'
Addition/Extension				
Rooftop Appurtenances				
Accessory Structures				

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

Residential	117,834	sf
Retail	0	sf
Office	0	sf
Industrial	0	sf
Parking Garage	10,146	sf
Other	0	sf
<b>TOTAL:</b>	<b>127,980</b>	<b>sf</b>

Number of dwelling units (if applicable):

Studio	25	units
1 bedroom	91	units
2 bedroom	7	units
3 bedroom	1	units
4+ bedroom	0	units
<b>TOTAL:</b>	<b>124</b>	<b>units</b>

Number of lots before subdivision:

N/A

Number of lots after subdivision:

N/A

% of lot to be covered by buildings:

90 %

% of lot to be covered by buildings &  
pavement:

100 %

Gross floor area (GFA):

127,980 sf

Floor Area Ratio (FAR):

9.1:1

# 11. PARKING & SIGNAGE

Number of parking spaces & dimensions: number: 39 / Dimensions: \*stackers  
 Number of loading spaces & dimensions: number: N/A / Dimensions: N/A

Number of Signs: N/A  
 Height of monument and/or pylon signs: N/A

# 12. INFRA- STRUCTURE

<b>WATER</b>		
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	12"	
Material	TBP	
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
<b>SEWER</b>		
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
<b>MISC</b>		
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 type="checkbox"/> Yes	<input checked="" 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 TBP
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 type="checkbox"/> Yes	<input checked="" 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	124	13	0
Conversion from a non-residential structure to a structure containing residential units	0	0	0
Conversion from market rate housing units to NJ COAH defined affordable housing units	0	0	0

\*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*	13	0	0	0	13

\*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.	0	0
M: Mercantile uses. Buildings used to display and sell products. Includes retail stores, strip malls, shops and gas stations.	0	0
F: Factories where people make, process, or assemble products. F use group includes F1 and F2.	0	0
S: Storage uses. Includes warehouses, parking garages, and lumberyards. S group includes S1 and S2.	15,116 sf	0
H: High Hazard manufacturing, processing, generation and storage uses. H group includes H1, H2, H3, H4 and H5.	0	0
A1: Assembly uses including concert halls and TV studios.	0	0
A2: Assembly uses including casinos, night clubs, restaurants and taverns.	0	0
A3: Assembly uses including libraries, lecture halls, arcades, galleries, bowling alleys, funeral parlors, gymnasiums and museums, but excluding houses of worship	0	0
A4: Assembly uses including arenas, skating rinks and pools.	0	0
A5: Assembly uses including bleachers, grandstands, amusement park structures and stadiums	0	0
E: Schools K – 12	0	0
I: Institutional uses such as hospitals, nursing homes, assisted living facilities and jails. I group includes I1, I2, I3 and I4.	0	0
R1: Hotels, motels and dormitories	0	0
U: Miscellaneous uses. Fences, tanks, sheds, greenhouses, etc.	0	0

**14.**  
**APPROVAL**  
**HISTORY**

List all past approvals, denials, appeals, or other activity for the subject property. ☐ Check here  
If there are previous approvals, attach 2 copies of the approving resolution.

	CITY JOB/CASE NUMBER	APPROVED	DENIED	DATE
Subdivision		<input type="checkbox"/>	<input type="checkbox"/>	
Site Plan	Z19-013	<input checked="" type="checkbox"/>	<input type="checkbox"/>	April 25, 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

*16<sup>th</sup> day of January, 2020*

*Patrick A. Adams*  
Signature of Applicant *App. for applicant*

Property Owner Authorizing Application if  
other than Applicant

*Joan C. Adams*  
JOAN C. ADAMS  
Notary Public of New Jersey  
My Commission No: 50005301  
My Commission Expires October 28, 2024

**RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT OF THE CITY OF JERSEY CITY**

**APPLICANT:** 161 VAN WAGENEN, LLC

**FOR:** PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL  
WITH "c" AND "d" VARIANCES  
161 VAN WAGENEN, JERSEY CITY, NEW JERSEY  
BLOCK 9301, LOT 18

