

BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD
INFORMATION, INSTRUCTIONS, AND APPLICATION FORM (l. revised 1/19)

I. GENERAL INFORMATION

- a) The Planning Board meets on the second Wednesday and fourth Thursday of each month at 7:00 p.m. in the Borough Hall, 376 West Saddle River Road. Hearings, motions and other procedures shall be considered in conformance to the "Municipal Land Use Laws of N.J". Applicants will be heard in the order in which completed applications are filed with the Board Clerk. No new case will be heard after 9:30 P.M. and no additional testimony will be taken after 10:00 P.M.
- b) All corporate applicants must be represented by an attorney admitted to practice law in the State of New Jersey. Individual homeowners may proceed either with or without an attorney. However, if your request is complex, legal representation may prove helpful.
- c) All site plans, surveys and location drawings **must be properly folded**, drawn to scale, not less than one inch equals 50 feet, and shall show all properties within 200 feet of the subject properties and shall include:
- 1) North point
 - 2) Lot lines, with dimensions
 - 3) Lot area in total square feet or acreage to the nearest hundredth, (e.g. 13.57)
 - 4) Tax Map Block and Lot numbers
 - 5) Zoning district(s)
 - 6) Name of the road or roads on which the lot fronts
 - 7) Easements and right-of-way, if any
 - 8) Location of streams, if any
 - 9) Location of all existing buildings, if any
 - 10) Location of the proposed structure or change, showing the front, rear and side yard dimensions
 - 11) Building area allowed (draw lines showing required front, rear and side yard set backs)
 - 12) Location, arrangement and dimensions of parking area, driveway or service areas, if any
 - 13) Names of adjoining property owners
 - 14) Location of all buildings on all adjoining properties, (including set backs)
 - 15) Topography of property if a height or wall variance is requested
 - 16) Site plan to show all dimensions of all structures to property lines

NOTE: If the plot plan is prepared by other than a surveyor, engineer or architect, it must be accompanied by an affidavit certifying that all of the information shown on the plan is correct.

d) The applicant in submitting the application consents to permitting the members of the Planning Board to visit the applicant's property for the purpose of making themselves more familiar with the subject property and the neighborhood where the property is situated. The applicant should not discuss the application with individual Board members when he/she visits the property. Stake out the boundaries of the structure for the variance requested.

- e) The applicant and/or his/her attorney must attend the regular public meeting to present the application. He/She may call witnesses and present evidence. Questions may be asked of the applicant by members of the Board and the public. Members of the public will be given time to make comments on the application.
- f) After the public hearings are completed, the Board may deliberate on the application just heard. If the Board determines, it may take appropriate action on the application at the same public meeting. The Board renders its decision in resolution form at the NEXT REGULAR MEETING. This is approximately one month from the time the case was closed. A copy of the resolution will be mailed to the applicant or attorney following its adoption. A notice of the decision will be placed in The Record by the Board Clerk.

II. INSTRUCTIONS

- a) All sections of the application form and attachments must be fully completed and typewritten or plainly printed. If any item is not applicable to the Applicant, it should be so indicated on the application form.
- b) Please pay particular attention to the required list of attachments (noted below). Incomplete applications will be returned.
- c) Once all items have been completed, please submit your application package to the **Planning Board Clerk, Linda Marmora, (201) 327- 8923 zoningusr@aol.com**
- d) It is imperative that you carefully follow the required procedures for notifying all property owners within 200 feet of your property, and for Publication of Notice. Please see sections IV and V for complete details. If proper service and publication are not completed, the Board will be unable to hear your application.

III. REQUIREMENTS

A hearing date cannot be scheduled until the following items are submitted to the Planning Board Clerk:

- a) (20) Copies of a fully completed application form
- b) Application Fee - **\$100.00** Bulk Variance (*per each variance*)
\$500.00 for Use Variance (residential & non-residential)

Appeals for errors in administrative decisions	\$100.00
Requests for interpretation of zoning map or ordinance	\$100.00
Hardship variance (pertaining to the shape and circumstances of the property only)	\$100.00
Minor subdivision with variance	\$200.00
Major subdivision & site plan approval with variance	\$200.00
Certification of property owners to be served notice (Prepared by Tax Assessor)	\$10.00
Engineering Escrow	\$2,000.00
Legal Escrow	\$2,000.00

****Additional Engineering, legal and expert fees escrows to be determined after review of application when same may be required.***

- c) 20 copies of the applicants survey and if applicable, twenty (20) **properly folded** plot plans, site plans, or subdivision plans, containing all information required in paragraph I (c) above showing the proposal and its dimensions.
- d) Certification from the Tax Collector that no taxes or assessments for local improvements are due or delinquent. (Sec. 190-74A (1) (g).
- e) Certification from the Engineering Department that the property is not in a flood zone.
- f) Statements as to any requirements for which waiver is sought, together with a statement of reasons

why waivers should be granted.

- g) A copy of the Zoning Officer's letter of denial of your building application.

IV. NOTICE

The applicant is required by law to serve all property owners within 200 feet of the subject property with a notice (*Form N-1*) of the hearing ***NO LATER than 10 days prior to the hearing. (The date of the hearing does not count as one of the ten days)***. If any of the properties within 200 feet lie within another municipality, certification of property owners within 200 feet must be obtained from the Assessor of that municipality as well. Such notice shall be given by:

- (i) Serving the notice on the property owner, or his agent in charge and obtaining a signature on the list; or
- (ii) Mailing by certified mail, return receipt requested the notice to such person at the address shown on the tax duplicate.

If your property is within 200 feet of any adjoining municipality, notice must be given to the clerk of such municipality and to the County Planning Board.

If your property is adjacent to an existing County road or proposed road as shown on the official County map or the County Master Plan, adjoining other county land, or if your property is within 200 feet of a municipal boundary, you must give notice (Form N-1) by personal service or certified mail to the Bergen County Planning Board.

If your property is adjacent to a State Highway, you must give notice (Form N-1) by personal service or certified mail to the Commissioner of Transportation.

The applicant shall file a list of property owners served, and indicate the lot and block number of each owner served and designate the method of service on the form provided. The form shall be filled in completely, and the Affidavit of Service (Form N-3) shall be signed, notarized, and filed with the Board Clerk at least 7 days prior to the date of the scheduled hearing. To the Affidavit of Service shall be appended a completed form of notice, filled in as it was sent to the persons entitled to notice of the hearing. A copy of the certified list of persons to whom notice should be sent, as compiled by the appropriate administrative officer of the municipality in which the property is located, must also be attached to the Affidavit of Service. Where service has been made by certified or registered mail, the post office receipts must be post marked at the time they are mailed, and must be attached to the Affidavit of Service.

V. PUBLICATION

At least 10 days prior to the hearing date, the applicant shall **publish notice** (Form N-2) in the The Record, and shall **provide to the Board Clerk within 7 days prior to the hearing date**, an Affidavit of Publication and a copy of the notice that has been published.

**BOROUGH OF UPPER SADDLE RIVER, N.J.
PLANNING BOARD**

DRAFT NOTICE OF HEARING TO PROPERTY OWNERS WITHIN 200 FEET

PLEASE TAKE NOTICE that the undersigned has applied to the Planning Board of the Borough of Upper Saddle River for Preliminary and Final Site Major Plan Approval, Use Variance and Bulk Variance approval, including variances, design waivers/exceptions, soil movement and all related approvals on behalf of PSI Atlantic USR NJ, LLC (“Applicant”), with respect to the premises known as 100 Route 17 North and shown as Block 1304, Lot 7.01 on the current Tax Map of the Borough of Upper Saddle River, New Jersey (the “Property”). The application contemplates redevelopment of the long vacant site with a state of the art, modern, multi-story climate controlled self-storage facility (different from the older metal type of storage facilities). Other site improvements include parking, lighting, retaining walls and landscaping. Easement and right-of-way rights are also present on the following properties: Block 5504, Lot 1 (Ramsey); Block 1304, Lot 7.02 (Upper Saddle River); Block 1304, Lot 9 (Upper Saddle River); and Block 1304, Lot 6.09 (Upper Saddle River). These rights will not be utilized in connection with this Application, and no improvements are proposed on these lots, but notice is provided within 200ft of these lots in any case.

The Property is located partially in the H-1R Highway Retail Commercial Zone, and partially in the R-1 Residential Zone. The Applicant requires a Use Variance pursuant to N.J.S.A. 40:55D-70.d.1, since the Applicant has treated this and assumed that the use is prohibited and/or not permitted in the aforesaid zones or under the zoning ordinances, even though this is a newer type of modern self-storage facility. Bulk variances, to the extent required since the proposed use is not permitted and the requests for said relief may be subsumed within the request for use variance relief, are also requested for minimum side or rear yard buffer in the H-1R Zone, maximum building height in the H-1R Zone, and maximum improved coverage in the R-1 Zone, and waivers/exceptions are requested for number of loading spaces, retaining wall height and location of the traffic aisle in relation to the proposed building. The site was previously used as a commercial site for a motel, bowling alley and bar known as Club 300. In 2016, it was approved for an automobile dealership, which was never constructed.

Variances, waivers and/or exceptions requested from Sections 150-15 or 150-16 et. seq. of the Upper Saddle River Zoning Code (unless otherwise noted) are as follows:

- Minimum Lot Frontage: where 106.21 feet exists and 150 feet is required. No change proposed.
- Minimum side or rear buffer: where 5ft is required in the H-1R Zone, Applicant proposes 0.87 feet;
- Maximum building height: where 3 stories and 36 feet is the maximum permitted in the H-1R Zone, Applicant proposes 3 stories and 39.25 feet;
- Maximum improved coverage: where 30% is the maximum permitted in the R-1 Zone, 55.53% is proposed (NOTE: Future parking stalls which will not be constructed NOW are included in the deviation);
- Location of traffic aisle within 5 feet of the building to allow for access to units, which is otherwise not permitted, requiring a waiver/exception under Section 126-29c;
- Retaining wall exceeds the maximum 3 feet permitted, requiring a waiver/exception under Section 150-3;
- A portion of the circulation aisle is 14 feet wide, where 17 feet is required, requiring a waiver/exception under Section 126-27;

- Three loading spaces are required, 0 are provided, requiring a waiver/exception under Section 126-34;
- Lighting: under arguable interpretation, a design waiver/exception may be required from Section 126-33 of the Upper Saddle River Subdivision and Site Plan Review Ordinance for “glare” onto adjacent commercial sites. NOTE: No glare issues are applicable to adjacent residential properties;
- Location of the freestanding sign cannot be within 35 feet of the front yard, and Applicant proposes the freestanding sign to be 10 feet from the lot’s frontage under Section 150-21.B(1).

The Applicant will also seek approval for any variances, waivers/exceptions, non-conforming conditions, or other relief as may be deemed necessary by the Planning Board of the Borough of Upper Saddle River during the course of the public hearings on this Application. The Applicant will, as necessary, seek any interpretations necessary from the Planning Board to effectuate the requests for relief.

PLEASE TAKE FURTHER NOTICE that in accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6, et. seq. and P.L.2020 Chapter 11 approved on March 20, 2020 permitting public meetings to be conducted by means of communication or other electronic equipment, and in consideration of various Executive Orders issued by the Hon. Philip D. Murphy, Governor of the State of New Jersey, including, but not limited to, Executive Orders 104 and 107 restricting public gatherings and directing New Jersey residents to stay at home, and in further consideration of the current coronavirus pandemic, the Planning Board of the Borough of Upper Saddle River will hold one of its regularly scheduled meetings for the month of October 2020 on October 14, 2020, at 7:00PM by remote video/audio conference. There will be no in person meeting. The meeting would otherwise have taken place at Borough Hall, located at 376 West Saddle River Road, Upper Saddle River, New Jersey.

The remote meeting will include a public hearing on the following matter: PSI Atlantic USR NJ, LLC, 100 Route 17 North, Upper Saddle River, New Jersey (Block 1304, Lot 7.01). Formal action may be taken at this meeting.

Additionally, the application, maps and documents for which approval is sought, as well as other documents that may be presented at the hearing for the purpose of clarifying the application, maps and documents for which approval is sought are available on the Borough’s website at www.usrtoday.org Additionally, they are available for download at <https://www.usrtoday.org/2020/09/08/planning-board-zoom-meeting-9-9-click-here-for-meeting-materials/> and may also be listed on the “Recent News” Section of the Borough’s website. If a member of the public lacks the ability to access the Agenda or related materials, or otherwise encounters difficulty in accessing the Agenda or related materials, that member of the public may contact the Upper Saddle River Planning Board Secretary, Linda Marmora at 201-327-8923 or zoningusr@aol.com

The remote meeting will take place by way of Zoom Conference. As recommended by the Division of Local Government Services, Local Operation Guidance, COVID-19, instructions to access the remote meeting and procedures for participating are as follows:

Clicking the following link to join the remote meeting:

<https://us02web.zoom.us/j/86463173348?pwd=dTNhM2xXdWdNVFNuQm9oQk4rKzVmUT0p>

The meeting ID is: 86463173348

The meeting Password is: 416935

You may also participate by way of telephone conference. The dial-in numbers for telephone access (one tap mobile) are:

Telephone Number: 1 646 876 9923

Meeting ID: 864 6317 3348

Meeting Password: 416935

Note, to raise or lower your hand over the telephone, press #9

Remote meeting access instructions will be posted on the Website of the Borough of Upper Saddle River and will be included on the Agenda for the meeting. Any interested party encountering difficulty in accessing the remote meeting may contact Linda Marmora, Board secretary, at 201-327-8923 or zoningusr@aol.com

The conferencing services offered by Zoom can be accessed via the Zoom App which can be downloaded to a computer or mobile device prior to the remote meeting.

Members of the public may participate in the remote meeting according to the customary practice and procedures of the Planning Board of the Borough of Upper Saddle River.

You may also feel free to contact the undersigned in advance of the hearing to discuss the application.

