

#704 Rec'd 5/4/2020

**PORT IMPERIAL SOUTH, L.L.C.
APPLICATION FOR
AMENDED PLANNED DEVELOPMENT APPROVAL
TO THE PLANNING BOARD
OF THE TOWNSHIP OF WEEHAWKEN
HUDSON COUNTY, NEW JERSEY**

Block 36.05, Lot 1.01
Block 36.05, Lot 2.01
Block 36.05, Lot 3.01
Block 36.05, Lot 4.01
Block 45, Lot 6
Block 45, Lot 7
Block 45, Lot 8
Block 45, Lot 9
Block 45.01, Lot 1.01
Block 45.01, Lot 2.01
Block 45.01, Lot 3.01
Block 45.01, Lot 4.01
Block 45.02, Lot 1.01
Block 64.01, Lot 1.01
Block 64.01, Lot 1.02
Block 64.01, Lot 1.03

Block 64.01, Lot 1.04
Block 64.01, Lot 1.05
Block 64.01, Lot 1.06
Block 64.01, Lot 1.07
Block 64.01, Lot 1.08
Block 64.01, Lot 1.09
Block 64.01, Lot 1.10
Block 64.01, Lot 1.11
Block 64.01, Lot 3.01
Block 64.01, Lot 3.02
Block 64.01, Lot 3.03
Block 64.01, Lot 3.04
Block 64.02, Lot 1.01
Block 64.03, Lot 1.01
Block 64, Lot 8
Block 64, Lot 9

Owners:

PORT IMPERIAL SOUTH, L.L.C.
Harborside 3, 210 Hudson St, Ste 400
Jersey City, NJ 07311

**Port Imperial Park Urban
Renewal LLC**
Harborside 3, 210 Hudson St, Ste 400
Jersey City, NJ 07311

Henley on Hudson Condominiums
250 Henley Place
Weehawken, NJ 07086

Romulus Development Corp.
4800 Avenue at Port Imperial
Weehawken, NJ 07086

Brownstone Townhouses
Regency Place
Weehawken, NJ 07086

Port Imperial Marina LLC
Harborside 3, 210 Hudson St, Ste 400
Jersey City, NJ 07311

Port Imperial South 1/3 Garage, L.L.C.
Harborside 3, 210 Hudson St, Ste 400
Jersey City, NJ 07311

Port Imperial South 15, LLC
Harborside 3, 210 Hudson St, Ste 400
Jersey City, NJ 07311

**Port Imperial South 13 Urban
Renewal LLC**
Harborside 3, 210 Hudson St, Ste 400
Jersey City, NJ 07311

**Port Imperial South 11 Urban
Renewal LLC**
Harborside 3, 210 Hudson St, Ste 400
Jersey City, NJ 07311

**Port Imperial South 8-9 Urban
Renewal LLC**
Harborside 3, 210 Hudson St, Ste 400
Jersey City, NJ 07311

Avora Condominiums
800 Avenue at Port Imperial
Weehawken, NJ 07086

1419 WK Owner LLC
888 Seventh Avenue, 28 Floor
New York, NY 10106

**Port Imperial South 1/3 Garage Retail,
L.L.C.**
Harborside 3, 210 Hudson St, Ste 400
Jersey City, NJ 07311

**1200 Ave at Port Imperial Condo
Association, Inc.**
1200 Avenue at Port Imperial
Weehawken, NJ 07086

The Avenue Collection Building 10
1000 Avenue at Port Imperial
Weehawken, NJ 07086

Port Imperial South 4/5 Garage, LLC
Harborside 3, 210 Hudson St, Ste 400
Jersey City, NJ 07311

Parcel 2 at Port Imperial LLC
Harborside 3, 210 Hudson St, Ste 400
Jersey City, NJ 07311

Park Parcel at Port Imperial LLC
Harborside 3, 210 Hudson St, Ste 400
Jersey City, NJ 07311

Port Imperial 4/5 Retail, L.L.C.
Harborside 3, 210 Hudson St, Ste 400
Jersey City, NJ 07311

**XS Hotel Urban Renewal Associates,
L.L.C.**
Harborside 3, 210 Hudson St, Ste 400
Jersey City, NJ 07311

**APPLICANT:
PORT IMPERIAL SOUTH, L.L.C.
Harborside 3, 210 Hudson St, Suite 400
JERSEY CITY, NEW JERSEY 07311**

FORM #1
APPLICATION
TOWNSHIP OF WEEHAWKEN
PLANNING BOARD

1. Applicant's Name: Port Imperial South, L.L.C.

Address: Harborside 3, 210 Hudson St, Suite 400
Jersey City, New Jersey 07311

Phone Number: 973-218-2300

If Applicant is a corporation or partnership, attach a list of the names and addresses of all shareholders or partners who hold an interest of ten percent (10%) or greater.

See Exhibit "A" attached hereto.

