

PLANNING BOARD
CITY OF SOUTH AMBOY

RESOLUTION PB- 24-07
RESOLUTION TO APPROVE PRELIMINARY AND FINAL MAJOR SUBDIVISION OF
BLOCK 29, LOTS 37 & 38

WHEREAS, application has been made by 255 Catherine Street, LLC, (“Applicant”) to the Planning Board of the City of South Amboy (“Board”) for preliminary and final major subdivision approval (Block 29, Lots 37 & 38); and

WHEREAS, the Planning Board held a public hearing on April 25, 2007 and has carefully considered the application as well as the testimony and exhibits presented by the Applicant; and

WHEREAS, The Applicant was represented by Brian Tipton, Esq.; and

WHEREAS, the Application will involve the extension of Gordon Street and the subdivision of Lots 37 & 38 into five (5) new Lots; and

WHEREAS, the Board has made the following findings:

1. The property is owned by 255 Catherine Street, LLC.
2. Applicant seeks a major subdivision in order to subdivide Lots 38 & 39 into 5 Lots to be designated 37.01, 37.02, 37.03, 38.01 and 38.02 in order to create 5 building lots.
3. The application involves variances for Lots 38.01 and 38.02 for minimum lot area and for minimum lot depth.
4. The application also requires a de minimis exception to the R.S.I.S. for the “hammerhead” turn-around at the terminus of Gordon Street.
5. The application does not seek authorization for any additional construction, buildings, or site work.

6. The subject property is depicted upon a plans entitled "Preliminary and Final Major Subdivision Gordon Street Block 29, Lots 37 & 38" prepared by French & Parello, dated 1/25/07, revised through 5/03/07, which plans were considered by the Board and consisted of the following sheets:
 1. Preliminary & Final Major Subdivision
 2. Existing Conditions
 3. Final Plat
 4. Site Plan
 5. Soil Erosion Sediment Control Plan
 6. Construction Details
7. That Thomas Malavisi, P.E., the Applicant's Engineer, was sworn and testified as to the nature of the proposed project and the existing site conditions.
8. The nature of the application is a major subdivision so as to facilitate the development of the property into building lots and sale of the resulting five lots.

NOW, Therefore Be It Resolved by the Planning Board in the City of South

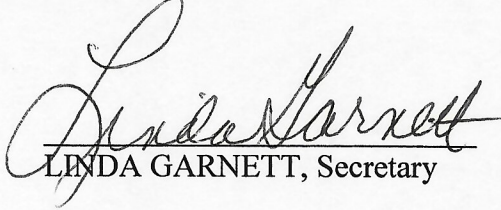
Amboy in the County of Middlesex and State of New Jersey on this 23rd day of May, 2007 Major Subdivision Approval with variances for the minimum lot area, minimum lot depth, and de minimis exception to the R.S.I.S. are herein granted, as the benefit of granting such variances outweighs the detriment, and can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance. The approval granted herein is subject to the following conditions:

1. Applicant shall publish a brief notice of determination in an official newspaper of the City within 20 days of receipt of a copy of this Resolution from the Planning Board Secretary. Applicant shall furnish to the Board an Affidavit of Publication by said newspaper.
2. Satisfaction of all conditions set forth in the reports of Angelo J. Valetutto, P.E., P.P. dated March 15, 2007, April 10, 2007 and April 24, 2007.

3. Satisfaction of all conditions set forth in the letter report of the Division of Fire Protection dated April 24, 2007.
4. The driveways to be constructed on Lots 37.01 and 37.02 shall be clustered together to maximize on-street parking in front of these Lots and the driveways to be constructed on Lots 37.03 and 38.01 shall be clustered together to maximize on-street parking in front of these Lots.
5. The driveway that will be constructed on Lot 38.02, which fronts on the hammerhead turn-around on Gordon Street shall be double-width in order to allow for an additional off-street parking space.
6. A decorative, concrete four-foot retaining wall shall be constructed along the rear property line of the five lots created by this subdivision and on top of the retaining wall a four foot high board-on-board fence shall be installed.
7. A discussion shall be made with the owner of Block 29, Lot 36 as to the meeting of the retaining wall on that Lot with the retaining wall to be constructed along the rear property line of the newly-created Lots and possible elimination of an existing retaining wall between Lot 36 and proposed Lot 37.01.
8. That all outstanding taxes, application, and escrow fees be paid in full.
9. That the Applicant submit copies of Approvals of any other Governmental Agencies having jurisdiction over this Site.
10. Applicant shall prepare and file a plat to perfect major subdivision approval pursuant to N.J.S.A. 40:55D-52. The proposed lot numbers of 37.01, 37.02, 37.03, 38.01 and 38.02 and 10.01 shall be reviewed and approved by the Tax Assessor prior to filing of the plat.
11. Applicant shall provide the City with a signed and sealed Engineer's Estimate of site and right-of-way improvements to be used for bonding and development of a Builder's Agreement.
12. Applicant and its successors in interest shall comply with all applicable state, county, and municipal laws and requirements in the use of the property.
13. Prior to or at the time of submission of a building permit to construct a residential structures, Applicant or its successor shall comply with any and all obligations related to the City of South Housing Plan Element and the obligations set forth therein related to the satisfaction of regulations promulgated by the Council on Affordable Housing, including the contribution of funds as set forth in the ordinances of the City of South Amboy.

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

ATTEST:


LINDA GARNETT, Secretary

PLANNING BOARD OF THE
CITY OF SOUTH AMBOY


GEORGE FORRER, Chairman

CERTIFICATION

Certified to be a True Copy of a Resolution adopted by the Planning Board of the City of South Amboy on May 23, 2007 at a duly convened meeting.

DATE:

Linda Garnett, Secretary