

BOARD OF ADJUSTMENT/PLANNING BOARD APPLICATION

TOWNSHIP OF IRVINGTON, N.J.

DATE OF FILING July 1, 2020

DATE OF HEARING January 19, 2021 CALENDAR NO. ZB-20-106

Application is hereby made by the undersigned for: **Gateway Apartments, LLC**

(Describe relief requested i.e. variance, sub-division, site plan approval or any combination thereof and

Site plan and bulk variance approvals

for what purpose is this application being made)

Development of residential building (24 units) with one commercial unit on ground level with on-site parking

Pursuant to _____

(Set forth applicable section (s) of Revised Zoning Ordinance)

DESCRIPTION OF PROPOSED DEVELOPMENT

PREMISES AFFECTED IS KNOWN AS LOT (S) **5 & 6** BLOCK(S) **359**

STREET ADDRESS **1137 (Lot 6) & 1147-53 (Lot 5) Stuyvesant Avenue** IRVINGTON, N.J.

APPLICANT **Gateway Apartments, LLC** ADDRESS **12 Newark Way, Maplewood, NJ 07040**

TELEPHONE# **973-303-9253**

OWNER **From Dusk to Dawn, LLC (Lot 5)** ADDRESS **188 Eagle Rock Ave, Roseland NJ 07068**

Gateway Apartments, LLC (Lot 6) **12 Newark Way, Maplewood, NJ 07040**

LESSEE **Not Applicable** ADDRESS _____

OCCUPANCY **Vacant – Existing buildings to be demolished (one story commercial and two story residential)**

SIZE OF LOT **Lot 5 – 119 x 87 (Irregular) & Lot 6 – 119 x 87 (Irregular) – Combined 238 x 87 (Irregular)**

SIZE OF BUILDING(S) (PRESENT AND/OR PROPOSED) (AT STREET LEVEL)

Lot 5 – 100 ft (present) Lot 6 – 50 ft (present) Combined – 210 ft (proposed) FT. FRONT

Lot 5 – 50 ft (present) Lot 6 – 50 ft (present) Combined – 60 ft (proposed) FT.DEEP

PERCENTAGE OF LOT OCCUPIED BY BUILDING(S) **Lot 5 & 6 – 82.78% (present) Combined 62.38% (proposed)**

HEIGHT OF BUILDING(s) **Lot 5 – 1 story (present) Lot 6 – 1 and 2 story (present) Combined - 3 story (proposed) STORIES**

Lot 5 & Lot 6 – 22.75 ft (present) Combined – 38.34 ft (proposed) FT.

SET BACK FROM FRONT PROPERTY LINE **Lot 5 – 0 ft (present) Lot 6 – 6 ft – 8 ft (present) Combined – 5 ft (proposed) FT.**

FROM SIDE LINE (IF CORNER LOT) **Not Applicable** FT.

ZONING REQUIREMENTS (FOR NEW CONSTRUCTION OR ADDITIONAL CONSTRUCTION)

FRONTAGE **10 ft** FT.

SIDE YARDS **10 ft / 25 ft** FT.

SET-BACK FT. **10 ft**

REAR YARDS **25 ft** FT.

PRESENT ZONE(S) **B-3 Limited Business Zone**

Do you know whether there has been any previous appeal involving these premises by either yourself or any other person? **NO**

If yes, state the nature of the appeal, the disposition and date of same:

Not Applicable

Date property acquired by owner: **2007**

Proposed Development (Note: This application must set forth all facts upon which you rely to establish your right to relief from the present requirements of the Revised Zoning Ordinance. If additional space is needed, additional pages may be annexed to this application).

Applicant seeks approvals to construct a 3 story building which will contain residential (24 one bedroom units) on the second and third floors and one commercial space (tenant TBD) on the ground floor. Parking of 21 stalls will be provided on the ground floor. There will be one way entrance and exit from the parking area. B-3 zone permits upper floor dwelling units and several types of commercial uses on ground level, no use variance is necessary. As Lot 5 & 6 will be consolidated and the building built over both lots, a subdivision approval is necessary. Due to size of building several bulk variances are required: minimum front yard (5 ft where 10 ft is required), minimum rear yard (14.61 ft where 25 ft is required), maximum floor area ratio (1.026% where .40% is limit), maximum number of stories (3 story where 2 is limit), maximum building height (38.34 ft where 20 ft is limit), maximum parking setback (6 ft where 10 ft is required) and parking spaces (21 stalls where 24 are required for this size project). Variance relief can be granted for the following reasons. Site has unique feature which creates hardship. A brook runs along entire rear of property. Construction in proximity to the brook is disallowed by NJDEP regulations. This results in the building being pushed not only forward towards Stuyvesant but also upwards to make up for unusable land. Thereby, Maximum Parking Setback, Minimum Front Yard and Rear Yard are reduced due to brook limitations. Likewise, Maximum Floor Area Ratio, Maximum Building Height and Number of Stories are exceeded to make up for the loss of horizontal buildable land. Additionally, Minimum front yard is currently 0 ft and the proposed building would be closer to compliance at 5 ft. The proposed building is actually 2 stories as the ground level is taken up primarily by parking stalls. The commercial unit is relatively small at less than 800 sq ft. The utility room for the building, not habitable space, takes up the rest. Parking will be primarily addressed on site with 21 of the required 24 stalls. The 3 remaining parking spaces can be accounted for by way of on-street parking which is allowed in the area. On-street parking will actually increase with proposal as the number of curb cuts will be reduced from 3 to 2. There is also significant public transportation options available with at least two bus stops within easy walking distance.

