

CHECKLIST OF FORMS TO BE FILED BY APPLICANT:

Items 1 through 8 are to be filed at least twenty-one (21) days before the date of the Board is requested to take action on the application.

No application will be considered as being before the Board until all preliminary papers are received and **NO NOTICES** may be served until a hearing date is assigned.

1. 18 Copies of Zoning Enforcement Officer's decision from which this appeal is being taken.
2. 18 copies of the Notice of Appeal including statutory grounds for appeal referring to N.J.S.A. 40:55D-70.
3. Application fee as set by ordinance. Make check payable to "Borough of Caldwell"
4. 1 Copy of Escrow Agreement and Escrow Deposit as required by ordinance. Check should be payable to "Borough of Caldwell".
5. 2 copies of a list of the names and addresses of all property owners shown on block diagram and indicating by map, by block and lot numbers, property owned. (The Tax Collector will provide the information at a fee as provided by statute.)
6. 18 copies of proposed building plans or improvement, when applicable.
7. 18 copies of building plans of existing building, when applicable.
8. 18 plot plans of present and proposed structure, showing location and area to be occupied by proposed structure, if any.

Items 9 through 12 be filed no later than three (3) days before the hearing

9. Affidavit of Service including copy of notice and Proof of Publication. (No later than 10 days prior to the hearing, all residents within 200' must be notified and notice of hearing must be published in either, The Progress, Star Ledger, Record or Herald newspaper.
10. 13 copies of suggested conclusions or interpretation.
11. Soil conservation compliance certificate (obtain from the Hudson-Essex-Passaic Soil Conservation District, 201 Bloomfield Avenue, Verona, NJ), when applicable.
12. Proof of payment of current tax or assessment bill for the lot in question.
13. Proof of filing of requisite documents with the County Planning Board, when applicable.

BOROUGH OF CALDWELL
ONE PROVOST SQUARE
CALDWELL, NJ 07006
973-403-4626

Date Filed: _____ Application No.: _____ Application Fee: _____

Planning Board Zoning Board of Adjustment Escrow Deposit: _____

Review for Completeness (Date) _____ Hearing Date: _____

By: _____

DO NOT WRITE ABOVE THIS LINE

1. SUBJECT PROPERTY:

Location: 4, 12, 14 and 18 Lane Avenue, Caldwell, NJ

Tax Map: Page 5 Block 41 Lot(s) 2, 3.01, 3 and 4

Dimensions: Frontage 325' Depth 385' Total Area: 2.89

Zoning District: Subdistrict V in the Downtown Caldwell Redevelopment Plan

2. APPLICANT:

Name: S&S Caldwell Village, LLC

Address: 57 East Centre St., Bldg 3, Unit 1, Nutley, NJ 07110

Phone Number: 973-277-2400

Applicant is a Corporation Partnership Individual
 Limited Liability Company

3. 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. 40:55D-48.2, 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 sheet showing name, address and interest percentage.

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

Owner's Name: Please see the attached Addendum.

Address: _____

Phone #: _____

5. PROPERTY INFORMATION:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:
Yes (attach copies) No Proposed Please see attached Addendum

Present use of the premises: Residential

Proposed use of the premises: Multi-family residential

Total proposed parking spaces 248

Number of parking spaces required by ordinance 228

6. NOTE: All corporations must be represented by counsel.

Applicant's Attorney: Thomas P. Scrivo, Esq., O'Toole Scrivo, LLC

Address: 14 Village Park Road, Cedar Grove, N.J. 07009

Phone #: 973-239-5700 Fax #: 973-239-3400

7. Applicant's Engineer: Patrick D. McClellan, PE

Address: 11 Furler Street, Totowa, New Jersey 07512

Phone #: 973-812-6680 Fax #: 973-302-3195

8. Applicant's Planning Consultant: Jeffrey Stiles, PP

Address: 220 Headquarters Plaza, West Tower, 2nd Floor, Morristown, N.J. 07960

Phone #: 201-602-0865 Fax #: 973-695-1969

9. Applicant's Traffic Engineer: Joseph Staiger, PE

Address: 245 Main Street, Suite 110, Chester, N.J. 07930

Phone #: 732-681-0760 Fax #: 908-879-0222

10. List any other Expert who will submit a report or who will testify for the Applicant: (Attach additional sheets as necessary)