PSI Atlantic USR NJ, LLC, Applicant

BY: _____
James E. Jaworski, Esq.
Wells, Jaworski & Liebman, LLP
Attorney for Applicant
12 Route 17 North
Paramus, New Jersey 07652
(201) 587-0888

NOTE: This notice must be personally served or sent by certified mail at least 10 days before the day of the Hearing, and proof of service given to the Planning Board Clerk (7) days before the day of the hearing.

**APPLICATION TO
BOROUGH OF UPPER SADDLE RIVER
PLANNING BOARD**

SECTION I.

PLEASE PROVIDE THE FOLLOWING INFORMATION:

1. Name of Applicant(s): PSI Atlantic USR NJ, LLC
Telephone #: (901) 290-0184 Fax#: _____ E-Mail: jesse@pssinvestors.com
2. Address of Applicant(s) 530 Oak Court Drive, Suite 185, Memphis, TN 38117
3. Applicant is a: Corporation _____ Partnership _____ LLC X _____ Individual _____

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% or more 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% or more ownership criterion have been disclosed. (Attach pages as necessary to fully comply). **See Affidavit annexed hereto.**

Name PSI Atlantic Holdings VI, LLC Address 530 Oak Court Drive, Ste.195, Memphis, TN 38117 Interest: 100%

4. Name, Address and Telephone/Fax Number of Applicant's Attorney: James E. Jaworski, Esq., 12 Route 17 North, Paramus, New Jersey 07652 (201) 587-0888
5. Name, Address & Telephone/Fax Number of Applicant's Engineer: Michael Dipple, P.E., L2A Land Design LLC, 60 Grand Avenue, Englewood, New Jersey 07631 (201) 227-0300
6. Name and Address of Owner of Premises: Krisujen Realty, LP, 7 Industrial Avenue, Mahwah, NJ 07430
(If other than applicant, consent of owner must be obtained and Sec 27, must be completed.)
7. Relationship of Applicant to Owner of Premises: Contract purchaser
8. The property which is the subject of this application is known as
Block # 1304 Lot # 7.01
Address: 100 Route 17 North
Upper Saddle River, New Jersey 07458
9. The size of lot 1.994 acres.
10. Restrictions, covenants, easements, association by-laws, existing or proposed on the property:
Yes (attach copies) X _____ No X _____ Proposed _____ **See easements and use restrictions attached at Exhibit C.**

11. Present use of the premises: Vacant

12. Description of proposed change: See Exhibit A

13. The Zoning District in which the property is located: H-1R Highway Retail Commercial Zone & R-1 Residential Zone

14. Date of Acquisition of Property (owner): February 26, 2015

15. Description of present structure: None – Vacant.

16. Size of present structure(s) footprint N/A – Vacant S.F.

17. Size of proposed addition footprint:

(dimensions) 35,160 S.F. (height) 39.25FT (no. of stories) 3 stories

18. Current Structure Proposed Structure Requirements per Zoning Ordinance
Left Side Yard Setback See Exhibit B – Zoning Table – for Zoning Information

Right Side Yard Setback _____

Front Yard Setbacks _____

Rear Yard Setbacks _____

% of Building Coverage _____

% of Improvement Coverage _____

Height _____

19. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION:

_____ Minor Subdivision Approval

_____ Subdivision Approval (Preliminary)

_____ Subdivision Approval (Final)

Number of lots to be created _____ Number of proposed dwelling units _____
(including remainder lot) (if applicable)

SITE PLAN:

_____ Minor Site Plan Approval

X _____ Preliminary Site Plan Approval (Phases (if applicable) _____)

X _____ Final Site Plan Approval (Phases (if applicable) _____)

_____ Request for Waiver From Site Plan Review and Approval

Reason for request: _____

- _____ 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))
- X _____ Variance Relief (substantial benefit) (N.J.S. 40:55D-70c(2))
- X _____ Variance Relief (use) (N.J.S. 40:55D-70d)
- _____ Conditional Use Approval (N.J.S. 40:55D-67)
- 6 _____ Total Number of Variances Requested (including (1) pre-existing non-conforming condition that will not change as a result of this Application)

20. Section(s) of Borough Ordinance from which a variance is requested: See Exhibits A & B

21. Waivers Requested of Development Standards and/or Submission Requirements: (attach additional pages as needed) Five waivers/exceptions are requested - See Exhibits A & B for more detailed information.

SECTION II.

22. Does the current owner or the applicant now own or have any interest in any other property which adjoins the property which is the subject of this application?

Yes _____ No X _____

If yes, describe the property by Block _____ and Lot _____

23. Has the property which is the subject of this application been the subject of any previous appeal, request, or application to this or any other Borough Boards or the Constructional Official?

Yes X _____ No _____

If yes, state the nature, date and the disposition of said matter and attach any prior resolutions.
See Resolution adopted on October 12, 2016 for automobile dealership (attached as Exhibit D).

SECTION III.

24. Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises.

See Exhibit A.

25. Set forth any exceptional conditions of the property preventing the applicant from complying with the zoning ordinance.

See Exhibit A.

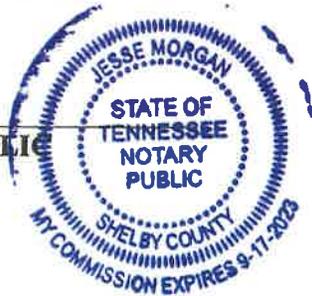
26. Supply a statement of facts showing why relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinance.

See Exhibit A

27. 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
30th day of September, 2020



NOTARY PUBLIC

[Signature]
PSI ATLANTIC USR NJ, LLC, APPLICANT
(Print) James G. Williams, President

[Signature]
SIGNATURE

28. 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
____ day of _____, 2020

KRISUJEN REALTY, LP, a New Jersey limited partnership, OWNER

By: Dockery Equities, Inc., a New Jersey corporation, Class A General Partner

By: _____
Name: Christopher Turner
Title: Vice President
(Print)

NOTARY PUBLIC

(Sign)

27. 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
day of _____, 2020

PSI ATLANTIC USR NJ, LLC, APPLICANT
(Print)

NOTARY PUBLIC

SIGNATURE

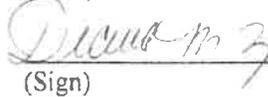
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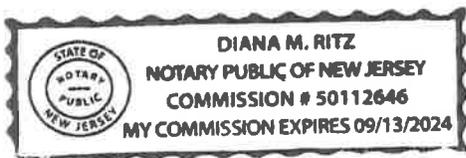
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30th day of September, 2020

**KRISUJEN REALTY, LP, a New Jersey limited
partnership, OWNER**

By: 
**Dockery Equities, Inc., a New Jersey
corporation, Class A General Partner**

By: _____
Name: Christopher Turner
Title: Vice President
(Print)


(Sign)



NOTARY PUBLIC

(FORM N-2)
DRAFT (NOTICE TO BE PUBLISHED IN THE RECORD)
publicnotices@northjersey.com

(973) 569-7417

**BOROUGH OF UPPER SADDLE RIVER
PLANNING BOARD**

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The Applicant will also seek approval for any variances, waivers/exceptions, non-conforming conditions, or other relief as may be deemed necessary by the Planning Board of the Borough of Upper Saddle River during the course of the public hearings on this Application. The Applicant will, as necessary, seek any interpretations necessary from the Planning Board to effectuate the requests for relief.

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The remote meeting will take place by way of Zoom Conference. As recommended by the Division of Local Government Services, Local Operation Guidance, COVID-19, instructions to access the remote meeting and procedures for participating are as follows:

Clicking the following link to join the remote meeting:

<https://us02web.zoom.us/j/86463173348?pwd=dTNhM2xXdWdNVFNuQm9oQk4rKzVmUTop>

The meeting ID is: 86463173348

The meeting Password is: 416935

You may also participate by way of telephone conference. The dial-in numbers for telephone access (one tap mobile) are:

Telephone Number: 1 646 876 9923

Meeting ID: 864 6317 3348

Meeting Password: 416935

Note, to raise or lower your hand over the telephone, press #9

Remote meeting access instructions will be posted on the Website of the Borough of Upper Saddle River and will be included on the Agenda for the meeting. Any interested party encountering difficulty in accessing the remote meeting may contact Linda Marmora, Board secretary, at 201-327-8923 or zoningusr@aol.com

The conferencing services offered by Zoom can be accessed via the Zoom App which can be downloaded to a computer or mobile device prior to the remote meeting.

Members of the public may participate in the remote meeting according to the customary practice and procedures of the Planning Board of the Borough of Upper Saddle River.

You may also feel free to contact the undersigned in advance of the hearing to discuss the application.

PSI Atlantic USR NJ, LLC, Applicant

BY: _____
James E. Jaworski, Esq.
Wells, Jaworski & Liebman, LLP
Attorney for Applicant
12 Route 17 North
Paramus, New Jersey 07652
(201) 587-0888

Publication Date: _____

Please provide signed affidavit as proof of publication

****TO BE FILED PRIOR TO PUBLIC HEARING ON THIS APPLICATION**
AFFIDAVIT OF PROOF OF SERVICE**

**PLANNING BOARD
UPPER SADDLE RIVER, NEW JERSEY**

FILED: _____

PROOF OF SERVICE OF NOTICE REQUIRED BY STATUTE MUST BE FILED AND VERIFIED WITH BOARD CLERK AT LEAST 7 DAYS PRIOR TO MEETING OR CASE WILL NOT BE HEARD.

STATE OF NEW JERSEY
COUNTY OF BERGEN

_____, of full age, being duly sworn according to law, deposes and says,
that (s)he resides(s) at _____,
in the Municipality of _____,
County of _____, State of _____, that (s)he is
(are) the Applicant(s) in a proceeding before the Planning Board of Upper Saddle River, New Jersey,
being an appeal or application under the Zoning Ordinance and which relates to premises _____,
that on _____, 20____, (s)he gave written notice of the hearing on this application in
the form attached, to each and all of the persons upon whom service must be had, in the required form attached,
and in the manner indicated thereon.

PRINTED NAME OF APPLICANT

APPLICANT'S SIGNATURE

Sworn to and Subscribed before me
This _____ day of _____, 20 ____.

EXHIBIT A

The Applicant, PSI Atlantic USR NJ, LLC, is the contract purchaser of the property, located at 100 Route 17 North in Upper Saddle River, also identified as Block 1304, Lot 7.01 on the Upper Saddle River Tax Map (the "Property"). The Property has frontage on Route 17 but is a split zoned lot, located in both the H-1R Highway Retail Commercial Zone and the R-1 Residential Zone. The property is currently a vacant site. The Applicant intends to redevelop the site with a 99,651 SF multi-level self-storage facility with associated parking, lighting, landscaping, drainage and other site improvements.

The Applicant seeks a Use Variance pursuant to N.J.S.A. 40:55D-70d(1) where the proposed self-storage use is not permitted. To the Applicant's knowledge, the Property has always been used as for commercial purposes and the proposed self-storage use is not out of character with the prior uses of the site. Furthermore, the proposed storage use is much less intensive than other permitted uses in the H-1R Zone. In addition, to mitigate impacts of commercial development in a residential zone, Applicant proposes all parking spaces in the R-1 Zone be kept as landscaped "future" parking stalls. At the time of the public hearing, Applicant will demonstrate that these stalls are unnecessary due to the very low volume of activity expected.

The Applicant also seeks several bulk variances pursuant to N.J.S.A. 40:55D-70c as follows:

1. Minimum side or rear buffer – where 5ft is required in the H-1R Zone, Applicant proposes 0.87 feet;
2. Maximum building height – where 3 stories and 36 feet is permitted in the H-1R Zone, Applicant proposes 3 stories and 39.25 feet;
3. Maximum improved coverage – where 30% is permitted in the R-1 Zone, 55.53% is proposed;
NOTE: Future parking stalls included in the deviation.
4. The location of a traffic aisle within 5 feet of the building, which is otherwise not permitted, requiring a waiver/exception;
5. Retaining wall exceeds the maximum 3 feet permitted, requiring a waiver/exception – Section 150-3;
6. A portion of the circulation aisle is 14 feet wide, where 17 feet is required, requiring a waiver/exception;
7. Three loading spaces are required, 0 are provided, requiring a waiver/exception – Section 126-34;
8. Lighting – under arguable interpretation, a design waiver/exception may be required from Section 126-33 of the Upper Saddle River Subdivision and Site Plan Review Ordinance for "glare" onto adjacent commercial sites. NOTE: No glare issues are applicable to adjacent residential properties; and
9. Location of the freestanding sign cannot be within 35 feet of the front yard, and Applicant proposes the freestanding sign to be 10 feet from the lot's frontage.

All contrary to Section 150-15 or 150-16 et seq. of the Upper Saddle river Codes.

Additionally, there is an existing non-conformity with respect to minimum lot frontage, where 150 feet is required in the H-1R Zone, and 105.91 feet is existing and will not change as a result of this Application.

With respect to the Use Variance, although "compartmented storage facilities" are prohibited under Section 150-39 of the Upper Saddle River Zone Code, the Applicant will demonstrate with the support of Professional Planning evidence and testimony that the site is particularly well suited for the proposed use in support of the grant of Use Variance relief. Additionally, it should be noted that the ordinance prohibiting "compartmented storage facilities" was adopted in July 1984, and the Applicant intends to present testimony that the proposed self-storage use is qualitatively different from what these facilities looked like at the time the Governing Body chose to prohibit them throughout the Borough (representing "changed circumstances"). Furthermore, Applicant will present expert testimony that there has been another significant change in circumstances this past year with the COVID-19 pandemic which has directly increased the need for self-storage facilities.

The site is currently vacant and unproductive. It was previously approved for an automobile dealership, which was never constructed. The proposed redevelopment will be both an aesthetic improvement, and it will allow the site to be productive and useful which is an overall benefit to the community as a whole. The benefits of the redevelopment far outweigh the detriment, if any, because the site will operate in the manner it has in the past from a commercial perspective without negatively impacting the residential neighbors to the rear of the site. Applicant intends to present expert testimony at the time of the public hearing to justify the request for the Use and Bulk Variances, and waivers/exceptions requested herein.