I hereby swear and depose that all of the above statements and the statements contained in the papers submitted herewith are true.

Sworn to before me this 11th

Day of January, 20 21

Joseph M. Wenzel

(Notary or Person authorized by law to take oaths).

JOSEPH M. WENZEL
ATTORNEY AT LAW
STATE OF NEW JERSEY

Wayne Crowell
Wayne Crowell, Managing Member
Gateway Apartments, LLC

AFFIDAVIT OF CONSENT

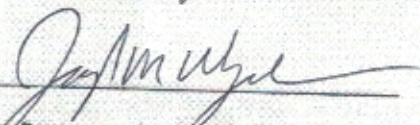
STATE OF NEW JERSEY)

COUNTY OF ESSEX)

Brandon Zaleski of full age, being duly sworn according to law on his oath deposes and says that he is the Managing Member of *From Dusk to Dawn, LLC* with a business address of **188 Eagle Rock Ave, Roseland NJ 07068** and that *From Dusk to Dawn, LLC* is the owner in fee of all that certain parcel of land, situated, lying and being in the Township of Irvington aforesaid, and known as Block(s) No.359, Lot(s) No.5 on premises known and designated as 1147-1153 Stuyvesant Avenue Irvington, N.J. and that *From Dusk to Dawn, LLC* hereby authorizes *Gateway Apartments, LLC* to make the annexed application on its behalf, and that the statements of fact contained in said application are true.

Sworn to before me this 11th

Day of January 20 21



(Notary or Person authorized by law to take oaths)

**JOSEPH M. WENZEL
ATTORNEY AT LAW
STATE OF NEW JERSEY**



Brandon Zaleski, Managing Member

From Dusk to Dawn, LLC



October 28, 2019

Dusk Till Dawn, LLC

As per of your request of October 10, 2019 enclosed herewith in please find a corrected certified list of names and address for the Property owners from the current tax records within the 200 foot radius of Block 359 LOT & 6 Otherwise known as 1139-1147 & 1149-1153 Stuyvesant Ave. Irvington, N.J. 07111 Together with a block map from the Township Engineer.

