CAPIZZI LAW OFFICES

11 Hillside Ave., Second Floor
Tenafly, NJ 07670
MATTHEW G. CAPIZZI, ESQ. 201 266 8300 (o)
N.J., N.Y., & D.C. Bars 201 266 8301 (f)
Capizzilaw.com

New York Office:
1 Blue Hill Plaza
Lobby Level, Suite 1509
Pearl River, NY 10965
Reply to New Jersey Office

September 3, 2020

Submittal for Virtual Hearing

Via Overnight Mail
Ms. Rebecca Vazquez- Board Secretary
Borough of Dumont
80 W Madison Ave
Dumont NJ 07628

Re: Allah Maalik LLC d/b/a Halal Gyro King - Dumont Land Use Board
(the "Applicant")
150 Washington Avenue; Block: 905, Lot: 11 (the "Property")

Dear Ms. Vazquez:

This office represents the above Applicant with regards to its change of tenancy application before the Dumont Land Use Board. To that end, enclosed please find the following:

1. Land Use Board Application Checklist with Affidavit of Ownership and Authorization to Make Applcation attached hereto (16 copies);
2. Letter of Denial dated August 25, 2020 (16 copies);
3. Photo Exhibit (16 copies);
4. List of Property Owners (16 copies);
5. Signage Plan prepared by Silk City Design consisting of two (2) sheets (16 copies); and
6. Applicant's W9 and checks:
   - Check # 178 in the amount of $1500.00 (escrow fee)
   - Check # 179 in the amount of $250.00 (application fee)

This shall also confirm this matter will be heard by the Dumont Joint Land Use Board, virtually. on Tuesday, September 29, 2020.

Thank you.

Very truly yours,

Matthew G. Capizzi

MGC/gd
Enclosures

APPLICATION CHECKLIST: FORM A

ALL APPLICATIONS

To be Completed by the Borough:

Application Number: _____

Date/Time Received: _____

Checklist Received By: _____(name)

_____(signature)

To be Completed by the Applicant:

Name of Development: _____

Tax Block(s) & Lot(s): Block: 905, Lot 11

Property Address: 150 Washington Avenue, Dumont NJ 07628

Name of Applicant: Allah Maalik LLC d/b/a Halal Gyro King

Mailing Address: 150 Washington Avenue
Dumont, NJ 07628
Members of the LLC: Qasim Bhatti 100% Owner
224 Faller Drive, Apt A, New Milford NJ 07646

Phone: 302-310-0426

Fax: _____

Email: _____

Name of Attorney: Matthew G. Capizzi, Esq.

Mailing Address: 11 Hillside Avenue, 2nd Floor, Tenafly NJ 07670

Phone: _____

Checklist Prepared By: Qasim Bhatti, Sole Member (name)

Qasim (signature)

_____(date)

Items Required	Provided	Waiver Requested
1. Required Application Form.	[x]	[ ]