EXHIBIT B
Zoning table

Zoning Code Regulation	H-1R Highway Commercial Zone	R-1 Residential Zone	Proposed	Variance (H-1R)	Variance (R-1)
Minimum Lot Area (SF)	22,500SF	37,500FT	86,873.36SF	NO	NO
Minimum Lot Frontage (SF)	150FT	150FT	106.27FT	EN	EN
Minimum Lot Depth (FT)	150FT	150FT	490.42FT	NO	NO
Minimum Front Yard Setback (FT)	50FT	50FT	104.17FT	NO	N/A
Minimum Side Yard Setback (FT)	10FT	35FT	17.29FT	NO	NO
Minimum Rear Yard Setback (FT)	N/A	35FT	100FT	N/A	NO
Minimum Combined Yard Setback (FT)	30FT	N/A	49.38FT	NO	N/A
Minimum Side or Rear Abutting Residential (FT)	35FT	N/A	100FT	NO	N/A
Minimum Side or Rear Yard Buffer (FT)	5FT	N/A	0.87FT	YES	N/A
Minimum Front Buffer (FT)	10FT	N/A	49.16FT	NO	N/A
Maximum Building Height (FT)	3 stories/36FT	2.5 stories/35FT	3 stories/39.25FT	YES	N/A
Maximum Building Coverage (%)	40% (34,749SF)	15%	39.05% (33,993SF)	NO	N/A
Maximum Improved Coverage (%)	N/A	30%	55.53%	N/A	YES
Retaining Wall Height	3FT and 6.5FT	N/A	5.65FT	YES (W)	N/A
Location of Traffic Aisle	Not within 5FT of building	N/A	Located within 5FT of building	YES (W)	N/A
Traffic aisle width	17FT	N/A	14FT at one point	YES (W)	N/A
Lighting	Shall not produce any glare at the exterior lot lines	N/A	Possible glare onto adjacent commercial properties	YES (W)	NO
Loading spaces	3 spaces required	N/A	0 spaces	YES (W)	N/A

EN = Existing Nonconformity
N/A= Not Applicable
W = Waiver/exception required

Off Street Parking Requirements

Off-Street Parking Standards Sec. 150-29	Required	Proposed	Variance
<u>Warehouse</u> 1 space per 1000SF of GFA devoted to warehouse or 1 for each employee on the max shift plus 20%	2 employees on max shift + (2 x 0.20) = 2.4 spaces Total Required = 3 spaces	22 parking spaces (includes 15 banked parking spaces)	NO

Proposed Signage

Sign Type/Location	Description/Location	Permitted	Proposed	Variance
Wall Signs	Overall	Max Number of Signs = 2	Number of Signs = 2	NO
		Max Combined Sign Area = 90SF	Combined Sign Area = 85.20SF	NO
		Max Number of Signs = 1	Number of Signs = 1	NO
		Max Number of Signs = 1	Number of Signs = 1	NO

	“Extra Space Storage” – 42.60SF West Elevation	Max Sign Area = 60SF Max Sign Face Height = 4FT Max Sign Face Width = 25FT Max Building Projection = 1FT	Sign Area = 42.60SF Sign Face Height = 2FT Sign Face Width = 21.30FT Building Projection = 1FT	NO NO NO NO
	“Extra Space Storage” – 42.60SF North Elevation	Max Sign Area = 60SF Max Sign Face Height = 4FT Max Sign Face Width = 25FT Max Building Projection = 1FT	Sign Area = 42.60SF Sign Face Height = 2FT Sign Face Width = 21.30FT Building Projection = 1FT	NO NO NO NO
Directional/Wayfinding	“Office” – 3.64SF West Elevation	Max Sign Area = 4SF Max Sign Face Height = 3FT	Sign Area = 3.64SF Sign Face Height = 1.17FT	NO NO
Freestanding Sign	“Extra Space Storage” Double Sided Pylon Sign – 35.94SF Front Yard	Max Number of Signs = 1 Max Sign Area = 36SF Min. Bottom Sign Height = 10FT Max Top Sign Height = 20FT Max Sign Dimensions = 12x8x1.5 Minimum Front Yard Setback = 35FT	Number of Signs = 1 Sign Area = 35.94SF Bottom Sign Height = 15.97FT Top Sign Height = 20FT Sign Dimensions = 8.92x4.03x1.5 Front Yard Setback = 10FT	NO NO NO NO NO NO YES

EXHIBIT C
Easements (attached)

1. Easement Modification for the purpose of installation of curbing and connection to sanitary sewer line as between Marron & Company and Atrimec Realty Corp., dated August 8, 1988, recorded January 9, 1989 in Deed Book 7260, page 802
2. Declaration of Use Restrictions set forth in Declaration by Atrimec Realty Corp., dated March 2, 2001 and recorded May 8, 2001 in Deed Book 8365, page 429
3. Mutual Right of Way Easement as set forth in Agreement between Atrimec Realty Corp and ESA New Jersey, Inc. dated March 1, 2001 and recorded June 13, 2001 in Deed Book 8373, page 984

Consideration \$	
Realty Transfer Fee	24
Recording Fee	24
Totals	48
By	<i>fw</i>

EASEMENT MODIFICATION

PREPARED BY:
Mitchell W. Abrahams
 MITCHELL W. ABRAHAMS, ESQ.

THIS INDENTURE made this 8th day of August 1988, by and between MARRON & COMPANY, a New Jersey partnership, with offices at 118 Route 17 North, Upper Saddle River, New Jersey 07458 (hereinafter "Marron"); and ATRIMEC REALTY CORP., a New Jersey corporation, with an address c/o Showcase Tile, Inc., 455 Route 17 South, Ramsey, New Jersey 07446 (hereinafter "Atrimec").

W I T N E S S E T H

WHEREAS, Marron is the owner in fee simple of Lots 5 and 6, Block 1304 as designated on the current Tax Map of the Borough of Upper Saddle River, Bergen County, New Jersey,

WHEREAS, Atrimec is the owner in fee simple of an adjoining parcel of land, formerly designated as Lots 7 and 8, Block 1304 on the aforesaid Tax Map, which lots were merged into Lot 8, Block 1304; and

WHEREAS, by Indenture dated July 3, 1959, a right-of-way permitting ingress and egress for Lots 7 and 8 was created, which Indenture was recorded in the Office of the Bergen County Registrar on November 10, 1959 in Deed Book 4081, Page 511; and

WHEREAS, Atrimec desires to construct a standard highway department concrete curb, 170' in length, in the center of the aforescribed right of way, which is to be located as shown on the site plan entitled "Atrimec Corporation, Upper Saddle River, New Jersey" prepared by Daniel Kirschenbaum, architect/planner, Hillsdale, New Jersey, dated June 28, 1987, last revised May 4, 1988 (hereinafter "Kirschenbaum Map"); and

WHEREAS, Marron, in consideration for granting his consent to the curb installation, has requested the right to connect into the existing manhole and 8" sanitary sewer line on Atrimec property and proceeding westerly under Route 17, on the terms and conditions set forth hereinbelow; and

WHEREAS, Marron and Atrimec wish to modify the aforementioned Indenture on the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of One (\$1.00) Dollars and other good and valuable consideration hereindescribed, Marron hereby grants to Atrimec, the right to construct, at Atrimec's sole cost and expense, a standard highway department concrete curb 170' in length, as is depicted on the Kirschenbaum Map.

002255

89 JAN -9 ALL 9:51

RECORDED AT BERGEN COUNTY

Marron and Atrimec shall be responsible for the maintenance of the areas on their respective sides of the right-of-way curbing and shall indemnify and hold each other harmless from and against any and all claims or causes of action occurring thereon unless due to the acts or omissions of said party.

In consideration for Marron granting its consent to the construction of the aforescribed curb, Atrimec hereby agrees, upon request, to grant to Marron an easement to allow Marron to connect his sanitary sewer lines to the existing sanitary sewer line located on Atrimec's property (hereinafter "sewer line"), subject to the following conditions:

(a) Marron shall, at its sole cost and expense, obtain all necessary governmental approvals permitting the proposed sewer line connection and the construction of any necessary lines, pipes or feeders necessary to effect the connection to the existing manhole.

(b) Marron shall use its best efforts to connect to Atrimec's sewer line at the existing manhole closest to Marron's property. In the event that Marron's line connection cannot be made at the existing manhole, then Marron shall be responsible for all costs incurred in construction a new manhole should it be necessary.

(c) The volume of effluent produced by Marron shall be no greater than that which is currently produced by the existing structures on Lots 5 and 6, Block 1304.

(d) Marron shall, at its sole cost and expense, be responsible for the continuing maintenance of its line connecting into the sewer line, and furthermore, Marron shall share the costs of maintenance of the sewer line based upon the proportion of its volume bears to the total volume.

(e) Marron shall defend, indemnify and hold harmless Atrimec from and against any claim, loss, expense, damage or injury to any person or property arising out of Marron's use of the easement, including but not limited to all acts or neglect of Marron, or Marron's servants, employees or agents.

(f) In the event any damage is caused to Atrimec's property or the improvements located thereon by Marron's installation, maintenance, repair or use of the sewer line as herein provided, Marron hereby covenants and agrees to promptly repair such damage and restore such property and improvements located thereon to substantially similar conditions to those existing prior to commencement of any work by Marron, at Marron's sole cost and expense.

(g) The covenants made shall run with the land and be construed as running with the land; and the same shall be

binding upon the parties hereto, their successors and assigns in title or interest.

IN WITNESS WHEREOF, Marron and Atrimec have duly executed this Easement Modification the day and year first above written.

MARRON & COMPANY, a New Jersey Partnership, Marron

BY: *Peter C. Marron*
Peter C. Marron, Partner

ATRIMEC REALTY CORP., a New Jersey corporation, Atrimec

BY: *John D'Atria*
John D'Atria, President

STATE OF NEW JERSEY)
) SS:
COUNTY OF BERGEN)

BE IT REMEMBERED, that on this ^{10/5/88} day of August, 1988, before me, the subscriber, personally appeared Peter C Marron, general partner of Marron & Company, a New Jersey partnership, who, I am satisfied, is the person mentioned in the within instrument, and thereupon he acknowledged that he signed, sealed and delivered the same as his act and deed, for the uses and purposes therein expressed.

M. Linda Graham
M. LINDA GRAHAM
Notary Public of New Jersey
My Commission Expires Sept. 4, 1991

STATE OF NEW JERSEY)
) SS:
COUNTY OF BERGEN)

BE IT REMEBERES, that on this day of August, 1988, before me, the subscriber, personally appeared John D'Atria, who, I am satisfied, is the person who signed the within instrument as President of Atrimec Realty Corp, the corporation named therein, and he therupon acknowledged that the said instrument made by the corpotion and sealed with its corporate instrument made by the corporation and sealed and delivered by him as such officer and is the voluntary act and deed of the corporation, made by virtue of authority from its Board of Dircetors.

M. Linda Graham
M. LINDA GRAHAM
Notary Public of New Jersey
My Commission Expires Sept. 4, 1991

EASEMENT MODIFICATION

MARRON & COMPANY, a New Jersey
partnership

- and -

ATKINSEC REALTY CORP., a New
Jersey corporation

DATED: August 8, 1988

RECORD & RETURN TO:

MITCHELL W. ABRAMMS, ESQ.
DOLLINGER & DOLLINGER, P.A.
365 West Passaic Street
Rochelle Park, NJ 07662

MARK-OFF

51447.01 Deed
Kathleen A. Donovan Recording Fee 36.00
Bergen County Clerk
Recorded 05/08/2001 09:05

2 of 4

ST 29071

PKC
II

DECLARATION OF RESTRICTIONS

THIS DECLARATION OF RESTRICTIONS (the "Declaration") is made and entered into as of the 2nd day of March, 2001, by **ATRIMEC REALTY CORP.**, a New Jersey corporation ("Declarant"), having an address at c/o Jerhel Plastics, 63-69 Hook Road, Bayonne, New Jersey 07002.

RECITALS:

A. Declarant owns certain real estate located in the Borough of Upper Saddle River, Bergen County, New Jersey, and more particularly described on Exhibit A attached hereto and made a part hereof (the "Burdened Property");

B. On or about the date hereof, Declarant has conveyed to ESA New Jersey, Inc., a New Jersey corporation ("ESA"), certain real estate located in the Boroughs of Ramsey and Upper Saddle River, Bergen County, New Jersey, and being more particularly described on Exhibit B attached hereto and made a part hereof (the "Benefitted Property"); and

C. As a material inducement for the purchase of the Benefitted Property by ESA from Declarant, and in light of the benefit to Declarant derived therefrom, Declarant has agreed to impose certain restrictions on the permitted use of the Burdened Property as hereinafter set forth.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Declarant, for itself, its successors and assigns, hereby declares that the Burdened Property is held and shall be conveyed, leased, developed and used subject to the following restrictions:

BK 83656429

Charge, Record and Return To
Settlers Title Agency, L.P.
The Pavilions at Greentree
Suite 301 - 302
Marlton, NJ 08053-3436

1. The Burdened Property shall not be used for the construction or operation of any business or businesses which (i) operate a motel, hotel or other guest quarters; (ii) create strong, unusual or offensive odors, fumes, dust or vapors; (iii) are a public or private nuisance; (iv) emit noise or sounds that are objectionable due to intermittence, beat, frequency, shrillness or loudness; (v) are used, in whole or in part, for the warehousing, dumping or disposing of garbage or refuse; (vi) sell indecent or pornographic literature, adult entertainment or any other form of sexually oriented business; or (vii) operate gasoline refining and/or twenty-four (24) hour manufacturing operations.

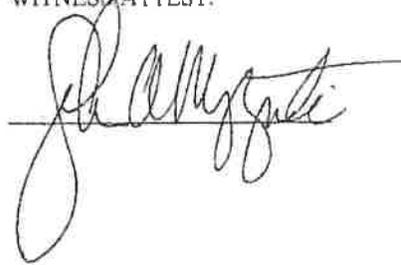
2. The provisions of this Declaration shall run with the land and shall be binding upon the Burdened Property, Declarant and all persons claiming under Declarant, and shall inure to the benefit of ESA and its successors and assigns.

