

CITY OF SOUTH AMBOY PLANNING BOARD

RESOLUTION PB- 12 -19
Application Number 400-19

Resolution granting Preliminary Major Site Plan approval as to Phase 1 and Phase 2 and Preliminary Major Subdivision Approval

Block 161.02 Lots 6.03, 6.04, 90
City of South Amboy

WHEREAS, pursuant to the applicable provisions of the City of South Amboy Development Regulations Chapter 53, the within application has been submitted to the City of South Amboy Planning Board (the "Board") by Wisniewski & Associates, LLC (John S. Wisniewski, Esq., appearing) on behalf of Samboy Partners, LLC (the "Applicant") for Preliminary Major Site Plan Approval as to Phase 1 and Phase 2 and Preliminary Major Subdivision Approval, both with regard to Block 161.02, Lots 6.03, 6.04, and 90 on the Tax Map of the City of South Amboy in the Beach Club District Redevelopment Area.

WHEREAS, the application reviewed by the Board consisted of those plans and documents as identified in the completeness report prepared by AJV Engineering, Inc., the consultant to the Planning Board, dated February 25, 2019;

WHEREAS, the application was certified as complete on February 27, 2019 and public hearings with respect to the Application was held by the Board on April 24, 2019, and May 22, 2019 as per public notice and personal notice pursuant to *N.J.S.A. 40:55D-12*; and

WHEREAS, the Applicant on March 11, 2019 provided Certified Mail, Return Receipt, notices to all property owners within two hundred (200) feet of the subject properties and published newspaper notice in the Home News Tribune on April 5, 2019, all pursuant to *N.J.S.A. 40:55D-12*; and

Description of Report

Date of Report

Planning Report AJV Engineering Inc.

March 27, 2019

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 Report), makes the following findings of facts:

FINDINGS OF FACT

Public Hearing April 24, 2019

1. The Applicant was represented by John S. Wisniewski, Esq.
2. Mr. Wisniewski on behalf of the Applicant acknowledged receipt of the Planning Report dated March 27, 2019.
3. Mr. Wisniewski introduced Mr. Geoffrey R. Lanza, P.E., P.P. as a Licensed Professional Engineer in the State of New Jersey who provided his qualifications and was accepted by the Board as a Professional Engineer.
4. Mr. Lanza testified as follows:
 - a. Exhibit A-1 is an existing conditions aerial
 - b. The property is bounded to the East by the bay and to the North by Radford Ferry Road, and to the West by the New Jersey Transit rail line and the New Jersey Transit station.
 - c. The site is comprised of approximately 55 acres.
 - d. Applicant seeks Preliminary Site Plan Approval for Phase 1 and Phase 2 and Preliminary Major Subdivision Approval.
 - e. As to the subdivision request the reasons for the subdivision and the plans for the subdivision, creating four (4) separate lots was described.
 - f. Phase 1 referring to Exhibit A-10 delineated in blue encompasses roads, infrastructure, the first building, and a water quality basin.
 - g. Phase 1 will include 291 units with a mix of studios, one-bedrooms, two-bedrooms, and some three-bedrooms.
 - h. Phase 1 will have 460 parking spaces
 - i. Phase 2 will have 210 units, mostly one and two-bedroom units, and some three bedroom and studio units.
 - j. Phase 2 will have 323 parking spaces.
 - k. Phase 1, in regard to a phasing plan, will include infrastructure, roads, and a portion of the road around Phase 2 (excluding the top course).

- l. Exhibit A-8 shows the requested Major Subdivision into four lots: Lot 1 for Building one, Lot 2 for Building 2, Lot 3 for common elements, and Lot 4 for the remainder of the property.
 - m. Cross access easements will be provided between the lots.
 - n. All interior roads will be owned and maintained (snow plowing, paving, etc.) by the owner of Lot 3.
 - o. There is a parking garage, lobby, and amenities.
 - p. Trash is picked up by a private hauler.
 - q. Water service and sanitary sewerage service are provided as set forth on the plans submitted.
5. Mr. Wisniewski introduced Mr. Jack L. Raker, A.I.A. as a Licensed Professional Architect in the State of New Jersey who provided his qualifications and was accepted by the Board as a Professional Architect.
6. Mr. Raker testified as follows;
 - a. Exhibit A-7 a PowerPoint presentation includes architectural features and a replica of the presentation on a thumb drive was provided to the Board.
 - b. The project is four stories, with Phase 1 having 291 units, 276 market – bedroom rate and 15 affordable units with a mix of studios, one-bedroom, two-bedroom, and three-bedroom units.
 - c. Phase 2 has 210 units with 200 market rate, 10 affordable or low and moderate units with a mix of studios, one-bedroom, two-bedroom and three-bedroom units.
 - d. Trash is collected from different locations where it is transferred to a compactor room via chute.
 - e. Amenities include pool, fire pit, lounges, fitness equipment, social space and grilling stations.
 - f. Amenities are for tenants and their guests only.
 - g. There will be a live-in manager.

7. Mr. Wisniewski introduced Mr. Jaryd Moran, L.L.A. as a Licensed Professional Landscape Architect in the State of New Jersey who provided his qualifications and was accepted by the Board as a Licensed Landscape Architect.

8. Mr. Moran testified as follows:

- a. Exhibit A-3 site rendering reflects Phase 1 and Exhibit A-4 site rendering reflects Phase 2.
- b. Exhibits A-3 and A-4 represent an overview of the landscaping and lighting for the project with park design, types and number of trees, and vegetation.
- c. Exhibits A-5 and A-6 represent proposed materials for the park and streetscape and enlargements.
- d. There will be a dog run with amenities (water, cleanup) and decorative fencing.

