LAND USE BOARD, WOOD-RIDGE, NJ

2022-42A

NOTICE OF APPLICATION

Applicant(s): **PARIKH KALPESH**

Trade Name:

Residing at: 57 HACKENSACK ST, WOOD RIDGE NJ 07075
Number & Street Town State Zip

Telephone: **(973) 406-7206**

Hereby applies to the Land Use Board per the following decision of the Zoning Official:

530 Attachment 1 – Schedule of Area Bulk and Yard Requirements
-Sub-Division of a lot which will create one conforming lot and one undersized lot.

For the following described property:

57 HACKENSACK STREET
Number & Street Zoning District

221 6
Borough Tax Map Lot Block

12/6/21
Zoning Official
Richard Pronti

Denied ✓ Date 12/6/21
Rev/06/2016

FEE	ESCROW
$500	$1,750

WOOD-RIDGE LAND USE BOARD
Municipal Building
85 Humboldt Street
Wood-Ridge, NJ 07075

APPLICATION FOR DEVELOPMENT

APPLICANT: KALPESH PARIKH

Property/Street Address	Tax Map Block	Tax Map Lot	Zoning Classification
57 HACKENSACK ST.	221	6	R1

1. Application for:
(Check appropriate boxes) and attach appropriate detail page(s)

✓	Minor Subdivision Approval
	Preliminary Major Subdivision Approval
	Final Subdivision Approval
	Minor Site Plan Approval
	Preliminary Major Site Plan Approval
	Final Major Site Plan Approval
	Amendment or Revision to an Approved Site Plan
	Conditional Use Approval
	Issuance of a Permit for a structure in bed of a mapped street, public drainage or flood control basin or public area
	Issuance of a permit for a lot lacking street frontage
	Design Waivers
✓	Variance
	Use Variance
	Other (specify)

To be completed by Borough Staff only

Date Filed:

No: _____ Application Fee: _____ Escrow Deposit: _____	Scheduled for: Hearing: _____

2. APPLICANT

NAME	KALPESH PARIKH
ADDRESS	436 THIRD ST., CARLSTADT, NJ 07072
TELEPHONE NUMBER	973.406.7206
FORM OF BUSINESS:	
Individual	X
Corporation	
Partnership	
Limited Liability Company	
Other (Specify)	

3. APPLICANT'S 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 pages as necessary to fully comply)

NAME	ADDRESS	INTEREST

4. APPLICANT'S STANDING Applicant has standing to make this application because:

Applicant has a contract or lease (attach copy)	
Applicant is the owner	✓
Other (specify)	

5. PROPERTY INFORMATION

Owner's Name: KALPESH PARIKH

Address: 436 THIRD ST., CARLSTADT, NJ 07072

Telephone No.: 973.406.7206

List all restrictions, covenants, easements, agreements or other items affecting the use of the property.
NONE TO APPLICANT/OWNER'S KNOWLEDGE

Describe the current use of the property.
EXISTING SINGLE FAMILY RESIDENCE

6. TAX COLLECTOR'S CERTIFICAITON

YES NO - Attached is a copy of a Certification from the Tax collector that all taxes due on the subject property have been paid.

7. SUPPORTING DOCUMENTS.
List all Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing). The documentation must be received by the Board at least ten (10) days prior to the meeting at which the application is to be considered.

Description of Item: PROPOSED SUBDIVISION PLAN
LETTER REGARDING FACTS SUPPORTING GRANTING OF VARIANCE

8. APPLICANT'S CONSULTANTS and REPRESENTATIVES

APPLICANT'S ATTORNEY

NAME	
ADDRESS	
CITY, STATE ZIP	
PHONE	
FAX	

APPLICANT'S ~~ENGINEER~~ ARCHITECT & PLANNER

NAME	THOMAS J. MESUK
ADDRESS	197 VALLEY BLVD
CITY, STATE ZIP	WOOD-RIDGE, NJ 07075
PHONE	201. 438. 0595
FAX	201. 438. 1560