3. These restrictions shall be incorporated in any deed or lease or other conveyance of any interest in the Burdened Property, or any portion thereof.

4. Declarant acknowledges that ESA, its successors and assigns shall be entitled to specific performance if the event Declarant or its successors or assigns breaches its obligations under this Declaration, such remedy shall be cumulative with and in addition to any other remedy ESA, its successors or assigns may have against Declarant, its successors or assigns as a result of a breach of this Declaration.

IN WITNESS WHEREOF, Declarant executed this Agreement under seal as of the day
and year first above written.

WITNESS/ATTEST:



ATRIMEC REALTY CORP.

By: Jerry Mecca
Name: Jerry Mecca
Title: President

County of Hudson)
) ss:
_____)

I hereby certify that on this 2nd day of MARCH, 2001, before me, the subscriber, a Notary Public in and for the jurisdiction aforesaid, personally appeared JERRY Mecca, a President of ATRIMEC REALTY CORP., a New Jersey corporation, and, as a OFFICER thereof, did acknowledge the foregoing instrument to be the act and deed of said corporation.

Witness my hand and notarial seal.

DONNA PERSAUD
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Oct 25, 2005

Donna Persaud
Notary Public

My commission expires Oct-25, 2005.

[SEAL]

EXHIBIT A

Legal Description of Burdened Property

BK 8365PG433



Consulting Engineers • Land Surveyors • Planners • Development Consultants

Richard V. Kenderian, PE, PP
Michael G. Zilinski, PLS, PP
Stephen P. Atkins, PE
Robert F. Yuro, PE, PP
Daniel L. Miller, CLA

EXHIBIT A
Legal Description
Of
New Tax Map Lot 7.01 Block 1304
(Former Lot 8 and a portion of former Tax Map Lot 7, Block 1304)
Borough of Upper Saddle River
Bergen County, New Jersey

BEGINNING AT A POINT in the easterly line (as widened to 69.00 feet from centerline at station 300 + 76±) of New Jersey State Highway Route 17 (120' ROW). Said point being the common corner of New Tax Map Lot 7.01 (formerly Lot 8), Block 1304 in the Borough of Upper Saddle River and Lot 1, Block 5504 in the Borough of Ramsey; and running thence

1. North 08° 57' 08" West, along the aforesaid easterly line of NJ State Highway Route 17 in the Borough of Upper Saddle River, a distance of 106.27 feet to a point being the common corner of New Tax Map Lot 7.01 (formerly Lot 8) and 6, Block 1304 (an unnamed 50' ROW); thence
2. North 81° 02' 52" East, along the common line of Lots 6 and New Tax Map Lot 7.01 (formerly Lot 8), then 6.09 and 7, Block 1304, a distance of 490.42 feet to a point being the common corner of New Tax Map Lot 7.01, 6.09 and 6.08, Block 1304; thence
3. South 08° 57' 08" East, along the common line of New Tax Map Lot 7.01 and 6.08, Block 1304, a distance of 188.41 feet to a point being the common corner of New Tax Map Lots 7.01 and 7.02, Block 1304 in the Borough of Upper Saddle River; thence
4. South 81° 04' 29" West, along the common line of New Tax Map Lot 7.01 and 7.02, a distance of 350.00 feet to an angle point (former easterly line of Lot 8), Block 1304; thence
5. South 08° 57' 08" East, along the common line of New Tax Map Lots 7.02 and 7.01 (formerly Lot 8), Block 1304 a distance of 6.59 feet to a point in the northerly line of Lot 1, Block 5504 in the Borough of Ramsey; thence
6. North 66° 42' 45" West, along the common line of New Tax Map Lot 7.01 (formerly Lot 8), Block 1304 in the Borough of Upper Saddle River and Lot 1, block 5504 in the Borough of Ramsey, a distance of 166.01 feet to the **POINT AND PLACE OF BEGINNING**.

1955 HIGHWAY 34, BUILDING ONE
WALL, NEW JERSEY
TELEPHONE 732-282-2200
FAX 732-282-2210
e-mail: info@kzaeng.com

8K 8 3 6 5 P 6 4 3 4

990322/Legals/000605(rev010306) - New Tax Map Lot 7.01, Block 1304

Containing 87,055 square feet or 1.998 Acres

Subject to easements and restrictions of record, if any

Being more particularly shown on a map entitled "Minor Subdivision of Tax Map Lots 7 and 8, Block 1304, Borough of Upper Saddle River, Bergen County, New Jersey." Prepared by Michael G. Zilinski, Professional Land Surveyor for the firm of Kenderian-Zilinski Associates. Dated 7-21-99 and revised to 3-6-01.

Prepared by



Michael G. Zilinski
Professional Land Surveyor
New Jersey License No. 30408

BK 8 3.6 5 PG 4 3 5

990322/Legals/000605(rev010306) - New Tax Map Lot 7.01, Block 1304

EXHIBIT B

Legal Description of Benefitted Property

BK 8365 R6436



EXHIBIT B

Legal Description
Of
Proposed Tax Map Lot 7.02, Block 1304
In the
Borough of Upper Saddle River
And
Tax Map Lot 1, Block 5504
In the
Borough of Ramsey
Bergen County, New Jersey

Richard V. Kenderian, PE, PP
Michael G. Zilinski, PLS, PP
Stephen P. Atkins, PE
Robert F. Yuro, PE, PP
Daniel L. Miller, CLA

BEGINNING AT A POINT in the easterly line of NJSH Route No. 17 (120' ROW). Said point being the common corner of Proposed Tax Map Lot 7.01, Block 1304 in the Borough of Upper Saddle River and Tax Map Lot 1, Block 5504 in the Borough of Ramsey. Said point also being 69.00 feet as measured at right angles from the centerline of NJSH Route No. 17; and running thence

1. S 66° 42' 45" E along the common line of Proposed Tax Map Lot 7.01, Block 1304 in the Borough of Upper Saddle River and Tax Map Lot 1, Block 5504 in the Borough of Ramsey a distance of 166.01 feet to an angle point; thence
2. N 08° 57' 08" W along the common line of Proposed Tax Map Lots 7.01 and 7.02, Block 1304 in the Borough of Upper Saddle River a distance of 6.59 feet to an angle point; thence
3. N 81° 04' 29" E along the common line of Proposed Tax Map Lots 7.01 and 7.02, Block 1304 in the Borough of Upper Saddle River a distance of 350.00 feet to a point in the westerly line of Tax Map Lot 6.08, Block 1304; thence
4. S 08° 57' 08" E along the common line of Proposed Tax Map Lot 7.02, Block 1304 and Tax Map Lot 6.08 then 6.06, Block 1304 a distance of 224.08 feet to a point in the northerly line of Tax Map Lot 19, Block 1301 in the Borough of Saddle River; thence
5. N 67° 42' 15" W along the common line of Proposed Tax Map Lot 7.02, Block 1304 in the Borough of Upper Saddle River and Tax Map Lot 19, Block 1301 in the Borough of Saddle River a distance of 151.25 feet to a point. Said point being the common corner of Tax Map Lot 19, Block 1301 in the Borough of Saddle River and Tax Map Lot 1, Block 5504 in the Borough of Ramsey; thence
6. S 10° 36' 43" W along the common line of Tax Map Lot 1, Block 5504 in the Borough of Ramsey and Tax Map Lot 19 then 20, Block 1301 in the Borough of Saddle River a distance of 168.92 feet to a point being the common corner of Tax Map Lots 1 and 2, Block 5504 in the Borough of Ramsey; thence

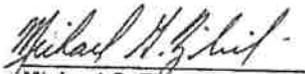
7. N 67° 46' 50" W along the common line of Tax Map Lots 1 and 2, Block 5504 in the Borough of Ramsey a distance of 355.93 feet to a point in the aforesaid easterly line NJSH Route No. 17; thence
8. N 08° 57' 08" W along the easterly line of NJSH Route No. 17 a distance of 202.69 feet to THE POINT AND PLACE OF BEGINNING.

Containing 106,766 square feet or 2.451 acres

Subject to easements and restrictions of record, if any

Being more particularly shown on a map entitled "Minor Subdivision of Tax Map Lots 7 and 8, Block 1304, Borough of Upper Saddle River, Bergen County, New Jersey."
Prepared by Michael G. Zilinski, Professional Land Surveyor for the firm of Kenderian-Zilinski Associates. Dated 7-21-99 and revised to 3-6-01.

Prepared by:


Michael G. Zilinski
Professional Land Surveyor
New Jersey License No. 30408

990322/Legals/010301(010306)L7.02,B1304&L1B5504

Charge, Record and Return To
Settlers Title Agency, L.P.
The Pavilions at Greentree
Suite 301 - 302
Marlton, NJ 08053-3436

ABSTRACTED

080365PG439

END OF DOCUMENT

5729071

67557
Kathleen A. Donovan
Bergen County Clerk
Recorded 06/13/2001 12:18

Dead
Recording Fee 28.00

Prepared By:

Charge, Record and Return To
Settlers Title Agency, L.P.
The Pavilions at Greentree
Suite 301 - 302
Marlton, NJ 08053-3436

James E. Jaworski, Esq
Wells, Jaworski, Liebman & Paton
12 Route 17 North
P.O. Box 1827
Paramus, New Jersey 07653

MUTUAL RIGHT-OF-WAY EASEMENT

This Agreement, made this 1st day of March, 2001, between Atrimec Realty Corp., a New Jersey Corporation (hereinafter "Atrimec") c/o Jerhel Plastics, 63-69 Hook Road, Bayonne, New Jersey 07002 and ESA New Jersey, Inc., a New Jersey Corporation (hereinafter "ESA") c/o ESA New Jersey, Inc., 450 E. Las Olas Boulevard, Suite 1100, Fort Lauderdale, Florida 33301.

WHEREAS, ESA is the owner of (Block 5504, Lot 1 in the Borough of Ramsey and a portion of Block 1304, Lots 7 and 8 in the Borough of Upper Saddle River) (hereinafter the "ESA Premises") which is located immediately south of the Atrimec Premises as described herein; and

WHEREAS, Atrimec is the owner of the residual portions of Block 1304, Lots 7 and 8 in the Borough of Upper Saddle River (the "Atrimec Premises") located immediately north of the ESA Premises; and

WHEREAS, Atrimec is the ground Lessee of a portion of the ESA Premises pursuant to a certain ground Lease dated March _____, 2001; and

WHEREAS, it is in the mutual interest of Atrimec and ESA to allow access to the Atrimec Premises and the ESA Premises through a shared entrance and exit to Route 17 and a shared access/circulation driveway along the common boundary; and

WHEREAS, the area of the proposed mutual right-of-way easement is attached as Exhibit A.

NOW, THEREFORE, it is mutually agreed as follows:

1. Atrimec for itself, its heirs and assigns grants and conveys onto ESA, its heirs and assigns, an easement into, upon and over that portion of the Atrimec Premises shown on Exhibit

2. ESA for itself, its heirs and assigns grants and conveys unto Atrimec, its heirs and assigns, an easement into, upon and over that portion of the ESA Premises shown on Exhibit A.

3. Said easements are given for the sole purpose of facilitating ingress and egress to the Atrimec Premises and the ESA Premises from New Jersey State Highway Route 17 and an access/circulation driveway along the common boundary of the respective Premises, and it is understood that the easement rights created herein are not to be construed as an easement which in any way excludes the grantor party, its heirs and assigns from full use of such property except as such use would be inconsistent with the rights granted herein.

4. It is agreed that each party shall be responsible for liability insurance with respect to its own property.

5. It is agreed that each party shall be responsible for general maintenance with respect to that portion of its respective Premises. The cost of upkeep and maintenance with respect to the ingress/egress driveway and access/circle driveway shall be borne equally between ESA and Atrimec.

TO HAVE AND TO HOLD, the said right-of-way easement unto Atrimec and ESA, their successors and assigns, and to run with Atrimec Premises and the ESA Premises forever.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement. This document may be signed in counterpart.

WITNESSED OR ATTESTED BY:

Anna Battaglino
Anna Battaglino, Secretary

ATRIMEC REALTY CORP

BY: Jerry Mecca
Jerry Mecca, President

ESA OF NEW JERSEY, INC.

BY: _____

A.

2. ESA for itself, its heirs and assigns grants and conveys unto Atrimec, its heirs and assigns, an easement into, upon and over that portion of the ESA Premises shown on Exhibit A.

3. Said easements are given for the sole purpose of facilitating ingress and egress to the Atrimec Premises and the ESA Premises from New Jersey State Highway Route 17 and an access/circulation driveway along the common boundary of the respective Premises, and it is understood that the easement rights created herein are not to be construed as an easement which in any way excludes the grantor party, its heirs and assigns from full use of such property except as such use would be inconsistent with the rights granted herein.

4. It is agreed that each party shall be responsible for liability insurance with respect to its own property.

5. It is agreed that each party shall be responsible for general maintenance with respect to that portion of its respective Premises. The cost of upkeep and maintenance with respect to the ingress/egress driveway and access/circle driveway shall be borne equally between ESA and Atrimec.

TO HAVE AND TO HOLD, the said right-of-way easement unto Atrimec and ESA, their successors and assigns, and to run with Atrimec Premises and the ESA Premises forever.

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement. This document may be signed in counterpart.

WITNESSED OR ATTESTED BY:

ATRIMEC REALTY CORP

Anna Battaglino, Secretary

BY: _____

Jerry Mecca, President

ESA NEW JERSEY, INC.

Gregory R. Moxley
Assistant Secretary

BY: _____

Shawn R. Ruben
Vice President - Development

STATE OF NEW JERSEY

COUNTY OF HUDSON

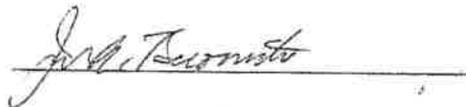
SS.:

I CERTIFY that on March 1st, 2001

Anna Battaglino

personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Secretary of Atrimec Realty, Inc., the corporation named in this document;
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer who is Jerry Mecca, the President of the corporation;
- (c) this document was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Directors;
- (d) this person knows the proper seal of the corporation which was affixed to this document; and
- (e) this person signed this proof to attest to the truth of these facts.



