

PLANNING BOARD
CITY OF SOUTH AMBOY

Beacon Pointe
App 277-05

RESOLUTION #-2005

RESOLUTION FOR PRELIMINARY AND FINAL SITE PLAN APPROVAL RE: BAKER
RESIDENTIAL, L.P., BLOCK 60, LOTS 1 AND 7, BLOCK 61, LOTS 2, 3, 6, 7, 8, 8.01, 11, 12,
BROADWAY, MAIN STREET, AND SECOND STREET

WHEREAS, Baker Residential, L.P. (hereinafter referred to as "Applicant") has applied to the City of South Amboy Planning Board for Preliminary and Final Site Plan approvals in regard to property known as Block 60, Lots 1 and 7, and the alley Block 61, Lots 2, 3, 6, 7, 8, 8.01, 11, 12, Broadway, Main Street and Second Street on the Tax Map of the City of South Amboy, (hereinafter the "Property"); and

WHEREAS, said Property is located in an area heretofore duly designated as the Broadway/Main Street Redevelopment Area; and

WHEREAS, plans were submitted, in regard to said Application, as follows:

1. "Preliminary and Final Site Plans for Broadway and Main Redevelopment Block 60, Lots 1 and 7, Block 61, Lots 2, 3, 6, 7, 8, 8.01, 11 and 12" prepared by Omland Engineering Associates, Inc. dated 1/7/05 and consisting of fifteen sheets.
2. Survey entitled "Broadway Survey Partial Topography and Utility Locations, Block 61, Lots 2, 3, 6, 7, 8, 8.01, 11 and 12 ad Block 60, Lot 1" prepared by Kennon Surveying Services, Inc. dated 11/15/04 and revised through 12/21/04.
3. "Stormwater Management Report for Broadway and Main Street Redevelopment" prepared by Omland Engineering Associates, Inc. dated 1/11/05.
4. Architectural floor plans/elevation views prepared by Minno and Wasko dated 1/12/05.
5. Traffic Engineering Evaluation Broadway/Main Street Development prepared by Omland Engineering Associates, Inc. dated 3/10/05.

WHEREAS, proper proof of advertisement and service of notices of a public hearing in



PB App 277-05

Beacon Pointe

City of South Amboy

140 North Broadway • South Amboy, New Jersey 08879

Phone: (732) 727-4600 Fax: (732) 727-6139

April 29, 2005

Ms. Meryl A.G. Gonchar, Esq.
Greenbaum, Rowe, Smith & Davis
Metro Corporate Campus One
P.O. Box 5600
Woodbridge, NJ 07095-0988

RE: Baker Residential Limited Partnership

Dear Ms. Gonchar:

Enclosed please find resolution approved at the South Amboy Planning Board on April 27, 2005.

Your application indicates that your office will handle the publication of the approval.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Linda Garnett
Planning Board Secretary

Beacon Pointe

Baker Residential Limited Partnership
Planning Board Application # 277 – 05
Planning Board Resolution # -2005

“40 multi-family dwellings. The new buildings will be two and three story buildings. All of the dwellings will have two bedrooms with 28 to contain two bedrooms with a den.”

Lighthouse Bay/Harbor Village

Danza/City of South Amboy (Parcel C)
Planning Board Application # 235 – 98
Planning Board Resolution Approving Preliminary Major Site Plan – Dated October 25, 1998

“... construction of 124 townhouse units on sixteen acres... ...will include a pool and proposed clubhouse.”

City of South Amboy (Parcel D)
Planning Board Application # 238 – 99

70 single family detached dwellings

Baker Residential Limited Partnership
Planning Board Application # 274 – 04
Planning Board Resolution # 09-2004

8 single family attached homes and 64 condominium units

Broadway Commons

SARA & J Avenue Associates, LLC
Planning Board Application # 261 – 03
Planning Board Resolution # 09-2003

“...36 two-bedroom townhouse type units and approximately 5,500 sq. ft. of retail space along Broadway...”

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 three (3) reports to the Planning Board, dated February 9 and 10, 2005 and March 16, 2005 copies of which are annexed hereto and made a part hereof; 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 public meetings held on February 17, 2005 and April 5, 2005; and

WHEREAS, the Applicant seeks approval to construct residential structures in the Broadway/Main Street Redevelopment Area in accordance with the requirements thereof; and

WHEREAS, at the aforementioned hearings, the Applicant was represented by Meryl Goncher, Esq., who called the following witnesses to testify:

- (A) Eric Keller, P.E. of Omland Engineering Associates, Inc. who testified as to the site conditions, development in the surrounding area, and drainage utility conditions including the availability of electric, gas, and telephone service, and anticipated traffic impacts.
- (B) Gary A. Wasko, R.A. of Minno and Wasko who testified as to site elevations, dwelling unit characteristics and layout, and appearance of the buildings and exterior spaces.

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, the Development Regulations of the City Ordinances or the Broadway/Main Street Redevelopment Plan, and will not adversely effect adjoining or nearby properties.
- (C) The Property is proposed to be developed with 40 multi-family dwellings. The development fronts on Second Street, Broadway, and Main Street. The existing buildings and improvements on the property will be demolished. The new buildings will be two and three story buildings. All of the dwellings will have two bedrooms, with 28 to contain two bedrooms with a den.
- (D) During the course of the proceedings Applicant agreed to comply with all of the comments offered by Mr. Valetutto, Mr. James E. Cleary, City Engineer and Mr. Edward J. Szatkowski the City Fire Marshall.

NOW, THEREFORE, be it Resolved by the Planning Board of the City of South Amboy, on this 27th day of April, 2005 that Preliminary and Final Site Plan Approvals shall be and are hereby granted, subject to the following conditions:

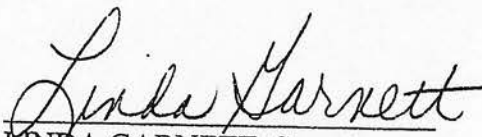
1. Submission and approval of revised plans in accordance with the aforesaid reports of Angelo J. Valetutto, P.E., P.P., attached hereto and made a part hereof including but not limited to:
 - (a) reduction of Second Street wall by one foot;
 - (b) striping of no parking area to be right of the entrance;
 - (c) reduction of roof line and improvement of wall appearance in accordance

with the recommendations of Mr. Valetutto and the Architect for the South Amboy Redevelopment Authority.

2. Submission and review of Association documents to provide for:
 - (a) use of garages for parking of vehicles and not storage of personalty;
 - (b) prohibition against use of a den as a bedroom in the units that feature two bedrooms with a den.
3. 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.
4. Each and all other applicable approvals, if any, required by law or statute or regulation.
5. Compliance with all representations and agreements made by or on behalf of the Applicant at the meetings held on February 17 and April 5, 2005, or otherwise.
6. All other matters set forth above, and/or incorporated herein.
7. Preliminary/Final Site Plan approval is hereby granted subject to the Applicant submitting reproducibles, cost estimates, testing and inspection fee deposits, and providing performance and maintenance guarantees in accordance with the requirements of the Ordinances of the City of South Amboy.
8. The general terms and conditions, whether conditional or otherwise, upon which Preliminary/Final Site Plan approval is granted, shall not be changed for a period of two (2) years after the date of approval, provided that the approved Preliminary/Final Site Plan shall have been duly submitted as provided in preceding paragraph 7.

9. Approval of the proposed facades by the Architect for the South Amboy Redevelopment Authority.
10. Payment of all outstanding unpaid taxes, and other municipal charges and assessments.
11. Payment of all sums now and/or hereafter due for application fees and/or escrows.
12. 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, the Applicant shall furnish, to the Planning Board Secretary, an Affidavit of Publication by said newspaper.
13. No municipal permits of any type or kind shall issue, nor shall the site plans be executed by or on behalf of the Board unless and until there has been full compliance with conditions 1, 2, 3, 4, 5, 7, 10, 11, and 12 above, except that permits for demolition, site work and foundations only, may be issued before compliance with Condition Number 9.