2. Applicant's Attorney: Glenn C. Kienz, Esq., Weiner Law Group

Address: 629 Parsippany Road
Parsippany, New Jersey 07054

Phone Number: 973-403-1100

3. Location of Subject Property:

Block <u>36.05</u> , Lot <u>1.01</u>	Block <u>64.01</u> , Lot <u>1.04</u>
Block <u>36.05</u> , Lot <u>2.01</u>	Block <u>64.01</u> , Lot <u>1.05</u>
Block <u>36.05</u> , Lot <u>3.01</u>	Block <u>64.01</u> , Lot <u>1.06</u>
Block <u>36.05</u> , Lot <u>4.01</u>	Block <u>64.01</u> , Lot <u>1.07</u>
Block <u>45</u> , Lot <u>6</u>	Block <u>64.01</u> , Lot <u>1.08</u>
Block <u>45</u> , Lot <u>7</u>	Block <u>64.01</u> , Lot <u>1.09</u>
Block <u>45</u> , Lot <u>8</u>	Block <u>64.01</u> , Lot <u>1.10</u>
Block <u>45</u> , Lot <u>9</u>	Block <u>64.01</u> , Lot <u>1.11</u>
Block <u>45.01</u> , Lot <u>1.01</u>	Block <u>64.01</u> , Lot <u>3.01</u>
Block <u>45.01</u> , Lot <u>2.01</u>	Block <u>64.01</u> , Lot <u>3.02</u>
Block <u>45.01</u> , Lot <u>3.01</u>	Block <u>64.01</u> , Lot <u>3.03</u>
Block <u>45.01</u> , Lot <u>4.01</u>	Block <u>64.01</u> , Lot <u>3.04</u>
Block <u>45.02</u> , Lot <u>1.01</u>	Block <u>64.02</u> , Lot <u>1.01</u>
Block <u>64.01</u> , Lot <u>1.01</u>	Block <u>64.03</u> , Lot <u>1.01</u>
Block <u>64.01</u> , Lot <u>1.02</u>	Block <u>64</u> , Lot <u>8</u>
Block <u>64.01</u> , Lot <u>1.03</u>	Block <u>64</u> , Lot <u>9</u>

Street

Address: Port Imperial Boulevard

4. Record Owner of Subject Property:

Block 36.05, Lot 1.01

Port Imperial Park Urban Renewal, L.L.C.
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 36.05, Lot 2.01

Port Imperial South, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 36.05, Lot 3.01

Port Imperial South, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 36.05, Lot 4.01

Romulus Development Corp
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 45, Lot 6

Port Imperial South, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 45, Lot 7

Port Imperial South, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 45, Lot 8

Port Imperial South, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 45, Lot 9

Port Imperial South, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 45.01, Lot 1.01

Henley on the Hudson Condominiums
250 Henley Place
Weehawken, NJ 07086

Block 45.01, Lot 2.01
Port Imperial South, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 45.01, Lot 3.01
Romulus Development Corp.
4800 Ave @ Port Imp Blvd
Weehawken, NJ 07086

Block 45.01, Lot 4.01
Brownstone Townhouses
Regency Place
Weehawken, NJ 07086

Block 45.02, Lot 1.01
Port Imperial South, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 64, Lot 8
Port Imperial South, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 64, Lot 9
Port Imperial South, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 64.01, Lot 1.01
Port Imperial Marina, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 64.01, Lot 1.02
Park Parcel at Port Imperial, L.L.C.
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 64.01, Lot 1.03
Port Imperial South 15, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 64.01, Lot 1.04
Port Imperial South 13 Urban Renewal, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 64.01, Lot 1.05

Port Imperial South 11 Urban Renewal, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 64.01, Lot 1.06

Port Imperial South 8-9 Urban Renewal, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 64.01, Lot 1.07

Avora Condominiums
800 Avenue at Port Imperial
Weehawken, NJ 07086

Block 64.01, Lot 1.08

1419 WK Owner, L.L.C.
888 Seventh Avenue, 28th Floor
New York, NY 10106

Block 64.01, Lot 1.09

1419 WK Owner, L.L.C.
888 Seventh Avenue, 28th Floor
New York, NY 10106

Block 64.01, Lot 1.10

1200 Ave at Port Imperial Condo Association, Inc.
1200 Avenue at Port Imperial
Weehawken, NJ 07086

Block 64.01, Lot 1.11

The Avenue Collection Building 10
1000 Avenue at Port Imperial
Weehawken, NJ 07086

Block 64.01, Lot 3.01

Port Imperial South, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 64.01, Lot 3.02

Port Imperial South 4/5 Garage, L.L.C
Port Imperial 4/5 Retail, L.L.C.
XS Hotel Urban Renewal Associates
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 64.01, Lot 3.03
Port Imperial South, L.L.C
Port Imperial South 1/3 Garage, L.L.C.
Port Imperial South 1/3 Garage Retail, L.L.C.
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 64.01, Lot 3.04
Parcel 2 at Port Imperial, L.L.C.
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 64.02, Lot 1.01
Port Imperial South, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

Block 64.03, Lot 1.01
Port Imperial South, L.L.C
Harborside 3, 210 Hudson St, Suite 400
Jersey City, NJ 07311

5. Description of Subject Property:

Lot Dimensions and Area: See Exhibit "B" attached.