J. A. BUONAVOLONTA SR.
NOTARY PUBLIC
MY COMMISSION EXPIRES
NOVEMBER 19TH, 2001
HOBOKEN, N.J. 07030-0165

STATE OF FLORIDA

COUNTY OF BROWARD SS.:

I CERTIFY that on March 7th, 2001

personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the Assistant Secretary of ESA New Jersey, Inc., the corporation named in this document;
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer who is Shawn R. Ruben, the Vice President of the corporation; Development
- (c) this document was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Directors;
- (d) this person knows the proper seal of the corporation which was affixed to this document; and
- (e) this person signed this proof to attest to the truth of these facts.





Jill Jenkins-Liberto
MY COMMISSION # CC824678 EXPIRES
June 7, 2003
BOKDED TRUSTEY FARM INSURANCE INC



Consulting Engineers • Land Surveyors • Planners • Development Consultants

**Legal Description
Of a**

**"Proposed Access Easement"
Situate on a Portion of
Tax Map Lot 1, Block 5504
Borough of Ramsey
Bergen County, New Jersey**

Richard V. Kenderian, PE, PP
Michael G. Zilinski, PLS, PP
Stephen P. Atkins, PE
Robert F. Yuro, PE, PP
Daniel L. Miller, CLA

BEGINNING AT A POINT in the easterly line of NJSH Route No. 17 (120' ROW). Said point also being the common corner of Tax Map Lot 8, Block 1304 in the Borough of Upper Saddle River and Tax Map Lot 1, Block 5504 in the Borough of Ramsey; and running thence

1. S 66° 42' 45" E along the common line of Tax Map Lot 8, Block 1304 in the Borough of Upper Saddle River and Tax Map Lot 1, Block 5504 in the Borough of Ramsey a distance of 65.03 feet to a point; thence
2. S 08° 57' 08" E through a portion of Tax Map Lot 1, Block 5504 in the Borough of Ramsey a distance of 43.00 feet to an angle point; thence
3. S 81° 02' 52" W still through a portion of Tax Map Lot 1, Block 5504 in the Borough of Ramsey a distance of 55.00 feet to a point in the aforesaid easterly line of NJSH Route No. 17; thence
4. N 08° 57' 08" W along the aforesaid easterly line of NJSH Route No. 17 a distance of 77.69 feet to **THE POINT AND PLACE OF BEGINNING.**

Containing 3,319 square feet or 0.076 acres

Subject to easements and restrictions of record, if any

Being more particularly shown on a map entitled "Proposed Access Easement for Extended Stay America, Situate on a Portion of Tax Map Lot 1, Block 5504, Borough of Ramsey, Bergen County, New Jersey." Prepared by Michael G. Zilinski, Professional Land Surveyor for the firm of Kenderian-Zilinski Associates. Dated 5-2-01.

Prepared by:

Michael G. Zilinski
Professional Land Surveyor
New Jersey License No. 30408

990302/Legals/010502 Proposed Access Easement-Lot 1, Block 5504

ABSTRACTED

EXHIBIT D
Prior Approval (attached)

Resolution of Approval for car dealership on Block 1304, Lot 7.01, dated October 12, 2016

RESOLUTION

PLANNING BOARD OF THE BOROUGH OF UPPER SADDLE RIVER

IN THE MATTER OF THE APPLICATION OF:

KRISUJEN REALTY, LP

100 ROUTE 17 NORTH – BLOCK 1304 – LOT 7.01

WHEREAS, KRISUJEN REALTY, LP, is the owner of property located at 100 NJ Route 17 North, which is otherwise designated as Block 1304; Lot 7.01 in the Borough of Upper Saddle River (“the Property”); and

WHEREAS, the Property is located in the “H-1R Highway Retail and Commercial” Zone of the Borough and is 86,873sf in area which is made up of 68,071sf located in the H-1R Zone and 18,802sf at the rear of the Property and located in the R-1 District; and

WHEREAS, Krisujen Realty, LP, is also the Applicant with regard to the development of the Property (“Krisujen” or “the Applicant”); and

WHEREAS, the Applicant proposes to develop the Property with a new car dealership and repair facility and has filed an Application for the following:

- 1) Removal of the existing, concrete, asphalt and gravel;
- 2) A new, one story, 25,662 sf building;
- 3) The construction of 72 grade level parking spaces, 65 basement parking spaces, 68 roof top parking spaces for a total of 205 9’x18’ parking spaces;
- 4) New drainage improvements;
- 5) New laterals for underground water with hotbox, sanitary, gas and electric utility connections;
- 6) Revision of Route 17 driveway to create a one way entrance and one way exit with separation island;
- 7) New dumpster with 6’ trash enclosure fencing;
- 8) Retaining walls <7.83’;
- 9) Lighting and Landscape Improvements;
- 10) At grade car display area;
- 11) One freestanding and 5 wall signs;
- 12) Inclusion of a Knox Box for the building and gate access;
- 13) New 26’ wide fire lanes along the building;

WHEREAS, the aforesaid improvements require the following approvals from the Board:

1. A commercial parking lot is not permitted in the R-1 Zone District (§150-10). A Use Variance is required.
2. The proposed improvement coverage within the R-1 Zone District is 63.16% versus the maximum allowable improvement coverage of 30% calculated over the portion of the Property in the R-1 zone (§150-15.E.(1)). A variance is required.
3. Proposed improvements within R-1 Zone District are located within both side yard setbacks with a proposed minimum setback of 4.5 feet versus the required 35 feet. Variances are required (§150-15.A.). It should be noted the R-1 Zone District is setback approximately 390 feet from the Route 17 Right-of-Way; therefore the front yard setback requirements are not applicable.
4. The Property is non-conforming and has a frontage of 105', rather than the required 150'.
5. Preliminary and Final Site Plan Approval.
6. A Soil Movement Permit.
7. The total required parking for motor vehicle establishments is 1 space for each 300 square feet of gross floor area, plus 1 space for each employee on the maximum shift. The plans indicate the number of employees on the maximum shift is 36; therefore the total required parking is 131 spaces.
8. The plans indicate 205 spaces are proposed (72 grade level spaces, 65 basement spaces, and 68 rooftop spaces); however, some basement and some rooftop parking as well as 26 of the at grade spaces utilize tandem parking. The tandem parking spaces are to be utilized for inventory, vehicles waiting to be serviced and employee parking.
9. The total numbers of parking spaces which are not in tandem are 46 at grade spaces, 20 roof top spaces, and 6 basement spaces, for a total of 72 open spaces. A variance is required to allow tandem parking spaces be counted toward satisfying the total parking requirements of 131 spaces.
10. The proposed size of the parking spaces are 9 feet x 18 feet versus the required 10 feet x 20 feet (§150-29.C). A variance is required for the proposed size of the parking spaces.
11. Safety islands to delineate feeder lanes from main access lanes are required within parking areas. The minimum width required is 10 feet (§126-29.D). Also, these islands are required to contain shrubbery. Variances are required.
12. The proposed retaining wall is a structure and therefore not permitted within the building/buffer setbacks. The proposed side and rear yard setback is approximately 1 foot versus the required 35 feet building setback and 5 feet buffer. Variances are required.
13. The southern parking area setback is now proposed at a 4.5 feet (with a 3.0 setback immediately at the southwest corner of the parking area) versus the 5 feet buffer required. A variance is required. It should be noted this variance is being requested due to increasing the drive aisle to 26 feet versus the required 24 feet for fire vehicle access.
14. No traffic aisle shall be located within 5 feet of the building (§126.29C). The traffic aisle is located within 3 feet along the northern and eastern sides of the building and within 4 feet along the southern side of the building. It should be noted, this variance is being requested due to increasing the drive aisle to 26 feet versus the required 24 feet for fire vehicle access. A variance is required.
15. A 42.33 square feet freestanding double-faced sign is proposed versus the maximum allowable sign area of 36 square feet on each face (§150-21.B(1)). A 6.33 sf sign area variance is required.
16. The freestanding sign is proposed 10 feet from the front property line versus the required 35

feet (§150-21.B(1)). A 25 feet sign setback variance is required.

17. Five (5) building wall mounted signs are proposed, 3 on the front and 2 on the southern side, totaling 137 sf in area. Ordinance §150-21.B.(2) permits two (2) wall mounted signs. The maximum permitted sign area is 90 square feet. Variances are required for three (3) additional wall signs and for an additional sign area of 47 sf.

WHEREAS, upon the Applicant providing adequate proof to the Board that public notice of the hearing was effectuated in accordance with NJSA 40:55D-12, the Board conducted a public hearing on this matter on June 23, 2016 and July 28, 2016; and

NOW, THEREFORE BE IT RESOLVED, by the Board that it does hereby make the following findings of fact and conclusions based thereon:

1. That all of the recitals hereinabove set forth are incorporated by reference. That all of the exhibits and documents produced by the Applicant and the Board are herein incorporated.

2. The applicant and the Board produced the following exhibits with regard to the application:

- A-1 Entire – Site Plan consisting of 15 Sheets
- A-2 Sheet C-0-2A of Site Plan Colorized Aerial
- A-3 Photographs 4 Area Photographs
- A-4 Sheet C-03 of Site Plan Colorized version
- A-5 Sheet C-06 Lighting Analysis
- A-6 Soil Movement Cut Plan
- A-7 Environetics – Plan consisting of 4 pages (plans, area photos and elevations)
- A-7 Letter dated July 15, 2016 from John G. Yakimik, PE of L2A Land Design, LLC resubmitting documents
- A-8 Letter dated July 15, 2016 from John G. Yakimik, PE of L2A Land Design, LLC providing response to Fire Official, Construction Official and Boswell McClave Engineering comments
- B-1 Comment Letter from Eileen Boland, PE of Boswell Engineering dated 6/7/16
- B-2 Borough of USR Fire Prevention letter dated June 22, 2016 from Larry Rauch, Fire Official
- B-3 Borough of USR Building Department letter dated June 22, 2016 from Jim Dougherty, Construction Official
- B-4 Comment Letter from Eileen Boland, PE of Boswell Engineering dated 7/25/16

3. During the course of public hearing, the Applicant adduced the sworn testimony of:

- A. **John Yakimik, PE**, a representative of L2A Land Design, LLC, in order to testify as to matters of Engineering concern (hereinafter, “Yakimik”).
- B. **Mark Infante**, consultant in operations and construction of car dealerships

- (“Infante”).
- C. **Charles Koch, AIA**, Project Architect at Environetics as to all matters of architectural concern and project design (hereinafter, “Koch”).
 - D. **Katheryn Gregory, PP**, was the Applicant’s licensed Professional Planner (“Gregory”).

4. The Applicant introduced the Application through counsel, Mitchell W. Abrahams, Esq., of the Law Firm of Cole Schotz, PC, who introduced the Project and familiarized the Board with the Property, its location and the surrounding uses. Subsequent to his preliminary statements, he presented an opening and introduced relevant witnesses. He further set forth all required variances that are set forth above.

5. Yakimik testified that the Property was located in the H-1R Zone but that the rear portion was located in the R-1 Zone. The residentially zoned portion of the Property was “landlocked” and otherwise inaccessible. Board Experts noted that the Master Plan Review suggests that the Zone Line become consistent with the Lot Line and that the entire Property be zoned H-1R.

6. Yakimik testified, through reference to Exhibits A-2 and A-3 that the Property was vacant but contained significant remnants of concrete and asphalt from prior paving and uses at the Property. Existing concrete slabs facilitate standing water and the Property is otherwise overgrown. The Property is located to the north of an extended stay hotel and is clearly part of the “highway retail” area of the Borough.

7. Yakimik testified as to the size and shape of the Property and the proposed structure and uses. He testified that the proposed structure is 25,662 sf. He testified that the rear portion of the Property is in the Residential Zone, but that all proposed buildings were in the H-1R Zone. A portion of the parking area, a modular block retaining wall and a 6’ high dumpster enclosure are located in the Residential Zone. A 35’ buffer area is located across the rear of the Property and no improvements whatsoever are contained therein.

8. Yakimik testified that the Applicant proposed to removal the existing, concrete, asphalt and gravel and construct a new, one story, car dealership of 25,662 sf. Approximately 10,000 sf is designated for retail and 15,000 sf is designated for vehicle repair. Parking is provided by 72 grade level parking spaces, 65 basement parking spaces, and 68 roof top parking spaces for a total of 205 9'x18' parking spaces. Yakimik testified that there is a total parking space demand of 131 spaces for the uses on site. The Applicant provides 73 non-tandem parking spaces and 131 tandem parking spaces. The Applicant requires a variance for 62 parking spaces (131-73) which are not provided on the Property. The Applicant testified that the addition of 131 tandem spaces mitigated the shortfall in parking spaces and provided sufficient excess capacity to provide for customer vehicles and inventory. Yakimik testified that the undersized parking spaces would be acceptable because most vehicle parking and all inventory retrieval would be done by staff and not the general public. He testified that this size met the goal of providing the greatest amount of parking possible on site. General inventory would be maintained "off-site" so as to avoid crowding on the Property.

9. Yakimik testified that there would be 12 service bays on the Property and that customers would "valet" cars that are being delivered for service. Inventory and "loaner" vehicles would be accessed by staff only. No roof parking access or basement parking access would be accessible to the public.

10. Yakimik testified that the Applicant also proposes new drainage improvements which will accommodate storm water generated from the Property and assure that the Property produces "0" additional runoff.

11. Utilities would be provided by underground connections for water with hotbox, sanitary, gas and electric utility connections.

12. Yakimik testified as to the Route 17 driveway. He testified that access would

be provided by 2, one way, driveways. The driveway design would be subject to NJDOT approval. No car carriers would be utilized on the Property.

13. On site lighting would be installed in such a manner so as to provide sufficient lighting, without spillage that would disturb other property owners. The Applicant indicated that they would adjust lighting, subsequent to installation, at the direction of the Borough Engineer.

14. Yakimik testified as to Soil Movement on site. A Soil Movement Permit is required as 9,085 cy of soil is being moved – the majority of which is moved to create the basement excavation.