Name: Steven Corso, AIA

Field of Expertise: Architect

Address: 676 Bloomfield Avenue #1, Bloomfield, N.J. 07003

Phone #: 973-566-6004 Fax #: 973-566-6154

11. APPLICANT REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION:

- Minor Subdivision Approval
- Subdivision Approval (Preliminary)
- Subdivision Approval (Final) [Reverse Subdivision-Merger]
- Number of lots to be created _____ Number of proposed dwelling units _____
(including remainder lot) (if applicable)

SITE PLAN:

- Minor Site Plan Approval
- Preliminary Site Plan Approval {Phases (if applicable) _____}
- Final Site Plan Approval {Phases (if applicable) _____}
- 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: _____

- Informal Review
- Appeal decision of an Administrative Officer [N.J.S. 50:55D-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 Relief (Use) [N.J.S. 50:55D-70d]
- Conditional Use Approval [N.J.S. 50:55D-67]

If a "C" or "D" variance is sought, applicant must supply the following information:

Request is hereby made for permission to erect, alter, convert or use a _____ contrary to the requirements of Section _____ of the Caldwell Zoning Ordinance or for other relief as follows: _____

1. Said property is: _____ (give area and dimensions) and has the following structures erected thereon: _____
2. Size of proposed building: Height _____ Depth _____ Stories _____
3. Setback of proposed building: Front _____ Rear _____ Side _____
Side: _____
4. Percentage of lot to be covered by proposed structure: _____
5. Date property was acquired _____ Zoning of property at time of acquisition _____

CERTIFICATIONS

12. 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 general partner of the partnership applicant.

Sworn to and subscribed before me this

23 day of February, 2021



NOTARY PUBLIC

Maggi Delany
Attorney, State of NJ
ID No. 311032019




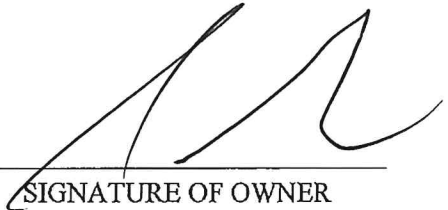
SIGNATURE OF APPLICANT
S&S Caldwell Village, LLC
By: Skender Meka
Managing Member

13. 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.
[Please also see the attached Addendum]

Sworn to and subscribed before me this

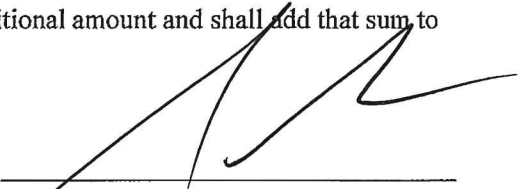
23 Day of February, 2021


NOTARY PUBLIC
Maggie Delaney, Attorney
311032019


SIGNATURE OF OWNER

14. I understand that the sum of \$ _____ has been deposited in an escrow account. In accordance with the Ordinances of the Borough of Caldwell, I further understand that the escrow account is established 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 will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

2/23/21
DATE


SIGNATURE OF APPLICANT
S&S Caldwell Village, LLC
By: Skender Meka
Managing Member

ESCROW AGREEMENT

THIS AGREEMENT, made this ____ day of _____, 2016, by and between the BOROUGH OF CALDWELL, a municipal corporation of the State of New Jersey, having its principal place of business at 1 Provost Square in the Borough of Caldwell, County of Essex and State of New Jersey, hereinafter referred to as "Borough" and S&S Caldwell Village, LLC having its principal place of business at

57 East Centre St., Bldg 3, Unit 1 in the Township of Nutley County of Essex and State of New Jersey,

hereinafter referred to as "Applicant."

WITNESSETH

WHEREAS, the Applicant wishes to make application to the Borough of Caldwell for development and/or improvements to certain property located at _____ in the Borough of Caldwell; and

WHEREAS, in contemplation of submittal of said application for development and/or improvements, the Applicant must conform with all appropriate ordinances, rules and regulations of the Borough and its agencies; and

WHEREAS, pursuant to said ordinances, rules and regulations of the Borough and its agencies, the Applicant will be required to obtain certain approvals and/or permits from the appropriate Board such as, but not limited to, Planning Board of the Board of Adjustment, or pursuant to certain codes such as, but not limited to, the Borough Construction Code; and

WHEREAS, the Applicant recognizes that he/she must pay certain fees in connection with said approvals and permits and that the Borough bears certain technical and professional costs in consideration of a request for the aforementioned approvals and/or permits, said costs include, but are not limited to, engineering and legal fees and expenses; and

WHEREAS, the Borough has created certain escrow accounts to defray the costs of operations and/or inspection fees incurred by the Borough when processing said applications for development and/or improvements;

NOW, THEREFORE, in consideration of the promises and mutual covenants hereinafter contained, the parties hereto, for themselves, their heirs, successors and assigns, hereby agree as follows:

1. The Applicant agrees to deposit with the Borough Treasurer the amount of \$ _____, said amount being set forth in Borough Ordinance No. 796.87 as amended.

