

PROPOSED APPLICATION FOR CONDITIONAL USE

**Lyndhurst Planning Board
Township of Lyndhurst**

**BLOCK NO. 84
LOT NO. 7
AMOUNT FEE:
FEE PAID:**

Property Location: 550 Valley Brook Avenue
Block No. 84, Lot No. 7

TO THE LYNDHURST PLANNING BOARD:

An application is hereby made by Dominick Arduino, member of Lineage Group, LLC so as to permit: the Applicant to operate a body piercing and tattoo business and jewelry business which is a conditional use in the Business District at the premises known as 550 Valley Brook Avenue, Lyndhurst, New Jersey 07071. Applicant seeks approval from the Planning Board for the property to be utilized as a body piercing business, tattoo business and jewelry business since body art including tattooing and body piercing is a conditional use, and any other variance as the Board deems proper.

DESCRIPTION OF PROPOSED STRUCTURE OR USE

See Plan for Layout of Business at 550 Valley Brook Avenue and Survey
Proposed use: Body piercing and Tattoo business and Jewelry business
Present use: Vacant

Applicant/Owner: Lineage Group, LLC

What are the EXCEPTIONAL conditions of property preventing Applicants from complying with Zoning Ordinance?

The Applicant seeks the approval of the Planning Board to operate a body piercing and tattoo business and jewelry business at the property known as 550 Valley Brook Avenue, Lyndhurst, New Jersey 07071 which is located in the Business District. The body piercing and tattoo business and jewelry business is a conditional use in the Business District.

What reasons would Applicants cite as SPECIAL reasons for the granting of this variance?

The application would not have any adverse effect upon the adjoining property owners and would not impair the established character of the property in the neighborhood. The application complies with the objectives of the Lyndhurst Zoning Ordinance. The application complies with the character of the adjoining properties and with zoning requirements and that the building does not violate any zoning requirements for light, air, and open space. If the Planning Board approves the conditional use for the body piercing and tattoo business and jewelry business, the Applicant will comply with all the requirements of the Lyndhurst Health Department and the State Department of Health. The Applicant previously received approval from the Lyndhurst Planning Board in 2012 to operate a body piercing and jewelry business for the premises known as 307 Milburn Avenue, Lyndhurst, New Jersey 07071. The Applicant is presently operating the body piercing and tattoo business and jewelry business at 554 Valley Brook Avenue. Since 2012 Dominick Arduino has been operating the body piercing and jewelry business in Lyndhurst, New Jersey.

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 zone ordinance.

The Applicant would not have any adverse effect upon the adjoining property owners and would not impair the character of the property or the neighborhood. The application complies with the zoning requirements, location of the building is similar to the adjoining buildings and the applicant's testimony will satisfy both the positive and negative criteria required by the statute. Applicant will comply with all requirements of the Lyndhurst Health Department and the State Department of Health.

If any additional relief is requested, please state:

The names and addresses of all those owning 10% or more of a corporation or partnership must be listed when the application is for one of the following:


1. Commercial use variance;
2. Variance of 25 units or more;
3. Subdivision of 3 units or more;

ATTACHED hereto and made a part of this application are the following:

- (A) Copy of survey
- (B) Any other papers deemed necessary by the Zoning Administrator.

PLEASE NOTE: The applicant may be required to furnish a certified survey of the footing layout showing the footing forms in place prior to pouring foundation. This survey must show no variation in the drawings originally submitted to the board.

Date: February 9, 2021

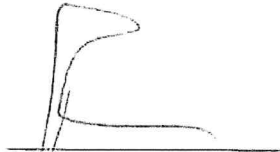


Malcolm J. McPherson, Jr., Esq.
20 Park Avenue, Suite 2B
Lyndhurst, New Jersey 07071
(201) 939-0011
Attorney for Applicant, Lineage Group, LLC

RECORD AND RETURN TO:

**Sunnyside Title Agency LLC
1 Kinderkamack Road
Hackensack, NJ 07601**

Prepared by:



Daniel Debski, Esq.