ATTEST:


LINDA GARNETT, Secretary

PLANNING BOARD OF THE
CITY OF SOUTH AMBOY


GEORGE FORRER, Chairman



Danya City of SA
app # 235-98 Parcel C

CITY OF SOUTH AMBOY

(908) 727-4600 140 NORTH BROADWAY SOUTH AMBOY, N.J. 08879-1647 FAX (908) 727-6139

LB/HV

PLANNING BOARD

RESOLUTION APPROVING PRELIMINARY MAJOR SITE PLAN

WHEREAS, the Owner/Applicant, City of South Amboy, (hereinafter referred to "APPLICANT"), has applied to the Planning Board for Preliminary Major Site Plan approval for development of property known as Block 161, Lot 20.10 on the Tax Map of the City of South Amboy; and

WHEREAS, this application was classified as a Preliminary Major Site Plan at the Completeness Committee meeting of August 26, 1998; and

WHEREAS, the application and accompanying documents satisfactorily complied with the filing requirements of the Site Plan Ordinance of the City of South Amboy, and the same was declared complete at the August 26, 1998 Completeness Committee and Planning Board meetings; and

WHEREAS, the Applicant has complied with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq) concerning notification of adjacent land owners and other interested parties of this application and filed with the Board an Affidavit of Publication and Proof of Service; and

WHEREAS, the Planning Board did, pursuant to Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq), study and review the application and submissions in support thereof and conducted a public meeting on the said application on September 23, 1998; and

WHEREAS, the Planning Board did, pursuant to the local Redevelopment and Housing Law (CLRHL), P.L. 1992, Chapter 79, review and study the submissions in support of this

application under (A) the updated Master Plan for the City and (B) the development requirements of the Southern Redevelopment Area; and

WHEREAS, the Applicant supported its' application by introducing the testimony of Angelo Danza and Alex J. Zepponi, P.E., as follows:

(i) Mr. Zepponi stated that the application involves the proposed construction of 124 townhouse units on sixteen acres in the Southern Waterfront Redevelopment Area in the City of South Amboy. He also testified that the proposed development will include a pool and proposed clubhouse. In addition, Mr. Zepponi stated that all of the bulk requirements of the City Zoning Ordinance are met or exceeded by the proposed development.

(ii) In addition, Mr. Zepponi and Mr. Danza explained to the Board that the sanitary sewer system of the proposed development will feature pumps for each two or three buildings, that there will be four points of stormwater drainage discharge into the existing swale and that the water line ring of the development will accommodate fire hydrants for the project.

(iii) Mr. Zepponi further stated to the Board that there will be two (2) parking stalls provided per unit in the proposed development and that one hundred and nine (109) additional parking stalls will be provided throughout the site for visiting and overflow parking.

WHEREAS, such application:

- a. Contains sixteen (16) acres located in the Southern Waterfront Redevelopment Area of the City of South Amboy;
- b. Has frontage on an existing street;
- c. Does not adversely affect the development of the parcel in question or adjoining property;
- d. Describes a site which presently contains vacant land;
- e. Involves a planned development on property designated by the City of South Amboy for townhouse development;
- f. Does not involve the division of land found to be used for agricultural purposes where all resulting parcels are five (5) acres or larger in size;

- g. Does not involve the division of land by testamentary or intestate provisions;
- h. Does not involve the division of land upon court order;
- i. Does not involve the consolidation of existing lots by deed or other recorded instrument;
- j. Does not involve the conveyance of one or more adjoining lots, tracts or parcels of land owned by the same person or persons and all of which are found and certified by the administrative officer to conform to the requirements of the municipal development regulations and are shown and designated as separate lots, tracts or parcels on the Tax Map of the Municipality; and

WHEREAS, Applicant is seeking to develop sixteen (16) acres of property situated in the Southern Waterfront Redevelopment Area of the City of South Amboy designated for townhouse development. The proposed development involves the construction of one hundred and twenty-four (124) townhouse units, as well as a proposed pool and clubhouse with adjacent parking; and

WHEREAS, the Planning Board has received a written report from its planning consultant, Angelo J. Valetutto, dated September 23, 1998; and

WHEREAS, the Board after carefully considering the evidence presented to it by the Applicant, has made the following findings of fact:

- Fact 1. The Board has jurisdiction to hear this matter.
- Fact 2. The subject premises is located in the Southern Waterfront Redevelopment Area of the City and is designated for townhouse development.
- Fact 3. The subject premises consists of vacant property.
- Fact 4. The Applicant proposes to construct one hundred and twenty-four (124) townhouse units, together with a pool and clubhouse facilities with adjacent parking.
- Fact 5. The Board has received a report from its' planning consultant, Angelo J. Valetutto, dated September 23, 1998.
- Fact 6. The proposed development is consistent with the approved Southern Redevelopment Plan.

WHEREAS, the Board has made the following conclusions based upon the foregoing findings of fact:

Conclusion 1. This matter is properly before the Board, and, subject to the Applicant's compliance with the conditions hereafter stated, the Applicant's preliminary major site plan satisfies the detail requirements of the City of South Amboy's Site Plan Ordinance and Southern Redevelopment Plan.

Conclusion 2. It has been determined through legal research and evidence that approval of the Applicant's preliminary major site plan application can be granted without substantial detriment to the public good.

Conclusion 3. Approval of this application will not adversely affect further development of any remaining parcel or adjoining property and is not in conflict with any provision or portion of the Master Plan and the Land Use Update Plan, or the Southern Redevelopment Plan.


Conclusion 4. The proposed development is situated in the Southern Redevelopment Area, where both a school facility and recreational facilities have already been built. Thus, the proposed development is in keeping with the mixed use Southern Development Concept developed and reviewed by this Board.

Conclusion 5. The application as proposed does satisfy all the development requirements of the Zoning Ordinance for the Southern Redevelopment Area.

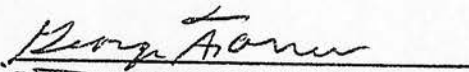
NOW, THEREFORE, be it resolved by the Planning Board of the City of South Amboy, on this 28th day of October, 1998, that this application for Preliminary Major Site Plan Approval be, and hereby is, granted in accordance with the proposed Preliminary Major Site Plan prepared by Entec, dated August 18, 1998, consisting of five (5) sheets, as submitted in our files in the Office of the Secretary of the Planning Board in the City of South Amboy, and subject to the following items being a condition of final approval:

1. Compliance with all conditions stated in paragraphs 3 through 7, 9 through 11, 13 and 14 in the Planning Consultant's letter of September 23, 1998 to the Board.
2. All required permits for the proposed development are to be procured by the developer.
3. A minimum of forty-five (45) parking spaces are to be provided for the proposed clubhouse.
4. The location and width of the easement for stormwater drainage and sanitary sewer facilities are to be shown on the Site Plan, and will be the responsibility of the developer, not the City, to maintain that easement.
5. The mature height of all plantings are to be shown on the Site Plan.
6. Approval by the Architectural Review Committee of the proposed development.
7. Obtaining necessary approvals from other departments or agencies of the City, County, State or Federal Government, including, but not limited to:
 - a. City Fire Department;
 - b. Middlesex County Planning Board;
 - c. Freehold Soil Conservation District;
 - d. NJDEP Sanitary Sewer Extension;
 - e. NJDEP Wetlands;
 - f. NJDEP Waterfront;
 - g. NJDEP Stream Encroachment.

ATTEST:


LINDA GARNETT, Secretary

PLANNING BOARD OF THE
CITY OF SOUTH AMBOY


JOSEPH CONNORS, Chairperson

Appl # 235-98

- MINOR SUBDIVISION _____
- PRELIMINARY SUBDIVISION _____
- FINAL SUBDIVISION _____
- CONDITIONAL USE APPROVAL _____
- PRELIMINARY SITE PLAN _____ X
- FINAL SITE PLAN _____
- BULK VARIANCE _____
- USE VARIANCE _____

GENERAL INSTRUCTIONS:

Applicants shall complete each question to best of their ability as required for each application.