Application Checklist
Form A
All Applications

Borough of Dumont
Bergen County, New Jersey

Items Required	Provided	Waiver Requested
2. Required Fees and Escrow Agreement.	[X]	[ ]
3. Certification of Taxes Paid from Borough Tax Collector	[X]	[ ]
4. Affidavit of Ownership. If the applicant is not the owner of the site, the applicant's interest in the site must be described (e.g., tenant, contract/purchaser, lien holder, etc.), and written permission of the property owner(s) allowing the applicant to file the application must be submitted. *Check here [ ] if not applicable.*	[X]	[ ]
5. Corporation or Partnership Owners. If applicant is a corporation or partnership applying for permission to subdivide a parcel of land into six (6) or more lots, or applying for a variance to construct a multi-family dwelling of twenty-five (25) or more units or for approval of a site to be used for commercial purposes, list the names and addresses of all stockholders or individual partners owning at least ten percent (10%) of its stock of any class or at least ten percent (10%) of the interest in the partnership, as required by N.J.S.A.40:55D-48.1 and 48.2. *Check here [ ] if not applicable.*	[X]	[ ]
	Allah Maalik, LLC d/b/a Halah Gyro King	
	Qasim Bhatti, 100% Owner	
	224 Faller Drive, Apt A, New Milford NJ 07646	
6. Inspection Permission. A statement from the property owner granting permission for the reviewing body and any of its experts to enter the subject premises for purposes of inspection in relation to the development application.	[X]	[ ]
7. Waiver Requests. Statements requesting a waiver from any information item called for in Forms A through H, together with a statement of reasons why same should be granted. These must be provided if any item in the "waiver requested" column is checked off. *Check here [X] if not applicable (i.e., if no waivers are being requested).*	[ ]	[ ]
8. County Application. If approval from the Bergen County Planning Board is required for any reason and an Application for approval has been made, a copy of the Application submitted to the Bergen County Planning Board must be attached. *Check here [X] if not applicable.*	[ ]	[ ]
9. Wetlands Documentation. One of the following must be provided. *Check here [X] if not applicable.*	[ ]	[ ]
a. A letter of interpretation from the New Jersey Department of Environmental Protection (NJDEP);	[ ]	
b. A letter of exemption from the NJDEP;	[ ]	
c. A copy of any application made to the NJDEP for any permit concerning a proposed regulated activity in or around freshwater wetlands; or		
d. Documentation from a qualified professional demonstrating that no wetlands exist on the site and that no wetlands exist on adjacent properties that would affect or limit development on the site.	[ ]	
10. Additional Forms. A complete checklist must be provided for at least one of the following types of development proposals:	[ ]	[ ]
a. Form B: Minor Site Plan	[ ]	[ ]
b. Form C: Minor Subdivision	[ ]	[ ]
c. Form D: Preliminary Major Site Plan	[ ]	[ ]
d. Form E: Preliminary Major Subdivision	[ ]	[ ]
e. Form F: Final Major Site Plan	[ ]	[ ]
f. Form G: Final Major Subdivision	[ ]	[ ]
g. Form H: "c" Variance(s) or "d" Variances(s)	[ ]	[ ]
11. Copy of Tax Map Sheet. Showing the site and its existing block and lot numbers.	[ ]	[ ]

N/A

N/A

Items Required	Provided	Waiver Requested	
12. Key Map. The map shall show the location of the subject site in relation to the surrounding area(s), within at least 200 feet of the site's boundaries. The map shall include the following components:	[ ]	[ ]	
a. Title block, containing the names of the applicant(s), owner(s), and preparer(s), block and lot numbers, street address, date prepared, and date of last amendment.	[ ]	[ ]	
b. Space for Borough signatures.	[ ]	[ ]	N/A
c. Scale of map, both written and graphic. The scale shall contain no more than 50 feet to the inch.	[ ]	[ ]	
d. North arrow.	[ ]	[ ]	
e. The existing property lines of the subject site and of adjacent properties within 200 feet of the site, with dimensions of same.	[ ]	[ ]	
f. The location and width of any street right-of-ways, abutting the property or within 200 feet of the site.	[ ]	[ ]	
g. Name, license number, signature, and seal of the qualified professional who prepared the map.	[ ]	[ ]	
13. Zoning Map. Zoning district(s) in which the site is located, and the district(s) of adjacent properties within 200 feet of the site. This map will also include all information required for the Key Map (see Item #12 above).	[ ]	[ ]	N/A
14. Existing Features Map. Showing the following aspects of the site and its surroundings. This map will also include all information required for the Key Map (see Item #12 above).	[ ]	[ ]	
a. Location of existing easements or right-of-way (including streets, railroads, and utilities) within 200 feet of the site. Street names shall be shown on the map.	[ ]	[ ]	
b. Location of natural features within 200 feet of the site, including existing grade and contour information, woodlands, streams and other watercourses, ponds and other water bodies, wetlands, flood hazard areas, and rock outcrops.	[ ]	[ ]	N/A
c. Location of existing buildings or all other structures on the site and on adjacent properties within 200 feet of the site, and their setbacks from existing property lines. Structures to be shown include, but are not limited to, walls, fences, culverts, bridges, roadways, utility towers, free-standing signs, etc.	[ ]	[ ]	
d. Location of existing parking, loading, driveways; sidewalks, landscaping, and and free-standing signs on the site and on adjacent properties within 200 feet of the site.	[ ]	[ ]	
e. Location of any sites, structures, or districts on the site or within 200 feet of the site that are listed on the national or State Registers of Historic Places.	[ ]	[ ]	
f. Location of underground infrastructure on the site, including storage tanks, wells, septic systems, and connections to public water or sewer lines, and dimensions of same.	[ ]	[ ]	
15. Photographs. Submission of photographs of existing conditions on and around the site, including but not limited to structures, street frontage, open space, signs, lighting, landscaping, parking lots, etc.	[x]	[ ]	
16. Protective Covenants or Deed Restrictions. A copy of any such covenants or restrictions affecting the site shall be provided. If none exist, an affidavit from the property owner(s) certifying that no such covenants or restrictions exist shall be submitted.	[ ]	[ ]	N/A
17. List of Property Owners. A copy of the certified list of property owners within 200 feet of the subject site prepared by the Planning Administrator. Said certified list shall be no more than 90 days old.	[X]	[ ]	