Existing Structures, if any: Restaurants, retail, commercial, residential buildings, parks, open space, hotels, parking garages, and all supporting infrastructure developed pursuant to all approvals listed below in #9..

Existing Use: Restaurants, retail, commercial, residential buildings, parks, open space, hotels, parking garages, and all supporting infrastructure developed pursuant to all approvals listed below in #9.

Zoning District: B-2, B-3, I Planned Development District

6. Type of Application (check all applicable items):

- Minor Site Plan
- Minor Subdivision
- Major Site Plan
- Major Subdivision
- Variance
- Conditional Use
- Planned Development
- Curb Cut

7. Name of Licensed N.J. architect and/or engineer who

prepared the plans: Geoffrey R. Lanza, P.E., N.J. License # 24GEO3068000

Address: Bowman Consulting Group Ltd.
303 W. Main Street, Suite 350, Freehold, New Jersey 07728

Phone Number: 732-665-5500

8. Description of Proposal (i.e., type and dimensions of proposed construction; number of proposed dwelling units; amount of proposed non-residential floor area and type of use; number of on-site parking spaces; number, dimensions, and area of proposed new lots; number of employees, if any; proposed hours of operation, if applicable; variance relief requested):

See attached _____

9. Have there been any previous applications, requests or appeals to this or any other Township Boards or the Construction Official involving the same property? Yes

If yes, state the nature, date and disposition of the previous matter.

Zoning Board of Adjustment Approval for the Banana Building, Resolution dated July 17, 1996 granting extension of permission for use of property as a marina, restaurant, accessory uses in parking areas, apartment, warehouse, road widening, signage, ferry operation, river walkway, bicycle/jogging path, helipad, realignment of existing parking on former lots 1 and 1A, Block 64, and a fitness center in the Banana Building.

Final and Revised Final Subdivision Approval Resolutions dated August 19, 1997; January 5, 1999 ratified April 6, 1999. Preliminary Planned Development Approval January 5, 1999; ratified by Resolution dated April 6, 1999; Port Imperial South Planned Development Townhouse Site Plan Approval Lot 4.01, Block 45.01 dated January 5, 1999, and ratified by Resolution dated April 6, 1999; Preliminary and Final Site Plan Approval for the Temporary Realignment of Port Imperial Boulevard granted by the Planning Board on June 22, 1999; Final Site Plan Approval for the "Brownstones" dated August 10, 2000; Resolution approving Second Planned Development application dated November 1, 2000; Resolution approving Amended Brownstones application and Preliminary and Final Subdivision Approval for Lots 1.01, 3.01 and 4.01 in Block 45.01; Lot 1.01, Block 45.02; Block 45, Lot 5 and Block 64.01, Lot 1.01 dated January 16, 2001; and Resolution approving Preliminary Site Plan for Interim Ferry Parking Lots dated July 17, 2001; and Resolution approving Second Amended Final Site Plan for the Brownstones approved

