

CITY OF SOUTH AMBOY PLANNING BOARD

RESOLUTION PB- 18 -18

Application Number 394-18

MAIN AND THOMPSON, LLC

Resolution granting Use Variance and Amended Final Site Plan approval

Block 68, Lot 1

361 Main 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 Wisniewski & Associates, LLC (John S. Wisniewski, Esq., Appearing) on behalf of Main and Thompson, LLC (the "Applicant") for Use Variance and Amended Final Site Plan approval, in Block 68, Lot 1 on the Tax Map of the City of South Amboy in the RA Zone; and located at 361 Main Street.

WHEREAS, the application reviewed by the Board consisted of those plans and documents as identified in the reports prepared by Jason C. Valetutto, P.E., P.P. the consultant to the Planning Board dated August 20, 2018 and September 21, 2018.

WHEREAS, the application was certified as complete and public hearings with respect to the Application were held by the Board on August 22, 2018 and September 26, 2018 as per public notice and personal notice pursuant to NJSA 40:55D-12 ; and

WHEREAS, as part of the application and based upon the plans submitted and reviewed by the consultant to the Planning Board, the Applicant required a Use Variance from the zoning requirements as set forth in the ordinance;

<u>Description</u>	<u>Required</u>	<u>Proposed</u>
Use Variances		
Maximum Building Height	35 feet	38.5 feet

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.	August 20, 2018
Planning Report AJV Engineering, Inc.	September 21, 2018

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

1. The Applicant was represented by John S. Wisniewski, Esq.

Public Hearing August 22, 2018

2. Mr. Wisniewski acknowledged receipt of the AJV Engineering, Inc. planning report of August 20, 2018.
3. Mr. Wisniewski introduced Raymond Caselli 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.
4. Mr. Caselli testified as follows:
 - a. Exhibit A-1 (sheet A-6 of the plans) was introduced which was an architectural plan showing elevations.
 - b. Applicant is proposing to raise the building height to 38.5 feet which is ten percent over that permitted in the South Amboy Zoning ordinance.
 - c. The purpose of the increase in height is to bring the building in conformity with surrounding buildings.
 - d. There is now an elevator penthouse on the roof which will be relatively small and virtually invisible from anywhere on the site.
 - e. The plan further shows conformity with historical colors and selections to be approved by the city.
 - f. In the event the roof was not built to 38.5 feet, the mechanicals would be visible from a flat roof and the visual would be a very flat/squat looking parapet roof.
 - g. Exhibit A-2 (sheet 2 of the site Plan) was introduced as a colored rendering of the site plan.
 - h. The Applicant intends to enclose the parking garage as a heated

parking garage with doors and coded access.

- i. Exhibit A-3 (sheet A-3 of the architectural plans) was introduced.
 - j. The total bedroom count from the initial approval is confirmed in the revised architectural plans to two bedroom units and one bedroom units plus den with no closet in the den, and one bathroom. The original plans were not consistent with the approval.
 - k. The Applicant is to provide revised architectural plans showing the correct proposal for the September 26, 2018 meeting when the Board will make its final decision on the application.
5. Mr. Wisniewski introduced Ralph Mocci as the principal of the Applicant.
6. Mr. Mocci testified as follows:
- a. Mr. Mocci is a member of the Applicant.
 - b. Mr. Mocci explained the confusion with regard to the eight two bedroom units and their reduction down to four two bedrooms and four one bedrooms with a den.
 - c. Mr. Mocci agreed to a deed restriction that the one bedroom units cannot be turned into two bedroom units by converting the den.
 - d. The change in the roof line was to maintain a proper aesthetic look like other buildings in the city.
7. Mr. Wisniewski introduced John McDonough as a Licensed Professional Planner in the state of New Jersey who provided his qualifications and was accepted by the Board as a Professional Planner.
8. Mr. McDonough testified as follows:
- a. The proposed use is a permitted use as a residential use in a residential zone.
 - b. The issue is that the proposed height creates a Use Variance condition.
 - i. The added height will not add any additional population density, nor additional bedrooms.
 - ii. The added height does not cause any negative shadow effect on adjacent properties.

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. 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 October 24, 2018.



Kathryn Kudelka, Planning Board Secretary