

**CITY OF SOUTH AMBOY PLANNING BOARD  
RESOLUTION PB -06-25**

**Application Number 452-24**

**MINOR SITE PLAN AND BULK VARIANCE APPROVAL  
(MAXIMUM BUILDING HEIGHT)**

**528 Catherine Street  
Block 85, Lot 10.01**

**City of South Amboy  
RA, Single Family Residential Zone**

**WHEREAS**, pursuant to the applicable provisions of the City of South Amboy Land Use Ordinance, the within Application for Minor Site Plan and Bulk Variance Approval for maximum building height has been submitted to the City of South Amboy Planning Board (the “Board”) by John P. Brennan, Jr., Esq., appearing with Michael Schnorrbusch, on behalf of Ultimate Home Properties, LLC (the “Applicant”) as to premises located at 528 Catherine Street, also known as Block 85, Lot 10.01 located on the Tax Map of the City of South Amboy (the “Application”); and

**WHEREAS** the Application reviewed by the Board consisted of those plans and documents as identified in the report prepared by Jason C. Valetutto, P.E., P.P., the consultant to the Planning Board, dated October 30, 2024; and

**WHEREAS** the Application was certified as complete by the Completeness Committee and a Public Hearing with respect to the Application was held by the Board on November 20, 2024, per public notice and personal notice pursuant to N.J.S.A. 40:55D-12; and

**WHEREAS**, based upon the plans submitted and reviewed by the consultant to the Planning Board, the Applicant required a Bulk Variance from the RA, Single Family Residential Zone requirements of the City of South Amboy as set forth in the applicable ordinances as follows:

**Bulk Variance Required**

	<b>Requirement</b>	<b>Proposed</b>
Maximum Building Height	2-1/2 stories	3 stories

And

**WHEREAS** the following reports were entered into the record:

**Description of Reports**

**Date of Report**

AJV Engineering, Inc.

October 30, 2024; and

**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 aforesaid Planning Reports), makes the following findings of fact:

**FINDINGS OF FACT**

1. John P. Brennan, Jr., Esq., acknowledged receipt of the AJV Engineering, Inc. report dated October 30, 2024 (the “AJV Report”).
2. Mr. Brennan represented the following on behalf of the Applicant:
  - Mr. Brennan clarified the issues with the address. The property is located on 528 Catherine Street (the “Property”) as per the deed, and not 526 Catherine Street as per the Application.
  - The Property is undeveloped.
  - The Property was created by a subdivision granted to John Vona on July 26<sup>th</sup> 2023, and was sold to the Applicant.
  - The Applicant obtained a zoning permit to construct a single-family home.
  - Upon construction, due to the topography of the lot, it has been determined that it is required to raise the single-family home an additional 2 feet, which would create another story, as per the ordinance.
  - The raised portion of the building will be located in the back left corner, yet well below the height requirements and will not be seen from the roadway.
  - Mr. Brennan represented that the Applicant agreed to comply with all requirements in the AJV Report.
3. The Board swore in the Mr. Schnorrbusch on behalf of the Applicant, to which Mr. Schnorrbusch testified as follows:

- Due to the topography of the Property, the back corner is going to consist of 7.67 feet of exposed foundation, which creates a third story.
- Approving the bulk variance will serve the purpose of the zoning laws in the State of New Jersey and in the City of South Amboy.
- There will be no hardship or harm to any zoning purposes from approving the required bulk variance.

### CONCLUSIONS

Based upon the findings of facts and for reasons set forth below, the Board concludes as follows:

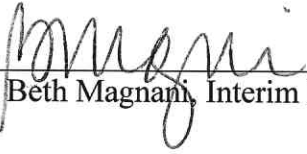
- The Minor Site Plan and required Bulk Variance Approval can be granted without substantial detriment to the City of South Amboy for the reasons set forth in the record and this Resolution, and further do not create substantial detriment to the public good. The Applicant has satisfied its burden of proof as to both the positive and negative criteria required for the granting of the requested relief.

**NOW, THEREFORE, BE IT RESOLVED** that the City of South Amboy Planning Board hereby **grants** Application #452-24 for Minor Site Plan and Bulk Variance Approval for maximum building height as to premises located at 528 Catherine Street, also known as Block 85, Lot 10.01 located on the Tax Map of the City of South Amboy with the following conditions:

1. The Applicant will comply with all recommendations made in the AJV Report dated October 30, 2024;
2. The obligation of the Applicant to comply with the requirements of the City of South Amboy and compliance with all rules and regulations remains in full force and effect;
3. Compliance with each and all other applicable approvals, if any, required by law or statute or regulation;
4. Compliance with all representations and agreements made by or on behalf of the Applicant at the hearing held on November 20, 2024;
5. All other matters set forth above, and/or incorporated herein;
6. Payment of all outstanding unpaid taxes, and other municipal charges and assessments;
7. Payment of all sums now and/or hereafter due for Application fees and/or escrows;

8. The Board Attorney shall publish a brief notice of this determination in the official newspaper of the City of South Amboy within twenty (20) days of the date of receipt of a copy of this Resolution; and
9. 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 and the Applicant must submit a revised Site Plan for review by the Board to ensure Resolution Compliance.

**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 January 23, 2025.



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Beth Magnani, Interim Planning Board Secretary