April 15, 2003 for Block 45.01, Lot 4.01; Resolution approving Preliminary and Final Site Plan for Hudson River Crossing, L.L.C. dated April 15, 2003 for construction of a fiber optic cable conduit for Block 36.05, Lots 1.01, 2.01, Block 45.01, Lots 1.01, 4.01, Block 45.02, Lot 1.01, Block 64.01, Lot 1.01, Block 64.03, Lot 1.01, Resolution dated March 2, 2004 approving Preliminary and Final Major Subdivision for Block 36.04, Lot 6, Block 36.05, Lots 1.01 and 2.01, Block 45.01, Lots 1.01 and 2.01, and Block 45.02, Lot 1.01 for the Waterfront Park and Proposed Residential Lots and a Resolution, dated September 7, 2004 approving a preliminary site plan for the waterfront park for Lots 1.01, and 2.01, Block 36.05, Lot 1.01 and 2.01 in Block 45.01, Lot 1.01, Block 45.02, Lot 6, Block 36.04 and a final site plan for the waterfront park for Lots 1.01 and 2.01 in Block 36.05, Lot 1.01 in Block 45.01 and Lot 1.01 in Block 45.02, Resolution dated November 16, 2004 granting preliminary and final major subdivision approval for Block 64.01, Lot 1.01, 2.01 and 3.01, Block 64.02, Lot 1.01, Block 64.03, Lot 1.01, Resolution dated May 3, 2005 granting Amended Planned Development Approval for a change in the use of the Banana Building site, new Lot 1.01, Block 45.01, Resolution dated May 3, 2005 approving 164 Townhouses and Condominiums for new Lot 1.01, Block 45.01. Resolution dated July 7, 2005 releasing restriction in Deed Book 5225 at page 1. Resolution dated October 18, 2005 granting Preliminary and Final Site Plan for Building 15, housing, Lot 1.03, Block 64.01; Resolution dated July 18, 2006 granting Preliminary and Final Site Plan for Parking Garages, Lots 3.02 and 3.03, Block 64.01; Resolution dated December 5, 2006 granting Preliminary and Final Site Plan for Buildings 10 and 12, Lots 1.10 and 1.11, Block 64.01; Resolution dated May 1, 2007 granting Amended Preliminary and Final Site Plan approval for Building 15, Lot 1.03 Block 64.01; Resolution dated May 1, 2007 granting Amended Planned Development approval for Lots 8 and 9, Block 64, Lots 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 1.07, 1.08, 1.09, 1.10, 1.11, 3.01, 3.02, 3.03, 3.04, Block 64.01, Lot 1.01 Block 64.02, Lot 1.01 Block 64.04. Resolution dated December 18, 2007 granting Amended Preliminary and Final Site Plan Approval for Hotel and Amended Parking Garage Lot 3.02, Block 64.01; Resolution dated July 7, 2009 granting Amended Preliminary and Final Site Plan Approval Block 45.01, Lot 1.01 Henley on Hudson. Resolution Weehawken Planning Board re: Redevelopment Plan Lot 3.02, Block 64.01 dated February 2, 2010; Ordinance adopting Redevelopment Plan for Waterfront Transportation related parking garage on Lot 3.02, Block 64.01 dated February 16, 2010; Resolution for Amended Preliminary and Final Site Plan Approval for Amended Parking Garage Lot 3.02, Block 64.01 dated June 15, 2010; Resolution extending Planned Development Approval dated September 21, 2010; Resolution to determine whether further approval is required to alter prior site plan for Lot 1.02, Block 45.01 Henley on Hudson dated December 6, 2011; Resolution granting Preliminary and Final Site Plan Lot 1.09, Block 64.01 continued use of temporary building as sales model and administrative office with parking area dated January 11, 2011; Resolution of Interpretation to Determine Whether Further Approval is Required to Alter Prior Site Plan Lot 1.11, Block 64.01 Building 10 dated June 5, 2012; Resolution granted Amended Preliminary and Final Site Plan Approval with Variance for Lots 1.03, 1.04 and 1.05, Block 64.01 dated September 10, 2012; Resolution granting application for subdivision of Lot 1.02, Block 64.01 dated January 7, 2014; Resolution granting Amended Preliminary and Final Site Plan Approval with Ancillary Variance Relief Lot 3.02, Block 64.01 Amended Hotel Approval dated January 7, 2014. Resolution granting amended preliminary and final site plan approval with variances for Buildings 1 and 3 on Lot 3.03,


Block 64.01 for an office building and parking garage dated September 16, 2014. Resolution granting LS Port Imperial South, LLC preliminary and final site plan approval for Lot 1.05 Block 64.01 with variance for parking space size and for loading dock location and size and separation between buildings at street level and up to 80 feet in height for Building 11 approved June 2, 2015. Resolution granting amended final site plan approval to Lennar Port Imperial South Building 12, LLC located on Lot 1.10 in Block 64.01 for de minimis changes resulting from Superstorm Sandy dated October 6, 2015. Resolution granting amended preliminary and final site plan approval to L.R. Port Imperial South BB, L.L.C. on Lot 1.01 Block 45.01 (Henley on Hudson) approved December 15, 2015. Resolution granting amended preliminary and final site plan approval for Building 7 Lot 1.07 Block 64.01 approved on February 2, 2016 and memorialized March 1, 2016. Resolution granting Port Imperial South 8-9 Urban Renewal, LLC preliminary and final site plan approval for Block 64.01, Lot 1.06, Building 8/9 decided on May 16, 2017 and memorialized on June 6, 2017. Resolution granting HK WK (NJ) LLC preliminary and final site plan approval for Buildings 14 and 19 to located at Block 64.01, Lots 1.08 and 1.09 decided on December 4, 2018 and memorialized on December 18, 2018. Resolution granting HK WK (NJ) LLC amended final site plan approval for Buildings 14 and 19 located at Block 64.01, Lots 1.08 and 1.09 decided on June 18, 2019 and memorialized on July 3, 2019. Resolution granting Verizon preliminary and final site plan approval for Block 64.01 Lots 1.01 and 3.01 and Block 64.03 Lot 1.01 decided on June 18, 2019 and memorialized on September 3, 2019. Resolution granting The Park Apartments preliminary and final site plan and subdivision approval for Block 36.05 Lot 1.01 decided on June 18, 2019 and memorialized on September 3, 2019.

10. Describe any existing or proposed deed restrictions affecting this property. If deed restrictions are proposed, attach a copy of the proposed document.
There is an existing subsurface protective easement for the Lincoln Tunnel. (See Deed Book 2700 at pages 186, et. seq.). There is a Port Authority Drainage Sewer Easement. (See Deed Book 1920 at pages 363, et. seq.). There is a utility easement. There is a sanitary sewer easement. (See Deed Book 2926 at pages 775, et. seq.). The Master Easement, Covenants and Restrictions Agreement dated December 1997 between Port Imperial South, L.L.C. and Romulus Development Corp. was recorded on December 18, 1997 in the Hudson County Register's Office in Deed Book 5225, page 1, et. seq. There is a declaration of easement dated May 14, 2001 between Port Imperial South, L.L.C. for a 20 foot wide access easement to the waterfront walkway through Lot 1.01, Block 64.01 and for the waterfront walkway easement through Lots 1.01, 3.01 and 4.01 of Block 45.01 and Lot 1.01, Block 64.01 which agreement was recorded July 11, 2001 in the Hudson County Register's Office in Deed Book 5836 at page 172. There is an easement agreement dated June 18, 2001 between Port Imperial South, L.L.C. and Romulus Development Corp. for the waterfront walkway access, which easement was recorded July 11, 2001 in the Hudson County Register's Office, Deed Book 5836, page 139, et seq. Easement agreement dated January 7, 2002 between Port Imperial South, L.L.C. and Romulus Development Corp.,

