

NIZA, LLC APPLICATION DOCUMENTS

FOR PLANNING BOARD MEETING
OF
JUNE 11, 2020

AMENDED

PLANNING BOARD APPLICATION FORM

BOROUGH OF HILLSDALE
380 HILLSDALE AVENUE
HILLSDALE, NJ 07642

The application, with supporting documentation, must be filed with the Deputy Secretary to the Board and must be delivered to the Borough departments and professionals for review at least ten business days prior to the meeting at which the application is to be considered.

1. SUBJECT PROPERTY

Location 330 BROADWAY, HILLSDALE, NJ 07642

Tax Map Page _____ Block 1501 Lot(s) 2

Dimensions Frontage approx. 225.25 ft Depth 117.25 North 108.41 South _____ Total Area approx. 225.66

Zoning District Class C Commercial Zone

2. APPLICANT

Name NIZA, LLC by Ilda Beja (managing member) & Edward Beja (member)

Address 330 Broadway, Hillsdale, NJ 07642

Telephone Number 201-666-8081

Applicant is a Corporation Partnership Individual
Limited Liability

3. OWNER

If Owner is other than the applicant, provide the following information on the Owner(s):

Owner's Name _____

Address _____

Telephone Number _____

4. APPLICANT'S ATTORNEY

Name Howard Siegel, Esq. - Siegel & Siegel
Address 300 Route 4 East, PO Box 414, Teaneck, NJ 07666
Telephone Number 201-837-2300 Fax Number 201-837-1705

5. APPLICANT'S ENGINEER

Name None at this time
Address _____
Telephone Number _____ Fax Number _____

6. EXPERTS See attached for additional expert

List any other Expert who will submit a report or who will testify for the Applicant: [Attach additional sheets as may be necessary]

Name Lantelme, Kurens & Associates
Field of Expertise Surveyor
Address 101 West Street, Hillsdale, NJ 07642
Telephone Number 201-666-2450 Fax Number 201-666-9745

7. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

**NO CHANGE TO EXTERIOR OF BUILDING
SUBDIVISION:**

____ Minor Subdivision Approval _____ Subdivision Approval [Preliminary]
____ Subdivision Approval [Final] Use variance for a portion of the building
from commercial to residential

Number of lots to be created (including remainder lot) none

Number of proposed dwelling units (if applicable) one

SITE PLAN:

____ Minor Site Plan Approval
____ Preliminary Site Plan Approval
____ Final Site Plan Approval

ADDITIONAL EXPERTS

David Karlebach, PP,PC
38 E. Ridgewood Avenue #396
Ridgewood, NJ 07450
201-923-8183

_____ Amendment or Revision to an Approved Site Plan

Area to be disturbed (square feet) _____ Total number of proposed dwelling units _____

Request for Waiver from Site Plan Review and Approval

Reason for request:

USE VARIANCE ONLY

VARIANCE:

_____ Appeal decision of an Administrative Officer [N.J.S. 40:55D-70a]

_____ Map or Ordinance Interpretation of Special Question [N.J.S. 40:55D-70b]

_____ Variance Relief (hardship) [N.J.S. 40:55D-70c(1)]

Variance Relief (substantial benefit) [N.J.S. 40:55D-70c(2)]

Variance for 2 apartments on the second floor & one residential apartment on the first floor on the North side of the building

Variance Relief (use) [N.J.S. 40:55D-70d]

Change office commercial use to residential use on the North side of the building

MISCELLANEOUS:

_____ Informal Review

_____ Conditional Use Approval [N.J.S. 40:55D-67]

_____ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S. 40:55D-34]

_____ Direct issuance of a permit for a lot lacking street frontage [N.J.S. 40:55D-35]

8. Section(s) of Ordinance from which a variance is requested:

COMMERCIAL ZONE

9. Waivers Requested of Development Standards and/or Submission Requirements: [attach additional pages as needed]

10. Explain in detail the exact nature of the application and changes to be made at the premises, including the proposed use of the premises: (attached pages as needed)

RESIDENTIAL APARTMENT - bathroom, 2 exits, water, gas
and electric already on the premises

11. Have proposed lots numbers been reviewed by the Tax Assessor to determine appropriate lot and block numbers? to be provided

12. Are any off-tract improvements required or proposed? No

13. Is the subdivision to be filed by Deed or Plat? No

14. Indicate other approvals which are required and date plans submitted:

	Yes	No	Date Plans Submitted
		X	
Bergen County Utilities Authority		X	
Bergen County Planning Board		X	
Bergen County Soil Conservation District		X	
New Jersey Department of Environmental Protection		X	
Sewer Extension Permit		X	
Sanitary Sewer Connection Permit		X	
Stream Encroachment Permit		X	
Wetlands Delineation		X	
Wetlands Permit		X	
Transition Area Waiver		X	
Potable Water Construction Permit		X	
Other		X	
New Jersey Highway Authority		X	
Public Service Electric & Gas Company		X	

15. Provide Certification from the Tax Collector that all taxes due on the subject property have been paid.

Yes No

16. PROPERTY INFORMATION

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes [attach copies] No Proposed

Note: All deed restrictions, covenants, easements, association by-laws, existing or proposed must be submitted for review.

Present use of the premises: OFFICE USE

17. Has the property been subject to any prior variance applications?

Yes

No

To best of owner's knowledge

If yes, please explain in detail any prior applications:

18. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

Survey by Lantelme, Kurens & Associates to be provided

19. APPLICATION REFERRALS (SITE PLAN/SUBDIVISION APPLICATIONS ONLY)

It is the responsibility of the applicant under Section 310-83 of the municipal ordinances to mail or deliver copies of department referral forms to the Borough Hall, including the application form and all supporting plans and documents to the various Borough Departments and professional staff to which the application is submitted for their review. This documentation must be received by the departments and professional staff at least 30 calendar days prior to the public meeting at which the application is to be considered, otherwise the application will be deemed incomplete. Referral forms are available at the Borough Hall with this application.

Quantity Description of Item

Copies of each referral form, and Preliminary Site Plan or Subdivision Application documents shall be forwarded to the Borough Hall for the following:

- a. Land Use Officer
- b. Borough Engineer (if different than Planning Board Engineer)
- c. Board of Health
- d. Police Chief
- e. Department of Public Works Superintendent
- f. Fire Prevention Bureau
- g. Recreation Commission
- h. Hillsdale Board of Education, 32 Ruckman Road, Hillsdale, NJ 07642
- i. Environmental Commission

The applicant shall produce proof by affidavit to the Board of the date such copies were sent.

20. ADVERTISEMENT (Do not publish the notice or serve affidavits until the application has been deemed complete by the Board.)

Obtain list of affected property owners within 200 ft. from the Borough Tax Assessor. The Tax Assessor has 7 days to provide this information. You should contact the Tax Assessor's office as soon as possible to receive your list of affected property owners. There is a \$ 10 fee for this list.

A copy of the Notice must appear in the official newspaper of the Borough and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinances from which relief is sought, if applicable (see attached Sample Public Notice).

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Deputy Secretary for the hearing.

An affidavit of service on all property owners and a proof of publication must be filed with the Planning Board Attorney no less than 5 business days prior to the hearing date, the hearing can proceed.

21. DISCLOSURE STATEMENT

Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55-D48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. [Attach pages as necessary to fully comply.]

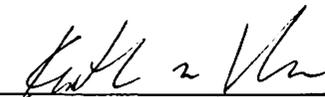
Name	<u>ILDA BEJA</u>
Address	<u>330 BROADWAY, HILLSDALE, NJ 07642</u>
Interest	<u>99%</u>

CERTIFICATIONS

22. 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.

(If the applicant is a corporation this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.)

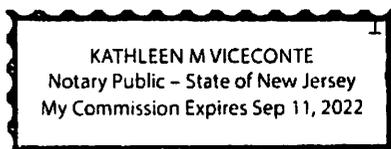
Sworn to and subscribed before me this
20 day of September, 2019



NOTARY PUBLIC



SIGNATURE OF APPLICANT
ILDA BEJA, MANAGING MEMBER

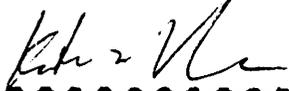


23. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

(If the owner is a corporation this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this
20 day of September, 2019

NIZA, LLC

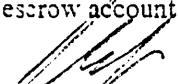



 SIGNATURE OF OWNER
 ILDA BEJA, MANAGING MEMBER

NOTARY PUBLIC
 KATHLEEN M VICECONTE
 Notary Public - State of New Jersey
 My Commission Expires Sep 11, 2022

24 I understand that the sum of \$ 1,000.00 has been deposited in an escrow account (Builder's Trust Account). In accordance with the Ordinances of the Borough of Hillsdale, I further understand that the escrow account is established in accordance with State Law to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I as the applicant will be notified of the required additional amount and shall add that sum to the escrow account within fifteen days.

9-20-19
 Date



 SIGNATURE OF APPLICANT

To be completed by the Deputy Secretary only.

Planning Board			
Date Filed		Application No.	
Application Fees		Escrow Deposit	
Scheduled for:			
Review of Completeness		Hearing	

CHECKLIST
VARIANCE APPLICATION

The following documents are required with the application for a variance and must be attached to the completed application form.

1. A completed application form. [Obtain a form from the Building Department]
2. A copy of the Land Use Officer's denial of your building permit application. This is usually the letter refusing to issue you a building permit. [Obtain this from the Building Department]
3. A copy of the tax map indicating the subject property. [Obtain this from the Building Department]
4. Sixteen (16) copies of the ground and typical floor plan of the existing building, and proposed additions or changes with all necessary measurements, as were submitted to the Land Use Officer.
5. Sixteen (16) copies of a current property survey of the premises in question with all relevant proposed dimensions certified by a licensed Professional Engineer or Land Surveyor in the State of New Jersey. The surveyor or engineer only must show the proposed changes (i.e. new addition, deck, shed, fence) to your survey, with relevant dimensions.

The property owner or architect may not change, add or adulterate the survey in any manner. The survey should include a bulk table showing the existing and proposed zoning requirements for the subject property. All sixteen (16) copies of the survey must have a raised seal by the surveyor or engineer's signature.

6. A certificate from the Tax Collector stating whether any taxes or assessments for local improvements are due or delinquent. [Obtain this from the Tax Collector]
7. Submit the filing fee as required by the Hillsdale Land Use Ordinance.
8. Statement of reasons for seeking the variance. [This may be a separate attachment to the application form]
9. Photographs of the property in question and of all adjacent properties. The applicant's name and the property address should be marked on the photograph.

