

PLANNING BOARD  
CITY OF SOUTH AMBOY

RESOLUTION PB-10-14  
RESOLUTION APPROVING PRELIMINARY AND FINAL SITE PLAN, BULK AND USE  
VARIANCES FOR PROPERTY LOCATED ON BLOCK 8, LOT 30  
LANDS OF THE CITY OF SOUTH AMBOY

WHEREAS, application has been made by Enterprise Electric, Inc., (“Applicant”) to the Planning Board of the City of South Amboy (“Board”) for Preliminary and Final Site Plan approval, Bulk Variances and Use Variance related to property located at 2082 Route 35 and 412 Parker Avenue, (Block 8, Lot 30) (the “Property”); and

WHEREAS, Applicant is the owner of Property; and

WHEREAS, the Property is located partially in the RA Zone and partially in the B2 Zone; and

WHEREAS, the Property is currently improved with a two-story masonry building use for commercial purposes on both stories; and

WHEREAS, the Application seeks a use variance to construct a two story 30.33’ by 58’ addition to the Route 35 frontage. The first floor of the addition will be used for storage (approximately 788 sf) and offices, while the second floor is for offices; and

WHEREAS, the proposed addition spans the RA and B-2 building zones, creating the need for a use variance; bulk variances are created and expanded for side yard 0.8 ft, total side yard 10.07 ft., lot coverage of 34.49%, and off-street parking spaces.

WHEREAS, the Planning Board held a public hearing on May 28, 2014, and has carefully considered the Application as well as the testimony and exhibits presented by the Applicant; and

WHEREAS, said Applicant was represented by James J. Vail, Esq.; and

WHEREAS, the Applicant presented the testimony of John Catanio, and Paul J. Fletcher, PE, PP; and

WHEREAS, the Applicant submitted and the Board considered, the following documents:

- A. Architecture floor plan/elevation view, unsigned and unsealed, prepared by Hampton Hill Architecture, entitled "Proposed Interior Alteration and Addition for Enterprise Electric." and consisting of two sheets;
- B. Signed and sealed plan entitled, "Site Plan prepared for Enterprise Electric, Inc. Lot 30 In Block 8" prepared by Fletcher Engineering, Inc., dated 3/15/13, revised through 2/3/14, consisting of two sheets.
- C. Exhibit A-1, "Proposed Interior Alteration and Addition, Enterprise Electric" by Hampton Hill Architecture, with an issue date of 12/17/13;

WHEREAS, proper proof of advertisement and service of notices of a public hearing in regard to this Application have been furnished; and

WHEREAS, the aforementioned plans were reviewed by Angelo J. Valetutto, P.E., P.P., the consultant to the Planning Board, who provided a report to the Planning Board, dated April 10, 2014; and

WHEREAS, Mr. Catanio testified that he is the president of the Applicant, which in turn owns the Property. The Applicant is a union electrical company, and currently uses a portion of

the Property as office space to manage the Applicant's operations. The Applicant also stores equipment and tools to be used at the various jobs; and

WHEREAS, Mr. Catanio testified that the Applicant has three employees at the Property, and the typical number of parking spaces used during the day is eight or nine parking spaces, and that ten spaces is more than sufficient for the business; and

WHEREAS, Mr. Catanio testified that if the Application was approved, the currently-existing storage trailer would be removed and there would be no more outside storage at the Property; and

WHEREAS, Mr. Fletcher addressed the question of parking layout and proposed a change to the plans whereby four spaces would be provided for the residential portion of the Property and twelve spaces provided for the commercial use on the Property, and that if approved, the plans would be revised to reflect the change; and

WHEREAS, Mr. Fletcher testified that apart from the parking change from 18 spaces to 16 spaces, the Applicant will comply with all other comments and recommendations contained in Mr. Valetutto's April 10, 2014 report; and

WHEREAS, Mr. Fletcher testified that in his opinion 12 spaces would be more than adequate for the proposed commercial use on the Property; and

WHEREAS, Mr. Fletcher testified that there are several existing non-conformities due to the size and shape of the Property and the fact that it lies partially within two separate zones, and that the increase in tax rolls and tax base would be a benefit to the City of South Amboy, and the improvements to the buildings would be an enhancement to the neighborhood; and

WHEREAS, Salvatore Ilardi testified that he lives near the Property and that there has been regular and long existing construction activity that is disruptive to the residential

neighborhood, and that the Applicant often uses the garage access / loading dock on the residential side of the building for commercial purposes; and