**CASE NO.:** Z19-013

WHEREAS, the Applicant, 161 Van Wagenen, LLC (the "Applicant"), per Connell Foley, LLC, (Charles J. Harrington, III, Esq., appearing) made application to the Zoning Board of Adjustment of the City of Jersey City, County of Hudson and State of New Jersey for Preliminary and Final Major Site Plan with variances pursuant to N.J.S.A 40:55D-70(d) (use; height; density) and N.J.S.A 40:55D-70(c) (number of vehicle parking spaces and minimum rear yard setback), to wit: Calendar No. Z19-013, for the purpose of developing the property with new construction of a thirteen (13) story residential building containing one hundred twenty-four (124) dwelling units (18 of which would be work force housing units), thirty-nine (39) vehicle parking spaces, and sixty-five (65) bicycle parking spaces on the property located at 161 Van Wagenen Avenue, Jersey City, New Jersey, and identified on the Jersey City Tax Maps as Block 9301, Lot 18 (the "Project"); and

WHEREAS, it appears that due notice of a hearing on the above said application before the Zoning Board of Adjustment of the City of Jersey City, on April 25, 2019 at 6:30 p.m., was duly published as prescribed in the Jersey City Land Development Ordinance and the Municipal Land Use Law; 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, the Applicant and its witnesses first having been sworn and all testimony having been formally heard for this application; and

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

### FINDINGS OF FACT

1. The Applicant, 161 Van Wagenen, LLC, filed an application with the Jersey City Zoning Board of Adjustment for Preliminary and Final Major Site Plan approval with variances pursuant to N.J.S.A. 40:55D-70(c) (number of vehicle parking spaces; minimum rear yard setback) and N.J.S.A. 40:55D-70(d) (use; height; density), with regard to the property located at 161 Van Wagenen Avenue, Jersey City, New Jersey, and also identified on the Jersey City Tax Maps as Block 9301, Lot 18 (the "Property").
2. The Property is a rectangular 14,810 square foot lot that is located at the dead end on Van Wagenen Avenue adjacent to the PATH Rail cut in the R-3 Multi-Family Mid-Rise district ("R-3 Zone") and presently consists of a vacant lot that was previously an industrial use before that building's demolition in contemplation of this project.
3. The current R-3 Zone permits the following uses: "1. Mid-rise apartment buildings, (see 345-6 for definition). 2. Townhouses. 3. Three and four family detached dwellings. 4. Houses of worship. 5. Parks and playgrounds. 6. Essential services. 7. Schools. 8. Governmental uses. 9. Office uses, including medical offices for no more than two practitioners, as part of the ground floor of mid-rise apartment buildings along John F. Kennedy Boulevard. 10. Assisted living residences. 11. Nursing homes. 12. Senior housing. 13. Public utilities, except that natural gas transmission lines shall be prohibited. 14. Ground floor retail, limited to new construction on corner lots."
4. The purpose of the application is to develop the Property with a new thirteen (13) story residential building consisting of one hundred twenty-four (124) dwelling units, thirty-nine (39) off-street parking spaces, and various resident amenity spaces (the "Project").
5. In connection with the Application, the Applicant is requesting the following variances, exceptions and/or waivers from the Redevelopment Plan and the Jersey City Land Development Ordinance ("JC LDO") in connection with this application.
  - a. Use—N.J.S.A. 40:55D-70D-70.d.(1): Where a high-rise building is proposed, but high-rise residential buildings are not a permitted principal use.
  - b. Maximum Building Height—N.J.S.A. 40:55D-70.d.(6): Where a maximum building height of eight stories (85 feet) is permitted and thirteen (13) stories (131 feet) is proposed.