Failure to submit all of the above documents will cause your application to be deemed incomplete for consideration by the Board. This will delay your application hearing and cause you addition expense for the Board's professionals to perform additional reviews your application.

The following information must be included on the submitted plans in order for the application to be deemed complete.

MINOR SITE PLAN

Section 310-87(E)

1. Schematic Phase Form
2. Key Map
3. North Arrow, Scale, Block and Lot Number, Record Owner, Preparer
4. Zoning District
5. Survey Data
6. Existing Structures
7. Floor Space and Number of Employees
8. Ingress and Egress
9. Off-Street Parking areas
10. Proposed Lighting
11. Landscaping
12. Signs
13. Drainage System
14. Adjacent Buildings

Section 310-87(F)

1. Zoning Information
2. Topographic Survey
3. Photographs
4. Barrier-Free Design

MINOR SUBDIVISION

Section 310-86(B)

1. Location of Lots to be Created in Relation to the Entire Tract
2. Existing Structures and Wooded areas
3. Adjoining Property Owners
4. Tax Map Sheet, Block and Lot numbers
5. Streets and Streams within 500 Feet
6. Area of Lots
7. Key map
8. Easements
9. Variances
10. Acreage of Entire Parcel
11. Contours
12. Scale
13. True and Magnetic North

Section 310-86(E)

1. Bulk Zone Schedule
2. Site details
3. Licensed Surveyor Certification
4. Photographs

The following information must be included on the submitted plans in order for the application to be deemed complete.

MAJOR SITE PLAN (PRELIMINARY APPROVAL)

Section 310-89(A)

1. Date
2. Key Map
3. North Arrow, Block and Lot Number, Owner Preparer
4. Scale
5. Owners within 200 Feet
6. Zoning District
7. Survey data
8. Deed Restrictions
9. Distance to intersections
10. Existing Structures
11. Drainage System
12. Contours
13. Rock Outcrops, wooded Areas, Ponds, Etc.
14. Profiles and Cross-sections of Proposed Streets
15. Water and Sewer Lines
16. Drainage Calculations
17. Lot Areas

Section 310-89(B)

1. Floor Space and Number of Employees
2. Ingress and Egress
3. Off-Street Parking Areas
4. Proposed Lighting
5. Signs
6. Landscaping
7. Elevation Drawings of Structure
8. Retention Basins

Section 310-89(C)

1. Zoning Information
2. Location of Solid Waste Storage Area
3. Photographs
4. Design Details
5. Barrier-Free Design

MAJOR SITE PLAN OR MAJOR SUBDIVISION (FINAL APPROVAL)

Section 310-92

1. Date, Owner, Scale and Meridian
2. Boundary Lines and Easements
3. Intersecting Streets
4. Public Use Land
5. Lot, Block and Street numbers
6. Setback Lines
7. Monuments
8. Adjoining Owners
9. Certification of Surveyor
10. Certification that Applicant is Owner
11. Other Municipalities' Approval
12. Proposed Final Grades of Streets
13. Plans and Profiles of Storm, Sanitary and Water Lines
14. Tax Collector's Certification
15. Certification that Public Use Land is Free of Liens

Contribution Disclosure Statement
 See Borough Ordinance 04-13

This Statement must be filed for all variance applications by the property owner, the applicants and their associates, and all professionals who provide testimony, plans, and reports in support of variance applications, all who have an enforceable proprietary interest in the property or development, or whose fee in whole or part is contingent upon the outcome of the applications.

This Statement is not required to be filed for an applicant affecting a sole single-family dwelling and/or in the event the contribution has been made in an amount equal to or less than \$ 400.00.

List below any and all contributions made to, or on behalf of, any candidate, candidate committee, joint candidate committees, political committee, of or pertaining to the Borough of Hillsdale, made up to four year prior to the filing of this variance application, and/or a liability or commitment assumed during the pendency of this application, and required to be reported to N.J.S.A. 19:44-1 et seq.:

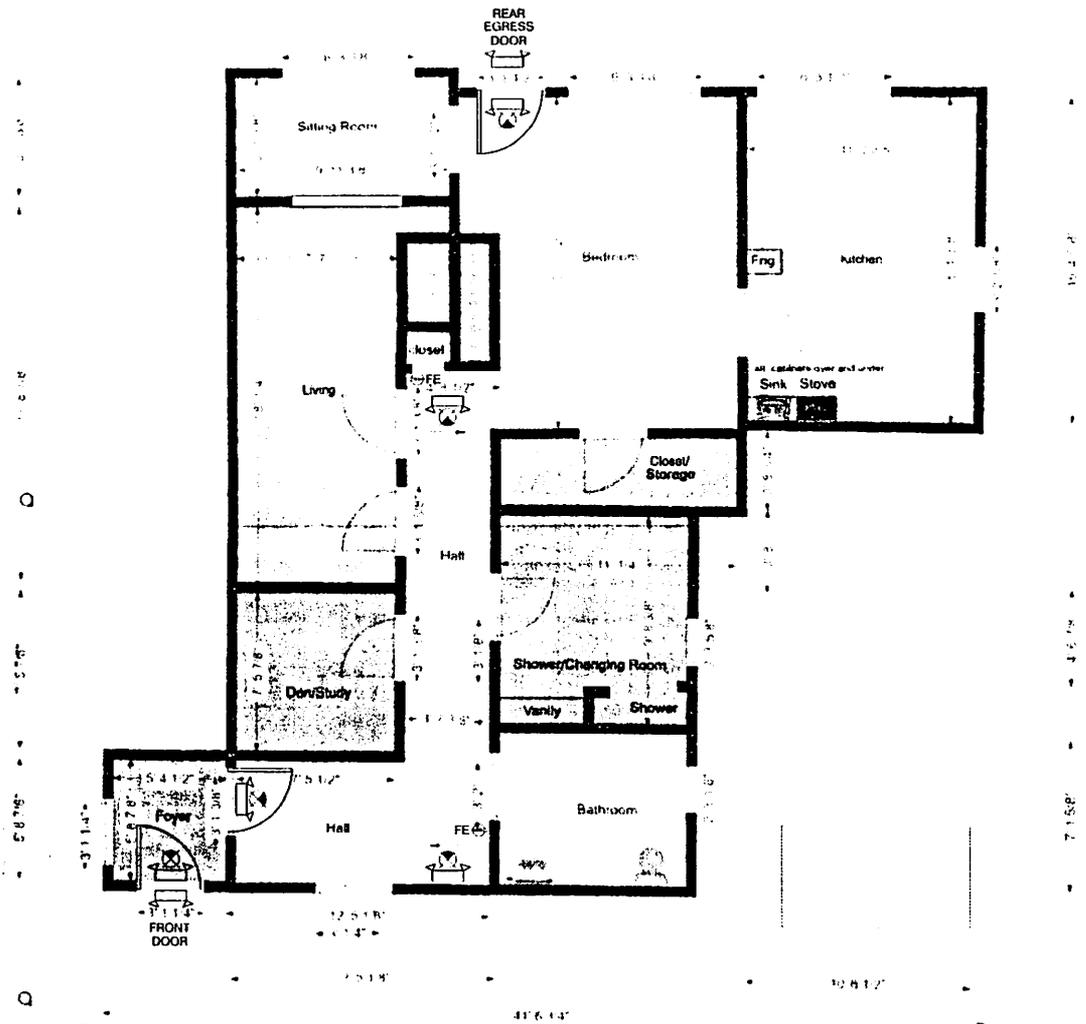
Contribution*	Date	Recipient
\$4,000.00	9/11/19	LANTELME, KURENS & ASSOCIATES

* Value as defined in the Borough Ordinance 04-13

None If no such contributions were made, indicate "None" by placing a check mark in the box.

BROADWAY

330 Broadway Suite B, Hillsdale, NJ 07642



1 EXISTING CONDITIONS FIRST FLOOR PLAN
1/4" = 1'-0"



NOTES:

1. I PERSONALLY VISITED THE SITE ON MAY 29, 2020 AND MET WITH THE OWNER ED BEJA. I VERIFIED THE FLOOR PLAN INDICATED AND ADDED THE EXISTING EMERGENCY LIGHTS AND FIRE EXTINGUISHERS.
2. THE EXISTING SMOKE ALARMS (NOT SHOWN) ARE BOTH HARD-WIRED AND CONNECTED TO THE BUILDING FIRE ALARM SYSTEM.

LEGEND:

-  EXISTING EXIT / EMERGENCY LIGHT WITH BATTERY BACK-UP
-  EXISTING EMERGENCY LIGHT WITH BATTERY BACK-UP
-  EXISTING PORTABLE FIRE EXTINGUISHER

DATE: 5/29/20
REVISION: DATE:

WJC ARCHITECTS, LLC	ARCHITECTURE PLANNING INTERIORS
WAYNE J. GUSKIND REGISTERED ARCHITECT NO. 120000000 STATE OF NEW JERSEY 1000 BROADWAY, SUITE 200 HILLSDALE, NJ 07642 TEL: 973.261.1111 WWW.WJCARCHITECTS.COM	