- 1) a-- Applicant's Name City of South Amboy
 (Proof of Interest must accompany application) Telephone _____
 Interest of Applicant if other than owner _____
 Address 140 N. Broadway, South Amboy, NJ 08879
- b-- Owner (of record) Name: Same as Applicant
 Address _____
 (Proof of ownership and Affidavit Granting Permission to apply)
- c-- Plat Preparers Name ENTEC
 Address 535 High Mountain Road, N. Haledon, NJ 07508 Telephone (973) 636-9223
 All Professionals Names preparing exhibits and their N.J. License No.
Alex J. Zepponi, P.E. N.J. Lic. No. 26723
- d-- Proposed Development Name The Villas at Shoregate
- e-- Location of Development (street address) Along waterfront Access Road
 Block 161 Lot(s) portion of Lot 20 Tax Sheet(s) _____
- f-- General Description of Present and Proposed Use: Proposed - Multi family residential use
 Present: vacant land
- g-- General Description of Buildings: 128 Townhouse units - 1,300 S.F. ± each
- h-- Zone District: RM - Redevelopment multifamily zone
- i-- Total Site Area: Acreage 27.10 Square Feet 1,180,566
- j-- Building Area: Square Feet 115,000 Height 35'
 % Building Coverage of Land 9.7%
- k-- Parking Spaces Provided 104 common parking Width 9' Length 19'
 Loading Spaces Provided N/A Width - Length -
- l-- Parking and Paved Area - Square Feet 160,000 = 13.6% of land coverage.
- m-- Open Green Area - Square Feet 76.7 % of land coverage.
- n-- Buffer Areas: Type 75' wide buffer, beach, water - 37% of land coverage.
- o-- Purpose of Subdivision: _____
 Are any new streets, extension of municipal facilities or utilities required for this subdivision? Yes
Access streets, sanitary sewer and water extension
- p-- Description of Proposed Development: 128 Townhouse units and amenities.

- q- Number of lots before subdivision N/A; Number of lots after subdivision _____
Area of portion being subdivided N/A Acres: _____ sq. ft. _____
- r- Total Cost of Building Construction and Site Improvements To be determined at the time of construc
(Affidavit of Professional preparing site plan on costs).
- s- Any restrictions, protective covenants, easements, etc. _____
Refer to plans.
- _____
- _____
- _____



PLANNING BOARD
Meeting Held 4th Wednesday
of the Month

CITY OF SOUTH AMBOY

(201) 727-4600

140 NORTH BROADWAY

SOUTH AMBOY, N. J. 08879

Appl # 238-99
Parcel D
LB/HV

Dear *Mr. Pape*:

RE: *Block 161 Lot 20.11*
Parcel "D"

Enclosed is copy of Resolution with regard to the completeness of the above matter for your records.

Very truly yours,

PLANNING BOARD OF THE CITY
OF SOUTH AMBOY

By: *Linda Garnett*

Linda Garnett
Secretary

Enc.

cc: Gregory F. Kusic, Esq.,
Board Attorney
Angelo Valetutto



CITY OF SOUTH AMBOY

140 NORTH BROADWAY
(908) 727-4600

SOUTH AMBOY, N.J. 08879-1647
FAX: (908) 727-6139

PLANNING BOARD

Meetings held Fourth Wednesday of Month

VARIANCES-----
 CONDITIONAL USE-----
 SITE PLAN PREL-----FINAL-----
 SUBDIVISION MINOR-----MAJOR-----✓
 RESOLUTION NO.-----

At a meeting of the Planning Board of the City of South Amboy, Middlesex County, New Jersey, held on the 18th day of May, 1999, at 7:00 p.m.:
 (Mr.)(Mrs.)(Miss) Margaret McEathy offered the following RESOLUTION and moved its adoption, seconded by (Mr.)(Mrs.)(Miss) Mitchell Patuchies.
 Whereas, an application by (Mr.)(Mrs.)(Miss) City of South Amboy for the approval of a Site Plan, Minor Subdivision or Major Subdivision Conditional Use with variance relief and maps showing a proposed Site Plan Subdivision with no new streets and no other improvements numbered 238-99 has been filed with this Planning Board which application has (~~not~~) been accompanied with all documents required by ordinance and state statute, and

Whereas, the applicant has (~~not~~) satisfactorily complied with the filing requirements of the Zoning Subdivision Conditional Use Ordinances of the City of South Amboy and the rules and regulations of the Planning Board of the City of South Amboy on May 18, 1999, at 7:00 p.m.

NOW THEREFORE, BE IT RESOLVED that the application entitled City of South Amboy filed with the Planning Board be and the same is hereby declared complete(~~incomplete~~) and has (~~not~~) been listed on the Board's agenda for the regularly scheduled meeting of May 18, 1999.

IT IS FURTHER RESOLVED, that a copy of the Report of the Board's Consultant be attached to and made a part of this Resolution and forwarded to the applicant.

SOUTH AMBOY PLANNING BOARD

BY: Linda Garnett

Linda Garnett, Secretary



CITY OF SOUTH AMBOY

140 NORTH BROADWAY
(908) 727-4600

SOUTH AMBOY, N.J. 08879-1647
FAX: (908) 727-6139

PLANNING BOARD

Meetings held Fourth Wednesday of Month

SITE PLAN _____
SUBDIVISION _____
CONDITIONAL USE _____
VARIANCE _____

At a meeting of the Completeness Committee of the City of south Amboy, Middlesex County, New Jersey, held on the 18th day of May, 1999, at 7:00 p.m.: The entire Committee offered the following RESOLUTION and moved its adoption by the entire Planning Board.

Whereas, an application by (~~Mr.~~)(~~Mrs.~~)(Miss) City of South Amboy for the approval of a (~~Conditional Use~~), (~~Minor Site Plan~~), (~~Major Site Plan~~), (~~Minor Subdivision~~) and/or (Major Subdivision) with (no) variance showing a proposed (~~Conditional Use~~), (~~Site Plan~~) and/or (Subdivision) with (no) new streets and other improvements numbered 238-99 has been filed with this Planning Board on May 5, 1999 which application has (~~not~~) been accompanied with all documents required by ordinance, and

Whereas, the applicant has (~~not~~) satisfactorily complied with the filing requirements of the (~~Conditional Use~~), (~~Site Plan~~), (Subdivision) and/or (~~Zoning~~) Ordinances of the City of South Amboy and the rules and regulations of the Planning Board of the City of South Amboy on May 18, 1999, at 7:00 p.m.

NOW THEREFORE, BE IT RESOLVED that the application entitled City of So. Amboy filed with this Planning Board be and same is hereby declared complete (~~incomplete~~); and

BE IT IS FURTHER RESOLVED THAT;

- (a) The total application fee of \$ - 0 - be paid prior to the hearing of the application with a credit given for \$ _____ already paid.
- (b) The Completeness Checklist be (~~returned~~)(filed) by the Secretary.
- (c) The Application be (~~returned~~) (filed) by the Secretary.
- (d) The supporting documents be (~~returned~~) (filed) by the Secretary.
- (e) The maps, sketches or plans be (~~returned~~) (filed) by the Secretary.

- (f) The Real Estate Tax Certification be (~~returned~~) (filed) by the Secretary.
- (g) Additional reports from the _____ department shall be sought by the full board.
- (h) Additional staff namely, _____ be hired by the Board for this particular application.

SOUTH AMBOY PLANNING BOARD

BY: _____

CHAIRMAN, COMPLETENESS COMMITTEE



May 14, 1999

Memo to: Completeness Committee

From: Angelo J. Valetutto, P.E., P.P.
Board Consultant

Re: Proposed Major Subdivision
Block 161; Lot 20.11
Parcel "D"
Southern Waterfront Development Area
City of South Amboy

This office has reviewed the following documents submitted in support of the above referenced application:

1. Plans entitled, "Preliminary Plat-Major Subdivision Waterfront Development Properties Tax Map Lot 20.11 in Block 161", prepared by Amertech Engineering Inc. dated 5/4/99 and consisting of nine sheets
2. Drainage analysis report prepared by Amertech Engineering Inc dated 5/4/99
3. Plan entitled, "Offsite Drainage Improvement plan for Tax Map lot 20.11 in Block 161", prepared by Amertech Engineering Inc dated 5/4/99
4. Fully executed application form
5. Fully executed checklist form

and find the subject application is for an permitted use within the Southern Waterfront Development Area with no bulk variances. Thus, the Planning Board retains jurisdiction to hear the application. In addition, the submitted information is sufficient for this office to conduct a review, advise the Board and have the Board hear the matter.

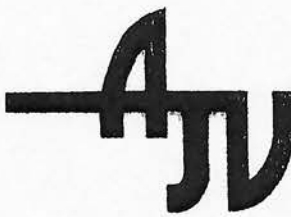
I have no objection to this application being deemed complete and scheduled to be heard by the full Board.