DEED

This Deed is made on this 8th day of January, 2021

BETWEEN Peter A. Tuccino and Michele S. Zic-Tuccino aka Michelle Zic-Tuccino, husband and wife, whose address is 200 Vanderburgh Avenue, Rutherford, NJ 07070, respectively (the "Grantors"),

AND Lineage Group LLC, a New Jersey limited liability company, whose address is about to be 550 Valley Brook Avenue, Lyndhurst, NJ 07071 (the "Grantee").

- 1. Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) to the Grantee a certain property located in the Township of Lyndhurst, State of New Jersey, which is more fully described in the legal description attached (the "Legal description").
- 2. Consideration.** This transfer is made for the sum of **\$305,000.00 (three hundred five thousand dollars)**. The Grantors acknowledge receipt of this money.
^ and no cents
- 3. Tax Map Reference.** (N.J.S.A. 46:15-1.1) Township of Lyndhurst, County of Bergen, State of New Jersey, Block 84, Lot 7; more commonly known as 550 Valley Brook Avenue, Lyndhurst, NJ 07071.
- 4. Property.** The property consists of land and all the buildings and structures, and improvements thereof, is more fully described in the Legal Description attached hereto.

Peter A. Tuccino and Michelle Zic-Tuccino, husband and wife, under Deed from The John Vallega Trust, misnamed as the Living Trust of John Vallega, Curtis A. Clark, Trustee, dated 05/14/2003, recorded in the Bergen County Clerk's Office on 05/21/2003 in Deed Book 8578, Page 446.

5. Promises by Grantors. The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantors have not allowed anyone else to obtain any legal rights which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantors).

**SCHEDULE C
LEGAL DESCRIPTION**

Issuing Office File No. 20ST1633

ALL that (those) certain lot(s), tract(s) or parcel(s) of land, with the buildings and improvements thereon erected, situate, lying and being in the Township of Lyndhurst, County of Bergen, and State of New Jersey and is bounded and described as follows:

BEGINNING at a point in the Southwesterly side of Valley Brook Avenue distant 75 feet Northwesterly from the Westerly intersection of said Avenue with Milburn Avenue and running thence

1. Southwesterly parallel with Milburn Avenue 101.34 feet; thence
2. Northwesterly nearly parallel with the Valley Brook Avenue 25 feet; thence
3. Northeasterly parallel with the first course 101.23 feet to Valley Brook Avenue; thence
4. Along said side of Valley Brook Avenue Southeasterly to the point or place of BEGINNING.

AND BEING further described as follows:

BEGINNING at a point in the southwesterly line of Valley Brook Avenue (60 feet wide) at a point being distant 75.00 feet northwesterly of the intersection of the southwesterly line of Valley Brook Avenue with the northwesterly line of Milburn Avenue (60 feet wide), and from thence running

- 1 - South 42 degrees 12 minutes West, parallel to Milburn Avenue, 101.34 feet to a point, thence
- 2 - North 45 degrees 15 minutes West, 25.00 feet to a point, thence
- 3 - North 42 degrees 12 minutes East, parallel to the first course, 101.23 feet to the southwesterly line of Valley Brook Avenue, thence
- 4 - South 45 degrees 30 minutes East, along the southwesterly line of Valley Brook Avenue, 25.00 feet to the point or place of BEGINNING.

The above description being drawn in accordance with a survey prepared by Gluckler & Den Bleyker, PLS, dated 12/18/2020.

FOR INFORMATIONAL PURPOSES ONLY: BEING known as Tax Lot 7, in Tax Block 84, on the Official Tax Map of the Township of Lyndhurst.

FOR INFORMATIONAL PURPOSES ONLY: The mailing address is: 550 Valley Brook Avenue, Lyndhurst, New Jersey 07071.