PROPOSED DWELLING UNIT

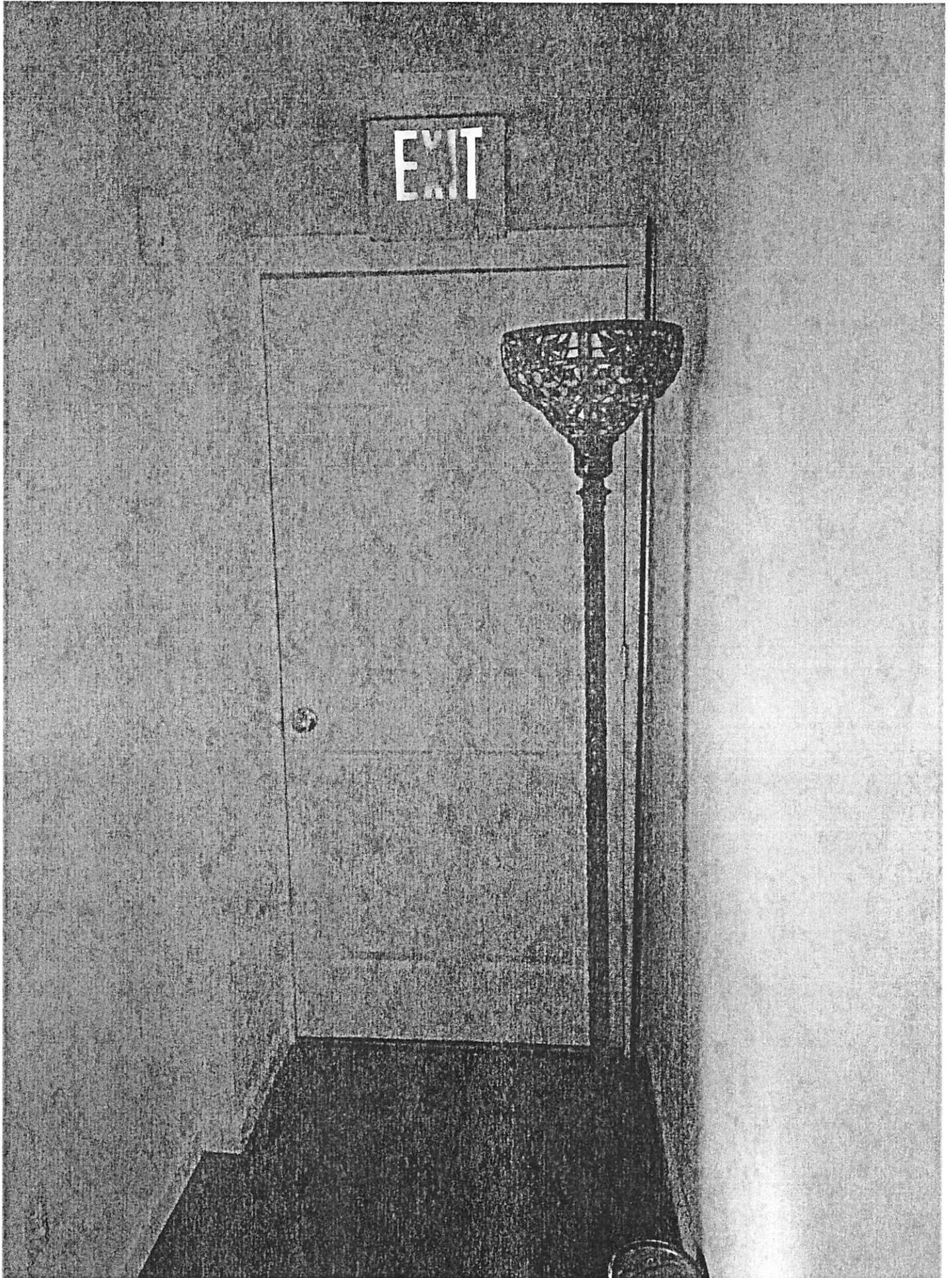
330 BROADWAY SUITE B
HILLSDALE, NEW JERSEY

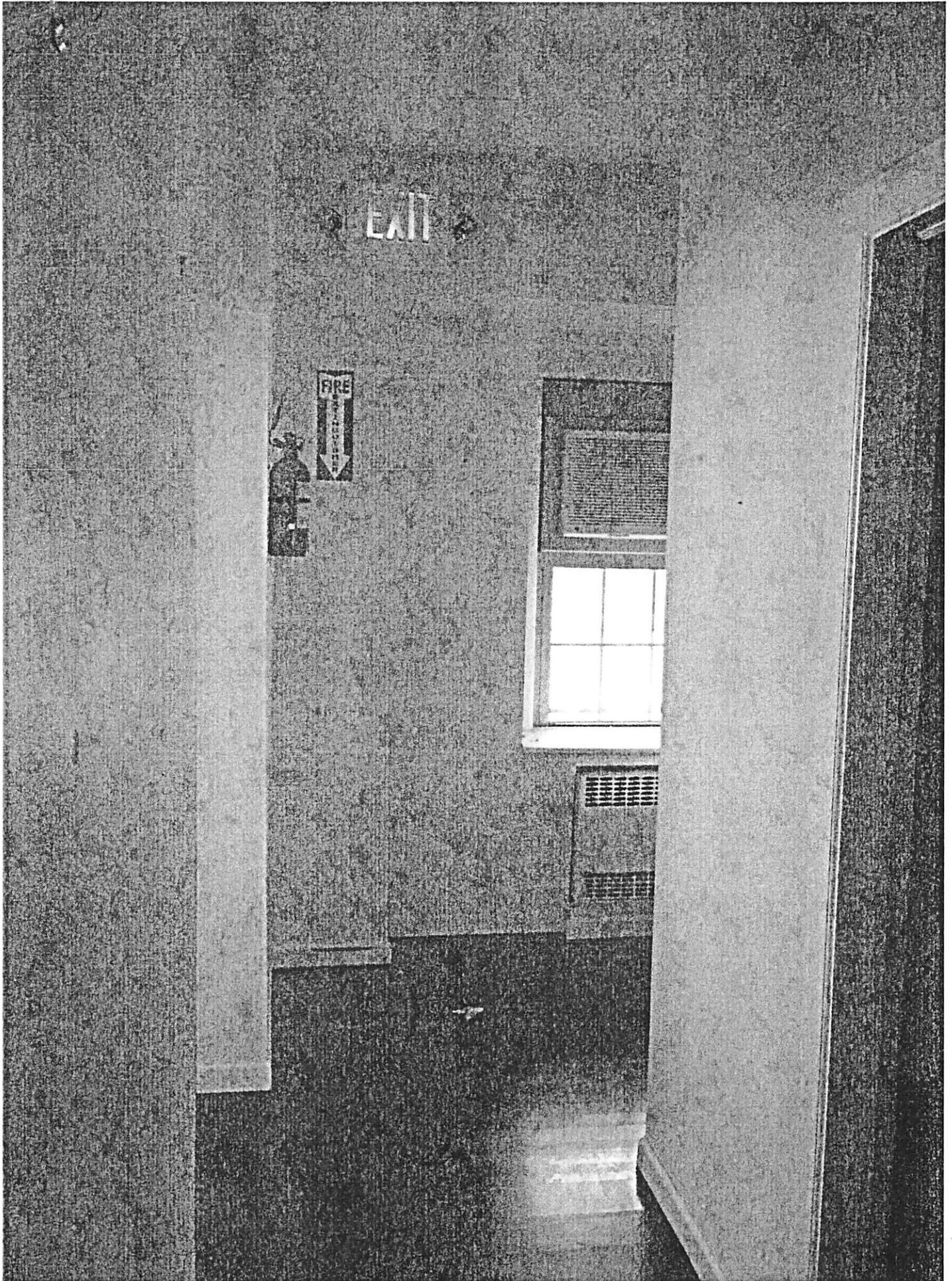
DRAWING TITLE
EXISTING CONDITIONS FIRST FLOOR PLAN

DATE: MAY 29, 2020
SCALE: AS NOTED
DRAWN: WJC
CHECKED: WJC

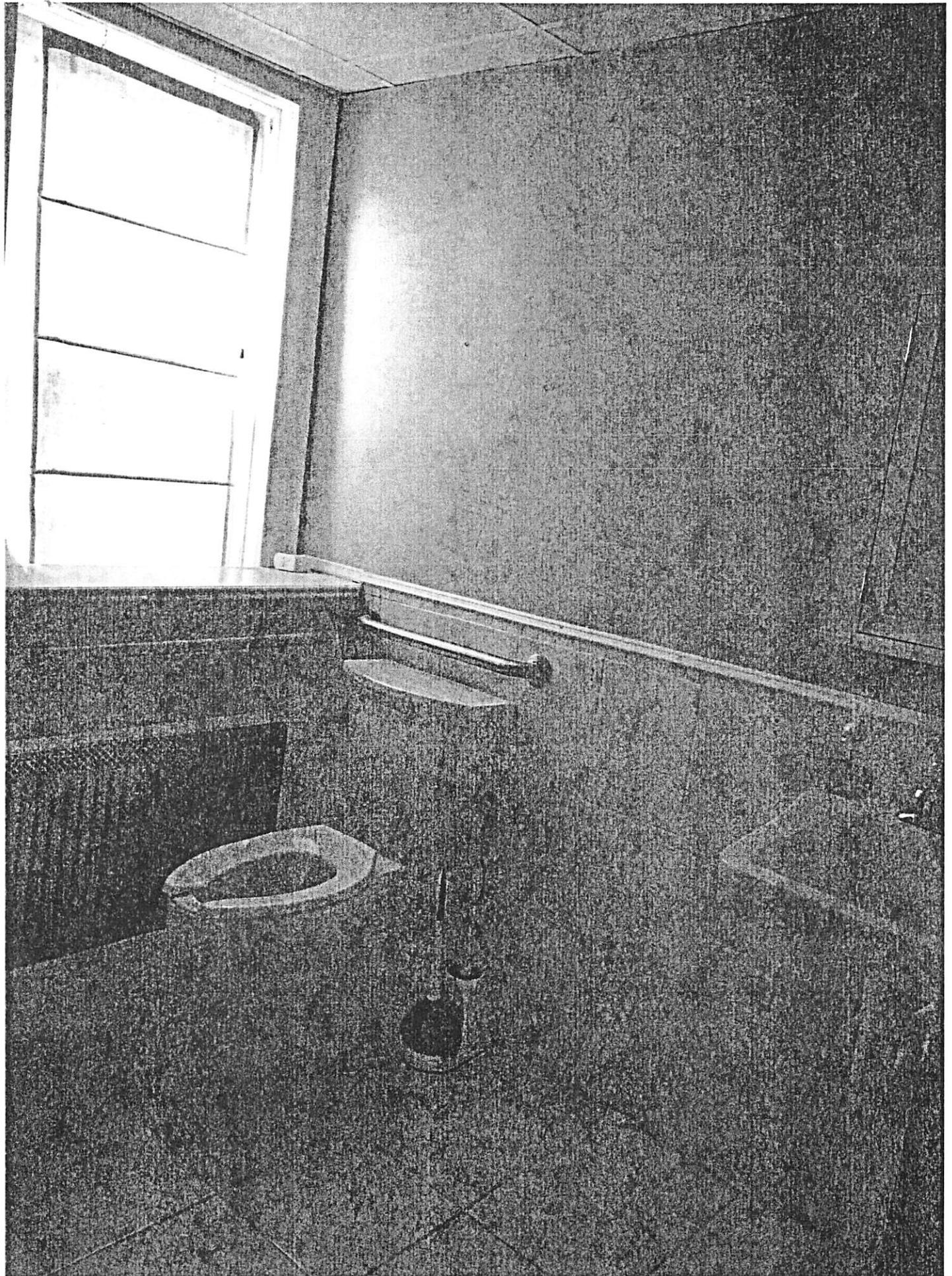
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A-1