- c. Density—N.J.S.A. 40:55D-70.d.(5): Where a maximum of thirty-five (35) residential units are permitted and one hundred twenty-four (124) are proposed.
  - d. The Applicant is also seeking any other variances, waivers and/or exceptions that the Planning Board shall deem necessary in connection with this application.
6. Calisto Bertin of Bertin Engineering, Theodore Hammer of Mancini Duffy and Charles Heydt of Dresdner Robin testified on behalf of the Applicant. Both were qualified as experts in their respective fields by the Zoning Board of Adjustment.
7. Mr. Bertin testified as to the current site conditions and the traffic impact of the Project. He also testified about the type of heating/cooling system the Project will use.
8. Mr. Hammer testified describing the project and the unit mix. He described the rationale for the design choices and described the materials.
9. Charles Heydt of Dresdner Robin testified that the use and height variances may be granted because the subject property is particularly well suited to accommodate the proposed Project because, although located in the R-3 District, the surrounding neighborhood does not display the typical characteristics of an R-3 District. Instead, the neighborhood is characterized by industrial, mixed-use, transportation, and institutional uses.
10. The Property also fronts onto a right-of-way for the PATH railway tracks. Adjacent to the Property is a four story industrial use, a one story industrial use, a one story temple, and a surface parking lot. Only the temple is a permitted use in the R-3 District. The Property was previously an industrial warehouse use, before the building was demolished in preparation for the proposed Project.
11. This project will replace this industrial use with a residential building, which is more in line with the intent of the R-3 District. Therefore, the proposed Project will advance the goals of the R-3 District by putting a residential building into a residential zone.
12. Mr. Heydt testified that the positive criteria for the use variance is met for this Project because the Project will eliminate unsightly and incompatible quasi-industrial buildings and uses, and replace these with an attractive residential building more compatible with the character of the surrounding area and the residential zoning,

thereby bringing the property into better conformity with the intent and purpose of the zone plan.

13. The Applicant proved that the site is particularly suited for the proposed use because of its size and location.

14. During the hearing, the Applicant agreed to increase the number of workforce housing units in the building from thirteen (13) to eighteen (18). The R-3 Zone permits thirty-six (36) units on this Property; the Applicant is proposing one hundred twenty-four (124). The eighteen (18) proposed workforce housing units will represent a little over twenty (20) percent of the additional units above the permitted density. These workforce units will be deed restricted for twenty (20) years.

15. Mr. Heydt testified that the location of this lot is uniquely suitable for a high rise building and the increased density that goes along with that kind of use. First, the Property is located approximately half a mile from the Journal Square PATH station. There is a pedestrian bridge directly adjacent to the Property which will allow residents to cross the PATH railway right-of-way and access Newark Avenue, which allows for faster access to the Journal Square PATH station.

16. The location of the Property directly adjacent to the PATH train tracks (to the North) also serves to minimize the Project's impact on light and air for surrounding properties. For most of the day, any shadow that is cast by the Project will be cast on the PATH train right-of-way to the north of the Property. In addition, the proposed setbacks and stepbacks provided will help mitigate any restriction of light and air. The impact on light and air for the surrounding properties (none of which are currently residential) will be minimal. All of this makes the Property particularly suited to handle the increased intensity of a high-rise use.

17. Further, the size of the Property can accommodate the larger footprint associated with a high-rise building. The minimum lot size in the R-3 District is 6,000 square feet. The subject Property sits on a lot that is approximately 14,810 square feet. This unusually large lot is uniquely suited for a larger, high-rise building.

18. The Project will promote the purposes of the Municipal Land Use Law by guiding appropriate development of a vacant property, by establishing an appropriate population density that will contribute to the population's well-being and the area's character as a residential neighborhood consistent with the R-3 District's goals, and by creating a desirable visual environment.

19. The granting of the requested variances will be a municipal action that will guide the appropriate



development of the vacant property with a multi-family building and will promote the public health, safety, and general welfare, consistent with N.J.S.A. 40:55D-2.a.

20. The Project will also establish an appropriate population density at a location lacking in residential uses, and will contribute to the well-being of persons, the neighborhood, and community, consistent with N.J.S.A. 40:55D-2.e.

21. Lastly, the proposed multi-family building will be developed on a vacant lot and will promote a desirable visual environment through creative development technique, and good civic design and arrangement, consistent with N.J.S.A. 40:55D-2.i.

22. The negative criteria for granting the requested variances are satisfied because the Project will not create a substantial detriment to the general welfare because it will be consistent with the intent of the R-3 District.

23. The Project will develop a currently vacant lot—which was previously developed with a nonconforming industrial use—with a multi-family residential building consistent with the character of the surrounding area.

