

**RESOLUTION OF THE PLANNING BOARD OF THE CITY OF SOUTH AMBOY
RECOMMENDING TO THE CITY COUNCIL AN AMENDMENT TO THE
SOUTHERN WATERFRONT REDEVELOPMENT PLAN REGARDING BLOCK 161,
LOT 24, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW**

WHEREAS, pursuant to the Local Redevelopment and Housing Law, the governing body of a municipality may refer to the Planning Board a request to prepare a recommendation regarding the amendment of a redevelopment plan in accordance with N.J.S.A. 40A:12A-7; and

WHEREAS, the South Amboy Redevelopment Agency ("SARA") has, pursuant to Resolution No. MI 02-01-07:08 recommended that the Council of the City of South Amboy request a review and report by the South Amboy Planning Board of the Southern Waterfront Redevelopment Plan and Block 161, Lot 24, a copy of which is attached to this Resolution; and

WHEREAS, on February 7, 2007, the City Council of South Amboy ("City") adopted Resolution 55-2007, referring to the Planning Board for a review and report the question of an amendment to the Southern Waterfront Redevelopment Plan, a copy of which is attached to this Resolution; and

WHEREAS, the Planning Board retained the firm of AJV Engineering, Inc., to assist in the aforementioned investigation and to prepare a report regarding its findings and opinion as to whether to recommend an amendment to the Southern Waterfront Redevelopment Plan ; and

WHEREAS, Angelo J. Valetutto, P.P., of AJV Engineering, Inc., conducted an investigation and prepared a report entitled "City Council/SARA Referral Southern Waterfront Redevelopment Plan, dated February 14, 2007" (the "2/14/07 Report") (a copy of the 2/14/07 Report is attached to this Resolution); and

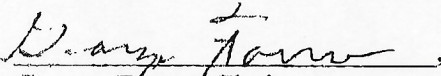
WHEREAS, Angelo J. Valetutto, P.P., of AJV Engineering, Inc., conducted an investigation and prepared a report entitled "City Council/SARA Referral Southern Waterfront Redevelopment Plan Amendment, dated April 10, 2007" (the "4/10/07 Report") (a copy of the 4/10/07 Report is attached to this Resolution); and

WHEREAS, on April 25, 2007, Angelo J. Valetutto, P.P., presented testimony at a meeting of the Planning Board regarding the findings and conclusions of the 2/14/07 Report and 4/10/07 Report which concluded that the Southern Waterfront Redevelopment Plan should be amended to delete all permitted uses for Block 161, Lot 24 except for recreational use; and

WHEREAS, the Planning Board has considered the Reports and desires to provide its recommendation to the City Council that the Southern Waterfront Redevelopment Plan be amended consistent with the Reports.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE PLANNING BOARD OF THE CITY OF SOUTH AMBOY:

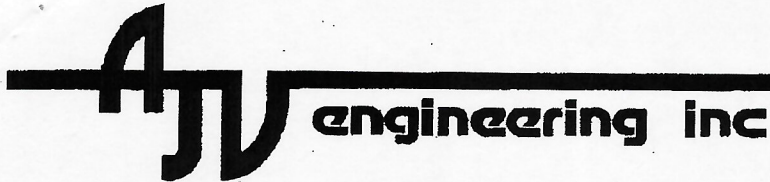
1. The Planning Board recommends that the Southern Waterfront Redevelopment Plan be amended as set forth in the letter reports of AJV Engineering, Inc., "City Council/SARA Referral Southern Waterfront Redevelopment Plan," dated February 14, 2007 and April 10, 2007.
2. The planning Board recommends that the Southern Waterfront Redevelopment Plan be amended to delete all permitted uses for Block 161, Lot 24 except recreational use; and
3. A copy of this Resolution, together with the letter reports of AJV Engineering, Inc., dated February 14, 2007 and April 10, 2007 shall be forwarded by the Board Secretary to the Mayor and City Council of the City of South Amboy.
4. This Resolution shall be effective immediately.


George Forrer, Chairman

Dated: April 25, 2007

I HEREBY CERTIFY that this is a true copy of a Resolution enacted at a duly convened public meeting of the City of South Amboy Planning Board held on April 25, 2007.

Linda Garnett, Secretary
South Amboy Planning Board



February 14, 2007

Mr. George Forrer, Board Chairman
 City of South Amboy Planning Board
 140 North Broadway
 South Amboy, NJ 08861

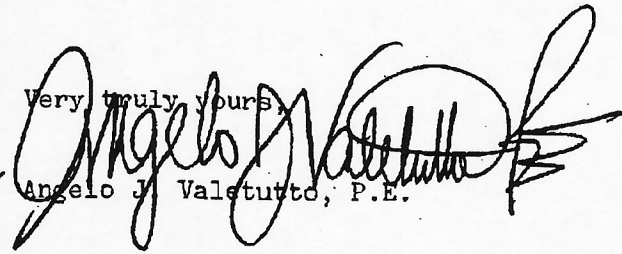
Re: City Council/SARA Referral
 Southern Waterfront Redevelopment Plan
 Block 161, Lot 24
 Rosewell Street

Dear Mr. Forrer:

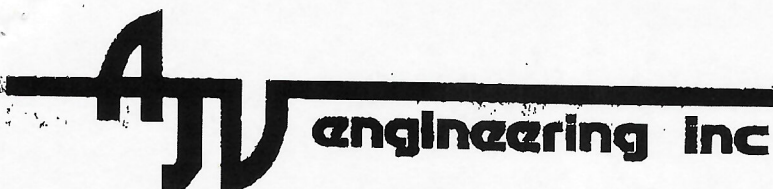
I have reviewed both SARA Resolution M:02-01-07:08, dated 2/1/07 and City Council Resolution No. 55-2007, dated 2/7/07. In addition, I have reviewed both the Southern Waterfront Redevelopment Area Report and the Southern Waterfront Redevelopment Plan as it relates to the referenced property. As the Board is aware, the subject property has been used for various light industrial uses, including two large aboveground storage tanks. In addition, the subject property contains wetlands issues along its easterly portion.

Based on my review of both the City Council and SARA resolutions and the Redevelopment Report and Plan, I strongly recommend that the Planning Board adopt a resolution supporting the removal of residential uses as a permitted use in the Southern Waterfront Redevelopment Plan for Block 161, Lot 24 due to environmental conditions prevalent on the property. Please note that our review also included review of the City's Master Plan and Zoning Ordinance and find that there is no conflict with either document with the Board adopting the recommended resolution. The Board's recommendation to City Council is in accordance to N.J.S.A. 40A:12A-7e.

Very truly yours,


 Angelo J. Valetutto, P.E.

pc: Ms. Linda Garnett and All Board members
 Joseph Maraziti, Esq., via fax only for resolution preparation
 City Council via fax only to Ms. Kathy Vigilante, City Clerk
 S.A.R.A. via fax only to Ms. B. Judith Lecki, Chairperson



April 10, 2007

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

Re: City Council/SARA referral
Southern Waterfront Redevelopment Plan Amendment
Block 161, Lot 24
Rosewell Street

Dear Mr. Forrer:

In furtherance to the Board's request for additional information to the above referenced matter, the undersigned was given a copy of a draft report prepared by Roux Associates, Inc., Environmental Consulting & Management. The report was prepared for the Baker Residential Companies, designated redeveloper for the subject property.

The Roux report was prepared in accordance to the NJDEP standards of NJAC 7:26E (technical requirements for remedial action) and included the following field sampling: 130 soil samples, 5 well points, and 42 groundwater samples. In addition, a total of fifteen areas of concern (AOCs) were identified. At the conclusion of the testing of the sampling, it was determined that the property contained a number of contaminants (i.e. VOCs, BTEX compounds, and Xylenes) that exceeded the residential standards established by the State. In addition, while six of the AOCs were able to be designated as "no action required", the remaining nine require additional study/ remediation.

The preliminary findings of the Roux Associates report is that it would not be cost effective to remediate the subject property to residential standards. It should be noted that the preliminary findings did not take into account that additional work is required since the property is situated in the "V" flood zone.

It is clear to this office that the Designated Redeveloper, would be unable to develop the property in the intended use of residential dwellings as outlined in the Southern Waterfront Redevelopment Plan.

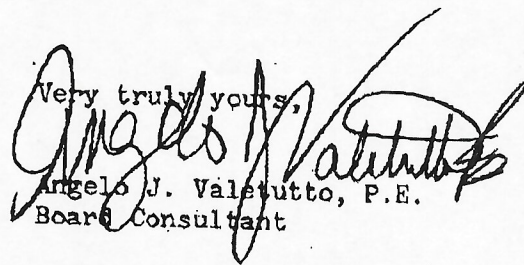
Based on the review of the Roux Associates report, the recommendations of both City Council and the South Amboy Redevelopment Agency, this office strongly recommends that the Planning Board not only accept the Council and S.A.R.A. resolutions that Block 161, Lot 24 and adjoining Lot 24.01, but delete all uses for the property other than recreational. The recommendation to change the Southern Waterfront Redevelopment Plan in this manner does not affect any of the previous findings by this Board, S.A.R.A., or City Council, including being in conflict with either the Master Plan or Zoning Ordinance of the City of South Amboy. In fact, based on all the current knowledge on the subject property, recreational use is the only viable use of the property, and not allow it to become fallow and a maintenance problem for the City.

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Mr. George Forrer
Re: Block 161, Lot 24
4/10/07

It is strongly recommended that the Planning Board endorse the City's current efforts to seek funding to remediate the subject property and adjoining lot 24.01 to permit recreational use. As the Board is aware, the development of recreational uses within the Southern Waterfront Redevelopment Area has been a priority since the initial study of the waterfront in the late 1980s.

It is also recommended that the Baker Companies be de-designated as the Redeveloper to permit the City to proceed with the recreational development of the property.

Very truly yours,

Angelo J. Valitutto, P.E.
Board Consultant

- cc: All Board members
Joseph Maraziti, Esq., Board attorney via fax only
Ms. Linda Garnett, Board Secretary
Ms. Kathy Vigilante, City Clerk
John R. Lanza, Esq., Law Director
Ms. B. Judith Lecki, Chairperson, S.A.R.A.
Joseph Büllman, Esq., S.A.R.A. attorney
Mr. Stanley Marcinezyk, S.R.M. Consulting, via fax only