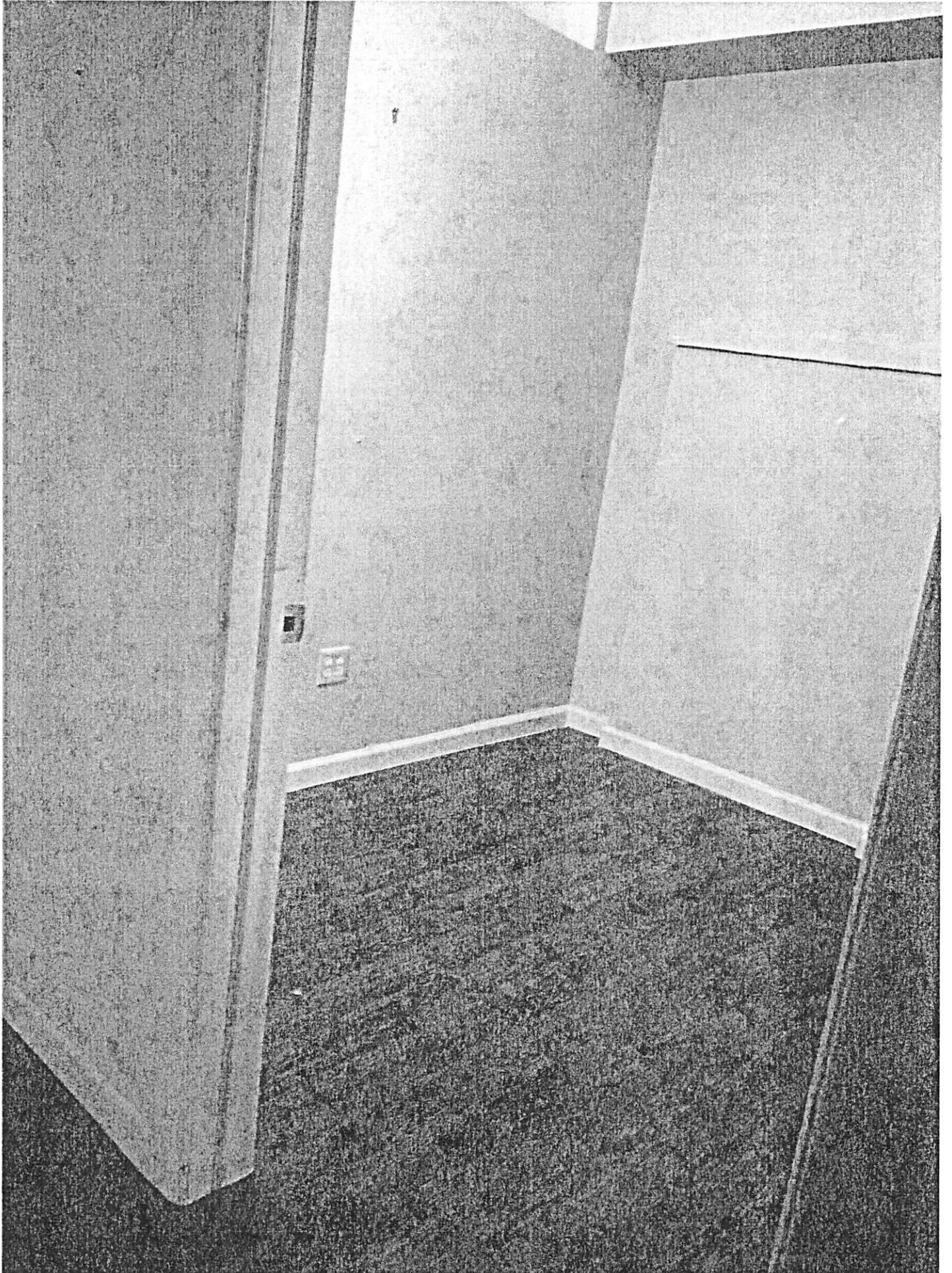


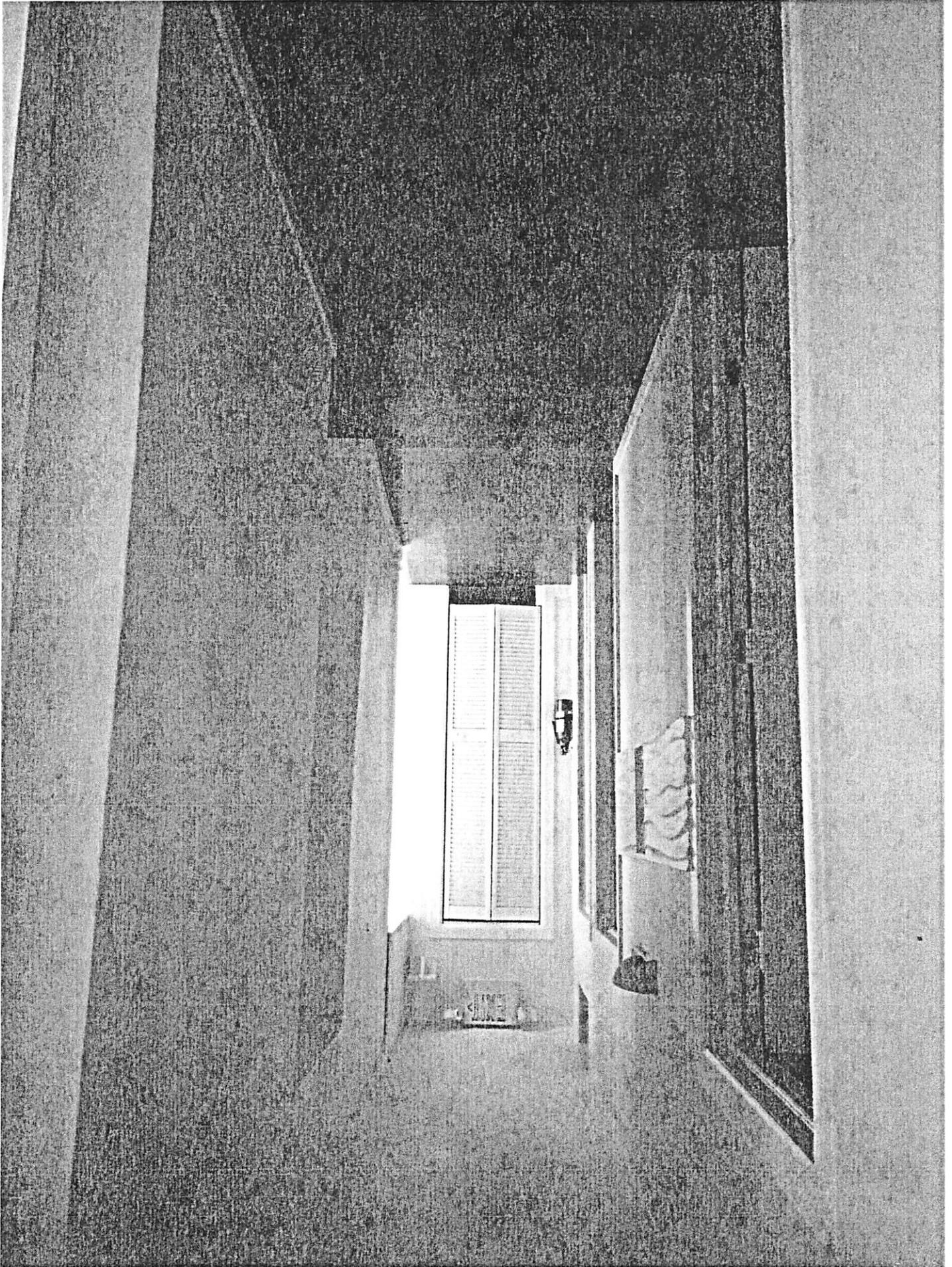






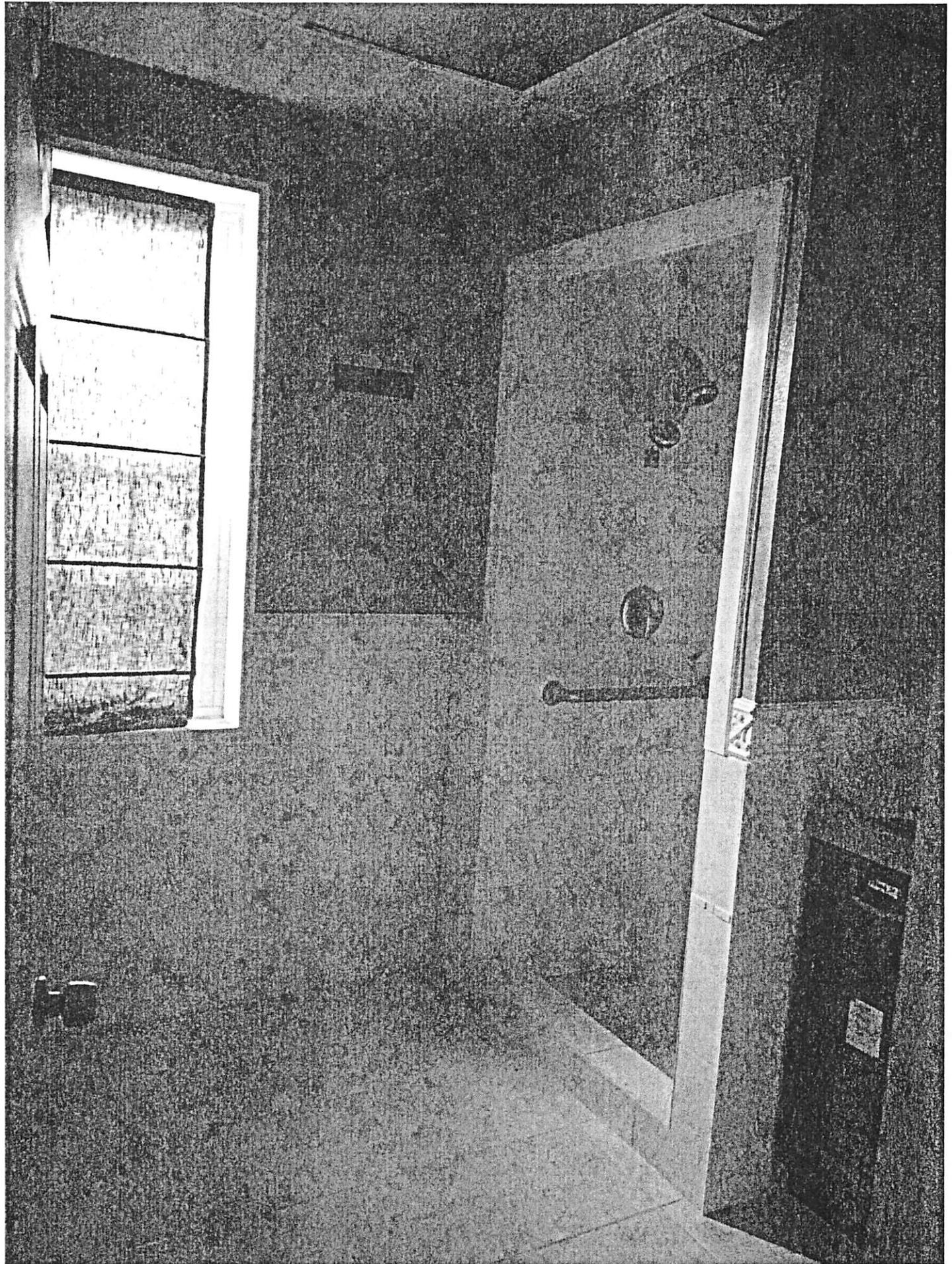