15. Yakimik testified as to the proposed signage. He indicated that the pylon sign is proposed to be set back 10', rather than the 25' that is required by Code. He testified that if set back 25', the sign would not be visible and would be blocked by trees and highway obstructions. The ordinance permits a sign of 36 sf on each side, while the sign proposed by the Applicant has 42.33 sf on each side. The Applicant testified that this increased size was necessary for effective visibility and highway safety. Finally, the Applicant proposes five wall signs on the structure where two are permitted. This additional signage creates 137 sf of signage where 90 is permitted. All signs are necessary for safe access, direction and designation.

16. Koch testified as to all matters of architectural concern and the design and “concept” of the structure. Reference was made to various exhibits that accurately depict the proposed structures. He testified as to the look and finishes of the proposed structure as well as the design of both the retail and service components of the structure.

17. Koch testified that there would be no external speakers and the mechanical equipment would be located on the roof and screened by a 4' parapet.

18. Infante testified about the operations of the sales and repair facility. He testified that operation would take place between the hours of 9am-6pm or 9am-8pm. Inventory

maintained on the Property would be approximately 20 vehicles, including "demos". Approximately, 13 sales vehicles would be located on the display floor at any one time. Signage on the building included the brand designation "stars" of between 42" and 49" high.

19. Gregory testified as to matters concerning the "d" variances related to the Residential portion of the Property. She testified that the "d" variances were related to the split-lot zoning designation and the rear portion of the Property being residentially zoned. She noted that rear portion of the Property was "landlocked" and that there was no residential use appropriate for that portion of the Property or access to the Property. As a result, the split lot zoning represented a hardship and undue burden on the Applicant. She testified that a single, cohesive, use such as proposed by the Applicant was an appropriate method to accommodate the split lot zone.

20. Gregory testified that the Property was particularly well suited for the single, commercial use that "spanned" both the Residential and Commercial Zones.

21. Gregory further testified that there was no negative impact to the requested variances (both the "d" variances and the "c" variances) and that such variances are warranted.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board makes the following findings on the within application for site plan approval, site plan waiver, a use variance, soil movement permit and bulk variances set forth herein for the following stated reasons:

- a. The Board accepts the testimony of all witnesses and finds it to be credible and accurate regarding all aspects of the application.
- b. The Board finds that the Applicant has satisfied the requirements for the requested Soil Movement Permit.
- c. The Board finds that the Applicant has satisfied all requirements for the granting of Site Plan Approval and has met the requirements of the Borough's Site Plan Ordinance.
- d. The Board finds that the Applicant has demonstrated entitlement to a variance pursuant to NJSA 40:55D-70(d) to permit the commercial use in the R-1 zoned portion of the Property. The Board further finds that the Applicant is entitled to a variance for improved coverage and side yard setbacks in the Residential Zone.
- e. The Board finds that the Applicant has satisfied the requirements for the granting of

bulk variances as follows:

- a. Minimum Parking Spaces: A variance is granted to permit 73 non-tandem parking spaces where 131 are required in light of the total of 205 tandem and non-tandem spaces being provided. The Applicant has demonstrated that, due to their operation on the Property, these spaces are more than sufficient due to the minimal number of visitors and the low inventory and stock maintained on the Property. Additionally, the requested parking variances for 9x18 spaces and “stacked” or tandem parking are also permitted. The applicant has demonstrated that these variances are warranted pursuant to NJSA 40:55D-70(c)(1) due to the unique configuration of the Property and the unique use of the Property and pursuant to NJSA 40:55D-70(c)(2) by the Applicant’s demonstrating that the benefits to the purposes of the Municipal Land Use Law far outweigh any detriments to the granting of the requested relief. The Applicant has demonstrated that there is no detrimental impact to the intent and purposes of the Borough Zoning Ordinance or the Zone Plan.
- b. The Applicant seeks a variance for the construction of safety islands within the parking area and for the construction of the retaining wall within the Building Setback and/or buffers. The Applicant has demonstrated that such variances are permitted under NJSA 40:55D-70(c)(2).
- c. The Applicant has also demonstrated that they are entitled to a variance for a parking area setback of 4.5’, (and 3.0’ immediately at the southwest corner of the parking area), rather than 5’. The Board notes that this decrease in setback is due to the widening of the driveway for fire and traffic safety and is warranted pursuant to NJSA 40:55D-70(c)(2).
- d. Traffic aisles on the northern and eastern sides of the building are 3’, rather than 5’. This deficiency is warranted because it permits a wider driveway width and is in an area not commonly utilized by the public. The variances is warranted pursuant to NJSA 40:55D-70(c)(2).
- e. Signage variances shall be granted as follows:
 - A. The freestanding sign may be located at a 10’ setback, rather than the required 25’ setback.
 - B. The freestanding sign may have 43 sq. ft. per side, rather than the required 36 sq. ft.
 - C. 5 wall mounted signs shall be permitted, rather than 2. The square footage of these signs may be 137 sq. ft., rather than the 90 sq. ft. permitted and may include 2 “star” brand designation signs.
- f. The Board finds these variances should be granted under both NJSA 40:55D-70(c)(1) due to the unique configuration and location of the Property and NJSA 40:55D-70(c)(2) where the benefits to safety and aesthetics far outweigh any detriments. The Board finds there is no negative impact whatsoever due to the location of the sign and the sign does not negatively impact visibility, sight triangles, or any other factor. In fact, the Board finds that the sign is now proposed at a highly visible location that benefits traffic safety.

- f. The Board finds that the granting of the requested variances will not have a negative or detrimental impact upon the zoning ordinance, the area or the zone plan. The Board bases this finding on the totality of the evidence presented, including specific testimony from the Planner regarding the use, the area, and the intent and purpose of the zoning ordinance.

BE IT FURTHER RESOLVED, that the above use variance approval is conditioned upon the Applicant's receiving approval from all appropriate and necessary Federal, State, County and local agencies, having jurisdiction, if any.

BE IT FURTHER RESOLVED, that the Applicant shall enter into a Developer's Agreement and provide necessary performance guarantees as required by the Land Use Ordinance in the amount proscribed by the Board Engineer to ensure site improvements.

BE IT FURTHER RESOLVED, that the within approval is further conditioned upon the Applicant operating the facility in the manner testified to before the Board. Accordingly, the within approval is conditioned upon the following:

1. There shall be no outdoor storage of new or used parts or materials. There shall be no outdoor work on vehicles of any sort.
2. Used cars may not be sold and the approval is specifically for a new car dealership.
3. The within approval is subject to the continued jurisdiction of the Board for a period of 6 months to assure that the Board is satisfied as to landscaping and lighting.
4. All Site Plans shall be revised to incorporate all suggestions of the Board during public hearing and the suggestions of the Board Engineer or Planner.
5. There shall be no light spillage off of the Property and all lighting plans shall be reviewed by the Board Engineer. A revised lighting plan shall be submitted to the Board Engineer. The Applicant shall be bound to the comments of the Borough Engineer subsequent to construction as to the tuning and adjustment of the lights.
6. The Applicant shall comply with the conditions contained in all review letters of the Borough Engineer marked as an Exhibit herein.
7. The dumpster enclosure shall be constructed of the same materials as the principal structure.
8. The future maintenance of all storm drains located on the site are the responsibility of the property owner and shall in no event be the responsibility of the Borough.
9. There shall be no overnight exterior parking of any vehicles by the applicant but for new cars or cars to be serviced. There shall be no parking of vehicles as storage for other dealerships, no non-owned tow trucks, and no other vehicles permitted on the site which are not new vehicles for sale.
10. The within approval is subject to plan review by the Borough's Fire Official and the revision of all Site Plan elements in order to assure the plan is satisfactory to the Fire Official. This shall include, but not be limited to: Knox Box installation; sprinkler system in basement; fire alarm system; fire zones; fire extinguisher placement; hazardous material storage; aisle width; vehicle turnarounds; turning radius; interference with access to the Property; or any other factor in the jurisdiction of the Fire Official.

11. Vehicles shall not be conveyed to the Property by "car carriers" and shall only be driven or "flat bedded" to the Property.
12. Only employees shall be permitted to access roof, basement or tandem spaces. Public parking shall be designated for the grade level spaces that are non-tandem.
13. Applicant shall comply with all review letters and other direction of the Borough Engineer.
14. There shall be no exterior speakers utilized in connection with the business.

	Motion	Second	Aye	Absent
Mr. Bakal				X
Mr. Jacobs				X
Ms. Miller				X
Mr. Bonjuklian		X	X	
Mr. Polizzi	X		X	
Mr. Virgona			X	

DATED: October 12, 2016

I HEREBY CERTIFY THE FOREGOING IS A TRUE COPY OF THE RESOLUTION ADOPTED BY THE UPPER SADDLE RIVER PLANNING BOARD AT THEIR MEETING HELD OCTOBER 12, 2016.


 Linda Marmora, PB Clerk

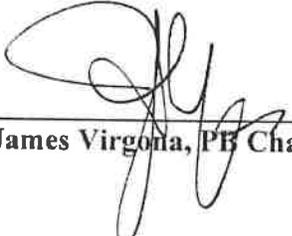

 James Virgona, PB Chairman

EXHIBIT E
Zoning Denial Letter dated 9/15/2020 (attached)

**REFUSAL OF PERMIT
OFFICE OF THE ZONING ENFORCEMENT OFFICER
OF**

BOROUGH OF UPPER SADDLE RIVER

Date: SEPT 15, 2020
Re: Application#:
To: PSI ATLANTIC USR NJ LLC
PREMIER SELF STORAGE

Voucher/Receipt#
Check #:

Your application for a permit to: CONSTRUCT A SELF STORAGE FACILITY

on the property at 100 RTE 17 NORTH Block: 1304 Lot: 7.01 - ZONES H-1R & R-1
has been denied for noncompliance with provisions of Article (s): Sections: of the Municipal Zoning Ordinance for the following reasons: SEE ATTACHED LISTING

Information on procedures for an appeal of this decision to the Planning Board can be obtained from the Clerk of the Planning Board. It should be noted that under State Statute, notice of appeal of this decision must be filed with this office not later than twenty (20) days from the date of this notice. You can also file for a variance to the Planning Board and can obtain the necessary forms from the Planning Board Clerk.

The application which you submitted has been placed in the inactive files in the Zoning Department. Please contact this office to resubmit the application.

Denied by: MARISA TIBERI P.E. - BOROUGH ENGINEER REPRESENTATIVE -
BOSWELL ENGINEERING

Zoning Official

cc. PLANNING BOARD CLERK
PLANNING BOARD
CODE COMPLIANCE
BUILDING DEPARTMENT

Application: PSI Atlantic USR NJ LLC

Premier Self Storage

H1-R ZONE

- SECTION 150-11 not a permitted use
- SECTION 150-16 10 foot minimum side yard building setback minimum – 0.87 feet proposed for wall exceeding 4 foot, considered as a structure
- SECTION 150-16 5 foot buffer setback minimum – 0.87 feet proposed
- SECTION 150-16 36 foot maximum building height – 39.55 feet proposed

R-1 ZONE

- SECTION 150-10A not a permitted use
- SECTION 150-15E(1) 30% maximum lot coverage – 55.53% proposed
- SECTION 137-8A minimum 10 foot side yard No Disturbance Buffer – wall proposed with a 4 foot setback

- SECTION 150-39 all zones "miniwarehouses or other compartmented storage facilities" prohibited use
- SECTION 126-29C minimum 5 foot separation between traffic aisle and building – zero proposed
- SECTION 126-33 no spillage of light across property lines – 0.2 max footcandle spillage into roadway proposed
- SECTION 150-3 wall exceeding 3 foot in height – 5.65 foot max high wall proposed

Borough of Upper Saddle River
376 West Saddle River Road
Upper Saddle River, NJ 07458
201-327-8923

PLANNING BOARD

BOARD OF ADJUSTMENT

PROOF OF PAYMENT OF TAXES

Statute 40:55-1.14 – Regulation of Subdivisions

“Any such ordinance may require as a condition for local municipal approval the submission of proof that no taxes or assessments for local improvements are due or delinquent on the property for which any subdivision application is made.”

Block 1304 Lot 7.02 Qualifier _____

Name Krisujen Realty LP

Address 100 Route 17 North

Date September 14, 2020

Property Taxes are: ✓ Current _____ Delinquent

Municipal Water/Sewer are: _____ Current _____ Delinquent

Date: September 14, 2020



Tax Collector's Office / Clerk

ANTHONY J. RINALDI
UPPER SADDLE RIVER ASSESSOR
376 WEST SADDLE RIVER ROAD
UPPER SADDLE RIVER, NJ 07458
ASSESSOR@USRTODAY.ORG
201-934-3967

Certified Property Owners List
(Property within 200 feet)

Name of Applicant: Premier Storage
Property Location: 100 Rt17 N
Block: 1304
Lot: 7.01
Purpose: 200 List
Date of List: 08/10/2020

I hereby certify that the attached list was created from the official records of the Borough of Upper Saddle River. Please be advised that this property is located within 200 feet of the Ramsey, so you would therefore need to notify them as well.

Anthony J. Rinaldi
Assessor

OWNER & ADDRESS REPORT

UPPER SADDLE RIVER

08/10/20 Page 1 of 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
1304	6.06		2	SHUSTER, DANIEL & ROBIN 19 ORATAM ROAD UPPER SADDLE RIVER, NJ 07458	19 ORATAM ROAD	
1304	6.07		2	GNECO, PAUL & GINA 15 ORATAM RD UPPER SADDLE RIVER, NJ 07458	15 ORATAM ROAD	
1304	6.08		2	CHA, SUN H & MIN YOUL 23 LENAPE TRAIL SADDLE RIVER, NJ 07458	23 LENAPE TRAIL	
1304	6.09		1	MARRON & COMPANY, L.L.C. 118 RT, 17 UPPER SADDLE RIVER, N.J. 07458	19 LENAPE TRAIL	
1304	6.10		1	MARRON & COMPANY, L.L.C. 118 RT, 17 UPPER SADDLE RIVER, N.J. 07458	15 LENAPE TRAIL	
1304	7.01		1	KRISUJEN REALTY LP 985 ROUTE 17 SOUTH RAMSEY, NJ 07446	100 ROUTE 17	
1304	9		4A	MARRON & COMPANY, L.L.C. 118 ROUTE 17 UPPER SADDLE RIVER NJ 07458	118 ROUTE 17	
1304	10		4A	142 ROUTE 17 LLC C/O ADPP ENT INC 200 RT 17 S SUITE 215 MAHWAH NJ 07430	142 ROUTE 17	

LEGAL NOTICE TO PUBLIC/PRIVATE UTILITIES & GOVERNMENT AGENCIES

(All notice must be by certified mail)

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Public Service Electric & Gas Co.