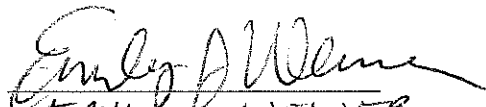
and New Jersey Transit Corporation recorded in the Hudson County Register's Office on January 11, 2002 in Deed Book 5921, page 001 and Easement and Restrictive Covenant Agreement dated January 7, 2002 between Port Imperial South, L.L.C. and New Jersey Transit Corporation recorded in the Hudson County Register's Office on January 11, 2002 in Deed Book 5920, page 285. Post Closing Agreement dated January 7, 2002 between Romulus Development Corporation and Port Imperial South, L.L.C., Port Imperial North Property Owners Association, Inc., and New Jersey Transit Corporation recorded in the Hudson County Register's Office on January 11, 2002 in Deed Book 5921, page 39. Deed of Easement dated January 28, 2002 between Romulus Development Corp. and Lecalkon, L.L.C. recorded on February 21, 2002 in the Hudson County Register's Office in Deed Book 5940, page 21. Permit between Port Imperial South, L.L.C., Romulus Development Corp. and Hudson River Crossing, L.L.C. dated January 28, 2002 recorded on February 21, 2002 in the Hudson County Register's Office in Deed Book 5940, page 67, et seq. Assignment and Assumption of Romulus Easement Agreement dated January 28, 2002 recorded in the Hudson County Register's Office on February 21, 2002 in Deed Book 5940, page 63, et seq. Public Access Easement Agreement between Port Imperial South, L.L.C. and the Township of Weehawken dated February 12, 2004, recorded February 13, 2004 in the Hudson County Register's Office in Deed Book 7215 at pages 105, et seq. for Waterfront Access on Lot 4.01, Block 45.01 (Brownstones) and a Sixteen (16") wide public access easement along Port Imperial Boulevard on Lot 4.01, Block 45.01.

The applicant has granted access easements to the Hudson River Waterfront Walkway. The applicant has executed a Developer's Agreement for the "Brownstones" and "North End Subdivision," Block 64.01, Lots 1.01, 2.01, and 3.01, Block 64.02, Lot 1.01, Block 64.03, Lot 1.01. The applicant has executed and recorded a Declaration of Covenants, Easements and Restrictions for Port Imperial North Property Owners Association, Inc., whose name has been changed to Port Imperial Property Owners Association, Inc., which Declaration has three (3) amendments and outlines the obligations for the repair and maintenance of all improvements in the Planned Development. The applicant has executed and recorded a Waterfront Walkway Easement for Block 64.01, Lot 1.01 and Block 64.01, Lot 3.01. The applicant has executed a Fourth Amendment to Declaration of Covenants, Easements, Restrictions and Bylaws for Port Imperial Property Owners Association Inc. for the Banana Building Lot 4.01, Block 45.01. The applicant has executed a Waterfront Walkway Easement for Lot 1.01, Block 45.01 (Banana Building). The applicant has executed a Developer's Agreement for the Banana Building Lot 1.01, Block 45.01. The applicant has executed a Developer's Agreement for the Waterfront Park, Block 36.05, Lot 2.01, Block 36.05, Lot 3.01 and Block 36.05, Lot 4.01. The applicant has executed a Land Exchange Agreement with the Township of Weehawken for a portion of Lot 6, Block 36.04 in exchange for Lots 2.01, 3.01 and 4.01 in Block 36.05 to create a waterfront park. The applicant has executed an Amended Developer's Agreement, the Palisades Preservation Plan and the Covenant to run with the land that shall allocate the costs of future construction of the off-tract improvements proposed by the Applicant and provide performance guarantees in connection therewith with the Planning Board's attorney. The applicant has negotiated with the Township the terms of a Palisades Preservation Plan and Covenant for allocation of off-tract traffic mitigation costs for Port Imperial.

I, Glenn C. Kienz, Esq., being duly sworn according to law, hereby certify that the information presented in this application is true and accurate, to the best of my knowledge.


Glenn C. Kienz, Esq.

Sworn and subscribed to
before me this 27 day
of April 2021.


EMILY S. WEINER
Attorney-at-Law of the
State of New Jersey

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8. The applicant, Port Imperial South, LLC, has received Planned Development approval for all lots and blocks set forth in paragraph 3 of this application by Resolution of the Weehawken Township Planning Board dated November 1, 2000.