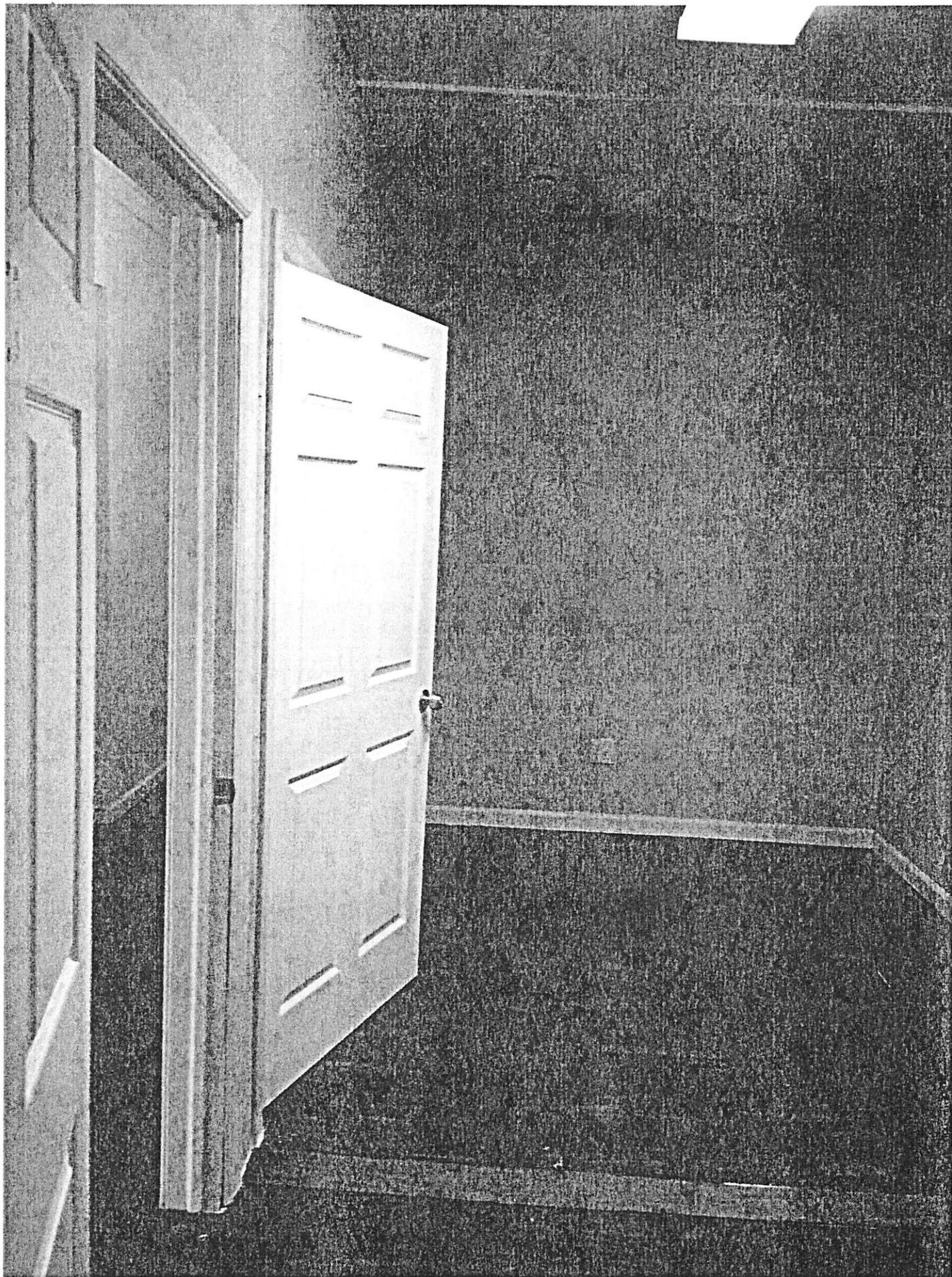


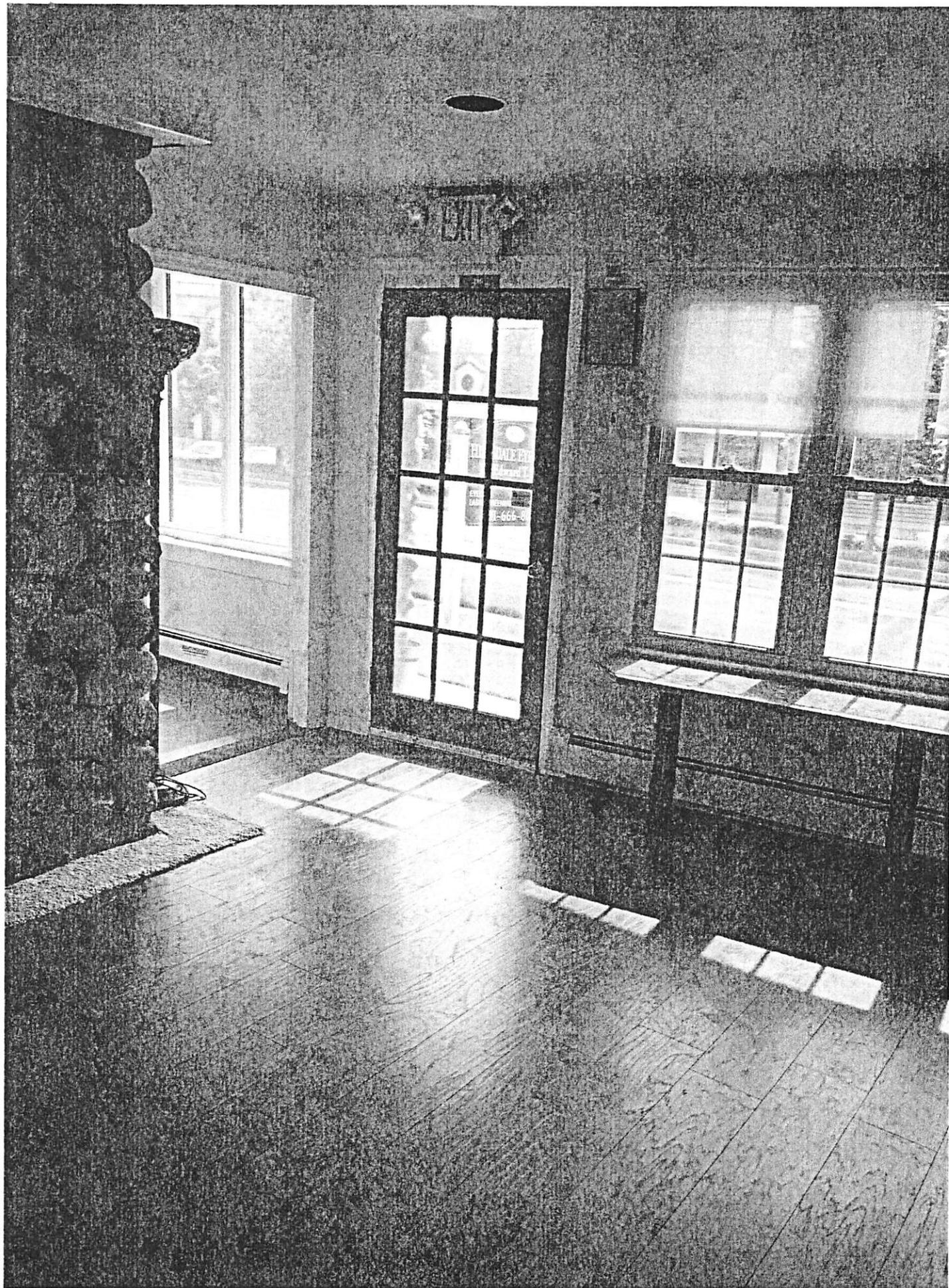


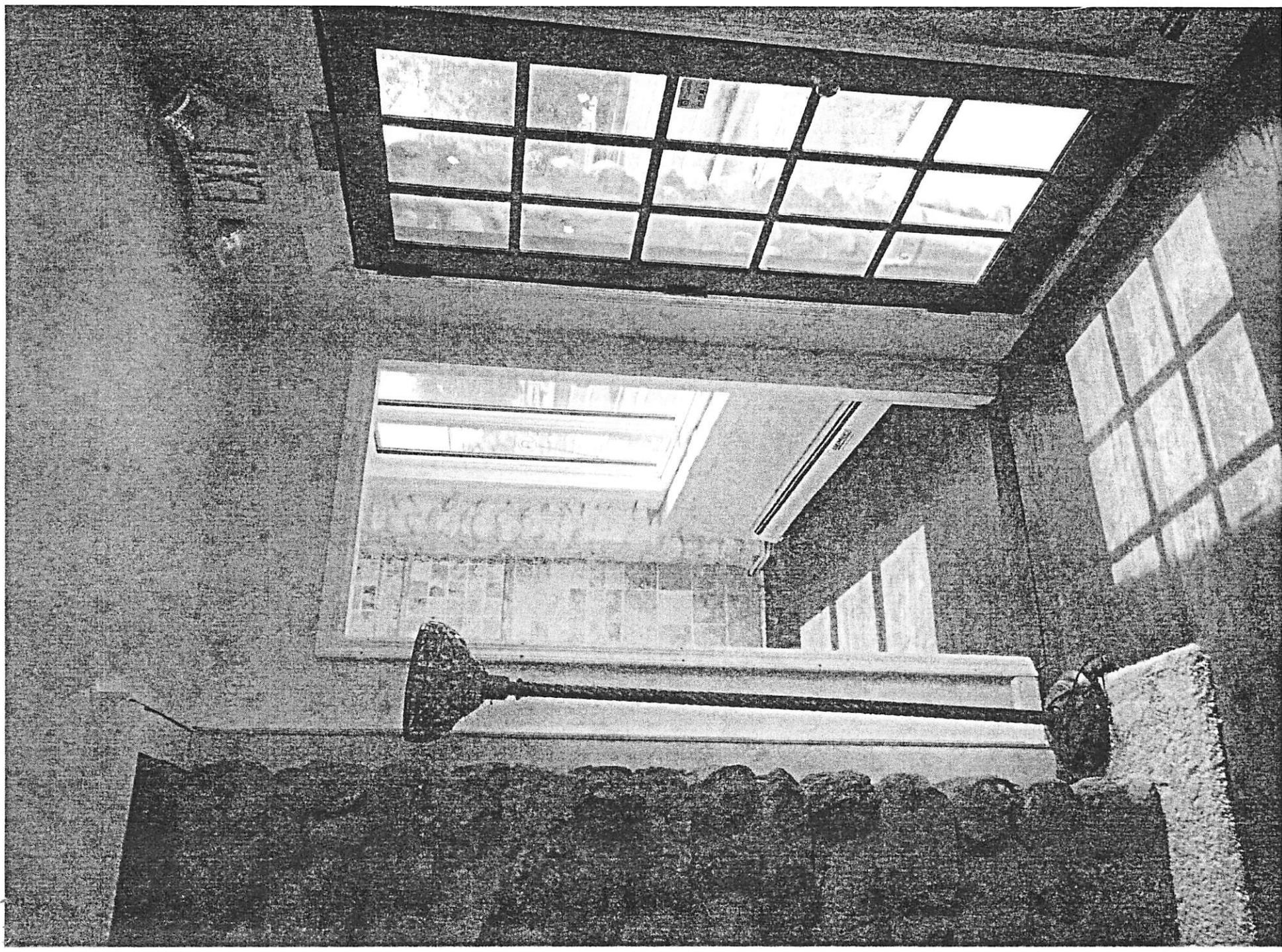