Items Required	Provided	Waiver Requested
18. Other Required Applications and Approvals. A copy of any and all required applications submitted to other governmental or quasi-governmental entities, a statement as to the status of such applications, and a copy of any and all approvals obtained from any such entity.	[ ]	[ ]

Check here [X] if not applicable.

CERTIFICATION OF OWNERSHIP
&
AUTHORIZATION TO MAKE APPLICATION

We, Donald Nathin and Myrna Nathin, being of full age, hereby certify that we are the owners in fee of that certain lot, piece or parcel of land situated in the Borough of Dumont, County of Bergen, State of New Jersey and known and designated as Lot 11 in Block 905, commonly known as 150 Washington Avenue, Dumont New Jersey (the "Property") and that the statements contained in said application are true. The applicant, Allah Maalik LLC d/b/a Halal Gyro King, is the current tenant of the Property. We consent to Allah Maalik LLC d/b/a Halal Gyro King making the within application.

PERMISSION TO ENTER PROPERTY

The Members of the Dumont Joint Land Use Board and the Board's professionals are granted permission to enter the Property for purposes of inspection in relation to this application.

Date: 9/3/20

Donald Nathin

Date: 9/3/20

Myrna Nathin

Dumont Borough
BUILDING
80 WEST MADISON
DUMONT, NJ 07628
(201) 387-5034 FAX(201) 387-5063
PRENAUD@DUMONTBORO.ORG

Application Date: 8/25/2020
Application Number: ZA-20-35
Permit Number:
Project Number:

Fee: $50

Denial of Application

Date: 8/25/2020

To: HALAL GYRO KING

, NJ

RE: 150 WASHINGTON
BLOCK: 905 LOT: 11 QUAL: ZONE: B2

DEAR HALAL GYRO KING,

NEW RESTAURANT

Your request is hereby denied based upon the following requirements:

The following comments were made during the denial process:

455-3 SITE PLAN APPROVAL
C. Any change in use, ownership or occupancy of an existing nonresidential structure or use shall require approval of the Joint Land Use Board prior to the issuance of a certificate of occupancy by the Building Inspector. This provision, however, shall not be construed to require site plan approval or change of use approval for a tenancy of office space in an office building containing three or more separate offices, provided that the Building Inspector finds that no substantial change in use or occupancy is involved or that no exterior changes or parking revisions are contemplated.
(1)
If improvements are not required, the applicant shall be required to submit a change of use application and required application fee as provided in § 209-19 and an accompanying sketch plat indicating the location and layout of all existing structures, lot configuration, general parking and loading areas, lighting, drainage, landscaping and other general site factors. The sketch map shall be drawn to a scale which shall be indicated on the map. If the Joint Land Use Board finds that the change of use or intensity of activity does not require additional improvements, the Board shall approve the application and forward a copy of its action to the Building Inspector.[2]
[2]
Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).
(2)
If the Joint Land Use Board determines that certain improvements are required, the Board may require submission of a partial or complete site plan application as provided in this chapter.