APPLICANT'S TRAFFIC CONSULTANT

NAME	
ADDRESS	
CITY, STATE ZIP	
PHONE	
FAX	

APPLICANT'S PLANNING CONSULTANT

NAME	
ADDRESS	
CITY, STATE ZIP	
PHONE	
FAX	

9. INFORMATION REGARDNG OTHER APPROVALS

Other Agency	Jurisdiction Yes	Jurisdiction No	Date Application Submitted
Wood-Ridge Sewerage Authority		X	
Bergen County Planning Board		X	
Bergen County Health Dept.		X	
BC Soil Conservation District		X	
NJ Dept. of Environmental Protection ("NJDEP)		X	
NJDEP Sewer Extension Permit		X	
NJDEP Stream Encroachment Permit		X	
NJDEP Wetlands Permit		X	
NJ Dept. of Transportation		X	
Other:			

10. NOTICES TO THE PUBLIC Respond to each of the following and attach a copy of the required notice, proof of mailing or proof of publication:

(Yes)	No	Are you required to serve notice of public hearing on owners w/in 200 feet of the subject property?
Yes	(No)	Are you required to serve notice of public hearing on the Clerk of an adjoining municipality?
Yes	(No)	Are you required to serve notice of public hearing on the BC Planning Board?
Yes	(No)	Are you required to serve notice of public hearing on any other person entity or governmental agency? Specify:
(Yes)	No	Are you required to publish a notice in Wood-Ridge's official newspaper?

Describe in detail the exact nature of the applications and the changes to be made at the premises, including the proposed use of the premises: (attached pages as needed)
SUBDIVISION OF EXISTING 8,150.94 S.F. LOT INTO 2 LOTS. FIRST LOT TO HAVE 3,150 S.F., 2ND LOT TO HAVE 5,000.94 S.F. EXISTING DWELLING ON FIRST LOT TO REMAIN AND A NEW FULLY COMPLIANT SINGLE FAMILY DWELLING TO BE CONSTRUCTED ON NEWLY CREATED LOT.

Number of lots to be created	2	
Number of proposed dwelling units, including remainder lot, if applicable	2, SINGLE FAMILY	
Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block numbers?	Yes	(No)
Are any off-tract improvements required or proposed?	Yes	(No)
Any Request for Waiver from subdivision Design standard(s)	Yes	(No)
Does the application require any variance?	(Yes)	No
Attached is the completed application checklist required by ordinance	(Yes)	No

For each design waiver required, state (attach additional sheets if needed):

Nature of waiver requested	Code Section affected	Facts supporting grant of waiver
N/A		

For each variance required, state (attach additional sheets if needed):

Variance type (c1 or c2)	Nature of variance requested	Zoning Code Section affected	Facts supporting grant of variance
C1 OR C2 C1 OR C2 C2	LOT SIZE LOT DEPTH REAR YARD SETBACK LOT 1	580 ATTACH. 1 530 ATTACH. 1 530 ATTACH 1	SEE ATTACHED LETTER

SITE PLAN APPLICATION DETAILS

Describe in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises: (attach pages as needed)
N/A

Area to be disturbed (square feet)	N/A	
Total number of proposed dwelling units		
Are there any off-tract improvements required or proposed	Yes	No
Any Request for Waiver from Site Plan Design Standard(s)	Yes	No
Does the application require any variances:	Yes	No
Attached is the completed application checklist required by ordinance	Yes	No

For each design waiver required, state (attach additional sheets if needed):

Nature of waiver requested	Code Section affected	Facts supporting grant of waiver.
N/A		

For each variance required, state (attach additional sheets if needed): if this is a use variance, state the proposed use and the reasons supporting grant of the requested use variance including ay special reasons.

Variance type (cl or c2)	Nature of variance requested	Zoning code section affected	Facts supporting grant of variance.
N/A			

CONDITIONAL USE APPROVAL APPLCATION DETAILS

Describe in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises: (attach pages as needed)
N/A

List each condition affecting this application by section of Wood-Ridge Zoning Ordinance and describe how this application meets each condition.