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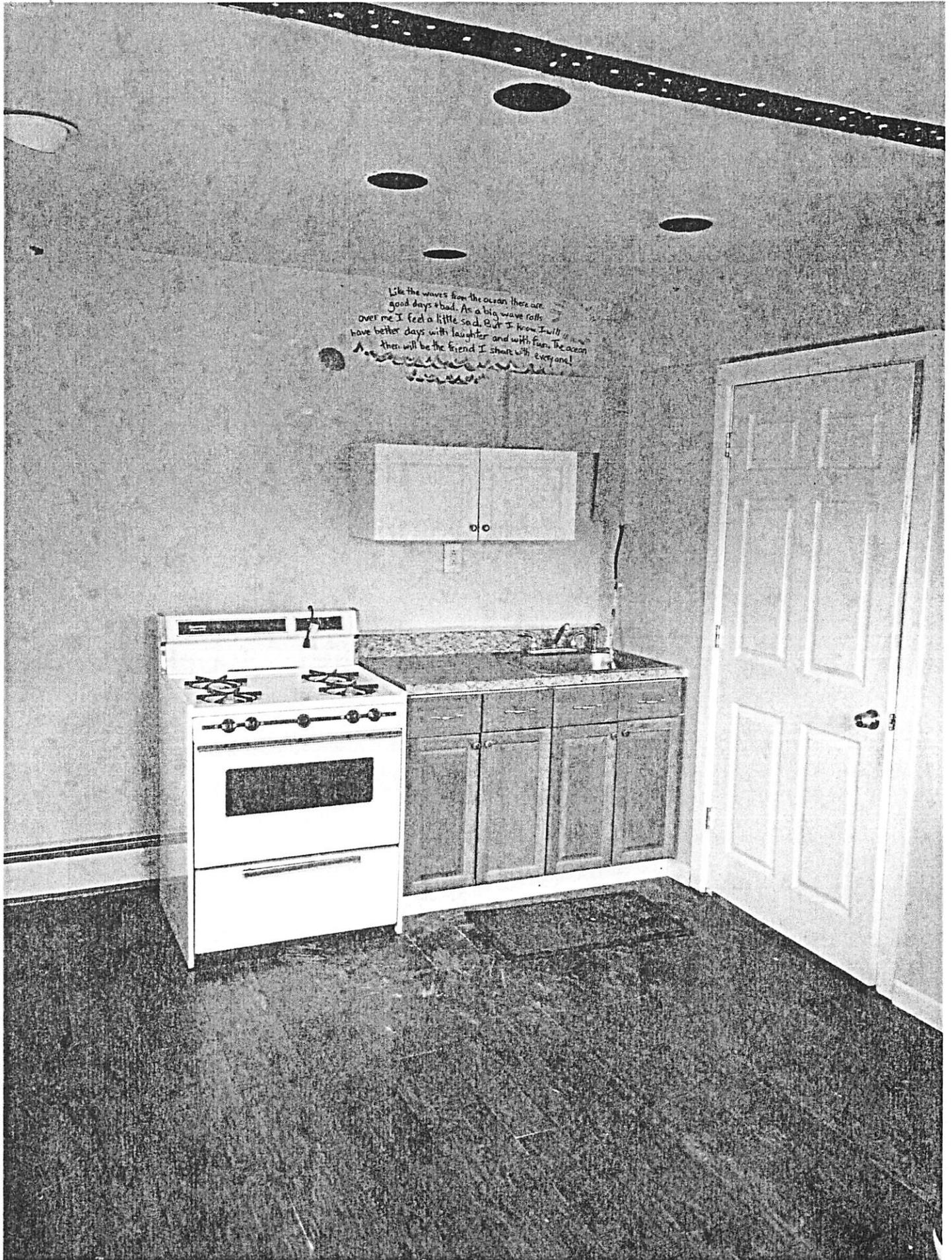
6/4/2020