Sincerely,

Paul Renaud

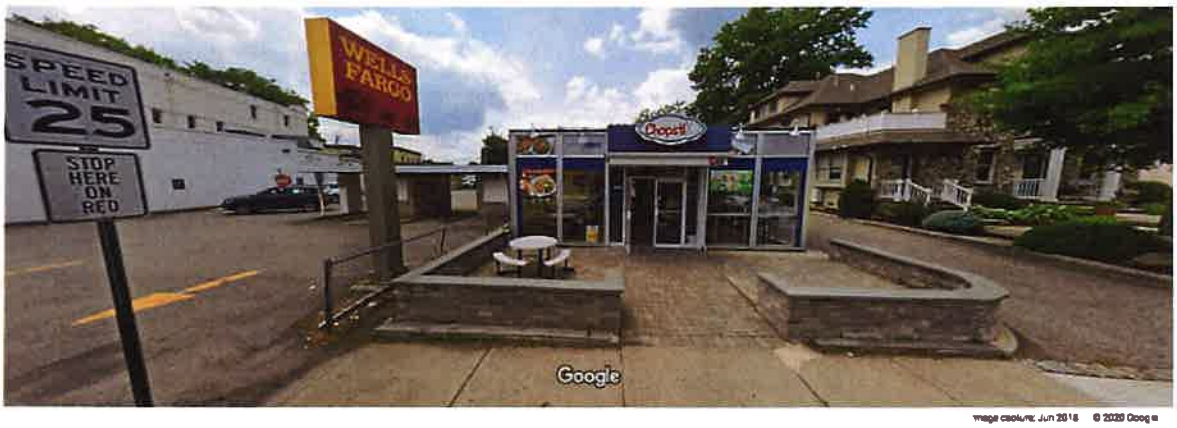
PAUL RENAUD, ZONING OFFICER

Photo Exhibit

Allah Maalik, LLC d/b/a Halal Gyro King

150 Washington Avenue, Dumont NJ

Block: 905, Lot: 11



Exterior Front View from Washington Avenue

View of Access Driveway from Washington Avenue

Aerial View of Site

Interior views of existing restaurant.

No interior fitout changes proposed.

Right Side View of Front of Restaurant from Washington Avenue

Left Side View of Front of Restaurant from Washington Avenue

Inside View (Sitting Area)

Inside View (Right Side Sitting Area)

Inside View (Left Side Sitting Area)

Borough of Dumont
Office of the Tax Assessor
James Anzevino
80 West Madison Avenue
Dumont, NJ 07628
Phone 201-387-5030 - Fax 201-384-5248

August 31, 2020

Capizzi Law Offices
11 Hillside Ave., Second Floor
Tenafly, NJ 07670

Attention: Ms. Gloria Duby

Re: Block 905, Lot 11 – 150 Washington Avenue, Dumont, NJ

Dear Ms. Duby:

Attached is a list of the properties located within 200 feet of the above subject properties. Also attached is a list of Utilities that must be notified. If you have any further questions, please do not hesitate to contact me at 201-906-2469.