9. Mr. Wisniewski introduced Mr. Gary Dean, P.E., P.P. as a Licensed Professional Engineer in the State of New Jersey who provided his qualifications and was accepted by the Board as a Professional Engineer with expertise in the area of traffic.

10. Mr. Dean testified as follows:

- a. He prepared a traffic impact study dated March 14, 2019.
- b. Exhibit A-2 is an aerial photograph utilized for reference.
- c. The study included traffic counts at Broadway and Main Street.
- d. Infrastructure in exterior roads and signalization already exists.
- e. All R.S.I.S. standards are met, and there is a safe and efficient movement throughout the site.

11. Mr. Wisniewski introduced Mr. Marc Pantirer who is a member of Samboy Partners, LLC.

12. Mr. Pantirer testified as follows:

- a. Samboy Partners, LLC is the contract purchaser of Phases 1 & 2 from the owner of the property, Manhattan Beach Club Street, LLC.

- b. Samboy Partners, LLC and its members have extensive experience in multifamily residential construction.
 - c. Parking, refuse collection, marketing, operations and construction were described.
13. The Board, Board's Professionals, and the Applicant's Professionals reviewed the Planning Report in detail.
14. Mr. Lanza testified as to the one deviation in the original application, that being minimum setback of the building to the right-of-way line or phase line.
15. Mr. Lanza further testified that this deviation will be eliminated through revised plans resulting in no deviation to the requirements of the Beach Club District Redevelopment Area Plan.
16. Applicant's case having been completed for the evening, upon motion made, seconded and approved, the matter was opened to the public.
17. No one from the public requested to be heard.
18. As a result of confusion caused by a newspaper article on the application that mentioned an incorrect date, not of the Applicant's doing, the matter was carried to the next meeting of the Board.

Public Hearing May 22, 2019

1. The application of Manhattan Beach, LLC was reopened.
2. The Board Secretary reported to the Board that two items of correspondence were received from Center State Engineering, engineers for the City of South Amboy, dated May 9, and May 20, 2019 (the "Center Letters").
3. Mr. Wisniewski acknowledged receipt of the content of the Center Letters.
4. In response to the Center Letters, Mr. Wisniewski acknowledged that the Applicant or its successor would be responsible for the ownership, maintenance and operation of the sanitary sewer system within the subject property and the City would have no responsibility for same up to the point of connection with the City's system.
5. Mr. Geoffrey Lanza confirmed that the obligation for the sanitary sewer as to the Applicant will end at the right-of-way where it will become public onto Rosewell and that item 32 B on the Center letter of May 9, 2019, has or will

be resolved with the Board Engineer.

6. Motion was made, seconded and approved reopening the public session.

7. No one appeared from the public.

CONCLUSIONS

The Board makes the following findings and conclusions:

1. Applicant's proposed use is permitted in the Beach Club District Redevelopment Area and no deviations from the Redevelopment Plan are requested.
2. There are substantial benefits to the City from this application.

NOW, THEREFORE, BE IT RESOLVED that the City of South Amboy Planning Board hereby **grants** Application #400-19 for Preliminary Major Site Plan approval in Block 161.02, Lots 6.03, 6.04, and 90 on the Tax Map of the City of South Amboy in the Beach Club District Redevelopment Area as to Phase 1 and Phase 2; and


BE IT FURTHER RESOLVED that the City of South Amboy Planning Board hereby **grants** Application #400-19 for Preliminary Major Subdivision Approval in Block 161.02, Lots 6.03, 6.04, and 90 on the Tax Map of the City of South Amboy in the Beach Club District Redevelopment Area creating four (4) lots as set forth on the plans submitted subject to the following:

1. Compliance with recommendations set forth in the Planning Report dated March 27, 2019, compliance with recommendations set forth in the City Engineer Report dated May 9, 2019, as amended and/or revised as set forth in the transcript of the Board Hearings, including but not limited to:
 - a. Monument commemorating the explosion of 1950 in the City of South Amboy.
 - b. Additional parking analysis by Mr. Dean.
 - c. Confirmation of architectural review by South Amboy Redevelopment Agency ("SARA").
 - d. Correction of Ponding condition on adjoining property owned by NJ Transit, but only if approved by NJ Transit
 - e. Relocation of sanitary sewer as indicated by Mr. Lanza.
 - f. Revisions to plans to make corrections as required by AJV Engineering, Inc. and Center State Engineering.
 - g. Elimination of deviation noted as to set back from road or phase line.
 - h. Cross access easements with metes and bounds, proposed deeds, and

plan of easement for review and approval by Board professionals.

- i. Revisions to plans identifying ingress and egress points.
2. Entry into a Developers agreement as required by SARA.
3. Final Major subdivision application to confirm lots and phases.
4. Compliance with the requirements of all applicable ordinances, statutes, codes, regulations and/or administrative directives.
5. Compliance with each and all other applicable approvals, if any, required by law or statute or regulation to perfect a Preliminary Major Site Plan Approval and Preliminary Major Subdivision Approval.
6. Compliance with all representations and agreements made by or on behalf of the Applicant at the hearings held on April 24, 2019, and May 22, 2019, ..
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. Counsel for Applicant 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.
11. 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 July 24, 2019.


Kathryn Kudelka, Planning Board Secretary

Planning Board – Application #400-19, Samboy Partners, LLC

	Aye	Nay	Abstain
Mary Szaro	X		
Scott Kominkiewicz	X		
Tom Kelly	X		
Mayor Henry	X		
Brian McLaughlin			
Francis Mulvey			
Holly Hughes	X		
George Baranowski			
Catherine Corey	X		
Alternates			
Janet Kern	X		
Jorge Gonzales-Gomez	X		

Kathryn Kubecka
 Kathryn Kubecka, Planning Board Secretary