24. The purpose of the R-3 District is to provide a broad range of multi-family housing in an area served by arterial streets, mass transit, neighborhood commercial uses, and community facilities. This Project fulfills that purpose because it is a multi-family residential building in an area which currently does not have many residential uses, but is served by several arterial streets (Tonelle Avenue, Broadway, and several major highways), which is within walking distance of the Journal Square PATH Station, commercial uses (including a grocery store located on the same block as the Property), a house of worship, a park, and a municipal pool.

25. In conclusion, the requested variances may be approved in that both the positive and negative criteria have been met pursuant to N.J.S.A. 40:55D-70.d(1) and 70.d(6) for the use, density and height variances wherein the subject property is particularly well-suited to accommodate the proposed use, density, and height without detrimental impact to the character of the area or the intent of the zone plan. The granting of the variances will not result in any substantial detriments to the public good, and will not substantially impair the intent and purposes of the zone plan as discussed above. The benefits of granting the variances outweigh any substantial detriments.

26. All other requested "c" variances are subsumed under the "use" variance.

27. The Jersey City Zoning Board of Adjustment concurs with the testimony presented on behalf of the Applicant and the testimony of the Division of Planning Staff. The requested variances can be approved because both the positive and negative criteria have been met pursuant to N.J.S.A. 40:55D-70.d.(1), (5), and (6); the resulting development promotes the general welfare in that it achieves the aims of the R-3 Zone; the granting of the variances will not result in any substantial detriments to the public good, and will not substantially impair the intent and purposes of the zone plan, and the benefits of granting the variances substantially outweigh any detriment.

NOW, THEREFORE, BE IT RESOLVED that the Zoning Board of Adjustment 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 with pursuant to N.J.S.A 40:55D-70(d) (use; height; density) and N.J.S.A 40:55D-70(c) (number of vehicle parking spaces and minimum rear yard setback), to wit: Calendar No. Z19-013, for the purpose of developing the property with new construction of a thirteen (13) story residential building containing one hundred twenty-four (124) dwelling units (18 of which will be workforce units), thirty-nine (39) vehicle parking spaces, and sixty-five (65) bicycle parking spaces on the property located at 161 Van Wagenen Avenue, Jersey City, New Jersey, and identified on the Jersey City Tax Maps as 9301, Lot 18 (the "Project"), in accordance with the plans and testimony submitted to the Zoning Board of Adjustment of the City of Jersey City in accordance with the submitted plans and testimony that are incorporated herein, subject to the following conditions:

1. All testimony given by the Applicant and their expert witnesses in accordance with this application shall be binding.
2. The architect of record shall be retained during construction and shall submit a signed and sealed letter representing and nothing that site construction was consistent with the work approved prior to issuance of a certificate of occupancy.
3. All materials and colors shall be shown on final plans. No change to the façade or site design, including materials, as well as changes that may be required by the Office of Construction Code shall be permitted without consultation with and approval by planning staff.
4. The Project will not use PTACs units;
5. The Project will have eighteen (18) affordable units instead of the originally proposed thirteen (13).
6. The Project will provide a shuttle to and from the Journal Square PATH Station from the building.
7. The Project will provide sixty-five (65) bicycle parking spaces instead of the originally proposed forty-two (42).

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APPLICANT: 161 VAN WAGENEN, LLC

FOR: PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL WITH "c" AND "d" VARIANCES  
161 VAN WAGENEN  
JERSEY CITY, NEW JERSEY  
BLOCK 9301, LOT 18

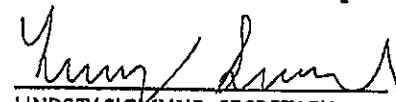
CASE NO.: Z19-013

VOTE: 5-1

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COMMISSIONER:	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Joshua Jacobs, Chairman	X			
Kate McCormack, Commissioner	X			
Ahmed Shedeed, Commissioner	X			
Nicholas Grillo, Commissioner		X		
Anthony Mitchell, Commissioner	X			
Chester M. Rothman, Commissioner	X			

  
JOSHUA JACOBS, CHAIRMAN  
JERSEY CITY ZONING BOARD OF ADJUSTMENT

  
LINDSEY SIGMUND, SECRETARY  
JERSEY CITY ZONING BOARD OF ADJUSTMENT

APPROVED AS TO LEGAL FORM:

  
VINCENT LAPAGLIA, ESQ.