Said amount shall be paid in cash or certified check. The amount will be deposited in an interest bearing account at a rate not less than the minimum currently paid on saving deposits.

The Borough agrees to notify the Applicant, in writing, of the name and address of the institution or depository in which the deposit is made and the amount of said deposit.

The Borough and the Applicant agree that the amount set forth above as specified by said Ordinance No. 796-87 as amended is solely an estimate of fees and costs.

2. The Applicant agrees to make said deposit before submitting his/her application to either the Planning Board or the Zoning Board of Adjustment or prior to the issuance of a building deposit, whichever is applicable.

Said fees must be paid prior to certification by either the Zoning Board of Adjustment or Planning Board of a complete application. The Applicant further recognizes that all fees required as set forth herein shall be paid prior to said application being considered complete. However, the Applicant agrees that payment of the fee in and of itself shall not be deemed to make said application complete.

3. The Applicant agrees that if the amount required to be deposited as set forth herein is not sufficient to cover said professional charges and/or fees, he/she will provide additional funds.

Escrow Agreement
Page 3

Said determination as to the necessity of said additional funds will be made by the Board secretary or designee of the Planning Board, Zoning Board of Adjustment or Construction Code Official as appropriate.

In the event it is determined that additional funds are required, the Board secretary or designees of the approving authority shall forthwith notify the approving authority and the Applicant. The Applicant agrees to pay the additional fees within fourteen (14) days of said notice. Applicant further agrees and acknowledges that if the fees are not provided, the application shall be deemed incomplete and no further action shall be taken on said application until the deficiency is cured.

The Applicant agrees to pay an additional fee whenever the original fee paid into escrow, as previously set forth, is reduced by charges against the account to 25% or less of the original fee. Applicant shall be notified by the Board secretary or designee in writing of the amount of additional monies necessary to bring the escrow account up to 50% of the fee originally paid. Any additional fees required will be paid by the Applicant to the Borough in the manner previously set forth herein.

4. The Borough agrees that in the event the amounts deposited in said escrow accounts shall be in excess of the amount required for all professional review and charges, the excess funds plus any accrued interest shall be returned to the Applicant within thirty (30) days of the submission of the final invoice by the Borough professionals with regard to said application or of the issuance of a certificate of occupancy for the project.

5. The Borough agrees to provide the Applicant with an accounting of the expenses or fees paid by him/her for professional review. The Applicant will request same in a letter directed to the respective Board secretary or designee. The Applicant further agrees that he/she will be responsible for any costs incurred in having the Board's professional and/or administrative staff prepare an accounting of the fees expended.

Escrow Agreement
Page 4

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals or caused their corporate officers and their proper corporate seals to be affixed hereto the day and year above written.


Attest:

BOROUGH OF CALDWELL

Clerk

Mayor

Attest:





STATE OF NEW JERSEY)
COUNTY OF ESSEX) SS:

S&S Caldwell Village, LLC
By: Skender Meka
Managing Member
Applicant

Att ID 311032019

NOTICE SERVICE ON OWNERS WITHIN 200 FEET
BOROUGH OF CALDWELL
NOTICE OF HEARING ON APPEAL OR APPLICATION

TO: _____

OWNER OF PREMISES: _____

PLEASE TAKE NOTICE:

That the undersigned has filed an appeal or application for development with the Construction Department of the Borough of Caldwell for a _____ Variance or other relief from the requirements of the Zoning Ordinance so as to permit

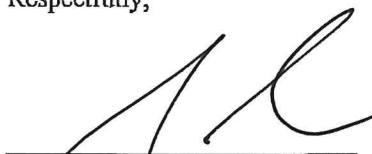
on the premises at _____
and designed as Block _____, Lot _____ on the Borough Tax Map, and this notice is sent to you as an owner of property in the immediate vicinity.