Angelo J. Valetutto, P.E., P.P.

pc: Mr. Joseph Connors, Board Chairman
Gordon Berkow, Esq., Boar attorney
Kenneth Pape, Esq., Applicant's attorney
Mr. Harry C. Applegate III, P.E., PLS, Applicant's Engineer/surveyor

RECEIVED

MAY 17 1999



engineering inc

app # 238-99

Parcel D

RECEIVED

May 14, 1999

MAY 17 1999



Mr. Joseph Connors, Chairman
City of South Amboy Planning Board
140 North Broadway
South Amboy, New Jersey 08879-1640

Re: Proposed Major Subdivision
Block 161, Lot 20.11
Parcel "D"
Southern Waterfront Redevelopment Area

Dear Mr. Connors:

This office has reviewed the following plans,

1. "Preliminary Plat-Major Subdivision Waterfront Development Properties Tax Map Lot 20.11 in Block 161", prepared by Amertech Engineering Inc., dated 5/4/99 and consisting of nine sheets
2. "Offsite Drainage Improvement plan for Tax Map Lot 20.11 in Block 161", prepared by Amertech Engineering Inc. dated 5/4/99

and have the following comments:


1. The application will subdivide a 16.0 acre tract in the Southern Waterfront Redevelopment Area into **seventy single family detached dwellings.** The use is a permitted use for this portion of the Southern Waterfront Redevelopment Area.
2. The application does not create any bulk variances, but complies with the designated standards of the Southern Waterfront Redevelopment Area.
3. I recommend the plans be revised as follows:
 - a. Signature should designate City Engineer
 - b. General Note three should correctly designate zone as Southern Waterfront Redevelopment Area and A,B, & C zones as floodplain designations
 - c. Key maps should designate area as Southern Waterfront Redevelopment Area
 - d. The concrete sidewalk for both proposed cul-de-sacs should be placed along the edge of the proposed concrete curb at their southerly quarters to permit plantings along the southerly property line for screening purposes.
 - e. Plantings should be added along the southerly property line at both cul-de-sacs.
 - f. The proposed shade trees should be replaced with a lower planting to maximize water views for the entire project.
 - g. The common driveway for lots 40 and 41 should be increased to a minimum of twenty feet.
 - h. High spot elevations should be provided between lots 27 and 37, 28 and 36, 29 and 35.
4. The hydrant locations for the project should be approved by the local fire official.

May 14, 1999

Mr. Joseph Connors

Re: Parcel "D"

5. A note should be added to the plans that state all waterfront lots are to be one story dwellings to comply with the zone standards.
6. A note should be added to state the architectural elevation views are to be reviewed and approved by the City's architectural review committee.
7. The applicant's engineer should provide metes and bounds descriptions for all lots, including easements for review prior to filing of the map.
8. Any Board approval should be contingent upon proof that all approvals by outside agencies having jurisdiction be acquired.
9. All deeds should contain language acceptable to the Board's attorney regarding the planting of shade trees that would limit water views of the project.
10. If approved, the applicant's engineer should provide this office with a signed and sealed estimate of site improvements, including off-site drainage, for purposes of bonding.


Angelo J. Valetutto, P.E., P.P.

pc: Gordon Berkow, Esq., Board Attorney
Kenneth Pape, Esq., Applicant's Attorney
Harry C. Applegate, III, P.E., P.L.S., Applicant's Engineer

PRELIMINARY SUBDIVISION PRELIMINARY SITE PLAN Uppl # 238-99
 FINAL SUBDIVISION FINAL SITE PLAN _____
 BULK VARIANCE _____
 USE VARIANCE _____

GENERAL INSTRUCTIONS:

Applicants shall complete each question to best of their ability as required for each application.

- 1) a- Applicant's Name City of South Amboy
 (Proof of interest must accompany application) Telephone (732) 727-6139
 Interest of Applicant if other than owner _____
 Address _____
- b- Owner (of record) Name: City of South Amboy (SEE ADDENDUM ATTACHED
 Address 140 North Broadway, South Amboy, NJ 08879-1647
 (Proof of ownership and Affidavit Granting Permission to apply) HERE TO
- c- Plat Preparers Name Amertech Engineering, Inc.
 Address 757 Ridgewood Avenue, North Brunswick, New Jersey Telephone (732) 249-2215
 All Professionals Names preparing exhibits and their N.J. License No.
Harry C. Applegate, III (License No. 18255)
Kenneth Fears, P.E., Oracle Engineering (License No. 22911)
Richard A. O'Connor, P.E. (License No. 33029)
- d- Proposed Development Name Amboy Waterfront Development
- e- Location of Development (street address) O'Leary Boulevard
 Block 161 Lot(s) 20.11 Tax Sheet(s) _____
- f- General Description of Present and Proposed Use: 16.0 acre portion of Waterfront
Development property proposed to be developed as a 70 lot residential
subdivision.
- g- General Description of Buildings: residential
- h- Zone District: RM (medium density residential) and portions located in
- i- Total Site Area: Zone A, Zone B, and Zone C
 Acreage 16.0 acres Square Feet _____
- j- Building Area: see notes on Height _____
 % Building Coverage of Land plan
- k- Parking Spaces Provided see notes on Width _____ Length _____
 Loading Spaces Provided _____ Width _____ Length _____
- l- Parking and Paved Area - Square Feet see notes on % of land coverage.
- m- Open Green Area - Square Feet N/A plan % of land coverage.
- n- Buffer Areas: Type N/A % of land coverage.
- o- Purpose of Subdivision: create 70 lot subdivision in accordance with Waterfront
 Are any new streets, extension of municipal facilities or utilities required for this subdivision?
Yes
- p- Description of Proposed Development: preliminary and final approval of 70 lot
residential subdivision developed around 6 new roadways. Drainage
facilities include Off-Site Easement for basin on the North and Easements
through adjacent project known as "The Villas" to the South

ADDENDUM

1) b- Application materials assembled by Amboy Waterfront Development, LLC, contract Purchaser of the premises.

PLANNING BOARD
CITY OF SOUTH AMBOY

Lighthouse Bay
App 274-04
Parcel E
LB/HV

RESOLUTION #09-2004

**RESOLUTION FOR AMENDED PRELIMINARY AND FINAL
MAJOR SUBDIVISION APPROVALS, AND AMENDED
PRELIMINARY AND FINAL SITE PLAN APPROVALS
RE: FORMER LOTS 20 AND 23 IN BLOCK 161, NOW
LOTS 10-19 IN BLOCK 172 AND LOTS 20, 20.02, AND
23 IN BLOCK 161**

WHEREAS, on March 26, 2003, pursuant to application made therefor by Baker Residential Limited Partnership (hereinafter referred to as "Applicant"), the Board adopted a resolution memorializing preliminary site plan approval, final site plan approval, and preliminary major subdivision approval in regard to Lots 20 and 23 in Block 161 on the City Tax Map; and

WHEREAS, said resolution was amended on May 6, 2003, for the sole purpose of correctly identifying and referencing the report of Angelo J. Valetutto, P.E., P.P., to be annexed thereto and made a part thereof; and

WHEREAS, the aforesaid approvals were for nine (9) single-family detached residential units, and twenty-three (23) townhouse residential units (total = sixty-four (64) residential units; and

WHEREAS, pursuant to the aforesaid approvals, the Applicant caused a subdivision plat to be filed in the Office of the Middlesex County Clerk, and therein and thereby the aforesaid lands and premises are now designated as Lots 10-19 in Block 172 and Lots 20, 20.2 and 23 in Block 161; and

WHEREAS, the Applicant subsequently applied for Amended Preliminary and Final Major Subdivision and for Amended and Final Site Plan approvals, which were approved and a resolution memorializing same has been adopted on August 31, 2004; and

WHEREAS, the Applicant has now applied for Amended Preliminary and Final Major Subdivision approvals and for Amended Preliminary and Final Site Plan approvals, which applications consist of the following submissions:

1. Application form and attached two (2) page rider and Disclosure Statement.
2. Preliminary Major Subdivision Completeness Form.
3. Final Major Subdivision Completeness Form.
4. Site Plan Completeness Form.
5. Statement of Other Required Approvals.
6. "Amended Preliminary and Final Site Plan and Preliminary Major Subdivision for Lighthouse Bay – Parcel 'E' Phase 2" Prepared by Schoor DePalma, Robert J. Curley, P.E., dated April 30, 2004, revised August 19, 2004, consisting of twenty-one (21) sheets.
7. Final Plat, entitled, "Final Plat Southern Redevelopment Area Parcel E – Phase II", prepared by Kennon Surveying Services, Inc., dated 8/18/04;
8. An unsigned, unsealed storm drainage tabulation chart, dated 8/20/04; and