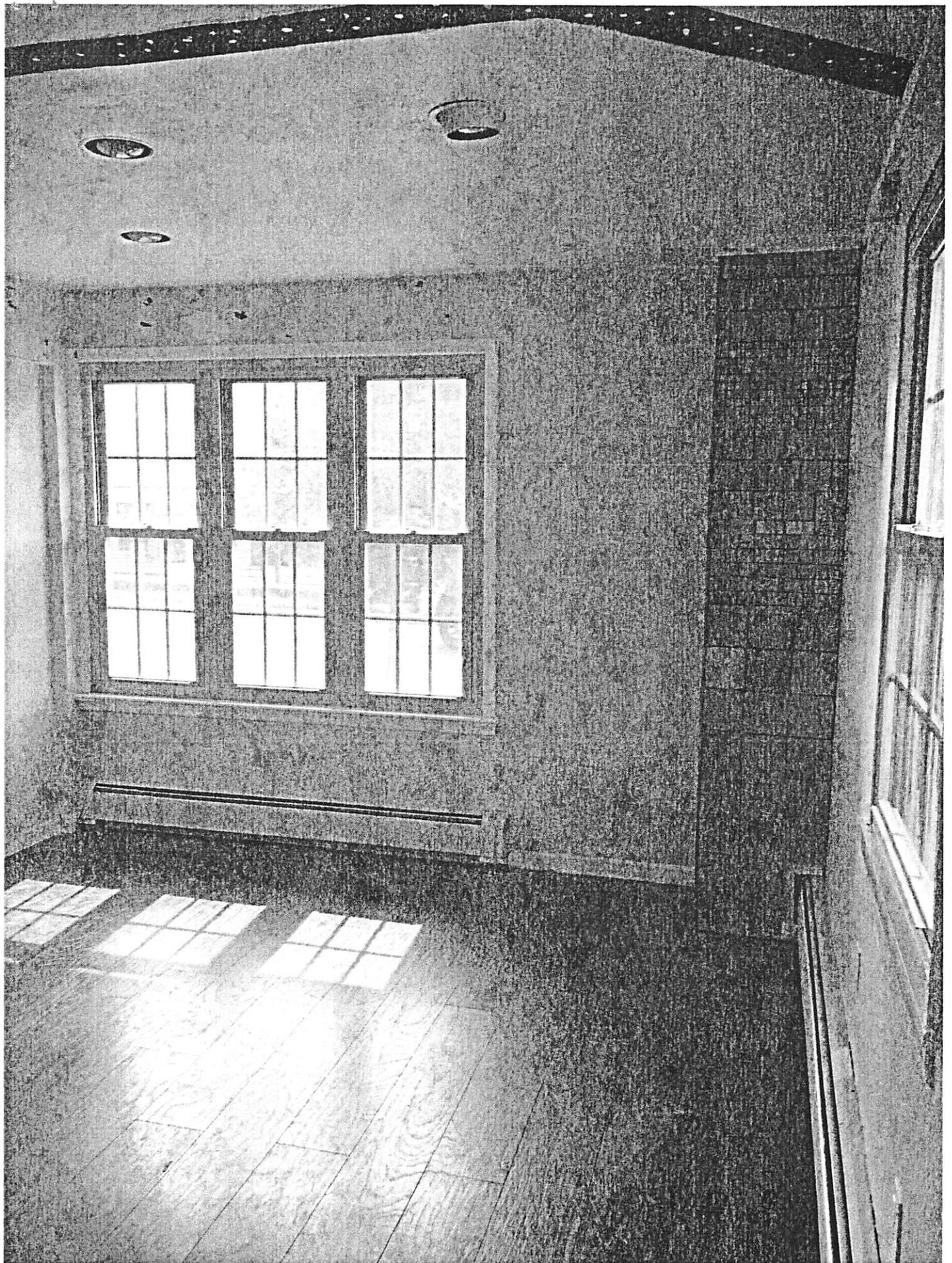


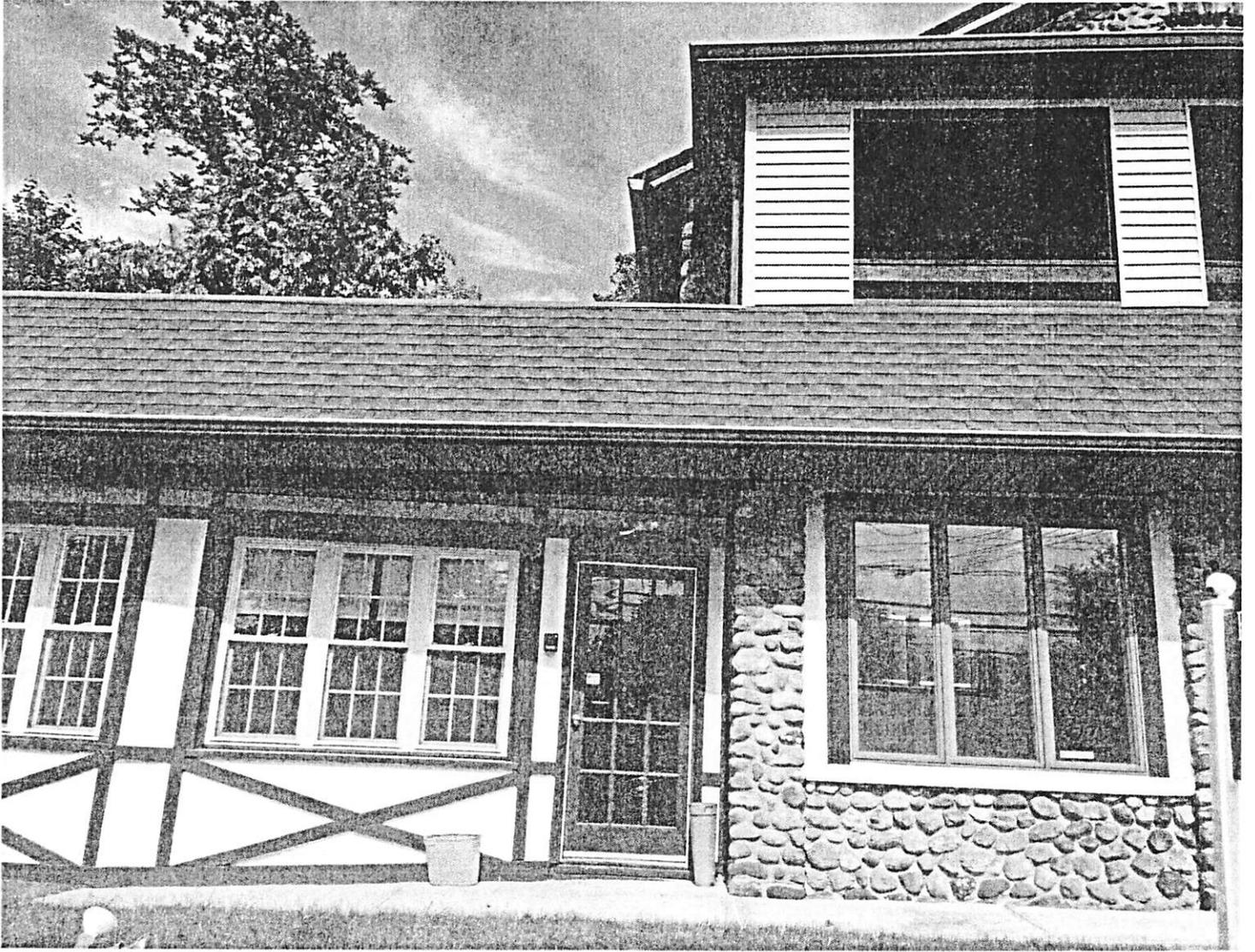


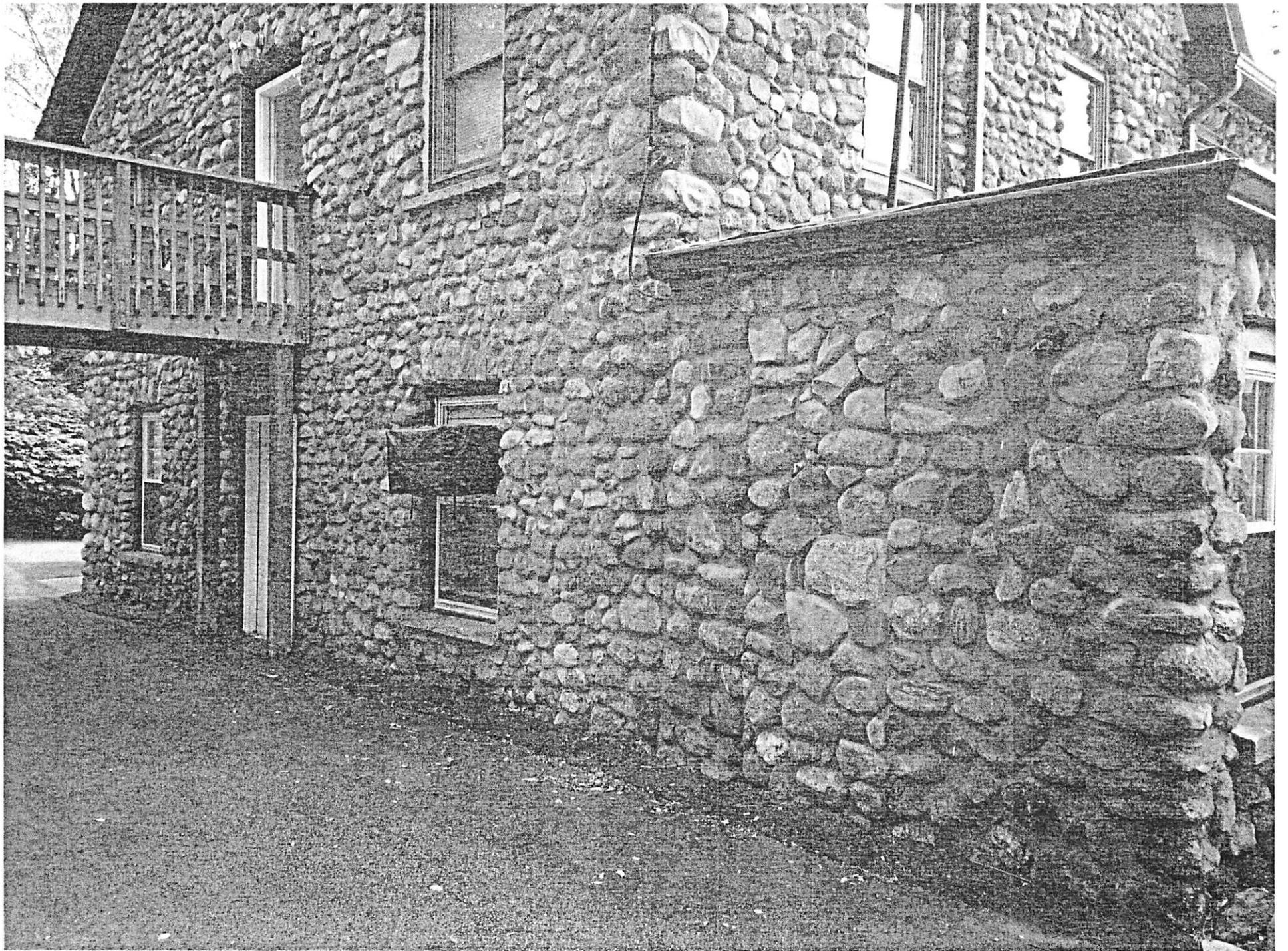












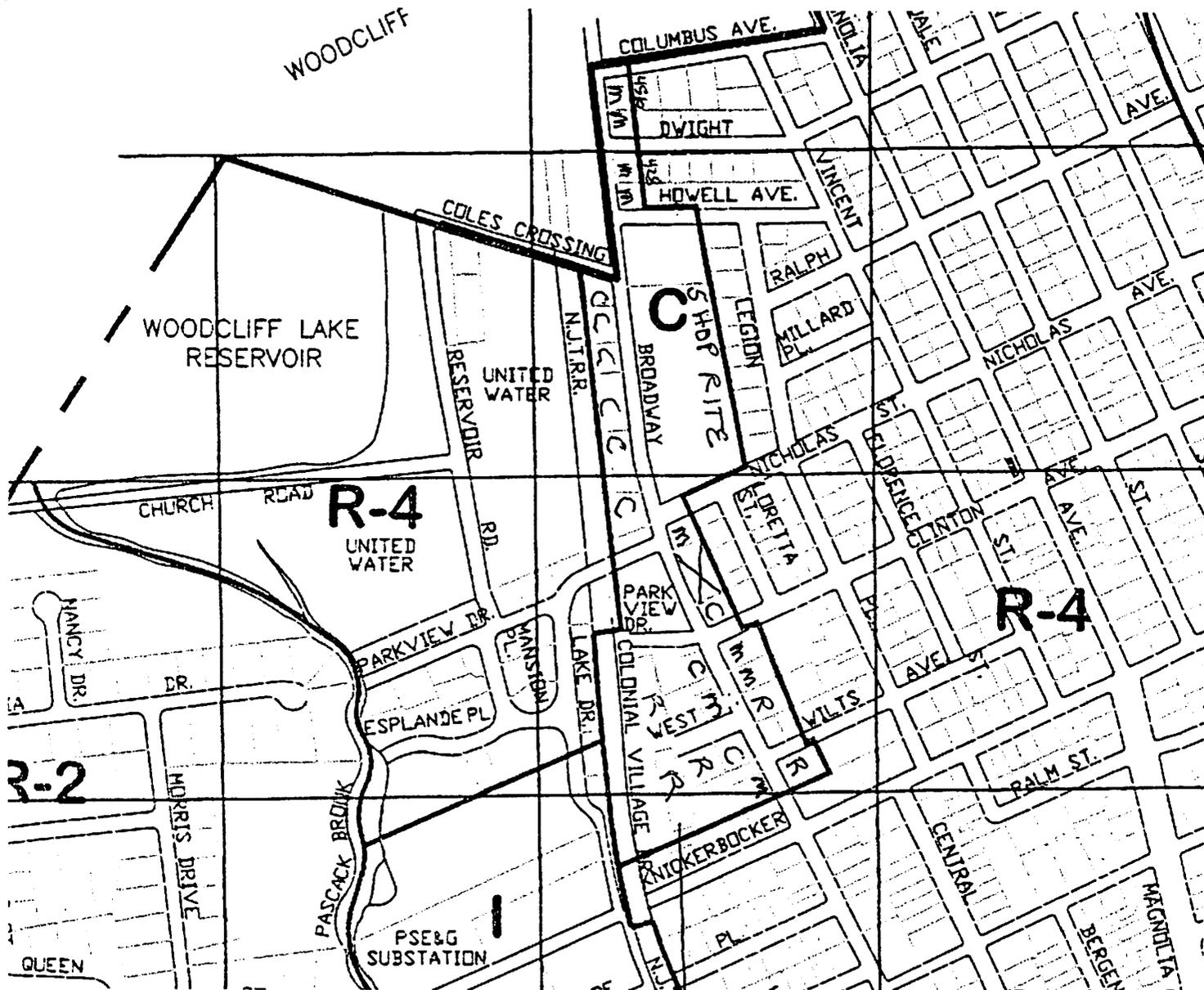


EXHIBIT A

R APARTMENT

M MIXED
C COMMERCIAL

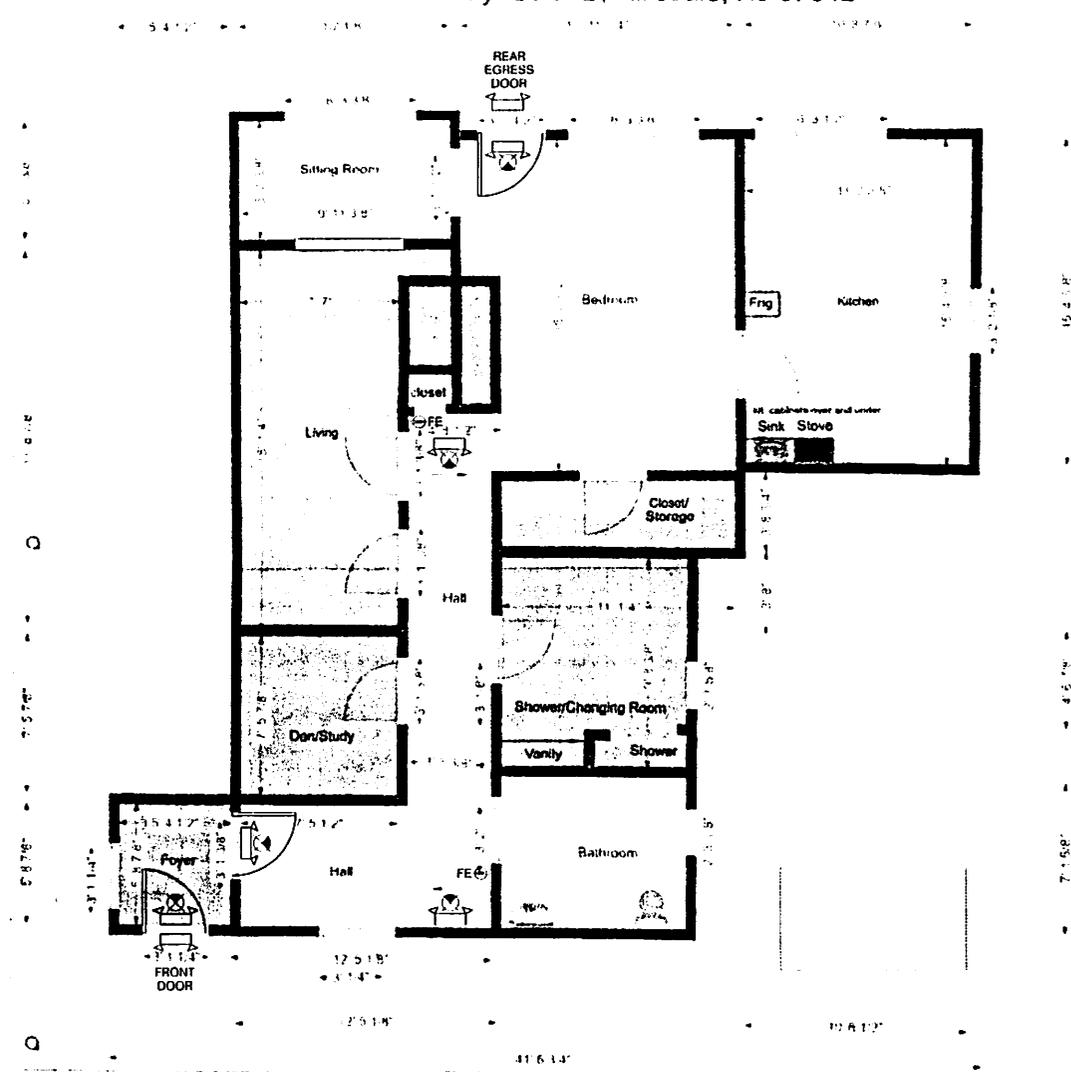
X BEST PROPERTY

→ 10 to 15 . APARTMENT

EXHIBIT
B

BROADWAY

330 Broadway Suite B, Hillsdale, NJ 07642



NOTES:

1. I PERSONALLY VISITED THE SITE ON MAY 29, 2020 AND MET WITH THE OWNER ED BIJA. I VERIFIED THE FLOOR PLAN INDICATED AND ADDED THE EXISTING EMERGENCY LIGHTS AND FIRE EXTINGUISHERS.
2. THE EXISTING SMOKE ALARMS (NOT SHOWN) ARE BOTH HARD WIRED AND CONNECTED TO THE BUILDING FIRE ALARM SYSTEM.

LEGEND:

- EXISTING EXIT / EMERGENCY LIGHT WITH BATTERY BACK-UP
- EXISTING EMERGENCY LIGHT WITH BATTERY BACK-UP
- EXISTING PORTABLE FIRE EXTINGUISHER

NO. REVISION: 5/19/20 DATE:

WJG ARCHITECTS, I.L.C.	ARCHITECTURE PLANNING INTERIORS
WAYNE J. GUSKIND REGISTERED PROFESSIONAL ARCHITECT STATE OF NEW JERSEY NO. 120000000 DATE: 05/19/2020 SCALE: AS NOTED DRAWN BY: W.J.G. CHECKED BY: W.J.G.	

PROPOSED DWELLING UNIT

330 BROADWAY SUITE B
HILLSDALE, NEW JERSEY

DRAWING TITLE
EXISTING CONDITIONS
FIRST FLOOR PLAN

DATE: MAY 29, 2020
SCALE: AS NOTED
DRAWN: W.J.G.
CHECKED: W.J.G.

DRAWING NUMBER
A-1

1 EXISTING CONDITIONS FIRST FLOOR PLAN
1/4" = 1'-0"



BOROUGH OF HILLSDALE
380 HILLSDALE AVENUE
HILLSDALE NJ 07642-2794
201-722-2612

CERTIFICATE

Date Issued: 11/28/2006

Control #: 14123

Permit #: 20060293

EXHIBIT
C

IDENTIFICATION

Home Warranty No: _____

Type of Warranty Plan: State Private

Use Group: B/R2

Maximum Live Load: Office 50 lbs - Residence 40 lbs.

Construction Classification: 5B

Maximum Occupancy Load: Office 21 (100 s.f. p.p.) 2 bedroom 3 occupant

Certificate Exp Date: Studio 2 occupants

Description of Work/Use: _____

Interior Alterations

Update Desc. of Wk/Use: _____

Additional elec. work - 1st First Floor only

Block: 1501 Lot: 2 Qualification Code: _____
Work Site Location: 330 BROADWAY
HILLSDALE
Owner in Fee: BEJA
Address: 177 oakland
hillsdale nj
Telephone: 201 666-3566
Agent/Contractor: JOSEPH J. INC.
Address: 40 MOUNTAINVIEW
HILLSDALE NJ 07642
Telephone: 201 819-2709
Lic. No./ Bldrs. Reg.No.: _____ Federal Emp. No.: _____
Social Security No.: _____

CERTIFICATE OF OCCUPANCY

This serves notice that said building or structure has been constructed in accordance with the New Jersey Uniform Construction Code and is approved for occupancy.

CERTIFICATE OF APPROVAL

This serves notice that the work completed has been constructed or installed in accordance with the New Jersey Uniform Construction Code and is approved. If the permit was issued for minor work, this certificate was based upon what was visible at the time of inspection.

TEMPORARY CERTIFICATE OF OCCUPANCY/COMPLIANCE