The applicant sought and obtained amended Planned Development approval by Resolution of this Board dated November 16, 2004. The applicant received a further amendment to the Planned Development approval pursuant to a Resolution of the Planning Board dated May 3, 2005 with regard to the use of the Banana Building development lot.

The applicant received a further amendment to the Planned Development pursuant to a Resolution of this Board dated May 1, 2007 which permitted the hotel use on Lot 3.04 to be moved to Lot 3.02 on top of the proposed parking garage and further permitted the office use for Building 7 on Lot 1.09 to be changed to residential use. The Resolution further permitted the use on Lot 3.04 to be a combined office use with a maximum of 655,000 square feet and reduced the total approved retail use square footage from 156,000 to a maximum of 83,550 square feet. The Resolution also revised the phasing schedule and permitted an increase in the total number of dwelling units to a maximum of 2,348 dwelling units.

Most recently, in 2010, the Applicant received an amendment to the PD approval extending the expiration for ten years to expire November 1, 2020. The PD is currently extended by the Permit Extension Act signed by Governor Murphy on July 1, 2020 which extends certain permits and approvals due to the current health emergency.

The applicant is now seeking an amendment to the Planned Development approval for the following:

1. The Township of Weehawken has requested that various Palisades Cliff parcels owned or controlled by the Applicant, which are not part of its development plan, be conveyed to the Township in order to ensure their preservation and the protection of those lands from future development, regardless of the ownership thereof in the future. For these reasons, the Applicant seeks to remove the following Palisades Cliff Open Space parcels from the Planned Development: Block No. 45, Lot No. 6 (which includes Lots 1.01, 7, 8, 8.01 and 9), Block No. 64, Lot No. 8 (which includes Lot 9), and Block No. 64.02, Lot No. 1.01, as those lots are in the process of being conveyed to the Township as Green Acres restricted open space, thereby removing 16.54 acres from the Planned Development area;
2. Applicant seeks Variance relief from the Ordinance of the Township of Weehawken to reduce the required open space within the remaining Planned Development area to 15% from the existing and required 30% as a result of the above dedication;

The Planned Development area currently provides 30% open space as required by the Township Ordinance as well as the approving resolution. However, Applicant seeks Variance relief from the Ordinance of the Township of Weehawken to reduce the Open Space requirement to allow the above referenced transfer of 16.54 acres of open space to the Township. By removing the 16.54 acres from the Planned Development area to convey to the Township and based on the current build-out of the remainder of the Planned Development area, the Planned Development will, by virtue of the transfer, technically become non-conforming with the 30% requirement. It should be noted that the removal of the 16.54 acres from the Planned Development area will not impact the amount of total open space provided for the Township as well as the benefit of those within the Planned Development. In other words, if all relief sought in this Application is granted, there will still be 30.5 acres of dedicated open space between the Palisades and the Hudson River and from the West New York border south to the southern border of the Weehawken Waterfront Park, which meets the intent and spirit of the 30% requirement in the Ordinance. Applicant seeks this variance, not to reduce the amount of open space provided, but to ensure all approvals conform to the actual conditions in the Planned Development once the land transfer to the Township is complete.

Additionally, the removal of the above listed parcels will have no impact on the other bulk regulations in the Planned Development approval including FAR and density permitted. Specifically, the 2007 Amendment to the Planned Development Resolution addressed the phasing schedule within the Planned Development and increased the total number of dwelling units to 2,348, which will not be impacted by this application, and the maximum FAR permitted within the Planned Development remains at 1.85. If the relief sought in this Application is granted, the Planned Development will still comply with an FAR of less than 1.85 for the remaining 76.53 acres.

The applicant has constructed the infrastructure in the Planned Development as required by the Planning Board in its numerous Resolutions of approval for the Planned Development including but not limited to, Port Imperial Boulevard, the stairs from Pershing Road to the HBLRT station, the stairs from Pershing Road to Port Imperial Boulevard, the Weehawken Township Park at the southern end of the Planned Development, Pershing Road Park, Avenue at Port Imperial, the waterfront walkway in both the north end and south end of the Planned Development.

Additionally, the applicant has entered into Developer's Agreements for all of the construction to date and has entered into all Easements and Agreements required by the Planning Board in its various approvals for development of the property located within the Planned Development.

EXHIBIT A
DESCRIPTION OF SUBJECT PROPERTY

Block 36.05, Lot 1.01

Description of the Subject Properties: See filed subdivision map #4041

Lot Dimensions and Area: See filed subdivision map #4041

Existing Structures: None, Vacant

Existing Use: None, Vacant

Zoning District: Planned Development

Block 36.05, Lot 2.01

Description of the Subject Properties: See filed subdivision map #4041

Lot Dimensions and Area: See filed subdivision map #4041

Existing Structures: Township park and recreation facility

Existing Use: Township park and recreation facility

Zoning District: Planned Development

Block 36.05, Lot 3.01

Description of the Subject Properties: See filed subdivision map #4041

Lot Dimensions and Area: See filed subdivision map #4041

Existing Structures: Waterfront walkway

Existing Use: Waterfront walkway use

Zoning District: Planned Development

Block 36.05, Lot 4.01

Description of the Subject Properties: See filed subdivision map #4041

Lot Dimensions and Area: See filed subdivision map #4041

Existing Structures: None

Existing Use: None, water lot

Zoning District: Planned Development

Block 45, Lot 6

Description of the Subject Properties: See filed subdivision map #3646.