Section No.	Description	How application complies
N/A		

Does the application comply with all conditions set forth in the Wood-Ridge ordinance?	Yes	No
Did the Applicant complete the Site Plan Application Detail Sheet	Yes	No

APPLICATION WHICH CONTEMPLATES BUILDING OR STRUCTURE NOT ABUTTING A STREET – DETAILS N/A

Does the application contemplate erection of a building or structure on a lot which does not abut a street giving access to the proposed building or structure? Yes (No)

If the answer to the foregoing is in the Affirmative:

Set forth the nature of the building or structure to be erected.
N/A

State the practical difficulty, unnecessary hardship or other circumstances which impede the placement of the proposed building or structure or a lot which abuts a street.
N/A

State all provisions proposed by the Applicant that will result in adequate access to the property for anticipated uses for firefighting equipment, ambulances and other emergency vehicles.
N/A

11. CERTIFICATIONS

APPLICANT

I certify that the statements made and the materials submitted in support of this application for development 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 understand that an escrow deposit is required by the Borough of Wood-Ridge 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 Land Use Board. Sums not utilized in the review process shall be returned. I will make the escrow deposit within 15 days of notification of the proper amount. 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. I understand that this application will be deemed incomplete unless the initial escrow deposit is made.

Date: 12/31/2021

Signature of Applicant

Sworn to and subscribed before me this

31st day of December

Notary Public

ALVARO DE LA BARRA
Notary Public - State of New Jersey
My Commission Expires Nov 14, 2023

OWNER

I certify that I am the Owner of the property which is the subject of this application, and 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.

Signature of Owner

Sworn to and subscribed before me this

31st day of December

Notary Public

ALVARO DE LA BARRA
Notary Public - State of New Jersey
My Commission Expires Nov 14, 2023

SUBDIVISION APPLICATION DETAILS

HEARING NOTICE
LAND USE BOARD - BOROUGH OF WOOD-RIDGE

NOTICE TO BE SERVED ON OWNERS OF ALL AFFECTED PROPERTY

PLEASE TAKE NOTE:

In compliance with Chapter 45-49 of the Land Use Procedures Ordinance of the Borough of Wood-Ridge and N.J.S.A. 40:55D-12 of the Municipal Land Use Law, Notice is hereby served upon you to the effect that (I) (We) am/are applying for approval to:

SUBDIVISION WITH VARIANCES FOR UNDERSIZED LOT, LOT AREA, LOT DEPTH, REAR YARD SETBACK AND ANY ADDITIONAL VARIANCES, WAIVERS, EXCEPTIONS OR OTHER RELIEF DEEMED NECESSARY BY THE LAND USE BOARD IN REVIEW OF THIS APPLICATION.

For the Property/Structure located at: 57 HACKENSACK ST.

Block: 221 Lot: 6 Zone: R-1

This notice is sent to you as an owner of property in the immediate vicinity. A Public Hearing has been ordered for (date) February 1st 2022 at 7:00 PM at Wood-Ridge Borough Hall, 85 Humboldt Street, Wood-Ridge, New Jersey. When the case is called you may either in person or by agent, or attorney, appear and present any questions or comments which you may have regarding this application. **Due to the COVID-19 emergency, everyone entering Borough Hall to attend the Land Use Board meeting must wear a mask**.

All documents relating to this application are available to the public for inspection at the Wood-Ridge Borough Clerk's Office between 9:00 am and 4:00 pm. Please call the Clerk's office at 201-939-0202 ext. 2 to schedule an appointment to view the application. The application can also be viewed on the Borough website at www.njwoodridge.org under "Boards & Commissions" and then "Land Use Board".

This notice is sent by the applicant by order of the Land Use Board of the Borough of Wood-Ridge, New Jersey.

Respectfully Submitted,

Applicant

TO APPLICANT: One copy of this notice must be served upon each property owner with-in 200 ft. of the subject property. Notice may be served personally upon the owner or his agent in charge of the property or by mailing a copy of this notice to the owner of the property by certified Mail Return Receipt. Leaving the notice in the mailbox or at the property with-out serving it personally on the owner or his agent is NOT PROPER SERVICE and will cause the application to be rejected. The original NOTICE MUST BE filed with the Land Use Board of Wood-Ridge.

