

# 311

**TOWN OF HARRISON****STANDARD DEVELOPMENT APPLICATION**

**GENERAL INSTRUCTIONS:** To the extent possible, applicant shall complete every question. When completed, this application shall be submitted to the Board Secretary. The proper application and escrow fees must accompany the application. **Do not advertise for a public hearing until you are advised to do so by the Board.**

**Indicate to which Board application is being made:**

☐ *Planning Board*☒ *Board of Adjustment*

**Indicate all approvals and variances being sought:**

<input type="checkbox"/> Informal Review	<input type="checkbox"/> Major Site Plan	<input type="checkbox"/> Conditional Use Variance
<input checked="" type="checkbox"/> "C" Variance(s)	<input type="checkbox"/> Minor Subdivision	<input type="checkbox"/> Interpretation
<input checked="" type="checkbox"/> "D" Variance	<input type="checkbox"/> Prelim. Major Subdivision	
<input type="checkbox"/> Waiver of Site Plan	<input type="checkbox"/> Final Major Subdivision	
<input type="checkbox"/> Minor Site Plan	<input type="checkbox"/> Appeals from Decision of Admin. Officer	

**1. APPLICANT**

Name	Address		
334 Buffalo Ave Paterson LLC	820 Riverside Avenue		
City	State	Zip	Telephone
Lyndhurst	NJ	07071	973-651-1777
<small>NOTE: If applicant is not the property owner an affidavit of ownership granting permission to apply must accompany this form.</small>			

**2. PROPERTY OWNER (if other than applicant)**

Name	Address		
Same			
City	State	Zip	Telephone

**3. APPLICANT'S ATTORNEY (if applicable)**

Name	Address		
Gary D. Bennett	70 Midland Avenue, PO Box 495		
City	State	Zip	Telephone
Kearny	NJ	07032	201-991-1111

**TO BE COMPLETED BY TOWN STAFF ONLY**

Date Filed:	Application No.
<input type="checkbox"/> Planning Board	Application Fees
<input type="checkbox"/> Board of Adjustment	Escrow Deposit
Scheduled for Completeness Review	Scheduled for Hearing

**TOWN OF HARRISON****Standard Development Application - Page 2 of 4****Applicant is a(n):**☐ Corporation☐ Partnership☐ Individual

Limited Liability Company

Pursuant to N.J.S.A. 40:55D - 48.1 & 48.2 corporations and partnerships making certain applications are required to list the names and addresses of partners or shareholders owning ten percent or more interest in the partnership or corporation.

**4. SUBJECT PROPERTY**

Street Address 101 North Third Street	Block(s) and Lot(s) Numbers Block 19, Lot 8	
Site Acreage 2,500 sq. ft.	Zone District(s) 2F-1	Tax Sheet No.
Present Use Four apartments on second and third floors and a bar on the first floor and 3-car parking garage		
Proposed Use Convert first floor tavern to small office with studio apartment in rear with 4 apts above; demolition of 3-car garage to create parking area for four cars		

**5. SITE AND BUILDING STATISTICS** (attach additional sheets if necessary)

Area 2,500 sq.ft.	Dimensions 25'x100'
Does Property Front on a County or State Road? No	Number of Parking Spaces and Dimensions 4 (2-8'6") (2-9'x0")
Dimensions of Loading Area None	Number of New Buildings None
Square Feet of New Buildings Existing bldg. 1,552-no new building	Height 31'5"
Exterior Construction Material frame	Total Cost of Building and Site Improvements unknown
Number of Lots Before Subdivision n/a	Number of Lots After Subdivision n/a
Are Any New Streets or Utility Extensions Proposed? No	Number of Proposed Signs and Dimensions None
Are Any Structures to be Removed? 3-car garage to be razed	Is the Property Within 200 Feet of an Adjacent Municipality? If so, which? No

Are there any existing or proposed deed restrictions or covenants? Please detail.