Sincerely,

James Anzevino

James Anzevino
Tax Assessor

O W N E R & A D D R E S S R E P O R T

DUMONT

200 FOOT LIST BLOCK-905 LOT-11
150 WASHINGTON AVENUE

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
904	22		2	LOUGHLIN, JOHN P & MARY 92 PARK AVE DUMONT NJ 07628	92 PARK AVE	
904	23		2	SASSE, ROBERT & KATHLEEN 88 PARK AVE DUMONT, NJ 07628	88 PARK AVE	
904	24		2	CAPALBO,MARK J.& MICHELLE M. 82 PARK AVE DUMONT NJ 07628	82 PARK AVE	
904	25		2	SANTOS, ROSANNA 76 PARK AVE DUMONT, NJ 07628	76 PARK AVE	
904	26		2	SCUDI, ALAN & BETSY 72 PARK AVENUE DUMONT, NJ 07628	72 PARK AVE	
904	27		2	BAUTISTA, MICHAEL ANGELO B 64 PARK AVE DUMONT, NJ 07628	64 PARK AVE	
905	7		15C	BOROUGH OF DUMONT 50 WASHINGTON AVE DUMONT NJ 07628	180 WASHINGTON AVE	
905	8		4A	ALKRIS PARTNERS LLC 44 HILLSIDE AVE CRESSKILL, NJ 07626	170 WASHINGTON AVE	
905	9		4A	MASON SKYE LLC 166 WASHINGTON AVE DUMONT, NJ 07628	166 WASHINGTON AVE	
905	10		4A	158 WASHINGTON AVE LLC 158 WASHINGTON AVENUE DUMONT, NJ 07648	158 WASHINGTON	
905	11		4A	NATHIN,DONALD & MYRNA 17 HUNTER RIDGE WOODCLIFF LAKE, NJ 07677	150 WASHINGTON	
905	12		4A	FIRST FIDELITY/FIRST UNION NAT'L BK P.O. BOX 2609 CARLSBAD, CA. 92718	MADISON & WASH. AV.	
905	13		4A	10 WEST MADISON ASSOCIATES LLC 1008 FALLSCROFT WAY LUTHERVILLE, MD 21093	10 W MADISON	
905	14		4A	14 MADISON AVENUE, LLC 711 NEILL COURT ORADELL, NJ 07649	14 W MADISON	
905	15		4A	KEFERZI LLC. 495 MACKAY AVENUE ORADELL, N.J. 07649	16 W MADISON	
905	16		4A	KEN JOHN CHRIS JOHN LLC 20-22 W MADISON AVENUE DUMONT, NJ 07628	22 W MADISON	
905	17		4A	INTEGRITY PROPERTIES INC C/O LAX 52 FOREST AVE. PARAMUS,NJ 07652	30 WEST MADISON AVE	
905	18		2	SLAVIK,DAVID & MARGARET 89 PARK AVE DUMONT NJ 07628	89 PARK AVE	
905	19		2	DAVIS, MICHAEL & KAREN 93 PARK AVENUE DUMONT, NJ 07628	93 PARK AVE	

200 FOOT LIST BLOCK-905 LOT-11
150 WASHINGTON AVENUE

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
905	20		2	GUINTO,GILBERTO & FELICITAS 139 JEFFERSON AVENUE TENAFLY, NJ 07670	99 PARK AVE	
905	21		2	BISCHOFF, CHRIS A. 103 PARK AVE DUMONT NJ 07628	103 PARK AVE	
905	22		2	GONZALEZ, ANDY 107 PARK AVENUE DUMONT, NJ 07628	107 PARK AVE	
909	13		4A	BOLAND,EUNICE 157 VALLEY ROAD HAWORTH,NJ 07641	16 E MADISON	
909	14	B01	4A	VIACOM OUTDOOR 185 ROUTE 46 FAIRFIELD,N.J. 07004	6 E. MADISON AVE.	
909	14	B02	4A	VIACOM OUTDOOR 185 ROUTE 46 FAIRFIELD, NJ 07004	2 E. MADISON AVE.	
909	14	C000A	4A	TEDREINA LLC 8 EAST MADISON AVENUE DUMONT, NJ 07628	139 WASHINGTON AVE.	13.9PC
909	14	C000B	4A	TEDREINA LLC 8 EAST MADISON AVENUE DUMONT, NJ 07628	137 WASHINGTON AVE	
909	14	C000C	4A	BUSCH, MARITZA 73 PLEASANT STREET DUMONT, NJ 07628	135 WASHINGTON AVE.	12.6 PC
909	14	C000D	4A	10-12 MADISON AVE LLC 40 PLYMOUTH ROAD HILLSDALE, NJ 07642	12 E. MADISON AVENUE	
909	14	C000E	4A	10-12 MADISON AVE LLC 40 PLYMOUTH ROAD HILLSDALE, NJ 07642	10 E MADISON AVENUE	9.9 PC
909	14	C000F	4A	PSARIANOS, JOHN & ANDRONIKI 317 WEBSTER DR NEW MILFORD, NJ 07646	8 E. MADISON AVE.	9.2 PC
909	14	C000G	4A	PELUSO,ANTONIO 481 MORNINGSIDE AVE FAIRVIEW, N.J. 07022	6 E. MADISON AVE.	6.5 PC
909	14	C000H	4A	EDKAHL, VINCENT 635 RIVER MOORINGS DRIVE MERRITT ISLAND, FLORIDA 32953	2 E. MADISON AVE.	12.5 PC
909	14	C000I	4A	EKDAHL, VINCENT 635 RIVER MOORINGS DRIVE MERRITT ISLANDS, FLORIDA 32953	133 WASHINGTON AVE.	8.0 PC
909	15		4A	IONIAN ODYSSEY, LLC 551 STELLMAN DRIVE RIVER VALE, NJ 07675	149 WASHINGTON AVE	
909	16		4A	DM 155 WASHINGTON AVE LLC 161 WASHINGTON AVENUE DUMONT, NJ 07628	155 WASHINGTON AVE	
909	17		4A	DC 161 WASHINGTON AVE LLC 161 WASHINGTON AVENUE DUMONT, NJ 07628	161 WASHINGTON AVE	
909	18		2	CM 167 WASHINGTON AVE LLC 657 CHESTNUT PL SECAUCUS, NJ 07628	167 WASHINGTON AVE	