WHEREAS, the aforementioned engineering plans and the aforementioned storm drainage chart were reviewed by Angelo J. Valetutto, P.E., P.P., the consultant to the Planning Board, who provided a report to the Planning

Board by memo dated August 30, 2004, a copy of which is annexed hereto and made a part hereof; and

WHEREAS, the Board did review the Application, including but not limited to the submitted engineering plans, at its public meeting held on August 31st, 2004; and

WHEREAS, the Board did review and consider the aforementioned report to it from its consultant, Angelo J. Valetutto, P.E., P.P. ("Board's Consultant"); and

WHEREAS, at the public hearing on said Application the Applicant was represented by Meryl A. G. Gonchar, Esq., of the law firm of Greenbaum, Rowe, Smith, Ravin, Davis and Himmel, L.L.P., who represented that the Applicant seeks to modify and amend the approvals heretofore granted by the Planning Board on June 23, 2004 (and this day, heretofore, memorialized in Resolution #06-2004 to substitute two (2) additional single family attached homes on fee simple lots for two (2) single family detached homes; thereby providing for the following: 8 single family attached homes and 64 condominium units; and

WHEREAS, testimony, under oath, was given on behalf of Applicant including but not limited verification of each and all matters set forth in the two-page Rider to the Application herein; and

WHEREAS, the Planning Board has made the following:

- (A) The testimony on behalf of the Applicant was credible.
- (B) The Planning Board has jurisdiction in this matter.

- (C) Subject to review and approval of such revisions as may be necessitated by this Resolution, and/or the requirements of the Board's aforementioned Consultant, and all other requirements of law in such case made and provided, the Application should be approved in accordance with and subject to Mr. Valetutto's report dated August 30, 2004.
- (D) There are no variances required or permitted in regard to the Application.

NOW THEREFORE be it resolved by the Planning Board of the City of South Amboy on this 31st day of August, 2004, that this Application for Amended Preliminary and Final Site Plan Approvals, and for Amended Preliminary and Final Major Subdivision Approvals be, and are hereby granted, subject to the following conditions:

- A. The submission, review and approval of revisions to the aforementioned plans and other matters in accordance with the report to the Planning Board by its Consultant, Angelo J. Valetutto, P.E., P.P., and in accordance with all representations, testimony, and other matters before the Board at prior hearings herein, and/or in Board Resolution #06-2004, and including but not limited to the following:
 - 1. The submission, review and approval of all architectural plans by the Architectural Review Board.
 - 2. The submission, review and approval of all landscaping plans and all particulars by the Board's Consultant.

3. Submission, review and approval by the Board's Consultant of plans extending parking stalls that will give full parking stall width and depth and a complete continuous walkway that will not be interrupted by parked vehicles.
4. Submission, review, and approval by SARA of plans for elevated planters on each side of each driveway, pavers, and colors in regard to the foregoing.
5. Submission, review and approval by SARA of lighting and sign details to be consistent with those installed and existing in the Lighthouse Bay development.
6. Submission, review and approval by the Board's Consultant of plans for additional protection in regard to all matters concerning erosion protection and walkway protection, and otherwise, in regard to acceptability of the proposed seawall and/or otherwise.
7. Submission, review and approval by the Board's Consultant of all designs and specifications in regard to walkway railings.
8. Resolution of all open matters in regard to height of trees and plantings and building location in regard to water views in general and to avoid blockage of same in particular.
9. All other matters represented, and/or resolution of such of same as are unresolved.

10. Further Planning Board review if outside agency approvals vary plans submitted to this Board including, but not limited to, plans pursuant to the within approvals.

11. Obtaining necessary approvals from other department or agencies of the City, County, State or Federal Government, including, but not limited to:

- a. City Fire Department;
- b. Middlesex County Planning Board;
- c. Freehold Soil Conservation District;
- d. NJDEP Sanitary Sewer Extension;
- e. NJDEP Wetlands approvals;
- f. NJDEP Waterfront Development approvals;
- g. NJDEP Stream Encroachment approvals;
- h. NJDEP Tidelands approvals.

B. Prior to issuance of any building permit, the Applicant shall provide verification that all outstanding taxes and/or assessments and all other lienable charges, due and owing on the subject Property, have been paid.

C. Payment of all now or hereafter required application fees and/or required escrow fees.

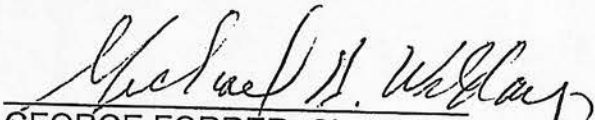
D. Posting of all required performance guarantees, and all inspection and testing and other charges and/or escrows therefor.

- E. Major subdivision approval shall expire 95 days from the date of signing of the plat by the Planning Board, unless within such period the approved major subdivision is perfected by the Applicant pursuant to N.J.S.A. 40:55d-54, and unless the Applicant shall thereafter advise the Municipal Clerk of the City of South Amboy of the date and filing of said map in the Office of the Middlesex County Clerk, and shall furnish such copies of the filed map as required by the City pursuant to Ordinance, by the City Engineer, and/or otherwise.
- F. All representations and statements made by or on behalf of the Applicant at the meetings held on May 25, 2004, and June 23, 2004, and on August 31ST, 2004.

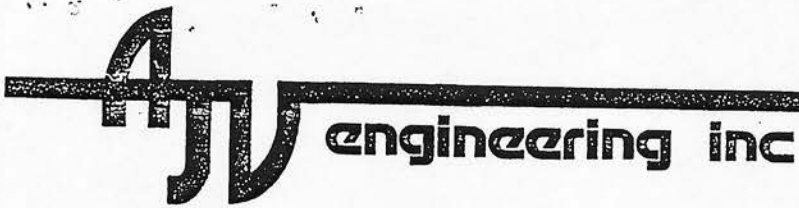
ATTEST:


LINDA GARNETT, Secretary

PLANNING BOARD OF THE
CITY OF SOUTH AMBOY


GEORGE FORRER, Chairman
ACTING

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August 30, 2004

Mr. George Forrer, Board Chairman
City of South Amboy Planning Board
140 North Broadway
South Amboy, NJ 08879

Re: Amended Preliminary and Final Site Plan
and Preliminary and Final Major Subdivision
Lighthouse Bay Parcel "E" Phase 2

Dear Mr. Forrer:

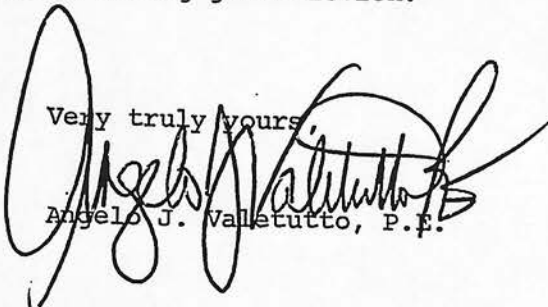
This office has reviewed the application package for the above referenced amended application, including plans entitled "Ammended (sic) Preliminary and Final Site Plan and Preliminary Major Subdivision Lighthouse Bay Parcel "E" Phase 2, prepared by Schoor DePalma; dated 4/30/04, revised through 8/19/04, consisting of 21 sheets; Final Plat, entitled, "Final Plat Southern Redevelopment Area Parcel E - Phase II", prepared by Kennon Surveying Services, Inc., dated 8/18/04; and an unsigned unsealed storm drainage tabulation chart, dated 8/20/04; and offer the following:

1. The applicant is seeking to amend his current application that has been approved by this board to eliminate the two single family detached dwellings and create eight townhouse style units.
2. The proposed modification represents a minor change to the prior approval. We have reviewed the referenced plan to our report of 5/25/04 and find:
 - a. Sheet No. 1. The proposal for the single family detached dwelling should be removed since there are none proposed as part of this application. Note 25 should be revised to reflect 8 townhouse units and the single family detached number should be removed;
 - b. Sheet Nos. 2,3,4,5. No comment/previous comments addressed.
 - c. Sheet No. 6. ~~Proposed Lot 20.02 is of sufficient width to potentially be subdivided at a later date. It is recommended that a deed restriction be placed on Lot 20.02 from any further subdivision.~~ It is recommended that there be no parking permitted on either side of the access road. The sidewalk material should be labelled as concrete and made continuous around/across the off-street parking areas. This office has no preference for either a concrete apron or concrete sidewalk around the parking areas. aw
8/31/04
 - d. Sheet Nos. 7,8,9. No comment/previous comments addressed.
 - e. Sheet No. 10. Proposed sight triangle is proposed within public right-of-way and not on private property.
 - f. Sheet No. 11. Shrubs that cross the proposed walkway should be removed. It appears that the stop lines shown on Spinnaker Drive and Spinnaker Drive North would be better served if placed on the private road leading to the off-tract parking lot.