NO

**TOWN OF HARRISON**

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**6. VARIANCES**

Indicate Type of Variance(s) sought:	
<input checked="" type="checkbox"/> "D" Variance	Type (use, density, etc.) Use variance: commercial and office
<input checked="" type="checkbox"/> "C" Variance	Type (use, density, etc.) side yard, front setback, parking

**7. HISTORY OF PAST APPROVALS**x ☐ Check Here if None

	APPROVED	DENIED	DATE
Subdivision			
Site Plan			
Variance(s)			
Building Permit			

**8. NAMES OF APPLICANT'S EXPERTS**

<del>Engineer's Name</del> Architect James S. McNeight		Address 169 Schuyler Avenue		
City Kearny	State NJ	Zip 07032	Telephone 201-246-7515	License # 08626
Surveyor's Name		Address		
City	State	Zip	Telephone	License #
Planner's Name		Address		
City	State	Zip	Telephone	License #
Traffic Engineer's Name		Address		
City	State	Zip	Telephone	License #
List any other expert who will submit a report or who will testify for the Applicant (include field of expertise).				
Name and Field of Expertise		Address		
City	State	Zip	Telephone	License #
Name and Field of Expertise		Address		
City	State	Zip	Telephone	License #

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**9. OTHER APPROVALS WHICH MAY BE REQUIRED AND DATE OF PLANS SUBMITTED**

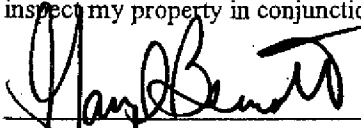
	YES	NO	DATE PLANS SUBMITTED
Hudson County Health Department		xxx	
Hudson County Planning Board		xxx	
Hudson-Bergen-Essex Soil Conservation Service		xxx	
NJDEP		xxx	
• Sanitary Sewer Connection Permit			
• Waterfront Development Permit			
• Other (specify)			
New Jersey Department of Transportation		xxx	
Other (specify)			
Other (specify)			
Other (specify)			

**10. FEES SUBMITTED**

Application Fees	550.00
Variance Fees	175.00
Escrow Fees	2,000.00
<b>Total Fees</b>	<b>2,725.00</b>

**11. CERTIFICATION**

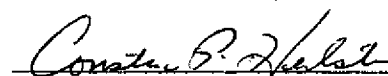
I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the corporation or that I am a general partner of the partnership applicant. I hereby permit authorized Town officials to inspect my property in conjunction with this application.

  
 \_\_\_\_\_  
 SIGNATURE OF APPLICANT

GARY D. BENNETT  
 Attorney for Applicant/Owner

PROPERTY OWNER AUTHORIZING APPLICATION

Sworn to and subscribed before me this  
 18<sup>th</sup> day of Feb., 2022

  
 \_\_\_\_\_  
 NOTARY PUBLIC

CONSTANCE P. HERBSTER  
 Notary Public New Jersey

My Commission Expires December 8, 2026

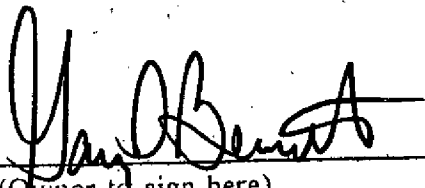
# AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY )

SS:

COUNTY OF HUDSON )

Gary D. Bennett of full age, being duly sworn according to  
law on oath deposes and says that the deponent resides at 70 Midland Avenue  
in the Municipality of Kearny in the County of Hudson  
and <sup>334 Buffalo Ave. Paterson, LLC</sup> is the owner in fee of all that certain lot, piece or parcel of land situated and designated  
as Case Number \_\_\_\_\_.

  
(Owner to sign here)  
GARY D. BENNETT  
Attorney for Applicant/Owner

## AUTHORIZATION

(If anyone other than the above owner is making this application the following authorization must be executed.)

