

CITY OF SOUTH AMBOY PLANNING BOARD

**RESOLUTION PB 8-22
Application Number 425-21
JOSEPH KOLAKOWSKI**

Resolution for Bulk Variance Approval for Maximum Lot Coverage

**Block 95, Lot 12
11 Thomas Street
City of South Amboy
RA Zone**

WHEREAS, pursuant to the applicable provisions of the City of South Amboy Land Use Ordinance, the within application has been submitted to the City of South Amboy Planning Board (the "Board") by Joseph Kolakowski (the "Applicant") for Bulk Variance Approval, to permit the construction of a one and one-half story single-family dwelling on premises located at 11 Thomas Street, also known as Block 95, Lot 12, located on the Tax Map of the City of South Amboy in the RA Zone; and

WHEREAS, the application reviewed by the Board consisted of plans and documents as identified in the report prepared by Jason C. Valetutto, P.E., P.P., the consultant to the Planning Board, dated February 15, 2022; and

WHEREAS, upon review of the application and submitted plans on behalf of the Applicant and reviewed by the consultant to the Planning Board, the Applicant required the following Variance from the zoning requirements as set forth in the ordinance:

<u>Description</u>	<u>Required</u>	<u>Proposed</u>
Bulk Variances		
Maximum Lot Coverage	25%	28.87%

WHEREAS, the application was deemed complete and a hearing was held by the Board on February 23, 2022 pursuant to public notice and personal notice pursuant to N.J.S.A. 40:55D-12; and

WHEREAS, at the public hearing, the following reports were entered into the record:

<u>Description of Report</u>	<u>Date of Report</u>
Planning Report AJV Engineering, Inc.	February 15, 2022

WHEREAS, the Board, after carefully considering the evidence presented to it by

or on behalf of the Applicant, and upon the advice and recommendations of the advisory municipal personnel, and consultants (including, without limitation, those set forth in the Planning Review), makes the following findings of fact:

FINDINGS OF FACT

1. The applicant was duly sworn and testified as follows:
 - a. He acknowledged receipt of the review letter of AJV Engineering dated February 15, 2022 and agreed to comply with all of the recommendations contained in the report.
 - b. He intends to construct a one and one-half story single-family dwelling on the current lot for his own family use.
 - c. The condition creating a Lot Coverage Bulk Variance is his family requires all bedrooms, bathrooms, kitchen, entertainment space, and garage on the first floor to help minimize falls and injuries that stairs would pose to him and his wife as they age, and the potential for his mother-in-law to move in. Having all rooms on the first floor instead of being split between a second floor increases the building footprint.
 - d. The planter identified on the plans belongs to his son, whom lives on the adjoining property, and will be removed and replaced with grass.
 - e. The pole shown on the plans is a clothes line to remain.
 - f. Concrete, not Granite block, will be installed for curbing.
2. The hearing was then opened to the public.
 - a. Ms. Lisa Bergamo, resident at 10 Thomas Street, was duly sworn and testified that as a neighbor she had no objection to the application.
3. The Hearing was closed to the public.

CONCLUSIONS

The Board makes the following findings and conclusions:

1. The property is located in the RA Single Family Residential Zone.
2. The Applicant's proposal would result in the construction of a one and one-half story single-family dwelling.

3. One Bulk Variance is required for Maximum Lot Coverage.
4. As to the requested bulk (c) variance:
 - a. The request for the variance is a desire to have all livable space on the first floor.
5. The grant of the Bulk Variance described:
 - a. Represents a small increase in lot coverage in order to allow the applicant to make certain accommodations due to his family requiring all bedrooms, bathrooms, kitchen, entertainment space, and garage on the first floor to help minimize falls and injuries that stairs would pose to him and his wife as they age, and the potential for his mother-in-law to move in. Having all rooms on the first floor instead of being split between a second floor increases the building footprint.
 - b. In the opinion of the Board the requested Bulk Variance does not represent a substantial change to the neighborhood.

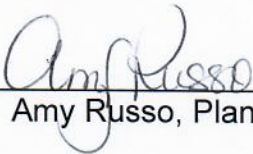
The variance can be granted without substantial detriment to the City of South Amboy for the reasons set forth above and, in the record, and further does not create substantial detriment to the public good. The Applicant has satisfied its burden of proof as to both the positive and negative criteria required for the granting of the requested relief. The application will provide benefits to the City while resulting in no negative impact.

NOW, THEREFORE, BE IT RESOLVED that the City of South Amboy Planning Board hereby **grants** Application # **425-21** for Bulk Variance Approval to construct a new single-family dwelling consisting of one and one-half stories in the RA Zone with the following conditions:

1. The Applicant agrees that it would comply with the recommendations set forth in the Planning Review dated February 15, 2022.
2. Compliance with the requirements of all applicable ordinances, statutes, codes, regulations and/or administrative directives.
3. Compliance with all representations and agreements made by or on behalf of the Applicant at the hearing held on February 23, 2022.
4. All other matters set forth above, and/or incorporated herein.
5. Payment of all outstanding unpaid taxes, and other municipal charges and assessments.

6. Payment of all sums now and/or hereafter due for application fees and/or escrows.
7. The Board Secretary shall publish a brief notice of this determination in an official newspaper of the City of South Amboy within twenty (20) days of the date of this resolution.
8. Prior to the commencement of any site work, all professional escrow fees due the Board Planning Consultant and Planning Board Attorney shall be paid in full.

THIS IS TO CERTIFY that the foregoing is a true copy of the Resolution adopted by the Planning Board of the City of South Amboy at its public meeting held on March 23, 2022.


Amy Russo 3/24/2022
 Amy Russo, Planning Board Secretary

	Aye	Nay	Abstain	Absent
Chairwomen Mary Szaro				x
Vice Chairman Scott Kominkiewicz	x			
Mayor Henry	x			
Council President Michael Gross				x
Tom Kelly			x	
Janet Kern	x			
Dr. Jorge Gonzalez Gomez	x			
George Baranowski	x			
Gary Forshner	x			
Alternates				
William DeMasi				
Andrew Horezga				
Robert Paulukiewicz				
Francis Mulvey				