DATE OF HEARING:  
DATE OF MEMORIALIZATION:

April 25, 2019  
June 27, 2019



# CITY OF JERSEY CITY

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Office of the City Assessor  
280 Grove Street, Room 116  
Jersey City, New Jersey 07302  
Telephone: (201) 547-5131

**EDUARDO TOLOZA, CITY ASSESSOR**

**December 30, 2019**

**PROPERTY LOCATION OF APPLICATION: 161 Van Wagenen Avenue**

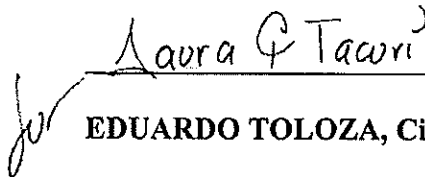
**BLOCK(S): 9301      LOT(S): 18**

**NAME OF APPLICANT: Charles J. Harrington, III, Esq.  
c/o Connell Foley, LLP  
Harborside 5  
185 Hudson Street  
Jersey City, NJ 07311-4029**

**APPLICANT'S TELEPHONE #: (201) 521-1000**

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

**C E R T I F I E D**

  
EDUARDO TOLOZA, City Assessor

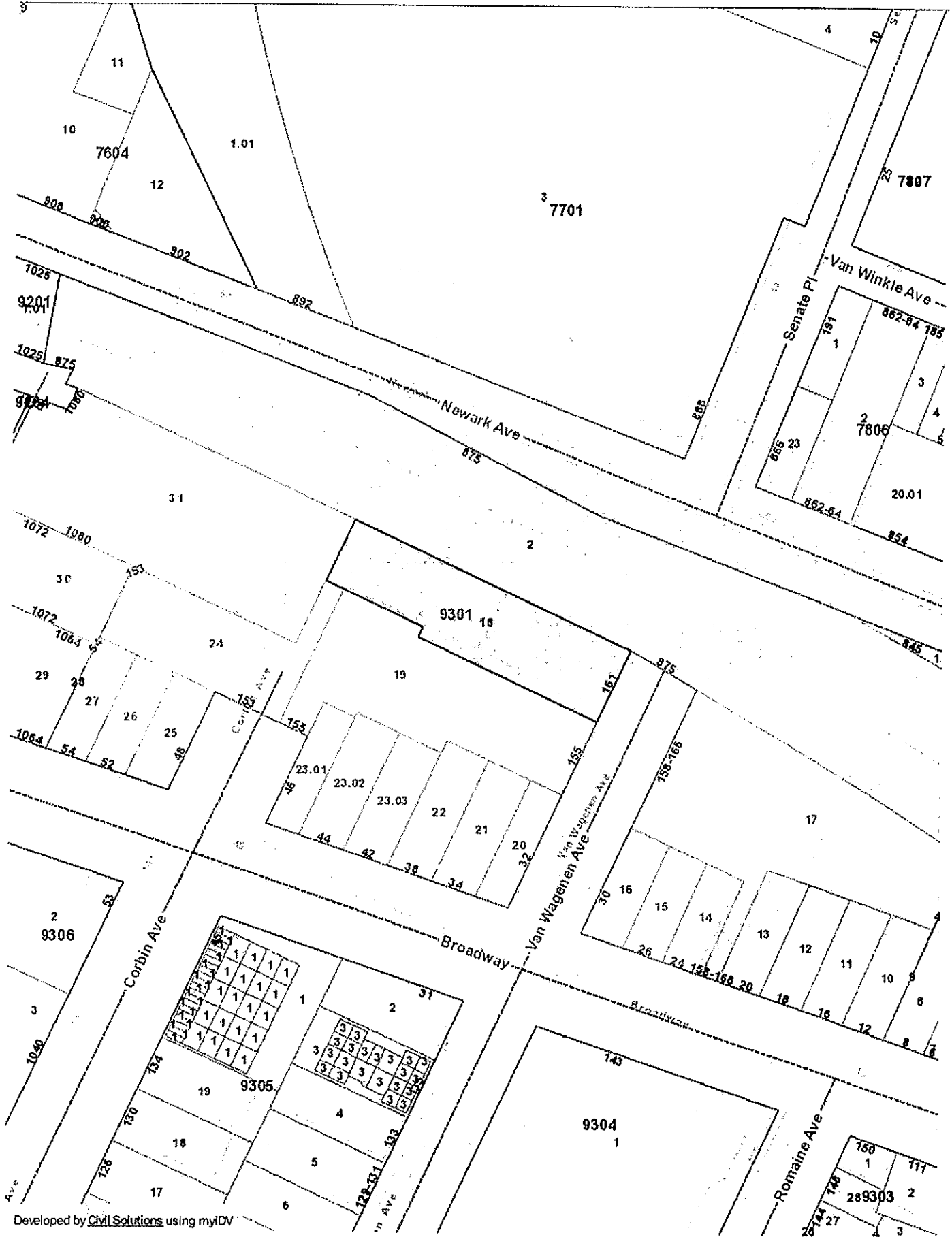
**Also be advised that the following companies must be notified:**