To the Board of Adjustment ( )

Planning Board ( )

\_\_\_\_\_ is hereby authorized to make the  
within application.

Dated: \_\_\_\_\_

\_\_\_\_\_  
(Owner to sign here)

Sworn and subscribed to before me  
this \_\_\_\_\_ day of \_\_\_\_\_  
19\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC OF

Applicant: 334 Buffalo Ave Paterson LLC  
Premises: 101 North Third Street, Block 19, Lot 8, Harrison, New Jersey

**Development Description and Waiver Requested:**

Applicant seeks variance relief to convert the existing first floor of a non-conforming use/structure that has a historic first floor use as a tavern with four (4) apartments above. in addition, applicant proposes a demolition of the existing three (3) car dilapidated garage structure which is undersized for vehicular parking. In place of the garage applicant seeks relief to create a viable parking area for four (4) vehicles. The conversion of the first floor will eliminates a tavern use and replaces it with a small office with a studio apartment in the rear. Granting of the required variances and waivers will dramatically improve the appearance and functionality of this existing building and provide a viable parking area to support the use. Granting of the requested relief will not impair the intent and purpose of the zoning code and the repurposing of this structure will benefit the neighborhood with the elimination of a taver.

# 17-74.5 Application Checklist

TOWN OF HARRISON			
APPLICATION CHECKLIST			
GENERAL REQUIREMENTS FOR ALL DEVELOPMENT APPLICATIONS		Yes	No
Applicant's Name : 334 Buffalo Ave. Paterson LLC			
Application #			
Items Required:			
1. Fees and escrow.		✓	
2. Certification of taxes paid.		✓	
3. Plot plan, site plan or subdivision plan; number of copies specified on applicable checklists.		✓	
4. Affidavit of Ownership. If applicant is not the owner, applicant's interest in land must be indicated; e.g., tenant, contract/purchaser, lien holder, etc., and permission of property owner to file the application must be submitted.		✓	
5. If applicant is a corporation or partnership applying to the Board or the Council for permission to subdivide a parcel of land into six (6) or more lots, or applying for a variance to construct a multiple dwelling of twenty-five (25) or more units or for approval of a site to be used for commercial purposes, list the names and addresses of all stockholders or individual partners owning at least ten (10) percent of its stock of any class as required by N.J.S.A. 40:55D-48.1 and 48.2.			✓
6. A statement from the property owner granting permission for the Board and any of its experts to enter the subject premises for purposes of inspection in relation to a development application.		✓	
7. Statements as to any requirements for which waiver or variance is sought, together with a statement of reasons why same should be granted.		✓	
8. For minor site plans, minor subdivisions, preliminary major site plans and preliminary major subdivisions, a statement of any and all approvals which are required from other governmental or quasi-governmental entities.		N/A	
9. If approval from the Hudson County Planning Board is required pursuant to P.L. 1968, c. 285, a copy of the application submitted to the Hudson County Planning Board must be submitted.			✓
10. For minor site plans, minor subdivisions, preliminary major site plans, preliminary major subdivisions and variance applications, a copy of any protective covenants or deed restrictions, if any, affecting the property in question; provided that if none exist, an affidavit from the owner certifying that no such covenants or restrictions exist, shall be submitted.		✓	
11. Complete checklist provided for one of the following development proposals (Applicant check one or more as required). Minor Subdivision And Minor Site Plan Preliminary Major Subdivision And Site Plan Final Major Subdivision And Site Plan Variance Application			