Page-2-
Mr. George Forrer
Re: Parcel "E" Phase 2

- g. Sheet No. 11A is missing.
- h. Sheet Nos. 13-21. No comment/previous comments addressed.
- 3. The applicant's engineer should provide a signed and sealed storm drainage tabulation chart, and testify as to any affects the proposal has on the prior approval/previously submitted stormwater management report.
- 4. The Final Plat must be reviewed/approved by the City Engineer/Surveyor, Mr. James E. Cleary, PE, PLS.
- 5. Any Board approval should be contingent upon satisfactorily completing these items, as well as securing all regulatory agencies having jurisdiction.

Very truly yours


Angelo J. Valletutto, P.E.

pc: All Board Members
Ms. Linda Garnett, Board Secretary
Gordon Berkow, Esq., Board Attorney
Meryl A.G. Gonchar, Esq., via fax
Mr. Robert J. Curley, P.E., applicant's engineer via fax

PLANNING BOARD
CITY OF SOUTH AMBOY

Broadway Commons
Appl # 261-03

RESOLUTION # 09-2003

**RESOLUTION FOR PRELIMINARY SITE PLAN APPROVAL, FINAL
SITE PLAN APPROVAL, AND MINOR SUBDIVISION APPROVAL
RE: BLOCK 47, LOTS 14, 17, 18, 18.01, 19 AND 21 AND BLOCK 54, LOT 3.**

WHEREAS, J Avenue Associates, L.L.C. (hereinafter referred to as "Applicant") has applied to the City of South Amboy Planning Board for Preliminary and Final Major Site Plan approvals and for Minor Subdivision approval in regard to property known as Block 47, Lots 14, 17, 18, 18.01, 19 and 21 and Block 47, Lot 3 on the Tax Map of the City of South Amboy, (hereinafter the "Property"); and

WHEREAS, said Property is located in an area heretofore duly designated as the Broadway/Main Street Redevelopment Area; and

WHEREAS, the following were submitted in regard to said Applications:

- (A) "Preliminary and Final Major Site Plan and Subdivision Lots 14, 17, 18, 18.01, 19, & 21 Block 47 and Lot 3 Block 54", prepared by Chester Ploussas, Liskowsky Partnership, LLP, dated 9/24/02, revised 2/6/03, consisting of ten sheets.
- (B) Drainage report entitled, "Stormwater Management Report for Broadway Commons, prepared by The Chester, Ploussas, Lisiwsky Partnership, dated 3/20/03; and

WHEREAS, the aforementioned Applications and Plans were reviewed by Angelo J. Valetutto, P.E., P.P., the consultant to the Planning Board, who provided respective reports to the Planning Board by memoranda dated February 13, 2003 and March 26, 2003, copies of which are annexed hereto and made a part hereof; and

WHEREAS, it appears that proper notice of the applications was published in the Home News Tribune, and notices were served upon the requisite interested persons and entities as required by the Municipal Land Use Law (hereinafter the "MLUL") and the Development Regulations, Chapter 53 of the Ordinances of the City of South Amboy (hereinafter the "Ordinance"); and

WHEREAS, the Board did review the Applications, including but not limited to the submitted plans, at its public meeting held on March 26, 2003; and

WHEREAS, the Board has reviewed and considered the aforementioned memoranda to it from its consultant, Angelo J. Valetutto, P.E., P.P.; and

WHEREAS, at the public hearing on said Application, on March 26, 2003, the Applicant was represented by Paul Swanicke, Esq., who represented that all subject parcels are now owned or otherwise under the control of the South Amboy Redevelopment Agency (hereinafter "SARA") by virtue of eminent domain proceedings in the Superior Court of New Jersey, wherein a Declaration of Taking has been filed, an Order for Deposit of the estimated just compensation having been entered and the sum specified therein having been deposited with the Clerk of the Superior Court in regard to a portion of Lot 14 and all of Lot 19 in Block 47; and

WHEREAS, at said public hearing, testimony under oath was given by Thomas T. McGrath, P.E., who identified himself as a licensed Professional Engineer and whose qualifications were stipulated by the Board since Mr. McGrath previously appeared before the Board in other matters and testified in said capacities; he testified herein as follows:

- (A) He discussed the location of the subject property, which is located on Broadway at and about the northerly end of First Street and, as proposed to be developed, will consist of approximately 1.3 acres situate in the Broadway/ Main Street Redevelopment Area. The Applicant proposes to construct 36 two-bedroom townhouse type units and approximately 5,500 sq. ft. of retail space along Broadway, together with 110 off-street parking spaces, including 20 spaces that would be available for people shopping as well as residents. A 10 ft. wide access easement is proposed to provide ingress to and egress from Broadway; Mr. McGrath testified that the Applicant agreed to increase the width of this easement to the full width (24 ft.) suggested by Mr. Valetutto. The 12 ft. portion of the access easement, shown on sheet 4 of the plans will be extended to the full width thereof as suggested by Mr. Valetutto; and
- (B) He testified that part of the Application is for minor subdivision approval of present tax lot 14 only in Block 47 on the City Tax Map, to annex a portion of same to Lots 19 and 21; and
- (C) He testified that sewer, water, gas and electric are available at the site. There is a 3.5 ft. by 4.5 ft. concrete box culvert (on plans shown as 3.3 x 4.5) that runs from Broadway through and under the railroad that is to the rear of the subject property; this box culvert with grates, inlets and drainage connections will be used for drainage. He opined that there would be no negative impact to surrounding sites;

- (D) He testified in regard to the on-site traffic circulation, and ingress to and egress from the site, and agreed that, as suggested by Mr. Valetutto, four parking spaces along the northern end of the site, near the railroad, would be eliminated and replaced by increased landscaping.
- (E) He testified in response to Mr. Valetutto's comments regarding respective pages of the plans submitted and testified that the Applicant would comply with same and revise the plans in accordance therewith, and otherwise comply with Mr. Valetutto's requirements in regard to the plans and revisions thereof, and the Applications; and
- (F) He testified that there will be compliance with all A.D.A. standards and requirements;
- (G) He testified that the site plan is predicated upon and subject to the City Council vacating First Street from Broadway to the easterly terminus of First Street at its common line with Lot 7 in Block 164 (i.e. the railway property) and he testified that it is stipulated that any vacating will contain provision for the City to reserve, unto itself, right to maintain, repair and replace utilities therein and the box culvert.
- (H) He testified that the site plan is predicated upon and subject to the City Council vacating the 10 ft. wide alley in the subject property that abuts the rear of Lots 3 through 12, inclusive, in Block 55.
- (I) He testified that the site plan is predicated upon and subject to the Applicant acquiring title to Lot 21 in Block 44 from S.A.R.A.

- (J) He stipulated that the site plan is predicated upon and subject to the Applicant's acquisition of the eminent domain properties aforesaid.
- (K) He stipulated that any and all local approvals are subject to all applicable and requisite approvals by the State, County, and municipal agencies, departments, boards, and other entities and officials including but not limited to the local Fire Department and First Aid Squad;
- (L) The Applicant proposes to develop the property in two phases, but will be subject to the City agreeing to same, and the Applicant will be bound by the City decision as to whether or not phasing will be permitted.
- (M) Neither of the proposed phases meets the parking requirements of the Broadway/Main Street Redevelopment Plan, which necessitates either compliance or the City revising said Plan accordingly; any approval by this Board is subject to the foregoing.
- (N) The proposed parking is not compliant with the State of New Jersey Residential Site Improvements Standards (hereinafter the "RSIS") and any approval by this Board is subject to the Applicant obtaining waivers and/or other approvals from the New Jersey Department of Community Affairs, if required.
- (O) Revised architectural plans are required including, but not necessarily limited to revisions required by virtue of the Broadway Façade Ordinance.