P.S.E. & G.	80 PARK PLAZA, NEWARK, NEW JERSEY 07102
COMCAST CABLEVISION	2121 KENNEDY BLVD., JERSEY CITY, NJ 07305
UNITED WATER COMPANY	200 HOOK ROAD, HARRINGTON PARK, NJ 07640
JERSEY CITY M.U.A.	555 ROUTE 440, JERSEY CITY, NEW JERSEY 07305
VERIZON TELEPHONE	540 BROAD STREET, NEWARK, NEW JERSEY 07102

# Buffer Report - Map

Jersey City

created on 12/30/2019





# CITY OF JERSEY CITY

Office of the City Assessor

Subject Property: Block 9301 - Lot 18

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

Property Location: 161 Van Wagenen Avenue

Date: December 30, 2019

BLOCK	LOT	QUAL	PROPERTY LOCATION	OWNERS NAME	MAILING ADDRESS	CITY / STATE	ZIP CODE
7604	12		902 NEWARK AVE.	NEWARK AVENUE REALTY, L.L.C.	888 NEWARK AVE.	JERSEY CITY, NJ	07306
7701	1.01	HM	892 NEWARK AVE.	CONSOLIDATED RAIL	P.O. BOX 8499	PHILADELPHIA, PA	19101
7701	3		888 NEWARK AVE.	NEWARK AVENUE REALTY, L.L.C.	888 NEWARK AVE.	JERSEY CITY, NJ	07306
7806	2		862-64 NEWARK AVE.	JODDIA BAZAR, L.L.C.	862-864 NEWARK AVE.	JERSEY CITY, N.J.	07306
7806	20.01		854 NEWARK AVE.	PUSHTEL CONSTRUCTION INC.	2 JERSEY STREET	HARRISON, NJ	07029
7806	23		866 NEWARK AVENUE	AB CRUZ CONSTRUCTION CO. INC.	248 OGDEN AVE.	JERSEY CITY, NJ	07307
9301	1		845 NEWARK AVE.	845 NEWARK AVENUE, L.L.C.	344 PATERSON PLANK RD.,#2	JERSEY CITY, NJ	07307
9301	2		875 NEWARK AVE.	CONSOLIDATED RAIL	P. O. BOX 8499	PHILADELPHIA, PA.	19101
9301	13		20 BROADWAY	20 BROADWAY HOLDINGS, LLC.	586 JERSEY AVE., #1	JERSEY CITY, NJ	07302
9301	14		24 BROADWAY	VELTRE, GIUSTINIANO & ALBINA	24 BROADWAY	JERSEY CITY, N.J.	07306
9301	15		26 BROADWAY	DHEBARIYA, DEVJI & ILA	17 FABISZEWSKI WAY	PARLIN, NJ	08859
9301	16		30 BROADWAY	TSIKENTZOGLOU, IORDANIS & PETER	294 PAVONIA AVE	JERSEY CITY, NJ	07302
9301	17		158-166 VAN WAGENEN	158 VAN WAGENEN AVENUE, L.L.C.	40 PRINCE STREET	NEW YORK, NY	10012
9301	19		155 VAN WAGENEN AVE.	WAGENEN MANAGEMENT, L.L.C.	3 LIPA FRIEDMAN LN, #112	MONROE, NY	10950
9301	20		32 BROADWAY	VASQUEZ, NICHOLAS	233 PEARSALL AVE.	JERSEY CITY, NJ	07305
9301	21		34 BROADWAY	34 BROADWAY ASSOC. L.L.C.	1879 MORRIS AVE.	UNION, N.J.	07083
9301	22		38 BROADWAY	JCP G.3,LLC,JCP JE 3,LLC&JCP Z3,LLC	P.O. BOX 35	FARMINGDALE, NJ	07727
9301	23.01		46 BROADWAY	46 BROADWAY JC, LLC	46 BROADWAY	JERSEY CITY, N J	07306