# 17-74.4 Variance Application Checklist

VARIANCE APPLICATION CHECKLIST	Submitted	Not Applicable	Waiver Requested
1. Name, address and telephone number of applicant(s) and owner(s).	✓		
2. Address of the subject property.	✓		
3. Lot and block number of the premises in question.	✓		
4. Zone in which the property is located.	✓		
5. Description of what the applicant seeks to do.	✓		
6. Specific enumeration of the variances requested or action sought.	✓		
7. Specification of the section(s) of the Zoning Ordinance from which relief is sought.	✓		
8. Specification of each particular zone requirement that the proposal would violate.	✓		
9. If the application is an appeal from a decision or order of the Zoning Officer, the date of the decision or order of the Zoning Officer.		✓	
10. The applicants' reasons for the Board to grant relief.	✓		
11. Summary of specific facts which demonstrate that the relief sought can be granted without substantial detriment to the public good and substantial impairment of the intent and purpose of the Zone Plan and Zoning Ordinance.	✓		
12. If there has been a previous application to the Zoning Board of Adjustment or to the Planning Board involving the premises in question, the date of filing, the nature of the application and the disposition made.	✓		
13. Description of the proposed structure, use of changes.	✓		
14. Size of the lot (in square feet).	✓		
15. Dimensions of the lot.	✓		
16. Percentage of the lot occupied by buildings and impervious coverage.	✓		
17. (a) Height of building, stories and feet. (b) Front yard depth. (c) Rear yard depth. (d) Side yards, width (both).	✓	✓	
18. Prevailing front yard setbacks of adjoining lots.	✓		
19. Where applicable, rear yard setbacks of adjoining lots.		✓	
20. Date of acquisition of property, and from whom.	✓		
21. State of the number of dwelling units in existing building(s).	✓		
22. State whether the applicant or owners own or have under contract to purchase any adjoining lands. Set forth lot(s) and block number(s).		✓	
23. State whether the application is or is not to be accompanied by a separate application for subdivision, site plan or conditional use approval. If it is, see Planning Board checklist.		✓	



VARIANCE APPLICATION CHECKLIST	Submitted	Not Applicable	Waiver Requested
24. Submit the following documents with the application: (a) Copy of an area map showing all lots within two hundred (200) feet of the property. (b) List of names, addresses, lot and block numbers, as they appear on the official tax records of the Town, of all owners of property within two hundred (200) feet of the property affected by the application and upon whom the notice must be served in the manner provided by law. (c) Copy of survey clearly indicating the buildings and improvements thereon with all front, side and rear yard dimensions and setbacks from the property lines. (d) Copies of subdivision, site plan or conditional use applications when applicable. (e) Certification that taxes are paid.	<div>✓</div> <div>✓</div> <div>✓</div>	<div></div> <div></div> <div>✓</div>	<div></div> <div></div> <div></div>
25. If the survey is more than one (1) year old, attach certification of the applicant or owner that the survey accurately represents the status of the premises and all improvements at the time of filing for the variance.		<div>✓</div>	
26. At least ten (10) days prior to the hearing, the applicant shall serve prescribed notice on all owners of property within two hundred (200) feet. Note: This may require the inclusion of an adjoining municipality; the County Planning Board when county roads or lands are involved; and the Commissioner of Transportation of the State of New Jersey when a state or interstate highway is involved.	<div>✓</div>		
27. The applicant must submit the original and twenty (20) copies of the application, properly completed, and twenty (20) folded copies of a plot plan, map or survey, drawn to scale, an affidavit of proof of service, with a copy of the notice and the list furnished by the Administrative Officer of the municipality of all those persons or entities served (service shall be made by certified mail or personal service).	<div>✓</div>		
28. All applications for consideration of the Board of Adjustment must be filed fourteen (14) days prior to the date of hearing. Proper notice given to those requiring service upon them, and publication made, at least ten (10) days prior to the date of hearing before the Board of Adjustment.	<div>✓</div>		
29. Written consent of the owner, if the owner is different from the applicant.	<div>✓</div>		
30. The name, address and phone number of the attorney, if any, representing the applicant.	<div>✓</div>		
Checklist prepared by: <u>GARY D BENNETT</u> Date: <u>Feb. 17, 2022</u>			
Checklist reviewed by Town: _____ Date: _____			
Application found complete on: _____			
Application found incomplete on: _____			