A public hearing has been set for _____, 2016 at _____ p.m. in the Municipal Building, One Provost Square, Caldwell, New Jersey, and when the case is called, you may appear either in person, or by agent or attorney, and present any objections which you may have to the granting of the relief sought in the petition.

The following described maps and papers are on file in the office of the Municipal Clerk and are available for inspection (insert description of documents):

This notice is sent to you by the applicant, by order of the

Respectfully,



(Applicant)

S&S Caldwell Village, LLC
By: Skender Meka
Managing Member

AFFIDAVIT OF SERVICE

State of New Jersey
County of _____

_____ of full age, being duly sworn according to law, on his oath deposes and says that he resides at _____ in the Borough of Caldwell, County of Essex and State of New Jersey and that he did on _____, 20____, at least ten (10) days prior to hearing date, give personal notice to all property owners with 200 feet of the property affected by appear number _____ located at _____.

Said notice was given either by handing a copy to the property owner, or by sending said notice by certified mail. Copies of the registered receipt are attached hereto.

Notices were also served upon:
(Check if applicable)


- 1. The Clerk of the Borough of Caldwell
- 2. County Planning Board
- 3. The Director of the Division of State and Regional Planning
- 4. The Department of Transportation
- 5. The Clerk of Adjoining Municipalities

A copy of said notices are attached hereto, marked "Exhibit A."

Notice was also published in the official newspaper of the Municipality as required by law.

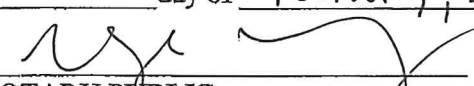
Attached to this Affidavit and marked "Exhibit B" is a list of owners of property within 200 feet of the affected property who were served, showing the block and lot numbers of each property as same appear on the Municipal tax map, and also a copy of the certified list of such owners prepared by the Tax Assessor of the Municipality, which is marked "Exhibit C."

There is also attached a copy of the proof of publication of notice in the official newspaper of the Municipality, which is marked "Exhibit D."



 (Signature of Applicant)
 S&S Caldwell Village, LLC
 By: Skender Meka
 Managing Member

Sworn to and subscribed before me this

23rd day of February, 2021


 NOTARY PUBLIC
 Notary ID No. 311032019

*For notice requirements, see N.J.S. 40:55D-12

NOTICE TO BE PUBLISHED IN NEWSPAPER
THE TOWNSHIP OF CALDWELL ZONING BOARD

TAKE NOTICE that on the ___ day of _____, 2016 at ___ o'clock p.m., a hearing will be held before the Township of Caldwell Zoning Board at the Municipal Building, 1 Provost Square, Caldwell, New Jersey, on the appeal or application of the undersigned for a variance or other relief as to permit _____

For premises located at _____, Caldwell, N.J. and designated at Block _____, Lot _____ on the Township of Caldwell Tax Map.

The following described maps and papers are on file in the office of the Municipal Clerk and are available for inspection.

Any interested party may appear at said hearing and participate therein in accordance with the rules of the Zoning Board.



S&S Caldwell Village, LLC
By: Skender Meka Applicant
Managing Member

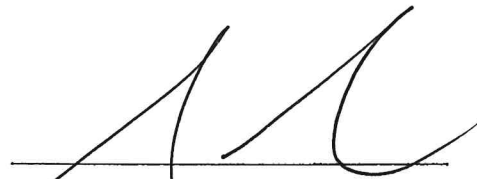
NOTICE TO BE PUBLISHED IN NEWSPAPER
THE TOWNSHIP OF CALDWELL PLANNING BOARD

TAKE NOTICE that on the ___ day of _____, 2016 at _____ o'clock p.m., a hearing will be held before the Township of Caldwell Planning Board at the Municipal Building, 1 Provost Square, Caldwell, New Jersey, on the appeal or application of the undersigned for a variance or other relief as to permit _____

For premises located at _____, Caldwell, N.J. and designated at Block _____, Lot _____ on the Township of Caldwell Tax Map.

The following described maps and papers are on file in the office of the Municipal Clerk and are available for inspection.

Any interested party may appear at said hearing and participate therein in accordance with the rules of the Planning Board.


S&S Caldwell Village, LLC Applicant
By: Skender Meka
Managing Member