

PLANNING BOARD
CITY OF SOUTH AMBOY

RESOLUTION PB- 28-07
RESOLUTION TO APPROVE PRELIMINARY AND FINAL SITE PLAN APPLICATION
FOR BLOCK 161.04, LOT 20.08 AND BLOCK 161 LOT 35, LANDS OF THE CITY OF
SOUTH AMBOY

WHEREAS, application has been made by South Amboy Real Estate Development Group, LLC, ("Applicant") to the Planning Board of the City of South Amboy ("Board") for preliminary and final site plan approval (Block 161.04, Lot 20.08 and Block 161, Lot 35 located in South Amboy); and

WHEREAS, the Planning Board held a public hearing on June 27, 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 Applicant seeks to construct 7 multi-unit buildings and associated parking with a total of 44 two-bedroom units; and

WHEREAS, the Board has made the following findings and conclusions:

1. Applicant seeks preliminary and final site plan approval intended to allow the construction of 7 buildings with associated parked with a total of 44 two-bedroom units.
2. The Applicant is the contract purchaser of Block 161, Lot 35, which lot has been considered in the determination of the application's conformance with applicable zoning regulations.
3. The application does not require any variances.
4. The subject property is depicted upon a plan entitled "Preliminary and Final Site Plan for South Amboy Parcel A", prepared by French & Parrello, dated 3/28/07, consisting of eleven sheets.

5. The application was modified from its original form by decreasing the number of units from 46 to 44.
6. This application is being submitted in conjunction with the Second Amendment to Redevelopment Agreement ("Second Amendment") between the Applicant and the South Amboy Redevelopment Agency, a draft copy of which is attached to this Resolution at Exhibit "A."
7. The nature of the application is a preliminary and final site plan so as to facilitate the construction of seven buildings with 44 two-bedroom units with associated parking and the restoration and preservation of certain wetlands located on Block 161, Lot 35.
8. The Applicant presented the testimony of the following individuals in support of the application at the June 27, 2007 hearing:

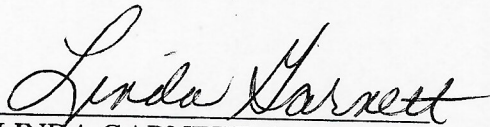
Thomas Malvasi
Michael Perrucci
Robert DeBeer
Stan Marcinczyk
Craig Coughlin
Michael Testa
Creigh Rahenkamp

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 25th day of July, 2007 Preliminary and Final Site Plan Approval is hereby granted subject to the following conditions:

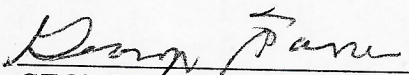
1. Applicant shall publish a brief notice of determination in an official newspaper of the City within 20 days of receipt of a copy of this Resolution from the Planning Board Secretary. Applicant shall furnish to the Board an Affidavit of Publication by said newspaper.
2. Satisfaction of all conditions set forth in the reports of Angelo J. Valetutto, P.E., P.P. dated April 10, 2007, June 8, 2007 and June 27, 2007.
3. The full execution by all parties of the Second Amendment in the form as that attached to this Resolution as Exhibit A.
4. The execution and delivery of a Deed conveying title to Block 161, Lot 35 to the Applicant with all covenants and restrictions as set forth in the Second Amendment and as set forth in the record of the hearing held on June 27, 2007.

5. Review and approval of the plans by the Fire Department and Emergency Services.
6. Revision of plans subject to review and approval by Angelo J. Valetutto, P.E. reconfiguring the sidewalk areas to provide a two foot setback of grass strip from the street, as per the testimony of Thomas Malvasi during the hearing on June 27, 2007.
7. Subject to final approval of the architectural details by the Architectural Review Committee of the Redevelopment Agency.
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 and its successors in interest shall comply with all applicable state, county, and municipal laws and requirements in the use of the property.
11. 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 July 25, 2007 at a duly convened meeting.

DATE:

Linda Garnett, Secretary