WHEREAS, Mr. Seth Yaroni, a principal of J Avenue Associates, was duly sworn and testified that no final decision has been made as to whether the residential units will be for rental or sale as condominium units; and

WHEREAS, Mr. Richard Vivenzio was duly sworn. His qualifications as an architect were stipulated by the Board. In response to questions, Mr. Vivenzio and Mr. McGrath described ingress/egress with regard to the residential units and on-site accessibility for emergency services. The Applicant agreed that it will comply with the comments of local fire and first aid squad officials, which comments will be solicited from same; and

WHEREAS, the proposed minor subdivision approval will provide a separate lot for existing buildings and improvements that are part of the proposed site plan.

WHEREAS, the following members of the public were sworn and heard at said March 26, 2003 public hearing:

- (A) Robert Howden, 151 Second Street, South Amboy, questioned that the proposed 6 ft. high fence on Second Street and 181 North Broadway would preclude access to the on-site parking. Mr. Valetutto suggested gates for those owners that request it, but Mr. Howden said the homeowners are going to put up their own fence, anyway, to replace a fence that was torn down; but later conceded that rather than the Applicants' proposed fence, he (Mr. Howden)

prefers a living buffering of plants or hedge rows or the like as suggested by Mr. Valetutto.

- (B) Steve Martin, 161 North Broadway, South Amboy, appeared with the co-owner of said property, Gregory McCabe. Mr. Martin questioned accessing a loading dock in their property. Mr. McGrath stated that the deliveries can be provided for without loss of units, parking spaces, or building access.
- (C) Fred Wasnak, 179 North Broadway, South Amboy, was concerned that storm water would run from the roof of a proposed building onto the roof of his (Mr. Wasnak's) building, but conceded that he is now aware the roof of the proposed building would be slanted toward Broadway. Mr. Wasnak was assured by Mr. Vivenzio, that water will not drain onto Mr. Wasnak's roof. Mr. McGrath testified that the proposed removal of a masonry retaining wall if same is now holding back a portion of Mr. Wasnak's property, the grade differential will be made up for by a building to be constructed. Finally, Mr. Vivenzio testified that he will see what can be done to ameliorate blocking of light in regard to Mr. Wasnak's property.
- (D) William Heffron, 165 North Broadway, questioned the need for subdivision approval for condemnation of part of his property. He was assured that none is required as the division of his property is being effectuated by the eminent domain proceeding itself. The

Applicant's proposal will afford access to the rear of Mr. Heffron's property, according to the plans submitted by the Applicant.

- (E) Frank J. Jankowski, 405 Parker Avenue, South Amboy, who questioned whether there would be elevators to access the residential units; he was advised that there would be no elevators.

WHEREAS, the Planning Board has made the following findings:

- (A) The testimony on behalf of the Applicant was credible.
- (B) The Planning Board has jurisdiction in this matter.
- (C) Subject to review and approval of such revisions as are referred to hereinabove and/or may be necessitated by this Resolution, and/or the requirements of the Board's aforementioned Consultant, Angelo J. Valetutto, P.E., P.P., and all other requirements of law in such case made and provided, and all Federal, State, County, and City requirements, and the requirements of all other entities, if any, having jurisdiction, the Planning Board determines that the Application should be approved.

NOW, THEREFORE, be it resolved by the Planning Board of the City of South Amboy, on this 23rd day of April , 2003, that this Application for Preliminary and Final Site Plan Approval and Minor Subdivision Approval be, and is hereby granted, subject to the following conditions:

1. The submission, review, and approval of revisions to the aforementioned plans and drainage calculations in accordance with the reports (2) to the Planning Board by its Consultant, Angelo J.

Valetutto, P.E., P.P., copies of which reports are attached hereto and made a part hereof.

2. Submission, review and approval of each and all performance guarantees, fees, and other payments required by the City pursuant to Statute, Ordinance, and/or otherwise.
3. Subject to all other matters set forth and/or referred to and/or incorporated herein, and subject to Mr. Valetutto's review and approval of all plan revisions.
4. Compliance with all requirements of all applicable ordinances, statutes, codes, regulations and/or administrative directives of all entities having jurisdiction.
5. Filing with the City and the Planning Board of all requisite copies of the Final Site Plan.
6. Each and all other applicable approvals required, including but not limited to the following to the extent that same may be required by law or regulation:

(A) All matters herein set forth including but not limited to stipulations and representations made on behalf of the Applicant during the hearing¹

(B) Approval pursuant to the Broadway Façade Ordinance

(C) All requisite approvals pursuant to the Broadway Sign Ordinance.

- (D) All required approvals of Architectural Plan and revisions thereof.
- (E) Obtaining necessary approvals from other departments or agencies of the City, County, State or Federal Government, including, but not limited to:
 - a. City Fire Department and First Aid Squad;
 - b. Middlesex County Planning Board;
 - c. Freehold Soil Conservation District;
 - d. NJDEP Sanitary Sewer Extension;
 - e. NJDEP Wetlands approvals;
 - f. NJDCA approvals re: the R.S.I.S., if required.
 - g. All requirements of S.A.R.A.
 - h. All required permits of each and all kind.
 - i. All entities furnishing utility services.
- 7. Prior to issuance of any building permit, the Applicant shall provide verification that all outstanding taxes and/or assessments and all other lienable charges, due and owing on the subject Property, have been paid.
- 8. Payment of all now or hereafter required application fees and/or required escrow fees.
- 9. Minor subdivision approval shall expire 190 days from the date hereof, unless within such period the approved minor subdivision is perfected by the Applicant pursuant to N.J.S.A. 40:55D-47, and

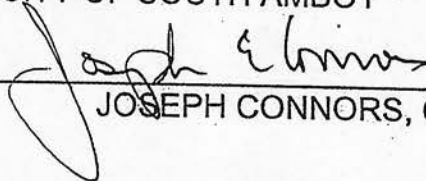
unless the Applicant shall thereafter advise the Municipal Clerk of the City of South Amboy of the date and recording of a deed or filing of a map in the Office of the Middlesex County Clerk, and shall furnish such copies of the recorded deed or filed map as required by the City pursuant to Ordinance and/or otherwise.

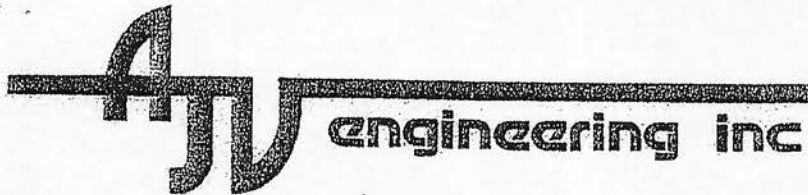
10. All representations and statements made by or on behalf of the Applicant at the meeting held on April 23, 2003.
11. The street and alley vacations hereinabove referred to.

ATTEST:


LINDA GARNETT, Secretary

PLANNING BOARD OF THE
CITY OF SOUTH AMBOY


JOSEPH CONNORS, Chairman



February 13, 2003

Mr. Joseph Connors, Board Chairman
City of South Amboy Planning Board
140 North Broadway
South Amboy, NJ 08879

Re: Preliminary and Final Major Site Plan
Minor Subdivision
Block 47, Lots 14, 17, 18, 18.01, 19, & 21
Block 54, Lot 3
J Avenue Associates

Dear Mr. Connors:

I have reviewed the plans entitled, "Preliminary and Final Major Site Plan and Subdivision Lots 14, 17, 18, 18.01, 19, & 21 Block 47 and Lot 3 Block 54", prepared by Chester, Ploussa, Liskowsky Partnership, LLP, dated 9/24/02, revised 2/6/03, consisting of ten sheets, and have the following comments:

1. The applicant proposes to subdivide Lot 14 in Block 47 and combine it with the adjoining lots for the purpose of demolishing all existing structures and constructing 36 residential units and 5,500 square feet of retail space. The subject property is situated within the Broadway/Main Street Redevelopment Area and must comply with the Redevelopment Plan's standards and the State of New Jersey Residential Site Improvement Standards (R.S.I.S.) for the residential portion of the application. The application is properly before the Planning Board for review/decision.
2. The application requires the following action beyond the control of this Board: vacation of First Street from its intersection with Broadway to its easterly terminus. The City Council is empowered to vacate public right-of-way, so any action by this Board must be contingent on the City Council vacating the First Street right-of-way described above. It has been my experience that any vacations of a public right-of-way retains an easement for all utilities within the right-of-way. This office has reviewed the plans with the intent of City Council retaining these easement rights.