Lot Dimensions and Area: See filed subdivision map #3646.

Existing Structures: None. Vacant land, cliff face.

Existing Use: None. Vacant land, cliff face.

Zoning District: Planned Development

Block 45, Lot 7

Description of the Subject Properties: See filed subdivision map #3646.

Lot Dimensions and Area: See filed subdivision map #3646.

Existing Structures: None. Vacant land, cliff face.

Existing Use: None. Vacant land, cliff face.

Zoning District: Planned Development

Block 45, Lot 8

Description of the Subject Properties: See filed subdivision map #3646.

Lot Dimensions and Area: See filed subdivision map #3646.

Existing Structures: None. Vacant land, cliff face.

Existing Use: None. Vacant land, cliff face.

Zoning District: Planned Development

Block 45, Lot 9

Description of the Subject Properties: See filed subdivision map #3646.

Lot Dimensions and Area: See filed subdivision map #3646.

Existing Structures: None. Vacant land, cliff face.

Existing Use: None. Vacant land, cliff face.

Zoning District: Planned Development

Block 45.01, Lot 1.01

Description of the Subject Properties: See filed subdivision map #4041

Lot Dimensions and Area: See filed subdivision map #4041

Existing Structures: Henley on Hudson residential structures

Existing Use: Residential

Zoning District: Planned Development

Block 45.01, Lot 2.01

Description of the Subject Properties: See filed subdivision map #4041

Lot Dimensions and Area: See filed subdivision map #4041

Existing Structures: Water lot

Existing Use: None

Zoning District: Planned Development

Block 45.01, Lot 3.01

Description of the Subject Properties: See filed subdivision map #4041

Lot Dimensions and Area: See filed subdivision map #4041

Existing Structures: Water lot, Restaurant

Existing Use: None

Zoning District: Planned Development

Block 45.01, Lot 4.01

Description of the Subject Properties: See filed subdivision map #4041

Lot Dimensions and Area: See filed subdivision map #4041

Existing Structures: Brownstones residences

Existing Use: Residential

Zoning District: Planned Development

Block 45.02, Lot 1.01

Description of the Subject Properties: See filed subdivision map #4041

Lot Dimensions and Area: See filed subdivision map #4041

Existing Structures: Port Imperial Boulevard

Existing Use: Road
Zoning District: Planned Development

Block 64, Lot 8

Description of the Subject Properties: See filed subdivision map #3646.
Lot Dimensions and Area: See filed subdivision map #3646.
Existing Structures: None. Vacant land, cliff face. Pedestrian Stairway
Existing Use: None. Vacant land, cliff face. Pedestrian Stairway
Zoning District: Planned Development.

Block 64, Lot 9

Description of the Subject Properties: See filed subdivision map #3646.
Lot Dimensions and Area: See filed subdivision map #3646.
Existing Structures: None. Vacant land, cliff face, Pedestrian Stairway
Existing Use: None. Vacant land, cliff face., Pedestrian Stairway
Zoning District: Planned Development.

Block 64.01, Lot 1.01

Description of the Subject Properties: See filed subdivision map #4007, filed February 14, 2005.
Lot Dimensions and Area: See final subdivision map #4007 filed with Hudson County Register.
Existing Structures: Partially constructed waterfront walkway, Pershing Road Park, Molos Restaurant.
Existing Use: Structure formally used as Arthur's restaurant now Molos Restaurant, gas house, waterfront walkway, proposed location for a portion of the Linear Park and waterfront road.
Zoning District: I, B-2, B-3, Planned Development District.

Block 64.01, Lot 1.02

Description of the Subject Properties: See filed subdivision map #4007, filed February 14, 2005.
Lot Dimensions and Area: See final subdivision map #4007 filed with Hudson County Register.
Existing Structures: Surface parking lot
Existing Use: Parking lot
Zoning District: I, B-2, B-3, Planned Development District.

Block 64.01, Lot 1.03

Description of the Subject Properties: See filed subdivision map #4007.
Lot Dimensions and Area: See final subdivision map #4007 filed with Hudson County Register.
Existing Structures: Building 15 (River's Edge).
Existing Use: Residential Building.
Zoning District: B-2, Planned Development District.

Block 64.01, Lot 1.04

Description of the Subject Properties: See filed subdivision map #4007.

Lot Dimensions and Area: See final subdivision map #4007 filed with Hudson County Register.

Existing Structures: Building 13 (RiverParc).

Existing Use: Residential Building.

Zoning District: B-2, Planned Development District.

Block 64.01, Lot 1.05

Description of the Subject Properties: See filed subdivision map #4007.

Lot Dimensions and Area: See final subdivision map #4007 filed with Hudson County Register.

Existing Structures: Building 11 (Riverhouse 11).

Existing Use: Residential Building.

Zoning District: B-2, Planned Development District.