BLOCK	LOT	QUAL	PROPERTY LOCATION	OWNERS NAME	MAILING ADDRESS	CITY / STATE	ZIP CODE
9301	23.02		44 BROADWAY	44 BROADWAY EQUITIES, L.L.C.	210 RIVER ST.	HACKENSACK, NJ	07601
9301	23.03		42 BROADWAY	JCP G.3,LLC,JCP JE 3,LLC&JCP Z3,LLC	P.O. BOX 35	FARMINGDALE, NJ	07727
9301	24		153 CORBIN AVE.	THE AVENIR LP	101 CHASE AVE, SUITE #201	LAKEWOOD, N.J.	08701
9301	25		48 BROADWAY	DEL FORNO, LOUIS A.	493 JERSEY AVE.	JERSEY CITY, NJ	07302
9301	26		52 BROADWAY	MINICHIELLO, MARK & BIAGINA	52 BROADWAY	JERSEY CITY, N.J.	07306
9301	27		54 BROADWAY	THE AVENIR LP	101 CHASE AVE, SUITE #201	LAKEWOOD, N.J.	08701
9301	28		BROADWAY	THE AVENIR LP	101 CHASE AVE, SUITE #201	LAKEWOOD, N.J.	08701
9301	29		1064 WEST SIDE AVE.	THE AVENIR LP	101 CHASE AVE, SUITE #201	LAKEWOOD, N.J.	08701
9301	30		1072 WEST SIDE AVE.	THE AVENIR LP	101 CHASE AVE, SUITE #201	LAKEWOOD, N.J.	08701
9301	31		1080 WEST SIDE AVE.	NANAK NAM JAHAJ GUADUARA	220 DUNCAN AVE.	JERSEY CITY, NJ	07306