WHEREAS the Applicant, through Mr. Catanio, agreed to the condition that the loading dock be closed if the Application is approved; and

WHEREAS, the Board deemed said Application complete and further the Board did review the Application, including but not limited to the submitted plans and heard testimony and reviewed the aforesaid reports of Mr. Valetutto, at a public meetings held on May 28, 2014; and

WHEREAS, the Board has considered the plans, the respective testimony aforesaid and the reports to it by its consultant, Angelo J. Valetutto, P.E., P.P., and finds that:

- (A) The Planning Board has jurisdiction in this matter.
- (B) Applicant's proposal will not be in conflict with the Master Plan, the Official Map or the Development Regulations of the City Ordinances and will not adversely affect adjoining or nearby properties.
- (C) During the course of the proceedings Applicant agreed to comply with all of the comments offered by Mr. Valetutto, as well as the items set forth in his review letter.

WHEREAS, the Board has made the following findings and conclusions:

1. Applicant seeks a use variance necessitated by addition to the existing building on the lot which is partially within two separate zone and bulk variances for side yard, total side yard, lot coverage and off-street parking.
2. Applicant seeks to construct a two story 30.33' by 58' addition to the portion of the building fronting Route 35 to be used for storage and office space.
3. The Board's Engineer, Angelo Valetutto, P.E. prepared a report dated April 10, 2014, which was reviewed by the Applicant and made a part of the record.
4. That the Applicant has put forth evidence to justify the grant of a use variance and the requested bulk variances.

5. That the requested Use Variance, bulk variances and site plan are herein granted. The benefit of granting such variances outweighs the detriment, and can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

NOW, THEREFORE, Be It Resolved by the Planning Board of the City of South Amboy, on this 25th day of June, 2014 that Preliminary and Final Site Plan Approval, use variance and bulk variances in conformance with the plans submitted by the Applicant and as amended during the hearing on May 28, 2014 and pursuant to the conditions set forth in this Resolution shall be and are hereby granted, subject to the following conditions:

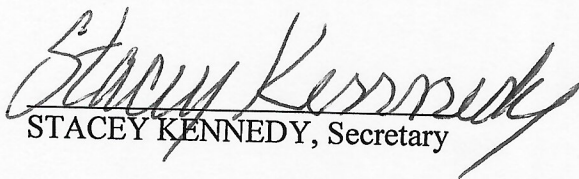
1. Submission and approval of revised plans in accordance with the aforesaid report of Angelo J. Valetutto, P.E., P.P.
2. Submission and approval of revised plans in accordance with the conditions set forth in this Resolution and during the May 28, 2014 hearing before the Board, including the reduction in parking from 18 to 16 spaces; the close-off of the loading dock; and the increase in storage area to 800 square feet.
3. The property will be maintained in conformance with the property maintenance regulations.
4. Compliance with the requirements of all applicable ordinances, statutes, codes, regulations and/or administrative directives, including but not limited to approval by or an exemption letter from the Middlesex County Planning Board.
5. Each and all other applicable approvals, if any, required by law or statute or regulation.
6. Compliance with all representations and agreements made by or on behalf of the Applicant at the hearing held on May 28, 2014.
7. All other matters set forth above, and/or incorporated herein.
8. Payment of all outstanding unpaid taxes, and other municipal charges and assessments.
9. Payment of all sums now and/or hereafter due for application fees and/or escrows.

10. The Applicant shall publish a brief notice of this determination in an official newspaper of the municipality within twenty (20) days of the date of receipt of a copy of this resolution by the Applicant, and the Applicant shall furnish, to the Planning Board Secretary, an Affidavit of Publication by said newspaper.

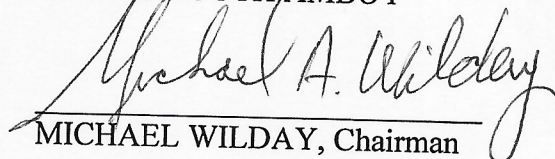
Be it Further Resolved that,

1. This Resolution shall take effect as provided by law.

ATTEST:

  
STACEY KENNEDY, Secretary

PLANNING BOARD OF THE  
CITY OF SOUTH AMBOY

  
MICHAEL WILDAY, Chairman

**CERTIFICATION**

Certified to be a true copy of a Resolution adopted by the Planning Board of the City of South Amboy on July 24, 2013 at a duly convened meeting.

DATE:

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Stacey Kennedy, Secretary