Block 64.01, Lot 1.06

Description of the Subject Properties: See filed subdivision map #4007.

Lot Dimensions and Area: See final subdivision map #4007 filed with Hudson County Register.

Existing Structures: Building 9 (Riverhouse 9).

Existing Use: Residential Building.

Zoning District: B-3, Planned Development District.

Block 64.01, Lot 1.07

Description of the Subject Properties: See filed subdivision map #4007.

Lot Dimensions and Area: See final subdivision map #4007 filed with Hudson County Register.

Existing Structures: Avora.

Existing Use: Residential Building.

Zoning District: B-3, Planned Development District.

Block 64.01, Lot 1.08

Description of the Subject Properties: See filed subdivision map #4007.

Lot Dimensions and Area: See final subdivision map #4007 filed with Hudson County Register.

Existing Structures: Surface Parking Lot, Security Building.

Existing Use: Surface Parking Lot.

Zoning District: B-2, Planned Development District.

Block 64.01, Lot 1.09

Description of the Subject Properties: See filed subdivision map #4007.

Lot Dimensions and Area: See final subdivision map #4007 filed with Hudson County Register.

Existing Structures: Surface Parking Lot.

Existing Use: Surface Parking Lot, .

Zoning District: B-2, Planned Development District.

Block 64.01, Lot 1.10

Description of the Subject Properties: See filed subdivision map #4007.

Lot Dimensions and Area: See final subdivision map #4007 filed with Hudson County Register.

Existing Structures: 1200 Collection.

Existing Use: Residential Building.
Zoning District: B-2, B-3, Planned Development.

Block 64.01, Lot 1.11

Description of the Subject Properties: See filed subdivision map #4007.
Lot Dimensions and Area: See final subdivision map #4007 filed with Hudson County Register.
Existing Structures: 1000 Collection.
Existing Use: Residential Building.
Zoning District: B-3, Planned Development.

Block 64.01, Lot 3.01

Description of the Subject Properties: See filed subdivision map #4007.
Lot Dimensions and Area: See final subdivision map #4007 filed with Hudson County Register.
Existing Structures: Portion of Waterfront walkway and a portion of the Avenue at Port Imperial.
Existing Use: Portion of Waterfront walkway and a portion of the Avenue at Port Imperial, balance is water lot.
Zoning District: B-2, B-3, Planned Development.

Block 64.01, Lot 3.02

Description of the Subject Properties: See filed subdivision map #4007.
Lot Dimensions and Area: See final subdivision map #4007 filed with Hudson County Register.
Existing Structures: Building 4/5 (Envue Hotel and Retail).
Existing Use: Hotel, Parking Garage, and Ground Floor Retail
Zoning District: B-3, Planned Development District.

Block 64.01, Lot 3.03

Description of the Subject Properties: See filed subdivision map #4007.
Lot Dimensions and Area: See final subdivision map #4007 filed with Hudson County Register.
Existing Structures: Building 1/3 Parking Garage.
Existing Use: Parking Garage
Zoning District: B-3, Planned Development District.

Block 64.01, Lot 3.04

Description of the Subject Properties: See filed subdivision map #4007.
Lot Dimensions and Area: See final subdivision map #4007 filed with Hudson County Register.
Existing Structures: Surface Parking Lot.
Existing Use: Surface Parking Lot.
Zoning District: B-3, Planned Development District.

Block 64.02, Lot 1.01

Description of the Subject Properties: See filed subdivision map #4007.
Lot Dimensions and Area: See final subdivision map #4007 filed with Hudson County Register.
Existing Structures: HBLRT sub-station.
Existing Use: Open space.
Zoning District: B-2, B-3 Planned Development District.

Block 64.03, Lot 1.01

Description of the Subject Properties: See filed subdivision map #4007.

Lot Dimensions and Area: See final subdivision map #4007 filed with Hudson County Register.

Existing Structures: Portion of existing Port Imperial Boulevard.

Existing Use: Portion of existing Port Imperial Boulevard.

Zoning District: B-3, Planned Development District.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 36.05, Lot 1.01

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 36.05, Lot 2.01

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 36.05, Lot 3.01

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 36.05, Lot 4.01

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 45, Lot 6

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 45, Lot 7

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 45, Lot 8

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 45, Lot 9

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 45.01, Lot 1.01

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 45.01, Lot 2.01

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 45.01, Lot 3.01

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 45.01, Lot 4.01

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64, Lot 8

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64, Lot 9

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64.01, Lot 1.01

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64.01, Lot 1.02

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64.01, Lot 1.03

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64.01, Lot 1.04

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64.01, Lot 1.05

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64.01, Lot 1.06

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64.01, Lot 1.07

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64.01, Lot 1.08

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64.01, Lot 1.09

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64.01, Lot 1.10

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64.01, Lot 1.11

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64.01, Lot 3.01

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64.01, Lot 3.02

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64.01, Lot 3.03

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64.01, Lot 3.04

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64.02, Lot 1.01

Previously filed.

EXHIBIT B
METES AND BOUNDS DESCRIPTIONS
For the following Block and Lots:

Block 64.03, Lot 1.01

Previously filed.