The following comments pertain to the referenced Site Plan:

Sheet No. 1

1. The owner/applicant is listed as J Avenue Associates & SARA. It is my understanding that neither named party are the owners of Lots 14 and possibly Lot 19. The applicant should testify as to the ownership of all named lots and revise the plan accordingly if they are not currently the owners of the entire tract.

2. The Site Map should include the entire Lot 14 since it is part of the application by virtue of the subdivision being sought.

Sheet No. 2

1. Two hundred foot radius map should include Lot 14 as noted above.
2. General Note No. 1 should be revised as to the lot ownership as noted above.
3. General Note No. 3 should include all of Lot 14 for the area of the tract.
4. General Note No. 4 should be revised to include existing and proposed conditions, in particular the subdivision of Lot 14.
5. General Note No. 4 should be revised to include the height in feet for the existing and proposed conditions of the entire tract, including Lot 14.
6. General Note No. 25 should identify the length of the proposed easement to the City as well as the purpose of the easement. In the alternative, the language should mirror General Note No. 26 by referencing as shown on the Site Plans.
7. General Note No. 26 should include the Sheet No. on which the easement is shown (Sheet No. 4).
8. General Note No. 27 should be added to reflect utility easements within the vacated portion of First Avenue.

Sheet No. 3

1. The entire outline of Lot 14 should be shown to match that of the remaining project site.
2. The proposed subdivision line for Lot 14 should be identified as a subdivision line including its distance with the bearing.
3. The area of the remaining portion of Lot 14 should be shown.

Sheet No. 4

1. All utility crossings should be shown on the profiles (Storm sewers, gas, water, etc).

2. The easement along the westerly portion of the proposed vacated First Street is shown as ten feet, whereas General Note No. 25 identifies the easement as twenty-four feet. It is recommended that the easement be shown as twenty-four feet wide and listed as for access (City of South Amboy, Lots 14 and 19).
3. The proposed "No Parking Truck Access Zone" for the benefit of Lots 14 and 19 should be expanded to the full width of the access aisle. The applicant should provide truck movement templates to ensure that trucks may safely negotiate the proposed travel lanes.
4. The proposed balconies extend over the proposed access aisles which may interfere with truck movements.
5. Balconies along the easterly portion of the property extend over the twenty-five foot setback line creating a variance condition. The infringement must be eliminated.
6. All minimum aisle widths should be shown on the plan. It appears that some aisles are less than the minimum required twenty-four feet where they adjoin ninety degree parking spaces.
7. The four parking spaces along the easterly property line create aisle widths that are too narrow. It is recommended that these four spaces be eliminated.
8. The location of the perimeter concrete curbing is not clear throughout the property. It appears that certain areas have excessive access aisles while others have less than the required.
9. A six-foot high board on board fence should be installed along the property lines abutting the adjoining residential uses.
10. The applicant's engineer should testify as to the utilities servicing the proposed uses. It does not appear that each unit/use will have its own utility lines.

Sheet No. 5

1. Additional spot grades are required at all point of curvatures, points of tangents, and angle points to ensure positive drainage.
2. It appears that there are a number of areas that have a slope less than a minimum of 0.75%. Those areas must be revised to provide for a minimum slope of 0.75%.

3. Grades on the adjoining properties must be shown so that a proper evaluation can be made that the proposed grading of the subject property does not interfere with the grading on any of the adjoining properties.
4. Grades are required at all building corners.
5. Barrier-free calculations should be provided to ensure compliance with the appropriate standards.
6. All improvements along Broadway should state compliance with Middlesex County standards.
7. The applicant's engineer should provide for the existing 12" storm pipe near the easterly property line.

Sheet No. 6

While under the jurisdiction of the FSCD, it appears the following is required:

1. A silt fence around the entire perimeter of the disturbed area.
2. Moving of the scale above the title block to eliminate the conflict with the Inlet Protection Detail.

Sheet No. 7

1. An additional street tree is required to the north of the proposed vacated portion of First Street.
2. The minimum caliper of all trees should be 2.5 inches.
3. With the elimination of the four parking spaces along the easterly property line and potential for additional planting areas where the access aisle is being reduced, additional plantings should be provided.
4. Planting specification No. 11 should be separated with two lines overlapping.
5. The applicant should identify if there are any grass areas or if all landscape areas consist of mulch.

6. No lighting is proposed. The lighting should be in keeping with current City specifications. The location of all lighting, as well as the photo metrics, should be added to the plan.

Sheet No. 8

1. The strength of the concrete curb should be shown as 4,000 psi.
2. The applicant's engineer should testify that the Handicap Ramp Detail meets ADA standards. It appears that the side slopes are excessive.
3. There does not appear to be a reinforced section of retaining wall proposed for the project. If correct, the detail should be eliminated.
4. While the proposed retaining wall is not very high, it is recommended that a four inch PVC pipe be installed above the leveling pad, and outletted to the paved parking lot/access aisle.
5. Details for the proposed lighting should be provided, along with the photo metrics for the proposed heights of the poles/mounting heights.

Sheet No. 9

1. The Manhole Frame Detail should show the imprinting as "City of South Amboy".

Sheet No. 10

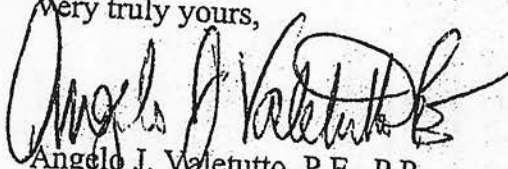
1. The height of all buildings should be shown.

General Comments

1. A signed and sealed drainage report should be provided showing no adverse affects on the subject property, any adjoining property, or the tributary area.
2. A signed and sealed Subdivision Plan is required, along with metes and bounds descriptions.
3. Approval should be subject to the applicant securing all applicable permits, including but not limited to: Middlesex County Planning Board, NJDEP (sewer extension permit), Freehold Soil Conservation District.

4. Approval should be subject to the City Council vacating First Street as required for this development.
5. Approval should be subject to payment of all taxes and escrow fees as well as the applicant supplying the Planning Board Engineer with an Engineer's Estimate of Site Improvements that will be used in the development of the bonding requirements and a Builder's Agreement.
6. The application is shown to be in two Phases. It appears that neither Phase meets the off-street parking requirement for the Broadway/Main Street Redevelopment plan. The applicant is seeking approval for the density/off-street parking based on the R.S.I.S. standards. The applicant's professionals should provide the Board with testimony on why there is sufficient off-street parking based on R.S.I.S. and that based on their own professional opinion the number of off-street parking spaces is sufficient for this proposal.
7. The applicant should testify as to the property being developed in one or two Phases.

Very truly yours,


Angelo J. Valetutto, P.E., P.P.
Board Consultant

Pc: All Board members
Gordon Berkow, Esq. ✓
Ms. Linda Garnett



March 26, 2003

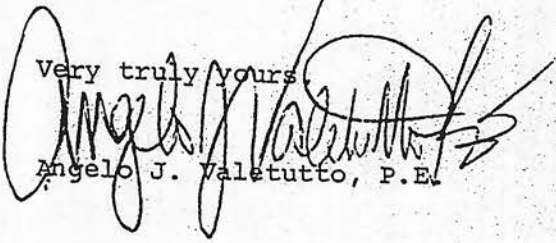
Mr. Joseph Connors, Board Chairman
City of South Amboy
140 North Broadway
South Amboy, NJ 08879

Re: Preliminary and Final Major Site Plan
Minor Subdivision
Block 47, Lots 14,17,18,18.01,19, & 21
Block 54, Lot 3
J Avenue Associates

Dear Mr. Connors:

I have reviewed a drainage report entitled, "Stormwater Management Report for Broadway Commons, prepared by The Chester, Ploussas, Lisiwsky Partnership, dated 3/20/03 and find it acceptable that the proposed project will not have an adverse affect on the existing storm drainage in the area. However, this office still requires signed and sealed calculations reflecting that the on-site storm drainage improvements can accomodate the runoff directed to them by virtue of the proposed development. In summary, General Comment No. 1 in my review of 2/13/03 is partially addressed. All other comments contained in that report remain as stated.

Very truly yours,


Angelo J. Valatutto, P.E.

pc: All Board members
Gordon Berkow, Esq.
Ms. Linda Garnett