Manager - Corporate Properties
80 Park Plaza, T6B
Newark, New Jersey 07102

TELEPHONE

Verizon NJ Inc

Engineering Mgr. Frank Scuzo
114 Paterson St.
Paterson, NJ 07501

WATER

United Water Company

200 Old Hook Road
Harrington Park, NJ 07640

CABLE TV

Optimum

Public Relations Dept.
40 Potash Road
Oakland, N.J. 07436

Borough of Ramsey

33 N. Central Avenue
Ramsey, NJ 07446

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GOVERNMENT AGENCIES

If the subject property is located on a County Road or is within 200' of any County property, notify:

Bergen County Planning Board

One Bergen County Plaza
Hackensack, N.J. 07601-7000

If on a State Highway, notify:

NJ Department of Transportation

1035 Parkway Avenue
Trenton, N.J. 08625

If the subject property is within 200 feet of a municipal border, the ***Clerk*** of the adjacent Municipality and the ***Bergen County Planning Board*** must be notified.

TAKE FURTHER NOTICE, that in addition, notice of public hearings on applications for major subdivision approvals or major site plan approvals must be given by the applicant to all public utilities and all cable television companies that have any facilities or possess a right-of-way of easement located anywhere within 200 feet of the subject property. It is suggested that major subdivision and major site plan approval applicants should contact the appropriate utilities and obtain in writing a statement whether or not the utility has any facilities easement within 200 feet of the subject property.



INCORPORATED 1908

**BOROUGH OF RAMSEY, BERGEN COUNTY 07446
200 FOOT BAND PERIMETER LIST OF RECORD PROPERTY OWNERS**

Danielle Monaghan, Tax Atlas Search Officer

Date Received: 8/12/2020 Date Sent: 8/13/2020 Fee Paid: \$10⁰⁰

Applicant: Kathy Zampini Telephone Number: (201)587-0888

Address: 12 RT 17 N.
P.O. Box 1827 Paramus, NJ 07653

Block: 1304 Lot: 701 Map Number: USR List Number: 54

Address of Property: 100 RT 17 North Upper Saddle River, NJ 07458

Falls within 200 ft. of another town: Yes No

OWNER & ADDRESS REPORT

RAMSEY

200 FT LIST FOR 100 RT 17 NORTH UPPER SADDLE RIVER
 BLOCK/LOT 1304/7.01 USR FALLS WITHIN 200 FT OF RAMSEY

08/13/20 Page 1 of 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
5501	32		1	LIMA ENTERPRISES LLC 119 STATE HIGHWAY 17 UPPER SADDLE RIVER, N.J. 07458	319 NOTTINGHAM RD	
5503	41		4A	NJ ENERGY REALTY LLC 536 MAIN STREET NEW PALTZ, NY 12561	75 STATE HIGHWAY 17	
5504	1		4A	BRE/ESA % PROP TX 2516 SUITE 100 11525 N COMMUNITY HOUSE CHARLOTTE, NC 28277	112 STATE HIGHWAY 17	



UTILITY COMPANIES TO BE NOTIFIED

BOARD OF PUBLIC WORKS
33 N. CENTRAL AVENUE
RAMSEY, NJ 07446

PUBLIC SERVICE ELECTRIC AND GAS
20 VAN VOOREN DR.
OAKLAND, NJ 07436

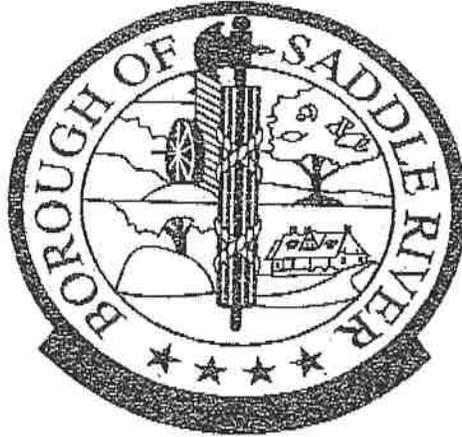
ROCKLAND ELECTRIC COMPANY
1 BLUE HILL PLAZA
PEARL RIVER, NEW YORK 10965

VERIZON NEW JERSEY
REAL ESTATE DEPARTMENT
180 WASHINGTON VALLEY ROAD
BEDMINSTER, NJ 07921

CABLEVISION OF NEW JERSEY
40 POTASH RD.
OAKLAND, NJ 07436

BERGEN COUNTY PLANNING BOARD
1 BERGEN COUNTY PLAZA
HACKENSACK, NJ 07601

STATE OF N.J. DEPT. OF TRANSPORTATION
P.O. BOX 600
TRENTON, NJ 08625



SIGNED

100 E. ALLENDALE RD., SADDLE RIVER, NJ 07458
(201) 327-2609 EXT. 228

(201) 327-0168 FAX

FACSIMILE TRANSMITTAL COVER SHEET

Date: 9-24-20

TO: Kathy Zampini

FAX NUMBER: (201) 587-8845

FROM: Linda Canavan

SUBJECT: 1304 / 7.02 (Upper Saddle River)

5504 / 1 (Ramsey)

NUMBER OF PAGES TO FOLLOW: (2) Two

PLEASE ADVISE IMMEDIATELY IF YOU DID NOT RECEIVE ALL PAGES OR IF THE TRANSMISSION WAS NOT CLEAR. THANK YOU.

**BOROUGH OF SADDLE RIVER
100 EAST ALLENDALE ROAD
SADDLE RIVER, NJ 07458
(201) 327-2609, Ext. 228**

List of Property Owners To Be Served Notice

DATE: September 24, 2020

APPLICANT'S NAME: Wells, Jaworski & Liebman, LLP

APPLICANT'S ADDRESS: 12 Route 17 North, P.O. Box 1827, Paramus, NJ 07653-1827

SUBJECT'S ADDRESS: 112 Route 17, Ramsey NJ 07446

Block: 5504 Lot 1

BLOCK
LOT

OWNER

ADDRESS

Planning Development (Dept. of Human Services)	1 Bergen County Plaza, 4 TH Fl.	Hackensack	NJ	07601
Cable Vision	40 Potash Road	Oakland	NJ	07436
PSE&G (Corporate Properties)	29 Van Vooreen Drive	Oakland	NJ	07438
Verizon, OPE-Right of Way Agent	114 Paterson St., 3 rd Floor	Paterson	NJ	07501
*Rockland Electric Co.	1 Blue Hill Plaza	Pearl River	NY	10965

1301/19	Zampieri, Patricia	69 W. Wildwood Rd.	Saddle River	NJ	07458
1301/20	Bove, John & Lisa	65 W. Wildwood Rd.	Saddle River	NJ	07458
1301/21	Kahn, Mohammed Faraz & Shahla Hasan	63 W. Wildwood Rd.	Saddle River	NJ	07458
1302/22	Digirolamo, Christopher & Alisa	59 W. Wildwood Rd.	Saddle River	NJ	07458
1302/23	Lafiosca, Anna (Irrevocable Trst)	57 W. Wildwood Rd.	Saddle River	NJ	07458

Other properties located within 200 ft. are in Upper Saddle River, Allendale & Ramsey, NJ

I, William Yirce, hereby certify that this is an accurate and complete list of Saddle River properties and owners that appear within 200 ft. of the subject property according to existing Borough records based on receipt of deeds from Bergen County. They must be given notice pursuant to the requirement of N.J.S.A. 40-55D-12 (b). In addition, it is the responsibility of the applicant to serve notice to neighboring boroughs, their property owners, county and state if within 200 ft. of subject property. List of neighboring town property owners within 200 ft. of subject should be obtained from designated person in neighboring municipality.

Subject property with 200 ft. of _____ State _____ County _____ Neighboring Municipality.

William Yirce (RC)
William Yirce, Borough Tax Assessor

9/25/20
DATE

**BOROUGH OF SADDLE RIVER
100 EAST ALLENDALE ROAD
SADDLE RIVER, NJ 07458
(201) 327-2609, Ext. 228**

List of Property Owners To Be Served Notice

DATE: September 24, 2020

APPLICANT'S NAME: Wells, Jaworski & Liebman, LLP
APPLICANT'S ADDRESS: 12 Route 17 North, P.O. Box 1827, Paramus, NJ 07653-1827

SUBJECT'S ADDRESS: 108 Route 17 North, Upper Saddle River, NJ 07458
Block: 1304 Lot 7.02

BLOCK
LOT

OWNER

ADDRESS

	Planning Development (Dept. of Human Services)	1 Bergen County Plaza, 4 TH Fl.	Hackensack	NJ	07601
	Cable Vision	40 Potash Road	Oakland	NJ	07436
	PSE&G (Corporate Properties)	29 Van Vooreen Drive	Oakland	NJ	07438
	Verizon, OPE-Right of Way Agent	114 Paterson St., 3 rd Floor	Paterson	NJ	07501
	*Rockland Electric Co.	1 Blue Hill Plaza	Pearl River	NY	10965
1301/18	Neuman, Gregory & Carey	70 W. Wildwood Rd.	Saddle River	NJ	07458
1301/19	Zampieri, Patricia	69 W. Wildwood Rd.	Saddle River	NJ	07458
1301/20	Bove, John & Lisa	65 W. Wildwood Rd.	Saddle River	NJ	07458

*****Other properties located within 200 ft. are in Upper Saddle River and Ramsey, NJ*****

I, William Yirce, hereby certify that this is an accurate and complete list of Saddle River properties and owners that appear within 200 ft. of the subject property according to existing Borough records based on receipt of deeds from Bergen County. They must be given notice pursuant to the requirement of N.J.S.A. 40-55D-12 (b). In addition, it is the responsibility of the applicant to serve notice to neighboring boroughs, their property owners, county and state if within 200 ft. of subject property. List of neighboring town property owners within 200 ft. of subject should be obtained from designated person in neighboring municipality.

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William Yirce
William Yirce, Borough Tax Assessor

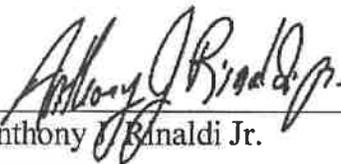
9/25/20
DATE

ANTHONY J. RINALDI
UPPER SADDLE RIVER ASSESSOR
376 WEST SADDLE RIVER ROAD
UPPER SADDLE RIVER, NJ 07458
ASSESSOR@USRTODAY.ORG
201-934-3967

Certified Property Owners List
(Property within 200 feet)

Name of Applicant: WELLS, JAWORSKI & LIEBMAN, LLP
Property Location: 108 Route 17
Block: 1304
Lot: 7.02
Purpose: 200 List
Date of List: 09/28/2020

I hereby certify that the attached list was created from the official records of the Borough of Upper Saddle River. Please be advised that this property is located within 200 feet of the Saddle River Border, so you would therefore need to notify them as well.



Anthony J. Rinaldi Jr.
Assessor

OWNER & ADDRESS REPORT

UPPER SADDLE RIVER

09/28/20 Page 1 of 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
1304	6.06		2	SHUSTER, DANIEL & ROBIN 19 ORATAM ROAD UPPER SADDLE RIVER, NJ 07458	19 ORATAM ROAD	
1304	6.07		2	GNECO, PAUL & GINA 15 ORATAM RD UPPER SADDLE RIVER, NJ 07458	15 ORATAM ROAD	
1304	6.08		2	CHA, SUN H & MIN YOUL 23 LENAPE TRAIL SADDLE RIVER, NJ 07458	23 LENAPE TRAIL	
1304	6.09		1	MARRON & COMPANY, L.L.C. 118 RT. 17 UPPER SADDLE RIVER, N.J. 07458	19 LENAPE TRAIL	
1304	7.01		1	KRISUJEN REALTY LP 985 ROUTE 17 SOUTH RAMSEY, NJ 07446	100 ROUTE 17	

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Public Service Electric & Gas Co.

Manager - Corporate Properties
80 Park Plaza, T6B
Newark, New Jersey 07102

TELEPHONE

Verizon NJ Inc

Engineering Mgr. Frank Scuzo
114 Paterson St.
Paterson, NJ 07501

WATER

United Water Company

200 Old Hook Road
Harrington Park, NJ 07640

CABLE TV

Optimum

Public Relations Dept.
40 Potash Road
Oakland, N.J. 07436

Borough of Ramsey

33 N. Central Avenue
Ramsey, NJ 07446

It is the applicant's responsibility to determine whether or not there are any rights-of-way or easements on or across your property; and if so, it is the applicant's responsibility to give legal notice to the appropriate utility or utilities. If you are in doubt, it is suggested that notice be given to the appropriate public utilities.