NEWARK AVENUE REALTY, L.L.C.  
 888 NEWARK AVE.  
 JERSEY CITY, NJ 07306

JODDIA BAZAR, L.L.C.  
 862-864 NEWARK AVE.  
 JERSEY CITY, N.J. 07306

845 NEWARK AVENUE, L.L.C.  
 344 PATERSON PLANK RD.,#2  
 JERSEY CITY, NJ 07307

VELTRE, GIUSTINIANO & ALBINA  
 24 BROADWAY  
 JERSEY CITY, N.J. 07306

158 VAN WAGENEN AVENUE, L.L.C.  
 40 PRINCE STREET  
 NEW YORK, NY 10012

34 BROADWAY ASSOC. L.L.C.  
 1879 MORRIS AVE.  
 UNION, N.J. 07083

44 BROADWAY EQUITIES, L.L.C.  
 210 RIVER ST.  
 HACKENSACK, NJ 07601

DEL FORNO, LOUIS A.  
 493 JERSEY AVE.  
 JERSEY CITY, NJ 07302

THE AVENIR LP  
 101 CHASE AVE, SUITE #201  
 LAKEWOOD, N.J. 08701

NANAK NAM JAHAI GUADUARA  
 220 DUNCAN AVE.  
 JERSEY CITY, NJ 07306

CONSOLIDATED RAIL  
 P.O. BOX 8499  
 PHILADELPHIA, PA 19101

PUSHTEL CONSTRUCTION INC.  
 2 JERSEY STREET  
 HARRISON, NJ 07029

CONSOLIDATED RAIL  
 P. O. BOX 8499  
 PHILADELPHIA, PA. 19101

DHEBARIYA, DEVJI & ILA  
 17 FABISZEWSKI WAY  
 PARLIN, NJ 08859

WAGENEN MANAGEMENT, L.L.C.  
 3 LIPA FRIEDMAN LN, #112  
 MONROE, NY 10950

JCP G.3,LLC,JCP JE 3,LLC&JCP Z3,LLC  
 P.O. BOX 35  
 FARMINGDALE, NJ 07727

JCP G.3,LLC,JCP JE 3,LLC&JCP Z3,LLC  
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MINICHELLO, MARK & BIAGINA  
 52 BROADWAY  
 JERSEY CITY, N.J. 07306

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 294 PAVONIA AVE  
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VASQUEZ, NICHOLAS  
 233 PEARSALL AVE.  
 JERSEY CITY, NJ 07305

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 LAKEWOOD, N.J. 08701

THE AVENIR LP  
 101 CHASE AVE, SUITE #201  
 LAKEWOOD, N.J. 08701

**OWNERSHIP DISCLOSURE STATEMENT OF**

**161 VAN WAGENEN AVE, LLC**

**PURSUANT TO N.J.S.A. 40:55D-48.1**

**Subject Property:**           **161 Van Wagenen Avenue  
Block 9301, Lot 18  
Jersey City, New Jersey**

<b><u>Applicant</u></b>	<b><u>Member(s) Name and Address</u></b>	<b><u>Percentage Interest</u></b>
<b>161 Van Wagenen Ave., LLC</b>	<b>Onkar Singh 222 Duncan Ave Jersey City, NJ 07306</b>	<b>75%</b>
	<b>Arvinder Minhas 2 Merion Ct Monroe Twp, NJ 08831</b>	<b>25%</b>

## PUBLIC NOTICE

This notice is being provided pursuant to N.J.S.A. 40:55D-12 to advise that an application has been filed by 161 Van Wagenen Ave, LLC with the Jersey City Zoning Board of Adjustment for Site Plan Amendment approval with regard to the property located at 161 Van Wagenen Avenue, Jersey City, New Jersey, also known on the Jersey City Tax Map as Block 9301, Lot 18 ("Property"). The Property is located within the R-3 Multi-Family Mid-Rise zoning district.

The Property was approved by Resolution Z19-013 on April 25, 2019 by the Jersey City Zoning Board of Adjustment for a Preliminary and Final Major Site Plan Approval with "c" and "d" variances (use; height; density; number of vehicle parking spaces; minimum rear yard setback) for a thirteen (13) story residential building containing one hundred twenty four (124) dwelling units (18 of which will be work force housing affordable units), thirty-nine (39) vehicle parking spaces, and sixty-five (65) bicycle parking spaces (the "Original Approval"). That Original Approval was memorialized on June 27, 2019.

Applicant proposes to amend the Original Approval by adding a cellar storage area, adding a bicycle storage room, and adding a mezzanine level; Applicant further proposes changes to the windows several material changes (the "Amendments").

As part of the application, the Applicant is seeking any variances, exceptions and/or waivers that the Zoning Board of Adjustment shall deem necessary in connection with this application.

Any person interested in this application will have the opportunity to address the Jersey City Zoning Board of Adjustment at the meeting on **Thursday, \_\_\_\_\_ 2020** at 6:30 p.m. at 280 Grove Street, City Hall, City Council Chambers, Jersey City, New Jersey, 07302.

Plans are available for public inspection on any working day between 9:00 a.m. and 4:00 p.m. at the Division of City Planning, City of Jersey City, City Hall Annex, 1 Jackson Square, a/k/a 360 Martin Luther King Drive, Jersey City, New Jersey, 07305.

By: Charles J. Harrington, III, Esq.  
Attorney for the Applicant  
161 Van Wagenen Ave, LLC  
201-521-1000