O W N E R & A D D R E S S R E P O R T

DUMONT

200 FOOT LIST BLOCK-905 LOT-11
150 WASHINGTON AVENUE

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER		PROPERTY LOCATION	Add'l Lots
909	19		4A	175 WASHINGTON ASSOCIATES,L.P. 155 NORTH DEAN ST. ENGLEWOOD, NJ	07631	175 WASHINGTON AVE	
1214	2		15D	NORTH REFORMED CHURCH WASH & MADISON DUMONT NJ	07628	WASH & MADISON	
1216	1		4A	DMP DUMONT LLC P.O BOX 412 ISELIN, NJ	08830	125 WASHINGTON AVE	
1216	7		4A	REILLY,JOSEPH E.JR. P.O.BOX 88 ALPINE,N.J.	07620	WASHINGTON AVE	

Borough of Dumont

Office of the Tax Collector
80 West Madison Avenue
Dumont, NJ 07628
Phone 201-387-5025 - Fax 201-384-5248

Utility Companies Servicing the Borough of Dumont:

Verizon
540 Broad Street
Newark, NJ 07102

SUEZ Water
69 Devoe Place
Hackensack, NJ 07601

PSE&G
80 Park Plaza
Newark, NJ 07102

Cablevision/Optimum
5 Legion Drive
Cresskill, NJ 07626

NJ Department of Transportation
1035 Parkway Avenue
CN600
Trenton, NJ 08625

County of Bergen
Planning and Economic Development
1 Bergen County Plaza
Room 415
Hackensack, NJ 07601

Bergen County Utilities Authority
298 Mehrhof Road
Little Ferry, NJ 07643

Transcontinental Gas Pipe Line
Corporate Secretary
718 Paterson Plank Road
Carlstadt, NJ 07072

US Cable
28 W. Grand Avenue
Suite 10
Montvale, NJ 07645

The Official Newspaper of the Borough of Dumont: The Record

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MATTHEW G. CAPIZZI, ESQ.
N.J., N.Y., & D.C. Bars

New York Office:
1 Blue Hill Plaza
Lobby Level, Suite 1509
Pearl River, NY 10965
Reply to New Jersey Office