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LAND USE BOARD
BOROUGH OF WOOD-RIDGE, NEW JERSEY
AFFIDVAIT OF SERVICE OF NOTICE

STATE OF NEW JERSEY:

COUNTY OF BERGEN: ss:

KALPESH PARIKH of full ages, being duly sworn in according to law, on his oath deposes and says that I (we) reside at 436 THIRD ST. in the Borough of CARLSTADT, County of BERGEN and State of NJ
And that I (we)did on December 31 2021, at least ten(10) days prior to hearing date, give personal notice to all property owners within 200 feet of property affected by application Number _____ located at 97 HACKENSACK ST. WOOD-RIDGE, NJ 07075.

Said notice was given either by personally serving a copy of the Hearing Notice on the property owner, or by sending said form by Certified Mail, Return Receipt Requested. Copies of the registered receipts are attached hereto, along with the certified list as supplied by the Borough Administrator.

Notices were also served upon:
(check if applicable)
( ) 1. The Clerk of the _____ of ( ) 2. County Planning Board, ( )3. The Director of the Division of State and Regional Planning
( ) 4. The Department of Transportation.

A copy of said Hearing Notice is attached hereto.

Signature _____
KALPESH PARIKH

Sworn to and subscribed before me this 31 day of December 2021

ALVARO DE LA BARRA
Notary Public - State of New Jersey
My Commission Expires Nov 14, 2023

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NOTICE TO BE PUBLISHED IN OFFICIAL NEWSPAPER
BOROUGH OF WOOD-RIDGE - LAND USE BOARD

NOTICE OF PUBLICATION

Take notice that on the 1st February 2022 day of _____

A public hearing will be held before the Borough of Wood-Ridge Land Use Board on the application of the undersigned who requests:

MINOR SUBDIVISION WITH VARIANCES

For the property/structure located at 57 HACKENSACK ST.

And designated as Block 221 Lot 6 Zone: R-1

In addition to above MINOR SUBDIVISION approval, the following variances are also proposed: UNDERSIZED LOT, MIN. LOT AREA, LOT DEPTH, & REAR YARD SETBACK AS WELL AS ANY ADDITIONAL VARIANCES, WAIVERS, EXCEPTIONS, OR OTHER RELIEF DEEMED NECESSARY BY THE LAND USE BOARD.

All documents relating to this application are available to the public for inspection at the Wood-Ridge Borough Clerk's Office between 9:00 am and 4:00 pm. Please call the Clerk's office at 201-939-0202 ext. 2 to schedule an appointment to view the application. The application can also be viewed on the Borough website at www.njwoodridge.org under "Boards & Commissions" and then "Land Use Board".

Any interested party, either in person or by agent, may appear at the above referenced Public Hearing and participate therein, in accordance with the rules of the Borough of Wood-Ridge Land Use Board. The hearing will be held on the date listed above at the Wood-Ridge Borough Hall, 85 Humboldt Street, Wood-Ridge, NJ 07075 at 7:00 pm.

Due to the COVID-19 emergency, everyone entering Borough Hall to attend the Land Use Board meeting must wear a mask.

_____ 12/20/2021

Name of Applicant Date

RALPESH PARIKH

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PAUL A. SARLO
Mayor

CHRISTOPHER W. EILERT
Administrator

GINA AFFUSO, RMC/CMR
Borough Clerk

PAUL S. BARBIRE
Borough Attorney

Borough of Wood-Ridge

MUNICIPAL BUILDING
85 HUMBOLDT STREET
WOOD-RIDGE, NJ 07075-2396
TEL: (201) 939-0202 FAX: (201) 939-1215
Web site: www.njwoodridge.org

COUNCIL:
EDWARD MARINO
Council President

CATHERINE CASSIL
EZIO I. ALTAMURA
DOMINICK AZZOLIN
JOSEPH DiMARCC
PHILIP ROMERO

December 27, 2021

Kalpesh Parikh
57 Hackensack St.
Wood Ridge, NJ 07075

Dear Mr. Parikh:

Attached is a list of property owners in the Borough of Wood-Ridge within a radius of 200 feet of:

RE:

Block 221, Lot 6

I certify that the attached list has been prepared from the most recent tax rolls and is an accurate and complete list of property owners and addresses in the Borough of Wood-Ridge situated within 200 feet of the referenced property. They must be given notice pursuant to the requirement of N.J.S.A. 40:55D-12.