If this is a temporary Certificate of Occupancy or Compliance, the following conditions must be met no later than _____ or will be subject to fine or order to vacate:

CERTIFICATE OF CLEARANCE-LEAD ABATEMENT 5:17

This serves notice that based on written certification, lead abatement was performed as per NJAC 5:17, to the following extent:

Total removal of lead-based paint hazards in scope of work

Partial or limited time period(____ years); see file

CERTIFICATE OF CONTINUED OCCUPANCY

This serves notice that based on a general inspection of the visible parts of the building there are no imminent hazards and the building is approved for continued occupancy.

CERTIFICATE OF COMPLIANCE

This serves notice that said potentially hazardous equipment has been installed and/or maintained in accordance with the New Jersey Uniform Construction Code and is approved for use until _____

MICHELLE E. WOOD Construction Official

Fees: \$80.00

Paid Check No.: 253

Collected by: tlj



Siegel Law Firm <siegelandsiegel@gmail.com>

Exhibit D

RE: [EXTERNAL]Niza, LLC - 330 Broadway, Hillsdale, NJ

1 message

Anthony Merlino <amerlino@hillsdalenj.org>
To: siegelandsiegel <siegelandsiegel@gmail.com>

Tue, Jan 28, 2020 at 2:56 PM

Mr. Siegel,

I have reviewed available municipal records for the subject Property. A property record card dated April 2, 1975 shows A business office and two apartments. There was a Certificate Of Occupancy issued for a new owner issued on July 12, 1996 With a description of use as business with two apartments.

In April of 2006 the zoning officer signed off for a permit that Was issued by the building department to remodel two apartments,

A certificate of occupancy of which was issued for said work on November 28, 2006.

It appears the apartments have existed in the building for at least since

1975 and have been rendered non-conforming uses because the current

Ordinance does not permit residential uses in the C Commercial Zone.

Feel free to contact me with any other questions.

Anthony Merlino

Zoning Officer

Borough of Hillsdale

201-722-2612 x 1563

From: siegelandsiegel <siegelandsiegel@gmail.com>
Sent: Thursday, January 23, 2020 11:50 AM
To: Anthony Merlino <amerlino@hillsdalenj.org>
Subject: [EXTERNAL]Niza, LLC - 330 Broadway, Hillsdale, NJ

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Dear Mr. Merlino:

In accordance with our conversation of today, it is my understanding that when my clients' purchased the above reference property and applied for a permit for use of two apartments and same was given a certificate of occupancy after the work was completed, you advised me that under Hillsdale zoning this is now considered a legal non-conforming use which cannot be changed.

Kindly confirm the above in writing.

Thanking you in advance.

Howard Siegel

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SIEGEL & SIEGEL