Borough of Dumont
PROOF OF PAYMENT OF TAXES

Bhatti
150 Washington Avenue
Block: 905; Lot: 11

✓ No taxes are due and owed on this property as of (Date) 8/31/2020

____ Taxes are due on this property as follows _____

Borough of Dumont-Tax Collector

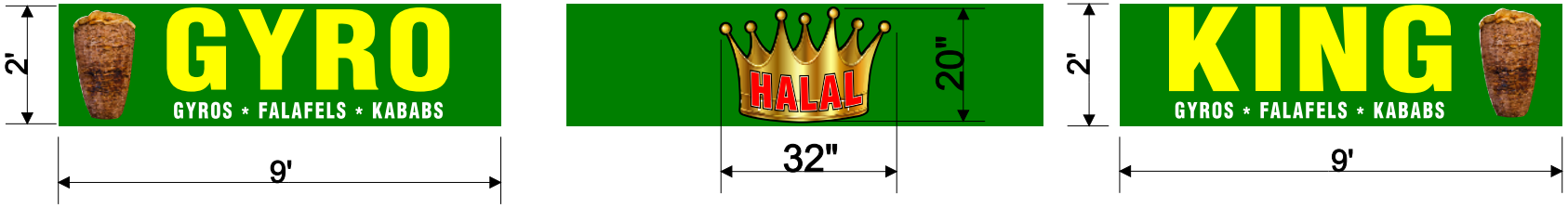
BEFORE

store front 32 ft long

AFTER

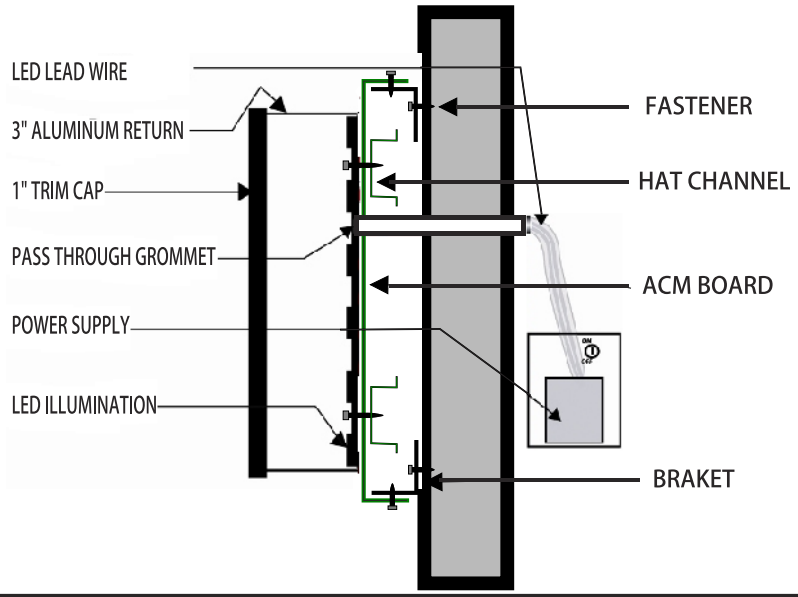
9'

9' FROM THE BOTTOM OF THE SIGN



LED FRONT LIT CHANNEL LETTERS OVER ANON LIT ACM GREEN BOARD 41 SQ FT OF SIGNS

SAMPLE



SILK CITY SIGN AND DESIGN
245 WEST BROADWAY
PATERSON, NJ 07522
T: 973-790-8690
F: 973-790-8973

JOB LOCATION

150 WASHINGTON AVE. DUMONT NJ

FRONT OF THE BUILDING

SILK CITY SIGN AND DESIGN
245 WEST BROADWAY
PATERSON, NJ 07522
T: 973-790-8690
F: 973-790-8973

JOB LOCATION

150 WASHINGTON AVE. DUMONT NJ

SIDE OF THE BUILDING
FACING W. MADISON AVE.

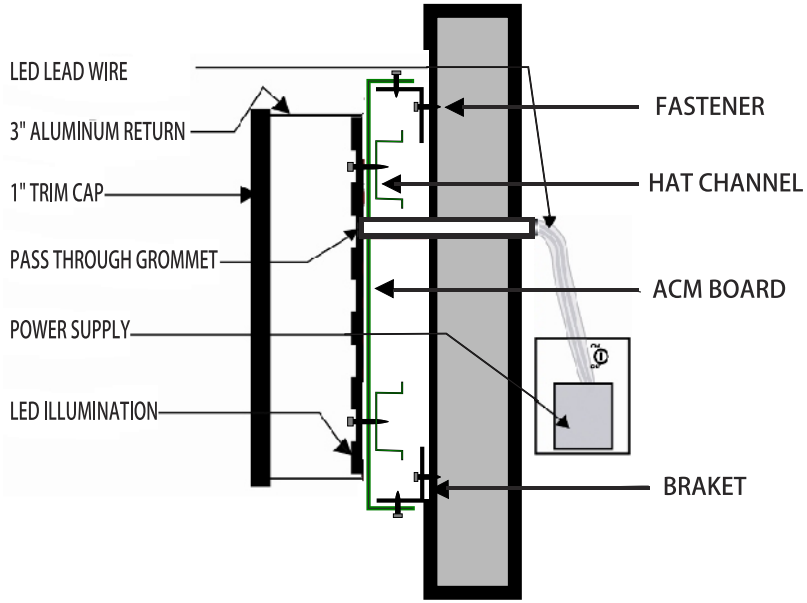
60 FT LONG SIDE STORE

9' FROM THE BOTTOM OF THE SIGN

9'

14'

2'

LED FRONT LIT CHANNEL LETTERS OVER ANON LIT ACM GREEN BOARD 28 SQ FT OF SIGNS

SAMPLE