

PLANNING BOARD
CITY OF SOUTH AMBOY

RESOLUTION # 38-2007

A RESOLUTION APPROVING MINOR SUBDIVISION AND PRELIMINARY MAJOR SITE PLAN TO PERON DEVELOPMENT / SOUTH AMBOY II, LLC FOR BLOCK 22, LOTS 3, 3.01, 3.02 & 4; BLOCK 23 LOTS 1, 1.03, 1.04 & 2; BLOCK 24 LOT 2.01

WHEREAS, application has been made by Peron Development / South Amboy II, LLC, (“Applicant”) to the Planning Board of the City of South Amboy (“Board”) for subdivision and preliminary and final site plan approval (Block 22, Lots 3, 3.01, 3.02 & 4; Block 23, Lots 1, 1.03, 1.04 & 2; and Block 24, Lot 2.01, located in South Amboy); and

WHEREAS, the Planning Board held a public hearing on November 28, 2007 and has carefully considered the application as well as the testimony and exhibits presented by the Applicant; and

WHEREAS, said Applicant was represented by Brian R. Tipton, Esquire; and

WHEREAS, the Application for subdivision was to subdivide the property into two Lots, one to be conveyed to the City of South Amboy for use as a recreation center and the remainder to be retained by the Applicant for development with 118 residential units; and

WHEREAS, the Application for site plan approval was for the construction of 118 residential units to be located in 17 buildings with associated parking and other amenities; and

WHEREAS, the following Findings of Fact were made:

FINDINGS OF FACT

1. The Applicant seeks to obtain subdivision approval to subdivide the property into two lots to be designated Lots 4.11 and 4.12, with one to be conveyed to the City of South Amboy (Lot 4.11) and the remaining lot (Lot 4.12) to be developed with 118 residential units.

2. The development of the 118 residential units will be in 17 buildings comprised of 4, 5, 6 and 8 unit buildings.
3. Both the subdivision and site plan applications are fully conforming to the applicable zoning regulations and do not require any variances.
4. That a Minor Subdivision Plan entitled "Minor Subdivision Plan prepared for: Block 22-Lots 3, 3.01, 3.02, 4 and 4.01 Block 23-Lots 1, 1.03, 1.04 and 2 Block 24- Lot 2.01" as prepared by DeMuro Associates, dated 10/12/07 was submitted and considered by the Board.
5. That a Preliminary and Final Site Plan, entitled "South Amboy – Lower Broadway Redevelopment", prepared by French & Parrello, Applicant's Engineers, dated October 15, 2007, and consisting of 15 sheets was submitted and considered by the Board.
6. That architectural floor plans/elevation views, entitled, "Lower Broadway Redevelopment Townhomes at John T. O'Leary Boulevard Extension" prepared by EDI Architects, PC, dated July 11, 2007 and consisting of four sheets were submitted and considered by the Board.
7. That a Storm Drainage report entitled "Stormwater Management Plan for Lower Broadway Development" prepared by French and Parello, P.A. dated October 12, 2007 was submitted and considered by the Board.
8. That the project is located in the Southern Waterfront Redevelopment Zone and consists of a permitted use and does not require the issuance of any variances.

Based upon the above Findings of Fact, the Board Concludes as follows:

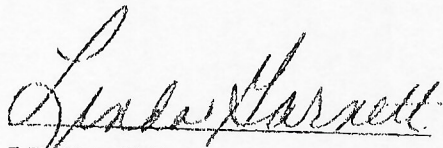
CONCLUSION

1. That the Preliminary Major Site Plan as submitted and made part of the record, is herein approved subject to the conditions set forth in the AJV Engineering, Inc. reports of October 19, 2007 and November 28, 2007 and the conditions set forth on the record.
2. That the Minor Subdivision as submitted and made part of the record, is herein approved subject to the conditions set forth in the AJV Engineering, Inc. reports of October 19, 2007 and November 28, 2007 and the conditions set forth on the record.

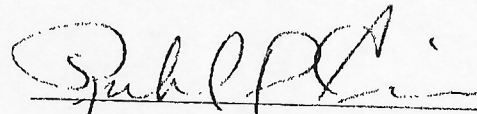
NOW, THEREFORE, BE IT RESOLVED that the Application for Minor Subdivision and a Preliminary Major Site Plan are herein granted subject to the following conditions:

1. Applicant shall comply with the terms of the AJV Engineering, Inc. reports of October 19, 2007 and November 28, 2007.
2. That any revisions of the Plans and Exhibits be submitted in accordance with the comments of said City Planning Board Engineer, as set forth in the AJV Engineering, Inc. reports of October 19, 2007 and November 28, 2007.
3. 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.
4. Applicant shall prepare a deed to perfect minor subdivision approval pursuant to N.J.S.A. 40:55D-47 (d) for signature by the Board Chairman and Secretary. The said deed shall be reviewed by the Board Planner and Board Attorney prior to execution on behalf of the Board.
5. That all outstanding taxes, application, and escrow fees be paid in full.
6. This Resolution shall take effect as provided by law.

ATTEST:


LINDA GARNETT, Secretary

PLANNING BOARD OF THE
CITY OF SOUTH AMBOY


RICHARD CRONIN, Acting Chairman

CERTIFICATION

Certified to be a True Copy of a Resolution adopted by the Planning Board of the City of South Amboy on December 18, 2007 at a duly convened meeting.

DATE:

Linda Garnett, Secretary