GOVERNMENT AGENCIES

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Bergen County Planning Board

One Bergen County Plaza
Hackensack, N.J. 07601-7000

If on a State Highway, notify:

NJ Department of Transportation

1035 Parkway Avenue
Trenton, N.J. 08625

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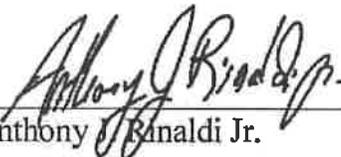
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ANTHONY J. RINALDI
UPPER SADDLE RIVER ASSESSOR
376 WEST SADDLE RIVER ROAD
UPPER SADDLE RIVER, NJ 07458
ASSESSOR@USRTODAY.ORG
201-934-3967

Certified Property Owners List
(Property within 200 feet)

Name of Applicant: WELLS, JAWORSKI & LIEBMAN, LLP
Property Location: 112 State Highway 17 - RAMSEY
Block: 5504
Lot: 1
Purpose: 200 List
Date of List: 09/28/2020

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Anthony J. Rinaldi Jr.
Assessor

OWNER & ADDRESS REPORT

UPPER SADDLE RIVER

09/28/20 Page 1 of 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
1301	14		4A	CARS DB4 LP DE 8484 WESTPARK DR STE200 MCLEAN, VA 22102	145 ROUTE 17	
1301	15		4A	LIMA ENTERPRISES LLC 119 ROUTE 17 UPPER SADDLE RIVER, NJ 07458	119 ROUTE 17	
1304	6.06		2	SHUSTER, DANIEL & ROBIN 19 ORATAM ROAD UPPER SADDLE RIVER, NJ 07458	19 ORATAM ROAD	
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1304	7.02		1	BRE-ESA PROP.LLC EXT.STAY PROP TAX P.O.B.49550/PROP TAX 2516 CHARLOTTE, NC 28277	108 ROUTE 17	

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200 Old Hook Road
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40 Potash Road
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Borough of Ramsey

33 N. Central Avenue
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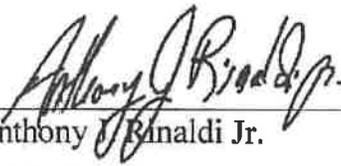
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UPPER SADDLE RIVER ASSESSOR
376 WEST SADDLE RIVER ROAD
UPPER SADDLE RIVER, NJ 07458
ASSESSOR@USRTODAY.ORG
201-934-3967

Certified Property Owners List
(Property within 200 feet)

Name of Applicant: WELLS, JAWORSKI & LIEBMAN, LLP
Property Location: 19 Lenape Trail
Block: 1304
Lot: 6.09
Purpose: 200 List
Date of List: 09/28/2020

I hereby certify that the attached list was created from the official records of the Borough of Upper Saddle River.



Anthony J. Rinaldi Jr.
Assessor

LEGAL NOTICE TO PUBLIC/PRIVATE UTILITIES & GOVERNMENT AGENCIES

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200 Old Hook Road
Harrington Park, NJ 07640

CABLE TV

Optimum

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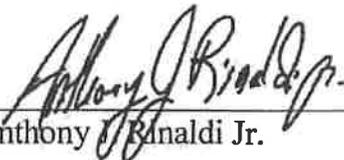
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ANTHONY J. RINALDI
UPPER SADDLE RIVER ASSESSOR
376 WEST SADDLE RIVER ROAD
UPPER SADDLE RIVER, NJ 07458
ASSESSOR@USRTODAY.ORG
201-934-3967

Certified Property Owners List
(Property within 200 feet)

Name of Applicant: WELLS, JAWORSKI & LIEBMAN, LLP
Property Location: 118 Route 17
Block: 1304
Lot: 9
Purpose: 200 List
Date of List: 09/28/2020

I hereby certify that the attached list was created from the official records of the Borough of Upper Saddle River. Please be advised that this property is located within 200 feet of the Ramsey Border, so you would therefore need to notify them as well.



Anthony J. Rinaldi Jr.
Assessor

LEGAL NOTICE TO PUBLIC/PRIVATE UTILITIES & GOVERNMENT AGENCIES

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114 Paterson St.
Paterson, NJ 07501

WATER

United Water Company

200 Old Hook Road
Harrington Park, NJ 07640

CABLE TV

Optimum

Public Relations Dept.
40 Potash Road
Oakland, N.J. 07436

Borough of Ramsey

33 N. Central Avenue
Ramsey, NJ 07446

It is the applicant's responsibility to determine whether or not there are any rights-of-way or easements on or across your property; and if so, it is the applicant's responsibility to give legal notice to the appropriate utility or utilities. If you are in doubt, it is suggested that notice be given to the appropriate public utilities.

GOVERNMENT AGENCIES

If the subject property is located on a County Road or is within 200' of any County property, notify:

Bergen County Planning Board

One Bergen County Plaza
Hackensack, N.J. 07601-7000

If on a State Highway, notify:

NJ Department of Transportation

1035 Parkway Avenue
Trenton, N.J. 08625

If the subject property is within 200 feet of a municipal border, the ***Clerk*** of the adjacent Municipality and the ***Bergen County Planning Board*** must be notified.

TAKE FURTHER NOTICE, that in addition, notice of public hearings on applications for major subdivision approvals or major site plan approvals must be given by the applicant to all public utilities and all cable television companies that have any facilities or possess a right-of-way of easement located anywhere within 200 feet of the subject property. It is suggested that major subdivision and major site plan approval applicants should contact the appropriate utilities and obtain in writing a statement whether or not the utility has any facilities easement within 200 feet of the subject property.

OWNER & ADDRESS REPORT

UPPER SADDLE RIVER

09/28/20 Page 1 of 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
1301	15		4A	LIMA ENTERPRISES LLC 119 ROUTE 17 UPPER SADDLE RIVER, NJ 07458	119 ROUTE 17	
1302	9		2	MOHYUDDIN, PERVAIZ 3 LENAPE TRAIL UPPER SADDLE RIVER, NJ 07458	3 LENAPE TRAIL	
1302	10		2	DALAL, SAROSH M. 7 LENAPE TRL UPPER SADDLE RIVER NJ 07458	7 LENAPE TRAIL	
1302	11		2	SHEKHAR, JALDHARA 11 LENAPE TRAIL UPPER SADDLE RIVER, NJ 07458	11 LENAPE TRAIL	
1302	12.01		4A	UPPER SADDLE RVR PROJECT LLC 1 STATION PLAZ/METRO CTR STAMFORD, CT 06902	200 ROUTE 17	
1302	13		4A	174 ROUTE 17 CORPORATION 174 ROUTE 17 UPPER SADDLE RIVER, N.J. 07458	174 ROUTE 17	
1302	14		4A	VENTURE ONE, INC 213 PRESPECT AVE DUMONT, NJ 07628	160 ROUTE 17	
1304	6.06		2	SHUSTER, DANIEL & ROBIN 19 ORATAM ROAD UPPER SADDLE RIVER, NJ 07458	19 ORATAM ROAD	
1304	6.07		2	GNECO, PAUL & GINA 15 ORATAM RD UPPER SADDLE RIVER, NJ 07458	15 ORATAM ROAD	
1304	6.08		2	CHA, SUN H & MIN YOUL 23 LENAPE TRAIL SADDLE RIVER, NJ 07458	23 LENAPE TRAIL	
1304	6.09		1	MARRON & COMPANY, L.L.C. 118 RT. 17 UPPER SADDLE RIVER, N.J. 07458	19 LENAPE TRAIL	
1304	6.10		1	MARRON & COMPANY, L.L.C. 118 RT. 17 UPPER SADDLE RIVER, N.J. 07458	15 LENAPE TRAIL	
1304	10		4A	142 ROUTE 17 LLC C/O ADPP ENT INC 200 RT 17 S SUITE 215 MAHWAH NJ 07430	142 ROUTE 17	



INCORPORATED 1808

**BOROUGH OF RAMSEY, BERGEN COUNTY 07446
200 FOOT BAND PERIMETER LIST OF RECORD PROPERTY OWNERS**

Danielle Monaghan, Tax Atlas Search Officer

Date Received: 9/25/2020 Date Sent: 9/30/2020 Fee Paid: \$10.00

Applicant: Wells, Jaworski, & Liebman Telephone Number: 201 587 8845

Address: 12 RT 17 North P.O. Box 1827
Paramus, NJ 07653

Block: 5504 Lot: 1 Map Number: 55 List Number: 60

Address of Property: 112 RT 17 North
Ramsey, NJ 07446

Falls within 200 ft. of another town: Yes Saddle River & USR, NJ No

OWNER & ADDRESS REPORT

RAMSEY

09/29/20 Page 1 of 1

200 FT LIST FOR BLOCK/LOT 5504/1
 112 RT 17 RAMSEY, NJ FALLS WITHIN 200 FT OF SADDLE RIVER, NJ & USR, NJ

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
5501	32		1	LIMA ENTERPRISES LLC 119 STATE HIGHWAY 17 UPPER SADDLE RIVER, N.J. 07458	319 NOTTINGHAM RD	
5503	41		4A	NJ ENERGY REALTY LLC 536 MAIN STREET NEW PALTZ, NY 12561	75 STATE HIGHWAY 17	
5503	42		4A	ANDERSON AUTO REALTY LLC 65 STATE HWY 17 RAMSEY, NJ 07446	65 STATE HIGHWAY 17	
5504	2		4A	GAHARY, GEORGE S & MARIE TRSTES 54 LOCUST GROVE ROAD TINTON FALLS, NJ 07753	66 STATE HIGHWAY 17	



INCORPORATED 1908

UTILITY COMPANIES TO BE NOTIFIED

BOARD OF PUBLIC WORKS
33 N. CENTRAL AVENUE
RAMSEY, NJ 07446

PUBLIC SERVICE ELECTRIC AND GAS
20 VAN VOOREN DR.
OAKLAND, NJ 07436

ROCKLAND ELECTRIC COMPANY
1 BLUE HILL PLAZA
PEARL RIVER, NEW YORK 10965

VERIZON NEW JERSEY
REAL ESTATE DEPARTMENT
180 WASHINGTON VALLEY ROAD
BEDMINSTER, NJ 07921

CABLEVISION OF NEW JERSEY
40 POTASH RD.
OAKLAND, NJ 07436

BERGEN COUNTY PLANNING BOARD
1 BERGEN COUNTY PLAZA
HACKENSACK, NJ 07601

STATE OF N.J. DEPT. OF TRANSPORTATION
P.O. BOX 600
TRENTON, NJ 08625



INCORPORATED 1908

**BOROUGH OF RAMSEY, BERGEN COUNTY 07446
200 FOOT BAND PERIMETER LIST OF RECORD PROPERTY OWNERS**

Danielle Monaghan, Tax Atlas Search Officer

Date Received: 9/25/2020 Date Sent: 9/30/2020 Fee Paid:

Applicant: Wells, Jaworski, Liebman Telephone Number: 201 587 8845

Address: 12 RT 17 P.O. Box 1827
Paramus, NJ 07653

Block: 1304 Lot: 7.02 Map Number: _____ List Number: 61

Address of Property: 108 RT 17
Upper Saddle River, NJ

Falls within 200 ft. of another town: Yes Ramsey, NJ No

OWNER & ADDRESS REPORT

RAMSEY

200 FT LIST FOR BLOCK/LOT 1304/7.02 USR
108 RT 17 UPPER SADDLE RIVER, NJ

09/30/20 Page 1 of 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
5504	1		4A	BRE/ESA % PROP TX 2516 SUITE 100 11525 N COMMUNITY HOUSE CHARLOTTE, NC 28277	112 STATE HIGHWAY 17	
5504	2		4A	GAHARY, GEORGE S & MARIE TRSTES 54 LOCUST GROVE ROAD TINTON FALLS, NJ 07753	66 STATE HIGHWAY 17	



INCORPORATED 1908

UTILITY COMPANIES TO BE NOTIFIED

BOARD OF PUBLIC WORKS
33 N. CENTRAL AVENUE
RAMSEY, NJ 07446

PUBLIC SERVICE ELECTRIC AND GAS
20 VAN VOOREN DR.
OAKLAND, NJ 07436

ROCKLAND ELECTRIC COMPANY
1 BLUE HILL PLAZA
PEARL RIVER, NEW YORK 10965

VERIZON NEW JERSEY
REAL ESTATE DEPARTMENT
180 WASHINGTON VALLEY ROAD
BEDMINSTER, NJ 07921

CABLEVISION OF NEW JERSEY
40 POTASH RD.
OAKLAND, NJ 07436

BERGEN COUNTY PLANNING BOARD
1 BERGEN COUNTY PLAZA
HACKENSACK, NJ 07601

STATE OF N.J. DEPT. OF TRANSPORTATION
P.O. BOX 600
TRENTON, NJ 08625



BOROUGH OF RAMSEY, BERGEN COUNTY 07446
200 FOOT BAND PERIMETER LIST OF RECORD PROPERTY OWNERS

Danielle Monaghan, Tax Atlas Search Officer

Date Received: 9/25/2020 Date Sent: 9/30/2020 Fee Paid:

Applicant: Wells, Jaworski & Leibman Telephone Number: 2015870888

Address: 12 RT 17 N. P.O. Box 1827
Paramus, NJ 07653

Block: 1304 Lot: 9 & 6.09 Map Number: _____ List Number: 62

Address of Property: 19 Lenape Trail (1304/6.09)
& 118 RT 17 (1304/9) Upper Saddle River, NJ

Falls within 200 ft. of another town: Yes Ramsey, NJ No

OWNER & ADDRESS REPORT

RAMSEY

09/30/20 Page 1 of 1

200 FT LIST FOR 1304/9 & 1304/6.09
 19 LENAPE TRAIL AND 118 RT 17 UPPER SADDLE RIVER, NJ

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
5501	32		1	LIMA ENTERPRISES LLC 119 STATE HIGHWAY 17 UPPER SADDLE RIVER, N.J. 07458	319 NOTTINGHAM RD	
5504	1		4A	BRE/ESA % PROP TX 2516 SUITE 100 11525 N COMMUNITY HOUSE CHARLOTTE, NC 28277	112 STATE HIGHWAY 17	



UTILITY COMPANIES TO BE NOTIFIED

BOARD OF PUBLIC WORKS
33 N. CENTRAL AVENUE
RAMSEY, NJ 07446

PUBLIC SERVICE ELECTRIC AND GAS
20 VAN VOOREN DR.
OAKLAND, NJ 07436

ROCKLAND ELECTRIC COMPANY
1 BLUE HILL PLAZA
PEARL RIVER, NEW YORK 10965

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BEDMINSTER, NJ 07921

CABLEVISION OF NEW JERSEY
40 POTASH RD.
OAKLAND, NJ 07436

BERGEN COUNTY PLANNING BOARD
1 BERGEN COUNTY PLAZA
HACKENSACK, NJ 07601

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P.O. BOX 600
TRENTON, NJ 08625