Joseph J Adams

Township of Irvington

Tax Assessor Office

jadams@irvingtonnj.org

(973) 399-6687 Office

973) 416-5776 Fax

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		BLOCK 359 LOT 586			
BLOCK	LOT	PROPERTY LOCATION	OWNERS NAME	OWNERS ADDRESS	
359	1	1167 STUYVESANT AVE	CLAY ELEPHANT CORP C/O DUBIN GLASS	P.O. BOX 742, MILLBURN, N.J. 07041	
359	2	1161-1163 STUYVESANT AVE	BENO, AVNER	1161-1163 STUYVESANT AVE, IRVINGTON N.J. 07111	
359	3	1157 STUYVESANT AVE	MORINVILLE, CLERVEAUX	216 CHESTNUT ST. UNION N.J. 07083	
359	4	1155 STUYVESANT AVE	VAN NISS R.L.T.Y., LLC-MW ACQUISITIONS	1719 RTE 10 EAST STE. 220 PARSHIPANY, N.J. 07054	
359	5	1147-53 STUYVESANT AVE	FROM DAWN TO DUSK, LLC	188 EAGLE ROCK AVE. STE 1, ROSELAND, N.J. 07068	
359	6	1137 STUYVESANT AVE	GATEWAY APARTMENTS LLC	12 NEWARK WAY #1 ROSELAND N.J. 07068	
359	7	1135 STUYVESANT AVE	ISWAR CORPORATION	885 INMAN AVE. EDISON N.J. 08820	
359	8	1127-1139 STUYVESANT AVE	ISWAR CORPORATION	885 INMAN AVE. EDISON N.J. 08820	
359	9	1125 STUYVESANT AVE	MT. ZION BAPTIST CHURCH	1125 STUYVESANT AVE, IRVINGTON N.J. 07111	
359	10	1117 STUYVESANT AVE	WHITE REVERE, LLC	1416 MORRIS AVENUE, UNION N.J. 07083	
360	3	1168- STUYVESANT AVE	1168 STUYVESANT AVE, LLC	1170 STUYVESANT AVE UNION N.J. 07083	
360	4	1162-1166 STUYVESANT AVE	MAEL, MARCKENLEY	1162-1166 STUYVESANT AVE UNION N.J. 07083	
360	5	1160 STUYVESANT AVE	1386 LIBERTY, LLC	885 INMAN AVE. EDISON N.J. 08820	
360	6	27 BEECHWOOD PLACE	DOLCINE, GESNER & AMELIA	27 BEECHWOOD PL. IRVINGTON N.J. 07111	
361	2	1148 STUYVESANT AVE	BOBROW, HAROLD	1859 SPRINGFIELD AVE. MAPLEWOOD, N.J. 07040	
361	3	1142-1146 STUYVESANT AVE	JUHEE, INC	1142-1146 STUYVESANT AVE. IRVINGTON N.J. 07111	
361	4	25 FLEETWOOD PL.	FLEET HOLDINGS, LLC	53 HIGHWOOD TERRACE, WEEHAWKEN, N.J. 07086	
361	5	23 FLEETWOOD PL.	MARTILLUS, JACQUES & EDWINE	23 FLEETWOOD PL. IRVINGTON N.J. 07111	
361	6	21 FLEETWOOD PL.	NELSON, JACQUES JOSEPH	21 FLEETWOOD PL. IRVINGTON N.J. 07111	
361	32	24 BEECHWOOD PLACE	ADAMS, SEBRINA	24 BEECHWOOD PL. IRVINGTON N.J. 07111	
361	33	28 BEECHWOOD PLACE	BYRD, STEVEN B	28 BEECHWOOD PL. IRVINGTON N.J. 07111	



Township of Maplewood

**MUNICIPAL BUILDING, 574 VALLEY STREET
MAPLEWOOD, NJ 07040-2691**

TELEPHONE: (973) 762-8120

FAX: (973) 762-2894

**LEONARD MENDOLA
CONSTRUCTION OFFICIAL**

December 13, 2019

Mr. Robert M. Cunningham, P.E.
213 Newton Swartwood Road
Newton, NJ 07860

**RE: LIST OF NAMES
1139 IRVINGTON AVENUE**

Dear Mr. Cunningham:

Attached is a revised certified list of property owners within 200' of the above referenced site located in the Township of Maplewood. This information is based on the site plan that you provided.

Do not hesitate to call me if you have any questions.

Sincerely,

Len Mendola *RM*
Construction Official/Zoning Officer

Block 46.01 Lot 203.02 Qual.

Re:

Block 46.01 Lot 208.01 Qual.
EGBUTU, CHIKANELE
309 ST. CLOUD AVENUE
WEST ORANGE, NJ 07052
Re: 10 EVELYN COURT

Block 46.01 Lot 209.01 Qual.
BAKSH, SHAHEED & JENNIFER
132 MONROE AVENUE
EDISON, NJ 08820
Re: 6 EVELYN COURT

Block 46.01 Lot 210.01 Qual.
TOWNS, LOUIS E. & DORIS P.
2 EVELYN COURT 1ST FLOOR
MAPLEWOOD, NJ 07040
Re: 2 EVELYN COURT

Block 46.01 Lot 276 Qual.
ERMEUS, BREITNER
942 SANFORD AVE.
IRVINGTON, NJ 07111
Re: 36 BERKLEY STREET

Block 46.01 Lot 278 Qual.

Re: OUT OF TWP

*might be
Irvington block 359, Lot 1*

Block 46.01 Lot 204.01 Qual.
SMITH, FLORENCE
9 EVELYN CT
MAPLEWOOD, NJ 07040
Re: 9 EVELYN COURT

Block 46.01 Lot 209 Qual.
ELLIOTT, VERNELL
8 EVELYN COURT
MAPLEWOOD, NJ 07040
Re: 8 EVELYN COURT

Block 46.01 Lot 210 Qual.
JORDAN, JOSEPH
4 EVELYN CT
MAPLEWOOD, NJ 07040
Re: 4 EVELYN COURT

Block 46.01 Lot 211 Qual.
GARDENS AT MAPLEWOOD,
1719 RT 10 EAST SUITE 220
PARSIPPANY, NJ 07054
Re: VAN NESS COURT

Block 46.01 Lot 277 Qual.
FORD, ORVIL O'BRIAN & JANET MARIE
38 BERKELEY STREET
MAPLEWOOD, N. J. 07040
Re: 38 BERKLEY STREET