Gina Affuso, Borough Clerk

Fee: $10.00

WOOD-RIDGE LAND USE BOARD
BOROUGH OF WOOD-RIDGE
85 HUMBOLDT STREET
WOOD-RIDGE, NJ 07075

CERTIFICATION OF TAX PAYMENTS

KALPESH PARIKH
Name of Applicant

57 HACKENSACK ST.
Street Address

221 Block

6 Lot

I, Kellie Romero, Tax Collector of the Borough of Wood-Ridge, New Jersey, do hereby certify that tax charges on the captioned premise are paid through the current tax period and are not in arrears.

Date: 12/21/21

Tax Collector

I verify that this information accurately reflects municipal tax records.

Tax Collector
Wood-Ridge Borough
Bergen County

Thomas J. Mesuk Architect

Fact supporting grant of variance:

Property Location: 57 Hackensack Street, Wood-Ridge, NJ 07075, Block 221, Lot 6

Existing Lot - The current lot is a thru lot between Hackensack Street and Humboldt Street approximately 153' from Center Street to the south. Existing lot is approximately 152' x 52.92'. The existing lot has a 2-story single family attached Duplex which sits on the northern property line.

Proposed: Sub-divide the lot so that a new lot is created on Humboldt Street. The new lot would have dimensions of 52.92 wide x 94.5' deep (approximately 5,000.49 square feet. A new home would be constructed on the newly created lot and would meet all required bulk regulations facing Humboldt Street.

Variances required:

Lot on Hackensack Street
Lot Area – 3,150 square feet proposed, 5,000 square feet required
Lot Depth – 58.32 linear feet proposed, 100 linear feet required.
Rear Yard Setback – 16.17 feet proposed, 30 linear feet required.

Lot on Humboldt Street
Lot Depth – 94.5 linear feet proposed, 100 linear feet required.

The neighborhood has a mix of single-family homes from one story cape cod to 2 story colonial on lots of various sized. In the immediate block there is one automotive repair shop on Hackensack Street to the south and an accountant's office to the north. To the west is a church with daycare.

The proposed subdivision will result in lots more consistent with the neighboring properties. The two properties to the south of the subject property have been similarly subdivided.

Positive Criteria:

The NJ Municipal Land Use Law 40-55D-70(c) states that in order for the Board to thran a (C) 1 variance the applicant must demonstrate where (b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property the strict application of any regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the developer of such property. Additionally, (c) 2 where in an application the purposes of the act would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment.

The site is in an area that has a previously established pattern of subdivisions with the two lots to the south having a similar subdivision.

197 Valley Boulevard, Wood-Ridge, New Jersey 07075
Telephone (201) 438-0595 Facsimile (201) 438-1560 Tom@TJMArchitect.com

The proposal can be approved under the *Kaufman v. Planning Board of Warren Township* case wherein the court identified the flexible "c" variance C-2 rationale where the proposal is a better planning alternative than what is permitted.

The proposed plan meets the criteria under (c) 1 and (c) 2. The existing lot size is over 1 ½ times the required 5,000 square foot lot size.

The lot depth would be consistent with the previously subdivided properties on the same block.

The proposed sub-division promotes the following purposes of the MLUL: (1) To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions. ; (2) To promote a desirable visual environment through creative development techniques and good civic design and arrangements; and (3) To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space .

Negative Criteria:

The analysis indicates the proposed subdivision will not result in any substantial detriment to the public good. As indicated above, the proposed lots will be more compatible with the neighborhood development than the existing lot. The proposed home would be in alignment with the street façade along Humboldt Street.

The board would need to agree that the detriment would be substantial in order to deny the variances.

The proposed subdivision will result in properties that are more consistent and compatible with the neighborhood than the property as it stands today.

The proposal also can be granted without substantial impairment to the intent and purpose of the zone plan of the community. As per the master plan the proposed subdivision affirms one of the objectives of the master plan relating to infill development while preserving the residential character of the neighborhood.